



Foreign Assistance Act of 1961: Authorizations and Corresponding Appropriations

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Summary

The Foreign Assistance Act of 1961 (P.L. 87-195; 22 U.S.C. 2151 et seq.) serves as the cornerstone for the United States' foreign assistance policies and programs. Written, passed, and signed into law at what some consider the height of the Cold War, the Act is seen by some today as anachronistic. Ironically, when President Kennedy urged the 87th Congress to enact foreign aid legislation that would exemplify and advance the national interests and security strategies of the United States post-World War II, he described the existing foreign aid mechanisms as bureaucratic, fragmented, awkward, and slow. Some have used the same language today, nearly 50 years later, to characterize the legislation he promoted.

There are indications that the 111th Congress may visit the issue of amending the current body of law that comprises foreign aid policy, starting with the Foreign Assistance Act of 1961. This report presents the executive branch authorities of that Act, and correlates those authorities with the operative appropriations measure (P.L. 110-161, as continued by P.L. 110-329) that funds those authorities. For many years, annual foreign aid appropriations measures have waived the requirement that funds must be authorized before they are appropriated and expended. Understanding the relation between the authorities in the cornerstone Act and the appropriations is key to any consideration of reforming foreign aid legislation.

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Background

The Foreign Assistance Act of 1961 (P.L. 87-195; 22 U.S.C. 2151 et seq.), enacted at the behest of President Kennedy, sought to organize and implement U.S. foreign assistance programs with a commitment to long-range economic assistance to the developing world. The President, in a “Special Message to the Congress on Foreign Aid,” delivered March 22, 1961, described the U.S. foreign aid programs emerging from World War II as

[b]ureaucratically fragmented, awkward and slow, its administration is diffused over a haphazard and irrational structure covering at least four departments and several other agencies. The program is based on a series of legislative measures and administrative procedures conceived at different times and for different purposes, many of them now obsolete, inconsistent and unduly rigid and thus unsuited for our present needs and purposes. Its weaknesses have begun to undermine confidence in our effort both here and abroad.¹

President Kennedy went on to note the declining prestige of the United States’ foreign aid apparatus and the negative impact of that decline on administering and staffing programs abroad. The President also cited the uneven and undependable short-term financing of programs and the resulting disincentive for long-term efficient planning. Congress and the executive branch worked together to enact the Foreign Assistance Act of 1961 to address these shortcomings at a time when much of the developing world was emerging as newly independent states, when those new nations were, “without exception ... under Communist pressure,” and when “the free industrialized nations” found themselves in a position “to assist the less-developed nations on a long-term basis ... [as they find themselves] on the threshold of achieving sufficient economic, social and political strength and self-sustained growth to stand permanently on their own feet.”²

Though the original Foreign Assistance Act of 1961 lengthened the authorization time frame for funding development assistance to five years, other programs were authorized for shorter periods. The Act still required occasional reauthorization legislation to renew programs beyond that original time frame, and Congress retained its role of appropriating funds. The original Act authorized the funding levels shown in **Table 1**.

**Table 1. Foreign Assistance Act of 1961, as enacted
(P.L. 87-195; 22 U.S.C. 2151 et seq.; 75 Stat. 424)**

Program Authorization	Funding Levels and Duration
Development assistance	1.2 billion for fiscal year 1962 \$1.5 billion “for each of the next four succeeding years” [sec. 202]
Development grants and technical cooperation	Not to exceed \$380 million “for use beginning in the fiscal year 1962” [sec. 212]
Investment guarantees	Not to exceed \$90 million, through June 30, 1964 (fiscal years, at that time, ran July through June in a given year) [sec. 221]
Surveys of investment opportunities	Not to exceed \$5 million “for use beginning in fiscal year 1962” [sec. 232]

¹ *Public Papers of the Presidents of the United States: John F. Kennedy, 1961*. “Special Message to the Congress on Foreign Aid,” March 22, 1961. pp. 203-212.

² Kennedy, March 22, 1961. p. 205.

Program Authorization	Funding Levels and Duration
Contributions to international organizations and programs	Not to exceed \$153.5 million for fiscal year 1962 [sec. 302]
Supporting assistance	Not to exceed \$465 million “for use beginning in the fiscal year 1962” [sec. 402]
Contingency fund	Not to exceed \$300 million for fiscal year 1962 [sec. 451]
Military assistance	Not to exceed \$1.7 billion, “for use beginning in the fiscal years 1962 and 1963” [sec. 504]

Through 1985, Congress regularly enacted new authorization legislation or amended the original Act to update authorization time frames, and to incorporate newer programs and authorities. After 1986, however, Congress turned more frequently to enacting freestanding authorities that did not amend the 1961 Act, and included language in annual appropriations measures to waive the requirement to keep authorizations current. Thus, sections in the Foreign Assistance Act of 1961, in many instances, do not refer to authorization beyond fiscal years 1986 and 1987 (unless the program was added to the Act by an amendment enacted after that period), but programs are continued through appropriations.³

Other Authorizations

A few programs are established outside the statutory framework of the Foreign Assistance Act of 1961, and thus are not included in detail in this report.⁴ Reimbursable military exports, for example, are addressed in the Arms Export Control Act and subsequent Security Assistance Acts. Since 1985, the last year Congress passed a comprehensive reauthorization of the Foreign Assistance Act of 1961, both Congress and the President have promoted a variety of specialized authorities in freestanding legislation. Some freestanding laws that authorize foreign aid or apply new conditions to aid authorized in the Foreign Assistance Act of 1961 are shown in **Table 2**.

³ Sec. 10 of the Foreign Military Sales Amendments, 1971 (P.L. 91-672; 22 U.S.C. 2412) requires authorization before appropriations, stating that “no money appropriated for foreign assistance (including foreign military sales) shall be available for obligation or expenditure—(1) unless the appropriation thereof has been previously authorized by law; or (2) in excess of an amount previously prescribed by law.” The section, however, is routinely waived, most recently in sec. 653 of the Department of State, Foreign Operations and (division J of P.L. 110-161; 121 Stat. 2342), which states “Funds appropriated by this Act, except funds appropriated under the headings ‘Trade and Development Agency’ and ‘Overseas Private Investment Corporation’, may be obligated and expended notwithstanding section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956.”

⁴ Still other laws have been enacted to augment the Foreign Assistance Act of 1961—setting limited-term conditions for aid otherwise provided for in the Act. P.L. 109-159, for example, which provides for the transfer to the Republic of Korea of obsolete or surplus items with military application, is a freestanding law but draws on the President’s authority stated in sec. 516 of the Act to transfer excess defense articles. Similarly, Congress has enacted a series of laws to transfer excess or obsolete naval vessels to U.S. allies. Congress has also enacted acts in recent years authorizing conditional aid to targeted populations or organizations in Sudan, North Korea, Afghanistan, and Iran.

