

US Code

(Unofficial compilation from the Legal Information Institute)

TITLE 22 - FOREIGN RELATIONS AND INTERCOURSE

CHAPTER 49—SUPPORT OF PEACE TREATY BETWEEN EGYPT AND ISRAEL

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TITLE 22 - FOREIGN RELATIONS AND INTERCOURSE	1
CHAPTER 49 - SUPPORT OF PEACE TREATY BETWEEN EGYPT AND ISRAEL	3
SUBCHAPTER I - POLITICAL, ECONOMIC, AND TECHNOLOGICAL SUPPORT	4
§ 3401. Congressional findings and declaration of policy	4
§ 3402. Supplemental authorization of foreign military sales loan guaranties for Egypt and Israel	5
§ 3403. Supplemental authorization of economic support for Egypt	6
§ 3404. Transfer of facilities of United States Sinai Field Mission to Egypt	6
§ 3405. Contributions by other countries to support peace in the Middle East	6
§ 3406. Trilateral scientific and technological cooperation by Egypt, Israel, and United States	7
§ 3407. Repealed. Pub. L. 97-113, title VII, § 734(a)(4), Dec. 29, 1981, 95 Stat. 1560	7
§ 3408. Non-proliferation of nuclear weapons	7
SUBCHAPTER II - MULTINATIONAL FORCE AND OBSERVERS PARTICIPATION	8
§ 3421. Congressional declaration of policy	8
§ 3422. Participation of United States personnel in the Multinational Force and Observers	8
§ 3423. United States contributions to costs	9
§ 3424. Nonreimbursed costs	9
§ 3425. Reports to Congress	10
§ 3426. Statements of Congressional intent	11
§ 3427. Definitions	12

TITLE 22 FOREIGN RELATIONS AND INTERCOURSE

NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2010 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

TITLE 22—FOREIGN RELATIONS AND INTERCOURSE

Chap. ...Sec.

1. Diplomatic and Consular Service Generally [Repealed, Transferred, or Omitted] ...1
2. Consular Courts [Repealed or Omitted] ...141
3. United States Court for China [Repealed or Omitted] ...191
4. Passports ...211
5. Preservation of Friendly Foreign Relations Generally [Repealed or Transferred] ...231
6. Foreign Diplomatic and Consular Officers ...251
7. International Bureaus, Congresses, etc. ...261
8. Foreign Service Buildings ...291
9. Foreign Wars, War Materials, and Neutrality ...401
10. Hemispherical Relations ...501
11. Foreign Agents and Propaganda ...601
12. Claims Commissions [Omitted] ...661
13. Service Courts of Friendly Foreign Forces ...701
14. Foreign Service [Repealed or Transferred] ...801
- 14A. Foreign Service Information Officers Corps [Repealed] ...1221
15. The Republic of the Philippines ...1251
16. Greek and Turkish Assistance [Repealed] ...1401
17. Relief Aid to War-Devastated Countries [Repealed] ...1411
18. United States Information and Educational Exchange Programs ...1431
19. Foreign Assistance Program [Repealed] ...1501
20. Mutual Defense Assistance Program [Repealed or Omitted] ...1571
- 20A. Mutual Defense Assistance Control Program [Omitted] ...1611
21. Settlement of International Claims ...1621
- 21A. Settlement of Investment Disputes ...1650
22. Mutual Security Assistance [Repealed] ...1651
23. Protection of Citizens Abroad ...1731
24. Mutual Security Program ...1750
- 24A. Middle East Peace and Stability ...1961
25. Protection of Vessels on the High Seas and in Territorial Waters of Foreign Countries ...1971
26. Armed Forces Participation in International Amateur Sports Competitions [Repealed] ...1981
27. International Cultural Exchange and Trade Fair Participation [Repealed] ...1991
28. International Atomic Energy Agency Participation ...2021
29. Cultural, Technical, and Educational Centers ...2051
- 29A. Inter-American Cultural and Trade Center ...2081
30. International Cooperation in Health and Medical Research ...2101
31. International Travel ...2121
- 31A. National Tourism Organization [Omitted or Repealed] ...2141
32. Foreign Assistance ...2151
33. Mutual Educational and Cultural Exchange Program ...2451
34. The Peace Corps ...2501
35. Arms Control and Disarmament ...2551
36. Migration and Refugee Assistance ...2601
37. Foreign Gifts and Decorations ...2621
38. Department of State ...2651
39. Arms Export Control ...2751
40. International Expositions ...2801
41. Study Commission Relating to Foreign Policy [Omitted] ...2821
42. International Economic Policy [Omitted] ...2841
43. International Broadcasting [Repealed] ...2871
44. Japan-United States Friendship ...2901
45. Commission on Security and Cooperation in Europe ...3001
46. International Investment and Trade in Services Survey ...3101
- 46A. Foreign Direct Investment and International Financial Data ...3141
47. Nuclear Non-Proliferation ...3201
48. Taiwan Relations ...3301
49. Support of Peace Treaty Between Egypt and Israel ...3401
50. Institute for Scientific and Technological Cooperation ...3501
51. Panama Canal ...3601
52. Foreign Service ...3901

