

EFFECTIVE DATE

Section effective Oct. 1, 1985, see section 1404 of Pub. L. 98-525, set out as a note under section 520b of this title.

SAVINGS PROVISION

For savings provision relating to payment or repayment of any bonus, incentive pay, special pay, or similar pay obligated to be paid before Apr. 1, 2006, under a provision of this section amended by section 687(c) of Pub. L. 109-163, see section 687(f) of Pub. L. 109-163, set out as a note under section 510 of this title.

TUITION PAYMENTS CONTINGENT UPON AGREEMENT BY OFFICER TO REMAIN IN READY RESERVE FOR AT LEAST FOUR YEARS

Pub. L. 104-61, title VIII, § 8019, Dec. 1, 1995, 109 Stat. 655, provided that: "Funds appropriated for the Department of Defense during the current fiscal year and hereafter shall be available for the payment of not more than 75 percent of the charges of a postsecondary educational institution for the tuition or expenses of an officer in the Ready Reserve of the Army National Guard or Army Reserve for education or training during his off-duty periods, except that no part of the charges may be paid unless the officer agrees to remain a member of the Ready Reserve for at least four years after completion of such training or education."

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 103-335, title VIII, § 8019, Sept. 30, 1994, 108 Stat. 2621.

Pub. L. 103-139, title VIII, § 8021, Nov. 11, 1993, 107 Stat. 1441.

Pub. L. 102-396, title IX, § 9025, Oct. 6, 1992, 106 Stat. 1906.

Pub. L. 102-172, title VIII, § 8025, Nov. 26, 1991, 105 Stat. 1177.

Pub. L. 101-511, title VIII, § 8025, Nov. 5, 1990, 104 Stat. 1880.

Pub. L. 101-165, title IX, § 9035, Nov. 21, 1989, 103 Stat. 1136.

Pub. L. 100-463, title VIII, § 8059, Oct. 1, 1988, 102 Stat. 2270-27.

Pub. L. 100-202, § 101(b) [title VIII, § 8072], Dec. 22, 1987, 101 Stat. 1329-43, 1329-74.

Pub. L. 99-500, § 101(c) [title IX, § 9076], Oct. 18, 1986, 100 Stat. 1783-82, 1783-114, and Pub. L. 99-591, § 101(c) [title IX, § 9076], Oct. 30, 1986, 100 Stat. 3341-82, 3341-114.

Pub. L. 99-190, § 101(b) [title VIII, § 8086], Dec. 19, 1985, 99 Stat. 1185, 1216.

§ 2008. Authority to use funds for certain educational purposes

Funds appropriated to the Department of Defense may be used to carry out construction, as defined in section 8013(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(3)), or to carry out section 8008 of such Act (20 U.S.C. 7708), relating to the provision of assistance to certain school facilities under the impact aid program.

(Added Pub. L. 98-525, title XIV, § 1401(g)(1), Oct. 19, 1984, 98 Stat. 2618; amended Pub. L. 104-106, div. B, title XXVIII, § 2891, Feb. 10, 1996, 110 Stat. 590.)

AMENDMENTS

1996—Pub. L. 104-106 substituted "construction, as defined in section 8013(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(3)), or to carry out section 8008 of such Act (20 U.S.C. 7708), relating to the provision of assistance to certain school facilities under the impact aid program." for "section 10 of the Act of September 23, 1950 (20 U.S.C. 640), relating to impact aid authorization."

EFFECTIVE DATE

Section effective Oct. 1, 1985, see section 1404 of Pub. L. 98-525, set out as a note under section 520b of this title.

§ 2009. Military colleges: female students

(a) Under regulations prescribed by the Secretary of Defense, any college or university designated by the Secretary of Defense as a military college shall, as a condition of maintaining such designation, provide that qualified female undergraduate students enrolled in such college or university be eligible to participate in military training at such college or university.

(b) Regulations prescribed under subsection (a) may not require a college or university, as a condition of maintaining its designation as a military college or for any other purpose, to require female undergraduate students enrolled in such college or university to participate in military training.

(Added Pub. L. 98-525, title XIV, § 1401(g)(1), Oct. 19, 1984, 98 Stat. 2619.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in Pub. L. 95-485, title VIII, § 809, Oct. 20, 1978, 92 Stat. 1623, which was set out as a note under section 2102 of this title, prior to repeal by Pub. L. 98-525, §§ 1403(b), 1404.

EFFECTIVE DATE

Section effective Oct. 1, 1985, see section 1404 of Pub. L. 98-525, set out as a note under section 520b of this title.

§ 2010. Participation of developing countries in combined exercises: payment of incremental expenses

(a) The Secretary of Defense, after consultation with the Secretary of State, may pay the incremental expenses of a developing country that are incurred by that country as the direct result of participation in a bilateral or multilateral military exercise if—

(1) the exercise is undertaken primarily to enhance the security interests of the United States; and

(2) the Secretary of Defense determines that the participation by such country is necessary to the achievement of the fundamental objectives of the exercise and that those objectives cannot be achieved unless the United States provides the incremental expenses incurred by such country.

(b) The Secretary of Defense shall establish by regulation such accounting procedures as may be necessary to ensure that funds expended under this section are properly expended.

(c) Funds available to carry out this section shall be available, to the extent provided in appropriations Acts, for bilateral or multilateral military exercises that begin in a fiscal year and end in the following fiscal year.

