

tive contribution of an equivalent amount by the foreign countries participating in Inter-American regional programs before such amount became available from the appropriation for such programs.

1978—Pub. L. 95-384 substituted “\$31,800,000 for the fiscal year 1979” for “\$31,000,000 for the fiscal year 1978”.

1977—Pub. L. 95-92 substituted “\$31,000,000 for the fiscal year 1978” for “\$27,000,000 for the fiscal year 1976 and \$30,200,000 for the fiscal year 1977”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-83 effective Oct. 1, 1985, see section 1301 of Pub. L. 99-83, set out as a note under section 2151-1 of this title.

Executive Documents

DELEGATION OF FUNCTIONS

For delegation of functions of President under this section, see Ex. Ord. No. 12163, Sept. 29, 1979, 44 F.R. 56673, as amended, set out as a note under section 2381 of this title.

§ 2347b. Congressional declaration of purpose

Education and training activities conducted under this part shall be designed—

(1) to encourage effective and mutually beneficial relations and increased understanding between the United States and foreign countries in furtherance of the goals of international peace and security;

(2) to improve the ability of participating foreign countries to utilize their resources, including defense articles and defense services obtained by them from the United States, with maximum effectiveness, thereby contributing to greater self-reliance by such countries; and

(3) to increase the awareness of nationals of foreign countries participating in such activities of basic issues involving internationally recognized human rights.

(Pub. L. 87-195, pt. II, §543, as added Pub. L. 94-329, title I, §106(a), June 30, 1976, 90 Stat. 733; amended Pub. L. 95-384, §11(b), Sept. 26, 1978, 92 Stat. 736.)

Editorial Notes

AMENDMENTS

1978—Pub. L. 95-384 added par. (3).

§ 2347c. Exchange training; reciprocity agreement

(a) Attendance of foreign military personnel at professional military education institutions

In carrying out this part, the President is authorized to provide for attendance of foreign military personnel at professional military education institutions in the United States (other than service academies) without charge, and without charge to funds available to carry out this part (notwithstanding section 2392(d) of this title), if such attendance is pursuant to an agreement providing for the exchange of students on a one-for-one, reciprocal basis each fiscal year between those United States professional military education institutions and comparable institutions of foreign countries and international organizations.

(b) Attendance of foreign military and civilian defense personnel at flight training schools and programs

The President may provide for the attendance of foreign military and civilian defense personnel at flight training schools and programs (including test pilot schools) in the United States without charge, and without charge to funds available to carry out this part (notwithstanding section 2392(d) of this title), if such attendance is pursuant to an agreement providing for the exchange of students on a one-for-one basis each fiscal year between those United States flight training schools and programs (including test pilot schools) and comparable flight training schools and programs of foreign countries.

(c) Post-undergraduate flying training and tactical leadership programs at training locations in Southwest Asia

(1) The President is authorized to enter into cooperative arrangements providing for the participation of foreign and United States military and civilian defense personnel in post-undergraduate flying training and tactical leadership programs and integrated air and missile defense programs at training locations in Southwest Asia without charge to participating foreign countries, and without charge to funds available to carry out this part (notwithstanding section 2392(d) of this title). Such training must satisfy common requirements with the United States for post-undergraduate flying and tactical leadership training and integrated air and missile defense training.

(2) Cooperative arrangements under this subsection shall require an equitable contribution of support and services from each participating country. The President may waive the requirement for an equitable contribution of a participating foreign country if he determines that to do so is important to the national security interests of the United States.

(3) Costs incurred by the United States shall be charged to the current applicable appropriations accounts or funds of the participating United States Government agencies.

(4) The President shall report to the appropriate congressional committees (as defined in section 2416(e) of this title) annually on the activities undertaken in the programs authorized under this subsection.

(Pub. L. 87-195, pt. II, §544, as added Pub. L. 99-83, title I, §126, Aug. 8, 1985, 99 Stat. 205; amended Pub. L. 104-164, title I, §112(b), July 21, 1996, 110 Stat. 1427; Pub. L. 107-228, div. B, title XII, §1213, Sept. 30, 2002, 116 Stat. 1429; Pub. L. 113-66, div. A, title XII, §1233, Dec. 26, 2013, 127 Stat. 920; Pub. L. 113-276, title II, §203, Dec. 18, 2014, 128 Stat. 2990.)

Editorial Notes

AMENDMENTS

2014—Subsec. (c)(4). Pub. L. 113-276 added par. (4).

2013—Subsec. (c)(1). Pub. L. 113-66 inserted “and integrated air and missile defense programs” after “tactical leadership programs” and “and integrated air and missile defense training” after “tactical leadership training”.

