

## 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.

**§ 2346c. Administration of justice****(a) Authorization of assistance; purposes**

The President may furnish assistance under this part to countries and organizations, including national and regional institutions, in order to strengthen the administration of justice in countries in Latin America and the Caribbean.

**(b) Scope of assistance**

Assistance under this section may only include—

(1) support for specialized professional training, scholarships, and exchanges for continuing legal education;

(2) programs to enhance prosecutorial and judicial capabilities and protection for participants in judicial cases;

(3) notwithstanding section 2420 of this title—

(A) programs to enhance professional capabilities to carry out investigative and forensic functions conducted under judicial or prosecutorial control;

(B) programs to assist in the development of academic instruction and curricula for training law enforcement personnel;

(C) programs to improve the administrative and management capabilities of law enforcement agencies, especially their capabilities relating to career development, personnel evaluation, and internal discipline procedures; and

(D) programs, conducted through multi-lateral or regional institutions, to improve penal institutions and the rehabilitation of offenders;

(4) strengthening professional organizations in order to promote services to members and the role of the bar in judicial selection, enforcement of ethical standards, and legal reform;

(5) increasing the availability of legal materials and publications;

(6) seminars, conferences, and training and educational programs to improve the administration of justice and to strengthen respect for the rule of law and internationally recognized human rights; and

(7) revision and modernization of legal codes and procedures.

**(c) Availability of funds**

Not more than \$20,000,000 of the funds made available to carry out this part for any fiscal year shall be available to carry out this section, in addition to amounts otherwise available for such purposes.

**(d) Obligation of funds**

Funds may not be obligated for assistance under this section unless the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate are notified of the amount and nature of the proposed assistance at least 15 days in advance in accordance with the procedures applicable to

reprogrammings pursuant to section 2394-1 of this title.

**(e) Participation of Defense personnel in training prohibited; availability of funds; expiration of authority**

Personnel of the Department of Defense and members of the United States Armed Forces may not participate in the provision of training under this section. Of the funds made available to carry out this section, not more than \$10,000,000 may be made available in fiscal year 1991 to carry out the provisions of subsection (b)(3) of this section. The authority of this section shall expire on September 30, 1991.

(Pub. L. 87-195, pt. II, §534, as added Pub. L. 99-83, title VII, §712, Aug. 8, 1985, 99 Stat. 244; amended Pub. L. 100-202, §101(e) [title V, §579], Dec. 22, 1987, 101 Stat. 1329-131, 1329-181; Pub. L. 101-167, title II, Nov. 21, 1989, 103 Stat. 1206; Pub. L. 101-513, title II, Nov. 5, 1990, 104 Stat. 1990; Pub. L. 101-623, §2(b)(6), Nov. 21, 1990, 104 Stat. 3351.)

## PRIOR PROVISIONS

A prior section 2346c, Pub. L. 87-195, pt. II, §534, as added Pub. L. 97-113, title II, §202, Dec. 29, 1981, 95 Stat. 1530, prohibited the use of funds for nuclear facilities in foreign countries except under certain circumstances, prior to repeal by Pub. L. 99-83, title II, §201(a), Aug. 8, 1985, 99 Stat. 210.

Another prior section 2346c, Pub. L. 87-195, pt. II, §534, as added Pub. L. 95-384, §10(a), Sept. 26, 1978, 92 Stat. 735; amended Pub. L. 96-92, §8(d), Oct. 29, 1979, 93 Stat. 704, provided economic support for Turkey and Cyprus in amounts of \$98,000,000 and \$15,000,000 for fiscal year 1980, prior to repeal by Pub. L. 96-533, title II, §202, Dec. 16, 1980, 94 Stat. 3142.

## AMENDMENTS

1990—Subsec. (e). Pub. L. 101-623, §2(b)(6)(A), which directed the substitution of “\$10,000,000 may be made available in fiscal year 1991” for “\$7,000,000 may be made available in fiscal year 1990”, was executed by making the substitution for “\$7,000,000 may be made available in fiscal year 1991” to reflect the probable intent of Congress and the intervening substitution of “fiscal year 1991” for “fiscal year 1990” by Pub. L. 101-513. See below.

