

Act is classified generally to part XI (§2295 et seq.) of subchapter I of chapter 32 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

This Act, referred to in subsec. (b)(3), is Pub. L. 102-511, Oct. 24, 1992, 106 Stat. 3320, as amended, known as the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 and also as the FREEDOM Support Act. For complete classification of this Act to the Code, see Short Title note set out under section 5801 of this title and Tables.

§ 5814. Repealed. Pub. L. 112-74, div. I, title VII, § 7034(n), Dec. 23, 2011, 125 Stat. 1217

Section, Pub. L. 102-511, title I, §104, Oct. 24, 1992, 106 Stat. 3324; Pub. L. 106-113, div. B, §1000(a)(2) [title V, §596(d)], Nov. 29, 1999, 113 Stat. 1535, 1501A-126, required annual report on United States assistance for the independent states of the former Soviet Union.

Statutory Notes and Related Subsidiaries

RESTRICTIONS ON ASSISTANCE FOR NEW INDEPENDENT STATES OF FORMER SOVIET UNION; REPORT TO CONGRESS

Pub. L. 103-87, title V, §560(g), Sept. 30, 1993, 107 Stat. 967, which related to restrictions on availability of funds to new independent states of the former Soviet Union and Secretary of State's annual report, was repealed by Pub. L. 112-74, div. I, title VII, §7034(n), Dec. 23, 2011, 125 Stat. 1217.

Similar provisions relating to nonavailability of funds to any government of the new independent states of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other new independent state, were contained in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006, Pub. L. 109-102, title V, §517(a), Nov. 14, 2005, 119 Stat. 2201, and were repeated in provisions of subsequent appropriations acts which are not set out in the Code. Similar provisions were also contained in the following prior appropriations acts:

Pub. L. 108-447, div. D, title V, §517(a), Dec. 8, 2004, 118 Stat. 2996.

Pub. L. 108-199, div. D, title V, §517(b), Jan. 23, 2004, 118 Stat. 173.

Pub. L. 108-7, div. E, title V, §517(b), Feb. 20, 2003, 117 Stat. 185.

Pub. L. 107-115, title V, §517(b), Jan. 10, 2002, 115 Stat. 2144.

Pub. L. 106-429, §101(a) [title V, §517(b)], Nov. 6, 2000, 114 Stat. 1900, 1900A-27.

Pub. L. 106-113, div. B, §1000(a)(2) [title V, §517(b)], Nov. 29, 1999, 113 Stat. 1535, 1501A-86.

Pub. L. 105-277, div. A, §101(d) [title V, §517(b)], Oct. 21, 1998, 112 Stat. 2681-150, 2681-174.

Pub. L. 105-118, title II, [(c)], Nov. 26, 1997, 111 Stat. 2395.

Pub. L. 104-208, div. A, title I, §101(c) [title II, [(d)]], Sept. 30, 1996, 110 Stat. 3009-121, 3009-130.

Pub. L. 104-107, title II, [(d)], Feb. 12, 1996, 110 Stat. 712.

Pub. L. 103-306, title II, Aug. 23, 1994, 108 Stat. 1616.

SUBCHAPTER II—BUSINESS AND COMMERCIAL DEVELOPMENT

§ 5821. American Business Centers

(a) Establishment

The President is authorized and encouraged to establish American Business Centers in the independent states of the former Soviet Union receiving assistance under chapter 11 of part I of the Foreign Assistance Act of 1961 [22 U.S.C. 2295 et seq.] where the President determines that

such centers can be cost-effective in promoting the objectives described in section 498 of that Act [22 U.S.C. 2295] and United States economic interests and in establishing commercial partnerships between the people of the United States and the peoples of the independent states.

(b) Environmental business centers and agribusiness centers

For purposes of this section, the term “American Business Centers” includes the following:

(1) Environmental business centers in those independent states that offer promising market possibilities for the export of United States environmental goods and services. To the maximum extent practicable, these environmental business centers should be established as a component of other centers.

(2) Agribusiness centers that include the participation of private United States agribusinesses or agricultural cooperatives, private nonprofit organizations, State universities and land grant colleges, and financial institutions, that make appropriate contributions of equipment, materials, and personnel for the operation of such centers. The purposes of these agribusiness centers shall be—

(A) to enhance the ability of farmers and other agribusiness practitioners in the independent states to better meet the needs of the people of the independent states;

(B) to assist the transition from a command and control system in agriculture to a free market system; and

(C) to facilitate the demonstration and use of United States agricultural equipment and technology.

