

amount, terms, or conditions of participation by the United States in the General Arrangements to Borrow or the New Arrangements to Borrow, as applicable.

(e) New requirement for activation of the new arrangements to borrow

(1) The Secretary of the Treasury shall include in the certification and report required by paragraphs (a)(1), (a)(2), (a)(3), (b)(1), and (b)(2) of this section prior to activation an additional certification and report that—

(A) the one-year forward commitment capacity of the IMF (excluding borrowed resources) is expected to fall below 100,000,000,000 Special Drawing Rights during the period of the NAB activation; and

(B) activation of the NAB is in the United States strategic economic interest with the reasons and analysis for that determination.

(2) Prior to submitting any certification and report required by paragraphs (a)(1), (a)(2), (b)(1), and (b)(2) of this section, the Secretary of the Treasury shall consult with the appropriate congressional committees.

(f) Appropriate congressional committees, defined

In this section, the term “appropriate congressional committees” means the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Financial Services of the House of Representatives.

(July 31, 1945, ch. 339, §17, as added Pub. L. 87-490, §1, June 19, 1962, 76 Stat. 105; amended Pub. L. 94-564, §4, Oct. 19, 1976, 90 Stat. 2661; Pub. L. 98-181, title I [title VIII, §802(a)(1)–(3)], Nov. 30, 1983, 97 Stat. 1268; Pub. L. 105-277, div. A, §101(d) [title VI, §609], Oct. 21, 1998, 112 Stat. 2681-150, 2681-224; Pub. L. 111-32, title XIV, §1401, June 24, 2009, 123 Stat. 1916; Pub. L. 111-117, div. F, title VII, §7090(b), (c), Dec. 16, 2009, 123 Stat. 3406; Pub. L. 114-113, div. K, title IX, §9001, Dec. 18, 2015, 129 Stat. 2829; Pub. L. 116-136, div. B, title XI, §21012(b)(5)(A), Mar. 27, 2020, 134 Stat. 595; Pub. L. 118-47, div. F, title VII, §7071(e)(1), Mar. 23, 2024, 138 Stat. 852.)

Editorial Notes

AMENDMENTS

2024—Subsec. (a)(6). Pub. L. 118-47 substituted “December 31, 2030” for “December 31, 2025”.

2020—Subsec. (a)(3), (4). Pub. L. 116-136, §21012(b)(5)(A)(i)(I), (II), added par. (3) and redesignated former par. (3) as (4). Former par. (4) redesignated (5).

Subsec. (a)(5). Pub. L. 116-136, §21012(b)(5)(A)(i)(I), (III), redesignated par. (4) as (5) and substituted “paragraph (4)” for “paragraph (3)”. Former par. (5) redesignated (6).

Subsec. (a)(6). Pub. L. 116-136, §21012(b)(5)(A)(i)(I), (IV), redesignated par. (5) as (6) and substituted “December 31, 2025” for “December 16, 2022”.

Subsec. (e)(1). Pub. L. 116-136, §21012(b)(5)(A)(ii), which directed amendment of subsec. (e)(1) by substituting “(a)(2), (a)(3),” for “(a)(2),” “each place such term appears”, was executed as directed to the one place it appeared in subsec. (e)(1), even though “(a)(2),” also appears in subsec. (e)(2).

2015—Subsec. (a)(5). Pub. L. 114-113, §9001(1), added par. (5).

Subsec. (b). Pub. L. 114-113, §9001(2), inserted before period at end of pars. (1) and (2) “, only to the extent

that amounts available for such loans are not rescinded by an Act of Congress”.

Subsec. (e). Pub. L. 114-113, §9001(3), added subsec. (e).
Subsec. (f). Pub. L. 114-113, §9001(4), added subsec. (f).
2009—Subsec. (a). Pub. L. 111-32, §1401(1), designated existing provisions as par. (1) and added par. (2).

