

1 **SEC. __. AUTHORITY FOR THE ACQUISITION OF A REAL PROPERTY**
2 **INTEREST IN PARK LAND OWNED BY THE COMMONWEALTH OF**
3 **VIRGINIA.**

4 (a) **AUTHORITY.**—The Secretary of the Navy may acquire a permanent real property
5 interest in approximately 225 square feet of land, including ingress and egress, at Westmoreland
6 State Park, Virginia, for the purpose of installing, operating, maintaining, and protecting
7 equipment to support research and development activities by the Department of the Navy in
8 support of national security.

9 (b) **TERMS AND CONDITIONS.**—The acquisition of property under this section shall be
10 subject to the following terms and conditions:

11 (1) The Secretary shall pay the Commonwealth of Virginia fair market value for
12 the interest to be acquired, as determined by the Secretary.

13 (2) Such other terms and conditions considered appropriate by the Secretary.

14 (c) **DESCRIPTION OF PROPERTY.**—The legal description of the property to be acquired
15 under this section shall be determined by a survey that is satisfactory to the Secretary and the
16 Commonwealth of Virginia.

17 (d) **APPLICABILITY OF THE LAND AND WATER CONSERVATION FUND ACT.**—The
18 provisions of chapter 2003 of title 54, United States Code, shall not apply to the acquisition of
19 property under this section.

20 (e) **REIMBURSEMENT.**—The Secretary shall reimburse the Commonwealth of Virginia for
21 reasonable and documented administrative costs incurred by the Commonwealth of Virginia to
22 execute the acquisition by the Secretary authorized by this section.

1 (f) TERMINATION OF REAL PROPERTY INTEREST.—The real property interest acquired by
2 the Secretary shall terminate, and be released without cost to the Commonwealth, when the
3 Secretary determines this real property interest is no longer required for national security
4 purposes.

Section-by-Section Analysis

This proposal would authorize the Secretary of the Navy (SECNAV) to acquire a permanent interest in approximately 225 square feet of land at Westmoreland State Park, Virginia. The Department of the Navy (DON) requires this real property interest in the land to install, operate, maintain, and protect equipment to support research and development activities in support of national security at Naval Support Facility Dahlgren. The DON requires ingress and egress access with the real property interest. The DON will use the land for Range Station 25A, which must be precisely located to accurately support testing. Range Station 25A will consist of a monopole tower approximately 60 feet tall and a transformer, which will support equipment for receiving and transmitting electronic data; it will look similar to a cellular system tower.

The proposal provides that the DON will pay fair market value for the real property interest as determined by the SECNAV. This determination will be based upon an appraisal prepared in accordance with the Uniform Appraisal Standards for Federal Land Acquisition. The acquisition will be under such terms and conditions satisfactory to the SECNAV. The DON will prepare a description of the property, including ingress and egress access, satisfactory to the DON and the Commonwealth of Virginia.

The proposal requires the DON and Commonwealth to develop a legal description and land survey of the real property interest to be acquired. The proposal also specifies the acquisition is not subject to requirements of chapter 2003 of title 54, United States Code (formerly known as the Land and Water Conservation Fund Act of 1965 (Public Law 88-578)) to provide replacement parkland. The Virginia Department of Conservation and Recreation (VADCR) receives grants from the Federal Government under chapter 2003. In December 2019, VADCR informed the DON that any real estate instrument for use of the property would constitute a conversion under section 200305(f) of title 54. Section 200305(f)(3) of title 54 states that grant-assisted areas are to remain forever available for “public outdoor recreation use,” or be replaced by lands of equal market value and recreation usefulness. This means the DON would be responsible for replacing approximately 225 square feet of land for Westmoreland State Park either near or in the same county of the park. Replacement property would have to be purchased fee simple and conveyed to VADCR. The Department of the Interior informed the DON that the Secretary of the Interior does not have the authority to waive the requirements of section 200305(f); thus, the SECNAV’s existing title 10 authorities to acquire the interest are insufficient without special legislation. The authority in this legislative proposal would exempt the DON’s acquisition of an interest in land at Westmoreland State Park from the conversion and land replacement provisions of chapter 2003 of title 54.

The proposal would also require the DON to reimburse the Commonwealth of Virginia for reasonable administrative costs incurred by the Commonwealth to execute the acquisition by DON and that the real estate interest will be terminated if the SECNAV determines the interest is no longer needed for national security purposes. The Commonwealth of Virginia will owe no payment to the DON for the release and return of the real property interest from the DON.

Resource Information: This proposal has no significant impact on the use of resources requested within the Fiscal Year (FY) 2024 President's Budget.

Changes to Existing Law: None.

1 **SEC. ___. INCREASE OF THE HEALTH PROFESSIONS SCHOLARSHIP AND**
2 **FINANCIAL ASSISTANCE PROGRAM STIPEND.**

3 Section 2121(d) of title 10, United States Code, is amended by striking “\$30,000” and
4 inserting “\$45,000”.

[Please note: The “Changes to Existing Law” section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal would amend section 2121 of title 10, United States Code, to increase the annual cap on the monthly stipend payments associated with health profession scholarships. Providing competitive payments will increase participation in both the Health Professions Scholarship Program (HPSP) and the Financial Assistance Program (FAP), thereby improving the ability of the Services to meet critical medical personnel needs.¹

Under current law, the health professions stipend contains a provision for annual upward adjustment, based on basic rates of pay increases, to ensure that the stipend remains a viable incentive to attract qualified participants. However, the stipend is capped by law at \$30,000, a limit that was established in 2006.² The current funding trajectory (assuming basic pay increases are equivalent to Congressional Budget Office (CBO) projected rates of inflation) indicates that HPSP and FAP will reach the maximum allowable increase for FAP participants (\$29,733.50) in fiscal year (FY) 2023, and for HPSP participants in FY27 (\$29,494.50). After FY24 and FY27 respectively, the statutory stipend cap of \$30,000 will prevent the Department of Defense (DoD) from paying student health professionals inflation-adjusted values (as expressed through annual military pay raises) through the HPSP and FAP.³ Increasing the annual cap to \$45,000 will ensure that the stipend will continue to increase in tandem with the basic rate of pay, thereby ensuring that these increases maintain parity with projected increases in cost of living expenses for approximately the next two decades.⁴

The HPSP and FAP continue to be the Army’s primary tools for recruiting physicians, dentists, nurses, and mental health professionals. The DoD medical scholarship and financial assistance programs, managed by the Services and the DOD’s Uniformed Services University of

¹ Alterations to the stipend amount in 10 U.S.C. 2121 will also impact the stipend payments found in 10 U.S.C. 2127, 10 U.S.C. 2130a, 10 U.S.C. 2173, and 10 U.S.C. 16201.

