



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.

On several occasions over the past 20 years, Congress has set out to assess the current body of law that comprises foreign aid policy, starting with the Foreign Assistance Act of 1961. The Foreign Affairs and Foreign Relations Committees, in recent past Congresses, have considered legislation to rebuild the United States' capacity to deliver effective foreign aid, and make aid more transparent and responsive to today's quick-changing international challenges. Proposals have ranged from setting up advisory committees to a complete overhaul of foreign aid objectives and programs.

This report presents the authorities of the Foreign Assistance Act of 1961, as amended, and correlates those authorities with the operative appropriations measure (division F of P.L. 111-117; 123 Stat. 3312, as continued by Section 1101(a)(6) of the Department of Defense and Full-Year Continuing Appropriations Act, 2011; P.L. 112-10; 125 Stat. 38) that funds those authorities. For many years, 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 appropriations is key to foreign aid reform.

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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” [§202]
Development grants and technical cooperation	Not to exceed \$380 million “for use beginning in the fiscal year 1962” [§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) [§221]
Surveys of investment opportunities	Not to exceed \$5 million “for use beginning in fiscal year 1962” [§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 [§302]
Supporting assistance	Not to exceed \$465 million “for use beginning in the fiscal year 1962” [§402]
Contingency fund	Not to exceed \$300 million for fiscal year 1962 [§451]
Military assistance	Not to exceed \$1.7 billion, “for use beginning in the fiscal years 1962 and 1963” [§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

³ Section 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 Section 7023 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of P.L. 111-117; 123 Stat. 3353), as continued in Section 1101(a)(6) of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (P.L. 112-10; 125 Stat. 38), which states

Funds appropriated by this Act, except funds appropriated under the heading “Trade and Development Agency”, may be obligated and expended notwithstanding section 10 of Public Law 91-672, section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (P.L. 103-236), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

The current Department of State and Foreign Operations appropriations, as continued, also funds a new program—the Complex Crises Fund—without a corresponding authorization. Title III of the act provides (at 123 Stat. 3327):

COMPLEX CRISES FUND

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 to enable the Administrator of the United States Agency for International Development (USAID), in consultation with the Secretary of State, to support programs and activities to prevent or respond to emerging or unforeseen complex crises overseas, \$50,000,000, to remain available until expended: *Provided*, That funds appropriated under this heading may be made available on such terms and conditions as the USAID Administrator may determine, in consultation with the Committees on appropriations, for the purposes of preventing or responding to such crises, except that no funds shall be made available to respond to natural disasters: *Provided further*, That funds appropriated under this heading shall be made available notwithstanding section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956: *Provided further*, That the USAID Administrator may furnish assistance under this heading notwithstanding any other provision of law, except sections 7007, 7008, and 7018 of this Act and section 620J of the Foreign Assistance Act of 1961: *Provided further*, That funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriations, except that such notifications shall be transmitted at least 5 days in advance of the obligation of funds: *Provided further*, That the requirements of the previous proviso may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided further*, That in case of any such waiver, notification to the Committees on Appropriations shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: *Provided further*, That

(continued...)

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**.

Table 2. Selected Other Authorizations

Popular Name: Purpose	Citation
<p>Arms Export Control Act: —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:^a —authorizes \$5.5 million for each of FY2008 through FY2011 to the Secretary of State for the Office to Monitor and Combat Trafficking, Senior Policy Operating Group, and implementation of reports, watchlists, assessments, certifications and determinations; authorizes an additional \$1.5 million and \$3 million for personnel and administrative expenses of the Office to Monitor and Combat Trafficking (§113(a)); —authorizes to the Secretary of State for each of FY2008 through FY2011: \$10 million for prevention; \$10 million for protection; \$1 million for cooperation with international organizations; and \$10 million for prosecution and meeting minimum standards (§113(c)); —authorizes \$250,000 for each of FY2008 through FY2011 to the President, acting through the Attorney General and Secretary of State, “for training of law enforcement officers, prosecutors, and members of the judiciary ... at the International Law Enforcement Academies.” (§113(d)(B)); —authorizes \$15 million for each of FY2008 through FY2011 to the President for foreign victim assistance (§113(e)(1)); —authorizes \$15 million for each of FY2008 through FY2011 to the President to assist foreign countries to meet minimum standards (§113(e)(2); see also §134, Foreign Assistance Act of 1961, as amended); and —authorizes \$2 million for each of FY2008 through FY2011 to the President for research (§113(e)(3)).</p>	<p>P.L. 106-386; 22 U.S.C. 7101 et seq.; signed into law October 28, 2000</p>

(...continued)

any such notification provided pursuant to such waiver shall contain an explanation of the emergency circumstances.

Section 2108 of P.L. 112-10 (125 Stat. 178) provides \$40 million for the Complex Crises Fund for FY2011.

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 Section 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 the Democratic Republic of the Congo, Sudan, North Korea, Afghanistan, Pakistan, and Iran.

Popular Name: Purpose	Citation
<p>United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003, as amended:</p> <p>—authorizes “in addition to any other funds authorized to be appropriated for bilateral or multilateral HIV/AIDS, tuberculosis, or malaria programs” to the President up to \$2 billion for FY2009 and such sums as may be necessary for each of FY2010 through FY2013 for U.S. contributions to the Global Fund (§202(d)(1));</p> <p>—authorizes \$48 billion for FY2009 through FY2013 to the President for programs added to the Foreign Assistance Act of 1961 (§401; see also secs. 104A through 104C in the Foreign Assistance Act of 1961, as amended); and</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) (§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” (§619).</p>	<p>Title VI of Division D of P.L. 108-199; 22 U.S.C. 7701 et seq.; signed into law January 23, 2004</p>
<p>North Korean Human Rights Act of 2004:</p> <p>—authorizes \$2 million for each of FY2005 through FY2012 for human rights and democracy programs (§102);</p> <p>—authorizes \$2 million for each of FY2005 through FY2012 for actions to promote freedom of information (§104); and</p> <p>—authorizes \$20 million for each of FY2005 through FY2012 in assistance to North Koreans outside of their country (§203).</p>	<p>P.L. 108-333; 22 U.S.C. 7801 et seq.; signed into law October 18, 2004</p>
<p>Iran Freedom Support Act:</p> <p>—authorizes to the Secretary of State “such sums as may be necessary” for financial and political assistance to “foreign and domestic individuals, organizations, and entities working for the purpose of supporting and promoting democracy for Iran.” (§302)</p>	<p>P.L. 109-293; 50 U.S.C. 1701 note; signed into law September 30, 2006</p>
<p>Democratic Republic of the Congo Relief, Security, and Democracy Promotion Act of 2006:</p> <p>—authorizes “at least” \$52 million in bilateral assistance for each of FY2006 and FY2007 to Congo (§103).</p>	<p>P.L. 109-456; 22 U.S.C. 2151 note; signed into law December 22, 2006</p>
<p>Energy Independence and Security Act of 2007:^b</p> <p>—authorizes \$200 million for each of FY2008 through FY2012 to the Administrator of the U.S. Agency for International Development (USAID) to assist developing countries that promote clean and efficient energy technologies (§911(c));</p> <p>—authorizes \$5 million for each of FY2008 through FY2020 for work of a newly established Task Force on International Cooperation for Clean and Efficient Energy Technologies (§917(e)); and</p> <p>—authorizes \$20 million for each of FY2009 through FY2013 for work of a newly established International Clean Energy Foundation (§927).</p>	<p>P.L. 110-140; 42 U.S.C. 1731 et seq.; signed into law December 19, 2007</p>
<p>Supplemental Appropriations Act, 2009:^c</p> <p>—establishes the Pakistan Counterinsurgency Capability Fund and <i>appropriates</i> \$700 million for FY2009 and FY2010 “notwithstanding any other provision of law, for the purpose of providing assistance for Pakistan to build and maintain the counterinsurgency capability of Pakistani security forces” (title XI).</p>	<p>P.L. 111-32; 123 Stat. 1859 at 1895; signed into law June 24, 2009</p>
<p>Enhanced Partnership With Pakistan Act of 2009^d</p> <p>—authorizes \$1.5 billion for each of FY2010 through FY2014 to the President to provide</p>	<p>P.L. 111-73; 22 U.S.C. 8401 et seq.; signed into</p>

