

funds to which such costs were charged and shall be available for the same purposes as such appropriations or funds.

(Added Pub. L. 95-492, §1, Oct. 20, 1978, 92 Stat. 1642, §2545; renumbered §2555, Pub. L. 106-398, §1 [[div. A], title X, §1033(b)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-260; Pub. L. 107-107, div. A, title IX, §931(a), Dec. 28, 2001, 115 Stat. 1200.)

#### CODIFICATION

Another section 2555 was renumbered section 2565 of this title.

#### AMENDMENTS

2001—Subsec. (a). Pub. L. 107-107 substituted “Air Mobility Command” for “Military Airlift Command”.

2000—Pub. L. 106-398 renumbered section 2545 of this title as this section.

### § 2556. Shelter for homeless; incidental services

(a)(1) The Secretary of a military department may make military installations under his jurisdiction available for the furnishing of shelter to persons without adequate shelter. The Secretary may, incidental to the furnishing of such shelter, provide services as described in subsection (b). Shelter and incidental services provided under this section may be provided without reimbursement.

(2) The Secretary concerned shall carry out this section in cooperation with appropriate State and local governmental entities and charitable organizations. The Secretary shall, to the maximum extent practicable, use the services and personnel of such entities and organizations in determining to whom and the circumstances under which shelter is furnished under this section.

(b) Services that may be provided incident to the furnishing of shelter under this section are the following:

- (1) Utilities.
- (2) Bedding.
- (3) Security.
- (4) Transportation.
- (5) Renovation of facilities.
- (6) Minor repairs undertaken specifically to make suitable space available for shelter to be provided under this section.
- (7) Property liability insurance.

(c) Shelter and incidental services may only be provided under this section to the extent that the Secretary concerned determines will not interfere with military preparedness or ongoing military functions.

(d) The Secretary concerned may provide bedding for support of shelters for the homeless that are operated by entities other than the Department of Defense. Bedding may be provided under this subsection without reimbursement, but may only be provided to the extent that the Secretary determines that the provision of such bedding will not interfere with military requirements.

(e) The Secretary of Defense shall prescribe regulations for the administration of this section.

(Added Pub. L. 98-94, title III, §305(a)(1), Sept. 24, 1983, 97 Stat. 628, §2546; amended Pub. L. 99-167, title VIII, §825, Dec. 3, 1985, 99 Stat. 992; renum-

bered §2556, Pub. L. 106-398, §1 [[div. A], title X, §1033(b)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-260.)

#### AMENDMENTS

2000—Pub. L. 106-398 renumbered section 2546 of this title as this section.

1985—Subsecs. (d), (e). Pub. L. 99-167 added subsec. (d) and redesignated former subsec. (d) as (e).

#### EFFECTIVE DATE

Pub. L. 98-94, title III, §305(b), Sept. 24, 1983, 97 Stat. 629, provided that: “Section 2546 [now 2556] of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 1983.”

#### PRIOR CERTIFICATION REQUIRED FOR USE OF DEPARTMENT OF DEFENSE FACILITIES BY OTHER FEDERAL AGENCIES FOR TEMPORARY HOUSING SUPPORT

Pub. L. 114-328, div. B, title XXVIII, §2815, Dec. 23, 2016, 130 Stat. 2718, provided that: “The Secretary of Defense shall not sign a memorandum of agreement with another Federal agency to provide the agency with a vacant facility for purposes of temporary housing support unless the Secretary first submits to the Committees on Armed Services of the House of Representatives and Senate a certification that the provision of the facility to the agency for such purpose will not negatively affect military training, operations, readiness, or other military requirements, including National Guard and Reserve readiness.”

### § 2557. Excess nonlethal supplies: availability for humanitarian relief, domestic emergency assistance, and homeless veterans assistance

(a)(1) The Secretary of Defense may make available for humanitarian relief purposes any nonlethal excess supplies of the Department of Defense. In addition, the Secretary may make nonlethal excess supplies of the Department available to support domestic emergency assistance activities.

(2) The Secretary of Defense may make excess clothing, shoes, sleeping bags, and related nonlethal excess supplies available to the Secretary of Veterans Affairs for distribution to homeless veterans and programs assisting homeless veterans. The transfer of nonlethal excess supplies to the Secretary of Veterans Affairs under this paragraph shall be without reimbursement.

(b)(1) Excess supplies made available for humanitarian relief purposes under this section shall be transferred to the Secretary of State, who shall be responsible for the distribution of such supplies.

(2) Excess supplies made available under this section to support domestic emergency assistance activities shall be transferred to the Secretary of Homeland Security. The Secretary of Defense may provide assistance in the distribution of such supplies at the request of the Secretary of Homeland Security.

(c) This section does not constitute authority to conduct any activity which, if carried out as an intelligence activity by the Department of Defense, would require a notice to the intelligence committees under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.).

(d) In this section:

(1) The term “nonlethal excess supplies” means property, other than real property, of the Department of Defense—

(A) that is excess property, as defined in regulations of the Department of Defense; and