

A, title X, §1062(a)(13), Dec. 2, 2002, 116 Stat. 2650; Pub. L. 108-136, div. A, title X, §1031(a)(31), Nov. 24, 2003, 117 Stat. 1600, related to leases of land for special operations activities, prior to repeal by Pub. L. 111-383, div. B, title XXVIII, §2814(a), Jan. 7, 2011, 124 Stat. 4464.

Another prior section 2680, added Pub. L. 87-651, title I, §112(c), Sept. 7, 1962, 76 Stat. 511; amended Pub. L. 89-718, §20, Nov. 2, 1966, 80 Stat. 1118, authorized reimbursement of moving expenses to owners of property acquired for public works projects, prior to repeal by Pub. L. 91-646, title II, §220(a)(3), Jan. 2, 1971, 84 Stat. 1903. See section 4601 et seq. of Title 42, The Public Health and Welfare.

Statutory Notes and Related Subsidiaries

EFFECT OF REPEAL

Pub. L. 111-383, div. B, title XXVIII, §2814(b), Jan. 7, 2011, 124 Stat. 4464, provided that: “The amendment made by subsection (a) [repealing former section 2680 of this title] shall not affect the validity of any contract entered into under section 2680 of title 10, United States Code, on or before September 30, 2005.”

§ 2681. Renumbered § 4175]

Editorial Notes

PRIOR PROVISIONS

A prior section 2681, added Pub. L. 87-651, title II, §209(a), Sept. 7, 1962, 76 Stat. 523; amended Pub. L. 88-174, title V, §508, Nov. 7, 1963, 77 Stat. 326; Pub. L. 96-513, title V, §511(93), Dec. 12, 1980, 94 Stat. 2928, related to construction or acquisition of family housing and community facilities in foreign countries, prior to repeal by Pub. L. 97-214, §§7(1), 12(a), July 12, 1982, 96 Stat. 173, 176, effective Oct. 1, 1982, and applicable to military construction projects, and to construction and acquisition of military family housing authorized before, on, or after such date.

§ 2682. Facilities for defense agencies

(a) **MAINTENANCE AND REPAIR.**—Subject to subsection (c), the maintenance and repair of a real property facility for an activity or agency of the Department of Defense (other than a military department) financed from appropriations for military functions of the Department of Defense will be accomplished by or through a military department designated by the Secretary of Defense.

(b) **JURISDICTION.**—Subject to subsection (c), a real property facility under the jurisdiction of the Department of Defense which is used by an activity or agency of the Department of Defense (other than a military department) shall be under the jurisdiction of a military department designated by the Secretary of Defense.

(c) **FACILITIES FOR INTELLIGENCE COLLECTION OR FOR SPECIAL OPERATIONS ABROAD.**—(1) The Secretary of Defense may waive the requirements of subsections (a) and (b) if necessary to provide security for authorized intelligence collection or special operations activities abroad undertaken by the Department of Defense.

(2) Not later than 48 hours after using the waiver authority under paragraph (1) for any facility for intelligence collection conducted under the authorities of the Department of Defense or special operations activity, the Secretary of Defense shall submit, in an electronic medium pursuant to section 480 of this title, to the appropriate congressional committees a notice of the use of the authority, including the

justification for the waiver and the estimated cost of the project for which the waiver applies.

(3) In this subsection, the term “appropriate congressional committees” means the following:

(A) With respect to a waiver regarding special operations activities, the congressional defense committees.

(B) With respect to a waiver regarding intelligence collection conducted under the authorities of the Department of Defense—

(i) the congressional defense committees; and

(ii) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

(4) The waiver authority provided by paragraph (1) expires December 31, 2020.

(Added Pub. L. 88-174, title VI, §609(a)(1), Nov. 7, 1963, 77 Stat. 329; amended Pub. L. 97-214, §10(a)(7), July 12, 1982, 96 Stat. 175; Pub. L. 112-81, div. A, title IX, §926, Dec. 31, 2011, 125 Stat. 1541; Pub. L. 114-92, div. A, title XVI, §1632, Nov. 25, 2015, 129 Stat. 1111; Pub. L. 115-91, div. B, title XXVIII, §2811(f), Dec. 12, 2017, 131 Stat. 1848.)

Editorial Notes

AMENDMENTS

2017—Subsec. (c)(2). Pub. L. 115-91 substituted “, in an electronic medium pursuant to section 480 of this title, to the appropriate congressional committees a notice” for “to the appropriate congressional committees written notification”.

2015—Subsecs. (a), (b). Pub. L. 114-92, §1632(b)(2), repealed Pub. L. 112-81, §926(b). See 2011 Amendment notes below.

Subsec. (c). Pub. L. 114-92, §1632(b)(2), repealed Pub. L. 112-81, §926(b). See 2011 Amendment note below.

Pub. L. 114-92, §1632(a), designated existing provisions as par. (1) and added pars. (2) and (3).

Subsec. (c)(4). Pub. L. 114-92, §1632(b)(1), added par. (4).

2011—Pub. L. 112-81, §926(a)(1), (2), designated first and second sentences as subsecs. (a) and (b), respectively, inserted headings, and realigned margins of subsec. (b).

Subsec. (a). Pub. L. 112-81, §926(b)(1), which directed the substitution of “The maintenance and repair” for “Subject to subsection (c), the maintenance and repair”, subject to effective date set out in Effective Date of 2011 Amendment note below, was repealed by Pub. L. 114-92, §1632(b)(2).

Pub. L. 112-81, §926(a)(1), substituted “Subject to subsection (c), the maintenance and repair” for “The maintenance and repair”.

Subsec. (b). Pub. L. 112-81, §926(b)(2), which directed the substitution of “A real property” for “Subject to subsection (c), a real property”, subject to effective date set out in Effective Date of 2011 Amendment note below, was repealed by Pub. L. 114-92, §1632(b)(2).

Pub. L. 112-81, §926(a)(3), substituted “Subject to subsection (c), a real property” for “A real property”.

Subsec. (c). Pub. L. 112-81, §926(b)(3), which directed the striking out of subsec. (c), subject to effective date set out in Effective Date of 2011 Amendment note below, was repealed by Pub. L. 114-92, §1632(b)(2).

Pub. L. 112-81, §926(a)(4), added subsec. (c).

1982—Pub. L. 97-214 substituted “maintenance and repair” for “construction, maintenance, rehabilitation, repair, alteration, addition, expansion, or extension”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2011 AMENDMENT

Pub. L. 112-81, div. A, title IX, §926(b), Dec. 31, 2011, 125 Stat. 1541, as amended by Pub. L. 113-291, div. A,