

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

§ 2412. Limitation on foreign assistance appropriations

(a) Restrictions on appropriations in absence of or in excess of prior authorizations

Notwithstanding any provision of law enacted before January 12, 1971, no money appropriated for foreign assistance (including foreign military sales) shall be available for obligation or expenditure—

- (1) unless the appropriation thereof has been previously authorized by law; or
- (2) in excess of an amount previously prescribed by law.

(b) Exception

To the extent that legislation enacted after the making of an appropriation for foreign assistance (including foreign military sales) authorizes the obligation or expenditure thereof, the limitation contained in subsection (a) shall have no effect.

(c) Specific repeal or modification of section

The provisions of this section shall not be superseded except by a provision of law enacted after January 12, 1971, which specifically repeals or modifies the provisions of this section.

(Pub. L. 91-672, §10, Jan. 12, 1971, 84 Stat. 2055.)

Editorial Notes

CODIFICATION

Section was not enacted as part of Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, known as the Foreign Assistance Act of 1961, which comprises this chapter.

§ 2413. Changes in allocation of foreign assistance

(a) Notification by President to foreign country

Not later than thirty days after the enactment of any law appropriating funds to carry out any provision of this chapter (other than section 2261 or 2397 of this title) or the Arms Export Control Act [22 U.S.C. 2751 et seq.], the President shall notify the Congress of each foreign country and international organization to which the United States Government intends to provide any portion of the funds under such law and of the amount of funds under that law, by category of assistance, that the United States Government intends to provide to each.

(b) Application of provisions to continuing appropriations; waiver of provisions

The provisions of this section shall not apply in the case of any law making continuing appropriations and may not be waived under the provisions of section 2364(a) of this title.

(Pub. L. 87-195, pt. III, §653, as added Pub. L. 92-226, pt. III, §304(b), Feb. 7, 1972, 86 Stat. 28; amended Pub. L. 93-559, §21, Dec. 30, 1974, 88 Stat. 1801; Pub. L. 95-384, §§10(b)(3), 12(c)(2), Sept. 26, 1978, 92 Stat. 735, 737; Pub. L. 99-83, title XII, §1209(b), Aug. 8, 1985, 99 Stat. 279.)

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,

1961, 75 Stat. 424, 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 subsec. (a), 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

1985—Subsec. (a). Pub. L. 99-83, §1209(b)(1), inserted reference to the Arms Export Control Act.

Subsecs. (b), (c). Pub. L. 99-83, §1209(b)(2), (3), redesignated subsec. (c) as (b). Former subsec. (b), relating to report to Congress prior to grant of assistance with excess funds, was struck out.

1978—Subsec. (b). Pub. L. 95-384 substituted in provisions preceding par. (1) in two places and in par. (2) "assistance under part IV of subchapter II of this chapter" for "security supporting assistance" and in provisions preceding par. (1) in two places "part VI of subchapter II" for "subchapter IV" and inserted in par. (2) "or assistance under part VI of subchapter II of this chapter" before "the President includes".

1974—Subsec. (a). Pub. L. 93-559, §21(1), struck out provisions limiting the military grant assistance or security supporting assistance to any foreign country or international organization to an amount not more than 10 percent of funds authorized under any law unless the President determines that it would be in the security interests of the United States to provide excess funds and reports to Congress the identity of the recipient, the amount of excess funds provided, and the justification for additional assistance. See subsec. (b) of this section.

Subsecs. (b), (c). Pub. L. 93-559, §21(2), added subsec. (b) and redesignated former subsec. (b) as (c).

Statutory Notes and Related Subsidiaries

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.

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.

§ 2414. Presidential findings and determinations

(a) Report to Congress

In any case in which the President is required to make a report to the Congress, or to any committee or officer of either House of Congress, concerning any finding or determination under any provision of this chapter, the Foreign Military Sales Act [22 U.S.C. 2751 et seq.], or the Foreign Assistance and Related Programs Appropriation Act for each fiscal year, that finding or determination shall be reduced to writing and signed by the President.

