

Pub. L. 87-28 authorized agreements during the calendar year 1961 calling for appropriations of not more than \$3,500,000,000 plus any unused authority carried over from 1960.

1959—Subsec. (b). Pub. L. 86-341 substituted “in any calendar year during the period beginning January 1, 1960, and ending December 31, 1961” for “during the period beginning July 1, 1958, and ending December 31, 1959”, “\$1,500,000,000” for “\$2,250,000,000”, “in the preceding calendar year” for “in prior fiscal years”, “for such preceding year” for “for such prior fiscal years”, and “during such preceding year” for “during such fiscal years”.

1958—Subsec. (b). Pub. L. 85-931 amended subsec. (b) generally, substituting “Agreements entered into” for “Transactions carried out”, providing for \$2,250,000,000 for sales between July 1, 1958, and Dec. 31, 1959, and for carrying over unused authorizations from one fiscal to succeeding fiscal years, and striking out clause that limitation on sales shall not be apportioned by year or by country and shall be considered as an objective to be reached as rapidly as possible within the safeguards of this chapter.

1957—Subsec. (b). Pub. L. 85-128 substituted “\$4,000,000,000” for “\$3,000,000,000”.

1956—Subsec. (a). Act May 28, 1956, authorized appropriations equal to all Commodity Credit Corporation funds expended for ocean freight costs.

Subsec. (b). Act Aug. 3, 1956, increased from \$1,500,000,000 to \$3,000,000,000 the limitation on sales.

1955—Subsec. (b). Act Aug. 12, 1955, increased from \$700,000,000 to \$1,500,000,000 the limitation on sales, and provided that this limitation shall not be apportioned by year or by country.

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-624 effective Jan. 1, 1991, see section 1513 of Pub. L. 101-624, set out as a note under section 1691 of this title.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-53 effective Oct. 1, 1979, see section 512(a) of Pub. L. 96-53, set out as a note under section 2151 of Title 22, Foreign Relations and Inter-course.

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 Title 22, Foreign Relations and Inter-course.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-88 effective Oct. 1, 1977, see section 215 of Pub. L. 95-88, set out as a note under section 1702 of this title.

EFFECTIVE DATE OF 1966 AMENDMENT

Amendment by Pub. L. 89-808 effective Jan. 1, 1967, see section 5 of Pub. L. 89-808, set out as a note under section 1691 of this title.

EFFECTIVE DATE OF 1964 AMENDMENT

Pub. L. 88-638, §1(5), Oct. 8, 1964, 78 Stat. 1035, provided that the amendment made by section 1(5) is effective Jan. 1, 1965.

EFFECTIVE DATE OF 1961 AMENDMENT

Pub. L. 87-128, title II, §201(2), Aug. 8, 1961, 75 Stat. 306, provided that the amendment made by section 201(2) is effective Jan. 1, 1962.

EFFECTIVE DATE OF 1959 AMENDMENT

Pub. L. 86-341, title I, §2, Sept. 21, 1959, 73 Stat. 606, provided that the amendment made by section 2 is effective Jan. 1, 1960.

§ 1704. Use of local currency payment

(a) In general

Agreements under this subchapter may provide that the Secretary shall use payments made in local currencies by the developing country or private entity in accordance with this section.

(b) Special account

Foreign currencies received by the Secretary under this subchapter shall be deposited in a separate account, that may be interest-bearing, to the credit of the United States and such currencies and interest thereon shall be used as provided for in this section.

(c) Activities

The proceeds from the payments referred to in subsection (a) may be used in the appropriate developing country, through agreements with recipient governments, private voluntary organizations, and cooperatives, for the following:

(1) Agricultural development

To support—

(A) increased agricultural production, including availability of agricultural inputs, with emphasis on small farms, processing of agricultural commodities, forestry management, and land and water management;

(B) credit policies for private-sector agriculture development;

(C) establishment and expansion of institutions for basic and applied agricultural research and the use of such research through development of extension services;

(D) programs to control rodents, insects, weeds, and other animal or plant pests; and

(E) the improvement of the trade capacity of the recipient country.

(2) Agricultural business development loans

To make loans to United States business entities (including cooperatives) and branches, subsidiaries, or affiliates of such entities for development of agricultural businesses and agricultural trade capacity in such appropriate developing countries.

(3) Agricultural facilities loans

To make loans to domestic or foreign entities (including cooperatives) for the establishment of facilities for aiding in the utilization or distribution of agricultural products.

(4) Trade promotion

To promote agricultural trade development, under procedures established by the Secretary, by making loans or through other activities (including trade fairs to promote agricultural products produced in appropriate developing countries) that the Secretary determines to be appropriate.

(5) Private sector agricultural trade development

To conduct private sector agricultural trade development activities in the appropriate developing country, as determined appropriate by the Secretary.

(6) Research

To conduct research in agriculture, forestry, and aquaculture, including collaborative re-

search which is mutually beneficial to the United States and the appropriate developing country.

