

114TH CONGRESS
2D SESSION

S. 3336

To provide arsenal installation reutilization authority.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 2016

Mrs. ERNST (for herself, Mr. DURBIN, Mr. GRASSLEY, Mr. KIRK, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To provide arsenal installation reutilization authority.

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. ARSENAL INSTALLATION REUTILIZATION AU-**
4 **THORITY.**

5 (a) MODIFIED AUTHORITY.—In the case of a military
6 manufacturing arsenal, the Secretary concerned may au-
7 thorize leases and contracts under section 2667 of title
8 10, United States Code, for a term of up to 25 years,
9 notwithstanding subsection (b)(1) of such section, if the
10 Secretary determines that a lease or contract of that dura-

1 tion will promote the national defense or be in the public
2 interest for the purpose of—

3 (1) helping to maintain the viability of the mili-
4 tary manufacturing arsenal and any military instal-
5 lations on which it is located;

6 (2) eliminating, or at least reducing, the cost of
7 Government ownership of the military manufac-
8 turing arsenal, including the costs of operations and
9 maintenance, the costs of environmental remedi-
10 ation, and other costs; and

11 (3) leveraging private investment at the military
12 manufacturing arsenal through long-term facility use
13 contracts, property management contracts, leases, or
14 other agreements that support and advance the pre-
15 ceding purposes.

16 (b) DELEGATION AND REVIEW PROCESS.—

17 (1) IN GENERAL.—The Secretary concerned
18 may delegate the authority provided by this section
19 to the commander of the major subordinate com-
20 mand of the Army that has responsibility for the
21 military manufacturing arsenal or, if part of a larger
22 military installation, the installation as a whole. The
23 commander may approve a lease or contract under
24 such authority on a case-by-case basis or a class
25 basis.

1 (2) REVIEW PERIOD.—Any lease or contract
2 that is approved utilizing the delegation authority
3 under paragraph (1) is subject to a 90-day hold pe-
4 riod so that the Army real property manager may
5 review the lease or contract pursuant to paragraph
6 (3).

7 (3) DISPOSITION OF REVIEW.—If the Army real
8 property manager disapproves of a contract or lease
9 submitted for review under paragraph (2), the agree-
10 ment shall be null and void upon transmittal by the
11 real property manager to the delegating authority of
12 a written disapproval, including a justification for
13 such disapproval, within the 90-day hold period. If
14 no such disapproval is transmitted within the 90-day
15 hold period, the agreement shall be deemed ap-
16 proved.

17 (4) APPROVAL OF REVISED AGREEMENT.—If,
18 not later than 60 days after receiving a disapproval
19 under paragraph (3), the delegating authority sub-
20 mits to the Army real property manager a new con-
21 tract or lease that addresses the Army real property
22 manager's concerns outlined in such disapproval, the
23 new contract or lease shall be deemed approved un-
24 less the Army real property manager transmits to

1 the delegating authority a disapproval of the new
2 contract or lease within 30 days of such submission.

3 (c) MILITARY MANUFACTURING ARSENAL DE-
4 FINED.—In this section, the term “military manufac-
5 turing arsenal” means a Government-owned, Government-
6 operated defense plant of the Department of the Defense
7 that manufactures weapons, weapon components, or both.

8 (d) SUNSET.—The authority under this section shall
9 terminate at the close of September 30, 2019.

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