

**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

1 **SEC. 28\_\_ . MILITARY INSTALLATION SUPPORT FOR EX-**  
2 **PANSION OF DEEP WATER PORT CARGO CA-**  
3 **PACITY.**

4 (a) AUTHORITY TO MAKE UNUTILIZED OR UNDER-  
5 UTILIZED DEEP WATER ACCESS ASSETS, LAND, OR FA-  
6 CILITIES AVAILABLE FOR PORT EXPANSION.—In the case  
7 of any military installation in the United States that bor-  
8 ders an operating, deep water port or is located in the  
9 general vicinity of a State-authorized or municipal-con-  
10 trolled port authority and that has unutilized or underuti-  
11 lized deep water access assets, land, or facilities, the Sec-  
12 retary of the military department with jurisdiction over  
13 the installation is authorized to offer the unutilized or un-  
14 derutilized deep water access assets, land, or facilities for  
15 use by the port authority for expansion of deep water port  
16 cargo capacity.

17 (b) JOINT USE AGREEMENT OR ENHANCED USE  
18 LEASE.—To make unutilized or underutilized deep water

1 access assets, land, or facilities available under subsection  
2 (a), the Secretary of a military department shall negotiate,  
3 in good faith and in a timely manner, a long-term (25  
4 years or greater) joint use agreement or enhanced use  
5 lease with the port authority. The joint use agreement or  
6 enhanced use lease may include provisions for partial mili-  
7 tary use, or in times of active military build-up, full-time  
8 military use. Shared use of the deep water access assets,  
9 land, or facilities may be phased over multiple years for  
10 effective use of space as it becomes available. The Sec-  
11 retary shall negotiate with the port authority as a sole  
12 source entity and may only offer the unutilized or under-  
13 utilized deep water access assets, land, or facilities to an-  
14 other party if the port authority confirms in writing that  
15 the port authority has no current or planned need for the  
16 deep water access assets, land, or facilities

17 (c) CONSIDERATION; USE OF PROCEEDS.—Consider-  
18 ation for a joint use agreement or enhanced use lease  
19 under subsection (b) shall be based on fair market value  
20 and may be paid in cash or through the provision of in-  
21 kind projects or services, or a combination thereof. The  
22 Secretary of the military department may use the pay-  
23 ments to enhance the installation, facilities, or key mis-  
24 sions, reduce base operating costs or fund capital projects

- 1 associated with the agreement or lease, including reloca-
- 2 tion of or replacement of needed facilities.