Popular Name: Purpose	Citation
<p>democratic, economic, and development assistance to Pakistan (title I); and</p> <p>—authorizes “such sums as may be necessary for each of FY2010 through FY2014 to the President to provide International Military Education and Training (IMET), expanded IMET (E-IMET), foreign military financing (FMF) to Pakistan; and the Secretary of State is authorized funds to establish an exchange program with NATO and other countries for Pakistani military and civilian personnel (§202).</p>	<p>law October 15, 2009</p>
<p>a. The Trafficking Victims Protection Act of 2000, as amended, also authorizes funds to the Secretaries of Health and Human Services, Labor, Homeland Security, the Federal Bureau of Investigation, and Attorney General, mostly for programs, assistance, and services related to U.S.-based trafficking victims.</p>	
<p>b. The Energy Independence and Security Act of 2007 also authorizes “such sums as may be necessary for each of fiscal years 2008 through 2012” to the Secretary of Commerce to equip the Foreign Commercial Service to promote U.S. exports in clean and efficient energy technologies and “build the capacity of government officials in India, China and any other country the Secretary of Commerce determines appropriate”, and to “direct the International Trade Administration to expand or create trade missions to and from the United States to encourage private sector trade and investment in clean and efficient energy technologies.”</p>	
<p>c. The Supplemental Appropriations Act, 2009 (title III; 123 Stat. 1864), also establishes the Pakistan Counterinsurgency Fund to be administered by the Secretary of Defense and appropriates \$400 million to remain available until September 10, 2010. The two paragraphs authorize the Secretaries of State and Defense to coordinate and further authorizes funds to be available to be reprogrammed from one fund to the other and back again where required. Section 2112(b) of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (P.L. 112-10; 125 Stat. 179) provides: “The authorities contained under the heading ‘International Security Assistance, Funds Appropriated to the President, Pakistan Counterinsurgency Capability Fund’ in title XI of P.L. 111-32 shall remain in effect until September 30, 2012.”</p>	
<p>d. The Enhanced Partnership With Pakistan Act of 2009 also authorizes the Secretary of State to continue using funds under terms stated in P.L. 111-32 relating to the Pakistan Counterinsurgency Capability Fund and further authorizes the transfer of funds, with concurrence of the Secretary of Defense, to and from the Department of Defense Pakistan Counterinsurgency Fund also established by that act.</p>	

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, Section 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 enacted in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of the Consolidated Appropriations Act, 2010; P.L. 111-117; 123 Stat. 3034 at 3312), as continued in Section 1101(a)(6) of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (P.L. 112-10; 125 Stat. 38; signed into law April 15, 2011). The Full-Year Continuing Appropriations Act, in many instances, appropriated different funding levels for foreign aid programs for the remaining months of FY2011, notwithstanding the continuation stated in Section 1101 of that act. In the right-side column of **Table 3**, the original statute is summarized, followed by the funding level provided for in the Full-Year Continuing Appropriations Act when the latter act provides different funding levels. The latter is stated in bold.

It should also be noted that Section 1119 of the Full-Year Continuing Appropriations Act, 2011 (125 Stat. 107), requires an across-the-board rescission, possibly affecting the funding levels otherwise stated in the FY2010 act as continued and the sections in the FY2011 act that substitute levels. The rescission states:

SEC. 1119. (a) ACROSS-THE-BOARD RESCISSIONS.—There is hereby rescinded an amount equal to 0.2 percent of—

(1) the budget authority provided for fiscal year 2011 for any discretionary account of this division; and

(2) the budget authority provided in any advance appropriation for fiscal year 2011 for any discretionary account in any prior fiscal year appropriation Act.

(b) PROPORTIONATE APPLICATION.—Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports referenced in section 1101 covering such account or item).

(c) EXCEPTIONS.—This section shall not apply to—

(1) discretionary authority appropriated or otherwise made available by division A of this Act; or

(2) discretionary authority appropriated or otherwise made available by division B of this Act and designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H.Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S.Con.Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(d) OMB REPORT.—Within 30 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to this section.

The General Provisions title in an appropriations act usually states conditions for administering the appropriations. In **Table 3**, General Provisions sections that state conditionality and terms that might be applicable to the aid being provided are also listed, and a statute citation is provided to assist the reader who might wish to read in further detail. 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 Provisions section that prohibits assistance to a government of a 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 Department of State, Foreign Operations, and Related Programs Appropriations Act.

Table 3. Foreign Assistance Act of 1961, as Amended: Authorizations and Corresponding Appropriations in Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010, as continued the Full-Year Continuing Appropriations Act, 2011

