

fice. The Foundation is authorized to establish agencies, branch offices, or other offices in any place or places within the United States or elsewhere in any of which locations the Foundation may carry on all or any of its operations and business.”

Subsec. (s)(2). Pub. L. 102-138, §173(a), amended first sentence generally, substituting present provisions for provisions authorizing appropriations of \$16,932,000 for fiscal year 1990 and \$25,000,000 for fiscal year 1991.

Subsecs. (v), (w). Pub. L. 102-138, §173(d), added subsecs. (v) and (w).

1990—Subsec. (s)(2). Pub. L. 101-246 amended first sentence generally, substituting “\$16,932,000 for the fiscal year 1990 and \$25,000,000 for the fiscal year 1991” for “\$11,969,000 for fiscal year 1986 and \$12,969,000 for fiscal year 1987 (not less than \$1,000,000 of which shall be for Haiti)”.

1986—Subsec. (g). Pub. L. 99-529, §403(a), substituted “nine members” for “seven members” and “Six members” for “Four members”.

Subsec. (s)(2). Pub. L. 99-529, §202(e), substituted “\$12,969,000 for fiscal year 1987 (not less than \$1,000,000 of which shall be for Haiti)” for “\$11,969,000 for fiscal year 1987”.

1985—Subsec. (s)(2). Pub. L. 99-83 substituted provisions authorizing appropriations of \$11,969,000 for each of fiscal years 1986 and 1987, for provisions authorizing appropriations of \$16,000,000 for each of fiscal years 1984 and 1985.

1983—Subsec. (s)(2). Pub. L. 98-164 substituted “\$16,000,000 for the fiscal year 1984 and \$16,000,000 for the fiscal year 1985” for “\$12,000,000 for the fiscal year 1982 and \$12,800,000 for the fiscal year 1983”.

1982—Subsec. (h). Pub. L. 97-241, §501(b), substituted “travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5” for “actual and necessary expenses not in excess of \$50 per day, and for transportation expenses”.

Subsec. (s)(2). Pub. L. 97-241, §501(a), substituted “\$12,000,000 for the fiscal year 1982 and \$12,800,000 for the fiscal year 1983” for “\$25,000,000 for each of the fiscal years 1979 and 1980”.

Subsec. (u). Pub. L. 97-241, §501(c), added subsec. (u). 1977—Subsec. (s). Pub. L. 95-105 designated existing provisions as par. (1) and added par. (2).

1972—Pub. L. 92-226, §406(3), substituted “Foundation” for “Institute” wherever appearing in subsecs. (b) to (g), (i), (j) to (r), and (t).

Subsec. (a). Pub. L. 92-226, §406(2), substituted “Inter-American Foundation” and “Foundation” for “Inter-American Social Development Institute” and “Institute”.

Subsec. (e)(4). Pub. L. 92-226, §406(4), inserted “, including expenses for representation (not to exceed \$10,000 in any fiscal year),”.

Subsec. (l). Pub. L. 92-226, §406(5), designated existing provisions as par. (1), substituted “Foundation” for “Institute” and “President” for “Executive Director” in two places, and added par. (2).

EFFECTIVE DATE OF 1986 AMENDMENT

Section 403(b) of Pub. L. 99-529 provided that: “The amendments made by subsection (a) [amending this section] shall take effect 120 days after the date of enactment of this Act [Oct. 24, 1986].”

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-83 effective Oct. 1, 1985, see section 1301 of Pub. L. 99-83, set out as a note under section 2151-1 of this title.

SHORT TITLE

Part IV of Pub. L. 91-175, Dec. 30, 1969, 83 Stat. 821, as amended by Pub. L. 92-226, pt. IV, §406(l), Feb. 7, 1972, 86 Stat. 34, which enacted this section, designated as the “Inter-American Foundation Act”.

