

**Editorial Notes**

## CODIFICATION

Another section 466 of Pub. L. 87-195 is classified to section 2286 of this title.

**§ 2277. Strategy to advance prosperity, combat corruption, strengthen democratic governance, and improve civilian security in El Salvador, Guatemala, and Honduras**

**(a) Elements**

Not later than 180 days after December 27, 2020, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, and the heads of other relevant Federal agencies, shall submit to the appropriate congressional committees a 5-year strategy to advance economic prosperity, combat corruption, strengthen democratic governance, and improve civilian security in El Salvador, Guatemala, and Honduras and to curb irregular migration from the region.

**(b) Consideration**

In developing the strategy required under this section, the Secretary of State should consider the following priorities:

(1) Promoting economic prosperity, including by—

(A) supporting market-based solutions to eliminate constraints to inclusive economic growth;

(B) addressing the underlying causes of poverty and inequality;

(C) responding to immediate humanitarian needs by improving humanitarian outcomes, including through access to sanitation, hygiene, and shelter, and by enabling the provision of health resources;

(D) supporting conservation and community resilience and strengthening community preparedness for natural disasters;

(E) identifying, as appropriate, a role for relevant United States agencies and the United States private sector in supporting efforts to increase private sector investment and advance economic prosperity; and

(F) improving domestic resource mobilization, including by strengthening tax collection and enforcement and legal arbitration mechanisms.

(2) Combating corruption, including by—

(A) strengthening the capacity of national justice systems and attorneys general<sup>1</sup> to identify and prosecute money laundering and other financial crimes and breaking up financial holdings of organized criminal syndicates, including illegally acquired lands and proceeds from illegal activities;

(B) strengthening special prosecutorial offices and financial institutions to conduct asset forfeitures and criminal analysis, and to combat corruption, money laundering, financial crimes, extortion, and human rights crimes;

(C) implementing transparent, merit-based selection processes for prosecutors and judges and the development of professional and merit-based civil services;

(D) establishing or strengthening methods, procedures for internal and external control mechanisms for the security and police services and judiciary; and

(E) supporting anticorruption efforts through bilateral assistance and complementary support through multilateral anticorruption mechanisms when necessary.

(3) Advancing democratic governance, including by—

(A) strengthening government institutions at the local and national levels to provide services and respond to citizen needs through transparent, inclusive, and democratic processes;

(B) strengthening access to information laws and reforming laws that currently limit access to information;

(C) building the capacity of independent media to engage in professional investigative journalism;

(D) ensuring that threats and attacks on journalists, labor leaders, human rights defenders, and other members of civil society are fully investigated and perpetrators are held accountable; and

(E) strengthening electoral institutions and processes to ensure free, fair, and transparent elections.

(4) Improving security conditions, including by—

(A) implementing the Central America Regional Security Initiative;

(B) increasing the professionalization of security services, including the civilian police and military units;

(C) combating the illicit activities of transnational criminal organizations through support to fully vetted elements of attorneys general offices, appropriate government institutions, and security services; and

(D) enhancing the capacity of relevant security services and attorneys general to support counternarcotics efforts and combat human trafficking, forcible recruitment of children and youth by gangs, gender-based violence, and other illicit activities, including trafficking of wildlife, and natural resources.

**(c) Consultation**

In developing the strategy required under this section, the Secretary of State may consult with civil society and the private sector in the United States, El Salvador, Guatemala, and Honduras.

**(d) Benchmarks**

The strategy required under this section shall include annual benchmarks to track the strategy's progress in curbing irregular migration from the region to the United States and improving conditions in El Salvador, Guatemala, and Honduras by measuring progress in key areas, including—

(1) reducing poverty and unemployment, increasing private sector investment, responding to immediate humanitarian needs, sustainably reintegrating returnees, supporting conservation and community resilience, and addressing

<sup>1</sup> So in original.

forced displacement in accordance with the priorities outlined in subsection (b)(1);

(2) strengthening national justice systems and attorneys generals,<sup>1</sup> supporting multilateral anticorruption mechanisms, identifying and prosecuting money laundering and other financial crimes, breaking up financial holdings of organized criminal syndicates, and advancing judicial integrity and investigative capacity of local authorities in accordance with the priorities outlined in subsection (b)(2);

(3) strengthening government institutions at the local and national levels to provide services and respond to citizen needs through transparent, inclusive, and democratic processes, promoting human rights, building the capacity of independent media, developing the capacity of civil society to conduct oversight, affording legal protections for human rights defenders and members of civil society, and strengthening electoral institutions in accordance with priorities outlined in subsection (b)(3); and

(4) implementing the objectives stated under the Central America Regional Security Initiative and building the capacity of civilian security services in accordance with the priorities outlined in subsection (b)(4).

**(e) Public diplomacy**

The strategy required under this section shall include a public diplomacy strategy for educating citizens of the region about United States assistance and its benefits to them, and informing such citizens of the dangers of irregular migration to the United States.

**(f) Annual progress updates**

Not later than 1 year after the submission of the strategy required under this section and annually thereafter for 4 years, the Secretary of State shall provide the appropriate congressional committees with a written description of progress made in meeting the benchmarks established in the strategy.

**(g) Public availability**

The strategy required under this section shall be made publicly available on the website of the Department of State. If appropriate, a classified annex may be submitted to the appropriate congressional committees.

**(h) Definition**

In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(Pub. L. 116–260, div. FF, title III, § 352, Dec. 27, 2020, 134 Stat. 3127.)

**Editorial Notes**

**CODIFICATION**

Section was enacted as part of the United States – Northern Triangle Enhanced Engagement Act, and not as part of the Foreign Assistance Act of 1961 which comprises this chapter.

**§ 2277a. Targeted sanctions to fight corruption in El Salvador, Guatemala,<sup>1</sup> Honduras, and Nicaragua**

**(a) Sense of Congress**

It is the sense of Congress that—

(1) corruption in El Salvador, Guatemala,<sup>1</sup> Honduras, and Nicaragua by private citizens and select officials in local, regional, and Federal governments significantly damages the economies of such countries and deprives citizens of opportunities;

(2) corruption in El Salvador, Guatemala,<sup>1</sup> Honduras, and Nicaragua is facilitated and carried out not only by private citizens and select officials from those countries but also in many instances by individuals from third countries; and

(3) imposing targeted sanctions on individuals from throughout the world and particularly in the Western Hemisphere who are engaged in acts of significant corruption that impact El Salvador, Guatemala,<sup>1</sup> Honduras, and Nicaragua or obstruction of investigations into such acts of corruption will benefit the citizens and governments of such countries.

**(b) Report required**

Not later than 180 days after December 27, 2020, and not less frequently than annually thereafter, the President shall submit to the appropriate congressional committees an unclassified report with classified annex if necessary that identifies each foreign person who the President determines to have knowingly engaged in actions that undermine democratic processes or institutions, or in significant corruption or obstruction of investigations into such acts of corruption in El Salvador, Guatemala,<sup>1</sup> Honduras, and Nicaragua, including the following:

(1) Corruption related to government contracts.

(2) Bribery and extortion.

(3) The facilitation or transfer of the proceeds of corruption, including through money laundering.

(4) Acts of violence, harassment, or intimidation directed at governmental and non-governmental corruption investigators.

**(c) Imposition of sanctions**

The President shall impose the sanctions described in subsection (d) with respect to each foreign person identified in the report required under subsection (b).

**(d) Sanctions described**

**(1) In general**

The sanctions described in this subsection are the following:

**(A) Ineligibility for visas and admission to the United States**

In the case of a foreign person who is an individual, such foreign person is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

<sup>1</sup> So in original.