(7) United States obligations

To make payments of United States obligations (including obligations entered into pursuant to other laws).

(8) Safe water and sanitation

To provide assistance under section 2152h¹ of title 22 to promote good health, economic development, poverty reduction, women's empowerment, conflict prevention, and environmental sustainability by increasing affordable and equitable access to safe water and sanitation.

(d) Fiscal requirements regarding use of local currencies

(1) Exemption

Section 1306 of title 31 shall not apply to local currencies used by the President under paragraphs (1) through (7) of subsection (c).

(2) Use of currencies by other agencies

Any department or agency of the Federal Government other than the Department of Agriculture using any such local currencies for a purpose for which funds have been appropriated shall reimburse the Commodity Credit Corporation in an amount equivalent to the dollar value of the currencies used.

(July 10, 1954, ch. 469, title I, §104, 68 Stat. 456; Aug. 26, 1954, ch. 937, title V, §544(h), (i), as added July 18, 1956, ch. 627, §11(a), 70 Stat. 564, 565; amended Aug. 3, 1956, ch. 933, §2, 70 Stat. 988; Pub. L. 85-128, §1(4), Aug. 13, 1957, 71 Stat. 345; Aug. 26, 1954, ch. 937, title V, §544(c), as added Pub. L. 85-141, §11(b)(2), Aug. 14, 1957, 71 Stat. 365; Pub. L. 85-477, ch. V, §502(l), June 30, 1958, 72 Stat. 275; Pub. L. 85-931, §3, Sept. 6, 1958, 72 Stat. 1790; Pub. L. 86-108, ch. VII, §701(d), July 24, 1959, 73 Stat. 258; Pub. L. 86-341, title I, §§4-9, Sept. 21, 1959, 73 Stat. 606, 607; Pub. L. 87-128, title II, §201(3), Aug. 8, 1961, 75 Stat. 306; Pub. L. 87-195, pt. III, §612(b), pt. IV, §704, Sept. 4, 1961, 75 Stat. 443, 463; Pub. L. 87-839, §2, Oct. 18, 1962, 76 Stat. 1074; Pub. L. 88-205, pt. III, §301(d)(2), Dec. 16, 1963, 77 Stat. 386; Pub. L. 88-638, §§1(6)-(10), 2, Oct. 8, 1964, 78 Stat. 1035-1038; Pub. L. 89-106, §5, Aug. 4, 1965, 79 Stat. 432; Pub. L. 89-808, §2(B), Nov. 11, 1966, 80 Stat. 1528; Pub. L. 90-436, §§2(a), 3, 6, July 29, 1968, 82 Stat. 450, 451; Pub. L. 91-524, title VII, §702, Nov. 30, 1970, 84 Stat. 1379; Pub. L. 94-161, title II, §204, Dec. 20, 1975, 89 Stat. 852; Pub. L. 96-53, title I, §121, Aug. 14, 1979, 93 Stat. 366; Pub. L. 97-113, title IV, §§401(5), 402, Dec. 29, 1981, 95 Stat. 1537; Pub. L. 100-418, title IV, §4401, Aug. 23, 1988, 102 Stat. 1400; Pub. L. 101-624, title XV, §1512, Nov. 28, 1990, 104 Stat. 3635; Pub. L. 104-127, title II, §205, Apr. 4, 1996, 110 Stat. 953; Pub. L. 109-121, §5(b), Dec. 1, 2005, 119 Stat. 2537; Pub. L. 110-246, title III, §3006, June 18, 2008, 122 Stat. 1822.)

REFERENCES IN TEXT

Section 2152h of title 22, referred to in subsec. (c)(8), was in the original "section 135 of the Foreign Assistance Act of 1961" which was translated as meaning the

¹ See References in Text note below.

section 135 of the Act which is classified to section 2152h of Title 22, Foreign Relations and Intercourse, rather than to the section 135 of the Act which is classified to section 2152f of Title 22, to reflect the probable intent of Congress.

AMENDMENTS

2008—Subsec. (c). Pub. L. 110-246, §3006(7), redesignated pars. (2) to (9) as (1) to (8), respectively.

Pub. L. 110-246, §3006(1), inserted ", through agreements with recipient governments, private voluntary organizations, and cooperatives," after "developing country" in introductory provisions.

Subsec. (c)(1). Pub. L. 110-246, §3006(2), struck out par. (1). Prior to amendment, text read as follows: "To carry out programs to help develop markets for United States agricultural commodities on a mutually beneficial basis in the appropriate developing country."

Subsec. (c)(2)(E). Pub. L. 110-246, §3006(3), added subpar. (E).

Subsec. (c)(3). Pub. L. 110-246, §3006(4), substituted "development of agricultural businesses and agricultural trade capacity" for "agricultural business development and agricultural trade expansion".

