

“(6) Respecting the basic rights of indigenous minority groups, especially in the central and northern highlands of Vietnam.

“(7) Respecting the basic rights of workers, including working with the International Labor Organization to improve mechanisms for promoting such rights.

“(8) Cooperating with requests by the United States to obtain full and free access to persons who may be eligible for admission to the United States as refugees or immigrants, and allowing such persons to leave Vietnam without being subjected to extortion or other corrupt practices.”

[For definitions of “Secretary” and “appropriate congressional committees” as used in section 702 of Pub. L. 107-228, set out above, see section 3 of Pub. L. 107-228, set out as a note under section 2651 of this title.]

#### ASSISTANCE FOR PROMOTING RELIGIOUS FREEDOM

Pub. L. 105-292, title V, §501(a), Oct. 27, 1998, 112 Stat. 2811, provided that: “Congress makes the following findings:

“(1) In many nations where severe violations of religious freedom occur, there is not sufficient statutory legal protection for religious minorities or there is not sufficient cultural and social understanding of international norms of religious freedom.

“(2) Accordingly, in the provision of foreign assistance, the United States should make a priority of promoting and developing legal protections and cultural respect for religious freedom.”

#### REPORT ON HUMAN RIGHTS TO COMMITTEES ON APPROPRIATIONS

Pub. L. 102-391, title V, §511(b), Oct. 6, 1992, 106 Stat. 1658, as amended by Pub. L. 106-429, §101(a) [title V, §590], Nov. 6, 2000, 114 Stat. 1900, 1900A-59, provided that: “The Secretary of State shall also transmit the report required by section 116(d) of the Foreign Assistance Act of 1961 [22 U.S.C. 2151n(d)] to the Committees on Appropriations each year by the date specified in that section: *Provided*, That each such report submitted pursuant to such section shall (1) include a review of each country’s commitment to children’s rights and welfare as called for by the Declaration of the World Summit for Children; [(2) Repealed. Pub. L. 106-429, §101(a) [title V, §590], Nov. 6, 2000, 114 Stat. 1900, 1900A-59;] (3) describe the extent to which indigenous people are able to participate in decisions affecting their lands, cultures, traditions and the allocation of natural resources, and assess the extent of protection of their civil and political rights.”

#### REPORT ON IMPACT ON FOREIGN RELATIONS OF UNITED STATES OF REPORTS ON HUMAN RIGHTS PRACTICES OF FOREIGN GOVERNMENTS

Pub. L. 96-53, title V, §504(b), Aug. 14, 1979, 93 Stat. 378, which required Secretary of State to report by Nov. 15, 1979, foreign relations impact made by reports of human rights violations of foreign governments, was repealed by Pub. L. 97-113, title VII, §734(a)(3), Dec. 29, 1981, 95 Stat. 1560.

#### § 2151n-1. Repealed. Pub. L. 103-236, title I, § 139(4), Apr. 30, 1994, 108 Stat. 397

Section, Pub. L. 95-105, title I, §108, Aug. 17, 1977, 91 Stat. 846, directed Secretary of State to report annually to Congress about American citizens in foreign jails.

#### § 2151n-2. Human Rights and Democracy Fund

##### (a) Establishment of Fund

There is established a Human Rights and Democracy Fund (in this section referred to as the “Fund”) to be administered by the Assistant Secretary of State for Democracy, Human Rights, and Labor.

##### (b) Purposes of Fund

The purposes of the Fund shall be—

- (1) to support defenders of human rights;
- (2) to assist the victims of human rights violations;
- (3) to respond to human rights emergencies;
- (4) to promote and encourage the growth of democracy, including the support for non-governmental organizations in foreign countries; and
- (5) to carry out such other related activities as are consistent with paragraphs (1) through (4).

##### (c) Funding

###### (1) In general

Of the amounts made available to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 [22 U.S.C. 2346 et seq.] for fiscal year 2003, \$21,500,000 is authorized to be available to the Fund for carrying out the purposes described in subsection (b). Amounts made available to the Fund under this paragraph shall also be deemed to have been made available under section 116(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(e)).

###### (2) Allocation of funds for the Documentation Center of Cambodia

Of the amount authorized to be available to the Fund under paragraph (1) for fiscal year 2003, \$1,000,000 is authorized to be available for the Documentation Center of Cambodia for the purpose of collecting, cataloguing, and disseminating information about the atrocities committed by the Khmer Rouge against the Cambodian people.

###### (3) Father John Kaiser Memorial Fund

Of the amount authorized to be available to the Fund under paragraph (1) for fiscal year 2003, \$500,000 is authorized to be available to advance the extraordinary work and values of Father John Kaiser with respect to solving ethnic conflict and promoting government accountability and respect for human rights. The amount made available under this paragraph may be referred to as the “Father John Kaiser Memorial Fund”.

(Pub. L. 107-228, div. A, title VI, §664, Sept. 30, 2002, 116 Stat. 1406.)

#### REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (c)(1), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, as amended. Chapter 4 of part II of the Act is classified generally to part IV (§2346 et seq.) of subchapter II of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

#### CODIFICATION

Section was enacted as part of the Freedom Investment Act of 2002, and also as part of the Department of State Authorization Act, Fiscal Year 2003 and the Foreign Relations Authorization Act, Fiscal Year 2003, and not as part of the Foreign Assistance Act of 1961 which comprises this chapter.

#### PURPOSES

Pub. L. 107-228, div. A, title VI, §662, Sept. 30, 2002, 116 Stat. 1405, provided that: “The purposes of this subtitle [subtitle E (§§661-665) of title VI of div. A of Pub. L.

