

proposed by the Governors at a special meeting in December 1978 and are pending before the Board of Governors of the Bank. These resolutions provide for (1) an increase in the authorized capital stock of the Bank and additional subscriptions thereto, and (2) an increase in the resources of the Fund for Special Operations and contributions thereto. Upon adoption of these resolutions, the United States Governor is authorized on behalf of the United States (A) to subscribe to two hundred twenty-seven thousand eight hundred and ninety-six shares of the increase in the authorized capital stock of the Bank, of which two hundred ten thousand eight hundred and four shall be callable and seventeen thousand and ninety-two shall be paid-in, and (B) to contribute to the Fund for Special Operations \$630,000,000; except that any commitment to make such subscriptions to paid-in and callable capital stock and to make such contributions to the Fund for Special Operations shall be effective only to such extent or in such amounts as are provided in advance in appropriation Acts.

(b) Authorization of appropriations

In order to pay for the increase in the United States subscription and contribution provided for in this section, there are authorized to be appropriated, without fiscal year limitation, for payment by the Secretary of the Treasury (1) \$2,474,287,189 for the United States subscription to the capital stock of the Bank, and (2) \$630,000,000 for the United States share of the increase in the resources of the Fund for Special Operations: *Provided, however*, That for contributions to the Fund for Special Operations, not more than \$175,000,000 may be made available for the fiscal year 1982, and not more than \$105,000,000 may be made available for the fiscal year 1983.

(c) Funding requirements

For the purpose of keeping to a minimum the cost to the United States, the Secretary of the Treasury—

(1) shall pay the United States contribution to the Fund for Special Operations authorized by this section by letter of credit in four annual installments; and

(2) shall take the steps necessary to obtain a certification from the Bank that any undisbursed balances resulting from drawdowns on such letter of credit will not exceed at any time the United States share of expected disbursement requirements for the following three-month period.

(d) Limitation of funds to members of Bank

None of the funds authorized to be appropriated by this section may be used for any form of assistance to any country which is not a member of the Bank.

(Pub. L. 86-147, § 29, as added Pub. L. 96-259, title I, § 101(2), June 3, 1980, 94 Stat. 429; amended Pub. L. 97-35, title XIII, § 1351(b), Aug. 13, 1981, 95 Stat. 744.)

AMENDMENTS

1981—Subsec. (b). Pub. L. 97-35 inserted provision limiting amount of appropriations available for Fund for Special Operations for fiscal years 1982 and 1983.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-35 effective Aug. 13, 1981, except that any funds authorized to be appropriated shall not be available for use or obligation prior to Oct. 1, 1981, see section 1372 of Pub. L. 97-35, set out as an Effective Date note under section 290i of this title.

§ 283z-2. Contribution to Inter-American Development Bank; authorization of appropriations

(a) The United States Governor of the Bank is authorized on behalf of the United States to contribute to the Fund for Special Operations \$70,000,000: *Provided, however*, That any commitment to make such contribution shall be made subject to obtaining the necessary appropriations.

(b) In order to pay for a portion of the increase in the United States subscription to the capital stock of the Bank provided for in section 283z-1(a) of this title and for the United States contribution to the Fund for Special Operations provided for in this section, there are authorized to be appropriated, without fiscal year limitation, for payment by the Secretary of the Treasury, (1) \$274,920,799 for the United States subscription, and (2) \$70,000,000 for the United States contribution to the Fund for Special Operations: *Provided, however*, That no funds may be made available for such contribution to the Fund for Special Operations for the fiscal year 1982.

(Pub. L. 86-147, § 30, as added Pub. L. 97-35, title XIII, § 1351(a), Aug. 13, 1981, 95 Stat. 744.)

EFFECTIVE DATE

Section effective Aug. 13, 1981, except that any funds authorized to be appropriated shall not be available for use or obligation prior to Oct. 1, 1981, see section 1372 of Pub. L. 97-35, set out as a note under section 290i of this title.

§ 283z-3. Increase in authorized capital stock of Bank and increases in resources of Fund for Special Operations; United States share; authorization of appropriations

(a)(1) The United States Governor of the Bank is authorized to vote for resolutions—

(A) which were proposed by the Governors at a special meeting in February 1983;

(B) which are pending before the Board of Governors of the Bank; and

(C) which provide for—

(i) an increase in the authorized capital stock of the Bank and subscriptions thereto; and

(ii) an increase in the resources of the Fund for Special Operations and contributions thereto.

(2)(A) Upon adoption of the resolutions specified in paragraph (1), the United States Governor of the Bank is authorized on behalf of the United States to—

(i) subscribe to 427,396 shares of the increase in the authorized capital stock of the Bank; and

(ii) contribute \$350,000,000 to the Fund for Special Operations.

