

(b) Authorization for assistance

To carry out the purpose of subsection (a) of this section, the President is authorized to provide the following types of assistance to the countries of the South Caucasus and Central Asia:

- (1) Assistance for democracy building, including programs to strengthen parliamentary institutions and practices.
- (2) Assistance for the development of non-governmental organizations.
- (3) Assistance for development of independent media.
- (4) Assistance for the development of the rule of law, a strong independent judiciary, and transparency in political practice and commercial transactions.
- (5) International exchanges and advanced professional training programs in skill areas central to the development of civil society.
- (6) Assistance to promote increased adherence to civil and political rights under section 2151n(e) of this title.

(c) Activities supported

Activities that may be supported by assistance under subsection (b) of this section include activities that are designed to advance progress toward the development of democracy.

(Pub. L. 87-195, pt. I, §499D, as added Pub. L. 106-113, div. B, §1000(a)(2) [title V, §596(b)], Nov. 29, 1999, 113 Stat. 1535, 1501A-125.)

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.

§ 2296e. Administrative authorities**(a) Assistance through governments and non-governmental organizations**

Assistance under this part may be provided to governments or through nongovernmental organizations.

(b) Use of economic support funds

Except as otherwise provided, any funds that have been allocated under part IV of subchapter II of this chapter for assistance for the independent states of the former Soviet Union may be used in accordance with the provisions of this part.

(c) Terms and conditions

Assistance under this part shall be provided on such terms and conditions as the President may determine.

(d) Available authorities

The authority in this part to provide assistance for the countries of the South Caucasus and Central Asia is in addition to the authority to provide such assistance under the FREEDOM Support Act (22 U.S.C. 5801 et seq.) or any other Act, and the authorities applicable to the provision of assistance under part XI of this subchapter may be used to provide assistance under this part.

(Pub. L. 87-195, pt. I, §499E, as added Pub. L. 106-113, div. B, §1000(a)(2) [title V, §596(b)], Nov. 29, 1999, 113 Stat. 1535, 1501A-125.)

REFERENCES IN TEXT

The FREEDOM Support Act, referred to in subsec. (d), is Pub. L. 102-511, Oct. 24, 1992, 106 Stat. 3320, as amended, also known as the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992. For complete classification of this Act to the Code, see Short Title note set out under section 5801 of this title and Tables.

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.

§ 2296f. Definitions

In this part:

(1) Appropriate congressional committees

The term “appropriate congressional committees” means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(2) Countries of the South Caucasus and Central Asia

The term “countries of the South Caucasus and Central Asia” means Armenia, Azerbaijan, Georgia, Kazakstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan.

(Pub. L. 87-195, pt. I, §499F, as added Pub. L. 106-113, div. B, §1000(a)(2) [title V, §596(b)], Nov. 29, 1999, 113 Stat. 1535, 1501A-126.)

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

SUBCHAPTER II—MILITARY ASSISTANCE AND SALES

PART I—DECLARATION OF POLICY

§ 2301. Congressional statement of policy

The Congress of the United States reaffirms the policy of the United States to achieve international peace and security through the United Nations so that armed force shall not be used except for individual or collective self-defense. The Congress finds that the efforts of the United States and other friendly countries to promote peace and security continue to require measures of support based upon the principle of effective self-help and mutual aid. It is the purpose of subchapter II of this chapter to authorize measures in the common defense against internal and external aggression, including the furnishing of military assistance, upon request, to friendly countries and international organizations. In furnishing such military assistance, it remains the policy of the United States to continue to exert maximum efforts to achieve universal control of weapons of mass destruction and universal regulation and reduction of armaments, including armed forces, under adequate safeguards to protect complying countries against violation and evasion.

The Congress recognizes that the peace of the world and the security of the United States are

endangered so long as hostile countries continue by threat of military action, by the use of economic pressure, and by internal subversion, or other means to attempt to bring under their domination peoples now free and independent and continue to deny the rights of freedom and self-government to peoples and countries once free but now subject to such domination.

It is the sense of the Congress that an important contribution toward peace would be made by the establishment under the Organization of American States of an international military force.

In enacting this legislation, it is therefore the intention of the Congress to promote the peace of the world and the foreign policy, security, and general welfare of the United States by fostering an improved climate of political independence and individual liberty, improving the ability of friendly countries and international organizations to deter or, if necessary, defeat aggression, facilitating arrangements for individual and collective security, assisting friendly countries to maintain internal security, and creating an environment of security and stability in the developing friendly countries essential to their more rapid social, economic, and political progress. The Congress urges that all other countries able to contribute join in a common undertaking to meet the goals stated in subchapter II of this chapter.

