

### § 2806. Contributions for North Atlantic Treaty Organizations Security Investment

(a) Within amounts authorized by law for such purpose, the Secretary of Defense may make contributions for the United States share of the cost of multilateral programs for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area.

(b) Funds may not be obligated or expended in connection with the North Atlantic Treaty Organization Security Investment program in any year unless such funds have been authorized by law for such program.

(c)(1) The Secretary may make contributions in excess of the amount appropriated for contribution under subsection (a) if the amount of the contribution in excess of that amount does not exceed 200 percent of the amount specified by section 2805(a) of this title as the maximum amount for a minor military construction project.

(2) If the Secretary determines that the amount appropriated for contribution under subsection (a) in any fiscal year must be exceeded by more than the amount authorized under paragraph (1), the Secretary may make contributions in excess of such amount, but not in excess of 125 percent of the amount appropriated (A) after submitting a report in writing to the appropriate committees of Congress on such increase, including a statement of the reasons for the increase and a statement of the source of the funds to be used for the increase, and (B) after a period of 21 days has elapsed from the date of receipt of the report or, if earlier, a period of 14 days has elapsed from the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of this title.

(Added Pub. L. 97-214, §2(a), July 12, 1982, 96 Stat. 156; amended Pub. L. 97-321, title VIII, §805(b)(1), Oct. 15, 1982, 96 Stat. 1573; Pub. L. 99-661, div. B, title V, §2503(a), Nov. 14, 1986, 100 Stat. 4039; Pub. L. 100-26, §7(f)(1), Apr. 21, 1987, 101 Stat. 281; Pub. L. 102-190, div. B, title XXVIII, §2870(5), Dec. 5, 1991, 105 Stat. 1563; Pub. L. 104-201, div. B, title XXVIII, §2802(a), (c)(1), Sept. 23, 1996, 110 Stat. 2787; Pub. L. 111-84, div. B, title XXVIII, §2801(a)(3), Oct. 28, 2009, 123 Stat. 2660; Pub. L. 111-383, div. B, title XXVIII, §2803(b), Jan. 7, 2011, 124 Stat. 4459.)

#### AMENDMENTS

2011—Subsec. (c)(2)(B). Pub. L. 111-383 inserted before period at end “or, if earlier, a period of 14 days has elapsed from the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of this title”.

2009—Subsec. (c)(1). Pub. L. 111-84 substituted “section 2805(a)” for “section 2805(a)(2)”.

1996—Pub. L. 104-201, §2802(c)(1), substituted “Organizations Security Investment” for “Organization Infrastructure” in section catchline.

Subsec. (b). Pub. L. 104-201, §2802(a), substituted “Security Investment program” for “Infrastructure program”.

1991—Subsec. (c)(2)(B). Pub. L. 102-190 substituted “after” for “after either” and struck out before period at end “or after each such committee has indicated approval of the increased contribution”.

1987—Subsec. (c)(1). Pub. L. 100-26 substituted “specified by section 2805(a)(2) of this title” for “specified by law”.

1986—Subsec. (a). Pub. L. 99-661 inserted “and for related expenses” after “headquarters”.

1982—Pub. L. 97-321 substituted “Infrastructure” for “infrastructure” in section catchline.

#### CHANGE OF NAME

Pub. L. 104-201, div. B, title XXVIII, §2802(b), Sept. 23, 1996, 110 Stat. 2787, provided that: “Any reference to the North Atlantic Treaty Organization Infrastructure program in any Federal law, Executive order, regulation, delegation of authority, or document of or pertaining to the Department of Defense shall be deemed to refer to the North Atlantic Treaty Organization Security Investment program.”

#### EFFECTIVE DATE OF 1986 AMENDMENT

Pub. L. 99-661, div. B, title V, §2503(b), Nov. 14, 1986, 100 Stat. 4039, provided that: “The amendment made by subsection (a) [amending this section] shall apply only with respect to contributions made with funds appropriated for fiscal years after fiscal year 1986.”

#### EFFECTIVE DATE

For effective date and applicability of section, see section 12(a) of Pub. L. 97-214, set out as a note under section 2801 of this title.

#### RESTRICTION ON CERTAIN FUNDING

Pub. L. 99-661, div. B, title V, §2504, Nov. 14, 1986, 100 Stat. 4039, prohibited Secretary of Defense from obligating or expending any funds after fiscal year 1987 with respect to NATO infrastructure program under this section until Secretary submitted to Committees on Armed Services of Senate and House (1) a comprehensive master plan for establishing adequate active defenses for air bases in Europe at which operations of United States aircraft are planned, sites in Europe used by United States for logistic support of NATO or for prepositioned overseas materiel configured to unit sets, and (2) a report containing a certification by Secretary that sufficient funds have been budgeted by Department of Defense in fiscal year 1988 five-year defense plan to meet objectives of such comprehensive master plan.

### § 2807. Architectural and engineering services and construction design

(a) Within amounts appropriated for military construction and military family housing, the Secretary concerned may obtain architectural and engineering services and may carry out construction design in connection with military construction projects, family housing projects, and projects undertaken in connection with the authority provided under section 2854 of this title that are not otherwise authorized by law. Amounts available for such purposes may be used for construction management of projects that are funded by foreign governments directly or through international organizations and for which elements of the armed forces of the United States are the primary user.

(b) In the case of architectural and engineering services and construction design to be undertaken under subsection (a) for which the estimated cost exceeds \$1,000,000, the Secretary concerned shall notify the appropriate committees of Congress of the scope of the proposed project and the estimated cost of such services before the initial obligation of funds for such services. The Secretary may then obligate funds for such services only after the end of the 21-day