

struction of military family housing or military unaccompanied housing, the Secretary may acquire or construct the following:

(1) Military family housing on or near Coast Guard installations within the United States and its territories and possessions.

(2) Military unaccompanied housing on or near such Coast Guard installations.

(b) LIMITATION ON APPROPRIATIONS.—No appropriation shall be made to acquire or construct military family housing or military unaccompanied housing under this chapter if that acquisition or construction has not been approved by resolutions adopted by the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(Added Pub. L. 104-324, title II, §208(a), Oct. 19, 1996, 110 Stat. 3909; amended Pub. L. 107-295, title IV, §402(a), Nov. 25, 2002, 116 Stat. 2113; Pub. L. 111-281, title II, §221(a)(2), Oct. 15, 2010, 124 Stat. 2919.)

#### AMENDMENTS

2010—Subsec. (a). Pub. L. 111-281, §221(a)(2)(A), in introductory provisions, substituted “acquire or construct the following:” for “exercise any authority or any combination of authorities provided under this chapter in order to provide for the acquisition or construction by private persons, including a small business concern qualified under section 8(a) of the Small Business Act (15 U.S.C. 637(a)), of the following:”.

Subsec. (a)(1). Pub. L. 111-281, §221(a)(2)(B), substituted “Military family housing” for “Family housing units”.

Subsec. (a)(2). Pub. L. 111-281, §221(a)(2)(C), substituted “Military unaccompanied housing” for “Unaccompanied housing units”.

2002—Subsec. (a). Pub. L. 107-295 inserted “, including a small business concern qualified under section 8(a) of the Small Business Act (15 U.S.C. 637(a)),” after “private persons” in introductory provisions.

#### **[[§ 682 to 684. Repealed. Pub. L. 111-281, title II, § 221(a)(3), Oct. 15, 2010, 124 Stat. 2919]**

Section 682, added Pub. L. 104-324, title II, §208(a), Oct. 19, 1996, 110 Stat. 3910; amended Pub. L. 108-293, title II, §207(b), Aug. 9, 2004, 118 Stat. 1034, related to direct loans and loan guarantees.

Section 683, added Pub. L. 104-324, title II, §208(a), Oct. 19, 1996, 110 Stat. 3910, related to leasing of housing to be constructed.

Section 684, added Pub. L. 104-324, title II, §208(a), Oct. 19, 1996, 110 Stat. 3911; amended Pub. L. 108-293, title II, §207(c), Aug. 9, 2004, 118 Stat. 1034, related to limited partnerships with eligible entities.

#### **§ 685. Conveyance of real property**

(a) CONVEYANCE AUTHORIZED.—Notwithstanding any other provision of law, the Secretary may convey, at fair market value, real property, owned or under the administrative control of the Coast Guard, for the purpose of expending the proceeds from such conveyance to acquire and construct military family housing and military unaccompanied housing.

(b) TERMS AND CONDITIONS.—

(1) The conveyance of real property under this section shall be by sale, for cash. The Secretary shall deposit the proceeds from the sale in the Coast Guard Housing Fund established under section 687 of this title, for the purpose

of expending such proceeds to acquire and construct military family housing and military unaccompanied housing.

(2) The conveyance of real property under this section shall not diminish the mission capacity of the Coast Guard, but further the mission support capability of the Coast Guard with regard to military family housing or military unaccompanied housing.

(c) RELATIONSHIP TO ENVIRONMENTAL LAW.—This section does not affect or limit the application of or obligation to comply with any environmental law, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(Added Pub. L. 104-324, title II, §208(a), Oct. 19, 1996, 110 Stat. 3911; amended Pub. L. 106-400, §2, Oct. 30, 2000, 114 Stat. 1675; Pub. L. 107-217, §3(c)(4), Aug. 21, 2002, 116 Stat. 1299; Pub. L. 111-281, title II, §221(a)(4), Oct. 15, 2010, 124 Stat. 2919; Pub. L. 111-350, §5(c)(4), Jan. 4, 2011, 124 Stat. 3847.)

