

debt under this section may be exercised notwithstanding section 620(r) of the Foreign Assistance Act of 1961 [22 U.S.C. 2370(r)], or any similar provision of law.

“(i) AUTHORIZATION OF APPROPRIATIONS.—For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 [2 U.S.C. 661a(5)]) of the cancellation of any debt under this section, there are authorized to be appropriated to the President such sums as may be necessary for each of the fiscal years 2000–2010, which shall remain available until expended.

“(j) ANNUAL REPORTS TO THE CONGRESS.—Not later than December 31 of each year, the President shall prepare and transmit to the Committees on Banking and Financial Services [now Committee on Financial Services], Appropriations, and International Relations [now Committee on Foreign Affairs] of the House of Representatives, and the Committees on Banking, Housing, and Urban Affairs, Foreign Relations, and Appropriations of the Senate a report, which shall be made available to the public, concerning the cancellation of debt under subsection (a), and a detailed description of debt relief provided by the United States as a member of the Paris Club of Official Creditors for the prior fiscal year.”

[Pub. L. 108–447, § 591(b), which directed amendment of section 501(i) of Public Law 106–113 by substituting “2000–2006” for “2003–2004”, was executed in section 1000(a)(5) [title V, § 501] of div. B of Pub. L. 106–113, set out above, by making substitution for “2000 through 2004”, to reflect the probable intent of Congress.]

#### NOTIFICATION TO CONGRESS ON DEBT RELIEF AGREEMENTS

Pub. L. 102–391, title V, § 548, Oct. 6, 1992, 106 Stat. 1673, provided that: “The Secretary of State shall transmit to the Appropriations Committees of the Congress and to such other Committees as appropriate, a copy of the text of any agreement with any foreign government which would result in any debt relief no less than thirty days prior to its entry into force, other than one entered into pursuant to this Act, together with a detailed justification of the interest of the United States in the proposed debt relief: *Provided*, That the term ‘debt relief’ shall include any and all debt prepayment, debt rescheduling, and debt restructuring proposals and agreements: *Provided further*, That the Secretary of State and the Secretary of the Treasury should in every feasible instance notify the Appropriations Committees of the Congress and such other Committees as appropriate not less than 15 days prior to any formal multilateral or bilateral negotiation for official debt restructuring, rescheduling, or relief: *Provided further*, That the Secretary of State or the Secretary of the Treasury, as appropriate, shall report not later than February 1 of each year a consolidated statement of the budgetary implications of all debt-related agreements entered into force during the preceding fiscal year.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 101–513, title V, § 550, Nov. 5, 1990, 104 Stat. 2020.

Pub. L. 101–167, title V, § 555, Nov. 21, 1989, 103 Stat. 1237.

Pub. L. 100–461, title V, § 557, Oct. 1, 1988, 102 Stat. 2268–38.

Pub. L. 100–202, § 101(e) [title V, § 563], Dec. 22, 1987, 101 Stat. 1329–131, 1329–172.

### § 2396. Availability of funds

#### (a) General expenditures

Appropriations for the purposes of or pursuant to this chapter (except for subchapter II of this chapter), allocations to any agency of the United States Government, from other appropriations, for functions directly related to the purposes of this chapter, and funds made available for other purposes to the agency primarily

responsible for administrating subchapter I of this chapter, shall be available for:

(1) rent of buildings and space in buildings in the United States, and for repair, alteration, and improvement of such leased properties;

(2) expenses of attendance at meetings concerned with the purposes of such appropriations or of this chapter, including (notwithstanding the provisions of section 1346(a) and (c) of title 31) expenses in connection with meetings of persons whose employment is authorized by section 2386 of this title;

(3) contracting with individuals for personal services abroad: *Provided*, That such individuals shall not be regarded as employees of the United States Government for the purpose of any law administered by the Civil Service Commission;

(4) purchase, maintenance, operation, and hire of aircraft: *Provided*, That aircraft for administrative purposes may be purchased only as specifically provided for in an appropriation or other Act;

(5) purchase and hire of passenger motor vehicles: *Provided*, That, except as may otherwise be provided in an appropriation or other Act, passenger motor vehicles for administrative purposes outside the United States may be purchased for replacement only, and such vehicles may be exchanged or sold and replaced by an equal number of such vehicles, and the cost, including exchange allowance, of each such replacement shall not exceed the current market price in the United States of a mid-sized sedan or station wagon meeting the requirements established by the General Services Administration for a Class III vehicle of United States manufacture (or, if the replacement vehicle is a right-hand drive vehicle, 120 percent of that price) in the case of an automobile for the chief of any special mission or staff outside the United States established under section 2391 of this title: *Provided further*, That passenger motor vehicles, other than one for the official use of the head of the agency primarily responsible for administering subchapter I of this chapter, may be purchased for use in the United States only as may be specifically provided in an appropriation or other Act;