Foreign Assistance Act of 1961, as amended (P.L. 87-195; 22 U.S.C. 2151 et seq.)	Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (Division F of P.L. 111-117; 123 Stat. 3034 at 3312), as continued by §1101(a)(6) of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (P.L. 112-10; 125 Stat. 38)
<p style="text-align: center;">Part I</p> <p>Chapter I—Policy; Development Assistance Authorizations Sec. 101 (22 U.S.C. 2151) through §135 (22 U.S.C. 2152h)</p>	<p style="text-align: center;">Title III—Bilateral Economic Assistance Funds Appropriated to the President</p> <p style="text-align: center;">Global Health and Child Survival</p> <p>For global health activities, appropriates, “in additional to funds otherwise available for such purposes”: \$2,420 million, to remain available until September 30, 2011 (123 Stat. 3323).</p> <p>Sec. 2116 of P.L. 112-10 (125 Stat. 180) substitutes \$2,500 million for \$2,420 million for FY2011.</p> <p>In addition, “for the prevention, treatment, and control of, and research on, HIV/AIDS”: \$5,359 million, to remain available until expended (123 Stat. 3325).</p> <p>Sec. 2116 of P.L. 112-10 (125 Stat. 180) substitutes \$5,345 million for \$5,539 million for FY2011.</p> <p style="text-align: center;">Development Assistance</p> <p>Appropriates \$2,520 million, to remain available until September 30, 2011, of which not less than \$265 million is available for microenterprise and microfinance programs, not less than \$23.5 million is available for American Schools and Hospitals Abroad, \$10 million is available for cooperative development programs, not less than \$315 million is available for clean water and sanitation projects, and not less than \$20 million is available for women’s leadership programs. Also provides that of all the funding provided as bilateral economic assistance, not less than \$1,169.83 million should be available for food security and agricultural development, of which, in Development Assistance, \$31.5 million is available for Collaborative Research Support Programs and \$10 million for a U.S. contribution to the Global Crop Diversity Trust (123 Stat. 3325).</p> <p>Sec. 2108 of P.L. 112-10 (125 Stat. 178), however, provides \$2,525 million for Development Assistance for FY2011.</p> <p>See also, for conditions and terms: §7011, availability of funds (123 Stat. 3346); §7015, reprogramming notification requirements (123 Stat. 3349); §7018, prohibition on funding for abortions and involuntary sterilization (123 Stat. 3351); §7019, allocations (123 Stat. 3351); §7026, commerce, trade and surplus commodities (123 Stat. 3354); §7027,</p>

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

Department of State, Foreign Operations, and Related Programs
Appropriations Act, 2010 (Division F of P.L. 111-117; 123 Stat. 3034 at 3312),
as continued by §1101(a)(6) of the Department of Defense and Full-Year
Continuing Appropriations Act, 2011 (P.L. 112-10; 125 Stat. 38)

separate accounts (123 Stat. 3355); §7028, eligibility for assistance (123 Stat. 3356); §7034, special authorities (123 Stat. 3360) **(except for subsection (I), which is made not to apply to FY2011, pursuant to P.L. 112-10, §2120(d)(1))**; sec. 7045 (c), Caribbean Basin Security Initiative (123 Stat. 3372); §7047, community-based police assistance (123 Stat. 3377); §7048, prohibition of payments to U.N. members (123 Stat. 3377); §7059, U.S. Agency for International Development management (123 Stat. 3380), **for which §2121(I) of P.L. 112-10 (125 Stat. 186) substitutes “should” for “may” in subsection (c), and substitutes “65” for “30” for the number of persons USAID may hire under the Democratic Leadership Initiative**; §7060, global health activities (123 Stat. 3382); §7061, Development Grants Program (123 Stat. 3383); §7062, women in development (123 Stat. 3383); §7063, gender-based violence (123 Stat. 3383); §7064, education (123 Stat. 3383); §7065, reconciliation programs (123 Stat. 3384); §7070, Africa (123 Stat. 3385) **(except, for subsection (b), which is made not to apply to FY2011, pursuant to P.L. 112-10, §2120(d)(5); and §7070(i)(2) relating to Zimbabwe is expanded to provide funding for health and education as well as macroeconomic growth, pursuant to §2120(j))**; §7071, Asia (123 Stat. 3388) **(except, for subsection (f)(6), which is made not to apply to FY2011, pursuant to P.L. 112-10, §2120(d)(6))**; §7072, Serbia (123 Stat. 3391); §7073, independent states of the former Soviet Union (123 Stat. 3392); §7074, repression in the Russian Federation (123 Stat. 3393); §7075, Central Asia (123 Stat. 3393); §7076, Afghanistan (123 Stat. 3393) **(see, however, new conditions for this aid in §2122 of P.L. 112-10 (125 Stat. 186))**; §7078, U.N. Population Fund (123 Stat. 3395); §7081, climate change and environment programs (123 Stat. 3397) **(in which §2120(g) of P.L. 112-10 (125 Stat. 183) substitutes for FY2011: “should” for “shall” in subsecs. (b), (c), and (d), substitutes \$35 million for \$25 million in subsection (d), and substitutes \$185 million for \$300 million in subsection (g)(1))**; §7085, international prison conditions (123 Stat. 3401); §7088, orphans, displaced, and abandoned children (123 Stat. 3404); and §7089, Sri Lanka (123 Stat. 3404).

§2120(e) of P.L. 112-10 (125 Stat. 183) substitutes \$575 million for \$648.457 million for FY2011 for §7060 of P.L. 111-117, which provided that “of the funds appropriated under Title III of this Act, not less than \$648,457,000 should be made available for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species.”

§2120(b)(3) of P.L. 112-10 (125 Stat. 182) substitutes “should” for “shall” throughout the paragraph providing “Development Assistance.”

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

**Department of State, Foreign Operations, and Related Programs
Appropriations Act, 2010 (Division F of P.L. 111-117; 123 Stat. 3034 at 3312),
as continued by §1101(a)(6) of the Department of Defense and Full-Year
Continuing Appropriations Act, 2011 (P.L. 112-10; 125 Stat. 38)**

§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 (subsection (b)). Authorizes emphasis on forest protection and restoration (subsection (b)(3); added in 1979). Authorizes the President to continue U.S. participation in multilateral institutions related to agricultural development (subsection (g); added in 1981). Funds are authorized for fiscal years 1986 and 1987 (subsection (a)(2)).

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

See Part I, above.

§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.

§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” (subsection (c)).

§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” (subsection (c)).

§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” (subsection (a)). Funds are authorized for fiscal years 1986 and 1987 (subsection (a)).

§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

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programs in energy production and conservation, (subsection (b)); and a range of programs of technical cooperation, reconstruction, special development of infrastructure in the poorest countries, and urban development (subsection (d)). Funds are authorized for fiscal years 1986 and 1987 (subsection (e)); funds are authorized for appropriations for cooperative projects among the United States, Israel, and developing countries (subsection (f); added in 1985).

§ 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” (subsection (e)).

§ 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” (subsection (b)).

§ 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” (subsection (b)).

§ 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” (subsection (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” (subsection (b)).

§ 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” (subsection (a)(1)). Funds are authorized for fiscal year 1999 (subsection (j)).

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

Appropriates \$25 million, to remain available until September 30, 2012 (123 Stat. 3333).

§ 2109 of P.L. 112-10 (125 Stat. 178) however, provides \$25.499 million for FY2011.

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§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.

§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 (subsection (a)).

§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.

§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” (subsection (c)). The President “shall establish a monitoring and evaluation system to measure the effectiveness of United States assistance to orphans and other vulnerable children” (subsection (d)). Such sums as may be necessary are authorized for fiscal years 2006 and 2007 (subsection (f)).

§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” (subsection (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” (subsection (d)).