Subsec. (c)(4). Pub. L. 110-246, §3006(5), struck out ", or otherwise increasing the consumption of and markets for, United States" before "agricultural products".

Subsec. (c)(5). Pub. L. 110-246, §3006(6), inserted "to promote agricultural products produced in appropriate developing countries" after "trade fairs".

2005—Subsec. (c)(9). Pub. L. 109-121 added par. (9).

1996—Subsec. (a). Pub. L. 104-127, §205(1), substituted "developing country or private entity" for "recipient country".

Subsec. (c). Pub. L. 104-127, §205(2), substituted "appropriate developing country" for "recipient country" in introductory provisions and pars. (1), (6), and (7), and "appropriate developing countries" for "recipient countries" in par. (3).

1990—Pub. L. 101-624 amended section generally, substituting present provisions for provisions authorizing President to use local currencies received as payments to pay United States obligations, for agricultural market development, for educational and cultural exchange, for scientific activities, for purchase of real property abroad, for purchase of foreign books, periodicals, etc., for United States libraries, to meet emergency relief requirements, for loans to United States businesses for trade expansion and to firms for development of facilities increasing market for commodities, for loans to recipients to improve food production and marketing, to purchase goods and services for other friendly countries, to pay for food production assistance programs, for sale for dollars to United States citizens, to pay for animal and plant pest control, and provisions relating to application of section 1306 of title 31, and to use of currencies of which United States has amounts in excess of needs for next two fiscal years.

1988—Subsec. (b)(1). Pub. L. 100-418 inserted "(including wood and processed wood products of the United States)" after first reference to "agricultural commodities".

1981—Pub. L. 97-113, §401(5)(A), (B), substituted in introductory text "agreements for such sales entered into prior to January 1, 1972," for "this subchapter" and struck out from penultimate proviso, par. (3), "except as provided in subsection (c) of this section," after "foreign currencies".

Subsec. (d). Pub. L. 97-113, §402, increased fiscal year limitation to \$10,000,000 from \$5,000,000.

1979—Subsec. (f). Pub. L. 96-53 substituted "Agency for International Development" for "Advisory Committee on Voluntary Foreign Aid".

1975—Pub. L. 94-161 inserted references to the House Committee on International Relations and the Senate Committee on Foreign Relations in first proviso of subsec. (b)(1), in par. (3) of penultimate proviso following subsec. (k), and in last sentence of section and repealed

subsec. (c) which read: "To procure equipment, materials, facilities, and services for the common defense including internal security;", respectively.

1970—Pub. L. 91-524 inserted provision allowing appropriation acts to specifically authorize the use of foreign currencies in the educational and cultural exchange program without requiring the appropriation of dollars for the purchase of those same foreign currencies.

1968—Subsec. (b)(2). Pub. L. 90-436, §3, authorized the financing with at least 2 percent of the total sales proceeds each year in each country of additional activities to strengthen the resources of American schools, colleges, universities, and other public and nonprofit private educational agencies for international studies and research pursuant to programs authorized by title VI of the National Defense Education Act, the Mutual Educational and Cultural Exchange Act of 1961, the International Education Act of 1966, the Higher Education Act of 1965, the Elementary and Secondary Education Act of 1965, the National Foundation on the Arts and the Humanities Act of 1965, and the Public Broadcasting Act of 1967.

Subsec. (h). Pub. L. 90-436, §2(a), inserted provision that not less than 5 percent of the total sales proceeds, if requested by the foreign country, be used for voluntary programs to control population growth.

Subsec. (k). Pub. L. 90-436, §6, added subsec. (k).

1966—Pub. L. 89-808, in introductory text, struck out "section 724 of title 31, or" after "Notwithstanding", substituted "foreign countries or international organizations" for "friendly nations, or organizations of nations", and inserted "in connection with sales for foreign currencies" after "accrue".

Subsec. (a). Pub. L. 89-808 redesignated subsec. (f) as (a), struck out "abroad" after "obligations" and inserted "(including obligations entered into pursuant to other legislation)". Former subsec. (a) redesignated (b)(1).

Subsec. (b). Pub. L. 89-808 struck out subsec. (b) which provided for purchase, in such amounts as may be specified from time to time in appropriation acts, strategic or other materials for a supplemental stockpile of such materials as the president may determine from time to time.

Subsec. (b)(1). Pub. L. 89-808 redesignated former subsec. (a) as (b)(1), inserted "For carrying out programs of United States Government agencies to—" preceding par. (1) and restriction against making a release until expiration of requisite number of days following transmittal to congressional committees, struck out "after September 21, 1959," before "shall be set aside" and "Provided further, That no such funds shall be allocated under this subsection after June 30, 1960, except as may be specified from time to time, in appropriation acts" before convertibility of proceeds provision, substituted "as he determines cannot be effectively used for agricultural market development purposes under this section" for "as he determines not to be needed, within a reasonable period of time, for such purpose:" and "sale of agricultural commodities" for "sale of surplus agricultural commodities" and inserted provisions of utilization of nonprofit agricultural trade organizations to maximum extent possible in carrying out agricultural market development activities and inclusion as a purpose of subsec. (b) such representation of agricultural industries as may be required during course of discussions on trade programs relating either to individual commodities or groups of commodities.

