

§ 2347h. Human rights report**(a) In general**

Not later than March 1 of each year, the Secretary of State shall submit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate a report describing, to the extent practicable, any involvement of a foreign military or defense ministry civilian participant in education and training activities under this part in a violation of internationally recognized human rights reported under section 2151n(d) of this title subsequent to such participation.

(b) Form

The report described in subsection (a) shall be in unclassified form, but may include a classified annex.

(Pub. L. 87-195, pt. II, §549, as added Pub. L. 107-228, div. B, title XII, §1212(a), Sept. 30, 2002, 116 Stat. 1428.)

PART VI—PEACEKEEPING OPERATIONS

§ 2348. General authorization

The President is authorized to furnish assistance to friendly countries and international organizations, on such terms and conditions as he may determine, for peacekeeping operations and other programs carried out in furtherance of the national security interests of the United States. Such assistance may include reimbursement to the Department of Defense for expenses incurred pursuant to section 287d-1 of this title, except that such reimbursements may not exceed \$5,000,000 in any fiscal year unless a greater amount is specifically authorized by this section.

(Pub. L. 87-195, pt. II, §551, as added Pub. L. 95-384, §12(a), Sept. 26, 1978, 92 Stat. 736; amended Pub. L. 96-92, §10(b), Oct. 29, 1979, 93 Stat. 705.)

Editorial Notes

AMENDMENTS

1979—Pub. L. 96-92 authorized reimbursement of Department of Defense for expenses incurred in furnishing assistance to the United States limited to \$5,000,000 per fiscal year unless specifically authorized.

Statutory Notes and Related Subsidiaries

REQUIRED NOTIFICATION AND REPORTS RELATED TO PEACEKEEPING OPERATIONS ACCOUNT

Pub. L. 117-81, div. F, title LXV, §6502, Dec. 27, 2021, 135 Stat. 2422, as amended by Pub. L. 117-263, div. E, title LV, §5594, Dec. 23, 2022, 136 Stat. 3392, provided that:

“(a) CONGRESSIONAL NOTIFICATION.—Not later than 15 days prior to the obligation of amounts made available to provide assistance pursuant to section 551 of the Foreign Assistance Act of 1961 (22 U.S.C. 2348), the Secretary of State shall submit to the appropriate congressional committees a notification, in accordance with the applicable procedures under section 634A of such Act (22 U.S.C. 2394-1), that includes, with respect to such assistance, the following:

“(1) An itemized identification of each foreign country or entity the capabilities of which the assistance is intended to support.

“(2) An identification of the amount, type, and purpose of assistance to be provided to each such country or entity.

“(3) An assessment of the capacity of each such country or entity to effectively implement, benefit from, or use the assistance to be provided for the intended purpose identified under paragraph (2).

“(4) As applicable, a description of specific training on monitoring and adhering to international human rights and humanitarian law provided to the foreign country or entity receiving the assistance.

“(5) An identification of any implementers, including third party contractors or other such entities, and the anticipated timeline for implementing any activities to carry out the assistance.

“(6) As applicable, a description of plans to sustain and account for any military or security equipment and subsistence funds provided as an element of the assistance beyond the date of completion of such activities, including the estimated cost and source of funds to support such sustainment.

“(b) REPORTS.—

“(1) ANNUAL REPORT.—Not later than 90 days after the enactment of this Act [Dec. 27, 2021], and annually thereafter for 5 years, the Secretary of State shall submit to the appropriate congressional committees a report on any security assistance authorized under section 551 of the Foreign Assistance Act of 1961 (22 U.S.C. 2348) and made available, during the three fiscal years preceding the date on which the report is submitted, to foreign countries for any of the following purposes:

“(A) Building the capacity of the foreign military, border security, or law enforcement entities, of the country.

“(B) Strengthening the rule of law of the country.

“(C) Countering violent extremist ideology or recruitment within the country.

“(2) MATTERS.—Each report under paragraph (1) shall include, with respect to each foreign country that has received assistance as specified in such paragraph, the following:

“(A) An identification of the authority used to provide such assistance and a detailed description of the purpose of assistance provided.

“(B) An identification of the amount of such assistance and the program under which such assistance was provided.

“(C) A description of the arrangements to sustain any equipment provided to the country as an element of such assistance beyond the date of completion of the assistance, including the estimated cost and source of funds to support such sustainment.

“(D) An assessment of the impact of such assistance on the peacekeeping capabilities and security situation of the country, including with respect to the levels of conflict and violence, the local, political, and social dynamics, and the human rights record, of the country.

“(c) COORDINATION OF SUBMISSION.—The Secretary of State is authorized to integrate the elements of the report required by subsection (b) into other reports required to be submitted annually to the appropriate congressional committees.

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

“(1) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives; and

“(2) the Committees on Appropriations of the Senate and of the House of Representatives.”

