

(Pub. L. 87–195, pt. I, §252, as added Pub. L. 108–484, §3, Dec. 23, 2004, 118 Stat. 3924; amended Pub. L. 115–428, §4(b), Jan. 9, 2019, 132 Stat. 5512.)

Editorial Notes

PRIOR PROVISIONS

A prior section 252 of Pub. L. 87–195 was classified to section 2212 of this title, prior to repeal by Pub. L. 95–424, title I, §102(g)(1)(A), title VI, §605, Oct. 6, 1978, 92 Stat. 942, 961, effective Oct. 1, 1978.

AMENDMENTS

2019—Subsec. (a). Pub. L. 115–428, §4(b)(1)(A), substituted “credit, including the use of innovative credit scoring models, savings, financial technology, financial literacy, education, insurance, property rights, and other services to micro, small, and medium-sized enterprise clients” for “credit, savings, and other services to microfinance and microenterprise clients” in introductory provisions.

Subsec. (a)(1). Pub. L. 115–428, §4(b)(1)(B), substituted “micro, small, and medium-sized enterprise clients, particularly clients owned, managed, and controlled by women” for “microfinance and microenterprise clients”.

Subsec. (a)(2). Pub. L. 115–428, §4(b)(1)(C), substituted “micro, small, and medium-sized enterprises” for “microenterprises”.

Subsec. (a)(3). Pub. L. 115–428, §4(b)(1)(D), substituted “financial intermediaries” for “microfinance and microenterprise institutions” and “micro, small, and medium-sized enterprises” for “microfinance and microenterprise clients” and struck out “and” after semicolon at end.

Subsec. (a)(4). Pub. L. 115–428, §4(b)(1)(E), substituted “micro, small, and medium-sized enterprises, financial intermediaries, and capital markets” for “microfinance and microenterprise clients and institutions” and “the poor and very poor, especially women;” for “the poor and very poor.”

Subsec. (a)(5), (6). Pub. L. 115–428, §4(b)(1)(F), added pars. (5) and (6).

Subsec. (b)(1). Pub. L. 115–428, §4(b)(2)(A), amended par. (1) generally. Prior to amendment, text read as follows: “There is established within the Agency an office of microenterprise development, which shall be headed by a Director who shall be appointed by the Administrator and who should possess technical expertise and ability to offer leadership in the field of microenterprise development.”

Subsec. (b)(2)(B). Pub. L. 115–428, §4(b)(2)(B)(i), amended subpar. (B) generally. Prior to amendment, text read as follows:

“(i) PROGRAM.—In order to ensure that assistance under this subpart is distributed effectively and efficiently, the office shall also seek to implement a program of central funding under which assistance is administered directly by the office, including through targeted core support for microfinance and microenterprise networks and other practitioners.

“(ii) FUNDING.—Of the amount made available to carry out this division for a fiscal year, not less than \$25,000,000 should be made available to carry out clause (i).”

Subsec. (b)(2)(C). Pub. L. 115–428, §4(b)(2)(ii), inserted “, particularly by protecting the use and funding of local organizations in countries in which the Agency invests,” after “and sustainability” and “, especially women” after “the poor and very poor”.

Subsec. (b)(3). Pub. L. 115–428, §4(b)(2)(C), struck out par. (3). Text read as follows: “With respect to assistance provided under this section, the office shall be responsible for concurring in the microenterprise development components of strategic plans of missions, bureaus, and other offices of the Agency and providing technical support to field missions to help the missions prepare such components.”

Subsec. (c). Pub. L. 115–428, §4(b)(3), substituted “subsection (a)—” and pars. (1) and (2) for “subsection (a),

50 percent of all microenterprise resources shall be targeted to clients who are very poor. Specifically, until September 30, 2006, such resources shall be used for—” and former pars. (1) and (2) which identified as entities eligible for microenterprise resources under subsec. (a) programs through certain practitioner institutions and for certain demand-driven business development programs, respectively.

§ 2211b. Monitoring system

(a) In general

In order to maximize the sustainable development impact of assistance authorized under section 2211a(a) of this title, the Administrator of the Agency, acting through the Director of the office, shall strengthen its monitoring system to meet the requirements of subsection (b).

(b) Requirements

The requirements referred to in subsection (a) are the following:

(1) The monitoring system shall include performance goals, including goals on a gender disaggregated basis, such as improvements in employment, access to financial services, education, enterprise development, earnings and control over income, and property and land rights, for the assistance and expresses such goals in an objective and quantifiable form, to the extent feasible.

(2) The monitoring system shall incorporate Agency planning and reporting processes and indicators to measure or assess the achievement of the performance goals described in paragraph (1) and the objectives of the assistance authorized under section 2211a of this title.

(3) The monitoring system provides a basis for recommendations for adjustments to the assistance to enhance the sustainability and the impact of the assistance, particularly the impact of such assistance on the very poor, particularly poor women.

(Pub. L. 87–195, pt. I, §253, as added Pub. L. 108–484, §3, Dec. 23, 2004, 118 Stat. 3925; amended Pub. L. 115–428, §4(c), Jan. 9, 2019, 132 Stat. 5514.)

Editorial Notes

PRIOR PROVISIONS

A prior section 253 of Pub. L. 87–195 was classified to section 2213 of this title, prior to repeal by Pub. L. 95–424, title I, §102(g)(1)(A), title VI, §605, Oct. 6, 1978, 92 Stat. 942, 961, effective Oct. 1, 1978.

