

(c) Recruitment and retention of certain individuals

The Secretary shall make every effort to recruit and retain individuals that have lived, worked, or studied in predominantly Muslim countries or communities, including individuals who have studied at an Islamic institution of higher learning.

(Pub. L. 114-323, title VII, § 713, Dec. 16, 2016, 130 Stat. 1945.)

Statutory Notes and Related Subsidiaries

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.)

CHAPTER 39—ARMS EXPORT CONTROL**SUBCHAPTER I—FOREIGN AND NATIONAL SECURITY POLICY OBJECTIVES AND RESTRAINTS**

Sec.

2751. Need for international defense cooperation and military export controls; Presidential waiver; report to Congress; arms sales policy.
2752. Coordination with foreign policy.
2753. Eligibility for defense services or defense articles.
2754. Purposes for which military sales or leases by the United States are authorized; report to Congress.
2755. Discrimination prohibited if based on race, religion, national origin, or sex.
2756. Foreign intimidation and harassment of individuals in United States.

SUBCHAPTER II—FOREIGN MILITARY SALES AUTHORIZATIONS

2761. Sales from stocks.
2762. Procurement for cash sales.
2763. Credit sales.
2764. Guaranties.
2765. Annual estimate and justification for sales program.
2766. Security assistance surveys.
2767. Authority of President to enter into cooperative projects with friendly foreign countries.
- 2767a, 2768. Repealed.

SUBCHAPTER II-A—FOREIGN MILITARY CONSTRUCTION SALES

2769. Foreign military construction sales.

SUBCHAPTER II-B—SALES TO UNITED STATES COMPANIES FOR INCORPORATION INTO END ITEMS

2770. General authority.

SUBCHAPTER II-C—EXCHANGE OF TRAINING AND RELATED SUPPORT

- 2770a. Exchange of training and related support.

SUBCHAPTER III—MILITARY EXPORT CONTROLS

2771. Military sales authorizations and ceilings.
2772. Repealed.
2773. Restraint in arms sales to Sub-Saharan Africa.
2774. Foreign military sales credit standards.
2775. Foreign military sales to less developed countries.
2776. Reports and certifications to Congress on military exports.
- 2776a. Repealed.
2777. Fiscal provisions relating to foreign military sales credits.
2778. Control of arms exports and imports.

- Sec.
2778a. Exportation of uranium depleted in the isotope 235.
2779. Fees of military sales agents.
2779a. Prohibition on incentive payments.
2780. Transactions with countries supporting acts of international terrorism.
2781. Transactions with countries not fully cooperating with United States antiterrorism efforts.

SUBCHAPTER III—A—END-USE MONITORING OF DEFENSE ARTICLES AND DEFENSE SERVICES

2785. End-use monitoring of defense articles and defense services.

SUBCHAPTER IV—GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS PROVISIONS

2791. General provisions.
2792. Administrative expenses.
2793. Other provisions unaffected.
2794. Definitions.

SUBCHAPTER V—SPECIAL DEFENSE ACQUISITION FUND

2795. Fund.
2795a. Use and transfer of items procured by Fund.
2795b. Repealed.

SUBCHAPTER VI—LEASES OF DEFENSE ARTICLES AND LOAN AUTHORITY FOR COOPERATIVE RESEARCH AND DEVELOPMENT PURPOSES

2796. Leasing authority.
2796a. Reports to Congress.
2796b. Legislative review procedures.
2796c. Applicability of other statutory provisions.
2796d. Loan of materials, supplies, and equipment for research and development purposes.

SUBCHAPTER VII—CONTROL OF MISSILES AND MISSILE EQUIPMENT OR TECHNOLOGY

2797. Licensing.
2797a. Denial of transfer of missile equipment or technology by United States persons.
2797b. Transfers of missile equipment or technology by foreign persons.
2797b-1. Notification of admittance of MTCR adherents.
2797b-2. Authority relating to MTCR adherents.
2797c. Definitions.

SUBCHAPTER VIII—CHEMICAL OR BIOLOGICAL WEAPONS PROLIFERATION

2798. Sanctions against certain foreign persons.

SUBCHAPTER IX—TRANSFER OF CERTAIN CFE TREATY-LIMITED EQUIPMENT TO NATO MEMBERS

2799. Purpose.
2799a. CFE Treaty obligations.
2799b. Authorities.
2799c. Notifications and reports to Congress.
2799d. Definitions.

SUBCHAPTER X—NUCLEAR NONPROLIFERATION CONTROLS

- 2799aa. Nuclear enrichment transfers.
2799aa-1. Nuclear reprocessing transfers, illegal exports for nuclear explosive devices, transfers of nuclear explosive devices, and nuclear detonations.
2799aa-2. "Nuclear explosive device" defined.

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,