Table 2. Selected Other Authorizations

Popular Name: Purpose	Citation
<p>Arms Export Control Act:</p> <p>—authorizes reimbursable military exports (arms sales, leases, loans)</p>	<p>P.L. 90-629; 22 U.S.C. 2751 et seq.; signed into law October 22, 1968</p>
<p>Trafficking Victims Protection Act of 2000, as amended:</p> <p>—authorizes \$1.5 million for fiscal year 2001, \$3 million for each of fiscal years 2002 and 2003, \$5 million for each of fiscal years 2004 and 2005, and \$5.5 million for each of fiscal years 2006 and 2007 in support of the Task Force also created by the Act (sec. 113);</p> <p>—authorizes \$10 million for prevention, \$15 million for protection, and \$10 million for prosecution for each of fiscal years 2004 through 2007 in bilateral assistance to combat trafficking (sec. 113);</p> <p>—authorizes \$300 thousand for voluntary contributions to the Organization for Security and Cooperation in Europe (sec. 113);</p> <p>—authorizes funds for foreign victim assistance, assistance to foreign countries to meet minimum standards, and research (sec. 113).</p>	<p>P.L. 106-386; 22 U.S.C. 7101 et seq.; signed into law October 28, 2000</p>
<p>Sudan Peace Act, as amended:</p> <p>—authorizes \$100 million for each of the fiscal years 2003 through 2005 to prepare the Sudanese population “not controlled by the Government of Sudan” for “peace and democratic governance, including support for civil administration, communications infrastructure, education, health, and agriculture.” (sec. 5);</p> <p>—authorizes \$100 million for fiscal year 2005, and such sums as may be necessary for fiscal years 2006 and 2007, to support the implementation of a comprehensive peace agreement, and \$200 million for fiscal year 2005 “to address the humanitarian and human rights crisis in the Darfur region and eastern Chad” (sec. 12).</p>	<p>P.L. 107-245; 50 U.S.C. 1701 note; signed into law October 21, 2002</p>
<p>Afghanistan Freedom Support Act of 2002, as amended:</p> <p>—authorizes \$15 million for fiscal years 2003 through 2006 for urgent humanitarian needs, repatriation and resettlement, counternarcotics, and more (sec. 103);</p> <p>—authorizes \$300 million to establish an Enterprise Fund for Afghanistan similar to those defined in the SEED Act (sec. 103);</p> <p>—authorizes such sums as may be necessary for each of fiscal years 2005 and 2006 (sec. 108);</p> <p>—authorizes drawdown under sec. 506 of the Foreign Assistance Act of 1961 not to exceed \$550 million (sec. 202).</p>	<p>P.L. 107-327; 22 U.S.C. 7501 et seq.; signed into law December 4, 2002</p>
<p>United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003, as amended:</p> <p>—authorizes U.S. contributions to the Global Fund through fiscal year 2013 (sec. 202);</p> <p>—authorizes funding for programs added to the Foreign Assistance Act of 1961 through fiscal year 2013 (sec. 401);</p> <p>—authorizes “such sums as may be necessary for the fiscal year 2004 and each fiscal year thereafter to carry out section 1625 of the International Financial Institutions Act” (relating to debt relief for the most heavily indebted countries) (sec. 503).</p>	<p>P.L. 108-25; 22 U.S.C. 7601 et seq.; signed into law May 27, 2003</p>
<p>Millennium Challenge Act of 2003, as amended:</p> <p>—authorizes “such sums as may be necessary for each of fiscal years 2004 and 2005.” (sec. 619)</p>	<p>Title VI of Division D of P.L. 109-188; 22 U.S.C. 7701 et seq.; signed into law January 23, 2004</p>

Popular Name: Purpose	Citation
North Korean Human Rights Act of 2004: —authorizes \$2 million for each of fiscal years 2005 through 2008 for human rights and democracy programs (sec. 102); —authorizes \$2 million for each of fiscal years 2005 through 2008 for actions to promote freedom of information (sec. 104); —authorizes \$20 million for each of fiscal years 2005 through 2008 in assistance to North Koreans outside of their country (sec. 203).	P.L. 108-333; 22 U.S.C. 7801 et seq.; signed into law October 18, 2004
Iran Freedom Support Act: —authorizes financial and political assistance to “foreign and domestic individuals, organizations, and entities working for the purpose of supporting and promoting democracy for Iran.” (sec. 302)	P.L. 109-293; 50 U.S.C. 1701 note; signed into law September 30, 2006

Foreign Assistance Act of 1961: Authorities and Appropriations

Table 3 presents the authorities enacted in the Foreign Assistance Act of 1961, as amended, and the corresponding appropriations that fund those authorities in the current foreign assistance appropriations Act.

Authorization

The left-side column of **Table 3** cites sections of the Foreign Assistance Act of 1961, as amended, that authorize programs, and provides the latest year for which authorization is enacted. Sections that establish a need for such a program—in the form of policy or finding statements, for example—are not cited. The Foreign Assistance Act of 1961 is organized in a conventional manner, however, so those sections that state policy, findings, program requirements, or implementing structure can be found in the text of the law in sections proximate to the authorizing section. All of the Foreign Assistance Act of 1961 is stated in the United States Code, beginning at 22 U.S.C. 2151. For each section that states the President’s power to authorize funds, the relevant U.S. Code citation and year of enactment is included here. In nearly all cases, these sections have been substantially amended, or rewritten altogether, subsequent to enactment. This table reflects the language as amended.

Though the sections generally afford the President the authority to furnish whatever assistance the section establishes, sec. 622(a) and (c) (22 U.S.C. 2382(a), (c)) of the Act states that

[n]othing contained in this Act shall be construed to infringe upon the powers or functions of the Secretary of State.... Under the direction of the President, the Secretary of State shall be responsible for the continuous supervision and general direction of economic assistance, military assistance, and military education and training programs, including but not limited to determining where there shall be a military assistance (including civic action) or a military education and training program for a country and the value thereof, to the end that such programs are effectively integrated both at home and abroad and the foreign policy of the United States is best served thereby.

In many instances, the President has delegated his authority to the Secretary of State, the Administrator of the United States Agency for International Development, or some other appropriate office holder. Delegations of authority are to be found, either in whole text or as a reference, in the U.S. Code, at sections corresponding to the section of the Foreign Assistance Act of 1961 that states the relevant authority.

Appropriation

The right-side column of **Table 3** states appropriations levels that correspond to the authorized program, as most recently enacted in the Department of State/Foreign Operations, and Related Programs Appropriations Act, 2008 (Division J of the Consolidated Appropriations Act, 2008; P.L. 110-161; 121 Stat. 2277; as continued by sec. 101 of P.L. 110-329; 122 Stat. 3574). Section 699P of that Act, however, rescinds 0.81% of the budget authority provided for FY2008 for any discretionary account covered in the Act, to be applied proportionately within each account and item, and to each program, project, and activity within those accounts and items.⁵ This rescission is not reflected in the table; amounts shown are the amounts stated in the Appropriations Act as passed and signed into law on December 26, 2007.

The General Provisions title of Appropriations Acts usually state conditions for administering the appropriations. In the table, those sections that state conditionality and terms that might be applicable to the aid being provided are also listed, and a Statute citation is provided if the reader wishes to read more. General provisions measures that apply to the entire appropriations Act, however, are not cited here; they are numerous and would have to be restated at every authority. So, for example, a General Provision section that prohibits assistance to a government of any country the government of which has been overthrown by military coup, is not cited here, but would apply to all authorities. For those provisions, it is best to refer to the text of the State/Foreign Operations Appropriations Act.

⁵ 121 Stat. 2375.

Table 3. Foreign Assistance Act of 1961, as Amended: Authorizations and Corresponding Appropriations in Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008

Foreign Assistance Act of 1961, as amended (P.L. 87-195; 22 U.S.C. 2151 et seq.)	Department of State/Foreign Operations Appropriations (Division J of P.L. 110-161; 121 Stat. 2277; as continued by sec. 101 of P.L. 110-329; 122 Stat. 3574)
<p align="center">Part I</p> <p>Chapter I—Policy; Development Assistance Authorizations Sec. 101 (22 U.S.C. 2151) through sec. 135 (22 U.S.C. 2152h)</p>	<p align="center">Title III—Bilateral Economic Assistance Funds Appropriated to the President</p> <p align="center">Global Health and Child Survival</p> <p>For global health activities, appropriates, “in additional to funds otherwise available for such purposes”: \$1,843.15 million, to remain available until September 30, 2009 (121 Stat. 2292).</p> <p>In addition, “for the prevention, treatment, and control of, and research on, HIV/AIDS: \$4,700 million, to remain available until expended (121 Stat. 2294).</p> <p align="center">Development Assistance</p> <p>Appropriates \$1,636.88 million, to remain available until September 30, 2009.</p> <p>See also, for conditions and terms: sec. 611, availability of funds (121 Stat. 2317); sec. 613, commerce and trade (121 Stat. 2318); sec. 615, reprogramming notification requirements (121 Stat. 2318); sec. 618, prohibition on funding for abortions and involuntary sterilization (121 Stat. 2321); sec. 619, allocations (121 Stat. 2322); sec. 622, global health and child survival activities (121 Stat. 2323); sec. 628, separate accounts (121 Stat. 2325); sec. 634, special authorities (121 Stat. 2328); sec. 638, Asia (121 Stat. 2332); sec. 640, prohibition on payments to United Nations members (121 Stat. 2334); sec. 645, war crimes tribunals drawdown (121 Stat. 2336); sec. 648, prohibition of payment of certain expenses (121 Stat. 2337); and sec. 660, contribution to the U.N. Population Fund (121 Stat. 2346); sec. 661, community-based police assistance (121 Stat. 2347); sec. 664, basic education (121 Stat. 2349); sec. 667, trade capacity building (121 Stat. 2351); sec. 668, transparency and accountability (121 Stat. 2351); sec. 670, gender-based violence (121 Stat. 2353); sec. 672, western hemisphere (121 Stat. 2354); sec. 674, development grants program (121 Stat. 2356); sec. 684, environment and energy programs (121 Stat. 2360); sec. 687, war crimes in Africa (121 Stat. 2362); sec. 689, neglected tropical diseases (121 Stat. 2363); and sec. 699A, orphans, displaced and abandoned children (121 Stat. 2368).</p>

