SEC. ___. CLARIFICATION OF AUTHORITY TO WAIVE CERTAIN EXPENSES FOR ACTIVITIES OF THE REGIONAL CENTERS FOR SECURITY STUDIES.

Section 342 of title 10, United States Code, is amended—

(1) in subsection (f)(3)—

(A) in subparagraph (A) in the first sentence, by inserting “, including travel, transportation, and subsistence expenses,” after “activities of the Regional Centers”; and

(B) in subparagraph (B)(i), by inserting “, including travel, transportation, and subsistence expenses,” after “activities of the Regional Centers”;

(2) in subsection (h)(3)(A), by inserting “, including travel, transportation, and subsistence expenses,” after “Marshall Center”; and

(3) in subsection (i)(1), by inserting “, including travel, transportation, and subsistence expenses,” after “Daniel K. Inouye Center for Security Studies”.

[Please note: The “Changes to Existing Law” section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This amendment allows the Secretary of Defense to waive the “incremental cost” (transportation, subsistence, and activities) of foreign military officers and foreign defense and security personnel attending Regional Centers (RC) pursuant to 10 U.S.C. § 342 (Regional Centers for Security Studies).

RCs have a statutory responsibility to serve as a forum for bilateral and multilateral research, communication, exchange of ideas, and training involving military and civilian participants. On behalf of the Secretary of Defense, the RCs advance U.S. security policy objectives and priorities by engaging partner nation security practitioners in a dialogue on a range of mutually concerning security issues. It is the U.S. interest to bring together partner nation strategic level thinkers to build consensus around U.S. security priorities—no other venue

exists within the Department to systematically engage foreign strategic thinkers around U.S. security interest.

The benefit of approving this legislative proposal affirms the Departments ability to message and promote U.S. national security interests with both traditional and developing global security partners because: (1) the RC's promote multilateral exchange of ideas focused on U.S. strategic interest; (2) the multilateral nature of event results in an environment where U.S. security objectives are advanced through consensus and dialogue; and (3) events aim to build broad support and understanding of U.S. security priorities. This approach is in alignment with the Secretary's vision in the National Defense Strategy of strengthening alliances and partnerships, with countries who share our aspirations of freedom and prosperity.

The incorporation of the RC authority (formerly 10 U.S.C. section 184) into 10 U.S.C Chapter 16 caused an unintended consequence affecting the RCs ability to pay for participant travel related expenses. DoD GC opined that the long-standing practice of paying travel and per diem costs for foreign government officials to attend RC activities using section 342 is not permitted since the new language is now inconsistent with the definitions set forth in Section 301 of Chapter 16. This legislative proposal would align section 342 with the definitions in section 301 and other sections in Chapter 16.

This legislative proposal is consistent with existing authorities in sections 322 (Special operations forces: training with friendly foreign forces), 341 (Department of Defense State Partnership Program), and 345 (Regional Defense Combating Terrorism Fellowship Program) which include the reimbursement of travel cost within each authority.

Budget Implications: The Regional Center enterprise is funded in the FY 2019 President's Budget request as indicated below.

RESOURCE REQUIREMENTS ($MILLIONS)									
	FY 2019	**FY 2020**	**FY 2021**	**FY 2022**	**FY 2023**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
	$65.4	$66.1	$66.7	$67.4	$68.1	Operation and Maintenance, Defense-Wise	04	4GTD	0800101T
Air Force	Air Force does not intend to use this authority, which they would have funded in the following account: Operations and Maintenance, Air Force account								
Army	Army does not intend to use this authority, which they would have funded in the following account: Operations and Maintenance, Army account								
Navy	Navy does not intend to use this authority, which they would have funded in the following account: Operations and Maintenance, Navy account								
Total	$65.4	$66.1	$66.7	$67.4	$68.1	--	--	--	--

Changes to Existing Law: This proposal would make the following changes to section 342 of title 10, United States Code:

§342. Regional Centers for Security Studies

(a) IN GENERAL.-The Secretary of Defense shall administer the Department of Defense Regional Centers for Security Studies in accordance with this section as international venues for bilateral and multilateral research, communication, exchange of ideas, and training involving military and civilian participants.

(b) REGIONAL CENTERS SPECIFIED.-(1) A Department of Defense Regional Center for Security Studies is a Department of Defense institution that-

(A) is operated, and designated as such, by the Secretary of Defense for the study of security issues relating to a specified geographic region of the world; and

(B) serves as a forum for bilateral and multilateral research, communication, exchange of ideas, and training involving military and civilian participants.

(2) The Department of Defense Regional Centers for Security Studies are the following:

(A) The George C. Marshall European Center for Security Studies, established in 1993 and located in Garmisch-Partenkirchen, Germany.

(B) The Daniel K. Inouye Asia-Pacific Center for Security Studies, established in 1995 and located in Honolulu, Hawaii.

(C) The William J. Perry Center for Hemispheric Defense Studies, established in 1997 and located in Washington, D.C.

(D) The Africa Center for Strategic Studies, established in 1999 and located in Washington, D.C.

(E) The Near East South Asia Center for Strategic Studies, established in 2000 and located in Washington, D.C.

(3) No institution or element of the Department of Defense may be designated as a Department of Defense Regional Center for Security Studies for purposes of this section, other than the institutions specified in paragraph (2).