(d) In this section, the term "incremental expenses" means the reasonable and proper cost of the goods and services that are consumed by a developing country as a direct result of that country's participation in a bilateral or multilateral military exercise with the United States,

including rations, fuel, training ammunition, and transportation. Such term does not include pay, allowances, and other normal costs of such country's personnel.

(Added Pub. L. 99-661, div. A, title XIII, §1321(a)(1), Nov. 14, 1986, 100 Stat. 3988; amended Pub. L. 105-85, div. A, title X, §1073(a)(35), Nov. 18, 1997, 111 Stat. 1902; Pub. L. 110-417, [div. A], title XII, §1203(a), Oct. 14, 2008, 122 Stat. 4622; Pub. L. 112-81, div. A, title X, §1061(12), Dec. 31, 2011, 125 Stat. 1583.)

AMENDMENTS

2011—Subsecs. (b) to (e). Pub. L. 112-81 redesignated subsecs. (c) to (e) as (b) to (d), respectively, and struck out former subsec. (b) which read as follows: “The Secretary of Defense shall submit to Congress a report each year, not later than March 1, containing—

“(1) a list of the developing countries for which expenses have been paid by the United States under this section during the preceding year; and

“(2) the amounts expended on behalf of each government.”

2008—Subsecs. (d), (e). Pub. L. 110-417 added subsec. (d) and redesignated former subsec. (d) as (e).

1997—Subsec. (e). Pub. L. 105-85 struck out subsec. (e) which read as follows: “Not more than \$13,400,000 may be obligated or expended for the purposes of this section during fiscal years 1987 through 1991.”

EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-417, [div. A], title XII, §1203(b), Oct. 14, 2008, 122 Stat. 4622, provided that: “The amendments made by subsection (a) [amending this section] shall take effect on October 1, 2008, and shall apply with respect to bilateral and multilateral military exercises described in section 2010 of title 10, United States Code, as so amended, that begin on or after that date.”

§ 2011. Special operations forces: training with friendly foreign forces

(a) **AUTHORITY TO PAY TRAINING EXPENSES.**—Under regulations prescribed pursuant to subsection (c), the commander of the special operations command established pursuant to section 167 of this title and the commander of any other unified or specified combatant command may pay, or authorize payment for, any of the following expenses:

(1) Expenses of training special operations forces assigned to that command in conjunction with training, and training with, armed forces and other security forces of a friendly foreign country.

(2) Expenses of deploying such special operations forces for that training.

(3) In the case of training in conjunction with a friendly developing country, the incremental expenses incurred by that country as the direct result of such training.

(b) **PURPOSE OF TRAINING.**—The primary purpose of the training for which payment may be made under subsection (a) shall be to train the special operations forces of the combatant command.

(c) **REGULATIONS.**—The Secretary of Defense shall prescribe regulations for the administration of this section. The regulations shall require that training activities may be carried out under this section only with the prior approval of the Secretary of Defense. The regulations shall establish accounting procedures to ensure

that the expenditures pursuant to this section are appropriate.

(d) **DEFINITIONS.**—In this section:

(1) The term “special operations forces” includes civil affairs forces and military information support operations forces.

(2) The term “incremental expenses”, with respect to a developing country, means the reasonable and proper cost of rations, fuel, training ammunition, transportation, and other goods and services consumed by such country, except that the term does not include pay, allowances, and other normal costs of such country's personnel.

(e) **REPORTS.**—Not later than April 1 of each year, the Secretary of Defense shall submit to Congress a report regarding training during the preceding fiscal year for which expenses were paid under this section. Each report shall specify the following:

(1) All countries in which that training was conducted.

(2) The type of training conducted, including whether such training was related to counter-narcotics or counter-terrorism activities, the duration of that training, the number of members of the armed forces involved, and expenses paid.

(3) The extent of participation by foreign military forces, including the number and service affiliation of foreign military personnel involved and physical and financial contribution of each host nation to the training effort.

(4) The relationship of that training to other overseas training programs conducted by the armed forces, such as military exercise programs sponsored by the Joint Chiefs of Staff, military exercise programs sponsored by a combatant command, and military training activities sponsored by a military department (including deployments for training, short duration exercises, and other similar unit training events).

(5) A summary of the expenditures under this section resulting from the training for which expenses were paid under this section.

(6) A discussion of the unique military training benefit to United States special operations forces derived from the training activities for which expenses were paid under this section.

(Added Pub. L. 102-190, div. A, title X, §1052(a)(1), Dec. 5, 1991, 105 Stat. 1470; amended Pub. L. 104-106, div. A, title XV, §1503(a)(18), Feb. 10, 1996, 110 Stat. 512; Pub. L. 105-261, div. A, title X, §1062, Oct. 17, 1998, 112 Stat. 2129; Pub. L. 112-81, div. A, title X, §1086(2), Dec. 31, 2011, 125 Stat. 1603.)

AMENDMENTS

2011—Subsec. (d)(1). Pub. L. 112-81 substituted “military information support operations” for “psychological operations”.

1998—Subsec. (c). Pub. L. 105-261, §1062(a), inserted after first sentence “The regulations shall require that training activities may be carried out under this section only with the prior approval of the Secretary of Defense.”

Subsec. (e)(5), (6). Pub. L. 105-261, §1062(b), added pars. (5) and (6).

1996—Subsec. (a). Pub. L. 104-106 substituted “To” for “TO” in heading.