TITLE XII—FOREIGN RELATIONS MATTERS

Subtitle A—Consolidation and Reform of Department of Defense Security Cooperation Authorities

SEC. 1201. ENACTMENT OF NEW CHAPTER FOR DEFENSE SECURITY COOPERATION AUTHORITIES AND TRANSFER OF CERTAIN AUTHORITIES TO NEW CHAPTER.

(a) STATUTORY REORGANIZATION.—Part I of subtitle A of title 10, United States Code, is amended—

(1) by redesignating chapters 13, 15, and 17 as chapters 12, 13, and 14, respectively;

(2) by redesignating sections 311, 312, 331, 332, 333, 334, 335, and 351 as sections 271, 272, 281, 282, 283, 284, 285, and 291, respectively; and

(3) by inserting after chapter 14, as redesignated by paragraph (1), the following new chapter:

"CHAPTER 16—SECURITY COOPERATION

"Subchapter Sec.
I. General Matters …… 301
"II. Military-to-Military Engagements……311
"III. Training With Foreign Forces……321
"IV. Support for Operations and Capacity Building…… 331
"V. Educational and Training Activities ……341
"VI. Limitations on Use of Department of Defense Funds ……351

"SUBCHAPTER I—GENERAL MATTERS

"Sec.
"301. Definitions.
"302. Annual report.

"§ 301. Definitions

In this chapter:

"(1) The terms 'appropriate congressional committees' and 'appropriate committees of Congress' mean the following:

"(A) The congressional defense committees.

"(B) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

"(2) The term 'small-scale construction' means construction at a cost not to exceed $750,000 for any project.

"SUBCHAPTER II— MILITARY-TO-MILITARY ENGAGEMENTS

"Sec.
"311. Exchange of defense personnel between United States and friendly foreign countries: authority.
"312. Payment of personnel expenses necessary for theater security cooperation.
"313. Bilateral or regional cooperation programs: awards and mementos to recognize superior noncombat achievements or performance.

"SUBCHAPTER III—TRAINING WITH FOREIGN FORCES

"Sec.
"321. Training with friendly foreign countries; payment of certain expenses. [

"SUBCHAPTER IV—SUPPORT FOR OPERATIONS AND CAPACITY BUILDING

"Sec.
"331. Friendly foreign countries: authority to provide support for conduct of operations.
"332. Foreign security forces: authority to build capacity.
"333. Friendly foreign countries; regional organizations: defense institution capacity building.

"SUBCHAPTER V— EDUCATIONAL AND TRAINING ACTIVITIES

"Sec.
"341. Regional Centers for Security Studies.
"342. Western Hemisphere Institute for Security Cooperation.
"343. Multinational military centers of excellence: authority to participate.
"344. Distribution to certain foreign personnel of education and training materials and information technology to enhance military interoperability with the armed forces.
"345. International engagement authorities for service academies.
"346. Aviation Leadership Program.
"347. Inter-American Air Forces Academy.
"348. Inter-European Air Forces Academy.

"SUBCHAPTER VI— LIMITATIONS ON USE OF DEPARTMENT OF DEFENSE FUNDS

"Sec.
"351. Prohibition on providing financial assistance to terrorist countries.
"352. Prohibition on use of funds for assistance to units of foreign security forces that have committed a gross violation of human rights.".

(b) TRANSFER OF SECTION 1051B.—Section 1051b of title 10, United States Code, is transferred to chapter 16 of such title, as added by subsection (a)(3), inserted after the table of sections at the beginning of subchapter II, and redesignated as section 313.

(c) CODIFICATION OF SECTION 1081 OF FY 2012 NDAA.—

(1) CODIFICATION IN CHAPTER 16.—Chapter 16 of title 10, United States Code, as added by subsection (a)(3), is amended by inserting after the table of sections at the beginning of subchapter IV a new section 333 consisting of—

(A) a heading as follows:

"§333. Friendly foreign countries; international and regional organizations: defense institution capacity building"; and

(B) a text consisting of the text of subsections (a) through (e) of section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 10 U.S.C. 168 note).

(2) EXTENSION OF AUTHORITY.—Subsection (c)(1) of section 333 of title 10, United States Code, as added by paragraph (1), is amended by striking "December 31, 2017" and inserting "December 31, 2019".

(3) CONFORMING REPEAL.—Section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 10 U.S.C. 168 note) is repealed.

(d) TRANSFER OF SECTION 184 AND CODIFICATION OF RELATED PROVISIONS.—

(1) TRANSFER TO NEW CHAPTER.—Section 184 of title 10, United States Code, is transferred to chapter 16 of title 10, United States Code, as added by subsection (a)(3), inserted after the table of sections at the beginning of subchapter V, and redesignated as section 341.

(2) CODIFICATION OF REIMBURSEMENT-RELATED PROVISIONS.—Subsection (f)(3) of such section, as so transferred and redesignated, is amended—

(A) by inserting "(A)" after "(3)"; and

(B) by adding at the end the following new subparagraph:

"(B) (i) In fiscal years 2009 through 2019, 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 Regional Centers under this section 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 interests 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.".

(3) CODIFICATION OF PROVISIONS RELATING TO SPECIFIC CENTERS.—Such section, as so transferred and redesignated, is further amended by adding at the end the following new subsections:

"(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 European 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 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 Asia-Pacific Center for Security Studies 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.".

(4) REPEAL OF CODIFIED PROVISIONS.—The following provisions of law are repealed:

(A) Section 941(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 10 U.S.C. 184 note).

(B) Section 1065 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201; 10 U.S.C. 113 note).

(C) Section 1306 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 10 U.S.C. 113 note).

(D) Section. 8073 of the Department of Defense Appropriations Act, 2003 Public Law 107-248 (10 U.S.C. prec. 2161 note).

(e) TRANSFER OF SECTION 2166.—

(1) TRANSFER AND REDESIGNATION.—Section 2166 of title 10, United States Code, is transferred to chapter 16 of such title, as added by subsection (a)(3), inserted after section 341, as transferred and redesignated by subsection (d), and redesignated as section 342.

