

(c) Shelter and incidental services may only be provided under this section to the extent that the Secretary concerned determines will not interfere with military preparedness or ongoing military functions.

(d) The Secretary concerned may provide bedding for support of shelters for the homeless that are operated by entities other than the Department of Defense. Bedding may be provided under this subsection without reimbursement, but may only be provided to the extent that the Secretary determines that the provision of such bedding will not interfere with military requirements.

(e) The Secretary of Defense shall prescribe regulations for the administration of this section.

(Added Pub. L. 98-94, title III, §305(a)(1), Sept. 24, 1983, 97 Stat. 628, §2546; amended Pub. L. 99-167, title VIII, §825, Dec. 3, 1985, 99 Stat. 992; renumbered §2556, Pub. L. 106-398, §1 [[div. A], title X, §1033(b)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-260.)

AMENDMENTS

2000—Pub. L. 106-398 renumbered section 2546 of this title as this section.

1985—Subsecs. (d), (e). Pub. L. 99-167 added subsec. (d) and redesignated former subsec. (d) as (e).

EFFECTIVE DATE

Pub. L. 98-94, title III, §305(b), Sept. 24, 1983, 97 Stat. 629, provided that: “Section 2546 [now 2556] of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 1983.”

§ 2557. Excess nonlethal supplies: availability for humanitarian relief, domestic emergency assistance, and homeless veterans assistance

(a)(1) The Secretary of Defense may make available for humanitarian relief purposes any nonlethal excess supplies of the Department of Defense. In addition, the Secretary may make nonlethal excess supplies of the Department available to support domestic emergency assistance activities.

(2) The Secretary of Defense may make excess clothing, shoes, sleeping bags, and related nonlethal excess supplies available to the Secretary of Veterans Affairs for distribution to homeless veterans and programs assisting homeless veterans. The transfer of nonlethal excess supplies to the Secretary of Veterans Affairs under this paragraph shall be without reimbursement.

(b)(1) Excess supplies made available for humanitarian relief purposes under this section shall be transferred to the Secretary of State, who shall be responsible for the distribution of such supplies.

(2) Excess supplies made available under this section to support domestic emergency assistance activities shall be transferred to the Secretary of Homeland Security. The Secretary of Defense may provide assistance in the distribution of such supplies at the request of the Secretary of Homeland Security.

(c) This section does not constitute authority to conduct any activity which, if carried out as an intelligence activity by the Department of Defense, would require a notice to the intelligence committees under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.).

(d) In this section:

(1) The term “nonlethal excess supplies” means property, other than real property, of the Department of Defense—

(A) that is excess property, as defined in regulations of the Department of Defense; and

(B) that is not a weapon, ammunition, or other equipment or material that is designed to inflict serious bodily harm or death.

(2) The term “intelligence committees” means the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

(Added Pub. L. 99-145, title XIV, §1454(a), Nov. 8, 1985, 99 Stat. 761, §2547; amended Pub. L. 100-26, §7(k)(2), Apr. 21, 1987, 101 Stat. 284; Pub. L. 101-510, div. A, title XIII, §1322(a)(10), Nov. 5, 1990, 104 Stat. 1671; Pub. L. 102-88, title VI, §602(c)(3), Aug. 14, 1991, 105 Stat. 444; renumbered §2557, Pub. L. 106-398, §1 [[div. A], title X, §1033(b)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-260; Pub. L. 107-107, div. A, title III, §361(a), (b)(1), Dec. 28, 2001, 115 Stat. 1064, 1065; Pub. L. 111-383, div. A, title X, §1074(a), (b)(1), Jan. 7, 2011, 124 Stat. 4368; Pub. L. 113-291, div. A, title X, §1071(c)(3), Dec. 19, 2014, 128 Stat. 3508.)

REFERENCES IN TEXT

The National Security Act of 1947, referred to in subsec. (c), is act July 26, 1947, ch. 343, 61 Stat. 495. Title V of the Act is classified generally to subchapter III (§3091 et seq.) of chapter 44 of Title 50, War and National Defense. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

2014—Subsec. (c). Pub. L. 113-291 substituted “(50 U.S.C. 3091 et seq.)” for “(50 U.S.C. 413 et seq.)”.

2011—Pub. L. 111-383, §1074(b)(1), substituted “Excess nonlethal supplies: availability for humanitarian relief, domestic emergency assistance, and homeless veterans assistance” for “Excess nonlethal supplies: availability for homeless veteran initiatives and humanitarian relief” in section catchline.

Subsec. (a)(1). Pub. L. 111-383, §1074(a)(1), inserted at end “In addition, the Secretary may make nonlethal excess supplies of the Department available to support domestic emergency assistance activities.”

Subsec. (b). Pub. L. 111-383, §1074(a)(2), designated existing provisions as par. (1) and added par. (2).

2001—Pub. L. 107-107, §361(b)(1), inserted “availability for homeless veteran initiatives and” before “humanitarian relief” in section catchline.

Subsec. (a). Pub. L. 107-107, §361(a), designated existing provisions as par. (1) and added par. (2).

2000—Pub. L. 106-398 renumbered section 2547 of this title as this section.

1991—Subsec. (c). Pub. L. 102-88 struck out par. (1) which read as follows: “a finding under section 662 of the Foreign Assistance Act of 1961 (22 U.S.C. 2422); or”, struck out par. (2) designation, and substituted “title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.)” for “section 501(a)(1) of the National Security Act of 1947 (50 U.S.C. 413)”.

