

of the House of Representatives a report outlining the expansion of the program.

“(ii) ELEMENTS.—The report required by clause (i) shall include the following:

“(I) An analysis of the considerations described in subparagraph (B).

“(II) A description of the analysis used to identify eligible uses that were evaluated and incorporated into the manual under subparagraph (D).

“(III) A full analysis and justification with respect to the forms of care that were ultimately not included in the manual.

“(IV) Any recommendation with respect to funding or additional authorities necessary, including proposals for legislative change, to meet the current and anticipated future child care subsidy demands of the Coast Guard.

“(V) A description of the steps taken to streamline enrollment policies, practices, and requirements for eligible child care providers in accordance with paragraph (2)(A)(iii).”

### SUBCHAPTER III—HOUSING

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115-282, title I, §117(c)(3), Dec. 4, 2018, 132 Stat. 4232, inserted subchapter III designation and heading.

#### § 2941. Definitions

In this chapter:

(1) The term “construct” means to build, renovate, or improve military family housing and military unaccompanied housing.

(2) The term “construction” means building, renovating, or improving military family housing and military unaccompanied housing.

(3) The term “military unaccompanied housing” means military housing intended to be occupied by members of the armed forces serving a tour of duty unaccompanied by dependents.

(4) The term “United States” includes the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, and the District of Columbia.

(Added Pub. L. 104-324, title II, §208(a), Oct. 19, 1996, 110 Stat. 3909, §680; amended Pub. L. 108-293, title II, §207(a), Aug. 9, 2004, 118 Stat. 1034; Pub. L. 111-281, title II, §221(a)(1), Oct. 15, 2010, 124 Stat. 2919; renumbered §2941, Pub. L. 115-282, title I, §117(b), Dec. 4, 2018, 132 Stat. 4230.)

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115-282 renumbered section 680 of this title as this section.

2010—Pub. L. 111-281 added pars. (1) and (2), redesignated former pars. (4) and (5) as (3) and (4), respectively, and struck out former pars. (1) to (3) which read as follows:

“(1) The term ‘construction’ means the construction of military housing units and ancillary supporting facilities or the improvement or rehabilitation of existing units or ancillary supporting facilities.

“(2) The term ‘contract’ includes any contract, lease, or other agreement entered into under the authority of this chapter.

“(3) The term ‘eligible entity’ means any private person, corporation, firm, partnership, or company and any State or local government or housing authority of a State or local government.”

2004—Pars. (3) to (5). Pub. L. 108-293 added par. (3) and redesignated former pars. (3) and (4) as (4) and (5), respectively.

#### Statutory Notes and Related Subsidiaries

##### SAVINGS CLAUSE

Pub. L. 111-281, title II, §221(b), Oct. 15, 2010, 124 Stat. 2920, provided that: “This section [amending this section and sections 681, 685, 687, and 688 of this title and repealing sections 682 to 684, 686, 687a, and 689 of this title] shall not affect any action commenced prior to the date of enactment of this Act [Oct. 15, 2010].”

#### § 2942. General authority

(a) AUTHORITY.—In addition to any other authority providing for the acquisition or construction of military family housing or military unaccompanied housing, the Secretary may acquire or construct the following:

(1) Military family housing on or near Coast Guard installations within the United States and its territories and possessions.

(2) Military unaccompanied housing on or near such Coast Guard installations.

(b) LIMITATION ON APPROPRIATIONS.—No appropriation shall be made to acquire or construct military family housing or military unaccompanied housing under this chapter if that acquisition or construction has not been approved by resolutions adopted by the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(Added Pub. L. 104-324, title II, §208(a), Oct. 19, 1996, 110 Stat. 3909, §681; amended Pub. L. 107-295, title IV, §402(a), Nov. 25, 2002, 116 Stat. 2113; Pub. L. 111-281, title II, §221(a)(2), Oct. 15, 2010, 124 Stat. 2919; renumbered §2942, Pub. L. 115-282, title I, §117(b), Dec. 4, 2018, 132 Stat. 4230.)

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115-282 renumbered section 681 of this title as this section.

2010—Subsec. (a). Pub. L. 111-281, §221(a)(2)(A), in introductory provisions, substituted “acquire or construct the following:” for “exercise any authority or any combination of authorities provided under this chapter in order to provide for the acquisition or construction by private persons, including a small business concern qualified under section 8(a) of the Small Business Act (15 U.S.C. 637(a)), of the following:”

Subsec. (a)(1). Pub. L. 111-281, §221(a)(2)(B), substituted “Military family housing” for “Family housing units”.

