SEC. 1208. CONSOLIDATION AND STANDARDIZATION OF REPORTING REQUIREMENTS RELATING TO SECURITY COOPERATION AUTHORITIES.

(a) CODIFICATION.— Chapter 16 of title 10, United States Code, as added by section 1201(a)(3), is amended by inserting after section 301 a new section 302 consisting of—

(1) a heading as follows:

"§302. Annual report"; and

(2) a text consisting of the text of subsections (a) through (e) of section 1211 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3544).

(b) REVISIONS TO PROVIDE FOR PERMANENT, ANNUAL REPORT.—Subsection (a) of section 302 of title 10, United States Code, as added by subsection (a), is amended—

(1) by striking "BIENNIAL" and all that follows through "the Secretary" and inserting "ANNUAL REPORT REQUIRED.—Not later than February 1 each year, the Secretary"; and

(2) by striking "the two fiscal years" and inserting "the fiscal year".

(c) ELEMENTS OF REPORT.—Subsection (b) of such section is amended by adding at the end the following new paragraph:

"(4) For each foreign country in which the training, equipment, or assistance or reimbursement was provided, a description of the extent of participation, if any, by the military forces and security forces or other government organizations of such foreign country, other than in a case in which national security or other considerations make inclusion of such information impractical.".

(d) REVISION TO COVERED AUTHORITIES.—Subsection (c) of such section is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) The following sections of this chapter: 321, 331, 332, 333, 341, 344, 346, and 347.";

(2) by striking paragraphs (3) through (7);

(3) by redesignating paragraph (8) as paragraph (3) and in that paragraph by striking "Section" and inserting "Sections 401 and";

(4) by inserting after paragraph (3), as redesignated by paragraph (4), the following new paragraph:

"(4) Section 1206 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-29; 10 U.S.C. 2282 note), relating to authority to conduct human rights training of security forces and associated security ministries of foreign countries.";

(5) by redesignating paragraphs (9) and (10) as paragraphs (5) and (6), respectively;

(6) by striking paragraph (11); and

(7) by redesignating paragraphs (12) through (17) as paragraphs (7) through (12), respectively.

(e) REPEAL OF CODIFIED STATUTE.—Section 1211 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3544), is amended by striking subsections (a) through (e).

(f) REPEAL OF OTHER REPORTING REQUIREMENTS.—The following provisions of law are repealed:

(1) Section 1534(g) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3618), requiring semiannual reports on the Counterterrorism Partnerships Fund.

(2) Section 1233(f) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 394), requiring a quarterly report on the use of authority to reimburse certain coalition nations for support provided to United States military operations.

(3) Section 1234(e) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 394), requiring a quarterly report on the use of authorization for logistical support for coalition forces supporting certain United States military operations.

(4) Section 401(d) of title 10, United States Code, requiring an annual report on humanitarian and civic assistance activities under that section.

(5) Section 1205(e)(2) of the National Defense Authorization Act for Fiscal Year 2014 (32 U.S.C. 107 note), requiring an annual report on the use of authority for the National Guard State Partnership program.

Section-by-Section Analysis

This proposal would consolidate and standardize Department of Defense (DoD) reporting on security cooperation authorities and programs in a single annual report. The proposal would make report preparation more efficient, result in a product that is more useful for congressional oversight, and aid the Department in becoming more transparent about its security cooperation activities.

This proposal is part of a package of security cooperation authorities reform proposals intended to consolidate and simplify Title 10 security cooperation authorities as part of a new Chapter 16 in Title 10.

Reports to Congress are one essential tool to support transparency and enable effective oversight. The proposal would establish a comprehensive annual report for all major DoD

security cooperation authorities. The requirements for each program's reporting data would be standardized. Such standardization will enable better comparisons among programs, ensure more fidelity across security cooperation data, and assist the Department in developing effective assessment, monitoring, and evaluation mechanisms.

The Department is currently required to provide data on security cooperation programs to the public through the foreign assistance dashboard, requirements in individual program authorizations, the annual congressional report required by Section 656 of the Foreign Assistance Act (22 U.S.C. 2416), and the biennial report required by section 1211 of P.L. 133-291. The proposal replaces requirements for reports in individual program authorizations with a comprehensive reporting requirement, standardizes reporting requirements across all DoD programs for which reports are required, and requires the DoD report on an annual basis.