**TITLE 22 - CHAPTER 49 SUPPORT OF PEACE
TREATY BETWEEN EGYPT AND ISRAEL**

NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2010 (see <http://www.law.cornell.edu/uscode/uscodeprint.html>).

- 53. Authorities Relating to the Regulation of Foreign Missions ...4301
- 53A. Disposition of Personal Property Abroad ...4341
- 53B. Foreign Relations of the United States Historical Series ...4351
- 54. Private Organization Assistance ...4401
- 55. Research and Training for Eastern Europe and Independent States of Former Soviet Union ...4501
- 56. United States Institute of Peace ...4601
- 57. United States Scholarship Program for Developing Countries ...4701
- 58. Diplomatic Security ...4801
- 59. Fascell Fellowship Program ...4901
- 60. Anti-Apartheid Program [Repealed] ...5001
- 61. Anti-Terrorism—PLO ...5201
- 62. International Financial Policy ...5301
- 63. Support for East European Democracy (SEED) ...5401
- 64. United States Response to Terrorism Affecting Americans Abroad ...5501
- 65. Control and Elimination of Chemical and Biological Weapons ...5601
- 66. United States-Hong Kong Policy ...5701
- 67. Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support ...5801
- 68. Demilitarization of Former Soviet Union ...5901
- 68A. Cooperative Threat Reduction With States of Former Soviet Union ...5951
- 69. Cuban Democracy ...6001
- 69A. Cuban Liberty and Democratic Solidarity (LIBERTAD) ...6021
- 70. Mansfield Fellowship Program ...6101
- 71. United States International Broadcasting ...6201
- 72. Nuclear Proliferation Prevention ...6301
- 73. International Religious Freedom ...6401
- 74. Foreign Affairs Agencies Consolidation ...6501
- 75. Chemical Weapons Convention Implementation ...6701
- 76. Assistance to Countries With Large Populations Having HIV/AIDS ...6801
- 77. United States-China Relations ...6901
- 78. Trafficking Victims Protection ...7101
- 79. Trade Sanctions Reform and Export Enhancement ...7201
- 80. Diplomatic Telecommunications Service Program Office (DTS-PO) ...7301
- 81. International Criminal Court ...7401
- 82. Afghanistan Freedom Support ...7501
- 83. United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria ...7601
- 84. Millennium Challenge ...7701
- 85. North Korean Human Rights ...7801
- 86. Climate Change Technology Deployment in Developing Countries ...7901
- 87. United States and India Nuclear Cooperation ...8001
- 88. Nuclear Non-Proliferation Treaty—United States Additional Protocol Implementation ...8101
- 89. Advancing Democratic Values ...8201
- 90. Volunteers for Prosperity Program ...8301
- 91. Enhanced Partnership With Pakistan ...8401

**TITLE 22 - CHAPTER 49 - SUBCHAPTER I POLITICAL,
ECONOMIC, AND TECHNOLOGICAL SUPPORT**

NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2010 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

CHAPTER 49—SUPPORT OF PEACE TREATY BETWEEN EGYPT AND ISRAEL

SUBCHAPTER I—POLITICAL, ECONOMIC, AND TECHNOLOGICAL SUPPORT

Sec.

