rector representing the United States in the Fund to cast the votes of the United States against any loan or other utilization of the funds of the Fund 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 exactions, 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. 94–302, title II, § 210, May 31, 1976, 90 Stat. 595.)

§ 290g–9. Repealed. Pub. L. 95–118, title VII, § 702, Oct. 3, 1977, 91 Stat. 1070

Section, Pub. L. 94–302, title II, § 211, May 31, 1976, 90 Stat. 595; H. Res. 5, Jan. 4, 1977, set forth provisions relating to United States participation in financial assistance by the African Development Fund to any country engaging in a consistent pattern of gross violations of internationally recognized human rights. See section 262d of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 3, 1977, see section 1001 of Pub. L. 95–118, set out as an Effective Date note under section 282i of this title.

§ 290g–10. Additional authorization for contribution to African Development Fund

(a) Payment of United States contribution; review of payment and voting structure with other donor nations

The United States Governor is authorized to contribute on behalf of the United States $50,000,000 to the African Development Fund, which would represent an additional United States contribution to the first replenishment. The Secretary of the Treasury is directed to begin discussions with other donor nations to the African Development Fund for the purpose of setting amounts and of reviewing and possibly changing the voting structure within the Fund: *Provided, however*, That any commitment to make such contribution shall be made subject to obtaining the necessary appropriations.

(b) Authorization of appropriations

In order to pay for the United States contribution to the African Development Fund provided for in this section there are authorized to be appropriated without fiscal year limitation $50,000,000 for payment by the Secretary of the Treasury.

(Pub. L. 94–302, title II, § 211, formerly § 212, as added Pub. L. 95–118, title VI, § 601, Oct. 3, 1977, 91 Stat. 1069; renumbered § 211, Pub. L. 96–259, title III, § 301(1), June 3, 1980, 94 Stat. 430.)

PRIOR PROVISIONS

A prior section 211 of Pub. L. 94–302 was classified to section 290g–9 of this title prior to repeal by Pub. L. 95–118, title VII, § 702, Oct. 3, 1977, 91 Stat. 1070.

EFFECTIVE DATE

Section effective Oct. 3, 1977, except that no funds authorized to be appropriated by this section may be available for use or obligation prior to Oct. 1, 1977, see section 1001 of Pub. L. 95–118, set out as a note under section 282i of this title.

§ 290g–11. Additional authorization for payment of United States contribution

(a) United States share

The United States Governor of the Fund is authorized to contribute on behalf of the United States $125,000,000 to the Fund as the United States contribution to the second replenishment of the resources of the Fund, except that any commitment to make such contribution shall be made subject to obtaining the necessary appropriations.

(b) Authorization of appropriations

In order to pay for the United States contribution provided for in this section, there is authorized to be appropriated, without fiscal year limitation, $125,000,000 for payment by the Secretary of the Treasury.

(c) Funding requirements

For the purpose of keeping to a minimum the cost to the United States, the Secretary of the Treasury—

(1) shall pay the United States contribution to the African Development Fund authorized by this section by letter of credit in three annual installments; and

(2) shall take the steps necessary to obtain a certification from the Fund that any undisbursed balances resulting from draw-downs on such letter of credit will not exceed at any time the United States share of expected disbursement requirements for the following three-month period.

(Pub. L. 94–302, title II, § 212, as added Pub. L. 96–259, title III, § 301(2), June 3, 1980, 94 Stat. 430.)

§ 290g–12. Additional authorization for payment of United States contribution

(a)(1) The United States Governor of the Fund is authorized to contribute on behalf of the United States $150,000,000 to the Fund as the United States contribution to the third replenishment of the resources of the Fund.

(2) Any commitment to make the contribution authorized in paragraph (1) shall be made subject to obtaining the necessary appropriations.