

(16) United States assistance should focus on establishing and upgrading the institutional capacities of developing countries in order to promote long term development. An important component of institution building involves training to expand the human resource potential of people in developing countries.

(17) Economic reform and development of effective institutions of democratic governance are mutually reinforcing. The successful transition of a developing country is dependent upon the quality of its economic and governance institutions. Rule of law, mechanisms of accountability and transparency, security of person, property, and investments, are but a few of the critical governance and economic reforms that underpin the sustainability of broad-based economic growth. Programs in support of such reforms strengthen the capacity of people to hold their governments accountable and to create economic opportunity.

(c) Worldwide cooperative effort to overcome aspects of absolute poverty

The Congress, recognizing the desirability of overcoming the worst aspects of absolute poverty by the end of this century by, among other measures, substantially lowering infant mortality and birth rates, and increasing life expectancy, food production, literacy, and employment, encourages the President to explore with other countries, through all appropriate channels, the feasibility of a worldwide cooperative effort to overcome the worst aspects of absolute poverty and to assure self-reliant growth in the developing countries by the year 2000.

(Pub. L. 87-195, pt. I, §102, as added Pub. L. 95-424, title I, §101, Oct. 6, 1978, 92 Stat. 938; amended Pub. L. 96-53, title I, §104(a), Aug. 14, 1979, 93 Stat. 360; Pub. L. 99-83, title III, §301, Aug. 8, 1985, 99 Stat. 213; Pub. L. 106-309, title II, §203(b), Oct. 17, 2000, 114 Stat. 1092.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original “this Act”, meaning Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, known as the Foreign Assistance Act of 1961. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

AMENDMENTS

2000—Subsec. (b)(4)(G). Pub. L. 106-309, §203(b)(1), added subpar. (G).

Subsec. (b)(17). Pub. L. 106-309, §203(b)(2), added par. (17).

1985—Subsec. (b)(13) to (16). Pub. L. 99-83 added pars. (13) to (16).

1979—Subsec. (b)(5). Pub. L. 96-53, §104(a)(1), inserted applicability to energy development and production.

Subsec. (b)(7). Pub. L. 96-53, §104(a)(2), inserted applicability to promotion of development and production of energy.

Statutory Notes and Related Subsidiaries

REFERENCES TO SUBCHAPTER I DEEMED TO INCLUDE CERTAIN PARTS OF SUBCHAPTER II

References to subchapter I of this chapter are deemed to include parts IV (§2346 et seq.), VI (§2348 et seq.), and VIII (§2349aa et seq.) of subchapter II of this chapter,

and references to subchapter II are deemed to exclude such parts. See section 202(b) of Pub. L. 92-226, set out as a note under section 2346 of this title, and sections 2348c and 2349aa-5 of this title.

EFFECTIVE DATE OF 1985 AMENDMENT

Pub. L. 99-83, title XIII, §1301, Aug. 8, 1985, 99 Stat. 280, provided that: “Except as otherwise provided in this Act, this Act [see Short Title of 1985 Amendment note set out under section 2151 of this title] shall take effect on October 1, 1985.”

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-53 effective Oct. 1, 1979, see section 512(a) of Pub. L. 96-53, set out as a note under section 2151 of this title.

EFFECTIVE DATE

Section effective Oct. 1, 1978, see section 605 of Pub. L. 95-424, set out as an Effective Date of 1978 Amendment note under section 2151 of this title.

Executive Documents

DELEGATION OF FUNCTIONS

For delegation of functions of President under this section, see Ex. Ord. No. 12163, Sept. 29, 1979, 44 F.R. 56673, as amended, set out as a note under section 2381 of this title.

§ 2151-2. Actions to improve the international gender policy of the United States Agency for International Development

(a) Gender analysis defined

In this section, the term “gender analysis”—

(1) means a socioeconomic analysis of available or gathered quantitative and qualitative information to identify, understand, and explain gaps between men and women which typically involves examining—

(A) differences in the status of women and men and their differential access to and control over assets, resources, education, opportunities, and services;

(B) the influence of gender roles, structural barriers, and norms on the division of time between paid employment, unpaid work (including the subsistence production and care for family members), and volunteer activities;

(C) the influence of gender roles, structural barriers, and norms on leadership roles and decision making; constraints, opportunities, and entry points for narrowing gender gaps and empowering women; and

(D) potential differential impacts of development policies and programs on men and women, including unintended or negative consequences; and

(2) includes conclusions and recommendations to enable development policies and programs to narrow gender gaps and improve the lives of women and girls.