**Foreign Assistance Act of 1961, as amended
(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

**Department of State/Foreign Operations Appropriations
(Division J of P.L. 110-161; 121 Stat. 2277; as continued by
sec. 101 of P.L. 110-329; 122 Stat. 3574)**

Sec. 103. Agriculture, Rural Development, and Nutrition. (22 U.S.C. 2151a; added to the Act in 1973.) Authorizes the President “to furnish assistance...for agriculture, rural development, and nutrition...to alleviate starvation, hunger, and malnutrition;...to expand...the provision of basic services to rural poor people...to help create productive farm and off-farm employment in rural areas to provide a more viable economic base”. Includes authority to strengthen local institutions, organize financial savings and credit institutions, and improve infrastructure (subsec. (b)). Authorizes emphasis on forest protection and restoration (subsec. (b)(3); added in 1979). Authorizes the President to continue U.S. participation in multilateral institutions related to agricultural development (subsec. (g); added in 1981). Funds are authorized for fiscal years 1986 and 1987 (subsec. (a)(2)).

Sec. 104. Population and Health. (22 U.S.C. 2151b; added in 1983.) Authorizes the President to furnish assistance “for voluntary population planning.” (subsec. (b)). Authorizes the President to furnish assistance for health programs (subsec. (c)), including the special needs of children and mothers (subsec. (c)(2)), including primary health care, immunization, and rehydration (subsec. (c)(3); added in 1985). “Appropriations pursuant to [subsec. (c)(2)(B)] may be referred to as the ‘Child Survival fund’.” (subsec. (c)(2)(C); added in 1984). Funds are authorized for fiscal years 1986 and 1987 (subsec. (g)).

See Part I, above.

Sec. 104A. Assistance to Combat HIV/AIDS. (22 U.S.C. 2151b-2; added in 2003.) Authorizes the President to furnish assistance for the prevention, treatment, and monitoring of HIV/AIDS.

Sec. 104B. Assistance to Combat Tuberculosis. (22 U.S.C. 2151b-3; added in 2003.) Authorizes the President to furnish assistance “for the prevention, treatment, control, and elimination of tuberculosis” (subsec. (c)).

Sec. 104C. Assistance to Combat Malaria. (22 U.S.C. 2151b-4; added in 2003.) Authorizes the President to furnish assistance “for the prevention, treatment, control, and elimination of malaria” (subsec. (c)).

Sec. 105. Education and Human Resources Development. (22 U.S.C. 2151c; added in 1973.) Authorizes the President to furnish assistance “for education, public administration, and human resource development” (subsec. (a)). Funds are authorized for fiscal years 1986 and 1987 (subsec. (a)).

Sec. 106. Energy, Private Voluntary Organizations, and Selected

Development Activities. (22 U.S.C. 2151d; added in 1975.) Authorizes the President to furnish assistance for the development of energy resources, cooperative programs in energy production and conservation, (subsec. (b)); and a range of programs of technical cooperation, reconstruction, special development of infrastructure in the poorest countries, and urban development (subsec. (d)). Funds are authorized for fiscal years 1986 and 1987 (subsec. (e)); funds are authorized for appropriations for cooperative projects among the United States, Israel, and developing countries (subsec. (f); added in 1985).

Sec. 116. Human Rights. (22 U.S.C. 2151n; added in 1975.) The President is authorized to use not less than \$3 million in Development Assistance, Development Fund for Africa, and Economic Support Fund appropriations “for studies to identify, and for...carrying out, programs and activities which will encourage or promote increased adherence to civil and political rights, including the right to free religious belief and practice” (subsec. (e)).

Sec. 117. Environment and Natural Resources. (22 U.S.C. 2151p; added in 1977.) The President is authorized to furnish assistance “for developing and strengthening the capacity of developing countries to protect and manage their environment and natural resources” (subsec. (b)).

Sec. 119. Endangered Species. (22 U.S.C. 2151q; added in 1983.) The President is authorized to furnish assistance “to assist countries in protecting and maintaining wildlife habitats and in developing sound wildlife management and plant conservation programs” (subsec. (b)).

Sec. 122. General Authorities. (22 U.S.C. 2151t; added in 1978.) “In order to carry out the purposes of this chapter, the President is authorized to furnish assistance...to countries and areas through programs of grant and loan assistance, bilaterally or through regional, multilateral, or private entities” (subsec. (a)). “The President is authorized to make loans...in order to promote the economic development of countries and areas, with emphasis upon assisting long range plans and programs designed to develop economic resources and increase productive capacities” (subsec. (b)).

**Foreign Assistance Act of 1961, as amended
(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

**Department of State/Foreign Operations Appropriations
(Division J of P.L. 110-161; 121 Stat. 2277; as continued by
sec. 101 of P.L. 110-329; 122 Stat. 3574)**

Sec. 129. Program To Provide Technical Assistance To Foreign Governments and Foreign Central Banks of Developing or Transitional Countries. (22 U.S.C. 2151aa; added in 1998.) The Secretary of the Treasury, in consultation with the Secretary of State and the Administrator of the U.S. Agency for International Development (USAID), “is authorized to establish a program to provide technical assistance to foreign governments and foreign central banks of developing countries in transitional countries” (subsec. (a)(1)). Funds are authorized for fiscal year 1999 (subsec. (j)).

Sec. 130. Assistance for Victims of Torture. (22 U.S.C. 2152; added in 1998.) The President is authorized to furnish assistance, in the form of grants, for the rehabilitation of victims of torture.

Sec. 133. Programs To Encourage Good Governance. (22 U.S.C. 2152c; added in 2000.) “The President is authorized establish programs that combat corruption, improve transparency and accountability, and promote other forms of good governance in countries” eligible to receive assistance under the foreign Assistance Act of 1961 or the Support for East European Democracy (SEED) Act of 1989 (subsec. (a)).

Sec. 134. Assistance To Foreign Countries To Meet Minimum Standards for the Elimination of Trafficking. (22 U.S.C. 2152d; added in 2000.) The President is authorized to furnish assistance “to foreign countries directly, or through nongovernmental and multilateral organizations, for programs, projects, and activities designed to” eliminate the trafficking of persons.

Sec. 135. Assistance for Orphans and Other Vulnerable Children. (22 U.S.C. 2152f; added in 2005.) The President is authorized to furnish assistance “to provide basic care and services for orphans and other vulnerable children” (subsec. (c)). The President “shall establish a monitoring and evaluation system to measure the effectiveness of United States assistance to orphans and other vulnerable children” (subsec. (d)). Such sums as may be necessary are authorized for fiscal years 2006 and 2007 (subsec. (f)).

Sec. 135. Assistance To Provide Safe Water and Sanitation. (22 U.S.C. 2152b; added in 2005.) “[T]he President is authorized to furnish assistance for programs in developing countries to provide affordable and equitable access to safe water and sanitation” (subsec. (b)). “The President may use payments made in local currencies...under title I of the Food for Peace Act...to provide assistance under this section” (subsec. (d)).

Title III—Bilateral Economic Assistance
Other Bilateral Economic Assistance
Department of the Treasury
International Affairs Technical Assistance

Appropriates \$20.4 million, to remain available until September 30, 2010 (121 Stat. 2307).

See also, for conditions and terms: sec. 623, Afghanistan (121 Stat. 2323).

No appropriations required; funded by the collection of payments in local currencies under title I of the Food for Peace Act.

See Part I, above, however, which appropriates not less than \$300 million for safe drinking water and sanitation programs (121 Stat. 2295).

**Foreign Assistance Act of 1961, as amended
(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

**Department of State/Foreign Operations Appropriations
(Division J of P.L. 110-161; 121 Stat. 2277; as continued by
sec. 101 of P.L. 110-329; 122 Stat. 3574)**

Chapter 2—Other Programs

Sec. 206 through Sec. 300

Title II—American Schools and Hospitals Abroad; Prototype Desalting Plant

Sec. 214 (22 U.S.C. 2174) and sec. 219 (22 U.S.C. 2179)

Sec. 214. American Schools and Hospitals Abroad. (22 U.S.C. 2174; in original Act.) The President is authorized to furnish assistance “to schools and libraries outside the United States founded or sponsored by United States citizens and serving as study and demonstration centers for ideas and practices of the United States” (subsec. (a)). The President is authorized to furnish assistance to “hospital centers for medical education and research outside the United States, founded or sponsored by United States citizens” (subsec. (b)). Funds are authorized for fiscal years 1986 and 1987 (subsec. (c)).

