

APPENDIX G. PROPOSED MODIFYING LANGUAGE (CHANGES IN BOLD)

10 U.S.C. § 2683 - Relinquishment of legislative jurisdiction; minimum drinking age on military installations

(a) Notwithstanding any other provision of law, **and excepting juveniles on lands and interests of the Department of Defense**, the Secretary concerned may, whenever he considers it desirable, relinquish to a State, or to a Commonwealth, territory, or possession of the United States, all or part of the legislative jurisdiction of the United States over lands or interests under his control in that State, Commonwealth, territory, or possession. Relinquishment of legislative jurisdiction under this section may be accomplished (1) by filing with the Governor (or, if none exists, with the chief executive officer) of the State, Commonwealth, territory, or possession concerned a notice of relinquishment to take effect upon acceptance thereof, or (2) as the laws of the State, Commonwealth, territory, or possession may otherwise provide.

(b) With respect to juveniles, the Secretary of Defense shall, within one year of the passage of this section, relinquish to a State, or to a Commonwealth, territory, or possession of the United States, legislative jurisdiction of the United States such that concurrent legislative jurisdiction regarding juveniles shall exist over lands and interests under his control in that State, Commonwealth, territory, or possession. Relinquishment of legislative jurisdiction with respect to juveniles under this section may be accomplished in the same manner described in subsection (a). The Secretary of Defense shall report to Congress immediately any State, Commonwealth, territory, or possession that refuses to accept concurrent legislative jurisdiction with respect to juveniles on Department of Defense lands or interests and the reasons for refusal.

(c) The authority granted by subsection (a) **and subsection (b) are** in addition to and not instead of that granted by any other provision of law.

(d)

(1) Except as provided in paragraphs (2) and (3), the Secretary concerned shall establish and enforce as the minimum drinking age on a military installation located in a State the age established by the law of that State as the State minimum drinking age.

(2)

(A) In the case of a military installation located—

(i) in more than one State; or

(ii) in one State but within 50 miles of another State or Mexico or Canada,

the Secretary concerned may establish and enforce as the minimum drinking age on that military installation the lowest applicable age.

(B) In subparagraph (A), the term “lowest applicable age” means the lowest minimum drinking age established by the law—

(i) of a State in which a military installation is located; or

(ii) of a State or jurisdiction of Mexico or Canada that is within 50 miles of such military installation.

(3)

(A) The commanding officer of a military installation may waive the requirement of paragraph (1) if such commanding officer determines that the exemption is justified by special circumstances.

(B) The Secretary of Defense shall define by regulations what constitute special circumstances for the purposes of this paragraph.

(4) In this subsection:

(A) The term “State” includes the District of Columbia.

(B) The term “minimum drinking age” means the minimum age or ages established for persons who may purchase, possess, or consume alcoholic beverages.