

PART VII—DEBT-FOR-NATURE EXCHANGES

§ 2281. “Debt-for-nature exchange” defined

For purpose of this part, the term “debt-for-nature exchange” means the cancellation or redemption of the foreign debt of the government of a country in exchange for—

- (1) that government’s making available local currencies (including through the issuance of bonds) which are used only for eligible projects involving the conservation or protection of the environment in that country (as described in section 2283 of this title); or
- (2) that government’s financial resource or policy commitment to take certain specified actions to ensure the restoration, protection, or sustainable use of natural resources within that country; or
- (3) a combination of assets and actions under both paragraphs (1) and (2).

(Pub. L. 87–195, pt. I, § 461 [471], as added Pub. L. 101–240, title VII, § 711, Dec. 19, 1989, 103 Stat. 2521.)

REFERENCES IN TEXT

Section 2283 of this title, referred to in par. (1), was in the original “section 463”, meaning section 463 of Pub. L. 87–195, which has been translated as meaning section 463 of Pub. L. 87–195 relating to eligible projects rather than section 463 of Pub. L. 87–195, relating to the peace process in Central America, which is classified to section 2273 of this title.

CODIFICATION

Another section 461 of Pub. L. 87–195 is classified to section 2271 of this title.

PRIOR PROVISIONS

A prior section 2281, Pub. L. 87–195, pt. I, § 471, as added Pub. L. 89–583, pt. I, § 110, Sept. 19, 1966, 80 Stat. 802, related to agreements with less developed countries for establishment of Joint Commissions on Rural Development, prior to repeal by Pub. L. 95–424, title VI, § 604, Oct. 6, 1978, 92 Stat. 961, effective Oct. 1, 1978.

§ 2282. Assistance for commercial debt exchanges

(a) The Administrator of the Agency for International Development is authorized to furnish assistance, in the form of grants on such terms and conditions as may be necessary, to nongovernmental organizations for the purchase on the open market of discounted commercial debt of a foreign government of an eligible country which will be canceled or redeemed under the terms of an agreement with that government as part of a debt-for-nature exchange.

(b) Notwithstanding any other provision of law, a grantee (or any subgrantee) of the grants referred to in subsection (a) of this section may retain, without deposit in the Treasury of the United States and without further appropriation by Congress, interest earned on the proceeds of any resulting debt-for-nature exchange pending the disbursements of such proceeds and interest for approved program purposes, which may include the establishment of an endowment, the income of which is used for such purposes.

(Pub. L. 87–195, pt. I, § 462 [472], as added Pub. L. 101–240, title VII, § 711, Dec. 19, 1989, 103 Stat. 2521.)

CODIFICATION

Another section 462 of Pub. L. 87–195 is classified to section 2272 of this title.

§ 2283. Eligible projects

(a) The Administrator of the Agency for International Development shall seek to ensure that debt-for-nature exchanges under this part support one or more of the following activities by either the host government, a local private conservation group, or a combination thereof:

- (1) restoration, protection, or sustainable use of the world’s oceans and atmosphere;
- (2) restoration, protection, or sustainable use of diverse animal and plant species;
- (3) establishment, restoration, protection, and maintenance of parks and reserves;
- (4) development and implementation of sound systems of natural resource management;
- (5) development and support of local conservation programs;
- (6) training programs to strengthen conservation institutions and increase scientific, technical, and managerial capabilities of individuals and organizations involved in conservation efforts;
- (7) efforts to generate knowledge, increase understanding, and enhance public commitment to conservation;
- (8) design and implementation of sound programs of land and ecosystem management; and
- (9) promotion of regenerative approaches in farming, forestry, fishing, and watershed management.

(b)(1) In cooperation with nongovernmental organizations, the Administrator of the Agency for International Development shall seek to identify those areas, which because of an imminent threat, are in particular need of immediate attention to prevent the loss of unique biological life or valuable ecosystem.

(2) The Administrator of the Agency for International Development shall encourage as many eligible countries as possible to propose such exchanges with the purpose of demonstrating to a large number of governments the feasibility and benefits of sustainable development.

(Pub. L. 87–195, pt. I, § 463 [473], as added Pub. L. 101–240, title VII, § 711, Dec. 19, 1989, 103 Stat. 2522.)

CODIFICATION

Another section 463 of Pub. L. 87–195 is classified to section 2273 of this title.

§ 2284. Eligible countries

In order for a foreign country to be eligible to participate in a debt-for-nature exchange under this part, the Administrator of the Agency for International Development shall determine that—

- (1) the host country is fully committed to the long-term viability of the program or project that is to be undertaken through the debt-for-nature exchange;
- (2) a long-term plan has been prepared by the host country, or private conservation group, which adequately provides for the long-term viability of the program or project that is to be undertaken through the debt-for-nature exchange or that such a plan will be prepared in a timely manner; and