

§ 2349bb-4. Authorization of appropriations**(a) Authorization of appropriations**

There are authorized to be appropriated to the President to carry out this part \$162,000,000 for fiscal year 2003.

(b) Availability of funds

Funds made available under subsection (a) may be used notwithstanding any other provision of law (other than section 2304 or 2371 of this title) and shall remain available until expended.

(c) Treatment of appropriations

Amounts made available by the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002, under “Nonproliferation, Antiterrorism, Demining, and Related Programs” and “Assistance for the Independent States of the Former Soviet Union” accounts for the activities described in subsection (d) shall be considered to be made available pursuant to this part.

(d) Covered activities

The activities referred to in subsection (c) are—

- (1) assistance under the Nonproliferation and Disarmament Fund;
- (2) assistance for science and technology centers in the independent states of the former Soviet Union;
- (3) export control assistance; and
- (4) export control and border assistance under part XI of subchapter I of this chapter or the FREEDOM Support Act (22 U.S.C. 5801 et seq.).

(Pub. L. 87-195, pt. II, §586, formerly §585, as added Pub. L. 106-280, title III, §301, Oct. 6, 2000, 114 Stat. 852; renumbered §586 and amended Pub. L. 107-228, div. B, title XIII, §§1301(a), 1303(1), Sept. 30, 2002, 116 Stat. 1435, 1436.)

Editorial Notes

REFERENCES IN TEXT

The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002, referred to in subsec. (c), is Pub. L. 107-115, Jan. 10, 2002, 115 Stat. 2118, also known as the Kenneth M. Ludden Foreign Operations, Export Financing, and Related Programs Appropriations Act, Fiscal Year 2002. For complete classification of this Act to the Code, see Tables.

The FREEDOM Support Act, referred to in subsec. (d)(4), is Pub. L. 102-511, Oct. 24, 1992, 106 Stat. 3320, as amended, also known as the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992. For complete classification of this Act to the Code, see Short Title note set out under section 5801 of this title and Tables.

AMENDMENTS

2002—Subsec. (a). Pub. L. 107-228, §1301(a)(1), substituted “\$162,000,000 for fiscal year 2003” for “\$129,000,000 for fiscal year 2001 and \$142,000,000 for fiscal year 2002”.

Subsec. (c). Pub. L. 107-228, §1301(a)(2), struck out “fiscal year 2001” before “appropriations” in heading and substituted “2002” for “2001” in text.

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.

§ 2349bb-5. Proliferation interdiction assistance

Consistent with section 2349bb-2 of this title, the President is authorized to provide assistance to friendly foreign countries for proliferation detection and interdiction activities and for developing complementary capabilities.

(Pub. L. 109-472, §10(a), Jan. 11, 2007, 120 Stat. 3557.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Department of State Authorities Act of 2006, and not as part of the Foreign Assistance Act of 1961 which comprises this chapter.

§ 2349bb-6. Safeguarding and elimination of conventional arms**(a) In general**

The Secretary of State is authorized to secure, remove, or eliminate stocks of man-portable air defense systems (MANPADS), small arms and light weapons, stockpiled munitions, abandoned ordnance, and other conventional weapons, including tactical missile systems (hereafter in this section referred to as “MANPADS and other conventional weapons”), as well as related equipment and facilities, located outside the United States that are determined by the Secretary to pose a proliferation threat.

(b) Elements

The activities authorized under subsection (a) may include the following:

- (1) Humanitarian demining activities.
- (2) The elimination or securing of MANPADS.
- (3) The elimination or securing of other conventional weapons.
- (4) Assistance to countries in the safe handling and proper storage of MANPADS and other conventional weapons.
- (5) Cooperative programs with the North Atlantic Treaty Organization and other international organizations to assist countries in the safe handling and proper storage or elimination of MANPADS and other conventional weapons.
- (6) The utilization of funds for the elimination or safeguarding of MANPADS and other conventional weapons.

(7) Activities to secure and safeguard MANPADS and other conventional weapons.

(8) Actions to ensure that equipment and funds, including security upgrades at locations for the storage or disposition of MANPADS and other conventional weapons and related equipment that are determined by the Secretary of State to pose a proliferation threat, continue to be used for authorized purposes.

(c) Rule of construction

Nothing in this section shall be construed to affect the authorities of the Secretary of Defense.

(Pub. L. 109-472, §11, Jan. 11, 2007, 120 Stat. 3557.)