

(Pub. L. 87–195, pt. III, § 614, Sept. 4, 1961, 75 Stat. 444; Pub. L. 89–583, pt. III, § 301(f), (g), Sept. 19, 1966, 80 Stat. 805; Pub. L. 90–137, pt. III, § 301(e), Nov. 14, 1967, 81 Stat. 459; Pub. L. 93–559, § 19(b), Dec. 30, 1974, 88 Stat. 1800; Pub. L. 96–533, title I, § 117(a), Dec. 16, 1980, 94 Stat. 3140; Pub. L. 99–83, title I, § 128, Aug. 8, 1985, 99 Stat. 206; Pub. L. 101–222, § 8, Dec. 12, 1989, 103 Stat. 1899; Pub. L. 103–199, title VII, § 705(2), Dec. 17, 1993, 107 Stat. 2328.)

#### REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (c), 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 Arms Export Control Act, referred to in subsec. (a)(1), (2), (4)(A), (B), 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.

#### REFERENCES TO PART IV OF SUBCHAPTER I DEEMED REFERENCES TO PART IV OF SUBCHAPTER II

Part IV of subchapter I (§ 2241 et seq.) of this chapter has been repealed. References to part IV of subchapter I, or any sections thereof, are deemed references to part IV of subchapter II (§ 2346 et seq.) of this chapter, or to appropriate sections thereof. See section 202(b) of Pub. L. 92–226, set out as a note under section 2346 of this title.

#### AMENDMENTS

1993—Subsec. (a)(4)(C). Pub. L. 103–199 struck out “Communist or Communist-supported” after “victim of active”.

1989—Subsec. (c). Pub. L. 101–222 amended second sentence generally. Prior to amendment, second sentence read as follows: “The President shall promptly and fully inform the Speaker of the House of Representatives and the chairman and ranking minority member of the Committee on Foreign Relations of the Senate of each use of funds under this subsection.”

1985—Subsec. (a)(4). Pub. L. 99–83 designated existing provisions as subpar. (A), added cl. (i) and designations “(ii)” and “(iii)”, struck out fiscal year limitation for any one country, and added subpars. (B) and (C).

1980—Subsec. (a). Pub. L. 96–533, in revising subsec. (a), incorporated part of existing first sentence in provisions designated par. (1), inserted reference to Arms Export Control Act, struck out reference to Mutual Defense Assistance Control Act of 1951, required notification of the Speaker of the House and chairman of the Senate Committee on Foreign Relations, and substituted “security interests” for “security”; inserted pars. (2) and (3); incorporated part of existing first sentence, second sentence, and substance of third sentence in provisions designated par. (4) and inserted reference to the Arms Export Control Act; and designated fourth sentence as par. (5) and substituted therein “may not” for “shall not”.

1974—Subsec. (a). Pub. L. 93–559 provided that the authority of the section shall not be used to waive the limitations on transfers contained in section 2360(a) of this title.

1967—Subsec. (a). Pub. L. 90–137 substituted “506” for “510”, classified to the Code as section 2318 of this title.

1966—Subsec. (a). Pub. L. 89–583, § 301(f), provided that the \$50,000,000 limitation on allocation of funds to any country in any one fiscal year shall not apply to any country which is a victim of active Communist or Communist-supported aggression.

Subsec. (c). Pub. L. 89–583, § 301(g), inserted provision for reports to Congress of use of funds under this subsec.

#### 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.

#### 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.

#### § 2365. Contract authority

Provisions of this chapter authorizing the appropriation of funds shall be construed to authorize the granting in any appropriation Act of authority to enter into contracts, within the amounts so authorized to be appropriated, creating obligations in advance of appropriations.

(Pub. L. 87–195, pt. III, § 615, Sept. 4, 1961, 75 Stat. 444.)

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#### § 2366. Availability of funds

Except as otherwise provided in this chapter, funds shall be available to carry out the provisions of this chapter as authorized and appropriated to the President each fiscal year.

(Pub. L. 87–195, pt. III, § 616, Sept. 4, 1961, 75 Stat. 444.)

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#### ADMINISTRATION OF FUNDS

Pub. L. 87–329, title I, § 112, Sept. 30, 1961, 75 Stat. 719, provided that funds appropriated under Pub. L. 87–329, popularly known as the Foreign Assistance and Related Agencies Appropriation Act, 1962, should be administered with a favorable view toward those recipient nations which share the view of the United States on the world crisis.

#### § 2367. Termination expenses

##### (a) In general

Funds made available under this chapter and the Arms Export Control Act [22 U.S.C. 2751 et seq.], may remain available for obligation for a period not to exceed 8 months from the date of any termination of assistance under such chapter or Act for the necessary expenses of winding up programs related to such termination and may remain available until expended. Funds obligated under the authority of such chapter or Act prior to the effective date of the termi-