

(Pub. L. 101-179, title II, §201, Nov. 28, 1989, 103 Stat. 1305; Pub. L. 104-107, title II, [(v)], Feb. 12, 1996, 110 Stat. 714; Pub. L. 105-118, title V, §588, Nov. 26, 1997, 111 Stat. 2438; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (d)(1), was in the original “this Act”, meaning Pub. L. 101-179, Nov. 28, 1989, 103 Stat. 1298, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 5401 of this title and Tables.

The date of enactment of this subsection, referred to in subsec. (l)(3), probably means the date of enactment of Pub. L. 105-118 which amended subsec. (l) generally and was approved Nov. 26, 1997.

AMENDMENTS

2004—Subsec. (n). Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office”.

1997—Subsec. (l). Pub. L. 105-118, which directed the general amendment of section 201(l) of the Support for East European Democracy Act, was executed by amending heading and text of section 201(l) of the Support for East European Democracy (SEED) Act of 1989, subsec. (l) of this section, generally, to reflect the probable intent of Congress. Prior to amendment, text read as follows: “No part of the funds of either Enterprise Fund shall inure to the benefit of any board member, officer, or employee of such Enterprise Fund, except as salary or reasonable compensation for services.”

1996—Subsec. (d)(3)(B). Pub. L. 104-107 inserted at end “: *Provided*, That, as to Enterprise Funds established with respect to more than one host country, such Enterprise Fund may, in lieu of the appointment of citizens of the host countries to its Board of Directors, establish an advisory council for the host region comprised of citizens of each of the host countries or establish separate advisory councils for each of the host countries (hereinafter in this section referred to as the ‘Advisory Councils’), with which the Enterprise Fund’s policies and proposed activities and such host country citizens shall satisfy the experience and expertise requirements of this clause.”

DELEGATION OF FUNCTIONS

Functions of President under this section relating to Enterprise Funds for Poland and Hungary delegated to Secretary of State by section 2 of Ex. Ord. No. 12703, Feb. 20, 1990, 55 F.R. 6351, as amended, set out as a note under section 5401 of this title.

§ 5422. Labor market transition in Poland and Hungary

(a) Technical assistance

The Secretary of Labor (hereinafter in this section referred to as the “Secretary”), in consultation with representatives of labor and business in the United States, shall—

- (1) provide technical assistance to Poland and Hungary for the implementation of labor market reforms; and
- (2) provide technical assistance to Poland and Hungary to facilitate adjustment during the period of economic transition and reform.

(b) Types of technical assistance authorized

In carrying out subsection (a) of this section, the Secretary is authorized to provide technical assistance regarding policies and programs for training and retraining, job search and employment services, unemployment insurance, occupational safety and health protection, labor-

management relations, labor statistics, analysis of productivity constraints, entrepreneurial support for small businesses, market-driven systems of wage and income determinations, job creation, employment security, the observance of internationally recognized worker rights (including freedom of association and the right to organize and bargain collectively), and other matters that the Secretary may deem appropriate regarding free labor markets and labor organizations.

(c) Administrative authorities

In carrying out subsection (a) of this section, the Secretary is authorized to do the following:

(1) Solicit and accept in the name of the Department of Labor, and employ or dispose of in furtherance of the purposes of this section, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise. Gifts and donations of property which are no longer required for the discharge of the purposes of this section shall be reported to the Administrator of General Services for transfer, donation, or other disposal in accordance with chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41.

(2) Solicit and accept voluntary and uncompensated services notwithstanding section 1342 of title 31. A volunteer under this paragraph shall not be deemed to be an employee of the United States except for the purposes of—

(A) the tort claims provisions of title 28, and

(B) subchapter I of chapter 81 of title 5, relating to compensation for work injuries.

(3) Enter into arrangements or agreements with appropriate departments, agencies, and establishments of Poland and Hungary.

(4) Enter into arrangements or agreements with appropriate private and public sector United States parties, and international organizations.

(d) Consultation with appropriate officers

In carrying out the responsibilities established by this section, the Secretary shall seek information and advice from, and consult with, appropriate officers of the United States.

(e) Consultation with labor and business representatives

For purposes of this section, consultation between the Secretary and United States labor and business representatives shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(f) Delegation of responsibilities

The Secretary shall delegate the authority to carry out the programs authorized by this section to the head of the Bureau of International Labor Affairs of the Department of Labor.

(g) Authorization of appropriations

There are authorized to be appropriated to the Department of Labor for the 3-year period beginning October 1, 1989, to carry out this section—

- (1) \$4,000,000 for technical assistance to Poland; and

(2) \$1,000,000 for technical assistance to Hungary.

