

amended Pub. L. 99-83, title V, §503(a), Aug. 8, 1985, 99 Stat. 220; Pub. L. 99-190, §101(i) [title V, §521], Dec. 19, 1985, 99 Stat. 1291, 1305; Pub. L. 101-222, §5, Dec. 12, 1989, 103 Stat. 1897; Pub. L. 110-246, title III, §3001(b)(1)(A), (2)(Q), June 18, 2008, 122 Stat. 1820.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (d), was in the original “this Act” and “the Foreign Assistance Act of 1961”, respectively, meaning Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, as amended. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

The Food for Peace Act, referred to in subsec. (a), is act July 10, 1954, ch. 469, 68 Stat. 454, which is classified principally to chapter 41 (§1691 et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title note set out under section 1691 of Title 7 and Tables.

The Peace Corps Act, referred to in subsec. (a), is Pub. L. 87-293, Sept. 22, 1961, 75 Stat. 612, as amended, which is classified principally to chapter 34 (§2501 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2501 of this title and Tables.

The Export-Import Bank Act of 1945, referred to in subsecs. (a) and (d)(1), is act July 31, 1945, ch. 341, 59 Stat. 526, as amended, which is classified generally to chapter 6A (§635 et seq.) of Title 12, Banks and Banking. For complete classification of this Act to the Code, see Short Title note set out under section 635 of Title 12 and Tables.

AMENDMENTS

2008—Subsec. (a). Pub. L. 110-246 substituted “Food for Peace Act” for “Agricultural Trade Development and Assistance Act of 1954”.

1989—Pub. L. 101-222 amended section generally, in subsec. (a) substituting provisions prohibiting assistance if Secretary of State determines country has repeatedly supported terrorism, for provisions prohibiting assistance if President determines country grants sanctuary to terrorists or otherwise supports terrorism; redesignating subsec. (b) as (d) and inserting provisions prohibiting justification of waiver of assistance under specified Acts and provisions describing contents of report on proposed waiver; adding subsecs. (b) and (c); and striking out subsec. (c) which related to imposition of sanction by other countries.

1985—Subsec. (a). Pub. L. 99-190 inserted reference to the Export-Import Bank Act of 1945.

Pub. L. 99-83 amended subsec. (a) generally, substituting provisions relating to covered programs and Presidential determinations respecting termination of assistance, for provisions relating to termination of assistance to countries granting sanctuary to international terrorists and period of ineligibility.

Subsec. (b). Pub. L. 99-83 amended subsec. (b) generally, substituting provisions relating to waiver of application of subsec. (a), for provisions relating to reports respecting continuation of assistance to any country falling within provisions of former subsec. (a) of this section.

Subsec. (c). Pub. L. 99-83, in amending section generally, added subsec. (c).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-246 effective May 22, 2008, see section 4(b) of Pub. L. 110-246, set out as an Effective Date note under section 8701 of Title 7, Agriculture.

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.

SELF-DEFENSE IN ACCORDANCE WITH INTERNATIONAL LAW

Pub. L. 101-222, §10, Dec. 12, 1989, 103 Stat. 1900, provided that: “The use by any government of armed force in the exercise of individual or collective self-defense in accordance with applicable international agreements and customary international law shall not be considered an act of international terrorism for purposes of the amendments made by this Act [see Short Title of 1989 Amendment note, set out under section 2151 of this title].”

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.

§ 2372. Repealed. Pub. L. 97-113, title VII, § 725(a), Dec. 29, 1981, 95 Stat. 1553

Section, Pub. L. 87-195, pt. III, §620B, as added Pub. L. 95-92, §11, Aug. 4, 1977, 91 Stat. 619; amended Pub. L. 95-384, §12(c)(1), Sept. 26, 1978, 92 Stat. 737, prohibited assistance and sales to Argentina.

§ 2372a. Renewal, reissuance, etc., of export licenses to or for Argentina

Any export license referred to in section 2372¹ of this title which is issued initially on or before September 30, 1978 may from time to time thereafter be renewed, reissued or modified (or in the event of lapse of such license, replacement licenses may be issued), provided that any such renewal, reissuance or modification (or any such replacement license) does not change significantly any such license as initially issued.

(Pub. L. 95-240, title II, §210, Mar. 7, 1978, 92 Stat. 118.)

Editorial Notes

REFERENCES IN TEXT

Section 2372 of this title, referred to in text, was in the original “Section 11 of Public Law 95-92”, meaning section 11 of Pub. L. 95-92, Aug. 4, 1977, 91 Stat. 619, which added section 620B of Pub. L. 87-195. Section 620B of Pub. L. 87-195 was classified to section 2372 of this title and was repealed by Pub. L. 97-113, title VII, §725(a), Dec. 29, 1981, 95 Stat. 1553.

