

Par. (1). Pub. L. 98-164, §215(1), inserted provisions relating to applicability to United States Information Agency employees.

EFFECTIVE DATE OF 1988 AMENDMENT; TRANSITION PROVISIONS

Pub. L. 100-459, title III, §304(c), Oct. 1, 1988, 102 Stat. 2208, provided that:

“(1) Provisions set forth in this section [amending this section and section 287e of this title] shall be effective July 1, 1989.

“(2) In the event that taxes paid by an employee on the benefit provided under subsection (2) of section 9 [22 U.S.C. 287e-1(2)] exceed the contribution amount computed as a percentage of base salary under that subsection, the Department of State may reimburse the employee up to the amount of such differential for the period from the date of enactment of this Act [Oct. 1, 1988] through July 1, 1989.”

DELEGATION OF FUNCTIONS

Authority of President under this section delegated to Secretary of State, see section 4(b) of Ex. Ord. No. 11609, July 22, 1971, 36 F.R. 13747, as amended by Ex. Ord. No. 11779, Apr. 22, 1974, 39 F.R. 14185, set out as a note under section 301 of Title 3, The President.

§ 287e-2. Reimbursement for goods and services provided by the United States to the United Nations

(a) Requirement to obtain reimbursement

(1) In general

Except as provided in paragraph (2), the President shall seek and obtain in a timely fashion a commitment from the United Nations to provide reimbursement to the United States from the United Nations whenever the United States Government furnishes assistance pursuant to the provisions of law described in subsection (c) of this section—

(A) to the United Nations when the assistance is designed to facilitate or assist in carrying out an assessed peacekeeping operation;

(B) for any United Nations peacekeeping operation that is authorized by the United Nations Security Council under Chapter VI or Chapter VII of the United Nations Charter and paid for by peacekeeping or regular budget assessment of the United Nations members; or

(C) to any country participating in any operation authorized by the United Nations Security Council under Chapter VI or Chapter VII of the United Nations Charter and paid for by peacekeeping assessments of United Nations members when the assistance is designed to facilitate or assist the participation of that country in the operation.

(2) Exceptions

(A) In general

The requirement in paragraph (1) shall not apply to—

(i) goods and services provided to the United States Armed Forces;

(ii) assistance having a value of less than \$3,000,000 per fiscal year per operation;

(iii) assistance furnished before November 29, 1999;

(iv) salaries and expenses of civilian police and other civilian and military mon-

itors where United Nations policy is to require payment by contributing members for similar assistance to United Nations peacekeeping operations; or

(v) any assistance commitment made before November 29, 1999.

(B) Deployments of United States military forces

The requirements of subsection (d)(1)(B) of this section shall not apply to the deployment of United States military forces when the President determines that such deployment is important to the security interests of the United States. The cost of such deployment shall be included in the data provided under section 2348d of this title.

(3) Form and amount

(A) Amount

The amount of any reimbursement under this subsection shall be determined at the usual rate established by the United Nations.

(B) Form

Reimbursement under this subsection may include credits against the United States assessed contributions for United Nations peacekeeping operations, if the expenses incurred by any United States department or agency providing the assistance have first been reimbursed.

(b) Treatment of reimbursements

(1) Credit

The amount of any reimbursement paid the United States under subsection (a) of this section shall be credited to the current applicable appropriation, fund, or account of the United States department or agency providing the assistance for which the reimbursement is paid.

(2) Availability

Amounts credited under paragraph (1) shall be merged with the appropriations, or with appropriations in the fund or account, to which credited and shall be available for the same purposes, and subject to the same conditions and limitations, as the appropriations with which merged.

(c) Covered assistance

Subsection (a) of this section applies to assistance provided under the following provisions of law:

(1) Sections 287d and 287d-1 of this title.

(2) Sections 2261, 2318(a)(1), 2321j, 2348a(c), and 2357 of this title.

(3) Any other provisions of law pursuant to which assistance is provided by the United States to carry out the mandate of an assessed United Nations peacekeeping operation.

(d) Waiver

(1) Authority

(A) In general

The President may authorize the furnishing of assistance covered by this section without regard to subsection (a) of this section if the President determines, and so notifies in writing the Committee on Foreign

Relations of the Senate and the Speaker of the House of Representatives, that to do so is important to the security interests of the United States.