(b) Action prohibition prior to execution of report

No action shall be taken pursuant to any such finding or determination prior to the date on which that finding or determination has been reduced to writing and signed by the President.

(c) Publication in Federal Register

Each such finding or determination shall be published in the Federal Register as soon as

practicable after it has been reduced to writing and signed by the President. In any case in which the President concludes that such publication would be harmful to the national security of the United States, only a statement that a determination or finding has been made by the President, including the name and section of the Act under which it was made, shall be published.

(d) Information accessible to Congress prior to transmission of report

No committee or officer of either House of Congress shall be denied any requested information relating to any finding or determination which the President is required to report to the Congress, or to any committee or officer of either House of Congress, under any provision of this chapter, the Foreign Military Sales Act [22 U.S.C. 2751 et seq.], or the Foreign Assistance and Related Programs Appropriation Act for each fiscal year, even though such report has not yet been transmitted to the appropriate committee or officer of either House of Congress.

(Pub. L. 87-195, pt. III, §654, as added Pub. L. 92-226, pt. III, §304(b), Feb. 7, 1972, 86 Stat. 29.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (d), was in the original "this Act", meaning Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, 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 Foreign Military Sales Act, referred to in subsecs. (a) and (d), is Pub. L. 90-629, ch. 1, Oct. 22, 1968, 82 Stat. 1320, known as the Arms Export Control Act, on authority of section 201(b) of Pub. L. 94-329, title II, June 30, 1976, 90 Stat. 734, and 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.

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.

§ 2414a. Annual report to Congress on voting practices at United Nations

(a) In general

Not later than March 31 of each year, the Secretary of State shall transmit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate a full and complete annual report which assesses for the preceding calendar year, with respect to each foreign country member of the United Nations, the voting practices of the governments of such countries at the United Nations, and which evaluates General Assembly and Security Council actions and the responsiveness of those governments to United States policy on issues of special importance to the United States.

(b) Information on voting practices in United Nations

Such report shall include, with respect to voting practices and plenary actions in the United

Nations during the preceding calendar year, information to be compiled and supplied by the Permanent Representative of the United States to the United Nations, consisting of—

(1) an analysis and discussion, prepared in consultation with the Secretary of State, of the extent to which member countries supported United States policy objectives at the United Nations;

(2) an analysis and discussion, prepared in consultation with the Secretary of State, of actions taken by the United Nations by consensus;

(3) with respect to plenary votes of the United Nations General Assembly—

(A) a listing of all such votes on issues which directly affected important United States interests and on which the United States lobbied extensively and a brief description of the issues involved in each such vote;

(B) a listing of the votes described in subparagraph (A) which provides a comparison of the vote cast by each member country with the vote cast by the United States;

(C) a country-by-country listing of votes described in subparagraph (A); and

(D) a listing of votes described in subparagraph (A) displayed in terms of United Nations regional caucus groups;

(4) a listing of all plenary votes cast by member countries of the United Nations in the General Assembly which provides a comparison of the votes cast by each member country with the vote cast by the United States, including a separate listing of all plenary votes cast by member countries of the United Nations in the General Assembly on resolutions specifically related to Israel that are opposed by the United States;

(5) an analysis and discussion, prepared in consultation with the Secretary of State, of the extent to which other members supported United States policy objectives in the Security Council and a separate listing of all Security Council votes of each member country in comparison with the United States; and

(6) a side-by-side comparison of agreement on important and overall votes for each member country and the United States.

(c) Format

Information required pursuant to subsection (b)(3) shall also be submitted, together with an explanation of the statistical methodology, in a format identical to that contained in chapter II of the Report to Congress on Voting Practices in the United Nations, dated March 14, 1988.

(d) Statement by Secretary of State

Each report under subsection (a) shall contain a statement by the Secretary of State discussing the measures which have been taken to inform United States diplomatic missions of United Nations General Assembly and Security Council activities.

(Pub. L. 101-246, title IV, §406, Feb. 16, 1990, 104 Stat. 66; Pub. L. 108-447, div. D, title V, §534(k), Dec. 8, 2004, 118 Stat. 3007.)