

“(2) During the period specified in paragraph (3) of subsection (a), the Secretary concerned shall deposit funds received under subsection (b) in the appropriation ‘Foreign Currency Fluctuations, Construction, Defense.’”

Subsec. (f). Pub. L. 111–84, § 2804(c), amended subsec. (f) generally. Prior to amendment, subsec. (f) related to annual reports on conveyances and effect of failure to submit report.

2006—Pub. L. 109–364, § 2811(f)(1), substituted “to support military construction or limit encroachment” for “closed or realigned to support military construction” in section catchline.

Subsec. (a). Pub. L. 109–364, § 2811(a), (b), designated existing provisions as par. (1), in introductory provisions substituted “described in paragraph (2)” for “located on a military installation that is closed or realigned under a base closure law”, redesignated former pars. (1) and (2) as subpars. (A) and (B), respectively, in subpar. (A) substituted “land acquisition, including the acquisition of all right, title, and interest or a lesser interest in real property under an agreement entered into under section 2684a of this title to limit encroachments and other constraints on military training, testing, and operations” for “land acquisition”, and added pars. (2) and (3).

Subsec. (d)(1). Pub. L. 109–364, § 2811(c)(1), substituted “is proposed for conveyance” for “closed or realigned under the base closure laws is to be conveyed”.

Subsec. (d)(2), (3). Pub. L. 109–364, § 2811(c)(2), added pars. (2) and (3) and struck out former par. (2) which read as follows: “The Secretary concerned may not enter into an agreement under subsection (a) for the conveyance of real property until—

“(A) the Secretary submits to Congress notice of the conveyance, including the military construction activities, military family housing, or military unaccompanied housing to be obtained in exchange for the conveyance; and

“(B) a period of 14 days expires beginning on the date on which the notice is submitted.”

Subsec. (e). Pub. L. 109–364, § 2811(d), amended heading and text of subsec. (e) generally. Prior to amendment, text read as follows: “The Secretary concerned may deposit funds received under subsection (b) in the Department of Defense housing funds established under section 2883(a) of this title.”

Subsec. (f). Pub. L. 109–364, § 2811(e), in heading substituted “Annual Reports; Effect of Failure to Submit” for “Annual Report”, designated existing provisions as par. (1), in introductory provisions substituted “Not later than March 15 of each year, the Secretary of Defense shall submit to Congress a report detailing the following:” for “In the budget materials submitted to Congress in connection with the submission of the budget for a fiscal year pursuant to section 1105 of title 31, the Secretary of Defense shall include a report detailing the following:”, redesignated former pars. (1) to (3) as subpars. (A) to (C), respectively, in subpar. (C) inserted “and of excess real property at military installations” before period at end, and added par. (2).

### Statutory Notes and Related Subsidiaries

#### ISSUANCE OF GUIDANCE

Pub. L. 116–283, div. B, title XXVIII, § 2862(c), Jan. 1, 2021, 134 Stat. 4358, provided that: “Not later than 180 days after the date of the enactment of this Act [Jan. 1, 2021], the Secretary of Defense shall issue guidance providing for the implementation of the pilot program required by section 2869(a)(3) of title 10, United States Code, as added by this section.”

### [§ 2870. Repealed. Pub. L. 116–283, div. A, title VIII, § 818(a), Jan. 1, 2021, 134 Stat. 3751]

Section, added Pub. L. 116–92, div. A, title VIII, § 865(a)(1), Dec. 20, 2019, 133 Stat. 1523, related to use of qualified apprentices by military construction contractors.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 2019 AMENDMENT

Pub. L. 116–92, div. A, title VIII, § 865(b), Dec. 20, 2019, 133 Stat. 1524, which provided that the amendments made by section 865 of Pub. L. 116–92 (enacting this section) would apply with respect to contracts awarded on or after 180 days after Dec. 20, 2019, was repealed by Pub. L. 116–283, div. A, title VIII, § 818(b)(2), Jan. 1, 2021, 134 Stat. 3751.

### SUBCHAPTER IV—ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING

Sec.	
2871.	Definitions.
2872.	General authority.
2872a.	Utilities and services.
2872b.	Treatment of breach of contract.
2873.	Direct loans and loan guarantees.
2874.	Leasing of housing.
2875.	Investments.
2876.	Rental guarantees.
2877.	Differential lease payments.
2878.	Conveyance or lease of existing property and facilities.
[2879.	Renumbered.]
2880.	Unit size and type.
2881.	Ancillary supporting facilities.
2881a.	Pilot projects for acquisition or construction of military unaccompanied housing.
2882.	Effect of assignment of members to housing units acquired or constructed under alternative authority.
2883.	Department of Defense Housing Funds.
2883a.	Funds for housing allowances of members of the armed forces assigned to certain military family housing units.
2884.	Reports.
2885.	Oversight and accountability for privatization projects.
[2886.	Repealed.]

### Editorial Notes

#### AMENDMENTS

2021—Pub. L. 117–81, div. B, § 2003(b), title XXVIII, § 2812(a), Dec. 27, 2021, 135 Stat. 2162, 2191, renumbered item 2879 as 2857 and transferred it to appear after item 2856 in analysis under subchapter III of this chapter.

2019—Pub. L. 116–92, div. B, title XXX, §§ 3014(d)(2), 3033(b), Dec. 20, 2019, 133 Stat. 1926, 1936, added item 2872b and struck out item 2886 “Prohibiting collection of amounts in addition to rent from members assigned to units”.

2018—Pub. L. 115–232, div. A, title X, § 1081(c)(5), Aug. 13, 2018, 132 Stat. 1985, made technical amendment to directory language of Pub. L. 115–91, § 2817(a)(2), effective as of Dec. 12, 2017, and as if included in Pub. L. 115–91 as enacted. See 2017 Amendment note below.

2017—Pub. L. 115–91, div. B, title XXVIII, § 2817(a)(2), Dec. 12, 2017, 131 Stat. 1852, as amended by Pub. L. 115–232, div. A, title X, § 1081(c)(5), Aug. 13, 2018, 132 Stat. 1985, added item 2879.

Pub. L. 115–91, div. A, title VI, § 602(b), Dec. 12, 2017, 131 Stat. 1418, added item 2886.

2008—Pub. L. 110–417, div. B, title XXVIII, § 2805(a)(2), (e)(2), Oct. 14, 2008, 122 Stat. 4722, 4724, added items 2882 and 2885 and struck out former item 2882 “Assignment of members of the armed forces to housing units”.

2004—Pub. L. 108–375, div. B, title XXVIII, § 2805(b)(2), Oct. 28, 2004, 118 Stat. 2122, struck out item 2885 “Expiration of authority”.

2002—Pub. L. 107–314, div. B, title XXVIII, §§ 2802(b)(3), (c)(2), 2803(a)(2), Dec. 2, 2002, 116 Stat. 2703, 2705, struck out “to be constructed” after “Leasing of housing” in item 2874, struck out item 2879 “Interim leases”, and added item 2881a.