

amended Pub. L. 93-559, §21, Dec. 30, 1974, 88 Stat. 1801; Pub. L. 95-384, §§10(b)(3), 12(c)(2), Sept. 26, 1978, 92 Stat. 735, 737; Pub. L. 99-83, title XII, §1209(b), Aug. 8, 1985, 99 Stat. 279.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original "this Act", meaning 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.

The Arms Export Control Act, referred to in subsec. (a), 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.

AMENDMENTS

1985—Subsec. (a). Pub. L. 99-83, §1209(b)(1), inserted reference to the Arms Export Control Act.

Subsecs. (b), (c). Pub. L. 99-83, §1209(b)(2), (3), redesignated subsec. (c) as (b). Former subsec. (b), relating to report to Congress prior to grant of assistance with excess funds, was struck out.

1978—Subsec. (b). Pub. L. 95-384 substituted in provisions preceding par. (1) in two places and in par. (2) "assistance under part IV of subchapter II of this chapter" for "security supporting assistance" and in provisions preceding par. (1) in two places "part VI of subchapter II" for "subchapter IV" and inserted in par. (2) "or assistance under part VI of subchapter II of this chapter" before ", the President includes".

1974—Subsec. (a). Pub. L. 93-559, §21(1), struck out provisions limiting the military grant assistance or security supporting assistance to any foreign country or international organization to an amount not more than 10 percent of funds authorized under any law unless the President determines that it would be in the security interests of the United States to provide excess funds and reports to Congress the identity of the recipient, the amount of excess funds provided, and the justification for additional assistance. See subsec. (b) of this section.

Subsecs. (b), (c). Pub. L. 93-559, §21(2), added subsec. (b) and redesignated former subsec. (b) as (c).

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.

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.

§ 2414. Presidential findings and determinations

(a) Report to Congress

In any case in which the President is required to make a report to the Congress, or to any committee or officer of either House of Congress, concerning any finding or determination under any provision of this chapter, the Foreign Military Sales Act [22 U.S.C. 2751 et seq.], or the Foreign Assistance and Related Programs Appropriation Act for each fiscal year, that finding or determination shall be reduced to writing and signed by the President.

(b) Action prohibition prior to execution of report

No action shall be taken pursuant to any such finding or determination prior to the date on

which that finding or determination has been reduced to writing and signed by the President.

(c) Publication in Federal Register

Each such finding or determination shall be published in the Federal Register as soon as practicable after it has been reduced to writing and signed by the President. In any case in which the President concludes that such publication would be harmful to the national security of the United States, only a statement that a determination or finding has been made by the President, including the name and section of the Act under which it was made, shall be published.

(d) Information accessible to Congress prior to transmission of report

No committee or officer of either House of Congress shall be denied any requested information relating to any finding or determination which the President is required to report to the Congress, or to any committee or officer of either House of Congress, under any provision of this chapter, the Foreign Military Sales Act [22 U.S.C. 2751 et seq.], or the Foreign Assistance and Related Programs Appropriation Act for each fiscal year, even though such report has not yet been transmitted to the appropriate committee or officer of either House of Congress.

(Pub. L. 87-195, pt. III, §654, as added Pub. L. 92-226, pt. III, §304(b), Feb. 7, 1972, 86 Stat. 29.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (d), was in the original "this Act", meaning 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.

The Foreign Military Sales Act, referred to in subsecs. (a) and (d), is Pub. L. 90-629, ch. 1, Oct. 22, 1968, 82 Stat. 1320, as amended, known as the Arms Export Control Act, on authority of section 201(b) of Pub. L. 94-329, title II, June 30, 1976, 90 Stat. 734, and 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.

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.

§ 2414a. Annual report to Congress on voting practices at United Nations

(a) In general

Not later than March 31 of each year, the Secretary of State shall transmit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate a full and complete annual report which assesses for the preceding calendar year, with respect to each foreign country member of the United Nations, the voting practices of the governments of such countries at the United Nations, and which evaluates General Assembly and Security Council actions and the responsiveness of those governments to United States policy on issues of special importance to the United States.