It is the sense of the Congress that in the administration of subchapter II of this chapter priority shall be given to the needs of those countries in danger of becoming victims of aggression or in which the internal security is threatened by internal subversion inspired or supported by hostile countries.

Finally, the Congress reaffirms its full support of the progress of the members of the North Atlantic Treaty Organization toward increased cooperation in political, military, and economic affairs. In particular, the Congress welcomes the steps which have been taken to promote multilateral programs of coordinated procurement, research, development, and production of defense articles and urges that such programs be expanded to the fullest extent possible to further the defense of the North Atlantic Area.

(Pub. L. 87-195, pt. II, § 501, formerly § 502, Sept. 4, 1961, 75 Stat. 434, renumbered § 501 and amended Pub. L. 90-137, pt. II, § 201(a), Nov. 14, 1967, 81 Stat. 455; Pub. L. 103-199, title VII, § 705(1), Dec. 17, 1993, 107 Stat. 2328.)

REFERENCES IN TEXT

This legislation, referred to in fourth paragraph, means Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, as amended, known as the Foreign Assistance Act of 1961. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

REFERENCES TO SUBCHAPTER II DEEMED TO EXCLUDE CERTAIN PARTS OF SUBCHAPTER II

References to subchapter II of this chapter are deemed to exclude parts IV (§ 2346 et seq.), VI (§ 2348 et seq.), and VIII (§ 2349aa et seq.) of subchapter II, and references to subchapter I of this chapter are deemed to include such parts. 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.

PRIOR PROVISIONS

A prior section 501 of Pub. L. 87-195, provided that part II of Pub. L. 87-195 [subchapter II of this chapter] should be cited as the "International Peace and Security Act of 1961", prior to repeal by Pub. L. 88-205, pt. II, § 201(b), Dec. 16, 1963, 77 Stat. 384.

AMENDMENTS

1993—Pub. L. 103-199, § 705(1)(A), in second par., substituted "hostile countries" for "international communism and the countries it controls".

Pub. L. 103-199, § 705(1)(B), in fourth par., struck out "Communist or Communist-supported" after "if necessary, defeat".

Pub. L. 103-199, § 705(1)(C), in fifth par., substituted "aggression or in which the internal security is threatened by internal subversion inspired or supported by hostile countries." for "active Communist or Communist-supported aggression or those countries in which the internal security is threatened by Communist-inspired or Communist-supported internal subversion."

1967—Pub. L. 90-137 inserted par. to indicate that priority shall be given in the use of the funds available to defend against Communist aggression or Communist-inspired internal subversion.

TRANSFER OF PROSCRIBED WEAPONS TO PERSONS OR ENTITIES IN THE WEST BANK AND GAZA

Pub. L. 107-228, div. A, title VI, § 699, Sept. 30, 2002, 116 Stat. 1418, provided that:

"(a) DETERMINATION REGARDING TRANSFERS.—If the President determines, based on a preponderance of the evidence, that a foreign person or entity has knowingly transferred proscribed weapons to Palestinian entities in the West Bank or Gaza, then, for the period specified in subsection (b), no assistance may be provided to the person or entity under part II of the Foreign Assistance Act of 1961 [22 U.S.C. 2301 et seq.] and no sales of defense articles or defense services may be made to the person or entity under section 23 of the Arms Export Control Act [22 U.S.C. 2763].

"(b) DURATION OF PROHIBITION.—The period referred to in subsection (a) is the period commencing on the date on which a notification of a determination under subsection (a) is submitted to the appropriate congressional committees and ending on the date that is two years after such date.

"(c) REPORT.—In conjunction with the report required under title VIII of the P.L.O. Commitments Compliance Act of 1989 (Public Law 101-246) [104 Stat. 76], the President shall submit a report to the appropriate congressional committees on transfers reviewed pursuant to subsection (a).

"(d) DEFINITION.—In this section, the term 'proscribed weapons' means arms, ammunition, and equipment the transfer of which is not in compliance with the Agreement on the Gaza Strip and the Jericho Area of May 4, 1994, its annexes, or subsequent agreements between Israel and the PLO, or Palestinian Authority, as appropriate."

[Functions of President under section 699 of Pub. L. 107-228, set out above, delegated to Secretary of State by Memorandum of President of the United States, Apr. 30, 2009, 74 F.R. 22637.]

[For definition of "appropriate congressional committees" as used in section 699 of Pub. L. 107-228, set out above, see section 3 of Pub. L. 107-228, set out as a note under section 2651 of this title.]

§ 2302. Utilization of defense articles and defense services

Defense articles and defense services to any country shall be furnished solely for internal security (including for antiterrorism and non-proliferation purposes), for legitimate self-defense, to permit the recipient country to partici-