² The \$30,000 cap was imposed in 2006 as part of the 2007 NDAA (Pub. L. 109–364). Prior to 2006, the stipend was established at \$579 per month.

³ According to the CBO economic forecast for 2021 to 2031, inflation rises gradually over the next few years and rises above 2.0 percent after 2023. Starting in 2025, the Department is barred matching increases.

CBO’s Economic Projections for Calendar Years 2021 to 2031 (February 2021)

	2020	2021	2022	2023	2024-2025	2026 - 2031
% Inflation Rate	1.2	1.6	1.8	1.9	2.0	2.1

⁴ Assumes an annual basic pay increase of 2.0% on average.

the Health Sciences, are the Department’s primary mechanisms for creating a pipeline of future military health professionals.

In response to the February 2018 GAO Report-18-77, Additional Actions Needed to Address Gaps in Military Physician Specialties, DoD and the Army increased the number of Armed Forces HPSP scholarships to help reduce the overall physician shortfall. They also added a recruiting mission using FAP scholarships to help decrease the physician shortfall in critical specialties. Maintaining a competitive stipend is a significant contributing factor in this effort to ensure that military forces have enough medical professionals to fulfill operational requirements.

The \$30,000 statutory cap imposed by 10 U.S.C. 2121 will soon limit the attractiveness and effectiveness of the HPSP and FAP. Updating the cap, which has not been adjusted since 2006, will ensure that the stipend remains a viable incentive in the future, thereby continuing the effectiveness of the HPSP and FAP as a means of attracting much needed medical professionals.

Resource Implications: The table below reflects the best estimate of resources requested within the Fiscal Year (FY) 2024 President’s Budget request that are impacted by this proposal.⁵

RESOURCE IMPACT (\$MILLIONS)									
Program	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	Appropriation	Budget Activity	BLI/SAG	Program Element (for all RDT&E programs)
Army	\$0.06	\$0.17	\$0.28	\$0.40	\$2.55	Reserve Personnel, Army	01	N/A	N/A
Navy	\$0.04	\$0.06	\$0.76	\$1.76	\$2.78	Reserve Personnel, Navy	01	N/A	N/A
Air Force	\$0.05	\$0.08	\$0.67	\$1.87	\$3.10	Reserve Personnel, Air Force	01	N/A	N/A
Marines	N/A	N/A	N/A	N/A	N/A				
Total	\$0.15	\$0.31	\$1.71	\$4.03	\$8.43				

Changes to Existing Law: This proposal would amend section 2121 of title 10, United States Code, as follows:

§ 2121. Establishment

(a)(1) For the purpose of obtaining adequate numbers of commissioned officers on active duty who are qualified (A) in the various health professions or (B) as a health professional with specific skills to assist in providing mental health care to members of the armed forces, the Secretary of each military department, under regulations prescribed by the Secretary of Defense, may establish and maintain a health professions scholarship and financial assistance program for his department.

⁵ The maximum allowable increase for HPSP is not reached until 2028, hence the noticeable increase in affected resources between years 2027 and 2028.

(2) Under the program of a military department, the Secretary of that military department shall allocate a portion of the total number of scholarships to members of the program described in paragraph (1)(B) for the purpose of assisting such members to pursue a degree at the masters and doctoral level in any of the following disciplines:

- (A) Social work.
- (B) Clinical psychology.
- (C) Psychiatry.
- (D) Other disciplines that contribute to mental health care programs in that military department.

(b) The program shall consist of courses of study and specialized training in designated health professions, with obligatory periods of military training.

(c)(1) Persons participating in the program shall be commissioned officers in reserve components of the armed forces. Members pursuing a course of study shall serve on active duty in pay grade O-1 with full pay and allowances of that grade for a period of 45 days during each year of participation in the program. Members pursuing specialized training shall serve on active duty in a pay grade commensurate with their educational level, as determined by appointment under section 12207 of this title, with full pay and allowances of that grade for a period of 14 days during each year of participation in the program. They shall be detailed as students at accredited civilian institutions, located in the United States or Puerto Rico, for the purpose of acquiring knowledge or training in a designated health profession. In addition, members of the program shall, under regulations prescribed by the Secretary of Defense, receive military and professional training and instruction.

(2) If a member of the uniformed services selected to participate in the program as a medical student has prior active service in a pay grade and with years of service credited for pay that would entitle the member, if the member remained in the former grade, to a rate of basic pay in excess of the rate of basic pay for regular officers in the grade of second lieutenant or ensign, the member shall be paid basic pay based on the former grade and years of service credited for pay. The amount of such basic pay for the member shall be increased on January 1 of each year by the percentage by which basic pay is increased on average on that date for that year, and the member shall continue to receive basic pay based on the former grade and years of service until the date, whether occurring before or after the conclusion of such participation, on which the basic pay for the member in the member's actual grade and years of service credited for pay exceeds the amount of basic pay to which the member is entitled based on the member's former grade and years of service.

(d) Except when serving on active duty pursuant to subsection (c), a member of the program shall be entitled to a stipend at a monthly rate established by the Secretary of Defense, but not to exceed a total of ~~\$30,000~~ \$45,000 per year. The maximum annual amount of the stipend shall be increased annually by the Secretary of Defense effective on July 1 of each year by an amount (rounded to the next highest multiple of \$1) equal to-

- (1) the amount of such stipend (as previously adjusted (if at all)), multiplied by
- (2) the overall percentage of the adjustment (if such adjustment is an increase) in the rates of basic pay for members of the uniformed services made effective for the fiscal year in which the school year ends.

1 **SEC. ____ . DEVELOPMENT AND OPERATION OF THE MARINE CORPS HERITAGE**
2 **CENTER AND THE NATIONAL MUSEUM OF THE MARINE CORPS.**

3 (a) IN GENERAL.—Chapter 861 of title 10, United States Code, is amended by inserting
4 after section 8617 the following new section:

5 **“§ 8618. Marine Corps Heritage Center and the National Museum of the Marine Corps at**
6 **Marine Corps Base, Quantico, Virginia**

7 **“(a) JOINT VENTURE FOR DEVELOPMENT AND CONTINUED MAINTENANCE AND**
8 **OPERATION.**—The Secretary of the Navy may enter into a joint venture with the Marine Corps
9 Heritage Foundation (in this section referred to as the ‘Foundation’), a not-for-profit entity, for
10 the design, construction, and maintenance and operation of a multipurpose facility to be used for
11 historical displays for public viewing, curation, and storage of artifacts, research facilities,
12 classrooms, offices, and associated activities consistent with the mission of the Marine Corps
13 University. The facility shall be known as the Marine Corps Heritage Center and the National
14 Museum of the Marine Corps.

