

Export Administration Act of 1979, as amended (50 U.S.C. App. 2401 *et seq.*) [now 50 U.S.C. 4601 *et seq.*], the Arms Export Control Act (22 U.S.C. 2751 *et seq.*), and section 301 of title 3, United States Code, and in view of United Nations Security Council Resolution 918 of May 17, 1994, it is hereby ordered as follows:

SECTION 1. *Arms Embargo.* The following activities are prohibited, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted before the effective date of this order, except to the extent provided in regulations, orders, directives, or licenses that may hereafter be issued pursuant to this order: (a) The sale or supply to Rwanda from the territory of the United States by any person, or by any United States person in any foreign country or other location, or using any U.S.-registered vessel or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary police equipment, and spare parts for the aforementioned, irrespective of origin. This prohibition does not apply to activities related to the United Nations Assistance Mission for Rwanda or the United Nations Observer Mission Uganda-Rwanda or other entities permitted to have such items by the United Nations Security Council; and

(b) Any willful evasion or attempt to violate or evade any of the prohibitions set forth in this order, by any person.

SEC. 2. *Definitions.* For purposes of this order, the term: (a) "Person" means a natural person as well as a corporation, business association, partnership, society, trust, or any other entity, organization or group, including governmental entities; and

(b) "United States person" means any citizen or national of the United States, any lawful permanent resident of the United States, or any corporation, business association, partnership, society, trust, or any other entity, organization or group, including governmental entities, organized under the laws of the United States (including foreign branches).

SEC. 3. *Responsibilities.* The functions and responsibilities for the enforcement of the foregoing prohibitions are delegated as follows: (a) The Secretary of State is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by section 5 of the United Nations Participation Act [of 1945] [22 U.S.C. 287c] and other authorities available to the Secretary of State, as may be necessary to carry out the purpose of this order, relating to arms and related materiel of a type enumerated on the United States Munitions List (22 C.F.R. Part 121). The Secretary of State may redelegate any of these functions to other officers and agencies of the United States Government; and

(b) The Secretary of Commerce, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by section 5 of the United Nations Participation Act [of 1945] and other authorities available to the Secretary of Commerce, as may be necessary to carry out the purpose of this order, relating to arms and related materiel identified in the Export Administration Regulations (15 C.F.R. Parts 730-799). The Secretary of Commerce may redelegate any of these functions to other officers and agencies of the United States Government.

SEC. 4. *Authorization.* All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order, including suspension or termination of licenses or other authorizations in effect as of the date of this order.

SEC. 5. *Delegation of Authority.* The Secretary of State and the Secretary of Commerce in consultation with the Secretary of State are hereby authorized to promulgate rules and regulations, and to employ all powers granted to the President by section 5 of the United Nations Participation Act [of 1945] [22 U.S.C. 287c] and

not otherwise delegated by Executive order, as may be necessary to carry out the purpose of implementing any other arms embargo mandated by resolution of the United Nations Security Council, consistent with the allocation of functions delegated under section 3 of this order. The Secretary of State or the Secretary of Commerce may redelegate any of these functions to other officers and agencies of the United States Government.

SEC. 6. *Judicial Review.* Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

SEC. 7. *Effective Date.* This order shall take effect at 11:59 p.m. eastern daylight time on May 26, 1994.

WILLIAM J. CLINTON.

### § 287d. Use of armed forces; limitations

The President is authorized to negotiate a special agreement or agreements with the Security Council which shall be subject to the approval of the Congress by appropriate Act or joint resolution, providing for the numbers and types of armed forces, their degree of readiness and general location, and the nature of facilities and assistance, including rights of passage, to be made available to the Security Council on its call for the purpose of maintaining international peace and security in accordance with article 43 of said Charter. The President shall not be deemed to require the authorization of the Congress to make available to the Security Council on its call in order to take action under article 42 of said Charter and pursuant to such special agreement or agreements the armed forces, facilities, or assistance provided for therein: *Provided*, That, except as authorized in section 287d-1 of this title, nothing herein contained shall be construed as an authorization to the President by the Congress to make available to the Security Council for such purpose armed forces, facilities, or assistance in addition to the forces, facilities, and assistance provided for in such special agreement or agreements.

