

Section 2346f, Pub. L. 87-195, pt. II, §537, as added Pub. L. 97-113, title II, §202, Dec. 29, 1981, 95 Stat. 1531, related to programs for Tunisia.

Section 2346g, Pub. L. 87-195, pt. II, §538, as added Pub. L. 97-113, title II, §202, Dec. 29, 1981, 95 Stat. 1531, related to programs for Costa Rica.

Section 2346h, Pub. L. 87-195, pt. II, §539, as added Pub. L. 97-113, title II, §202, Dec. 29, 1981, 95 Stat. 1531, related to programs for Nicaragua.

Section 2346i, Pub. L. 87-195, pt. II, §540, as added Pub. L. 97-113, title VII, §708(c), Dec. 29, 1981, 95 Stat. 1546, related to programs for Poland.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1985, see section 1301 of Pub. L. 99-83, set out as an Effective Date of 1985 Amendment note under section 2151-1 of this title.

PART V—INTERNATIONAL MILITARY EDUCATION AND TRAINING

§ 2347. General authority

(a) The President is authorized to furnish, on such terms and conditions consistent with this chapter as the President may determine (but whenever feasible on a reimbursable basis), military education and training to military and related civilian personnel of foreign countries. Such civilian personnel shall include foreign governmental personnel of ministries other than ministries of defense, and may also include legislators and individuals who are not members of the government, if the military education and training would (i) contribute to responsible defense resource management, (ii) foster greater respect for and understanding of the principle of civilian control of the military, (iii) contribute to cooperation between military and law enforcement personnel with respect to counternarcotics law enforcement efforts, or (iv) improve military justice systems and procedures in accordance with internationally recognized human rights. Such training and education may be provided through—

(1) attendance at military educational and training facilities in the United States (other than Service academies) and abroad;

(2) attendance in special courses of instruction at schools and institutions of learning or research in the United States and abroad; and

(3) observation and orientation visits to military facilities and related activities in the United States and abroad.

(b) The President shall seek reimbursement for military education and training furnished under this part from countries using assistance under section 2763 of this title (relating to the Foreign Military Financing Program) to purchase such military education and training at a rate comparable to the rate charged to countries receiving grant assistance for military education and training under this part.

(Pub. L. 87-195, pt. II, §541, as added Pub. L. 94-329, title I, §106(a), June 30, 1976, 90 Stat. 732; amended Pub. L. 101-513, title III, Nov. 5, 1990, 104 Stat. 1997; Pub. L. 102-583, §10, Nov. 2, 1992, 106 Stat. 4934; Pub. L. 104-164, title I, §112(a), July 21, 1996, 110 Stat. 1427; Pub. L. 109-102, title V, §534(l)(3), Nov. 14, 2005, 119 Stat. 2211.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this Act”, meaning Pub. L. 87-195, Sept. 4,

1961, 75 Stat. 424, as amended, known as the Foreign Assistance Act of 1961. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

AMENDMENTS

2005—Pub. L. 109-102 designated existing provisions as subsec. (a) and added subsec. (b).

1996—Pub. L. 104-164 inserted “and individuals who are not members of the government” after “legislators” in second sentence of introductory provisions.

1992—Pub. L. 102-583, in introductory provisions, inserted “, and may also include legislators,” after “ministries of defense” and substituted “(iii) contribute to cooperation between military and law enforcement personnel with respect to counternarcotics law enforcement efforts, or (iv)” for “or (iii)”.

1990—Pub. L. 101-513 inserted after first sentence “Such civilian personnel shall include foreign governmental personnel of ministries other than ministries of defense if the military education and training would (i) contribute to responsible defense resource management, (ii) foster greater respect for and understanding of the principle of civilian control of the military, or (iii) improve military justice systems and procedures in accordance with internationally recognized human rights.”

DELEGATION OF FUNCTIONS

For delegation of functions of President under this section, see Ex. Ord. No. 12163, Sept. 29, 1979, 44 F.R. 56673, as amended, set out as a note under section 2381 of this title.

FUNDS MADE AVAILABLE PURSUANT TO OTHER PROVISIONS OF LAW

Pub. L. 94-329, title I, §106(d), June 30, 1976, 90 Stat. 734, provided that: “Funds made available pursuant to other provisions of law for foreign military educational and training activities shall remain available for obligation and expenditure for their original purposes in accordance with the provisions of law originally applicable to those purposes or in accordance with the provisions of law currently applicable to those purposes.”

§ 2347a. Authorization of appropriations

There are authorized to be appropriated to the President to carry out the purposes of this part \$56,221,000 for fiscal year 1986 and \$56,221,000 for fiscal year 1987.

(Pub. L. 87-195, pt. II, §542, as added Pub. L. 94-329, title I, §106(a), June 30, 1976, 90 Stat. 732; amended Pub. L. 95-92, §10, Aug. 4, 1977, 91 Stat. 619; Pub. L. 95-384, §11(a), Sept. 26, 1978, 92 Stat. 736; Pub. L. 96-92, §9, Oct. 29, 1979, 93 Stat. 705; Pub. L. 96-533, title I, §115(a), Dec. 16, 1980, 94 Stat. 3140; Pub. L. 97-113, title I, §113, title VII, §734(a)(1), Dec. 29, 1981, 95 Stat. 1528, 1560; Pub. L. 99-83, title I, §104, Aug. 8, 1985, 99 Stat. 195.)

AMENDMENTS

1985—Pub. L. 99-83 amended section generally, substituting provisions authorizing appropriations of \$56,221,000 for fiscal years 1986 and 1987, for provisions authorizing appropriations of \$42,000,000 for fiscal years 1982 and 1983.

