

**AMENDMENT TO H.R. 1401, AS REPORTED
OFFERED BY MR. BEREUTER OF NEBRASKA**

At the end of title X (page 305, after line 5), insert
the following new section:

1 **SEC. 1040. ASIA-PACIFIC CENTER FOR SECURITY STUDIES.**

2 (a) **WAIVER OF CHARGES.**—(1) The Secretary of De-
3 fense may waive reimbursement of the costs of con-
4 ferences, seminars, courses of instruction, or similar edu-
5 cational activities of the Asia-Pacific Center for military
6 officers and civilian officials of foreign nations of the Asia-
7 Pacific region if the Secretary determines that attendance
8 by such persons without reimbursement is in the national
9 security interest of the United States.

10 (2) In this section, the term “Asia-Pacific Center”
11 means the Department of Defense organization within the
12 United States Pacific Command known as the Asia-Pacific
13 Center for Security Studies.

14 (b) **AUTHORITY TO ACCEPT FOREIGN GIFTS AND**
15 **DONATIONS.**—(1) Subject to paragraph (2), the Secretary
16 of Defense may accept, on behalf of the Asia-Pacific Cen-
17 ter, foreign gifts or donations in order to defray the costs
18 of, or enhance the operation of, the Asia-Pacific Center.

1 (2) The Secretary may not accept a gift or donation
2 under paragraph (1) if the acceptance of the gift or dona-
3 tion would compromise or appear to compromise—

4 (A) the ability of the Department of Defense,
5 any employee of the Department, or members of the
6 Armed Forces to carry out any responsibility or duty
7 of the Department in a fair and objective manner;
8 or

9 (B) the integrity of any program of the Depart-
10 ment of Defense or of any person involved in such
11 a program.

12 (3) The Secretary shall prescribe written guidance
13 setting forth the criteria to be used in determining wheth-
14 er the acceptance of a foreign gift or donation would have
15 a result described in paragraph (2).

16 (4) Funds accepted by the Secretary under para-
17 graph (1) shall be credited to appropriations available to
18 the Department of Defense for the Asia-Pacific Center.
19 Funds so credited shall be merged with the appropriations
20 to which credited and shall be available to the Asia-Pacific
21 Center for the same purposes and same period as the ap-
22 propriations with which merged.

23 (5) If the total amount of funds accepted under para-
24 graph (1) in any fiscal year exceeds \$2,000,000, the Sec-
25 retary shall notify Congress of the amount of those dona-

1 tions for that fiscal year. Any such notice shall list each
2 of the contributors of such amounts and the amount of
3 each contribution in that fiscal year.

4 (6) For purposes of this subsection, a foreign gift or
5 donation is a gift or donation of funds, materials (includ-
6 ing research materials), property, or services (including
7 lecture services and faculty services) from a foreign gov-
8 ernment, a foundation or other charitable organization in
9 a foreign country, or an individual in a foreign country.