

56673, as amended, set out as a note under section 2381 of this title.

§ 2291e. Reallocation of funds withheld from countries which fail to take adequate steps to halt illicit drug production or trafficking

If any funds authorized to be appropriated for any fiscal year for assistance under this chapter are not used for assistance for the country for which those funds were allocated because of the requirements of section 2291j of this title or any other provision of law requiring the withholding of assistance for countries that have not taken adequate steps to halt illicit drug production or trafficking, the President shall use those funds for additional assistance for those countries which have met their illicit drug eradication targets or have otherwise taken significant steps to halt illicit drug production or trafficking, as follows:

(1) International narcotics control assistance

Those funds may be transferred to and consolidated with the funds appropriated to carry out this part in order to provide additional narcotics control assistance for those countries. Funds transferred under this paragraph may only be used to provide increased funding for activities previously justified to the Congress. Transfers may be made under this paragraph without regard to the 20-percent increase limitation contained in section 2360(a) of this title. This paragraph does not apply with respect to funds made available for assistance under the Arms Export Control Act [22 U.S.C. 2751 et seq.].

(2) Other assistance

Any such funds not used under paragraph (1) shall be reprogrammed within the account for which they were appropriated (subject to the regular reprogramming procedures under section 2394-1 of this title) in order to provide additional assistance for those countries.

(Pub. L. 87-195, pt. I, § 486, as added Pub. L. 100-690, title IV, § 4206(a), Nov. 18, 1988, 102 Stat. 4270; amended Pub. L. 102-583, § 6(b)(5), Nov. 2, 1992, 106 Stat. 4932; Pub. L. 103-447, title I, § 101(d), Nov. 2, 1994, 108 Stat. 4692.)

Editorial Notes

REFERENCES IN TEXT

The Arms Export Control Act, referred to in par. (1), is Pub. L. 90-629, Oct. 22, 1968, 82 Stat. 1320, 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.

AMENDMENTS

1994—Pub. L. 103-447 struck out subsec. (a) designation and heading which read “Additional assistance for countries taking significant steps”, substituted “assistance under this chapter” for “security assistance” in provisions before par. (1), “Other assistance” for “Security assistance” in par. (2) heading, and “additional assistance” for “additional security assistance” in par. (2) text, and struck out heading and text of subsec. (b). Text read as follows: “As used in this section, the term ‘security assistance’ means assistance under part II of subchapter II of this chapter (relating to the grant military assistance program), part IV of sub-

chapter II of this chapter (relating to the Economic Support Fund), part V of subchapter II of this chapter (relating to international military education and training), or the Arms Export Control Act (relating to the ‘Foreign Military Financing Program’).”

1992—Subsec. (a). Pub. L. 102-583, § 6(b)(5)(A), substituted “section 2291j of this title” for “section 2291(h) of this title”.

Subsec. (b). Pub. L. 102-583, § 6(b)(5)(B), substituted “(relating to the ‘Foreign Military Financing Program’)” for “(relating to foreign military sales financing)”.

Statutory Notes and Related Subsidiaries

SUPERSEDURE OF FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1989

Pub. L. 100-690, title IV, § 4206(b), Nov. 18, 1988, 102 Stat. 4270, which provided that the enactment of this section superseded section 578(d) of Pub. L. 100-461, Oct. 1, 1988, 102 Stat. 2268-46, and that funds could be transferred under subsec. (a)(1) of this section notwithstanding section 514 of Pub. L. 100-461, 102 Stat. 2268-23, was repealed by Pub. L. 102-583, § 6(e)(1), Nov. 2, 1992, 106 Stat. 4933.

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.

§ 2291f. Prohibition on assistance to drug traffickers

(a) Prohibition

The President shall take all reasonable steps to ensure that assistance under this chapter and the Arms Export Control Act [22 U.S.C. 2751 et seq.] is not provided to or through any individual or entity that the President knows or has reason to believe—

(1) has been convicted of a violation of, or a conspiracy to violate, any law or regulation of the United States, a State or the District of Columbia, or a foreign country relating to narcotic or psychotropic drugs or other controlled substances; or

(2) is or has been an illicit trafficker in any such controlled substance or is or has been a knowing assistor, abettor, conspirator, or colluder with others in the illicit trafficking in any such substance.

(b) Regulations

The President shall issue regulations specifying the steps to be taken in carrying out this section.

(c) Congressional review of regulations

Regulations issued pursuant to subsection (b) shall be submitted to the Congress before they take effect.

(Pub. L. 87-195, pt. I, § 487, as added Pub. L. 100-690, title IV, § 4503, Nov. 18, 1988, 102 Stat. 4285; amended Pub. L. 102-583, § 6(b)(6), Nov. 2, 1992, 106 Stat. 4932; Pub. L. 103-447, title I, § 101(e), Nov. 2, 1994, 108 Stat. 4692.)

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,