15 **“(b) DESIGN AND CONSTRUCTION.**—For each phase of development of the facility
16 described in subsection (a), the Secretary may—

17 **“(1) permit the Foundation to contract for the design, construction, or both of such**
18 **phase of development; or**

19 **“(2) accept funds from the Foundation for the design, construction, or both of**
20 **such phase of development.**

21 **“(c) ACCEPTANCE AUTHORITY.**—Upon completion of construction of any phase of
22 development of the facility described in subsection (a) by the Foundation to the satisfaction of
23 the Secretary, and the satisfaction of any financial obligations incident thereto by the Foundation,

1 the facility shall become the real property of the Department of the Navy with all right, title, and
2 interest in and to facility being in the United States.

3 “(d) MAINTENANCE, OPERATION, AND SUPPORT.—(1) The Secretary may, for the purpose
4 of maintenance and operation of the Marine Corps Heritage Center and the National Museum of
5 the Marine Corps—

6 “(A) enter into contracts or cooperative agreements, on a sole-source basis, with
7 the Foundation for the procurement of property or services for the direct benefit or use of
8 the Marine Corps Heritage Center and the National Museum of the Marine Corps;

9 “(B) notwithstanding the requirements of subsection (h) of section 2667 of this
10 title and under such terms and conditions as the Secretary considers appropriate for the
11 joint venture authorized by subsection (a), lease in accordance with such section 2667
12 portions of the facility developed under subsection (a) to the Foundation for use in
13 generating revenue for activities of the facility and for such administrative purposes as
14 may be necessary for support of the facility.

15 “(2) In making a determination of fair market value under section 2667(b)(4) of this title
16 for payment of consideration pursuant to a lease described in paragraph (1)(B), the Secretary
17 may consider the entirety of the educational efforts of the Foundation, support to the Marine
18 Corps Heritage Center history division by the Foundation, or the funding of museum programs
19 and exhibits by the Foundation, or other support related to the Marine Corps Heritage Center
20 and the National Museum of the Marine Corps ,in addition to the types of in-kind consideration
21 provided under section 2667(c) of this title.

22 “(3) The Secretary may authorize the Foundation to use real or personal property within
23 the Marine Corps Heritage Center and National Museum of the Marine Corps to conduct

1 additional revenue-generating activities, as the Secretary considers appropriate considering the
2 work of the Foundation and needs of the Marine Corps Heritage Center and National Museum of
3 the Marine Corps. The Secretary shall only authorize the use of such property for a revenue-
4 generating activity if the Secretary determines the activity will not interfere with military
5 activities and personnel or the activities of the Marine Corps Heritage Center and National
6 Museum of the Marine Corps.

7 “(4) The Secretary shall retain lease payments received under this section, other than in-
8 kind consideration authorized under subsection (d)(2) or under section 2667(c) of this title, solely
9 for use in support of the Marine Corps Heritage Center and the National Museum of the Marine
10 Corps, and funds received as lease payments shall remain available until expended.

11 “(e) USE OF CERTAIN GIFTS.—(1) Under regulations prescribed by the Secretary of the
12 Navy, the Commandant of the Marine Corps may, without regard to section 2601 of this title,
13 accept, hold, administer, invest, and spend any gift, devise, or bequest of personal property of a
14 value of \$250,000 or less made to the United States if such gift, devise, or bequest if for the
15 benefit of the Marine Corps Heritage Center or the National Museum of the Marine Corps.

16 “(2) The Secretary may pay or authorize the payment of any reasonable and necessary
17 expense in connection with the conveyance or transfer of a gift, devise, or bequest under this
18 subsection.

19 “(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional
20 terms and conditions in connection with the joint venture authorized by subsection (a) as the
21 Secretary considers appropriate to protect the interests of the United States.”.

1 (b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter
2 861 of title 10, United States Code, is amended by inserting after the item relating to section
3 8617 the following new item:

“8618. Marine Corps Heritage Center and the National Museum of the Marine Corps at Marine Corps Base,
Quantico, Virginia.”.

4 (c) CONFORMING REPEAL.—Section 2884 of the Floyd D. Spence National Defense
5 Authorization Act for Fiscal Year 2001 (Public Law 106-398) is repealed.

**[Please note: The “Changes to Existing Law” section below sets out in red-line format how
the legislative text would amend existing law.]**

Section-by-Section Analysis

This proposal expands and codifies the authority provided by section 2884 of the Floyd D. Spence National Defense Authorization (NDAA) for Fiscal Year (FY) 2001 for the design and construction, and the continued maintenance and operations of the Marine Corps Heritage Center and National Museum of the Marine Corps, located at Marine Corps Base Quantico, Virginia.

This proposal would expand and enhance the Secretary of the Navy’s authority to continue its public-private partnership with the Marine Corps Heritage Foundation (MCHF), a non-profit foundation, for the continued maintenance and operation of the Marine Corps Heritage Center and National Museum of the Marine Corps after the completion of the final phase of development and construction of the National Museum of the Marine Corps, projected to occur in late 2025. This authority to continue this private-public partnership with MCHF is specifically necessary to ensure the continuation and success of the National Museum of the Marine Corps and the Marine Corps Heritage Center.

MCHF is a non-profit foundation dedicated to the preservation and promotion of Marine Corps history and traditions. Since first authorized, the MCHF has contributed monetary gifts and in-kind support totaling tens of millions of dollars, including construction of the museum itself, and currently provides millions of dollars in support through annual donations. This proposal would assist these efforts and further the success of this public-private partnership by codifying the authorities established in section 2884 of the NDAA for FY 2001 and expanding the authorities to apply to the continued maintenance and operation of the Marine Corps Heritage Center and National Museum of the Marine Corps after the final phase of construction and development. Specifically, this proposal continues the Secretary’s authorities and ensures the continued success of the National Museum of the Marine Corps by: (1) providing the Secretary with considerable discretion in entering into revenue-generating real estate agreements with the MCHF to support the National Museum of the Marine Corps and the Marine Corps Heritage Center; (2) allowing for greater discretion by the Secretary in determining the types of services and benefits which may be accepted as in-kind consideration for payment of fair market value

(FMV) for such real estate agreements under section 2667 of title 10, United States Code; (3) authorizing the MCHF's use of military real and personal property to generate revenue funds for the museum; (4) authorizing non in-kind consideration lease payments from MCHF to be used in support of Marine Corps Heritage Center and National Museum of the Marine Corps; and (5) providing other authorities beneficial to MCHF's efforts on behalf of the museum.

Specifically, subsection (a) of the proposed new section 8618 of title 10, United States Code, mirrors most of the language of section 2884 of the NDAA for FY 2001, with the addition of language to expand this authority from not only the development and construction of the museum facility, but also to the maintenance and operation of the facility after final construction phases are complete. This additional language is consistent with the language included in 10 U.S.C. 7772 (Heritage Center for the National Museum of the United States Army), which authorizes the Secretary of the Army to enter into a private-public partnership with the Army Historical Foundation for both the development and continued operation for the National Museum of the United States Army.

Subsections (b) and (c) of proposed new section 8618 are taken directly from section 2884 of the NDAA for FY 2001 and would simply codify these authorities within title 10.

Subsection (d) of proposed new section 8618 is an addition to provide the authorities necessary for continuation of the private-public partnership to ensure the maintenance and operation of the Marine Corps Heritage Center and National Museum of the Marine Corps. More specifically, under 10 U.S.C. 2667, most non-federal entity occupants of a military facility must pay FMV consideration for the space they occupy. While some museum organic statutes allow for less than FMV for specific events, such as during construction of the museum itself (e.g., the NDAA for FY 2001), there is no specific relief from FMV requirements under 10 U.S.C. 2667 for long-term involvement by museum foundations that support Department of Defense museums. This proposal does not carve out an exemption for MCHF from the requirements of FMV. Rather, the proposal authorizes the Secretary to consider the entirety of MCHF's in-kind contribution to the success of the museum as part of the acceptable type of consideration to be credited toward payment of FMV for the lease. As such, this proposal allows a Secretary to consider such items as MCHF's educational efforts, support to the Marine Corps Heritage Center, history division, or funding museum programs and exhibits, or other support related to the Marine Corps Heritage Center as consideration paid for the leased portions of the museum. Allowing the MCHF to use the leased space to generate revenue is advantageous to the Marine Corps because the revenue the MCHF generates directly benefits Marine Corps Heritage Center and National Museum of the Marine Corps. The legislation proposal also authorizes cash lease payments to be expended on the National Museum of the Marine Corps and the Marine Corps Heritage Center.

This proposal furthers MCHF's ability to support the National Museum of the Marine Corps and the Marine Corps Heritage Center by authorizing Secretary to allow MCHF to use museum real and personal property to generate revenue and other activities to facilitate and enhance the MCHF's purpose of supporting the National Museum of the Marine Corps and the Marine Corps Heritage Center. Distinct from 10 U.S.C. 2667 real estate agreements, the proposal authorizes the Secretary to make available to MCHF other real and personal museum

property through such methods as licenses, contracts, and cooperative agreements for purposes consistent with this legislation. The Secretary may only authorize the use of such property if the Secretary determines the activity will not interfere with military activities and personnel, or the activities of the Marine Corps Heritage Center and National Museum of the Marine Corps.

Subsection (e) of proposed new section 8618 is an addition that would provide the Commandant of the Marine Corps with gift acceptance authority for certain gifts of personal property of a value of \$250,000 or less, when the gift is for the benefit of the Marine Corps Heritage Center and National Museum of the Marine Corps. This gift authority would be on par with the Commander of the U.S. Army Center of Military History’s current gift acceptance authority for museum gifts, pursuant to 10 U.S.C. 7772(e).

Resource Information: The table below reflects the best estimate of resources requested within the Fiscal Year (FY) 2024 President’s Budget that are impacted by this proposal.

RESOURCE IMPACT (\$MILLIONS)									
Program	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	Appropriation	Budget Activity	BLI/SAG	Program Element (for all RDT&E programs)
Marine Corps Heritage Center	16.3	16.6	17.0	17.2	17.6	Operation and Maintenance, Marine Corps	04	4A4G	0901212M
Marine Corps Heritage Center	1.80	1.84	1.87	1.91	1.95	Operation and Maintenance, Marine Corps	01	BSM1	0202178M
Marine Corps Heritage Center	2.88	2.94	2.99	3.04	3.11	Operation and Maintenance, Marine Corps	01	BSS1	0206479M
Marine Corps Heritage Center	.352	.359	.365	.372	.379	Operation and Maintenance, Marine Corps	01	BSS1	0208550M
Marine Corps Heritage Center	.490	.500	.510	.520	.530	Operation and Maintenance, Marine Corps	01	BSS1	0708542M
Total	21.4	21.8	22.3	22.6	23.1				

Changes to Existing Law: The proposal adds a new section 8618 to chapter 861 of title 10, United States Code, the full text of which is shown in the legislative language above. This proposal would also amend section 2884 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398; 11 Stat.1654A-440) as follows:

~~SEC. 2884. DEVELOPMENT OF MARINE CORPS HERITAGE CENTER AT MARINE CORPS BASE, QUANTICO, VIRGINIA.~~

~~(a) AUTHORITY TO ENTER INTO JOINT VENTURE FOR DEVELOPMENT.—The Secretary of the Navy may enter into a joint venture with the Marine Corps Heritage Foundation, a not for-~~

profit entity, for the design and construction of a multipurpose facility to be used for historical displays for public viewing, curation, and storage of artifacts, research facilities, classrooms, offices, and associated activities consistent with the mission of the Marine Corps University. The facility shall be known as the Marine Corps Heritage Center.

~~(b) AUTHORITY TO ACCEPT CERTAIN LAND.—(1) The Secretary may, if the Secretary determines it to be necessary for the facility described in subsection (a), accept without compensation any portion of the land known as Locust Shade Park which is now offered by the Park Authority of the County of Prince William, Virginia, as a potential site for the facility.~~

~~(2) The Park Authority may convey the land described in paragraph (1) to the Secretary under this section without regard to any limitation on its use, or requirement for its replacement upon conveyance, under section 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–8(f)(3)) or under any other provision of law.~~

~~(c) DESIGN AND CONSTRUCTION.—For each phase of development of the facility described in subsection (a), the Secretary may—~~

~~(1) permit the Marine Corps Heritage Foundation to contract for the design, construction, or both of such phase of development; or~~

~~(2) accept funds from the Marine Corps Heritage Foundation for the design, construction, or both of such phase of development.~~

~~(d) ACCEPTANCE AUTHORITY.—Upon completion of construction of any phase of development of the facility described in subsection (a) by the Marine Corps Heritage Foundation to the satisfaction of the Secretary, and the satisfaction of any financial obligations incident thereto by the Marine Corps Heritage Foundation, the facility shall become the property of the Department of the Navy with all right, title, and interest in and to facility being in the United States.~~