CODIFICATION

Section was enacted as part of the Supplemental Appropriations Act, 1978, and not as part of the Foreign Assistance Act of 1961 which comprises this chapter.

§ 2373. Eastern Mediterranean policy requirements

(a) Congressional declaration and statement of findings

The Congress declares that the achievement of a just and lasting Cyprus settlement is and will remain a central objective of United States foreign policy. The Congress further declares that

¹ See References in Text note below.

any action of the United States with respect to section 2370(x)¹ of this title shall not signify a lessening of the United States commitment to a just solution to the conflict on Cyprus but is authorized in the expectation that this action will be conducive to achievement of a Cyprus solution and a general improvement in relations among Greece, Turkey, and Cyprus and between those countries and the United States. The Congress finds that—

(1) a just settlement on Cyprus must involve the establishment of a free and independent government on Cyprus and must guarantee that the human rights of all of the people of Cyprus are fully protected;

(2) a just settlement on Cyprus must include the withdrawal of Turkish military forces from Cyprus;

(3) the guidelines for inter-communal talks agreed to in Nicosia in February 1977 and the United Nations resolutions regarding Cyprus provide a sound basis for negotiation of a just settlement on Cyprus;

(4) serious negotiations, under United Nations auspices, will be necessary to achieve agreement on, and implementation of, constitutional and territorial terms within such guidelines; and

(5) the recent proposals by both Cypriot communities regarding the return of the refugees to the city of New Famagusta (Varosha) constitute a positive step and the United States should actively support the efforts of the Secretary General of the United Nations with respect to this issue.

(b) Governing principles

United States policy regarding Cyprus, Greece, and Turkey shall be directed toward the restoration of a stable and peaceful atmosphere in the Eastern Mediterranean region and shall therefore be governed by the following principles:

(1) The United States shall actively support the resolution of differences through negotiations and internationally established peaceful procedures, shall encourage all parties to avoid provocative actions, and shall strongly oppose any attempt to resolve disputes through force or threat of force.

(2) The United States will accord full support and high priority to efforts, particularly those of the United Nations, to bring about a prompt, peaceful settlement on Cyprus.

(3) All defense articles furnished by the United States to countries in the Eastern Mediterranean region will be used only in accordance with the requirements of this chapter, the Arms Export Control Act [22 U.S.C. 2751 et seq.], and the agreements under which those defense articles were furnished.

(4) The United States will furnish security assistance for Greece and Turkey only when furnishing that assistance is intended solely for defensive purposes, including when necessary to enable the recipient country to fulfill its responsibilities as a member of the North Atlantic Treaty Organization, and shall be designed to ensure that the present balance

of military strength among countries of the region, including between Greece and Turkey, is preserved. Nothing in this paragraph shall be construed to prohibit the transfer of defense articles to Greece or Turkey for legitimate self defense or to enable Greece or Turkey to fulfill their North Atlantic Treaty Organization obligations.

(5) The United States shall use its influence to ensure the continuation of the ceasefire on Cyprus until an equitable negotiated settlement is reached.

(6) The United States shall use its influence to achieve the withdrawal of Turkish military forces from Cyprus in the context of a solution to the Cyprus problem.

(c) Review of policy; report to Congress

Because progress toward a Cyprus settlement is a high priority of United States policy in the Eastern Mediterranean, the President and the Congress shall continually review that progress and shall determine United States policy in the region accordingly. To facilitate such a review the President shall, within 60 days after the date of enactment of this section and at the end of each succeeding 60-day period, transmit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate a report on progress made toward the conclusion of a negotiated solution of the Cyprus problem. Such transmissions shall include any relevant reports prepared by the Secretary General of the United Nations for the Security Council.

(d) Certification by President to Congress of assistance to Greece and Turkey

In order to ensure that United States assistance is furnished consistent with the policies established in this section, the President shall, whenever requesting any funds for security assistance under this chapter or the Arms Export Control Act [22 U.S.C. 2751 et seq.] for Greece and Turkey, transmit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate his certification, with a full explanation thereof, that the furnishing of such assistance will be consistent with the principles set forth in subsection (b). The President shall also submit such a certification with any notification to the Congress, pursuant to section 36(b) of the Arms Export Control Act [22 U.S.C. 2776(b)], of a proposed sale of defense articles or services to Greece or Turkey.

(e) Arms sales agreements to prohibit transfer to Cyprus

(1) Except as provided in paragraph (3), any agreement for the sale or provision of any article on the United States Munitions List (established pursuant to section 38 of the Arms Export Control Act [22 U.S.C. 2778]) entered into by the United States after December 22, 1987, shall expressly state that the article is being provided by the United States only with the understanding that it will not be transferred to Cyprus or otherwise used to further the severance or division of Cyprus.

