

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”).

(b) CREDITS TO FUND.—There shall be credited to the Fund the following:

(1) Amounts authorized for and appropriated to that Fund.

(2) Subject to subsection (e), any amounts that the Secretary transfers, in such amounts as provided in appropriation Acts, to that Fund from amounts authorized and appropriated to the Department of Homeland Security or Coast Guard for the acquisition or construction of military family housing or military unaccompanied housing.

(3) Proceeds from the conveyance of property under section 2945 of this title for the purpose of carrying out activities under this chapter with respect to military family housing and military unaccompanied housing.

(4) Monies received under section 504(a)(13).

(5) Amounts received under section 908(b).

(c) USE OF AMOUNTS IN FUND.—(1) In such amounts as provided in appropriations Acts, and except as provided in subsection (d), the Secretary may use amounts in the Coast Guard Housing Fund to carry out activities under this chapter with respect to military family housing and military unaccompanied housing, including—

(A) the planning, execution, and administration of the conveyance of real property;

(B) all necessary expenses, including expenses for environmental compliance and restoration, to prepare real property for conveyance; and

(C) the conveyance of real property.

(2) Amounts made available under this subsection shall remain available until expended.

(d) LIMITATION ON OBLIGATIONS.—The Secretary may not incur an obligation under a contract or other agreements entered into under this chapter in excess of the unobligated balance, at the time the contract is entered into, of the Fund required to be used to satisfy the obligation.

(e) NOTIFICATION REQUIRED FOR TRANSFERS.—A transfer of appropriated amounts to the Fund under subsection (b)(2) of this section may be made only after the end of a 30-day period beginning on the date the Secretary submits written notice of, and justification for, the transfer to the appropriate committees of Congress.

(Added Pub. L. 104-324, title II, §208(a), Oct. 19, 1996, 110 Stat. 3912, §687; amended Pub. L. 107-295, title IV, §402(b), (c), Nov. 25, 2002, 116 Stat. 2114; Pub. L. 107-296, title XVII, §1704(a), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 108-293, title II, §207(d), Aug. 9, 2004, 118 Stat. 1034; Pub. L. 111-281, title II, §221(a)(6), Oct. 15, 2010, 124 Stat. 2919; Pub. L. 111-330, §1(2), Dec. 22, 2010, 124 Stat. 3569; Pub. L. 113-281, title II, §208(c), Dec. 18, 2014, 128 Stat. 3026; renumbered §2946 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 687 of this title as this section.

Subsec. (b)(3). Pub. L. 115-282, §123(b)(2), substituted “section 2945” for “section 685”.

Subsec. (b)(4). Pub. L. 115-282, §123(b)(2), substituted “section 504(a)(13)” for “section 93(a)(13)”.

Subsec. (b)(5). Pub. L. 115-282, §123(b)(2), substituted “section 908(b)” for “section 672a(b)”.

2014—Subsec. (b)(4), (5). Pub. L. 113-281 added pars. (4) and (5).

2010—Subsec. (b)(2). Pub. L. 111-281, §221(a)(6)(A)(i), substituted “or military unaccompanied” for “or unaccompanied”.

Subsec. (b)(3). Pub. L. 111-281, §221(a)(6)(A)(ii), substituted “military family housing and” for “military family and” and struck out “or lease” after “conveyance” and “or facilities” after “property”.

Subsec. (b)(4). Pub. L. 111-281, §221(a)(6)(A)(iii), struck out par. (4) which read as follows: “Income from any activities under this chapter, including interest on loan guarantees made under section 682 of this title, income and gains realized from investments under section 684 of this title, and any return of capital invested as part of such investments.”

Subsec. (c)(1). Pub. L. 111-281, §221(a)(6)(B), as amended by Pub. L. 111-330, amended par. (1) generally. Prior to amendment, par. (1) read as follows: “In such amounts as provided in appropriation Acts and except as provided in subsection (d), the Secretary may use amounts in the Coast Guard Housing Fund to carry out activities under this chapter with respect to military family and military unaccompanied housing units, including activities required in connection with the planning, execution, and administration of contracts entered into under the authority of this chapter.”

Subsec. (e). Pub. L. 111-281, §221(a)(6)(C), struck out “or (b)(3)” after “subsection (b)(2)”.

Subsecs. (f), (g). Pub. L. 111-281, §221(a)(6)(D), struck out subsecs. (f) and (g) which related to limitation on amount of budget authority and demonstration projects authorized, respectively.

2004—Subsec. (g). Pub. L. 108-293, §207(d)(1), substituted “Projects” for “Project” in heading.

Subsec. (g)(1). Pub. L. 108-293, §207(2), (3), substituted “demonstration projects” for “a demonstration project” and “Kodiak, Alaska, or any other Coast Guard installation in Alaska;” for “Kodiak, Alaska;”.

Subsec. (g)(2). Pub. L. 108-293, §207(d)(4), substituted “such a demonstration project” for “the demonstration project”.

Subsec. (g)(4). Pub. L. 108-293, §207(d)(5), substituted “such demonstration projects” for “the demonstration project”.

2002—Subsec. (b)(2). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

Subsec. (f). Pub. L. 107-295, §402(b), substituted “\$40,000,000” for “\$20,000,000”.

Subsec. (g). Pub. L. 107-295, §402(c), added subsec. (g).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2010 AMENDMENT

Pub. L. 111-330, §1, Dec. 22, 2010, 124 Stat. 3569, provided that the amendment made by section 1(2) is effective with the enactment of Pub. L. 111-281.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of Title 10, Armed Forces.

AMOUNTS CREDITED TO COAST GUARD HOUSING FUND

Pub. L. 116-93, div. D, title II, §232, Dec. 20, 2019, 133 Stat. 2517, provided that: “Beginning in fiscal year 2021 and for each fiscal year thereafter, amounts credited to the Coast Guard Housing Fund pursuant to paragraphs (3) through (5) of subsection (b) of section 2946 of title 14, United States Code, shall be classified as discretionary offsetting receipts.”

§ 2947. Reports

The Secretary shall prepare and submit to Congress, concurrent with the budget submitted