retary of Defense. Such support may include the use and application of personnel, technical expertise, legal authorities, and available financial resources. This support may be used, to the extent permitted by law, to provide a coordinated Federal response to the needs of individual States, regions, municipalities, and communities adversely affected by necessary Defense changes;

(2) Afford priority consideration to requests from Defense-affected communities for Federal technical assistance, financial resources, excess or surplus property, or other requirements, that are part of a comprehensive plan used by the Committee.

SEC. 6. *Judicial Review*. This order shall not be interpreted to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, its agents, or any person.

SEC. 7. *Construction*. (a) Nothing in this order shall be construed as subjecting any function vested by law in, or assigned pursuant to law to, any agency or head thereof to the authority of any other agency or officer or as abrogating or restricting any such function in any manner.

(b) This order shall be effective immediately and shall supersede Executive Order No. 12049.

[Amendment by Ex. Ord. 13378 directing insertion of ''and'' after ''diminish;'' in section 3(m) of Ex. Ord. 12788, was executed by substituting ''; and'' for the comma after ''diminish''.]

§ 2392. Process for strategic basing actions for the Department of the Air Force

(a) PROGRAMMATIC BASING DECISIONS PROHIBITED.—The Secretary of the Air Force (or a designee) shall not make any basing decision during the resource allocation plan or program objective memorandum process.

(b) QUARTERLY BRIEFINGS.—Not later than 90 days after the date of the enactment of this section, and quarterly thereafter, the Secretary of the Air Force (or a designee) shall brief the congressional defense committees on the following:

(1) Strategic basing actions approved by the strategic basing panel for review by the strategic basing executive steering group during the quarter covered by the briefing.

(2) For each strategic basing action not covered by a previous briefing, a description of the criteria for selection of candidate location for each such strategic basing action and how each criterion will be applied to the candidate locations to determine preferred location.

(3) Updates regarding candidate locations, preferred locations, and the final location selected for each strategic basing action covered by the briefing.

(4) Any strategic basing actions with projected decision dates that will occur before the next scheduled briefing under this subsection.

(c) ADDITIONAL BRIEFINGS.—Upon request by either the Committee on Armed Services of the House of Representatives or of the Senate, the Secretary of the Air Force (or a designee) shall provide to such Committee a briefing on the information described in subsection (b).

(d) POST-BRIEFING CHANGES.—The Secretary of the Air Force (or a designee) shall notify the congressional defense committees, not later than seven days after the effective date of a change, if such change is a change—

(1) to the selection criteria or the application of selection criteria, that would result in a different decision than briefed under subsection (b) regarding the enterprise definition, identified candidate locations, or identified preferred location; or

(2) to the governance process used to oversee a strategic basing action.

(e) OVERSEAS STRATEGIC BASING ACTIONS.—With respect to a strategic basing action relating to a military installation located outside of the United States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or Guam, a notification required under this section may be provided in a classified form.

(f) DEFINITIONS.—In this section, the terms ''enterprise definition'', ''program objective memorandum process'', ''resource allocation plan'', ''strategic basing action'', ''strategic basing executive steering group'', and ''strategic basing panel'' have the meanings given, respectively, under the Department of the Air Force Instruction 10–503 (issued June 12, 2023, as in effect on November 1, 2024).

(Added Pub. L. 118–159, div. B, title XXVIII, § 2803(a), Dec. 23, 2024, 138 Stat. 2247.)

Editorial Notes

REFERENCES IN TEXT

The date of the enactment of this section, referred to in subsec. (b), is the date of enactment of Pub. L. 118–159, which was approved Dec. 23, 2024.

PRIOR PROVISIONS

A prior section 2392 was renumbered section 4653 of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 118–159, div. B, title XXVIII, § 2803(b), Dec. 23, 2024, 138 Stat. 2248, provided that: ''This section [enacting this section] and the amendments made by this section shall apply with respect to strategic basing actions (as defined in section 2392 of title 10, United States Code, as added by this section) made by the Secretary of the Air Force on or after the date of the enactment of this Act [Dec. 23, 2024].''

[§ 2393. Renumbered § 4654]

[§ 2394. Renumbered § 2922a]

Editorial Notes

CODIFICATION

Another section 2394 was renumbered section 2395 of this title.

[§ 2394a. Renumbered § 2922b]

[§ 2395. Renumbered § 3132]

Editorial Notes

CODIFICATION

Another section 2395 was renumbered section 2396 of this title.

§ 2396. Advances for payments for compliance with foreign laws, rent in foreign countries, tuition, public utility services, and pay and supplies of armed forces of friendly foreign countries

(a) An advance under an appropriation to the Department of Defense may be made to pay for—

(1) compliance with laws and ministerial regulations of a foreign country;

(2) rent in a foreign country for periods of time determined by local custom;

(3) tuition; and

(4) public service utilities.

(b)(1) Under regulations prescribed by the Secretary of Defense, or by the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service of the Navy, an officer of an armed force of the United States accountable for public money may advance amounts to a disbursing official of a friendly foreign country or members of an armed force of a friendly foreign country for—

(A) pay and allowances to members of the armed force of that country; and

(B) necessary supplies and services.

(2) An advance may be made under this subsection only if the President has made an agreement with the foreign country—

(A) requiring reimbursement to the United States for amounts advanced;

(B) requiring the appropriate authority of the country to advance amounts reciprocally to members of the armed forces of the United States; and

(C) containing any other provision the President considers necessary to carry out this subsection and to safeguard the interests of the United States.

