

Pub. L. 113-235, div. I, title I, §121, Dec. 16, 2014, 128 Stat. 2550.

Pub. L. 113-76, div. J, title I, §121, Jan. 17, 2014, 128 Stat. 445.

Pub. L. 113-6, div. E, title I, §121, Mar. 26, 2013, 127 Stat. 391.

Pub. L. 112-74, div. H, title I, §121, Dec. 23, 2011, 125 Stat. 1144.

Pub. L. 111-117, div. E, title I, §123, Dec. 16, 2009, 123 Stat. 3295.

Pub. L. 110-329, div. E, title I, §123, Sept. 30, 2008, 122 Stat. 3700.

Pub. L. 110-161, div. I, title I, §123, Dec. 26, 2007, 121 Stat. 2261.

Pub. L. 109-114, title I, §124, Nov. 30, 2005, 119 Stat. 2380, as amended by Pub. L. 109-148, div. B, title V, §5013, Dec. 30, 2005, 119 Stat. 2815.

Pub. L. 108-324, div. A, §124, Oct. 13, 2004, 118 Stat. 1228.

Pub. L. 108-132, §125, Nov. 22, 2003, 117 Stat. 1382.

Pub. L. 107-249, §127, Oct. 23, 2002, 116 Stat. 1586.

Pub. L. 107-64, §127, Nov. 5, 2001, 115 Stat. 482.

Pub. L. 106-246, div. A, §127, July 13, 2000, 114 Stat. 518.

Pub. L. 106-52, §128, Aug. 17, 1999, 113 Stat. 267.

#### PILOT PROGRAM FOR MILITARY FAMILY HOUSING

Pub. L. 100-180, div. B, subdiv. 3, title II, §2321, Dec. 4, 1987, 101 Stat. 1218, required Secretary of Defense, using \$1,000,000 of funds appropriated pursuant to authorization in subsection (a)(10)(B) of section 2145 of Pub. L. 100-180, to establish and carry out, during fiscal years 1988, 1989, and 1990, a pilot program for purpose of assisting units of general local government to increase amount of affordable family housing available to military personnel; required Secretary, establishing and carrying out such programs, to select at least five units of general local government severely impacted by presence of military bases and personnel; set forth criteria for selection of units of general local government, authority to make grants, cooperative agreements, etc., and uses of available funds; and required Secretary to report to Committees on Armed Services of Senate and House no later than Mar. 15 of 1988, 1989, 1990, and 1991 with respect to activities carried out under this section.

#### MILITARY HOUSING RENTAL GUARANTEE PROGRAM

Pub. L. 98-115, title VIII, §802, Oct. 11, 1983, 97 Stat. 783, as amended by Pub. L. 98-407, title VIII, §806(b), Aug. 28, 1984, 98 Stat. 1521; Pub. L. 99-167, title VIII, §801(a), Dec. 3, 1985, 99 Stat. 985; Pub. L. 99-661, div. B, title VII, §2713(a), Nov. 14, 1986, 100 Stat. 4042; Pub. L. 100-180, div. B, subdiv. 3, title I, §2307, Dec. 4, 1987, 101 Stat. 1216; Pub. L. 101-189, div. B, title XXVIII, §2801, Nov. 29, 1989, 103 Stat. 1646; Pub. L. 101-510, div. B, title XXVIII, §2811, Nov. 5, 1990, 104 Stat. 1788, provided for agreements and contracts relating to military housing rental guarantee program, prior to repeal by Pub. L. 102-190, div. B, title XXVIII, §2809(b), (c), Dec. 5, 1991, 105 Stat. 1543, such repeal not to affect the validity of any contract entered into before Dec. 5, 1991, under section 802 of Pub. L. 98-115 as in effect on Dec. 4, 1991. See section 2836 of this title.

#### FAMILY HOUSING CONSTRUCTED OVERSEAS

Pub. L. 98-115, title VIII, §803, Oct. 11, 1983, 97 Stat. 784, as amended by Pub. L. 98-407, title VIII, §812, Aug. 28, 1984, 98 Stat. 1524; Pub. L. 101-510, div. A, title XIII, §1302(f), Nov. 5, 1990, 104 Stat. 1669, provided that any contract entered into for the construction of military family housing for the Department of Defense in a foreign country was to require the use of housing fabricated in the United States by a United States contractor or, in the case of concrete housing, the use of housing produced in a plant that was fabricated in the United States by a United States company, and for which the materials, fixtures, and equipment used in the construction (other than cement, sand, and aggregate)

were manufactured in the United States, prior to repeal by Pub. L. 107-314, div. B, title XXVIII, §2804, Dec. 2, 2002, 116 Stat. 2705.

#### § 2822. Requirement for authorization of number of family housing units

(a) Except as otherwise provided in subsection (b) or as otherwise authorized by law, the Secretary concerned may not construct or acquire military family housing units unless the number of units to be constructed or acquired has been specifically authorized by law.

(b) Subsection (a) does not apply to the following:

(1) Housing units acquired under section 404 of the Housing Amendments of 1955 (42 U.S.C. 1594a).

(2) Housing units leased under section 2828 of this title.

(3) Housing units acquired under the Homeowners Assistance Program referred to in section 2832 of this title.

(4) Housing units acquired without consideration.

(5) Replacement housing units constructed under section 2825(c) of this title.

(6) Housing units constructed or provided under section 2869 of this title.

(Added Pub. L. 97-214, §2(a), July 12, 1982, 96 Stat. 158; amended Pub. L. 98-525, title XIV, §1405(44), Oct. 19, 1984, 98 Stat. 2625; Pub. L. 100-180, div. B, subdiv. 3, title I, §2308, Dec. 4, 1987, 101 Stat. 1216; Pub. L. 101-510, div. A, title XIII, §1301(17), Nov. 5, 1990, 104 Stat. 1668; Pub. L. 102-25, title VII, §701(j)(9), Apr. 6, 1991, 105 Stat. 116; Pub. L. 102-484, div. B, title XXVIII, §2802(b), Oct. 23, 1992, 106 Stat. 2606; Pub. L. 108-136, div. B, title XXVIII, §2805(b), Nov. 24, 2003, 117 Stat. 1721.)

#### AMENDMENTS

2003—Subsec. (b)(6). Pub. L. 108-136 added par. (6).

1992—Subsec. (b)(5). Pub. L. 102-484 added par. (5).

1991—Subsec. (b)(4). Pub. L. 102-25 realigned margin of par. (4).

1990—Subsec. (b)(4). Pub. L. 101-510 amended par. (4) generally. Prior to amendment, par. (4) read as follows: “Housing units acquired without consideration, if—

“(A) the Secretary concerned provides to the appropriate committees of Congress written notification of the facts concerning the proposed acquisition; and  
“(B) a period of 21 days elapses after the notification is received by those committees.”

1987—Subsec. (b)(4). Pub. L. 100-180 added par. (4).

1984—Subsec. (b)(3). Pub. L. 98-525 substituted “section 2832” for “section 2833”.

#### 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.

#### [§ 2823. Repealed. Pub. L. 109-364, div. B, title XXVIII, § 2803(a), Oct. 17, 2006, 120 Stat. 2467]

Section, added Pub. L. 97-214, §2(a), July 12, 1982, 96 Stat. 158; amended Pub. L. 105-85, div. A, title X, §1041(b), Nov. 18, 1997, 111 Stat. 1885, related to determination of availability of suitable alternative housing for acquisition in lieu of construction of new family housing.

#### § 2824. Authorization for acquisition of existing family housing in lieu of construction

(a) In lieu of constructing any family housing units authorized by law to be constructed, the