

Stat. 972; renumbered § 575, Pub. L. 104-164, title I, § 121(d), July 21, 1996, 110 Stat. 1428.)

REFERENCES TO SUBCHAPTER I DEEMED TO INCLUDE CERTAIN PARTS OF SUBCHAPTER II, AND REFERENCES TO SUBCHAPTER II DEEMED TO EXCLUDE SUCH PARTS

References to subchapter I of this chapter are deemed to include parts IV (§ 2346 et seq.) and VI (§ 2348 et seq.) of subchapter II of this chapter, and references to subchapter II are deemed to exclude such parts. See section 202(b) of Pub. L. 92-226, set out as a note under section 2346 of this title, and section 2348c of this title.

CODIFICATION

Section 575, formerly 576, of Pub. L. 87-195 is based on section 201 of title II of H.R. 2992, Ninety-eighth Congress, as reported May 17, 1983, and enacted into law by Pub. L. 98-151.

PRIOR PROVISIONS

A prior section 575 of Pub. L. 87-195 was renumbered section 574 and is classified to section 2349aa-4 of this title.

§ 2349aa-6. Repealed. Pub. L. 99-83, title V, § 501(d), Aug. 8, 1985, 99 Stat. 220

Section, Pub. L. 87-195, pt. II, § 577, as added Pub. L. 98-151, § 101(b)(2), Nov. 14, 1983, 97 Stat. 972, provided for expiration of authorities of this part on Sept. 30, 1985.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1985, see section 1301 of Pub. L. 99-83, set out as an Effective Date of 1985 Amendment note under section 2151-1 of this title.

§ 2349aa-7. Coordination of all United States terrorism-related assistance to foreign countries

(a) Responsibility

The Secretary of State shall be responsible for coordinating all assistance related to international terrorism which is provided by the United States Government to foreign countries.

(b) Reports

Not later than February 1 each year, the Secretary of State, in consultation with appropriate United States Government agencies, shall report to the appropriate committees of the Congress on the assistance related to international terrorism which was provided by the United States Government during the preceding fiscal year. Such reports may be provided on a classified basis to the extent necessary, and shall specify the amount and nature of the assistance provided.

(c) Rule of construction

Nothing contained in this section shall be construed to limit or impair the authority or responsibility of any other Federal agency with respect to law enforcement, domestic security operations, or intelligence activities as defined in Executive Order 12333.

(Pub. L. 99-83, title V, § 502, Aug. 8, 1985, 99 Stat. 220; Pub. L. 99-399, title V, § 503, Aug. 27, 1986, 100 Stat. 871.)

REFERENCES IN TEXT

Executive Order 12333, referred to in subsec. (c), is set out as a note under section 3001 of Title 50, War and National Defense.

CODIFICATION

Section was enacted as part of the International Security and Development Cooperation Act of 1985, and

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

AMENDMENTS

1986—Pub. L. 99-399, § 503(1), substituted “terrorism-related” for “anti-terrorism” in section catchline.

Subsec. (a). Pub. L. 99-399, § 503(2), substituted “assistance related to international terrorism which is provided by the United States Government to foreign countries” for “anti-terrorism assistance to foreign countries provided by the United States Government”.

Subsec. (b). Pub. L. 99-399, § 503(3), substituted “assistance related to international terrorism which was” for “anti-terrorism assistance”.

Subsec. (c). Pub. L. 99-399, § 503(4), added subsec. (c).

EFFECTIVE DATE

Section effective Oct. 1, 1985, see section 1301 of Pub. L. 99-83, set out as an Effective Date of 1985 Amendment note under section 2151-1 of this title.

§ 2349aa-8. Prohibition on imports from and exports to Libya

(a) Prohibition on imports

Notwithstanding any other provision of law, the President may prohibit any article grown, produced, extracted, or manufactured in Libya from being imported into the United States.

(b) Prohibition on exports

Notwithstanding any other provision of law, the President may prohibit any goods or technology, including technical data or other information, subject to the jurisdiction of the United States or exported by any person subject to the jurisdiction of the United States, from being exported to Libya.

(c) “United States” defined

For purposes of this section, the term “United States”, when used in a geographical sense, includes territories and possessions of the United States.

(Pub. L. 99-83, title V, § 504, Aug. 8, 1985, 99 Stat. 221.)

CODIFICATION

Section was enacted as part of the International Security and Development Cooperation Act of 1985, and not as part of the Foreign Assistance Act of 1961 which comprises this chapter.

EFFECTIVE DATE

Section effective Oct. 1, 1985, see section 1301 of Pub. L. 99-83, set out as an Effective Date of 1985 Amendment 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.

§ 2349aa-9. Ban on importing goods and services from countries supporting terrorism

(a) Authority

The President may ban the importation into the United States of any good or service from any country which supports terrorism or terrorist organizations or harbors terrorists or terrorist organizations.

