

ciations or nonprofit entities, and the development of online exchanges.

“SEC. 647. GRANTS FOR PREFEASIBILITY STUDIES WITHIN A DESIGNATED SUBREGION.

“(a) GRANT AUTHORITY.—

“(1) IN GENERAL.—Subject to the availability of appropriations, the Director of the Trade and Development Agency is authorized to make grants for prefeasibility studies for water projects in any country within a single subregion or in a single country designated under paragraph (2).

“(2) DESIGNATION OF SUBREGION.—The Director of the Trade and Development Agency shall designate in advance a single subregion or a single country for purposes of paragraph (1).

“(b) MATCHING REQUIREMENT.—The Director of the Trade and Development Agency may not make any grant under this section unless there are made available non-Federal contributions in an amount equal to not less than 25 percent of the amount of Federal funds provided under the grant.

“(c) LIMITATION PER SINGLE PROJECT.—With respect to any single project, grant funds under this section shall be available only for the prefeasibility portion of that project.

“(d) DEFINITIONS.—In this section:

“(1) PREFEASIBILITY.—The term ‘prefeasibility’ means, with respect to a project, not more than 25 percent of the design phase of the project.

“(2) SUBREGION.—The term ‘subregion’ means an area within the region and includes areas such as Central America, the Andean region, and the Southern cone.

“SEC. 648. CLEAN WATER TECHNICAL SUPPORT COMMITTEE.

“(a) IN GENERAL.—The President is authorized to establish a Clean Water Technical Support Committee (in this section referred to as the ‘Committee’) to provide technical support and training services for individual water projects.

“(b) COMPOSITION.—The Committee shall consist of international investors, lenders, water service providers, suppliers, advisers, and others with a direct interest in accelerating development of water projects in the region.

“(c) FUNCTIONS.—Members of the Committee shall act as field advisers and may form specialized working groups to provide in-country training and technical assistance, and shall serve as a source of technical support to resolve barriers to project development.

“SEC. 649. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There are authorized to be appropriated to the President \$10,000,000 for each of the fiscal years 2003, 2004, and 2005 to carry out this subtitle.

“(b) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to subsection (a) are authorized to remain available until expended.

“SEC. 650. REPORT.

“Eighteen months after the establishment of the program pursuant to section 643, the President shall submit a report to the appropriate congressional committees containing—

“(1) an assessment of the progress made in carrying out the program established under this subtitle; and

“(2) any recommendations for the enactment of legislation to make changes in the program established under this subtitle.

“SEC. 651. TERMINATION DATE.

“(a) IN GENERAL.—Except as provided in subsection (b), the authorities of this subtitle shall terminate 3 years after the date of establishment of the program described in section 643.

“(b) EXCEPTION.—In lieu of the termination date specified in subsection (a), the termination required by that subsection shall take effect five years after the date of establishment of the program described in section 643 if, prior to the termination date specified in subsection

(a), the President determines and certifies to the appropriate congressional committees that it would be in the national interest of the United States to continue the program described in such section 643 for an additional 2-year period.

“SEC. 652. EFFECTIVE DATE.

“This subtitle shall take effect 90 days after the date of enactment of this Act [Sept. 30, 2002].”

[For definition of “appropriate congressional committees” as used in subtitle D of title VI of div. A 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.]

## Executive Documents

### 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.

## § 2151p-1. Tropical forests

### (a) Importance of forests and tree cover

In enacting section 2151a(b)(3) of this title the Congress recognized the importance of forests and tree cover to the developing countries. The Congress is particularly concerned about the continuing and accelerating alteration, destruction, and loss of tropical forests in developing countries, which pose a serious threat to development and the environment. Tropical forest destruction and loss—

(1) result in shortages of wood, especially wood for fuel; loss of biologically productive wetlands; siltation of lakes, reservoirs, and irrigation systems; floods; destruction of indigenous peoples; extinction of plant and animal species; reduced capacity for food production; and loss of genetic resources; and

(2) can result in desertification and destabilization of the earth’s climate.

Properly managed tropical forests provide a sustained flow of resources essential to the economic growth of developing countries, as well as genetic resources of value to developed and developing countries alike.

