

(b) No provision of this chapter or any other provision of law shall be construed to prohibit assistance for any training activity which is funded under this chapter for Brazil or Argentina as long as such country continues to have a democratically¹ elected government and the assistance is otherwise consistent with sections 2151n, 2304, 2370(f), 2371, and 2420 of this title.

(Pub. L. 87-195, pt. III, § 638, as added Pub. L. 88-205, pt. III, § 302(h), Dec. 16, 1963, 77 Stat. 389; amended Pub. L. 89-171, pt. III, § 302(j), Sept. 6, 1965, 79 Stat. 661; Pub. L. 93-189, § 19, Dec. 17, 1973, 87 Stat. 725; Pub. L. 100-202, § 101(e) [title V, § 588(a)], Dec. 22, 1987, 101 Stat. 1329-131, 1329-186.)

REFERENCES IN TEXT

This chapter, referred to in text, 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.

The Peace Corps Act, as amended, referred to in subsec. (a), is Pub. L. 87-293, Sept. 22, 1961, 75 Stat. 612, as amended, which is classified principally to chapter 34 (§ 2501 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2501 of this title and Tables.

The Mutual Educational and Cultural Exchange Act of 1961, as amended, referred to in subsec. (a), is Pub. L. 87-256, Sept. 21, 1961, 75 Stat. 527, as amended, which is classified principally to chapter 33 (§ 2451 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2451 of this title and Tables.

The Export-Import Bank Act of 1945, as amended, referred to in subsec. (a), is act July 31, 1945, ch. 341, 59 Stat. 526, as amended, which is classified generally to chapter 6A (§ 635 et seq.) of Title 12, Banks and Banking. For complete classification of this Act to the Code, see Short Title note set out under section 635 of Title 12 and Tables.

AMENDMENTS

1987—Pub. L. 100-202 designated existing provisions as subsec. (a) and added subsec. (b).

1973—Pub. L. 93-189 amended section catchline.

1965—Pub. L. 89-171 struck out provisions which prohibited any provision of this chapter from being construed to prohibit famine or disaster relief, including such relief through voluntary agencies, under sections 1721 to 1724 of title 7.

EFFECTIVE DATE OF 1987 AMENDMENT

Pub. L. 100-202, § 101(e) [title V, § 588(b)], Dec. 22, 1987, 101 Stat. 1329-131, 1329-187, provided that: “The amendment made by subsection (a)(2) [amending this section] does not apply with respect to funds appropriated prior to the date of enactment of this Act [Dec. 22, 1987].”

§ 2399. Repealed. Pub. L. 94-161, title I, § 101(6), Dec. 20, 1975, 89 Stat. 850

Section, Pub. L. 87-195, pt. III, § 639, as added Pub. L. 80-171, pt. III, § 302(k), Sept. 6, 1965, 79 Stat. 661; amended Pub. L. 93-559, § 28(a), Dec. 30, 1974, 88 Stat. 1803, provided for famine or disaster relief, authorized appropriation of \$40,000,000 for fiscal year 1975, and required Presidential reports to Committees of the Senate and Speaker of the House. See sections 2292 and 2292a of this title.

§§ 2399-1a, 2399-1b. Transferred

CODIFICATION

Section 2399-1a, Pub. L. 87-195, pt. 1, § 494A, formerly pt. III, § 639A, as added Pub. L. 93-189, § 20, Dec. 17, 1973,

87 Stat. 725; amended Pub. L. 93-333, § 3, July 8, 1974, 88 Stat. 290 renumbered pt. 1, § 494A, Pub. L. 94-161, title I, § 101(5), Dec. 20, 1975, 89 Stat. 850, which related to famine and disaster relief to drought stricken African nations, was transferred to section 2292d of this title.

Section 2399-1b, Pub. L. 87-195, pt. I, § 494B, formerly pt. III, § 639B, as added Pub. L. 93-189, § 20, Dec. 13, 1973, 87 Stat. 725; renumbered pt. 1, § 494B, and amended Pub. L. 94-161, title I, § 101(5), (7), Dec. 20, 1975, 89 Stat. 850, which related to an African Development program, was transferred to section 2292e of this title.

§ 2399a. Repealed. Pub. L. 90-629, ch. 4, § 45(a), Oct. 22, 1968, 82 Stat. 1327

Section, Pub. L. 87-195, pt. III, § 640, as added Pub. L. 89-171, pt. III, § 302(k), Sept. 6, 1965, 79 Stat. 661; amended Pub. L. 90-137, pt. III, § 302(q), Nov. 14, 1967, 81 Stat. 462, related to military sales. See section 2753(a)(1) of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective July 1, 1968, see section 41 of Pub. L. 90-629, set out as an Effective Date note under section 2751 of this title.

SAVINGS PROVISION

Determinations, authorizations, regulations, orders, contracts, agreements, and other actions issued, undertaken, or entered into under authority of any provision of former section 2399a of this title as continuing in full force and effect until modified by appropriate authority, see section 46 of Pub. L. 90-629, set out as a note under section 2341 of this title.

§ 2399b. False claims and ineligible commodities

(a) Penalties; costs

Any person who makes or causes to be made or presents or causes to be presented to any bank or other financial institution or to any officer, agent, or employee of any agency of the United States Government a claim for payment from funds made available under this chapter for the purposes of furnishing assistance and who knows the claim to be false, fraudulent, or fictitious or to cover a commodity or commodity-related service determined by the President to be ineligible for payment from funds made available under this chapter, or who uses to support his claim any certification, statement, or entry on any contract, abstract, bill of lading, Government or commercial invoice, or Government form, which he knows, or in the exercise of prudent business management should know, to contain false, fraudulent, or fictitious information, or who uses or engages in any other fraudulent trick, scheme, or device for the purpose of securing or obtaining, or aiding to secure or obtain, for any person any benefit or payment from funds so made available under this chapter in connection with the negotiation, procurement, award, or performance of a contract financed with funds so made available under this chapter, and any person who enters into an agreement, combination, or conspiracy so to do, (1) shall pay to the United States an amount equal to 25 per centum of any amount thereby sought to be wrongfully secured or obtained but not actually received, and (2) shall forfeit and refund any payment, compensation, loan, commission, or advance received as a result thereof, and (3) shall, in addition, pay to the United States for each such act (A) the sum of \$2,000 and double the amount of any damage which the United

¹ So in original. Probably should be “democratically”.