

**AMENDMENT TO RULES COMMITTEE PRINT 118-**

**10**

**OFFERED BY MR. BACON OF NEBRASKA**

At the end of subtitle E of title III, insert the following:

1 **SEC. 3\_\_\_ . AMENDMENTS TO THE MILITARY AVIATION AND**  
2 **INSTALLATION ASSURANCE CLEARINGHOUSE**  
3 **FOR REVIEW OF MISSION OBSTRUCTIONS.**

4 (a) AMENDMENTS RELATING TO PROJECTS PRO-  
5 POSED WITHIN TWO NAUTICAL MILES OF ANY INTER-  
6 CONTINENTAL BALLISTIC MISSILE LAUNCH FACILITY OR  
7 CONTROL CENTER.—Section 183a of title 10, United  
8 States Code, is amended—

9 (1) in subsection (c)(7)—

10 (A) by inserting “within two nautical miles  
11 of any intercontinental ballistic missile launch  
12 facility or control center,” after “any project  
13 proposed”; and

14 (B) by inserting a comma after “within a  
15 military training route”;

16 (2) in subsection (d)(2)—

17 (A) in subparagraph (B), by inserting “or  
18 any intercontinental ballistic missile launch fa-

1           cility or control center” after “military training  
2           routes”;

3           (B) in subparagraph (E), by striking “or a  
4           Deputy Under Secretary of Defense” and in-  
5           serting “a Deputy Under Secretary of Defense,  
6           or the Assistant Secretary of Defense for En-  
7           ergy, Installations, and Environment”; and  
8           (3) in subsection (e)(1)—

9           (A) by inserting after the first sentence the  
10          following: “In the case of any energy project or  
11          antenna structure project with proposed struc-  
12          tures located within two nautical miles of an  
13          intercontinental ballistic missile launch facility  
14          or control center, the Secretary of Defense shall  
15          issue a finding of unacceptable risk to national  
16          security for such project if the mitigation ac-  
17          tions do not include removal of all such pro-  
18          posed structures from the project after receiv-  
19          ing notice of presumed risk from the Clearing-  
20          house under subsection (c)(2).”; and

21          (B) by striking “The Secretary of De-  
22          fense’s finding of unacceptable risk to national  
23          security” and inserting “Any finding of unac-  
24          ceptable risk to national security by the Sec-  
25          retary of Defense under this paragraph”.

1 (b) ANTENNA STRUCTURE PROJECT DEFINED.—  
2 Section 183a(h) of such title is amended by adding at the  
3 end the following new paragraph:

4 “(10) The term ‘antenna structure project’  
5 means a structure located within two nautical miles  
6 of any intercontinental ballistic missile launch facil-  
7 ity or control center that is constructed or used to  
8 transmit radio energy or that is constructed or used  
9 for the primary purpose of supporting antennas to  
10 transmit or receive radio energy (or both), and any  
11 antennas and other appurtenances mounted on the  
12 structure, from the time construction of the sup-  
13 porting structure begins until such time as the sup-  
14 porting structure is dismantled. The term does not  
15 include any project in support of or required by an  
16 intercontinental ballistic missile launch facility or  
17 control center.”.

18 (c) CONFORMING AMENDMENTS.—Section 183a of  
19 such title is further amended—

20 (1) by inserting “or antenna structure projects”  
21 after “energy projects” each place it appears—

22 (A) in subsection (b)(1); and

23 (B) in paragraphs (5) and (7) of sub-  
24 section (c); and

1           (2) by inserting “or antenna structure project”  
2           after “energy project” each place it appears—

3                   (A) in subsection (b)(2);

4                   (B) in subsection (c)(1) in the matter pre-  
5           ceding subparagraph (A);

6                   (C) in subparagraphs (A) and (B) of sub-  
7           section (c)(1);

8                   (D) in paragraphs (2), (4), (6), and (8) of  
9           subsection (c);

10                   (E) in subsection (e)(1);

11                   (F) in subsection (f); and

12                   (G) in subsection (h)(4).