(Pub. L. 101-179, title II, §202, Nov. 28, 1989, 103 Stat. 1308.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (e), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

CODIFICATION

In subsec. (c)(1), “chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” substituted for “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 and following)” on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, which Act enacted Title 40, Public Buildings, Property, and Works, and Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

§ 5423. Technical training for private sector development in Poland and Hungary

(a) Technical training program

The Agency for International Development shall develop and implement a program for extending basic agribusiness, commercial, entrepreneurial, financial, scientific, and technical skills to the people of Poland and Hungary to enable them to better meet their needs and develop a market economy. This program shall include management training and agricultural extension activities.

(b) Participation by Enterprise Funds and other agencies and organizations

In carrying out subsection (a) of this section, the Agency for International Development may utilize the Polish-American Enterprise Fund and the Hungarian-American Enterprise Fund and other appropriate Government and private agencies, programs, and organizations such as—

- (1) the Department of Agriculture;
- (2) the Farmer-to-Farmer Program under section 1736(a)(1) and (2) of title 7;
- (3) the International Executive Service Corps;
- (4) the Foundation for the Development of Polish Agriculture;
- (5) the World Council of Credit Unions; and
- (6) other United States, Polish, and Hungarian private and voluntary organizations and private sector entities.

(c) Nonapplicability of other provisions of law

Assistance provided pursuant to subsection (a) of this section under the authorities of part I of the Foreign Assistance Act of 1961 [22 U.S.C. 2151 et seq.] may be provided notwithstanding any other provision of law.

(d) Authorization of appropriations

For purposes of implementing this section, there are authorized to be appropriated \$10,000,000 for the 3-year period beginning October 1, 1989, to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 and following; relating to development assistance), in addition to amounts otherwise available for such purposes.

(e) Limitation with respect to Farmer-to-Farmer Program

Any activities carried out pursuant to this chapter through the Farmer-to-Farmer Program under section 1736(a)(1) and (2) of title 7 shall be funded with funds authorized to be appropriated by this chapter and local currencies made available under section 5425 of this title, and shall not be funded with funds made available pursuant to section 1107 of the Food Security Act of 1985 (7 U.S.C. 1736 note) or a similar, subsequent provision of law.

(Pub. L. 101-179, title II, §203, Nov. 28, 1989, 103 Stat. 1309; Pub. L. 110-246, title III, §3001(b)(1)(A), (2)(U), June 18, 2008, 122 Stat. 1820, 1821.)

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsecs. (c) and (d), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424. Part I of the Foreign Assistance Act of 1961 is classified generally to subchapter I (§2151 et seq.) of chapter 32 of this title. Chapter 1 of part I of the Foreign Assistance Act of 1961 is classified generally to part I (§2151 et seq.) of subchapter I of chapter 32 of this title. For provisions deeming references to subchapter I to include parts IV (§2346 et seq.), VI (§2348 et seq.), and VIII (§2349aa et seq.) of subchapter II of chapter 32, see section 202(b) of Pub. L. 92-226, set out as a note under section 2346 of this title, and sections 2348c and 2349aa-5 of this title. For provisions deeming references to part I of subchapter I to include a reference to section 2293 of this title, see section 2293(d)(1) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

This chapter, referred to in subsec. (e), was in the original “this Act”, meaning Pub. L. 101-179, Nov. 28, 1989, 103 Stat. 1298, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 5401 of this title and Tables.

Section 1107 of the Food Security Act of 1985, referred to in subsec. (e), is section 1107 of Pub. L. 99-198, which is set out as a note under section 1736 of Title 7, Agriculture.

AMENDMENTS

2008—Subsecs. (b)(2), (e). Pub. L. 110-246 made technical amendment to reference in original act which appears in text as reference to section 1736(a)(1) and (2) of title 7.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-246 effective May 22, 2008, see section 4(b) of Pub. L. 110-246, set out as an Effective Date note under section 8701 of Title 7, Agriculture.

§ 5424. Peace Corps programs in Poland and Hungary

There are authorized to be appropriated to carry out programs in Poland and Hungary under the Peace Corps Act [22 U.S.C. 2501 et seq.], \$6,000,000 for the 3-year period beginning October 1, 1989, in addition to amounts otherwise available for such purposes. Such programs shall include the use of Peace Corps volunteers—

- (1) to provide English language training, and
- (2) to extend the technical skills described in section 5423(a) of this title to the people of Poland and Hungary, using the Associate Volunteer Program to the extent practicable.

(Pub. L. 101-179, title II, §204, Nov. 28, 1989, 103 Stat. 1310.)