

III of the Foreign Assistance Act of 1961 [22 U.S.C. 2351 et seq., 2381 et seq.] shall apply to the provision of assistance under this subchapter to the same extent and in the same manner as such authorities apply to the provision of economic assistance under part I of such Act [22 U.S.C. 2151 et seq.].

(b) Use of the expertise of Afghan-Americans

In providing assistance authorized by this subchapter, the President should—

(1) maximize the use, to the extent feasible, of the services of Afghan-Americans who have expertise in the areas for which assistance is authorized by this subchapter; and

(2) in the awarding of contracts and grants to implement activities authorized under this subchapter, encourage the participation of such Afghan-Americans (including organizations employing a significant number of such Afghan-Americans).

(c) Donations of manufacturing equipment; use of colleges and universities

In providing assistance authorized by this subchapter, the President, to the maximum extent practicable, should—

(1) encourage the donation of appropriate excess or obsolete manufacturing and related equipment by United States businesses (including small businesses) for the reconstruction of Afghanistan; and

(2) utilize research conducted by United States colleges and universities and the technical expertise of professionals within those institutions, particularly in the areas of agriculture and rural development.

(d) Administrative expenses

Of the funds made available to carry out the purposes of assistance authorized by this subchapter in any fiscal year, up to 7 percent may be used for administrative expenses of Federal departments and agencies in connection with the provision of such assistance.

(e) Monitoring

(1) Comptroller General

The Comptroller General shall monitor the provision of assistance under this subchapter.

(2) Inspector General of USAID

The Inspector General of the United States Agency for International Development shall conduct audits, inspections, and other activities, as appropriate, associated with the expenditure of the funds to carry out this subchapter.

(f) Priority for direct assistance to the Government of Afghanistan

To the maximum extent practicable, assistance authorized under this subchapter should be provided directly to the Government of Afghanistan (including any appropriate ministry thereof).

(Pub. L. 107-327, title I, §106, Dec. 4, 2002, 116 Stat. 2805.)

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (a), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424. Part

I of the Act is classified generally to subchapter I (§2151 et seq.) of chapter 32 of this title. Chapters 1 and 2 of part III of the Act are classified generally to parts I (§2351 et seq.) and II (§2381 et seq.), respectively, of subchapter III of chapter 32 of this title. For provisions deeming references to subchapter I to include parts IV (§2346 et seq.), VI (§2348 et seq.), and VIII (§2349aa et seq.) of subchapter II of chapter 32, see section 202(b) of Pub. L. 92-226, set out as a note under section 2346 of this title, and sections 2348c and 2349aa-5 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

§ 7517. Relationship to other authority

The authority to provide assistance under this subchapter is in addition to any other authority to provide assistance to the Government of Afghanistan.

(Pub. L. 107-327, title I, §107, Dec. 4, 2002, 116 Stat. 2806.)

§ 7518. Authorization of appropriations

(a) In general

There is authorized to be appropriated to the President to carry out this subchapter (other than section 7513(c) of this title) such sums as may be necessary for each of the fiscal years 2005 and 2006.

(b) Availability

Amounts appropriated pursuant to the authorization of appropriations under subsection (a) of this section are—

(1) authorized to remain available until expended; and

(2) in addition to funds otherwise available for such purposes, including, with respect to food assistance under section 7513(a)(1) of this title, funds available under title II of the Food for Peace Act [7 U.S.C. 1721 et seq.], section 1736o of title 7, and section 1431(b) of title 7.

(Pub. L. 107-327, title I, §108, Dec. 4, 2002, 116 Stat. 2806; Pub. L. 108-106, title II, §2214, Nov. 6, 2003, 117 Stat. 1232; Pub. L. 108-458, title VII, §7104(m), Dec. 17, 2004, 118 Stat. 3788; Pub. L. 110-246, title III, §3001(c), June 18, 2008, 122 Stat. 1821.)

REFERENCES IN TEXT

The Food for Peace Act, referred to in subsec. (b)(2), is act July 10, 1954, ch. 469, 68 Stat. 454. Title II of the Act is classified generally to subchapter III (§1721 et seq.) of chapter 41 of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title note set out under section 1691 of Title 7 and Tables.

AMENDMENTS

2004—Subsec. (a). Pub. L. 108-458 substituted “such sums as may be necessary for each of the fiscal years 2005 and 2006.” for “\$1,825,000,000 for fiscal year 2004 and \$425,000,000 for each of fiscal years 2005 and 2006.”

