

country”), as determined and adjusted on an annual basis by the International Bank for Reconstruction and Development in its World Development Report; or

(ii) a country that has a per capita income of more than \$725 but less than \$8,956 in 1994 United States dollars (commonly referred to as “middle-income country”), as determined and adjusted on an annual basis by the International Bank for Reconstruction and Development in its World Development Report; and

(B) a country that contains at least one tropical forest or coral reef that is globally outstanding in terms of its biological diversity or represents one of the larger intact blocks of tropical forests or coral reefs left, on a regional, continental, or global scale.

(6) Eligible country

The term “eligible country” means a country designated by the President in accordance with section 2431c of this title.

(7) Conservation Agreement

The term “Conservation Agreement” or “Agreement” means a Conservation Agreement provided for in section 2431g of this title.

(8) Conservation Facility

The term “Conservation Facility” or “Facility” means the Conservation Facility established in the Department of the Treasury by section 2431b of this title.

(9) Conservation Fund

The term “Conservation Fund” or “Fund” means a Conservation Fund provided for in section 2431h of this title.

(10) Coral

The term “coral” means species of the phylum Cnidaria, including—

(A) all species of the orders Antipatharia (black corals), Scleractinia (stony corals), Alcyonacea (soft corals), Gorgonacea (horny corals), Stolonifera (organpipe corals and others), and Coenothecalia (blue coral), of the class Anthozoa;¹ and

(B) all species of the order Hydrocorallina (fire corals and hydrocorals) of the class Hydrozoa.

(11) Coral reef

The term “coral reef” means any reef or shoal composed primarily of coral.

(12) Coral reef ecosystem

The term “coral reef ecosystem” means any coral reef and any coastal marine ecosystem surrounding, or directly related to, a coral reef and important to maintaining the ecological integrity of that coral reef, such as seagrasses, mangroves, sandy seabed communities, and immediately adjacent coastal areas.

(Pub. L. 87-195, pt. V, §803, as added Pub. L. 105-214, §1, July 29, 1998, 112 Stat. 886; amended Pub. L. 115-440, §§3(b), 4(b), 8(e), 9(b)(1), Jan. 14, 2019, 132 Stat. 5581, 5583, 5584.)

¹ So in original. Probably should be “Anthozoa;”.

PRIOR PROVISIONS

A prior section 803 of Pub. L. 87-195, pt. V, was classified to section 2433 of this title prior to repeal by Pub. L. 94-329.

AMENDMENTS

2019—Par. (5). Pub. L. 115-440, §3(b)(1)(A), (B), substituted “tropical forest or coral reef” for “tropical forest” in heading and introductory provisions.

Par. (5)(B). Pub. L. 115-440, §3(b)(1)(C), substituted “tropical forest or coral reef” for “tropical forest” and “tropical forests or coral reefs” for “tropical forests”.

Par. (7). Pub. L. 115-440, §8(e), substituted “Conservation Agreement” for “Tropical Forest Agreement” in heading and in two places in text.

Par. (8). Pub. L. 115-440, §4(b), substituted “Conservation Facility” for “Tropical Forest Facility” in heading and in two places in text.

Par. (9). Pub. L. 115-440, §9(b)(1), substituted “Conservation Fund” for “Tropical Forest Fund” in heading and in two places in text.

Pars. (10) to (12). Pub. L. 115-440, §3(b)(2), added pars. (10) to (12).

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 2431b. Establishment of Facility

There is established in the Department of the Treasury an entity to be known as the “Conservation Facility” for the purpose of providing for the administration of debt reduction in accordance with this subchapter.

(Pub. L. 87-195, pt. V, §804, as added Pub. L. 105-214, §1, July 29, 1998, 112 Stat. 887; amended Pub. L. 115-440, §4(a), Jan. 14, 2019, 132 Stat. 5581.)

PRIOR PROVISIONS

A prior section 804 of Pub. L. 87-195, pt. V, was classified to section 2434 of this title prior to repeal by Pub. L. 94-329.

AMENDMENTS

2019—Pub. L. 115-440 substituted “Conservation Facility” for “Tropical Forest Facility”.

CHANGE OF NAME

Pub. L. 115-440, §4(c), Jan. 14, 2019, 132 Stat. 5582, provided that: “Any reference in any other provision of law, regulation, document, paper, or other record of the United States to the ‘Tropical Forest Facility’ shall be deemed to be a reference to the ‘Conservation Facility’.”

§ 2431c. Eligibility for benefits

(a) In general

To be eligible for benefits from the Facility under this subchapter, a country shall be a developing country with a tropical forest or coral reef—

(1) whose government is democratically elected;

(2) whose government has not repeatedly provided support for acts of international terrorism;

(3) whose government is not failing to cooperate on international narcotics control matters;

(4) whose government (including its military or other security forces) does not engage in a