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 \$315 million for safe drinking water and sanitation programs (123 Stat. 3326).

Chapter 2—Other Programs
§206 through §300

Title II—American Schools and Hospitals Abroad; Prototype Desalting Plant
§214 (22 U.S.C. 2174) and §219 (22 U.S.C. 2179)

§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” (subsection (a)). The President is authorized to furnish assistance to “hospital centers

See Part I, above, of which not less than \$23.5 million is available for American Schools and Hospitals Abroad program (123 Stat. 3325).

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for medical education and research outside the United States, founded or sponsored by United States citizens” (subsection (b)). Funds are authorized for fiscal years 1986 and 1987 (subsection (c)).

§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” (subsection (a)).

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

See also, for terms and conditions: §7033, special debt relief for the poorest (123 Stat. 3359).

§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” (subsection (a)) committed to assisting “developing countries in marshalling resources for low-cost shelter” (§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 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” (subsection (b)). The Inter-American Foundation plays a role when guaranty coverage is directed to Latin America (subsection (d)); the Overseas Private Investment Corporation (OPIC) plays an administrative role through mid-1976 (subsection (f)), and for the transferring of predecessor programs it initiated (subsection (g)). Authority sunsets at the end of fiscal year 1988.

Sec. 224. Trade Credit Insurance Program for Central America. (22 U.S.C. 2184; added in 1984.) USAID 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” (subsection (a)). Authority sunsets at the end of fiscal year 1991 (subsection (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” (subsection (a)). Authority sunsets at the end of fiscal year 1992 (subsection (l)).

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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 (subsection (a)).

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

Title VI—Export and Investment Assistance
Overseas Private Investment Corporation

Noncredit account: makes available not to exceed \$52.31 million.

Program account: appropriates \$29 million, “to be derived by transfer from the Overseas Private Investment Corporation Noncredit Account”. Funds are available for direct loan obligations and loan guaranty commitments for fiscal years 2010 through 2012; funds obligated in those fiscal years remain available for disbursement through 2018, 2019, and 2020, respectively (123 Stat. 3342).

See also, for terms and conditions: §7026, commerce, trade, and surplus commodities (123 Stat. 3354); §7073, independent states of the former Soviet Union (123 Stat. 3393); and §7079, OPIC (123 Stat. 3396).

Sec. 2114 of P.L. 112-10 (125 Stat. 179) provides \$18.115 million for the OPIC Program Account for FY2011.

Sec. 2121(j) of P.L. 112-10 (125 Stat. 185) prohibits the Export-Import Bank from spending more than \$5 million in FY2011 for transaction costs incurred in claims settlements and other costs for systems infrastructure.

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.”

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 (subsection (a)), guarantee loans and investments (subsection (b)), make direct investments (subsection (c)), encourage investment (subsection (d)), manage special activities (subsection (e)), finance other

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insurance functions (subsection (f)), establish a pilot program on equity financing, added in 1988 and to run for 4 years (subsection (g)), and issue local currencies guarantees (subsection (h)).

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

Title VI—Microenterprise Development Assistance
Subtitle A—Grant Assistance
Sec. 251 (22 U.S.C. 2211) through §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” (subsection (a)).

Sec. 256. Microenterprise Development Credits. (22 U.S.C. 2212; added in 1983 as §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” (subsection (a)). Funds are authorized through fiscal year 2009 (subsection (f)).

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

See Part I, above, of which not less than \$265 million is available for “microenterprise and microfinance development programs for the poor, especially women” (123 Stat. 3325).

Title III—Bilateral Economic Assistance
Funds Appropriated to the President

Development Credit Authority

Appropriates, for this section and §635, up to \$25 million to be derived by transfer from funds appropriated for Part I, or from funds intended for “Assistance for Europe, Eurasia, and Central Asia” (123 Stat. 3327).

Appropriates \$8.6 million for administrative expenses for USAID to carry out credit programs to remain available until September 30, 2012 (123 Stat. 3328).

See also, for conditions and terms: §701 I, availability of funds (123 Stat. 3346).

Sec. 2115(b) of P.L. 112-10 (125 Stat. 180) substitutes \$30 million for \$25 million, and substitutes \$8.3 million for \$8.6 million for FY2011, respectively.

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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 (subsection (d)).

Title XII—Famine Prevention and Freedom From Hunger
Sec. 296 (22 U.S.C. 2220a) through §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” (subsection (a)).

See Part I, above.

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 §307 (22 U.S.C. 2227)

Title IV—Multilateral Assistance
Funds Appropriated to the President

International Organizations and Programs

Appropriates \$394 million for this chapter, and for §2 of the U.N. Environment Program Participation Act of 1973 (P.L. 93-188; 87 Stat. 713) (123 Stat. 3339).

See also, for terms and conditions: §7017, limitation on availability of funds for international organizations and programs (123 Stat. 3351); §7019, allocations (123 Stat. 3351); §7078, U.N. Population Fund (123 Stat. 3395); and §7086, transparency and accountability (123 Stat. 3402).

Sec. 2113 of P.L. 112-10 (125 Stat. 179) provides \$355 million for FY2011, up to \$10 million may be made available for the International Panel on Climate Change/United National Framework Convention on Climate Change; \$90 million for Global Environment Facility; \$1,235 million contribution to the International Development Association; \$185 million contribution to the Clean Technology Fund; \$50 million contribution to the Strategic Climate Fund; \$21 million contribution to the Inter-American Development Bank; \$110 million contribution to the African Development Fund; and \$29.499 million International Fund for Agricultural Development.

Sec. 2124 of P.L. 112-10 (125 Stat. 189) provides \$100 million for payment to

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the Global Agriculture and Food Security Program by the Secretary of the Treasury.

Sec. 2126(a) of P.L. 112-10 (125 Stat. 190) appropriates \$106.586 million for payment to the Asian Development Bank by the Secretary of the Treasury. Subsection (c) requires the Secretary of the Treasury to report that the Bank is progressing toward policy goals before these funds are available. Subsection (e) amends the Asian Development Bank Act by authorizing a contribution of \$461 million to the ninth replenishment of the Bank and authorizes \$13,323,173,083 for an increase in the U.S. subscription to the Bank.

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” (subsection (a)).

Sec. 302. Authorization. (22 U.S.C. 2222; in original act.) Funds are authorized for fiscal years 1986 and 1987 (subsection (a)). Funds for Indus Basin Development are authorized beginning in fiscal year 1969 (subsection (b)), and for fiscal years 1974 through 1976 (subsection (c)). Additional funds are authorized for the International Atomic Energy Agency (IAEA) for fiscal years 1976 and 1977 (subsection (l)). Additional funds are authorized for multilateral and regional drug abuse control programs for fiscal year 1989 (subsection (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 §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 §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

Title IV—International Security Assistance

Foreign Assistance Act of 1961, as amended
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Sec. 481 (22 U.S.C. 2291) through §490 (22 U.S.C. 2291j)

Department of State

International Narcotics Control and Law Enforcement

Appropriates \$1,597 million, to remain available until September 30, 2011 (123 Stat. 3335).

