

have been so designated by the President as of the effective date of this section, and the President is not required to notify the Congress of such designation of those countries.

(Pub. L. 87-195, pt. II, §517, as added Pub. L. 104-164, title I, §147(a)(1), July 21, 1996, 110 Stat. 1434.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a)(1), 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)(1), 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.

The effective date of this section, referred to in subsec. (b), is July 21, 1996, the date of enactment of Pub. L. 104-164, which enacted this section.

PRIOR PROVISIONS

A prior section 2321k, Pub. L. 87-195, pt. II, §517, as added Pub. L. 101-231, §5, Dec. 13, 1989, 103 Stat. 1957; amended Pub. L. 101-623, §15, Nov. 21, 1990, 104 Stat. 3357; Pub. L. 102-583, §9(a), Nov. 2, 1992, 106 Stat. 4934; Pub. L. 103-236, title VII, §731(b), Apr. 30, 1994, 108 Stat. 502, related to modernization of counternarcotics capabilities of certain Latin America and Caribbean countries, prior to repeal by Pub. L. 104-164, title I, §104(b)(2)(B), July 21, 1996, 110 Stat. 1427.

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.

TREATMENT OF TAIWAN RELATING TO TRANSFERS OF DEFENSE ARTICLES AND DEFENSE SERVICES

Pub. L. 107-228, div. B, title XII, §1206, Sept. 30, 2002, 116 Stat. 1428, provided that: “Notwithstanding any other provision of law, for purposes of the transfer or possible transfer of defense articles or defense services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), or any other provision of law, Taiwan shall be treated as though it were designated a major non-NATO ally (as defined in section 644(q) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(q))[]).”

[For definitions of “defense article” and “defense service” as used in section 1206 of Pub. L. 107-228, set out above, see section 1002 of Pub. L. 107-228, set out as a note under section 2151 of this title.]

PRESIDENTIAL DETERMINATIONS RELATING TO DESIGNATIONS OF COUNTRIES AS MAJOR NON-NATO ALLIES

The following Presidential Determinations designated the countries listed as major non-NATO allies of the United States for purposes of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) and the Arms Export Control Act (22 U.S.C. 2751 et seq.):

Determination No. 97-4, Nov. 12, 1996, 61 F.R. 59809.—Jordan.

Determination No. 98-9, Jan. 6, 1998, 63 F.R. 3635.—Argentina.

Determination No. 2002-10, Mar. 14, 2002, 67 F.R. 13247.—Bahrain.

Determination No. 2004-02, Oct. 6, 2003, 68 F.R. 59855.—Philippines.

Determination No. 2004-16, Dec. 30, 2003, 69 F.R. 2053.—Thailand.

Determination No. 2004-21, Jan. 15, 2004, 69 F.R. 4843.—Kuwait.

Determination No. 2004-35, June 3, 2004, 69 F.R. 34049.—Morocco.

Determination No. 2004-37, June 16, 2004, 69 F.R. 38797.—Pakistan.

§§ 2321I to 2321n. Repealed. Pub. L. 104-164, title I, §104(b)(2)(B), July 21, 1996, 110 Stat. 1427

Section 2321I, Pub. L. 87-195, pt. II, §518, as added Pub. L. 101-513, title V, §533(f), Nov. 5, 1990, 104 Stat. 2015, authorized President to transfer nonlethal excess defense articles and small arms to friendly countries and to international organizations and private and voluntary organizations for preservation of endangered animal and plant species.

Section 2321m, Pub. L. 87-195, pt. II, §519, as added Pub. L. 101-513, title V, §596(b), Nov. 5, 1990, 104 Stat. 2061; amended Pub. L. 103-236, title VII, §731(c), Apr. 30, 1994, 108 Stat. 502, authorized President to transfer to countries for whom foreign military financing program was justified such nonlethal excess defense articles as President determined necessary to help modernize defense capabilities of such countries.

Section 2321n, Pub. L. 87-195, pt. II, §520, as added Pub. L. 103-236, title IV, §408, Apr. 30, 1994, 108 Stat. 452, authorized President to transfer to international and regional organizations of which United States is a member such excess defense articles as President determined necessary to support and maintain international peacekeeping operations and security.

§ 2322. Transferred

CODIFICATION

Section, Pub. L. 87-195, pt. II, §521, formerly §514, as added Pub. L. 89-583, pt. II, §201(f), Sept. 19, 1966, 80 Stat. 803; renumbered §521, Pub. L. 90-137, pt. II, §201(o)(1), Nov. 14, 1967, 81 Stat. 457, which related to administration of sales programs, was transferred to section 2341 of this title and subsequently repealed by Pub. L. 90-629, §45(a), Oct. 22, 1968, 82 Stat. 1327.

PART III—FOREIGN MILITARY SALES

§§ 2341 to 2343. Repealed. Pub. L. 90-629, ch. 4, §45(a), Oct. 22, 1968, 82 Stat. 1327

Section 2341, Pub. L. 87-195, pt. II, §521, formerly §514, as added Pub. L. 89-583, pt. II, §201(f), Sept. 19, 1966, 80 Stat. 803; renumbered §521 and amended Pub. L. 90-137, pt. II, §201(o)(1), (3)–(7), Nov. 14, 1967, 81 Stat. 457, provided for administration of sales programs involving defense articles and services. Subsec. (a) related to encouragement of regional arms control and disarmament agreements and discouragement of arms races; reimbursable basis of acquisitions; domestic procurement; and considerations. Subsec. (b) related to limitation on military assistance and sales for American Republics; and inclusion of assistance to inter-American military force under control of Organization of American States. Subsec. (c) related to furnishing of defense articles and services; conditions; and report to Congress. For subject matter of subsecs. (a) to (c), see sections 2751 and 2791, 2773, and 2753 of this title, respectively.

Section 2342, Pub. L. 87-195, pt. II, §522, formerly §507 (a), Sept. 4, 1961, 75 Stat. 437; amended Pub. L. 87-565, pt. II, §201(b), Aug. 1, 1962, 76 Stat. 259; Pub. L. 89-171, pt. II, §201(d)(1), Sept. 6, 1965, 79 Stat. 657; renumbered §522 and amended Pub. L. 90-137, pt. II, §201(f), Nov. 14, 1967, 81 Stat. 456, provided for sales of defense articles from stock and services, manner of payment, price of non-excess defense articles, and value of excess defense articles. See section 2761 of this title.

Section 2343, Pub. L. 87-195, pt. II, §523, formerly §507(b), Sept. 4, 1961, 75 Stat. 437; amended Pub. L. 87-565, pt. II, §201(c), Aug. 1, 1962, 76 Stat. 259; Pub. L. 88-633, pt. II, §201(c), Oct. 7, 1964, 78 Stat. 1011; Pub. L. 89-171, pt. II, §201(d)(2), Sept. 6, 1965, 79 Stat. 657; renumbered §523 and amended Pub. L. 90-137, pt. II,