

ADMINISTRATION OF JUSTICE ACTIVITIES

Pub. L. 108-199, div. D, title V, § 536, Jan. 23, 2004, 118 Stat. 183, provided that: “Of the funds appropriated or otherwise made available by this Act or any subsequent Act for ‘Economic Support Fund’, assistance may be provided to strengthen the administration of justice in countries in Latin America and the Caribbean and in other regions consistent with the provisions of section 534(b) of the Foreign Assistance Act of 1961 [22 U.S.C. 2346c(b)], except that programs to enhance protection of participants in judicial cases may be conducted notwithstanding section 660 of that Act [22 U.S.C. 2420]. Funds made available pursuant to this section may be made available notwithstanding section 534(c) and the second and third sentences of section 534(e) of the Foreign Assistance Act of 1961 [22 U.S.C. 2346c(c), (e)].”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 108-7, div. E, title V, § 536, Feb. 20, 2003, 117 Stat. 195.

Pub. L. 107-115, title V, § 536, Jan. 10, 2002, 115 Stat. 2152.

Pub. L. 106-429, § 101(a) [title V, § 540], Nov. 6, 2000, 114 Stat. 1900, 1900A-37.

Pub. L. 106-113, div. B, § 1000(a)(2) [title V, § 540], Nov. 29, 1999, 113 Stat. 1535, 1501A-95.

Pub. L. 105-277, div. A, § 101(d) [title V, § 542], Oct. 21, 1998, 112 Stat. 2681-150, 2681-184.

Pub. L. 105-118, title V, § 541, Nov. 26, 1997, 111 Stat. 2418.

Pub. L. 104-208, div. A, title I, § 101(c) [title V, § 543], Sept. 30, 1996, 110 Stat. 3009-121, 3009-157.

Pub. L. 104-107, title V, § 543, Feb. 12, 1996, 110 Stat. 739.

Pub. L. 103-306, title V, § 549(a), (c), Aug. 23, 1994, 108 Stat. 1643, 1644.

Pub. L. 103-87, title V, § 551(a)(1), (b), Sept. 30, 1993, 107 Stat. 962.

Pub. L. 102-391, title V, § 588(a)(1), (b), Oct. 6, 1992, 106 Stat. 1689, 1690.

ANTI-NARCOTICS UPDATE

Pub. L. 102-145, § 124, as added by Pub. L. 102-266, § 102, Apr. 1, 1992, 106 Stat. 97, provided that: “The program authorized by section 534 of the Foreign Assistance Act of 1961 [22 U.S.C. 2346c] may continue from funds appropriated by this joint resolution for foreign operations, export financing, and related programs, notwithstanding the last sentence of section 534(e) of that Act: *Provided*, That such programs may include the protection of participants in judicial cases, notwithstanding section 660 of that Act [22 U.S.C. 2420]: *Provided further*, That, notwithstanding sections 534(c) and 660 of that Act, (1) up to \$10,000,000 to provide support for a professional civilian police force for Panama, except that such assistance shall not include more than \$5,000,000 for the procurement of equipment for law enforcement purposes, and shall not include lethal equipment, and (2) up to \$16,000,000 for Bolivia, Colombia, and Peru.”

§ 2346d. Repealed. Pub. L. 103-149, § 4(a)(3)(B), Nov. 23, 1993, 107 Stat. 1505

Section, Pub. L. 87-195, pt. II, § 535, as added Pub. L. 99-440, title V, § 511(a), Oct. 2, 1986, 100 Stat. 1111; amended Pub. L. 99-631, § 1(b)(3), Nov. 7, 1986, 100 Stat. 3519, related to economic support for disadvantaged South Africans.

§§ 2346e to 2346i. Repealed. Pub. L. 99-83, title II, § 201(a), Aug. 8, 1985, 99 Stat. 210

Section 2346e, Pub. L. 87-195, pt. II, § 536, as added Pub. L. 97-113, title II, § 202, Dec. 29, 1981, 95 Stat. 1531, related to special requirements fund.

