

erations, in addition to such other funds as may be available for such purposes: *Provided further*, That amounts from such account may be transferred to, and merged with, funds appropriated under titles II and III of this Act or subsequent Acts making appropriations for the Department of State, foreign operations, and related programs for such purposes: *Provided further*, That any specific designation or restriction contained in this Act or any other provision of law limiting the amounts available that may be obligated or expended shall be deemed to be adjusted to the extent necessary to offset the net effect of fluctuations in foreign currency exchange rates or overseas wage and price changes in order to maintain approved levels: *Provided further*, That transfers pursuant to this section shall be subject to the regular notification procedures of the Committees on Appropriations.

(Pub. L. 118-47, div. F, title VII, § 7069(a), Mar. 23, 2024, 138 Stat. 849.)

Editorial Notes

REFERENCES IN TEXT

Titles II and III of this Act, referred to in par. (2), means titles II and III of div. F of Pub. L. 118-47, Mar. 23, 2024, 138 Stat. 739, 740. See section 3 of Pub. L. 118-47, set out as a References in Pub. L. 118-47 note under section 1 of Title 1, General Provisions.

This section, referred to in par. (2), was in the original “this subsection”, meaning subsec. (a) of section 7069 of title VII of div. F of Pub. L. 118-47. Subsec. (b) of section 7069 was not classified to the Code.

CODIFICATION

Section was added as part of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2024, and also as part of the Further Consolidated Appropriations Act, 2024, and not as part of the Foreign Assistance Act of 1961 which comprises this chapter.

§ 2397. Administrative expenses

(a) Repealed. Pub. L. 95-424, title VI, § 604, Oct. 6, 1978, 92 Stat. 961.

(b) There is authorized to be appropriated such amounts as may be necessary from time to time for administrative expenses which are incurred for functions of the Department of State under this chapter and unrepealed provisions of the Mutual Security Act of 1954, as amended, or for normal functions of the Department of State which relate to such functions.

(Pub. L. 87-195, pt. III, § 637, Sept. 4, 1961, 75 Stat. 460; Pub. L. 87-565, pt. III, § 302(h), Aug. 1, 1962, 76 Stat. 262; Pub. L. 88-205, pt. III, § 302(g), Dec. 16, 1963, 77 Stat. 389; Pub. L. 88-633, pt. III, § 302(c), Oct. 7, 1964, 78 Stat. 1014; Pub. L. 89-171, pt. III, § 302(i), Sept. 6, 1965, 79 Stat. 661; Pub. L. 89-583, pt. III, § 302(e), Sept. 19, 1966, 80 Stat. 808; Pub. L. 90-137, pt. III, § 302(p), Nov. 14, 1967, 81 Stat. 462; Pub. L. 90-554, pt. III, § 302(e), Oct. 8, 1968, 82 Stat. 965; Pub. L. 91-175, pt. III, § 307, Dec. 30, 1969, 83 Stat. 821; Pub. L. 92-226, pt. III, § 303, Feb. 7, 1972, 86 Stat. 28; Pub. L. 93-189, § 18, Dec. 17, 1973, 87 Stat. 724; Pub. L. 95-424, title VI, § 604, Oct. 6, 1978, 92 Stat. 961.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original “this Act”, meaning Pub. L. 87-195, Sept. 4,

1961, 75 Stat. 424, 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 Mutual Security Act of 1954, referred to in subsec. (b), is act Aug. 26, 1954, ch. 937, 68 Stat. 832, as amended by acts July 8, 1955, ch. 301, 69 Stat. 283; July 18, 1956, ch. 627, §§ 2-11, 70 Stat. 555; Aug. 14, 1957, Pub. L. 85-141, 71 Stat. 355; June 30, 1958, Pub. L. 85-477, ch. 1, §§ 101-103, ch. II, §§ 201-205, ch. III, § 301, ch. IV, § 401, ch. V, § 501, 72 Stat. 261; July 24, 1959, Pub. L. 86-108, § 2, ch. 1, § 101, ch. II, §§ 201-205(a)-(i), (k)-(n), ch. III, § 301, ch. IV, § 401(a)-(k), (m), 73 Stat. 246; May 14, 1960, Pub. L. 86-472, ch. I to V, 74 Stat. 134, which was principally classified to chapter 24 (§ 1750 et seq.) of this title and which was repealed by act July 18, 1956, ch. 627, § 8(m), 70 Stat. 559, Pub. L. 85-141, §§ 2(e), 3, 4(b), 11(d), Aug. 14, 1957, 71 Stat. 356, Pub. L. 86-108, ch. II, §§ 205(j), ch. IV, 401(1), July 24, 1959, 73 Stat. 250, Pub. L. 86-472, ch. II, §§ 203(d), 204(k), May 14, 1960, 74 Stat. 138, Pub. L. 87-195, pt. III, § 642(a)(2), Sept. 4, 1961, 75 Stat. 460, Pub. L. 94-329, title II, § 212(b)(1), June 30, 1976, 90 Stat. 745, Pub. L. 104-127, title II, § 228, Apr. 4, 1996, 110 Stat. 963, except for sections 1754, 1783, 1796, 1853, 1928, and 1937 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1754 of this title and Tables.

