

**AMENDMENT TO H.R. 5136, AS REPORTED
OFFERED BY MR. SABLAN OF NORTHERN
MARIANA ISLANDS**

Strike sections 2821 and 2822 and insert the following new sections:

1 **SEC. 2821. SENSE OF CONGRESS REGARDING IMPORTANCE**
2 **OF PROVIDING COMMUNITY ADJUSTMENT**
3 **ASSISTANCE TO GOVERNMENTS OF GUAM**
4 **AND THE COMMONWEALTH OF THE NORTH-**
5 **ERN MARIANA ISLANDS.**

6 It is the Sense of Congress that—

7 (1) for national security reasons, the United
8 States is required from time to time to construct
9 major, new military installations despite the serious
10 adverse impacts that the installations will have on
11 the communities and the areas in which the installa-
12 tions are constructed; and

13 (2) neither the impacted local governments nor
14 the communities in which the installations are con-
15 structed should be expected to bear the full cost of
16 mitigating such adverse impacts.

1 **SEC. 2822. DEPARTMENT OF DEFENSE ASSISTANCE FOR**
2 **COMMUNITY ADJUSTMENTS RELATED TO RE-**
3 **ALIGNMENT OF MILITARY INSTALLATIONS**
4 **AND RELOCATION OF MILITARY PERSONNEL**
5 **ON GUAM.**

6 (a) **TEMPORARY ASSISTANCE AUTHORIZED.**—

7 (1) **ASSISTANCE TO GOVERNMENTS OF GUAM**
8 **AND THE COMMONWEALTH OF THE NORTHERN MAR-**
9 **IANA ISLANDS.**—The Secretary of Defense may as-
10 sist the Governments of Guam and the Common-
11 wealth of the Northern Mariana Islands in meeting
12 the costs of providing increased municipal services
13 and facilities required as a result of the realignment
14 of military installations and the relocation of mili-
15 tary personnel on Guam (in this section referred to
16 as the “Guam realignment”) if the Secretary deter-
17 mines that an unfair and excessive financial burden
18 will be incurred by the Governments of Guam and
19 the Commonwealth of the Northern Mariana Islands
20 to provide the services and facilities in the absence
21 of the Department of Defense assistance.

22 (2) **MITIGATION OF IDENTIFIED IMPACTS.**—The
23 Secretary of Defense may take such actions as the
24 Secretary considers to be appropriate to mitigate the
25 significant impacts identified in the Record of Deci-
26 sion of the “Guam and CNMI Military Relocation

1 Environmental Impact Statement” by providing in-
2 creased municipal services and facilities to activities
3 that directly support the Guam realignment.

4 (b) METHODS TO PROVIDE ASSISTANCE.—

5 (1) USE OF EXISTING PROGRAMS.—The Sec-
6 retary of Defense shall carry out subsection (a)
7 through existing Federal programs.

8 (2) TRANSFER AUTHORITY.—To the extent nec-
9 essary to carry out subsection (a), the Secretary
10 may transfer appropriated funds available to the De-
11 partment of Defense or a military department for
12 operation and maintenance to supplement funds
13 made available to Guam or the Commonwealth of
14 the Northern Mariana Islands under a Federal pro-
15 gram. The transfer authority provided by this para-
16 graph is in addition to the transfer authority pro-
17 vided by section 1001. Amounts so transferred shall
18 be merged with and be available for the same pur-
19 poses as the appropriation to which transferred.

20 (3) COST SHARE ASSISTANCE.— The Secretary
21 may use appropriated amounts referred to in para-
22 graph (2) to provide financial assistance to the Gov-
23 ernments of Guam and the Commonwealth of the
24 Northern Mariana Islands to assist such govern-
25 ments to pay their share of the costs under Federal

1 programs utilized by the Secretary under paragraph
2 (1).

3 (c) LIMITATION ON PROVISION OF ASSISTANCE.—
4 The total cost of the construction of facilities carried out
5 utilizing the authority provided by subsection (a) may not
6 exceed \$500,000,000.

7 (d) SPECIAL CONSIDERATIONS.—In determining the
8 amount of financial assistance to be made available under
9 this section to the Governments of Guam and the Com-
10 monwealth of the Northern Mariana Islands for any com-
11 munity service or facility, the Secretary of Defense shall
12 consult with the head of the department or agency of the
13 Federal Government concerned with the type of service or
14 facility for which financial assistance is being made avail-
15 able and shall take into consideration—

16 (1) the time lag between the initial impact of
17 increased population on Guam and any increase in
18 the local tax base that will result from such in-
19 creased population;

20 (2) the possible temporary nature of the in-
21 creased population and the long-range cost impact
22 on the permanent residents of Guam or the Com-
23 monwealth of the Northern Mariana Islands; and

24 (3) such other pertinent factors as the Sec-
25 retary of Defense considers appropriate.

1 (e) **PROGRESS REPORTS REQUIRED.**—The Secretary
2 of Defense shall submit to the Committees on Armed Serv-
3 ices of the Senate and the House of Representatives semi-
4 annual reports indicating the total amount expended
5 under the authority of this section during the preceding
6 six-month period, the specific projects for which assistance
7 was provided during such period, and the total amount
8 provided for each project during such period.

9 (f) **TERMINATION.**—The authority to provide assist-
10 ance under subsection (a) expires September 30, 2017.
11 Amounts obligated before that date may be expended after
12 that date.