Sec. 219. Prototype Desalting Plant. (22 U.S.C. 2179; added in 1969.) The President is authorized “to participate in the development of a large-scale water treatment and desalting prototype plan...in Israel.... Such participation shall include financial, technical, and such other assistance as the President deems appropriate” (subsec. (a)).

Title III—Housing and Other Credit Guaranty Programs
Sec. 221 (22 U.S.C. 2181) through sec. 226 (22 U.S.C. 2186)

Sec. 222. Authorization. (22 U.S.C. 2182; added in 1969, originally as a housing program for Latin America; restated in 1978.) The President is authorized “to issue guaranties to eligible investors” (subsec. (a)) committed to assisting “developing countries in marshalling resources for low-cost shelter” (sec. 221). Authority sunsets at the end of fiscal year 1992.

Sec. 222A. Agricultural and Productive Credit and Self-Help Community Development Programs. (22 U.S.C. 2182a; added in 1974.) USAID^a is authorized “to issue guaranties...to private lending institutions, cooperatives, and private nonprofit development organizations...to carry out agricultural credit and self-help community development projects” (subsec. (b)). The Inter-American Foundation plays a role when guaranty coverage is directed to Latin America (subsec. (d)); the Overseas Private Investment Corporation (OPIC) plays an administrative role through mid-1976 (subsec. (f)), and for the transferring of predecessor programs it initiated (subsec. (g)). Authority sunsets at the end of fiscal year 1988.

See Part I, above, of which not less than \$22.5 million is available for American Schools and Hospitals Abroad program (121 Stat. 2295).

See also, for terms and conditions: sec. 662, special debt relief for the poorest (121 Stat. 2347).

**Foreign Assistance Act of 1961, as amended
(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

**Department of State/Foreign Operations Appropriations
(Division J of P.L. 110-161; 121 Stat. 2277; as continued by
sec. 101 of P.L. 110-329; 122 Stat. 3574)**

Sec. 224. Trade Credit Insurance Program for Central America. (22 U.S.C. 2184; added in 1984.) USAID^a is authorized “to provide guarantees to the [Export-Import] Bank for liabilities to be incurred by the Bank in connection with guarantees or insurance...for financing for transactions involving the export of goods and services for the use of the private sector in Central American countries” (subsec. (a)). Authority sunsets at the end of fiscal year 1991 (subsec. (c)).

Sec. 225. Trade Credit Insurance Program for Poland. (22 U.S.C. 2185; added in 1989.) The President is authorized “to provide guarantees to the [Export-Import] Bank” to cover certain liabilities related to “the export goods and services for the use of the private sector in Poland” (subsec. (a)). Authority sunsets at the end of fiscal year 1992 (subsec. (l)).

Sec. 226. Loan Guarantees To Israel Program. (22 U.S.C. 2186; added in 1992.) The President is authorized “to issue guarantees against losses incurred in connection with loans to Israel made as a result of” resettling immigrants from the former Soviet Union, Ethiopia, and elsewhere (subsecs. (a), (b)). Authority sunsets at the end of fiscal year 1997 (subsec. (a)).

Title IV—Overseas Private Investment Corporation
(Sec. 231 (22 U.S.C. 2191) through sec. 240B (22 U.S.C. 2200b))

Title II—Export and Investment Assistance
Overseas Private Investment Corporation

Noncredit account: makes available not to exceed \$47.5 million.

Program account: appropriates \$23.5 million, “to be derived by transfer from the ...Noncredit Account”. Funds are available for direct loan obligations and loan guaranty commitments for fiscal years 2008 through 2010; funds obligated in those fiscal years remain available for disbursement through 2016, 2016, and 2018, respectively (121 Stat. 2291).

See also, for terms and conditions: sec. 613, commerce and trade (121 Stat. 2317); sec. 617, independent states of the former Soviet Union (121 Stat. 2320); and sec. 677, OPIC transfer authority (121 Stat. 2358).

Sec. 231. Creation, Purpose, and Policy. (22 U.S.C. 2191; added in 1969.) Creates the Overseas Private Investment Corporation (OPIC) “to mobilize and facilitate the participation of United States private capital and skills in the economic and social development of less developed countries and areas, and countries in transition from nonmarket to market economies”, and puts it “under the policy guidance of the Secretary of State.”

**Foreign Assistance Act of 1961, as amended
(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

**Department of State/Foreign Operations Appropriations
(Division J of P.L. 110-161; 121 Stat. 2277; as continued by
sec. 101 of P.L. 110-329; 122 Stat. 3574)**

Sec. 232. Capital of the Corporation. (22 U.S.C. 2192; added in 1969.) The President is authorized to pay in capital to stand up OPIC from receipts received under the Mutual Security Act of 1954, for fiscal years 1970 and 1971.

Sec. 234. Investment Insurance and Other Programs. (22 U.S.C. 2194; added in 1969.) OPIC is authorized to issue insurance (subsec. (a)), guarantee loans and investments (subsec. (b)), make direct investments (subsec. (c)), encourage investment (subsec. (d)), manage special activities (subsec. (e)), finance other insurance functions (subsec. (f)), establish a pilot program on equity financing, added in 1988 and to run for 4 years (subsec. (g)), and issue local currencies guarantees (subsec. (h)).

Sec. 235. Issuing Authority, Direct Investment Authority and Reserves. (22 U.S.C. 2195; added in 1969.) Authority for sec. 234(a), (b), and (c) is stated here, and “shall continue until 2007”. (subsec. (a)). Establishes a noncredit revolving fund (subsec. (c)). Authorizes transfers of funds from predecessor authorities (subsec. (e)). Authorizes funds to replenish or increase the noncredit account revolving fund (subsec. (f)).

Title VI—Microenterprise Development Assistance
Subtitle A—Grant Assistance
Sec. 251 (22 U.S.C. 2211) through sec. 255 (22 U.S.C. 2211d)

Sec. 252. Authorization; Implementation; Targeted Assistance. (22 U.S.C. 2211a; added in 2004.) The President is authorized to provide assistance “for programs in developing countries to include the availability of credit, savings, and other services to microfinance and microenterprise clients lacking full access to capital, training, technical assistance, and business development services” (subsec. (a)).

Sec. 256. Microenterprise Development Credits. (22 U.S.C. 2212; added in 1983 as sec. 108; transferred to Microenterprise title in 2004.) The President is authorized “to provide assistance to increase the availability of financial services to microenterprise households lacking full access to credit” (subsec. (a)). Funds are authorized through fiscal year 2009 (subsec. (f)).

See Part I, above, of which not less than \$245 million is available for “microenterprise and microfinance development programs for the poor, especially women” (121 Stat. 2295).

Title III—Bilateral Economic Assistance
Funds Appropriated to the President

Development Credit Authority

Appropriates, for this section and sec. 635, up to \$21 million to be derived by transfer from funds appropriated for Part I, or from funds intended for “Assistance for Eastern Europe and the Baltic States” (121 Stat. 2296).

Appropriates \$8.16 million for administrative expenses for USAID to carry out credit programs to remain available until September 30, 2010 (121 Stat. 2296).

See also, for conditions and terms: sec. 623, Afghanistan (121 Stat. 2323).

**Foreign Assistance Act of 1961, as amended
(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

**Department of State/Foreign Operations Appropriations
(Division J of P.L. 110-161; 121 Stat. 2277; as continued by
sec. 101 of P.L. 110-329; 122 Stat. 3574)**

Subtitle C—United States Microfinance Loan Facility
Sec. 257 (22 U.S.C. 2213)

Sec. 257. United States Microfinance Loan Facility. (22 U.S.C. 2213; added in 2000.) The USAID Administrator is authorized “to establish a United States Microfinance Loan Facility...to pool and manage the risk from natural disasters, war or civil conflict, national financial crisis, or short-term financial movements that threaten the long-term development of United States-supported microfinance institutions” (subtitle (a)). Funds are authorized through fiscal year 2009 (subsec. (d)).