1981—Pub. L. 97-113, §§113, 734(a)(1), substituted appropriations authorization of \$42,000,000 for fiscal years 1982 and 1983 for appropriation of \$34,000,000 for fiscal year 1981 and deleted prohibition against any training after June 30, 1976, outside the United States without a prior Presidential report to the Speaker of the House and the Senate Foreign Relations Committee and justification for the training.

1980—Pub. L. 96-533 substituted appropriations authorization of \$34,000,000 for fiscal year 1981 for author-

ization of \$31,800,000 for fiscal year 1980, including prohibition against availability of any amount for Inter-American regional programs unless the foreign country participants collectively contribute an equivalent amount to carry out the programs.

1979—Pub. L. 96-92 substituted appropriations authorization of \$31,800,000 for fiscal year 1980, for identical authorization for fiscal year 1979, and required collective contribution of an equivalent amount by the foreign countries participating in Inter-American regional programs before such amount became available from the appropriation for such programs.

1978—Pub. L. 95-384 substituted “\$31,800,000 for the fiscal year 1979” for “\$31,000,000 for the fiscal year 1978”.

1977—Pub. L. 95-92 substituted “\$31,000,000 for the fiscal year 1978” for “\$27,000,000 for the fiscal year 1976 and \$30,200,000 for the fiscal year 1977”.

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-83 effective Oct. 1, 1985, see section 1301 of Pub. L. 99-83, set out as a note under section 2151-1 of this title.

DELEGATION OF FUNCTIONS

For delegation of functions of President under this section, see Ex. Ord. No. 12163, Sept. 29, 1979, 44 F.R. 56673, as amended, set out as a note under section 2381 of this title.

§ 2347b. Congressional declaration of purpose

Education and training activities conducted under this part shall be designed—

(1) to encourage effective and mutually beneficial relations and increased understanding between the United States and foreign countries in furtherance of the goals of international peace and security;

(2) to improve the ability of participating foreign countries to utilize their resources, including defense articles and defense services obtained by them from the United States, with maximum effectiveness, thereby contributing to greater self-reliance by such countries; and

(3) to increase the awareness of nationals of foreign countries participating in such activities of basic issues involving internationally recognized human rights.

(Pub. L. 87-195, pt. II, §543, as added Pub. L. 94-329, title I, §106(a), June 30, 1976, 90 Stat. 733; amended Pub. L. 95-384, §11(b), Sept. 26, 1978, 92 Stat. 736.)

AMENDMENTS

1978—Pub. L. 95-384 added par. (3).

§ 2347c. Exchange training; reciprocity agreement

(a) Attendance of foreign military personnel at professional military education institutions

In carrying out this part, the President is authorized to provide for attendance of foreign military personnel at professional military education institutions in the United States (other than service academies) without charge, and without charge to funds available to carry out this part (notwithstanding section 2392(d) of this title), if such attendance is pursuant to an agreement providing for the exchange of students on a one-for-one, reciprocal basis each fiscal year between those United States professional military education institutions and com-

parable institutions of foreign countries and international organizations.

(b) Attendance of foreign military and civilian defense personnel at flight training schools and programs

The President may provide for the attendance of foreign military and civilian defense personnel at flight training schools and programs (including test pilot schools) in the United States without charge, and without charge to funds available to carry out this part (notwithstanding section 2392(d) of this title), if such attendance is pursuant to an agreement providing for the exchange of students on a one-for-one basis each fiscal year between those United States flight training schools and programs (including test pilot schools) and comparable flight training schools and programs of foreign countries.

(c) Post-undergraduate flying training and tactical leadership programs at training locations in Southwest Asia

(1) The President is authorized to enter into cooperative arrangements providing for the participation of foreign and United States military and civilian defense personnel in post-undergraduate flying training and tactical leadership programs and integrated air and missile defense programs at training locations in Southwest Asia without charge to participating foreign countries, and without charge to funds available to carry out this part (notwithstanding section 2392(d) of this title). Such training must satisfy common requirements with the United States for post-undergraduate flying and tactical leadership training and integrated air and missile defense training.

(2) Cooperative arrangements under this subsection shall require an equitable contribution of support and services from each participating country. The President may waive the requirement for an equitable contribution of a participating foreign country if he determines that to do so is important to the national security interests of the United States.

(3) Costs incurred by the United States shall be charged to the current applicable appropriations accounts or funds of the participating United States Government agencies.

(Pub. L. 87-195, pt. II, §544, as added Pub. L. 99-83, title I, §126, Aug. 8, 1985, 99 Stat. 205; amended Pub. L. 104-164, title I, §112(b), July 21, 1996, 110 Stat. 1427; Pub. L. 107-228, div. B, title XII, §1213, Sept. 30, 2002, 116 Stat. 1429; Pub. L. 113-66, div. A, title XII, §1233, Dec. 26, 2013, 127 Stat. 920.)

AMENDMENTS

2013—Subsec. (c)(1). Pub. L. 113-66 inserted “and integrated air and missile defense programs” after “tactical leadership programs” and “and integrated air and missile defense training” after “tactical leadership training”.

2002—Subsec. (c). Pub. L. 107-228 added subsec. (c).

1996—Pub. L. 104-164 designated existing provisions as subsec. (a) and added subsec. (b).

EFFECTIVE DATE

Section effective Oct. 1, 1985, see section 1301 of Pub. L. 99-83, set out as an Effective Date of 1985 Amendment note under section 2151-1 of this title.