(2) The President shall report to Congress any substantial evidence that equipment provided

¹ See References in Text note below.

under any such agreement has been used in a manner inconsistent with the purposes of this subsection.

(3) The requirement under paragraph (1) shall not apply to any sale or other provision of any defense article or defense service to Cyprus if the end-user of such defense article or defense service is the Government of the Republic of Cyprus.

(Pub. L. 87–195, pt. III, § 620C, as added Pub. L. 95–384, § 13(b), Sept. 26, 1978, 92 Stat. 737; amended Pub. L. 100–202, § 101(e) [title V, § 562], Dec. 22, 1987, 101 Stat. 1329–131, 1329–171; Pub. L. 116–92, div. A, title XII, § 1250A(b), Dec. 20, 2019, 133 Stat. 1665; Pub. L. 116–94, div. J, title II, § 205(b), Dec. 20, 2019, 133 Stat. 3052.)

Editorial Notes

REFERENCES IN TEXT

Section 2370(x) of this title, referred to in subsec. (a), was omitted. See Codification note set out under section 2370 of this title.

This chapter, referred to in subsecs. (b)(3) and (d), 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.

The Arms Export Control Act, referred to in subsecs. (b)(3) and (d), is Pub. L. 90–629, Oct. 22, 1968, 82 Stat. 1320, as amended, which is classified principally to chapter 39 (§ 2751 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2751 of this title and Tables.

PRIOR PROVISIONS

Provisions similar to those in subsec. (e) of this section were contained in the following appropriation acts:

Pub. L. 102–391, title V, § 557, Oct. 6, 1992, 106 Stat. 1676.

Pub. L. 101–513, title V, § 560, Nov. 5, 1990, 104 Stat. 2026.

Pub. L. 101–167, title V, § 570, Nov. 21, 1989, 103 Stat. 1245.

Pub. L. 100–461, title V, § 579, Oct. 1, 1988, 102 Stat. 2268–48.

AMENDMENTS

2019—Subsec. (e)(1). Pub. L. 116–92, § 1250A(b)(1), and Pub. L. 116–94, § 205(b)(1), made identical amendments, substituting “Except as provided in paragraph (3), any agreement” for “Any agreement”.

Subsec. (e)(3). Pub. L. 116–92, § 1250A(b)(2), and Pub. L. 116–94, § 205(b)(2), made identical amendments, adding par. (3).

1987—Subsec. (e). Pub. L. 100–202 added subsec. (e).

Statutory Notes and Related Subsidiaries

EASTERN MEDITERRANEAN SECURITY AND ENERGY PARTNERSHIP

Pub. L. 116–94, div. J, title II, Dec. 20, 2019, 133 Stat. 3048, provided that:

“SEC. 201. SHORT TITLE.

“This title may be cited as the ‘Eastern Mediterranean Security and Energy Partnership Act of 2019’.

“SEC. 202. FINDINGS.

“Congress makes the following findings:

“(1) The security of partners and allies in the Eastern Mediterranean region is critical to the security of the United States and Europe.

“(2) Greece is a valuable member of the North Atlantic Treaty Organization (NATO) and a key pillar of stability in the Eastern Mediterranean.

“(3) Israel is a steadfast ally of the United States and has been designated a ‘major non-NATO ally’ and ‘major strategic partner’.

“(4) Cyprus is a key strategic partner and signed a Statement of Intent with the United States on November 6, 2018, to enhance bilateral security cooperation.

“(5) The countries of Greece, Cyprus, and Israel have participated in critical trilateral summits to improve cooperation on energy and security issues.

“(6) Secretary of State Mike Pompeo participated in the trilateral summit among Israel, Greece, and Cyprus on March 20, 2019.

“(7) The United States, Israel, Greece, and Cyprus oppose any action in the Eastern Mediterranean and the Aegean Sea that could challenge stability, violate international law, or undermine good neighborly relations, and in a joint declaration on March 21, 2019, agreed to ‘defend against external malign influences in the Eastern Mediterranean and the broader Middle East’.

“(8) The recent discovery of what may be the region’s largest natural gas field off the Egyptian coast and the newest discoveries of natural gas off the coast of Cyprus could represent a significant and positive development for the Eastern Mediterranean and the Middle East, enhancing the region’s strategic energy significance.

“(9) It is in the national security interest of the United States to promote, achieve, and maintain energy security among, and through cooperation with, allies.

“(10) Natural gas developments in the Eastern Mediterranean have the potential to provide economic gains and contribute to energy security in the region and Europe, as well as support European efforts to diversify away from natural gas supplied by the Russian Federation.

“(11) The soon to be completed Trans Adriatic Pipeline is a critical component of the Southern Gas Corridor and the European Union’s efforts to diversify energy resources.