1990—Subsecs. (d), (e). Pub. L. 101-510 redesignated subsec. (e) as (d) and struck out former subsec. (d) which read as follows:

“(1) The Secretary of State shall submit an annual report on the disposition of all excess supplies transferred by the Secretary of Defense to the Secretary of State under this section during the preceding year.

“(2) Such reports shall be submitted to the Committees on Armed Services and on Foreign Relations of the

Senate and the Committees on Armed Services and on Foreign Affairs of the House of Representatives.

“(3) Such reports shall be submitted not later than June 1 of each year.”

1987—Subsec. (e)(1), (2). Pub. L. 100-26 inserted “The term” after each par. designation and struck out uppercase letter of first word after first quotation marks in each par. and substituted lowercase letter.

§ 2558. National military associations: assistance at national conventions

(a) **AUTHORITY TO PROVIDE SERVICES.**—The Secretary of a military department may provide services described in subsection (c) in connection with an annual conference or convention of a national military association.

(b) **CONDITIONS FOR PROVIDING SERVICES.**—Services may be provided under this section only if—

(1) the provision of the services in any case is approved in advance by the Secretary concerned;

(2) the services can be provided in conjunction with training in appropriate military skills; and

(3) the services can be provided within existing funds otherwise available to the Secretary concerned.

(c) **COVERED SERVICES.**—Services that may be provided under this section are—

- (1) limited air and ground transportation;
- (2) communications;
- (3) medical assistance;
- (4) administrative support; and
- (5) security support.

(d) **NATIONAL MILITARY ASSOCIATIONS.**—The Secretary of Defense shall designate those organizations which are national military associations for purposes of this section.

(e) **REGULATIONS.**—The Secretary of Defense shall prescribe regulations to carry out this section.

(Added Pub. L. 101-189, div. A, title III, § 329(a)(1), Nov. 29, 1989, 103 Stat. 1417, § 2548; renumbered § 2558, Pub. L. 106-398, § 1 [[div. A], title X, § 1033(b)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-260.)

AMENDMENTS

2000—Pub. L. 106-398 renumbered section 2548 of this title as this section.

EFFECTIVE DATE

Pub. L. 101-189, div. A, title III, § 329(b), Nov. 29, 1989, 103 Stat. 1417, provided that: “Section 2548 [now 2558] of title 10, United States Code, as added by subsection (a), shall take effect on the date of the enactment of this Act [Nov. 29, 1989].”

§ 2559. Provision of medical care to foreign military and diplomatic personnel: reimbursement required; waiver for provision of reciprocal services

(a) **REIMBURSEMENT REQUIRED.**—Except as provided in subsection (b), whenever the Secretary of Defense provides medical care in the United States on an inpatient basis to foreign military and diplomatic personnel or their dependents, the Secretary shall require that the United States be reimbursed for the costs of providing such care. Payments received as reimbursement

for the provision of such care shall be credited to the appropriations against which charges were made for the provision of such care.

(b) **WAIVER WHEN RECIPROCAL SERVICES PROVIDED UNITED STATES MILITARY PERSONNEL.**—Notwithstanding subsection (a), the Secretary of Defense may provide inpatient medical care in the United States without cost to military personnel and their dependents from a foreign country if comparable care is made available to a comparable number of United States military personnel and their dependents in that foreign country.

(Added Pub. L. 101-510, div. A, title XIV, § 1481(f)(1), Nov. 5, 1990, 104 Stat. 1707, § 2549; renumbered § 2559, Pub. L. 106-398, § 1 [[div. A], title X, § 1033(b)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-260.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in Pub. L. 101-165, title IX, § 9020, Nov. 21, 1989, 103 Stat. 1133, which was set out as a note under section 2241 of this title, prior to repeal by Pub. L. 101-510, § 1481(f)(3).

AMENDMENTS

2000—Pub. L. 106-398 renumbered section 2549 of this title as this section.

§ 2560. Aircraft and vehicles: limitation on leasing to non-Federal agencies

The Secretary of Defense (or Secretary of a military department) may not lease to a non-Federal agency in the United States any aircraft or vehicle owned or operated by the Department of Defense if suitable aircraft or vehicles are commercially available in the private sector. However, nothing in the preceding sentence shall affect authorized and established procedures for the sale of surplus aircraft or vehicles.

(Added Pub. L. 101-510, div. A, title XIV, § 1481(g)(1), Nov. 5, 1990, 104 Stat. 1707, § 2550; renumbered § 2560, Pub. L. 106-398, § 1 [[div. A], title X, § 1033(b)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-260.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in Pub. L. 101-165, title IX, § 9025, Nov. 21, 1989, 103 Stat. 1134, which was set out as a note under section 2241 of this title, prior to repeal by Pub. L. 101-510, § 1481(g)(4).

AMENDMENTS

2000—Pub. L. 106-398 renumbered section 2550 of this title as this section.

§ 2561. Humanitarian assistance

(a) **AUTHORIZED ASSISTANCE.**—(1) To the extent provided in defense authorization Acts, funds authorized to be appropriated to the Department of Defense for a fiscal year for humanitarian assistance shall be used for the purpose of providing transportation of humanitarian relief and for other humanitarian purposes worldwide.

(2) The Secretary of Defense may use the authority provided by paragraph (1) to transport supplies intended for use to respond to, or mitigate the effects of, an event or condition, such as an oil spill, that threatens serious harm to