#### AMENDMENTS

2011—Subsec. (c)(1). Pub. L. 111-350, which directed substitution of “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” for “title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” in subsec. (c)(1), could not be executed because of the prior general amendment of this section by Pub. L. 111-281. See 2010 Amendment note below.

2010—Pub. L. 111-281 amended section generally. Prior to amendment, section authorized Secretary to convey or lease existing property and facilities under certain conditions.

2002—Subsec. (c)(1). Pub. L. 107-217, §3(c)(4)(A), substituted “Subtitle I of title 40 and title III of the” for “The” and “(41 U.S.C. 251 et seq.)” for “(40 U.S.C. 471 et seq.)”.

Subsec. (c)(2). Pub. L. 107-217, §3(c)(4)(B), substituted “Section 1302 of title 40” for “Section 321 of the Act of June 30, 1932 (commonly known as the Economy Act) (47 Stat. 412, chapter 314; 40 U.S.C. 303b)”.

2000—Subsec. (c)(3). Pub. L. 106-400 substituted “McKinney-Vento Homeless Assistance Act” for “Stewart B. McKinney Homeless Assistance Act”.

#### **[[§ 686. Repealed. Pub. L. 111-281, title II, § 221(a)(5), Oct. 15, 2010, 124 Stat. 2919]**

Section, added Pub. L. 104-324, title II, §208(a), Oct. 19, 1996, 110 Stat. 3912; amended Pub. L. 106-398, §1 [[div. A], title X, §1087(g)(3)], Oct. 30, 2000, 114 Stat. 1654, 1654A-293, related to assignment of members of the armed forces to housing units.

#### **§ 687. Coast Guard Housing Fund**

(a) ESTABLISHMENT.—There is hereby established on the books of the Treasury an account to be known as the Coast Guard Housing Fund (in this section referred to as the “Fund”).

(b) CREDITS TO FUND.—There shall be credited to the Fund the following:

(1) Amounts authorized for and appropriated to that Fund.

(2) Subject to subsection (e), any amounts that the Secretary transfers, in such amounts as provided in appropriation Acts, to that Fund from amounts authorized and appropriated to the Department of Homeland Security or Coast Guard for the acquisition or con-

struction of military family housing or military unaccompanied housing.

(3) Proceeds from the conveyance of property under section 685 of this title for the purpose of carrying out activities under this chapter with respect to military family housing and military unaccompanied housing.

(c) USE OF AMOUNTS IN FUND.—(1) In such amounts as provided in appropriations Acts, and except as provided in subsection (d), the Secretary may use amounts in the Coast Guard Housing Fund to carry out activities under this chapter with respect to military family housing and military unaccompanied housing, including—

(A) the planning, execution, and administration of the conveyance of real property;

(B) all necessary expenses, including expenses for environmental compliance and restoration, to prepare real property for conveyance; and

(C) the conveyance of real property.

(2) Amounts made available under this subsection shall remain available until expended.

(d) LIMITATION ON OBLIGATIONS.—The Secretary may not incur an obligation under a contract or other agreements entered into under this chapter in excess of the unobligated balance, at the time the contract is entered into, of the Fund required to be used to satisfy the obligation.

(e) NOTIFICATION REQUIRED FOR TRANSFERS.—A transfer of appropriated amounts to the Fund under subsection (b)(2) of this section may be made only after the end of a 30-day period beginning on the date the Secretary submits written notice of, and justification for, the transfer to the appropriate committees of Congress.

(Added Pub. L. 104-324, title II, §208(a), Oct. 19, 1996, 110 Stat. 3912; amended Pub. L. 107-295, title IV, §402(b), (c), Nov. 25, 2002, 116 Stat. 2114; Pub. L. 107-296, title XVII, §1704(a), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 108-293, title II, §207(d), Aug. 9, 2004, 118 Stat. 1034; Pub. L. 111-281, title II, §221(a)(6), Oct. 15, 2010, 124 Stat. 2919; Pub. L. 111-330, §1(2), Dec. 22, 2010, 124 Stat. 3569.)

