

(ii) a memorandum explaining the reasons justifying the certification described in clause (i).

**(2) Maker of certification**

In the event of a vacancy in, or the termination of, the position of the President's Special Representative to Afghanistan and Pakistan, the certification and memorandum described under paragraph (1)(B) may be made by the Secretary of State.

**(c) Waiver**

The Secretary of State may waive the limitations in subsection (b) if the Secretary determines, and certifies to the appropriate congressional committees, that it is in the national security interests of the United States to do so.

**(d) Sense of Congress on foreign assistance funds**

It is the sense of Congress that, subject to an improving political and economic climate in Pakistan, there should be authorized to be appropriated up to \$1,500,000,000 for each of the fiscal years 2015 through 2019 for the purpose of providing assistance to Pakistan under the Foreign Assistance Act of 1961 [22 U.S.C. 2151 et seq.].

(Pub. L. 111-73, title I, §102, Oct. 15, 2009, 123 Stat. 2068.)

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsecs. (a), (b)(1)(B)(i), and (d), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, which is classified principally to chapter 32 (§2151 et seq.) 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.

**§ 8413. Auditing**

**(a) Assistance authorized**

The Inspector General of the Department of State, the Inspector General of the United States Agency for International Development, and the inspectors general of other Federal departments and agencies (other than the Inspector General of the Department of Defense) carrying out programs, projects, and activities using amounts appropriated to carry out this subchapter shall audit, investigate, and oversee the obligation and expenditure of such amounts.

**(b) Authorization for in-country presence**

The Inspector General of the Department of State and the Inspector General of the United States Agency for International Development, after consultation with the Secretary of State and the Administrator of the United States Agency for International Development, are authorized to establish field offices in Pakistan with sufficient staff from each of the Offices of the Inspector General, respectively, to carry out subsection (a).

**(c) Authorization of appropriations**

**(1) In general**

Of the amounts authorized to be appropriated under section 8412 of this title for each of the fiscal years 2010 through 2014, up to \$30,000,000 for each fiscal year is authorized to be made available to carry out this section.

**(2) Relation to other available funds**

Amounts made available under paragraph (1) are in addition to amounts otherwise available for such purposes.

(Pub. L. 111-73, title I, §103, Oct. 15, 2009, 123 Stat. 2069.)

SUBCHAPTER II—SECURITY ASSISTANCE  
FOR PAKISTAN

**§ 8421. Purposes of assistance**

The purposes of assistance under this subchapter are—

(1) to support Pakistan's paramount national security need to fight and win the ongoing counterinsurgency within its borders in accordance with its national security interests;

(2) to work with the Government of Pakistan to improve Pakistan's border security and control and help prevent any Pakistani territory from being used as a base or conduit for terrorist attacks in Pakistan, or elsewhere;

(3) to work in close cooperation with the Government of Pakistan to coordinate action against extremist and terrorist targets; and

(4) to help strengthen the institutions of democratic governance and promote control of military institutions by a democratically elected civilian government.

(Pub. L. 111-73, title II, §201, Oct. 15, 2009, 123 Stat. 2069.)

**§ 8422. Authorization of assistance**

**(a) International military education and training**

**(1) In general**

There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2010 through 2014 for assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.; relating to international military education and training) for Pakistan, including expanded international military education and training (commonly known as "E-IMET").

**(2) Use of funds**

It is the sense of Congress that a substantial amount of funds made available to carry out this subsection for a fiscal year should be used to pay for courses of study and training in counterinsurgency and civil-military relations.

**(b) Foreign Military Financing program**

**(1) In general**

There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2010 through 2014 for grant assistance under section 2763 of this title (relating to the Foreign Military Financing program) for the purchase of defense articles, defense services, and military education and training for Pakistan.

**(2) Use of funds**

**(A) In general**

A significant portion of the amount made available to carry out this subsection for a

fiscal year shall be for the purchase of defense articles, defense services, and military education and training for activities relating to counterinsurgency and counterterrorism operations in Pakistan.

