

Pub. L. 97-121, title V, § 522, Dec. 29, 1981, 95 Stat. 1656.
 Pub. L. 96-536, § 101(b) [H.J. Res. 637, § 101(b); H.R. 4473,
 title V, § 522A], Dec. 16, 1980, 94 Stat. 3167.

Pub. L. 96-123, § 101(a) [incorporating Pub. L. 95-481,
 title VI, § 609], Nov. 20, 1979, 93 Stat. 923.

Pub. L. 95-481, title VI, § 609, Oct. 18, 1978, 92 Stat.
 1601.

**§ 262i. Repealed. Pub. L. 101-240, title V,
 § 541(d)(6), Dec. 19, 1989, 103 Stat. 2518**

Section, Pub. L. 96-259, title IV, § 401, June 3, 1980, 94
 Stat. 431, related to communication and dissemination
 of information respecting export opportunity enhance-
 ment.

**§ 262j. Use of renewable resources for energy
 production**

**(a) Promotion, etc., by United States in connec-
 tion with international financial institutions**

The United States Government, in connection
 with its voice and vote in the Inter-American
 Development Bank, the African Development
 Fund, and the Asian Development Bank, shall
 encourage such institutions—

(1) to promote the decentralized production
 of renewable energy;

(2) to identify renewable resources to
 produce energy in rural development projects
 and determine the feasibility of substituting
 them for systems using fossil fuel;

(3) to train personnel in developing tech-
 nologies for getting energy from renewable re-
 sources;

(4) to support research into the use of renew-
 able resources, including hydropower, bio-
 mass, solar photovoltaic, and solar thermal;

(5) to support an information network to
 make available to policymakers the full range
 of energy choices;

(6) to broaden their energy planning, anal-
 yses, and assessments to include consideration
 of the supply of, demand for, and possible uses
 of renewable resources; and

(7) to coordinate with the Agency for Inter-
 national Development and other aid organiza-
 tions in supporting effective rural energy pro-
 grams.

(b) “Renewable resource” defined

For purposes of this section, the term “renew-
 able resource” means any energy resource
 which—

(1) meets the needs of rural communities;

(2) saves capital without wasting labor;

(3) is modest in scale and simple to install
 and maintain and which can be managed by
 local individuals;

(4) is acceptable and affordable; and

(5) does not damage the environment.

(Pub. L. 96-259, title VI, § 602, June 3, 1980, 94
 Stat. 433; Pub. L. 97-375, title I, § 112, Dec. 21,
 1982, 96 Stat. 1821.)

AMENDMENTS

1982—Subsec. (c). Pub. L. 97-375 struck out subsec. (c)
 which directed the Secretary of the Treasury, in con-
 sultation with the Director of the United States Inter-
 national Development Cooperation Agency, to report to
 Congress not later than six months after June 3, 1980,
 and annually thereafter on the progress toward achiev-
 ing the goals set forth in this title.

CONGRESSIONAL STATEMENT OF FINDINGS RESPECTING
 USE OF RENEWABLE RESOURCES FOR ENERGY PRODU-
 CTION IN POOR AND DEVELOPING COUNTRIES AND ROLE
 OF INTERNATIONAL FINANCIAL INSTITUTIONS

Section 601 of Pub. L. 96-259 provided that: “The Con-
 gress finds that—

“(1) without an adequate supply of energy at afford-
 able prices the world’s poor will continue to be de-
 prived of jobs, food, water, shelter, and clothing, and
 poor countries will continue to be economically and
 politically unstable;

“(2) dependence on increasingly expensive fossil
 fuel resources consumes too much of the capital
 available to poor countries with the result that funds
 are not available to meet the basic needs of poor peo-
 ple;

“(3) in many developing countries the cost of large
 central generators and long distance electrical dis-
 tribution makes it unlikely that rural energy by
 means of a national grid will contribute to meeting
 the needs of poor people;

“(4) only one of eight rural inhabitants lives in an
 area which has access to electricity and even fewer
 rural inhabitants actually have or can afford elec-
 tricity;

“(5) wood, animal and agricultural waste, and other
 ‘noncommercial’ fuels still supply about half the
 total energy in developing countries and all but a
 seventh in rural sectors;

“(6) growing dependence of the world’s poor on
 wood for heating and cooking has forced the overcut-
 ting of forests and as a consequence erosion and loss
 of available agricultural land; and

“(7) recent initiatives by the international finan-
 cial institutions to develop and utilize decentralized
 solar, hydro, biomass, geothermal, and wind energy
 should be significantly expanded to make renewable
 energy resources increasingly available to the world’s
 poor on a wide scale.”

