

**Statutory Notes and Related Subsidiaries**

## USE OF DEPARTMENT OF DEFENSE FUNDS FOR UNITED NATIONS FORCES

Pub. L. 105-261, div. A, title XII, §1231(b), Oct. 17, 1998, 112 Stat. 2155, provided that: “No funds available to the Department of Defense may be used—

“(1) for a monetary contribution to the United Nations for the establishment of a standing international force under the United Nations; or

“(2) to assign or detail any member of the Armed Forces to duty with a United Nations Stand By Force.”

**[§ 406. Renumbered § 401(f)]****§ 407. Humanitarian demining assistance and stockpiled conventional munitions assistance: authority; limitations**

(a) **AUTHORITY.**—(1) Under regulations prescribed by the Secretary of Defense, the Secretary of a military department may provide humanitarian demining assistance and stockpiled conventional munitions assistance to a country if the Secretary concerned determines that the assistance will promote either—

(A) the security interests of both the United States and the country to which the assistance is to be provided; or

(B) the specific operational readiness skills of the members of the armed forces who participate in the activities.

(2) Humanitarian demining assistance and stockpiled conventional munitions assistance under this section shall complement, and may not duplicate, any other form of social or economic assistance which may be provided to the country concerned by any other department or agency of the United States.

(3) The Secretary of Defense shall ensure that no member of the armed forces, while providing humanitarian demining assistance under this section—

(A) engages in the physical detection, lifting, or destroying of landmines, unexploded explosive ordnance, or other explosive remnants of war (unless the member does so for the concurrent purpose of supporting a United States military operation); or

(B) provides such assistance as part of a military operation that does not involve the armed forces.

(b) **LIMITATIONS.**—(1) Humanitarian demining assistance and stockpiled conventional munitions assistance may not be provided under this section unless the Secretary of State specifically approves the provision of such assistance.

(2) Any authority provided under any other provision of law to provide humanitarian demining assistance or stockpiled conventional munitions assistance to a foreign country shall be carried out in accordance with, and subject to, the limitations prescribed in this section.

(c) **EXPENSES.**—(1) Expenses incurred as a direct result of providing humanitarian demining assistance or stockpiled conventional munitions assistance under this section to a foreign country shall be paid for out of funds specifically appropriated for the purpose of the provision by the Department of Defense of overseas humanitarian assistance.

(2) Expenses covered by paragraph (1) include the following:

(A) Travel, transportation, and subsistence expenses of Department of Defense personnel providing such assistance.

(B) The cost of any equipment, services, or supplies acquired for the purpose of carrying out or supporting humanitarian demining activities or stockpiled conventional munitions activities, including any nonlethal, individual, or small-team equipment or supplies for clearing landmines or other explosive remnants of war, or stockpiled conventional munitions, as applicable, that are to be transferred or otherwise furnished to a foreign country in furtherance of the provision of assistance under this section.

(C) Travel, transportation, and subsistence expenses of foreign personnel to attend training provided by the Department of Defense under this section.

(d) **ANNUAL REPORT.**—The Secretary of Defense shall submit to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a report on activities carried out under this section during the preceding fiscal year, including—

(1) a list of the countries to which humanitarian demining assistance or stockpiled conventional munitions assistance was provided during the preceding fiscal year;

(2) the type and description of humanitarian demining assistance or stockpiled conventional munitions assistance provided to each country during the preceding fiscal year, as specified in paragraph (1), and whether such assistance was primarily related to the humanitarian demining efforts or stockpiled conventional munitions assistance;

(3) a list of countries to which humanitarian demining assistance or stockpiled conventional munitions assistance could not be provided during the preceding fiscal year due to insufficient numbers of Department of Defense personnel to carry out such activities or insufficient funding;

(4) the amount expended in providing such assistance to each such country during the preceding fiscal year; and

(5) a description of interagency efforts to coordinate and improve research, development, test, and evaluation for humanitarian demining technology and mechanical clearance methods, including the transfer of relevant counter-improvised explosive device technology with potential humanitarian demining applications.

(e) **DEFINITIONS.**—In this section:

(1) The term “humanitarian demining assistance”, as it relates to training and support, means detection and clearance of landmines, unexploded explosive ordnance, and other explosive remnants of war, and includes activities related to the furnishing of education, training, and technical assistance with respect to explosive safety, the detection and clearance of landmines, unexploded explosive ordnance, and other explosive remnants of war.