- 3401. Congressional findings and declaration of policy.
- 3402. Supplemental authorization of foreign military sales loan guaranties for Egypt and Israel.
- 3403. Supplemental authorization of economic support for Egypt.
- 3404. Transfer of facilities of United States Sinai Field Mission to Egypt.
- 3405. Contributions by other countries to support peace in the Middle East.
- 3406. Trilateral scientific and technological cooperation by Egypt, Israel, and United States.
- 3407. Repealed.
- 3408. Non-proliferation of nuclear weapons.

SUBCHAPTER II—MULTINATIONAL FORCE AND OBSERVERS PARTICIPATION

- 3421. Congressional declaration of policy.
- 3422. Participation of United States personnel in the Multinational Force and Observers.
- 3423. United States contributions to costs.
- 3424. Nonreimbursed costs.
- 3425. Reports to Congress.
- 3426. Statements of Congressional intent.
- 3427. Definitions.

SUBCHAPTER I—POLITICAL, ECONOMIC, AND TECHNOLOGICAL SUPPORT

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§ 3401. Congressional findings and declaration of policy

(a) Policy of support for peace treaty

It is the policy of the United States to support the peace treaty concluded between the Government of Egypt and the Government of Israel on March 26, 1979. This treaty is a significant step toward a full and comprehensive peace in the Middle East. The Congress urges the President to continue to exert every effort to bring about a comprehensive peace and to seek an end by all parties to the violence which could jeopardize this peace.

(b) Findings

The peace treaty between Egypt and Israel having been ratified, the Congress finds that the national interests of the United States are served—

- (1) by authorizing the President to construct air bases in Israel to replace the Israeli air bases on the Sinai peninsula that are to be evacuated;
- (2) by authorizing additional funds to finance procurements by Egypt and Israel through the fiscal year 1982 of defense articles and defense services for their respective security requirements; and
- (3) by authorizing additional funds for economic assistance for Egypt in order to promote the economic stability and development of that country and to support the peace process in the Middle East.

(c) Other agreements, understandings, or commitments

The authorities contained in this subchapter to implement certain arrangements in support of the peace treaty between Egypt and Israel do not signify approval by the Congress of any other agreement, understanding, or commitment made by the executive branch.

(Pub. L. 96–35, § 2, July 20, 1979, 93 Stat. 89.)

References in Text

This subchapter, referred to in subsec. (c), was in the original “this Act”, meaning Pub. L. 96–35, July 20, 1979, 93 Stat. 89, as amended, known as the Special International Security Assistance Act of 1979, which enacted this subchapter and sections 2349, 2349a, and 2349b of this title. For complete classification of this Act to the Code, see Short Title note below and Tables.

Short Title

Section 1 of Pub. L. 96–35 provided that: “This Act [enacting this subchapter and sections 2349, 2349a, and 2349b of this title] may be cited as the ‘Special International Security Assistance Act of 1979’.”

Pub. L. 97–132, § 1, Dec. 29, 1981, 95 Stat. 1693, provided that: “This joint resolution [enacting subchapter II of this chapter] may be cited as the ‘Multinational Force and Observers Participation Resolution’.”

Peace in the Middle East

Pub. L. 96–533, title VII, § 711, Dec. 16, 1980, 94 Stat. 3160, provided:

“(a) It is the sense of the Congress that all parties to the Arab-Israeli conflict need to reaffirm their unequivocal commitment to the peace process in order to achieve further progress toward a comprehensive settlement, to reinforce the principles of the Camp David accords, and to take actions to encourage parties not currently involved in the peace process to become active participants in peace efforts.

