

“(1) any repair or reconstruction cost incurred as a result of the terrorist attack on the Pentagon that occurred on September 11, 2001;

“(2) any increase in costs for wedges 2 through 5 attributable to compliance with new requirements of Federal, State, or local laws; and

“(3) any increase in costs attributable to additional security requirements that the Secretary of Defense considers essential to provide a safe and secure working environment.

“(d) CERTIFICATION COST REPORTS.—As part of the annual certification under subsection (a), the Secretary shall report the projected cost (as of the time of the certification) for—

“(1) the renovation of each wedge, including the amount adjusted or otherwise excluded for such wedge under the authority of paragraphs (2) and (3) of subsection (c) for the period covered by the certification; and

“(2) the repair and reconstruction of wedges 1 and 2 in response to the terrorist attack on the Pentagon that occurred on September 11, 2001.

“(e) DURATION OF CERTIFICATION REQUIREMENT.—The requirement to make an annual certification under subsection (a) shall apply until the Secretary certifies to Congress that the renovation of the Pentagon Reservation is completed.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 108–87, title VIII, §8055, Sept. 30, 2003, 117 Stat. 1084.

Pub. L. 107–248, title VIII, §8056, Oct. 23, 2002, 116 Stat. 1549.

Pub. L. 107–117, div. A, title VIII, §8060, Jan. 10, 2002, 115 Stat. 2260.

**ESTABLISHMENT OF MEMORIAL TO VICTIMS OF TERRORIST ATTACK ON PENTAGON RESERVATION AND AUTHORITY TO ACCEPT MONETARY CONTRIBUTIONS FOR MEMORIAL AND REPAIR OF PENTAGON**

Pub. L. 107–107, div. B, title XXVIII, §2864, Dec. 28, 2001, 115 Stat. 1333, provided that:

“(a) MEMORIAL AUTHORIZED.—The Secretary of Defense may establish a memorial at the Pentagon Reservation dedicated to the victims of the terrorist attack on the Pentagon that occurred on September 11, 2001. The Secretary shall use necessary amounts in the Pentagon Reservation Maintenance Revolving Fund established by section 2674(e) of title 10, United States Code, including amounts deposited in the Fund under subsection (c), to plan, design, construct, and maintain the memorial.

“(b) ACCEPTANCE OF CONTRIBUTIONS.—The Secretary of Defense may accept monetary contributions made for the purpose of assisting in—

“(1) the establishment of the memorial to the victims of the terrorist attack; and

“(2) the repair of the damage caused to the Pentagon Reservation by the terrorist attack.

“(c) DEPOSIT OF CONTRIBUTIONS.—The Secretary of Defense shall deposit contributions accepted under subsection (b) in the Pentagon Reservation Maintenance Revolving Fund. The contributions shall be available for expenditure only for the purposes specified in subsection (b).”

**§ 2675. Leases: foreign countries**

(a) LEASE AUTHORITY; DURATION.—The Secretary of a military department may acquire by lease in foreign countries structures and real property relating to structures that are needed for military purposes other than for military family housing. A lease under this section may be for a period of up to 10 years, or 15 years in the case of a lease in Korea, and the rental for each yearly period may be paid from funds appropriated to that military department for that year.

(b) AVAILABILITY OF FUNDS.—Appropriations available to the Department of Defense for operation and maintenance or construction may be used for the acquisition of interests in land under this section.

(Added Pub. L. 85–861, §1(51), Sept. 2, 1958, 72 Stat. 1460; amended Pub. L. 91–511, title VI, §608, Oct. 26, 1970, 84 Stat. 1224; Pub. L. 94–107, title VI, §607(10), (11), Oct. 7, 1975, 89 Stat. 567; Pub. L. 95–82, title V, §505(a), Aug. 1, 1977, 91 Stat. 371; Pub. L. 95–356, title V, §503(b), Sept. 8, 1978, 92 Stat. 579; Pub. L. 96–125, title V, §502(b), Nov. 26, 1979, 93 Stat. 940; Pub. L. 96–418, title V, §504(b), Oct. 10, 1980, 94 Stat. 1765; Pub. L. 97–99, title VI, §604, Dec. 23, 1981, 95 Stat. 1374; Pub. L. 97–214, §8, July 12, 1982, 96 Stat. 174; Pub. L. 98–525, title XIV, §1405(40), Oct. 19, 1984, 98 Stat. 2624; Pub. L. 101–510, div. A, title XIII, §1322(a)(11), Nov. 5, 1990, 104 Stat. 1671; Pub. L. 108–136, div. B, title XXVIII, §2804(b), Nov. 24, 2003, 117 Stat. 1719; Pub. L. 108–375, div. B, title XXVIII, §2821(d)(3), Oct. 28, 2004, 118 Stat. 2130; Pub. L. 109–364, div. B, title XXVIII, §2824, Oct. 17, 2006, 120 Stat. 2476.)