(b) International development cooperation policy

It shall be the international development cooperation policy of the United States—

(1) to reduce gender disparities with respect to economic, social, political, educational, and cultural resources, wealth, opportunities, and services;

(2) to strive to eliminate gender-based violence and mitigate its harmful effects on indi-

viduals and communities including through efforts to develop standards and capacity to reduce gender-based violence in the workplace and other places where women work;

(3) to support activities that secure private property rights and land tenure for women in developing countries, including—

(A) legal frameworks that give women equal rights to own, register, use, profit from, and inherit land and property;

(B) improving legal literacy to enable women to exercise the rights described in subparagraph (A); and

(C) improving the capacity of law enforcement and community leaders to enforce such rights;

(4) to increase the capability of women and girls to fully exercise their rights, determine their life outcomes, assume leadership roles, and influence decision-making in households, communities, and societies; and

(5) to improve the access of women and girls to education, particularly higher education opportunities in business, finance, and management, in order to enhance financial literacy and business development, management, and strategy skills.

(c) Actions

In order to advance the policy described in subsection (b), the Administrator of the United States Agency for International Development shall ensure that—

(1) strategies, projects, and activities of the Agency are shaped by a gender analysis;

(2) standard indicators are used to assess such strategies, projects, and activities, if applicable; and

(3) gender equality and female empowerment are integrated throughout the Agency's program cycle and related processes for purposes of strategic planning, project design and implementation, monitoring, and evaluation.

(Pub. L. 115–428, §3, Jan. 9, 2019, 132 Stat. 5511.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Women's Entrepreneurship and Economic Empowerment Act of 2018, and not as part of the Foreign Assistance Act of 1961 which comprises this chapter.

Statutory Notes and Related Subsidiaries

MADELEINE K. ALBRIGHT WOMEN'S LEADERSHIP PROGRAM

Pub. L. 117–328, div. K, title VII, §7059(b), Dec. 29, 2022, 136 Stat. 5079, provided that: “Of the funds appropriated under title III of this Act [title III of div. K of Pub. L. 117–328, 136 Stat. 4985, see Tables for classification], not less than \$50,000,000 shall be made available for programs specifically designed to increase leadership opportunities for women in countries where women and girls suffer discrimination due to law, policy, or practice, by strengthening protections for women's political status, expanding women's participation in political parties and elections, and increasing women's opportunities for leadership positions in the public and private sectors at the local, provincial, and national levels: *Provided*, That such programs shall hereafter be collectively named the ‘Madeleine K. Albright Women's Leadership Program’.”

FINDINGS

Pub. L. 115–428, §2, Jan. 9, 2019, 132 Stat. 5509, provided that:

“Congress finds the following:

“(1) Because women make up the majority of the world's poor and gender inequalities prevail in incomes, wages, access to finance, ownership of assets, and control over the allocation of resources, women's entrepreneurship and economic empowerment is important to achieve inclusive economic growth at all levels of society.

“(2) Research shows that when women exert greater influence over household finances, economic outcomes for families improve, and childhood survival rates, food security, and educational attainment increase. Women also tend to place a greater emphasis on household savings which improves family financial resiliency.

“(3) A 2016 report by the McKinsey Global Institute estimated that achieving global gender parity in economic activity could add as much as \$28,000,000,000,000 to annual global gross domestic product by 2025.

“(4) Lack of access to financial services that address gender-specific constraints impedes women's economic inclusion. Roughly 1,000,000,000 women around the world are currently left out of the formal financial system, which causes many women to rely on informal means of saving and borrowing that are riskier and less reliable.

“(5) Among other consequences, this lack of access hampers the success of women entrepreneurs, including women who are seeking to run or grow small and medium-sized enterprises. The International Finance Corporation has estimated that 70 percent of women-owned small and medium-sized enterprises in the formal sector are unserved or underserved in terms of access to financial services, resulting in a financing gap of \$300,000,000,000 for women-owned small businesses.

“(6) Women's economic empowerment is inextricably linked to a myriad of other women's human rights that are essential to their ability to thrive as economic actors across the lifecycle, including—

“(A) living lives free of violence and exploitation;

“(B) achieving the highest possible standard of health and well-being;

“(C) enjoying full legal and human rights, such as access to registration, identification, and citizenship documents;

“(D) benefitting from formal and informal education;

“(E) equal protection of and access to land and property rights;

“(F) access to fundamental labor rights;

“(G) policies to address disproportionate care burdens; and

“(H) business and management skills and leadership opportunities.

“(7) Discriminatory legal and regulatory systems and banking practices are obstacles to women's access to capital and assets, including land, machinery, production facilities, technology, and human resources. These barriers are often connected to a woman's marital status, which can determine whether she is able to inherit land or own property in her name. These constraints contribute to women frequently running smaller businesses, with fewer employees and lower asset values.

“(8) Savings groups primarily comprised of women are recognized as a vital entry point, especially for poor and very poor women, to formal financial services. There is a high demand for such groups to protect and grow the savings of women with formal financial institutions.