The requirement for a DoD report would be codified in Chapter 16 of Title 10. Establishing a permanent reporting requirement for security cooperation programs sends a strong signal to DoD , to Congress, and to the public about the importance of transparency and accountability in security sector assistance programs managed by DoD.

This proposal does not relieve DoD from its obligation to provide security cooperation data through the State Department's foreign assistance dashboard. Rather, the proposal will make it easier for DoD to provide comprehensive, standardized data across the full spectrum of security cooperation programs to the public through the foreign assistance dashboard.

DoD will still contribute security cooperation program and implementation data to the annual report required by section 656 of the Foreign Assistance Act (22 U.S.C. 2416). Such data will be duplicated in the proposed comprehensive DoD report and the Section 656 report in order to ensure consistency with both requirements.

Budget Implications: The resource requirements associated with this proposal are funded within the FY2017 President's Budget. The potential gains in labor efficiency from consolidating various reports into a single consolidated report are offset by the additional labor required due to the increased complexity of a more comprehensive single report. The primary cost in preparing the report is in data collection and not in compiling the data or drafting the report. Data collection costs will remain the same regardless of whether we complete multiple single program reports or a single consolidated report. There is no intention at this point to hire contractors to prepare a consolidated report. The report will be compiled by current staff of OSD Policy and the Defense Security Cooperation Agency.

Changes to Existing Law: This section would make the following changes to existing provisions of law:

Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291)

~~SEC. 1211. BIENNIAL REPORT ON PROGRAMS CARRIED OUT BY THE DEPARTMENT OF DEFENSE TO PROVIDE TRAINING, EQUIPMENT,~~

~~**OR OTHER ASSISTANCE OR REIMBURSEMENT TO FOREIGN SECURITY FORCES.**~~

TITLE 10, UNITED STATES CODE

§302. Annual report

(a) ~~BIENNIAL~~ ANNUAL REPORT REQUIRED.—Not later than February 1 ~~of~~ each~~2016, 2018, and 2020~~ year, the Secretary of Defense shall submit to the congressional defense committees a report that sets forth, on a country-by-country basis, a description of each program carried out by the Department of Defense to provide training, equipment, or other security assistance or reimbursement during the ~~two~~ fiscal ~~years~~ year ending in the year before the year in which such report is submitted under the authorities specified in subsection (c).

(b) ELEMENTS OF REPORT.—Each report required under subsection (a) shall provide for each program covered by such report, and for the reporting period covered by such report, the following:

(1) A description of the purpose and type of the training, equipment, or assistance or reimbursement provided, including how the training, equipment, or assistance or reimbursement provided advances the theater security cooperation strategy of the combatant command, as appropriate.

(2) The cost of such training, equipment, or assistance or reimbursement, including by type of support provided.

(3) A description of the metrics, if any, used for assessing the effectiveness of such training, equipment, or assistance or reimbursement provided.

(4) For each foreign country in which the training, equipment, or assistance or reimbursement was provided, a description of the extent of participation, if any, by the military forces and security forces or other government organizations of such foreign country, other than in a case in which national security or other considerations make inclusion of such information impractical.

(c) SPECIFIED AUTHORITIES.—The authorities specified in this subsection are the following authorities (or any successor authorities):

(1) The following sections of this chapter: 321, 331, 332, 333, 341, 344, 346, and 347.

~~(1) [section transferred to ch. 16 and amended in full] Section 127d [**331**] of title 10, United States Code, relating to authority to provide logistic support, supplies, and services to allied forces participating in a combined operation with the Armed Forces~~.

(2) [no change] Section 166a(b)(6) of title 10, United States Code, relating to humanitarian and civic assistance by the commanders of the combatant commands.