Subsec. (b)(2). Pub. L. 89-808 incorporated in provisions designated as par. (2) provisions of subsec. (h) which provided for financing of international exchange activities under programs authorized by section 1641(b)(2) of Appendix to title 50 and for financing in such amounts as may be specified from time to time in appropriation acts of programs for interchange of persons under section 1446 of title with a particular effort for allocation of funds with regard to countries where adequate funds are not available from other sources for such purposes and countries where agreements can be

negotiated to establish a fund to be available over a period of years for such purposes, including setting aside of such amounts from sale proceeds and loan repayments not in excess of \$1,000,000 a year in any one country for not more than 5 years in advance, as determined to be required for such purposes by the Secretary of State.

Subsec. (b)(3). Pub. L. 89-808 redesignated subsec. (k) as par. (3), included use of foreign currencies for family planning programs, and struck out proviso for availability of foreign currencies for subsec. (k) purposes (in addition to funds otherwise made available for such purposes) only in such amounts as may be specified from time to time in appropriation Acts.

Subsec. (b)(4). Pub. L. 89-808 redesignated subsec. (l) as par. (4), striking out subsec. (l) proviso for availability of foreign currencies for subsec. (l) purposes (in addition to funds otherwise made available for such purposes) in such amounts as may be specified from time to time in appropriation acts.

Subsec. (b)(5). Pub. L. 89-808 redesignated subsec. (n)(1) to (3) as par. (5)(A) to (C), striking out provision for use of foreign currencies "in such amounts as may be specified from time to time in appropriation acts".

Subsec. (c). Pub. L. 89-808 reenacted existing provisions.

Subsec. (d). Pub. L. 89-808 redesignated subsec. (q) as (d). Former subsec. (d) redesignated (g).

Subsec. (e). Pub. L. 89-808 substituted provisions for use of foreign currencies to maximum extent and for due consideration to be given to the continued expansion of markets for United States agricultural commodities or products thereof in proviso for former provisions for availability of such currencies to maximum usable extent and for manufacture or production of any commodity to be marketed in competition with United States agricultural commodities or products thereof in the proviso, authorized loans to cooperatives and for private home construction in foreign countries, struck out introductory phrase for uses of such currencies "For promoting balanced economic development and trade among nations", and that loans be mutually agreeable to the agency and the country making the agreement, and inserted "intended" in proviso.

Subsec. (f). Pub. L. 89-808 redesignated subsec. (g) as (f), provided for promotion of agricultural development, establishment of procedures by the President, use of funds in any other manner than loans as determined by the President to be in the national interest, assistance to programs of recipient countries designed to promote, increase, or improve food production, processing, distribution, or marketing in food-deficit countries friendly to the United States, and utilization for such purpose to extent practicable the services of registered and approved nonprofit voluntary agencies, prohibited use of funds to promote religious activities, and struck out provisions for loans made through established banking facilities of the friendly nation from which the foreign currency was obtained or in any other manner which the President may deem to be appropriate and authorization for acceptance of strategic materials, services, or foreign currencies in payment of such loans. Former subsec. (f) redesignated (a).

Subsec. (g). Pub. L. 89-808 redesignated former subsec. (d) as (g), struck out "financing" before "the purchase". Former subsec. (g) redesignated (f).

Subsec. (h). Pub. L. 89-808 added subsec. (h) Former subsec. (h) redesignated (b)(2).

Subsec. (i). Pub. L. 89-808 substituted provisions respecting use of foreign currencies for paying costs outside the United States of carrying out food production assistance programs for former provisions for financing (\$5,000,000 fiscal year limitation) translation, publication, and distribution of books and periodicals, including Government publications, abroad.

Subsec. (j). Pub. L. 89-808 redesignated subsec. (t) as (j), authorized sale of foreign currencies to nonprofit organizations, and struck out provisions making the currencies available for sale at United States embassies or other convenient locations, describing such cur-

rencies as acquired through operations under Foreign Assistance Act of 1961, as amended, Mutual Security Act of 1954, as amended, or any Act repealed thereby, or Agricultural Trade Development and Assistance Act of 1954, as amended, prohibiting such sales for travel purposes under agreement entered into with another country or when so committed by agreement to other uses, depositing dollars from such sales into United States Treasury as miscellaneous receipts, and treating dollars deposited into the CCC account as a reimbursement under section 1705 of this title. Former subsec. (j) provided for assistance to schools, libraries, and community centers abroad founded or sponsored by United States citizens and serving as demonstration centers, and is now covered by subsec. (b)(2) of this section.

