

108TH CONGRESS  
1ST SESSION

# S. 949

To establish a commission to assess the military facility structure of the United States overseas, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

APRIL 29, 2003

Mrs. HUTCHISON (for herself and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Armed Services

---

## A BILL

To establish a commission to assess the military facility structure of the United States overseas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Overseas Military Fa-  
5 cility Structure Review Act of 2003”.

6 **SEC. 2. ESTABLISHMENT OF COMMISSION.**

7 (a) ESTABLISHMENT.—There is established the Com-  
8 mission on the Review of the Overseas Military Facility  
9 Structure of the United States (in this Act referred to as  
10 the “Commission”).

1 (b) MEMBERSHIP.—(1) The Commission shall be  
2 composed of 8 members of whom—

3 (A) 2 shall be appointed by the Majority Leader  
4 of the Senate;

5 (B) 2 shall be appointed by the Minority Lead-  
6 er of the Senate;

7 (C) 2 shall be appointed by the Speaker of the  
8 House of Representatives; and

9 (D) 2 shall be appointed by the Minority Lead-  
10 er of the House of Representatives.

11 (2) Individuals appointed to the Commission shall  
12 have significant experience in the national security or for-  
13 eign policy of the United States.

14 (3) Appointments of the members of the Commission  
15 shall be made not later than 45 days after the date of  
16 the enactment of this Act.

17 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-  
18 bers shall be appointed for the life of the Commission. Any  
19 vacancy in the Commission shall not affect its powers, but  
20 shall be filled in the same manner as the original appoint-  
21 ment.

22 (d) INITIAL MEETING.—Not later than 30 days after  
23 the date on which all members of the Commission have  
24 been appointed, the Commission shall hold its first meet-  
25 ing.

1 (e) MEETINGS.—The Commission shall meet at the  
2 call of the Chairman.

3 (f) QUORUM.—A majority of the members of the  
4 Commission shall constitute a quorum, but a lesser num-  
5 ber of members may hold hearings.

6 (g) CHAIRMAN; VICE CHAIRMAN.—The Commission  
7 shall select a Chairman and Vice Chairman from among  
8 its members.

9 **SEC. 3. DUTIES OF COMMISSION.**

10 (a) STUDY.—The Commission shall conduct a thor-  
11 ough study of matters relating to the military facility  
12 structure of the United States overseas.

13 (b) MATTERS TO BE STUDIED.—In conducting the  
14 study, the Commission shall—

15 (1) assess the number of forces required to be  
16 forward based outside the United States;

17 (2) examine the current state of the military fa-  
18 cilities and training ranges of the United States  
19 overseas for all permanent stations and deployed lo-  
20 cations, including the condition of land and improve-  
21 ments at such facilities and ranges and the avail-  
22 ability of additional land, if required, for such facili-  
23 ties and ranges;

24 (3) identify the amounts received by the United  
25 States, whether in direct payments, in-kind contribu-

1 tions, or otherwise, from foreign countries by reason  
2 of military facilities of the United States overseas;

3 (4) assess whether or not the current military  
4 basing and training range structure of the United  
5 States overseas is adequate to meet the current and  
6 future mission of the Department of Defense, in-  
7 cluding contingency, mobilization, and future force  
8 requirements;

9 (5) assess the feasibility and advisability of the  
10 closure or realignment of military facilities of the  
11 United States overseas, or of the establishment of  
12 new military facilities of the United States overseas;  
13 and

14 (6) consider or assess any other issue relating  
15 to military facilities of the United States overseas  
16 that the Commission considers appropriate.

17 (c) REPORT.—(1) Not later than August 30, 2004,  
18 the Commission shall submit to the President and Con-  
19 gress a report which shall contain a detailed statement of  
20 the findings and conclusions of the Commission, together  
21 with its recommendations for such legislation and admin-  
22 istrative actions as it considers appropriate.

23 (2) In addition to the matters specified in paragraph  
24 (1), the report shall also include a proposal by the Com-  
25 mission for an overseas basing strategy for the Depart-

1 ment of Defense in order to meet the current and future  
2 mission of the Department.

3 **SEC. 4. POWERS OF COMMISSION.**

4 (a) HEARINGS.—The Commission may hold such  
5 hearings, sit and act at such times and places, take such  
6 testimony, and receive such evidence as the Commission  
7 considers advisable to carry out this Act.

8 (b) INFORMATION FROM FEDERAL AGENCIES.—The  
9 Commission may secure directly from any Federal depart-  
10 ment or agency such information as the Commission con-  
11 siders necessary to carry out this Act. Upon request of  
12 the Chairman of the Commission, the head of such depart-  
13 ment or agency shall furnish such information to the Com-  
14 mission.

