

- (1) Operation and maintenance.
- (2) Military construction.
- (3) Research, development, test, and evaluation.
- (4) The Support for United States Relocation to Guam Account established under section 2824 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4730; 10 U.S.C. 2687 note).

(e) SECRETARY CONCERNED DEFINED.—In this section, the term “Secretary concerned” means—

- (1) the Secretary of a military department; and
- (2) the Secretary of Defense with respect to a Defense Agency.

(Added Pub. L. 110-417, [div. A], title III, §311(a), Oct. 14, 2008, 122 Stat. 4408; amended Pub. L. 111-84, div. A, title III, §311, Oct. 28, 2009, 123 Stat. 2247; Pub. L. 111-383, div. A, title X, §1075(b)(45), Jan. 7, 2011, 124 Stat. 4371.)

AMENDMENTS

2011—Subsec. (d)(4). Pub. L. 111-383 inserted “Authorization” after “Military Construction”.

2009—Subsec. (a). Pub. L. 111-84, §311(1), struck out “to carry out this section” after “appropriated funds” in introductory provisions.

Subsecs. (d), (e). Pub. L. 111-84, §311(2), (3), added subsec. (d) and redesignated former subsec. (d) as (e).

EFFECTIVE DATE

Pub. L. 110-417, [div. A], title III, §311(c), Oct. 14, 2008, 122 Stat. 4409, provided that: “Section 2694c of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2008, and only funds appropriated for fiscal years beginning after September 30, 2008, may be used to carry out such section.”

§ 2695. Acceptance of funds to cover administrative expenses relating to certain real property transactions

(a) AUTHORITY TO ACCEPT.—In connection with a real property transaction referred to in subsection (b) with a non-Federal person or entity, the Secretary of a military department may accept amounts provided by the person or entity to cover administrative expenses incurred by the Secretary in entering into the transaction.

(b) COVERED TRANSACTIONS.—Subsection (a) applies to the following transactions involving real property under the control of the Secretary of a military department:

- (1) The exchange of real property.
- (2) The grant of an easement over, in, or upon real property of the United States.
- (3) The lease or license of real property of the United States.
- (4) The disposal of real property of the United States for which the Secretary will be the disposal agent.
- (5) The conveyance of real property under section 2694a of this title.

(c) USE OF AMOUNTS COLLECTED.—(1) Amounts collected by the Secretary of a military department under subsection (a) for administrative expenses shall be credited, at the option of the Secretary—

- (A) to the appropriation, fund, or account from which the expenses were paid; or

(B) to an appropriate appropriation, fund, or account currently available to the Secretary for the purposes for which the expenses were paid.

(2) Amounts credited under paragraph (1) shall be merged with funds in such appropriation, fund, or account and shall be available for the same purposes and subject to the same limitations as the funds with which merged.

(Added Pub. L. 105-85, div. B, title XXVIII, §2813(a), Nov. 18, 1997, 111 Stat. 1993; amended Pub. L. 106-65, div. B, title XXVIII, §2813, Oct. 5, 1999, 113 Stat. 851; Pub. L. 107-314, div. B, title XXVIII, §2812(b), Dec. 2, 2002, 116 Stat. 2709; Pub. L. 113-291, div. B, title XXVIII, §2812(a), Dec. 19, 2014, 128 Stat. 3700.)

AMENDMENTS

2014—Subsec. (c)(1). Pub. L. 113-291, §2812(a)(1), substituted “(1) Amounts collected by the Secretary of a military department under subsection (a) for administrative expenses shall be credited, at the option of the Secretary—” and subpars. (A) and (B) for “Amounts collected under subsection (a) for administrative expenses shall be credited to the appropriation, fund, or account from which the expenses were paid.”

Subsec. (c)(2). Pub. L. 113-291, §2812(a)(2), substituted “(2) Amounts credited under paragraph (1)” for “Amounts so credited”.

2002—Subsec. (b)(5). Pub. L. 107-314 added par. (5).

1999—Subsec. (b). Pub. L. 106-65 inserted “involving real property under the control of the Secretary of a military department” after “transactions” in introductory provisions and added par. (4).

EFFECTIVE DATE OF 2014 AMENDMENT

Pub. L. 113-291, div. B, title XXVIII, §2812(b), Dec. 19, 2014, 128 Stat. 3700, provided that: “The amendments made by subsection (a) [amending this section] shall not apply to administrative expenses related to a real property transaction referred to in section 2695(b) of title 10, United States Code, that were covered by the Secretary of a military department using amounts appropriated to the Secretary before the date of the enactment of this Act [Dec. 19, 2014].”

ADMINISTRATIVE COSTS OF LAND CONVEYANCES

Pub. L. 106-541, title II, §226, Dec. 11, 2000, 114 Stat. 2598, provided that: “Notwithstanding any other provision of law, the administrative costs associated with the conveyance of property by the Secretary to a non-Federal governmental or nonprofit entity shall be limited to the extent that the Secretary determines that such limitation is necessary to complete the conveyance based on the entity’s ability to pay.”

§ 2696. Real property: transfer between armed forces and screening requirements for other Federal use

(a) TRANSFERS BETWEEN ARMED FORCES.—If either of the Secretaries concerned requests it and the other approves, real property may be transferred, without compensation, from one armed force to another. Section 2571(d) of this title shall apply to the transfer of real property under this subsection.

(b) SCREENING REQUIREMENTS FOR ADDITIONAL FEDERAL USE.—The Secretary concerned may not convey real property that is authorized or required to be conveyed, whether for or without consideration, by any provision of law enacted after December 31, 1997, unless the Administrator of General Services has screened the