A prior section 2346e, Pub. L. 87-195, pt. II, § 536, as added Pub. L. 96-257, § 2, May 31, 1980, 94 Stat. 422, provided for Central American economic support for fiscal year 1980, in amount of \$80,000,000, prior to repeal by Pub. L. 96-533, title II, § 202, Dec. 16, 1980, 94 Stat. 3142.

Section 2346f, Pub. L. 87-195, pt. II, § 537, as added Pub. L. 97-113, title II, § 202, Dec. 29, 1981, 95 Stat. 1531, related to programs for Tunisia.

Section 2346g, Pub. L. 87-195, pt. II, § 538, as added Pub. L. 97-113, title II, § 202, Dec. 29, 1981, 95 Stat. 1531, related to programs for Costa Rica.

Section 2346h, Pub. L. 87-195, pt. II, § 539, as added Pub. L. 97-113, title II, § 202, Dec. 29, 1981, 95 Stat. 1531, related to programs for Nicaragua.

Section 2346i, Pub. L. 87-195, pt. II, § 540, as added Pub. L. 97-113, title VII, § 708(c), Dec. 29, 1981, 95 Stat. 1546, related to programs for Poland.

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.

PART V—INTERNATIONAL MILITARY EDUCATION AND TRAINING

§ 2347. General authority

(a) The President is authorized to furnish, on such terms and conditions consistent with this chapter as the President may determine (but whenever feasible on a reimbursable basis), military education and training to military and related civilian personnel of foreign countries. Such civilian personnel shall include foreign governmental personnel of ministries other than ministries of defense, and may also include legislators and individuals who are not members of the government, if the military education and training would (i) contribute to responsible defense resource management, (ii) foster greater respect for and understanding of the principle of civilian control of the military, (iii) contribute to cooperation between military and law enforcement personnel with respect to counternarcotics law enforcement efforts, or (iv) improve military justice systems and procedures in accordance with internationally recognized human rights. Such training and education may be provided through—

(1) attendance at military educational and training facilities in the United States (other than Service academies) and abroad;

(2) attendance in special courses of instruction at schools and institutions of learning or research in the United States and abroad; and

(3) observation and orientation visits to military facilities and related activities in the United States and abroad.

(b) The President shall seek reimbursement for military education and training furnished under this part from countries using assistance under section 2763 of this title (relating to the Foreign Military Financing Program) to purchase such military education and training at a rate comparable to the rate charged to countries receiving grant assistance for military education and training under this part.

(Pub. L. 87-195, pt. II, § 541, as added Pub. L. 94-329, title I, § 106(a), June 30, 1976, 90 Stat. 732; amended Pub. L. 101-513, title III, Nov. 5, 1990, 104 Stat. 1997; Pub. L. 102-583, § 10, Nov. 2, 1992, 106 Stat. 4934; Pub. L. 104-164, title I, § 112(a), July 21, 1996, 110 Stat. 1427; Pub. L. 109-102, title V, § 534(l)(3), Nov. 14, 2005, 119 Stat. 2211.)

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.

AMENDMENTS

2005—Pub. L. 109-102 designated existing provisions as subsec. (a) and added subsec. (b).

1996—Pub. L. 104-164 inserted “and individuals who are not members of the government” after “legislators” in second sentence of introductory provisions.

1992—Pub. L. 102-583, in introductory provisions, inserted “, and may also include legislators,” after “ministries of defense” and substituted “(iii) contribute to cooperation between military and law enforcement personnel with respect to counternarcotics law enforcement efforts, or (iv)” for “or (iii)”.

1990—Pub. L. 101-513 inserted after first sentence “Such civilian personnel shall include foreign governmental personnel of ministries other than ministries of defense if the military education and training would (i) contribute to responsible defense resource management, (ii) foster greater respect for and understanding of the principle of civilian control of the military, or (iii) improve military justice systems and procedures in accordance with internationally recognized human rights.”

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.

FUNDS MADE AVAILABLE PURSUANT TO OTHER PROVISIONS OF LAW

Pub. L. 94-329, title I, §106(d), June 30, 1976, 90 Stat. 734, provided that: “Funds made available pursuant to other provisions of law for foreign military educational and training activities shall remain available for obligation and expenditure for their original purposes in accordance with the provisions of law originally applicable to those purposes or in accordance with the provisions of law currently applicable to those purposes.”

