

§ 2389. Status and benefits of personnel assigned or detailed to foreign governments or international organizations

(a) Allowances, privileges, rights, seniority, and other benefits

Any officer or employee, while assigned or detailed under section 2387 or 2388 of this title shall be considered, for the purpose of preserving his allowances, privileges, rights, seniority, and other benefits as such, an officer or employee of the United States Government and of the agency of the United States Government from which detailed or assigned, and he shall continue to receive compensation, allowances, and benefits from funds appropriated to that agency or made available to that agency under this chapter.

(b) Representation allowances

Any officer or employee assigned, detailed, or appointed under section 2387, 2388, 2391, or 2384(d)¹ of this title is authorized to receive under such regulations as the President may prescribe, representation allowances similar to those allowed under section 4085 of this title. The authorization of such allowances and other benefits and the payment thereof out of any appropriations available therefor shall be considered as meeting all the requirements of section 5536 of title 5.

(Pub. L. 87-195, pt. III, § 629, Sept. 4, 1961, 75 Stat. 452; Pub. L. 87-565, pt. III, § 302(d), Aug. 1, 1962, 76 Stat. 262; Pub. L. 90-137, pt. III, § 302(f), Nov. 14, 1967, 81 Stat. 460; Pub. L. 96-465, title II, § 2203(b), Oct. 17, 1980, 94 Stat. 2159.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), 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.

Section 2384(d) of this title, referred to in subsec. (b), was repealed by Pub. L. 95-88, title I, § 124(a)(1), Aug. 3, 1977, 91 Stat. 541.

AMENDMENTS

1980—Subsec. (b). Pub. L. 96-465 substituted “section 4085 of this title” for “section 1131 of this title”.

1967—Subsec. (b). Pub. L. 90-137 substituted reference to section 5536 of title 5 for former section 70 of title 5.

1962—Subsec. (b). Pub. L. 87-565 substituted “2384(d)” for “2384(e)”.

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.

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.

§ 2390. Terms of detail or assignment of personnel

Details or assignments may be made under section 2387 or 2388 of this title or section 1928 of this title—

¹ See References in Text note below.

(1) without reimbursement to the United States Government by the foreign government or international organization;

(2) upon agreement by the foreign government or international organization to reimburse the United States Government for compensation, travel expenses, benefits and allowances, or any part thereof, payable to the officer or employee concerned during the period of assignment or detail; and such reimbursements (including foreign currencies) shall be credited to the appropriation, fund, or account utilized for paying such compensation, travel expenses, benefits or allowances, or to the appropriation, fund, or account currently available for such purposes;

(3) upon an advance of funds, property, or services by the foreign government or international organization to the United States Government accepted with the approval of the President for specified uses in furtherance of the purposes of this chapter; and funds so advanced may be established as a separate fund in the Treasury of the United States Government, to be available for the specified uses, and to be used for reimbursement of appropriations or direct expenditure subject to the provisions of this chapter, any unexpended balance of such account to be returned to the foreign government or international organization; or

(4) subject to the receipt by the United States Government of a credit to be applied against the payment by the United States Government of its share of the expenses of the international organization to which the officer or employee is detailed or assigned, such credit to be based upon the compensation, travel expenses, benefits and allowances, or any part thereof, payable to such officer or employee during the period of detail or assignment in accordance with section 2389 of this title.

(Pub. L. 87-195, pt. III, § 630, Sept. 4, 1961, 75 Stat. 452; Pub. L. 89-171, pt. III, § 302(e), Sept. 6, 1965, 79 Stat. 660.)

REFERENCES IN TEXT

This chapter, referred to in par. (3), 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

1965—Pub. L. 89-171 inserted “benefits” in pars. (2) and (4).

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.

§ 2391. Missions and staffs abroad

(a) Authorization

The President may maintain special missions or staffs outside the United States in such countries and for such periods of time as may be necessary to carry out the purposes of this chapter. Each such special mission or staff shall be under the direction of a chief.