(6) entertainment (not to exceed \$25,000 in any fiscal year except as may otherwise be provided in an appropriation or other Act);

(7) exchange of funds without regard to section 3651<sup>1</sup> of the Revised Statutes (31 U.S.C. 543) and loss by exchange;

(8) expenditures (not to exceed \$50,000 in any fiscal year except as may otherwise be provided in an appropriation or other Act) of a confidential character other than entertainment: *Provided*, That a certificate of the amount of each such expenditure, the nature of which it is considered inadvisable to specify, shall be made by the head of the agency primarily responsible for administering subchapter I of this chapter or such person as he may designate, and every such certificate shall be deemed a sufficient voucher for the amount therein specified;

<sup>1</sup> See References in Text note below.

(9) insurance of official motor vehicles or aircraft acquired for use in foreign countries;

(10) rent or lease outside the United States for not to exceed ten years of offices, buildings, grounds, and quarters, including living quarters to house personnel, and payments therefor in advance; maintenance, furnishings, necessary repairs, improvements, and alterations to properties owned or rented by the United States Government or made available for use to the United States Government outside the United States; and costs of fuel, water, and utilities for such properties;

(11) expenses of preparing and transporting to their former homes, or, with respect to foreign participants engaged in any program under subchapter I of this chapter, to their former homes or places of burial, and of care and disposition of, the remains of persons or members of the families of persons who may die while such persons are away from their homes participating in activities carried out with funds covered by this subsection;

(12) purchase of uniforms;

(13) payment of per diem in lieu of subsistence to foreign participants engaged in any program under subchapter I of this chapter while such participants are away from their homes in countries other than the United States, at rates not in excess of those prescribed by the standardized Government travel regulations, notwithstanding any other provision of law;

(14) use in accordance with authorities of the Foreign Service Act of 1980, as amended (22 U.S.C. 3901 et seq.), not otherwise provided for;

(15) ice and drinking water for use outside the United States;

(16) services of commissioned officers of the Environmental Science Services Administration, and for the purposes of providing such services the Environmental Science Services Administration may appoint not to exceed twenty commissioned officers in addition to those otherwise authorized;<sup>2</sup>

**(b) Compensation, allowances, and travel of personnel; printing and binding; expenditures outside United States**

Funds made available for the purposes of this chapter may be used for compensation, allowances, and travel of personnel including Foreign Service personnel whose services are utilized primarily for the purposes of this chapter, for printing and binding without regard to the provisions of any other law, and for expenditures outside the United States for the procurement of supplies and services and for other administrative and operating purposes (other than compensation of personnel) without regard to such laws and regulations governing the obligation and expenditure of funds of the United States Government as may be necessary to accomplish the purposes of this chapter.

**(c) Construction of living quarters, office space, and supporting facilities**

Notwithstanding any other law, not to exceed \$6,000,000 of the funds available for assistance under this chapter may be used in any fiscal

year (in addition to funds available for such use under other authorities in this chapter) to construct or otherwise acquire outside the United States (1) essential living quarters, office space, and necessary supporting facilities for use of personnel carrying out activities authorized by this chapter, and (2) schools (including dormitories and boarding facilities) and hospitals for use of personnel carrying out activities authorized by this chapter, United States Government personnel, and their dependents. In addition, funds made available for assistance under this chapter may be used, notwithstanding any other law, to equip, staff, operate, and maintain such schools and hospitals.

**(d) Education of dependents**

Not to exceed \$2,500,000 of the funds available for assistance under this chapter may be used in any fiscal year to provide assistance, on such terms and conditions as are deemed appropriate, to schools established, or to be established, outside the United States whenever it is determined that such action would be more economical or would best serve the interests of the United States in providing for the education of dependents of personnel carrying out activities authorized by this chapter and dependents of United States Government personnel, in lieu of acquisition or construction pursuant to subsection (c) of this section.

