

1987—Subsec. (b)(3). Pub. L. 100-202, §101(e) [title V, §579(a)], amended par. (3) generally. Prior to amendment, par. (3) read as follows: “notwithstanding section 2420 of this title, programs to enhance investigative capabilities, conducted under judicial or prosecutorial control;”.

Subsec. (e). Pub. L. 100-202, §101(e) [title V, §579(b)], amended subsec. (e) generally. Prior to amendment, subsec. (e) read as follows: “The authority of this section shall expire on September 30, 1987.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section 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.

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.”

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.

§ 2346d. People-to-People Partnership for Peace Fund

(a) Establishment

Beginning on the date that is one year after Dec. 27, 2020, the Administrator of the United States Agency for International Development is authorized to establish a program to provide funding for projects to help build the foundation for peaceful co-existence between Israelis and Palestinians and for a sustainable two-state solution. The program established under this subsection shall be known as the “People-to-People Partnership for Peace Fund” (referred to in this section as the “Fund”).

(b) Eligibility for support

In providing funding for projects through the Fund, the Administrator may provide support for qualified organizations, prioritizing those organizations that seek to build better cooperation between Israelis and Palestinians, including Palestinian organizations, Israeli organizations, and international organizations that bring Israelis and Palestinians together.

(c) Additional eligibility for support

In providing funding for projects through the Fund, the Administrator may additionally provide support to qualified organizations that further shared community building, peaceful co-existence, dialogue, and reconciliation between Arab and Jewish citizens of Israel.

(d) Contributions

The Administrator—

(1) is encouraged to work with foreign governments and international organizations to leverage the impact of United States resources and achieve the objectives of this section; and

(2) is authorized to accept contributions for the purposes of the Fund, consistent with subsection (d) of section 2395 of this title.

(e) Advisory board

(1) Establishment

The Administrator shall establish an advisory board to make recommendations to the Administrator regarding the types of projects that should be considered for funding through the Fund.

(2) Membership

(A) In general

Subject to subparagraph (B), the advisory board shall be composed of 13 members, none of whom may be Members of Congress, who shall be appointed for renewable periods of 3 years, as follows:

(i) One member to serve as chair, appointed by the Administrator, in consultation with the Secretary of State.

(ii) One member appointed by the chair, and one member appointed by the ranking member, of the Committee on Foreign Relations of the Senate.

(iii) One member appointed by the chair, and one member appointed by the ranking member, of the Committee on Foreign Affairs of the House of Representatives.

(iv) One member appointed by the chair, and one member appointed by the ranking member, of the Committee on Appropriations of the Senate.

(v) One member appointed by the chair, and one member appointed by the ranking member, of the Committee on Appropriations of the House of Representatives.

(vi) One member appointed by the majority leader, and one member appointed by the minority leader, of the Senate.

(vii) One member appointed by the Speaker, and one member appointed by the minority leader, of the House of Representatives.

(B) International participation

The Administrator may appoint up to two additional members to the advisory board who are representatives of foreign governments or international organizations for renewable periods of 3 years.

(C) Qualifications

Members of the advisory board shall have demonstrated regional expertise and experience and expertise in conflict mitigation and people-to-people programs, and shall not receive compensation on account of their service on the advisory board.

(f) USAID mission recommendations

The Administrator shall consider the input and recommendations from missions of the United States Agency for International Development in the region and mission directors regarding projects that should be considered for funding through the Fund.

(g) Coordination

The Administrator shall coordinate with the Secretary of State in carrying out the provisions of this section.

(Pub. L. 87-195, pt. II, §535, as added Pub. L. 116-260, div. K, title VIII, §8004, Dec. 27, 2020, 134 Stat. 1816.)

Editorial Notes

PRIOR PROVISIONS

A prior section 2346d, 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, prior to repeal by Pub. L. 103-149, §4(a)(3)(B), Nov. 23, 1993, 107 Stat. 1505.

Statutory Notes and Related Subsidiaries

NITA M. LOWEY MIDDLE EAST PARTNERSHIP FOR PEACE

Pub. L. 116-260, div. K, title VIII, Dec. 27, 2020, 134 Stat. 1815, provided that:

“SHORT TITLE

“SEC. 8001. This title may be cited as the ‘Nita M. Lowey Middle East Partnership for Peace Act of 2020’.

“FINDINGS

“SEC. 8002. Congress finds the following:

“(1) Economic development in conflict settings has been shown to support stabilization by empowering entrepreneurs, growing the middle class, and mitigating unemployment.

“(2) In 2018, unemployment in the Palestinian territories was 32.4 percent. Gross Domestic Product (GDP) growth in the Palestinian territories declined from 2017 to 2019, and it is projected to further decline in 2020.

“(3) According to the World Bank Ad Hoc Liaison Committee’s April 2019 Economic Monitoring Report, ‘to achieve sustainable economic growth, in the Palestinian territories, growth and job creation going forward will need to be private sector driven’.