AMENDMENTS

2019—Subsec. (b)(1). Pub. L. 115–428, §4(c)(1), inserted “, including goals on a gender disaggregated basis, such as improvements in employment, access to financial services, education, enterprise development, earnings and control over income, and property and land rights,” after “performance goals”.

Subsec. (b)(2). Pub. L. 115–428, §4(c)(2), substituted “incorporate Agency planning and reporting processes and indicators to measure or assess the achievement” for “include performance indicators to be used in measuring or assessing the achievement”.

Subsec. (b)(4). Pub. L. 115–428, §4(c)(3), struck out par. (4) which read as follows: “The monitoring system adopts the widespread use of proven and effective poverty assessment tools to successfully identify the very poor and ensure that they receive adequate access to microenterprise loans, savings, and assistance.”

§ 2211c. Poverty measurement methods

The Administrator of the Agency, in consultation with financial intermediaries and other appropriate organizations, should have in place at least 1 method for implementing partners to use to assess poverty levels of their current incoming or prospective clients.

(Pub. L. 87-195, pt. I, §254, as added Pub. L. 108-484, §3, Dec. 23, 2004, 118 Stat. 3926; amended Pub. L. 115-428, §4(d), Jan. 9, 2019, 132 Stat. 5514.)

Editorial Notes

AMENDMENTS

2019—Pub. L. 115-428 amended section generally. Prior to amendment, section related to development of poverty measurement methods and application of methods.

§ 2211d. Additional authorities

Notwithstanding any other provision of law, amounts made available for development assistance for micro, small, and medium-sized enterprises under any provision of law other than this subpart may be provided to further the purposes of this subpart. To the extent assistance described in the preceding sentence is provided in accordance with such sentence, the Administrator of the Agency shall include, as part of the report required under section 2214 of this title, a detailed description of such assistance.

(Pub. L. 87-195, pt. I, §255, as added Pub. L. 108-484, §3, Dec. 23, 2004, 118 Stat. 3926; amended Pub. L. 115-428, §4(e), Jan. 9, 2019, 132 Stat. 5514.)

Editorial Notes

AMENDMENTS

2019—Pub. L. 115-428 substituted “development assistance for micro, small, and medium-sized enterprises” for “assistance for microenterprise development assistance” and struck out “and, to the extent applicable, the information required by paragraphs (1) through (11) of subsection (b) of such section with respect to such assistance” after “of such assistance”.

Division B—Credit Assistance

§ 2212. Development credits for micro, small, and medium-sized enterprises**(a) Findings and policy**

Congress finds and declares that—

(1) the development of micro, small, and medium-sized enterprises is a vital factor in the stable growth of developing countries and in the development and stability of a free, open, and equitable international economic system; and

(2) it is, therefore, in the best interests of the United States to assist the access to financial services and the development of micro, small, and medium-sized enterprises in developing countries and to engage the United States private sector in that process.

(b) Program

To carry out the policy set forth in subsection (a), the President is authorized to provide assistance to increase the availability of financial services to micro, small, and medium-sized enterprises and households lacking full access to

credit and other financial services, including through—

(1) loans and guarantees to financial intermediaries for the purpose of expanding the availability of savings and credit to poor and low-income households;

(2) training programs for financial intermediaries in order to enable them to better meet the financial services needs of their clients; and

(3) training programs for clients in order to enable them to make better use of credit, increase their financial literacy, and to better manage their enterprises to improve their quality of life.

(c) Eligibility criteria

The Administrator of the Agency shall establish criteria for determining which financial intermediaries described in subsection (b)(1) are eligible to carry out activities, with respect to micro, small, and medium-sized enterprises and households, assisted under this section. Such criteria may include the following:

(1) The extent to which the recipients of financial services from the entity do not have access to the local formal financial sector.

(2) The extent to which the recipients of financial services from the entity are among the poorest people in the country.

(3) The extent to which the entity is oriented toward working directly with poor women.

(4) The extent to which the entity recovers its cost of lending.

(5) The extent to which the entity implements a plan to become financially sustainable.

(d) Additional requirement

Assistance provided under this section may only be used to support programs for micro, small, and medium-sized enterprises and households and may not be used to support programs not directly related to the purposes described in subsection (b).

(e) Procurement provision

Assistance may be provided under this section without regard to section 2354(a) of this title.

(f) Availability of funds**(1) In general**

Of the amounts authorized to be available to carry out subchapter I of this chapter, there are authorized to be available such sums as may be necessary for each of the fiscal years 2005 through 2009 to carry out this section.

(2) Coverage of subsidy costs

Amounts authorized to be available under paragraph (1) shall be made available to cover the subsidy cost, as defined in section 661a(5) of title 2, for activities under this section.

(Pub. L. 87-195, pt. I, §256, formerly §108, as added Pub. L. 98-151, §101(b)(2), Nov. 14, 1983, 97 Stat. 972; amended Pub. L. 99-83, title III, §308, Aug. 8, 1985, 99 Stat. 215; Pub. L. 100-418, title II, §2211, Aug. 23, 1988, 102 Stat. 1335; Pub. L. 106-309, title I, §106, Oct. 17, 2000, 114 Stat. 1085; Pub. L. 108-31, §2, June 17, 2003, 117 Stat. 775; renumbered §256 and amended Pub. L. 108-484, §4(a),