

(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—

(i) defense personnel of friendly foreign governments to attend activities of the Irregular Warfare Center or attend the Regional Defense Fellowship Program;

(ii) with the concurrence of the Secretary of State, other personnel of friendly foreign governments and non-governmental personnel to attend activities of the Irregular Warfare Center or attend the Regional Defense Fellowship Program; and

(iii) foreign personnel and United States Government personnel necessary for the administration and execution of the authorities under this section.

(B) Costs associated with the administration and operation of the Irregular Warfare Center, including costs associated with—

(i) research, communication, the exchange of ideas, curriculum development and review, and training of military and civilian participants of the United States and other countries, as the Secretary considers necessary; and

(ii) maintaining an international network of irregular warfare policymakers and practitioners to achieve the objectives of the Department of Defense and the Department of State.

(C) Costs associated with strategic engagement with alumni of the Regional Defense Fellowship Program to address Department of Defense objectives and planning on irregular warfare and combating terrorism topics.

(b) REGULATIONS FOR REGIONAL DEFENSE FELLOWSHIP PROGRAM.—

(1) IN GENERAL.—The authorities granted to the Secretary of Defense under subsection (a)(1)(B) 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) IRREGULAR WARFARE CENTER.—

(1) MISSION.—The mission of the Irregular Warfare Center shall be to serve as a central mechanism for developing the irregular warfare knowledge of the Department of Defense and advancing the understanding of irregular warfare concepts and doctrine, in collaboration with key partners and allies, by—

(A) coordinating and aligning Department education curricula, standards, and objectives related to irregular warfare;

(B) facilitating research on irregular warfare, strategic competition, and the role of the Department in supporting interagency activities relating to irregular warfare;

(C) engaging and coordinating with Federal departments and agencies and with academia, nongovernmental organizations, civil society, and international partners to discuss and coordinate efforts on security challenges in irregular warfare;

(D) developing curriculum and conducting training and education of military and civilian participants of the United States and other countries, as determined by the Secretary of Defense; and

(E) serving as a coordinating body and central repository for irregular warfare resources, including educational activities and programs, and lessons learned across components of the Department.

(2) EMPLOYMENT AND COMPENSATION OF FACULTY.—With respect to the Irregular Warfare Center—

(A) the Secretary of Defense may, subject to the availability of appropriations, employ a Director, a Deputy Director, and such civilians as professors, instructors, and lecturers, as the Secretary considers necessary; and

(B) compensation of individuals employed under this section shall be as prescribed by the Secretary.

(3) PARTNERSHIP WITH INSTITUTION OF HIGHER EDUCATION.—

(A) IN GENERAL.—In operating the Irregular Warfare Center, to promote integration throughout the United States Government and civil society across the full spectrum of irregular warfare competition and conflict challenges, the Secretary of Defense may partner with an institution of higher education (as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)).

(B) TYPES OF PARTNERSHIPS.—The Secretary may establish a partnership under subparagraph (A) by—

(i) entering into an intergovernmental support agreement pursuant to section 2679 of this title; or

(ii) entering into a contract or cooperative agreement or awarding a grant through the Defense Security Cooperation University.

(C) DETERMINATION REQUIRED.—The Secretary of Defense shall make a determina-

tion with respect to the desirability of partnering with an institution of higher education in a Government-owned, contractor-operated partnership, such as the partnership structure used by the Department of Defense for University Affiliated Research Centers, for meeting the mission requirements of the Irregular Warfare Center.

(4) **ROLES AND RESPONSIBILITIES.**—The Secretary of Defense shall prescribe guidance for the roles and responsibilities of the relevant components of the Department of Defense in the administration, operation, and oversight of the Irregular Warfare Center, which shall include the roles and responsibilities of the following:

(A) The Under Secretary of Defense for Policy and the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict in policy oversight and governance structure of the Center.

(B) The Director of the Defense Security Cooperation Agency, as the Executive Agent in support of the operation of the Center.

(C) Any other official of the Department of Defense, as determined by the Secretary.

(d) **LIMITATION.**—The total amount of funds used under the authority in subsection (a)(1)(B) in any fiscal year may not exceed \$35,000,000. Amounts available under the authority in subsection (a)(1)(B) for a fiscal year may be used for programs that begin in such fiscal year but end in the next fiscal year.

(e) **ANNUAL REPORT.**—Not later than December 1 of each year, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the administration of this section during the fiscal year ended in such year. The report shall include the following matters:

(1) A complete accounting of the expenditure of appropriated funds for purposes authorized under subsection (a), including—

(A) the countries of the foreign officers and officials for whom costs were paid; and

(B) for each such country, the total amount of the costs paid.

(2) The training courses attended by the foreign officers and officials, including a specification of which, if any, courses were conducted in foreign countries.