(c) Additional policy guidance

To the maximum extent possible, and consistent with the particular purposes of the specific types of centers, the President should direct that—

(1) the American Business Centers established pursuant to this section place special emphasis on assistance to United States small- and medium-sized businesses to facilitate their entry into the commercial markets of the independent states;

(2) such centers offer office space, business facilities, and market analysis services to United States firms, trade associations, and State economic development offices on a user-fee basis that minimizes the cost of operating such centers;

(3) such centers serve as a repository for commercial, legal, and technical information, including environmental and export control information;

(4) such centers identify existing or potential counterpart businesses or organizations that may require specific technical coordination or assistance;

(5) such centers be established in several sites in the independent states; and

(6) host countries be asked to make appropriate contributions of real estate and personnel for the establishment and operation of such centers.

(d) Funding

(1) Reimbursement agreement

Not later than 90 days after October 24, 1992, the Administrator of the Agency for Inter-

national Development shall conclude a reimbursement agreement with the Secretary of Commerce for the Department of Commerce's services in establishing and operating American Business Centers pursuant to this section.

(2) Authorization of appropriations

Of the amount authorized to be appropriated to carry out chapter 11 of part I of the Foreign Assistance Act of 1961 [22 U.S.C. 2295 et seq.], up to \$12,000,000 for fiscal year 1993 are authorized to be appropriated to carry out this section, in addition to amounts otherwise available for such purpose.

(Pub. L. 102-511, title III, §301, Oct. 24, 1992, 106 Stat. 3332.)

Editorial Notes

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsecs. (a) and (d)(2), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, as amended. Chapter 11 of part I of the Act is classified generally to part XI (§2295 et seq.) of subchapter I of chapter 32 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

Executive Documents

DELEGATION OF FUNCTIONS

Functions of President under subsec. (a) delegated to Secretary of State except that functions of President under this section, insofar as relating to determinations and directives, delegated to Coordinator, see sections 2(b) and 3(a) of Ex. Ord. No. 12884, Dec. 1, 1993, 58 F.R. 64099, as amended, set out as a note under section 5812 of this title.

§ 5822. Business and Agriculture Advisory Council

(a) Establishment

The President is authorized to establish an advisory council to be known as the Independent States Business and Agriculture Advisory Council (hereinafter in this section referred to as the "Council")—

(1) to consult with and advise the President periodically regarding programs of assistance for the independent states of the former Soviet Union; and

(2) to evaluate, and consult periodically with the President regarding, the adequacy of bilateral and multilateral assistance programs that would facilitate exports by United States companies to, and investments by United States companies in, the independent states.

(b) Membership

The Council should consist of 15 members, appointed by the President, who are drawn from United States companies reflecting diverse businesses and perspectives that have experience and expertise in dealing with the independent states of the former Soviet Union. The President should designate one such member to serve as Chair of the Council. Five such members should be appointed upon the recommendation of the Speaker and the Minority Leader of the House of Representatives and 5 should be appointed upon the recommendation of the Majority Leader and Minority Leader of the Senate. Members

of the Council shall receive no compensation from the United States Government by reason of their service on the Council.

(c) Staff

Upon request of the Chair of the Council, the head of any United States Government agency may detail, on a nonreimbursable basis, any of the personnel of such agency to the Council to assist the Council.

(Pub. L. 102-511, title III, §302, Oct. 24, 1992, 106 Stat. 3333.)

Statutory Notes and Related Subsidiaries

TERMINATION OF ADVISORY COUNCILS

Advisory councils established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a council established by Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 5823. Funding for export promotion activities and capital projects

(a) Allocation of A.I.D. funds

The President is encouraged to use a portion of the funds made available for the independent states of the former Soviet Union under chapter 11 of part I of the Foreign Assistance Act of 1961 [22 U.S.C. 2295 et seq.]—

(1) to fund the export promotion, finance, and related activities carried out pursuant to subsection (b)(1), including activities relating to the export of intermediary goods; and

(2) to fund capital projects, including projects for telecommunications, environmental cleanup, power production, and energy related projects.

(b) Export promotion, finance, and related activities

The Secretary of Commerce, as Chair of the Trade Promotion Coordination Committee, should, in conjunction with other members of that committee, design and implement programs to provide adequate commercial and technical assistance to United States businesses seeking markets in the independent states of the former Soviet Union, including the following:

(1) Increasing the United States and Foreign Commercial Service presence in the independent states, in particular in the Russian Far Eastern cities of Vladivostok and Khabarovsk.

(2) Preparing profiles of export opportunities for United States businesses in the independent states and providing other technical assistance.

(3) Utilizing the Market Development Cooperator Program under section 4723 of title 15.

(4) Developing programs specifically for the purpose of assisting small- and medium-sized businesses in entering commercial markets of the independent states. In carrying out this