UNITED STATES PROPOSAL FOR THE EARLY WARNING SYSTEM IN SINAI

Pub. L. 94-110, Oct. 13, 1975, 89 Stat. 572, provided that:

“Whereas an agreement signed on September 4, 1975, by the Government of the Arab Republic of Egypt and the Government of Israel may, when it enters into force, constitute a significant step toward peace in the Middle East;

“Whereas the President of the United States on September 1, 1975, transmitted to the Government of the

Arab Republic of Egypt and to the Government of Israel identical proposals for United States participation in an early-warning system, the text of which has been submitted to the Congress, providing for the assignment of no more than two hundred United States civilian personnel to carry out certain specified noncombat functions and setting forth the terms and conditions thereof;

“Whereas that proposal would permit the Government of the United States to withdraw such personnel if it concludes that their safety is jeopardized or that continuation of their role is no longer necessary; and

“Whereas the implementation of the United States proposals for the early-warning system in Sinai may enhance the prospect of compliance in good faith with the terms of the Egyptian-Israeli agreements and thereby promote the cause of peace: Now, therefore, be it

“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to implement the ‘United States Proposal for the Early Warning System in Sinai’: *Provided, however,* That United States civilian personnel assigned to Sinai under such proposal shall be removed immediately in the event of an outbreak of hostilities between Egypt and Israel or if the Congress by concurrent resolution determines that the safety of such personnel is jeopardized or that continuation of their role is no longer necessary. Nothing contained in this resolution shall be construed as granting any authority to the President with respect to the introduction of United States Armed Forces into hostilities or into situations wherein involvement in hostilities is clearly indicated by the circumstances which authority he would not have had in the absence of this joint resolution.

“SEC. 2. Any concurrent resolution of the type described in the first section of this resolution which is introduced in either House of Congress shall be privileged in the same manner and to the same extent as a concurrent resolution of the type described in section 5(c) of Public Law 93-148 [section 1544(c) of Title 50, War and National Defense] is privileged under section 7 of such law [section 1546 of title 50, War and National Defense].

“SEC. 3. The United States civilian personnel participating in the early warning system in Sinai shall include only individuals who have volunteered to participate in such system.

“SEC. 4. Whenever United States civilian personnel, pursuant to this resolution, participate in an early warning system, the President shall, so long as the participation of such personnel continues, submit written reports to the Congress periodically, but no less frequently than once every six months, on (1) the status, scope, and anticipated duration of their participation, and (2) the feasibility of ending or reducing as soon as possible their participation by substituting nationals of other countries or by making technological changes. The appropriate committees of the Congress shall promptly hold hearings on each report of the President and report to the Congress any findings, conclusions, and recommendations.

“SEC. 5. The authority contained in this joint resolution to implement the ‘United States Proposal for the Early Warning System in Sinai’ does not signify approval of the Congress of any other agreement, understanding, or commitment made by the executive branch.”

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.

EXECUTIVE ORDER NO. 11896

Ex. Ord. No. 11896, Jan. 13, 1976, 41 F.R. 2067, as amended by Ex. Ord. No. 12150, July 23, 1979, 44 F.R.

43455; Ex. Ord. No. 12227, July 22, 1980, 45 F.R. 49237; Ex. Ord. No. 12357, Apr. 6, 1982, 47 F.R. 15093, which established the United States Sinai Support Mission, was revoked by Ex. Ord. No. 12553, Feb. 25, 1986, 51 F.R. 7237.

§ 2348a. Authorization of appropriations

(a) Fiscal years 1986 and 1987

There are authorized to be appropriated to the President to carry out the purposes of this part, in addition to amounts otherwise available for such purposes, \$37,000,000 for fiscal year 1986 and \$37,000,000 for fiscal year 1987.

(b) Availability of funds

Amounts appropriated under this section are authorized to remain available until expended.

(c) Emergency transfer of funds

If the President determines that, as the result of an unforeseen emergency, the provision of assistance under this part in amounts in excess of funds otherwise available for such assistance is important to the national interests of the United States, the President may (1) exercise the authority of section 2360(a) of this title to transfer funds available to carry out part IV of this subchapter for use under this part without regard to the 20-percent increase limitation contained in such section, except that the total amount so transferred in any fiscal year may not exceed \$15,000,000; and (2) in the event the President also determines that such unforeseen emergency requires the immediate provision of assistance under this part, direct the drawdown of commodities and services from the inventory and resources of any agency of the United States Government of an aggregate value not to exceed \$25,000,000 in any fiscal year. In addition to the aggregate value of \$25,000,000 authorized in paragraph (2) of the preceding sentence, the President may direct the drawdown of commodities and services from the inventory and resources of any agency of the United States Government for the purposes of providing necessary and immediate assistance to Taiwan of a value not to exceed \$25,000,000 in any fiscal year.

(d) Reimbursement of applicable appropriation, fund, or account

There are authorized to be appropriated to the President such sums as may be necessary to reimburse the applicable appropriation, fund, or account for commodities and services provided under subsection (c)(2).

(Pub. L. 87-195, pt. II, § 552, as added Pub. L. 95-384, § 12(a), Sept. 26, 1978, 92 Stat. 736; amended Pub. L. 96-92, § 10(a), (c), Oct. 29, 1979, 93 Stat. 705; Pub. L. 96-533, title I, § 116(a), Dec. 16, 1980, 94 Stat. 3140; Pub. L. 97-113, title I, § 114, Dec. 29, 1981, 95 Stat. 1528; Pub. L. 99-83, title I, § 105(a), (b)(1), Aug. 8, 1985, 99 Stat. 195; Pub. L. 117-263, div. E, title LV, § 5505(b), Dec. 23, 2022, 136 Stat. 3299.)

Editorial Notes

AMENDMENTS

2022—Subsec. (c). Pub. L. 117-263 inserted at end “In addition to the aggregate value of \$25,000,000 authorized in paragraph (2) of the preceding sentence, the President may direct the drawdown of commodities and services from the inventory and resources of any agen-