#### AMENDMENTS

2010—Subsec. (b)(2). Pub. L. 111-281, §221(a)(6)(A)(i), substituted “or military unaccompanied” for “or unaccompanied”.

Subsec. (b)(3). Pub. L. 111-281, §221(a)(6)(A)(ii), substituted “military family housing and” for “military family and” and struck out “or lease” after “conveyance” and “or facilities” after “property”.

Subsec. (b)(4). Pub. L. 111-281, §221(a)(6)(A)(iii), struck out par. (4) which read as follows: “Income from any activities under this chapter, including interest on loan guarantees made under section 682 of this title, income and gains realized from investments under section 684 of this title, and any return of capital invested as part of such investments.”

Subsec. (c)(1). Pub. L. 111-281, §221(a)(6)(B), as amended by Pub. L. 111-330, amended par. (1) generally. Prior to amendment, par. (1) read as follows: “In such amounts as provided in appropriation Acts and except as provided in subsection (d), the Secretary may use amounts in the Coast Guard Housing Fund to carry out activities under this chapter with respect to military family and military unaccompanied housing units, including activities required in connection with the planning, execution, and administration of contracts entered into under the authority of this chapter.”

Subsec. (e). Pub. L. 111-281, §221(a)(6)(C), struck out “or (b)(3)” after “subsection (b)(2)”.

Subsecs. (f), (g). Pub. L. 111-281, §221(a)(6)(D), struck out subsecs. (f) and (g) which related to limitation on amount of budget authority and demonstration projects authorized, respectively.

2004—Subsec. (g). Pub. L. 108-293, §207(d)(1), substituted “Projects” for “Project” in heading.

Subsec. (g)(1). Pub. L. 108-293, §207(2), (3), substituted “demonstration projects” for “a demonstration project” and “Kodiak, Alaska, or any other Coast Guard installation in Alaska;” for “Kodiak, Alaska;”.

Subsec. (g)(2). Pub. L. 108-293, §207(d)(4), substituted “such a demonstration project” for “the demonstration project”.

Subsec. (g)(4). Pub. L. 108-293, §207(d)(5), substituted “such demonstration projects” for “the demonstration project”.

2002—Subsec. (b)(2). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

Subsec. (f). Pub. L. 107-295, §402(b), substituted “\$40,000,000” for “\$20,000,000”.

Subsec. (g). Pub. L. 107-295, §402(c), added subsec. (g).

#### EFFECTIVE DATE OF 2010 AMENDMENT

Pub. L. 111-330, §1, Dec. 22, 2010, 124 Stat. 3569, provided that the amendment made by section 1(2) is effective with the enactment of Pub. L. 111-281.

#### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of Title 10, Armed Forces.

### **[§ 687a. Repealed. Pub. L. 111-281, title II, § 221(a)(7), Oct. 15, 2010, 124 Stat. 2920]**

Section, added Pub. L. 108-293, title II, §207(e), Aug. 9, 2004, 118 Stat. 1035, related to differential lease payments.

### **§ 688. Reports**

The Secretary shall prepare and submit to Congress, concurrent with the budget submitted pursuant to section 1105 of title 31, a report identifying the contracts or agreements for the conveyance of properties pursuant to this chapter executed during the prior calendar year.

(Added Pub. L. 104-324, title II, §208(a), Oct. 19, 1996, 110 Stat. 3913; amended Pub. L. 107-296, title XVII, §1704(a), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 111-281, title II, §221(a)(8), Oct. 15, 2010, 124 Stat. 2920.)

#### AMENDMENTS

2010—Pub. L. 111-281 amended section generally. Prior to amendment, section required Secretary to include with the annual budget various reports and other materials in support of the budget.

2002—Par. (4). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

#### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of Title 10, Armed Forces.

#### FINAL REPORT

Pub. L. 104-324, title II, §208(b), Oct. 19, 1996, 110 Stat. 3913, provided that: “Not later than March 1, 2000, the Secretary of the department in which the Coast Guard is operating shall submit to the Congress a report on