(B) Any commitment to make such subscriptions to paid-in and callable capital stock and to

make such contributions to the Fund for Special Operations shall be effective only to such extent or in such amounts as are provided in advance in appropriation Acts.

(b) In order to pay for the increase in the United States subscription and contribution provided for in this section, there are authorized to be appropriated, without fiscal year limitation, for payment by the Secretary of the Treasury—

- (1) \$5,155,862,744 for the United States subscriptions to the capital stock of the Bank; and
- (2) \$350,000,000 for the United States share of the increase in the resources of the Fund for Special Operations.

(Pub. L. 86-147, §31, as added Pub. L. 98-181, title I [title X, §1001], Nov. 30, 1983, 97 Stat. 1284.)

§ 283z-4. Amendments to Articles of Agreement in resolution on Merger of Interregional and Ordinary Capital Resources

The United States Governor of the Inter-American Development Bank is hereby authorized to agree to and to accept the amendments to the Articles of Agreement in the proposed resolution entitled “Merger of Inter-regional and Ordinary Capital Resources”.

(Pub. L. 86-147, §32, as added Pub. L. 100-202, §101(e) [title I], Dec. 22, 1987, 101 Stat. 1329-131, 1329-134.)

CODIFICATION

Section 32 of Pub. L. 86-147 is based on section 501 of title V of H.R. 3750, One Hundredth Congress, as introduced Dec. 11, 1987, and enacted into law by Pub. L. 100-202.

§ 283z-5. Capital increase; increase in resources of Fund for Special Operations

(a) Authority to vote for, and to subscribe and contribute to, increase in authorized capital stock of Bank and increase in resources of Fund for Special Operations

(1) Vote authorized

The United States Governor of the Bank is authorized to vote for resolutions which—

(A) were transmitted by the Board of Executive Directors to the Governors of the Bank by resolution of April 19, 1989;

(B) are pending before the Board of Governors of the Bank; and

(C) provide for—

(i) an increase in the authorized capital stock of the Bank and subscriptions to the Bank; and

(ii) an increase in the resources of the Fund for Special Operations and contributions to the Fund.

(2) Subscription and contribution authority

To the extent and in the amounts provided in advance in appropriations Acts, on adoption of the resolutions described in paragraph (1), the United States Governor of the Bank may, on behalf of the United States—

(A) subscribe to 760,112 shares of the increase in the authorized capital stock of the Bank; and

(B) contribute \$82,304,000 to the Fund for Special Operations.

(b) Limitation on authorization of appropriations

To pay for the subscription and contribution authorized under subsection (a) of this section, there are authorized to be appropriated, without fiscal year limitation, for payment by the Secretary of the Treasury—

(1) \$9,169,559,712, for the United States subscription to the capital stock of the Bank; and

(2) \$82,304,000, for the United States contribution to the Fund for Special Operations.

(c) Organizational changes required to be made before payment for subscription to capital stock and contribution to Fund for Special Operations

The Secretary of the Treasury may not make any payment for the subscription and contribution authorized under subsection (a) of this section unless the Bank—

(1) has established an environmental unit with responsibility for the development, evaluation, and integration of Bank policies, projects, and programs designed to promote environmentally sustainable development in borrower countries;

(2) has increased the number of the staff of the Bank with environmentally oriented responsibilities and training;

(3) provides for an increase in the number of environmentally beneficial projects and programs financed by the Bank; and

(4) has designed a process for ensuring the access of indigenous non-governmental organizations to the process for designing projects and programs.

(d) Certification of access to Bank records required before payment for subscription to capital stock and contribution to Fund for Special Operations

The Secretary of the Treasury shall not make any payment for the subscription and contribution authorized under subsection (a) of this section until the Secretary, after consultation with the United States Executive Director of the Bank, certifies to the Congress that—

(1) the Bank has given the Comptroller General of the United States access to the audit memorandum issued by the Auditor General of the Bank with respect to the November 1987 disbursement of funds to the Government of Nicaragua;

(2) the Bank has implemented and is continuing to implement revised procedures issued in 1988 for collecting loan services payments in arrears;

(3) the revised procedures referred to in paragraph (2) satisfy the recommendations of the Auditor General of the Bank; and

(4) the Comptroller General of the United States has access to all documents of the Bank on the same terms and under the same conditions as such documents are made available to the United States Executive Director of the Bank.

(Pub. L. 86-147, §33, as added Pub. L. 101-240, title II, §201, Dec. 19, 1989, 103 Stat. 2496.)