“(b) It is further the sense of the Congress that to further these goals (1) all parties to the conflict should accept Israel’s unequivocal right to exist within secure and recognized borders; (2) the Governments of Israel and Egypt should maintain and strengthen their commitment to the process of normalization of relations and continue actions to support that commitment; (3) the Governments of Israel and Egypt should reaffirm their commitment to United Nations Resolution 242 and its applicability, in all its aspects, to territories under negotiations; and (4) the governments of

countries in the Middle East should assure that their policies and actions are consistent with the objectives of achieving peace and of involving other parties in the peace process.”

Egyptian-Israeli Cultural, Scientific, and Economic Relations

Pub. L. 96–60, title IV, § 403, Aug. 15, 1979, 93 Stat. 403, provided that: “It is the sense of the Congress that it should be the policy of the United States to promote and encourage cultural, scientific, and economic relations between the Arab Republic of Egypt and the State of Israel.”

.....

§ 3402. Supplemental authorization of foreign military sales loan guaranties for Egypt and Israel

(a) Congressional findings; use of Arms Export Control Act procedures

The Congress finds that the legitimate defense interests of Israel and Egypt require a one time extraordinary assistance package due to Israel’s phased withdrawal from the Sinai and Egypt’s shift from reliance on Soviet weaponry. The authorizations contained in this section do not, however, constitute Congressional approval of the sale of any particular weapons system to either country. These sales will be reviewed under the normal procedures set forth in section 36(b) of the Arms Export Control Act [22 U.S.C. 2776 (b)].

(b) Authorization of appropriation

In addition to amounts authorized to be appropriated for the fiscal year 1979 by section 31(a) of the Arms Export Control Act [22 U.S.C. 2771 (a)], there is authorized to be appropriated to the President to carry out that Act [22 U.S.C. 2751 et seq.] \$370,000,000 for the fiscal year 1979.

(c) Principal amounts of guaranteed loans

Funds made available pursuant to subsection (b) of this section may be used only for guaranties for Egypt and Israel pursuant to section 24(a) of the Arms Export Control Act [22 U.S.C. 2764 (a)]. The principal amount of loans guaranteed with such funds may not exceed \$3,700,000,000 of which \$2,200,000,000 shall be available only for Israel and \$1,500,000,000 shall be available only for Egypt. The principal amount of such guaranteed loans shall be in addition to the aggregate ceiling authorized for the fiscal year 1979 by section 31(b) of the Arms Export Control Act [22 U.S.C. 2771 (b)].

(d) Repayment schedule

Loans guaranteed with funds made available pursuant to subsection (b) of this section shall be on terms calling for repayment within a period of not less than thirty years, including an initial grace period of ten years on repayment of principal.

(e) Modification of terms of guaranteed loans

(1) The Congress finds that the Governments of Israel and Egypt each have an enormous external debt burden which may be made more difficult by virtue of the financing authorized by this section. The Congress further finds that, as a consequence of the impact of the debt burdens incurred by Israel and Egypt under such financing, it may become necessary in future years to modify the terms of the loans guaranteed with funds made available pursuant to this section.

(2) Repealed. Pub. L. 97–113, title VII, § 734(a)(4), Dec. 29, 1981, 95 Stat. 1560.

(Pub. L. 96–35, § 4, July 20, 1979, 93 Stat. 90; Pub. L. 97–113, title VII, § 734(a)(4), Dec. 29, 1981, 95 Stat. 1560.)

References in Text

That Act, referred to in subsec. (b), means the Arms Export Control Act, 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.

Amendments

1981—Subsec. (e)(2). Pub. L. 97–113 struck out par. (2) which required annual reports respecting economic conditions in Israel and Egypt and their external debt burdens, covered in provisions respecting external debt burdens of Egypt, Israel, and Turkey in section 723 of Pub. L. 97–113, title VII, Dec. 29, 1981, 95 Stat. 1552, not classified to the Code.

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§ 3403. Supplemental authorization of economic support for Egypt

There is authorized to be appropriated to the President to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 [22 U.S.C. 2346 et seq.], \$300,000,000 for the fiscal year 1979 for Egypt, in addition to amounts otherwise authorized to be appropriated for such chapter for the fiscal year 1979. The amounts appropriated pursuant to this section may be made available until expended.