2003—Subsec. (a). Pub. L. 108-106 substituted “\$1,825,000,000 for fiscal year 2004 and \$425,000,000 for each of fiscal years 2005 and 2006” for “\$425,000,000 for each of the fiscal years 2003 through 2006”.

CHANGE OF NAME

“Food for Peace Act” substituted for “Agricultural Trade Development and Assistance Act of 1954” in subsec. (b)(2) on authority of section 3001(c) of Pub. L. 110-246, set out as a note under section 1691 of Title 7, Agriculture.

SUBCHAPTER II—MILITARY ASSISTANCE
FOR AFGHANISTAN AND CERTAIN OTHER
FOREIGN COUNTRIES AND INTER-
NATIONAL ORGANIZATIONS

**§ 7531. Support for security during transition in
Afghanistan**

It is the sense of Congress that, during the transition to a broad-based, multi-ethnic, gender-sensitive, fully representative government in Afghanistan, the United States should support—

- (1) the development of a civilian-controlled and centrally-governed standing Afghanistan army that respects human rights and prohibits the use of children as soldiers or combatants;
- (2) the creation and training of a professional civilian police force that respects human rights; and
- (3) a multinational security force in Afghanistan.

(Pub. L. 107-327, title II, §201, Dec. 4, 2002, 116 Stat. 2807.)

§ 7532. Authorization of assistance

(a) Drawdown authority

(1) In general

The President is authorized to exercise his authorities under section 2318 of this title to direct the drawdown of defense articles, defense services, and military education and training—

- (A) for the Government of Afghanistan, in accordance with this section; and
- (B) for eligible foreign countries, and eligible international organizations, in accordance with this section and sections 7533 and 7535 of this title.

(2) Authority to acquire by contract or otherwise

The assistance authorized under paragraph (1) may include the supply of defense articles, defense services, counter-narcotics, crime control and police training services, other support, and military education and training that are acquired by contract or otherwise.

(b) Amount of assistance

The aggregate value (as defined in section 2403(m) of this title) of assistance provided under subsection (a) of this section may not exceed \$550,000,000, except that such limitation shall be increased by any amounts appropriated pursuant to the authorization of appropriations in section 7534(b)(1) of this title and shall not count toward any limitation contained in section 2318 of this title.

(Pub. L. 107-327, title II, §202, Dec. 4, 2002, 116 Stat. 2807; Pub. L. 108-106, title II, §2206, Nov. 6, 2003, 117 Stat. 1231; Pub. L. 108-287, title IX, §9008, Aug. 5, 2004, 118 Stat. 1008.)

AMENDMENTS

2004—Subsec. (b). Pub. L. 108-287 substituted “\$550,000,000” for “\$450,000,000”.
2003—Subsec. (b). Pub. L. 108-106 substituted “\$450,000,000” for “\$300,000,000”.

§ 7533. Eligible foreign countries and eligible international organizations

(a) In general

Except as provided in subsection (b) of this section, a foreign country or international organization shall be eligible to receive assistance under section 7532 of this title if—

- (1) such country or organization is participating in military, peacekeeping, or policing operations in Afghanistan aimed at restoring or maintaining peace and security in that country; and
- (2) such assistance is provided specifically for such operations in Afghanistan.

(b) Exception

No country the government of which has been determined by the Secretary of State to have repeatedly engaged in gross violations of human rights, or provided support for acts of international terrorism under section 2371 of this title, section 2405(j)(1) of title 50, Appendix, or section 2780(d) of this title shall be eligible to receive assistance under section 7532 of this title.

(Pub. L. 107-327, title II, §203, Dec. 4, 2002, 116 Stat. 2807.)

§ 7534. Reimbursement for assistance

(a) In general

Defense articles, defense services, and military education and training provided under section 7532(a)(2) of this title shall be made available without reimbursement to the Department of Defense except to the extent that funds are appropriated pursuant to the authorization of appropriations in subsection (b)(1) of this section.

(b) Authorization of appropriations

(1) In general

There are authorized to be appropriated to the President such sums as may be necessary to reimburse the applicable appropriation, fund, or account for the value (as defined in section 2403(m) of this title) of defense articles, defense services, or military education and training provided under section 7532(a)(2) of this title.

(2) Availability

Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are in addition to amounts otherwise available for the purposes described in this subchapter.

(Pub. L. 107-327, title II, §204, Dec. 4, 2002, 116 Stat. 2808.)

§ 7535. Congressional notification requirements

(a) Authority

The President may provide assistance under this subchapter to any eligible foreign country or eligible international organization if the President determines that such assistance is important to the national security interest of the United States and notifies the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate