

118TH CONGRESS
1ST SESSION

H. R. 5270

To amend title 10, United States Code, to permit the Secretary of Defense to carry out certain environmental restoration projects at facilities of the National Guard and the Air National Guard.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 25, 2023

Mr. DELUZIO introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to permit the Secretary of Defense to carry out certain environmental restoration projects at facilities of the National Guard and the Air National Guard.

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. EQUIVALENT AUTHORITY TO CARRY OUT CER-**
4 **TAIN PROJECTS AT FACILITIES OF THE NA-**
5 **TIONAL GUARD AND THE AIR NATIONAL**
6 **GUARD.**

7 (a) REVISION OF DEFINITION.—Paragraph (4) of
8 section 2700 of title 10, United States Code, is amended—

1 (1) by striking “State-owned”;

2 (2) by striking “owned and operated by a State
3 when such land is”; and

4 (3) by striking “even though such land is not
5 under the jurisdiction of the Department of De-
6 fense” and inserting: “without regard to—

7 “(A) the owner or operator of the facility;

8 or

9 “(B) whether the facility is under the ju-
10 risdiction of the Department of Defense or a
11 military department.”.

12 (b) INCLUSION UNDER DEFENSE ENVIRONMENTAL
13 RESTORATION PROGRAM.—Section 2701 of title 10,
14 United States Code, is amended—

15 (1) in paragraph (1) of subsection (a), by strik-
16 ing “State-owned”;

17 (2) in subparagraph (D) of subsection (c)(1),
18 by striking “State-owned”; and

19 (3) in paragraph (1) of subsection (d) by insert-
20 ing “or at a National Guard facility” after “Sec-
21 retary’s jurisdiction”.

22 (c) ENVIRONMENTAL RESTORATION ACCOUNTS.—
23 Section 2703(g)(1) of such title is amended by inserting
24 “, a National Guard facility,” after “Department of De-
25 fense”.

1 (d) TECHNICAL AND CONFORMING AMENDMENTS.—

2 (1) REPEAL OF PROVISION.—Section 2707 of
3 such title is amended by striking subsection (e).

4 (2) REFERENCE UPDATE.—Section 345(f)(1) of
5 the National Defense Authorization Act for Fiscal
6 Year 2022 (Public Law 117–81; 135 Stat. 1646; 10
7 U.S.C. 2715 note) is amended by striking “facility
8 where military activities are conducted by the Na-
9 tional Guard of a State pursuant to section 2707(e)
10 of title 10, United States Code” and inserting “Na-
11 tional Guard Facility, as such term is defined in sec-
12 tion 2700 of title 10, United States Code”.

○