

shall not be available for use or obligation prior to Oct. 1, 1981, see section 1372 of Pub. L. 97-35, set out as an Effective Date note under section 290i of this title.

EFFECTIVE DATE

Section effective Oct. 3, 1977, except that no funds authorized to be appropriated by this section may be available for use or obligation prior to Oct. 1, 1977, see section 1001 of Pub. L. 95-118, set out as a note under section 282i of this title.

§ 285u. Additional contribution to special funds

(a) United States share

The United States Governor of the Bank is authorized to contribute on behalf of the United States \$378,250,000 to the Asian Development Fund, a special fund of the Bank, except that any commitment to make such contribution shall be made subject to obtaining the necessary appropriations.

(b) Authorization of appropriations; maximum available for certain years

In order to pay for the United States contribution to the Asian Development Fund provided for in this section, there are authorized to be appropriated, without fiscal year limitation, \$378,250,000 for payment by the Secretary of the Treasury: *Provided, however*, That not more than \$111,250,000 of such sum may be made available for the fiscal year 1982, and not more than \$44,500,000 of such sum may be made available for the fiscal year 1983.

(c) Funding requirements

For the purpose of keeping to a minimum the cost to the United States, the Secretary of the Treasury—

(1) shall pay the United States contribution to the Asian Development Fund authorized by this section by letter of credit in four annual installments; and

(2) shall take the steps necessary to obtain a certification from the Bank that any undisbursed balances resulting from drawdowns on such letter of credit will not exceed at any time the United States share of expected disbursement requirements for the following three-month period.

(Pub. L. 89-369, § 24, as added Pub. L. 96-259, title II, § 201, June 3, 1980, 94 Stat. 430; amended Pub. L. 97-35, title XIII, § 1352(b), Aug. 13, 1981, 95 Stat. 744.)

AMENDMENTS

1981—Subsec. (b). Pub. L. 97-35 inserted provision limiting amount of appropriations for fiscal years 1982 and 1983.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-35 effective Aug. 13, 1981, except that any funds authorized to be appropriated shall not be available for use or obligation prior to Oct. 1, 1981, see section 1372 of Pub. L. 97-35, set out as an Effective Date note under section 290i of this title.

§ 285v. Sense of Congress respecting membership of Taiwan in Bank

It is the sense of the Congress that it is the policy of the United States that Taiwan (before January 1, 1979, known as the Republic of China) shall be permitted to retain membership in the

Asian Development Bank and that the United States Executive Director of the Bank shall notify the Bank that a serious review of future United States participation, including any future payments to the Asian Development Fund, would ensue if Taiwan were expelled from the Bank.

(Pub. L. 89-369, § 25, as added Pub. L. 96-259, title II, § 201, June 3, 1980, 94 Stat. 430.)

§ 285w. Contribution to Asian Development Fund; authorization of appropriations

(a) The United States Governor of the Bank is authorized to contribute on behalf of the United States \$66,750,000 to the Asian Development Fund, a special fund of the Bank: *Provided, however*, That any commitment to make such contribution shall be made subject to obtaining the necessary appropriations.

(b) In order to pay for the United States contribution to the Asian Development Fund provided for in this section, there is authorized to be appropriated, without fiscal year limitation, \$66,750,000 for payment by the Secretary of the Treasury: *Provided, however*, That no funds may be made available for such contribution for the fiscal year 1982.

(Pub. L. 89-369, § 26, as added Pub. L. 97-35, title XIII, § 1352(a), Aug. 13, 1981, 95 Stat. 744.)

EFFECTIVE DATE

Section effective Aug. 13, 1981, except that any funds authorized to be appropriated shall not be available for use or obligation prior to Oct. 1, 1981, see section 1372 of Pub. L. 97-35, set out as a note under section 290i of this title.

§ 285x. Additional subscription to shares

(a) United States share

(1) The United States Governor of the Bank is authorized to subscribe on behalf of the United States to one hundred twenty-three thousand three hundred and seventy-five additional shares of the capital stock of the Bank.

(2) Any subscription to the capital stock of the Bank shall be effective only to such extent or in such amounts as are provided in advance in appropriation Acts.

(b) Authorization of appropriations

In order to pay for the increase in the United States subscription to the Bank provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, \$1,322,999,476 for payment by the Secretary of the Treasury.

(c) Continued membership of Republic of China in Bank

(1) The Congress hereby finds that—

(A) the Republic of China (Taiwan) is a charter member in good standing of the Asian Development Bank;

(B) the Republic of China has grown from a borrower to a lender in the Asian Development Bank; and

(C) the Republic of China provides, through its economic success, a model for other nations in Asia.

