

2292c of this title, prior to repeal by Pub. L. 112-74, div. I, title VII, § 7034(i), Dec. 23, 2011, 125 Stat. 1216.

PART VI—CENTRAL AMERICA DEMOCRACY,
PEACE, AND DEVELOPMENT INITIATIVE

§ 2271. Statement of policy

(a) Congressional findings

The Congress finds that—

(1) the building of democracy, the restoration of peace, the improvement of living conditions, and the application of equal justice under law in Central America are important to the interests of the United States and the community of American States; and

(2) the interrelated issues of social and human progress, economic growth, political reform, and regional security must be effectively dealt with to assure a democratic and economically and politically secure Central America.

(b) Policy requirements

(1) The achievement of democracy, respect for human rights, peace, and equitable economic growth depends primarily on the cooperation and the human and economic resources of the people and governments of Central America. The Congress recognizes that the United States can make a significant contribution to such peaceful and democratic development through a consistent and coherent policy which includes a long-term commitment of assistance. This policy should be designed to support actively—

(A) democracy and political reform, including opening the political process to all members of society;

(B) full observance of internationally recognized human rights, including free elections, freedom of the press, freedom of association, and the elimination of all human rights abuses;

(C) leadership development, including training and educational programs to improve public administration and the administration of justice;

(D) land reform, reform in tax systems, encouragement of private enterprise and individual initiative, creation of favorable investment climates, curbing corruption where it exists, and spurring balanced trade;

(E) the establishment of the rule of law and an effective judicial system; and

(F) the termination of extremist violence by both the left and the right as well as vigorous action to prosecute those guilty of crimes and the prosecution to the extent possible of past offenders.

(2) The policy described in paragraph (1) should also promote equitable economic growth and development, including controlling the flight of capital and the effective use of foreign assistance and adhering to approved programs for economic stabilization and fiscal responsibility. Finally, this policy should foster dialog and negotiations—

(A) to achieve peace based upon the objectives of democratization, reduction of armament, an end to subversion, and the withdrawal of foreign military forces and advisers; and

(B) to provide a security shield against violence and intimidation.

(3) It is the purpose of this part to establish the statutory framework and to authorize the appropriations and financing necessary to carry out the policy described in this section.

(c) Additional Congressional findings

The Congress finds, therefore, that the people of the United States are willing to sustain and expand a program of economic and military assistance in Central America if the recipient countries can demonstrate progress toward and a commitment to these goals.

(Pub. L. 87-195, pt. I, § 461, as added Pub. L. 99-83, title VII, § 701, Aug. 8, 1985, 99 Stat. 234.)

Editorial Notes

CODIFICATION

Another section 461 of Pub. L. 87-195 is classified to section 2281 of this title.

PRIOR PROVISIONS

A prior section 2271, Pub. L. 87-195, pt. I, § 461, Sept. 4, 1961, 75 Stat. 434; Pub. L. 87-565, pt. I, § 110, Aug. 1, 1962, 76 Stat. 259; Pub. L. 90-137, pt. I, § 113, Nov. 14, 1967, 81 Stat. 455, related to emphasis on programs in agrarian countries which reach people who are engaged in agrarian pursuits, prior to repeal by Pub. L. 95-424, title VI, § 604, Oct. 6, 1978, 92 Stat. 961, eff. Oct. 1, 1978.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Part effective Oct. 1, 1985, see section 1301 of Pub. L. 99-83, set out as an Effective Date of 1985 Amendment note under section 2151-1 of this title.

§ 2272. Conditions on furnishing assistance

The President shall ensure that assistance authorized by this chapter and the Arms Export Control Act [22 U.S.C. 2751 et seq.] to Central American countries is furnished in a manner which fosters demonstrated progress toward and commitment to the objectives set forth in section 2271 of this title. Where necessary to achieve this purpose, the President shall impose conditions on the furnishing of such assistance. In carrying out this section, the President shall consult with the Congress in regard to progress toward the objectives set forth in section 2271 of this title, and any conditions imposed on the furnishing of assistance in furtherance of those objectives.