(Added Pub. L. 97–258, § 2(b)(4)(B), Sept. 13, 1982, 96 Stat. 1053, § 2395; renumbered § 2396 and amended Pub. L. 97–295, § 1(28)(B), Oct. 12, 1982, 96 Stat. 1291; Pub. L. 105–85, div. A, title X, § 1014(a), (b)(1), Nov. 18, 1997, 111 Stat. 1875; Pub. L. 107–296, title XVII, § 1704(b)(1), Nov. 25, 2002, 116 Stat. 2314.)

HISTORICAL AND REVISION NOTES

1982 ACT (PUB. L. 97–258)

Revised section	*Source (U.S. Code)*	*Source (Statutes at Large)*
2395(a)	31:529i.	July 13, 1955, ch. 358, § 602, 69 Stat. 314.
2395(b)	31:529j.	Oct. 19, 1965, Pub. L. 89–265, 79 Stat. 989.

In subsection (a), the words ''On and after July 13, 1955'' are omitted as executed. The words ''An advance'' are substituted for ''section 529 of this title shall not apply in the case of payments'' because of the restatement.

In subsection (b), the words ''armed force of the United States'' are substituted for ''Army, Navy, Air Force, Marine Corps, or Coast Guard'' because of 10:101(4) and to avoid confusion with the phrase ''armed force of a friendly foreign country''.

In subsection (b)(1), before clause (A), the words ''the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy'' are substituted for ''the Secretary of the Treasury in their respective areas of responsibility'' because of 14:3 and 49:1655(b)(1) and (2). The words ''disbursing official'' are substituted for ''cashiers, disbursing officers'' for consistency with other titles of the United States Code and to eliminate unnecessary words.

1982 ACT (PUB. L. 97–295)

Revised section	*Source (U.S. Code)*	*Source (Statutes at Large)*
2396	10:2395.	Sept. 13, 1982, Pub. L. 97–258, § 2(b)(4)(B), 96 Stat. 1053.

This redesignates 10:2395 as 10:2396 because of the redesignation of 10:2394 (enacted by Pub. L. 97–258) as 10:2395, and substitutes ''any other'' for ''another'' in subsec. (b)(2)(C).

Editorial Notes

AMENDMENTS

2002—Subsec. (b)(1). Pub. L. 107–296 substituted ''of Homeland Security'' for ''of Transportation'' in introductory provisions.

1997—Pub. L. 105–85, § 1014(b)(1), inserted ''public utility services,'' after ''tuition,'' in section catchline.

Subsec. (a)(4). Pub. L. 105–85, § 1014(a), added par. (4).

1982—Subsec. (b)(2)(C). Pub. L. 97–295 substituted ''any other'' for ''another''.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107–296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107–296, set out as a note under section 101 of this title.

[§§ 2397 to 2397c. Repealed. Pub. L. 104–106, div. D, title XLIII, § 4304(b)(1), Feb. 10, 1996, 110 Stat. 664]

Section 2397, added Pub. L. 97–295, § 1(29)(A), Oct. 12, 1982, 96 Stat. 1291; amended Pub. L. 99–145, title IX, § 922, Nov. 8, 1985, 99 Stat. 693; Pub. L. 100–26, § 7(j)(5), (k)(2), Apr. 21, 1987, 101 Stat. 283, 284; Pub. L. 102–25, title VII, § 701(d)(6), Apr. 6, 1991, 105 Stat. 114; Pub. L. 102–484, div. A, title X, § 1052(29), Oct. 23, 1992, 106 Stat. 2500; Pub. L. 103–355, title IV, § 4401(d), title VIII, § 8105(d), Oct. 13, 1994, 108 Stat. 3348, 3392, related to filing of certain reports by employees or former employees of defense contractors.

Section 2397a, added Pub. L. 99–145, title IX, § 923(a)(1), Nov. 8, 1985, 99 Stat. 695; amended Pub. L. 100–26, § 7(k)(2), Apr. 21, 1987, 101 Stat. 284; Pub. L. 101–280, § 10(b), May 4, 1990, 104 Stat. 162, related to requirements relating to private employment contacts between certain Department of Defense procurement officials and defense contractors.

Section 2397b, added Pub. L. 99–500, § 101(c) [title X, § 931(a)(1)], Oct. 18, 1986, 100 Stat. 1783–82, 1783–156, and Pub. L. 99–591, § 101(c) [title X, § 931(a)(1)], Oct. 30, 1986, 100 Stat. 3341–82, 3341–156; Pub. L. 99–661, div. A, title IX, formerly title IV, § 931(a)(1), Nov. 14, 1986, 100 Stat. 3936, renumbered title IX, Pub. L. 100–26, § 3(5), Apr. 21, 1987, 101 Stat. 273; amended Pub. L. 100–180, div. A, title VIII, § 821, Dec. 4, 1987, 101 Stat. 1132; Pub. L. 103–355, title VIII, § 8105(e), Oct. 13, 1994, 108 Stat. 3392, related to limitations on employment by contractors of certain former Department of Defense procurement officials.

Section 2397c, added Pub. L. 99–500, § 101(c) [title X, § 931(a)(1)], Oct. 18, 1986, 100 Stat. 1783–82, 1783–159, and Pub. L. 99–591, § 101(c) [title X, § 931(a)(1)], Oct. 30, 1986, 100 Stat. 3341–82, 3341–159; Pub. L. 99–661, div. A, title IX, formerly title IV, § 931(a)(1), Nov. 14, 1986, 100 Stat. 3938, renumbered title IX, Pub. L. 100–26, § 3(5), Apr. 21, 1987, 101 Stat. 273; amended Pub. L. 103–355, title VIII, § 8105(f), Oct. 13, 1994, 108 Stat. 3392, related to requirements for defense contractors concerning former Department of Defense officials.