AMENDMENTS

1978—Subsec. (a). Pub. L. 95-424 struck out subsec. (a) which authorized appropriations for necessary administrative expenses of the agency primarily responsible for administering subchapter I of this chapter.

1973—Subsec. (a). Pub. L. 93-189 substituted “for each of the fiscal years 1974 and 1975, \$45,000,000”, for “for the fiscal year 1972, \$50,000,000, and for the fiscal year 1973, \$50,000,000”.

1972—Subsec. (a). Pub. L. 92-226 authorized appropriations of \$50,000,000 for fiscal years 1972 and 1973, and struck out appropriation authorization of \$51,125,000 for fiscal years 1970 and 1971.

1969—Subsec. (a). Pub. L. 91-175 substituted “fiscal year 1970, \$51,125,000, and for the fiscal year 1971, \$51,125,000” for “fiscal year 1969, \$53,000,000”.

1968—Subsec. (a). Pub. L. 90-554 substituted “1969” and “\$53,000,000” for “1968” and “\$55,814,000”, respectively, and required a reduction in number of personnel, particularly administrative personnel, to keep within reduced funds for fiscal year 1969, excepting therefrom auditing or training activities.

1967—Subsec. (a). Pub. L. 90-137 substituted “1968” and “\$55,814,000” for “1967” and “\$55,813,500”, respectively.

1966—Subsec. (a). Pub. L. 89-583 substituted “1967” and “\$55,813,500” for “1966” and “\$4,240,000”, respectively.

1965—Subsec. (a). Pub. L. 89-171 substituted “1966” and “\$54,200,000” for “1965” and “\$52,500,000”, respectively.

1964—Subsec. (a). Pub. L. 88-633 substituted “1965” and “\$52,500,000” for “1964” and “\$4,000,000”, respectively.

1963—Subsec. (a). Pub. L. 88-205 substituted “1964” and “\$54,000,000” for “1963” and “\$53,000,000”, respectively.

1962—Subsec. (a). Pub. L. 87-565, § 302(h)(1), substituted “1963” and “\$53,000,000” for “1962” and “\$50,000,000”, respectively.

Subsec. (b). Pub. L. 87-565, § 302(h)(2), struck out “to the Secretary of State” after “authorized to be appropriated.”

Statutory Notes and Related Subsidiaries

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 this title.

Executive Documents

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.

§ 2398. Assistance to countries pursuant to other statutes

(a) No provision of this chapter shall be construed to prohibit assistance to any country pursuant to the Peace Corps Act, as amended [22 U.S.C. 2501 et seq.]; the Mutual Educational and Cultural Exchange Act of 1961, as amended [22 U.S.C. 2451 et seq.]; or the Export-Import Bank Act of 1945, as amended [12 U.S.C. 635 et seq.].

(b) No provision of this chapter or any other provision of law shall be construed to prohibit assistance for any training activity which is funded under this chapter for Brazil or Argentina as long as such country continues to have a democratically¹ elected government and the assistance is otherwise consistent with sections 2151n, 2304, 2370(f), 2371, and 2420 of this title.

(Pub. L. 87-195, pt. III, § 638, as added Pub. L. 88-205, pt. III, § 302(h), Dec. 16, 1963, 77 Stat. 389; amended Pub. L. 89-171, pt. III, § 302(j), Sept. 6, 1965, 79 Stat. 661; Pub. L. 93-189, § 19, Dec. 17, 1973, 87 Stat. 725; Pub. L. 100-202, § 101(e) [title V, § 588(a)], Dec. 22, 1987, 101 Stat. 1329-131, 1329-186.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, 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 Peace Corps Act, as amended, referred to in subsec. (a), is Pub. L. 87-293, Sept. 22, 1961, 75 Stat. 612, which is classified principally to chapter 34 (§ 2501 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2501 of this title and Tables.

