any assistance by such institutions, using funds appropriated or otherwise made available pursuant to any provision of law, for the production or extraction of any commodity or mineral for export, if—

(1) such commodity or mineral, as the case may be, is in surplus on world markets; and

(2) the export of such commodity or mineral, as the case may be, would cause substantial injury to the United States producers of the same, similar, or competing commodity or mineral.

(Pub. L. 99–472, § 22, Oct. 15, 1986, 100 Stat. 1210.)

SIMILAR PROVISIONS

Pub. L. 115–31, div. J, title VII, § 7025(c), May 5, 2017, 131 Stat. 633, provided that: ''The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions, as defined in section 7034(r)(3) of this Act [set out as a note below], to use the voice and vote of the United States to oppose any assistance by such institutions, using funds appropriated or made available by this Act [div. J of Pub. L. 115–31, 131 Stat. 589, see Tables for classification], for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.''

Similar provisions were contained in the following appropriation acts:

Pub. L. 114–113, div. K, title VII, § 7025(c), Dec. 18, 2015, 129 Stat. 2748.

Pub. L. 113–235, div. J, title VII, § 7025(c), Dec. 16, 2014, 128 Stat. 2614.

Pub. L. 113–76, div. K, title VII, § 7025(c), Jan. 17, 2014, 128 Stat. 504.

Pub. L. 112–74, div. I, title VII, § 7025(c), Dec. 23, 2011, 125 Stat. 1206.

Pub. L. 111–117, div. F, title VII, § 7026(c), Dec. 16, 2009, 123 Stat. 3354.

Pub. L. 111–8, div. H, title VII, § 7026(c), Mar. 11, 2009, 123 Stat. 871.

Pub. L. 110–161, div. J, title VI, § 614, Dec. 26, 2007, 121 Stat. 2318.

Pub. L. 109–102, title V, § 514, Nov. 14, 2005, 119 Stat. 2200.

Pub. L. 108–447, div. D, title V, § 514, Dec. 8, 2004, 118 Stat. 2995.

Pub. L. 108–199, div. D, title V, § 514, Jan. 23, 2004, 118 Stat. 171.

Pub. L. 108–7, div. E, title V, § 514, Feb. 20, 2003, 117 Stat. 184.

Pub. L. 107–115, title V, § 514, Jan. 10, 2002, 115 Stat. 2142.

Pub. L. 106–429, § 101(a) [title V, § 514], Nov. 6, 2000, 114 Stat. 1900, 1900A–25.

Pub. L. 106–113, div. B, § 1000(a)(2) [title V, § 514], Nov. 29, 1999, 113 Stat. 1535, 1501A–85.

Pub. L. 105–277, div. A, § 101(d) [title V, § 514(a)], Oct. 21, 1998, 112 Stat. 2681–150, 2681–173.

Pub. L. 105–118, title V, § 514, Nov. 26, 1997, 111 Stat. 2409.

Pub. L. 104–208, div. A, title I, § 101(c) [title V, § 514], Sept. 30, 1996, 110 Stat. 3009–121, 3009–143.

Pub. L. 104–107, title V, § 514, Feb. 12, 1996, 110 Stat. 725.

Pub. L. 103–306, title V, § 514, Aug. 23, 1994, 108 Stat. 1628.

Pub. L. 103–87, title V, § 514, Sept. 30, 1993, 107 Stat. 948.

Pub. L. 102–391, title V, § 521, Oct. 6, 1992, 106 Stat. 1661.

Pub. L. 101–513, title V, § 522, Nov. 5, 1990, 104 Stat. 2007.

Pub. L. 101–167, title V, § 522, Nov. 21, 1989, 103 Stat. 1221.

Pub. L. 100–461, title V, § 522, Oct. 1, 1988, 102 Stat. 2268–25.

Pub. L. 100–202, § 101(e) [title V, § 522], Dec. 22, 1987, 101 Stat. 1329–131, 1329–157.