(Dec. 20, 1945, ch. 583, § 6, 59 Stat. 621; Oct. 10, 1949, ch. 660, § 4, 63 Stat. 735.)

#### Editorial Notes

##### REFERENCES IN TEXT

Article 43 of said Charter and article 42 of said Charter, referred to in text, are articles of the United Nations Charter.

Herein, referred to in text, means act Dec. 20, 1945, ch. 583, 59 Stat. 619, as amended, known as the United Nations Participation Act of 1945, which is classified generally to this subchapter (§287 *et seq.*). For complete classification of this Act to the Code, see Short Title note set out under section 287 of this title and Tables.

##### AMENDMENTS

1949—Act Oct. 10, 1949, inserted “, except as authorized in section 287d-1 of this title,” in proviso.

### § 287d-1. Noncombatant assistance to United Nations

#### (a) Armed forces details; supplies and equipment; obligation of funds; procurement and replacement of requested items

Notwithstanding the provisions of any other law, the President, upon the request by the

United Nations for cooperative action, and to the extent that he finds that it is consistent with the national interest to comply with such request, may authorize, in support of such activities of the United Nations as are specifically directed to the peaceful settlement of disputes and not involving the employment of armed forces contemplated by chapter VII of the United Nations Charter—

(1) the detail to the United Nations, under such terms and conditions as the President shall determine, of personnel of the armed forces of the United States to serve as observers, guards, or in any non-combatant capacity, but in no event shall more than a total of one thousand of such personnel be so detailed at any one time: *Provided*, That while so detailed, such personnel shall be considered for all purposes as acting in the line of duty, including the receipt of pay and allowances as personnel of the armed forces of the United States, credit for longevity and retirement, and all other perquisites appertaining to such duty: *Provided further*, That upon authorization or approval by the President, such personnel may accept directly from the United Nations (a) any or all of the allowances or perquisites to which they are entitled under the first proviso hereof, and (b) extraordinary expenses and perquisites incident to such detail;

(2) the furnishing of facilities, services, or other assistance and the loan of the agreed fair share of the United States of any supplies and equipment to the United Nations by the Department of Defense, under such terms and conditions as the President shall determine;

(3) the obligation, insofar as necessary to carry out the purposes of clauses (1) and (2) of this subsection, of any funds appropriated to the Department of Defense or any department therein, the procurement of such personnel, supplies, equipment, facilities, services, or other assistance as may be made available in accordance with the request of the United Nations, and the replacement of such items, when necessary, where they are furnished from stocks.

**(b) Reimbursement from United Nations; waiver of reimbursement**

Whenever personnel or assistance is made available pursuant to the authority contained in subsection (a)(1) and (2) of this section, the President shall require reimbursement from the United Nations for the expense thereby incurred by the United States: *Provided*, That in exceptional circumstances, or when the President finds it to be in the national interest, he may waive, in whole or in part, the requirement of such reimbursement: *Provided further*, That when any such reimbursement is made, it shall be credited, at the option of the appropriate department of the Department of Defense, either to the appropriation, fund, or account utilized in incurring the obligation, or to an appropriate appropriation, fund, or account currently available for the purposes for which expenditures were made.

**(c) Additional appropriation authorizations**

In addition to the authorization of appropriations to the Department of State contained in

section 287e of this title, there is hereby authorized to be appropriated to the Department of Defense, or any department therein, such sums as may be necessary to reimburse such departments in the event that reimbursement from the United Nations is waived in whole or in part pursuant to authority contained in subsection (b) of this section.

**(d) Disclosure of information**

Nothing in this subchapter shall authorize the disclosure of any information or knowledge in any case in which such disclosure is prohibited by any other law of the United States.

(Dec. 20, 1945, ch. 583, §7, as added Oct. 10, 1949, ch. 660, §5, 63 Stat. 735; amended Aug. 10, 1949, ch. 412, §12(a), 63 Stat. 591.)