(Pub. L. 96–35, § 5, July 20, 1979, 93 Stat. 91.)

References in Text

The Foreign Assistance Act of 1961, referred to in text, is Pub. L. 87–195, Sept. 4, 1961, 75 Stat. 424, as amended. Chapter 4 of part II of the Foreign Assistance Act of 1961 is classified to part IV (§ 2346 et seq.) of subchapter II of chapter 32 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

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§ 3404. Transfer of facilities of United States Sinai Field Mission to Egypt

The President is authorized to transfer to Egypt, on such terms and conditions as he may determine, such of the facilities and related property of the United States Sinai Field Mission as he may determine, upon the termination of the activities of the Sinai Field Mission in accordance with the terms of the peace treaty between Egypt and Israel.

(Pub. L. 96–35, § 6, July 20, 1979, 93 Stat. 91.)

.....

§ 3405. Contributions by other countries to support peace in the Middle East

(a) Presidential consultations with other countries

It is the sense of the Congress that other countries should give favorable consideration to providing support for the implementation of the peace treaty between Egypt and Israel. Therefore, the Congress requests that the President consult with other countries in order to

- (1) promote and develop an agreement for the establishment of a peace development fund whose purpose would be to underwrite the costs of implementing a Middle East peace, and
- (2) encourage investments in Israel and Egypt and other countries in the region should they join in Middle East peace agreements.

(b) Repealed. Pub. L. 97–113, title VII, § 734(a)(4), Dec. 29, 1981, 95 Stat. 1560

(Pub. L. 96–35, § 7, July 20, 1979, 93 Stat. 92; Pub. L. 97–113, title VII, § 734(a)(4), Dec. 29, 1981, 95 Stat. 1560.)

Amendments

1981—Subsec. (b). Pub. L. 97–113 struck out subsec. (b) which required a Presidential report to Congress no later than Jan. 31, 1980, on United States efforts to encourage aid to Egypt and Israel.

.....

§ 3406. Trilateral scientific and technological cooperation by Egypt, Israel, and United States

(a) Preparation for United States participation

It is the sense of the Congress that, in order to continue to build the structure of peace in the Middle East, the United States should be prepared to participate, at an appropriate time, in trilateral cooperative projects of a scientific and technological nature involving Egypt, Israel, and the United States.

(b) Plan development

Therefore, the President shall develop a plan to guide the participation of both United States Government agencies and private institutions in such projects. This plan shall identify—

- (1) potential projects in a variety of areas appropriate for scientific and technological cooperation by the three countries, including agriculture, health, energy, the environment, education, and water resources;
- (2) the resources which are available or which would be needed to implement such projects; and
- (3) the means by which such projects would be implemented.

(Pub. L. 96–35, § 8, July 20, 1979, 93 Stat. 92; Pub. L. 97–113, title VII, § 734(a)(4), Dec. 29, 1981, 95 Stat. 1560.)

Amendments

1981—Subsec. (c). Pub. L. 97–113 struck out subsec. (c) which required Presidential report to Congress no later than twelve months after July 20, 1979, respecting trilateral cooperative projects between Egypt, Israel, and the United States.

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§ 3407. Repealed. Pub. L. 97–113, title VII, § 734(a)(4), Dec. 29, 1981, 95 Stat. 1560

Section, Pub. L. 96–35, § 9, July 20, 1979, 93 Stat. 92, required submission of a Presidential report to Congress ninety days after July 20, 1979, respecting costs of implementation of the peace treaty between Egypt and Israel.

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§ 3408. Non-proliferation of nuclear weapons

In accordance with the Nuclear Non-Proliferation Act of 1978 [22 U.S.C. 3201 et seq.], the Congress strongly encourages all countries in the Middle East which are not parties to the Treaty on the Non-Proliferation of Nuclear Weapons to become parties to that Treaty.

(Pub. L. 96–35, § 10, July 20, 1979, 93 Stat. 93.)