~~(e) LEASE OF FACILITY.—(1) The Secretary may lease, under such terms and conditions as the Secretary considers appropriate for the joint venture authorized by subsection (a), portions of the facility developed under that subsection to the Marine Corps Heritage Foundation for use in generating revenue for activities of the facility and for such administrative purposes as may be necessary for support of the facility.~~

~~(2) The amount of consideration paid the Secretary by the Marine Corps Heritage Foundation for the lease under paragraph (1) may not exceed an amount equal to the actual cost (as determined by the Secretary) of the operation of the facility.~~

~~(3) Notwithstanding any other provision of law, the Secretary shall use amounts paid under paragraph (2) to cover the costs of operation of the facility.~~

~~(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the joint venture authorized by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.~~

1 **SEC. ____. MODIFICATIONS TO NOTIFICATION ON THE PROVISION OF DEFENSE**
2 **SENSITIVE SUPPORT.**

3 Section 1055(b)(3) of the National Defense Authorization Act for Fiscal Year 2017
4 (Public Law 114-328; 10 U.S.C. 113 note) is amended—

5 (1) in the heading, by inserting “AND EXTRAORDINARY SECURITY PROTECTIONS”
6 after “SUPPORT”;

7 (2) in the matter preceding subparagraph (A), by inserting “or requires
8 extraordinary security protections” after “time-sensitive”;

9 (3) in subparagraph (A), by inserting “or after the activity supported concludes”
10 after “providing the support”; and

11 (4) in subparagraph (B)—

12 (A) by inserting “or after the activity supported concludes” after
13 “providing such support”; and

14 (B) by inserting “or after the activity supported concludes” after
15 “providing the support”.

[Please note: The “Changes to Existing Law” section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal modifies the requirements to notify the provision of defense sensitive support to allow the Secretary of Defense to provide notification after providing the support in the event the Secretary determines the provision of support requires extraordinary security protections to assure the safety and success of the activity supported. See classified document for thorough background and justification.

Resource Information: This proposal has no impact on the use of resources requested within the Fiscal Year (FY) 2024 President’s Budget.

Changes to Existing Law: This proposal would make the following changes to section 1055 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 113 note):

SEC. 1055. NOTIFICATION ON THE PROVISION OF DEFENSE SENSITIVE SUPPORT.

(a) LIMITATION.—The Secretary of Defense may provide defense sensitive support to a non-Department of Defense Federal department or agency only after the Secretary has determined that such support—

(1) is consistent with the mission and functions of the Department of Defense;

(2) does—

(A) not significantly interfere with the mission or functions of the Department; or

(B) interfere with the mission and functions of the Department of Defense but such support is in the national security interest of the United States; and

(3) has been requested by the head of a non-Department of Defense Federal department or agency who has certified to the Secretary that the department or agency has reasonably attempted to use capabilities and resources internal to the department or agency.

(b) NOTICE REQUIRED.—

(1) IN GENERAL.—Except as provided in paragraph (3), before providing defense sensitive support to a non-Department of Defense Federal department or agency, the Secretary of Defense shall notify the congressional defense committees, and, when the part of the Department of Defense providing the sensitive support is a member of the intelligence community, the congressional intelligence committees of the Secretary's intent to provide such support.

(2) CONTENTS.—Notice provided under paragraph (1) shall include the following:

(A) A description of the support to be provided.

(B) A description of how the support is consistent with the mission and functions of the Department.

(C) A description of the required duration of the support.

(D) A description of the initial costs for the support.

(E) A description of how the support—

(i) does not significantly interfere with the mission or functions of the Department; or

(ii) significantly interferes with the mission or functions of the Department but is in the national security interest of the United States.

(3) TIME SENSITIVE SUPPORT AND EXTRAORDINARY SECURITY PROTECTIONS.—In the event that the provision of defense sensitive support is time-sensitive or requires extraordinary security protections, the Secretary—

(A) may provide notification under paragraph (1) after providing the support or after the activity supported concludes; and

(B) shall provide such notice as soon as practicable after providing such support or after the activity supported concludes, but not later than 48 hours after providing the support or after the activity supported concludes.

(4) REVERSE DEFENSE SENSITIVE SUPPORT REQUEST.—The Secretary shall notify the congressional defense committees (and the congressional intelligence committees with respect to matters relating to members of the intelligence community) of requests

made by the Secretary to a non-Department of Defense Federal department or agency for support that requires special protection from disclosure in the same manner and containing the same information as the Secretary notifies such committees of defense sensitive support requests under paragraphs (1) and (3).

(5) SUSTAINMENT COSTS.—If the Secretary determines that sustainment costs will be incurred as a result of the provision of defense sensitive support, the Secretary, not later than 15 days after the initial provision of such support, shall certify to the congressional defense committees (and the congressional intelligence committees with respect to matters relating to members of the intelligence community) that such sustainment costs will not interfere with the ability of the Department to execute operations, accomplish mission objectives, and maintain readiness.

(c) DEFENSE SENSITIVE SUPPORT DEFINED.—In this section, the term “defense sensitive support” means support provided by the Department of Defense to a non-Department of Defense Federal department or agency that requires special protection from disclosure.

1 **SEC. ____ . REVISIONS TO UNSPECIFIED MINOR MILITARY CONSTRUCTION**

2 **AUTHORITIES.**

3 (a) UNSPECIFIED MINOR MILITARY CONSTRUCTION COST THRESHOLD.—Subsection (a)(2) of
4 section 2805 of title 10, United States Code, is amended by striking “\$6,000,000” and inserting
5 “\$9,000,000”.

6 (b) APPROVAL AND CONGRESSIONAL NOTIFICATION.—Subsection (b)(2) of such section is
7 amended by striking “\$2,000,000” and inserting “the amount specified in subsection (c)”.

8 (c) USE OF OPERATION AND MAINTENANCE FUNDS. — Subsection (c) of such section is amended
9 by striking, “\$2,000,000” and inserting “\$4,000,000”.

10 (d) LABORATORY REVITALIZATION COST THRESHOLDS.—Subsection (d) of such section is
11 amended by striking “\$6,000,000” each place it appears and inserting “\$9,000,000”.

12 (e) AREA CONSTRUCTION COST INDICES.—

13 (1) COST THRESHOLD.—Paragraph (1) of subsection (f) of such section is amended by
14 striking “\$10,000,000” and inserting “\$14,000,000”.

15 (2) APPLICATION OF AREA CONSTRUCTION COST INDICES OUTSIDE UNITED STATES.—Such
16 subsection is further amended—

17 (A) by striking “(1) ADJUSTMENT OF LIMITATIONS.—”;

18 (B) by striking paragraph (2); and

19 (C) by striking “inside the United States”.