15 (c) ADMINISTRATIVE SUPPORT SERVICES.—Upon re-  
16 quest of the Commission, the Administrator of General  
17 Services shall provide to the Commission, on a reimburs-  
18 able basis, the administrative support necessary for the  
19 Commission to carry out its duties under this Act.

20 (d) POSTAL SERVICES.—The Commission may use  
21 the United States mails in the same manner and under  
22 the same conditions as other departments and agencies of  
23 the Federal Government.

24 (e) GIFTS.—The Commission may accept, use, and  
25 dispose of gifts or donations of services or property.

1 **SEC. 5. COMMISSION PERSONNEL MATTERS.**

2 (a) COMPENSATION OF MEMBERS.—Each member of  
3 the Commission who is not an officer or employee of the  
4 Federal Government shall be compensated at a rate equal  
5 to the daily equivalent of the annual rate of basic pay pre-  
6 scribed for level IV of the Executive Schedule under sec-  
7 tion 5315 of title 5, United States Code, for each day (in-  
8 cluding travel time) during which such member is engaged  
9 in the performance of the duties of the Commission under  
10 this Act. All members of the Commission who are officers  
11 or employees of the United States shall serve without com-  
12 pensation in addition to that received for their services as  
13 officers or employees of the United States.

14 (b) TRAVEL.—(1) Members of the Commission shall  
15 be allowed travel expenses, including per diem in lieu of  
16 subsistence, at rates authorized for employees of agencies  
17 under subchapter I of chapter 57 of title 5, United States  
18 Code, while away from their homes or regular places of  
19 business in the performance of services for the Commis-  
20 sion under this Act.

21 (2) Members and staff of the Commission may receive  
22 transportation on aircraft of the Military Airlift Command  
23 to and from the United States, and overseas, for purposes  
24 of the performance of the duties of the Commission to the  
25 extent that such transportation will not interfere with the  
26 requirements of military operations.

1           (c) STAFF.—(1) The Chairman of the Commission  
2 may, without regard to the civil service laws and regula-  
3 tions, appoint and terminate an executive director and  
4 such other additional personnel as may be necessary to  
5 enable the Commission to perform its duties under this  
6 Act. The employment of an executive director shall be sub-  
7 ject to confirmation by the Commission.

8           (2) The Commission may employ a staff to assist the  
9 Commission in carrying out its duties. The total number  
10 of the staff of the Commission, including an executive di-  
11 rector under paragraph (1), may not exceed 12.

12          (3) The Chairman of the Commission may fix the  
13 compensation of the executive director and other personnel  
14 without regard to chapter 51 and subchapter III of chap-  
15 ter 53 of title 5, United States Code, relating to classifica-  
16 tion of positions and General Schedule pay rates, except  
17 that the rate of pay for the executive director and other  
18 personnel may not exceed the rate payable for level V of  
19 the Executive Schedule under section 5316 of such title.

20          (d) DETAIL OF GOVERNMENT EMPLOYEES.—Any  
21 employee of the Department of Defense, the Department  
22 of State, or the General Accounting Office may be detailed  
23 to the Commission without reimbursement, and such de-  
24 tail shall be without interruption or loss of civil service  
25 status or privilege.

1           (e) **PROCUREMENT OF TEMPORARY AND INTERMIT-**  
2 **TENT SERVICES.**—The Chairman of the Commission may  
3 procure temporary and intermittent services under section  
4 3109(b) of title 5, United States Code, at rates for individ-  
5 uals which do not exceed the daily equivalent of the annual  
6 rate of basic pay prescribed for level V of the Executive  
7 Schedule under section 5316 of such title.

8 **SEC. 6. SECURITY.**

9           (a) **SECURITY CLEARANCES.**—Members and staff of  
10 the Commission, and any experts and consultants to the  
11 Commission, shall possess security clearances appropriate  
12 for their duties with the Commission under this Act.

13           (b) **IN GENERAL.**—The Secretary of Defense shall as-  
14 sume responsibility for the handling and disposition of any  
15 information relating to the national security of the United  
16 States that is received, considered, or used by the Commis-  
17 sion under this title.

18 **SEC. 7. TERMINATION OF COMMISSION.**

19           The Commission shall terminate 45 days after the  
20 date on which the Commission submits its report under  
21 section 3.

22 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

23           (a) **IN GENERAL.**—There is authorized to be appro-  
24 priated \$3,000,000 to the Commission to carry out this  
25 Act.

1           (b) AVAILABILITY.—The amount authorized to be ap-  
2   propriated by subsection (a) shall remain available, with-  
3   out fiscal year limitation, until September 2005.

○