AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 1735
OFFERED BY MR. MICA OF FLORIDA

At the end of title XXVIII, add the following new section

SEC. 28. MILITARY INSTALLATION SUPPORT FOR EXPANSION OF DEEP WATER PORT CARGO CAPACITY.

(a) Authority to make unutilized or underutilized deep water access assets, land, or facilities available for port expansion.—In the case of any military installation in the United States that borders an operating, deep water port or is located in the general vicinity of a State-authorized or municipal-controlled port authority and that has unutilized or underutilized deep water access assets, land, or facilities, the Secretary of the military department with jurisdiction over the installation is authorized to offer the unutilized or underutilized deep water access assets, land, or facilities for use by the port authority for expansion of deep water port cargo capacity.

(b) Joint Use Agreement or Enhanced Use Lease.—To make unutilized or underutilized deep water
access assets, land, or facilities available under subsection (a), the Secretary of a military department shall negotiate, in good faith and in a timely manner, a long-term (25 years or greater) joint use agreement or enhanced use lease with the port authority. The joint use agreement or enhanced use lease may include provisions for partial military use, or in times of active military build-up, full-time military use. Shared use of the deep water access assets, land, or facilities may be phased over multiple years for effective use of space as it becomes available. The Secretary shall negotiate with the port authority as a sole source entity and may only offer the unutilized or underutilized deep water access assets, land, or facilities to another party if the port authority confirms in writing that the port authority has no current or planned need for the deep water access assets, land, or facilities.

(c) CONSIDERATION; USE OF PROCEEDS.—Consideration for a joint use agreement or enhanced use lease under subsection (b) shall be based on fair market value and may be paid in cash or through the provision of in-kind projects or services, or a combination thereof. The Secretary of the military department may use the payments to enhance the installation, facilities, or key missions, reduce base operating costs or fund capital projects.
associated with the agreement or lease, including relocation of or replacement of needed facilities.