~~(3) [section repealed] Section 168 of title 10, United States Code, relating to authority—~~

~~(A) to provide assistance to nations of the former Soviet Union as part of the Warsaw Initiative Fund;~~

~~(B) to conduct the Defense Institution Reform Initiative; and~~

~~(C) to conduct a program to increase defense institutional legal capacity through the Defense Institute of International Legal Studies.~~

~~(4) [section repealed & restated in new ch. 16] Section 2010 **321**of title 10, United States Code, relating to authority to reimburse foreign troops for participation in combined exercises.~~

~~(e3) [transferred to ch. 16] Section 2011 of title 10, United States Code, relating to authority to reimburse foreign troops for participation in Joint Combined Exercise Training.~~

~~(6) [section transferred to ch. 16 and amended in full] Section 2249c **344**of title 10, United States Code, relating to authority to use appropriated funds for costs associated with education and training of foreign officials under the Regional Defense Combating Terrorism Fellowship Program.~~

~~(7) [section transferred to ch. 16 and amended] Section 2282 **332.**of title 10, United States Code, relating to authority to build the capacity of foreign military forces, or the predecessor authority to such section in section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456).~~

(~~3~~8) [401 added] Sections 401 and 2561 of title 10, United States Code, relating to authority to provide humanitarian assistance.

(4) Section 1206 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-29; 10 U.S.C. 2282 note), relating to authority to conduct human rights training of security forces and associated security ministries of foreign countries.

(~~9~~5) [no change] Section 1532 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3613), relating to the Afghanistan Security Forces Fund.

(~~10~~6) [no change] Section 1205 of the National Defense Authorization Act for Fiscal Year 2014 (32 U.S.C. 107 note), relating to authority for National Guard State Partnership program.

~~(11) [section repealed & restated in new ch. 16] Section 1081 **333** of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 168 note), relating to the Ministry of Defense Advisors program.~~

(~~12~~7) [no change] Section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 2151 note), relating to the Global Security Contingency Fund.

(~~13~~8) [no change] Section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), relating to authority to reimburse certain coalition nations for support provided to United States military operations.

(~~14~~9) [no change] Section 1234 of the National Defense Authorization Act for Fiscal Year 2008 (122 Stat. 394), relating to authorization for logistical support for coalition forces supporting certain United States military operations.

(~~15~~10) [no change] Section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881), relating to authority to provide additional support for counter-drug activities of Peru and Colombia.

(~~16~~11) [no change] Section 1004 of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 374 note), relating to additional support for counter-drug activities.

(~~17~~12) [no change] Any other authority on assistance or reimbursement that the Secretary of Defense considers appropriate and consistent with subsection (a).

(d) NONDUPLICATION OF EFFORT.—If any information required under subsection (a) has been included in another report or notification previously submitted to Congress by law, the Secretary of Defense may provide a list of such reports and notifications at the time of submitting the report required by subsection (a) in lieu of including such information in the report required by subsection (a).

(e) FORM.—Each report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(f) REPEAL OF SUPERSEDED REQUIREMENT.—***

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Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291)

SEC. 1534. COUNTERTERRORISM PARTNERSHIPS FUND.

(a) AVAILABILITY OF FUNDS.—Amounts authorized to be appropriated for fiscal year 2015 by this title for the Counterterrorism Partnerships Fund shall be available for the following purposes:

(1) To provide support and assistance to foreign security forces or other groups or individuals to conduct, support, or facilitate counterterrorism and crisis response activities under authority provided the Department of Defense by any other provision of law (in this section referred to as an `underlying Department of Defense authority').

(2) To improve the capacity of the United States Armed Forces to provide enabling support to counterterrorism and crisis response activities undertaken by foreign security forces or other groups or individuals under any underlying Department of Defense authority.

(b) GEOGRAPHIC LIMITATION.—

(1) IN GENERAL.—Activities using amounts available pursuant to subsection (a) may be conducted only in the area of responsibility of the United States Central Command or the United States Africa Command, but may not include activities for the provision of assistance or other support for the Government of Iraq.

(2) ADDITIONAL AREAS OF RESPONSIBILITY.—Activities using amounts available pursuant to subsection (a) may be conducted in an area of responsibility of a geographic combatant command not specified in paragraph (1) if the Secretary of Defense determines that--

(A) such activities are consistent with the purposes specified in subsection (a);

(B) the absence of such activities would result in an increased risk to the national security of the United States; and

(C) such activities could not be conducted using funds already available to the Department of Defense (other than funds transferred from the Counterterrorism Partnerships Fund).

