

-CITE-

22 USC Sec. 262m-2 01/22/02

-EXPCITE-

TITLE 22 - FOREIGN RELATIONS AND INTERCOURSE

CHAPTER 7 - INTERNATIONAL BUREAUS, CONGRESSES, ETC.

-HEAD-

Sec. 262m-2. Environmental impact of assistance proposals

-STATUTE-

(a) Analysis by agencies, United States embassies and overseas missions of Agency for International Development; factors considered; affirmative investigation of adverse impacts; availability of information to public

(1) In the course of reviewing assistance proposals of the multilateral development banks, the Administrator of the Agency for International Development, in consultation with the Secretary of the Treasury and the Secretary of State, shall ensure that other agencies and appropriate United States embassies and overseas missions of the Agency for International Development are instructed to analyze, where feasible, the environmental impacts of multilateral development loans well in advance of such loans' approval by the relevant institutions to determine whether the proposals will contribute to the sustainable development of the borrowing country.

(2) To the extent possible, such reviews shall address the economic viability of the project, adverse impacts on the environment, natural resources, public health, and indigenous peoples, and recommendations as to measures, including alternatives, that could eliminate or mitigate adverse impacts.

(3) If there is reason to believe that any such loan is particularly likely to have substantial adverse impacts, the Administrator of the Agency for International Development, in consultation with the Secretary of the Treasury and the Secretary of State, shall ensure that an affirmative investigation of such impacts is undertaken in consultation with relevant Federal agencies. If not classified under the national security system of classification, the information collected pursuant to this paragraph shall be made available to the public.

(b) Evaluation by major shareholder governments prior to bank action on assistance proposals

The Secretary of the Treasury shall instruct the Executive Directors representing the United States at the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank to urge the management and other directors of each such bank, to provide sufficient time between the circulation of assistance proposals and bank action on those proposals, in order to permit

their evaluation by major shareholder governments.

(c) Identification of proposals likely to have adverse impact;

transmittal to Congress

Based on the information obtained during the evaluation referred to in subsection (a) of this section and other available information, the Administrator of the Agency for International Development, in consultation with the Secretary of the Treasury and the Secretary of State, shall identify those assistance proposals likely to have adverse impacts on the environment, natural resources, public health, or indigenous peoples. The proposals so identified shall be transmitted to the Committee on Appropriations and the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Appropriations and the Committee on Foreign Relations of the Senate, not later than June 30 and December 31 of each year following December 22, 1987.

(d) Reports to Executive Directors; elimination or mitigation of

adverse impacts

The Secretary of the Treasury shall forward reports concerning information received under subsection (a) of this section to the Executive Director representing the United States in the appropriate bank with instructions to seek to eliminate or mitigate adverse impacts which may result from the proposal.

-SOURCE-

(Pub. L. 95-118, title XIII, Sec. 1303, as added Pub. L. 100-202,
Sec. 101(e) (title I), Dec. 22, 1987, 101 Stat. 1329-131,
1329-134.)

-COD-

CODIFICATION

Section 1303 of Pub. L. 95-118 is based on section 701 of title
VII of H.R. 3750, One Hundredth Congress, as introduced Dec. 11,
1987, and enacted into law by Pub. L. 100-202.

-CHANGE-

CHANGE OF NAME

Committee on Banking, Finance and Urban Affairs of House of
Representatives treated as referring to Committee on Banking and
Financial Services of House of Representatives by section 1(a) of
Pub. L. 104-14, set out as a note preceding section 21 of Title 2,
The Congress. Committee on Banking and Financial Services of House
of Representatives abolished and replaced by Committee on Financial
Services of House of Representatives, and jurisdiction over matters
relating to securities and exchanges and insurance generally
transferred from Committee on Energy and Commerce of House of
Representatives by House Resolution No. 5, One Hundred Seventh
Congress, Jan. 3, 2001.

-SECREP-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 262m-7, 262r-2 of this title.