See also, for terms and conditions: §7015, reprogramming notification requirements (123 Stat. 3349); §7019, allocations (123 Stat. 3351); §7033, special debt relief for the poorest (123 Stat. 3359); §7044, aircraft transfer and coordination (123 Stat. 3371) **(except for subsection (d), which is made not to apply to FY2011, pursuant to P.L. 112-10, §2120(d)(3))**; §7045, Western Hemisphere (123 Stat. 3372) **(except for subsection (b)(2), and the first sentences of subsection (c), (e)(1), and (f), which are made not to apply to FY2011, pursuant to P.L. 112-10, §2120(d)(4))**; §7046, Colombia (123 Stat. 3375) **(for which §2120(l) of P.L. 112-10 (125 Stat. 184) substitutes \$459 million for \$521.88 million for FY2011)**; §7063, gender-based violence (123 Stat. 3383); §7070, Africa (123 Stat. 3385) **(except, for subsection (b), which is made not to apply to FY2011, pursuant to P.L. 112-10, §2120(d)(5), and §7070(i)(2) relating to Zimbabwe is expanded to provide funding for health and education as well as macroeconomic growth, pursuant to §2120(j))**; §7076, Afghanistan (123 Stat. 3393) **(see, however, new conditions for this aid in §2122 of P.L. 112-10 (125 Stat. 186))**; and §7080, extradition (123 Stat. 3396).

Sec. 2122(b) of P.L. 112-10 (125 Stat. 186) identifies the standards of governance, human rights, and security the Government of Afghanistan must demonstrate prior to obligation of funds appropriated for Afghanistan under Economic Support Fund and International Narcotics Control and Law Enforcement. Further, §2122(c)(B) (125 Stat. 187) identifies the criteria the Government of Afghanistan must meet so that the United States will contribute to an internationally-managed fund to support reconciliation and reintegration activities of former combatants.

Sec. 2122(c)(5) of P.L. 112-10 (125 Stat. 188) states that funds appropriated under this division may not be used by the U.S. government to enter into a permanent basing agreement with Afghanistan.

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” (subsection (a)(4)).

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

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

Title III—Bilateral Economic Assistance
Funds Appropriated to the President

International Disaster Assistance

Appropriates \$845 million, to remain available until expended (123 Stat. 3326).

Transition Initiatives

Appropriates \$55 million, to remain available until expended, “pursuant to section 491 of the Foreign Assistance Act of 1961, ...to remain available until expended, to support transition to democracy and to long-term development of countries in crisis” (123 Stat. 3326). Authorizes the reprogramming of up to \$15 million from Part I (development assistance and other nonmilitary programs) for transition assistance if the Secretary of State determines it is important to the national interests to do so (123 Stat. 3326).

See also, for conditions and terms: §7034(h), special authorities relating to disarmament, demobilization, and reintegration.

Sec. 2110 of P.L. 112-10 (125 Stat. 178) provides \$865 million for FY2011.

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 (subsection (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”.

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(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

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—**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 (subsection (a)). Additional funds for fiscal year 1978 for earthquake relief in Italy (subsection (b)). Additional funds for fiscal year 1981 for earthquake relief in Italy (subsection (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 (subsection (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 (subsection (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.

—**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 §497 (22 U.S.C. 2294))

See Part I, above.

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(P.L. 87-195; 22 U.S.C. 2151 et seq.)**

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as continued by §1101(a)(6) of the Department of Defense and Full-Year
Continuing Appropriations Act, 2011 (P.L. 112-10; 125 Stat. 38)**

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” (subsection (b)). Any reference in law to Development Assistance should be understood to also mean assistance under this chapter (subsection (d)). “[A]ssistance...shall emphasize” economic reform, protection of vulnerable groups, democratization, conflict resolution (subsection (h)), agricultural production, natural resource development, health, voluntary family planning, education, income-generating opportunities (subsection (l)), regional integration (subsection (l)), and support to sectors supported by the Southern Africa Development Coordination Conference (SADCC) (subsection (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 §498C (22 U.S.C. 2295c)

Title III—Bilateral Economic Assistance
Funds Appropriated to the President

Assistance for Europe, Eurasia and Central Asia

Appropriates \$741.63 million, to remain available until September 30, 2011, for “provisions of the Foreign Assistance Act of 1961, the FREEDOM Support Act, and the Support for East European Democracy (SEED) Act of 1989...which shall be available, notwithstanding any other provision of law, for assistance and for related programs for countries identified in section 3 of the FREEDOM Support Act and section 3(c) of the SEED Act:...Provided further, That notwithstanding any other provision of this or any other Act, funds appropriated in prior years under the headings ‘Independent States of the Former Soviet Union’ and similar headings and ‘Assistance for Eastern Europe and the Baltic States’ and similar headings...shall be available for use in any country for which funds are made available under this heading without regard to the geographic limitations of the heading under which such funds were originally appropriated: Provided further, That funds made available for the Southern Caucasus region may be used for confidence-building measures and other activities in furtherance of the peaceful resolution of conflicts, including in Nagorno-Karabakh: Provided further, That of the funds appropriated under this heading that are available for assistance for the Kyrgyz Republic, up to \$11,500,000 shall be made available for the Joint Development Fund.” (123 Stat. 3330) **(except for this past proviso, which is made not to apply to FY2011, pursuant to P.L. 112-10, §2120(d)(8)).**

See also, for terms and conditions: §7011, availability of funds (123 Stat. 3346); §7015,

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

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reprogramming notification requirements (123 Stat. 3349); §7019, allocations (123 Stat. 3351); §7028, eligibility for assistance (123 Stat. 3356); §7059, USAID management (123 Stat. 3380) for which §2121(l) of P.L. 112-10 (125 Stat. 186) substitutes “should” for “may” in subsection (c), and substitutes “65” for “30” for the number of persons USAID may hire under the Democratic Leadership Initiative; §7073, independent states of the former Soviet Union (123 Stat. 3392); §7074, repression in the Russian Federation (123 Stat. 3393); and §7081, climate change and environment programs (123 Stat. 3397) (in which §2120(g) of P.L. 112-10 (125 Stat. 183), however, substitutes for FY2011: “should” for “shall” in subsecs. (b), (c), and (d), substitutes \$35 million for \$25 million in subsection (d), and substitutes \$185 million for \$300 million in subsection (g)(1)). Sec. 2120(g)(2) of P.L. 112-10, furthermore, amends the second proviso of §7081(d) of P.L. 111-117 to read as follows: “*Provided further*, That funds appropriated by this division that are made available for tropical forest programs shall be used for purposes including to implement and enforce section 8204 of Public Law 110-246, shall not be used to support or promote the expansion of industrial logging into primary tropical forests, and shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.”