Subsec. (a)(2). Pub. L. 111-117, §7090(c), substituted “remains not greater than 20 percent, which approximates the United States share as of June 24, 2009” for “is representative of its share as of the date of the enactment of this Act”.

Subsec. (a)(3), (4). Pub. L. 111-117, §7090(b), added pars. (3) and (4).

Subsec. (b). Pub. L. 111-32, §1401(2), designated existing provisions as par. (1), inserted “subsection (a)(1) of” after “pursuant to”, and added par. (2).

1998—Subsec. (a). Pub. L. 105-277, §101(d) [title VI, §609(1)], substituted “February 24, 1983, and January 27, 1997” for “and February 24, 1983” and “6,712,000,000” for “4,250,000,000”.

Subsec. (b). Pub. L. 105-277, §101(d) [title VI, §609(2)], substituted “6,712,000,000” for “4,250,000,000”.

Subsec. (d). Pub. L. 105-277, §101(d) [title VI, §609(3)], inserted “or the Decision of January 27, 1997,” after “February 24, 1983,” and “or the New Arrangements to Borrow, as applicable” before period at end.

1983—Subsec. (a). Pub. L. 98-181, §802(a)(1), substituted “decisions of January 5, 1962, and February 24, 1983, as amended in accordance with their terms” for “decision of January 5, 1962”, and “in an amount not to exceed the equivalent of 4,250,000,000 Special Drawing Rights, limited to such amounts as are provided in advance in appropriations Acts, except that prior to activation, the Secretary of the Treasury shall certify that supplementary resources are needed to forestall or cope with an impairment of the international monetary system and that the fund has fully explored other means of funding” for “not to exceed \$2,000,000,000 outstanding at any one time”.

Subsec. (b). Pub. L. 98-181, §802(a)(2), substituted “4,250,000,000 Special Drawing Rights, except that prior to activation, the Secretary of the Treasury shall certify whether supplementary resources are needed to forestall or cope with an impairment of the international monetary system and that the Fund has fully explored other means of funding” for “\$2,000,000,000”.

Subsec. (d). Pub. L. 98-181, §802(a)(3), added subsec. (d).

1976—Subsec. (a). Pub. L. 94-564 substituted “section 1(i)” for “section 2(i)”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Pub. L. 114-113, div. K, title IX, §9001(3), Dec. 18, 2015, 129 Stat. 2829, provided in part that subsection (e) of this section is “effective from the first day of the next period of renewal of the NAB [New Arrangements to Borrow] decision after enactment of this Act [Dec. 18, 2015]”.

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment effective Apr. 1, 1978, see section 9 of Pub. L. 94-564, set out as a note under section 286a of this title.

§ 286e-3. Transfers to stabilization fund of purchase of currencies or gold from International Monetary Fund; administration; utilization of fund resources for repayments

Any purchases of currencies or gold by the United States from the International Monetary Fund may be transferred to and administered by the fund established by section 5302 of title 31, for use in accordance with the provisions of that section. The Secretary of the Treasury is authorized to utilize the resources of that fund for

the purpose of any repayments in connection with such transactions.

(July 31, 1945, ch. 339, §18, as added Pub. L. 87-490, §1, June 19, 1962, 76 Stat. 105.)

Editorial Notes

CODIFICATION

“Section 5302 of title 31” substituted in text for “section 10 of the Gold Reserve Act of 1934, as amended (31 U.S.C. 822a)” 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.

§ 286e-4. Loans to International Finance Corporation; amendment to Articles of Agreement

The United States Governor of the Bank is authorized to agree to an amendment to the articles of agreement of the Bank to permit the Bank to make, participate in, or guarantee loans to the International Finance Corporation for use in the lending operations of the latter.

(July 31, 1945, ch. 339, §21, as added Pub. L. 89-126, §1(3), Aug. 14, 1965, 79 Stat. 519.)

§ 286e-5. Amendments to Articles of Agreement

The United States Governor of the Fund is authorized to accept the amendments to the Articles of Agreement of the Fund approved in resolution numbered 31-4 of the Board of Governors of the Fund.

