

(3) provide¹ such allowance as the Secretary considers appropriate, to each Delegate and Alternate Delegate of the United States to any session of the General Assembly of the United Nations who is not a permanent member of the staff of the United States Mission to the United Nations, in order to compensate each such Delegate or Alternate Delegate for necessary housing and subsistence expenses incurred by him with respect to attending any such session.

(4) The Inspector General shall review the program established by this section no later than December 1989 and periodically thereafter with a view to increasing cost savings and making other appropriate recommendations.

(Dec. 20, 1945, ch. 583, § 9, as added Pub. L. 93-126, § 15, Oct. 18, 1973, 87 Stat. 454; amended Pub. L. 98-164, title II, § 215, Nov. 22, 1983, 97 Stat. 1035; Pub. L. 100-459, title III, § 304(b), Oct. 1, 1988, 102 Stat. 2207; Pub. L. 106-309, title IV, § 405, Oct. 17, 2000, 114 Stat. 1098.)

Editorial Notes

CODIFICATION

“Section 3324(a) and (b) of title 31” substituted in introductory text for “section 3648 of the Revised Statutes (31 U.S.C. 3324)” 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.

“Section 5913 of title 5” substituted in par. (1) for “section 22 of the Administrative Expenses Act of 1946, as amended by section 311 of the Overseas Differentials and Allowances Act” on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

AMENDMENTS

2000—Par. (2). Pub. L. 106-309 substituted “30 foreign service employees” for “18 foreign service employees”.

1988—Pub. L. 100-459, § 304(b)(1), (3), substituted reference to Secretary of State for reference to President in introductory provisions and struck out last sentence providing that not more than fifty employees, including not more than five employees of the United States Information Agency, could receive an allowance under par. (1) of this section at any one time.

Par. (1). Pub. L. 100-459, § 304(b)(1), (3), added par. (1) and struck out former par. (1) which read as follows: “grant any employee of the staff of the United States Mission to the United Nations designated by the Secretary of State, and any employee of the United States Information Agency designated by the Director of that Agency, who is required because of important representational responsibilities to live in the extraordinarily high-rent area immediately surrounding the headquarters of the United Nations in New York, New York, an allowance to compensate for the portion of expenses necessarily incurred by the employee for quarters and utilities which exceed the average of such expenses necessarily incurred by the employee for quarters and utilities which exceed the average of such expenses incurred by typical, permanent residents of the Metropolitan New York, New York, area with comparable salary and family size who are not compelled by reason of their employment to live in such high-rent area; and”.

Pars. (2) to (4). Pub. L. 100-459, § 304(b)(2), (3), added par. (2), redesignated former par. (2) as (3) and substituted “Secretary” for “President”, and added par. (4).

¹ So in original. Probably should be capitalized.

1983—Pub. L. 98-164, § 215(2), inserted limitation of five United States Information Agency employees, and substituted “fifty” for “forty-five”.

Par. (1). Pub. L. 98-164, § 215(1), inserted provisions relating to applicability to United States Information Agency employees.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1988 AMENDMENT; TRANSITION PROVISIONS

Pub. L. 100-459, title III, § 304(c), Oct. 1, 1988, 102 Stat. 2208, provided that:

“(1) Provisions set forth in this section [amending this section and section 287e of this title] shall be effective July 1, 1989.

“(2) In the event that taxes paid by an employee on the benefit provided under subsection (2) of section 9 [22 U.S.C. 287e-1(2)] exceed the contribution amount computed as a percentage of base salary under that subsection, the Department of State may reimburse the employee up to the amount of such differential for the period from the date of enactment of this Act [Oct. 1, 1988] through July 1, 1989.”

Executive Documents

DELEGATION OF FUNCTIONS

Authority of President under this section delegated to Secretary of State, see section 4(b) of Ex. Ord. No. 11609, July 22, 1971, 36 F.R. 13747, as amended by Ex. Ord. No. 11779, Apr. 22, 1974, 39 F.R. 14185, set out as a note under section 301 of Title 3, The President.