(2) CONFORMING STYLISTIC AMENDMENTS.—Such section, as so transferred and redesignated, is amended by striking "nations" each place it appears in subsections (b) and (c) and inserting "countries".

(3) CROSS-REFERENCE AMENDMENT.—Section 2612(a) of such title is amended by striking "section 2166(f)(4)" and inserting "section 342(f)(4)".

(f) TRANSFER OF SECTION 2350M.—Section 2350m of title 10, United States Code, is transferred to chapter 16 of such title, as added by subsection (a)(3), inserted after section 342, as transferred and redesignated by subsection (e), and redesignated as section 343.

(g) TRANSFER OF SECTION 2249d.—

(1) TRANSFER AND REDESIGNATION.—Section 2249d of title 10, United States Code, is transferred to chapter 16 of such title, as added by subsection (a)(3), inserted after section 343, as transferred and redesignated by subsection (g), and redesignated as section 344.

(2) CONFORMING STYLISTIC AMENDMENTS.—Such section, as so transferred and redesignated, is amended—

(A) by striking "nations" in subsections (a) and (d) and inserting "countries"; and

(B) by striking subsection (g).

(h) REENACTMENT OF CHAPTER 905.—

(1) CONSOLIDATION OF SECTIONS 9381, 9382, AND 9383.— Chapter 16 of title 10, United States Code, as added by subsection (a)(3), is amended by inserting after section 344, as transferred and redesignated by subsection (g), the following new section:

"§346. Aviation Leadership Program

"(a) ESTABLISHMENT OF PROGRAM.— Under regulations prescribed by the Secretary of Defense, the Secretary of the Air Force may establish and maintain an Aviation Leadership Program to provide undergraduate pilot training and necessary related training to personnel of the air forces of friendly, developing foreign countries. Training under this section shall include

language training and programs to promote better awareness and understanding of the democratic institutions and social framework of the United States.

"(b) SUPPLIES AND CLOTHING.—(1) The Secretary of the Air Force may, under such conditions as the Secretary may prescribe, provide to a person receiving training under this section—

"(A) transportation incident to the training;

"(B) supplies and equipment to be used during the training;

"(C) flight clothing and other special clothing required for the training; and

"(D) billeting, food, and health services.

"(2) The Secretary of the Air Force may authorize such expenditures from the appropriations of the Air Force as the Secretary considers necessary for the efficient and effective maintenance of the Program in accordance with this section.

"(c) ALLOWANCES.—The Secretary of the Air Force may pay to a person receiving training under this section a living allowance at a rate to be prescribed by the Secretary, taking into account the amount of living allowances authorized for a member of the armed forces under similar circumstances.".

(2) CONFORMING REPEAL.—Chapter 905 of such title is repealed.

(i) TRANSFER OF SECTION 9415.—Section 9415 of title 10, United States Code, is transferred to chapter 16 of such title, as added by subsection (a)(3), inserted after section 346, as added by subsection (h), and redesignated as section 347.

(j) CODIFICATION OF SECTION 1268 OF FY 2015 NDAA.—

(1) CODIFICATION IN CHAPTER 16.—Chapter 16 of title 10, United States Code, as added by subsection (a)(3), is amended by inserting after section 347, as transferred and redesignated by subsection (i), a new section 348 consisting of—

(A) a heading as follows:

"§348. Inter-European Air Forces Academy"; and

(B) a text consisting of the text of section 1268 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 10 U.S.C. 9411 note).

(2) CONFORMING REPEAL.—Section 1268 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 10 U.S.C. 9411 note) is repealed.

(k) TRANSFER OF SECTIONS 2249A AND 2249E.—

(1) TRANSFER AND REDESIGNATION.—Sections 2249a and 2249e of title 10, United States Code, are transferred to chapter 16 of such title, as added by subsection (a)(3), inserted after the table of sections at the beginning of subchapter VI, and redesignated as sections 351 and 352, respectively,

(2) CONFORMING AMENDMENT.—Section 352 of title 10, United States Code, as transferred and redesignated by paragraph (1), is amended by striking subsection (f).

(3) CROSS-REFERENCE AMENDMENTS.—Section 1204(b) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3533; 10 U.S.C. 2249e note) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking "section 2249e of title 10, United States Code (as added by subsection (a))" and inserting "section 352 of title 10, United States Code"; and

(B) in subparagraphs (D) and (E), by striking "section 2249e of title 10, United States Code (as so added)" and inserting "section 352 of such title"; and

(B) in paragraph (3), by striking "subsection (f) of section 2249e of title 10, United States Code (as so added)" and inserting "section 301(1) of such title".

(l) CLERICAL AMENDMENTS.—Title 10, United States Code, is amended as follows:

(1) The tables of chapters at the beginning of subtitle A, and at the beginning of part I of subtitle A, are amended—

(A) by revising the chapter references relating to chapters 13, 15, and 17 (and the section references therein) to conform to the redesignations made by paragraphs (1) and (2) of subsection (a); and

(B) by inserting after the item relating to chapter 14, as revised pursuant to subparagraph (A), the following new item:

"16. Security Cooperation……..……301".

(2) The section references in the tables of sections at the beginning of chapters 12, 13, and 14, as redesignated by paragraph (1) of subsection (a), are revised to conform to the redesignations made by paragraph (2) of such subsection.

(3) The table of sections at the beginning of chapter 7 is amended by striking the item relating to section 184.

(4) The table of sections at the beginning of chapter 53 is amended by striking the item relating to section 1051b.

(5) The table of sections at the beginning of chapter 108 is amended by striking the item relating to section 2166.

(6) The table of sections at the beginning of subchapter I of chapter 134 is amended by striking the items relating to sections 2249a, 2249d, and 2249e.

(7) The table of sections at the beginning of subchapter II of chapter 138 is amended by striking the item relating to section 2350m.

(8) The tables of chapters at the beginning of subtitle D, and at the beginning of part III of subtitle D, are amended by striking the item relating to chapter 905.

(9) The table of sections at the beginning of chapter 907 is amended by striking the item relating to section 9415.

