

117TH CONGRESS
2D SESSION

H. R. 8205

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2022

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

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 2023, 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.”.