(3) An assessment of the effectiveness of the program referred to in subsection (a)(1)(B), including engagement activities for program alumni, in increasing the cooperation of the governments of foreign countries with the United States.

(4) A discussion of any actions being taken to improve the program, including a list of any unfunded or unmet training requirements and requests.

(5) A discussion and justification of how the program fits within the theater security priorities of each of the commanders of the geographic combatant commands.

(6) A discussion of how the training from the previous year incorporated lessons learned from ongoing conflicts.

(f) **ANNUAL REVIEW OF IRREGULAR WARFARE CENTER.**—Not later than December 1, 2024, and annually thereafter, the Secretary of Defense—

(1) shall conduct a review of the structure and activities of the Irregular Warfare Center to determine whether such structure and activities are appropriately aligned with the strategic priorities of the Department of Defense and the applicable combatant commands; and

(2) may, after an annual review under paragraph (1), revise the relevant structure and activities so as to more appropriately align such structure and activities with the strategic priorities and combatant commands.

(Added Pub. L. 108-136, div. A, title XII, § 1221(a)(1), Nov. 24, 2003, 117 Stat. 1651, § 2249c; amended Pub. L. 109-364, div. A, title XII, § 1204(a)-(d)(2), Oct. 17, 2006, 120 Stat. 2415; Pub. L. 110-417, [div. A], title XII, § 1209(a), Oct. 14, 2008, 122 Stat. 4627; Pub. L. 113-66, div. A, title X, § 1032(a), Dec. 26, 2013, 127 Stat. 850; renumbered § 345 and amended Pub. L. 114-328, div. A, title XII, § 1247(a)-(c), Dec. 23, 2016, 130 Stat. 2521; Pub. L. 115-232, div. A, title XII, § 1209(a), (b)(1), Aug. 13, 2018, 132 Stat. 2022, 2023; Pub. L. 117-263, div. A, title XII, § 1204(a), Dec. 23, 2022, 136 Stat. 2827.)

Editorial Notes

AMENDMENTS

2022—Pub. L. 117-263, § 1204(a)(1), amended section catchline generally. Prior to amendment, section catchline read as follows: “Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program”.

Subsec. (a). Pub. L. 117-263, § 1204(a)(2)(A), substituted “Authorities” for “Program Authorized” in heading.

Subsec. (a)(1). Pub. L. 117-263, § 1204(a)(2)(B), amended par. (1) generally. Prior to amendment, par. (1) authorized a program under which the Secretary of Defense could pay any costs for education, training, or other training programs conducted for purposes of regional defense in connection with combating terrorism or irregular warfare.

Subsec. (a)(2). Pub. L. 117-263, § 1204(a)(2)(C), (D), added par. (2) and struck out former par. (2). Prior to amendment, text read as follows: “Costs for which payment may be made under this section include the costs of transportation and travel and subsistence costs.”

Subsec. (a)(3). Pub. L. 117-263, § 1204(a)(2)(C), struck out par. (3). Text read as follows: “The program authorized by this section shall be known as the ‘Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program’.”

Subsec. (b). Pub. L. 117-263, § 1204(a)(3)(A), substituted “Regulations for Regional Defense Fellowship Program” for “Regulations” in heading.

Subsec. (b)(1). Pub. L. 117-263, § 1204(a)(3)(B), substituted “The authorities granted to the Secretary of Defense under subsection (a)(1)(B)” for “The program authorized by subsection (a)”.

Subsec. (c). Pub. L. 117-263, § 1204(a)(5), added subsec. (c). Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 117-263, § 1204(a)(4), (6), redesignated subsec. (c) as (d) and substituted “subsection (a)(1)(B)” for “subsection (a)” in two places. Former subsec. (d) redesignated (e).

Subsec. (e). Pub. L. 117-263, § 1204(a)(4), redesignated subsec. (d) as (e).

Subsec. (e)(3). Pub. L. 117-263, § 1204(a)(7)(A), substituted “subsection (a)(1)(B)” for “subsection (a)”.

Subsec. (e)(6). Pub. L. 117-263, § 1204(a)(7)(B), added par. (6).

Subsec. (f). Pub. L. 117-263, § 1204(a)(8), added subsec. (f).

2018—Pub. L. 115-232, § 1209(b)(1), inserted “and Irregular Warfare” after “Terrorism” in section catchline.

Subsec. (a). Pub. L. 115-232, § 1209(a)(2), added subsec. (a) and struck out former subsec. (a). Prior to amend-

ment, text read as follows: “Under regulations prescribed by the Secretary of Defense, funds appropriated to the Department of Defense may be used to 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 under the Regional Defense Combating Terrorism Fellowship Program. Costs for which payment may be made under this section include the costs of transportation and travel and subsistence costs.”