Section-by-Section Analysis

This proposal would create a new chapter 16 in title 10, United States Code, entitled "Security Cooperation" and would transfer existing security cooperation related provisions from elsewhere in Title 10 to this new chapter.

This proposal is part of a package of Fiscal Year 2017 security cooperation authorities reform proposals sponsored by the Under Secretary of Defense for Policy intended to consolidate and simplify Title 10 security cooperation authorities.

Security cooperation authorities are currently dispersed widely throughout Title 10 and public law. This disorganization leads to confusion about the nature and scope of security cooperation. Establishing Chapter 16 will accomplish two objectives. First, arranging security cooperation authorities under a single security cooperation chapter will provide greater clarity about the nature and scope of Department of Defense (DoD) authorities to those who plan, manage, and implement security cooperation programs. The creation of the chapter will enable us to standardize language within the chapter and provide definitions that can be consistently applied across all security cooperation authorities. The resulting clarity will lead to improved effectiveness of DoD security cooperation authorities. Second, security cooperation continues to be a key element of national and DoD strategies. The current disjointed nature of these authorities presents challenges to the organizing, training, and equipping necessary to accomplish DoD objectives through security cooperation. Establishing a single chapter that will

become the repository of current and any future security cooperation authorities will help DoD to build the forces and capabilities necessary to use security cooperation tools more effectively.

The transfer of security cooperation authorities to the new chapter does not affect those authorities except by setting common standards and definitions that apply to all sections within the new chapter. Subchapter I, General Matters, defines what is meant by "appropriate committees" of Congress for all sections that require notification of the appropriate committees. The definitions section also establishes what limits apply to small scale construction in the sections within the security cooperation chapter.

Subsection (d) of the proposal would transfer to the new chapter the current section of title 10, relating to the DoD Regional Centers, and would add to the transferred section, without substantive change, various provisions of law relating to the authorities of the DoD Regional Centers that are contained in the National Defense Authorization Act (NDAA) for Fiscal Year 1997 (Public Law 104-201; 10 U.S.C. 113 note), the NDAA for Fiscal Year 1995 (Public Law 103-337; 10 U.S.C. 113 note), the Duncan Hunter NDAA for Fiscal Year 2009 (Public Law 110-417; 10 U.S.C. 184 note), and the Department of Defense Appropriations Act, 2003 (Public Law 107-248;10 U.S.C. prec. 2161 note)).

Subsection (h) of the proposal would consolidate into a single section in the new chapter 16 (section 347) the three title 10 sections currently comprising the Aviation Leadership Program (10 U.S.C. Sections 9381, 9382, and 9383). Nothing is substantively changed in the authority for that program.

Subsection (j) of the proposal would transfer to the new chapter without substantive change the authority for the Inter European Air Forces Academy contained in section 1268 of the Carl Levin and Howard P. "Buck" McKeon NDAA for Fiscal Year 2015 (Public Law 113-291; 10 U.S.C. 9411 note)).

Budget Implications: The tables below detail resource requirements associated with this proposal. The resources reflected in the table below are funded within the FY2017 President's Budget.

10 USC 1051b, providing the authority for awards and mementos for foreign recipients.

RESOURCE REQUIREMENTS ($MILLIONS)									
	FY 2017	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Army	.02	.02	.02	.02	.02	Operation and Maintenance,	01	138	0201109 A

						Army			
USAF	Air Force does not intend to use this authority, which would have been funded in the following account: Operation and Maintenance, Air Force.								

FY12 NDAA Section 1081, providing the authority to conduct defense institution building programs. These funds should be from Defense-wide O&M and managed by DSCA.

RESOURCE REQUIREMENTS ($MILLIONS)									
	FY 2017	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Dept of Defense	9.2	10.4	11.3	11.5	24.0	Operation and Maintenance, Defense-Wide	04	4GTD	1002200T

10 USC 184, providing for the DSCA-managed Regional Centers.

RESOURCE REQUIREMENTS ($MILLIONS)									
	FY 2017	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Dept of Defense	58.6	58.9	58.8	59.9	61.3	Operation and Maintenance, Defense-Wide	04	4GTD	0800101T

10 USC 2166, Western Hemisphere Institute for Security Cooperation.

RESOURCE REQUIREMENTS ($MILLIONS)									
	FY 2017	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Army	.894	.920	.939	.955	.977	Operation and Maintenance, Army	03	324	0804772 A
Army	8.630	8.22 2	8.296	8.433	8.614	Operation and Maintenance, Army	03	321	0804731 A
Army	.839	.853	.866	.883	.904	Operation and Maintenance, Army	04	442	1001010 A

10 USC 2350m, authority to participate in multinational military centers of excellence.

RESOURCE REQUIREMENTS ($MILLIONS)									
	FY 2017	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Army	.703	.772	.796	.822	.829	Operation and Maintenance, Army	04	441	1001497 A

10 USC Ch 905, Aviation Leadership Program, consisting of 10 USC 9381, 10 USC 9382, and 10 USC 9383, USAF.

RESOURCE REQUIREMENTS ($MILLIONS)									
	FY 2017	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
USAF	2.9	2.96	3.02	3.08	3.14	Operation and Maintenance, Air Force	03	32B	Multiple

10 USC 9415, the Inter-American Air Forces Academy.

RESOURCE REQUIREMENTS ($MILLIONS)									
	FY 2017	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Student travel	0.18	0.18	0.18	0.18	0.18	Operation and Maintenance, Air Force	03	032A	84731F
O&M	0.11	0.11	0.11	0.11	0.11	Operation and Maintenance, Air Force	03	032A	84731F
Personnel	1.22	+.1.24	+1.26	+1.28	+1.30	Operation and Maintenance, Air Force	01, 02, 04	032A	84731F
Total	+1.51	+1.53	+1.55	+1.57	+1.59				

FY15 NDAA 1268, Inter-European Air Forces Academy, USAF.

