

“(a) **AUTHORITY.**—The Secretary of Defense is authorized to transfer surplus Mine-Resistant Ambush-Protected vehicles, including spare parts for such vehicles, to non-profit United States humanitarian demining organizations for purposes of demining activities and training of such organizations.

“(b) **TERMS AND CONDITIONS.**—Any transfer of vehicles or spare parts under subsection (a) shall be subject to the following terms and conditions:

“(1) The transfer shall be made on a loan basis.

“(2) The costs of operation and maintenance of the vehicles shall be borne by the recipient organization.

“(3) Any other terms and conditions as the Secretary of Defense determines to be appropriate.

“(c) **NOTIFICATION.**—The Secretary of Defense shall notify the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] in writing not less than 60 days before making any transfer of vehicles or spare parts under subsection (a). Such notification shall include the name of the organization, the number and model of the vehicle to be transferred, a listing of any spare parts to be transferred, and any other information the Secretary considers appropriate.”

**§ 408. Equipment and training of foreign personnel to assist in Department of Defense accounting for missing United States Government personnel**

(a) **IN GENERAL.**—The Secretary of Defense may provide assistance to any foreign nation to assist the Department of Defense with recovery of and accounting for missing United States Government personnel.

(b) **TYPES OF ASSISTANCE.**—The assistance provided under subsection (a) may include the following:

- (1) Equipment.
- (2) Supplies.
- (3) Services.
- (4) Training of personnel.

(c) **APPROVAL BY SECRETARY OF STATE.**—Assistance may not be provided under this section to any foreign nation unless the Secretary of State specifically approves the provision of such assistance.

(d) **LIMITATION.**—The amount of assistance provided under this section in any fiscal year may not exceed \$1,000,000.

(e) **CONSTRUCTION WITH OTHER ASSISTANCE.**—The authority to provide assistance under this section is in addition to any other authority to provide assistance to foreign nations under law.

(f) **CONGRESSIONAL OVERSIGHT.**—Whenever the Secretary of Defense provides assistance to a foreign nation under this section, the Secretary shall submit to the congressional defense committees a report on the assistance provided. Each such report shall identify the nation to which the assistance was provided and include a description of the type and amount of the assistance provided.

(Added Pub. L. 110–181, div. A, title XII, §1207(a), Jan. 28, 2008, 122 Stat. 367; amended Pub. L. 112–81, div. A, title X, §1064(5), Dec. 31, 2011, 125 Stat. 1587.)

**AMENDMENTS**

2011—Subsec. (f). Pub. L. 112–81 amended subsec. (f) generally. Prior to amendment, text read as follows:

“(1) Not later than December 31 each year, the Secretary of Defense shall submit to the congressional defense committees a report on the assistance provided

under this section during the fiscal year ending in such year.

“(2) Each report under paragraph (1) shall include, for the fiscal year covered by such report, the following:

“(A) A listing of each foreign nation provided assistance under this section.

“(B) For each nation so provided assistance, a description of the type and amount of such assistance.”

**§ 409. Center for Complex Operations**

(a) **CENTER AUTHORIZED.**—The Secretary of Defense may establish a center to be known as the “Center for Complex Operations” (in this section referred to as the “Center”).

(b) **PURPOSES.**—The purposes of the Center established under subsection (a) shall be the following:

(1) To provide for effective coordination in the preparation of Department of Defense personnel and other United States Government personnel for complex operations.

(2) To foster unity of effort during complex operations among—

(A) the departments and agencies of the United States Government;

(B) foreign governments and militaries;

(C) international organizations and international nongovernmental organizations; and

(D) domestic nongovernmental organizations.

(3) To conduct research; collect, analyze, and distribute lessons learned; and compile best practices in matters relating to complex operations.

(4) To identify gaps in the education and training of Department of Defense personnel, and other relevant United States Government personnel, relating to complex operations, and to facilitate efforts to fill such gaps.

(c) **CONCURRENCE OF THE SECRETARY OF STATE.**—The Secretary of Defense shall seek the concurrence of the Secretary of State to the extent the efforts and activities of the Center involve the entities referred to in subparagraphs (B) and (C) of subsection (b)(2).

(d) **SUPPORT FROM OTHER UNITED STATES GOVERNMENT DEPARTMENTS OR AGENCIES.**—The head of any non-Department of Defense department or agency of the United States Government may—

(1) provide to the Secretary of Defense services, including personnel support, to support the operations of the Center; and

(2) transfer funds to the Secretary of Defense to support the operations of the Center.

(e) **ACCEPTANCE OF GIFTS AND DONATIONS.**—(1) Subject to paragraph (3), the Secretary of Defense may accept from any source specified in paragraph (2) any gift or donation for purposes of defraying the costs or enhancing the operations of the Center.

(2) The sources specified in this paragraph are the following:

(A) The government of a State or a political subdivision of a State.

(B) The government of a foreign country.

(C) A foundation or other charitable organization, including a foundation or charitable organization that is organized or operates under the laws of a foreign country.

(D) Any source in the private sector of the United States or a foreign country.

(3) The Secretary may not accept a gift or donation under this subsection if acceptance of the gift or donation would compromise or appear to compromise—

(A) the ability of the Department of Defense, any employee of the Department, or any member of the armed forces to carry out the responsibility or duty of the Department in a fair and objective manner; or

(B) the integrity of any program of the Department or of any person involved in such a program.