(2) The term “stockpiled conventional munitions assistance”, as it relates to the support of humanitarian assistance efforts, means training and support in the disposal, demilitarization, physical security, and stockpile management of potentially dangerous stockpiles of explosive ordnance, small arms, and light weapons, including man-portable air-defense systems. Such term includes activities related to the furnishing of education, training, and technical assistance with respect to explosive safety and the disposal, demilitarization, physical security, and stockpile management of potentially dangerous stockpiles of explosive ordnance, small arms, and light weapons, including man-portable air-defense systems.

(Added Pub. L. 109-364, div. A, title XII, §1203(b)(1), Oct. 17, 2006, 120 Stat. 2413; amended Pub. L. 112-81, div. A, title X, §1092(a), (b)(1), Dec. 31, 2011, 125 Stat. 1605, 1606; Pub. L. 113-66, div. A, title X, §1083, Dec. 26, 2013, 127 Stat. 871; Pub. L. 113-291, div. A, title X, §§1041, 1071(f)(5), Dec. 19, 2014, 128 Stat. 3492, 3510; Pub. L. 114-328, div. A, title X, §1082, Dec. 23, 2016, 130 Stat. 2420; Pub. L. 115-91, div. A, title X, §1043, Dec. 12, 2017, 131 Stat. 1554; Pub. L. 117-263, div. A, title X, §1043, Dec. 23, 2022, 136 Stat. 2770.)

### Editorial Notes

#### AMENDMENTS

2022—Subsec. (a)(1). Pub. L. 117-263, §1043(a)(1)(A), substituted “provide” for “carry out” and “to a country” for “in a country” in introductory provisions.

Subsec. (a)(1)(A). Pub. L. 117-263, §1043(a)(1)(B), substituted “to which the assistance is to be provided” for “in which the activities are to be carried out”.

Subsec. (c)(2)(C). Pub. L. 117-263, §1043(b)(1), added subpar. (C).

Subsec. (c)(3). Pub. L. 117-263, §1043(b)(2), struck out par. (3) which read as follows: “The cost of equipment, services, and supplies provided in any fiscal year under this section may not exceed \$15,000,000.”

Subsec. (d). Pub. L. 117-263, §1043(c), substituted “submit to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a report on” for “include in the annual report under section 401 of this title a separate discussion of” in introductory provisions.

Subsec. (d)(1). Pub. L. 117-263, §1043(a)(2)(A), substituted “to which” for “in which” and “provided” for “carried out”.

Subsec. (d)(2). Pub. L. 117-263, §1043(a)(2)(B), substituted “provided to” for “carried out in”.

Subsec. (d)(3). Pub. L. 117-263, §1043(a)(2)(C), substituted “to which” for “in which” and “provided” for “carried out”.

Subsec. (d)(4). Pub. L. 117-263, §1043(a)(2)(D), substituted “in providing such assistance to each such country” for “in carrying out such assistance in each such country”.

2017—Subsec. (a)(3). Pub. L. 115-91, §1043(a)(1), struck out “or stockpiled conventional munitions assistance” after “demining assistance” in introductory provisions.

Subsec. (a)(3)(A). Pub. L. 115-91, §1043(a)(2), inserted “, unexploded explosive ordnance,” after “landmines” and struck out “, or stockpiled conventional munitions, as applicable” after “war”.

Subsec. (e)(1). Pub. L. 115-91, §1043(b), inserted “, unexploded explosive ordnance,” after “landmines” in two places and substituted period at end for “, and the disposal, demilitarization, physical security, and

stockpile management of potentially dangerous stockpiles of explosive ordnance.”

Subsec. (e)(2). Pub. L. 115-91, §1043(c), struck out “, the detection and clearance of landmines and other explosive remnants of war,” after “explosive safety”.

2016—Subsec. (c)(3). Pub. L. 114-328 substituted “\$15,000,000” for “\$10,000,000”.

2014—Subsec. (a)(3)(A). Pub. L. 113-291, §1071(f)(5), struck out comma after “as applicable”.

Subsec. (d)(3). Pub. L. 113-291, §1041(a), inserted “or insufficient funding” after “such activities”.

Subsec. (e)(2). Pub. L. 113-291, §1041(b), substituted “small arms, and light weapons, including man-portable air-defense systems. Such term includes” for “and includes” and inserted before period at end “, small arms, and light weapons, including man-portable air-defense systems”.

2013—Subsec. (d)(5). Pub. L. 113-66 added par. (5).

2011—Pub. L. 112-81, §1092(b)(1), amended section catchline generally, substituting “Humanitarian demining assistance and stockpiled conventional munitions assistance: authority; limitations” for “Humanitarian demining assistance: authority; limitations”.

Subsec. (a)(1). Pub. L. 112-81, §1092(a)(1)(A), inserted “and stockpiled conventional munitions assistance” after “humanitarian demining assistance” in introductory provisions.

