States Code, as so amended, that begin on or after that
made by subsection (a) [amending this section] shall
2008, 122 Stat. 4622, provided that: ''The amendments
take effect on October 1, 2008, and shall apply with re-
§ 1321(a)(1), Nov. 14, 1986, 100 Stat. 3988, § 2010;
110–417, [div. A], title XII, § 1203(a), Oct. 14, 2008,
§ 1073(a)(35), Nov. 18, 1997, 111 Stat. 1902; Pub. L.
XII, § 1244(a), Dec. 23, 2016, 130 Stat. 2516; Pub. L.
122 Stat. 4622; Pub. L. 112–81, div. A, title X,
§ 1061(12), Dec. 31, 2011, 125 Stat. 1583; renumbered
[93x254]PUBLIC OF
South China Sea;
132 Stat. 2058, provided that:
RIMPAC.—
''(1) IN GENERAL.—The Secretary of Defense shall
not be obligated or expended for the purposes of this sec-
''(2) PURPOSE OF TRAINING.—The primary pur-
''(a) AUTHORITY TO PAY TRAINING EXPENSES.—
under regulations prescribed pursuant to sub-
section (c), the commander of the special opera-
tions command established pursuant to section
107 of this title and the commander of any other
unified or specified combatant command may
pay, or authorize payment for, any of the follow-
ing expenses:
(1) Expenses of training special operations
forces assigned to that command in conjunc-
tion with training, and training with, armed
forces and other security forces of a friendly
foreign country.
(2) Expenses of deploying such special opera-
tions forces for that training.
(3) In the case of training in conjunction
with a friendly developing country, the incre-
mental expenses incurred by that country as
the direct result of such training.
(b) PURPOSE OF TRAINING.—The primary pur-
pose of the training for which payment may be
made under subsection (a) shall be to train the
special operations forces of the combatant com-
mand.
(c) REGULATIONS.—The Secretary of Defense
shall prescribe regulations for the administra-
tion of this section. The regulations shall re-
quire 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” in-
cludes civil affairs forces and military infor-
mation 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 spe-
ify the following:

(C) Procedures to limit the payment of in-
cremental expenses to friendly foreign coun-
tries only to developing countries, except in
the case of exceptional circumstances as
specified in the regulations.

REFERENCES IN TEXT
The date of the enactment of the National Defense
Authorization Act for Fiscal Year 2017, referred to in
subsec. (e), is the date of enactment of Pub. L. 114–328,
which was approved Dec. 23, 2016.

AMENDMENTS
2018—Subsec. (e). Pub. L. 115–232 substituted “the
first calendar quarter” for “the first calendar quarter”
and “every calendar quarter” for “every calendar quar-
ter”.

2016—Pub. L. 114–328 renumbered section 2010 of this
title as this section and amended it generally. Prior to
amendment, section related to payment of incremental
expenses for participation of developing countries in
combined exercises.

2011—Subsecs. (b) to (e) redesignated subsec. (c) as (b)
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 expen-
ses have been paid by the United States under this
section during the preceding year; and
‘‘(2) the amounts expended on behalf of each gov-
ernment.’’

d and redesignated former subsec. (d) as (e).
which read as follows: “Not more than $13,400,000 may
be obligated or expended for the purposes of this sec-
tion during fiscal years 1987 through 1991.”

EFFECTIVE DATE OF 2008 AMENDMENT
Pub. L. 110–417, [div. A], title XII, § 1203(b), Oct. 14,
made by subsection (a) [amending this section] shall
take effect on October 1, 2008, and shall apply with re-
spect to bilateral and multinational military exercises
described in section 2010 (now § 321) of title 10, United
States Code, as so amended, that begin on or after that
date.”

PROHIBITION ON PARTICIPATION OF THE PEOPLE’S RE-
PUBLIC OF CHINA IN RIM OF THE PACIFIC (RIMPAC)
NAVAL EXERCISES
Pub. L. 110–417, [div. A], title XII, § 1259, Aug. 13, 2018,
132 Stat. 2036, provided that:
(1) CONDITIONS FOR FUTURE PARTICIPATION IN
RIMPAC.—
“(A)ceased all land reclamation activities in the
South China Sea;
“(B) removed all weapons from its land reclama-
tion sites; and
“(C) established a consistent four-year track
record of taking actions toward stabilizing the re-

“(1) IN GENERAL.—The certification under paragraph (1)
shall be in unclassified form but may contain a clas-
sified annex as necessary.
“(b) NATIONAL SECURITY WAIVER.—
“(1) IN GENERAL.—The Secretary of Defense may
waive the certification requirement under subsection
(a) if the Secretary determines the waiver is in the
national security interest of the United States and
submits to the congressional defense committees a
detailed justification for the waiver.
“(2) FORM.—The justification required under para-
graph (1) shall be in unclassified form but may con-
tain a classified annex as necessary.”

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

(a) AUTHORITY TO PAY TRAINING EXPENSES.—
Under regulations prescribed pursuant to sub-
section (c), the commander of the special opera-
tions 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 follow-
ing expenses:
(1) Expenses of training special operations
forces assigned to that command in conjunc-
tion with training, and training with, armed
forces and other security forces of a friendly
foreign country.
(2) Expenses of deploying such special opera-
tions forces for that training.
(3) In the case of training in conjunction
with a friendly developing country, the incre-
mental expenses incurred by that country as
the direct result of such training.

(b) PURPOSE OF TRAINING.—The primary pur-
pose of the training for which payment may be
made under subsection (a) shall be to train the
special operations forces of the combatant com-
mand.

(c) REGULATIONS.—The Secretary of Defense
shall prescribe regulations for the administra-
tion of this section. The regulations shall re-
quire 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” in-
cludes civil affairs forces and military infor-
mation 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 spe-
ify the following:
§ 331. Friendly foreign countries: authority to provide support for conduct of operations

(a) Authority.—The Secretary of Defense may provide support to friendly foreign countries in connection with the conduct of operations designated pursuant to subsection (b).

(b) Designated Operations.—

(1) In General.—The Secretary of Defense shall designate the operations for which support may be provided under the authority in subsection (a).

(2) Notice to Congress.—The Secretary shall notify the appropriate committees of Congress of the designation of any operation pursuant to this subsection.

(3) Annual Review for Continuing Designation.—The Secretary shall undertake on an annual basis a review of the operations currently designated pursuant to this subsection in order to determine whether each such operation merits continuing designation for purposes of this section for another year. If the Secretary determines that any operation so reviewed merits continuing designation for purposes of this section for another year, the Secretary—

(A) may continue the designation of such operation under this subsection for such purposes for another year; and

(B) if the Secretary so continues the designation of such operation, shall notify the appropriate committees of Congress of the continuation of designation of such operation.

(c) Types of Support Authorized.—The types of support that may be provided under the authority in subsection (a) are the following:

(1) Logistic support, supplies, and services for security forces of a friendly foreign country participating in—

(A) an operation with the armed forces under the jurisdiction of the Secretary of Defense; or

(B) a military or stability operation that benefits the national security interests of the United States.

(2) Logistic support, supplies, and services—

(A) to military forces of a friendly foreign country solely for the purpose of enhancing the interoperability of the logistical support systems of military forces participating in a combined operation with the United States in order to facilitate such operation; or

(B) to a nonmilitary logistics, security, or similar agency of a friendly foreign government if such provision would directly benefit the armed forces under the jurisdiction of the Secretary of Defense.

(3) Procurement of equipment for the purpose of the loan of such equipment to the milit-