Subsec. (a)(2). Pub. L. 111-281, §221(a)(2)(C), substituted “Military unaccompanied housing” for “Unaccompanied housing units”.

2002—Subsec. (a). Pub. L. 107-295 inserted “, including a small business concern qualified under section 8(a) of the Small Business Act (15 U.S.C. 637(a)),” after “private persons” in introductory provisions.

#### § 2943. Leasing and hiring of quarters; rental of inadequate housing

(a) The Secretary is authorized to lease housing facilities at or near Coast Guard installations, wherever located, for assignment as public quarters to military personnel and their de-

pendents, if any, without rental charge upon a determination by the Secretary, or his designee, that there is a lack of adequate housing facilities at or near such Coast Guard installations. The Secretary is also authorized to lease housing facilities for assignment as public quarters, without rental charge, to military personnel who are on sea duty or duty at remote offshore Coast Guard stations and who do not have dependents. Such authority shall be effective in any fiscal year only to such extent or in such amounts as are provided in appropriation Acts. When any such lease involves housing facilities in a foreign country, the lease may be made on a multiyear basis for a period not to exceed five years, and, in accordance with local custom and practice, advance payment may be made for the lease. Such public housing facilities may be leased on an individual or multiple-unit basis. Expenditures for the rental of such housing facilities may not exceed the average authorized for the Department of Defense in any year except where the Secretary finds that the average is so low as to prevent rental of necessary housing facilities in some areas, in which event he is authorized to reallocate existing funds to high-cost areas so that rental expenditures in such areas exceed the average authorized for the Department of Defense.

(b) The Secretary is authorized, subject to regulations approved by the President—

(1) to designate as rental housing such housing as he may determine to be inadequate as public quarters; and

(2) to lease inadequate housing to members of the Coast Guard for occupancy by them and their dependents.

(c) Where sufficient quarters are not possessed by the United States, the Commandant may hire quarters for personnel, including personnel on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable. Such accommodations shall not be available for occupancy by the dependents of such personnel.

(Aug. 4, 1949, ch. 393, 63 Stat. 532, § 475; Pub. L. 91-278, § 1(11), June 12, 1970, 84 Stat. 305; Pub. L. 92-343, § 4, July 10, 1972, 86 Stat. 450; Pub. L. 93-65, § 5, July 9, 1973, 87 Stat. 151; Pub. L. 94-406, § 4, Sept. 10, 1976, 90 Stat. 1236; Pub. L. 94-478, Oct. 11, 1976, 90 Stat. 2077; Pub. L. 94-546, § 1(30), Oct. 18, 1976, 90 Stat. 2521; Pub. L. 96-376, § 4, Oct. 3, 1980, 94 Stat. 1509; Pub. L. 96-470, title I, § 112(d), Oct. 19, 1980, 94 Stat. 2240; Pub. L. 97-136, § 7, Dec. 29, 1981, 95 Stat. 1706; Pub. L. 97-295, § 2(11), Oct. 12, 1982, 96 Stat. 1302; Pub. L. 97-322, title I, § 106, Oct. 15, 1982, 96 Stat. 1582; Pub. L. 100-180, div. A, title VI, § 632(b)(2), Dec. 4, 1987, 101 Stat. 1105; renumbered § 2943, Pub. L. 115-282, title I, § 117(b), Dec. 4, 2018, 132 Stat. 4230.)

#### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., § 133a (June 19, 1942, ch. 419, § 2, 56 Stat. 372) and on the following language contained in the Coast Guard appropriation act for 1949, "Pay and Allowances" and preceding years: "hire of quarters for Coast Guard personnel comparable to quarters assignable on a capital ship of the Navy, as authorized by the Secretary to meet emergency conditions, including officers and men on sea duty at such

times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable: *Provided*, That under this authorization no funds may be expended for the hire of quarters for occupancy by the dependents of officers or enlisted personnel" (June 19, 1948, ch. 558, 62 Stat. 562).

Changes were made in phraseology. 81st Congress, House Report No. 557.

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115-282 renumbered section 475 of this title as this section.