Subsecs. (b) to (d). Pub. L. 115-232, §1209(a)(1), (2), added subsec. (b) and redesignated former subsecs. (b) and (c) as (c) and (d), respectively.

Subsec. (d)(3). Pub. L. 115-232, §1209(a)(3), struck out “in the global war on terrorism” after “United States”.

2016—Pub. L. 114-328, §1247(a), (c), renumbered section 2249c of this title as this section and substituted “Regional Defense Combating Terrorism Fellowship Program” for “Regional Defense Combating Terrorism Fellowship Program: authority to use appropriated funds for costs associated with education and training of foreign officials” in section catchline.

Subsec. (c). Pub. L. 114-328, §1247(b), substituted “to the appropriate committees of Congress” for “to Congress” in introductory provisions.

2013—Subsec. (c)(3). Pub. L. 113-66, §1032(a)(1), inserted “, including engagement activities for program alumni,” after “subsection (a)”.

Subsec. (c)(4). Pub. L. 113-66, §1032(a)(2), inserted “, including a list of any unfunded or unmet training requirements and requests” after “program”.

Subsec. (c)(5). Pub. L. 113-66, §1032(a)(3), added par. (5).

2008—Subsec. (b). Pub. L. 110-417 substituted “\$35,000,000” for “\$25,000,000”.

2006—Pub. L. 109-364, §1204(d)(2), substituted “Regional Defense Combating Terrorism Fellowship Program: authority to use appropriated funds for costs associated with education and training of foreign officials” for “Authority to use appropriated funds for costs of attendance of foreign visitors under Regional Defense Counterterrorism Fellowship Program” in section catchline.

Subsec. (a). Pub. L. 109-364, §1204(a), substituted “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 under the Regional Defense Combating Terrorism Fellowship Program” for “the attendance of foreign military officers, ministry of defense officials, or security officials at United States military educational institutions, regional centers, conferences, seminars, or other training programs conducted under the Regional Defense Counterterrorism Fellowship Program, including costs of transportation and travel and subsistence costs” and inserted at end “Costs for which payment may be made under this section include the costs of transportation and travel and subsistence costs.”

Subsec. (b). Pub. L. 109-364, §1204(b), (c), substituted “\$25,000,000” for “\$20,000,000” and inserted at end “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.”

Subsec. (c)(3). Pub. L. 109-364, §1204(d)(1), substituted “program referred to in subsection (a)” for “Regional Defense Counterterrorism Fellowship Program”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2013 AMENDMENT

Pub. L. 113-66, div. A, title X, §1032(b), Dec. 26, 2013, 127 Stat. 850, provided that: “The amendments made by subsection (a) [amending this section] shall apply with respect to a report submitted for a fiscal year begin-

ning after the date of the enactment of this Act [Dec. 26, 2013].”

EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-417, [div. A], title XII, §1209(b), Oct. 14, 2008, 122 Stat. 4627, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on October 1, 2008, and shall apply with respect to fiscal years beginning on or after that date.”

REGULATIONS

Pub. L. 108-136, div. A, title XII, §1221(b), Nov. 24, 2003, 117 Stat. 1651, provided that: “Not later than December 1, 2003, the Secretary of Defense shall—

“(1) prescribe the final regulations for carrying out section 2249c of title 10, United States Code, as added by subsection (a); and

“(2) notify the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and House of Representatives] of the prescription of such regulations.”

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective Dec. 31, 2021, of provisions in subsec. (c) 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.

§ 346. Distribution to certain foreign personnel of education and training materials and information technology to enhance military interoperability with the armed forces

(a) DISTRIBUTION AUTHORIZED.—To enhance interoperability between the armed forces and military forces of friendly foreign countries, the Secretary of Defense, with the concurrence of the Secretary of State, may—

(1) provide to personnel referred to in subsection (b) electronically-distributed learning content for the education and training of such personnel for the development or enhancement of allied and friendly military and civilian capabilities for multinational operations, including joint exercises and coalition operations; and

(2) provide information technology, including computer software developed for such purpose, but only to the extent necessary to support the use of such learning content for the education and training of such personnel.

(b) AUTHORIZED RECIPIENTS.—The personnel to whom learning content and information technology may be provided under subsection (a) are military and civilian personnel of a friendly foreign government, with the permission of that government.

(c) EDUCATION AND TRAINING.—Any education and training provided under subsection (a) shall include the following:

(1) Internet-based education and training.

(2) Advanced distributed learning and similar Internet learning tools, as well as distributed training and computer-assisted exercises.

(d) APPLICABILITY OF EXPORT CONTROL REGIMES.—The provision of learning content and information technology under this section shall be subject to the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.) and any other export control regime under law relating to the transfer of military technology to foreign countries.

(e) GUIDANCE ON UTILIZATION OF AUTHORITY.—