Title XII—Famine Prevention and Freedom From Hunger
Sec. 296 (22 U.S.C. 2220a) through sec. 300 (22 U.S.C. 2220e)

Sec. 297. General Authority. (22 U.S.C. 2220b; added in 1975.) The President is authorized to furnish assistance through U.S. universities to build “capacity and human resources skills of agriculturally developing countries..., provide long-term program support..., involve United States universities more fully in the international network of agricultural science..., and...provide program support for international agricultural research centers” (subsec. (a)).

Sec. 299. Authorization. (22 U.S.C. 2220d; added in 1975.) The President is authorized to use Development Assistance funds for these purposes.

Chapter 3—International Organizations and Programs
Sec. 301 (22 U.S.C. 2221) through sec. 307 (22 U.S.C. 2227)

Sec. 301. General Authority. (22 U.S.C. 2221; in original Act.) The President is authorized “to make voluntary contributions on a grant basis to international organizations and...programs” (subsec. (a)).

See Part I, above.

Title IV—Multilateral Economic Assistance
Funds Appropriated to the President

International Organizations and Programs

Appropriates \$319.49 million for this chapter, and for sec. 2 of the U.N. Environment Program Participation Act of 1973 (P.L. 93-188; 87 Stat. 713) (121 Stat. 2312).

See also, for terms and conditions: sec. 615, reprogramming notification requirements (121 Stat. 2318); sec. 619, allocations (121 Stat. 2322); sec. 623, Afghanistan (121 Stat. 2323); sec. 668, transparency and accountability (121 Stat. 2351); and sec. 670, gender-based violence (121 Stat. 2353).

**Foreign Assistance Act of 1961, as amended
(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

**Department of State/Foreign Operations Appropriations
(Division J of P.L. 110-161; 121 Stat. 2277; as continued by
sec. 101 of P.L. 110-329; 122 Stat. 3574)**

Sec. 302. Authorization. (22 U.S.C. 2222; in original Act.) Funds are authorized for fiscal years 1986 and 1987 (subsec. (a)). Funds for Indus Basin Development are authorized beginning in fiscal year 1969 (subsec. (b)), and for fiscal years 1974 through 1976 (subsec. (c)). Additional funds are authorized for the International Atomic Energy Agency (IAEA) for fiscal years 1976 and 1977 (subsec. (l)). Additional funds are authorized for multilateral and regional drug abuse control programs for fiscal year 1989 (subsec. (j)). Additional funds are authorized for U.S. contributions to the Vaccine Fund, the International AIDS Initiative, and the Malaria Vaccine Initiative, for fiscal years 2004 through 2008 (subsecs. (k), (l), and (m), respectively).

Chapter 6—Central America Democracy, Peace, and Development Initiative
Sec. 461 (22 U.S.C. 2271) through sec. 466 (22 U.S.C. 2276)

Sec. 465. Authorization for Fiscal Years 1988 and 1989. (22 U.S.C. 2275; added in 1985.) The President is authorized an additional \$1.2 million for fiscal years 1988 and 1989 for nonmilitary assistance for Central American countries.

Chapter 7—Debt-For-Nature Exchanges
Sec. 461 [sic] (22 U.S.C. 2281) through sec. 466 [sic] (22 U.S.C. 2286)

Sec. 462. Assistance for Commercial Debt Exchanges. (22 U.S.C. 2282; added in 1989.) The USAID Administrator is authorized to furnish assistance to facilitate debt-for-nature swaps.

Chapter 8—International Narcotics Control
Sec. 481 (22 U.S.C. 2291) through sec. 490 (22 U.S.C. 2291j)

Title III—Bilateral Economic Assistance
Other Bilateral Economic Assistance
Department of State

International Narcotics Control and Law Enforcement

Appropriates \$558.45 million, to remain available until September 30, 2010. (121 Stat. 2303).

Andean Counterdrug Programs

Appropriates \$327.46 million, to remain available until September 30, 2010 (121 Stat. 2304).

See also, for terms and conditions: sec. 611, availability of funds (121 Stat. 2317); sec. 615, reprogramming notification requirements (121 Stat. 2318); sec. 619, allocations (121 Stat. 2322); sec. 623, Afghanistan (121 Stat. 2323); sec. 649, Colombia (121 Stat. 2337); sec. 667, trade capacity building (121 Stat. 2351); sec. 670, gender-based violence (121 Stat. 2353); sec. 683, extradition (121 Stat. 2359); and sec. 688, combating piracy of U.S. copyrighted materials (121 Stat. 2363).

**Foreign Assistance Act of 1961, as amended
(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

**Department of State/Foreign Operations Appropriations
(Division J of P.L. 110-161; 121 Stat. 2277; as continued by
sec. 101 of P.L. 110-329; 122 Stat. 3574)**

Sec. 481. Policy, General Authorities, Coordination, Foreign Police Actions, Definitions, and Other Provisions. (22 U.S.C. 2291; added in 1971.) The President is authorized to furnish assistance “for the control of narcotic and psychotropic drugs and other controlled substances, or for other anticrime purposes” (subsec. (a)(4)).

Sec. 482. Authorization. (22 U.S.C. 2291a; added in 1972.) Funds are authorized to be appropriated for fiscal years 1993 and 1994 (subsec. (a)(1)). “The President is authorized to accept contributions from foreign governments (subsec. (c)(2)). The President is authorized to provide assistance...on a reimbursable basis” (subsec. (c)(3)).

Chapter 9—International Disaster Assistance
Sec. 491 (22 U.S.C. 2292) through sec. 495K (22 U.S.C. 2292q)

Title III—Bilateral Economic Assistance
Funds Appropriated to the President

International Disaster Assistance

Appropriates \$432.35 million, to remain available until expended (121 Stat. 2295).

Transition Initiatives

Appropriates \$45 million, to remain available until expended, “to support transition to democracy and to long-term development of countries in crisis” (121 Stat. 2295). Authorizes the President to reprogram up to \$15 million from Part I (development assistance and other nonmilitary programs) for transition assistance if he determines it is in the national interests to do so (121 Stat. 2296).

See also, for conditions and terms: sec. 623, Afghanistan (121 Stat. 2323); and sec. 670, gender-based violence (121 Stat. 2353).

Sec. 491. Policy and General Authority. (22 U.S.C. 2292; added in 1975, though an earlier section, added in 1971 and subsequently repealed, authorized assistance for refugee relief.) The President is authorized to furnish assistance for international disaster relief (subsec. (b)).

Congress enacted subsequent sections in chapter 9 to authorize additional international disaster assistance for a short period in response to particular events. All of the following should be considered historical, though in some sections a finite period for funds to be available is not stated:

—**Sec. 494. Disaster Relief Assistance.** (22 U.S.C. 2292c; added in 1974.) Additional funds are authorized for disaster relief and emergency recovery needs in Pakistan and Nicaragua.

—**Sec. 495. Cyprus Relief and Rehabilitation.** (22 U.S.C. 2292f; added in 1975.) Additional funds for relief for “refugees and other needy people”.

—**Sec. 495B. Italy Relief and Rehabilitation.** (22 U.S.C. 2292h; added in 1976.) Additional funds for fiscal year 1976 for earthquake relief in Italy (subsec. (a)). Additional funds for fiscal year 1978 for earthquake relief in Italy (subsec. (b)). Additional funds for fiscal year 1981 for earthquake relief in Italy (subsec. (d)).

—**Sec. 495C. Lebanon Relief and Rehabilitation.** (22 U.S.C. 2292i; added in 1976.) Additional funds for relief to “refugees and other needy people in Lebanon” as a result of civil strife (subsec. (a)).

—**Sec. 495D. Romanian Relief and Rehabilitation.** (22 U.S.C. 2292j; added in 1977.) Additional funds in fiscal year 1977 for earthquake relief in Romania (subsec. (a), (b)).

—**Sec. 495E. Turkey Relief, Rehabilitation, and Reconstruction.** (22 U.S.C. 2292k; added in 1977.) The President is “requested to use...funds made available under section 492” for earthquake relief in Turkey.

—**Sec. 495F. African Rehabilitation and Resettlement.** (22 U.S.C. 2292l; added in 1978.) Additional fund in fiscal year 1981 for relief to victims of civil strife in the developing countries of Africa.

—**Sec. 495G. Special Caribbean Hurricane Relief Assistance.** (22 U.S.C. 2292m; added in 1979.) Additional funds in fiscal year 1980 for relief to Central American victims of recent hurricanes.

—**Sec. 495H. Cambodian Disaster Relief Assistance.** (22 U.S.C. 2292n; added in 1979.) Additional funds in response to conditions of disease and famine in Cambodia.

