

Pub. L. 100–17, title I, § 133(b)(15), Apr. 2, 1987, 101 Stat. 172; Pub. L. 105–178, title I, § 1212(a)(2)(A)(i), June 9, 1998, 112 Stat. 193; Pub. L. 109–284, § 3(2), Sept. 27, 2006, 120 Stat. 1211; Pub. L. 110–417, div. B, title XXVIII, § 2814(a), Oct. 14, 2008, 122 Stat. 4728; Pub. L. 112–81, div. B, title XXVIII, § 2816(a), Dec. 31, 2011, 125 Stat. 1689; Pub. L. 112–141, div. A, title I, § 1516, July 6, 2012, 126 Stat. 574; Pub. L. 115–232, div. B, title XXVIII, § 2865, Aug. 13, 2018, 132 Stat. 2285; Pub. L. 116–92, div. B, title XXVIII, § 2808, Dec. 20, 2019, 133 Stat. 1885.)

Editorial Notes

AMENDMENTS

2019—Subsec. (a)(1). Pub. L. 116–92, § 2808(1), added par. (1) and struck out former par. (1) which read as follows: “The Secretary is authorized, out of the funds appropriated for defense access roads, to provide for the construction and maintenance of defense access roads (including bridges, tubes, and tunnels thereon) to military reservations, to defense industries and defense industry sites, and to the sources of raw materials when such roads are certified to the Secretary as important to the national defense by the Secretary of Defense or such other official as the President may designate, and for replacing existing highways and highway connections that are shut off from the general public use by necessary closures, closures due to mean sea level fluctuation and flooding, or restrictions at military reservations and defense industry sites.”

Subsec. (b). Pub. L. 116–92, § 2808(2), substituted “construction, reconstruction, resurfacing, restoration, rehabilitation, and preservation of, or enhancements to,” for “the construction and maintenance of”.

Subsec. (c). Pub. L. 116–92, § 2808(3), substituted “certified to the Secretary” for “certified to him”, “activities for construction, maintenance, reconstruction, enhancement, improvement, and repair” for “construction, maintenance, and repair work”, “in those areas” for “therein”, and “condition for—” and pars. (1) and (2) for “condition for such training purposes and for repairing the damage caused to such highways by the operations of men and equipment in such training.”

Subsec. (g). Pub. L. 116–92, § 2808(4), substituted “the Secretary may advance” for “he may advance”, “construction and other activities” for “construction which has been”, and “upon demand by the Secretary” for “upon his demand”.

Subsec. (i). Pub. L. 116–92, § 2808(5), added subsec. (i) and struck out former subsec. (i) which read as follows: “Beginning in fiscal year 2019, funds appropriated for the purposes of this section shall be available to pay the cost of repairing damage caused to, and for any infrastructure to mitigate the risks posed to, highways by recurrent flooding and sea level fluctuation, if the Secretary of Defense shall determine that continued access to a military installation has been impacted by past flooding and mean sea level fluctuation.”

2018—Subsec. (a)(1). Pub. L. 115–232, § 2865(a), substituted “closures, closures due to mean sea level fluctuation and flooding, or restrictions” for “closures or restrictions”.

Subsec. (i). Pub. L. 115–232, § 2865(b), added subsec. (i). 2012—Subsec. (a)(2). Pub. L. 112–141 inserted “, in consultation with the Secretary of Transportation,” before “shall determine”.

2011—Subsec. (a)(2). Pub. L. 112–81 inserted at end “The Secretary of Defense shall determine the magnitude of the required improvements without regard to the extent to which traffic generated by the reservation is greater than other traffic in the vicinity of the reservation.”

2008—Subsec. (a). Pub. L. 110–417 designated existing provisions as par. (1) and added par. (2).

2006—Subsec. (e). Pub. L. 109–284 substituted “sections 3114 to 3116 and 3118 of title 40” for “the Act of February 26, 1931; 46 Stat. 1421”.

1998—Subsecs. (e), (g), (h). Pub. L. 105–178 substituted “State transportation department” for “State highway department” wherever appearing.

1987—Subsec. (g). Pub. L. 100–17 substituted “Transportation” for “Commerce”.

1983—Subsec. (c). Pub. L. 97–424 substituted “Funds appropriated for defense maneuvers and exercises” for “Not exceeding \$5,000,000 of any funds appropriated under the Act approved October 16, 1951 (65 Stat. 422)”.

1961—Subsec. (h). Pub. L. 87–61 added subsec. (h).

1960—Subsec. (g). Pub. L. 86–657 added subsec. (g).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112–141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112–141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of this title.

ECONOMIC ADJUSTMENT COMMITTEE CONSIDERATION OF ADDITIONAL DEFENSE ACCESS ROADS FUNDING SOURCES

Pub. L. 112–81, div. B, title XXVIII, § 2816(b), Dec. 31, 2011, 125 Stat. 1689, provided that:

“(1) CONVENING OF COMMITTEE.—Not later than 90 days after the date of the enactment of this Act [Dec. 31, 2011], the Secretary of Defense, as the chairperson of the Economic Adjustment Committee established in Executive Order No. 127887 [12788] (10 U.S.C. 2391 note), shall convene the Economic Adjustment Committee to consider additional sources of funding for the defense access roads program under section 210 of title 23, United States Code.

“(2) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report describing the results of the Economic Adjustment Committee deliberations and containing an implementation plan to expand funding sources for the mitigation of significant transportation impacts to access to military reservations pursuant to subsection (b) of section 210 of title 23, United States Code, as amended by subsection (a).”

SEPARATE BUDGET REQUEST FOR PROGRAM

Pub. L. 112–81, div. B, title XXVIII, § 2816(c), Dec. 31, 2011, 125 Stat. 1689, provided that: “Amounts requested for a fiscal year for the defense access roads program under section 210 of title 23, United States Code, shall be set forth as a separate budget request in the budget transmitted by the President to Congress for that fiscal year under section 1105 of title 31, United States.”

§ 211. Repealed. Pub. L. 100–17, title I, § 133(e)(1), Apr. 2, 1987, 101 Stat. 173]

Section, Pub. L. 85–767, Aug. 27, 1958, 72 Stat. 909, related to timber access road hearings.

§ 212. Repealed. Pub. L. 112–141, div. A, title I, § 1519(b)(1)(A), July 6, 2012, 126 Stat. 575]

Section, Pub. L. 85–767, Aug. 27, 1958, 72 Stat. 909, related to the Inter-American Highway.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 2012, see section 3(a) of Pub. L. 112–141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of this title.

§ 213. Repealed. Pub. L. 114–94, div. A, title I, § 1109(c)(2), Dec. 4, 2015, 129 Stat. 1343]

Section, added Pub. L. 112–141, div. A, title I, § 1122(a), July 6, 2012, 126 Stat. 494, related to transportation alternatives.

A prior section 213, Pub. L. 85–767, Aug. 27, 1958, 72 Stat. 911, related to construction of Rama Road in Re-