

§ 2430h. Enterprise for the Americas Board

For purposes of this subchapter, the Enterprise for the Americas Board shall—

(1) advise the Secretary of State on the negotiations of Americas Framework Agreements;

(2) ensure, in consultation with—

(A) the government of the beneficiary country,

(B) nongovernmental organizations of the beneficiary country,

(C) nongovernmental organizations of the region (if appropriate),

(D) environmental, scientific, child survival and child development, and academic leaders of the beneficiary country, and

(E) environmental, scientific, child survival and child development, and academic leaders of the region (as appropriate),

that a suitable administering body is identified for each Americas Fund; and

(3) review the programs, operations, and fiscal audits of each administering body.

(Pub. L. 87-195, pt. IV, §709, as added Pub. L. 102-549, title VI, §602(a), Oct. 28, 1992, 106 Stat. 3668.)

Editorial Notes

PRIOR PROVISIONS

A prior section 709 of Pub. L. 87-195, pt. IV, Sept. 4, 1961, 75 Stat. 465, amended section 279a of this title, prior to repeal by Pub. L. 87-565, pt. IV, §401, Aug. 1, 1962, 76 Stat. 263, except insofar as section 709 affected section 279a.

§ 2430i. Annual reports to Congress

The annual reports submitted pursuant to section 1738m of title 7 shall include a description of each Americas Framework Agreement and a description of any grants that have been extended by administering bodies pursuant to an Americas Framework Agreement.

(Pub. L. 87-195, pt. IV, §710, as added Pub. L. 102-549, title VI, §602(a), Oct. 28, 1992, 106 Stat. 3669; amended Pub. L. 110-246, title III, §3001(b)(1)(A), (2)(Q), June 18, 2008, 122 Stat. 1820.)

Editorial Notes

PRIOR PROVISIONS

A prior section 710 of Pub. L. 87-195, pt. IV, Sept. 4, 1961, 75 Stat. 465, amended section 276 of this title and enacted provisions set out as a note under section 276 of this title, prior to repeal by Pub. L. 87-565, pt. IV, §401, Aug. 1, 1962, 76 Stat. 263, except insofar as section 710 affected section 276.

AMENDMENTS

2008—Pub. L. 110-246 made technical amendment to reference in original act which appears in text as reference to section 1738m of title 7.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-246 effective May 22, 2008, see section 4(b) of Pub. L. 110-246, set out as an Effective Date note under section 8701 of Title 7, Agriculture.

SUBCHAPTER IV—DEBT REDUCTION FOR DEVELOPING COUNTRIES WITH TROPICAL FORESTS

Editorial Notes

PRIOR PROVISIONS

A prior subchapter IV, Indochina Postwar Reconstruction, consisted of sections 2431 to 2435, prior to repeal by Pub. L. 94-329, title IV, §413(a), June 30, 1976, 90 Stat. 761.

§ 2431. Findings and purposes**(a) Findings**

The Congress finds the following:

(1) It is the established policy of the United States to support and seek protection of tropical forests and coral reef ecosystems around the world.

(2) Tropical forests provide a wide range of benefits to humankind by—

(A) harboring a major share of the Earth's biological and terrestrial resources, which are the basis for developing pharmaceutical products and revitalizing agricultural crops;

(B) playing a critical role as carbon sinks in reducing greenhouse gases in the atmosphere, thus moderating potential global climate change; and

(C) regulating hydrological cycles on which agricultural and coastal resources depend.

(3) International negotiations and assistance programs to conserve forest resources have proliferated over the past decade, but the rapid rate of tropical deforestation continues unabated.

(4) Developing countries with urgent needs for investment and capital for development have allocated a significant amount of their forests to logging concessions.

(5) Poverty and economic pressures on the populations of developing countries have, over time, resulted in clearing of vast areas of forest for conversion to agriculture, which is often unsustainable in the poor soils underlying tropical forests.

(6) Debt reduction can reduce economic pressures on developing countries and result in increased protection for tropical forests and coral reef ecosystems.