RESOURCE REQUIREMENTS ($MILLIONS)

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Appropriation From	Budget Activity	Dash-1 Line Item	Program Element
Student travel	0.205	0.209	0.213	0.217	0.221	Operation and Maintenance, Air Force	03	032A	84731F
O&M	0.300	0.305	0.310	0.316	0.321	Operation and Maintenance, Air Force	03	032A	84731F
Personnel	1.171	1.192	1.214	1.238	1.275	Operation and Maintenance, Air Force	01, 02, 04	032A	84731F
Total	1.675	1.706	1.737	1.771	1.817				

Changes to existing law: This proposal would make the following changes to existing law:

TITLE 10, UNITED STATES CODE

§~~184~~ 341. 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, and exchange of ideas 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, and exchange of ideas 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), except as specifically provided by law after October 17, 2006.

(c) REGULATIONS.—The administration of the Regional Centers under this section shall be carried out under regulations prescribed by the Secretary.

(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 for foreign military officers and foreign defense and security civilian government officials 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) In fiscal years 2009 through 2019, 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 Regional Centers under this section 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 interests 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 the Latin American cooperation authority set forth in section 1050 of this title are also available for the costs of the operation of the William J. Perry Center for Hemispheric Defense Studies.

(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 European 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 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 Asia-Pacific Center for Security Studies 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.

* * * * * * * *

§~~1051b~~ 313. Bilateral or regional cooperation programs: awards and mementos to recognize superior noncombat achievements or performance

(a) GENERAL AUTHORITY.—The Secretary of Defense may present awards and mementos purchased with funds appropriated for operation and maintenance of the armed forces to recognize superior noncombat achievements or performance by members of friendly foreign forces and other foreign nationals that significantly enhance or support the National Security Strategy of the United States.

(b) ACTIVITIES THAT MAY BE RECOGNIZED.—Activities that may be recognized under subsection (a) include superior achievement or performance that—

(1) plays a crucial role in shaping the international security environment in ways that protect and promote United States interests;

(2) supports or enhances United States overseas presence and peacetime engagement activities, including defense cooperation initiatives, security assistance training and programs, and training and exercises with the armed forces;

(3) helps to deter aggression and coercion, build coalitions, and promote regional stability; or

(4) serves as a role model for appropriate conduct by military forces in emerging democracies.

(c) LIMITATION.—Expenditures for the purchase or production of mementos for award under this section may not exceed the minimal value in effect under section 7342(a)(5) of title 5.

* * * * * * * *

§~~2166~~ 342. Western Hemisphere Institute for Security Cooperation

(a) ESTABLISHMENT AND ADMINISTRATION.—(1) The Secretary of Defense may operate an education and training facility for the purpose set forth in subsection (b). The facility shall be known as the "Western Hemisphere Institute for Security Cooperation".

(2) The Secretary may designate the Secretary of a military department as the Department of Defense executive agent for carrying out the responsibilities of the Secretary of Defense under this section.

(b) PURPOSE.—The purpose of the Institute is to provide professional education and training to eligible personnel of ~~nations~~ countries of the Western Hemisphere within the context of the democratic principles set forth in the Charter of the Organization of American States (such charter being a treaty to which the United States is a party), while fostering mutual knowledge, transparency, confidence, and cooperation among the participating ~~nations~~ countries and promoting democratic values, respect for human rights, and knowledge and understanding of United States customs and traditions.

(c) ELIGIBLE PERSONNEL.—(1) Subject to paragraph (2), personnel of ~~nations~~ countries of the Western Hemisphere are eligible for education and training at the Institute as follows:

(A) Military personnel.

(B) Law enforcement personnel.

(C) Civilian personnel.

(2) The Secretary of State shall be consulted in the selection of foreign personnel for education or training at the Institute.

(d) CURRICULUM.—(1) The curriculum of the Institute shall include mandatory instruction for each student, for at least 8 hours, on human rights, the rule of law, due process, civilian control of the military, and the role of the military in a democratic society.

(2) The curriculum may include instruction and other educational and training activities on the following:

(A) Leadership development.

(B) Counterdrug operations.

(C) Peace support operations.

(D) Disaster relief.

(E) Any other matter that the Secretary determines appropriate.

(e) BOARD OF VISITORS.—(1) There shall be a Board of Visitors for the Institute. The Board shall be composed of the following:

(A) The chairman and ranking minority member of the Committee on Armed Services of the Senate, or a designee of either of them.

(B) The chairman and ranking minority member of the Committee on Armed Services of the House of Representatives, or a designee of either of them.

(C) Six persons designated by the Secretary of Defense including, to the extent practicable, persons from academia and the religious and human rights communities.

(D) One person designated by the Secretary of State.

(E) The senior military officer responsible for training and doctrine for the Army or, if the Secretary of the Navy or the Secretary of the Air Force is designated as the executive agent of the Secretary of Defense under subsection (a)(2), the senior military officer responsible for training and doctrine for the Navy or Marine Corps or for the Air Force, respectively, or a designee of the senior military officer concerned.

(F) The commanders of the combatant commands having geographic responsibility for the Western Hemisphere, or the designees of those officers.

(2) A vacancy in a position on the Board shall be filled in the same manner as the position was originally filled.

(3) The Board shall meet at least once each year.

(4)(A) The Board shall inquire into the curriculum, instruction, physical equipment, fiscal affairs, and academic methods of the Institute, other matters relating to the Institute that the Board decides to consider, and any other matter that the Secretary of Defense determines appropriate.

(B) The Board shall review the curriculum of the Institute to determine whether—

(i) the curriculum complies with applicable United States laws and regulations;

(ii) the curriculum is consistent with United States policy goals toward Latin America and the Caribbean;

(iii) the curriculum adheres to current United States doctrine; and

(iv) the instruction under the curriculum appropriately emphasizes the matters specified in subsection (d)(1).

(5) Not later than 60 days after its annual meeting, the Board shall submit to the Secretary of Defense a written report of its activities and of its views and recommendations pertaining to the Institute.

(6) Members of the Board shall not be compensated by reason of service on the Board.

(7) With the approval of the Secretary of Defense, the Board may accept and use the services of voluntary and uncompensated advisers appropriate to the duties of the Board without regard to section 1342 of title 31.