(c) REGULATIONS.-The administration of the Regional Centers under this section shall be carried out under regulations prescribed by the Secretary. The regulations shall prioritize within the respective areas of focus of each Regional Center the functional areas for engagement of territorial and maritime security, transnational and asymmetric threats, and defense sector governance.

(d) PARTICIPATION.-Participants in activities of the Regional Centers may include United States and foreign military, civilian, and nongovernmental personnel.

(e) EMPLOYMENT AND COMPENSATION OF FACULTY.-At each Regional Center, the Secretary may, subject to the availability of appropriations-

(1) employ a Director, a Deputy Director, and as many civilians as professors, instructors, and lecturers as the Secretary considers necessary; and

(2) prescribe the compensation of such persons, in accordance with Federal guidelines.

(f) PAYMENT OF COSTS.-(1) Participation in activities of a Regional Center shall be on a reimbursable basis (or by payment in advance), except in a case in which reimbursement is waived in accordance with paragraph (3).

(2) For a foreign national participant, payment of costs may be made by the participant, the participant's own government, by a Department or agency of the United States other than the Department of Defense, or by a gift or donation on behalf of one or more Regional Centers accepted under section 2611 of this title on behalf of the participant's government.

(3)(A) The Secretary of Defense may waive reimbursement of the costs of activities of the Regional Centers, including travel, transportation, and subsistence expenses, for foreign military officers and foreign defense and security personnel from a developing country if the Secretary determines that attendance of such personnel without reimbursement is in the national security interest of the United States. Costs for which reimbursement is waived pursuant to this paragraph shall be paid from appropriations available to the Regional Centers.

(B)(i) The Secretary of Defense may, with the concurrence of the Secretary of State, waive reimbursement otherwise required under this subsection of the costs of activities of the Regional Centers, including travel, transportation, and subsistence expenses, for personnel of nongovernmental and international organizations who participate in activities of the Regional Centers that enhance cooperation of nongovernmental organizations and international organizations with United States forces if the Secretary of Defense determines that attendance of such personnel without reimbursement is in the national security interest of the United States.

(ii) The amount of reimbursement that may be waived under clause (i) in any fiscal year may not exceed $1,000,000.

(4) Funds accepted for the payment of costs shall be credited to the appropriation then currently available to the Department of Defense for the Regional Center that incurred the costs. Funds so credited shall be merged with the appropriation to which credited and shall be available to that Regional Center for the same purposes and same period as the appropriation with which merged.

(5) Funds available for the payment of personnel expenses under section 312 of this title are also available for the costs of the operation of the Regional Centers.

(6) Funds available to carry out this section, including funds accepted under paragraph (4) and funds available under paragraph (5), shall be available, to the extent provided in appropriations Acts, for programs and activities under this section that begin in a fiscal year and end in the following fiscal year.

(g) SUPPORT TO OTHER AGENCIES.-The Director of a Regional Center may enter into agreements with the Secretaries of the military departments, the heads of the Defense Agencies, and, with the concurrence of the Secretary of Defense, the heads of other Federal departments and agencies for the provision of services by that Regional Center under this section. Any such participating department and agency shall transfer to the Regional Center funds to pay the full costs of the services received.

(h) AUTHORITIES SPECIFIC TO MARSHALL CENTER.-(1) The Secretary of Defense may authorize participation by a European or Eurasian country in programs of the George C. Marshall Center for Security Studies (in this subsection referred to as the "Marshall Center") if the Secretary determines, after consultation with the Secretary of State, that such participation is in the national interest of the United States.

(2)(A) In the case of any person invited to serve without compensation on the Marshall Center Board of Visitors, the Secretary of Defense may waive any requirement for financial disclosure that would otherwise apply to that person solely by reason of service on such Board.

(B) A member of the Marshall Center Board of Visitors may not be required to register as an agent of a foreign government solely by reason of service as a member of the Board.

(C) Notwithstanding section 219 of title 18, a non-United States citizen may serve on the Marshall Center Board of Visitors even though registered as a foreign agent.

(3)(A) The Secretary of Defense may waive reimbursement of the costs of conferences, seminars, courses of instruction, or similar educational activities of the Marshall Center, including travel, transportation, and subsistence expenses, for military officers and civilian officials from states located in Europe or the territory of the former Soviet Union if the Secretary determines that attendance by such personnel without reimbursement is in the national security interest of the United States.

(B) Costs for which reimbursement is waived pursuant to subparagraph (A) shall be paid from appropriations available for the Center.

(i) AUTHORITIES SPECIFIC TO INOUYE CENTER.-(1) The Secretary of Defense may waive reimbursement of the cost of conferences, seminars, courses of instruction, or similar educational activities of the Daniel K. Inouye Center for Security Studies, including travel, transportation, and subsistence expenses, for military officers and civilian officials of foreign countries if the Secretary determines that attendance by such personnel, without reimbursement, is in the national security interest of the United States.

(2) Costs for which reimbursement is waived pursuant to paragraph (1) shall be paid from appropriations available for the Center.

(j) ANNUAL REVIEW OF PROGRAM STRUCTURE AND PROGRAMS OF CENTERS.-(1) The Secretary shall on an annual basis review the program and structure of each Regional Center in order to determine whether such Regional Center is appropriately aligned with the strategic priorities of the Department of Defense and the applicable geographic combatant commands.

(2) The Secretary may revise the program, structure, or both of a Regional Center following an annual review under paragraph (1) in order to more appropriately align the Regional Center with strategic priorities and the geographic combatant commands as described in that paragraph.