

AMENDMENTS

2021—Pub. L. 116-283 renumbered section 2419 of this title as this section. Directory language transferring this section to “chapter 385” was executed as if it had read “chapter 388” to reflect the probable intent of Congress.

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 116-283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as a note preceding section 3001 of this title.

§ 4959. Administrative and other costs

The Director of the Defense Logistics Agency may use, out of the amount appropriated for a fiscal year for operation and maintenance for the procurement technical assistance program authorized by this chapter—

(1) an amount not exceeding three percent of such amount to defray the expenses of administering the provisions of this chapter during such fiscal year; and

(2) an amount determined appropriate by the Director to assist eligible entities in payment of costs of eligible entities—

(A) for meetings to discuss best practices for the improvement of the operations of procurement technical assistance centers; and

(B) for membership dues for any association of such centers created by eligible entities, training fees and associated travel for training to carry out the purposes of this chapter, and voluntary participation on any committees or board of such an association.

(Added Pub. L. 101-510, div. A, title VIII, §814(a)(1)(B), Nov. 5, 1990, 104 Stat. 1596, §2417; amended Pub. L. 115-232, div. A, title VIII, §859(a), Aug. 13, 2018, 132 Stat. 1892; renumbered §4959 and amended Pub. L. 116-283, div. A, title X, §1081(a)(41), title XVIII, §1872(a)(11), Jan. 1, 2021, 134 Stat. 3873, 4289.)

AMENDMENTS

2021—Pub. L. 116-283, §1872(a)(11), renumbered section 2417 of this title as this section. Directory language transferring this section to “chapter 385” was executed as if it had read “chapter 388” to reflect the probable intent of Congress.

Par. (2). Pub. L. 116-283, §1081(a)(41), which directed amendment by substituting “entities—” for “entities”, was executed by making the substitution for “entities —” to reflect the probable intent of Congress.

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by section 1872(a)(11) of Pub. L. 116-283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as a note preceding section 3001 of this title.

CHAPTER 389—LOAN GUARANTEE PROGRAMS

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SUBCHAPTER I—DEFENSE EXPORT LOAN GUARANTEES

Table with 2 columns: Sec. and Description. 4971. Establishment of loan guarantee program.

Table with 2 columns: Sec. and Description. 4972. Transferability. 4973. Limitations. 4974. Fees charged and collected. 4975. Definitions.

§ 4971. Establishment of loan guarantee program

(a) ESTABLISHMENT.—In order to meet the national security objectives in section 4811(a) of this title, the Secretary of Defense shall establish a program under which the Secretary may issue guarantees assuring a lender against losses of principal or interest, or both principal and interest, arising out of the financing of the sale or long-term lease of defense articles, defense services, or design and construction services to a country referred to in subsection (b).

(b) COVERED COUNTRIES.—The authority under subsection (a) applies with respect to the following countries:

(1) A member nation of the North Atlantic Treaty Organization (NATO).

(2) A country designated as of March 31, 1995, as a major non-NATO ally pursuant to section 2350a(i)(3) of this title, as in effect on that date.

(3) A country in Central Europe that, as determined by the Secretary of State—

(A) has changed its form of national government from a nondemocratic form of government to a democratic form of government since October 1, 1989; or

(B) is in the process of changing its form of national government from a nondemocratic form of government to a democratic form of government.

(4) A noncommunist country that was a member nation of the Asia Pacific Economic Cooperation (APEC) as of October 31, 1993.

(c) AUTHORITY SUBJECT TO PROVISIONS OF APPROPRIATIONS.—The Secretary may guarantee a loan under this subchapter only to such extent or in such amounts as may be provided in advance in appropriations Acts.

(Added Pub. L. 104-106, div. A, title XIII, §1321(a)(1), Feb. 10, 1996, 110 Stat. 475, §2540; amended Pub. L. 108-375, div. A, title X, §1084(d)(21), Oct. 28, 2004, 118 Stat. 2062; renumbered §4971 and amended Pub. L. 116-283, div. A, title XVIII, §§1873(b), (c)(1), 1883(b)(2), Jan. 1, 2021, 134 Stat. 4290, 4294.)

AMENDMENTS

2021—Pub. L. 116-283, §1873(b), (c)(1), renumbered section 2540 of this title as this section.

Subsec. (a). Pub. L. 116-283, §1883(b)(2), substituted “section 4811(a)” for “section 2501(a)”.

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 116-283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as a note preceding section 3001 of this title.

§ 4972. Transferability

A guarantee issued under this subchapter shall be fully and freely transferable.

(Added Pub. L. 104-106, div. A, title XIII, §1321(a)(1), Feb. 10, 1996, 110 Stat. 476, §2540a; re-