(8) Members of the Board and advisers whose services are accepted under paragraph (7) shall be allowed travel and transportation expenses, including per diem in lieu of subsistence, while away from their homes or regular places of business in the performance of services for the Board. Allowances under this paragraph shall be computed—

(A) in the case of members of the Board who are officers or employees of the United States, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5; and

(B) in the case of other members of the Board and advisers, as authorized under section 5703 of title 5 for employees serving without pay.

(9) The Federal Advisory Committee Act (5 U.S.C. App.), other than section 14 (relating to termination after two years), shall apply to the Board.

(f) AUTHORITY TO ACCEPT FOREIGN GIFTS AND DONATIONS.—(1) The Secretary of Defense may, on behalf of the Institute, accept foreign gifts or donations in order to defray the costs of, or enhance the operation of, the Institute.

(2) Funds received by the Secretary under paragraph (1) shall be credited to appropriations available for the Department of Defense for the Institute. Funds so credited shall be merged with the appropriations to which credited and shall be available for the Institute for the same purposes and same period as the appropriations with which merged.

(3) The Secretary of Defense shall notify Congress if the total amount of money accepted under paragraph (1) exceeds $1,000,000 in any fiscal year. Any such notice shall list each of the contributors of such money and the amount of each contribution in such fiscal year.

(4) For the purposes of this subsection, a foreign gift or donation is a gift or donation of funds, materials (including research materials), property, or services (including lecture services and faculty services) from a foreign government, a foundation or other charitable organization in a foreign country, or an individual in a foreign country.

(g) FIXED COSTS.—The fixed costs of operating and maintaining the Institute for a fiscal year may be paid from—

(1) any funds available for that fiscal year for operation and maintenance for the executive agent designated under subsection (a)(2); or

(2) if no executive agent is designated under subsection (a)(2), any funds available for that fiscal year for the Department of Defense for operation and maintenance for Defense-wide activities.

(h) TUITION.—Tuition fees charged for persons who attend the Institute may not include the fixed costs of operating and maintaining the Institute.

(i) ANNUAL REPORT.—Not later than March 15 of each year, the Secretary of Defense shall submit to Congress a detailed report on the activities of the Institute during the preceding year. The report shall include a copy of the latest report of the Board of Visitors received by the Secretary under subsection (e)(5), together with any comments of the Secretary on the Board's report. The report shall be prepared in consultation with the Secretary of State.

* * * * * *

§~~2249a~~ 351. Prohibition on providing financial assistance to terrorist countries

(a) PROHIBITION.—Funds available to the Department of Defense may not be obligated or expended to provide financial assistance to—

(1) any country with respect to which the Secretary of State has made a determination under section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)(A));

(2) any country identified in the latest report submitted to Congress under section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f), as providing significant support for international terrorism; or

(3) any other country that, as determined by the President—

(A) grants sanctuary from prosecution to any individual or group that has committed an act of international terrorism; or

(B) otherwise supports international terrorism.

(b) WAIVER.—(1) The President may waive the application of subsection (a) to a country if the President determines—

(A) that it is in the national security interests of the United States to do so; or

(B) that the waiver should be granted for humanitarian reasons.

(2) The President shall—

(A) notify the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on International Relations of the House of Representatives at least 15 days before the waiver takes effect; and

(B) publish a notice of the waiver in the Federal Register.

(c) DEFINITION.—In this section, the term "international terrorism" has the meaning given that term in section 140(d) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(d)).

* * * * * *

§~~2249d~~ 344. Distribution to certain foreign personnel of education and training materials and information technology to enhance military interoperability with the armed forces

(a) DISTRIBUTION AUTHORIZED.—To enhance interoperability between the armed forces and military forces of friendly foreign ~~countries~~ nations, the Secretary of Defense, with the concurrence of the Secretary of State, may—

(1) provide to personnel referred to in subsection (b) electronically-distributed learning content for the education and training of such personnel for the development or enhancement of allied and friendly military and civilian capabilities for multinational operations, including joint exercises and coalition operations; and

(2) provide information technology, including computer software developed for such purpose, but only to the extent necessary to support the use of such learning content for the education and training of such personnel.

(b) AUTHORIZED RECIPIENTS.—The personnel to whom learning content and information technology may be provided under subsection (a) are military and civilian personnel of a friendly foreign government, with the permission of that government.

(c) EDUCATION AND TRAINING.—Any education and training provided under subsection (a) shall include the following:

(1) Internet-based education and training.

(2) Advanced distributed learning and similar Internet learning tools, as well as distributed training and computer-assisted exercises.

(d) APPLICABILITY OF EXPORT CONTROL REGIMES.—The provision of learning content and information technology under this section shall be subject to the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.) and any other export control regime under law relating to the transfer of military technology to foreign ~~nations~~ countries.

(e) GUIDANCE ON UTILIZATION OF AUTHORITY.—

(1) GUIDANCE REQUIRED.—The Secretary of Defense shall develop and issue guidance on the procedures for the use of the authority in this section.

(2) MODIFICATION.—If the Secretary modifies the guidance issued under paragraph (1), the Secretary shall submit to the appropriate committees of Congress a report setting forth the modified guidance not later than 30 days after the date of such modification.

(f) ANNUAL REPORT.—

(1) REPORT REQUIRED.—Not later than October 31 following each fiscal year in which the authority in this section is used, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the exercise of the authority during such fiscal year.

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

(A) A statement of the recipients of learning content and information technology provided under this section.

(B) A description of the type, quantity, and value of the learning content and information technology provided under this section.

~~(g) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—~~

~~(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and~~

~~(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.~~

§~~2249e~~ 352. Prohibition on use of funds for assistance to units of foreign security forces that have committed a gross violation of human rights

(a) IN GENERAL.—(1) Of the amounts made available to the Department of Defense, none may be used for any training, equipment, or other assistance for a unit of a foreign security force if the Secretary of Defense has credible information that the unit has committed a gross violation of human rights.

(2) The Secretary of Defense shall, in consultation with the Secretary of State, ensure that prior to a decision to provide any training, equipment, or other assistance to a unit of a foreign security force full consideration is given to any credible information available to the Department of State relating to human rights violations by such unit.

