

**Editorial Notes**

## REFERENCES IN TEXT

Section 38(a)(1) of the Arms Export Control Act, referred to in par. (1), is classified to section 2778(a)(1) of Title 22, Foreign Relations and Intercourse.

## AMENDMENTS

1997—Par. (1). Pub. L. 105-85, in second sentence, substituted “other nonlethal items of military equipment which are not designated as significant military equipment on the United States Munitions List promulgated” for “other items of military equipment not designated as part of the United States Munitions List”.

1994—Par. (1). Pub. L. 103-337, §1317(h)(1), inserted “(including airlift)” after “transportation”, “calibration services,” after “maintenance services,”, and “Such term includes temporary use of general purpose vehicles and other items of military equipment not designated as part of the United States Munitions List pursuant to section 38(a)(1) of the Arms Export Control Act.” at end.

Par. (4). Pub. L. 103-337, §1317(h)(2), added par. (4).

1989—Pub. L. 101-189 substituted “this subchapter” for “this chapter” in introductory provisions.

1987—Pub. L. 100-26 inserted “The term” after each par. designation and struck out uppercase letter of first word after first quotation marks in pars. (1) and (3) and substituted lowercase letter.

1986—Par. (3). Pub. L. 99-661 added par. (3).

1985—Pub. L. 99-145 renumbered section 2331 of this title as this section.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-337 applicable with regard to any acquisition or transfer of logistic support, supplies, and services under authority of this subchapter that is initiated after Oct. 5, 1994, see section 1317(j) of Pub. L. 103-337, set out as a note under section 2341 of this title.

**SUBCHAPTER II—OTHER COOPERATIVE AGREEMENTS**

|        |   |
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| Sec.   |   |
| 2350a. | Cooperative research and development agreements: NATO organizations; allied and friendly foreign countries.   |
| 2350b. | Cooperative projects under Arms Export Control Act: acquisition of defense equipment.   |
| 2350c. | Cooperative military airlift agreements: allied countries.  |
| 2350d. | Cooperative logistic support agreements: NATO countries.  |
| 2350e. | NATO Airborne Warning and Control System (AWACS) program: authority of Secretary of Defense.  |
| 2350f. | Procurement of communications support and related supplies and services.  |
| 2350g. | Authority to accept use of real property, services, and supplies from foreign countries in connection with mutual defense agreements and occupational arrangements. |
| 2350h. | Memorandums of agreement: Department of Defense ombudsman for foreign signatories.  |
| 2350i. | Foreign contributions for cooperative projects.   |
| 2350j. | Burden sharing contributions by designated countries and regional organizations.  |
| 2350k. | Relocation within host nation of elements of armed forces overseas.   |
| 2350l. | Cooperative agreements for reciprocal use of test facilities: foreign countries and international organizations.  |
| 2350m. | Participation in European program on multilateral exchange of surface transportation services.  |

Sec.

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| 2350n. | North Atlantic Treaty Organization Joint Force Command.  |
| 2350o. | Participation in programs relating to coordination or exchange of air refueling and air transportation services. |
| 2350p. | Reciprocal patient movement agreements.  |
| 2350q. | Execution of projects under the North Atlantic Treaty Organization Security Investment Program.                  |

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## AMENDMENTS

2021—Pub. L. 117-81, div. A, title X, §1081(a)(29), title XVII, §1701(u)(5)(B), Dec. 27, 2021, 135 Stat. 1921, 2154, redesignated item 2350m “Execution of projects under the North Atlantic Treaty Organization Security Investment Program” as 2350q and repealed Pub. L. 116-283, div. A, title XVIII, §1844(b)(2)(A), Jan. 1, 2021, 134 Stat. 4246, which had directed striking out item 2350l.

Pub. L. 116-283, div. A, title XII, §§1202(b), 1203(b), 1204(b), div. B, title XXV, §2503(b), Jan. 1, 2021, 134 Stat. 3910-3912, 4310, added items 2350m “Participation in European program on multilateral exchange of surface transportation services”, 2350o, 2350p, and 2350m “Execution of projects under the North Atlantic Treaty Organization Security Investment Program”.

2019—Pub. L. 116-92, div. A, title XII, §1249(b), Dec. 20, 2019, 133 Stat. 1664, added item 2350n.

2016—Pub. L. 114-328, div. A, title XII, §1241(o)(7), Dec. 23, 2016, 130 Stat. 2512, struck out item 2350m “Participation in multinational military centers of excellence”.

2008—Pub. L. 110-417, [div. A], title XII, §1232(a)(2), Oct. 14, 2008, 122 Stat. 4639, added item 2350m.

2001—Pub. L. 107-107, div. A, title XII, §§1212(e)(2), 1213(b), Dec. 28, 2001, 115 Stat. 1250, 1251, substituted “Cooperative research and development agreements: NATO organizations; allied and friendly foreign countries” for “Cooperative research and development projects: allied countries” in item 2350a and added item 2350l.

1996—Pub. L. 104-106, div. A, title XIII, §1332(a)(2), Feb. 10, 1996, 110 Stat. 484, added item 2350k.

1993—Pub. L. 103-160, div. A, title XIV, §1402(b), Nov. 30, 1993, 107 Stat. 1826, added item 2350j.

1991—Pub. L. 102-190, div. A, title X, §1047(b), Dec. 5, 1991, 105 Stat. 1468, added item 2350i.

Pub. L. 102-25, title VII, §704(a)(9), Apr. 6, 1991, 105 Stat. 119, made clarifying amendment to directory language of Pub. L. 101-510, div. A, title XIV, §1451(b)(2), Nov. 5, 1990, 104 Stat. 1693. See 1990 Amendment note below.

1990—Pub. L. 101-510, div. A, title XIV, §1452(a)(2), Nov. 5, 1990, 104 Stat. 1694, added item 2350h.

Pub. L. 101-510, div. A, title XIV, §1451(b)(2), Nov. 5, 1990, 104 Stat. 1693, as amended by Pub. L. 102-25, title VII, §704(a)(9), Apr. 6, 1991, 105 Stat. 119, added item 2350g.

**§ 2350a. Cooperative research and development agreements: NATO organizations; allied and friendly foreign countries**

(a) AUTHORITY TO ENGAGE IN COOPERATIVE R&D PROJECTS.—(1) The Secretary of Defense may enter into a memorandum of understanding (or other formal agreement) with one or more countries or organizations referred to in paragraph (2) for the purpose of conducting cooperative research and development projects on defense equipment and munitions.

(2) The countries and organizations with which the Secretary may enter into a memorandum of agreement (or other formal agreement) under paragraph (1) are as follows:

(A) The North Atlantic Treaty Organization.