**HISTORICAL AND REVISION NOTES**

Revised section	Source (U.S. Code)	Source (Statutes at Large)
2675 .....	5:171z–3.	Aug. 3, 1956, ch. 939, §417, 70 Stat. 1018.

The words “that are not located on a military base” are substituted for the words “off-base”.

**AMENDMENTS**

2006—Subsec. (a). Pub. L. 109–364 substituted “10 years” for “five years”.

2004—Pub. L. 108–375 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

2003—Pub. L. 108–136 inserted “or 15 years in the case of a lease in Korea,” after “five years.”

1990—Pub. L. 101–510 struck out “(a)” before “The Secretary” and struck out subsec. (b) which read as follows: “A lease may not be entered into under this section for structures or related real property in any foreign country if the average estimated annual rental during the term of the lease if more than \$250,000 until after the expiration of 30 days from the date upon which a report of the facts concerning the proposed lease is submitted to the Committees on Armed Services of the Senate and House of Representatives.”

1984—Subsec. (b). Pub. L. 98–525 substituted “30” for “thirty”.

1982—Subsec. (a). Pub. L. 97–214, §8(a), substituted provisions that the Secretary of a military department may acquire by lease in foreign countries, structures and real property needed for military purposes other than for military family housing for up to a period of five years with the rental to be paid from funds appropriated to that military department for that year, for former provisions that had allowed such leases including leases for military family housing and in the latter case for a period of up to 10 years.

Subsec. (b). Pub. L. 97–214, §8(b), struck out “or any other provision of law” after “into under this section”, and “, family housing facilities,” after “for structures”.

Subsecs. (c), (d). Pub. L. 97–214, §8(c), struck out subsec. (c) which provided that a statement in a lease that the requirements of this section have been met, or that the lease is not subject to this section is conclusive, and subsec. (d) which related to limitations on expenditures for the rental of family housing in foreign countries and limitations on the number of family housing units which may be leased in a foreign country at any one time.

1981—Subsec. (d)(1). Pub. L. 97-99, § 604(1), substituted “250” for “150”.

Subsec. (d)(2). Pub. L. 97-99, § 604(2), substituted “22,000” for “17,000”.

1980—Subsec. (d)(1). Pub. L. 96-418 substituted “Expenditures for the rental of family housing in foreign countries (including the cost of utilities and maintenance and operation) may not exceed \$1,115 per month for any unit” for “The average unit rental for Department of Defense family housing acquired by lease in foreign countries may not exceed \$550 per month for the Department, and in no event shall the rental for any one unit exceed \$970 per month, including the costs of operation, maintenance, and utilities”.

1979—Subsec. (d)(1). Pub. L. 96-125, § 502(b)(1), substituted “\$550” for “\$485” and “\$970” for “\$850”.

Subsec. (d)(2). Pub. L. 96-125, § 502(b)(2), substituted “17,000” for “18,000”.

1978—Subsec. (d)(1). Pub. L. 95-356, § 503(b)(1), substituted “\$485” for “\$435” and “\$850” for “\$760”.

Subsec. (d)(2). Pub. L. 95-356, § 503(b)(2), substituted “18,000” for “15,000”.

1977—Subsec. (a). Pub. L. 95-82, § 505(a)(1), inserted provisions relating to military family housing facilities and real property related thereto.

Subsec. (b). Pub. L. 95-82, § 505(a)(2), inserted “or any other provision of law for structures, family housing facilities, or related real property in any foreign country,” after “section”.

Subsec. (d). Pub. L. 95-82, § 505(a)(3), added subsec. (d).

1975—Pub. L. 94-107 struck out reference to structures not on a military base in section catchline, and struck out “that are not located on a military base and” after “structures and real property relating thereto” in subsec. (a).

1970—Pub. L. 91-511 designated existing provisions as subsec. (a) and added subssecs. (b) and (c).

#### EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-214 effective Oct. 1, 1982, and applicable to military construction projects, and to construction and acquisition of military family housing authorized before, on, or after such date, see section 12(a) of Pub. L. 97-214, set out as an Effective Date note under section 2801 of this title.

