

away from their homes or regular places of business in the performance of services for the Board. Allowances under this paragraph shall be computed—

(A) in the case of members of the Board who are officers or employees of the United States, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5; and

(B) in the case of other members of the Board and advisers, as authorized under section 5703 of title 5 for employees serving without pay.

(9) Chapter 10 of title 5, other than section 1013 of title 5 (relating to termination after two years), shall apply to the Board.

(f) **AUTHORITY TO ACCEPT FOREIGN GIFTS AND DONATIONS.**—(1) The Secretary of Defense may, on behalf of the Institute, accept foreign gifts or donations in order to defray the costs of, or enhance the operation of, the Institute.

(2) Funds received by the Secretary under paragraph (1) shall be credited to appropriations available for the Department of Defense for the Institute. Funds so credited shall be merged with the appropriations to which credited and shall be available for the Institute for the same purposes and same period as the appropriations with which merged.

(3) The Secretary of Defense shall notify Congress if the total amount of money accepted under paragraph (1) exceeds \$1,000,000 in any fiscal year. Any such notice shall list each of the contributors of such money and the amount of each contribution in such fiscal year.

(4) For the purposes of this subsection, a foreign gift or donation is a gift or donation of funds, materials (including research materials), property, or services (including lecture services 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; Pub. L. 117-286, § 4(a)(45), Dec. 27, 2022, 136 Stat. 4310.)

Editorial Notes

AMENDMENTS

2022—Subsec. (e)(9). Pub. L. 117-286 substituted “Chapter 10 of title 5, other than section 1013 of title 5” for “The Federal Advisory Committee Act (5 U.S.C. App.), other than section 14”.

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;

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

(3) the International Special Training Centre, established in 1979 and located in Pfullendorf, Germany.

(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; Pub. L. 117-263, div. A, title XII, §1203, Dec. 23, 2022, 136 Stat. 2826.)

Editorial Notes

AMENDMENTS

2022—Subsec. (f)(3). Pub. L. 117-263 added par. (3).

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. Irregular Warfare Center and Regional Defense Fellowship Program

(a) AUTHORITIES.—

(1) IN GENERAL.—The Secretary of Defense may—

(A) operate and administer a Center for Strategic Studies in Irregular Warfare, to be known as the “Irregular Warfare Center”, in accordance with the requirements described in subsection (c); and

(B) carry out a program, to be known as the “Regional Defense Fellowship Program”, to provide for the education and training of foreign personnel described in paragraph (2) at military or civilian educational institutions, the Irregular Warfare Center, regional centers, conferences, seminars, or other training programs conducted for purposes of regional defense in connection with irregular warfare or combating terrorism.

(2) COVERED COSTS.—The Secretary may pay the following costs associated with exercising the authorities under this section:

(A) Costs of travel, subsistence, and similar personnel expenses of, and special compensation for—