Subsecs. (k), (l). Pub. L. 89-808 redesignated subsecs. (k) and (l) as (b)(3) and (4).

Subsec. (m). Pub. L. 89-808 struck out subsec. (m) which provided for financing in such amounts as may be specified from time to time in appropriation acts trade fair participation and related activities and agricultural and horticultural fair participation and related activities.

Subsec. (n). Pub. L. 89-808 redesignated subsec. (n) as (b)(5).

Subsecs. (o), (p). Pub. L. 89-808 struck out subsec. (o) which provided for assistance, in such amounts as may be specified from time to time in appropriation acts, in expansions or operation in foreign countries of schools, colleges, or universities founded or sponsored by United States citizens for carrying out programs of vocational, professional, scientific, technological, or general education, and subsec. (p) which provided for supporting workshops in American studies or American educational techniques, and supporting chairs in American studies.

Subsec. (q). Pub. L. 89-808 redesignated subsec. (q) as (d).

Subsec. (r). Pub. L. 89-808 struck out subsec. (r) which provided for financing (\$2,500,000 fiscal year limitation) preparation, distribution, and exhibition of audio-visual informational and educational materials abroad without limiting or affecting use of foreign currencies for such materials in connection with trade fairs and other market development activities under subsec. (a) of this section.

Subsecs. (s), (t). Pub. L. 89-808 incorporated subsecs. (s) and (t) in subsec. (j), and struck out from former subsec. (s) "under such terms and conditions as the President may prescribe".

Penultimate proviso. Pub. L. 89-808 incorporated part of existing proviso following subsec. (t) in provisions designated as par. (1) and inserted reference to subsec. (b).

Pub. L. 89-808 incorporated part of existing initial proviso and second proviso following subsec. (t) in provisions designated as par. (2), substituted references to subsecs. (f) and (g) for (d) and (e), and struck out a third proviso restricting the availability of foreign currencies pursuant to subsecs. (k), (p), and (r) to such amounts as may be specified from time to time in appropriation Acts.

Pub. L. 89-808 redesignated penultimate par. as par. (3) and struck out "and then only if, between the date of transmittal and the expiration of such period there has not been passed by either of the two Committees a resolution stating in substance that that Committee does not favor such agreement or proposal" after "sessions."

Pub. L. 89-808 redesignated last par. as par. (4) and substituted "after consultation with the advisory committee established under section 1736a of this title" for "upon the recommendation of the advisory committee herein established".

Ultimate proviso. Pub. L. 89-808 inserted ultimate proviso making pars. (2) to (4) of penultimate proviso inapplicable in the case of any nation where the foreign currencies or credits owned by the United States and available for use by it in such nation are determined by the Secretary of the Treasury to be in excess of the

normal requirements of Federal departments and agencies for expenditures in such nations for two fiscal years following fiscal year in which such determination is made.

Concluding text. Pub. L. 89-808 inserted provisions for devotion of excess foreign currencies to acquisition of sites, buildings, and grounds under subsec. (b)(4) of this section, for assistance in self-help measures, and for reports to congressional committees of determinations of existence of excess foreign currencies with respect to any nation, uses for such excess, and effects of such use.

Pub. L. 89-808 struck out pars. for establishment of an advisory committee and for consultations with such committee respecting loan, currency convertibility, and currency reservations (in sales agreements) policies and for establishment of higher than minimum interest rate for dollar sales. Advisory committee provisions are now covered in section 1736a of this title.

1965—Subsec. (a). Pub. L. 89-106 authorized the Secretary of Agriculture to release such amounts of the foreign currencies set aside for the market development program as he determined not to be needed, within a reasonable period of time, for that purpose.

1964—Subsec. (c). Pub. L. 88-638, §1(6), inserted "including internal security" and struck out "military" before "equipment".

Subsec. (e). Pub. L. 88-638, §1(7), substituted "currencies shall also be available to the maximum usable extent" for "not more than 25 per centum of the currencies received pursuant to each such agreement shall be available".

Subsec. (t). Pub. L. 88-638, §2, redesignated subsec. (b) of section 612 of Pub. L. 87-195, as subsec. (t) of this section, inserted "For sale to United States citizens as provided herein", substituted "the Foreign Assistance Act of 1961, as amended" for "this chapter", and provided that except in the case of foreign currencies acquired under this subchapter, dollars received from the sale of foreign currencies shall be deposited to the account of the Commodity Credit Corporation and shall be treated as a reimbursement to such Corporation.

Pub. L. 88-638, §1(8)-(10), established an advisory committee, specified its composition, directed it to review the status and usage of foreign currencies accruing under this subchapter and to make various recommendations, provided that the committee be consulted with respect to various matters, for the transmittal of certain proposals to congressional committees, and that any loan under this section shall bear interest as the President shall determine, within certain limits and taking various matters into consideration, and inserted "pursuant to agreements entered into on or before December 31, 1964 and to not less than 20 per centum in the aggregate of the foreign currencies which accrue pursuant to agreements entered into thereafter" in first proviso.