The Mutual Educational and Cultural Exchange Act of 1961, as amended, referred to in subsec. (a), is Pub. L. 87-256, Sept. 21, 1961, 75 Stat. 527, which is classified principally to chapter 33 (§ 2451 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2451 of this title and Tables.

The Export-Import Bank Act of 1945, as amended, referred to in subsec. (a), is act July 31, 1945, ch. 341, 59 Stat. 526, which is classified generally to chapter 6A (§ 635 et seq.) of Title 12, Banks and Banking. For complete classification of this Act to the Code, see Short Title note set out under section 635 of Title 12 and Tables.

AMENDMENTS

1987—Pub. L. 100-202 designated existing provisions as subsec. (a) and added subsec. (b).

1973—Pub. L. 93-189 amended section catchline.

1965—Pub. L. 89-171 struck out provisions which prohibited any provision of this chapter from being construed to prohibit famine or disaster relief, including such relief through voluntary agencies, under sections 1721 to 1724 of title 7.

¹ So in original. Probably should be “democratically”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1987 AMENDMENT

Pub. L. 100-202, § 101(e) [title V, § 588(b)], Dec. 22, 1987, 101 Stat. 1329-131, 1329-187, provided that: “The amendment made by subsection (a)(2) [amending this section] does not apply with respect to funds appropriated prior to the date of enactment of this Act [Dec. 22, 1987].”

§ 2399. Repealed. Pub. L. 94-161, title I, § 101(6), Dec. 20, 1975, 89 Stat. 850

Section, Pub. L. 87-195, pt. III, § 639, as added Pub. L. 80-171, pt. III, § 302(k), Sept. 6, 1965, 79 Stat. 661; amended Pub. L. 93-559, § 28(a), Dec. 30, 1974, 88 Stat. 1803, provided for famine or disaster relief, authorized appropriation of \$40,000,000 for fiscal year 1975, and required Presidential reports to Committees of the Senate and Speaker of the House. See sections 2292 and 2292a of this title.

§§ 2399-1a, 2399-1b. Transferred**Editorial Notes**

CODIFICATION

Section 2399-1a, Pub. L. 87-195, pt. 1, § 494A, formerly pt. III, § 639A, as added Pub. L. 93-189, § 20, Dec. 17, 1973, 87 Stat. 725; amended Pub. L. 93-333, § 3, July 8, 1974, 88 Stat. 290 renumbered pt. 1, § 494A, Pub. L. 94-161, title I, § 101(5), Dec. 20, 1975, 89 Stat. 850, which related to famine and disaster relief to drought stricken African nations, was transferred to section 2292d of this title.

Section 2399-1b, Pub. L. 87-195, pt. I, § 494B, formerly pt. III, § 639B, as added Pub. L. 93-189, § 20, Dec. 13, 1973, 87 Stat. 725; renumbered pt. 1, § 494B, and amended Pub. L. 94-161, title I, § 101(5), (7), Dec. 20, 1975, 89 Stat. 850, which related to an African Development program, was transferred to section 2292e of this title.

§ 2399a. Repealed. Pub. L. 90-629, ch. 4, § 45(a), Oct. 22, 1968, 82 Stat. 1327

Section, Pub. L. 87-195, pt. III, § 640, as added Pub. L. 89-171, pt. III, § 302(k), Sept. 6, 1965, 79 Stat. 661; amended Pub. L. 90-137, pt. III, § 302(q), Nov. 14, 1967, 81 Stat. 462, related to military sales. See section 2753(a)(1) of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective July 1, 1968, see section 41 of Pub. L. 90-629, set out as an Effective Date note under section 2751 of this title.

SAVINGS PROVISION

Determinations, authorizations, regulations, orders, contracts, agreements, and other actions issued, undertaken, or entered into under authority of any provision of former section 2399a of this title as continuing in full force and effect until modified by appropriate authority, see section 46 of Pub. L. 90-629, set out as a note under section 2341 of this title.

§ 2399b. False claims and ineligible commodities**(a) Penalties; costs**

Any person who makes or causes to be made or presents or causes to be presented to any bank or other financial institution or to any officer, agent, or employee of any agency of the United States Government a claim for payment from funds made available under this chapter for the purposes of furnishing assistance and who knows the claim to be false, fraudulent, or fictitious or to cover a commodity or commodity-related