References in Text

The Nuclear Non-Proliferation Act of 1978, referred to in text, is Pub. L. 95–242, Mar. 10, 1978, 92 Stat. 120, which is classified principally to chapter 47 (§ 3201 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 3201 of this title and Tables.

SUBCHAPTER II—MULTINATIONAL FORCE AND OBSERVERS PARTICIPATION

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§ 3421. Congressional declaration of policy

The Congress considers the establishment of the Multinational Force and Observers to be an essential stage in the development of a comprehensive settlement in the Middle East. The Congress enacts this subchapter with the hope and expectation that establishment of the Multinational Force and Observers will assist Egypt and Israel in fulfilling the Camp David accords and bringing about the establishment of a self-governing authority in order to provide full autonomy in the West Bank and Gaza.

(Pub. L. 97–132, § 2, Dec. 29, 1981, 95 Stat. 1693.)

Short Title

For short title of Pub. L. 97–132, which enacted this subchapter, as the Multinational Force and Observers Participation Resolution, see section 1 of Pub. L. 97–132, set out as a note under section 3401 of this title.

.....

§ 3422. Participation of United States personnel in the Multinational Force and Observers

(a) Participation by United States Armed Forces; maximum limit on the number of members

(1) Subject to the limitations contained in this subchapter, the President is authorized to assign, under such terms and conditions as he may determine, members of the United States Armed Forces to participate in the Multinational Force and Observers.

(2) The Congress declares that the participation of the military personnel of other countries in the Multinational Force and Observers is essential to maintain the international character of the peacekeeping function in the Sinai. Accordingly—

(A) before the President assigns or details members of the United States Armed Forces to the Multinational Force and Observers, he shall notify the Congress of the names of the other countries that have agreed to provide military personnel for the Multinational Force and Observers, the number of military personnel to be provided by each country, and the functions to be performed by such personnel; and

(B) if a country withdraws from the Multinational Force and Observers with the result that the military personnel of less than four foreign countries remain, every possible effort must be made by the United States to find promptly a country to replace that country.

(3) Members of the United States Armed Forces, and United States civilian personnel, who are assigned, detailed, or otherwise provided to the Multinational Force and Observers may perform only those functions or responsibilities which are specified for United Nations Forces and Observers in the Treaty of Peace and in accordance with the Protocol.

(4) The number of members of the United States Armed Forces who are assigned or detailed by the United States Government to the Multinational Force and Observers may not exceed one thousand two hundred at any one time.

(b) Participation by civilian personnel

Subject to the limitations contained in this subchapter, the President is authorized to provide, under such terms and conditions as he may determine, United States civilian personnel to participate as observers in the Multinational Force and Observers.

(c) Status of United States personnel

The status of United States Government personnel assigned to the Multinational Force and Observers under subsection (a)(1) or (b) of this section shall be as provided in section 2389 of this title.

(Pub. L. 97–132, § 3, Dec. 29, 1981, 95 Stat. 1693.)

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§ 3423. United States contributions to costs

(a) United States share of the costs

In accordance with the agreement set forth in the exchanges of letters between the United States and Egypt and between the United States and Israel which were signed on August 3, 1981, the United States share of the costs of the Multinational Force and Observers—

- (1) shall not exceed 60 per centum of the budget for the expenses connected with the establishment and initial operation of the Multinational Force and Observers during the period ending September 30, 1982; and
- (2) shall not exceed 331/3 per centum of the budget for the annual operating expenses of the Multinational Force and Observers for each financial year beginning after that date.

(b) Authorization of appropriations

- (1) There are authorized to be appropriated to the President to carry out chapter 6 of part II of the Foreign Assistance Act of 1961 [22 U.S.C. 2348 et seq.], in addition to amounts otherwise available to carry out that chapter, \$125,000,000 for the fiscal year 1982 for use in paying the United States contribution to the budget of the Multinational Force and Observers. Amounts appropriated under this subsection are authorized to remain available until expended.
- (2) Expenditures made pursuant to section 138 of the joint resolution entitled “Joint resolution making continuing appropriations for the fiscal year 1982, and for other purposes”, approved October 1, 1981 (Public Law 97–51), or pursuant to any subsequent corresponding provision applicable to the fiscal year 1982, shall be charged to the appropriation authorized by this subsection.