#### EFFECTIVE DATE OF 1980 AMENDMENT

Pub. L. 96-418, title VI, § 608, Oct. 10, 1980, 94 Stat. 1774, provided that: “Titles I, II, III, IV, and V [enacting section 2775 of this title and section 1594h-3 of Title 42, The Public Health and Welfare, amending this section, section 2686 of this title, and sections 1594a-1 and 1594h-2 of Title 42, and repealing provisions set out as a note under section 4593 of this title] shall take effect on October 1, 1980.”

#### EFFECTIVE DATE OF 1977 AMENDMENT

Pub. L. 95-82, title V, § 505(c), Aug. 1, 1977, 91 Stat. 372, provided that: “The amendments made by subsection (a) [amending this section] and the repeal made by subsection (b) [repealing section 507(b) of Pub. L. 93-166, which was not classified to the Code] shall take effect October 1, 1977.”

#### [§ 2676. Renumbered § 2664]

#### [§ 2677. Repealed. Pub. L. 110-181, div. B, title XXVIII, § 2822(b)(1), Jan. 28, 2008, 122 Stat. 544]

Section, added Pub. L. 85-861, § 1(51), Sept. 2, 1958, 72 Stat. 1460; amended Pub. L. 87-554, title VI, § 607, July 27, 1962, 76 Stat. 242; Pub. L. 92-145, title VII, § 707(4), Oct. 27, 1971, 85 Stat. 412; Pub. L. 94-273, § 6(3), Apr. 21, 1976, 90 Stat. 377; Pub. L. 97-214, § 10(a)(5)(A), (B), July 12, 1982, 96 Stat. 175; Pub. L. 97-375, title I, § 104(b), Dec. 21, 1982, 96 Stat. 1819; Pub. L. 98-407, title VIII, § 803, Aug. 28, 1984, 98 Stat. 1519; Pub. L. 102-190, div. B, title XXVIII, § 2861, Dec. 5, 1991, 105 Stat. 1559; Pub. L. 103-35,

title II, § 201(c)(9), May 31, 1993, 107 Stat. 98; Pub. L. 107-314, div. A, title X, § 1062(a)(12), Dec. 2, 2002, 116 Stat. 2650, related to options on property required for military construction projects.

#### § 2678. Feral horses and burros: removal from military installations

When feral horses or burros are found on an installation under the jurisdiction of the Secretary of a military department, the Secretary may use helicopters and motorized equipment for their removal.

(Added Pub. L. 101-510, div. A, title XIV, § 1481(h)(1), Nov. 5, 1990, 104 Stat. 1708.)

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in Pub. L. 101-165, title IX, § 9030, Nov. 21, 1989, 103 Stat. 1135, which was set out as a note under section 2241 of this title, prior to repeal by Pub. L. 101-510, § 1481(h)(3).

A prior section 2678, added Pub. L. 85-861, § 1(51), Sept. 2, 1958, 72 Stat. 1460, related to acquisition of mortgaged housing units, prior to repeal by Pub. L. 97-214, §§ 7(1), 12(a), July 12, 1982, 96 Stat. 173, 176, effective Oct. 1, 1982, and applicable to military construction projects, and to construction and acquisition of military family housing authorized before, on, or after such date.

#### § 2679. Installation-support services: intergovernmental support agreements

(a) IN GENERAL.—(1) Notwithstanding any other provision of law governing the award of Federal government<sup>1</sup> contracts for goods and services, the Secretary concerned may enter into an intergovernmental support agreement, on a sole source basis, with a State or local government to provide, receive, or share installation-support services if the Secretary determines that the agreement will serve the best interests of the department by enhancing mission effectiveness or creating efficiencies or economies of scale, including by reducing costs.

(2) An intergovernmental support agreement under paragraph (1)—

(A) may be for a term not to exceed five years; and

(B) may use, for installation-support services provided by a State or local government, wage grades normally paid by that State or local government.

(3) An intergovernmental support agreement under paragraph (1) may only be used when the Secretary concerned or the State or local government, as the case may be, providing the installation-support services already provides such services for its own use.

(4) Any contract for the provision of installation-support services awarded by the Federal Government or a State or local government pursuant to an intergovernmental support agreement provided in subsection (a) shall be awarded on a competitive basis.

(b) EFFECT ON FIRST RESPONDER ARRANGEMENTS.—The authority provided by this section and limitations on the use of that authority are not intended to revoke, preclude, or otherwise interfere with existing or proposed mutual-aid agreements relating to police or fire protection

<sup>1</sup> So in original. Probably should be capitalized.