

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.

(Added Pub. L. 106-398, §1 [[div. A], title IX, §911(a)], Oct. 30, 2000, 114 Stat. 1654, 1654A-226, §2166; amended Pub. L. 107-107, div. A, title X, §1048(a)(16), Dec. 28, 2001, 115 Stat. 1223; Pub. L. 107-314, div. A, title IX, §932, Dec. 2, 2002, 116 Stat. 2625; Pub. L. 110-181, div. A, title IX, §956, Jan. 28, 2008, 122 Stat. 296; renumbered §343 and amended Pub. L. 114-328, div. A, title XII, §1241(f), Dec. 23, 2016, 130 Stat. 2507; Pub. L. 116-283, div. A, title IX, §924(b)(12), Jan. 1, 2021, 134 Stat. 3823.)

### Editorial Notes

#### REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (e)(9), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

#### AMENDMENTS

2021—Subsec. (e)(1)(E). Pub. L. 116-283 inserted “or Space Force” after “for the Air Force”.

2016—Pub. L. 114-328, §1241(f)(1), renumbered section 2166 of this title as this section.

Subsecs. (b), (c). Pub. L. 114-328, §1241(f)(2), substituted “countries” for “nations” wherever appearing.

2008—Subsec. (e)(1)(F). Pub. L. 110-181 amended subpar. (F) generally. Prior to amendment, subpar. (F) read as follows: “The commander of the unified combatant command having geographic responsibility for Latin America, or a designee of that officer.”

2002—Subsecs. (f) to (h). Pub. L. 107-314, §932(a), added subsec. (f) and redesignated former subsecs. (f) and (g) as (g) and (h), respectively.

Subsec. (i). Pub. L. 107-314, §932(a)(1), (b), redesignated subsec. (h) as (i) and inserted after first sentence “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.”

2001—Subsec. (e)(9). Pub. L. 107-107 substituted “(5 U.S.C. App.)” for “(5 U.S.C. App. 2)”.

### Statutory Notes and Related Subsidiaries

#### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective Dec. 31, 2021, of provisions in subsec. (i) of this section requiring submittal of annual report to Congress, see section 1061 of Pub. L. 114-328, set out as a note under section 111 of this title.

### § 344. Participation in multinational 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 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 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, or entered into by 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 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 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 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 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 centers of excellence under this section that are hosted by the Department.

(e) **NOTIFICATION.**—Not later than 30 days before the date on which the Secretary of Defense authorizes participation under subsection (a) in a new multinational center of excellence, the

Secretary shall notify the congressional defense committees of such participation.

(f) **MULTINATIONAL CENTER OF EXCELLENCE DEFINED.**—In this section, the term “multinational center of excellence” means—

(1) 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—

- (A) enhance education and training;
- (B) improve interoperability and capabilities;
- (C) assist in the development of doctrine;
- (D) validate concepts through experimentation; and

(2) the European Centre of Excellence for Countering Hybrid Threats, established in 2017 and located in Helsinki, Finland.

(Added Pub. L. 110-417, [div. A], title XII, §1232(a)(1), Oct. 14, 2008, 122 Stat. 4637, §2350m; amended Pub. L. 112-239, div. A, title X, §1076(f)(25), Jan. 2, 2013, 126 Stat. 1953; renumbered §344 and amended Pub. L. 114-328, div. A, title XII, §1241(g), Dec. 23, 2016, 130 Stat. 2507; Pub. L. 116-283, div. A, title XII, §1206(a), Jan. 1, 2021, 134 Stat. 3912.)

#### Editorial Notes

##### AMENDMENTS

2021—Pub. L. 116-283, §1206(a)(1)–(3), in section catchline, substituted “multinational centers of excellence” for “multinational military centers of excellence” and, in text, substituted “multinational center of excellence” for “multinational military center of excellence” and “multinational centers of excellence” for “multinational military centers of excellence” wherever appearing.

Subsec. (b)(1). Pub. L. 116-283, §1206(a)(4), inserted “or entered into by the Secretary of State,” after “Secretary of State.”

Subsec. (e). Pub. L. 115-283, §1206(a)(7), added subsec. (e). Former subsec. (e) redesignated (f).

Pub. L. 116-283, §1206(a)(5)(B)–(F), substituted “means—” for “means”, designated remainder of existing provisions as par. (1), redesignated former pars. (1) to (4) as subpars. (A) to (D), respectively, of par. (1) and realigned margins, and added par. (2).

Pub. L. 116-283, §1206(a)(5)(A), substituted “Multinational Center Of Excellence” for “Multinational Military Center of Excellence” in heading.

Subsec. (f). Pub. L. 116-283, §1206(a)(6), redesignated subsec. (e) as (f).

2016—Pub. L. 114-328, §1241(g)(1), renumbered section 2350m of this title as this section.

Subsecs. (e), (f). Pub. L. 114-328, §1241(g)(2), redesignated subsec. (f) as (e) and struck out former subsec. (e) which required the Secretary of Defense, not later than October 31 of each year, to 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.

2013—Subsec. (e)(1). Pub. L. 112-239 substituted “Not later than October 31 each year” for “Not later than October 31, 2009, and annually thereafter”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Pub. L. 110-417, [div. A], title XII, §1232(c), Oct. 14, 2008, 122 Stat. 4639, provided that: “The amendments

made by this section [enacting this section] shall take effect on October 1, 2008.”

#### § 345. Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program

(a) **PROGRAM AUTHORIZED.**—

(1) **IN GENERAL.**—The Secretary of Defense may carry out a program under which the Secretary may pay any costs associated with the education and training of foreign military officers, ministry of defense officials, or security officials at military or civilian educational institutions, regional centers, conferences, seminars, or other training programs conducted for purposes of regional defense in connection with either of the following:

- (A) Combating terrorism.
- (B) Irregular warfare.

(2) **COVERED COSTS.**—Costs for which payment may be made under this section include the costs of transportation and travel and subsistence costs.

(3) **DESIGNATION.**—The program authorized by this section shall be known as the “Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program”.

(b) **REGULATIONS.**—

(1) **IN GENERAL.**—The program authorized by subsection (a) shall be carried out under regulations prescribed by the Secretary of Defense and the Secretary of State.

(2) **ELEMENTS.**—The regulations shall ensure that—

(A) the Secretary of Defense and the Secretary of State—

(i) jointly develop and plan activities under the program that—

(I) advance United States security cooperation objectives; and

(II) support theater security cooperation planning of the combatant commands; and

(ii) coordinate on the implementation of activities under the program;

(B) each of the Secretary of Defense and the Secretary of State designates an individual at the lowest appropriate level of the Department of Defense or the Department of State, as applicable, who shall be responsible for program coordination; and

(C) to the extent practicable, activities under the program are appropriately coordinated with, and do not duplicate or conflict with, activities under International Military Education and Training (IMET) authorities.

(3) **SUBMITTAL TO CONGRESS.**—Upon any update of the regulations, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a copy of the regulations as so updated, together with a description of the update.

(c) **LIMITATION.**—The total amount of funds used under the authority in subsection (a) in any fiscal year may not exceed \$35,000,000. Amounts available under the authority in subsection (a) for a fiscal year may be used for programs that begin in such fiscal year but end in the next fiscal year.