§ 287e-2. Reimbursement for goods and services provided by the United States to the United Nations

(a) Requirement to obtain reimbursement

(1) In general

Except as provided in paragraph (2), the President shall seek and obtain in a timely fashion a commitment from the United Nations to provide reimbursement to the United States from the United Nations whenever the United States Government furnishes assistance pursuant to the provisions of law described in subsection (c)—

(A) to the United Nations when the assistance is designed to facilitate or assist in carrying out an assessed peacekeeping operation;

(B) for any United Nations peacekeeping operation that is authorized by the United Nations Security Council under Chapter VI or Chapter VII of the United Nations Charter and paid for by peacekeeping or regular budget assessment of the United Nations members; or

(C) to any country participating in any operation authorized by the United Nations Security Council under Chapter VI or Chapter VII of the United Nations Charter and paid for by peacekeeping assessments of United Nations members when the assistance is designed to facilitate or assist the participation of that country in the operation.

(2) Exceptions

(A) In general

The requirement in paragraph (1) shall not apply to—

(i) goods and services provided to the United States Armed Forces;

- (ii) assistance having a value of less than \$3,000,000 per fiscal year per operation;
- (iii) assistance furnished before November 29, 1999;
- (iv) salaries and expenses of civilian police and other civilian and military monitors where United Nations policy is to require payment by contributing members for similar assistance to United Nations peacekeeping operations; or
- (v) any assistance commitment made before November 29, 1999.

(B) Deployments of United States military forces

The requirements of subsection (d)(1)(B) shall not apply to the deployment of United States military forces when the President determines that such deployment is important to the security interests of the United States. The cost of such deployment shall be included in the data provided under section 2348d of this title.

(3) Form and amount

(A) Amount

The amount of any reimbursement under this subsection shall be determined at the usual rate established by the United Nations.

(B) Form

Reimbursement under this subsection may include credits against the United States assessed contributions for United Nations peacekeeping operations, if the expenses incurred by any United States department or agency providing the assistance have first been reimbursed.

(b) Treatment of reimbursements

(1) Credit

The amount of any reimbursement paid the United States under subsection (a) shall be credited to the current applicable appropriation, fund, or account of the United States department or agency providing the assistance for which the reimbursement is paid.

(2) Availability

Amounts credited under paragraph (1) shall be merged with the appropriations, or with appropriations in the fund or account, to which credited and shall be available for the same purposes, and subject to the same conditions and limitations, as the appropriations with which merged.

(c) Covered assistance

Subsection (a) applies to assistance provided under the following provisions of law:

- (1) Sections 287d and 287d-1 of this title.
- (2) Sections 2261, 2318(a)(1), 2321j, 2348a(c), and 2357 of this title.
- (3) Any other provisions of law pursuant to which assistance is provided by the United States to carry out the mandate of an assessed United Nations peacekeeping operation.

(d) Waiver

(1) Authority

(A) In general

The President may authorize the furnishing of assistance covered by this section

without regard to subsection (a) if the President determines, and so notifies in writing the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives, that to do so is important to the security interests of the United States.

(B) Congressional notification

When exercising the authorities of subparagraph (A), the President shall notify the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives in accordance with the procedures applicable to reprogramming notifications under section 2394-1 of this title.

(2) Congressional review

Notwithstanding a notice under paragraph (1) with respect to assistance covered by this section, subsection (a) shall apply to the furnishing of the assistance if, not later than 15 calendar days after receipt of a notification under that paragraph, the Congress enacts a joint resolution disapproving the determination of the President contained in the notification.

(3) Senate procedures

Any joint resolution described in paragraph (2) shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

(e) Relationship to other reimbursement authority

Nothing in this section shall preclude the President from seeking reimbursement for assistance covered by this section that is in addition to the reimbursement sought for the assistance under subsection (a).

(f) Definition

In this section, the term “assistance” includes personnel, services, supplies, equipment, facilities, and other assistance if such assistance is provided by the Department of Defense or any other United States Government agency.

(Dec. 20, 1945, ch. 583, §10, as added Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title VII, §723], Nov. 29, 1999, 113 Stat. 1536, 1501A-463.)

Editorial Notes

REFERENCES IN TEXT

Section 601(b) of the International Security Assistance and Arms Export Control Act of 1976, referred to in subsec. (d)(3), is section 601(b) of Pub. L. 94-329, title VI, June 30, 1976, 90 Stat. 765, which is not classified to the Code.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 287e-3. Limitation on the United States share of assessments for United Nations regular budget

None of the funds available to the Department of State shall be used to pay the United States