1963—Subsec. (t). Pub. L. 88-205 added subsec. (b) to section 612 of Pub. L. 87-195, which was designated as subsec. (t) of this section by Pub. L. 88-638.

1962—Subsec. (m). Pub. L. 87-839 inserted "or section 1122b of title 46".

1961—Pub. L. 87-128, §201(3)(a), inserted "including principal and interest from loan repayments," after "foreign currencies", in opening provisions.

Subsec. (a). Pub. L. 87-128, §201(3)(d), inserted, in second sentence, "each year" after "made" and "set aside in the amounts and kinds of foreign currencies specified by the Secretary of Agriculture and" after "be", where "made" and "be" first appear; substituted, in third sentence, "Provision shall be made" for "Particular regard shall be given to provide" and "the Secretary of Agriculture determines to" for "may" and inserted "(not less than 2 per centum)" after "thereof"; inserted sentence concerning conversion of monies into foreign currencies and deposit in special Treasury account; and substituted, in last sentence, "the Secretary of Agriculture is authorized and directed to enter into agreements" for "agreements may be entered into".

Subsec. (e). Pub. L. 87-195 substituted "procedures established by such agency as the President shall direct

for loans mutually agreeable to said agency" for "procedures established by the Export-Import Bank for loans mutually agreeable to said bank".

Subsec. (s). Pub. L. 87-128, §201(3)(c), added subsec. (s). Pub. L. 87-128, §201(3)(b), substituted in final proviso "pursuant to" for "for the purpose of subsection (p) of this section, except in such amounts as may be specified from time to time in appropriation Acts, and no foreign currencies shall be allocated under any provision of this chapter after June 30, 1960, for the purposes specified in".

1959—Subsec. (a). Pub. L. 86-341, §4, provided that from sale proceeds and loan repayments under this subchapter not less than the equivalent of 5 per centum of the total sales made under this subchapter after September 21, 1959, shall be made available in advance for use as provided by this subsection over such period of years as the Secretary of Agriculture determines will most effectively carry out the purposes of this subsection, prohibited the allocation of such funds after June 30, 1960, except as may be specified in appropriation acts, required particular regard to be given for provisions in sale and loan agreements for the convertibility of such amount of the proceeds thereof as may be needed to carry out the purpose of this subsection in those countries which are or offer reasonable potential of becoming dollar markets for United States agricultural commodities, and permitted the entering into agreements for the sale of surplus agricultural commodities in such amounts as the Secretary of Agriculture determines to be adequate and for the use of the proceeds to carry out the purpose of this subsection in cases where sufficient foreign currencies for carrying out the purpose of this subsection in such countries are not otherwise available.

Subsec. (b). Pub. L. 86-341, §5, among other changes, substituted "strategic or other materials" for "strategic and critical materials" in two places, limited purchases or contracts to purchase to such amounts as may be specified from time to time in appropriation acts, and eliminated provisions which authorized contracts, including advance payment contracts, for supply extending over periods up to ten years, and which permitted the strategic and critical materials acquired under authority of this subchapter to be additional to the amounts acquired under authority of the Strategic and Critical Materials Stockpile Act.

Subsec. (k). Pub. L. 86-341, §6, authorized the use of foreign currencies to promote and support programs of medical and scientific research, cultural and educational development, health, nutrition, and sanitation.

Pub. L. 86-108 substituted "conduct research and support" for "conduct and support", and "Provided, That foreign currencies shall be available for the purposes of this subsection (in addition to funds otherwise made available for such purposes) only in such amounts as may be specified from time to time in appropriation Acts;" for "but no foreign currencies shall be used for the purposes of this subsection unless specific appropriations be made therefor:".

Subsec. (o). Pub. L. 86-341, §7, struck out provisions which permitted the use of foreign currencies in the supporting of workshops in American studies or American educational techniques, and supporting chairs in American studies. See subsec. (p) of this section.

Subsecs. (p) to (r). Pub. L. 86-341, §8, added subsecs. (p) to (r).

Pub. L. 86-341, §9, inserted proviso in closing provisions limiting availability of foreign currencies for the purpose of subsec. (p) of this section to such amounts as may be specified from time to time in appropriation Acts, and prohibiting allocation of foreign currencies after June 30, 1960, for the purposes specified in subsections (k), (p), and (r) of this section to such amounts as may be specified from time to time in appropriation Acts.

1958—Subsec. (h). Pub. L. 85-931, §3(a), authorized use of foreign currencies to finance programs for interchange of persons between United States and foreign countries.

Subsec. (k). Pub. L. 85-477 added subsec. (k).

Subsecs. (l) to (o). Pub. L. 85-931, §3(b), added subsecs. (l) to (o).

