

Pub. L. 90-168, §2(9), 81 Stat. 522; Oct. 20, 1978, Pub. L. 95-485, title IV, §405(a)(1), 92 Stat. 1615; Sept. 24, 1983, Pub. L. 98-94, title X, §1018, 97 Stat. 669; Sept. 29, 1988, Pub. L. 100-456, div. A, title XII, §1234(a)(1), 102 Stat. 2059, related to placement in and transfer from Ready Reserve. See sections 10145 and 10146 of this title.

Section 270, added Pub. L. 85-861, §1(5)(A), Sept. 2, 1958, 72 Stat. 1438; amended Pub. L. 87-378, §2, Oct. 4, 1961, 75 Stat. 807; Pub. L. 88-110, §4, Sept. 3, 1963, 77 Stat. 136; Pub. L. 90-168, §2(10), Dec. 1, 1967, 81 Stat. 523; Pub. L. 92-156, title III, §303(a), Nov. 17, 1971, 85 Stat. 425; Pub. L. 96-513, title V, §511(7), Dec. 12, 1980, 94 Stat. 2920; Pub. L. 100-456, div. A, title XII, §1234(a)(2), Sept. 29, 1988, 102 Stat. 2059; Pub. L. 101-189, div. A, title V, §501(b), Nov. 29, 1989, 103 Stat. 1435, related to training requirements of Ready Reserve. See sections 10147 and 10148 of this title.

AMENDMENTS

2016—Pub. L. 114-328 renumbered section 351 of this title as this section.

1980—Subsec. (c). Pub. L. 96-513 substituted “Section 16 of the Act of March 4, 1909 (22 U.S.C. 463)” for “Section 463 of title 22”.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of this title.

CHAPTER 15—MILITARY SUPPORT FOR CIVILIAN LAW ENFORCEMENT AGENCIES

Sec.

- 271. Use of information collected during military operations.
- 272. Use of military equipment and facilities.
- 273. Training and advising civilian law enforcement officials.
- 274. Maintenance and operation of equipment.
- 275. Restriction on direct participation by military personnel.
- 276. Support not to affect adversely military preparedness.
- 277. Reimbursement.
- 278. Nonpreemption of other law.
- 279. Assignment of Coast Guard personnel to naval vessels for law enforcement purposes.
- 280. Enhancement of cooperation with civilian law enforcement officials.
- 281. Procurement of equipment by State and local governments through the Department of Defense: equipment for counter-drug, homeland security, and emergency response activities.
- 282. Emergency situations involving weapons of mass destruction.
- 283. Situations involving bombings of places of public use, Government facilities, public transportation systems, and infrastructure facilities.
- 284. Support for counterdrug activities and activities to counter transnational organized crime.

PRIOR PROVISIONS

A prior chapter 15, consisting of sections 331 to 335, was renumbered chapter 13, and sections 331 to 335 were renumbered sections 251 to 255, respectively.

AMENDMENTS

2016—Pub. L. 114-328, div. A, title X, §1011(a)(2), title XII, §1241(a)(1), (o)(2), Dec. 23, 2016, 130 Stat. 2385, 2497, 2512, added item 384, renumbered chapter 18 of this title “MILITARY SUPPORT FOR CIVILIAN LAW ENFORCEMENT AGENCIES” as chapter 15, redesignated item 371 “Use of information collected during military operations” as item 271, redesignated item 372 “Use of military equipment and facilities” as item 272, redesignated

item 373 “Training and advising civilian law enforcement officials” as item 273, redesignated item 374 “Maintenance and operation of equipment” as item 274, redesignated item 375 “Restriction on direct participation by military personnel” as item 275, redesignated item 376 “Support not to affect adversely military preparedness” as item 276, redesignated item 377 “Reimbursement” as item 277, redesignated item 378 “Nonpreemption of other law” as item 278, redesignated item 379 “Assignment of Coast Guard personnel to naval vessels for law enforcement purposes” as item 279, redesignated item 380 “Enhancement of cooperation with civilian law enforcement officials” as item 280, redesignated item 381 “Procurement of equipment by State and local governments through the Department of Defense: equipment for counter-drug, homeland security, and emergency response activities” as item 281, redesignated item 382 “Emergency situations involving weapons of mass destruction” as item 282, redesignated item 383 “Situations involving bombings of places of public use, Government facilities, public transportation systems, and infrastructure facilities” as item 283, and redesignated item 384 “Support for counterdrug activities and activities to counter transnational organized crime” as item 284.