1987—Subsecs. (b) to (d). Pub. L. 100-180 redesignated subsecs. (c) and (d) as (b) and (c), respectively, and struck out former subsec. (b) which read as follows: "Notwithstanding the provisions of any other law, members of the Coast Guard, with dependents, may occupy on a rental basis, without loss of basic allowance for quarters, inadequate quarters under the jurisdiction of the Coast Guard notwithstanding that such quarters may have been constructed or converted for assignment as public quarters. The net difference between the basic allowance for quarters and the fair rental value of such quarters shall be paid from otherwise available appropriations; however, no rental charge for such quarters shall be made against the basic allowance for quarters of a member of the Coast Guard in excess of 75 percent of such allowance except that in no event shall the net rental value charged to the member's basic allowance for quarters be less than the cost of maintaining and operating the housing."

1982—Subsec. (b). Pub. L. 97-295 substituted "percent" for "per centum".

Subsecs. (e), (f). Pub. L. 97-322 repealed subsec. (e) which required that the Secretary, annually and not later than April 1, file with the Speaker of the House and the President of the Senate a report of the utilization of subsecs. (a), (b), and (d) authority during the preceding calendar year, and subsec. (f) which prohibited utilization of subsecs. (a), (b), (c), or (d) authority after Apr. 1, 1973, unless all required subsec. (e) reports were filed with the Congress.

1981—Subsec. (a). Pub. L. 97-136 inserted provisions authorizing the Secretary to lease housing facilities for assignment as public quarters, without rental charge, to military personnel who are on sea duty or duty at remote offshore Coast Guard stations and who do not have dependents, and further provided that such authority shall be effective in any fiscal year only to such extent or in such amounts as are provided in appropriation acts.

1980—Subsec. (a). Pub. L. 96-376 substituted "multi-year basis" for "multi-year basis," and authorized advance payment for any housing facilities lease in accordance with local custom and practice.

Subsec. (e). Pub. L. 96-470 struck out reference to subsec. (c).

1976—Subsec. (a). Pub. L. 94-546, § 1(30)(a), substituted "Secretary" for "Secretary of the Department in which the Coast Guard is operating" wherever appearing.

Pub. L. 94-478 inserted provision allowing leases for housing facilities in foreign countries to be made on a multi-year basis.

Subsec. (e). Pub. L. 94-546, § 1(30)(b), which was executed to subsec. (e) as the probable intent of Congress, substituted "Secretary" for "Secretary of the Department in which the Coast Guard is operating" and struck out "commencing April 1, 1973," after "not later than April 1,"

Pub. L. 94-406, § 4(1), redesignated subsec. (f) as (e). Former subsec. (e), which provided that the authority conferred by subsecs. (b) and (c) of this section expire on June 30, 1976, was struck out.

Subsecs. (f), (g). Pub. L. 94-406, § 4(1), (2), redesignated subsec. (g) as (f) and substituted "(e)" for "(f)". Former subsec. (f) redesignated (e).

1973—Subsec. (e). Pub. L. 93-65 extended termination date of authority provided in subssecs. (b) and (c) from June 30, 1973, to June 30, 1976.

1972—Subsec. (a). Pub. L. 92-343, §4(1), substituted “The Secretary of the Department in which the Coast Guard is operating” for “The Secretary” in first sentence.

Subsec. (e). Pub. L. 92-343, §4(2), struck out reference to subsec. (a) and extended authority provided in subssecs. (b) and (c) to June 30, 1973.

Subsecs. (f), (g). Pub. L. 92-343, §4(3), added subssecs. (f) and (g).

1970—Pub. L. 91-278 substituted “Leasing and hiring of quarters; rental of inadequate housing” for “Hiring of quarters for personnel” in section catchline, designated existing provisions as subsec. (d), and added subssecs. (a) to (c) and (e).

#### Executive Documents

EX. ORD. NO. 11645. AUTHORITY OF SECRETARY OF HOMELAND SECURITY TO PRESCRIBE CERTAIN REGULATIONS RELATING TO HOUSING

Ex. Ord. No. 11645, Feb. 8, 1972, 37 F.R. 2923, as amended by Ex. Ord. No. 13286, §59, Feb. 28, 2003, 68 F.R. 10629, provided:

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. The Secretary of Homeland Security is designated and empowered to prescribe (or, under a delegation of the Secretary’s authority, the Commandant of the Coast Guard is authorized to prescribe) regulations pursuant to section 475(c) [now 2943(c)] of title 14 of the United States Code, relating to the designation and leasing of rental housing, without the approval, ratification, or other action by the President.

