

**§ 1738g. Enterprise for the Americas environmental funds**

**(a) Establishment**

An eligible country shall, under the terms of an environmental framework agreement entered into under section 1738f of this title, establish an Environmental Fund to receive payments in local currency pursuant to section 1738f(b)(1) of this title.

**(b) Investment**

Amounts deposited into an Environmental Fund shall be invested until disbursed. Notwithstanding any other provision of law, any return on such investment may be retained by the Environmental Fund and need not be deposited to the account of the Commodity Credit Corporation and may be retained without further appropriation by Congress.

(July 10, 1954, ch. 469, title VI, § 608, as added Pub. L. 101-624, title XV, § 1512, Nov. 28, 1990, 104 Stat. 3660.)

**§ 1738h. Disbursement of environmental funds**

Funds in an Environmental Fund shall be disbursed only pursuant to a framework agreement entered into pursuant to section 1738f of this title.

(July 10, 1954, ch. 469, title VI, § 609, as added Pub. L. 101-624, title XV, § 1512, Nov. 28, 1990, 104 Stat. 3661.)

**§ 1738i. Enterprise for the Americas Board**

**(a) Establishment**

There is established a board to be known as the “Enterprise for the Americas Board” (hereafter referred to in this subchapter as the “Board”).

**(b) Membership and chairperson**

**(1) Membership**

The Board shall be composed of—

(A) six representatives from the United States Government, at least one of whom shall be a representative of the Department of Agriculture; and

(B) five representatives from private nongovernmental environmental, child survival and child development, community development, scientific, and academic organizations with experience and expertise in Latin America and the Caribbean, at least one of whom shall be a representative from a child survival and child development organization;

to be appointed by the President.

**(2) Chairperson**

The Board shall be headed by a chairperson who shall be appointed by the President from among the representatives appointed under paragraph (1)(A).

**(c) Responsibilities**

The Board shall—

(1) advise the President on the negotiations for the environmental framework agreements described in subsections (a) and (b) of section 1738f of this title;

(2) ensure, in consultation with the government of the appropriate eligible country, with nongovernmental organizations of such eligible country, and if appropriate, of the region, and with environmental, scientific, and academic leaders of such eligible country and, as appropriate, of the region, that a suitable body referred to in section 1738f(c) of this title is identified; and

(3) review the programs, operations, and fiscal audits of the bodies referred to in section 1738f(c) of this title.

(July 10, 1954, ch. 469, title VI, § 610, as added Pub. L. 101-624, title XV, § 1512, Nov. 28, 1990, 104 Stat. 3661; amended Pub. L. 102-237, title III, § 339, Dec. 13, 1991, 105 Stat. 1861; Pub. L. 102-549, title VI, § 603, Oct. 28, 1992, 106 Stat. 3669.)

AMENDMENTS

1992—Pub. L. 102-549, § 603(1), substituted “Enterprise” for “Environment” in section catchline.

Subsec. (a). Pub. L. 102-549, § 603(2), substituted “Enterprise” for “Environment”.

Subsec. (b)(1)(B). Pub. L. 102-549, § 603(3), inserted “child survival and child development,” after “environmental,” and “,” at least one of whom shall be a representative from a child survival and child development organization”.

1991—Subsec. (b)(1)(A). Pub. L. 102-237, § 339(1), substituted “six” for “five” and inserted “,” at least one of whom shall be a representative of the Department of Agriculture” after “Government”.

Subsec. (b)(1)(B). Pub. L. 102-237, § 339(2), substituted “five” for “four”.

**§ 1738j. Oversight**

The President may designate appropriate United States agencies to review the implementation of programs under this subchapter and the fiscal audits relating to such programs. Such oversight shall not constitute active management of an Environmental Fund.

(July 10, 1954, ch. 469, title VI, § 611, as added Pub. L. 101-624, title XV, § 1512, Nov. 28, 1990, 104 Stat. 3661.)

DELEGATION OF FUNCTIONS

For delegation of functions of President under this section, see section 1 of Ex. Ord. No. 13345, July 8, 2004, 69 F.R. 41901, set out as a note under section 1738 of this title.

**§ 1738k. Eligible activities and grantees**

**(a) Eligible entities**

Activities eligible to receive assistance through the framework agreements entered into under section 1738f of this title, shall include—

(1) activities of the type described in the Global Environmental Protection Assistance Act of 1989 (22 U.S.C. 2281 et seq.);

(2) agriculture-related activities, including those that provide for the biological prevention and control of animal and plant pests and diseases, to benefit the environment; and

(3) local community initiatives that promote conservation and sustainable use of the environment.

**(b) Regulation**

All activities of the type referred to in subsection (a) of this section shall, where appropriate, include initiatives that link conservation