

106-31, title V, § 5002(c)-(e), May 21, 1999, 113 Stat. 109, provided that:

“(a) NOTIFICATION.—No less than 15 days prior to the export to any country identified pursuant to subparagraph (c) of any lethal defense article or service in the amount of \$14,000,000 or less, the President shall provide a detailed notification to the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and International Relations [now Committee on Foreign Affairs] of the House of Representatives.

“(b) CONTENT OF NOTIFICATION.—A detailed notification transmitted pursuant to subsection (a) shall include the same type and quantity of information required of a notification submitted pursuant to section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)).

“(c) COUNTRIES DEFINED.—This section shall apply to any country that is—

“(1) identified in section 520 of this Act [Pub. L. 105-277, 112 Stat. 2681-176], or a comparable provision in a subsequent appropriations Act; or

“(2) currently ineligible, in whole or in part, under an annual appropriations Act to receive funds for International Military Education and Training or under the Foreign Military Financing Program, excluding high-income countries as defined pursuant to section 546(b) of the Foreign Assistance Act of 1961 [22 U.S.C. 2347e(b)].

“(d) EXCLUSIONS.—Information reportable under title V of the National Security Act of 1947 [50 U.S.C. 3091 et seq.] is excluded from the requirements of this section.”

[For delegation of functions of President under section 101(d) [title V, § 594] of div. A of Pub. L. 105-277, set out above, 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.]

#### ELIGIBILITY OF BALTIC STATES FOR NONLETHAL DEFENSE ARTICLES

Pub. L. 102-511, title IX, § 906, Oct. 24, 1992, 106 Stat. 3356, provided that:

“(a) ELIGIBILITY.—Estonia, Latvia, and Lithuania shall each be eligible—

“(1) to purchase, or to receive financing for the purchase of, nonlethal defense articles—

“(A) under the Arms Export Control Act (22 U.S.C. 2751 et seq.), without regard to section 3(a)(1) of that Act [22 U.S.C. 2753(a)(1)], or

“(B) under section 503 of the Foreign Assistance Act of 1961 (22 U.S.C. 2311), without regard to the requirement in subsection (a) of that section for a Presidential finding; and

“(2) to receive nonlethal excess defense articles transferred under section 519 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321m), without regard to the restrictions in subsection (a) of that section.

“(b) DEFINITIONS.—As used in this section—

“(1) the term ‘defense article’ has the same meaning given to that term in section 47(3) of the Arms Export Control Act (22 U.S.C. 2794(3)); and

“(2) the term ‘excess defense article’ has the same meaning given to that term in section 644(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(g)).”

#### § 2754. Purposes for which military sales or leases by the United States are authorized; report to Congress

Defense articles and defense services shall be sold or leased by the United States Government under this chapter to friendly countries solely for internal security, for legitimate self-defense, for preventing or hindering the proliferation of weapons of mass destruction and of the means of delivering such weapons, to permit the recipient country to participate in regional or collective arrangements or measures consistent with the Charter of the United Nations, or otherwise to

permit the recipient country to participate in collective measures requested by the United Nations for the purpose of maintaining or restoring international peace and security, or for the purpose of enabling foreign military forces in less developed friendly countries to construct public works and to engage in other activities helpful to the economic and social development of such friendly countries. It is the sense of the Congress that such foreign military forces should not be maintained or established solely for civic action activities and that such civic action activities not significantly detract from the capability of the military forces to perform their military missions and be coordinated with and form part of the total economic and social development effort: *Provided*, That none of the funds contained in this authorization shall be used to guarantee, or extend credit, or participate in an extension of credit in connection with any sale of sophisticated weapons systems, such as missile systems and jet aircraft for military purposes, to any underdeveloped country other than Greece, Turkey, Iran, Israel, the Republic of China, the Philippines and Korea unless the President determines that such financing is important to the national security of the United States and reports within thirty days each such determination to the Congress.

(Pub. L. 90-629, ch. 1, § 4, Oct. 22, 1968, 82 Stat. 1322; Pub. L. 97-113, title I, § 109(b)(3), Dec. 29, 1981, 95 Stat. 1526; Pub. L. 107-228, div. B, title XII, § 1202(a), Sept. 30, 2002, 116 Stat. 1427.)

#### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 90-629, Oct. 22, 1968, 82 Stat. 1321, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2751 of this title and Tables.

#### AMENDMENTS

2002—Pub. L. 107-228 inserted “for preventing or hindering the proliferation of weapons of mass destruction and of the means of delivering such weapons,” after “legitimate self-defense,” in first sentence.

1981—Pub. L. 97-113 substituted “sold or leased” for “sold” in first sentence.

#### § 2755. Discrimination prohibited if based on race, religion, national origin, or sex

##### (a) Congressional declaration of policy

It is the policy of the United States that no sales should be made, and no credits (including participations in credits) or guaranties extended to or for any foreign country, the laws, regulations, official policies, or governmental practices of which prevent any United States person (as defined in section 7701(a)(30) of title 26) from participating in the furnishing of defense articles or defense services under this chapter on the basis of race, religion, national origin, or sex.

##### (b) Employment of personnel; required contractual provision

(1) No agency performing functions under this chapter shall, in employing or assigning personnel to participate in the performance of any such function, whether in the United States or abroad, take into account the exclusionary poli-