(Pub. L. 87-195, pt. I, § 462, as added Pub. L. 99-83, title VII, § 701, Aug. 8, 1985, 99 Stat. 235.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, 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.

The Arms Export Control Act, referred to in text, is Pub. L. 90-629, Oct. 22, 1968, 82 Stat. 1320, which is classified principally to chapter 39 (§ 2751 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2751 of this title and Tables.

CODIFICATION

Another section 462 of Pub. L. 87-195 is classified to section 2282 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.

§ 2273. Peace process in Central America

The Congress—

(1) strongly supports the initiatives taken by the Contadora group and the resulting Document of Objectives which has been agreed to by Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua and which sets forth a framework for negotiating a peaceful settlement to the conflict and turmoil in the region; and

(2) finds that the United States should provide such assistance and support as may be appropriate in helping to reach comprehensive and verifiable final agreements, based on the Document of Objectives, which will ensure peaceful and enduring solutions to the Central American conflicts.

(Pub. L. 87-195, pt. I, § 463, as added Pub. L. 99-83, title VII, § 701, Aug. 8, 1985, 99 Stat. 235.)

Editorial Notes

CODIFICATION

Another section 463 of Pub. L. 87-195 is classified to section 2283 of this title.

§ 2274. Economic assistance coordination**(a) Congressional findings**

The Congress finds that participation by Central American countries in an effective forum for dialog on, and the continuous review and advancement of, Central America's political, economic, and social development would foster cooperation between the United States and Central American countries.

(b) Sense of Congress; Central American Development Organization; establishment, etc.

It is the sense of the Congress that—

(1) the President should enter into negotiations with the countries of Central America to establish a Central American Development Organization (hereafter in this section referred to as the "Organization") to help provide a continuous and coherent approach to the development of the Central American region; and

(2) the establishment of the Organization should be based upon the following principles:

(A) Participation in the Organization should be open to the United States, other donors, and those Central American countries that commit themselves to, among other things, respecting internationally recognized human rights, building democracy, and encouraging equitable economic growth through policy reforms.

(B) The Organization should be structured to include representatives from both the

public and private sectors, including representatives from the labor, agriculture, and business communities.

(C) The Organization should meet periodically to carry out the functions described in subparagraphs (D) and (E) of this paragraph and should be supported by a limited professional secretariat.

(D) The Organization should make recommendations affecting Central American countries on such matters as—

(i) political, economic, and social development objectives, including the strengthening of democratic pluralism and the safeguarding of internationally recognized human rights;

(ii) mobilization of resources and external assistance needs; and

(iii) reform of economic policies and structures.

(E) The Organization should have the capacity for monitoring country performance on recommendations issued in accordance with subparagraph (D) of this paragraph and for evaluating progress toward meeting such country objectives.

(F) To the maximum extent practicable, the United States should follow the recommendations of the Organization in disbursing bilateral economic assistance for any Central American country. No more than 75 percent of such United States assistance in any fiscal year should be disbursed until the recommendations of the Organization for that fiscal year have been made final and communicated to the donor countries. The limitation on disbursements contained in the preceding sentence should apply only to recommendations made final and communicated to donor countries prior to the fourth quarter of such fiscal year. The United States representative to the Organization should urge other donor countries to similarly implement the recommendations of the Organization.

(G) The administrator of the agency primarily responsible for administering subchapter I of this chapter, or his designee, should represent the United States Government in the Organization and should carry out his functions in that capacity under the continuous supervision and general direction of the Secretary of State.

(c) Participation of President in Organization

Subject to subsection (d)(2), the President is authorized to participate in the Organization.

(d) Preparation and transmission of proposal for implementation of provisions

(1) The administrator of the agency primarily responsible for administering subchapter I of this chapter, under the supervision and direction of the Secretary of State, shall prepare a detailed proposal to carry out this section and shall keep the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate fully and currently informed concerning the development of this proposal.

(2) The President shall transmit to the Committee on Foreign Affairs of the House of Rep-