(c) Reimbursements to the United States

Unless required by law, reimbursements to the United States by the Multinational Force and Observers shall be on the basis of identifiable costs actually incurred as a result of requirements imposed by the Multinational Force and Observers, and shall not include administrative surcharges.

(Pub. L. 97–132, § 4, Dec. 29, 1981, 95 Stat. 1694.)

References in Text

The Foreign Assistance Act of 1961, referred to in subsec. (b)(1), is Pub. L. 87–195, Sept. 4, 1961, 75 Stat. 424, as amended. Chapter 6 of part II of the Foreign Assistance Act of 1961 is classified to part VI (§ 2348 et seq.) of subchapter II of chapter 32 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

Section 138 of the joint resolution entitled “Joint resolution making continuing appropriations for the fiscal year 1982, and for other purposes”, approved October 1, 1981 (Public Law 97–51), referred to in subsec. (b)(2), is section 138 of Pub. L. 97–51, Oct. 1, 1981, 95 Stat. 967, which is not classified to the Code.

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§ 3424. Nonreimbursed costs

(a) Administrative and technical support and services

Any agency of the United States Government is authorized to provide administrative and technical support and services to the Multinational Force and Observers, without reimbursement and upon such terms and conditions as the President may direct, when the provision of such support or services would not result in significant incremental costs to the United States.

(b) Costs to be kept at minimum level

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The provision by the United States to the Multinational Force and Observers under the authority of this subchapter or any other law of any property, support, or services, including the provision of military and civilian personnel under section 3422 of this title, on other than a reimbursable basis shall be kept to a minimum.

(c) Military training of armed forces of other countries

The President may provide military training to members of the armed forces of other countries participating in the Multinational Force and Observers.

(d) Contractors

(1) The United States may use contractors to provide logistical support to the Multinational Force and Observers under this section in lieu of providing such support through a logistical support unit comprised of members of the United States Armed Forces.

(2) Notwithstanding subsections (a) and (b) of this section and section 3426 (b) of this title, support by a contractor under this subsection may be provided without reimbursement whenever the President determines that such action enhances or supports the national security interests of the United States.

(Pub. L. 97–132, § 5, Dec. 29, 1981, 95 Stat. 1695; Pub. L. 107–107, div. A, title XII, § 1211, Dec. 28, 2001, 115 Stat. 1248.)

Amendments

2001—Subsec. (d). Pub. L. 107–107 added subsec. (d).

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§ 3425. Reports to Congress

(a) Initial report

Not later than April 30, 1982, the President shall transmit to the Speaker of the House of Representatives, and to the chairman of the Committee on Foreign Relations of the Senate, a detailed written report with respect to the period ending two weeks prior to that date which contains the information specified in subsection (b) of this section.

(b) Annual report; content

Not later than January 15 of each year (beginning in 1983), the President shall transmit to the Speaker of the House of Representatives, and to the chairman of the Committee on Foreign Relations of the Senate, a written report which describes—

- (1) the activities performed by the Multinational Force and Observers during the preceding year;
- (2) the composition of the Multinational Force and Observers, including a description of the responsibilities and deployment of the military personnel of each participating country;
- (3) All costs incurred by the United States Government (including both normal and incremental costs), set forth by category, which are associated with the United States relationship with the Multinational Force and Observers and which were incurred during the preceding fiscal year (whether or not the United States was reimbursed for those costs), specifically including but not limited to—
 - (A) the costs associated with the United States units and personnel participating in the Multinational Force and Observers (including salaries, allowances, retirement and other benefits, transportation, housing, and operating and maintenance costs), and
 - (B) the identifiable costs relating to property, support, and services provided by the United States to the Multinational Force and Observers;