—**Sec. 495I. Assistance for Displaced Persons in Central America.** (22 U.S.C. 2292o; added in 1981.) Additional funds in fiscal years 1982 and 1983 for displaced persons in El Salvador, and for resettlement of Haitians in Belize.

**Foreign Assistance Act of 1961, as amended
(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

**Department of State/Foreign Operations Appropriations
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— **Sec. 495J. Lebanon Emergency Relief, Rehabilitation, and Reconstruction Assistance.** (22 U.S.C. 2292p; added in 1981.) Additional funds in response to “recent strife in Lebanon”.

— **Sec. 495K. African Famine Assistance.** (22 U.S.C. 2292q; added in 1985.) Additional funds in fiscal year 1985 for famine relief in Africa.

Chapter 10—Development Fund for Africa
(Sec. 496 (22 U.S.C. 2293) and sec. 497 (22 U.S.C. 2294))

Sec. 496. Long-Term Development Assistance for Sub-Saharan Africa. (22 U.S.C. 2293; added in 1990.) “The President is authorized to furnish...assistance...for long-term development in sub-Saharan Africa” (subsec. (b)). Any reference in law to Development Assistance should be understood to also mean assistance under this chapter (subsec. (d)). “[A]ssistance...shall emphasize” economic reform, protection of vulnerable groups, democratization, conflict resolution (subsec. (h)), agricultural production, natural resource development, health, voluntary family planning, education, income-generating opportunities (subsec. (l)), regional integration (subsec. (l)), and support to sectors supported by the Southern Africa Development Coordination Conference (SADCC) (subsec. (o)).

Sec. 497. Authorizations of Appropriations for the Development Fund for Africa. (22 U.S.C. 2291; added in 1990.) Authorizes funds to remain available until expended.

Chapter 11—Support for the Economic and Democratic Development of the
Independent States of the Former Soviet Union
Sec. 498 (22 U.S.C. 2295) through sec. 498C (22 U.S.C. 2295c)

See Part I, above.

Title III—Bilateral Economic Assistance
Other Bilateral Economic Assistance

Assistance for the Independent States of the Former Soviet Union

Appropriates \$399.74 million, to remain available until September 30, 2009, for chapter 11, chapter 12, and FREEDOM Support Act programs (121 Stat. 2301).

See also, for terms and conditions: sec. 611, availability of funds (121 Stat. 2317); sec. 615, reprogramming notification requirements (121 Stat. 2318); sec. 617, independent states of the former Soviet Union (121 Stat. 2320); sec. 619, allocations (121 Stat. 2322); sec. 623, Afghanistan (121 Stat. 2323); sec. 661, community-based police assistance (121 Stat. 2347); sec. 664, basic education (121 Stat. 2349); sec. 667, trade capacity building (121 Stat. 2351); and sec. 670, gender-based violence (121 Stat. 2353).

**Foreign Assistance Act of 1961, as amended
(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

**Department of State/Foreign Operations Appropriations
(Division J of P.L. 110-161; 121 Stat. 2277; as continued by
sec. 101 of P.L. 110-329; 122 Stat. 3574)**

Sec. 498. Assistance for the Independent States. (22 U.S.C. 2295; added in 1992.)

“The President is authorized to provide assistance to the independent states of the former Soviet Union” for urgent humanitarian needs, democracy and rule of law programs, developing an independent media, developing private enterprise, promoting trade and investment, promoting market-based distribution of agriculture, strengthening health and human services, reforming education, promoting market-based pricing for energy, implementing civilian nuclear reactor safety, enhancing environmental protections and conservation, improving transportation, promoting illicit drug control, and protecting refugees, migrants and the displaced.

Sec. 498C. Authorization of Appropriations. (22 U.S.C. 2295c; added in 1992.)

Authorizes funds for fiscal year 1993.

Chapter 12—Support for the Economic and Political Independence of the Countries of the South Caucasus and Central Asia

Sec. 499 (22 U.S.C. 2296) through sec. 499F (22 U.S.C. 2296f)

Sec. 499. United States Assistance To Promote Reconciliation And Recovery From Regional Conflicts. (22 U.S.C. 2296; added in 1999.) “[T]he President is

authorized to provide humanitarian assistance and economic reconstruction assistance for the countries of the South Caucasus and Central Asia” (subsec. (a)) “(1)...for humanitarian needs of victims of the conflicts; (2) facilitating the return of refugees and internally displaced persons to their homes; and (3) assisting in the reconstruction of residential and economic infrastructure destroyed by war” (subsec. (c)).

Sec. 499A. Economic Assistance. (22 U.S.C. 2296a; added in 1999.) The President is authorized to furnish assistance to the region (subsec. (b)) to “support the development of the structures and means necessary for the growth of private sector economies” (subsec. (c)).

Sec. 499B. Development of Infrastructure. (22 U.S.C. 2296b; added in 1999.) Authorizes the Export-Import Bank, Overseas Private Investment Corporation, and Trade and Development Agency (subsec. (b)) to support “the participation of United States companies and investors in the planning, financing, and construction of infrastructure for communications, transportation,...and energy and trade” (subsec. (c)).

Sec. 499C. Border Control Assistance. (22 U.S.C. 2296c; added in 1999.) The President is authorized to furnish assistance (subsec. (b)) for maintaining “national border guards, coast guard, and customs controls” (subsec. (c)).

**Foreign Assistance Act of 1961, as amended
(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

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Sec. 499D. Strengthening, Tolerance, and the Development of Civil Society. (22 U.S.C. 2296d; added in 1999.) The President is authorized to furnish assistance for the development of democracy, nongovernmental organizations, independent media, rule of law, independent judiciary, transparency in both governance and commerce, international exchanges, the training of professionals, and adherence to civil and political rights (subsec. (b)).

Part II

Chapter I—Policy

Sec. 501 (22 U.S.C. 2301) through sec. 502B (22 U.S.C. 2304)

Chapter 2—Military Assistance

Sec. 503 (22 U.S.C.) through sec. 517 (22 U.S.C.)

Sec. 503. General Authority. (22 U.S.C. 2311; in original Act, though substantially restated in 1973.) “The President is authorized to furnish military assistance...to any friendly country or international organization, the assisting of which the President finds will strengthen the security of the United States and promote world peace and which is otherwise eligible to receive such assistance” (subsec. (a)).

Sec. 504. Authorization. (22 U.S.C. 2312; in original Act, though substantially restated in 1985.) Authorizes funds for fiscal years 1986 and 1987.

Sec. 506. Special Authority. (22 U.S.C. 2318; in original Act, though substantially restated in 1976, 1979.) The President is authorized to draw down defense articles, not to exceed \$100 million (or, in some select instances, \$200 million), to meet unforeseen emergencies (subsec. (a)). The President is authorized such sums as may be necessary to reimburse the appropriation from which he has drawn down (subsec. (d)).

Sec. 516. Authority to Transfer Excess Defense Articles. (22 U.S.C. 2321j; in original Act, though substantially restated in 1995.) “The President is authorized to transfer excess defense articles to countries for which receipt of such articles was justified” (subsec. (a)). The aggregate value of excess defense articles transferred...in any fiscal year may not exceed \$425,000,000” (subsec. (g)).

See also, for conditions and terms: sec. 624, notification on excess defense equipment (121 Stat. 2323); and sec. 669, excess defense articles for central and south European countries and certain other countries (121 Stat. 2353).

Chapter 3—Foreign Military Sales

Sec. 524 (22 U.S.C. 2344)

**Foreign Assistance Act of 1961, as amended
(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

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sec. 101 of P.L. 110-329; 122 Stat. 3574)**

Chapter 4—Economic Support Fund
Sec. 531 (22 U.S.C. 2346) through sec. 534 (22 U.S.C. 2346c)

Title III—Bilateral Economic Assistance
Other Bilateral Economic Assistance

Economic Support Fund

Appropriates \$2,994.82 million for Economic Support Fund programs (121 Stat. 2297).

International Fund for Ireland

Appropriates \$15 million in Economic Support Fund as a contribution to the International Fund for Ireland, pursuant to the Anglo-Irish Agreement Support Act of 1986 (P.L. 99-415) (121 Stat. 2300).

