

112TH CONGRESS
2^D SESSION

H. R. 4608

To amend title 10, United States Code, to improve oversight and accountability for military housing projects carried out using the alternative authority provided by subchapter IV of chapter 169 of such title.

IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 2012

Mr. RIGELL (for himself and Mr. SCOTT of Virginia) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to improve oversight and accountability for military housing projects carried out using the alternative authority provided by subchapter IV of chapter 169 of such title.

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. SHORT TITLE.**

4 This Act may be cited as the “Military Housing Over-
5 sight and Accountability Act”.

1 **SEC. 2. SUSTAINMENT OVERSIGHT AND ACCOUNTABILITY**
2 **FOR MILITARY HOUSING PRIVATIZATION**
3 **PROJECTS AND RELATED ANNUAL REPORT-**
4 **ING REQUIREMENTS.**

5 (a) SUSTAINMENT OVERSIGHT AND ACCOUNT-
6 ABILITY FOR PRIVATIZATION PROJECTS.—

7 (1) OVERSIGHT AND ACCOUNTABILITY MEAS-
8 URES.—Subchapter IV of chapter 169 of title 10,
9 United States Code, is amended by inserting after
10 section 2885 the following new section:

11 **“§ 2885a. Oversight and accountability for privatiza-**
12 **tion projects: sustainment**

13 “(a) OVERSIGHT AND ACCOUNTABILITY MEAS-
14 URES.—Each Secretary concerned shall prescribe regula-
15 tions to effectively oversee and manage a military housing
16 privatization project carried out under this subchapter
17 during the sustainment phase of the project following com-
18 pletion of the construction or renovation of the housing
19 units. The regulations shall include the following require-
20 ments for each privatization project:

21 “(1) The financial health and performance of
22 the military housing privatization project, including
23 the debt-coverage ratio of the project and occupancy
24 rates for the constructed or renovated housing units.

25 “(2) A resident satisfaction assessment of the
26 privatization project.

1 “(3) An assessment of the backlog of mainte-
2 nance and repair.

3 “(b) REQUIRED QUALIFICATIONS.—The Secretary
4 concerned or designated representative shall ensure that
5 the project owner, developer, or general contractor that
6 is selected for each military housing privatization initiative
7 project has sustainment experience commensurate with
8 that required to maintain the project.”.

9 (2) CONFORMING AMENDMENT.—Section
10 2885(a) of such title is amended in the matter pre-
11 ceding paragraph (1) by inserting before the period
12 at the end of the first sentence the following: “dur-
13 ing the course of the construction or renovation of
14 the housing units”.

15 (3) CLERICAL AMENDMENTS.—

16 (A) SECTION HEADING.—The heading of
17 section 2885 of such title is amended to read as
18 follows:

19 **“§ 2885. Oversight and accountability for privatiza-**
20 **tion projects: construction”.**

21 (B) TABLE OF SECTIONS.—The table of
22 sections at the beginning of subchapter IV of
23 chapter 169 of such title is amended by striking
24 the item relating to section 2885 and inserting
25 the following new items:

“2885. Oversight and accountability for privatization projects: construction.

“2885a. Oversight and accountability for privatization projects: sustainment.”.

1 (b) ANNUAL REPORTING REQUIREMENTS.—Section
2 2884(b) of such title is amended—

3 (1) by striking paragraphs (2), (3), (4), and
4 (7);

5 (2) by redesignating paragraphs (5), (6), and
6 (8) as paragraphs (2), (3), and (4), respectively; and

7 (3) by adding at the end the following new
8 paragraphs:

9 “(5) A trend analysis of the backlog of mainte-
10 nance and repair for each privatization project, in-
11 cluding the total cost of the operation, maintenance,
12 and repair costs associated with each project.

13 “(6) If the debt associated with a privatization
14 project exceeds net operating income or the occu-
15 pancy rates for the constructed or renovated housing
16 units are below 75 percent for any sustained period
17 of more than one year, a report regarding the plan
18 to mitigate the financial risk of the project.”.

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