

Subsec. (b). Pub. L. 92-226, §402(2), substituted “\$185,000,000” for “\$100,000,000”.

Subsec. (e). Pub. L. 92-226, §402(3), added subsec. (e).

EFFECTIVE DATE OF 1976 AMENDMENT

Pub. L. 94-329, title II, §210(c)(2), June 30, 1976, 90 Stat. 740, provided in part that the amendment of subsecs. (a) to (c) and (e) by Pub. L. 94-329 is effective July 1, 1976.

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.

TRANSFER OF SUSPENSE ACCOUNT FUNDS TO GENERAL FUND OF TREASURY

Pub. L. 94-329, title II, §210(c)(2), June 30, 1976, 90 Stat. 740, provided in part that all funds in the suspense account referred to in former subsec. (a) of this section on July 1, 1976, shall be transferred to the general fund of the Treasury.

§ 2321c. Definitions

For purposes of sections 2321b and 2314a¹ of this title—

(1) “defense article” and “excess defense articles” have the same meanings as given them in subsections (d) and (g), respectively, of section 2403 of this title; and

(2) “foreign country” includes any department, agency, or independent establishment of the foreign country.

(Pub. L. 91-672, §11, Jan. 12, 1971, 84 Stat. 2055.)

REFERENCES IN TEXT

Section 2314a, referred to in text, was repealed by Pub. L. 93-189, §26(4), Dec. 17, 1973, 87 Stat. 731.

CODIFICATION

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

§ 2321d. Considerations in furnishing military assistance

Decisions to furnish military assistance made under subchapter II of this chapter shall take into account whether such assistance will—

- (1) contribute to an arms race;
- (2) increase the possibility of outbreak or escalation of conflict; or
- (3) prejudice the development of bilateral or multilateral arms control arrangements.

(Pub. L. 87-195, pt. II, §511, as added Pub. L. 92-226, pt. II, §201(f), Feb. 7, 1972, 86 Stat. 25; amended Pub. L. 94-141, title I, §150(c), Nov. 29, 1975, 89 Stat. 760; Pub. L. 105-277, div. G, subdiv. A, title XII, §1225(b), Oct. 21, 1998, 112 Stat. 2681-773.)

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.

AMENDMENTS

1998—Pub. L. 105-277 substituted “take into account” for “be made in coordination with the Director of the

United States Arms Control and Disarmament Agency and shall take into account his opinion as to” in introductory provisions.

1975—Pub. L. 94-141 substituted “be made in coordination with the Director of the United States Arms Control and Disarmament Agency and shall take into account his opinion as to” for “take into account”.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-277 effective Apr. 1, 1999, see section 1201 of Pub. L. 105-277, set out as an Effective Date note under section 6511 of this title.

§ 2321e. Repealed. Pub. L. 93-189, § 12(b)(5), Dec. 17, 1973, 87 Stat. 722

Section, Pub. L. 87-195, pt. II, §512, as added Pub. L. 92-226, pt. II, §201(f), Feb. 7, 1972, 86 Stat. 25, provided for the diminution and consolidation of military assistance advisory groups and missions in foreign countries.

§ 2321f. Repealed. Pub. L. 97-113, title VII, § 734(a)(1), Dec. 29, 1981, 95 Stat. 1560

Section, Pub. L. 87-195, pt. II, §513, as added Pub. L. 92-226, pt. II, §201(f), Feb. 7, 1972, 86 Stat. 25; amended Pub. L. 93-189, §12(b)(6), Dec. 17, 1973, 87 Stat. 722; Pub. L. 93-559, §12, Dec. 30, 1974, 88 Stat. 1798, prohibited military assistance to Thailand, Laos, and South Vietnam after June 30, 1972, 1974, and 1976, respectively, without prior authorization.

§ 2321g. Repealed. Pub. L. 93-189, § 12(b)(5), Dec. 17, 1973, 87 Stat. 722

Section, Pub. L. 87-195, pt. II, §514, as added Pub. L. 92-226, pt. II, §201(f), Feb. 7, 1972, 86 Stat. 26, covered special foreign country accounts, the deposit of currencies, use of special accounts for payments of certain costs, Presidential waiver authority, the nonapplicability of provisions for special accounts, and the limitations on the amount of deposits.

SPECIAL FOREIGN COUNTRY ACCOUNTS

Section 1-501(b) of Ex. Ord. No. 12163, Sept. 29, 1979, 44 F.R. 56675, eff. Oct. 1, 1979, set out as a note under section 2381 of this title, authorized the Secretary of the Treasury to continue to administer any open special foreign country accounts established pursuant to this section prior to its repeal by Pub. L. 93-189.

§ 2321h. Stockpiling of defense articles for foreign countries

(a) Transfer of defense articles

No defense article in the inventory of the Department of Defense which is set aside, reserved, or in any way earmarked or intended for future use by any foreign country may be made available to or for use by any foreign country unless such transfer is authorized under this chapter or the Arms Export Control Act [22 U.S.C. 2751 et seq.] or any subsequent corresponding legislation, and the value of such transfer is charged against funds authorized under such legislation or against the limitations specified in such legislation, as appropriate, for the fiscal period in which such defense article is transferred. For purposes of this subsection, “value” means the acquisition cost plus crating, packing, handling, and transportation costs incurred in carrying out this section.

(b) Fiscal year limits on new stockpiles or additions to existing stockpiles located in foreign countries

(1) The value of defense articles to be set aside, earmarked, reserved, or intended for use

¹ See References in Text note below.