(3) NOTICE OF DETERMINATION OF ADDITIONAL AREAS.—The Secretary shall submit to the congressional defense committees a notification of any determination made pursuant to paragraph (2) not later than 15 days before transferring amounts from the Counterterrorism Partnerships Fund for activities in the area of responsibility covered by such determination.

(c) CONTRACT AUTHORITY.—Activities using amounts available pursuant to subsection (a) may be conducted by contract, including contractor-operated capabilities, if the Secretary of Defense typically acquires services or equipment by contract in conducting a similar activity for the Department of Defense.

(d) TRANSFER REQUIREMENT AND AUTHORITIES.—

(1) USE OF FUNDS ONLY PURSUANT TO TRANSFER- Amounts in the Counterterrorism Partnerships Fund may be used for the purposes specified in subsection (a) only pursuant to transfers authorized by this subsection.

(2) TRANSFERS AUTHORIZED- Amounts in the Counterterrorism Partnerships Fund may be transferred from the Fund to any accounts of the Department of Defense for operation and maintenance for the purposes specified in subsection (a).

(3) REPROGRAMMING REQUIREMENT- The Secretary of Defense shall submit a reprogramming or transfer request from amounts authorized to be appropriated by section 1510 to the congressional defense committees to carry out activities supported under this section. Each such request shall set forth the following:

(A) A detailed description of the activities to be supported by the reprogramming or transfer, including the request of the commander of the combatant command concerned for support, urgent operational need, or emergent operational need.

(B) The amount planned to be obligated or expended on such activities, the recipient of such amount, and the timeline for such obligation or expenditure.

(C) The underlying Department of Defense authorities that authorize such activities.

(4) EFFECT ON AUTHORIZATION AMOUNTS- The transfer of an amount to an account under the authority in paragraph (2) shall be deemed to increase the amount authorized for such account by an amount equal to the amount transferred.

(5) TRANSFERS BACK TO THE FUND- Upon a determination that all or part of the funds transferred from the Counterterrorism Partnerships Fund under paragraph (2) are not necessary for the purpose provided, such funds may be transferred back to the Fund.

(6) CONSTRUCTION WITH OTHER TRANSFER AUTHORITY- The transfer authority provided by paragraph (2) is in addition to any other transfer authority available to the Department of Defense.

(e) CONSTRUCTION WITH OTHER LIMITATIONS.—

(1) IN GENERAL- Except as provided in paragraph (2), nothing in this section may be construed to terminate, alter, or override any requirement or limitation applicable to activities funded with amounts in the Counterterrorism Partnerships Fund under the underlying Department of Defense authority that authorizes such activities.

(2) INAPPLICABILITY OF LIMITATIONS ON AVAILABILITY OF FUNDS- A limitation on the amount that may be used for activities in a fiscal year under the underlying Department of Defense authority that authorizes such activities shall not apply to amounts made available for such activities in such fiscal year pursuant to this section.

(f) PLAN.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for the intended management and use of the Counterterrorism Partnerships Fund. The plan shall include the following:

(1) An identification of the underlying Department of Defense authorities that the Secretary has identified as available for use pursuant to subsection (a).

(2) A detailed description, to the maximum extent practicable, of the requirements, activities, and planned allocation of amounts available for use pursuant to subsection (a).

(3) An identification of the senior civilian employee of the Department of Defense designated by the Secretary to serve as manager of the Fund.

~~(g) SEMI-ANNUAL REPORTS- Not later than 60 days after the end of the first half of fiscal years 2015, 2016, and 2017, and the second half of fiscal years 2015 and 2016, the Secretary of Defense shall submit to the congressional defense committees a report setting forth, for the preceding fiscal half-year, the following:~~

~~(1) A description of the underlying Department of Defense authorities that authorized activities supported by the Counterterrorism Partnerships Fund.~~

~~(2) A description of the activities supported by the Fund.~~

~~(3) A description of any obligations and expenditures of amounts transferred from the Fund, including recipients of amounts, set forth by country (where applicable).~~

~~(4) A description of any determinations made as described in subsection (d)(5), and a description of any transfers back to the Fund pursuant to that subsection.~~

~~(5) A description of any revisions to the plan submitted pursuant to subsection (f).~~

(h) DURATION OF AUTHORITY.—No amounts may be transferred from the Counterterrorism Partnerships Fund after December 31, 2016.

