

118TH CONGRESS  
1ST SESSION

# H. R. 664

To require certain reports relating to defense access roads, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 2023

Mr. GARAMENDI introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To require certain reports relating to defense access roads,  
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 “Defense Access Roads  
5 Improvement Act”.

1 **SEC. 2. DEFENSE ACCESS ROAD PROGRAM ENHANCE-**  
2 **MENTS TO ADDRESS TRANSPORTATION IN-**  
3 **FRASTRUCTURE IN VICINITY OF MILITARY**  
4 **INSTALLATIONS.**

5 Section 2816 of the National Defense Authorization  
6 Act for Fiscal Year 2012 (Public Law 112–81) is amend-  
7 ed—

8 (1) in subsection (b)—

9 (A) in paragraph (1), by striking “this  
10 Act” and inserting “the Defense Access Roads  
11 Improvement Act”; and

12 (B) in paragraph (2), by striking “this  
13 Act” and inserting “the Defense Access Roads  
14 Improvement Act”; and

15 (2) by adding at the end the following new sub-  
16 sections:

17 “(d) PETITION FOR CERTIFICATION OF ROADS AS  
18 DEFENSE ACCESS ROADS.—

19 “(1) IN GENERAL.—Not later than October 1,  
20 2024, the Secretary of Defense shall establish a for-  
21 mal mechanism under which—

22 “(A) a State, county, or municipality may  
23 petition the Secretary to certify roads as de-  
24 fense access roads under section 210 of title 23,  
25 United States Code; and

1           “(B) the Secretary shall respond, in writ-  
2           ing, to any such petition.

3           “(2) STATE DEFINED.—In this subsection, the  
4           term ‘State’ means any of the several States, the  
5           District of Columbia, American Samoa, Guam, the  
6           Commonwealth of the Northern Mariana Islands,  
7           the Commonwealth of Puerto Rico, and the United  
8           States Virgin Islands.

9           “(e) PUBLIC AVAILABILITY OF INFORMATION.—The  
10          Secretary of Defense shall maintain and update regularly  
11          on an appropriate website of the Federal Government, a  
12          list of all roads certified as important to the national de-  
13          fense by the Secretary or by such other official as the  
14          President may designate. Such website shall include, for  
15          each such road, each of the following:

16                 “(1) The military installation (as such term is  
17                 defined in section 2687(g)(1) of title 10, United  
18                 States Code) that is in closest proximity to the road.

19                 “(2) The date on which the road was so cer-  
20                 tified.

21                 “(3) Any fiscal year for which the President  
22                 transmitted to Congress under section 1105 of title  
23                 31, United States Code, a budget request that in-  
24                 cluded an amount for such road.

1           “(4) Any fiscal year for which Congress appro-  
2           priated an amount for such road.

3           “(f) TREATMENT OF CLASSIFIED INFORMATION.—  
4           Nothing in subsection (d) or (e) shall be construed as a  
5           requirement for the Secretary of Defense to make publicly  
6           available any classified information.”.

7           **SEC. 3. REPORT ON DEFENSE ACCESS ROADS.**

8           Section 2814(b) of the Duncan Hunter National De-  
9           fense Authorization Act for Fiscal Year 2009 (Public Law  
10          110–417) is amended—

11           (1) by striking “April 1, 2009” and inserting  
12           “one year after the date of the enactment of the De-  
13           fense Access Roads Improvement Act”; and

14           (2) by inserting before the period at the end the  
15           following: “and name any road that the commander  
16           of a military installation (as such term is defined in  
17           section 2687(g)(1) of title 10, United States Code)  
18           or the Secretary of a military department has rec-  
19           ommended that the Secretary of Defense certify as  
20           a defense access road during the period beginning on  
21           April 1, 2009, and ending on the date of the enact-  
22           ment of the Defense Roads Improvement Act”.

1 **SEC. 4. IMPROVEMENT OF DEFENSE ACCESS ROADS PRO-**  
2 **GRAM.**

3 Section 210 of title 23, United States Code, is  
4 amended—

5 (1) in subsection (a)(1)—

6 (A) in subparagraph (A)—

7 (i) in clause (i), by inserting “or mili-  
8 tary installations” after “reservations”;  
9 and

10 (ii) in clause (iii), by inserting “or  
11 commercial shipyards” after “sea ports”;

12 (B) in subparagraph (C)—

13 (i) in clause (i), by inserting “or mili-  
14 tary installations” after “reservations”;  
15 and

16 (ii) in clause (ii), by inserting “or  
17 commercial shipyards” after “sea ports”;

18 (2) in subsection (f), by striking “section 112”  
19 and inserting “sections 112, 113, and 313”;

20 (3) in subsection (i), by inserting “, or commer-  
21 cial shipyard” after “sea port”; and

22 (4) by adding at the end the following new sub-  
23 section:

24 “(j) **MILITARY INSTALLATION DEFINED.**—In this  
25 section, the term ‘military installation’ has the meaning

1 given that term in section 2801 of title 10, United States  
2 Code.”.

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