Economic Support Fund, continued

See also, for terms and conditions: sec. 611, availability of funds (121 Stat. 2317); sec. 615, reprogramming notification requirements (121 Stat. 2318); sec. 619, allocations (121 Stat. 2322); sec. 623, Afghanistan (121 Stat. 2323); sec. 628, separate accounts (121 Stat. 2325); sec. 634, special authorities (121 Stat. 2328); sec. 648, prohibition of payment of certain expenses (121 Stat. 2337); sec. 650, limitation on assistance to the Palestinian Authority (121 Stat. 2341); sec. 655, Palestinian statehood (121 Stat. 2342); sec. 661, community-based police assistance (121 Stat. 2347); sec. 664, basic education (121 Stat. 2349); sec. 665, reconciliation programs (121 Stat. 2350); sec. 667, trade capacity building (121 Stat. 2351); sec. 670, gender-based violence (121 Stat. 2353); sec. 671, limitation on ESF for certain foreign governments party to the International Criminal Court (121 Stat. 2354); sec. 672, western hemisphere (121 Stat. 2354); sec. 674, development grants program (121 Stat. 2356); sec. 679(b), Indonesia (121 Stat. 2359); sec. 690, Egypt (121 Stat. 2364); sec. 699, disability programs (121 Stat. 2367); sec. 699K, Iraq (121 Stat. 2373); and sec. 699O, unobligated funds rescissions (121 Stat. 2375).

Sec. 531. Authority. (22 U.S.C. 2346; in original Act as “Supporting Assistance”, though substantially restated in 1971 and again in 1978.) The “President is authorized to furnish assistance to countries and organizations...in order to promote economic or political stability.”

**Foreign Assistance Act of 1961, as amended
(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

**Department of State/Foreign Operations Appropriations
(Division J of P.L. 110-161; 121 Stat. 2277; as continued by
sec. 101 of P.L. 110-329; 122 Stat. 3574)**

Sec. 532. Authorization of Appropriations. (22 U.S.C. 2346a; in original Act as “Supporting Assistance”, though substantially restated in 1971 and again in 1978.) Authorizes funds for fiscal years 1986 and 1987 for Israel and Egypt, and other funds in the same period the recipients of which to be determined as follows: “The Secretary of State shall be responsible for policy decisions and justifications for economic support programs under this chapter, including determination of whether there will be an economic support program for a country and the amount of the program for each country. The Secretary shall exercise this responsibility in cooperation with the Administration of the agency primarily responsible for administering part I of this Act” (sec. 531(b)).

Sec. 533. Emergency Assistance. (22 U.S.C. 2346b; added in 1981.) Authorizes some of the funds defined in sec. 532 to be made available for emergency use “when the national interests of the United States urgently require economic support to promote economic or political stability” (subsec. (a)).

Sec. 534. Administration of Justice. (22 U.S.C. 2346c; added in 1985.) Authorizes the President to furnish assistance “to countries and organizations, including national and regional institutions, in order to strengthen the administration of justice in countries in Latin America and the Caribbean” (subsec. (a)).

Chapter 5—International Military Education and Training
Sec. 541 (22 U.S.C. 2347) through sec. 549 (22 U.S.C. 2347h)

Title IV—Military Assistance
Funds Appropriated to the President

International Military Education and Training

Appropriates \$85.88 million, of which up to \$3 million may remain available until expended (121 Stat. 2309).

See also, for terms and conditions: sec. 611, availability of funds (121 Stat. 2317); sec. 615, reprogramming notification requirements (121 Stat. 2318); sec. 623, Afghanistan (121 Stat. 2323); sec. 648, prohibition of payment of certain expenses (121 Stat. 2337); sec. 649, Colombia (121 Stat. 2337); sec. 670, gender-based violence (121 Stat. 2353); and sec. 672, western hemisphere (121 Stat. 2354).

Sec. 541. General Authority. (22 U.S.C. 2347; added in 1976.) “The President is authorized to furnish...military education and training to military and related civilian personnel of foreign countries.”

Sec. 542. Authorization. (22 U.S.C. 2347a; added in 1976.) Authorizes funds for fiscal years 1986 and 1987.

**Foreign Assistance Act of 1961, as amended
(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

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sec. 101 of P.L. 110-329; 122 Stat. 3574)**

Sec. 544. Exchange Training. (22 U.S.C. 2347c; added in 1985.) “The President is authorized to provide for the attendance of foreign military personnel at professional military education institutions in the United States (other than service academies)” (subsec. (a)). “The President may provide for the attendance of foreign military and civilian defense personnel at flight training schools and programs” (subsec. (b)).

Chapter 6—Peacekeeping Operations

Sec. 551 (22 U.S.C. 2348) through sec. 554 (22 U.S.C. 2348d)

Title IV—Military Assistance
Funds Appropriated to the President

Peacekeeping Operations

Appropriates \$263.23 million (121 Stat. 2311).

See also, for conditions and terms: sec. 615, reprogramming notification requirements (121 Stat. 2318); sec. 619, allocations (121 Stat. 2322); sec. 623, Afghanistan (121 Stat. 2323); sec. 634, special authorities (121 Stat. 2328); sec. 645, war crimes tribunals drawdown (121 Stat. 2336); sec. 670, gender-based violence (121 Stat. 2353); and sec. 687, war crimes in Africa (121 Stat. 2362).

Sec. 551. General Authority. (22 U.S.C. 2348; added in 1978.) “The President is authorized to furnish assistance to friendly countries and international organizations...for peacekeeping operations and other programs carried out in furtherance of the national security interests of the United States.”

Sec. 552. Authorization of Appropriations. (22 U.S.C. 2348a; added in 1978.) Authorizes funds for fiscal years 1986 and 1987 (subsec. (a)). Authorizes the President to transfer limited funds from Economic Support Funds to Peacekeeping to respond to an unforeseen emergency (subsec. (c); added in 1979).

Chapter 7—Air Base Construction in Israel
Sec. 561 (22 U.S.C. 2349) through sec. 563 (2349b)

Sec. 561. General Authority. (22 U.S.C. 2349; added in 1979.) “The President is authorized...to construct such air bases in Israel...to replace the...airbases located at Etzion and Etam on the Sinai peninsula that are to be evacuated” (para. (1)), and “to furnish...defense articles and defense services” (para. (2)).

Sec. 562. Authorization and Utilization of Funds. (22 U.S.C. 2349a; added in 1979.) Authorizes \$800 million, to remain available until expended (subsec. (a)).

Supplemental Appropriations Act, 1979 (P.L. 96-35; 93 Stat. 103) provided \$800 million.

**Foreign Assistance Act of 1961, as amended
(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

Chapter 8—Antiterrorism Assistance
Sec. 571 (22 U.S.C. 2349aa) through sec. 575 (22 U.S.C. 2349aa-5)

Sec. 571. General Authority. (22 U.S.C. 2349aa; added in 1983.) The “President is authorized to furnish...assistance to foreign countries in order to enhance the ability of their law enforcement personnel to deter terrorists and terrorist groups from engaging in international terrorist acts...” notwithstanding most other provisions of law.

Sec. 574. Authorizations of Appropriations. (22 U.S.C. 2349aa-4; added in 1983, with substantial amendments thereafter.) Authorizes funds for fiscal years 2001 through 2003.

Chapter 9—Nonproliferation and Export Control Assistance
Sec. 581 (22 U.S.C. 2349bb) through sec. 586 (22 U.S.C. 2349bb-4)

Sec. 582. Authorization of Assistance. (22 U.S.C. 2349bb-1; added in 2000.) The “President is authorized to furnish...assistance ... [for] training services and the provision of funds, equipment, and other commodities related to the detection, deterrence, monitoring, interdiction, and prevention or countering of proliferation, the establishment of effective nonproliferation laws and regulations, and the apprehension of those individuals involved in acts of proliferation of such weapons.”

Sec. 584. International Nonproliferation Export Control Training. (22 U.S.C. 2349bb-2a; added in 2002.) “The President is authorized to furnish...education and training to appropriate military and civilian personnel of foreign countries for the purpose of enhancing the nonproliferation and export control capabilities of such personnel...” (Subsec. (a)).

Sec. 586. Authorization of Appropriations. (22 U.S.C. 2349bb-4; added in 2000, substantially updated in 2002.) Authorizes funds for fiscal year 2003.

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sec. 101 of P.L. 110-329; 122 Stat. 3574)**

Title III—Bilateral Economic Assistance Other Bilateral Economic Assistance

Nonproliferation, Anti-terrorism, Demining and Related Programs

Appropriates \$487 million to carry out chapter 8, chapter 9 (below), sec. 504 of the FREEDOM Support Act, sec. 23 of the Arms Export Control Act, or other sections of the Foreign Assistance Act of 1961 that apply to demining activities (1221 Stat. 2306).