(b) Information on voting practices in United Nations

Such report shall include, with respect to voting practices and plenary actions in the United Nations during the preceding calendar year, information to be compiled and supplied by the Permanent Representative of the United States to the United Nations, consisting of—

(1) an analysis and discussion, prepared in consultation with the Secretary of State, of the extent to which member countries supported United States policy objectives at the United Nations;

(2) an analysis and discussion, prepared in consultation with the Secretary of State, of actions taken by the United Nations by consensus;

(3) with respect to plenary votes of the United Nations General Assembly—

(A) a listing of all such votes on issues which directly affected important United States interests and on which the United States lobbied extensively and a brief description of the issues involved in each such vote;

(B) a listing of the votes described in subparagraph (A) which provides a comparison of the vote cast by each member country with the vote cast by the United States;

(C) a country-by-country listing of votes described in subparagraph (A); and

(D) a listing of votes described in subparagraph (A) displayed in terms of United Nations regional caucus groups;

(4) a listing of all plenary votes cast by member countries of the United Nations in the General Assembly which provides a comparison of the votes cast by each member country with the vote cast by the United States, including a separate listing of all plenary votes cast by member countries of the United Nations in the General Assembly on resolutions specifically related to Israel that are opposed by the United States;

(5) an analysis and discussion, prepared in consultation with the Secretary of State, of the extent to which other members supported United States policy objectives in the Security Council and a separate listing of all Security Council votes of each member country in comparison with the United States; and

(6) a side-by-side comparison of agreement on important and overall votes for each member country and the United States.

(c) Format

Information required pursuant to subsection (b)(3) of this section shall also be submitted, together with an explanation of the statistical methodology, in a format identical to that contained in chapter II of the Report to Congress on Voting Practices in the United Nations, dated March 14, 1988.

(d) Statement by Secretary of State

Each report under subsection (a) of this section shall contain a statement by the Secretary of State discussing the measures which have been taken to inform United States diplomatic missions of United Nations General Assembly and Security Council activities.

(Pub. L. 101-246, title IV, § 406, Feb. 16, 1990, 104 Stat. 66; Pub. L. 108-447, div. D, title V, § 534(k), Dec. 8, 2004, 118 Stat. 3007.)

CODIFICATION

Section is comprised of section 406 of Pub. L. 101-246. Subsec. (e) of section 406 of Pub. L. 101-246 repealed provisions contained in prior appropriation acts which had been formerly set out as this section. See Similar Provisions note below.

Section was enacted as part of the appropriation act cited as the credit to this section, and not as part of the Foreign Assistance Act of 1961 which comprises this chapter.

AMENDMENTS

2004—Subsec. (b)(4). Pub. L. 108-447 inserted before semicolon at end “, including a separate listing of all plenary votes cast by member countries of the United Nations in the General Assembly on resolutions specifically related to Israel that are opposed by the United States”.

SIMILAR PROVISIONS

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 101-167, title V, § 527, Nov. 21, 1989, 103 Stat. 1223.

Pub. L. 100-461, title V, § 527, Oct. 1, 1988, 102 Stat. 2268-26; repealed by Pub. L. 101-167, title V, § 527(e)(6), Nov. 21, 1989, 103 Stat. 1224, and Pub. L. 101-246, title IV, § 406(e)(5), Feb. 16, 1990, 104 Stat. 67.

Pub. L. 100-202, § 101(e) [title V, § 528], Dec. 22, 1987, 101 Stat. 1329-131, 1329-158; repealed by Pub. L. 101-167, title V, § 527(e)(5), Nov. 21, 1989, 103 Stat. 1224, and Pub. L. 101-246, title IV, § 406(e)(4), Feb. 16, 1990, 104 Stat. 67.

Pub. L. 99-500, § 101(f) [title V, § 528], Oct. 18, 1986, 100 Stat. 1783-213, 1783-230, and Pub. L. 99-591, § 101(f) [title V, § 528], Oct. 30, 1986, 100 Stat. 3341-214, 3341-230; repealed by Pub. L. 101-167, title V, § 527(e)(4), Nov. 21, 1989, 103 Stat. 1224, and Pub. L. 101-246, title IV, § 406(e)(3), Feb. 16, 1990, 104 Stat. 67.