“(12) The proposed Eastern Mediterranean pipeline, if commercially viable, would provide for energy diversification in accordance with the European Union’s third energy package of reforms.

“(13) The United States acknowledges the achievements and importance of the Binational Industrial Research and Development Foundation (BIRD) and the United States-Israel Binational Science Foundation (BSF) and supports continued multiyear funding to ensure the continuity of the programs of the Foundations.

“(14) The United States has welcomed Greece’s allocation of 2 percent of its gross domestic product (GDP) to defense in accordance with commitments made at the 2014 NATO Summit in Wales.

“(15) Energy exploration in the Eastern Mediterranean region must be safeguarded against threats posed by terrorist and extremist groups, including Hezbollah and any other actor in the region.

“(16) The energy exploration in the Republic of Cyprus’s Exclusive Economic Zone and territorial waters—

“(A) furthers United States interests by providing a potential alternative to Russian gas for United States allies and partners; and

“(B) should not be impeded by other sovereign states.

“(17) The United States Government cooperates closely with Cyprus, Greece, and Israel through information sharing agreements.

“(18) United States officials have assisted the Government of the Republic of Cyprus with crafting that nation’s national security strategy.

“(19) The United States Government provides training to Cypriot officials in areas such as cybersecurity, counterterrorism, and explosive ordnance disposal and stockpile management.

“(20) Israel, Greece, and Cyprus are valued members of the Proliferation Security Initiative to combat the trafficking of weapons of mass destruction.

“(21) The Republic of Cyprus continues to work closely with the United Nations and regional partners in Europe to combat terrorism and violent extremism.

“(22) Despite robust economic and security relations with the United States, the Republic of Cyprus has been subject to a United States prohibition on the export of defense articles and services since 1987.

“(23) The 1987 arms prohibition was designed to restrict United States arms sales and transfers to the Republic of Cyprus and the occupied part of Cyprus to avoid hindering reunification efforts.

“(24) At least 40,000 Turkish troops are stationed in the occupied part of Cyprus with some weapons procured from the United States through mainland Turkey.

“(25) While the United States has, as a matter of policy, avoided the provision of defense articles and services to the Republic of Cyprus, the Government of Cyprus has, in the past, sought to obtain defense articles from other countries, including countries, such as Russia, that pose challenges to United States interests around the world.

“SEC. 203. STATEMENT OF POLICY.

“It is the policy of the United States—

“(1) to continue to actively participate in the trilateral dialogue on energy, maritime security, cybersecurity and protection of critical infrastructure conducted among Israel, Greece, and Cyprus;

“(2) to support diplomatic efforts with partners and allies to deepen energy security cooperation among Greece, Cyprus, and Israel and to encourage the private sector to make investments in energy infrastructure in the Eastern Mediterranean region;

“(3) to strongly support the completion of the Trans Adriatic and Eastern Mediterranean Pipelines and the establishment of liquefied natural gas (LNG) terminals across the Eastern Mediterranean as a means of diversifying regional energy needs away from the Russian Federation;

“(4) to maintain a robust United States naval presence and investments in the naval facility at Souda Bay, Greece and develop deeper security cooperation with Greece to include the recent MQ-9 deployments to the Larissa Air Force Base and United States Army helicopter training in central Greece;

“(5) to welcome Greece’s commitment to move forward with the Interconnector Greece-Bulgaria (IGB pipeline) and additional LNG terminals that will help facilitate delivery of non-Russian gas to the Balkans and central Europe;

“(6) to support deepened security cooperation with the Republic of Cyprus through the removal of the arms embargo on the country;

“(7) to support robust International Military Education and Training (IMET) programming with Greece and the Republic of Cyprus;

“(8) to leverage relationships within the European Union to encourage investments in Cypriot border and maritime security;

“(9) to support efforts to counter Russian Federation interference and influence in the Eastern Mediterranean through increased security cooperation with Greece, Cyprus, and Israel, to include intelligence sharing, cyber, and maritime domain awareness;

“(10) to support the Republic of Cyprus’ efforts to regulate its banking industry to ensure that it is not used as a source of international money laundering and encourage additional measures toward that end;

“(11) to strongly oppose any actions that would trigger mandatory sanctions pursuant to section 231 of the Countering America’s Adversaries Through Sanctions Act (CAATSA) (Public Law 115-44) [22 U.S.C. 9525], to include the purchase of military equipment from the Russian Federation;

“(12) to continue robust official strategic engagement with Israel, Greece, and Cyprus;

“(13) to urge countries in the region to deny port services to Russian Federation vessels deployed to support the government of Bashar Al-Assad in Syria;

“(14) to support joint military exercises among Israel, Greece, and Cyprus;

“(15) to fully implement relevant CAATSA provisions to prevent interference by the Russian Federation in the region;

“(16) to support efforts by countries in the region to demobilize military equipment supplied by the Russian Federation in favor of equipment provided by NATO and NATO-allied member countries; and

“(17) to strongly support the active and robust participation of Israel, Cyprus, and Greece in the Combating Terrorism Fellowship Program.

