

this subsection referred to as the “ILF”). The ILF may be available without fiscal year limitation. Funds otherwise available to the Department for the purposes of this paragraph may be credited to the ILF.

**(2) Reprogramming procedures**

Funds credited to the ILF shall be treated as a reprogramming of funds under section 2706 of this title and shall not be available for obligation or expenditure except in compliance with the procedures applicable to such reprogrammings. This paragraph shall not apply to the transfer of funds under paragraph (3).

**(3) Transfers of funds**

Funds received by the Department of State from another agency of the United States Government or pursuant to the Department of State Appropriations Act of 1937 (49 Stat. 1321, 22 U.S.C. 2661) to meet costs of preparing or prosecuting a proceeding before an international tribunal, or a claim by or against a foreign government or other foreign entity, shall be credited to the ILF.

**(4) Use of funds**

Funds deposited in the ILF shall be available only for the purposes of paragraph (1).

**(e) Retention of funds**

**(1) In general**

To reimburse the expenses of the United States Government in preparing or prosecuting a proceeding before an international tribunal, or a claim against a foreign government or other foreign entity, the Secretary may retain 1.5 percent of any amount between \$100,000 and \$5,000,000, and one percent of any amount over \$5,000,000, received per claim under section 2668a of this title.

**(2) Treatment**

Amounts retained under the authority of paragraph (1) shall be deposited into the fund under subsection (d).

(Aug. 1, 1956, ch. 841, title I, §38, as added Pub. L. 99-93, title I, §128, Aug. 16, 1985, 99 Stat. 419; amended Pub. L. 103-236, title I, §123, Apr. 30, 1994, 108 Stat. 392; Pub. L. 105-277, div. G, subdiv. B, title XXII, §2212(b), Oct. 21, 1998, 112 Stat. 2681-812; Pub. L. 107-228, div. A, title II, §203, Sept. 30, 2002, 116 Stat. 1362.)

REFERENCES IN TEXT

The Department of State Appropriations Act of 1937, referred to in subsec. (d)(3), probably means the Department of State Appropriation Act, 1937, which is title I of act May 15, 1936, ch. 405, 49 Stat. 1309. Provisions relating to acceptance by the Secretary of State of reimbursement for expenses incurred in pursuing certain private claims against foreign governments were added to that act by Pub. L. 100-204, title I, §142(b), Dec. 22, 1987, 101 Stat. 1350, and are classified to section 2661 of this title.

Section 2668a of this title, referred to in subsec. (e)(1), was in the original “chapter 34 of the Act of February 27, 1896 (22 U.S.C. 2668a; 29 Stat. 32)”. Section 2668a of this title contains the only provisions of the Act which are classified to the Code.

PRIOR PROVISIONS

A prior section 38 of act Aug. 1, 1956, was renumbered section 39 by section 128 of Pub. L. 99-93, and subse-

quently renumbered, and set out as a Short Title of 1956 Amendment note under section 2651 of this title, prior to repeal by Pub. L. 102-138, title I, §111(1), Oct. 28, 1991, 105 Stat. 654.

AMENDMENTS

2002—Subsec. (e). Pub. L. 107-228 added subsec. (e).

1998—Subsec. (c). Pub. L. 105-277 inserted “personal and” before “other support services” in first sentence.

1994—Subsecs. (c), (d). Pub. L. 103-236 added subsecs. (c) and (d).

**§ 2711. Counterterrorism Protection Fund**

**(a) Authority**

The Secretary of State may reimburse domestic and foreign persons, agencies, or governments for the protection of judges or other persons who provide assistance or information relating to terrorist incidents primarily outside the territorial jurisdiction of the United States. Before making a payment under this section in a matter over which there is Federal criminal jurisdiction, the Secretary shall advise and consult with the Attorney General.

**(b) Authorization of appropriations**

There are authorized to be appropriated to the Secretary of State for “Administration of Foreign Affairs” \$1,000,000 for fiscal year 1986 and \$1,000,000 for fiscal year 1987 for use in reimbursing persons, agencies, or governments under this section.

**(c) Designation of Fund**

Amounts made available under this section may be referred to as the “Counterterrorism Protection Fund”.

(Aug. 1, 1956, ch. 841, title I, §39, as added Pub. L. 99-399, title V, §504(2), Aug. 27, 1986, 100 Stat. 871.)

PRIOR PROVISIONS

A prior section 39 of act Aug. 1, 1956, was renumbered section 40 by section 504(1) of Pub. L. 99-399, and subsequently renumbered, and set out as a Short Title of 1956 Amendment note under section 2651 of this title, prior to repeal by Pub. L. 102-138, title I, §111(1), Oct. 28, 1991, 105 Stat. 654.

**§ 2712. Authority to control certain terrorism-related services**

**(a) Authority**

The Secretary of State may, by regulation, impose controls on the provision of the services described in subsection (b) if the Secretary determines that provision of such services would aid and abet international terrorism.

**(b) Services subject to control**

The services subject to control under subsection (a) are the following:

(1) Serving in or with the security forces of a designated foreign government.

(2) Providing training or other technical services having a direct military, law enforcement, or intelligence application, to or for the security forces of a designated foreign government.

Any regulations issued to impose controls on services described in paragraph (2) shall list the specific types of training and other services subject to the controls.