

as the President may determine, to provide educational and health care assistance for the women and children living in Afghanistan and as refugees in neighboring countries.

“(b) IMPLEMENTATION.—(1) In providing assistance under subsection (a), the President shall ensure that such assistance is provided in a manner that protects and promotes the human rights of all people in Afghanistan, utilizing indigenous institutions and nongovernmental organizations, especially women’s organizations, to the extent possible.

“(2) Beginning 6 months after the date of enactment of this Act [Dec. 12, 2001], and at least annually for the 2 years thereafter, the Secretary of State shall submit a report to the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations [now Committee on Foreign Affairs] of the House of Representatives describing the activities carried out under this Act and otherwise describing the condition and status of women and children in Afghanistan and the persons in refugee camps while United States aid is given to displaced Afghans.

“(c) AVAILABILITY OF FUNDS.—Funds made available under the 2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States (Public Law 107–38) [115 Stat. 220], shall be available to carry out this Act.”

§ 7514. Coordination of assistance

(a) In general

The President shall designate, within the Department of State, a coordinator who shall be responsible for—

- (1) designing an overall strategy to advance United States interests in Afghanistan;
- (2) ensuring program and policy coordination among agencies of the United States Government in carrying out the policies set forth in this subchapter;
- (3) pursuing coordination with other countries and international organizations with respect to assistance to Afghanistan;
- (4) ensuring that United States assistance programs for Afghanistan are consistent with this subchapter;
- (5) ensuring proper management, implementation, and oversight by agencies responsible for assistance programs for Afghanistan; and
- (6) resolving policy and program disputes among United States Government agencies with respect to United States assistance for Afghanistan.

(b) Rank and status of the coordinator

The coordinator designated under subsection (a) shall have the rank and status of ambassador.

(c) Assistance plan

(1) Submission to Congress

The coordinator designated under subsection (a) shall annually submit the Afghanistan assistance plan of the Administration to—

- (A) the Committee on Foreign Relations of the Senate;
- (B) the Committee on International Relations of the House of Representatives;
- (C) the Committee on Appropriations of the Senate; and
- (D) the Committee on Appropriations of the House of Representatives.

(2) Contents

The assistance plan submitted under paragraph (1) shall describe—

(A) how the plan relates to the strategy provided pursuant to section 7554 of this title; and

(B) how the plan builds upon United States assistance provided to Afghanistan since 2001.

(d) Coordination with international community

(1) In general

The coordinator designated under subsection (a) shall work with the international community and the Government of Afghanistan to ensure that assistance to Afghanistan is implemented in a coherent, consistent, and efficient manner to prevent duplication and waste.

(2) International financial institutions

The coordinator designated under subsection (a), under the direction of the Secretary of State, shall work through the Secretary of the Treasury and the United States Executive Directors at the international financial institutions (as defined in section 262r(c)(2) of this title) to coordinate United States assistance for Afghanistan with international financial institutions.

(Pub. L. 107–327, title I, §104, Dec. 4, 2002, 116 Stat. 2804; Pub. L. 108–458, title VII, §7104(c)(2), (d), Dec. 17, 2004, 118 Stat. 3781.)

AMENDMENTS

2004—Subsec. (a). Pub. L. 108–458, §7104(c)(2), substituted “shall” for “is strongly urged to” in introductory provisions.

Subsecs. (c), (d). Pub. L. 108–458, §7104(d), added subsecs. (c) and (d).

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

FINDINGS

Pub. L. 108–458, title VII, §7104(c)(1), Dec. 17, 2004, 118 Stat. 3781, provided that: “Congress makes the following findings:

“(A) The Final Report of the National Commission on Terrorist Attacks Upon the United States criticized the provision of United States assistance to Afghanistan for being too inflexible.

“(B) The Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7501 et seq.) contains provisions that provide for flexibility in the provision of assistance for Afghanistan and are not subject to the requirements of typical foreign assistance programs and provide for the designation of a coordinator to oversee United States assistance for Afghanistan.”

§ 7515. Sense of Congress regarding promoting cooperation in opium producing areas

It is the sense of Congress that the President should—

- (1) to the extent practicable, under such procedures as the President may prescribe, withhold United States bilateral assistance from, and oppose multilateral assistance to, opium-producing areas of Afghanistan if, within such areas, appropriate cooperation is not provided to the United States, the Government of Afghanistan, and international organizations with respect to the suppression of narcotics

cultivation and trafficking, and if withholding such assistance would promote such cooperation;

(2) redistribute any United States bilateral assistance (and to promote the redistribution of any multilateral assistance) withheld from an opium-producing area to other areas with respect to which assistance has not been withheld as a consequence of this section; and

(3) define or redefine the boundaries of opium producing areas of Afghanistan for the purposes of this section.

