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:

SEC. 3. AMENDMENTS TO THE MILITARY AVIATION AND INSTALLATION ASSURANCE CLEARINGHOUSE FOR REVIEW OF MISSION OBSTRUCTIONS.

(a) Amendments Relating to Projects Proposed Within Two Nautical Miles of Any Intercontinental Ballistic Missile Launch Facility or Control Center.—Section 183a of title 10, United States Code, is amended—

(1) in subsection (c)(7)—

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

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

(2) in subsection (d)(2)—

(A) in subparagraph (B), by inserting “or any intercontinental ballistic missile launch fa-
cility or control center” after “military training routes”;

(B) in subparagraph (E), by striking “or a Deputy Under Secretary of Defense” and inserting “a Deputy Under Secretary of Defense, or the Assistant Secretary of Defense for Energy, Installations, and Environment”; and

(3) in subsection (e)(1)—

(A) by inserting after the first sentence the following: “In the case of any energy project or antenna structure project with proposed structures located within two nautical miles of an intercontinental ballistic missile launch facility or control center, the Secretary of Defense shall issue a finding of unacceptable risk to national security for such project if the mitigation actions do not include removal of all such proposed structures from the project after receiving notice of presumed risk from the Clearinghouse under subsection (c)(2).”; and

(B) by striking “The Secretary of Defense’s finding of unacceptable risk to national security” and inserting “Any finding of unacceptable risk to national security by the Secretary of Defense under this paragraph”.

(b) **Antenna Structure Project Defined.**—

Section 183a(h) of such title is amended by adding at the end the following new paragraph:

“(10) The term ‘antenna structure project’ means a structure located within two nautical miles of any intercontinental ballistic missile launch facility or control center that is constructed or used to transmit radio energy or that is constructed or used for the primary purpose of supporting antennas to transmit or receive radio energy (or both), and any antennas and other appurtenances mounted on the structure, from the time construction of the supporting structure begins until such time as the supporting structure is dismantled. The term does not include any project in support of or required by an intercontinental ballistic missile launch facility or control center.”.

(c) **Conforming Amendments.**—Section 183a of such title is further amended—

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

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

(B) in paragraphs (5) and (7) of subsection (c); and
(2) by inserting “or antenna structure project” after “energy project” each place it appears—

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

(B) in subsection (c)(1) in the matter preceding subparagraph (A);

(C) in subparagraphs (A) and (B) of subsection (c)(1);

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

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

(F) in subsection (f); and

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