

government contracts. In awarding contracts, the Secretary may consider such factors as relative quality and availability of supplies or services and the compatibility of the supplies or services with implementation of this chapter.

**(e) Transfer or loan of property to or from Department of State**

The head of any Federal agency may, for purposes of this chapter—

(1) transfer or loan any property to, and perform administrative and technical support functions and services for the operations of, the Department of State (with reimbursements to agencies under this paragraph to be credited to the current applicable appropriation of the agency concerned); and

(2) acquire and accept services from the Department of State, including (whenever the Secretary determines it to be in furtherance of the purposes of this chapter) acquisitions without regard to laws normally applicable to the acquisition of services by such agency.

**(f) Attachment, execution, etc., of assets**

Assets of or under the control of the Department of State, wherever situated, which are used by or held for the use of a foreign mission shall not be subject to attachment, execution, injunction, or similar process, whether intermediate or final.

**(g) Discretion of Secretary**

Except as otherwise provided, any determination required under this chapter shall be committed to the discretion of the Secretary.

**(h) Transfer and credit of funds**

(1) In order to implement this chapter, the Secretary may transfer to the working capital fund established by section 2684 of this title such amounts available to the Department of State as may be necessary.

(2) All revenues, including proceeds from gifts and donations, received by the Secretary in carrying out this chapter may be credited to the working capital fund established by section 2684 of this title and shall be available for purposes of this chapter in accordance with that section.

(3) Only amounts transferred or credited to the working capital fund established by section 2684 of this title may be used in carrying out the functions of the Secretary or the Director under this chapter.

(Aug. 1, 1956, ch. 841, title II, §208, as added Pub. L. 97-241, title II, §202(b), Aug. 24, 1982, 96 Stat. 288; amended Pub. L. 103-236, title I, §162(o)(6), Apr. 30, 1994, 108 Stat. 410.)

AMENDMENTS

1994—Subsec. (c)(1). Pub. L. 103-236, §162(o)(6)(B), substituted “Department of State” for “Office of Foreign Missions”.

Subsec. (d). Pub. L. 103-236, §162(o)(6)(A), substituted “behalf of the Secretary” for “behalf of the Director”.

Subsecs. (e), (f). Pub. L. 103-236, §162(o)(6)(B), substituted “Department of State” for “Office of Foreign Missions” wherever appearing.

Subsec. (h)(2). Pub. L. 103-236, §162(o)(6)(C), struck out “Director or the” after “received by the”.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-236 applicable with respect to officials, offices, and bureaus of Department of

State when executive orders, regulations, or departmental directives implementing the amendments by sections 161 and 162 of Pub. L. 103-236 become effective, or 90 days after Apr. 30, 1994, whichever comes earlier, see section 161(b) of Pub. L. 103-236, as amended, set out as a note under section 2651a of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 4304, 4314 of this title; title 28 section 1610.

**§ 4309. Application to public international organizations and official missions to such organizations**

**(a) Determination by Secretary**

The Secretary may make section 4306 of this title, or any other provision of this chapter, applicable with respect to an international organization to the same extent that it is applicable with respect to a foreign mission if the Secretary determines that such application is necessary to carry out the policy set forth in section 4301(b) of this title and to further the objectives set forth in section 4304(b) of this title.

**(b) “International organization” defined**

For purposes of this section, “international organization” means—

(1) a public international organization designated as such pursuant to the International Organizations Immunities Act (22 U.S.C. 288—288f-2) or a public international organization created pursuant to a treaty or other international agreement as an instrument through or by which two or more foreign governments engage in some aspect of their conduct of international affairs; and

(2) an official mission (other than a United States mission) to such a public international organization,

including any real property of such an organization or mission and including the personnel of such an organization or mission.

(Aug. 1, 1956, ch. 841, title II, §209, as added Pub. L. 97-241, title II, §202(b), Aug. 24, 1982, 96 Stat. 289.)

REFERENCES IN TEXT

The International Organizations Immunities Act, referred to in subsec. (b)(1), is act Dec. 29, 1945, ch. 652, title I, 59 Stat. 669, as amended, which is classified principally to subchapter XVIII (§288 et seq.) of chapter 7 of this title. For complete classification of that Act to the Code, see Short Title note set out under section 288 of this title and Tables.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2709, 4302, 4305, 4315, 4316 of this title.

**§ 4309a. United States responsibilities for employees of the United Nations**

**(a) Findings**

The Congress finds that—

(1) pursuant to the Agreement Between the United States and the United Nations Regarding the Headquarters of the United Nations (authorized by Public Law 80-357 (22 U.S.C. 287 note)), the United States has accepted—

(A) the obligation to permit and to facilitate the right of individuals, who are em-