**(e) Training costs**

Funds available under this chapter may be used to pay costs of training United States citizen personnel employed or assigned pursuant to section 2385(d)(2)<sup>3</sup> of this title (through interchange or otherwise) at any State or local unit of government, public or private nonprofit institution, trade, labor, agricultural, or scientific association or organization, or commercial firm; and the provisions of sections 1881 to 1888<sup>3</sup> of title 7 may be used to carry out the foregoing authority notwithstanding that interchange of personnel may not be involved or that the training may not take place at the institutions specified in sections 1881 to 1888<sup>3</sup> of title 7. Such training shall not be considered employment or holding of office under section 5533 of title 5, and any payments or contributions in connection therewith may, as deemed appropriate by the head of the agency of the United States Government authorizing such training, be made by private or public sources and be accepted by any trainee, or may be accepted by and credited to the current applicable appropriation of such agency: *Provided, however,* That any such payments to any employee in the nature of compensation shall be in lieu, or in reduction, of compensation received from the United States Government.

**(f) Assistance in carrying out functions under certain laws**

Funds made available under part I of subchapter I of this chapter may be used for expenses (other than those provided for under section 2397(a) of this title) to assist in carrying out functions under part I of subchapter I of this chapter, under the Food for Peace Act, as

<sup>2</sup> So in original. The semicolon probably should be a period.

<sup>3</sup> See References in Text note below.

amended [7 U.S.C. 1691 et seq.], and under the Latin American Development Act, as amended, performed by the agency primarily responsible for administering subchapter I of this chapter or by the Corporation established under subpart IV of part II of subchapter I of this chapter with respect to loan activities which it carries out under the provisions of the Food for Peace Act, as amended.

**(g) Administrative, extraordinary, and operating expenses; reimbursement of military officers; training of foreign military personnel**

Funds made available for the purposes of subchapter II of this chapter or the Arms Export Control Act [22 U.S.C. 2751 et seq.] shall be available for—

(1) administrative, extraordinary (not to exceed \$300,000 in any fiscal year), and operating expenses incurred in furnishing defense articles, military education and training and defense services on a grant or sales basis by the agency primarily responsible for administering subchapter II of this chapter;

(2) reimbursement of actual expenses of military officers detailed or assigned as tour directors in connection with orientation visits of foreign military and related civilian personnel, in accordance with provisions of section 5702 of title 5, applicable to civilian officers and employees; and

(3) maintenance, repair, alteration and furnishing of United States-owned facilities in the District of Columbia or elsewhere for the training of foreign military and related civilian personnel, without regard to the provisions of section 6303 of title 41 or other provision of law requiring a specific authorization or specific appropriation for such public contracts.

**(h) Recipient countries to contribute local currencies; utilization of foreign currencies owned by United States**

In carrying out programs under this chapter, the President shall take all appropriate steps to assure that, to the maximum extent possible, (1) countries receiving assistance under this chapter contribute local currencies to meet the cost of contractual and other services rendered in conjunction with such programs, and (2) foreign currencies owned by the United States are utilized to meet the costs of such contractual and other services.

**(i) Financing motor vehicle transactions; waiver of domestic manufacturing restriction**

Notwithstanding section 2399a<sup>4</sup> of this title or any other provision of this chapter, none of the funds made available to carry out this chapter shall be used to finance the purchase, sale, long-term lease, exchange, or guaranty of a sale of motor vehicles unless such motor vehicles are manufactured in the United States: *Provided*, That where special circumstances exist the President is authorized to waive the provisions of this section in order to carry out the purposes of this chapter.

(Pub. L. 87-195, pt. III, § 636, Sept. 4, 1961, 75 Stat. 457; Pub. L. 88-205, pt. III, § 302(f), Dec. 16, 1963, 77

Stat. 389; Pub. L. 89-171, pt. III, § 302(h), Sept. 6, 1965, 79 Stat. 660; Pub. L. 90-137, pt. III, § 302(j)-(o), Nov. 14, 1967, 81 Stat. 461, 462; Pub. L. 90-554, pt. III, § 302(d), Oct. 8, 1968, 82 Stat. 965; Pub. L. 91-175, pt. III, § 306, Dec. 30, 1969, 83 Stat. 821; Pub. L. 94-329, title I, § 106(b)(5), June 30, 1976, 90 Stat. 733; Pub. L. 95-424, title I, § 102(g)(2)(H)-(J), title V, § 505, Oct. 6, 1978, 92 Stat. 943, 960; Pub. L. 99-83, title XII, § 1211(b)(1), Aug. 8, 1985, 99 Stat. 279; Pub. L. 99-234, title I, § 107(b), Jan. 2, 1986, 99 Stat. 1759; Pub. L. 99-550, § 2(b), Oct. 27, 1986, 100 Stat. 3070; Pub. L. 100-202, § 101(e) [title II, § 201], Dec. 22, 1987, 101 Stat. 1329-131, 1329-141; Pub. L. 101-167, title III, Nov. 21, 1989, 103 Stat. 1214; Pub. L. 107-372, title II, § 271(7), Dec. 19, 2002, 116 Stat. 3094; Pub. L. 110-246, title III, § 3001(b)(1)(A), (2)(Q), June 18, 2008, 122 Stat. 1820.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) to (e), (h), and (i), 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 3651 of the Revised Statutes (31 U.S.C. 543), referred to in subsec. (a)(7), was repealed by Pub. L. 97-258, § 5(b), Sept. 13, 1982, 96 Stat. 1068, the first section of which enacted Title 31, Money and Finance.

