

August 3, 2007, referred to in subsec. (b)(6), was in the original “the date of the enactment of this section” and was translated as meaning the date of enactment of Pub. L. 110-53, which generally amended this section, to reflect the probable intent of Congress.

CODIFICATION

Section was enacted as part of the Intelligence Reform and Terrorism Prevention Act of 2004 and also as part of the 9/11 Commission Implementation Act of 2004, and not as part of the Foreign Assistance Act of 1961 which comprises this chapter.

AMENDMENTS

2007—Pub. L. 110-53 amended section catchline and text generally, substituting provisions relating to purpose of section, authority of President to establish an International Muslim Youth Opportunity Fund as a separate fund in the Treasury or through an international organization or financial institution, and authority of Fund to support specified activities, for provisions setting forth congressional findings and authorizing the Secretary of State to establish an International Youth Opportunity Fund through an existing international organization.

Statutory Notes and Related Subsidiaries

FINDINGS; POLICY

Pub. L. 110-53, title XX, §2011, Aug. 3, 2007, 121 Stat. 509, provided that:

“(a) FINDINGS.—Congress makes the following findings:

“(1) The report of the National Commission on Terrorist Attacks Upon the United States stated that ‘[e]ducation that teaches tolerance, the dignity and value of each individual, and respect for different beliefs is a key element in any global strategy to eliminate Islamist terrorism’.

“(2) The report of the National Commission on Terrorist Attacks Upon the United States concluded that ensuring educational opportunity is essential to the efforts of the United States to defeat global terrorism and recommended that the United States Government ‘should offer to join with other nations in generously supporting [spending funds] . . . directly for building and operating primary and secondary schools in those Muslim states that commit to sensibly investing their own money in public education’.

“(3) While Congress endorsed such a program in the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458 [see Tables for classification]), such a program has not been established.

“(b) POLICY.—It is the policy of the United States—

“(1) to work toward the goal of dramatically increasing the availability of modern basic education through public schools in predominantly Muslim countries, which will reduce the influence of radical madrassas and other institutions that promote religious extremism;

“(2) to join with other countries in generously supporting the International Muslim Youth Opportunity Fund authorized under section 7114 of the Intelligence Reform and Terrorism Prevention Act of 2004 [22 U.S.C. 2228], as amended by section 2012 of this Act, with the goal of building and supporting public primary and secondary schools in predominantly Muslim countries that commit to sensibly investing the resources of such countries in modern public education;

“(3) to offer additional incentives to increase the availability of modern basic education in predominantly Muslim countries; and

“(4) to work to prevent financing of educational institutions that support radical Islamic fundamentalism.”

Executive Documents

ASSIGNMENT OF SPECIFIED REPORTING AND DETERMINATION FUNCTIONS RELATING TO AFGHANISTAN, PAKISTAN, SAUDI ARABIA, AND CERTAIN EDUCATION ABROAD

Memorandum of President of the United States, Sept. 28, 2007, 72 F.R. 56871, provided:

Memorandum for the Secretary of State[,] the Secretary of Defense[, and] the Director of National Intelligence

By virtue of the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby assign to the Secretary of State the functions of the President under sections 2041(d)(3), 2042(c)(1), 2042(d), and 2043(c)(1) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53) (the “9/11 Act”) and section 7114(b)(6) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458), as amended.

The Secretary of State shall consult with:

(1) the Secretary of Defense in the performance of the functions in section 2041(d)(3) of the 9/11 Act; and

(2) the Secretary of Defense and the Director of National Intelligence in the performance of the functions in section 2043(c)(1) of the 9/11 Act.

The Secretary of State is authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH.

PART IV—SUPPORTING ASSISTANCE

Statutory Notes and Related Subsidiaries

REFERENCES TO PART IV OF SUBCHAPTER I DEEMED

REFERENCES TO PART IV OF SUBCHAPTER II

References to part IV of subchapter I of this chapter, or any sections thereof, are deemed references to part IV of subchapter II (§2346 et seq.) of this chapter, or to appropriate sections thereof. See section 202(b) of Pub. L. 92-226, set out as a note under section 2346 of this title.

§§ 2241 to 2243. Repealed. Pub. L. 92-226, pt. II, § 202(b), Feb. 7, 1972, 86 Stat. 27

Section 2241, Pub. L. 87-195, pt. I, §401, Sept. 4, 1961, 75 Stat. 434; Pub. L. 89-583, pt. I, §108(a), Sept. 19, 1966, 80 Stat. 801; Pub. L. 90-137, pt. I, §111(a), Nov. 14, 1967, 81 Stat. 454, provided for general authority and limitation on countries to receive assistance.

