

118TH CONGRESS  
1ST SESSION

# S. 2490

To amend title 10, United States Code, to authorize the head of a department or organization within the Department of Defense to place an order with any other such department or organization for certain construction projects on a reimbursable basis.

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## IN THE SENATE OF THE UNITED STATES

JULY 25, 2023

Mr. ROUNDS (for himself and Mr. MANCHIN) introduced the following bill;  
which was read twice and referred to the Committee on Armed Services

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## A BILL

To amend title 10, United States Code, to authorize the head of a department or organization within the Department of Defense to place an order with any other such department or organization for certain construction projects on a reimbursable basis.

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 “Taxpayer-Funded Fa-  
5 cility Restoration Stewardship Act”.

1 **SEC. 2. ORDERING AUTHORITY FOR MAINTENANCE, RE-**  
2 **PAIR, AND CONSTRUCTION OF FACILITIES OF**  
3 **DEPARTMENT OF DEFENSE.**

4 (a) IN GENERAL.—Subchapter I of chapter 169 of  
5 title 10, United States Code, is amended by adding at the  
6 end the following new section:

7 **“§ 2817. Ordering authority**

8 “(a) IN GENERAL.—The head of a department or or-  
9 ganization within the Department of Defense may place  
10 an order, on a reimbursable basis, with any other such  
11 department or organization for a project for the mainte-  
12 nance and repair of a facility of the Department of De-  
13 fense or for a minor military construction project.

14 “(b) OBLIGATIONS.—An order placed by the head of  
15 a department or organization under subsection (a) is  
16 deemed to be an obligation of such department or organi-  
17 zation in the same manner as a similar order or contract  
18 placed with a private contractor.

19 “(c) CONTINGENCY EXPENSES.—An order placed  
20 under subsection (a) for a project may include an amount  
21 for contingency expenses that shall not exceed 10 percent  
22 of the cost of the project.

23 “(d) AVAILABILITY OF AMOUNTS.—Amounts appro-  
24 priated or otherwise made available to a department or  
25 organization of the Department of Defense shall be avail-  
26 able to pay an obligation of such department or organiza-

1 tion under this section in the same manner and to the  
2 same extent as those amounts are available to pay an obli-  
3 gation to a private contractor.”.

4 (b) CLERICAL AMENDMENT.—The table of sections  
5 at the beginning of such subchapter is amended by adding  
6 at the end the following new item:

“2817. Ordering authority.”.

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