

special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

§ 7727. Cemetery concessions contracts

(a) CONTRACTS AUTHORIZED.—The Secretary of the Army may enter into a contract with an appropriate entity for the provision of transportation, interpretative, or other necessary or appropriate concession services to visitors at the Army National Military Cemeteries.

(b) SPECIAL REQUIREMENTS.—(1) The Secretary of the Army shall establish and include in each concession contract such requirements as the Secretary determines are necessary to ensure the protection, dignity, and solemnity of the cemetery at which services are provided under the contract.

(2) A concession contract shall not include operation of the gift shop at Arlington National Cemetery without the specific prior authorization by an Act of Congress.

(c) FRANCHISE FEES.—A concession contract shall provide for payment to the United States of a franchise fee or such other monetary consideration as determined by the Secretary of the Army. The Secretary shall ensure that the objective of generating revenue for the United States is subordinate to the objectives of honoring the service and sacrifices of the deceased members of the armed forces and of providing necessary and appropriate services for visitors to the Cemeteries at reasonable rates.

(d) SPECIAL ACCOUNT.—All franchise fees (and other monetary consideration) collected by the United States under subsection (c) shall be deposited into a special account established in the Treasury of the United States. The funds deposited in such account shall be available for expenditure by the Secretary of the Army, to the extent authorized and in such amounts as are provided in advance in appropriations Acts, to support activities at the Cemeteries. The funds deposited into the account shall remain available until expended.

(e) CONCESSION CONTRACT DEFINED.—In this section, the term “concession contract” means a contract authorized and entered into under this section.

(Added Pub. L. 113-66, div. A, title V, §585(a), Dec. 26, 2013, 127 Stat. 777, §4727; renumbered §7727, Pub. L. 115-232, div. A, title VIII, §808(d), Aug. 13, 2018, 132 Stat. 1839.)

PRIOR PROVISIONS

Prior sections 7727 to 7730 were renumbered sections 8897 to 8900 of this title, respectively.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 4727 of this title as this section.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

CHAPTER 777—TRANSPORTATION

Sec. 7749. Property: for United States surveys.

Sec.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §808(e)(4), (f)(1), Aug. 13, 2018, 132 Stat. 1839, redesignated chapter 447 of this title as this chapter and item 4749 as 7749.

2004—Pub. L. 108-375, div. A, title X, §1072(d)(2), Oct. 28, 2004, 118 Stat. 2058, struck out items 4741 “Control and supervision”, 4743 “Officers: use of transportation”, 4744 “Persons and supplies: sea transportation”, 4745 “Civilian passengers and commercial cargoes: transports in trans-Atlantic service”, 4746 “Civilian personnel in Alaska”, and 4747 “Passengers and merchandise to Guam: sea transport”.

1996—Pub. L. 104-201, div. A, title IX, §906(d)(2), Sept. 23, 1996, 110 Stat. 2620, struck out item 4742 “Control of transportation systems in time of war”.

1962—Pub. L. 87-651, title I, §119(2), Sept. 7, 1962, 76 Stat. 513, struck out item 4748 “Motor vehicles: for members on permanent change of station”.

§ 7749. Property: for United States surveys

Under regulations governing the transportation of Army supplies, any branch, office, or officer designated by the Secretary of the Army shall receive, transport, and be responsible for property turned over by the officers or agents of any United States survey, for the National Museum or for a department of the United States or field office thereof. The amount paid by the Army for transportation under this section shall be refunded to the Army by the National Museum or the department to which the property is consigned.

(Aug. 10, 1956, ch. 1041, 70A Stat. 268, §4749; renumbered §7749, Pub. L. 115-232, div. A, title VIII, §808(d), Aug. 13, 2018, 132 Stat. 1839.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised section, Source (U.S. Code), Source (Statutes at Large). Row 1: 4749, 10:1377, July 5, 1884, ch. 217 (9th proviso under "Quartermaster's Department"), 23 Stat. 111; June 28, 1950, ch. 383, §402(b), 64 Stat. 272.

The words “a department of the United States or a field office thereof” are substituted for the words “the civil or naval departments of the Government, in Washington or elsewhere”. The words “National Museum or the department to which the property is consigned” are substituted for the words “bureau to which such property or stores pertain”. The words “United States” are substituted for the word “Government”. The words “wherever stationed” are omitted as surplusage.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 4749 of this title as this section.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

CHAPTER 779—REAL PROPERTY

Sec. 7771. Acceptance of donations: land for mobilization, training, supply base, or aviation field. 7772. Heritage Center for the National Museum of the United States Army: development and operation.

Sec.	
7776.	Emergency construction: fortifications.
7777.	Permits: military reservations; landing ferries, erecting bridges, driving livestock.
7778.	Licenses: military reservations; erection and use of buildings; Young Men's Christian Association.
7779.	Use of public property.
7780.	Acquisition of buildings in District of Columbia.
7781.	Cyber Center for Education and Innovation—Home of the National Cryptologic Museum.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, § 808(e)(4), (f)(1), Aug. 13, 2018, 132 Stat. 1839, redesignated chapter 449 of this title as this chapter and items 4771 to 4781 as 7771 to 7781, respectively.

2017—Pub. L. 115-91, div. A, title X, § 1081(a)(49)(B), Dec. 12, 2017, 131 Stat. 1597, struck out second item 4781 “Cyber Center for Education and Innovation—Home of the National Cryptologic Museum” after identical first item 4781.