ABOLITION OF INTER-AMERICAN FOUNDATION

Pub. L. 106-113, div. B, §1000(a)(2) [title V, §586], Nov. 29, 1999, 113 Stat. 1535, 1501A-117, as amended by Pub. L.

106-429, §101(a) [title V, §591], Nov. 6, 2000, 114 Stat. 1900, 1900A-59, authorized the President, during fiscal years 2000 and 2001, to abolish the Inter-American Foundation, provided for the termination and transfer of functions of the Foundation, disposition of funds, and responsibilities and authorities of the Director of the Office of Management and Budget to take actions necessary to wind-up the affairs of the Foundation, required the Director to certify to Congress the discharge of the Director’s responsibilities, directed the repeal of sections 290f and 2182a(d) of this title and the amendment of section 290h of this title and section 36 of Pub. L. 93-189 (22 U.S.C. 1942 note), effective on the date of transmittal to Congress of the Director’s certification, and provided that section 1000(a)(2) [title V, §586] of Pub. L. 106-113 would only be effective upon the effective date of the abolition of the Foundation. The President did not exercise his authority to abolish the Inter-American Foundation during fiscal years 2000 and 2001.

TRANSITION RULE FOR BOARD APPOINTMENTS

Section 173(b)(2) of Pub. L. 102-138 provided that: “The requirements established by the amendment made by paragraph (1) [amending this section] do not affect appointments made to the Board of the Inter-American Foundation before the date of enactment of this Act [Oct. 28, 1991].”

SUBCHAPTER XXII—AFRICAN DEVELOPMENT FUND

§ 290g. African Development Fund; United States participation

The President is hereby authorized to accept participation for the United States in the African Development Fund (hereinafter referred to as the “Fund”) provided for by the agreement establishing the Fund (hereinafter referred to as the “agreement”) deposited in the Archives of the United Nations.

(Pub. L. 94-302, title II, §202, May 31, 1976, 90 Stat. 593.)

SHORT TITLE

Section 201 of title II of Pub. L. 94-302 provided that: “This title [enacting this subchapter] may be cited as the ‘African Development Fund Act’.”

§ 290g-1. Appointment of Governor and Alternate Governor; rank, duties, and compensation

(a) The President, by and with the advice and consent of the Senate, shall appoint a Governor, and an Alternate Governor, of the Fund.

(b) The Governor, or in his absence the Alternate Governor, on the instructions of the President, shall cast the votes of the United States for the Director to represent the United States in the Fund. The Director representing the United States and his Alternate, if they are citizens of the United States, may, in the discretion of the President, receive such compensation, allowances, and other benefits not exceeding those authorized for a chief of mission under the Foreign Service Act of 1980 [22 U.S.C. 3901 et seq.].

(Pub. L. 94-302, title II, §203, May 31, 1976, 90 Stat. 593; Pub. L. 96-465, title II, §2206(a)(5), Oct. 17, 1980, 94 Stat. 2161.)

REFERENCES IN TEXT

The Foreign Service Act of 1980, referred to in subsec. (b), is Pub. L. 96-465, Oct. 17, 1980, 94 Stat. 2071, as amended, which is classified principally to chapter 52 (§3901 et seq.) of this title. For complete classification

of this Act to the Code, see Short Title note set out under section 3901 of this title and Tables.

AMENDMENTS

1980—Subsec. (b). Pub. L. 96-465 substituted “a chief of mission under the Foreign Service Act of 1980” for “a Chief of Mission, class 2, within the meaning of the Foreign Service Act of 1946, as amended”.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-465 effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L. 96-465, set out as an Effective Date note under section 3901 of this title.

§ 290g-2. Law governing reports to the President and the Congress

The provisions of section 286b of this title, shall apply with respect to the Fund to the same extent as with respect to the International Bank for Reconstruction and Development and the International Monetary Fund.

(Pub. L. 94-302, title II, §204, May 31, 1976, 90 Stat. 594; Pub. L. 101-240, title V, §541(e)(6), Dec. 19, 1989, 103 Stat. 2519.)