2015—Pub. L. 114-92, div. A, title X, §1082(b), Nov. 25, 2015, 129 Stat. 1003, added item 383.

2011—Pub. L. 111-383, div. A, title X, §1075(b)(10)(C), Jan. 7, 2011, 124 Stat. 4369, added item 382 and struck out former item 382 “Emergency situations involving chemical or biological weapons of mass destruction”.

2008—Pub. L. 110-417, [div. A], title VIII, §885(b)(2), Oct. 14, 2008, 122 Stat. 4561, added item 381 and struck out former item 381 “Procurement by State and local governments of law enforcement equipment suitable for counter-drug activities through the Department of Defense”.

1996—Pub. L. 104-201, div. A, title XIV, §1416(a)(2), Sept. 23, 1996, 110 Stat. 2723, added item 382.

1993—Pub. L. 103-160, div. A, title XI, §1122(a)(2), Nov. 30, 1993, 107 Stat. 1755, added item 381.

1989—Pub. L. 101-189, div. A, title XII, §1216(a), Nov. 29, 1989, 103 Stat. 1569, in chapter heading substituted “18” for “8”.

1988—Pub. L. 100-456, div. A, title XI, §1104(a), Sept. 29, 1988, 102 Stat. 2043, amended chapter analysis generally substituting, in chapter heading “CHAPTER 8—MILITARY SUPPORT FOR CIVILIAN LAW ENFORCEMENT AGENCIES” for “CHAPTER 18—MILITARY COOPERATION WITH CIVILIAN LAW ENFORCEMENT OFFICIALS”, in item 374 “Maintenance and operation of equipment” for “Assistance by Department of Defense personnel”, in item 376 “Support not to affect adversely military preparedness” for “Assistance not to affect adversely military preparedness” and in item 380 “Enhancement of cooperation with civilian law enforcement officials” for “Department of Defense drug law enforcement assistance: annual plan”.

1987—Pub. L. 100-180, div. A, title XII, §1243(b), Dec. 4, 1987, 101 Stat. 1164, added item 380.

1986—Pub. L. 99-570, title III, §3053(b)(2), Oct. 27, 1986, 100 Stat. 3207-76, added item 379.

DEPARTMENT OF DEFENSE AUTHORITY TO PROVIDE ASSISTANCE TO SECURE THE SOUTHERN LAND BORDER OF THE UNITED STATES

Pub. L. 114-92, div. A, title X, §1059, Nov. 25, 2015, 129 Stat. 986, provided that:

“(a) AUTHORITY TO PROVIDE ASSISTANCE.—The Secretary of Defense may provide assistance to United States Customs and Border Protection for purposes of increasing ongoing efforts to secure the southern land border of the United States.

“(b) CONCURRENCE IN ASSISTANCE.—Assistance under subsection (a) shall be provided with the concurrence of the Secretary of Homeland Security.

“(c) TYPES OF ASSISTANCE AUTHORIZED.—The assistance provided under subsection (a) may include the following:

“(1) Deployment of members and units of the regular and reserve components of the Armed Forces to the southern land border of the United States.

“(2) Deployment of manned aircraft, unmanned aerial surveillance systems, and ground-based surveillance systems to support continuous surveillance of the southern land border of the United States.

“(3) Intelligence analysis support.

“(d) MATERIEL AND LOGISTICAL SUPPORT.—The Secretary of Defense is authorized to deploy such materiel and equipment and logistics support as is necessary to ensure the effectiveness of assistance provided under subsection (a).

“(e) FUNDING.—Of the amounts authorized to be appropriated for the Department of Defense by this Act [see Tables for classification], the Secretary of Defense may use up to \$75,000,000 to provide assistance under subsection (a).

“(f) REPORTS.—At the end of each three-month period during which assistance is provided under subsection (a), the Secretary of Defense, in coordination with the Secretary of Homeland Security, shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives], the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Government Affairs of the Senate a report on the provision of such assistance during that period. Each report shall include, for the period covered by the report, the following:

“(1) A description of the assistance provided.

“(2) A description of the sources and amounts of funds used to provide such assistance.

“(3) A description of the amounts obligated to provide such assistance.

“(4) An assessment of the efficacy and cost-effectiveness of such assistance in support of the Department of Homeland Security’s objectives and strategy to address the challenges on the southern land border of the United States and recommendations, if any, to enhance the effectiveness of such assistance.”