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NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

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SEC. 1205. DEPARTMENT OF DEFENSE STATE PARTNERSHIP PROGRAM.

(a) AUTHORITY.—

(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to establish a program of activities described in paragraph (2), to support the security cooperation objectives of the United States, between members of the National Guard of a State or territory and any of the following:

(A) The military forces of a foreign country.

(B) The security forces of a foreign country.

(C) Governmental organizations of a foreign country whose primary functions include disaster response or emergency response.

(2) STATE PARTNERSHIP PROGRAM.—Each program established under this subsection shall be known as a 'State Partnership.

(b) LIMITATION.-An activity with forces referred to in subsection (a)(1)(B) or organizations described in subsection (a)(1)(C) under a program established under subsection (a) may be carried out only if the Secretary of Defense, with the concurrence of the Secretary of State, determines and notifies the appropriate congressional committees not less than 15 days before initiating such activity that the activity is in the national security interests of the United States.

(c) COORDINATION OF ACTIVITIES.—The Chief of the National Guard Bureau shall designate a director for each State and territory to be responsible for the coordination of activities under a program established under subsection (a) for such State or territory and reporting on activities under the program.

(d) REGULATIONS.—

(1) In general.-Not later than 180 days after the date of the enactment of this Act [Dec. 26, 2013], the Secretary of Defense shall prescribe regulations to carry out this section. Such regulations shall establish accounting procedures to ensure that expenditures of funds to carry out this section are accounted for and appropriate.

(2) Notification.-Not later than 15 days after the date on which such regulations have been prescribed, the Secretary of Defense-

(A) shall notify the appropriate congressional committees that the regulations have been prescribed; and

(B) shall provide to the appropriate congressional committees a copy of the regulations.

(e) AVAILABILITY OF AUTHORIZED FUNDS FOR PROGRAM.—

(1) IN GENERAL.-Funds authorized to be appropriated to the Department of Defense, including funds authorized to be appropriated for the Army National Guard and Air National Guard, are authorized to be available-

(A) for payment of costs incurred by the National Guard of a State or territory to conduct activities under a program established under subsection (a); and

(B) for payment of incremental expenses of a foreign country to conduct activities under a program established under subsection (a).

(2) Limitations.-

(A) Active duty requirement.-Funds shall not be available under paragraph (1) for the participation of a member of the National Guard of a State or territory in activities in a foreign country unless the member is on active duty in the Armed Forces at the time of such participation

(B) Incremental expenses.-The total amount of payments for incremental expenses of foreign countries as authorized under paragraph (1)(B) for activities under programs established under subsection (a) in any fiscal year may not exceed $10,000,000.

(f) REPORTS AND NOTIFICATIONS.-

(1) REVIEW AND REPORT OF EXISTING PROGRAMS.-

(A) REVIEW.-The Secretary of Defense, with the concurrence of the Secretary of State, shall conduct a comprehensive review of each program under the State Partnership Program as in effect on the day before the date of the enactment of this Act [Dec. 26, 2013].

(B) REPORT.-Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report on-

(i) the findings of the review conducted under subparagraph (A); and

(ii) any recommendations with respect to the review conducted under subparagraph (A).

~~(2) ANNUAL REPORT.-~~

~~(A) In general.-Not later than January 31 of each year following a fiscal year in which activities under each program established under subsection (a) are carried out, the Secretary of Defense shall submit to the appropriate congressional committees a report on such activities under such program.~~

~~(B) Matters to be included.-Each report shall specify, for the fiscal year covered by such report, the following:~~

~~(i) Each foreign country in which the activities were conducted.~~

~~(ii) The type of activities conducted, the duration of the activities, and the number of members of the National Guard of each State or territory involved in such activities.~~

~~(iii) The extent of participation in the activities by the military forces and security forces or other government organizations of such foreign country.~~

~~(iv) A summary of expenditures to conduct the activities, including the annual cost of the activities, with a breakdown of such expenditures by geographic combatant command and country.~~

~~(v) With respect to activities described in subsection (b), the objective of the activities, and a description of how the activities support the theater campaign plan of the commander of the geographic combatant command with responsibility for the country or countries in which the activities occurred.~~

(vi) An assessment of the extent to which the activities conducted during the previous year met the objectives described in clause (v).