**Statutory Notes and Related Subsidiaries**

**CHANGE OF NAME**

National Military Establishment changed to Department of Defense by act Aug. 10, 1949.

**Executive Documents**

**EX. ORD. NO. 10206. SUPPORT OF PEACEFUL SETTLEMENT OF DISPUTES**

Ex. Ord. No. 10206, Jan. 19, 1951, 16 F.R. 529, provided: By virtue of the authority vested in me by the Constitution and the statutes, including the United Nations Participation Act of 1945 (59 Stat. 619), as amended [this subchapter], hereinafter referred to as the Act, and the act of August 8, 1950 (Public Law 673, 81st Congress) [sections 301 to 303 of Title 3, The President], and as President of the United States, it is hereby ordered as follows:

1. The Secretary of State, upon the request by the United Nations for cooperative action, and to the extent that he finds that it is consistent with the national interest to comply with such request, is authorized, in support of such activities of the United Nations as are specifically directed to the peaceful settlement of disputes and not involving the employment of armed forces contemplated by Chapter VII of the United Nations Charter, to request the Secretary of Defense to detail personnel of the armed forces to the United Nations, and to furnish facilities, services, or other assistance and to loan supplies and equipment to the United Nations in an agreed fair share of the United States under such terms and conditions as the Secretary of State and the Secretary of Defense shall jointly determine and in accordance with and subject to the provisions of paragraphs (1), (2), and (3) of section 7(a) of the Act [subsection (a)(1), (2) and (3) of this section], and the Secretary of Defense is authorized to comply with the request of the Secretary of State, giving due regard to the requirements of the national defense.

2. The Secretary of State, in accordance with and subject to the provisions of section 7(b) of the Act [subsection (b) of this section], shall require reimbursement from the United Nations for the expense thereby incurred by the United States whenever personnel or assistance is made available to the United Nations, except that in exceptional circumstances, or when the Secretary of State finds it to be in the national interest, he may, after consultation with the Secretary of Defense, waive, in whole or in part, the requirement of such reimbursement.

3. The Secretary of Defense, in accordance with and subject to the provisions of section 7(a)(1) of the Act [subsection (a)(1) of this section], may authorize personnel of the armed forces detailed to the United Nations to accept directly from the United Nations (a) any or all of the allowances or perquisites to which they are entitled under the first proviso of section 7(a)(1) of the Act [subsection (a)(1) of this section], and

(b) extraordinary expenses and perquisites incident to such detail.

HARRY S TRUMAN.

**§ 287e. Authorization of appropriations; payment of expenses**

There is hereby authorized to be appropriated annually to the Department of State, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the payment by the United States of its share of the expenses of the United Nations as apportioned by the General Assembly in accordance with article 17 of the Charter, and for all necessary salaries and expenses of the representatives provided for in section 287 of this title, and of their appropriate staffs, including personal services in the District of Columbia and elsewhere, without regard to the civil-service laws and chapter 51 and subchapter III of chapter 53 of title 5; travel expenses without regard to the Standardized Government Travel Regulations, as amended, subchapter I of chapter 57 and section 5731 of title 5 and, under such rules and regulations as the Secretary of State may prescribe, travel expenses of families and transportation of effects of United States representatives and other personnel in going to and returning from their post of duty; allowances for living quarters, including heat, fuel, and light, as authorized by section 5912 of title 5; cost-of-living allowances for personnel stationed abroad under such rules and regulations as the Secretary of State may prescribe; communications services; stenographic reporting, translating, and other services, by contract; hire of passenger motor vehicles and other local transportation; rent of offices; printing and binding without regard to section 501 of title 44; allowances and expenses as provided in section 287r of this title, and allowances and expenses equivalent to those provided in section 4085 of this title; the lease or rental (for periods not exceeding ten years) of living quarters for the use of the representatives provided for in section 287 of this title serving abroad and of their appropriate staffs the cost of installation and use of telephones in the same manner as telephone service is provided for use of the Foreign Service pursuant to section 1348 of title 31, and unusual expenses similar to those authorized by section 5913 of title 5, incident to the operation and maintenance of such living quarters abroad; and such other expenses as may be authorized by the Secretary of State; all without regard to section 6101 of title 41.