“SEC. 204. UNITED STATES-EASTERN MEDITERRANEAN ENERGY COOPERATION.

“(a) IN GENERAL.—The Secretary of State, in coordination with the Secretary of Energy, may enter into cooperative agreements supporting and enhancing dialogue and planning involving international partnerships between the United States and Israel, Greece, and the Republic of Cyprus.

“(b) ANNUAL REPORTS.—If the Secretary of State, in coordination with the Secretary of Energy, enters into agreements authorized under subsection (a), the Secretary shall submit an annual report to the appropriate congressional committees that describes—

“(1) actions taken to implement such agreements; and

“(2) any projects undertaken pursuant to such agreements.

“(c) UNITED STATES-EASTERN MEDITERRANEAN ENERGY CENTER.—The Secretary of Energy, in coordination with the Secretary of State, may establish a joint United States-Eastern Mediterranean Energy Center in the United States leveraging the experience, knowledge, and expertise of institutions of higher education and entities in the private sector, among others, in offshore energy development to further dialogue and collaboration to develop more robust academic cooperation in energy innovation technology and engineering, water science, technology transfer, and analysis of emerging geopolitical implications, which include opportunities as well as crises and threats from foreign natural resource and energy acquisitions.

“SEC. 205. REPEAL OF PROHIBITION ON TRANSFER OF ARTICLES ON THE UNITED STATES MUNITIONS LIST TO THE REPUBLIC OF CYPRUS.

“(a) SENSE OF CONGRESS.—It is the sense of Congress that—

“(1) allowing for the export, re-export or transfer of arms subject to the United States Munitions List (part 121 of title 22, Code of Federal Regulations) to the Republic of Cyprus would advance United States security interests in Europe by helping to reduce the dependence of the Government of the Republic of Cyprus on other countries, including countries that pose challenges to United States interests around the world, for defense-related materiel; and

“(2) it is in the interest of the United States to continue to support United Nations-facilitated efforts toward a comprehensive solution to the division of Cyprus.

“(b) MODIFICATION OF PROHIBITION.—[Amended this section.]

“(c) EXCLUSION OF THE GOVERNMENT OF THE REPUBLIC OF CYPRUS FROM CERTAIN RELATED REGULATIONS.—

“(1) IN GENERAL.—Subject to subsection (d) and except as provided in paragraph (2), beginning on the date of the enactment of this Act [Dec. 20, 2019], the Secretary of State shall not apply a policy of denial for exports, re-exports, or transfers of defense articles and defense services destined for or originating in the Republic of Cyprus if—

“(A) the request is made by or on behalf of the Government of the Republic of Cyprus; and

“(B) the end-user of such defense articles or defense services is the Government of the Republic of Cyprus.

“(2) EXCEPTION.—This exclusion shall not apply to any denial based upon credible human rights concerns.

“(d) LIMITATIONS ON THE TRANSFER OF ARTICLES ON THE UNITED STATES MUNITIONS LIST TO THE REPUBLIC OF CYPRUS.—

“(1) IN GENERAL.—The policy of denial for exports, re-exports, or transfers of defense articles on the United States Munitions List to the Republic of Cyprus shall remain in place unless the President determines and certifies to the appropriate congressional committees not less than annually that—

“(A) the Government of the Republic of Cyprus is continuing to cooperate with the United States Government in efforts to implement reforms on anti-money laundering regulations and financial regulatory oversight; and

“(B) the Government of the Republic of Cyprus has made and is continuing to take the steps necessary to deny Russian military vessels access to ports for refueling and servicing.

“(2) WAIVER.—The President may waive the limitations contained in this subsection for one fiscal year if the President determines that it is essential to the national security interests of the United States to do so.

“(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘appropriate congressional committees’ means—

“(A) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

“(B) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

“SEC. 206. IMET COOPERATION WITH GREECE AND THE REPUBLIC OF CYPRUS.

“There is authorized to be appropriated \$1,300,000 for fiscal year 2020, \$1,500,000 for fiscal year 2021, and \$1,800,000 for fiscal year 2022 for International Military Education and Training (IMET) assistance for Greece and \$200,000 for fiscal year 2020, \$500,000 for fiscal year 2021, and \$750,000 for fiscal year 2022 for such assistance for the Republic of Cyprus. The assistance shall be made available for the following purposes:

“(1) Training of future leaders.

“(2) Fostering a better understanding of the United States.

“(3) Establishing a rapport between the United States military and the country’s military to build alliances for the future.

“(4) Enhancement of interoperability and capabilities for joint operations.