Pub. L. 115-31, div. N, title VI, § 602(b), May 5, 2017, 131 Stat. 829, added identical second item 4781 after first item 4781.

2016—Pub. L. 114-328, div. B, title XXVIII, § 2831(b), Dec. 23, 2016, 130 Stat. 2740, added item 4781 after item 4780.

2004—Pub. L. 108-375, div. B, title XXVIII, § 2822(b), Oct. 28, 2004, 118 Stat. 2132, added item 4772.

1982—Pub. L. 97-295, § 1(43)(B), Oct. 12, 1982, 96 Stat. 1298, struck out item 4772 “Reservation and use for air base or testing field”.

Pub. L. 97-214, § 10(a)(9)(A), July 12, 1982, 96 Stat. 175, struck out item 4774 “Construction: limitations”.

1973—Pub. L. 93-166, title V, § 509(c), Nov. 29, 1973, 87 Stat. 677, substituted “Construction: limitations” for “Construction of quarters: limitations on space and cost” in item 4774.

1971—Pub. L. 92-145, title V, § 509(a), Oct. 27, 1971, 85 Stat. 408, struck out item 4775 “Quarters: officers”.

1958—Pub. L. 85-861, § 1(105)(B), Sept. 2, 1958, 72 Stat. 1490, added item 4780.

SERVICEWOMEN'S COMMEMORATIVE PARTNERSHIPS

Pub. L. 116-283, div. A, title III, § 362, Jan. 1, 2021, 134 Stat. 3547, provided that:

“(a) IN GENERAL.—The Secretary of the Army may enter into a contract, partnership, or grant with a non-profit organization for the purpose of providing financial support for the maintenance and sustainment of infrastructure and facilities at military service memorials and museums that highlight the role of women in the military. Such a contract, partnership, or grant shall be referred to as a ‘Servicewomen's Commemorative Partnership’.

“(b) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated for fiscal year 2021, as identified in division D of this Act [div. D of Pub. L. 116-283, 134 Stat. 4422, which is not classified to the Code], \$3,000,000 shall be available for Servicewomen's Commemorative Partnerships under subsection (a).”

DEPARTMENT OF THE ARMY PILOT PROGRAM FOR DEVELOPMENT AND USE OF ONLINE REAL ESTATE INVENTORY TOOL

Pub. L. 116-283, div. B, title XXVIII, § 2866, Jan. 1, 2021, 134 Stat. 4361, provided that:

“(a) PILOT PROGRAM REQUIRED.—

“(1) ESTABLISHMENT.—The Secretary of the Army shall establish a pilot program for the development of an online real estate tool to identify the existing inventory of space available at the Army installations selected by the Secretary under paragraph (2) for the purposes specified in subsection (b).

“(2) SELECTION OF PILOT LOCATIONS.—The Secretary shall evaluate the online inventory tool at not less

than five, but not more than 10, Army installations selected by the Secretary as appropriate locations for evaluation of the online inventory tool.

“(3) CONSULTATION.—The Secretary shall establish the pilot program and develop the online inventory tool in consultation with the Administrator of General Services and the Assistant Secretary of Defense for Sustainment.

“(b) PURPOSES.—The purposes of the online inventory tool are—

“(1) to achieve efficiencies in real estate property management consistent with the National Defense Strategy goal of finding greater efficiencies within Department of Defense operations;

“(2) to provide a means to better market to the public information regarding space available at Army installations for better utilization of such space; and

“(3) to provide a means to better quantify existing space available at Army installations and how it is utilized for current missions and requirements.

“(c) CONSIDERATIONS.—To establish the pilot program, the Secretary of the Army shall—

“(1) consider innovative approaches, including the use of other transaction authorities consistent with section 2371 of title 10, United States Code, and the use of commercial off-the-shelf technologies;

“(2) develop appropriate protections of sensitive or classified information from being included with the online inventory tool; and

“(3) develop appropriate levels of access for private sector users of the online inventory tool.

“(d) ESTABLISHMENT OF USE POLICY.—In connection with the development of the online inventory tool, the Secretary of the Army shall develop policy requiring the use of the online inventory tool at the Army installations selected under subsection (a)(2) to query for existing inventory at such installations before any military construction or off-post leases are agreed to for such installations. The Secretary shall ensure that all relevant notifications to congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] include certification that the online inventory tool was used.

“(e) ONLINE INVENTORY TOOL DEFINED.—In this section, the term ‘online inventory tool’ means the online real estate tool developed under the pilot program to identify existing inventory of space available at Army installations selected to participate in the pilot program.

“(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to effect [sic] the application of title V of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411 et seq.).

“(g) REPORTING REQUIREMENT.—Not later than February 15, 2025, the Secretary of the Army shall submit to Committees on Armed Services of the Senate and the House of Representatives a report evaluating the success of the pilot program in achieving the purposes specified in subsection (b). At a minimum, the report also shall identify and contain the following:

“(1) The Army installations selected under subsection (a)(2) to participate in the pilot program.

“(2) The number of real estate agreements entered into by the Department of the Army that were facilitated by use of the online inventory tool, including for each agreement the installation, amount of space, value, and purpose of the agreement.

“(3) An evaluation of the extent to which use of the online inventory tool reduced the need for military construction or off-post leases.

“(4) An evaluation of any impediments to efficient use of the online inventory tool.

“(5) The recommendations of the Secretary regarding whether the pilot program should be extended, expanded, or made permanent.

“(h) DURATION.—The authority of the Secretary of the Army to conduct the pilot program shall expire on September 30, 2025.”