

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.

§ 2406. Development programs for dependable fuel supplies

It is of paramount importance that long-range economic plans take cognizance of the need for a dependable supply of fuels, which is necessary to orderly and stable development and growth, and that dependence not be placed upon sources which are inherently hostile to free countries and the ultimate well-being of economically underdeveloped countries and which might exploit such dependence for ultimate political domination. The agencies of government in the United States are directed to work with other countries in developing plans for basing development programs on the use of the large and stable supply of relatively low cost fuels available in the free world.

(Pub. L. 87-195, pt. III, § 647, Sept. 4, 1961, 75 Stat. 462.)

PROHIBITION ON ASSISTANCE FOR NUCLEAR POWERPLANTS FOR FISCAL YEAR 1978

Pub. L. 95-92, § 14, Aug. 4, 1977, 91 Stat. 622, which prohibited any funds made available to carry out this chapter for fiscal year 1978 from being used to finance the construction of, the operation or maintenance of, or the supply of fuel for any nuclear powerplant under an agreement of cooperation between the United States and any other country, was repealed by Pub. L. 97-113, title VII, § 734(a)(13), Dec. 29, 1981, 95 Stat. 1560.

NUCLEAR POWERPLANTS IN ISRAEL OR EGYPT

Pub. L. 93-559, § 43, Dec. 30, 1974, 88 Stat. 1813, which prohibited any funds authorized under Pub. L. 93-559 from being used to finance the construction of, the operation or maintenance of, or the supply of fuel for any nuclear powerplant in Israel or Egypt, was repealed by Pub. L. 97-113, title VII, § 734(a)(8), Dec. 29, 1981, 95 Stat. 1560.

§ 2407. Special authorization for use of foreign currencies

Subject to the provisions of section 1306 of title 31, the President is authorized, as a demonstration of good will on the part of the people of the United States for the Polish and Italian people, to use foreign currencies accruing to the United States Government under this chapter or any other Act, for assistance on such terms and conditions as he may specify, in the repair, rehabilitation, improvement, and maintenance of cemeteries in Italy serving as the burial place of members of the armed forces of Poland who died in combat in Italy during World War II.

(Pub. L. 87-195, pt. III, § 648, as added Pub. L. 88-633, pt. III, § 303, Oct. 7, 1964, 78 Stat. 1014.)

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.

CODIFICATION

“Section 1306 of title 31” substituted in text for “section 1415 of the Supplemental Appropriation Act, 1953, [31 U.S.C. 724]” on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

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.

§ 2408. Repealed. Pub. L. 95-424, title VI, § 604, Oct. 6, 1978, 92 Stat. 961

Section, Pub. L. 87-195, pt. III, § 649, as added Pub. L. 89-171, pt. III, § 303(d), Sept. 6, 1965, 79 Stat. 661, related to aggregate of total amounts authorized to be appropriated under this chapter.

EFFECTIVE DATE OF REPEAL

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

§ 2409. Use of United States Armed Forces

The furnishing of economic, military, or other assistance under this chapter shall not be construed as creating a new commitment or as affecting any existing commitment to use Armed Forces of the United States for the defense of any foreign country.

(Pub. L. 87-195, pt. III, § 650, as added Pub. L. 90-137, pt. III, § 303(b), Nov. 14, 1967, 81 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.

§ 2410. Repealed. Pub. L. 95-424, title VI, § 604, Oct. 6, 1978, 92 Stat. 961

Section, Pub. L. 87-195, pt. III, § 651, as added Pub. L. 90-554, pt. III, § 303, Oct. 8, 1968, 82 Stat. 966, related to sale of supersonic planes to Israel.

EFFECTIVE DATE OF REPEAL

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

§ 2410a. Repealed. Pub. L. 97-113, title VII, § 734(a)(15), Dec. 29, 1981, 95 Stat. 1560

Section, Pub. L. 91-672, § 7, Jan. 12, 1971, 84 Stat. 2054, restricted sale, grant, loan, or transfer of International Fighter aircraft to any foreign country, or agency thereof, other than South Vietnam.

§ 2411. Limitation upon exercise of special authorities

The President shall not exercise any special authority granted to him under section 2318(a), 2348a(c)(2), or 2360(a) of this title unless the President, before he intends to exercise any such authority, notifies the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate in writing of each such intended exercise, the section of this chapter under which such authority is to be exercised, and the justification for, and the extent of, the exercise of such authority.

(Pub. L. 87-195, pt. III, § 652, as added Pub. L. 91-652, § 8, Jan. 5, 1971, 84 Stat. 1943; amended Pub. L. 92-226, pt. III, § 304(a)(1), Feb. 7, 1972, 86 Stat. 28; Pub. L. 96-533, title I, § 117(b), Dec. 16, 1980, 94 Stat. 3141; Pub. L. 99-83, title I, § 105(b)(2), Aug. 8, 1985, 99 Stat. 196; Pub. L. 104-164, title I, § 103(c), July 21, 1996, 110 Stat. 1424.)

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.

AMENDMENTS

1996—Pub. L. 104-164 substituted “before he intends” for “prior to the date he intends”.

1985—Pub. L. 99-83 inserted reference to section 2348a(c)(2) of this title.

1980—Pub. L. 96-533 struck out reference to section 2364(a) of this title.

1972—Pub. L. 92-226 struck out provision which limited exercise of special authority for purpose of providing additional assistance to Cambodia and which required thirty days notice to congressional committee (ten days in emergencies requiring immediate assistance) of intention to exercise such authority.

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.

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.

FUNDS NOT TO BE USED TO FINANCE INTRODUCTION OF UNITED STATES GROUND COMBAT TROOPS INTO CAMBODIA OR PROVIDE ADVISERS FOR SECURITY OR INTELLIGENCE FORCES IN CAMBODIA; ASSISTANCE TO CAMBODIA NOT TO BE CONSTRUED AS COMMITMENT BY UNITED STATES TO CAMBODIA FOR ITS DEFENSE

Pub. L. 91-652, § 7, Jan. 5, 1971, 84 Stat. 1943, as amended by Pub. L. 92-226, pt. IV, § 408, Feb. 7, 1972, 86 Stat. 35, provided that:

“(a) In line with the expressed intention of the President of the United States, none of the funds authorized or appropriated pursuant to this or any other Act may be used to finance the introduction of United States ground combat troops into Cambodia, or to provide United States advisers to or for military, paramilitary, police, or other security or intelligence forces in Cambodia.

“(b) Military and economic assistance provided by the United States to Cambodia and authorized or appropriated pursuant to this or any other Act shall not be construed as a commitment by the United States to Cambodia for its defense.”

§ 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) of this section 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.)

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;