“(5) Focusing on professional military education.

“(6) Enabling countries to use their national funds to receive a reduced cost for other Department of Defense education and training.

“SEC. 207. FOREIGN MILITARY FINANCING.

“(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2021 up to \$3,000,000 for Foreign Military Financing (FMF) assistance for Greece to assist the country in meeting its commitment as a member of the North Atlantic Treaty Organization (NATO) to dedicate 20 percent of its defense budget to enhance research and development.

“(b) SENSE OF CONGRESS.—It is the sense of Congress that Greece should receive robust support under the European Recapitalization Incentive Program implemented by the Department of Defense.

“SEC. 208. STRATEGY ON UNITED STATES SECURITY AND ENERGY COOPERATION IN THE EASTERN MEDITERRANEAN.

“(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act [Dec. 20, 2019], the Secretary of State, in consultation with the Secretary of Defense and the Secretary of Energy, shall submit to the appropriate congressional committees a strategy on enhanced security and energy cooperation with countries in the Eastern Mediterranean region, including Israel, the Republic of Cyprus, and Greece.

“(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

“(1) A description of United States participation in and support for the Eastern Mediterranean Natural Gas Forum.

“(2) An evaluation of all possible delivery mechanisms into Europe for natural gas discoveries in the Eastern Mediterranean region.

“(3) An evaluation of efforts to protect energy exploration infrastructure in the region, including infrastructure owned or operated by United States companies.

“(4) An assessment of the capacity of the Republic of Cyprus to host an Energy Crisis Center in the region which could provide basing facilities in support of search and rescue efforts in the event of an accident.

“(5) An assessment of the timing of potential natural gas delivery in the region as well as an assessment of the ultimate destination countries for the natural gas delivery from the region.

“(6) A plan to work with United States businesses seeking to invest in Eastern Mediterranean energy exploration, development, and cooperation.

“(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

“SEC. 209. REPORT ON RUSSIAN FEDERATION MALIGN INFLUENCE IN THE EASTERN MEDITERRANEAN.

“(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act [Dec. 20, 2019], the Secretary of State shall submit to the appropriate congressional committees a report on Russian Federation malign influence in the Republic of Cyprus, Greece, and Israel since January 1, 2017.

“(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

“(1) An assessment of security, political, and energy goals of the Russian Federation in the Eastern Mediterranean.

“(2) A description of energy projects of the Government of the Russian Federation in the Eastern Mediterranean.

“(3) A listing of Russian national ownership of media outlets in these countries, including the name of the media outlet, approximate viewership, and assessment of whether the outlet promotes pro-Kremlin views.

“(4) An assessment of military engagement by the Government of the Russian Federation in the security sector, including engagement by military equipment and personnel contractors.

“(5) An assessment of efforts supported by the Government of the Russian Federation to influence elections in the three countries, through the use of cyber attacks, social media campaigns, or other malign influence techniques.

“(6) An assessment of efforts by the Government of the Russian Federation to intimidate and influence the decision by His All Holiness Ecumenical Patriarch Bartholomew, leader of 300,000,000 Orthodox Christians worldwide, to grant autocephaly to the Ukrainian Orthodox Church.

“(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

“SEC. 210. REPORT ON INTERFERENCE BY OTHER COUNTRIES IN THE EXCLUSIVE ECONOMIC ZONE OF THE REPUBLIC OF CYPRUS.

“(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act [Dec. 20, 2019], the Secretary of State, in consultation with the Secretary of Defense and the Secretary of Energy, shall submit to the appropriate congressional committees a report listing incidents since January 1, 2017, determined by the Secretary of State to interfere in efforts by the Republic of Cyprus to explore and exploit natural resources in its Exclusive Economic Zone.

“(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

“SEC. 211. REPORT ON INTERFERENCE BY OTHER COUNTRIES IN THE AIRSPACE OF GREECE.

“(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act [Dec. 20, 2019], the Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate congressional committees a report listing incidents since January 1, 2017, determined by the Secretary of State to be violations of the airspace of the sovereign territory of Greece by its neighbors.

“(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

“SEC. 212. APPROPRIATE CONGRESSIONAL COMMITTEES.

“In this title, the term ‘appropriate congressional committees’ means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.”

REPEAL OF PROHIBITION ON TRANSFER OF ARTICLES ON THE UNITED STATES MUNITIONS LIST TO THE REPUBLIC OF CYPRUS

Pub. L. 116-92, div. A, title XII, §1250A, Dec. 20, 2019, 133 Stat. 1665, provided that:

“(a) SENSE OF CONGRESS.—It is the sense of Congress that—

“(1) allowing for the export, re-export or transfer of arms subject to the United States Munitions List (part 121 of title 22, Code of Federal Regulations) to the Republic of Cyprus would advance United States security interests in Europe by helping to reduce the dependence of the Government of the Republic of Cyprus on other countries, including countries that pose challenges to United States interests around the world, for defense-related materiel; and

“(2) it is in the interest of the United States to continue to support United Nations-facilitated efforts toward a comprehensive solution to the division of Cyprus.