Subsec. (a)(2). Pub. L. 112-81, §1092(a)(1)(B), inserted “and stockpiled conventional munitions assistance” after “Humanitarian demining assistance”.

Subsec. (a)(3). Pub. L. 112-81, §1092(a)(1)(C)(i), inserted “or stockpiled conventional munitions assistance” after “humanitarian demining assistance” in introductory provisions.

Subsec. (a)(3)(A). Pub. L. 112-81, §1092(a)(1)(C)(ii), inserted “, or stockpiled conventional munitions, as applicable,” after “explosive remnants of war”.

Subsec. (b)(1). Pub. L. 112-81, §1092(a)(2)(A), which directed amendment by inserting “and stockpiled conventional munitions assistance” after “humanitarian demining assistance”, was executed by making the insertion after “Humanitarian demining assistance” to reflect the probable intent of Congress.

Subsec. (b)(2). Pub. L. 112-81, §1092(a)(2)(B), inserted “or stockpiled conventional munitions assistance” after “humanitarian demining assistance”.

Subsec. (c)(1). Pub. L. 112-81, §1092(a)(3)(A), inserted “or stockpiled conventional munitions assistance” after “humanitarian demining assistance”.

Subsec. (c)(2)(B). Pub. L. 112-81, §1092(a)(3)(B), inserted “or stockpiled conventional munitions activities” after “humanitarian demining activities” and inserted “, or stockpiled conventional munitions, as applicable,” after “explosive remnants of war”.

Subsec. (d). Pub. L. 112-81, §1092(a)(4)(A), inserted “or stockpiled conventional munitions assistance” after “humanitarian demining assistance” wherever appearing.

Subsec. (d)(2). Pub. L. 112-81, §1092(a)(4)(B), inserted “, and whether such assistance was primarily related to the humanitarian demining efforts or stockpiled conventional munitions assistance” after “paragraph (1)”.

Subsec. (e). Pub. L. 112-81, §1092(a)(5), added subsec. (e) and struck out former subsec. (e). Prior to amendment, text read as follows: “In this section, the term ‘humanitarian demining assistance’, as it relates to training and support, means detection and clearance of landmines and other explosive remnants of war, including activities related to the furnishing of education, training, and technical assistance with respect to the detection and clearance of landmines and other explosive remnants of war.”

### Statutory Notes and Related Subsidiaries

#### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective Dec. 31, 2021, of provisions in subsec. (d) of this section requiring submittal of an-

nual report to Congress, see section 1061 of Pub. L. 114-328, set out as a note under section 111 of this title.

**AUTHORITY TO TRANSFER SURPLUS MINE-RESISTANT  
AMBUSH-PROTECTED VEHICLES AND SPARE PARTS**

Pub. L. 112-239, div. A, title X, §1053, Jan. 2, 2013, 126 Stat. 1937, provided that:

“(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. Assistance in support of 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.
- (5) Funds.

(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) **LIMITATIONS.**—(1) Except as provided in paragraph (2), the amount of assistance provided under this section in any fiscal year may not exceed \$5,000,000.

(2) The Secretary may waive the limitation under paragraph (1) if the Secretary submits to the congressional defense committees notice of the waiver together with the reasons why the waiver is necessary.

(3) No assistance may be provided under this section to a foreign nation the government of which the Secretary of State determines has repeatedly provided support for international terrorism pursuant to—

(A) section 1754(c)(1)(A) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A));

(B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371); or

(C) section 40 of the Arms Export Control Act (22 U.S.C. 2780).

(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) **ANNUAL REPORT.**—Not later than December 31 of each year, the Secretary of Defense shall submit to the congressional defense committees a report on the assistance provided under this section during the preceding fiscal year.

(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; Pub. L. 118-31, div. A, title X, §1042(a), Dec. 22, 2023, 137 Stat. 388.)

**Editorial Notes**

**AMENDMENTS**

2023—Pub. L. 118-31, §1042(a)(1), substituted “Assistance in support of” for “Equipment and training of foreign personnel to assist in” in section catchline.

Subsec. (b)(5). Pub. L. 118-31, §1042(a)(2), added par. (5).

Subsec. (d). Pub. L. 118-31, §1042(a)(3), in heading, substituted “Limitations” for “Limitation”, and, in text, substituted “(1) Except as provided in paragraph (2), the” for “The” and “\$5,000,000” for “\$1,000,000” and added pars. (2) and (3).

Subsec. (f). Pub. L. 118-31, §1042(a)(4), (5), added subsec. (f) and struck out former subsec. (f). Prior to amendment, text read as follows: “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.”

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.