

tiated prices for aircraft, vessels, plant equipment, and such other major items as he may specify: *Provided*, That such articles are not excess at the time such prices are negotiated: *Provided further*, That such prices are negotiated at the time firm orders are placed with the supplying agency."

1972—Subsec. (m). Pub. L. 92-226 substituted "'Value' means, other than in section 2417 of this title" for "'Value' means".

1968—Subsec. (m). Pub. L. 90-629 struck out "and sales" before "programs" in text following par. (3).

1967—Subsec. (d). Pub. L. 90-137, §303(a)(1), excluded production facilities, utilization facilities, and articles involving Restricted Data from definition of "defense articles".

Subsec. (e). Pub. L. 90-137, §303(a)(2), struck out "and formerly Restricted Data" before "as defined" and excluded data removed from the Restricted Data category under section 142d of the Atomic Energy Act of 1954 (classified to section 2162(d) of Title 42) from definition of "defense information".

Subsec. (f). Pub. L. 90-137, §303(a)(3), excluded the transfer of limited quantities of defense articles for test, evaluation, or standardization purposes from definition of "defense service" and defined "training", incorporating existing references to orientation and training aid.

1965—Subsec. (g). Pub. L. 89-171, §303(b)(1), inserted "and not procured in anticipation of military assistance or sales requirements, or pursuant to a military assistance or sales order", and struck out "as grant assistance" after "international organizations".

Subsec. (m). Pub. L. 89-171, §303(b)(2), (3), in par. (2) substituted "Such standard price shall be the same price (including authorized reduced prices)" for "Such price shall be the same standard price", and in unnumbered par. after par. (3) substituted "Military Assistance and sales programs" for "Military assistance programs" and struck out "by the military assistance program" after "supplying agency".

1963—Subsec. (f). Pub. L. 88-205 inserted "including orientation".

1962—Subsec. (m)(2), (3). Pub. L. 87-565 struck out "as grant assistance" after "international organizations".

#### EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-424 effective Oct. 1, 1978, see section 605 of Pub. L. 95-424, set out as a note under section 2151 of this title.

#### EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-226 applicable with respect to each fiscal year commencing on or after July 1, 1971, see section 304(c)(3) of Pub. L. 92-226, set out as a note under section 2394 of this title.

#### EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90-629 effective on July 1, 1968, see section 41 of Pub. L. 90-629, set out as an Effective Date note under section 2751 of this title.

#### TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

### § 2404. Unexpended balances

Unexpended balances of funds made available pursuant to this chapter, the Mutual Security Act of 1954, as amended, or the Latin American Development Act, as amended, are hereby authorized to be continued available for the gen-

eral purposes for which appropriated, and may at any time be consolidated, and, in addition, may be consolidated with appropriations made available for the same general purposes under the authority of this chapter.

(Pub. L. 87-195, pt. III, §645, Sept. 4, 1961, 75 Stat. 462; Pub. L. 87-565, pt. III, §303(c), Aug. 1, 1962, 76 Stat. 263; Pub. L. 88-205, pt. III, §304, Dec. 16, 1963, 77 Stat. 390; Pub. L. 89-171, pt. III, §303(c), Sept. 6, 1965, 79 Stat. 661.)

#### REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this Act", meaning Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, as amended, 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 Mutual Security Act of 1954, referred to in text, is act Aug. 26, 1954, ch. 937, 68 Stat. 832, as amended by acts July 8, 1955, ch. 301, 69 Stat. 283; July 18, 1956, ch. 627, §§2-11, 70 Stat. 555; Aug. 14, 1957, Pub. L. 85-141, 71 Stat. 355; June 30, 1958, Pub. L. 85-477, ch. 1, §§101-103, ch. II, §§201-205, ch. III, §301, ch. IV, §401, ch. V, §501, 72 Stat. 261; July 24, 1959, Pub. L. 86-108, §2, ch. 1, §101, ch. II, §§201-205(a)-(i), (k)-(n), ch. III, §301, ch. IV, §401(a)-(k), (m), 73 Stat. 246; May 14, 1960, Pub. L. 86-472, ch. I to V, 74 Stat. 134, which was principally classified to chapter 24 (§1750 et seq.) of this title and which was repealed by act July 18, 1956, ch. 627, §8(m), 70 Stat. 559, Pub. L. 85-141, §§2(e), 3, 4(b), 11(d), Aug. 14, 1957, 71 Stat. 356, Pub. L. 86-108, ch. II, §§205(j), ch. IV, 401(1), July 24, 1959, 73 Stat. 250, Pub. L. 86-472, ch. II, §§203(d), 204(k), May 14, 1960, 74 Stat. 138, Pub. L. 87-195, pt. III, §642(a)(2), Sept. 4, 1961, 75 Stat. 460, Pub. L. 94-329, title II, §212(b)(1), June 30, 1976, 90 Stat. 745, Pub. L. 104-127, title II, §228, Apr. 4, 1996, 110 Stat. 963, except for sections 1754, 1783, 1796, 1853, 1928, and 1937 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1754 of this title and Tables.

The Latin American Development Act, as amended, referred to in text, is Pub. L. 86-735, Sept. 8, 1960, 74 Stat. 869, as amended, which enacted sections 1942 to 1945 of this title and amended section 1753a of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1942 of this title and Tables.

#### AMENDMENTS

1965—Pub. L. 89-171 substituted "the Latin American Development Act, as amended" for "Public Law 86-735".

1963—Pub. L. 88-205 included balances of funds made available under Public Law 86-735.

1962—Pub. L. 87-565 inserted "this chapter" after "pursuant to".

### § 2405. Separability

If any provision of this chapter or the application of any provision to any circumstances or persons shall be held invalid, the validity of the remainder of this chapter, and of the applicability of such provision to other circumstances or persons shall not be affected thereby.

(Pub. L. 87-195, pt. III, §646, Sept. 4, 1961, 75 Stat. 462.)

#### REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this Act", meaning Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, as amended, 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.