Pub. L. 101-623, §2(b)(6)(B), and Pub. L. 101-513, amended subsec. (e) identically, substituting “September 30, 1991” for “September 30, 1990”.

Pub. L. 101-513 substituted “fiscal year 1991” for “fiscal year 1990”.

1989—Subsec. (e). Pub. L. 101-167 substituted “fiscal year 1990” for “each of fiscal years 1988 and 1989” and “September 30, 1990” for “September 30, 1989”.

1987—Subsec. (b)(3). Pub. L. 100-202, §101(e) [title V, §579(a)], amended par. (3) generally. Prior to amendment, par. (3) read as follows: “notwithstanding section 2420 of this title, programs to enhance investigative capabilities, conducted under judicial or prosecutorial control;”.

Subsec. (e). Pub. L. 100-202, §101(e) [title V, §579(b)], amended subsec. (e) generally. Prior to amendment, subsec. (e) read as follows: “The authority of this section shall expire on September 30, 1987.”

## 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.

## 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.

#### ADMINISTRATION OF JUSTICE ACTIVITIES

Pub. L. 108-199, div. D, title V, § 536, Jan. 23, 2004, 118 Stat. 183, provided that: "Of the funds appropriated or otherwise made available by this Act or any subsequent Act for 'Economic Support Fund', assistance may be provided to strengthen the administration of justice in countries in Latin America and the Caribbean and in other regions consistent with the provisions of section 534(b) of the Foreign Assistance Act of 1961 [22 U.S.C. 2346c(b)], except that programs to enhance protection of participants in judicial cases may be conducted notwithstanding section 660 of that Act [22 U.S.C. 2420]. Funds made available pursuant to this section may be made available notwithstanding section 534(c) and the second and third sentences of section 534(e) of the Foreign Assistance Act of 1961 [22 U.S.C. 2346c(c), (e)]."

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 108-7, div. E, title V, § 536, Feb. 20, 2003, 117 Stat. 195.

Pub. L. 107-115, title V, § 536, Jan. 10, 2002, 115 Stat. 2152.

Pub. L. 106-429, § 101(a) [title V, § 540], Nov. 6, 2000, 114 Stat. 1900, 1900A-37.

Pub. L. 106-113, div. B, § 1000(a)(2) [title V, § 540], Nov. 29, 1999, 113 Stat. 1535, 1501A-95.

Pub. L. 105-277, div. A, § 101(d) [title V, § 542], Oct. 21, 1998, 112 Stat. 2681-150, 2681-184.

Pub. L. 105-118, title V, § 541, Nov. 26, 1997, 111 Stat. 2418.

Pub. L. 104-208, div. A, title I, § 101(c) [title V, § 543], Sept. 30, 1996, 110 Stat. 3009-121, 3009-157.

Pub. L. 104-107, title V, § 543, Feb. 12, 1996, 110 Stat. 739.

Pub. L. 103-306, title V, § 549(a), (c), Aug. 23, 1994, 108 Stat. 1643, 1644.

Pub. L. 103-87, title V, § 551(a)(1), (b), Sept. 30, 1993, 107 Stat. 962.

Pub. L. 102-391, title V, § 588(a)(1), (b), Oct. 6, 1992, 106 Stat. 1689, 1690.

#### ANTI-NARCOTICS UPDATE

Pub. L. 102-145, § 124, as added by Pub. L. 102-266, § 102, Apr. 1, 1992, 106 Stat. 97, provided that: "The program authorized by section 534 of the Foreign Assistance Act of 1961 [22 U.S.C. 2346c] may continue from funds appropriated by this joint resolution for foreign operations, export financing, and related programs, notwithstanding the last sentence of section 534(e) of that Act: *Provided*, That such programs may include the protection of participants in judicial cases, notwithstanding section 660 of that Act [22 U.S.C. 2420]: *Provided further*, That, notwithstanding sections 534(c) and 660 of that Act, (1) up to \$10,000,000 to provide support for a professional civilian police force for Panama, except that such assistance shall not include more than \$5,000,000 for the procurement of equipment for law enforcement purposes, and shall not include lethal equipment, and (2) up to \$16,000,000 for Bolivia, Colombia, and Peru."