(July 31, 1945, ch. 339, §24, as added Pub. L. 94-564, §1, Oct. 19, 1976, 90 Stat. 2660.)

§ 286e-5a. Additional amendments to Articles of Agreement

The United States Governor of the Bank is hereby authorized to agree to and to accept the amendment to the Articles of Agreement in the proposed resolution entitled “Amendment to the Articles of Agreement of the Bank”, forwarded to the United States on February 27, 1987.

(July 31, 1945, ch. 339, §52, as added Pub. L. 100-202, §101(e) [title I], Dec. 22, 1987, 101 Stat. 1329-131, 1329-134.)

Editorial Notes

CODIFICATION

Section 52 of act July 31, 1945, is based on section 601 of title VI of H.R. 3750, One Hundredth Congress, as introduced Dec. 11, 1987, and enacted into law by Pub. L. 100-202.

§ 286e-5b. Acceptance of amendments to Articles of Agreement of the Fund approved on June 28, 1990

The United States Governor of the Fund may agree to and accept the amendments to the Articles of Agreement of the Fund as proposed in the resolution numbered 45-3 of the Board of Governors of the Fund that was approved by such Board on June 28, 1990.

(July 31, 1945, ch. 339, §57, as added Pub. L. 102-511, title X, §1001, Oct. 24, 1992, 106 Stat. 3357.)

§ 286e-6. Vote against establishment of Council

The United States Governor of the Fund is directed to vote against the establishment of a

Council authorized under Article XII, Section 1 of the Fund Articles of Agreement as amended, if under any circumstances the United States' vote in the Council would be less than its weighted vote in the Fund.

(July 31, 1945, ch. 339, §26, as added Pub. L. 94-564, §1, Oct. 19, 1976, 90 Stat. 2660.)

§ 286e-7. Supplementary Financing Facility

(a) Availability of resources

For the purpose of participation of the United States in the Supplementary Financing Facility (hereinafter referred to as the “facility”) established by the decision numbered 5508-(77/127) of the Executive Directors of the Fund, the Secretary of the Treasury is authorized to make resources available as provided in the decision numbered 5509-(77/127) of the Fund, in an amount not to exceed the equivalent of 1,450 million Special Drawing Rights.

(b) Adjustments in the value of monetary assets

The Secretary of the Treasury shall account, through the fund established by section 5302 of title 31, for any adjustment in the value of monetary assets held by the United States in respect of United States participation in the facility.

(c) Authorization of appropriations

Notwithstanding any other provision of this section, the authority of the Secretary to enter into agreements making resources available under this section shall be limited to such amounts as are appropriated in advance in appropriation Acts. Effective October 1, 1978, there are hereby authorized to be appropriated to the Secretary of the Treasury, without fiscal year limitation, such sums as are necessary to carry out subsection (a) of this section, but not to exceed an amount of dollars equivalent to 1,450 million Special Drawing Rights.

(July 31, 1945, ch. 339, §28, as added Pub. L. 95-435, §1, Oct. 10, 1978, 92 Stat. 1051.)

Editorial Notes

CODIFICATION

In subsec. (b), “section 5302 of title 31” substituted for “section 10 of the Gold Reserve Act of 1934, as amended (31 U.S.C. 822a)” 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.

§ 286e-8. Treatment of creditors in debt rescheduling

The Secretary of the Treasury shall instruct the United States executive director to seek to assure that no decision by the International Monetary Fund undermines or departs from United States policy regarding the comparability of treatment of public and private creditors in cases of debt rescheduling where official United States credits are involved.

(July 31, 1945, ch. 339, §29, as added Pub. L. 95-435, §3, Oct. 10, 1978, 92 Stat. 1052; amended Pub. L. 96-389, §5, Oct. 7, 1980, 94 Stat. 1554.)

Editorial Notes

AMENDMENTS

1980—Pub. L. 96-389 struck out “on the use of the facility” after “Monetary Fund”.