### (b) Priorities

The concerns expressed in subsection (a) and the recommendations of the United States Interagency Task Force on Tropical Forests shall be given high priority by the President—

(1) in formulating and carrying out programs and policies with respect to developing countries, including those relating to bilateral and multilateral assistance and those relating to private sector activities; and

(2) in seeking opportunities to coordinate public and private development and investment activities which affect forests in developing countries.

### (c) Assistance to developing countries

In providing assistance to developing countries, the President shall do the following:

(1) Place a high priority on conservation and sustainable management of tropical forests.

(2) To the fullest extent feasible, engage in dialogues and exchanges of information with recipient countries—

(A) which stress the importance of conserving and sustainably managing forest re-

sources for the long-term economic benefit of those countries, as well as the irreversible losses associated with forest destruction, and

(B) which identify and focus on policies of those countries which directly or indirectly contribute to deforestation.

(3) To the fullest extent feasible, support projects and activities—

(A) which offer employment and income alternatives to those who otherwise would cause destruction and loss of forests, and

(B) which help developing countries identify and implement alternatives to colonizing forested areas.

(4) To the fullest extent feasible, support training programs, educational efforts, and the establishment or strengthening of institutions which increase the capacity of developing countries to formulate forest policies, engage in relevant land-use planning, and otherwise improve the management of their forests.

(5) To the fullest extent feasible, help end destructive slash-and-burn agriculture by supporting stable and productive farming practices in areas already cleared or degraded and on lands which inevitably will be settled, with special emphasis on demonstrating the feasibility of agroforestry and other techniques which use technologies and methods suited to the local environment and traditional agricultural techniques and feature close consultation with and involvement of local people.

(6) To the fullest extent feasible, help conserve forests which have not yet been degraded, by helping to increase production on lands already cleared or degraded through support of reforestation, fuelwood, and other sustainable forestry projects and practices, making sure that local people are involved at all stages of project design and implementation.

(7) To the fullest extent feasible, support projects and other activities to conserve forested watersheds and rehabilitate those which have been deforested, making sure that local people are involved at all stages of project design and implementation.

(8) To the fullest extent feasible, support training, research, and other actions which lead to sustainable and more environmentally sound practices for timber harvesting, removal, and processing, including reforestation, soil conservation, and other activities to rehabilitate degraded forest lands.

(9) To the fullest extent feasible, support research to expand knowledge of tropical forests and identify alternatives which will prevent forest destruction, loss, or degradation, including research in agroforestry, sustainable management of natural forests, small-scale farms and gardens, small-scale animal husbandry, wider application of adopted traditional practices, and suitable crops and crop combinations.

(10) To the fullest extent feasible, conserve biological diversity in forest areas by—

(A) supporting and cooperating with United States Government agencies, other donors (both bilateral and multilateral), and

other appropriate governmental, intergovernmental, and nongovernmental organizations in efforts to identify, establish, and maintain a representative network of protected tropical forest ecosystems on a worldwide basis;

(B) whenever appropriate, making the establishment of protected areas a condition of support for activities involving forest clearance or degradation; and

(C) helping developing countries identify tropical forest ecosystems and species in need of protection and establish and maintain appropriate protected areas.

(11) To the fullest extent feasible, engage in efforts to increase the awareness of United States Government agencies and other donors, both bilateral and multilateral, of the immediate and long-term value of tropical forests.

(12) To the fullest extent feasible, utilize the resources and abilities of all relevant United States Government agencies.

(13) Require that any program or project under this part significantly affecting tropical forests (including projects involving the planting of exotic plant species)—

(A) be based upon careful analysis of the alternatives available to achieve the best sustainable use of the land, and

(B) take full account of the environmental impacts of the proposed activities on biological diversity,

as provided for in the environmental procedures of the Agency for International Development.

(14) Deny assistance under this part for—

(A) the procurement or use of logging equipment, unless an environmental assessment indicates that all timber harvesting operations involved will be conducted in an environmentally sound manner which minimizes forest destruction and that the proposed activity will produce positive economic benefits and sustainable forest management systems; and

(B) actions which significantly degrade national parks or similar protected areas which contain tropical forests or introduce exotic plants or animals into such areas.

(15) Deny assistance under this part for the following activities unless an environmental assessment indicates that the proposed activity will contribute significantly and directly to improving the livelihood of the rural poor and will be conducted in an environmentally sound manner which supports sustainable development:

(A) Activities which would result in the conversion of forest lands to the rearing of livestock.