“(b) MODIFICATION OF PROHIBITION.—[Amended this section.]

“(c) EXCLUSION OF THE GOVERNMENT OF THE REPUBLIC OF CYPRUS FROM CERTAIN RELATED REGULATIONS.—

“(1) IN GENERAL.—Subject to subsection (d) and except as provided in paragraph (2), beginning on the date of the enactment of this Act [Dec. 20, 2019], the Secretary of State shall not apply a policy of denial for exports, re-exports, or transfers of defense articles and defense services destined for or originating in the Republic of Cyprus if—

“(A) the request is made by or on behalf of the Government of the Republic of Cyprus; and

“(B) the end-user of such defense articles or defense services is the Government of the Republic of Cyprus.

“(2) EXCEPTION.—This exclusion shall not apply to any denial based upon credible human rights concerns.

“(d) LIMITATIONS ON THE TRANSFER OF ARTICLES ON THE UNITED STATES MUNITIONS LIST TO THE REPUBLIC OF CYPRUS.—

“(1) IN GENERAL.—The policy of denial for exports, re-exports, or transfers of defense articles on the United States Munitions List to the Republic of Cyprus shall remain in place unless the President determines and certifies to the appropriate congressional committees not less than annually that—

“(A) the Government of the Republic of Cyprus is continuing to cooperate with the United States Government in efforts to implement reforms on anti-money laundering regulations and financial regulatory oversight; and

“(B) the Government of the Republic of Cyprus has made and is continuing to take the steps necessary to deny Russian military vessels access to ports for refueling and servicing.

“(2) WAIVER.—The President may waive the limitations contained in this subsection for one fiscal year

if the President determines that it is essential to the national security interests of the United States to do so.

“(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘appropriate congressional committees’ means—

“(A) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

“(B) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.”

SPECIAL AMBASSADORIAL COMMISSION FOR CYPRUS AND THE AEGEAN

Pub. L. 100-202, §101(e) [title V, §586], Dec. 22, 1987, 101 Stat. 1329-131, 1329-185, provided that:

“(a) FINDINGS.—The Congress finds that—

“(1) the inability to achieve a just and lasting Cyprus settlement will continue to affect relations among the United States and its close NATO allies, Greece and Turkey, to the detriment of larger, mutually shared, security interests in the Eastern Mediterranean region;

“(2) it is of paramount importance that Cyprus, Greece, and Turkey resolve their differences through negotiations and otherwise peaceful procedures, and that the United States should support the resolution of these differences through all the diplomatic means at its disposal;

“(3) it is in the national interest of the United States that the President make a significant new diplomatic demarche towards bringing this dispute to a resolution; and

“(4) it is also in the national interest of the United States to undertake a diplomatic initiative to promote the peaceful and equitable resolution of differences between Greece and Turkey in the Aegean by fostering a renewed and sustained bilateral dialogue between those countries on such issues as: the delineation of the continental shelf, the definition of the territorial seas, air traffic control over the Aegean, NATO command and control arrangements in the Aegean, and the status of Lemnos and NATO exercises in the Aegean.

“(b) APPOINTMENT OF SPECIAL AMBASSADOR.—The President is authorized to appoint a special ambassadorial level envoy who shall be responsible for representing the United States in direct negotiations with the parties to the Cyprus dispute, for representing the United States in negotiations through international intermediaries and, generally, lending the good offices of the United States to the parties in this dispute in order to facilitate a peaceful settlement on Cyprus. As agreed to by Greece and Turkey, the special envoy shall also represent the United States in promoting mutual discussions between those countries concerning their differences on Aegean issues. The special ambassador appointed under this section shall have available the services of two deputies (one to specialize on the Cyprus question, the other on general Aegean issues) and such senior level Department of State personnel as may be required by the special ambassador in order to carry out his responsibilities.

“(c) REPORT.—Not later than June 1, 1988, the President shall submit a report to the Congress describing in detail the activities being undertaken by the special ambassador, the progress being made toward achievement of a peaceful resolution of the Cyprus dispute, an assessment of the obstacles to achievement of such a resolution and of the future role of the United States in achieving [sic] a settlement on Cyprus, and an assessment of the progress being made toward resolution of issues affecting the Aegean region.

“(d) FUNDING.—Up to \$500,000 of the funds appropriated under any heading of this Act [Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988, as enacted by section 101(e) of Pub. L. 101-202] which are allocated for Greece and up to \$500,000 of the funds appropriated under any heading of this Act which are allocated for Turkey, may be used

by the Department of State for any administrative costs associated with the activities of the special ambassador and supporting personnel, including transportation, salaries and per diem.”