AMENDMENTS

1989—Pub. L. 101-240 struck out at end “Reports with respect to the Fund under paragraphs (5) and (6) of section 286b(b) of this title, shall be included in the first report made thereunder after the United States accepts participation in the Fund.”

§ 290g-3. Specific actions requiring Congressional authorization

Unless Congress by law authorizes such action, neither the President nor any person or agency shall, on behalf of the United States:

- (a) agree to an increase in the subscription of the United States to the Fund;
- (b) vote for or agree to any amendment of the agreement which increases the obligations of the United States, or which would change the purpose or functions of the Fund; or
- (c) make a loan or provide other financing to the Fund, except that funds for technical assistance may be provided to the Fund by a United States agency created pursuant to an Act of Congress which is authorized by law to provide funds to international organizations.

(Pub. L. 94-302, title II, §205, May 31, 1976, 90 Stat. 594.)

§ 290g-4. Authorization of appropriations; repayments and distributions from Fund to Treasury

(a) There is hereby authorized to be appropriated without fiscal year limitation, as the United States subscription, \$25,000,000 to be paid by the Secretary of the Treasury to the Fund in three annual installments of \$9,000,000, \$8,000,000, and \$8,000,000.

(b) Any repayment or distribution of moneys from the Fund to the United States shall be covered into the Treasury as a miscellaneous receipt.

(Pub. L. 94-302, title II, §206, May 31, 1976, 90 Stat. 594.)

§ 290g-5. Federal Reserve banks as depository for the Fund; supervision

Any Federal Reserve bank which is requested to do so by the President shall act as a deposi-

tory for the Fund, and the Board of Governors of the Federal Reserve System shall supervise and direct the carrying out of these functions by the Federal Reserve banks.

(Pub. L. 94-302, title II, §207, May 31, 1976, 90 Stat. 594.)

§ 290g-6. Civil action by or against the Fund; service of process, venue, jurisdiction, removal of actions

For the purpose of any civil action which may be brought within the United States, its territories or possessions, or the Commonwealth of Puerto Rico, by or against the Fund in accordance with the agreement, the Fund shall be deemed to be an inhabitant of the Federal judicial district in which its principal office or agency appointed for the purpose of accepting service or notice of service is located, and any such action to which the Fund shall be party shall be deemed to arise under the laws of the United States, and the district courts of the United States (including the courts enumerated in section 460 of title 28) shall have original jurisdiction of any such action. When the Fund is defendant in any action in a State court, it may, at any time before the trial thereof, remove such action into the district court of the United States for the proper district by following the procedure for removal of causes otherwise provided by law.

(Pub. L. 94-302, title II, §208, May 31, 1976, 90 Stat. 594.)

§ 290g-7. Force and effect of agreement; deposit of documents by the President; reservation of right to tax salaries and emoluments paid by the Fund to United States citizens or nationals

The agreement, including without limitation articles 41 through 50, shall have full force and effect in the United States, its territories and possessions, and the Commonwealth of Puerto Rico, upon the acceptance of participation by the United States in, and the entry into force of, the Fund. The President, at the time of deposit of the instrument of acceptance of participation of the United States in the Fund, shall also deposit a declaration that the United States retains for itself and its political subdivisions the right to tax salaries and emoluments paid by the Fund to its citizens or nationals and may deposit a declaration providing for reservations on other matters set forth in article 58.

(Pub. L. 94-302, title II, §209, May 31, 1976, 90 Stat. 594.)

REFERENCES IN TEXT

The agreement and articles 41 through 50 and article 58, referred to in text, mean the Bretton Woods Agreement and the articles thereof.

§ 290g-8. Presidential instructions to United States Governor of the Fund to veto any use of funds to benefit a country pursuing a detrimental economic policy against United States interests; exceptions

The President shall instruct the United States Governor of the Fund to cause the Executive Di-