The Foreign Service Act of 1980, referred to in subsec. (a)(14), 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.

Section 2385(d) of this title, referred to in subsec. (e), was amended by Pub. L. 96-465, title II, § 2203(a), Oct. 17, 1980, 94 Stat. 2158, and as so amended does not contain a par. (2).

Sections 1881 to 1888 of title 7, referred to in subsec. (e), which related to the interchange of Department of Agriculture and State employees, were repealed by Pub. L. 91-648, title IV, § 403, Jan. 5, 1971, 84 Stat. 1925. See section 3371 et seq. of Title 5, Government Organization and Employees.

The Food for Peace Act, as amended, referred to in subsec. (f), is act July 10, 1954, ch. 469, 68 Stat. 454, which is classified principally to chapter 41 (§ 1691 et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title note set out under section 1691 of Title 7, and Tables.

The Latin American Development Act, as amended, referred to in subsec. (f), 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.

The Arms Export Control Act, referred to in subsec. (g), is Pub. L. 90-629, Oct. 22, 1968, 82 Stat. 1320, as amended, which is classified principally to chapter 39 (§ 2751 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2751 of this title and Tables.

Section 2399a of this title, referred to in subsec. (i), was repealed by Pub. L. 90-629, ch. 4, § 45(a), Oct. 22, 1968, 82 Stat. 1327. See section 2753(a)(1) of this title.

REFERENCES TO SUBCHAPTER I DEEMED TO INCLUDE CERTAIN PARTS OF SUBCHAPTER II, AND REFERENCES TO SUBCHAPTER II DEEMED TO EXCLUDE SUCH PARTS

References to subchapter I of this chapter are deemed to include parts IV (§ 2346 et seq.), VI (§ 2348 et seq.), and VIII (§ 2349aa et seq.) of subchapter II of this chapter, and references to subchapter II are deemed to exclude such parts. See section 202(b) of Pub. L. 92-226, set out

<sup>4</sup> See References in Text note below.

as a note under section 2346 of this title, and sections 2348c and 2349aa-5 of this title.

REFERENCES TO PART I DEEMED TO INCLUDE  
SECTION 2293

References to part I of subchapter I of this chapter are deemed to include a reference to section 2293 of this title. See section 2293(d)(1) of this title.

CODIFICATION

In subsec. (a)(2), “section 1346(a) and (c) of title 31” substituted for “section 9 of Public Law 60-328 (31 U.S.C. 673)” 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.

In subsec. (g)(3), “section 6303 of title 41” substituted for “section 3733 of the Revised Statutes (41 U.S.C. 12)” on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

AMENDMENTS

2008—Subsec. (f). Pub. L. 110-246 substituted “Food for Peace Act” for “Agricultural Trade Development and Assistance Act of 1954” in two places.

2002—Subsec. (a)(17). Pub. L. 107-372 struck out par. (17) which read as follows: “expenses in connection with travel of personnel outside the United States, including travel expenses of dependents (including expenses during necessary stopovers while engaged in such travel), and transportation of personal effects, household goods, and automobiles of such personnel when any part of such travel or transportation begins in one fiscal year pursuant to travel orders issued in that fiscal year, notwithstanding the fact that such travel or transportation may not be completed during the same fiscal year, and cost of transporting automobiles to and from a place of storage, and the cost of storing automobiles of such personnel when it is in the public interest or more economical to authorize storage.”

1989—Subsec. (g). Pub. L. 101-167 inserted “or the Arms Export Control Act” after “subchapter II of this chapter” in introductory provisions.

1987—Subsec. (c). Pub. L. 100-202 substituted “\$6,000,000” for “\$3,000,000”.