20 (3) PERMANENT AUTHORITY.—Such subsection is further amended by striking paragraph
21 (3).

22 (f) CONFORMING REPEAL.—Section 2801 of the James M. Inhofe National Defense
23 Authorization Act for Fiscal Year 2023 (Public Law 117–263) is repealed.

**[Please note: The “Changes to Existing Law” section below sets out in red-line format how
the legislative text would amend existing law.]**

Section-by-Section Analysis

Section 2805 of title 10, United States Code, provides the Department of Defense (DoD) authority to carry out unspecified minor construction projects below prescribed dollar cost limits without specified project authorization from Congress, which is required for projects with costs exceeding those limits.

This proposal would adjust the current cost limit to address fiscal pressure resulting from rapidly increasing inflation within the global construction market and make permanent the temporary increase provided through 1 December 2025 in the National Defense Authorization Act for Fiscal Year 2023 (FY2023 NDAA). Because of this reality, unspecified minor military construction (UMMC) and Laboratory Revitalization Demonstration Program (LRDP) projects once falling within the current \$6,000,000 cost limit now exceed that limit and are outside use of this authority, resulting in an inability to quickly and satisfactorily meet increasing, dynamic mission demands.

A viable UMMC and LRDP program provides a responsive construction capability. This capability is critical for bases and LRDP locations to implement modernization projects needed for rapidly evolving requirements. Example requirements include replacement of aged and degraded facilities, theater-specific infrastructure (INDOPACOM & AFRICA), child development centers, base entry control points, dining facility additions, dormitory improvements, and other construction projects supporting vital missions. Example LRDP requirements include activities such as Rapid Prototyping, Integration & Interoperability, Common Systems and Systems of Systems Development, Systems Integration, Cyber, Unmanned Capabilities, and Directed Energy projects. Increasing the UMMC and LRDP statutory cost limit from \$6,000,000 to \$9,000,000 will provide the Secretary concerned continued flexibility to fully exercise the intended benefit of the authorities in section 2805 of title 10, United States Code, in support of mission requirements into the future.

Subsection (a) of the proposal would increase the general statutory threshold under 10 U.S.C. 2805(a)(2) from \$6,000,000 to \$9,000,000.

Subsection (b) would amend section 2805(b)(2) of title 10 to bring the threshold notification requirement (currently \$2,000,000) in line with the increased spending authority in section 2805(c) of title 10 (currently \$4,000,000), as a result of the FY2023 NDAA. Without this amendment, many unspecified minor construction projects would require committee notification that otherwise would not be required.

Subsection (c) of the proposal would amend section 2805(c) of title 10 to bring the cost limit (currently \$2,000,000) in line with the increased spending authority in section 2805(c) of title 10 (currently \$4,000,000), as a result of the FY2023 NDAA.

Subsection (d) of the proposal would amend the LRDP authorities under 10 U.S.C. 2805(d) to increase the statutory cost limit from \$6,000,000 to \$9,000,000 and to remove the sunset provision applicable to those authorities.

Subsection (e) of the proposal would amend the authority under 10 U.S.C. 2805(f) relating to area construction cost indices. This authority addresses the fact that construction costs can vary widely by location due to variations in cost for labor, materials, equipment, and design requirements for factors such as climate and seismic activity. To partially account for this, Congress amended section 2805 in the NDAA for fiscal year 2018 to require DoD to apply location adjustments to the UMMC cost limits for locations within the United States and specific U.S. territories. The amendment normalized the utility of UMMC authority for these locations up to a maximum dollar amount of \$10,000,000 for any given project (increased to \$14,000,000 in the FY2023 NDAA). This proposal would extend the authority for these location-based adjustments to UMMC cost limits to locations outside the United States, and would remove the sunset date for the authority.

To adjust project cost limits for location, DoD applies construction cost indices (Area Cost Factors, or ACFs), which it develops and publishes annually for the purpose of adjusting national-average historical facility costs to specific locations. DoD develops and publishes ACFs for permanent locations worldwide, so this proposal would not require generation of additional ACFs. Rather, DoD would simply be able to apply all ACFs to UMMC projects in a consistent manner worldwide. This permits DoD to exercise the intended benefit of UMMC authorities at all mission locations to meet force projection requirements.

ACFs are developed through a process of collecting and comparing cost data on construction labor rates, materials, and equipment from various locations, as well as comparing other factors that impact construction costs such as climate, level of seismic activity, and labor availability. ACFs represent the relative cost of construction at a specific location compared to the national U.S. average. The DoD-published ACF values for FY2022 are in the tables below. Table 1 reflects locations for which location adjustments are currently required by title 10 U.S.C. section 2805(f) while Table 2 reflects all other locations that this proposal would add. Both tables include the total number (“count”) of DoD sites for which an ACF is generated within the given State, territory, or country, and the corresponding minimum and maximum ACF values. The tables are sorted by ACF maximum value, from highest to lowest.

Table 1: ACFs in the U.S. and specific territories currently required by 10 U.S.C. section 2805(f)

State or Territory	Count	Min ACF	Max ACF	State or Territory	Count	Min ACF	Max ACF
Alaska	202	1.90	5.14	Delaware	48	1.10	1.13
Marshall Islands	11	3.74	3.74	North Dakota	269	1.08	1.13
Wake Island	1	3.59	3.59	Washington, DC	36	1.11	1.11
Johnston Atoll	1	3.59	3.59	Minnesota	319	1.01	1.10
Northern Mariana Islands	15	3.42	3.42	Missouri	342	0.95	1.10
Hawaii	203	2.30	2.79	Arizona	228	0.82	1.08
Guam	91	2.75	2.75	Iowa	217	1.01	1.08
California	1125	1.08	1.97	New Hampshire	89	1.06	1.08
American Samoa	3	1.97	1.97	Florida	763	0.86	1.07
US Virgin Islands	3	1.81	1.81	New Mexico	160	0.93	1.06
West Virginia	163	1.00	1.63	Indiana	299	0.95	1.05
Colorado	313	1.00	1.43	Texas	986	0.86	1.04
Puerto Rico	99	1.34	1.41	Wyoming	157	1.02	1.04
New York	525	1.05	1.37	Kansas	175	0.86	1.03
Massachusetts	260	1.12	1.26	South Carolina	269	0.88	1.03
Nevada	218	1.10	1.25	Vermont	68	0.99	1.03
Washington	372	1.07	1.24	South Dakota	140	0.97	1.02
Rhode Island	77	1.16	1.23	Georgia	361	0.83	1.00
New Jersey	218	1.18	1.22	North Carolina	492	0.86	1.00
Illinois	376	1.04	1.21	Michigan	370	0.93	0.99
Pennsylvania	533	1.01	1.21	Kentucky	196	0.81	0.98
Oregon	240	1.08	1.20	Tennessee	295	0.89	0.97
Montana	361	1.12	1.18	Ohio	470	0.91	0.96
Connecticut	111	1.11	1.17	Alabama	362	0.88	0.95
Utah	247	1.10	1.17	Nebraska	364	0.89	0.95
Maine	129	0.97	1.16	Louisiana	259	0.87	0.91
Wisconsin	329	1.07	1.16	Oklahoma	316	0.84	0.90
Idaho	176	1.00	1.15	Mississippi	425	0.71	0.80
Maryland	261	0.99	1.15	Arkansas	201	0.77	0.79
Virginia	514	0.82	1.14				