(B) Congressional notification

When exercising the authorities of subparagraph (A), the President shall notify the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives in accordance with the procedures applicable to reprogramming notifications under section 2394-1 of this title.

(2) Congressional review

Notwithstanding a notice under paragraph (1) with respect to assistance covered by this section, subsection (a) of this section shall apply to the furnishing of the assistance if, not later than 15 calendar days after receipt of a notification under that paragraph, the Congress enacts a joint resolution disapproving the determination of the President contained in the notification.

(3) Senate procedures

Any joint resolution described in paragraph (2) shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

(e) Relationship to other reimbursement authority

Nothing in this section shall preclude the President from seeking reimbursement for assistance covered by this section that is in addition to the reimbursement sought for the assistance under subsection (a) of this section.

(f) Definition

In this section, the term “assistance” includes personnel, services, supplies, equipment, facilities, and other assistance if such assistance is provided by the Department of Defense or any other United States Government agency.

(Dec. 20, 1945, ch. 583, §10, as added Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title VII, §723], Nov. 29, 1999, 113 Stat. 1536, 1501A-463.)

REFERENCES IN TEXT

Section 601(b) of the International Security Assistance and Arms Export Control Act of 1976, referred to in subsec. (d)(3), is section 601(b) of Pub. L. 94-329, title VI, June 30, 1976, 90 Stat. 765, which is not classified to the Code.

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 287e-3. Limitation on the United States share of assessments for United Nations regular budget

None of the funds available to the Department of State shall be used to pay the United States share of assessed contributions for the regular budget of the United Nations in an amount greater than 22 percent of the total of all assessed contributions for that budget.

(Dec. 20, 1945, ch. 583, §11, as added Pub. L. 107-228, div. A, title IV, §403, Sept. 30, 2002, 116 Stat. 1389.)

§ 287f. Omitted

CODIFICATION

Section, act Oct. 22, 1951, ch. 533, title I, 65 Stat. 577, which authorized the Department of State to acquire surplus property for the United Nations and authorized the reduction of the United States contribution to the United Nations by the value of the property acquired and expenses incidental thereto, was from the Department of State Appropriation Act, 1952, and was not repeated in subsequent appropriation acts. Similar provisions were contained in act Sept. 6, 1950, ch. 896, ch. III, title I, 64 Stat. 610.

§ 287g. Authorization of appropriations for loan to United Nations; restrictions on use of proceeds of loan

There is hereby authorized to be appropriated to the President, without fiscal-year limitation, out of any money in the Treasury not otherwise appropriated, \$100,000,000 for a loan to the United Nations. The proceeds of such loan shall not be used to relieve members of the United Nations of their obligation to pay arrearages on payments of any United Nations assessments, and shall not be used to reduce regular or special assessments against any such members.

(Pub. L. 87-731, §1, Oct. 2, 1962, 76 Stat. 695.)

CODIFICATION

Section was not enacted as part of act Dec. 20, 1945, ch. 583, 59 Stat. 619, known as the United Nations Participation Act of 1945, which comprises this subchapter.

§ 287h. Limitation on loan

The total amount of money that may be loaned to the United Nations pursuant to the authorization contained in section 287g of this title shall not exceed the aggregate amount of loans made by other nations.

(Pub. L. 87-731, §2, Oct. 2, 1962, 76 Stat. 695.)

CODIFICATION

Section was not enacted as part of act Dec. 20, 1945, ch. 583, 59 Stat. 619, known as the United Nations Participation Act of 1945, which comprises this subchapter.

§ 287i. Deduction of principal and interest from annual payment of assessed share of United States of budget

There shall be deducted from the annual payment of the assessed share of the United States of the budget of the United Nations an amount equal to the corresponding annual installment of principal and interest due to the United States on account of the loan made pursuant to section 287g of this title.

(Pub. L. 87-731, §3, Oct. 2, 1962, 76 Stat. 696.)

CODIFICATION

Section was not enacted as part of act Dec. 20, 1945, ch. 583, 59 Stat. 619, known as the United Nations Participation Act of 1945, which comprises this subchapter.