1986—Subsec. (a)(5). Pub. L. 99-550 struck out “(with-out regard to the limitations contained in section 5 of Public Law 63-127, as amended (31 U.S.C. 638a(c)(2)), and section 201 of Public Law 85-468 (31 U.S.C. 638c))” after “official use”.

Subsec. (g)(2). Pub. L. 99-234 substituted “5702” for “5702(c)”.

1985—Subsec. (a)(14). Pub. L. 99-83 substituted reference to Foreign Service Act of 1980 for reference to Foreign Service Act of 1946.

1978—Subsec. (a)(5). Pub. L. 95-424, §505, substituted “the current market price in the United States of a mid-sized sedan or station wagon meeting the requirements established by the General Services Administration for a Class III vehicle of United States manufacture (or, if the replacement vehicle is a right hand drive vehicle, 120 percent of that price)” for “\$3,500”.

Subsec. (c). Pub. L. 95-424, §102(g)(2)(H), struck out “(other than subpart I of part II of subchapter I of this chapter)” after “under this chapter” in two places.

Subsecs. (d), (e). Pub. L. 95-424, §102(g)(2)(I), struck out “(other than subpart I of part II of subchapter I of this chapter)” after “under this chapter”.

Subsec. (f). Pub. L. 95-424, §102(g)(2)(J), substituted “available under part I of subchapter I of this chapter” for “section 2172 of this title”, and “functions under part I” for “functions under subpart I of part II”.

1976—Subsec. (g)(1). Pub. L. 94-329, §106(b)(5)(A), inserted “military education and training” after “articles”.

Subsec. (g)(2), (3). Pub. L. 94-329, §106(b)(5)(B), substituted “and related civilian personnel” for “personnel”.

1969—Subsec. (f). Pub. L. 91-175 added Corporation established under sections 2191 to 2200a of this title to the enumeration of agencies administering programs.

1968—Subsec. (g)(1). Pub. L. 90-554 required that when funds are made available for operating expenses, such expenses be incurred in furnishing defense articles and defense services on a grant or sales basis by the agency primarily responsible for administering subchapter II of this chapter.

1967—Subsec. (a)(5). Pub. L. 90-137, §302(j), substituted “section 638a(c)(2) and section 638c of title 31” for “section 78a(c)(2) and section 78a-1 of title 5”.

Subsec. (a)(16). Pub. L. 90-137, §302(k), substituted “Environmental Science Services Administration” for “Coast and Geodetic Survey” in two places.

Subsec. (d). Pub. L. 90-137, §302(l), increased limitation on funds available for education of dependents from \$1,500,000 to \$2,500,000.

Subsec. (e). Pub. L. 90-137, §302(m), substituted reference to section 5533 of title 5 for section 301 of the Dual Compensation Act (5 U.S.C. 3105).

Subsec. (g)(2). Pub. L. 90-137, §302(n), substituted reference to section 5702(c) of title 5 for former section 836 of title 5.

Subsec. (i). Pub. L. 90-137, §302(o), added subsec. (i).  
1965—Subsec. (e). Pub. L. 89-171, §302(h)(1), substituted “section 301 of the Dual Compensation Act (5 U.S.C. 3105)” for “section 2 of the Act of July 31, 1894, as amended (5 U.S.C. 62)”.

Subsec. (f). Pub. L. 89-171, §302(h)(2), substituted “Latin American Development Act, as amended” for “Act to provide for assistance in the development of Latin America and in the reconstruction of Chile, and for other purposes”.

1963—Subsec. (h). Pub. L. 88-205 added subsec. (h).

CHANGE OF NAME

Commissioned Officer Corps of the Environmental Science Services Administration changed to Commissioned Officer Corps of the National Oceanic and Atmospheric Administration, see 1970 Reorg Plan No. 4, §4(d), eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, set out in the Appendix to Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-246 effective May 22, 2008, see section 4(b) of Pub. L. 110-246, set out as an Effective Date note under section 8701 of Title 7, Agriculture.

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-234 effective (1) on effective date of regulations to be promulgated not later than 150 days after Jan. 2, 1986, or (2) 180 days after Jan. 2, 1986, whichever occurs first, see section 301(a) of Pub. L. 99-234, set out as a note under section 5701 of Title 5, Government Organization and Employees.

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.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-424 effective Oct. 1, 1978, see section 605 of Pub. L. 95-424, set out as a note under section 2151 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.

**§ 2396a. Property Management Fund**

(a) The proceeds of overseas property acquired by the Agency for International Development under the authority of section 2396(c) of this title may be deposited in a separate fund, which