(b) EXCEPTION.—The prohibition in subsection (a)(1) shall not apply if the Secretary of Defense, after consultation with the Secretary of State, determines that the government of such country has taken all necessary corrective steps, or if the equipment or other assistance is necessary to assist in disaster relief operations or other humanitarian or national security emergencies.

(c) WAIVER.—The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a)(1) if the Secretary determines that the waiver is required by extraordinary circumstances.

(d) PROCEDURES.—The Secretary of Defense shall establish, and periodically update, procedures to ensure that any information in the possession of the Department of Defense about gross violations of human rights by units of foreign security forces is shared on a timely basis with the Department of State.

(e) REPORT.—Not later than 15 days after the application of any exception under subsection (b) or the exercise of any waiver under subsection (c), the Secretary of Defense shall submit to the appropriate committees of Congress a report—

(1) in the case of an exception under subsection (b), providing notice of the use of the exception and stating the grounds for the exception; and

(2) in the case of a waiver under subsection (c), describing—

(A) the information relating to the gross violation of human rights;

(B) the extraordinary circumstances that necessitate the waiver;

(C) the purpose and duration of the training, equipment, or other assistance; and

(D) the United States forces and the foreign security force unit involved.

~~(f) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—~~

~~(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and~~

~~(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.~~

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§~~2350m~~ 343. Participation in multinational military centers of excellence

(a) PARTICIPATION AUTHORIZED.—The Secretary of Defense may, with the concurrence of the Secretary of State, authorize the participation of members of the armed forces and Department of Defense civilian personnel in any multinational military center of excellence for purposes of—

(1) enhancing the ability of military forces and civilian personnel of the nations participating in such center to engage in joint exercises or coalition or international military operations; or

(2) improving interoperability between the armed forces and the military forces of friendly foreign nations.

(b) MEMORANDUM OF UNDERSTANDING.—(1) The participation of members of the armed forces or Department of Defense civilian personnel in a multinational military center of excellence under subsection (a) shall be in accordance with the terms of one or more memoranda of understanding entered into by the Secretary of Defense, with the concurrence of the Secretary of State, and the foreign nation or nations concerned.

(2) If Department of Defense facilities, equipment, or funds are used to support a multinational military center of excellence under subsection (a), the memoranda of understanding under paragraph (1) with respect to that center shall provide details of any cost-sharing arrangement or other funding arrangement.

(c) AVAILABILITY OF APPROPRIATED FUNDS.—(1) Funds appropriated to the Department of Defense for operation and maintenance are available as follows:

(A) To pay the United States share of the operating expenses of any multinational military center of excellence in which the United States participates under this section.

(B) To pay the costs of the participation of members of the armed forces and Department of Defense civilian personnel in multinational military centers of excellence under this section, including the costs of expenses of such participants.

(2) No funds may be used under this section to fund the pay or salaries of members of the armed forces and Department of Defense civilian personnel who participate in multinational military centers of excellence under this section.

(d) USE OF DEPARTMENT OF DEFENSE FACILITIES AND EQUIPMENT.—Facilities and equipment of the Department of Defense may be used for purposes of the support of multinational military centers of excellence under this section that are hosted by the Department.

(e) ANNUAL REPORTS ON USE OF AUTHORITY.—(1) Not later than October 31 each year, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the

Committee on Armed Services of the House of Representatives a report on the use of the authority in this section during the preceding fiscal year.

(2) Each report required by paragraph (1) shall include, for the fiscal year covered by such report, the following:

(A) A detailed description of the participation of the Department of Defense, and of members of the armed forces and civilian personnel of the Department, in multinational military centers of excellence under the authority of this section.

(B) For each multinational military center of excellence in which the Department of Defense, or members of the armed forces or civilian personnel of the Department, so participated—

(i) a description of such multinational military center of excellence;

(ii) a description of the activities participated in by the Department, or by members of the armed forces or civilian personnel of the Department; and

(iii) a statement of the costs of the Department for such participation, including—

(I) a statement of the United States share of the expenses of such center and a statement of the percentage of the United States share of the expenses of such center to the total expenses of such center; and

(II) a statement of the amount of such costs (including a separate statement of the amount of costs paid for under the authority of this section by category of costs).

(f) MULTINATIONAL MILITARY CENTER OF EXCELLENCE DEFINED.—In this section, the term "multinational military center of excellence" means an entity sponsored by one or more nations that is accredited and approved by the Military Committee of the North Atlantic Treaty Organization (NATO) as offering recognized expertise and experience to personnel participating in the activities of such entity for the benefit of NATO by providing such personnel opportunities to—

(1) enhance education and training;

(2) improve interoperability and capabilities;

(3) assist in the development of doctrine; and

(4) validate concepts through experimentation.

* * * * * * *

§346. Aviation Leadership Program

(a) [10 USC 9381] ESTABLISHMENT OF PROGRAM.— Under regulations prescribed by the Secretary of Defense, the Secretary of the Air Force may establish and maintain an Aviation Leadership Program to provide undergraduate pilot training and necessary related training to personnel of the air forces of friendly, developing foreign countries. Training under this section shall include language training and programs to promote better awareness and understanding of the democratic institutions and social framework of the United States.

(b) [10 USC 9382] SUPPLIES AND CLOTHING.—(1) The Secretary of the Air Force may, under such conditions as the Secretary may prescribe, provide to a person receiving training under this section—

(A) transportation incident to the training;

(B) supplies and equipment to be used during the training;

(C) flight clothing and other special clothing required for the training; and

(D) billeting, food, and health services.

"(2) The Secretary of the Air Force may authorize such expenditures from the appropriations of the Air Force as the Secretary considers necessary for the efficient and effective maintenance of the Program in accordance with this section.

(c) [10 USC 9383] ALLOWANCES.—The Secretary of the Air Force may pay to a person receiving training under this section a living allowance at a rate to be prescribed by the Secretary, taking into account the amount of living allowances authorized for a member of the armed forces under similar circumstances.