(Pub. L. 107-327, title I, §105, Dec. 4, 2002, 116 Stat. 2805.)

§ 7516. Administrative provisions

(a) Applicable administrative authorities

Except to the extent inconsistent with the provisions of this subchapter, the administrative authorities under chapters 1 and 2 of part III of the Foreign Assistance Act of 1961 [22 U.S.C. 2351 et seq., 2381 et seq.] shall apply to the provision of assistance under this subchapter to the same extent and in the same manner as such authorities apply to the provision of economic assistance under part I of such Act [22 U.S.C. 2151 et seq.].

(b) Use of the expertise of Afghan-Americans

In providing assistance authorized by this subchapter, the President should—

(1) maximize the use, to the extent feasible, of the services of Afghan-Americans who have expertise in the areas for which assistance is authorized by this subchapter; and

(2) in the awarding of contracts and grants to implement activities authorized under this subchapter, encourage the participation of such Afghan-Americans (including organizations employing a significant number of such Afghan-Americans).

(c) Donations of manufacturing equipment; use of colleges and universities

In providing assistance authorized by this subchapter, the President, to the maximum extent practicable, should—

(1) encourage the donation of appropriate excess or obsolete manufacturing and related equipment by United States businesses (including small businesses) for the reconstruction of Afghanistan; and

(2) utilize research conducted by United States colleges and universities and the technical expertise of professionals within those institutions, particularly in the areas of agriculture and rural development.

(d) Administrative expenses

Of the funds made available to carry out the purposes of assistance authorized by this subchapter in any fiscal year, up to 7 percent may be used for administrative expenses of Federal departments and agencies in connection with the provision of such assistance.

(e) Monitoring

(1) Comptroller General

The Comptroller General shall monitor the provision of assistance under this subchapter.

(2) Inspector General of USAID

The Inspector General of the United States Agency for International Development shall

conduct audits, inspections, and other activities, as appropriate, associated with the expenditure of the funds to carry out this subchapter.

(f) Priority for direct assistance to the Government of Afghanistan

To the maximum extent practicable, assistance authorized under this subchapter should be provided directly to the Government of Afghanistan (including any appropriate ministry thereof).

(Pub. L. 107-327, title I, §106, Dec. 4, 2002, 116 Stat. 2805.)

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (a), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424. Part I of the Act is classified generally to subchapter I (§2151 et seq.) of chapter 32 of this title. Chapters 1 and 2 of part III of the Act are classified generally to parts I (§2351 et seq.) and II (§2381 et seq.), respectively, of subchapter III of chapter 32 of this title. For provisions deeming references to subchapter I to include parts IV (§2346 et seq.), VI (§2348 et seq.), and VIII (§2349aa et seq.) of subchapter II of chapter 32, 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. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

§ 7517. Relationship to other authority

The authority to provide assistance under this subchapter is in addition to any other authority to provide assistance to the Government of Afghanistan.

(Pub. L. 107-327, title I, §107, Dec. 4, 2002, 116 Stat. 2806.)

§ 7518. Authorization of appropriations

(a) In general

There is authorized to be appropriated to the President to carry out this subchapter (other than section 7513(c) of this title) such sums as may be necessary for each of the fiscal years 2005 and 2006.

(b) Availability

Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are—

(1) authorized to remain available until expended; and

(2) in addition to funds otherwise available for such purposes, including, with respect to food assistance under section 7513(a)(1) of this title, funds available under title II of the Food for Peace Act [7 U.S.C. 1721 et seq.], section 1736o of title 7, and section 1431(b) of title 7.

(Pub. L. 107-327, title I, §108, Dec. 4, 2002, 116 Stat. 2806; Pub. L. 108-106, title II, §2214, Nov. 6, 2003, 117 Stat. 1232; Pub. L. 108-458, title VII, §7104(m), Dec. 17, 2004, 118 Stat. 3788; Pub. L. 110-246, title III, §3001(c), June 18, 2008, 122 Stat. 1821.)

REFERENCES IN TEXT

The Food for Peace Act, referred to in subsec. (b)(2), is act July 10, 1954, ch. 469, 68 Stat. 454. Title II of the Act is classified generally to subchapter III (§1721 et