Executive Documents

DELEGATION OF FUNCTIONS

For delegation of congressional reporting functions of President under subsec. (c) of this section, see section 1 of Ex. Ord. No. 13313, July 31, 2003, 68 F.R. 46073, set out as a note under section 301 of Title 3, The President.

DELEGATION OF AUTHORITIES UNDER THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2020 AND THE EASTERN MEDITERRANEAN SECURITY AND ENERGY PARTNERSHIP ACT OF 2019

Memorandum of President of the United States, Apr. 14, 2020, 85 F.R. 35797, provided:

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby delegate to the Secretary of State the authorities vested in the President by section 1250A(d) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92) [22 U.S.C. 2373 note] and section 205(d) of the Eastern Mediterranean Security and Energy Partnership Act of 2019 (Title II, Div. J, Public Law 116-94) [22 U.S.C. 2373 note].

Any reference in this memorandum to either Act shall be deemed to be a reference to such Acts as amended from time to time.

You are authorized and directed to publish this memorandum in the Federal Register.

DONALD J. TRUMP.

§ 2374. Repealed. Pub. L. 108-458, title VII, § 7104(I), Dec. 17, 2004, 118 Stat. 3788

Section, Pub. L. 87-195, pt. III, § 620D, as added Pub. L. 96-53, title V, § 505, Aug. 14, 1979, 93 Stat. 378, related to prohibition on assistance to Afghanistan.

§ 2375. Assistance to Pakistan

(a) Congressional policy, findings, and goals

The Congress recognizes that Soviet forces occupying Afghanistan pose a security threat to Pakistan. The Congress also recognizes that an independent and democratic Pakistan with continued friendly ties with the United States is in the interest of both nations. The Congress finds that United States assistance will help Pakistan maintain its independence. Assistance to Pakistan is intended to benefit the people of Pakistan by helping them meet the burdens imposed by the presence of Soviet forces in Afghanistan and by promoting economic development. In authorizing assistance to Pakistan, it is the intent of Congress to promote the expeditious restoration of full civil liberties and representative government in Pakistan. The Congress further recognizes that it is in the mutual interest of Pakistan and the United States to avoid the profoundly destabilizing effects of the proliferation of nuclear explosive devices or the capacity to manufacture or otherwise acquire nuclear devices.

(b) Reaffirmation of 1959 bilateral agreement

The United States reaffirms the commitment made in its 1959 bilateral agreement with Pakistan relating to aggression from a Communist or Communist-dominated state.

(c) Availability; defensive aspects of assistance

Security assistance for Pakistan shall be made available in order to assist Pakistan in dealing with the threat to its security posed by the Soviet presence in Afghanistan. The United States will take appropriate steps to ensure that defense articles provided by the United States to Pakistan are used for defensive purposes.

(d) Waiver of limitations respecting nuclear transfers

The President may waive the prohibitions of section 2799aa of this title with respect to any grounds for the prohibition of assistance under that section arising before the effective date of part B of the Nuclear Proliferation Prevention Act of 1994 to provide assistance to Pakistan if he determines that to do so is in the national interest of the United States.

(e) Nuclear non-proliferation conditions on military assistance; exception

(1) No military assistance shall be furnished to Pakistan and no military equipment or technology shall be sold or transferred to Pakistan, pursuant to the authorities contained in this chapter or any other Act, unless the President shall have certified in writing to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, during the fiscal year in which military assistance is to be furnished or military equipment or technology is to be sold or transferred, that Pakistan does not possess a nuclear explosive device and that the proposed United States military assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device.

(2) The prohibitions in this section do not apply to any assistance or transfer provided for the purposes of:

(A) International narcotics control (including part VIII of subchapter I of this chapter) or any provision of law available for providing assistance for counternarcotics purposes.

(B) Facilitating military-to-military contact, training (including part V of subchapter II of this chapter) and humanitarian and civic assistance projects.

(C) Peacekeeping and other multilateral operations (including part VI of subchapter II of this chapter relating to peacekeeping) or any provision of law available for providing assistance for peacekeeping purposes, except that lethal military equipment provided under this subparagraph shall be provided on a lease or loan basis only and shall be returned upon completion of the operation for which it was provided.

(D) Antiterrorism assistance (including part VIII of subchapter II of this chapter relating to antiterrorism assistance) or any provision of law available for antiterrorism assistance purposes.

(3) The restrictions of this subsection shall continue to apply to contracts for the delivery of F-16 aircraft to Pakistan.

(4) Notwithstanding the restrictions contained in this subsection, military equipment, technology, or defense services, other than F-16 aircraft, may be transferred to Pakistan pursuant