

many nations, even those who treat torture survivors are threatened with reprisals, including torture, for carrying out their ethical duty to provide care. Both the survivors of torture and their treatment providers should be accorded protection from further repression.

“(5) A significant number of refugees and asylees entering the United States have been victims of torture. Those claiming asylum deserve prompt consideration of their applications for political asylum to minimize their insecurity and sense of danger. Many torture survivors now live in the United States. They should be provided with the rehabilitation services which would enable them to become productive members of our communities.

“(6) The development of a treatment movement for torture survivors has created new opportunities for action by the United States and other nations to oppose state-sponsored and other acts of torture.

“(7) There is a need for a comprehensive strategy to protect and support torture victims and their treatment providers, together with overall efforts to eliminate torture.

“(8) By acting to heal the survivors of torture and protect their families, the United States can help to heal the effects of torture and prevent its use around the world.

#### “SEC. 3. DEFINITION.

“As used in this Act, the term ‘torture’ has the meaning given the term in section 2340(1) of title 18, United States Code, and includes the use of rape and other forms of sexual violence by a person acting under the color of law upon another person under his custody or physical control.

#### “SEC. 4. FOREIGN TREATMENT CENTERS.

“(a) AMENDMENTS TO THE FOREIGN ASSISTANCE ACT OF 1961.—[Enacted this section.]

“(b) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated for fiscal years 2006 and 2007 pursuant to chapter 1 of part I of the Foreign Assistance Act of 1961 [22 U.S.C. 2151 et seq.], there are authorized to be appropriated to the President to carry out section 130 of such Act [this section] \$12,000,000 for fiscal year 2006 and \$13,000,000 for fiscal year 2007.

“(2) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to this subsection shall remain available until expended.

“(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect October 1, 1998.

#### “SEC. 5. DOMESTIC TREATMENT CENTERS.

“(a) ASSISTANCE FOR TREATMENT OF TORTURE VICTIMS.—The Secretary of Health and Human Services may provide grants to programs in the United States to cover the cost of the following services:

“(1) Services for the rehabilitation of victims of torture, including treatment of the physical and psychological effects of torture.

“(2) Social and legal services for victims of torture.

“(3) Research and training for health care providers outside of treatment centers, or programs for the purpose of enabling such providers to provide the services described in paragraph (1).

“(b) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated for the Department of Health and Human Services for fiscal years 2006 and 2007, there are authorized to be appropriated to carry out subsection (a) \$25,000,000 for each of the fiscal years 2006 and 2007.

“(2) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to this subsection shall remain available until expended.

#### “SEC. 6. MULTILATERAL ASSISTANCE.

“(a) FUNDING.—Of the amounts authorized to be appropriated for fiscal years 1999 and 2000 pursuant to

chapter 3 of part I of the Foreign Assistance Act of 1961 [22 U.S.C. 2221 et seq.], there are authorized to be appropriated to the United Nations Voluntary Fund for Victims of Torture (in this section referred to as the ‘Fund’) the following amounts for the following fiscal years:

“(1) FISCAL YEAR 1999.—For fiscal year 1999, \$3,000,000.

“(2) FISCAL YEAR 2000.—For fiscal year 2000, \$3,000,000.

“(b) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subsection (a) shall remain available until expended.

“(c) SENSE OF THE CONGRESS.—It is the sense of the Congress that the President, acting through the United States Permanent Representative to the United Nations, should—

“(1) request the Fund—

“(A) to find new ways to support and protect treatment centers and programs that are carrying out rehabilitative services for victims of torture; and

“(B) to encourage the development of new such centers and programs;

“(2) use the voice and vote of the United States to support the work of the Special Rapporteur on Torture and the Committee Against Torture established under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and

“(3) use the voice and vote of the United States to establish a country rapporteur or similar procedural mechanism to investigate human rights violations in a country if either the Special Rapporteur or the Committee Against Torture indicates that a systematic practice of torture is prevalent in that country.

#### “SEC. 7. SPECIALIZED TRAINING FOR FOREIGN SERVICE OFFICERS.

“(a) IN GENERAL.—The Secretary of State shall provide training for foreign service officers with respect to—

“(1) the identification of torture;

“(2) the identification of the surrounding circumstances in which torture is most often practiced;

“(3) the long-term effects of torture upon a victim;

“(4) the identification of the physical, cognitive, and emotional effects of torture, and the manner in which these effects can affect the interview or hearing process; and

“(5) the manner of interviewing victims of torture so as not to retraumatize them, eliciting the necessary information to document the torture experience, and understanding the difficulties victims often have in recounting their torture experience.

“(b) GENDER-RELATED CONSIDERATIONS.—In conducting training under subsection (a)(4) or (5), gender-specific training shall be provided on the subject of interacting with women and men who are victims of torture by rape or any other form of sexual violence.”

