

DEFINITIONS

For definitions of “Department” and “Secretary” as used in this section, see section 2 of Pub. L. 114-323, set out as a note under section 2651 of this title.

§ 2735. Foreign relations exchange programs

(a) Authority

The Secretary may establish exchange programs under which officers or employees of the Department of State, including individuals appointed under title 5 and members of the Foreign Service (as defined in section 3903 of this title), may be assigned, for not more than 1 year, to a position with any foreign government or international entity that permits an employee to be assigned to a position with the Department of State.

(b) Salary and benefits

(1) Members of Foreign Service

During a period in which a member of the Foreign Service is participating in an exchange program authorized pursuant to subsection (a), such member shall be entitled to the salary and benefits to which such member would receive but for the assignment under this section.

(2) Non-Foreign Service employees of Department

An employee of the Department of State other than a member of the Foreign Service participating in an exchange program authorized pursuant to subsection (a) shall be treated in all respects as if detailed to an international organization pursuant to section 3343(c) of title 5.

(3) Foreign participants

The salary and benefits of an employee of a foreign government or international entity participating in an exchange program authorized pursuant to subsection (a) shall be paid by such government or entity during the period in which such employee is participating in such program, and shall not be reimbursed by the Department of State.

(c) Non-reciprocal assignment

The Secretary may authorize a non-reciprocal assignment of personnel pursuant to this section, with or without reimbursement from the foreign government or international entity for all or part of the salary and other expenses payable during such assignment, if such is in the interests of the United States.

(d) Rule of construction

Nothing in this section may be construed to authorize the appointment as an officer or employee of the United States of—

(1) an individual whose allegiance is to any country, government, or foreign or international entity other than to the United States; or

(2) an individual who has not met the requirements of sections 3331, 3332, 3333, and 7311 of title 5 or any other provision of law concerning eligibility for appointment as, and continuation of employment as, an officer or employee of the United States.

(Aug. 1, 1956, ch. 841, title I, §63, as added Pub. L. 114-323, title VII, §701(a), Dec. 16, 2016, 130 Stat. 1939.)

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SUBCHAPTER I—FOREIGN AND NATIONAL SECURITY POLICY OBJECTIVES AND RESTRAINTS

**§ 2751. Need for international defense cooperation and military export controls; Presidential waiver; report to Congress; arms sales policy**

As declared by the Congress in the Arms Control and Disarmament Act [22 U.S.C. 2551 et seq.], an ultimate goal of the United States continues to be a world which is free from the scourge of war and the dangers and burdens of armaments; in which the use of force has been subordinated to the rule of law; and in which international adjustments to a changing world are achieved peacefully. In furtherance of that

goal, it remains the policy of the United States to encourage regional arms control and disarmament agreements and to discourage arms races.

The Congress recognizes, however, that the United States and other free and independent countries continue to have valid requirements for effective and mutually beneficial defense relationships in order to maintain and foster the environment of international peace and security essential to social, economic, and political progress. Because of the growing cost and complexity of defense equipment, it is increasingly difficult and uneconomic for any country, particularly a developing country, to fill all of its legitimate defense requirements from its own design and production base. The need for international defense cooperation among the United States and those friendly countries to which it is allied by mutual defense treaties is especially important, since the effectiveness of their armed forces to act in concert to deter or defeat aggression is directly related to the operational compatibility of their defense equipment.

Accordingly, it remains the policy of the United States to facilitate the common defense by entering into international arrangements with friendly countries which further the objective of applying agreed resources of each country to programs and projects of cooperative exchange of data, research, development, production, procurement, and logistics support to achieve specific national defense requirements and objectives of mutual concern. To this end, this chapter authorizes sales by the United States Government to friendly countries having sufficient wealth to maintain and equip their own military forces at adequate strength, or to assume progressively larger shares of the costs thereof, without undue burden to their economies, in accordance with the restraints and control measures specified herein and in furtherance of the security objectives of the United States and of the purposes and principles of the United Nations Charter.

It is the sense of the Congress that all such sales be approved only when they are consistent with the foreign policy interests of the United States, the purposes of the foreign assistance program of the United States as embodied in the Foreign Assistance Act of 1961, as amended [22 U.S.C. 2151 et seq.], the extent and character of the military requirement, and the economic and financial capability of the recipient country, with particular regard being given, where appropriate, to proper balance among such sales, grant military assistance, and economic assistance as well as to the impact of the sales on programs of social and economic development and on existing or incipient arms races.

It shall be the policy of the United States to exert leadership in the world community to bring about arrangements for reducing the international trade in implements of war and to lessen the danger of outbreak of regional conflict and the burdens of armaments. United States programs for or procedures governing the export, sale, and grant of defense articles and defense services to foreign countries and international organizations shall be administered in a manner which will carry out this policy.

It is the sense of the Congress that the President should seek to initiate multilateral discus-