

## CODIFICATION

Section was enacted as part of the International Narcotics Control Act of 1990, and not as part of the Foreign Assistance Act of 1961 which comprises this chapter.

**§ 2151x-2. Assistance in furtherance of narcotics control objectives of United States**

**(a) Waiver of certain restrictions**

For the purpose of reducing dependence upon the production of crops from which narcotic and psychotropic drugs are derived, the President may provide economic assistance for a country which, because of its coca production, is a major illicit drug producing country (as defined in section 481(i)(2)<sup>1</sup> of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(i)(2))) to promote the production, processing, or the marketing of products which can be economically produced in such country, notwithstanding the provisions of law described in subsection (b) of this section.

**(b) Description of restrictions waived**

The provisions of law made inapplicable by subsection (a) are any other provisions of law that would otherwise restrict the use of economic assistance funds with respect to the production, processing, or marketing of agricultural commodities (or the products thereof) or other products, including sections 521, 546, and 547 (but excluding section 510) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, and comparable provisions of subsequent Acts appropriating funds for foreign operations, export financing, and related programs.

**(c) “Economic assistance” defined**

As used in this section, the term “economic assistance” means assistance under chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 and following; relating to development assistance) and assistance under chapter 4 of part II of that Act (22 U.S.C. 2346 and following; relating to the economic support fund).

(Pub. L. 101-624, title XV, § 1544, Nov. 28, 1990, 104 Stat. 3695.)

## REFERENCES IN TEXT

The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, referred to in subsec. (b), is Pub. L. 101-167, Nov. 21, 1989, 103 Stat. 1195. Sections 510, 521, 546, and 547 of that Act are not classified to the Code.

The Foreign Assistance Act of 1961, referred to in subsecs. (a) and (c), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, as amended. Chapter 1 of part I and chapter 4 of part II of the Act are classified generally to part I (§ 2151 et seq.) of subchapter I and part IV (§ 2346 et seq.) of subchapter II, respectively, of this chapter. 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. Subsec. (i) of section 481 of the Act was redesignated (e) by Pub. L. 102-583, § 6(b)(3), Nov. 2, 1992, 106 Stat. 4932. 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 Agricultural Development and Trade Act of 1990, and also as part of the

Food, Agriculture, Conservation, and Trade Act of 1990, and not as part of the Foreign Assistance Act of 1961 which comprises this chapter.

**§ 2151y. Accelerated loan repayments; annual review of countries with bilateral concessional loan balances; priority of determinations respecting negotiations with countries having balances; criteria for determinations**

The Administrator of the agency primarily responsible for administering subchapter I of this chapter shall conduct an annual review of bilateral concessional loan balances and shall determine and identify those countries whose financial resources make possible accelerated loan repayments. In particular, European countries that were recipients of concessional loans by predecessor agencies to the agency primarily responsible for administering subchapter I of this chapter shall be contacted to negotiate accelerated repayments. The criteria used by the Administrator in making these determinations shall be established in conjunction with the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(Pub. L. 87-195, pt. I, § 127, as added Pub. L. 96-53, title V, § 508(a), Aug. 14, 1979, 93 Stat. 379.)

## 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.

## EFFECTIVE DATE

Section effective Oct. 1, 1979, see section 512(a) of Pub. L. 96-53, set out as an Effective Date of 1979 Amendment note under section 2151 of this title.

## NEGOTIATING EFFORTS CONCERNING ACCELERATED LOAN REPAYMENTS TO BE INCLUDED IN ANNUAL REPORTS ON FOREIGN ASSISTANCE FOR 1980 AND 1981

Pub. L. 96-53, title V, § 508(b), Aug. 14, 1979, 93 Stat. 379, which related to loan repayment provisions in reports, was repealed by Pub. L. 97-113, title VII, § 734(a)(3), Dec. 29, 1981, 95 Stat. 1560.

**§ 2151z. Targeted assistance**

**(a) Determination of target populations and strengthening United States assistance**

The President shall use poverty measurement standards, such as those developed by the International Bank for Reconstruction and Development, and other appropriate measurements in determining target populations for United States development assistance, and shall strengthen United States efforts to assure that a substantial percentage of development assistance under this part directly improves the lives of the poor majority, with special emphasis on those individuals living in absolute poverty.

**(b) Ultimate beneficiaries of activities**

To the maximum extent possible, activities under this part that attempt to increase the institutional capabilities of private organizations or governments, or that attempt to stimulate

<sup>1</sup> See References in Text note below.

scientific and technological research, shall be designed and monitored to ensure that the ultimate beneficiaries of these activities are the poor majority.