[Pub. L. 108-179, §2(b), Dec. 15, 2003, 117 Stat. 2643, provided that: “The amendment made by subsection (a) [amending section 5(b)(1) of Pub. L. 105-320, set out above] shall take effect October 1, 2003.”]

[Pub. L. 108-179, §3(b), Dec. 15, 2003, 117 Stat. 2643, provided that: “The amendment made by subsection (a) [amending section 4(b)(1) of Pub. L. 105-320, set out above] shall take effect October 1, 2003.”]

### 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.

### § 2152a. Repealed. Pub. L. 108-484, § 8(a), Dec. 23, 2004, 118 Stat. 3931

Section, Pub. L. 87-195, pt. I, §131, as added Pub. L. 106-309, title I, §105, Oct. 17, 2000, 114 Stat. 1082; amend-

ed Pub. L. 108–31, § 3, June 17, 2003, 117 Stat. 776, related to microenterprise development grant assistance.

### § 2152b. Transferred

#### Editorial Notes

##### CODIFICATION

Section, Pub. L. 87–195, pt. I, § 132, as added Pub. L. 106–309, title I, § 107(a), Oct. 17, 2000, 114 Stat. 1086, which related to United States Microfinance Loan Facility, was renumbered section 257 of Pub. L. 87–195 by Pub. L. 108–484, § 5(a), (b), Dec. 23, 2004, 118 Stat. 3927, and transferred to section 2213 of this title.

### § 2152c. Programs to encourage good governance

#### (a) Establishment of programs

##### (1) In general

The President is authorized to establish programs that combat corruption, improve transparency and accountability, and promote other forms of good governance in countries described in paragraph (2).

##### (2) Countries described

A country described in this paragraph is a country that is eligible to receive assistance under subchapter I of this chapter (including part IV of subchapter II of this chapter) or the Support for East European Democracy (SEED) Act of 1989 [22 U.S.C. 5401 et seq.].

##### (3) Priority

In carrying out paragraph (1), the President shall give priority to establishing programs in countries that received a significant amount of United States foreign assistance for the prior fiscal year, or in which the United States has a significant economic interest, and that continue to have the most persistent problems with public and private corruption. In determining which countries have the most persistent problems with public and private corruption under the preceding sentence, the President shall take into account criteria such as the Transparency International Annual Corruption Perceptions Index, standards and codes set forth by the International Bank for Reconstruction and Development and the International Monetary Fund, and other relevant criteria.

#### (4) Relation to other laws

##### (A) In general

Assistance provided for countries under programs established pursuant to paragraph (1) may be made available notwithstanding any other provision of law that restricts assistance to foreign countries. Assistance provided under a program established pursuant to paragraph (1) for a country that would otherwise be restricted from receiving such assistance but for the preceding sentence may not be provided directly to the government of the country.

##### (B) Exception

Subparagraph (A) does not apply with respect to—

- (i) section 2371 of this title or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

- (ii) section 907 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992.

#### (b) Specific projects and activities

The programs established pursuant to subsection (a) shall include, to the extent appropriate, projects and activities that—

- (1) support responsible independent media to promote oversight of public and private institutions;

- (2) implement financial disclosure among public officials, political parties, and candidates for public office, open budgeting processes, and transparent financial management systems;

- (3) support the establishment of audit offices, inspectors general offices, third party monitoring of government procurement processes, and anti-corruption agencies;

- (4) promote responsive, transparent, and accountable legislatures and local governments that ensure legislative and local oversight and whistle-blower protection;

- (5) promote legal and judicial reforms that criminalize corruption and law enforcement reforms and development that encourage prosecutions of criminal corruption;

- (6) assist in the development of a legal framework for commercial transactions that fosters business practices that promote transparent, ethical, and competitive behavior in the economic sector, such as commercial codes that incorporate international standards and protection of intellectual property rights;

- (7) promote free and fair national, state, and local elections;

- (8) foster public participation in the legislative process and public access to government information; and

- (9) engage civil society in the fight against corruption.

#### (c) Conduct of projects and activities

Projects and activities under the programs established pursuant to subsection (a) may include, among other things, training and technical assistance (including drafting of anti-corruption, privatization, and competitive statutory and administrative codes), drafting of anti-corruption, privatization, and competitive statutory and administrative codes, support for independent media and publications, financing of the program and operating costs of non-governmental organizations that carry out such projects or activities, and assistance for travel of individuals to the United States and other countries for such projects and activities.

#### (d) Repealed. Pub. L. 112–74, div. I, title VII, § 7034(n), Dec. 23, 2011, 125 Stat. 1217

#### (e) Funding

Amounts made available to carry out the other provisions of subchapter I of this chapter (including part IV of subchapter II of this chapter) and the Support for East European Democracy (SEED) Act of 1989 [22 U.S.C. 5401 et seq.] shall be made available to carry out this section.

(Pub. L. 87–195, pt. I, § 133, as added Pub. L. 106–309, title II, § 205(a), Oct. 17, 2000, 114 Stat.