

No. 11269, Feb. 14, 1966, 31 F.R. 2813, set out as a note under section 286b of this title.

**§ 285k. Utilization of United States Special Resources**

(a) The letters of credit provided for in section 285l of this title shall be issued to the Bank only to the extent that at the time of issuance the cumulative amount of the United States Special Resources provided to the Bank (A) constitute a minority of all special funds contributions to the Bank, and (B) are no greater than the largest cumulative contribution of any other single country contributing to the special funds of the Bank.

(b) The United States Governor of the Bank shall give due regard to the principles of (A) utilizing all special funds resources on an equitable basis, and (B) significantly shared participation by other contributors in each special fund to which United States Special Resources are provided.

(Pub. L. 89-369, §14, as added Pub. L. 92-245, §1, Mar. 10, 1972, 86 Stat. 58.)

**§ 285l. Letter of credit form for United States Special Resources**

The United States Special Resources will be provided to the Bank in the form of a nonnegotiable, noninterest-bearing, letter of credit which shall be payable to the Bank at par value on demand to meet the cost of eligible goods and services, and administrative costs authorized pursuant to section 285j(c) of this title.

(Pub. L. 89-369, §15, as added Pub. L. 92-245, §1, Mar. 10, 1972, 86 Stat. 58.)

**§ 285m. Withdrawal rights covering United States Special Resources**

The United States shall have the right to withdraw all or part of the United States Special Resources and any accrued resources derived therefrom under the procedures provided for in section 8.03 of the Special Funds Rules and Regulations of the Bank.

(Pub. L. 89-369, §16, as added Pub. L. 92-245, §1, Mar. 10, 1972, 86 Stat. 58.)

**§ 285n. Authorization of appropriations to provide United States Special Resources**

For the purpose of providing United States Special Resources to the Bank there is hereby authorized to be appropriated \$100,000,000, all of which shall remain available until expended.

(Pub. L. 89-369, §17, as added Pub. L. 92-245, §1, Mar. 10, 1972, 86 Stat. 58; amended Pub. L. 93-189, §28, Dec. 17, 1973, 87 Stat. 732.)

**Editorial Notes**

AMENDMENTS

1973—Pub. L. 93-189 substituted “\$100,000,000” for “\$60,000,000 for the fiscal year 1972 and \$40,000,000 for the fiscal year 1973”.

**§ 285o. Expropriation of United States property; loan restrictions**

The President shall instruct the United States Executive Director of the Asian Development

Bank to vote against any loan or other utilization of the funds of the Bank for the benefit of any country which has—

(1) nationalized or expropriated or seized ownership or control of property owned by any United States citizen or by any corporation, partnership, or association not less than 50 per centum of which is beneficially owned by United States citizens;

(2) taken steps to repudiate or nullify existing contracts or agreements with any United States citizen or any corporation, partnership, or association not less than 50 per centum of which is beneficially owned by United States citizens; or

(3) imposed or enforced discriminatory taxes or other exaction, or restrictive maintenance or operational conditions, or has taken other actions, which have the effect of nationalizing, expropriating, or otherwise seizing ownership or control of property so owned;

unless the President determines that (A) an arrangement for prompt, adequate, and effective compensation has been made, (B) the parties have submitted the dispute to arbitration under the rules of the Convention for the Settlement of Investment Disputes, or (C) good faith negotiations are in progress aimed at providing prompt, adequate, and effective compensation under the applicable principles of international law.

(Pub. L. 89-369, §18, as added Pub. L. 92-245, §1, Mar. 10, 1972, 86 Stat. 58.)

**§ 285p. Illegal drug traffic; loan restrictions**

The Secretary of the Treasury shall instruct the United States Executive Director of the Asian Development Bank to vote against any loan or other utilization of the funds of the Bank for the benefit of any country with respect to which the President has made a determination, and so notified the Secretary of the Treasury, that the government of such country has failed to take adequate steps to prevent narcotic drugs and other controlled substances (as defined by the Comprehensive Drug Abuse Prevention and Control Act of 1970 [21 U.S.C. 801 et seq.]) produced or processed, in whole or in part, in such country, or transported through such country, from being sold illegally within the jurisdiction of such country to United States Government personnel or their dependents, or from entering the United States unlawfully. Such instruction shall continue in effect until the President determines, and so notifies the Secretary of the Treasury, that the government of such country has taken adequate steps to prevent such sale or entry of narcotic drugs and other controlled substances.

(Pub. L. 89-369, §19, as added Pub. L. 92-245, §2, Mar. 10, 1972, 86 Stat. 58.)

**Editorial Notes**

REFERENCES IN TEXT

The Comprehensive Drug Abuse Prevention and Control Act of 1970, referred to in text, is Pub. L. 91-513, Oct. 27, 1970, 84 Stat. 1236, as amended, which is classified principally to chapter 13 (§801 et seq.) of Title 21, Food and Drugs. For complete classification of this Act