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- (4) the costs which the United States Government would have incurred in maintaining in the United States those United States units and personnel participating in the Multinational Force and Observers;
 - (5) amounts received by the United States Government from the Multinational Force and Observers as reimbursement;
 - (6) the types of property, support, or services provided to the Multinational Force and Observers by the United States Government, including identification of the types of property, support, or services provided on a nonreimbursable basis; and
 - (7) the results of any discussions with Egypt and Israel regarding the future of the Multinational Force and Observers and its possible reduction or elimination.
- (c) **Description, detail, and accuracy of reports**
- (1) The reports required by this section shall be as detailed as possible.
 - (2) The information pursuant to subsection (b)(3) of this section shall, in the case of costs which are not identifiable, be set forth with reasonable accuracy.
 - (3) The information with respect to any administrative and technical support and services provided on a nonreimbursed basis under section 3424 (a) of this title shall include a description of the types of support and services which have been provided and an estimate of both the total costs of such support and services and the incremental costs incurred by the United States with respect to such support and services.

(Pub. L. 97-132, § 6, Dec. 29, 1981, 95 Stat. 1695.)

Ex. Ord. No. 12361. Delegation of Functions for Multinational Force and Observers Reports

Ex. Ord. No. 12361, Apr. 27, 1982, 47 F.R. 18313, provided:

By the authority vested in me as President of the United States of America by the Multinational Force and Observers Participation Resolution (Public Law 97-132, 95 Stat. 1693) [this subchapter] and Section 301 of Title 3 of the United States Code, it is hereby ordered as follows:

Section 1. Delegation of Functions. The reporting function conferred upon the President by Section 6 of the Multinational Force and Observers Participation Resolution (22 U.S.C. 3425) is delegated to the Secretary of State.

Sec. 2. Interagency Coordination. In the exercise of the function conferred on the Secretary of State by Section 1 of this Order, the Secretary of State shall consult with the Director of the Office of Management and Budget, the Secretary of Defense, the Director of the United States Arms Control and Disarmament Agency, the Assistant to the President for National Security Affairs, and the heads of other Executive agencies as appropriate.

Ronald Reagan.

[For abolition, transfer of functions, and treatment of references to United States Arms Control and Disarmament Agency, see section 6511 et seq. of this title.]

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§ 3426. Statements of Congressional intent

- (a) **Disclaimer of Congressional approval of other agreements, understandings, or commitments**
- Nothing in this subchapter is intended to signify approval by the Congress of any agreement, understanding, or commitment made by the executive branch other than the agreement to participate in the Multinational Force and Observers as set forth in the exchanges of letters between the United States and Egypt and between the United States and Israel which were signed on August 3, 1981.
- (b) **Limitations on United States participation**

The limitations contained in this subchapter with respect to United States participation in the Multinational Force and Observers apply to the exercise of the authorities provided by this subchapter

NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2010 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

or provided by any other provision of law. No funds appropriated by the Congress may be obligated or expended for any activity which is contrary to the limitations contained in this subchapter.

(c) War Powers Resolution

Nothing in this subchapter shall affect the responsibilities of the President or the Congress under the War Powers Resolution (Public Law 93–148) [50 U.S.C. 1541 et seq.].

(Pub. L. 97–132, § 7, Dec. 29, 1981, 95 Stat. 1696.)

References in Text

The War Powers Resolution, referred to in subsec. (c), is Pub. L. 93–148, Nov. 7, 1973, 87 Stat. 555, which is classified generally to chapter 33 (§ 1541 et seq.) of Title 50, War and National Defense. For complete classification of this Act to the Code, see Short Title note set out under section 1541 of Title 50 and Tables.

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§ 3427. Definitions

As used in this subchapter—

- (1) the term “Multinational Force and Observers” means the Multinational Force and Observers established in accordance with the Protocol between Egypt and Israel signed on August 3, 1981, relating to the implementation of the security arrangements of the Treaty of Peace; and
- (2) the term “Treaty of Peace” means the Treaty of Peace between the Arab Republic of Egypt and the State of Israel signed on March 26, 1979, including the Annexes thereto.

(Pub. L. 97–132, § 8, Dec. 29, 1981, 95 Stat. 1697.)