(Pub. L. 87-195, pt. I, §128, as added Pub. L. 97-377, title I, §101(b)(2), Dec. 21, 1982, 96 Stat. 1832; amended Pub. L. 99-83, title III, §312(a), Aug. 8, 1985, 99 Stat. 216.)

#### AMENDMENTS

1985—Pub. L. 99-83, in amending section generally, designated existing provisions as subsec. (a), substituted provisions setting overall guidelines and principles for determination of target populations and strengthening United States assistance, for provisions relating to Presidential responsibility in carrying out this part in fiscal year 1983 for targeting assistance for those living in absolute poverty, and added subsec. (b).

#### EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-83 effective Oct. 1, 1985, see section 1301 of Pub. L. 99-83, set out as a note under section 2151-1 of this title.

#### DELEGATION OF FUNCTIONS

For delegation of functions of President under this section, see Ex. Ord. No. 12163, Sept. 29, 1979, 44 F.R. 56673, as amended, set out as a note under section 2381 of this title.

#### REPORT OF ADMINISTRATOR OF AGENCY FOR INTERNATIONAL DEVELOPMENT TO CONGRESS BY JUNE 21, 1983, ON IMPLEMENTATION OF SECTION

Pub. L. 97-377, title I, §101(b)(2), Dec. 21, 1982, 96 Stat. 1832, provided in part that within six months after Dec. 21, 1982, the Administrator of the Agency for International Development would report to Congress on the implementation of this section, the types of projects determined to meet these requirements, and the effect on the overall United States foreign assistance program.

### **§ 2151aa. Program to provide technical assistance to foreign governments and foreign central banks of developing or transitional countries**

#### **(a) Establishment of program**

##### **(1) In general**

Not later than 150 days after October 21, 1998, the Secretary of the Treasury, after consultation with the Secretary of State and the Administrator of the United States Agency for International Development, is authorized to establish a program to provide technical assistance to foreign governments and foreign central banks of developing or transitional countries.

##### **(2) Role of Secretary of State**

The Secretary of State shall provide foreign policy guidance to the Secretary to ensure that the program established under this subsection is effectively integrated into the foreign policy of the United States.

#### **(b) Conduct of program**

##### **(1) In general**

In carrying out the program established under subsection (a), the Secretary shall provide economic and financial technical assistance to foreign governments and foreign central banks of developing and transitional countries by providing advisers with appro-

priate expertise to advance the enactment of laws and establishment of administrative procedures and institutions in such countries to promote macroeconomic and fiscal stability, efficient resource allocation, transparent and market-oriented processes and sustainable private sector growth.

#### **(2) Additional requirements**

To the extent practicable, such technical assistance shall be designed to establish—

(A) tax systems that are fair, objective, and efficiently gather sufficient revenues for governmental operations;

(B) debt issuance and management programs that rely on market forces;

(C) budget planning and implementation that permits responsible fiscal policy management;

(D) commercial banking sector development that efficiently intermediates between savers and investors; and

(E) financial law enforcement to protect the integrity of financial systems, financial institutions, and government programs.

#### **(3) Emphasis on anti-corruption**

Such technical assistance shall include elements designed to combat anti-competitive, unethical, and corrupt activities, including protection against actions that may distort or inhibit transparency in market mechanisms and, to the extent applicable, privatization procedures.

#### **(c) Administrative requirements**

In carrying out the program established under subsection (a), the Secretary—

(1) shall establish a methodology for identifying and selecting foreign governments and foreign central banks to receive assistance under the program;

(2) prior to selecting a foreign government or foreign central bank to receive assistance under the program, shall receive the concurrence of the Secretary of State with respect to the selection of such government or central bank and with respect to the cost of the assistance to such government or central bank;

(3) shall consult with the heads of appropriate Executive agencies of the United States, including the Secretary of State and the Administrator of the United States Agency for International Development, and appropriate international financial institutions to avoid duplicative efforts with respect to those foreign countries for which such agencies or organizations provide similar assistance;

(4) shall ensure that the program is consistent with the International Affairs Strategic Plan and Mission Performance Plan of the United States Agency for International Development;

(5) shall establish and carry out a plan to evaluate the program.

#### **(d) Administrative authorities**

In carrying out the program established under subsection (a), the Secretary shall have the following administrative authorities:

(1) The Secretary may provide allowances and benefits under chapter 9 of title I of the