Table 2: ACFs outside the U.S. and specific territories currently excluded from title 10 U.S.C. section 2805(f)

Location	Count	Min ACF	Max ACF	Location	Count	Min ACF	Max ACF
Greenland	1	3.21	3.21	Oman	4	1.12	1.12
Diego Garcia	1	2.86	2.86	United Arab Emirates	5	1.12	1.12
Albania	1	2.57	2.57	Canada	3	1.00	1.11
Cuba	1	2.31	2.31	Kenya	1	1.10	1.10
Japan	126	1.90	2.20	Egypt	2	1.08	1.08
American Samoa	3	1.97	1.97	Georgia Republic	1	1.07	1.07
Afghanistan	2	1.89	1.89	Honduras	4	1.07	1.07
Iceland	2	1.84	1.84	Turkey	19	0.99	1.05
Norway	2	1.84	1.84	Israel	2	1.04	1.04
Antigua and Barbuda	1	1.81	1.81	Bahrain	14	1.03	1.03
Aruba	1	1.81	1.81	Cyprus	1	1.02	1.02
Burkina Faso	6	1.81	1.81	Estonia	1	1.01	1.01
Saint Helena	1	1.81	1.81	Poland	12	1.01	1.01
Iraq	3	1.70	1.70	Germany	153	0.97	1.00
Djibouti	1	1.57	1.57	Denmark	2	0.97	0.97
Australia	11	1.43	1.43	Italy	65	0.88	0.95
Greece	9	0.87	1.33	Latvia	1	0.86	0.86
Costa Rica	1	1.25	1.25	Romania	9	0.86	0.86
El Salvador	1	1.25	1.25	Belgium	18	0.82	0.83
Qatar	5	1.25	1.25	Bulgaria	2	0.83	0.83
Spain	4	1.21	1.24	Peru	4	0.82	0.82
Portugal	21	1.23	1.23	Netherlands/ Netherlands Antilles	10	1.10	0.81
Saudi Arabia	1	1.23	1.23	Lithuania	1	0.80	0.80
Philippines	1	1.22	1.22	Colombia	8	0.77	0.77
Kuwait	21	1.20	1.20	Hong Kong	1	0.74	0.74
South Korea	84	1.10	1.20	Thailand	2	0.74	0.74
Singapore	4	1.19	1.19	United Kingdom	47	1.18	0.20
Cambodia	1	1.12	1.12				

Locations listed in the top rows of Table 2 have high construction costs, constraining the use of the UMMC authority. Many of the highest cost locations are critical to missions directly supporting the National Defense Strategy.

Application of the ACF to the UMMC program outside the U.S. would normalize the usefulness of UMMC authorities around the world and enable the Department to more equitably and broadly realize the intended benefits. This approach is wholly consistent with the longstanding flexibility Congress granted to the military family housing program in 10 U.S.C.

2825, *Improvements to Family Housing Units*. Section 2825 essentially serves as the UMMC authority for the military family housing program and establishes funding authority that varies based on the “area construction cost index developed by the Department of Defense for the location concerned.” This proposal extends that concept to the UMMC program, specifically to high-cost locations outside the U.S. that are vital to the Department’s mission.

Resource Implications: There are no general budgetary impacts expected with the proposed amendment. Rather, projects that fall within the new project thresholds will be able to compete for existing UMMC funding.

Changes to Existing Law: This proposal would amend section 2805 of title 10, United States Code, and section 2801 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–283) as follows:

Title 10, United States Code:

§ 2805. Unspecified minor construction

(a) AUTHORITY TO CARRY OUT UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECTS.—

(1) Within an amount equal to 125 percent of the amount authorized by law for such purpose, the Secretary concerned may carry out unspecified minor military construction projects not otherwise authorized by law.

(2) An unspecified minor military construction project is a military construction project that has an approved cost equal to or less than ~~\$6,000,000~~ \$9,000,000.

(b) APPROVAL AND CONGRESSIONAL NOTIFICATION

(1) An unspecified minor military construction project is a military construction project costing more than \$750,000 may not be carried out under this section unless approved in advance by the Secretary concerned. This paragraph shall apply even though the project is to be carried out using funds made available to enhance the deployment and mobility of military forces and supplies.

(2) When a decision is made to carry out an unspecified minor military construction project to which paragraph (1) is applicable and which costs more than ~~\$2,000,000~~ the amount specified in subsection (c), the Secretary concerned shall notify the appropriate committees of Congress of the decision, of the justification for the project, and of the estimated cost of the project. The project may then be carried out only after the end of the 14-day period beginning on the date the notification is received by the committees in an electronic medium pursuant to section 480 of this title.

(c) USE OF OPERATION AND MAINTENANCE FUNDS.—The Secretary concerned may spend from appropriations available for operation and maintenance amounts necessary to carry out an unspecified minor military construction project costing not more than ~~\$2,000,000~~ \$4,000,000.

(d) LABORATORY REVITALIZATION.—

(1) For the revitalization and recapitalization of laboratories owned by the United States and under the jurisdiction of the Secretary concerned, the Secretary concerned may obligate and expend—

(A) from appropriations available to the Secretary concerned for operation and maintenance, amounts necessary to carry out an unspecified minor military construction project costing not more than ~~\$6,000,000~~\$9,000,000, notwithstanding subsection (c); or

(B) from appropriations available to the Secretary concerned for military construction not otherwise authorized by law or from funds authorized to be made available under section 4123(a) of this title, amounts necessary to carry out an unspecified minor military construction project costing not more than ~~\$6,000,000~~\$9,000,000.

(2) For purposes of this subsection, an unspecified minor military construction project is a military construction project that (notwithstanding subsection (a)) has an approved cost equal to or less than ~~\$6,000,000~~\$9,000,000.

