

should take into consideration the nature of the program and commitment of the borrower to address the issues referred to in clause (iii).

(v) The Fund should establish procedures to enable the Fund to cooperate with the Bank in evaluating the effectiveness of the measures referred to in clause (iii), at the levels of policy, project design, monitoring, and reporting, in the international financial institutions and in the borrowing nations.

(B)(i) The Fund should be encouraged to make further progress toward environmentally sound policies and programs.

(ii) The Fund should incorporate environmental considerations into all Fund programs, including consultations under article IV of the Articles of Agreement of the Fund.

(iii) The Fund should be encouraged to support the efforts of nations to implement systems of natural resource accounting in their national income accounts.

(iv) The Fund should be encouraged to assist and cooperate fully with the statistical research being undertaken by the Organization for Economic Cooperation and Development and by the United Nations in order to facilitate development and adoption of a generally applicable system for taking account of the depletion or degradation of natural resources in national income accounts.

(v) The Fund should be encouraged to consider and implement, as appropriate, revisions in its national income reporting systems consistent with such new systems as are of general applicability.

## **(2) Policy audits**

(A) The Fund should conduct periodic audits to review systematically the policy prescriptions recommended and required by the Fund in the areas of poverty and the environment.

(B) The purposes of such audits would be—

(i) to determine whether the Fund's objectives were met; and

(ii) to evaluate the social and environmental impacts of the implementation of the policy prescriptions.

(C) Such audits would have access to all ongoing programs and activities of the Fund and the ability to review the effects of Fund-supported programs, on a country-by-country basis, with respect to poverty, economic development, and environment.

(D) Such audits should be made public as appropriate with due respect to confidentiality.

## **(3) Ensuring policy options that increase the productive participation of the poor**

The Fund should establish procedures that ensure the focus of future economic reform programs approved by the Fund on policy options that increase the productive participation of the poor in the economy.

## **(4) Public access to information**

(A) The Fund should establish procedures for public access to information.

(B) Such procedures shall seek to ensure access of the public to information while paying due regard to appropriate confidentiality.

(C) Policy Framework Papers and the supporting documents prepared by the Fund's

mission to a country are examples of documents that should be made public at an appropriate time and in appropriate ways.

## **(b) Progress report**

Each annual report of the National Advisory Council on International Monetary and Financial Policies shall describe the following:

(1) The actions that the United States Executive Director and other officials have taken to convince the Fund to adopt the proposals set forth in subsection (a) through formal initiatives before the Board and management of the Fund, through bilateral discussions with other member nations, and through any further quota increase negotiations.

(2) The status of the progress being made by the Fund in implementing the proposals set forth in subsection (a).

## **(c) Study**

The Secretary of the Treasury shall instruct the United States Executive Director to the Fund to urge the Fund—

(1) to explore ways to increase the involvement and participation of important ministries, national development experts, environmental experts, free-market experts, and other legitimate experts and representatives from the loan-recipient country in the development of Fund programs; and

(2) to report on the status of Fund efforts in this regard.

(July 31, 1945, ch. 339, §59, as added Pub. L. 102-511, title X, §1002, Oct. 24, 1992, 106 Stat. 3357.)

## **§ 286mm. Measures to reduce military spending by developing nations**

### **(a) Development by Fund of means to measure military spending**

#### **(1) Position of the United States**

The United States Executive Director of the Fund shall use the voice and vote of the United States to urge the Fund, in consultation with the Bank, to continue to develop an economic methodology to measure the level of military spending by each developing country.

#### **(2) Progress report to the Congress**

No later than 1 year after October 24, 1992, the Secretary of the Treasury shall submit to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate a report on the status of the development by the Fund of a workable economic methodology to measure military spending by developing countries.

### **(b) Annual reports by Fund on levels of military spending**

The United States Executive Director of the Fund shall use the voice and vote of the United States to urge the Fund, beginning with 1994, to provide the Executive Board of the Fund with annual reports stating the estimate by the Fund of the level of military spending by each developing country in the immediately preceding calendar year (or, with respect to developing coun-

tries whose fiscal years are not calendar years, in the most recently completed fiscal year of the developing country), not later than the date of the annual fall Interim and Development Committee meetings.