(b) Consultation

The President, in every possible instance, shall consult with the Congress before exercis-

ing the authority granted by this section and shall consult regularly with the Congress so long as that authority is being exercised.

(c) Reports

Whenever the President exercises the authority granted by this section, he shall immediately transmit to the Congress a report specifying—

- (1) the country with respect to which the authority is to be exercised and the imports to be prohibited;
- (2) the circumstances which necessitate the exercise of such authority;
- (3) why the President believes those circumstances justify the exercise of such authority; and
- (4) why the President believes the prohibitions are necessary to deal with those circumstances.

At least once during each succeeding 6-month period after transmitting a report pursuant to this subsection, the President shall report to the Congress with respect to the actions taken, since the last such report, pursuant to this section and with respect to any changes which have occurred concerning any information previously furnished pursuant to this subsection.

(d) “United States” defined

For purposes of this section, the term “United States” includes territories and possessions of the United States.

(Pub. L. 99–83, title V, § 505, Aug. 8, 1985, 99 Stat. 221.)

CODIFICATION

Section was enacted as part of the International Security and Development Cooperation Act of 1985, and not as part of the Foreign Assistance Act of 1961 which comprises this chapter.

EFFECTIVE DATE

Section effective Oct. 1, 1985, see section 1301 of Pub. L. 99–83, set out as an Effective Date of 1985 Amendment 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.

§ 2349aa–10. Antiterrorism assistance

(a) Omitted

(b) Assistance to foreign countries to procure explosives detection devices and other counterterrorism technology

(1) Subject to section 2349aa–4(b) of this title, up to \$3,000,000 in any fiscal year may be made available—

- (A) to procure explosives detection devices and other counterterrorism technology; and
- (B) for joint counterterrorism research and development projects on such technology conducted with NATO and major non-NATO allies under the auspices of the Technical Support Working Group of the Department of State.

(2) As used in this subsection, the term “major non-NATO allies” means those countries des-

ignated as major non-NATO allies for purposes of section 2350a(i)(3)¹ of title 10.

(c) Assistance to foreign countries

Notwithstanding any other provision of law (except section 2371 of this title) up to \$1,000,000 in assistance may be provided to a foreign country for counterterrorism efforts in any fiscal year if—

- (1) such assistance is provided for the purpose of protecting the property of the United States Government or the life and property of any United States citizen, or furthering the apprehension of any individual involved in any act of terrorism against such property or persons; and
- (2) the appropriate committees of Congress are notified not later than 15 days prior to the provision of such assistance.

(Pub. L. 104–132, title III, § 328, Apr. 24, 1996, 110 Stat. 1257.)

REFERENCES IN TEXT

Section 2349aa–4 of this title, referred to in subsec. (b)(1), was in the original “section 575”, which was translated as meaning section 575 of the Foreign Assistance Act of 1961. Section 575 of the Act was renumbered section 574 by section 121(d) of Pub. L. 104–164 without corresponding amendment to this section.

Section 2350a of title 10, referred to in subsec. (b)(2), was subsequently amended, and section 2350a(i)(3) no longer defines the term “major non-NATO ally”. However, such term is defined elsewhere in that section.

CODIFICATION

Section is comprised of section 328 of Pub. L. 104–132. Subsec. (a) of section 328 of Pub. L. 104–132 amended section 2349aa–2 of this title.

Section was enacted as part of the Antiterrorism and Effective Death Penalty Act of 1996, and not as part of the Foreign Assistance Act of 1961 which comprises this chapter.

“ASSISTANCE” DEFINED

Pub. L. 104–132, title III, § 329, Apr. 24, 1996, 110 Stat. 1258, provided that: “For purposes of this title [enacting this section and sections 262p–4q, 2377, 2378, and 2781 of this title, section 1189 of Title 8, Aliens and Nationality, and sections 2332d and 2339B of Title 18, Crimes and Criminal Procedure, amending section 2349aa–2 of this title, section 2339A of Title 18, and section 44906 of Title 49, Transportation, and enacting provisions set out as notes under section 2377 of this title and sections 2332d and 2339B of Title 18]—

“(1) the term ‘assistance’ means assistance to or for the benefit of a government of any country that is provided by grant, concessional sale, guaranty, insurance, or by any other means on terms more favorable than generally available in the applicable market, whether in the form of a loan, lease, credit, debt relief, or otherwise, including subsidies for exports to such country and favorable tariff treatment of articles that are the growth, product, or manufacture of such country; and

“(2) the term ‘assistance’ does not include assistance of the type authorized under chapter 9 of part 1 of the Foreign Assistance Act of 1961 [22 U.S.C. 2292 et seq.] (relating to international disaster assistance).”

PART IX—NONPROLIFERATION AND EXPORT CONTROL ASSISTANCE

§ 2349bb. Purposes

The purposes of assistance under this part are to halt the proliferation of nuclear, chemical,

¹ See References in Text note below.