

SHORT TITLE

Pub. L. 94-302, title II, §201, May 31, 1976, 90 Stat. 593, provided that: “This title [enacting this subchapter] may be cited as the ‘African Development Fund Act.’”

§ 290g-1. Appointment of Governor and Alternate Governor; rank, duties, and compensation

(a) The President shall appoint a Governor, and an Alternate Governor, of the Fund—

- (1) by and with the advice and consent of the Senate; or
- (2) from among individuals serving as officials required by law to be appointed by and with the advice and consent of the Senate.

(b) The Governor, or in his absence the Alternate Governor, on the instructions of the President, shall cast the votes of the United States for the Director to represent the United States in the Fund. The Director representing the United States and his Alternate, if they are citizens of the United States, may, in the discretion of the President, receive such compensation, allowances, and other benefits not exceeding those authorized for a chief of mission under the Foreign Service Act of 1980 [22 U.S.C. 3901 et seq.].

(Pub. L. 94-302, title II, §203, May 31, 1976, 90 Stat. 593; Pub. L. 96-465, title II, §2206(a)(5), Oct. 17, 1980, 94 Stat. 2161; Pub. L. 112-166, §2(bb), Aug. 10, 2012, 126 Stat. 1290.)

REFERENCES IN TEXT

The Foreign Service Act of 1980, referred to in subsec. (b), is Pub. L. 96-465, Oct. 17, 1980, 94 Stat. 2071, as amended, which is classified principally to chapter 52 (§3901 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 3901 of this title and Tables.

AMENDMENTS

2012—Subsec. (a). Pub. L. 112-166 amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “The President, by and with the advice and consent of the Senate, shall appoint a Governor, and an Alternate Governor, of the Fund.”

1980—Subsec. (b). Pub. L. 96-465 substituted “a chief of mission under the Foreign Service Act of 1980” for “a Chief of Mission, class 2, within the meaning of the Foreign Service Act of 1946, as amended”.

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-166 effective 60 days after Aug. 10, 2012, and applicable to appointments made on and after that effective date, including any nomination pending in the Senate on that date, see section 6(a) of Pub. L. 112-166, set out as a note under section 113 of Title 6, Domestic Security.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-465 effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L. 96-465, set out as an Effective Date note under section 3901 of this title.

§ 290g-2. Law governing reports to the President and the Congress

The provisions of section 286b of this title, shall apply with respect to the Fund to the same extent as with respect to the International Bank for Reconstruction and Development and the International Monetary Fund.

(Pub. L. 94-302, title II, §204, May 31, 1976, 90 Stat. 594; Pub. L. 101-240, title V, §541(e)(6), Dec. 19, 1989, 103 Stat. 2519.)

AMENDMENTS

1989—Pub. L. 101-240 struck out at end “Reports with respect to the Fund under paragraphs (5) and (6) of section 286b(b) of this title, shall be included in the first report made thereunder after the United States accepts participation in the Fund.”

§ 290g-3. Specific actions requiring Congressional authorization

Unless Congress by law authorizes such action, neither the President nor any person or agency shall, on behalf of the United States:

- (a) agree to an increase in the subscription of the United States to the Fund;
- (b) vote for or agree to any amendment of the agreement which increases the obligations of the United States, or which would change the purpose or functions of the Fund; or
- (c) make a loan or provide other financing to the Fund, except that funds for technical assistance may be provided to the Fund by a United States agency created pursuant to an Act of Congress which is authorized by law to provide funds to international organizations.

(Pub. L. 94-302, title II, §205, May 31, 1976, 90 Stat. 594.)

§ 290g-4. Authorization of appropriations; repayments and distributions from Fund to Treasury

(a) There is hereby authorized to be appropriated without fiscal year limitation, as the United States subscription, \$25,000,000 to be paid by the Secretary of the Treasury to the Fund in three annual installments of \$9,000,000, \$8,000,000, and \$8,000,000.

(b) Any repayment or distribution of moneys from the Fund to the United States shall be covered into the Treasury as a miscellaneous receipt.

(Pub. L. 94-302, title II, §206, May 31, 1976, 90 Stat. 594.)

§ 290g-5. Federal Reserve banks as depository for the Fund; supervision

Any Federal Reserve bank which is requested to do so by the President shall act as a depository for the Fund, and the Board of Governors of the Federal Reserve System shall supervise and direct the carrying out of these functions by the Federal Reserve banks.

(Pub. L. 94-302, title II, §207, May 31, 1976, 90 Stat. 594.)

§ 290g-6. Civil action by or against the Fund; service of process, venue, jurisdiction, removal of actions

For the purpose of any civil action which may be brought within the United States, its territories or possessions, or the Commonwealth of Puerto Rico, by or against the Fund in accordance with the agreement, the Fund shall be deemed to be an inhabitant of the Federal judicial district in which its principal office or agency appointed for the purpose of accepting service or notice of service is located, and any such action to which the Fund shall be party shall be deemed to arise under the laws of the United States, and the district courts of the United