107-228, see Short Title of 2002 Amendments note set out under section 2151 of this title] are the following:

“(1) To underscore that promoting and protecting human rights is in the national interests of the United States and is consistent with American values and beliefs.

“(2) To establish a goal of devoting one percent of the funds available to the Department under ‘Diplomatic and Consular Programs’, other than such funds that will be made available for worldwide security upgrades and information resource management, to enhance the ability of the United States to promote respect for human rights and the protection of human rights defenders.”

[For definition of “Department” as used in section 662 of Pub. L. 107-228, set out above, see section 3 of Pub. L. 107-228, set out as a note under section 2651 of this title.]

**§ 2151o. Repealed. Pub. L. 103-149, § 4(a)(3)(B), Nov. 23, 1993, 107 Stat. 1505**

Section, Pub. L. 87-195, pt. I, § 117, as added Pub. L. 99-440, title II, § 201(b), Oct. 2, 1986, 100 Stat. 1094, related to assistance for disadvantaged South Africans.

A prior section 2151o, Pub. L. 87-195, pt. 1, § 117, as added Pub. L. 95-88, title I, § 112, Aug. 3, 1977, 91 Stat. 537, related to a strategy for programs of nutrition and health improvement for mothers and children, prior to repeal by Pub. L. 95-424, title I, § 103(c), Oct. 6, 1978, 92 Stat. 945, eff. Oct. 1, 1978.

**§ 2151p. Environmental and natural resources**

**(a) Congressional statement of findings**

The Congress finds that if current trends in the degradation of natural resources in developing countries continue, they will severely undermine the best efforts to meet basic human needs, to achieve sustained economic growth, and to prevent international tension and conflict. The Congress also finds that the world faces enormous, urgent, and complex problems, with respect to natural resources, which require new forms of cooperation between the United States and developing countries to prevent such problems from becoming unmanageable. It is, therefore, in the economic and security interest of the United States to provide leadership both in thoroughly reassessing policies relating to natural resources and the environment, and in cooperating extensively with developing countries in order to achieve environmentally sound development.

**(b) Assistance authority and emphasis**

In order to address the serious problems described in subsection (a), the President is authorized to furnish assistance under subchapter I of this chapter for developing and strengthening the capacity of developing countries to protect and manage their environment and natural resources. Special efforts shall be made to maintain and where possible to restore the land, vegetation, water, wildlife, and other resources upon which depend economic growth and human well-being, especially of the poor.

**(c) Implementation considerations applicable to programs and projects**

(1) The President, in implementing programs and projects under this part and part X of this subchapter, shall take fully into account the impact of such programs and projects upon the environment and natural resources of developing countries. Subject to such procedures as the

President considers appropriate, the President shall require all agencies and officials responsible for programs or projects under this part and part X of this subchapter—

(A) to prepare and take fully into account an environmental impact statement for any program or project under this part and part X of this subchapter significantly affecting the environment of the global commons outside the jurisdiction of any country, the environment of the United States, or other aspects of the environment which the President may specify; and

(B) to prepare and take fully into account an environmental assessment of any proposed program or project under this part and part X of this subchapter significantly affecting the environment of any foreign country.

Such agencies and officials should, where appropriate, use local technical resources in preparing environmental impact statements and environmental assessments pursuant to this subsection.

(2) The President may establish exceptions from the requirements of this subsection for emergency conditions and for cases in which compliance with those requirements would be seriously detrimental to the foreign policy interests of the United States.

(Pub. L. 87-195, pt. I, § 117, formerly § 118, as added Pub. L. 95-88, title I, § 113(a), Aug. 3, 1977, 91 Stat. 537; amended Pub. L. 95-424, title I, § 110, Oct. 6, 1978, 92 Stat. 948; Pub. L. 96-53, title I, § 122, Aug. 14, 1979, 93 Stat. 366; Pub. L. 97-113, title III, § 307, Dec. 29, 1981, 95 Stat. 1533; renumbered § 117 and amended Pub. L. 99-529, title III, § 301(1), (2), Oct. 24, 1986, 100 Stat. 3014; Pub. L. 101-513, title V, § 562(d)(4), Nov. 5, 1990, 104 Stat. 2031.)

REFERENCES TO SUBCHAPTER I DEEMED TO INCLUDE CERTAIN PARTS OF SUBCHAPTER II

References to subchapter I of this chapter are deemed to include parts IV (§ 2346 et seq.), VI (§ 2348 et seq.), and VIII (§ 2349aa et seq.) of subchapter II of this chapter, and references to subchapter II are deemed to exclude such parts. 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.

CODIFICATION

Other sections 117 of Pub. L. 87-195, pt. I, were classified to section 2151o of this title prior to repeal by Pub. L. 95-424 and Pub. L. 103-149.

AMENDMENTS

1990—Subsec. (c)(1). Pub. L. 101-513 inserted “and part X of this subchapter” after “this part” wherever appearing.

1986—Subsec. (d). Pub. L. 99-529, § 301(2), struck out subsec. (d) relating to loss of tropical forests in developing countries. See section 2151p-1 of this title.

1981—Pub. L. 97-113 amended section generally, substituting subssecs. (a) to (d) for former subssecs. (a) and (b) which authorized President to furnish assistance under this subchapter for developing and strengthening capacity of less developed countries to protect and manage their environment and natural resources and directed President to take into consideration environmental consequences of development actions in carrying out this part.

1979—Subsec. (c). Pub. L. 96-53 repealed subsec. (c) which related to studies and report to Congress by the President on the identification of major environmental and natural resource problems.