

**§ 2396. Advances for payments for compliance with foreign laws, rent in foreign countries, tuition, public utility services, and pay and supplies of armed forces of friendly foreign countries**

(a) An advance under an appropriation to the Department of Defense may be made to pay for—

- (1) compliance with laws and ministerial regulations of a foreign country;
- (2) rent in a foreign country for periods of time determined by local custom;
- (3) tuition; and
- (4) public service utilities.

(b)(1) Under regulations prescribed by the Secretary of Defense, or by the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service of the Navy, an officer of an armed force of the United States accountable for public money may advance amounts to a disbursing official of a friendly foreign country or members of an armed force of a friendly foreign country for—

- (A) pay and allowances to members of the armed force of that country; and
- (B) necessary supplies and services.

(2) An advance may be made under this subsection only if the President has made an agreement with the foreign country—

- (A) requiring reimbursement to the United States for amounts advanced;
- (B) requiring the appropriate authority of the country to advance amounts reciprocally to members of the armed forces of the United States; and
- (C) containing any other provision the President considers necessary to carry out this subsection and to safeguard the interests of the United States.

(Added Pub. L. 97-258, §2(b)(4)(B), Sept. 13, 1982, 96 Stat. 1053, §2395; renumbered §2396 and amended Pub. L. 97-295, §1(28)(B), Oct. 12, 1982, 96 Stat. 1291; Pub. L. 105-85, div. A, title X, §1014(a), (b)(1), Nov. 18, 1997, 111 Stat. 1875; Pub. L. 107-296, title XVII, §1704(b)(1), Nov. 25, 2002, 116 Stat. 2314.)

**HISTORICAL AND REVISION NOTES**  
1982 ACT (PUB. L. 97-258)

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
2395(a) .....	31:529i.	July 13, 1955, ch. 358, §602, 69 Stat. 314.
2395(b) .....	31:529j.	Oct. 19, 1965, Pub. L. 89-265, 79 Stat. 989.

In subsection (a), the words “On and after July 13, 1955” are omitted as executed. The words “An advance” are substituted for “section 529 of this title shall not apply in the case of payments” because of the restatement.

In subsection (b), the words “armed force of the United States” are substituted for “Army, Navy, Air Force, Marine Corps, or Coast Guard” because of 10:101(4) and to avoid confusion with the phrase “armed force of a friendly foreign country”.

In subsection (b)(1), before clause (A), the words “the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy” are substituted for “the Secretary of the Treasury in their respective areas of responsibility” because of 14:3 and 49:1655(b)(1) and (2). The words “disbursing

official” are substituted for “cashiers, disbursing officers” for consistency with other titles of the United States Code and to eliminate unnecessary words.

1982 ACT (PUB. L. 97-295)

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
2396 .....	10:2395.	Sept. 13, 1982, Pub. L. 97-258, §2(b)(4)(B), 96 Stat. 1053.

This redesignates 10:2395 as 10:2396 because of the redesignation of 10:2394 (enacted by Pub. L. 97-258) as 10:2395, and substitutes “any other” for “another” in subsec. (b)(2)(C).

**Editorial Notes**

AMENDMENTS

2002—Subsec. (b)(1). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation” in introductory provisions.

1997—Pub. L. 105-85, §1014(b)(1), inserted “public utility services,” after “tuition,” in section catchline.

Subsec. (a)(4). Pub. L. 105-85, §1014(a), added par. (4).

1982—Subsec. (b)(2)(C). Pub. L. 97-295 substituted “any other” for “another”.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of this title.

**[§§ 2397 to 2397c. Repealed. Pub. L. 104-106, div. D, title XLIII, § 4304(b)(1), Feb. 10, 1996, 110 Stat. 664]**

Section 2397, added Pub. L. 97-295, §1(29)(A), Oct. 12, 1982, 96 Stat. 1291; amended Pub. L. 99-145, title IX, §922, Nov. 8, 1985, 99 Stat. 693; Pub. L. 100-26, §7(j)(5), (k)(2), Apr. 21, 1987, 101 Stat. 283, 284; Pub. L. 102-25, title VII, §701(d)(6), Apr. 6, 1991, 105 Stat. 114; Pub. L. 102-484, div. A, title X, §1052(29), Oct. 23, 1992, 106 Stat. 2500; Pub. L. 103-355, title IV, §4401(d), title VIII, §8105(d), Oct. 13, 1994, 108 Stat. 3348, 3392, related to filing of certain reports by employees or former employees of defense contractors.

Section 2397a, added Pub. L. 99-145, title IX, §923(a)(1), Nov. 8, 1985, 99 Stat. 695; amended Pub. L. 100-26, §7(k)(2), Apr. 21, 1987, 101 Stat. 284; Pub. L. 101-280, §10(b), May 4, 1990, 104 Stat. 162, related to requirements relating to private employment contacts between certain Department of Defense procurement officials and defense contractors.

Section 2397b, added Pub. L. 99-500, §101(c) [title X, §931(a)(1)], Oct. 18, 1986, 100 Stat. 1783-82, 1783-156, and Pub. L. 99-591, §101(c) [title X, §931(a)(1)], Oct. 30, 1986, 100 Stat. 3341-82, 3341-156; Pub. L. 99-661, div. A, title IX, formerly title IV, §931(a)(1), Nov. 14, 1986, 100 Stat. 3936, renumbered title IX, Pub. L. 100-26, §3(5), Apr. 21, 1987, 101 Stat. 273; amended Pub. L. 100-180, div. A, title VIII, §821, Dec. 4, 1987, 101 Stat. 1132; Pub. L. 103-355, title VIII, §8105(e), Oct. 13, 1994, 108 Stat. 3392, related to limitations on employment by contractors of certain former Department of Defense procurement officials.

Section 2397c, added Pub. L. 99-500, §101(c) [title X, §931(a)(1)], Oct. 18, 1986, 100 Stat. 1783-82, 1783-159, and Pub. L. 99-591, §101(c) [title X, §931(a)(1)], Oct. 30, 1986, 100 Stat. 3341-82, 3341-159; Pub. L. 99-661, div. A, title IX, formerly title IV, §931(a)(1), Nov. 14, 1986, 100 Stat. 3938, renumbered title IX, Pub. L. 100-26, §3(5), Apr. 21, 1987, 101 Stat. 273; amended Pub. L. 103-355, title VIII, §8105(f), Oct. 13, 1994, 108 Stat. 3392, related to requirements for defense contractors concerning former Department of Defense officials.