Pub. L. 99-190, § 101(i) [title V, § 529], Dec. 19, 1985, 99 Stat. 1291, 1307; repealed by Pub. L. 101-167, title V, § 527(e)(3), Nov. 21, 1989, 103 Stat. 1224, and Pub. L. 101-246, title IV, § 406(e)(2), Feb. 16, 1990, 104 Stat. 67.

Pub. L. 98-473, title I, § 101(1) [title V, § 530], Oct. 12, 1984, 98 Stat. 1884, 1900; repealed by Pub. L. 101-167, title V, § 527(e)(2), Nov. 21, 1989, 103 Stat. 1224.

Pub. L. 98-151, § 101(b)(1), Nov. 14, 1983, 97 Stat. 967; repealed by Pub. L. 101-167, title V, § 527(e)(1), Nov. 21, 1989, 103 Stat. 1224, and Pub. L. 101-246, title IV, § 406(e)(1), Feb. 16, 1990, 104 Stat. 67.

REQUIREMENT FOR DISCLOSURE OF FOREIGN AID IN REPORT OF SECRETARY OF STATE

Pub. L. 106-429, § 101(a) [title V, § 559], Nov. 6, 2000, 114 Stat. 1900, 1900A-45, which required that the report submitted to Congress under subsec. (a) of this section include, in addition to the voting practices of a foreign country, a side-by-side comparison of individual countries' overall support for the United States at the United Nations and the amount of United States assistance, as defined in section 2291(e)(4) of this title, provided to such country in fiscal year 2000, was from the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001, and was not repeated in subsequent appropriation acts. Similar provisions were contained in the following prior appropriation acts:

Pub. L. 106-113, div. B, § 1000(a)(2) [title V, § 560], Nov. 29, 1999, 113 Stat. 1535, 1501A-104.

Pub. L. 105-277, div. A, § 101(d) [title V, § 562], Oct. 21, 1998, 112 Stat. 2681-150, 2681-193.

Pub. L. 105-118, title V, § 563, Nov. 26, 1997, 111 Stat. 2427.

Pub. L. 104-208, div. A, title I, § 101(c) [title V, § 580], Sept. 30, 1996, 110 Stat. 3009-121, 3009-170.

§ 2415. Annual military assistance report**(a) Report required**

Not later than February 1 of each year, the President shall transmit to the Congress an annual report for the fiscal year ending the previous September 30.

(b) Information relating to military assistance and military exports

Each such report shall show the aggregate dollar value and quantity of defense articles (including excess defense articles), defense services, and international military education and training activities authorized by the United States and of such articles, services, and activities provided by the United States, excluding any activity that is reportable under title V of the National Security Act of 1947 [50 U.S.C. 413 et seq.], to each foreign country and international organization. The report shall specify, by category, whether such defense articles—

(1) were furnished by grant under part II or part V of subchapter II of this chapter or under any other authority of law or by sale under chapter 2 of the Arms Export Control Act [22 U.S.C. 2761 et seq.];

(2) were furnished with the financial assistance of the United States Government, including through loans and guarantees; or

(3) were licensed for export under section 38 of the Arms Export Control Act [22 U.S.C. 2778] and, if so, a specification of those defense articles that were exported during the fiscal year covered by the report, including, in the case of defense articles that are firearms controlled under category I of the United States Munitions List, a statement of the aggregate dollar value and quantity of semiautomatic assault weapons, or spare parts for such weapons, the manufacture, transfer, or possession of which is unlawful under section 922 of title 18, that were licensed for export during the period covered by the report.

(c) Availability on Internet

All unclassified portions of such report shall be made available to the public on the Internet through the Department of State.

(Pub. L. 87-195, pt. III, §655, as added Pub. L. 104-106, div. A, title XIII, §1324(c), Feb. 10, 1996, 110 Stat. 481; amended Pub. L. 104-164, title I, §148, July 21, 1996, 110 Stat. 1435; Pub. L. 106-113, div. B, §1000(a)(7) [div. B, title XIII, §1306], Nov. 29, 1999, 113 Stat. 1536, 1501A-512; Pub. L. 106-280, title VII, §702, Oct. 6, 2000, 114 Stat. 861; Pub. L. 107-228, div. B, title XII, §§1205(c), 1262(b), Sept. 30, 2002, 116 Stat. 1428, 1434.)