1957—Subsec. (e). Pub. L. 85-128 provided that not more than 25 percent of the currencies received pursuant to each agreement be available through the Export-Import Bank for loans mutually agreeable to said bank and the country with which the agreement is made for business development in such countries and for loans to domestic or foreign firms for facilities to aid markets for United States agricultural products, provided no such loans be made for the manufacture of products to be exported to United States in competition with United States products or for manufacture or production of any commodity to be marketed in competition with United States agricultural commodities or products thereof, and that foreign currencies may be accepted in repayment of such loans.

Subsec. (h). Pub. L. 85-141, §11(b)(2), added section 544(c) to act Aug. 26, 1954, which section inserted provisions in this subsection authorizing the setting aside of amounts from sale proceeds and loan repayments.

1956—Subsec. (h). Act July 18, 1956, added section 544(h) to act Aug. 26, 1954, which section inserted provisions in this section relating to allocation of funds and to the special and particular effort to be made to provide for the purposes of this subsection.

Subsec. (i). Act Aug. 26, 1954, §544(i), as added by act July 18, 1956, added subsec. (i).

Subsec. (j). Act Aug. 3, 1956, added subsec. (j).

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 this title.

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-624 effective Jan. 1, 1991, see section 1513 of Pub. L. 101-624, set out as a note under section 1691 of this title.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-53 effective Oct. 1, 1979, see section 512(a) of Pub. L. 96-53, set out as a note under section 2151 of Title 22, Foreign Relations and Inter-course.

EFFECTIVE DATE OF 1966 AMENDMENT

Amendment by Pub. L. 89-808 effective Jan. 1, 1967, see section 5 of Pub. L. 89-808, set out as a note under section 1691 of this title.

REPEALS

Section 704 of Pub. L. 87-195, cited as a credit to this section, was repealed by section 401 of Pub. L. 87-565, pt. IV, Aug. 1, 1962, 76 Stat. 263, except insofar as section 704 affected this section.

Pub. L. 85-477, ch. IV, §401(h), June 30, 1958, 72 Stat. 270, repealed section 544(c) of act Aug. 26, 1954, cited as a credit to this section, except insofar as such section 544(c) affected this section.

Pub. L. 85-141, §11(b)(1), repealed section 544(h), (i) of act Aug. 26, 1954, cited as a credit to this section, except insofar as such section 544(h), (i) affected this section.

PAYMENT FROM FOREIGN CURRENCIES FOR FAMILY HOUSING PROJECTS OR COMMUNITY FACILITIES CONSTRUCTED OR ACQUIRED BY DEPARTMENT OF DEFENSE

Pub. L. 86-500, title V, §509, June 8, 1960, 74 Stat. 186, as amended by Pub. L. 110-246, title III, §3001(c), June 18, 2008, 122 Stat. 1821, provided that: "Notwithstanding the provisions of any other law, at least 75 per centum of the total cost of any family housing project or community facility hereafter constructed or acquired in any foreign country by the Department of Defense or any military department shall be paid for from foreign currencies acquired by the Commodity Credit Corpora-

tion pursuant to the provisions of the Food for Peace Act [this chapter]; except that the following projects authorized pursuant to this Act shall not be subject to this requirement:

- “Air Force activities, Japan, one hundred fifty units;
- “Cigli Air Base, Turkey, community facilities;
- “Clark Air Force Base, Philippine Islands, one hundred units;
- “Traklion Air Station, Crete, community facilities;
- “Kirknewton RAF, United Kingdom, fifty units;
- “Naval Air Station, Naha, Okinawa, two hundred; and
- “Site I-5, Italy, one hundred units and community facilities.”

LIMITATION ON USE OF FOREIGN CURRENCIES FOR PARTICIPATION IN TRADE, AGRICULTURAL AND HORTICULTURAL FAIRS

Pub. L. 86-30, title I, §101, May 20, 1959, 73 Stat. 35, as amended by Pub. L. 110-246, title III, §3001(c), June 18, 2008, 122 Stat. 1821, provided that: “Subject to allocation in such manner as may now or hereafter be prescribed by the President, foreign currencies which have accrued under title I of the Food for Peace Act, as amended (7 U.S.C. 1704) [this section] may be used without fiscal year limitation for the purposes of section 104(m) of that Act [former subsec. (m) of this section], including administrative expenses directly related thereto, in an amount not to exceed the equivalent of \$1,275,000.”

INTERNATIONAL COOPERATION IN HEALTH RESEARCH, RESEARCH TRAINING, AND RESEARCH PLANNING

Use of foreign currencies accruing under this subchapter to carry out purposes of International Health Research Act of 1960, see section 2103 of Title 22, Foreign Relations and Intercourse.

USE OF FOREIGN CURRENCIES

Foreign currencies accruing to United States under this subchapter may be used for purposes set forth in this section, see Ex. Ord. No. 12752, §2(b)(1), (2), Feb. 25, 1991, 56 F.R. 8255, set out as a note under section 1691 of this title.