“(4) According to the 2018 Joint Strategic Plan of the Department of State and the United States Agency for International Development, ‘assistance can help prevent new recruitment to terrorist organizations, reduce levels of violence, promote legitimate governance structures that strengthen inclusion, and reduce policies that marginalize communities’.

“(5) Although economic development is an important tool for stabilizing conflict-prone settings and establishing connections between communities, economic development by itself will not lead to lasting peace. People-to-people peace-building programs further advance reconciliation efforts by promoting greater understanding, mutual trust, and cooperation between communities.

“(6) While the United States and its international partners continue to support diplomatic and political negotiations between the representatives of the parties to the Israeli-Palestinian conflict, such efforts require broad popular support among the people on the ground to succeed.

“(7) Achieving sustainable, high-level agreements for lasting peace in the Middle East must come through, and with the support of, the people who live there, and the United States and its international partners can help the people of the region build popular support for sustainable agreements for lasting peace.

“SENSE OF CONGRESS

“SEC. 8003. It is the sense of Congress that—

“(1) building a viable Palestinian economy is central to the effort to preserve the possibility of a negotiated settlement leading to a sustainable two-state solution with the democratic, Jewish state of Israel and a demilitarized, democratic Palestinian state living side-by-side in peace, security, and mutual recognition;

“(2) United States and international support for grassroots, people-to-people efforts aimed at fostering tolerance, and building support for such solution, can help counter extremist propaganda and the growing issue of incitement;

“(3) strengthening engagement between Palestinians and Israelis, including through people-to-people peace-building programs can increase the bonds of friendship and understanding;

“(4) investing in the development of the Palestinian economy and in joint economic ventures can advance multiple sectors to the benefit of local, regional, and global parties; and

“(5) Congress encourages cooperation between Palestinian, American, and Israeli business sectors in order to benefit the Palestinian, American, and Israeli peoples and economies.

“PEOPLE-TO-PEOPLE PARTNERSHIP FOR PEACE FUND

“SEC. 8004. [Enacted this section.]

“JOINT INVESTMENT FOR PEACE INITIATIVE

“SEC. 8005. (a) ESTABLISHMENT.—Beginning on the date that is 180 days after the date of the enactment of this Act [Dec. 27, 2020], the Chief Executive Officer of the United States International Development Finance

Corporation (referred to in this section as the ‘Chief Executive Officer’ and the ‘Corporation’, respectively) is authorized to establish a program to provide investments in, and support to, entities that carry out projects that contribute to the development of the Palestinian private sector economy in the West Bank and Gaza. The program established under this subsection shall be known as the ‘Joint Investment for Peace Initiative’ (referred to in this section as the ‘Initiative’) and shall be subject to all existing terms, conditions, restrictions, oversight requirements, and applicable provisions of law, including the Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. 9611 et seq.) [div. F of Pub. L. 115-254, 22 U.S.C. 9601 et seq.], including through strict adherence to the less-developed country focus under section 1412(c) of such Act [22 U.S.C. 9612(c)].

“(b) PARTICIPATION REQUIREMENT.—In carrying out the Initiative, the Chief Executive Officer shall ensure participation by small and medium-sized enterprises owned by Palestinians, which may include the technology sector, the agriculture sector, and other high value-added or emerging industries.

“(c) PRIORITY.—In carrying out the Initiative, the Chief Executive Officer shall prioritize support to projects that increase economic cooperation between Israelis and Palestinians.

“(d) USE OF EXISTING AUTHORITIES.—In carrying out the Initiative, the Chief Executive Officer shall utilize the authorities under section 1421 of the Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. 9621), including to—

“(1) select a manager of the Initiative;

“(2) oversee and direct the operation of the Initiative consistent with such Act and other provisions of law;

“(3) provide the Initiative with loans, guaranties, equity, and insurance, as appropriate, to enable the Initiative to attract private investment;

“(4) support the private sector in entering into joint ventures between Palestinian and Israeli entities; and

“(5) carry out the purposes of the Initiative consistent with the provisions of this section and other applicable provisions of law.

“(e) ANNUAL REPORT.—

“(1) IN GENERAL.—Not later than December 31, 2021, and each December 31 thereafter until December 31, 2031, the Chief Executive Officer shall submit to the appropriate congressional committees a report that describes the following:

“(A) The extent to which the Initiative has contributed to promoting and supporting Palestinian economic development.

“(B) The extent to which the Initiative has contributed to greater integration of the Palestinian economy into the international rules-based business system.

“(C) The extent to which projects that increase economic cooperation between Palestinians and Israelis and between Palestinians and Americans have been prioritized, including through support to the private sector to enter into joint ventures.

“(D) Information on the following:

“(i) Investments received and provided through the Initiative.

“(ii) The mechanisms established for transparency and accountability of investments provided through the Initiative.

“(E) The extent to which entities supported by the Initiative have impacted the efficacy of people-to-people programs.

“(F) To the extent practicable, an assessment of the sustainability of commercial endeavors that receive support from the Initiative.