**§ 262k. Financial assistance to international fi-
 nancial institutions; considerations and cri-
 teria**

(a) Congressional declaration of intent

United States active participation in inter-
 national financial institution activity is based
 on our national objective of furthering the eco-
 nomic and social development of the nations of
 the world, in particular the developing nations.
 The attainment of this national objective is
 most effectively realized through a world eco-
 nomic and financial system which is both free
 and stable. Therefore, it is the intent of the
 United States Congress that United States fi-
 nancial assistance to the international financial
 institutions should be primarily directed to
 those projects that would not generate excess
 commodity supplies in world markets, displace
 private investment initiatives or foster depart-
 ures from a market-oriented economy.

**(b) Effect of country adjustment programs; mini-
 mization of projected adverse impacts; avoid-
 ance of government subsidization**

The Secretary of the Treasury shall instruct
 the representatives of the United States to the
 international financial institutions described in
 subsection (d) of this section to take into ac-
 count in their review of loans, credits, or other
 utilization of the resources of their respective
 institutions, the effect that country adjustment
 programs would have upon individual industry
 sectors and international commodity markets in
 order to—

(1) minimize any projected adverse impacts on such sector or markets of making such loans, credits, or utilization of resources; and

(2) avoid whenever possible government subsidization of production and exports of international commodities without regard to economic conditions in the markets for such commodities.

(c) Project proposals relating to mining, smelting, refining, and fabricating of minerals and metal products

More specifically, the following criteria should be considered as a basis for a vote by the respective United States Executive Director to each of the international financial institutions described in subsection (d) of this section against a project proposal involving the creation of new capacity or the expansion, improvement, or modification of mining, smelting, refining, and fabricating of minerals and metal products:

(1) Analysis shows that the risks, returns, and incentives of a project are such that it could be financed at reasonable terms by commercial lending services.

(2) Analysis by the United States Bureau of Mines indicates that surplus capacity in the industry for the primary product of the defined project would exist over half the period of the economic life of the project because of projected world demand and capacity conditions.

(3) United States imports of the commodity constitute less than 50 percent of the domestic production of the primary product in those cases where the United States is the substantial producer of such commodities.

(d) International financial institutions

The international financial institutions referred to in subsections (a) and (b) of this section are the International Monetary Fund, the International Bank for Reconstruction and Development, the International Development Association, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.

(Pub. L. 99-88, title I, §502, Aug. 15, 1985, 99 Stat. 330; Pub. L. 102-285, §10(b), May 18, 1992, 106 Stat. 172.)

CHANGE OF NAME

“United States Bureau of Mines” substituted for “Bureau of Mines” in subsec. (c)(2) pursuant to section 10(b) of Pub. L. 102-285, set out as a note under section 1 of Title 30, Mineral Lands and Mining.

COPPER MINING, SMELTING, AND REFINING

Section 501 of Pub. L. 99-88 provided that: “The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to this Act or any other Act, for the production of any copper commodity for export or for the financing of the expansion, improvement, or modernization of copper mining, smelting, and refining capacity.”

§ 262k-1. Transparency of budgets

(a) Limitation

Beginning three years after September 30, 1996, the Secretary of the Treasury shall instruct the United States Executive Director of each international financial institution to use the voice and vote of the United States to oppose any loan or other utilization of the funds of their respective institution, other than to address basic human needs, for the government of any country which the Secretary of the Treasury determines—

(1) does not have in place a functioning system for reporting to civilian authorities audits of receipts and expenditures that fund activities of the armed forces and security forces;

(2) has not provided to the institution information about the audit process requested by the institution.

(b) “International financial institution” defined

For purposes of this section, the term “international financial institution” shall include the institutions identified in section 532(b) of this Act.

(Pub. L. 104-208, div. A, title I, §101(c) [title V, §576], Sept. 30, 1996, 110 Stat. 3009-121, 3009-168; Pub. L. 105-118, title V, §572, Nov. 26, 1997, 111 Stat. 2430.)

REFERENCES IN TEXT

Section 532(b) of this Act, referred to in subsec. (b), is section 532(b) of Pub. L. 104-208, div. A, title I, §101(c) [title V], Sept. 30, 1996, 110 Stat. 3009-121, 3009-152, which is not classified to the Code.

AMENDMENTS

1997—Subsec. (a)(1). Pub. L. 105-118, §572(a), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “does not have in place a functioning system for a civilian audit of all receipts and expenditures that fund activities of the armed forces and security forces;”.

Subsec. (a)(2). Pub. L. 105-118, §572(b), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “has not provided a summary of a current audit to the institution.”

§ 262k-2. Female genital mutilation

(a) Limitation

Beginning 1 year after September 30, 1996, the Secretary of the Treasury shall instruct the United States Executive Director of each international financial institution to use the voice and vote of the United States to oppose any loan or other utilization of the funds of their respective institution, other than to address basic human needs, for the government of any country which the Secretary of the Treasury determines—

(1) has, as a cultural custom, a known history of the practice of female genital mutilation; and

(2) has not taken steps to implement educational programs designed to prevent the practice of female genital mutilation.

(b) “International financial institution” defined

For purposes of this section, the term “international financial institution” shall include the