Section 2242, Pub. L. 87-195, pt. I, §402, Sept. 4, 1961, 75 Stat. 434; Pub. L. 87-565, pt. I, §108, Aug. 1, 1962, 76 Stat. 259; Pub. L. 88-205, pt. I, §109, Dec. 16, 1963, 77 Stat. 383; Pub. L. 88-633, pt. I, §107, Oct. 7, 1964, 78 Stat. 1010; Pub. L. 89-171, pt. I, §107, Sept. 6, 1965, 79 Stat. 656; Pub. L. 89-371, §1, Mar. 18, 1966, 80 Stat. 74; Pub. L. 89-583, pt. I, §108(b), Sept. 19, 1966, 80 Stat. 801; Pub. L. 90-137, pt. I, §111(b), Nov. 14, 1967, 81 Stat. 454; Pub. L. 90-554, pt. I, §109, Oct. 8, 1968, 82 Stat. 962; Pub. L. 91-175, pt. I, §109, Dec. 30, 1969, 83 Stat. 819; Pub. L. 91-652, §5, Jan. 5, 1971; 84 Stat. 1942, provided for authorization of appropriations, executive approval of budgeting of proceeds by Vietnam for economic assistance projects or programs, and executive approval of accommodation rate of exchange between United States and Vietnam.

Section 2243, Pub. L. 87-195, pt. I, §403, as added Pub. L. 90-137, pt. I, §111(c), Nov. 14, 1967, 81 Stat. 454, provided for United States refund claims.

For subject matters of sections 2241 to 2243 of this title, see sections 2346, 2346a, and 2346b of this title, respectively.

PART V—CONTINGENCIES

§ 2261. Authorization of appropriations

(a) Emergency assistance; reports to Speaker of House and committees of Senate

(1) Notwithstanding any other provision of law, the President is authorized to use funds

made available to carry out any provision of this chapter (other than the provisions of part I of this subchapter) in order to provide, for any unanticipated contingencies, assistance authorized by subchapter I of this chapter in accordance with the provisions applicable to the furnishing of such assistance, except that the authority of this subsection may not be used to authorize the use of more than \$25,000,000 during any fiscal year.

(2) The President shall report promptly to the Speaker of the House of Representatives and to the Committee on Foreign Relations and the Committee on Appropriations of the Senate each time he exercises the authority contained in this subsection.

(b) Repealed. Pub. L. 97-113, title VII, § 734(a)(1), Dec. 29, 1981, 95 Stat. 1560

(c) Prohibition against payment of gifts to foreign officials

No part of this fund shall be used to pay for any gifts to any officials of any foreign government made heretofore or hereafter.

(Pub. L. 87-195, pt. I, § 451, Sept. 4, 1961, 75 Stat. 434; Pub. L. 87-565, pt. I, § 109, Aug. 1, 1962, 76 Stat. 259; Pub. L. 88-205, pt. I, § 110, Dec. 16, 1963, 77 Stat. 384; Pub. L. 88-633, pt. I, § 108, Oct. 7, 1964, 78 Stat. 1010; Pub. L. 89-171, pt. I, § 108, Sept. 6, 1965, 79 Stat. 656; Pub. L. 89-371, § 2, Mar. 18, 1966, 80 Stat. 74; Pub. L. 89-583, pt. I, § 109, Sept. 19, 1966, 80 Stat. 801; Pub. L. 90-137, pt. I, § 112, Nov. 14, 1967, 81 Stat. 455; Pub. L. 90-554, pt. I, § 110, Oct. 8, 1968, 82 Stat. 962; Pub. L. 91-175, pt. I, § 110, Dec. 30, 1969, 83 Stat. 819; Pub. L. 91-652, § 6(a), Jan. 5, 1971, 84 Stat. 1942; Pub. L. 92-226, pt. I, § 108, Feb. 7, 1972, 86 Stat. 24; Pub. L. 93-189, § 10, Dec. 17, 1973, 87 Stat. 719; Pub. L. 93-559, § 28(c), Dec. 30, 1974, 88 Stat. 1803; Pub. L. 94-329, title V, § 503(2), June 30, 1976, 90 Stat. 763; Pub. L. 95-92, § 2, Aug. 4, 1977, 91 Stat. 614; Pub. L. 95-384, § 2, Sept. 26, 1978, 92 Stat. 730; Pub. L. 96-92, § 2(b), Oct. 29, 1979, 93 Stat. 701; Pub. L. 97-113, title VII, § 734(a)(1), Dec. 29, 1981, 95 Stat. 1560; Pub. L. 101-513, title V, § 588, Nov. 5, 1990, 104 Stat. 2056.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (a)(1), 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

1990—Subsec. (a)(1). Pub. L. 101-513 struck out "not to exceed \$10,000,000 of" after "authorized to use" and "in any fiscal year" after "funds made available", substituted "unanticipated contingencies" for "emergency purposes", and directed the amendment of subsec. (a) by inserting before the period " , except that the authority of this subsection may not be used to authorize the use of more than \$25,000,000 during any fiscal year", which was executed by making the insertion before the period in par. (1) to reflect the probable intent of Congress.