Pub. L. 99–500, § 101(f) [title V, § 522], Oct. 18, 1986, 100 Stat. 1783–213, 1783–229, and Pub. L. 99–591, § 101(f) [title V, § 522], Oct. 30, 1986, 100 Stat. 3341–214, 3341–229.

Pub. L. 99–190, § 101(i) [title V, § 523], Dec. 19, 1985, 99 Stat. 1291, 1306.

Pub. L. 98–473, title I, § 101(1)[title V, § 524], Oct. 12, 1984, 98 Stat. 1884, 1899.

Pub. L. 98–151, § 101(b)(1) [incorporating Pub. L. 97–121, title V, § 522], Nov. 14, 1983, 97 Stat. 964.

Pub. L. 97–377, title I, § 101(b)(1) [incorporating Pub. L. 97–121, title V, § 522], Dec. 21, 1982, 96 Stat. 1831.

Pub. L. 97–121, title V, § 522, Dec. 29, 1981, 95 Stat. 1656.

Pub. L. 96–536, § 101(b) [H.J. Res. 637, § 101(b); H.R. 4473, title V, § 522A], Dec. 16, 1980, 94 Stat. 3167.

Pub. L. 96–123, § 101(a) [incorporating Pub. L. 95–481, title VI, § 609], Nov. 20, 1979, 93 Stat. 923.

Pub. L. 95–481, title VI, § 609, Oct. 18, 1978, 92 Stat. 1601.

Pub. L. 115–31, div. J, title VII, § 7034(r)(3), May 5, 2017, 131 Stat. 654, provided that: ''In this Act [div. J of Pub. L. 115–31, 131 Stat. 589, see Tables for classification] 'international financial institutions' means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Asian Development Fund, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, the African Development Fund, and the Multilateral Investment Guarantee Agency.''

Similar provisions were contained in the following appropriation acts:

Pub. L. 114–113, div. K, title VII, § 7034(r)(3), Dec. 18, 2015, 129 Stat. 2768.

Pub. L. 113–235, div. J, title VII, § 7029(h), Dec. 16, 2014, 128 Stat. 2618.

Pub. L. 113–76, div. K, title VII, § 7029(g), Jan. 17, 2014, 128 Stat. 508.

§ 262i. Repealed. Pub. L. 101–240, title V, § 541(d)(6), Dec. 19, 1989, 103 Stat. 2518

Section, Pub. L. 96–259, title IV, § 401, June 3, 1980, 94 Stat. 431, related to communication and dissemination of information respecting export opportunity enhancement.

§ 262j. Use of renewable resources for energy production

(a) Promotion, etc., by United States in connection with international financial institutions

The United States Government, in connection with its voice and vote in the Inter-American Development Bank, the African Development Fund, and the Asian Development Bank, shall encourage such institutions—

(1) to promote the decentralized production of renewable energy;

(2) to identify renewable resources to produce energy in rural development projects and determine the feasibility of substituting them for systems using fossil fuel;

(3) to train personnel in developing technologies for getting energy from renewable resources;

(4) to support research into the use of renewable resources, including hydropower, biomass, solar photovoltaic, and solar thermal;

(5) to support an information network to make available to policymakers the full range of energy choices;

(6) to broaden their energy planning, analyses, and assessments to include consideration of the supply of, demand for, and possible uses of renewable resources; and

(7) to coordinate with the Agency for International Development and other aid organizations in supporting effective rural energy programs.

(b) "Renewable resource" defined

For purposes of this section, the term ''renewable resource'' means any energy resource which—

(1) meets the needs of rural communities;

(2) saves capital without wasting labor;

(3) is modest in scale and simple to install and maintain and which can be managed by local individuals;

(4) is acceptable and affordable; and

(5) does not damage the environment.

(Pub. L. 96–259, title VI, §602, June 3, 1980, 94 Stat. 433; Pub. L. 97–375, title I, §112, Dec. 21, 1982, 96 Stat. 1821.)