~~CHAPTER 905—AVIATION LEADERSHIP PROGRAM~~

~~Sec.~~
~~9381.Establishment of program.~~
~~9382.Supplies and clothing.~~
~~9383.Allowances.~~

~~§9381. Establishment of program~~

~~Under regulations prescribed by the Secretary of Defense, the Secretary of the Air Force may establish and maintain an Aviation Leadership Program to provide undergraduate pilot training and necessary related training to personnel of the air forces of friendly, less-developed foreign nations. Training under this chapter shall include language training and programs to promote better awareness and understanding of the democratic institutions and social framework of the United States.~~

~~§9382. Supplies and clothing~~

~~(a) The Secretary of the Air Force may, under such conditions as the Secretary may prescribe, provide to a person receiving training under this chapter—~~

~~(1) transportation incident to the training;~~

~~(2) supplies and equipment to be used during the training;~~

~~(3) flight clothing and other special clothing required for the training; and~~

~~(4) billeting, food, and health services.~~

~~(b) The Secretary of the Air Force may authorize such expenditures from the appropriations of the Air Force as the Secretary considers necessary for the efficient and effective maintenance of the Program in accordance with this chapter.~~

~~§9383. Allowances~~

~~The Secretary of the Air Force may pay to a person receiving training under this chapter a living allowance at a rate to be prescribed by the Secretary, taking into account the amount of living allowances authorized for a member of the armed forces under similar circumstances.~~

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National Defense Authorization Act for Fiscal Year 1997
(Public Law 104-201; 10 U.S.C. 113 note)

~~SEC. 1065. GEORGE C. MARSHALL EUROPEAN CENTER FOR STRATEGIC SECURITY STUDIES.~~

~~(a) MARSHALL CENTER PARTICIPATION BY FOREIGN NATIONS.—Notwithstanding any other provision of law, the Secretary of Defense may authorize participation by a European or Eurasian nation in Marshall Center programs if the Secretary determines, after consultation with the Secretary of State, that such participation is in the national interest of the United States.~~

~~(b) EXEMPTIONS FOR MEMBERS OF MARSHALL CENTER BOARD OF VISITORS FROM CERTAIN REQUIREMENTS.—(1) 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.~~

~~(2) Notwithstanding any other provision of law, 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.~~

~~(3) Notwithstanding section 219 of title 18, United States Code, a non-United States citizen may serve on the Marshall Center Board of Visitors even though registered as a foreign agent.~~

National Defense Authorization Act for Fiscal Year 1995
(Public Law 103-337; 10 U.S.C. 113 note)

~~SEC. 1306. GEORGE C. MARSHALL EUROPEAN CENTER FOR SECURITY STUDIES.~~

~~(a) WAIVER OF CHARGES.—The Secretary of Defense may waive reimbursement of the costs of conferences, seminars, courses of instruction, or similar educational activities of the George C. Marshall European Center for Security Studies 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) SOURCE OF FUNDS.—Costs for which reimbursement is waived pursuant to subsection (a) shall be paid from appropriations available for the Center.~~

Duncan Hunter National Defense Authorization Act for Fiscal Year 2009
(Public Law 110-417; 10 U.S.C. 184 note)

SEC. 941. ENHANCEMENT OF AUTHORITIES RELATING TO DEPARTMENT OF DEFENSE REGIONAL CENTERS FOR SECURITY STUDIES.

(a) ***

~~(b) TEMPORARY WAIVER OF REIMBURSEMENT OF COSTS OF ACTIVITIES FOR NONGOVERNMENTAL PERSONNEL.—~~

~~(1) AUTHORITY FOR TEMPORARY WAIVER.—In fiscal years 2009 through 2019, the Secretary of Defense may, with the concurrence of the Secretary of State, waive reimbursement otherwise required under subsection (f) of section 184 of title 10, United States Code, of the costs of activities of Regional Centers under such section 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 interests of the United States.~~

~~(2) LIMITATION.—The amount of reimbursement that may be waived under paragraph (1) in any fiscal year may not exceed $1,000,000.~~

~~(3) ANNUAL REPORT.—The Secretary of Defense shall include in the annual report under [former] section 184(h) of title 10, United States Code, in each year through 2013 information on the attendance of personnel of nongovernmental and international organizations in activities of the Regional Centers during the preceding fiscal year for which a waiver of reimbursement was made under paragraph (1), including information on the costs incurred by the United States for the participation of personnel of each nongovernmental or international organization that so attended.~~

Department of Defense Appropriations Act, 2003
(Public Law 107-248;10 U.S.C. prec. 2161 note)

~~SEC. 8073. During the current fiscal year and hereafter, 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 Asia-Pacific Center for Security Studies for military officers and civilian officials of foreign nations if the Secretary determines that attendance by such personnel, without reimbursement, is in the national security interest of the United States: *Provided*, That costs for which reimbursement is waived pursuant to this section shall be paid from appropriations available for the Asia-Pacific Center.~~

Section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 10 U.S.C. 168 note)

[NOTE: This section would be transferred to the new chapter 16 as a new section 333 with no change other than the section heading, as shown immediately below, the date change in subsection (c)(1), and the deletion of subsections (e) and (f).]

~~SEC. 1081. DEFENSE INSTITUTION CAPACITY BUILDING PROGRAM.~~

§333. Friendly foreign countries; international and regional organizations: defense institution capacity building

(a) MINISTRY OF DEFENSE ADVISOR AUTHORITY.—The Secretary of Defense may, with the concurrence of the Secretary of State, carry out a program to assign civilian employees of the Department of Defense as advisors to the ministries of defense (or security agencies serving a similar defense function) of foreign countries or regional organizations with security missions in order to—

(1) provide institutional, ministerial-level advice, and other training to personnel of the ministry or regional organization to which assigned in support of stabilization or post-conflict activities; or

(2) assist such ministry or regional organization in building core institutional capacity, competencies, and capabilities to manage defense-related processes.