See also, for terms and conditions: sec. 611, availability of funds (121 Stat. 2317); sec. 615, reprogramming notification requirements (121 Stat. 2318); sec. 619, allocations (121 Stat. 2322); sec. 623, Afghanistan (121 Stat. 2323); sec. 664, basic education (121 Stat. 2349); sec. 670, gender-based violence (121 Stat. 2353); and sec. 683, extradition (121 Stat. 2359).

See chapter 8, above.

See also, for terms and conditions: sec. 611, availability of funds (121 Stat. 2317).

**Foreign Assistance Act of 1961, as amended
(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

**Department of State/Foreign Operations Appropriations
(Division J of P.L. 110-161; 121 Stat. 2277; as continued by
sec. 101 of P.L. 110-329; 122 Stat. 3574)**

Part III

Chapter 1—General Provisions

Sec. 601 (22 U.S.C. 2351) through sec. 620J (22 U.S.C. 2378d)

Chapter 2—Administrative Provisions

Sec. 621 (22 U.S.C. 2381) through sec. 640C (22 U.S.C. 2399d)

Sec. 635. General Authorities. (22 U.S.C. 2395; in original Act.) “The President may make loans, advances, and grants to, make and perform agreements and contracts with, or enter into other transactions with, any individual, corporation, or other body of persons, friendly government or government agency, whether within or without the United States and international organizations in furtherance of the purposes and with in the limitations of this Act” (subsec. (b)).

Sec. 637. Administrative Expenses. (22 U.S.C. 2397; in original Act.) Authorizes appropriations, in “such amounts as may be necessary from time to time for administrative expenses” of the State Department for functions in this Act and in “unrepealed provisions of the Mutual Security Act of 1954 [predecessor to the Foreign Assistance Act of 1961]” (subsec. (b)).

Chapter 3—Miscellaneous Provisions

Sec. 641 (22 U.S.C. 2401) through sec. 667 (22 U.S.C. 2427)

Sec. 661. Trade and Development Agency. (22 U.S.C. 2421; added in 1974, substantively restated in 1992.) Establishes the Trade and Development Agency (TDA) and authorizes its director to provide funds for TDA programs (subsec. (a)). Authorizes funds for fiscal year 2000 and “such sums as may be necessary for each fiscal year thereafter” (subsec. (f)).

Title III—Bilateral Economic Assistance
Funds Appropriated to the President

Development Credit Authority

Appropriates, for this section and sec. 635, up to \$21 million to be derived by transfer from funds appropriated for Part I, or from funds intended for “Assistance for Eastern Europe and the Baltic States” (121 Stat. 2296).

Appropriates \$8.16 million for administrative expenses for USAID to carry out credit programs to remain available until September 30, 2010 (121 Stat. 2296).

See also, for conditions and terms: sec. 623, Afghanistan (121 Stat. 2323); and sec. 699F, Pakistan (121 Stat. 2370).

Last appropriated for in fiscal year 1975 (P.L. 93-240).

Title II—Export and Investment Assistance Funds Appropriated to the President

Trade and Development Agency

Appropriates \$50.4 million, to remain available until September 30, 2009 (121 Stat. 2291).

See also, for conditions and terms: Sec. 605, limitation on representational allowance (121 Stat. 2313); sec. 611, availability of funds (121 Stat. 2317); sec. 615, reprogramming notification requirements (121 Stat. 2318); sec. 617, independent states of the former Soviet Union (121 Stat. 2320); sec. 630, financial market assistance (121 Stat. 2327); and sec. 653, authorization requirement (121 Stat. 2342).

**Foreign Assistance Act of 1961, as amended
(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

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Sec. 667. Operating Expenses. (22 U.S.C. 2427; added in 1975, substantively restated in 1977.) Authorizes funds for fiscal years 1986 and 1987 for the administration of part I of the Act—covering development assistance and other nonmilitary assistance programs.

Title III—Bilateral Economic Assistance
Funds Appropriated to the President

Operating Expenses of the USAID

Appropriates \$655.8 million, of which up to \$25 million may remain available until September 30, 2009 (121 Stat. 2296).

Capital Investment Fund of the USAID

Appropriates \$88 million, to remain available until expended, for overseas construction and related costs (121 Stat. 2297).

Operating Expenses of the USAID
Office of Inspector General

Appropriates \$38 million, to remain available until September 30, 2009 (121 Stat. 2297).

See also, for terms and conditions: sec. 615, reprogramming notification requirements (121 Stat. 2318); sec. 623, Afghanistan (121 Stat. 2323); sec. 634, special authorities (121 Stat. 2328); and sec. 699, disability programs (121 Stat. 2367).

Part IV—Enterprise for the Americas Initiative
Sec. 701 (22 U.S.C. 2430) through sec. 710 (22 U.S.C. 2430i)

Title III—Bilateral Economic Assistance Other Bilateral Economic Assistance
Department of the Treasury

Debt Restructuring

Appropriates \$30.3 million, to remain available until September 30, 2010, for this Part, Part V (below), authorities in the Food for Peace Act (P.L. 83-480), the Foreign Operations, Export Financing, and Related Programs appropriations Act, 1989 (P.L. 100-461), the Export-Import Bank Act of 1945 (P.L. 79-173), and the miscellaneous appropriations in the Consolidated Appropriations, Fiscal Year 2000 (P.L. 106-113, H.R. 3424 as enacted) (121 Stat. 2307).

See also, for conditions and terms: sec. 623, Afghanistan (121 Stat. 2323); and sec. 663, authority to engage in debt buybacks or sales (121 Stat. 2348).

Sec. 704. Reduction of Certain Debt. (22 U.S.C. 2430c; added in 1992.) “The President may reduce the amount owed to the United States...as a result of concessional loans made to an eligible country...” in the form of Development Assistance or other nonmilitary aid, Economic Support Fund, or earlier forms of foreign aid. “The authority provided by this section may be exercised only in such amounts or to such extent as is provided in advance by appropriations Acts.” (Subsec. (a)).

**Foreign Assistance Act of 1961, as amended
(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

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Sec. 708. Americas Framework Agreements. (22 U.S.C. 2430g; added in 1992.) “The Secretary of State is authorized...to enter into an Americas Framework Agreement with any eligible country concerning the operations and use of the Americas Fund for that country” (subsec. (a)). The Americas Fund is established under sec. 707 (22 U.S.C. 2430f).

Part V—Debt Reduction for Developing Countries with Tropical Forests
Sec. 801 (22 U.S.C. 2151 note) through sec. 813 (22 U.S.C. 2431k)

See Part IV, above.

Sec. 806. Reduction of Debt Owed to the United States as a Result of Concessional Loans under the Foreign Assistance Act of 1961. (22 U.S.C. 2431d; added in 1997.) “The President may reduce the amount owed to the United States...as a result of concessional loans made to an eligible country...” in the form of Development Assistance or other nonmilitary aid, Economic Support Fund, or earlier forms of foreign aid. Authorizes funds for fiscal years 1999 through 2001 (subsec. (a)). Further authorizes funds to reduce debt under this section or under sec. 807, relating to Food for Peace credits, for fiscal years 2002 through 2007 (subsec. (d)). Program conducted under the Tropical Forest Facility, established in sec. 804 (22 U.S.C. 2431b).

Sec. 807. Reduction of Debt Owed to the United States as a Result of Credits Extended Under Title I of the Food for Peace Act. (22 U.S.C. 2431e; added in 1997.) The President is authorized to reduce debt as a result of credits extended under the Food for Peace program (7 U.S.C. 1701 et seq.). Authorizes funds for fiscal years 1999 through 2001 (subsec. (a)).

Sec. 808. Authority to Engage in Debt-For-Nature Swaps and Debt Buybacks. (22 U.S.C. 2431f; added in 1997.) The President is authorized to swap or reduce debt in exchange for a recipient country’s investment in its natural resources (sec. 809(d)) (subsec. (a)).

Sec. 809. Tropical Forest Agreement. (22 U.S.C. 2431g; added in 1997.) “The Secretary of State is authorized...to enter into a Tropical Forest Agreement with any eligible country concerning the operation and use of the Fund for that country.” (subsec. (a)). Authorizes making funds available for various natural resource-related investments (subsec. (d)). The Tropical Forest Fund is established under sec. 810 (22 U.S.C. 2431h).

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