**(B) Sense of Congress**

It is the sense of Congress that a significant majority of funds made available to carry out this subsection for a fiscal year should be used for the purpose described in subparagraph (A).

**(3) Additional authority**

Except as provided in sections 2753 and 2799aa-1 of this title, the second section 620J<sup>1</sup> of the Foreign Assistance Act of 1961 (as added by Public Law 110-161) [22 U.S.C. 2378d], and any provision of an Act making appropriations for the Department of State, foreign operations, and related programs that restricts assistance to the government of any country whose duly elected head of government is deposed by military coup or decree, and except as otherwise provided in this subchapter, amounts authorized to be made available to carry out paragraph (2) for fiscal years 2010 and 2011 are authorized to be made available notwithstanding any other provision of law.

**(4) Definitions**

In this section, the terms “defense articles”, “defense services”, and “military education and training” have the meaning given such terms in section 644 of the Foreign Assistance Act of 1961 (22 U.S.C. 2403).

**(c) Sense of Congress**

It is the sense of Congress that the United States should facilitate Pakistan’s establishment of a program to provide reconstruction assistance, including through Pakistan’s military as appropriate, in areas damaged by combat operations.

**(d) Exchange program between military and civilian personnel of Pakistan and certain other countries**

**(1) In general**

The Secretary of State is authorized to establish an exchange program between—

(A) military and civilian personnel of Pakistan; and

(B)(i) military and civilian personnel of countries determined by the Secretary of State to be in the process of consolidating and strengthening a democratic form of government; or

(ii) military and civilian personnel of North Atlantic Treaty Organization member countries,

in order to foster greater mutual respect for and understanding of the principle of civilian rule of the military.

**(2) Elements of program**

The program authorized under paragraph (1) may include conferences, seminars, exchanges, and other events, distribution of publications and reimbursements of expenses of foreign

military personnel participating in the program, including transportation, translation and administrative expenses.

**(3) Role of nongovernmental organizations**

Amounts authorized to be appropriated to carry out this section for a fiscal year are authorized to be made available for nongovernmental organizations to facilitate the implementation of the program authorized under paragraph (1).

**(4) Authorization of appropriations**

There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2010 through 2014 to carry out the program established by this subsection.

(Pub. L. 111-73, title II, §202, Oct. 15, 2009, 123 Stat. 2069.)

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (a)(1), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424. Chapter 5 of part II of the Act is classified generally to part V (§2347 et seq.) of subchapter II of chapter 32 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.

The second section 620J of the Foreign Assistance Act of 1961 (as added by Public Law 110-161), referred to in subsec. (b), which is classified to section 2378d of this title, was renumbered section 620M of the Foreign Assistance Act of 1961 by Pub. L. 112-74, div. I, title VII, §7034(k)(1), Dec. 23, 2011, 125 Stat. 1216.

**§ 8423. Limitations on certain assistance**

**(a) Limitation on security-related assistance**

For fiscal years 2011 through 2014, no security-related assistance may be provided to Pakistan in a fiscal year until the Secretary of State, under the direction of the President, makes the certification required under subsection (c) for such fiscal year.

**(b) Limitation on arms transfers**

For fiscal years 2012 through 2014, no letter of offer to sell major defense equipment to Pakistan may be issued pursuant to the Arms Export Control Act (22 U.S.C. 2751 et seq.) and no license to export major defense equipment to Pakistan may be issued pursuant to such Act in a fiscal year until the Secretary of State, under the direction of the President, makes the certification required under subsection (c) for such fiscal year.

**(c) Certification**

The certification required by this subsection is a certification by the Secretary of State, under the direction of the President, to the appropriate congressional committees that—

(1) the Government of Pakistan is continuing to cooperate with the United States in efforts to dismantle supplier networks relating to the acquisition of nuclear weapons-related materials, such as providing relevant information from or direct access to Pakistani nationals associated with such networks;

(2) the Government of Pakistan during the preceding fiscal year has demonstrated a sustained commitment to and is making significant efforts towards combating terrorist groups, consistent with the purposes of assist-

<sup>1</sup> See References in Text note below.