(4) The Secretary shall provide written guidance setting forth the criteria to be used in determining the applicability of paragraph (3) to any proposed gift or donation under this subsection.

(f) CREDITING OF FUNDS TRANSFERRED OR ACCEPTED.—Funds transferred to or accepted by the Secretary of Defense under this section shall be credited to appropriations available to the Department of Defense for the Center, and shall be available for the same purposes, and subject to the same conditions and limitations, as the appropriations with which merged. Any funds so transferred or accepted shall remain available until expended.

(g) DEFINITIONS.—In this section:

(1) The term “complex operation” means an operation as follows:

- (A) A stability operation.
- (B) A security operation.
- (C) A transition and reconstruction operation.
- (D) A counterinsurgency operation.
- (E) An operation consisting of irregular warfare.

(2) The term “gift or donation” means any gift or donation of funds, materials (including research materials), real or personal property, or services (including lecture services and faculty services).

(Added Pub. L. 110-417, [div. A], title X, §1031(a), Oct. 14, 2008, 122 Stat. 4589.)

**[§ 410. Repealed. Pub. L. 104-106, div. A, title V, § 571(a)(1), Feb. 10, 1996, 110 Stat. 353]**

Section, added Pub. L. 102-484, div. A, title X, §1081(b)(1), Oct. 23, 1992, 106 Stat. 2515, related to Civil-Military Cooperative Action Program.

**PILOT OUTREACH PROGRAM TO REDUCE DEMAND FOR ILLEGAL DRUGS**

Pub. L. 102-484, div. A, title X, §1045, Oct. 23, 1992, 106 Stat. 2494, required Secretary of Defense to conduct pilot outreach program to reduce demand for illegal drugs, required program to include outreach activities by active and reserve components of Armed Forces and focus primarily on youths in general and inner-city youths in particular, and related to payment of travel and living expenses, funding, duration of program, and reporting requirements, prior to repeal by Pub. L. 104-106, div. A, title V, §571(b), Feb. 10, 1996, 110 Stat. 353.

**CONGRESSIONAL FINDINGS**

Pub. L. 102-484, div. A, title X, §1081(a), Oct. 23, 1992, 106 Stat. 2514, related to findings of Congress as to use of military resources to assist in addressing domestic

needs, prior to repeal by Pub. L. 104-106, div. A, title V, §571(a)(2), Feb. 10, 1996, 110 Stat. 353.

**CHAPTER 21—DEPARTMENT OF DEFENSE INTELLIGENCE MATTERS**

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**AMENDMENTS**

1991—Pub. L. 102-88, title V, §504(a)(1), Aug. 14, 1991, 105 Stat. 437, added items for subchapters I and II.

**DEPARTMENT OF DEFENSE INTELLIGENCE PRIORITIES**

Pub. L. 113-66, div. A, title IX, §922, Dec. 26, 2013, 127 Stat. 828, provided that: “Not later than 180 days after the date of the enactment of this Act [Dec. 26, 2013], the Secretary of Defense shall—

“(1) establish a written policy governing the internal coordination and prioritization of intelligence priorities of the Office of the Secretary of Defense, the Joint Staff, the combatant commands, and the military departments to improve identification of the intelligence needs of the Department of Defense;

“(2) identify any significant intelligence gaps of the Office of the Secretary of Defense, the Joint Staff, the combatant commands, and the military departments; and

“(3) provide to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives], the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a briefing on the policy established under paragraph (1) and the gaps identified under paragraph (2).”

**DEFENSE CLANDESTINE SERVICE**

Pub. L. 113-66, div. A, title IX, §923, Dec. 26, 2013, 127 Stat. 828, provided that:

“(a) CERTIFICATION REQUIRED.—Not more than 50 percent of the funds authorized to be appropriated by this Act [see Tables for classification] or otherwise available to the Department of Defense for the Defense Clandestine Service for fiscal year 2014 may be obligated or expended for the Defense Clandestine Service until such time as the Secretary of Defense certifies to the covered congressional committees that—

“(1) the Defense Clandestine Service is designed primarily to—

“(A) fulfill priorities of the Department of Defense that are unique to the Department of Defense or otherwise unmet; and

“(B) provide unique capabilities to the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))); and

“(2) the Secretary of Defense has designed metrics that will be used to ensure that the Defense Clandestine Service is employed as described in paragraph (1).

“(b) ANNUAL ASSESSMENTS.—Not later than 120 days after the date of the enactment of this Act [Dec. 26, 2013], and annually thereafter for five years, the Secretary of Defense shall submit to the covered congressional committees a detailed assessment of Defense Clandestine Service employment and performance based on the metrics referred to in subsection (a)(2).

“(c) NOTIFICATION OF FUTURE CHANGES TO DESIGN.—Following the submittal of the certification referred to in subsection (a), in the event that any significant change is made to the Defense Clandestine Service, the Secretary shall promptly notify the covered congressional committees of the nature of such change.

“(d) QUARTERLY BRIEFINGS.—The Secretary of Defense shall quarterly provide to the covered congressional committees a briefing on the deployments and collection activities of personnel of the Defense Clandestine Service.