“(G) A description of the process for vetting and oversight of entities eligible for support from the Initiative to ensure compliance with the requirements of section 8006(b) of this Act [probably means “this title”].

“(2) FORM.—The reports required under this subsection shall be submitted in unclassified form, without the designation ‘For Official Use Only’ or any related or successor designation, but may be accompanied by a classified annex.

“(f) TERMINATION.—

“(1) IN GENERAL.—The Initiative shall terminate at the end of the fiscal year that is 10 years after the date on which the Chief Executive Officer makes the first investment under the Initiative.

“(2) EXCEPTION.—The Chief Executive Officer is authorized to continue to manage investments made under the Initiative on and after the date specified in paragraph (1).

“(g) COORDINATION.—The Chief Executive Officer shall coordinate with the Secretary of State and the Administrator of the United States Agency for International Development in carrying out the provisions of this section.

“LIMITATIONS, VETTING, COORDINATION, AND OVERSIGHT

“SEC. 8006. (a) LIMITATIONS.—None of the funds made available to carry out this title, or any amendment made by this title, may be used to provide—

“(1) financial assistance to the national government of any foreign country;

“(2) assistance for—

“(A) any individual or group the Secretary of State determines to be involved in, or advocating, terrorist activity; or

“(B) any individual who is a member of a foreign terrorist organization (as designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189)); or

“(3) assistance for the Palestinian Authority or the Palestine Liberation Organization.

“(b) APPLICABLE REGULATIONS.—Assistance made available under this title, and any amendment made by this title, shall adhere to the mission directives and vetting practices for assistance for the West Bank and Gaza, as set forth by the United States Agency for International Development.

“(c) COORDINATION.—

“(1) The Chief Executive Officer of the United States International Development Finance Corporation, acting through the Chief Development Officer of such Corporation, shall coordinate with the Administrator of the United States Agency for International Development and the Secretary of State to ensure that all expenditures from the Joint Investment for Peace Initiative comply with this section.

“(2) To the extent practicable, the Administrator of the United States Agency for International Development and the Chief Executive Officer of the United States International Development Finance Corporation should coordinate and share information in advance of providing resources through the People-to-People Partnership for Peace Fund and the Joint Investment for Peace Initiative.

“(d) REPORT.—

“(1) IN GENERAL.—Not later than 90 days after the end of the first fiscal year in which both the People-to-People Partnership for Peace Fund and the Joint Investment for Peace Initiative are in effect, and annually thereafter, the Administrator of the United States Agency for International Development and the Chief Executive Officer of the United States International Development Finance Corporation shall, in coordination with the Secretary of State, jointly submit to the appropriate congressional committees a report in writing that describes—

“(A)(i) lessons learned and best practices developed from funding for projects under the People-to-People Partnership for Peace Fund during the prior fiscal year; and

“(ii) the extent to which such projects have contributed to the purposes of the People-to-People Partnership for Peace Fund;

“(B)(i) lessons learned and best practices developed from investments provided under the Joint In-

vestment for Peace Initiative during the prior fiscal year; and

“(ii) the extent to which such investments have contributed to the purposes of the Joint Investment for Peace Initiative; and

“(C) how the United States International Development Finance Corporation and the United States Agency for International Development coordinate and share information with respect to the People-to-People Partnership for Peace Fund and the Joint Investment for Peace Initiative.

“(2) CONSULTATION.—The Administrator of the United States Agency for International Development, in consultation with the Secretary of State, shall consult with the advisory board established by subsection (e) of section 535 of the Foreign Assistance Act of 1961 [22 U.S.C. 2346d(e)] (as added by section 8004 of this Act [probably means “this title”]) to inform the reports required by paragraph (1).

“APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED

“SEC. 8007. In this title, the term ‘appropriate congressional committees’ has the meaning given that term in section 1402 of the Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. 9601).

“AUTHORIZATION OF APPROPRIATIONS

“SEC. 8008. (a) IN GENERAL.—There is authorized to be appropriated to carry out this title, and the amendments made by this title, \$50,000,000 for each of the first 5 fiscal years beginning after the date of the enactment of this Act [Dec. 27, 2020].

“(b) CONSULTATION REQUIREMENT.—Not later than 90 days after enactment of this Act, and prior to the obligation of funds made available to implement this title, the Administrator of the United States Agency for International Development and the Chief Executive Officer of the United States International Development Finance Corporation, in coordination with the Secretary of State, shall consult with the Committees on Appropriations on the proposed uses of funds.

“(c) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of amounts authorized to be appropriated by subsection (a) for a fiscal year should be made available for administrative expenses to carry out section 535 of the Foreign Assistance Act of 1961 [22 U.S.C. 2346d] (as added by section 8004 of this Act [probably means “this title”]).

“(d) AVAILABILITY.—Amounts authorized to be appropriated by subsection (a) for a fiscal year are authorized to remain available for such fiscal year and the subsequent 4 fiscal years.”

§§ 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.

Statutory Notes and Related Subsidiaries

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 counter-narcotics 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.)

Editorial Notes

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).