Sec. 2108 of P.L. 112-10 (125 Stat. 178) provides \$697.134 million for FY2011.

Sec. 2118(h) (125 Stat. 181) rescinds \$19 million of unobligated funds appropriated in earlier acts; however, no amounts may be rescinded from amounts that Congress designated as an emergency requirement either by concurrent resolution on the budget or in the Balanced Budget and Emergency Deficit Control Act of 1985 (125 Stat. 181).

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.

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

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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 §499F (22 U.S.C. 2296f)

See authorization in chapter 11, above.

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” (subsection (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” (subsection (c)).

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

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

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 (subsection (b)).

Part II

Chapter 1—Policy

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

Chapter 2—Military Assistance

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

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

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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” (subsection (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 (subsection (a)). The President is authorized such sums as may be necessary to reimburse the appropriation from which he has drawn down (subsection (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” (subsection (a)). “The aggregate value of excess defense articles transferred ... in any fiscal year may not exceed \$425,000,000” (subsection (g)).

See also, for conditions and terms: §7016, notification on excess defense equipment (123 Stat. 3350).

Chapter 3—Foreign Military Sales
Sec. 524 (22 U.S.C. 2344)

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

Title III—Bilateral Economic Assistance
Funds Appropriated to the President

Economic Support Fund
(123 Stat. 3328)

Appropriates \$6,377 million for Economic Support Fund programs to remain available until September 30, 2011; **Sec. 2109 of P.L. 112-10 (125 Stat. 178) appropriates \$5,958.101 million. Sec. 2118(g) (125 Stat. 180) rescinds \$120 million of funds appropriated in earlier acts; however, no amounts may be rescinded from amounts that Congress designated as an emergency requirement either by concurrent resolution on the budget or in the Balanced Budget and Emergency Deficit Control Act of 1985.**

In P.L. 111-117, \$250 million is available to Egypt in grant form, “with the understanding that Egypt will undertake significant economic and democratic reforms...” and of the amount allocated to Egypt, it is further allocated for democracy, human rights and

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

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governance programs (not less than \$25 million); and education (not less than \$35 million, of which \$10 million is for scholarships). **Sec. 2123(a) of P.L. 112-10 (125 Stat. 189) provides \$250 million for FY2011 for activities that support democratic elections, accountable governance, human rights, development of civil society and rule of law, and educational opportunities in Egypt.**

In P.L. 111-117, \$11 million should be available to Cyprus for scholarships, bicomunal programs, reunification and peace efforts.

In P.L. 111-117, \$12 million is available for Lebanon for education. **Sec. 2120(c)(1)(A) of P.L. 112-10 (125 Stat. 182) substitutes “shall be made available for educational scholarships” to “should be made available ... ” for FY2011.**

In P.L. 111-117, \$363 million is available for Jordan, and \$400.4 million may be made available for West Bank and Gaza, of which \$not to exceed \$2 million is for USAID administrative expenses, not more than \$150 million shall be for cash transfer assistance. **Sec. 2120(c)(1)(B) (125 Stat. 182) substitutes \$200 million for \$150 million for FY2011.**

In P.L. 111-117, of the ESF funds made available for Pakistan, \$2 million shall be directed to the Office of Inspector General to oversee programs in that country, and \$209.79 million “shall be apportioned directly to USAID for alternative development/institution building programs in Colombia, and under this heading of the funds made available to Colombia, not less than \$8 million shall be merged with Migration and Refugee Assistance for “nongovernmental and international organizations that provide assistance to Colombian refugees in neighboring countries.” **Sec. 2120(c)(1)(C) (125 Stat. 182) substitutes “\$195,000,000 should” for “\$209,790,000 shall” For FY2011.**

In P.L. 111-117, several conditions were placed on ESF to Afghanistan and Pakistan. Sec. 2121(b) of P.L. 112-10 (125 Stat. 184) restated the tenth proviso relating to government-to-government assistance to these two countries. The two laws both provide for government-to-government assistance to be made available with the Secretary of State’s determination and certification that certain conditions are met.

Sec. 2120(c)(2) of P.L. 112-10 (125 Stat. 182), in addition, provides that \$15.5 million appropriated under this heading should be used for remediation activities, and \$3 million should be made available for health activities to assist the Government of Vietnam, as referenced in section 7071(j) of P.L. 111-17.

Foreign Assistance Act of 1961, as amended
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International Fund for Ireland

Appropriates \$17 million in Economic Support Funds, to remain available until September 30, 2011, as a contribution to the International Fund for Ireland pursuant to the Anglo-Irish Agreement Support Act of 1986 (P.L. 99-415) (123 Stat. 3330).

Sec. 2117 of P.L. 112-10 (125 Stat. 180) appropriates \$0 for FY2011; §2120(c)(2) of that act, however, (125 Stat. 182) provides “That funds appropriated under this heading may be made available for activities to support the economic and social development and reconciliation goals of P.L. 99-415, and should not be made available for a contribution”.

Foreign Military Financing Program

In addition to providing not less than \$238 million in Foreign Military Financing to Pakistan, appropriates up to \$60 million in Economic Support Funds in this act and prior acts for Pakistan (123 Stat. 3338).

See also, for terms and conditions: §7009, transfer authority (123 Stat. 3345); §7015, reprogramming notification requirements (123 Stat. 3349); §7019, allocations (123 Stat. 3351); §7024, definition of program, project, and activity (123 Stat. 3353); §7034(h) and (j), special authorities relating to disarmament, demobilization, and reintegration, and contingencies (123 Stat. 3361, 3362); §7039, assistance for the West Bank and Gaza (123 Stat. 3366); §7042, Near East (123 Stat. 3368) **(except for subsecs. (a), (b)(1), (c), and (d)(1), which is made not to apply to FY2011, pursuant to P.L. 112-10, §2120(d)(2), for which §2120(h) of P.L. 112-10 (125 Stat. 183) substitutes \$552.9 million for \$502.9 million for West Bank and Gaza programs, and for which §2121(h) of P.L. 112-10 (125 Stat. 185) states a new proviso relating to Lebanon); §7045(e) and (f), Western Hemisphere, relating to Mexico and Central America (123 Stat. 3373) (except for the first sentences of subsection (e)(1) and (f), which are made not to apply to FY2011, pursuant to P.L. 112-10, §2120(d)(4)); §7046, Colombia (123 Stat. 3375) (for which §2120(i) of P.L. 112-10 (125 Stat. 184) substituted \$459 million for \$521.88 million for FY2011); §7063, gender-based violence (123 Stat. 3383); §7065, reconciliation programs (123 Stat. 3384); §7070(b), Africa, relating to counter-terrorism programs (123 Stat. 3385) **(except §7070(b) is made not to apply to FY2011, pursuant to P.L. 112-10, §2120(d)(5), and §7070(i)(2) relating to Zimbabwe is expanded to provide funding for health and education as well as macroeconomic growth, pursuant to §2120(j)); §7071, Asia (123 Stat. 3388) (except, for subsection (f)(6), which is made not to apply to FY2011, pursuant to P.L. 112-10, §2120(d)(6)); §7076, Afghanistan (123 Stat. 3393) (see, however, new conditions for this aid in §2122****

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

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of P.L. 112-10 (125 Stat. 186)); §7081, climate change and environment programs (123 Stat. 3397) (in which §2120(g) of P.L. 112-10 (125 Stat. 183), however, substitutes for FY2011: “should” for “shall” in subsections (b), (c), and (d), substitutes \$35 million for \$25 million in subsection (d), and substitutes \$185 million for \$300 million in subsection (g)(1)); §7086, transparency and accountability (123 Stat. 3402); and §7087, disability programs (123 Stat. 3404).