§ 271. Use of information collected during military operations

(a) The Secretary of Defense may, in accordance with other applicable law, provide to Federal, State, or local civilian law enforcement officials any information collected during the normal course of military training or operations that may be relevant to a violation of any Federal or State law within the jurisdiction of such officials.

(b) The needs of civilian law enforcement officials for information shall, to the maximum extent practicable, be taken into account in the planning and execution of military training or operations.

(c) The Secretary of Defense shall ensure, to the extent consistent with national security, that intelligence information held by the Department of Defense and relevant to drug interdiction or other civilian law enforcement matters is provided promptly to appropriate civilian law enforcement officials.

(Added Pub. L. 97–86, title IX, §905(a)(1), Dec. 1, 1981, 95 Stat. 1115, §371; amended Pub. L. 100–456, div. A, title XI, §1104(a), Sept. 29, 1988, 102 Stat. 2043; renumbered §271, Pub. L. 114–328, div. A, title XII, §1241(a)(2), Dec. 23, 2016, 130 Stat. 2497.)

PRIOR PROVISIONS

A prior section 271, added Pub. L. 85–861, §1(5)(A), Sept. 2, 1958, 72 Stat. 1438; amended Pub. L. 95–485, title IV, §405(b), Oct. 20, 1978, 92 Stat. 1615, related to system of continuous screening of units and members of Ready Reserve, prior to repeal by Pub. L. 103–337, div. A, title XVI, §§1661(a)(2)(A), 1691, Oct. 5, 1994, 108 Stat. 2979, 3026, effective Dec. 1, 1994. See section 10149 of this title.

AMENDMENTS

2016—Pub. L. 114–328 renumbered section 371 of this title as this section.

1988—Pub. L. 100–456 amended section generally, designating existing provisions as subsec. (a), inserting reference to military training, and adding subsecs. (b) and (c).

SHORT TITLE OF 1986 AMENDMENT

Pub. L. 99–570, title III, §3051, Oct. 27, 1986, 100 Stat. 3207–74, provided that: “This subtitle [subtitle A (§§3051–3059) of title III of Pub. L. 99–570, enacting section 379 of this title, amending sections 374 and 911 of this title, enacting provisions set out as notes under sections 374, 525, and 9441 of this title, and repealing provisions set out as a note under section 89 of Title 14, Coast Guard] may be cited as the ‘Defense Drug Interdiction Assistance Act.’”

ENHANCEMENT OF INFORMATION SHARING AND COORDINATION OF MILITARY TRAINING BETWEEN DEPARTMENT OF HOMELAND SECURITY AND DEPARTMENT OF DEFENSE

Pub. L. 114–328, div. A, title X, §1014, Dec. 23, 2016, 130 Stat. 2386, as amended by Pub. L. 116–92, div. A, title X, §1053, Dec. 20, 2019, 133 Stat. 1591, provided that:

“(a) IN GENERAL.—The Secretary of Homeland Security shall ensure that the information needs of the Department of Homeland Security relating to civilian law enforcement activities in proximity to the international borders of the United States are identified and communicated to the Secretary of Defense for the purposes of the planning and executing of military training by the Department of Defense.

“(b) FORMAL MECHANISM OF NOTIFICATION.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act [Dec. 23, 2016], the Secretary of Homeland Security, in coordination with the Secretary of Defense, shall establish a formal mechanism through which the information needs of the Department of Homeland Security relating to civilian law enforcement activities in proximity to the international borders of the United States are identified and communicated to the Secretary of Defense for the purposes of the planning and executing military training by the Department of Defense.

“(2) DISSEMINATION TO THE ARMED FORCES.—To the extent practicable, the Secretary of Defense shall ensure that such information needs are disseminated to the Armed Forces in a timely manner so the Armed Forces may take into account the information needs of civilian law enforcement when planning and executing training in accordance with section 271 of title 10, United States Code.

“(3) COORDINATION OF TRAINING.—To the maximum extent practicable, the Secretary of Defense shall ensure that the planning and execution of training described in paragraph (2) is coordinated with the Department of Homeland Security.

“(c) SHARING OF CERTAIN INFORMATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security and the Secretary of Defense shall jointly formulate guidance to ensure that the information relevant to civilian law enforcement matters that is collected by the Armed Forces during the normal course of military training or operations in proximity to the international borders of the United States is provided promptly to relevant officials in accordance with section 271 of title 10, United States Code.

“(d) ANNUAL REPORTS.—

“(1) DEPARTMENT OF DEFENSE REPORT.—

“(A) IN GENERAL.—Not later than March 31 of each year, the Secretary of Defense shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives], the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Se-