

1976—Pub. L. 94-329 restricted the power of the President by eliminating the extraordinary circumstances exception to termination of assistance for gross violations of recognized human rights, directed the Secretary of State, as part of the presentation materials for an assistance program, to transmit a full and complete report to Congress on the human rights practices of the proposed recipient country and, within 30 days of a request by Congress, to supply information concerning the human rights practices of a country receiving assistance for determination as to whether the assistance should be continued, restricted, or terminated, and defined “security assistance”.

EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108-332 applicable beginning with the first report under sections 2151n(d), 2304(b), and 6412(b) of this title submitted more than 180 days after Oct. 16, 2004, see section 6(c) of Pub. L. 108-332, set out as a note under section 2151n of this title.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-236 applicable with respect to officials, offices, and bureaus of Department of State when executive orders, regulations, or departmental directives implementing the amendments by sections 161 and 162 of Pub. L. 103-236 become effective, or 90 days after Apr. 30, 1994, whichever comes earlier, see section 161(b) of Pub. L. 103-236, as amended, set out as a note under section 2651a of this title.

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.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-53 effective Oct. 1, 1979, see section 512(a) of Pub. L. 96-53, set out as a note under section 2151 of this title.

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.

§ 2305. National Security Assistance Strategy

(a) Multiyear plan

Not later than 180 days after October 6, 2000, and annually thereafter at the time of submission of the congressional presentation materials of the foreign operations appropriations budget request, the Secretary of State should submit to the appropriate committees of Congress a plan setting forth a National Security Assistance Strategy for the United States.

(b) Elements of the Strategy

The National Security Assistance Strategy should—

- (1) set forth a multi-year plan for security assistance programs;
- (2) be consistent with the National Security Strategy of the United States;
- (3) be coordinated with the Secretary of Defense and the Chairman of the Joint Chiefs of Staff;
- (4) be prepared, in consultation with other agencies, as appropriate;
- (5) identify overarching security assistance objectives, including identification of the role that specific security assistance programs will play in achieving such objectives;
- (6) identify a primary security assistance objective, as well as specific secondary objectives, for individual countries;

(7) identify, on a country-by-country basis, how specific resources will be allocated to accomplish both primary and secondary objectives;

(8) discuss how specific types of assistance, such as foreign military financing and international military education and training, will be combined at the country level to achieve United States objectives; and

(9) detail, with respect to each of the paragraphs (1) through (8), how specific types of assistance provided pursuant to the Arms Export Control Act [22 U.S.C. 2751 et seq.] and the Foreign Assistance Act of 1961 [22 U.S.C. 2151 et seq.] are coordinated with United States assistance programs managed by the Department of Defense and other agencies.

(c) Covered assistance

The National Security Assistance Strategy should cover assistance provided under—

(1) section 23 of the Arms Export Control Act (22 U.S.C. 2763);

(2) chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.); and

(3) section 516 of the Foreign Assistance Act of 1961 [22 U.S.C. 2321j].

(Pub. L. 106-280, title V, §501, Oct. 6, 2000, 114 Stat. 854.)

REFERENCES IN TEXT

The Arms Export Control Act, referred to in subsec. (b)(9), is Pub. L. 90-629, Oct. 22, 1968, 82 Stat. 1320, as amended, which is classified principally to chapter 39 (§2751 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2751 of this title and Tables.

The Foreign Assistance Act of 1961, referred to in subsecs. (b)(9) and (c)(2), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, as amended, which is classified principally to this chapter. Chapter 5 of part II of the Act is classified generally to part V (§2347 et seq.) of subchapter II of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

CODIFICATION

Section was enacted as part of the Security Assistance Act of 2000, and not as part of the Foreign Assistance Act of 1961 which comprises this chapter.

DEFINITION

Pub. L. 106-280, §2, Oct. 6, 2000, 114 Stat. 846, provided that: “In this Act [see Short Title of 2000 Amendments note set out under section 2151 of this title], the term ‘appropriate committees of Congress’ means the Committee on Foreign Relations of the Senate and the Committee on International Relations [now Committee on Foreign Affairs] of the House of Representatives.”

PART II—MILITARY ASSISTANCE

§ 2311. General authority

(a) Defense articles and services; noncombatant personnel; transfer of funds

The President is authorized to furnish military assistance, on such terms and conditions as he may determine, to any friendly country or international organization, the assisting of which the President finds will strengthen the security of the United States and promote world peace and which is otherwise eligible to receive such assistance, by—