(B) The construction, upgrading, or maintenance of roads (including temporary haul roads for logging or other extractive industries) which pass through relatively undegraded forest lands.

(C) The colonization of forest lands.

(D) The construction of dams or other water control structures which flood relatively undegraded forest lands.

**(d) PVOs and other nongovernmental organizations**

Whenever feasible, the President shall accomplish the objectives of this section through projects managed by private and voluntary organizations or international, regional, or national nongovernmental organizations which are active in the region or country where the project is located.

**(e) Country analysis requirements**

Each country development strategy statement or other country plan prepared by the Agency for International Development shall include an analysis of—

- (1) the actions necessary in that country to achieve conservation and sustainable management of tropical forests, and
- (2) the extent to which the actions proposed for support by the Agency meet the needs thus identified.

**(f) Annual report**

Each annual report required by section 2394(a) of this title shall include a report on the implementation of this section.

(Pub. L. 87-195, pt. I, §118, as added Pub. L. 99-529, title III, §301(3), Oct. 24, 1986, 100 Stat. 3014.)

## PRIOR PROVISIONS

A prior section 118 of Pub. L. 87-195, pt. I, was renumbered section 117 and is classified to section 2151p 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.

**§ 2151q. Endangered species****(a) Congressional findings and purposes**

The Congress finds the survival of many animal and plant species is endangered by overhunting, by the presence of toxic chemicals in water, air and soil, and by the destruction of habitats. The Congress further finds that the extinction of animal and plant species is an irreparable loss with potentially serious environmental and economic consequences for developing and developed countries alike. Accordingly, the preservation of animal and plant species through the regulation of the hunting and trade in endangered species, through limitations on the pollution of natural ecosystems, and through the protection of wildlife habitats should be an important objective of the United States development assistance.

**(b) Remedial measures**

In order to preserve biological diversity, the President is authorized to furnish assistance under subchapter I of this chapter, notwithstanding section 2420 of this title, to assist countries in protecting and maintaining wildlife habitats and in developing sound wildlife management and plant conservation programs. Special efforts should be made to establish and maintain wildlife sanctuaries, reserves, and parks; to enact and enforce anti-poaching meas-

ures; and to identify, study, and catalog animal and plant species, especially in tropical environments.

**(c) Funding level**

For fiscal year 1987, not less than \$2,500,000 of the funds available to carry out subchapter I of this chapter (excluding funds made available to carry out section 2151b(c)(2) of this title, relating to the Child Survival Fund) shall be allocated for assistance pursuant to subsection (b) for activities which were not funded prior to fiscal year 1987. In addition, the Agency for International Development shall, to the fullest extent possible, continue and increase assistance pursuant to subsection (b) for activities for which assistance was provided in fiscal years prior to fiscal year 1987.

**(d) Country analysis requirements**

Each country development strategy statement or other country plan prepared by the Agency for International Development shall include an analysis of—

- (1) the actions necessary in that country to conserve biological diversity, and
- (2) the extent to which the actions proposed for support by the Agency meet the needs thus identified.

**(e) Local involvement**

To the fullest extent possible, projects supported under this section shall include close consultation with and involvement of local people at all stages of design and implementation.

**(f) PVOs and other nongovernmental organizations**

Whenever feasible, the objectives of this section shall be accomplished through projects managed by appropriate private and voluntary organizations, or international, regional, or national nongovernmental organizations, which are active in the region or country where the project is located.

**(g) Actions by AID**

The Administrator of the Agency for International Development shall—

- (1) cooperate with appropriate international organizations, both governmental and nongovernmental;
- (2) look to the World Conservation Strategy as an overall guide for actions to conserve biological diversity;
- (3) engage in dialogues and exchanges of information with recipient countries which stress the importance of conserving biological diversity for the long-term economic benefit of those countries and which identify and focus on policies of those countries which directly or indirectly contribute to loss of biological diversity;
- (4) support training and education efforts which improve the capacity of recipient countries to prevent loss of biological diversity;
- (5) whenever possible, enter into long-term agreements in which the recipient country agrees to protect ecosystems or other wildlife habitats recommended for protection by relevant governmental or nongovernmental organizations or as a result of activities undertaken pursuant to paragraph (6), and the