1981—Subsec. (b). Pub. L. 97-113 struck out subsec. (b) which required quarterly Presidential reports to Committees of Senate and Speaker of House on the programming and obligation of funds under this section.

1979—Subsec. (a)(1). Pub. L. 96-92 designated existing provisions as par. (1), substituted authorization of \$10,000,000 when made available in any fiscal year for emergency purposes for appropriation authorization of \$5,000,000 for emergency purposes in fiscal year 1979, and deleted provision making appropriated amounts available until expended.

Subsec. (a)(2). Pub. L. 96-92 added par. (2).

1978—Subsec. (a). Pub. L. 95-384 substituted "fiscal year 1979 not to exceed \$5,000,000" for "fiscal year 1978 not to exceed \$5,000,000".

1977—Subsec. (a). Pub. L. 95-92 substituted provisions authorizing appropriations of not to exceed \$5,000,000 for fiscal year 1978, for provisions authorizing appropriations of not to exceed \$5,000,000 for fiscal years 1976 and 1977.

1976—Subsec. (a). Pub. L. 94-329 substituted "fiscal year 1976 not to exceed \$5,000,000 and for the fiscal year 1977 not to exceed \$5,000,000" for "fiscal year 1975 not to exceed \$5,000,000," and "authorized by subchapter I of this chapter for any emergency" for "authorized by this subchapter or by section 2399 of this title for any emergency" and inserted provision authorizing that funds appropriated remain available until expended.

1974—Subsec. (a). Pub. L. 93-559 substituted appropriations authorization of \$5,000,000 for fiscal year 1975 for prior authorization of \$30,000,000 for fiscal years 1974, and 1975, and authorized assistance under section 2399 of this title and for any emergency purpose.

Subsec. (b). Pub. L. 93-559 substantially reenacted subsec. (b) provisions, substituting "submit" for "provide".

Subsec. (c). Pub. L. 93-559 added subsec. (c).

1973—Subsec. (a). Pub. L. 93-189 substituted provisions authorizing the appropriation of not to exceed \$30,000,000 for each of the fiscal years 1974 and 1975, for provisions authorizing the appropriation of not to exceed \$30,000,000 for each of the fiscal years 1972 and 1973, substituted "to provide assistance authorized by this subchapter primarily for disaster relief purposes, in accordance with the provisions applicable to the furnishing of such assistance", for "for use by the President for assistance authorized by this subchapter in accordance with the provisions applicable to the furnishing of such assistance, when he determines such use to be important to the national interest", and struck out a proviso for the use of \$15,000,000, in addition to any other available funds, out of the funds appropriated for fiscal year 1971 for the flood victims of the East Pakistan flood.

1972—Subsec. (a). Pub. L. 92-226 authorized appropriations not to exceed \$30,000,000 for fiscal years 1972 and 1973, and struck out provision for authorization of not to exceed \$15,000,000 for fiscal year 1970, and not to exceed \$30,000,000 for fiscal year 1971.

1971—Subsec. (a). Pub. L. 91-652 substituted "1971 not to exceed \$30,000,000" for "1971 not to exceed \$15,000,000", and inserted proviso which required \$15,000,000 of the amount authorized for the fiscal year 1971 to be used for the relief of cyclone, etc., victims in East Pakistan.

1969—Subsec. (a). Pub. L. 91-175 substituted "fiscal year 1970 not to exceed \$15,000,000, and for the fiscal year 1971 not to exceed \$15,000,000" for "fiscal year 1968 not to exceed \$50,000,000, and for the fiscal year 1969 not to exceed \$10,000,000".

1968—Subsec. (a). Pub. L. 90-554 authorized an appropriation of \$10,000,000 for fiscal year 1969.

1967—Subsec. (a). Pub. L. 90-137 substituted "1968" and "\$50,000,000" for "1967" and "\$110,000,000", respectively.

1966—Subsec. (a). Pub. L. 89-583, § 109(a), substituted "1967" and "\$110,000,000" for "1966" and "\$150,000,000", respectively, and struck out second and third sentences which authorized withholding of assistance, from fiscal year 1966 funds, to any country permitting transportation of equipment, materials, or commodities to or from North Vietnam unless contrary to national interest of United States and authorized the appropriation of such sums, not to exceed \$89,000,000, as may be nec-

essary in the fiscal year 1966 for programs authorized by subchapters I and II of this chapter, to the President for use in Southeast Asia.

Pub. L. 89-371 substituted “\$150,000,000” for “\$50,000,000” and authorized withholding of assistance, from fiscal 1966 funds, to any country permitting transportation of equipment, materials, or commodities to or from North Vietnam unless contrary to national interest of United States.