#### § 2346d. Repealed. Pub. L. 103-149, § 4(a)(3)(B), Nov. 23, 1993, 107 Stat. 1505

Section, Pub. L. 87-195, pt. II, § 535, as added Pub. L. 99-440, title V, § 511(a), Oct. 2, 1986, 100 Stat. 1111; amended Pub. L. 99-631, § 1(b)(3), Nov. 7, 1986, 100 Stat. 3519, related to economic support for disadvantaged South Africans.

#### §§ 2346e to 2346i. Repealed. Pub. L. 99-83, title II, § 201(a), Aug. 8, 1985, 99 Stat. 210

Section 2346e, Pub. L. 87-195, pt. II, § 536, as added Pub. L. 97-113, title II, § 202, Dec. 29, 1981, 95 Stat. 1531, related to special requirements fund.

A prior section 2346e, Pub. L. 87-195, pt. II, § 536, as added Pub. L. 96-257, § 2, May 31, 1980, 94 Stat. 422, pro-

vided for Central American economic support for fiscal year 1980, in amount of \$80,000,000, prior to repeal by Pub. L. 96-533, title II, § 202, Dec. 16, 1980, 94 Stat. 3142.

Section 2346f, Pub. L. 87-195, pt. II, § 537, as added Pub. L. 97-113, title II, § 202, Dec. 29, 1981, 95 Stat. 1531, related to programs for Tunisia.

Section 2346g, Pub. L. 87-195, pt. II, § 538, as added Pub. L. 97-113, title II, § 202, Dec. 29, 1981, 95 Stat. 1531, related to programs for Costa Rica.

Section 2346h, Pub. L. 87-195, pt. II, § 539, as added Pub. L. 97-113, title II, § 202, Dec. 29, 1981, 95 Stat. 1531, related to programs for Nicaragua.

Section 2346i, Pub. L. 87-195, pt. II, § 540, as added Pub. L. 97-113, title VII, § 708(c), Dec. 29, 1981, 95 Stat. 1546, related to programs for Poland.

#### EFFECTIVE DATE OF REPEAL

Repeal 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.

#### PART V—INTERNATIONAL MILITARY EDUCATION AND TRAINING

#### § 2347. General authority

(a) The President is authorized to furnish, on such terms and conditions consistent with this chapter as the President may determine (but whenever feasible on a reimbursable basis), military education and training to military and related civilian personnel of foreign countries. Such civilian personnel shall include foreign governmental personnel of ministries other than ministries of defense, and may also include legislators and individuals who are not members of the government, if the military education and training would (i) contribute to responsible defense resource management, (ii) foster greater respect for and understanding of the principle of civilian control of the military, (iii) contribute to cooperation between military and law enforcement personnel with respect to counternarcotics law enforcement efforts, or (iv) improve military justice systems and procedures in accordance with internationally recognized human rights. Such training and education may be provided through—

(1) attendance at military educational and training facilities in the United States (other than Service academies) and abroad;

(2) attendance in special courses of instruction at schools and institutions of learning or research in the United States and abroad; and

(3) observation and orientation visits to military facilities and related activities in the United States and abroad.

(b) The President shall seek reimbursement for military education and training furnished under this part from countries using assistance under section 2763 of this title (relating to the Foreign Military Financing Program) to purchase such military education and training at a rate comparable to the rate charged to countries receiving grant assistance for military education and training under this part.

(Pub. L. 87-195, pt. II, § 541, as added Pub. L. 94-329, title I, § 106(a), June 30, 1976, 90 Stat. 732; amended Pub. L. 101-513, title III, Nov. 5, 1990, 104 Stat. 1997; Pub. L. 102-583, § 10, Nov. 2, 1992, 106 Stat. 4934; Pub. L. 104-164, title I, § 112(a), July 21, 1996, 110 Stat. 1427; Pub. L. 109-102, title V, § 534(l)(3), Nov. 14, 2005, 119 Stat. 2211.)