(2) It is the sense of the Congress that—

(A) Taiwan, Republic of China, should remain a full member of the Asian Development Bank, and that its status within that body should remain unaltered no matter how the issue of the People's Republic of China's application for membership is disposed of;

(B) the President and the Secretary of State should express support of Taiwan, Republic of China, making it clear that the United States will not countenance attempts to expel Taiwan, Republic of China, from the Asian Development Bank; and

(C) the Secretary of the Senate and Clerk of the House shall transmit a copy of this resolution to the President with the request that he transmit such copy to the Board of Governors of the Asian Development Bank.

(Pub. L. 89-369, § 27, as added Pub. L. 98-181, title I [title X, § 1002], Nov. 30, 1983, 97 Stat. 1285.)

§ 285y. Additional contribution to special funds; authorization of appropriations

(a)(1) The United States Governor of the Bank is authorized to contribute on behalf of the United States \$520,000,000 to the Asian Development Fund, a special fund of the Bank.

(2) Any commitment to make the contribution authorized in paragraph (1) shall be made subject to obtaining the necessary appropriations.

(b) In order to pay for the United States contribution to the Asian Development Fund provided for in this section, there are authorized to be appropriated, without fiscal year limitation, \$520,000,000 for payment by the Secretary of the Treasury.

(Pub. L. 89-369, § 28, as added Pub. L. 98-181, title I [title X, § 1002], Nov. 30, 1983, 97 Stat. 1286.)

§ 285z. Additional contribution to special funds; authorization of appropriations

(a) The United States Governor of the Bank is authorized to contribute on behalf of the United States \$584,280,000 to the Asian Development Fund, a special Fund of the Bank, except that any commitment to make such contributions shall be made subject to obtaining the necessary appropriations.

(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, \$584,280,000 for payment by the Secretary of the Treasury.

(Pub. L. 89-369, § 29, as added Pub. L. 100-202, § 101(e) [title I], Dec. 22, 1987, 101 Stat. 1329-131, 1329-134.)

CODIFICATION

Section 29 of Pub. L. 89-369 is based on section 201 of title II of H.R. 3750, One Hundredth Congress, as introduced Dec. 11, 1987, and enacted into law by Pub. L. 100-202.

§ 285aa. Capital increase

(a) Subscription authorized

(1) The United States Governor of the Bank may subscribe on behalf of the United States to 35,230 additional shares of the capital stock of the Bank. (2) Any subscription by the United States to the capital stock of the Bank shall be

effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

(b) Limitations on authorization of appropriations

In order to pay for the increase in the United States subscription to the Bank provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, \$213,000,000 for payment by the Secretary of the Treasury.

(Pub. L. 89-369, § 30, as added Pub. L. 102-145, § 125(b), as added Pub. L. 102-266, § 102, Apr. 1, 1992, 106 Stat. 97.)

§ 285bb. Additional contribution to special funds

(a) Contribution authority

(1) In general

The United States Governor of the Bank may contribute on behalf of the United States an amount equal to the amount appropriated under subsection (b), pursuant to the resolution of the Bank entitled "Seventh Replenishment of the Asian Development Fund".

(2) Subject to appropriations

Any commitment to make the contribution authorized by paragraph (1) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

(b) Limitations on authorization of appropriations

For the contribution authorized by subsection (a), there are authorized to be appropriated such sums as may be necessary for payment by the Secretary of the Treasury, without fiscal year limitation.

(Pub. L. 89-369, § 31, as added Pub. L. 108-199, div. D, title V, § 582, Jan. 23, 2004, 118 Stat. 204.)

§ 285cc. Eighth replenishment

(a) The United States Governor of the Bank is authorized to contribute on behalf of the United States \$461,000,000 to the eighth replenishment of the resources of the Fund, subject to obtaining the necessary appropriations.

(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, \$461,000,000 for payment by the Secretary of the Treasury.

(Pub. L. 89-369, § 32, as added Pub. L. 109-102, title V, § 599C(c), Nov. 14, 2005, 119 Stat. 2243.)

CODIFICATION

Pub. L. 109-102, title V, § 599C(c), Nov. 14, 2005, 119 Stat. 2243, which directed that this section be added at the end of "the Asian Development Fund Act, Public Law 92-245, as amended (22 U.S.C. 285 et seq.)", was executed by adding this section at the end of the Asian Development Bank Act, Pub. L. 89-369, which is classified to this subchapter, to reflect the probable intent of Congress.

§ 285dd. Ninth replenishment

(a) The United States Governor of the Bank is authorized to contribute, on behalf of the United States, \$461,000,000 to the ninth replenishment of