§ 2347a. Authorization of appropriations

There are authorized to be appropriated to the President to carry out the purposes of this part \$56,221,000 for fiscal year 1986 and \$56,221,000 for fiscal year 1987.

(Pub. L. 87-195, pt. II, §542, as added Pub. L. 94-329, title I, §106(a), June 30, 1976, 90 Stat. 732; amended Pub. L. 95-92, §10, Aug. 4, 1977, 91 Stat. 619; Pub. L. 95-384, §11(a), Sept. 26, 1978, 92 Stat. 736; Pub. L. 96-92, §9, Oct. 29, 1979, 93 Stat. 705; Pub. L. 96-533, title I, §115(a), Dec. 16, 1980, 94 Stat. 3140; Pub. L. 97-113, title I, §113, title VII, §734(a)(1), Dec. 29, 1981, 95 Stat. 1528, 1560; Pub. L. 99-83, title I, §104, Aug. 8, 1985, 99 Stat. 195.)

AMENDMENTS

1985—Pub. L. 99-83 amended section generally, substituting provisions authorizing appropriations of \$56,221,000 for fiscal years 1986 and 1987, for provisions authorizing appropriations of \$42,000,000 for fiscal years 1982 and 1983.

1981—Pub. L. 97-113, §§113, 734(a)(1), substituted appropriations authorization of \$42,000,000 for fiscal years 1982 and 1983 for appropriation of \$34,000,000 for fiscal year 1981 and deleted prohibition against any training after June 30, 1976, outside the United States without a prior Presidential report to the Speaker of the House and the Senate Foreign Relations Committee and justification for the training.

1980—Pub. L. 96-533 substituted appropriations authorization of \$34,000,000 for fiscal year 1981 for author-

ization of \$31,800,000 for fiscal year 1980, including prohibition against availability of any amount for Inter-American regional programs unless the foreign country participants collectively contribute an equivalent amount to carry out the programs.

1979—Pub. L. 96-92 substituted appropriations authorization of \$31,800,000 for fiscal year 1980, for identical authorization for fiscal year 1979, and required collective contribution of an equivalent amount by the foreign countries participating in Inter-American regional programs before such amount became available from the appropriation for such programs.

1978—Pub. L. 95-384 substituted “\$31,800,000 for the fiscal year 1979” for “\$31,000,000 for the fiscal year 1978”.

1977—Pub. L. 95-92 substituted “\$31,000,000 for the fiscal year 1978” for “\$27,000,000 for the fiscal year 1976 and \$30,200,000 for the fiscal year 1977”.

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.

§ 2347b. Congressional declaration of purpose

Education and training activities conducted under this part shall be designed—

(1) to encourage effective and mutually beneficial relations and increased understanding between the United States and foreign countries in furtherance of the goals of international peace and security;

(2) to improve the ability of participating foreign countries to utilize their resources, including defense articles and defense services obtained by them from the United States, with maximum effectiveness, thereby contributing to greater self-reliance by such countries; and

(3) to increase the awareness of nationals of foreign countries participating in such activities of basic issues involving internationally recognized human rights.

(Pub. L. 87-195, pt. II, §543, as added Pub. L. 94-329, title I, §106(a), June 30, 1976, 90 Stat. 733; amended Pub. L. 95-384, §11(b), Sept. 26, 1978, 92 Stat. 736.)

AMENDMENTS

1978—Pub. L. 95-384 added par. (3).

§ 2347c. Exchange training; reciprocity agreement

(a) Attendance of foreign military personnel at professional military education institutions

In carrying out this part, the President is authorized to provide for attendance of foreign military personnel at professional military education institutions in the United States (other than service academies) without charge, and without charge to funds available to carry out this part (notwithstanding section 2392(d) of this title), if such attendance is pursuant to an agreement providing for the exchange of students on a one-for-one, reciprocal basis each fiscal year between those United States professional military education institutions and com-