SEC. 2. Whenever the entire Coast Guard operates as a service in the Navy, the reference to the Secretary of Homeland Security in section 1 of this order shall be deemed to be a reference to the Secretary of the Navy.

#### § 2944. Retired service members and dependents serving on advisory committees

A committee that—

(1) advises or assists the Coast Guard with respect to a function that affects a member of the Coast Guard or a dependent of such a member; and

(2) includes in its membership a retired Coast Guard member or a dependent of such a retired member;

shall not be considered an advisory committee under chapter 10 of title 5 solely because of such membership.

(Added Pub. L. 113-281, title II, §218(a), Dec. 18, 2014, 128 Stat. 3036, §680; renumbered §2944, Pub. L. 115-282, title I, §117(b), Dec. 4, 2018, 132 Stat. 4230; amended Pub. L. 117-286, §4(a)(61), Dec. 27, 2022, 136 Stat. 4312.)

#### Editorial Notes

##### AMENDMENTS

2022—Pub. L. 117-286 substituted “chapter 10 of title 5” for “the Federal Advisory Committee Act (5 U.S.C. App.)” in concluding provisions.

2018—Pub. L. 115-282 renumbered section 680 of this title as this section.

#### § 2945. Conveyance of real property

(a) CONVEYANCE AUTHORIZED.—Notwithstanding any other provision of law, the Secretary may convey, at fair market value, real

property, owned or under the administrative control of the Coast Guard, for the purpose of expending the proceeds from such conveyance to acquire and construct military family housing and military unaccompanied housing.

(b) TERMS AND CONDITIONS.—

(1) The conveyance of real property under this section shall be by sale, for cash. The Secretary shall deposit the proceeds from the sale in the Coast Guard Housing Fund established under section 2946 of this title, for the purpose of expending such proceeds to acquire and construct military family housing and military unaccompanied housing.

(2) The conveyance of real property under this section shall not diminish the mission capacity of the Coast Guard, but further the mission support capability of the Coast Guard with regard to military family housing or military unaccompanied housing.

(c) RELATIONSHIP TO ENVIRONMENTAL LAW.—This section does not affect or limit the application of or obligation to comply with any environmental law, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(Added Pub. L. 104-324, title II, §208(a), Oct. 19, 1996, 110 Stat. 3911, §685; amended Pub. L. 106-400, §2, Oct. 30, 2000, 114 Stat. 1675; Pub. L. 107-217, §3(c)(4), Aug. 21, 2002, 116 Stat. 1299; Pub. L. 111-281, title II, §221(a)(4), Oct. 15, 2010, 124 Stat. 2919; Pub. L. 111-350, §5(c)(4), Jan. 4, 2011, 124 Stat. 3847; renumbered §2945 and amended Pub. L. 115-282, title I, §§117(b), 123(b)(2), Dec. 4, 2018, 132 Stat. 4230, 4240.)

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115-282, §117(b), renumbered section 685 of this title as this section.

Subsec. (b)(1). Pub. L. 115-282, §123(b)(2), substituted “section 2946” for “section 687”.

2011—Subsec. (c)(1). Pub. L. 111-350, which directed substitution of “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” for “title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” in subsec. (c)(1), could not be executed because of the prior general amendment of this section by Pub. L. 111-281. See 2010 Amendment note below.

2010—Pub. L. 111-281 amended section generally. Prior to amendment, section authorized Secretary to convey or lease existing property and facilities under certain conditions.

2002—Subsec. (c)(1). Pub. L. 107-217, §3(c)(4)(A), substituted “Subtitle I of title 40 and title III of the” for “The” and “(41 U.S.C. 251 et seq.)” for “(40 U.S.C. 471 et seq.)”.

Subsec. (c)(2). Pub. L. 107-217, §3(c)(4)(B), substituted “Section 1302 of title 40” for “Section 321 of the Act of June 30, 1932 (commonly known as the Economy Act) (47 Stat. 412, chapter 314; 40 U.S.C. 303b)”.

2000—Subsec. (c)(3). Pub. L. 106-400 substituted “McKinney-Vento Homeless Assistance Act” for “Stewart B. McKinney Homeless Assistance Act”.

#### § 2946. Coast Guard Housing Fund

(a) ESTABLISHMENT.—There is hereby established on the books of the Treasury an account to be known as the Coast Guard Housing Fund (in this section referred to as the “Fund”).