2002—Subsec. (c). Pub. L. 107-228 added subsec. (c).
1996—Pub. L. 104-164 designated existing provisions as subsec. (a) and added subsec. (b).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 1985, see section 1301 of Pub. L. 99-83, set out as an Effective Date of 1985 Amendment note under section 2151-1 of this title.

AUTHORITY FOR EXCHANGE TRAINING THROUGH SPECIFIED PROFESSIONAL MILITARY EDUCATION INSTITUTION OUTSIDE UNITED STATES

Pub. L. 101-189, div. A, title IX, §935, Nov. 29, 1989, 103 Stat. 1538, provided that:

“(a) AUTHORITY.—The United States Army Russian Institute in Garmisch-Partenkirchen, Federal Republic of Germany, shall be treated for purposes of section 544 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347c) as if it were located in the United States.

“(b) EXPIRATION OF AUTHORITY.—Subsection (a) shall cease to be in effect upon the enactment in foreign assistance authorizing legislation of an amendment to section 544 of the Foreign Assistance Act of 1961 that provides the same authority as is provided by subsection (a).”

Executive Documents

DELEGATION OF FUNCTIONS

For delegation of functions of President under this section, see Ex. Ord. No. 12163, Sept. 29, 1979, 44 F.R. 56673, as amended, set out as a note under section 2381 of this title.

§ 2347d. Training in maritime skills

The President is encouraged to allocate a portion of the funds made available each fiscal year to carry out this part for use in providing education and training in maritime search and rescue, operation and maintenance of aids to navigation, port security, at-sea law enforcement, international maritime law, and general maritime skills.

(Pub. L. 87-195, pt. II, §545, as added Pub. L. 99-83, title I, §127(a), Aug. 8, 1985, 99 Stat. 205.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 1985, see section 1301 of Pub. L. 99-83, set out as an Effective Date of 1985 Amendment note under section 2151-1 of this title.

Executive Documents

DELEGATION OF FUNCTIONS

For delegation of functions of President under this section, see Ex. Ord. No. 12163, Sept. 29, 1979, 44 F.R. 56673, as amended, set out as a note under section 2381 of this title.

§ 2347e. Prohibition on grant assistance for certain high income foreign countries

(a) In general

None of the funds made available for a fiscal year for assistance under this part may be made available for assistance on a grant basis for any of the high-income foreign countries described in subsection (b) for military education and training of military and related civilian personnel of such country.

(b) High-income foreign countries described

The high-income foreign countries described in this subsection are Austria, Finland, the Republic of Korea, Singapore, and Spain.

(Pub. L. 87-195, pt. II, §546, as added Pub. L. 104-164, title I, §112(c)(1), July 21, 1996, 110 Stat. 1427.)

§ 2347f. Consultation requirement

The selection of foreign personnel for training under this part shall be made in consultation with the United States defense attache to the relevant country.

(Pub. L. 87-195, pt. II, §547, as added Pub. L. 106-280, title II, §202, Oct. 6, 2000, 114 Stat. 851.)

§ 2347g. Records regarding foreign participants

(a) Development and maintenance of database

In order to contribute most effectively to the development of military professionalism in foreign countries, the Secretary of Defense shall develop and maintain a database containing records on each foreign military or defense ministry civilian participant in education and training activities conducted under this part after December 31, 2000. This record shall include the type of instruction received, the dates of such instruction, whether such instruction was completed successfully, and, to the extent practicable, a record of the person's subsequent military or defense ministry career and current position and location.

(b) Annual list of foreign personnel

For the purposes of preparing the report required pursuant to section 2347h of this title, the Secretary of State may annually request the Secretary of Defense to provide information contained in the database, with respect to a list submitted to the Secretary of Defense by the Secretary of State, that contains the names of foreign personnel or military units. To the extent practicable, the Secretary of Defense shall provide, and the Secretary of State may take into account, the information contained in the database, if any, relating to the Secretary of State's submission.

(c) Updating of database

If the Secretary of State determines and reports to Congress under section 2347h of this title that a foreign person identified in the database maintained pursuant to this section was involved in a violation of internationally recognized human rights, the Secretary of Defense shall ensure that the database is updated to contain such fact and all relevant information.

(Pub. L. 87-195, pt. II, §548, as added Pub. L. 106-280, title II, §202, Oct. 6, 2000, 114 Stat. 851; amended Pub. L. 107-228, div. B, title XII, §1212(b), Sept. 30, 2002, 116 Stat. 1429.)

Editorial Notes

AMENDMENTS

2002—Pub. L. 107-228 designated existing provisions as subsec. (a), inserted heading, and added subsecs. (b) and (c).