(Dec. 20, 1945, ch. 583, § 8, formerly § 7, 59 Stat. 621, renumbered and amended Oct. 10, 1949, ch. 660, § 6, 63 Stat. 736; Oct. 28, 1949, ch. 782, title II, § 202(2), title XI, § 1106(a), 63 Stat. 954, 972; Pub. L. 86-707, title III, § 311(b), Sept. 6, 1960, 74 Stat. 797; Pub. L. 96-465, title II, § 2206(a)(2)(B), Oct. 17, 1980, 94 Stat. 2161; Pub. L. 97-241, title I, § 119, Aug. 24, 1982, 96 Stat. 280; Pub. L. 100-459, title III, § 304(a), Oct. 1, 1988, 102 Stat. 2207.)

**Editorial Notes**

REFERENCES IN TEXT

Article 17 of the Charter, referred to in text, is article 17 of the United Nations Charter.

CODIFICATION

In text, “chapter 51 and subchapter III of chapter 53 of title 5” substituted for “the Classification Act of 1949” on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, which Act enacted Title 5, Government Organization and Employees.

In text, “subchapter I of chapter 57 and section 5731 of title 5” substituted for “the Travel Expense Act of 1949, and section 10 of the Act of March 3, 1933, as amended [5 U.S.C. 73b]” on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, which Act enacted Title 5.

In text, “section 5912 of title 5” and “section 5913 of title 5” substituted for “the Act approved June 26, 1930 (5 U.S.C. 118a)” and “section 22 of the Administrative Expenses Act of 1946, as amended by section 311 of the Overseas Differentials and Allowances Act [5 U.S.C. 3039]”, respectively, on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, which Act enacted Title 5.

In text, “section 501 of title 44” substituted for “section 11 of the Act of March 1, 1919 (44 U.S.C. 111)” on authority of Pub. L. 90-620, § 2(b), Oct. 22, 1968, 82 Stat. 1305, which Act enacted Title 44, Public Printing and Documents.

In text, “section 1348 of title 31” substituted for “the Act of August 23, 1912, as amended (31 U.S.C. 679)” on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, which Act enacted Title 31, Money and Finance.

In text, “section 6101 of title 41” substituted for “section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)” on authority of Pub. L. 111-350, § 6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

AMENDMENTS

1988—Pub. L. 100-459 inserted “serving abroad” after “use of the representatives provided for in section 287 of this title”, inserted “abroad” after “such living quarters” and struck out at end “Any payments made by United States Government personnel for occupancy by them of living quarters leased or rented under this section shall be credited to the appropriation, fund, or account utilized by the Secretary of State for such lease or rental or to the appropriation, fund, or account currently available for such purpose.”

1982—Pub. L. 97-241 substituted “use of the representatives provided for in section 287 of this title and of their appropriate staffs” for “use of the representative of the United States to the United Nations referred to in subsection (a) of section 287 of this title” and inserted provision that payments made by United States Government personnel for occupancy of living quarters leased or rented be credited to the appropriation, fund, or account utilized for such lease or rental or to the appropriation, fund, or account currently available for such purpose.

1980—Pub. L. 96-465 substituted reference to section 4085 of this title for reference to section 1131 of this title.

1960—Pub. L. 86-707 substituted “and unusual expenses similar to those authorized by section 5913 of title 5, incident to the operation and maintenance of such living quarters” for “and the allotment of funds, similar to the allotment authorized by section 1132 of this title, for unusual expenses incident to the operation and maintenance of such living quarters, to be accounted for in accordance with section 1133 of this title.”

1949—Act Oct. 28, 1949, substituted “Classification Act of 1949” for “Classification Act of 1923”.

Act Oct. 10, 1949, which renumbered section as section 8 of act Dec. 20, 1945, from section 7, authorized lease or rental, for periods not to exceed 10 years, of a residence for our representative to the United Nations, and clarified references to the civil service and classification laws, subsistence allowances, and travel expense.