(g) RULE OF CONSTRUCTION.-Nothing in this section shall be construed to supersede any authority under title 10, United States Code, as in effect on the date of the enactment of this Act [Dec. 26, 2013].

(h) DEFINITIONS.-In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.-The term 'appropriate congressional committees' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(2) INCREMENTAL EXPENSES.-The term 'incremental expenses', with respect to a foreign country-

(A) means the reasonable and proper costs of rations, fuel, training ammunition, transportation, and other goods and services consumed by the country as a direct result of the country's participation in activities conducted under subsection (a); and

(B) does not include-

(i) any form of lethal assistance (excluding training ammunition); or

(ii) pay, allowances, and other normal costs of the personnel of the country.

(h) REPEAL OF SUPERSEDED AUTHORITY.-[Repealed section 1210 of P. L. 111–84.]

(i) TERMINATION.-The authority granted under subsection (a) shall terminate on September 30, 2021.

National Defense Authorization Act for Fiscal Year 2008

SEC. 1233. REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) AUTHORITY.—From funds made available for the Department of Defense for fiscal year 2015 for overseas contingency operations for operation and maintenance, Defense-wide activities, the Secretary of Defense may reimburse any key cooperating nation for the following:

(1) Logistical and military support provided by that nation to or in connection with United States military operations in Iraq of in Operation Enduring Freedom in Afghanistan.

(2) Logistical, military, and other support, including access, provided by that nation to or in connection with United States military operations.

(b) OTHER SUPPORT.—Using funds described in subsection (a)(2), the Secretary of Defense may also assist any key cooperating nation supporting United States military operations in Iraq or in Operation Enduring Freedom in Afghanistan through the following:

(1) The provision of specialized training to personnel of that nation in connection with such operations, including training of such personnel before deployment in connection with such operations.

(2) The procurement and provision of supplies to that nation in connection with such operations.

(3) The procurement of specialized equipment and the loaning of such specialized equipment to that nation on a nonreimbursable basis in connection with such operations.

(c) AMOUNTS OF REIMBURSEMENT.—

(1) IN GENERAL.—Reimbursement authorized by subsection (a) may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of the Office of Management and Budget, may determine, based on documentation determined by the Secretary of Defense to adequately account for the support provided.

(2) SUPPORT.—Support authorized by subsection (b) may be provided in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of the Office of Management and Budget, considers appropriate.

(d) LIMITATIONS.—

(1) LIMITATION ON AMOUNT.—The total amount of reimbursements made under the authority in subsection (a) during fiscal year 2008 may not exceed $1,200,000,000. The aggregate amount of reimbursements made under subsection (a) and support provided under subsection (b) during fiscal year 2015 may not exceed $1,200,000,000. Of the aggregate amount specified in the preceding sentence, the total amount of reimbursements made under subsection (a) and support provided under subsection (b) to Pakistan during fiscal year 2015 may not exceed $900,000,000.

(2) PROHIBITION ON CONTRACTUAL OBLIGATIONS TO MAKE PAYMENTS.—The Secretary of Defense may not enter into any contractual obligation to make a reimbursement under the authority in subsection (a).

(3) PROHIBITION ON REIMBURSEMENT OF PAKISTAN FOR SUPPORT DURING PERIODS CLOSED TO TRANSSHIPMENT.—Effective as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, funds (including funds from a prior fiscal year that remain available for obligation) may not be used for reimbursements under the authority in subsection (a) for Pakistan for claims of support provided during any period when the ground lines of supply through Pakistan to Afghanistan were closed to the transshipment of equipment and supplies in support of United States military operations in Afghanistan.

(e) NOTICE TO CONGRESS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Defense shall notify the appropriate congressional committees not later than 15 days before making any reimbursement under the authority in subsection (a) or providing any support under the authority in subsection (b). In the case of any reimbursement to Pakistan under

the authority of this section, such notice shall be made in accordance with the notice requirements under section 1232(b).

(2) EXCEPTION.—The requirement to provide notice under paragraph (1) shall not apply with respect to a reimbursement for access based on an international agreement.