REFERENCES IN TEXT

The National Security Act of 1947, referred to in subsec. (b), is act July 26, 1947, ch. 343, 61 Stat. 495, as amended. Title V of the Act is classified generally to subchapter III (§413 et seq.) of chapter 15 of Title 50, War and National Defense. For complete classification of this Act to the Code, see Short Title note set out under section 401 of Title 50 and Tables.

The Arms Export Control Act, referred to in subsec. (b)(1), is Pub. L. 90-629, Oct. 22, 1968, 82 Stat. 1320, as amended. Chapter 2 of the Act is classified generally to subchapter II (§2761 et seq.) of chapter 39 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.

PRIOR PROVISIONS

A prior section 2415, Pub. L. 87-195, pt. III, §655, as added Pub. L. 92-226, pt. III, §304(b), Feb. 7, 1972, 86 Stat. 29; amended Pub. L. 93-559, §39(a), Dec. 30, 1974, 88 Stat. 1810; Pub. L. 94-329, title IV, §413(a), June 30, 1976, 90 Stat. 761, related to limitation in amounts to be expended for assistance to Cambodia, prior to repeal by Pub. L. 95-424, title VI, §§604, 605, Oct. 6, 1978, 92 Stat. 961, effective Oct. 1, 1978.

AMENDMENTS

2002—Subsec. (b)(3). Pub. L. 107-228, §1205(c), inserted before period at end “, including, in the case of defense articles that are firearms controlled under category I of the United States Munitions List, a statement of the aggregate dollar value and quantity of semiautomatic assault weapons, or spare parts for such weapons, the manufacture, transfer, or possession of which is unlawful under section 922 of title 18, that were licensed for export during the period covered by the report”.

Subsecs. (c), (d). Pub. L. 107-228, §1262(b), redesignated subsec. (d) as (c) and struck out heading and text of former subsec. (c). Text read as follows: “Each such report shall also include the total amount of military items manufactured outside the United States that were imported into the United States during the fiscal year covered by the report. For each country of origin the report shall show the type of item being imported and the total amount of the items.”

2000—Subsec. (b)(3). Pub. L. 106-280 inserted before the period at end “and, if so, a specification of those defense articles that were exported during the fiscal year covered by the report”.

1999—Subsec. (b). Pub. L. 106-113, §1000(a)(7) [title XIII, §1306(a)], reenacted heading without change and amended text generally. Prior to amendment, text read as follows: “Each such report shall show the aggregate dollar value and quantity of defense articles (including excess defense articles), defense services, and international military education and training authorized by the United States, excluding that which is pursuant to activities reportable under title V of the National Security Act of 1947, to each foreign country and international organization. The report shall specify, by category, whether such defense articles—

“(1) were furnished by grant under part II or part V of subchapter II of this chapter or under any other authority of law or by sale under chapter 2 of the Arms Export Control Act; or

“(2) were licensed for export under section 38 of the Arms Export Control Act.”

Subsec. (d). Pub. L. 106-113, §1000(a)(7) [title XIII, §1306(b)], added subsec. (d).

1996—Pub. L. 104-164 substituted “Annual military assistance report” for “Annual report on military assistance, military exports, and military imports” in section catchline and amended text generally. Prior to amendment, text read as follows:

“(a) REPORT REQUIRED.—Not later than February 1 of each of 1996 and 1997, the President shall transmit to Congress a report concerning military assistance authorized or furnished for the fiscal year ending the previous September 30.

“(b) INFORMATION RELATING TO MILITARY ASSISTANCE AND MILITARY EXPORTS.—Each such report shall show the aggregate dollar value and quantity of defense articles (including excess defense articles) and defense services, and of military education and training, authorized or furnished by the United States to each foreign country and international organization. The report shall specify, by category, whether those articles and services, and that education and training, were furnished by grant under part II or part V of subchapter II of this chapter or by sale under chapter 2 of the Arms Export Control Act or were authorized by commercial sale licensed under section 38 of the Arms Export Control Act.

“(c) INFORMATION RELATING TO MILITARY IMPORTS.—Each such report shall also include the total amount of