“(9) Evidence shows that, once a saving group is linked to a bank, the average savings per member increases between 40 to 100 percent and the average profit per member doubles. Investing in financial literacy, business leadership training, and mentorship are key elements to these outcomes.

“(10) United States support for microenterprise and microfinance development programs, which seek to reduce poverty in low-income countries by giving small loans to small-scale entrepreneurs without collateral, have been a useful mechanism to help families weather economic shocks, but many microcredit borrowers largely remain in poverty.

“(11) The vast majority of microcredit borrowers are women who would like to move up the economic ladder, but are held back by binding constraints that create a missing middle – large numbers of microenterprises, a handful of large firms or conglomerates, and very few small and medium-sized enterprises in between, which are critical to driving economic growth in developing countries.

“(12) According to the World Bank, small and medium-sized enterprises create 4 out of 5 new positions in emerging markets, but approximately 50 percent of formal small and medium-sized enterprises lack access to formal credit. The financing gap is even larger when micro and informal enterprises are taken into account. Overall, approximately 70 percent of all micro, small, and medium-sized enterprises in emerging markets lack access to credit.”

§ 2151a. Agricultural development in rural areas

(a) Authorization to President to furnish assistance; appropriations

(1) In recognition of the fact that the great majority of the people of developing countries live in rural areas and are dependent on agriculture and agricultural-related pursuits for their livelihood, the President is authorized to furnish assistance, on such terms and conditions as he may determine, for agriculture, rural development, and nutrition—

(A) to alleviate starvation, hunger, and malnutrition;

(B) to expand significantly the provision of basic services to rural poor people to enhance their capacity for self-help; and

(C) to help create productive farm and off-farm employment in rural areas to provide a more viable economic base and enhance opportunities for improved incomes, living standards, and contributions by rural poor people to the economic and social development of their countries.

(2) There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes, \$760,000,000 for fiscal year 1986 and \$760,000,000 for fiscal year 1987. Of these amounts, the President may use such amounts as he deems appropriate to carry out the provisions of section 316 of the International Security and Development Cooperation Act of 1980. Amounts appropriated under this section are authorized to remain available until expended.

(3) Of the amounts authorized to be appropriated in paragraph (2) for the fiscal year 1987, not less than \$2,000,000 shall be available only for the purpose of controlling and eradicating amblyomma variegatum (heartwater) in bovine animals in the Caribbean.

(b) Use of assistance primarily in aid of rural poor; multilateral infrastructure projects; forestry projects

(1) Assistance provided under this section shall be used primarily for activities which are specifically designed to increase the productivity and income of the rural poor, through

such means as creation and strengthening of local institutions linked to the regional and national levels; organization of a system of financial institutions which provide both savings and credit services to the poor; stimulation of small, labor-intensive enterprises in rural towns; improvement of marketing facilities and systems; expansion of rural infrastructure and utilities such as farm-to-market roads, water management systems, land improvement, energy, and storage facilities; establishment of more equitable and more secure land tenure arrangements; and creation and strengthening of systems to provide other services and supplies needed by farmers, such as extension, research, training, fertilizer, water, forestry, soil conservation, and improved seed, in ways which assure access to them by small farmers.

(2) In circumstances where development of major infrastructure is necessary to achieve the objectives set forth in this section, assistance for that purpose should be furnished under this part in association with significant contributions from other countries working together in a multilateral framework. Infrastructure projects so assisted should be complemented by other measures to ensure that the benefits of the infrastructure reach the poor.

(3) The Congress recognizes that the accelerating loss of forests and tree cover in developing countries undermines and offsets efforts to improve agricultural production and nutrition and otherwise to meet the basic human needs of the poor. Deforestation results in increased flooding, reduction in water supply for agricultural capacity, loss of firewood and needed wood products, and loss of valuable plants and animals. In order to maintain and increase forest resources, the President is authorized to provide assistance under this section for forestry projects which are essential to fulfill the fundamental purposes of this section. Emphasis shall be given to community woodlots, agroforestry, reforestation, protection of watershed forests, and more effective forest management.

(c) Increased agricultural production in least developed countries

The Congress finds that the greatest potential for significantly expanding availability of food for people in rural areas and augmenting world food production at relatively low cost lies in increasing the productivity of small farmers who constitute a majority of the agricultural producers in developing countries. Increasing the emphasis on rural development and expanded food production in the poorest nations of the developing world is a matter of social justice and a principal element contributing to broadly based economic growth, as well as an important factor in alleviating inflation in the industrialized countries. In the allocation of funds under this section, special attention shall be given to increasing agricultural production in countries which have been designated as “least developed” by the United Nations General Assembly.

(d) Coordination with population planning and health programs

Assistance provided under this section shall also be used in coordination with programs carried out under section 2151b of this title to help