(b) TRAINING OF PERSONNEL OF FOREIGN MINISTRIES WITH SECURITY MISSIONS.—

(1) IN GENERAL.—The Secretary of Defense may, with the concurrence of the Secretary of State, carry out a program to provide training and associated training support services to personnel of foreign ministries of defense (or ministries with security force oversight) or regional organizations with security missions—

(A) for the purpose of—

(i) enhancing civilian oversight of foreign security forces;

(ii) establishing responsible defense governance and internal controls in order to help build effective, transparent, and accountable defense institutions;

(iii) assessing organizational weaknesses and establishing a roadmap for addressing shortfalls; and

(iv) enhancing ministerial, general or joint staff, or service level core management competencies; and

(B) for such other purposes as the Secretary considers appropriate, consistent with the authority in subsection (a).

(2) NOTICE TO CONGRESS.—Each fiscal year quarter, the Secretary of Defense shall submit to the appropriate committees of Congress a report on activities under the program under paragraph (1) during the preceding fiscal year quarter. Each report shall include, for the fiscal year quarter covered by such report, the following:

(A) A list of activities under the program.

(B) A list of any organization described in paragraph (1) to which the Secretary assigned employees under the program, including the number of such employees so assigned, the duration of each assignment, a brief description of each assigned employee's activities, and a statement of the cost of each assignment.

(C) A comprehensive justification of any activities conducted pursuant to paragraph (1)(B).

(c) TERMINATION OF AUTHORITY.—

(1) IN GENERAL.—The authority in this section terminates at the close of December 31, ~~**2017**~~ **2019**.

(2) CONTINUATION OF ASSIGNMENTS.—Any assignment of a civilian employee under subsection (a) before the date specified in paragraph (1) may continue after that date, but only using funds available for a fiscal year ending on or before that date.

(d) CONGRESSIONAL NOTICE.—Not later than 15 days before assigning a civilian employee of the Department of Defense as an advisor to a regional organization with a security mission under subsection (a), the Secretary shall submit to the appropriate committees of Congress a notification of such assignment. Such a notification shall include each of the following:

(1) A statement of the intent of the Secretary to assign the employee as an advisor to the regional organization.

(2) The name of the regional organization and the location and duration of the assignment.

(3) A description of the assignment, including a description of the training or assistance proposed to be provided to the regional organization, the justification for the assignment, a description of the unique capabilities the employee can provide to the regional organization, and a description of how the assignment serves the national security interests of the United States.

(4) Any other information relating to the assignment that the Secretary of Defense considers appropriate.

(e) ANNUAL REPORT.—Not later than December 30 each year through 2017, the Secretary of Defense shall submit to the appropriate committees of Congress a report on activities under the program under subsection (a) during the preceding fiscal year. Each report shall include, for the fiscal year covered by such report, the following:

(1) A list of the defense ministries and regional organizations with security missions to which civilian employees were assigned under the program.

(2) A statement of the number of such employees so assigned.

(3) A statement of the duration of the various assignments of such employees.

(4) A brief description of the activities carried out by such employees pursuant to such assignments.

(5) A description of the criteria used to select the defense ministries and regional organizations with security missions identified in paragraph (1) and the civilian employees so assigned.

(6) A statement of the cost of each such assignment.

(7) Recommendations, if any, about changes to the authority, including an assessment of whether expanding the program authority to include assignments to bilateral, regional, or multilateral international security organizations would advance the national security interests of the United States.

~~(f) COMPTROLLER GENERAL REPORT.—Not later than December 31, 2014, the Comptroller General of the United States shall submit to the committees of Congress specified in subsection (d) a report setting forth an assessment of the effectiveness of the advisory services provided by civilian employees assigned under the program under subsection (a) as of the date of the report in meeting the purposes of the program.~~

~~(g) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—~~

~~(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and~~

~~(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.~~

Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015

(Public Law 113-291; 10 U.S.C. 9411 note)

[NOTE: This section would be transferred to the new chapter 16 as a new section 349 with no change other than the section heading, as shown immediately below]

~~SEC. 1268. INTER-EUROPEAN AIR FORCES ACADEMY.~~

§348. Inter-European Air Forces Academy

(a) OPERATION.—The Secretary of the Air Force may operate the Air Force education and training facility known as the Inter-European Air Forces Academy (in this section referred to as the "Academy'").

(b) PURPOSE.—The purpose of the Academy shall be to provide military education and training to military personnel of countries that are members of the North Atlantic Treaty Organization or signatories to the Partnership for Peace Framework Documents.

(c) LIMITATIONS.—

(1) CONCURRENCE OF SECRETARY OF STATE.—Military personnel of a country may be provided education and training under this section only with the concurrence of the Secretary of State.

(2) ASSISTANCE OTHERWISE PROHIBITED BY LAW.—Education and training may not be provided under this section to the military personnel of any country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

(d) SUPPLIES AND CLOTHING.—The Secretary of the Air Force may, under such conditions as the Secretary may prescribe, provide to a person receiving education and training under this section the following:

(1) Transportation incident to such education and training.

(2) Supplies and equipment to be used during such education and training.

(3) Billeting, food, and health services in connection with the receipt of such education and training.

(e) LIVING ALLOWANCE.—The Secretary of the Air Force may pay to a person receiving education and training under this section a living allowance at a rate to be prescribed by the

Secretary, taking into account the rates of living allowances authorized for a member of the Armed Forces under similar circumstances.

(f) FUNDING.—Amounts for the operations and maintenance of the Academy, and for the provision of education and training through the Academy, may be paid from funds available for the Air Force for operation and maintenance.

(g) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than 60 days after the end of each fiscal year in which the Secretary of the Air Force operates the Academy pursuant to this section, the Secretary shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the operations of the Academy during such fiscal year.

(2) ELEMENTS.—Each report under this subsection shall set forth, for the fiscal year covered by such report, the following:

(A) A description of the operations of the Academy, including a description of the education and training courses provided under this section.

(B) A summary of the number of individuals receiving education and training through the Academy, set forth by country of origin and education or training provided.

(C) The amount paid by the Secretary for the operations and maintenance of the Academy.

(D) The amounts paid by the Secretary under subsections (d) and (e) in connection with the provision of education and training through the Academy.

(E) Any other matters the Secretary determines to be appropriate.

(h) EXPIRATION.—The authority in subsection (a) shall expire on September 30, 2019.