AMENDMENTS

1982—Subsec. (c). Pub. L. 97–375 struck out subsec. (c) which directed the Secretary of the Treasury, in consultation with the Director of the United States International Development Cooperation Agency, to report to Congress not later than six months after June 3, 1980, and annually thereafter on the progress toward achieving the goals set forth in this title.

CONGRESSIONAL STATEMENT OF FINDINGS RESPECTING USE OF RENEWABLE RESOURCES FOR ENERGY PRODUCTION IN POOR AND DEVELOPING COUNTRIES AND ROLE OF INTERNATIONAL FINANCIAL INSTITUTIONS

Pub. L. 96–259, title VI, §601, June 3, 1980, 94 Stat. 432, provided that: ''The Congress finds that—

''(1) without an adequate supply of energy at affordable prices the world's poor will continue to be deprived of jobs, food, water, shelter, and clothing, and poor countries will continue to be economically and politically unstable;

''(2) dependence on increasingly expensive fossil fuel resources consumes too much of the capital available to poor countries with the result that funds are not available to meet the basic needs of poor people;

''(3) in many developing countries the cost of large central generators and long distance electrical distribution makes it unlikely that rural energy by means of a national grid will contribute to meeting the needs of poor people;

''(4) only one of eight rural inhabitants lives in an area which has access to electricity and even fewer rural inhabitants actually have or can afford electricity;

''(5) wood, animal and agricultural waste, and other 'noncommercial' fuels still supply about half the total energy in developing countries and all but a seventh in rural sectors;

''(6) growing dependence of the world's poor on wood for heating and cooking has forced the overcutting of forests and as a consequence erosion and loss of available agricultural land; and

''(7) recent initiatives by the international financial institutions to develop and utilize decentralized solar, hydro, biomass, geothermal, and wind energy should be significantly expanded to make renewable energy resources increasingly available to the world's poor on a wide scale.''

§ 262k. Financial assistance to international financial institutions; considerations and criteria

(a) Congressional declaration of intent

United States active participation in international financial institution activity is based on our national objective of furthering the economic and social development of the nations of the world, in particular the developing nations. The attainment of this national objective is most effectively realized through a world economic and financial system which is both free and stable. Therefore, it is the intent of the United States Congress that United States financial assistance to the international financial institutions should be primarily directed to those projects that would not generate excess commodity supplies in world markets, displace private investment initiatives or foster departures from a market-oriented economy.

(b) Effect of country adjustment programs; minimization of projected adverse impacts; avoidance of government subsidization

The Secretary of the Treasury shall instruct the representatives of the United States to the international financial institutions described in subsection (d) to take into account in their review of loans, credits, or other utilization of the resources of their respective institutions, the effect that country adjustment programs would have upon individual industry sectors and international commodity markets in order to—

(1) minimize any projected adverse impacts on such sector or markets of making such loans, credits, or utilization of resources; and

(2) avoid whenever possible government subsidization of production and exports of international commodities without regard to economic conditions in the markets for such commodities.

(c) Project proposals relating to mining, smelting, refining, and fabricating of minerals and metal products

More specifically, the following criteria should be considered as a basis for a vote by the respective United States Executive Director to each of the international financial institutions described in subsection (d) against a project proposal involving the creation of new capacity or the expansion, improvement, or modification of mining, smelting, refining, and fabricating of minerals and metal products:

(1) Analysis shows that the risks, returns, and incentives of a project are such that it could be financed at reasonable terms by commercial lending services.

(2) Analysis by the United States Bureau of Mines indicates that surplus capacity in the industry for the primary product of the defined project would exist over half the period of the economic life of the project because of projected world demand and capacity conditions.

(3) United States imports of the commodity constitute less than 50 percent of the domestic production of the primary product in those cases where the United States is the substantial producer of such commodities.