~~(f) QUARTERLY REPORTS.—The Secretary of Defense shall submit to the appropriate congressional committees on a quarterly basis a report on any reimbursements made under the authority in subsection (a), and any support provided under the authority in subsection (b), during such quarter.~~

(g) DEFINITION.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate.

SEC. 1234. LOGISTICAL SUPPORT FOR COALITION FORCES SUPPORTING OPERATIONS IN IRAQ AND AFGHANISTAN.

(a) AVAILABILITY OF FUNDS FOR LOGISTICAL SUPPORT- Subject to the provisions of this section, amounts available to the Department of Defense for fiscal year 2008 for operation and maintenance may be used to provide supplies, services, transportation (including airlift and sealift), and other logistical support to coalition forces supporting United States military and stabilization operations in Iraq and Afghanistan.

(b) Required Determination- The Secretary may provide logistical support under the authority in subsection (a) only if the Secretary determines that the coalition forces to be provided the logistical support--

(1) are essential to the success of a United States military or stabilization operation; and

(2) would not be able to participate in such operation without the provision of the logistical support.

(c) COORDINATION WITH EXPORT CONTROL LAWS- Logistical support may be provided under the authority in subsection (a) only in accordance with applicable provisions of the Arms Export Control Act and other export control laws of the United States.

(d) LIMITATION ON VALUE- The total amount of logistical support provided under the authority in subsection (a) in fiscal year 2008 may not exceed $400,000,000.

~~(e) QUARTERLY REPORTS-~~

~~(1) REPORTS REQUIRED- Not later than 15 days after the end of each fiscal-year quarter of fiscal year 2008, the Secretary shall submit to the congressional defense committees a report on the provision of logistical support under the authority in subsection (a) during such fiscal-year quarter.~~

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

~~(A) Each nation provided logistical support under the authority in subsection (a).~~

~~(B) For each such nation, a description of the type and value of logistical support so provided.~~

TITLE 10, UNITED STATES CODE

§401. Humanitarian and civic assistance provided in conjunction with military operations

(a)(1) Under regulations prescribed by the Secretary of Defense, the Secretary of a military department may carry out humanitarian and civic assistance activities in conjunction with authorized military operations of the armed forces in a country if the Secretary concerned determines that the activities will promote-

(A) the security interests of both the United States and the country in which the activities are to be carried out; and

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

(2) Humanitarian and civic assistance activities carried out 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. Such activities shall serve the basic economic and social needs of the people of the country concerned.

(3) Humanitarian and civic assistance may not be provided under this section (directly or indirectly) to any individual, group, or organization engaged in military or paramilitary activity.

(b) Humanitarian and civic assistance may not be provided under this section to any foreign country unless the Secretary of State specifically approves the provision of such assistance.

(c)(1) Expenses incurred as a direct result of providing humanitarian and civic assistance under this section to a foreign country shall be paid for out of funds specifically appropriated for such purpose.

[(2), (3) Repealed. Pub. L. 109–364, div. A, title XII, §1203(a)(3), Oct. 17, 2006, 120 Stat. 2413 .]

(4) Nothing in this section may be interpreted to preclude the incurring of minimal expenditures by the Department of Defense for purposes of humanitarian and civic assistance out of funds other than funds appropriated pursuant to paragraph (1), except that funds appropriated to the Department of Defense for operation and maintenance (other than funds appropriated pursuant to such paragraph) may be obligated for humanitarian and civic assistance under this section only for incidental costs of carrying out such assistance.

~~(d) 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, not later than March 1 of each year, on activities carried out under this section during the preceding fiscal year. The Secretary shall include in each such report-~~

~~(1) a list of the countries in which humanitarian and civic assistance activities were carried out during the preceding fiscal year;~~

~~(2) the type and description of such activities carried out in each country during the preceding fiscal year; and~~

~~(3) the amount expended in carrying out each such activity in each such country during the preceding fiscal year.~~

(e) In this section, the term "humanitarian and civic assistance" means any of the following:

(1) Medical, surgical, dental, and veterinary care provided in areas of a country that are rural or are underserved by medical, surgical, dental, and veterinary professionals, respectively, including education, training, and technical assistance related to the care provided.

(2) Construction of rudimentary surface transportation systems.

(3) Well drilling and construction of basic sanitation facilities.

(4) Rudimentary construction and repair of public facilities.