§ 1704a. Agreements for use of foreign currencies; reports to Congress

Within sixty days after any agreement is entered into for the use of any foreign currencies, a full report thereon shall be made to the Senate and the House of Representatives of the United States and to the Committees on Agriculture and Appropriations thereof.

(Pub. L. 85-128, §1(5), Aug. 13, 1957, 71 Stat. 345.)

CODIFICATION

Section was not enacted as part of the Food for Peace Act which comprises this chapter.

TRANSMISSION OF REPORTS

For provisions requiring Secretary of Agriculture and Administrator of Agency for International Development to transmit reports required by this section as related to use of foreign currencies accruing under subchapters II and III-A of this chapter, see section 2(b)(3) of Ex. Ord. No. 12752, Feb. 25, 1991, 56 F.R. 8255, set out as a note under section 1691 of this title.

§ 1704b. Repealed. Pub. L. 97-214, §7(4), July 12, 1982, 96 Stat. 173

Section, Pub. L. 86-149, title IV, §420, Aug. 10, 1959, 73 Stat. 324, related to utilization of foreign currencies for construction of military projects and reimbursement of Commodity Credit Corporation.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1982, and applicable to military construction projects, and to construction and ac-

quisition of military family housing before, on, or after such date, see section 12(a) of Pub. L. 97-214, set out as an Effective Date note under section 2801 of Title 10, Armed Forces.

§ 1704c. Payments by Secretary of Defense in liquidation of amount due for foreign currencies

The Secretary of Defense shall pay to the Commodity Credit Corporation an amount not to exceed \$6,000,000 per year until the amount due for foreign currencies used for housing constructed or acquired under title II of the Food for Peace Act (7 U.S.C. 1721-1726) has been liquidated.

(Pub. L. 97-214, §9(a), July 12, 1982, 96 Stat. 174; Pub. L. 110-246, title III, §3001(b)(1)(A), (2)(C), June 18, 2008, 122 Stat. 1820.)

REFERENCES IN TEXT

The Food for Peace Act (7 U.S.C. 1721-1726), referred to in text, is act July 10, 1954, ch. 469, 68 Stat. 457. Title II of the Act is classified generally to subchapter III (§1721 et seq.) of chapter 41 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1691 of this title and Tables.

CODIFICATION

Section consists of section 9(a) of Pub. L. 97-214. Section 9(b) of Pub. L. 97-214 is classified as a note set out under section 1594k of Title 42, The Public Health and Welfare.

Section was enacted as part of the Military Construction Codification Act, and not as part of the Food for Peace Act which comprises this chapter.

AMENDMENTS

2008—Pub. L. 110-246 substituted “Food for Peace Act” for “Agricultural Trade Development and Assistance Act of 1954”.

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 this title.

EFFECTIVE DATE

Section effective Oct. 1, 1982, and applicable to military construction projects, and to construction and acquisition of military family housing before, on or after such date, see section 12(a) of Pub. L. 97-214, set out as a note under section 2801 of Title 10, Armed Forces.

§§ 1705, 1706. Repealed. Pub. L. 104-127, title II, §§ 206, 265(a), Apr. 4, 1996, 110 Stat. 953, 974

Section 1705, acts July 10, 1954, ch. 469, title I, §105, 68 Stat. 457; Dec. 16, 1963, Pub. L. 88-205, pt. IV, §403(b), 77 Stat. 390; Nov. 11, 1966, Pub. L. 89-808, §2(B), 80 Stat. 1532; Dec. 23, 1985, Pub. L. 99-198, title XI, §1111(e), 99 Stat. 1475; Nov. 28, 1990, Pub. L. 101-624, title XV, §1512, 104 Stat. 3636, set out congressional declaration of policy with regard to value-added foods.

Section 1706, Pub. L. 101-624, title XV, §1517, Nov. 28, 1990, 104 Stat. 3664, related to debt-for-health-and-protection swap.

A prior section 1706, acts July 10, 1954, ch. 469, title I, §106, 68 Stat. 457; Aug. 12, 1955, ch. 873, §2, 69 Stat. 721; Aug. 8, 1961, Pub. L. 87-128, title II, §201(4), 75 Stat. 307; Dec. 16, 1963, Pub. L. 88-205, pt. IV, §403 (c)(1), 77 Stat. 390; Nov. 11, 1966, Pub. L. 89-808, §2(B), 80 Stat. 1532; Dec. 20, 1975, Pub. L. 94-161, title II, §205, 89 Stat. 852; Aug. 3, 1977, Pub. L. 95-88, title II, §211(b)(2), 91 Stat. 551; Oct. 6, 1978, Pub. L. 95-424, title I, §102(b)(2)(C), 92 Stat. 941; Dec. 29, 1981, Pub. L. 97-113, title IV, §401(6), 95 Stat. 1537; Dec. 23, 1985, Pub. L. 99-198, title XI,