

§ 2816. Consideration of energy security and energy resilience in life-cycle cost for military construction

(a) IN GENERAL.—(1) The Secretary concerned, when evaluating the life-cycle designed cost of a covered military construction project, shall include as a facility requirement the long-term consideration of energy security and energy resilience that would ensure that the resulting facility is capable of continuing to perform its missions, during the life of the facility, in the event of a natural or human-caused disaster, an attack, or any other unplanned event that would otherwise interfere with the ability of the facility to perform its missions.

(2) A facility requirement under paragraph (1) shall not be weighed, for cost purposes, against other facility requirements in determining the design of the facility.

(b) INCLUSION IN THE BUILDING LIFE-CYCLE COST PROGRAM.—The Secretary shall include the requirements of subsection (a) in applying the latest version of the building life-cycle cost program, as developed by the National Institute of Standards and Technology, to consider on-site distributed energy assets in a building design for a covered military construction project.

(c) COVERED MILITARY CONSTRUCTION PROJECT DEFINED.—(1) In this section, the term “covered military construction project” means a military construction project for a facility that is used to perform critical functions during a natural or human-caused disaster, an attack, or any other unplanned event.

(2) For purposes of paragraph (1), the term “facility” includes at a minimum any of the following:

- (A) Operations centers.
- (B) Nuclear command and control facilities.
- (C) Integrated strategic and tactical warning and attack assessment facilities.
- (D) Continuity of government facilities.
- (E) Missile defense facilities.
- (F) Air defense facilities.
- (G) Hospitals.
- (H) Armories and readiness centers of the National Guard.
- (I) Communications facilities.
- (J) Satellite and missile launch and control facilities.

(Added Pub. L. 116–283, div. B, title XXVIII, § 2804(a), Jan. 1, 2021, 134 Stat. 4320.)

SUBCHAPTER II—MILITARY FAMILY HOUSING

Sec. 2821.	Requirement for authorization of appropriations for construction and acquisition of military family housing.
2822.	Requirement for authorization of number of family housing units.
[2823.	Repealed.]
2824.	Authorization for acquisition of existing family housing in lieu of construction.
2825.	Improvements to family housing units.
2826.	Military family housing: local comparability of room patterns and floor areas.
2827.	Relocation of military family housing units.
2828.	Leasing of military family housing.
2829.	Multi-year contracts for supplies and services.

Sec. [2830. 2831.	Repealed.] Military family housing management account.
2832.	Homeowners assistance program.
2833.	Family housing support.
2834.	Participation in Department of State housing pools.
2835.	Long-term leasing of military family housing to be constructed.
2835a.	Use of military family housing constructed under build and lease authority to house other members.
2836. [2837.	Military housing rental guarantee program. Repealed.]
2838.	Leasing of military family housing to Secretary of Defense.

Editorial Notes

AMENDMENTS

2021—Pub. L. 116–283, div. B, title XXVIII, § 2812(b), Jan. 1, 2021, 134 Stat. 4327, struck out item 2830 “Occupancy of substandard family housing units”.

2013—Pub. L. 113–66, div. B, title XXVIII, § 2802(a)(2), Dec. 26, 2013, 127 Stat. 1006, struck out item 2837 “Limited partnerships with private developers of housing”.

2008—Pub. L. 110–417, div. B, title XXVIII, §§ 2803(b), 2804(b), Oct. 14, 2008, 122 Stat. 4720, 4721, added items 2835a and 2838.

2006—Pub. L. 109–364, div. B, title XXVIII, § 2803(b), Oct. 17, 2006, 120 Stat. 2467, struck out item 2823 “Determination of availability of suitable alternative housing for acquisition in lieu of construction of new family housing”.

2000—Pub. L. 106–398, § 1 [div. B, title XXVIII, § 2803(a)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A–413, substituted “Military family housing: local comparability of room patterns and floor areas” for “Limitations on space by pay grade” in item 2826.

1994—Pub. L. 103–337, div. B, title XXVIII, § 2803(b), Oct. 5, 1994, 108 Stat. 3053, added item 2837.

1991—Pub. L. 102–190, div. B, title XXVIII, §§ 2806(a)(2), 2809(a)(2), Dec. 5, 1991, 105 Stat. 1540, 1543, added items 2835 and 2836.

1985—Pub. L. 99–167, title VIII, §§ 804(b)(2), 808(b), Dec. 3, 1985, 99 Stat. 987, 989, added items 2833 and 2834.

§ 2821. Requirement for authorization of appropriations for construction and acquisition of military family housing

(a) Except as provided in subsection (b), funds may not be appropriated for the construction, acquisition, leasing, addition, extension, expansion, alteration, relocation, or operation and maintenance of family housing under the jurisdiction of the Department of Defense unless the appropriation of such funds has been authorized by law.

(b) In addition to the funds authorized to be appropriated by law in any fiscal year for the purposes described in subsection (a), there are authorized to be appropriated such additional sums as may be necessary for increases in salary, pay, retirement, and other employee benefits authorized by law for civilian employees of the Department of Defense whose compensation is provided for by funds appropriated for the purposes described in such subsection.

(c) Amounts authorized by law for construction of military family housing units include amounts for (1) site preparation (including demolition), (2) installation of utilities, (3) ancillary supporting facilities, (4) shades, screens, ranges, refrigerators, and all other equipment and fixtures installed in such units, and (5) construction supervision, inspection, and overhead.