Subsec. (b). Pub. L. 89-583, §109(b), struck out “the first sentence of” before “subsection (a)”.

1965—Subsec. (a). Pub. L. 89-171, §108(a), substituted “1966” and “\$50,000,000” for “1965” and “\$150,000,000”, respectively, and authorized the appropriation of such sums, not to exceed \$89,000,000, as may be necessary in the fiscal year 1966 for programs authorized by subchapters I and II of this chapter, to the President for use in Southeast Asia.

Subsec. (b). Pub. L. 89-171, §108(b), substituted “the first sentence of subsection (a) of this section” for “this section”.

1964—Subsec. (a). Pub. L. 88-633 substituted “1965” and “\$150,000,000” for “1964” and “\$160,000,000”, respectively.

1963—Subsec. (a). Pub. L. 88-205 substituted “1964” and “\$160,000,000” for “1963” and “\$300,000,000”, respectively.

1962—Subsec. (a). Pub. L. 87-565, §109(a), substituted “1963” for “1962”.

Subsec. (b). Pub. L. 87-565, §109(b), substituted “provide quarterly reports to” for “keep”, and “on the programming and the obligation” for “currently informed of the use”.

Statutory Notes and Related Subsidiaries

REFERENCES TO SUBCHAPTER I DEEMED TO INCLUDE CERTAIN PARTS OF SUBCHAPTER II

References to subchapter I of this chapter are deemed to include parts IV (§2346 et seq.), VI (§2348 et seq.), and VIII (§2349aa 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 sections 2348c and 2349aa-5 of this title.

REFERENCES TO PART I DEEMED TO INCLUDE SECTION 2293

References to part I of this subchapter are deemed to include a reference to section 2293 of this title. See section 2293(d)(1) of this title.

APPROPRIATION FOR DISASTER RELIEF OF UNALLOCATED EXCESS FOREIGN CURRENCIES HELD IN PAKISTAN

Pub. L. 91-652, §6(b), Jan. 5, 1971, 84 Stat. 1943, authorized the appropriation of excess foreign currencies held in Pakistan not allocated on Jan. 5, 1971, for a period of one year from such date to help Pakistan withstand the disaster which had occurred.

Executive Documents

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.

§ 2262. Transferred

Editorial Notes

CODIFICATION

Section, Pub. L. 87-195, pt. I, §494, formerly §452, as added Pub. L. 93-333, §2(2), July 8, 1974, 88 Stat. 290; renumbered Pub. L. 94-161, title I, §101(4), Dec. 20, 1975, 89 Stat. 850, authorizing appropriations for disaster relief in Pakistan and Nicaragua, was transferred to section

2292c of this title, prior to repeal by Pub. L. 112-74, div. I, title VII, §7034(l), Dec. 23, 2011, 125 Stat. 1216.

PART VI—CENTRAL AMERICA DEMOCRACY, PEACE, AND DEVELOPMENT INITIATIVE

§ 2271. Statement of policy

(a) Congressional findings

The Congress finds that—

(1) the building of democracy, the restoration of peace, the improvement of living conditions, and the application of equal justice under law in Central America are important to the interests of the United States and the community of American States; and

(2) the interrelated issues of social and human progress, economic growth, political reform, and regional security must be effectively dealt with to assure a democratic and economically and politically secure Central America.

(b) Policy requirements

(1) The achievement of democracy, respect for human rights, peace, and equitable economic growth depends primarily on the cooperation and the human and economic resources of the people and governments of Central America. The Congress recognizes that the United States can make a significant contribution to such peaceful and democratic development through a consistent and coherent policy which includes a long-term commitment of assistance. This policy should be designed to support actively—

(A) democracy and political reform, including opening the political process to all members of society;

(B) full observance of internationally recognized human rights, including free elections, freedom of the press, freedom of association, and the elimination of all human rights abuses;

(C) leadership development, including training and educational programs to improve public administration and the administration of justice;

(D) land reform, reform in tax systems, encouragement of private enterprise and individual initiative, creation of favorable investment climates, curbing corruption where it exists, and spurring balanced trade;

(E) the establishment of the rule of law and an effective judicial system; and

(F) the termination of extremist violence by both the left and the right as well as vigorous action to prosecute those guilty of crimes and the prosecution to the extent possible of past offenders.

(2) The policy described in paragraph (1) should also promote equitable economic growth and development, including controlling the flight of capital and the effective use of foreign assistance and adhering to approved programs for economic stabilization and fiscal responsibility. Finally, this policy should foster dialog and negotiations—

(A) to achieve peace based upon the objectives of democratization, reduction of armament, an end to subversion, and the withdrawal of foreign military forces and advisers; and