**(c) Analysis and assessment of military spending to be included in article IV consultations by Fund**

The United States Executive Director of the Fund shall use the voice and vote of the United States to urge the Fund, beginning no later than the date of the first report provided as described in subsection (b), to include in every article IV consultation with a developing country an analysis of the level of military spending by the developing country in the immediately preceding calendar year (or, with respect to developing countries whose fiscal years are not calendar years, in the most recently completed fiscal year of the developing country).

(July 31, 1945, ch. 339, §60, as added Pub. L. 102-511, title X, §1003, Oct. 24, 1992, 106 Stat. 3359.)

**CHANGE OF NAME**

Committee on Banking, Finance and Urban Affairs of House of Representatives treated as referring to Committee on Banking and Financial Services of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Banking and Financial Services of House of Representatives abolished and replaced by Committee on Financial Services of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred from Committee on Energy and Commerce of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

**§ 286nn. Approval of contributions for debt reductions for the poorest countries**

For the purpose of mobilizing the resources of the Fund in order to help reduce poverty and improve the lives of residents of poor countries and, in particular, to allow those poor countries with unsustainable debt burdens to receive deeper, broader, and faster debt relief, without allowing gold to reach the open market or otherwise adversely affecting the market price of gold, the Secretary of the Treasury is authorized to instruct the United States Executive Director of the Fund to vote—

(1) to approve an arrangement whereby the Fund—

(A) sells a quantity of its gold at prevailing market prices to a member or members in nonpublic transactions sufficient to generate 2.226 billion Special Drawing Rights in profits on such sales;

(B) immediately after, and in conjunction with each such sale, accepts payment by such member or members of such gold to satisfy existing repurchase obligations of such member or members so that the Fund retains ownership of the gold at the conclusion of such payment; and

(C) uses the earnings on the investment of the profits of such sales through a separate subaccount, only for the purpose of providing debt relief from the Fund under the modified Heavily Indebted Poor Countries

(HIPC) Initiative (as defined in section 262p-6 of this title); and

(2) to support a decision that shall terminate the Special Contingency Account 2 (SCA-2) of the Fund so that the funds in the SCA-2 shall be made available to the poorest countries. Any funds attributable to the United States participation in SCA-2 shall be used only for debt relief from the Fund under the modified HIPC Initiative.

(July 31, 1945, ch. 339, §62, as added Pub. L. 106-113, div. B, §1000(a)(5) [title V, §503(a)], Nov. 29, 1999, 113 Stat. 1536, 1501A-316; amended Pub. L. 106-429, §101(a) [title VIII, §801(a)], Nov. 6, 2000, 114 Stat. 1900, 1900A-64.)

**AMENDMENTS**

2000—Par. (1)(B), (D). Pub. L. 106-429 inserted “and” at end of subpar. (B) and struck out subpar. (D) which read as follows: “shall not use more than  $\frac{1}{4}$  of the earnings on the investment of the profits of such sales; and”.

**CERTIFICATION TO CONGRESS RELATING TO USE OF PROFITS TO AUGMENT INTERNATIONAL MONETARY FUND**

Pub. L. 106-113, div. B, §1000(a)(5) [title V, §503(b)], Nov. 29, 1999, 113 Stat. 1536, 1501A-316, provided that: “Within 15 days after the United States Executive Director casts the votes necessary to carry out the instruction described in section 62 of the Bretton Woods Agreements Act [22 U.S.C. 286nn], the Secretary of the Treasury shall certify to the Congress that neither the profits nor the earnings on the investment of profits from the gold sales made pursuant to the instruction or of the funds attributable to United States participation in SCA-2 will be used to augment the resources of any reserve account of the International Monetary Fund for the purpose of making loans.”

**§ 286oo. Principles for International Monetary Fund lending**

It is the policy of the United States to work to implement reforms in the International Monetary Fund (IMF) to achieve the following goals:

**(1) Short-term balance of payments financing**

Lending from the general resources of the Fund should concentrate chiefly on short-term balance of payments financing.

**(2) Limitations on medium-term financing**

Use of medium-term lending from the general resources of the Fund should be limited to a set of well-defined circumstances, such as—

(A) when a member's balance of payments problems will be protracted;

(B) such member has a strong structural reform program in place; and

(C) the member has little or no access to private sources of capital.

**(3) Premium pricing**

Premium pricing should be introduced for lending from the general resources of the Fund, for greater than 200 percent of a member's quota in the Fund, to discourage excessive use of Fund lending and to encourage members to rely on private financing to the maximum extent possible.

**(4) Redressing misreporting of information**

The Fund should have in place and apply systematically a strong framework of safe-