Sec. 2112(a) of P.L. 112-10 (125 Stat. 178-179) provides \$5,385 million, of which \$3,000 million is available for grants to Israel; \$1,300 million for grants for Egypt; \$300 million for assistance for Jordan; and up to \$50 million for assistance for Colombia. This section changes the proviso that instead of making at least \$583.860 million available for procurement in Israel of defense articles and services, \$789 million will be available. This section also adds the proviso that Chad will not receive funds under this heading until the Secretary of State reports the Government of Chad has implemented a plan of action to end the use of child soldiers.

Sec. 2121(e) of P.L. 112-10 (125 Stat. 185) adds Bahrain and Yemen to the list of countries for which FMF funding is not available (full list, see 123 Stat. 3338, second proviso, second paragraph).

Sec. 2120(h) of P.L. 112-10 (125 Stat. 183) substitutes \$552.9 million for \$502.9 in funds appropriated as bilateral economic assistance and international security assistance for the West Bank and Gaza.

Sec. 2120(i) of P.L. 112-10 (125 Stat. 184) substitutes \$459 million for \$521.88 million for assistance for Colombia under the Economic Support Fund; International Narcotics Control and Law Enforcement; Nonproliferation, Anti-terrorism, Demining and Related Programs; International military Education and Training; and Foreign Military Financing Program.

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.”

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

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

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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” (§531(b)).

Sec. 533. Emergency Assistance. (22 U.S.C. 2346b; added in 1981.) Authorizes some of the funds defined in §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” (subsection (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” (subsection (a)).

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

Title IV—International Security Assistance
Funds Appropriated to the President
International Military Education and Training

Appropriates \$108 million, of which up to \$4 million may remain available until expended (123 Stat. 3337).

See also, for terms and conditions: §7015, reprogramming notification requirements (123 Stat. 3349); §7020, prohibition of payment of certain expenses (123 Stat. 3352); §7045(d), Western Hemisphere, relating to Guatemala (123 Stat. 3373); §7046, Colombia (123 Stat. 3375) **(for which §2120(l) of P.L. 112-10 (125 Stat. 184) substituted \$459 million for \$521.88 million for FY2011)**; §7070(a), Africa (123 Stat. 3385); and §7075, Central Asia (123 Stat. 3399).

Sec. 2112(a) of P.L. 112-10 (125 Stat. 178) provides \$106 million for FY2011.

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.

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)”

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

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(subsection (a)). “The President may provide for the attendance of foreign military and civilian defense personnel at flight training schools and programs” (subsection (b)).

Chapter 6—Peacekeeping Operations
Sec. 551 (22 U.S.C. 2348) through §554 (22 U.S.C. 2348d)

Title IV—International Security Assistance
Department of State

Peacekeeping Operations

Appropriates \$331.5 million, of which up to \$102 million may be made available for Somalia, and of that up to \$55 million may be used to pay assessed expenses of international peacekeeping activities in that country; and not less than \$26 million shall be made available for a U.S. contribution to the Multinational Force and Observers mission in Sinai (123 Stat. 3336).

Sec. 2111 of P.L. 112-10 (125 Stat. 178) provides \$305 million. Funds appropriated under this heading that are available to assist Chad, Sudan, Somalia, and the Democratic Republic of the Congo “should not be used to support any military training or operations that include child soldiers.”

Sec. 2121(c) of P.L. 112-10 (125 Stat. 184) provides up to \$55.918 million to pay assessed expenses of peacekeeping in Somalia; an additional \$35 million may be made available for additional expenses in FY2011 subject to consultation with and notification of the Committees on Appropriations.

See also, for conditions and terms: §7010, reporting requirement (123 Stat. 3346); §7015, reprogramming notification requirements (123 Stat. 3349); §7019, allocations (123 Stat. 3352); §7034(h), special authorities, relating to disarmament, demobilization, and reintegration (123 Stat. 3361); §7045(d), Western Hemisphere, relating to Guatemala (123 Stat. 3373); and §7070, Africa (123 Stat. 3385) **(except, for subsection (b), which is made not to apply to FY2011, pursuant to P.L. 112-10, §2120(d)(5), and §7070(i)(2) relating to Zimbabwe is expanded to provide funding for health and education as well as macroeconomic growth, pursuant to §2120(j)).**

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 (subsection (a)). Authorizes the President to transfer limited funds from Economic Support Funds to Peacekeeping to

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

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respond to an unforeseen emergency (subsection (c); added in 1979).

Chapter 7—Air Base Construction in Israel
Sec. 561 (22 U.S.C. 2349) through §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 (subsection (a)).

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

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

Title IV—International Security Assistance
Department of State

Nonproliferation, Anti-terrorism, Demining and Related Programs

Appropriates \$754 million to carry out chapter 8, chapter 9 (below), §504 of the FREEDOM Support Act, §23 of the Arms Export Control Act, or other sections of the Foreign Assistance Act of 1961 that apply to demining, clearance of ordnance, destruction of small arms, and related activities. Of the total, not to exceed 475 million is available for the Nonproliferation and Disarmament Fund, not more than \$500 thousand is available for public-private partnerships relating to conventional weapons and mines, and not to exceed \$700 thousand is available for the administration of demining (123 Stat. 3336).

Sec. 2110 of P.L. 112-10 (125 Stat. 178) provides \$740 million.

See also, for terms and conditions: §7015, reprogramming notification requirements (123 Stat. 3349); §7019, allocations (123 Stat. 3351); §7046, Colombia (123 Stat. 3375) **(for which §2120(l) of P.L. 112-10 (125 Stat. 184) substituted \$459 million for \$521.88 million for FY2011)**; §7070(b), Africa (123 Stat. 3385) **(except subsection (b) is made not to apply to FY2011, pursuant to P.L. 112-10, §2120(d)(5))**; §7073, independent states of the former Soviet Union (123 Stat. 3392); and §7080, extradition (123 Stat. 3396).

Sec. 2111 of P.L. 112-10 (125 Stat. 178) provides \$740 million for FY2011.

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

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

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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 §586 (22 U.S.C. 2349bb-4)

See chapter 8, above.

