

lows: “In making the certification required by paragraph (1), the President shall give foremost consideration to whether the actions of the government of the country have resulted in the maximum reductions in illicit drug production which were determined to be achievable pursuant to section 2291(e)(4) of title 22. The President shall also consider whether such government—

“(A) has taken the legal and law enforcement measures to enforce in its territory, to the maximum extent possible, the elimination of illicit cultivation and the suppression of illicit manufacture of and traffic in narcotic and psychotropic drugs and other controlled substances, as evidenced by seizures of such drugs and substances and of illicit laboratories and the arrest and prosecution of violators involved in the traffic in such drugs and substances significantly affecting the United States;

“(B) has taken the legal and law enforcement steps necessary to eliminate, to the maximum extent possible, the laundering in that country of drug-related profits or drug-related monies, as evidence by—

“(i) the enactment and enforcement of laws prohibiting such conduct,

“(ii) the willingness of such government to enter into mutual legal assistance agreements with the United States governing (but not limited to) money laundering, and

“(iii) the degree to which such government otherwise cooperates with United States law enforcement authorities on anti-money laundering efforts; and

“(C) has taken the legal and law enforcement steps necessary to eliminate, to the maximum extent possible, corruption by government officials, with particular emphasis on the elimination of bribery.”

Subsec. (b)(3), (4). Pub. L. 100-690, § 4408(b), substituted “45 days” for “30 days” wherever appearing.

Subsec. (e). Pub. L. 100-690, § 4408(c), added subsec. (e). 1987—Subsec. (a)(4) to (6). Pub. L. 100-204, § 806(a)(1), added pars. (4) and (5) and redesignated former par. (4) as (6) and amended it generally. Prior to amendment, par. (6) read as follows: “take any combination of the actions described in paragraphs (1), (2), and (3).”

Subsec. (b). Pub. L. 100-204, § 806(a)(2), inserted “corruption by government officials and” after “preventing and punishing” in par. (1) and added par. (2)(C).

Subsec. (c). Pub. L. 100-204, § 806(a)(3), inserted “paragraph (1), (2), or (3) of” after “under”.

Subsec. (d). Pub. L. 100-204, § 806(a)(4), added subsec. (d).

§ 2493. Sugar quota

Notwithstanding any other provision of law, the President may not allocate any limitation imposed on the quantity of sugar to any country which has a Government involved in the trade of illicit narcotics or is failing to cooperate with the United States in narcotics enforcement activities as defined in section 2492(b) of this title as determined by the President.

(Pub. L. 93-618, title VIII, § 803, as added Pub. L. 99-570, title IX, § 9001, Oct. 27, 1986, 100 Stat. 3207-165.)

§ 2494. Progress reports

The President shall include as a part of the annual report required under section 2291h of title 22 an evaluation of progress that each major drug producing country and each major drug-transit country has made during the reporting period in achieving the objectives set forth in section 2492(b) of this title.

(Pub. L. 93-618, title VIII, § 804, as added Pub. L. 99-570, title IX, § 9001, Oct. 27, 1986, 100 Stat.

3207-166; amended Pub. L. 106-36, title I, § 1001(a)(9), June 25, 1999, 113 Stat. 131.)

Editorial Notes

AMENDMENTS

1999—Pub. L. 106-36 substituted “section 2291h of title 22” for “section 2291(e)(1) of title 22”.

§ 2495. Definitions

For purposes of this subchapter—

(1) continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the period indicated;

(2) the term “major drug producing country” means a country that illicitly produces during a fiscal year 5 metric tons or more of opium or opium derivative, 500 metric tons or more of coca, or 500 metric tons or more of marijuana;

(3) the term “major drug-transit country” means a country—

(A) that is a significant direct source of illicit narcotic or psychotropic drugs or other controlled substances significantly affecting the United States;

(B) through which are transported such drugs or substances; or

(C) through which significant sums of drug-related profits or monies are laundered with the knowledge or complicity of the government; and

(4) the term “narcotic and psychotropic drugs and other controlled substances” has the same meaning as is given by any applicable international narcotics control agreement or domestic law of the country or countries concerned.

(Pub. L. 93-618, title VIII, § 805, as added Pub. L. 99-570, title IX, § 9001, Oct. 27, 1986, 100 Stat. 3207-166; amended Pub. L. 101-231, § 17(h)(5), Dec. 13, 1989, 103 Stat. 1965; Pub. L. 106-36, title I, § 1001(a)(10), June 25, 1999, 113 Stat. 131.)

Editorial Notes

AMENDMENTS

1999—Par. (2). Pub. L. 106-36 struck out “and” at end.

1989—Par. (2). Pub. L. 101-231 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “the term ‘major drug producing country’ means a country producing five metric tons or more of opium or opium derivative during a fiscal year or producing five hundred metric tons or more of coca or marijuana (as the case may be) during a fiscal year; and”.

SUBCHAPTER VIII—SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE

§ 2497. Supplemental agricultural disaster assistance

(a) Definitions

In this section:

(1) Actual production history yield

The term “actual production history yield” means the weighted average of the actual production history for each insurable commodity