(3) If the Secretary concerned makes a decision to carry out an unspecified minor military construction project to which this subsection applies, the Secretary concerned shall notify the appropriate committees of Congress of that decision, of the justification for the project, and of the estimated cost of the project. The project may then be carried out only after the end of the 14-day period beginning on the date the notification is received by the committees in an electronic medium pursuant to section 480 of this title.

(4) In this subsection, the term “laboratory” includes—

- (A) a research, engineering, and development center; and
- (B) a test and evaluation activity.

(e) PROHIBITION ON USE FOR NEW HOUSING UNITS.-Military family housing projects for construction of new housing units may not be carried out under the authority of this section.

(f) ADJUSTMENT OF DOLLAR LIMITATIONS FOR LOCATION.—

~~(1) ADJUSTMENT OF LIMITATIONS.—~~Each fiscal year, the Secretary concerned shall adjust the dollar limitations specified in this section applicable to an unspecified minor military construction project ~~inside the United States~~ to reflect the area construction cost index for military construction projects published by the Department of Defense during the prior fiscal year for the location of the project, except that no limitation specified in this section may exceed ~~\$10,000,000~~\$14,000,000 as the result of any adjustment made under this paragraph.

~~(2) LOCATION OF PROJECTS.—~~For purposes of paragraph (1), a project shall be considered to be ~~inside the United States if the project is carried out in any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, Wake Island, the Commonwealth of the Northern Mariana Islands, or a former United States Trust Territory now in a Compact of Free Association with the United States.~~

~~(3) SUNSET.—~~The requirements of this subsection shall not apply with respect to ~~any fiscal year after fiscal year 2027.~~

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**James M. Inhofe National Defense Authorization Act for Fiscal Year 2023
(Public Law 117–263):**

**~~SEC. 2801. TEMPORARY INCREASE OF AMOUNTS IN CONNECTION WITH
AUTHORITY TO CARRY OUT UNSPECIFIED MINOR MILITARY
CONSTRUCTION.~~**

~~For the period beginning on the date of the enactment of this Act and ending on December 1, 2025, section 2805 of title 10, United States Code, shall be applied and administered—~~

~~(1) in subsection (a)(2), by substituting “\$9,000,000” for “\$6,000,000”;~~

~~(2) in subsection (e), by substituting “\$4,000,000” for “\$2,000,000”;~~

~~(3) in subsection (d)—~~

~~—(A) in paragraph (1)—~~

~~—(i) in subparagraph (A), by substituting “\$9,000,000” for “\$6,000,000”; and~~

~~—(ii) in subparagraph (B), by substituting “\$9,000,000” for “\$6,000,000”; and~~

~~—(B) in paragraph (2), by substituting “\$9,000,000” for “\$6,000,000”; and~~

~~(4) in subsection (f)(1), by substituting “\$14,000,000” for “\$10,000,000”.~~

1 **SEC. ___. TERMINATION OF TABLE ROCK LAKE OVERSIGHT COMMITTEE.**

2 Section 1185 of the Water Infrastructure Improvements for the Nation Act (Public Law
3 114–322; 130 Stat. 1680) is repealed.

[Please note: The “Changes to Existing Law” section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal repeals the requirements for the Table Rock Lake Oversight Committee (TRLOC), an administratively inactive Department of Defense (DoD) Federal advisory committee that has completed its statutorily prescribed purpose. This is in alignment with the congressional intent, expressed in the Federal Advisory Committee Act (FACA) (5 U.S.C., App.), that “advisory committees should be terminated when they are no longer carrying out the purposes for which they are established.” The committee operated under the management and control of the Secretary of the Army, who is the DoD senior official with oversight of the U.S. Army Corps of Engineers (USACE) and select infrastructure efforts within the United States. Terminating this committee does not eliminate government work on protecting geographically focused waterways and supporting areas, as the USACE and Department of Interior continue to hold these vital conversations in an agency-to-agency working group and work directly with State, local, tribal, and territorial members to enable engagement. The USACE completed all consultations with tribal and territorial partners before July 2021.

The TRLOC’s objective was to provide recommendations regarding all permits issued for Table Rock Lake under the existing Table Rock Lake Master Plan and advise on revisions to the new Table Rock Lake Master Plan and the Table Rock Lake Shoreline Management Plan. In a memo dated November 8, 2018, the Secretary of the Army and the then-Chief Management Officer of the Department of Defense initially agreed the TRLOC would terminate on July 10, 2020. Due to COVID-19 safety, the TRLOC was unable to complete its statutory work until September 23, 2020. Since TRLOC has concluded its statutory work, DoD, in consultation with the General Services Administration, made the TRLOC administratively inactive on September 9, 2021.

Resource Information: This proposal has no significant impact on the use of resources requested within the Fiscal Year (FY) 2024 President’s Budget.

Changes to Existing Law: This proposal would make the following changes to existing law:

**Water Infrastructure Improvements for the Nation Act
(Public Law 114-322, December 16, 2016)**

~~SEC. 1185. [130 Stat. 1680] TABLE ROCK LAKE, ARKANSAS AND MISSOURI.~~

~~(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary—~~

~~(1) shall include a 60-day public comment period for the Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan revision; and~~

~~(2) shall finalize the revision for the Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan during the 2-year period beginning on the date of enactment of this Act [December 16, 2016].~~

~~(b) SHORELINE USE PERMITS.— During the period described in subsection (a)(2), the Secretary shall lift or suspend the moratorium on the issuance of new, and modifications to existing, shoreline use permits based on the existing Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan.~~

~~(c) OVERSIGHT COMMITTEE.—~~

~~(1) IN GENERAL.— Not later than 120 days after the date of enactment of this Act, the Secretary shall establish an oversight committee (referred to in this subsection as the “Committee”).~~

~~(2) PURPOSES.— The purposes of the Committee shall be—~~

~~(A) to review any permit to be issued under the existing Table Rock Lake Master Plan at the recommendation of the District Engineer; and~~

~~(B) to advise the District Engineer on revisions to the new Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan.~~

~~(3) MEMBERSHIP.— The membership of the Committee shall not exceed 6 members and shall include—~~

~~(A) not more than 1 representative each from the State of Missouri and the State of Arkansas;~~

~~(B) not more than 1 representative each from local economic development organizations with jurisdiction over Table Rock Lake; and~~

~~(C) not more than 1 representative each representing the boating and conservation interests of Table Rock Lake.~~

~~(4) STUDY.— The Secretary shall—~~

~~(A) carry out a study on the need to revise permit fees relating to Table Rock Lake to better reflect the cost of issuing those permits and achieve cost savings;~~

~~(B) submit to Congress a report on the results of the study described in subparagraph (A); and~~

~~(C) begin implementation of a new permit fee structure based on the findings of the study described in subparagraph (A).~~