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...” (subsection (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.

Part III

Chapter 1—General Provisions

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

Chapter 2—Administrative Provisions

Sec. 621 (22 U.S.C. 2381) through §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” (subsection (b)).

Title III—Bilateral Economic Assistance
Funds Appropriated to the President

Development Credit Authority

Appropriates, for section 256 relating to microenterprise development credits and §635, up to \$25 million to be derived by transfer from funds appropriated for Part I, and from funds intended for “Assistance for Europe, Eurasia and Central Asia” (123 Stat. 3327).

Sec. 2115(b) of P.L. 112-10 (125 Stat. 180) substitutes \$30 million for \$25 million for FY2011.

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

Department of State, Foreign Operations, and Related Programs
Appropriations Act, 2010 (Division F of P.L. 111-117; 123 Stat. 3034 at 3312),
as continued by §1101(a)(6) of the Department of Defense and Full-Year
Continuing Appropriations Act, 2011 (P.L. 112-10; 125 Stat. 38)

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]” (subsection (b)).

Chapter 3—Miscellaneous Provisions
Sec. 641 (22 U.S.C. 2401) through §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 (subsection (a)). Authorizes funds for fiscal year 2000 and “such sums as may be necessary for each fiscal year thereafter” (subsection (f)).

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.

Appropriates \$8,600,000 for administrative expenses incurred in carrying out credit programs will remain available until September 30, 2012.

Sec. 2115(b) of P.L. 112-10 (125 Stat. 180) substitutes \$8.3 million for \$8.6 million for FY2011.

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

Title VI—Export and Investment Assistance

Funds Appropriated to the President

Trade and Development Agency

Appropriates \$55.2 million, to remain available until September 30, 2011 (123 Stat. 3343).

See also, for conditions and terms: §7015, reprogramming notification requirements (123 Stat. 3349); §7023, authorization requirement (123 Stat. 3353); and §7073, independent states of the former Soviet Union (123 Stat. 3392).

Sec. 2114 of P.L. 112-10 (125 Stat. 179) provides \$50 million for FY2011.

Title II—United States Agency for International Development

Funds Appropriated to the President

Operating Expenses

Appropriates \$1,388.8 million, of which up to \$105 million may remain available until September 30, 2011, and of funds made available for capital investments related to the Development Leadership Initiative up to \$245 million may remain available until September 30, 2014 (123 Stat. 3321).

Sec. 2107 of P.L. 112-10 (125 Stat. 177) provides \$1,350.0 million for FY2011.

Civilian Stabilization Initiative

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

**Department of State, Foreign Operations, and Related Programs
Appropriations Act, 2010 (Division F of P.L. 111-117; 123 Stat. 3034 at 3312),
as continued by §1101(a)(6) of the Department of Defense and Full-Year
Continuing Appropriations Act, 2011 (P.L. 112-10; 125 Stat. 38)**

Appropriates \$30 million, to remain available until expended, to “to support, maintain, mobilize, and deploy a Civilian Response Corps in coordination with the Department of State, and for related reconstruction and stabilization assistance to prevent or respond to conflict or civil strife in foreign countries or regions, or to enable transition from such strife... Provided, That not later than 45 days after enactment of this Act, the Secretary of State and the USAID Administrator shall submit a coordinated joint spending plan” for each agency’s Civilian Stabilization Initiative (123 Stat. 3322). Title I of the act, funding Department of State programs, appropriates \$120 million, to remain available until expended, “For necessary expenses to support, maintain, mobilize, and deploy a civilian response corps in coordination with the United States Agency for International Development (USAID), and for related reconstruction and stabilization assistance to prevent or respond to conflict or civil strife in foreign countries or regions, or to enable transition from such strife” (123 Stat. 3313).

Sec. 2107 of P.L. 112-10 (125 Stat. 177) provides \$5 million for FY2011.

Capital Investment Fund

Appropriates \$185 million, to remain available until expended, for overseas construction and related costs, of which not more than \$134.5 million may be made available to implement the Capital Security Cost-Sharing Program (123 Stat. 3323).

Sec. 2107 of P.L. 112-10 (125 Stat. 178), however, provides \$130 million for FY2011.

Office of Inspector General

Appropriates \$46.5 million, to remain available until September 30, 2011 (123 Stat. 3323).

Sec. 2107 of P.L. 112-10 (125 Stat. 178) provides \$45 million for FY2011.

Title III, paragraph appropriating funds for Development Credit Authority, provides that \$8.6 million may be transferred to, and merged with, operating expenses funds and remain available until September 30, 2012.

See also, for terms and conditions: §7015, reprogramming notification requirements (123 Stat. 3349); §7059, USAID management (123 Stat. 3380) **for which §2121(l) of P.L. 112-10 (125 Stat. 186) substitutes “should” for “may” in subsection (c), and substitutes “65” for “30” for the number of persons USAID may hire under the Democratic Leadership Initiative,** and §7087, disability programs (123 Stat. 3404).

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

**Department of State, Foreign Operations, and Related Programs
Appropriations Act, 2010 (Division F of P.L. 111-117; 123 Stat. 3034 at 3312),
as continued by §1101(a)(6) of the Department of Defense and Full-Year
Continuing Appropriations Act, 2011 (P.L. 112-10; 125 Stat. 38)**

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

Title III—Bilateral Economic Assistance

Department of the Treasury

Debt Restructuring

Appropriates \$60 million, to remain available until September 30, 2012, 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) (123 Stat. 3333).

Sec. 2109 of P.L. 112-10 (125 Stat. 178) provides \$50 million for FY2011; §2121(k) of that act (125 Stat. 185) substitutes “should” for “shall” in the first proviso.

Title V—Multilateral Assistance

Funds Appropriated to the President

Contribution to the Enterprise for the Americas Multilateral Investment Fund

Appropriates \$25 million, to remain available until expended (123 Stat. 3340).

See also, for conditions and terms: §7032, authority to engage in debt buybacks or sales (123 Stat. 3358).

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.” (subsection (a)).

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” (subsection (a)). The Americas Fund is established under §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 §813 (22 U.S.C. 2431k)

See Part IV, above.

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

**Department of State, Foreign Operations, and Related Programs
Appropriations Act, 2010 (Division F of P.L. 111-117; 123 Stat. 3034 at 3312),
as continued by §1101(a)(6) of the Department of Defense and Full-Year
Continuing Appropriations Act, 2011 (P.L. 112-10; 125 Stat. 38)**

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 county...” 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 (subsection (a)). Further authorizes funds to reduce debt under this section or under §807, relating to Food for Peace credits, for fiscal years 2002 through 2007 (subsection (d)). Program conducted under the Tropical Forest Facility, established in §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 (subsection (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 (subsection (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.” (subsection (a)). Authorizes making funds available for various natural resource-related investments (subsection (d)). The Tropical Forest Fund is established under §810 (22 U.S.C. 2431h).

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