(7) Finding economic benefits to local communities from sustainable uses of tropical forests and coral reef ecosystems is critical to the protection of such areas.

(b) Purposes

The purposes of this subchapter are—

(1) to recognize the values received by United States citizens from protection of tropical forests and coral reef ecosystems;

(2) to facilitate greater protection of tropical forests and coral ecosystems (and to give priority to protecting areas with the highest levels of biodiversity and under the most severe threat) by providing for the alleviation of debt in countries where tropical forests and coral reef ecosystems are located, thus allowing the use of additional resources to protect these critical resources and reduce economic pressures that have led to deforestation;

(3) to ensure that resources freed from debt in such countries are targeted to protection of tropical forests and coral reef ecosystems and their associated values; and

(4) to rechannel existing resources to facilitate the protection of tropical forests and coral reef ecosystems.

(Pub. L. 87-195, pt. V, §802, as added Pub. L. 105-214, §1, July 29, 1998, 112 Stat. 885; amended Pub. L. 115-440, §3(a), Jan. 14, 2019, 132 Stat. 5580.)

Editorial Notes

PRIOR PROVISIONS

A prior section 2431, Pub. L. 87-195, pt. V, §801, as added Pub. L. 93-189, §24, Dec. 17, 1973, 87 Stat. 728, authorized the President to furnish assistance for relief and reconstruction of South Vietnam, Cambodia, and Laos, prior to repeal by Pub. L. 94-329, title IV, §413(a), June 30, 1976, 90 Stat. 761.

A prior section 802 of Pub. L. 87-195, pt. V, was classified to section 2432 of this title prior to repeal by Pub. L. 94-329.

AMENDMENTS

2019—Subsec. (a)(1). Pub. L. 115-440, §3(a)(1), substituted “tropical forests and coral reef ecosystems” for “tropical forests”.

Subsec. (a)(2)(C). Pub. L. 115-440, §3(a)(2), struck out “far-flung” before “agricultural”.

Subsec. (a)(6). Pub. L. 115-440, §3(a)(1), substituted “tropical forests and coral reef ecosystems” for “tropical forests”.

Subsec. (a)(7). Pub. L. 115-440, §3(a)(3), substituted “tropical forests and coral reef ecosystems is critical to the protection of such areas” for “tropical forests is critical to the protection of tropical forests”.

Subsec. (b)(1). Pub. L. 115-440, §3(a)(1), substituted “tropical forests and coral reef ecosystems” for “tropical forests”.

Subsec. (b)(2). Pub. L. 115-440, §3(a)(4), substituted “protection of tropical forests and coral ecosystems” for “protection of tropical forests”, “protecting areas” for “protecting tropical forests”, and “where tropical forests and coral reef ecosystems” for “where tropical forests”.

Subsec. (b)(3), (4). Pub. L. 115-440, §3(a)(1), substituted “tropical forests and coral reef ecosystems” for “tropical forests”.

Statutory Notes and Related Subsidiaries

SHORT TITLE

For short title of this subchapter as the “Tropical Forest and Coral Reef Conservation Act of 1998”, see section 801 of Pub. L. 87-195, set out as a note under section 2151 of this title.

§ 2431a. Definitions

As used in this subchapter:

(1) Administering body

The term “administering body” means the entity provided for in section 2431g(c) of this title.

(2) Appropriate congressional committees

The term “appropriate congressional committees” means—

(A) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(3) Beneficiary country

The term “beneficiary country” means an eligible country with respect to which the authority of section 2431d(a)(1) of this title, section 2431e(a)(1) of this title, or paragraph (1) or (2) of section 2431f(a) of this title is exercised.

(4) Board

The term “Board” means the board referred to in section 2431i of this title.

(5) Developing country with a tropical forest or coral reef

The term “developing country with a tropical forest or coral reef” means—

(A)(i) a country that has a per capita income of \$725 or less in 1994 United States dollars (commonly referred to as “low-income 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.

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