

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) Current visas revoked

(i) In general

The issuing consular officer or the Secretary of State, (or a designee of the Secretary of State) shall, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), revoke any visa or other entry documentation issued to a foreign person regardless of when the visa or other entry documentation is issued.

(ii) Effect of revocation

A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the foreign person's possession.

(2) Exception to comply with international obligations

Sanctions under subparagraph (B) and (C)² of paragraph (1) shall not apply with respect to a foreign person if admitting or paroling such person into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(e) National security waiver

The President may waive the application of the sanctions under subsection (c)³ if the President—

(1) determines that such a waiver is in the national security interest of the United States; and

(2) submits to the appropriate congressional committees within 15 days after such determination a notice of and justification for the waiver.

(f) Termination

The authority to impose sanctions under subsection (b),⁴ and any sanctions imposed pursuant to such authority, shall expire on the date that is 3 years after December 27, 2020.

(g) Public availability

The unclassified portion of the report required by subsection (b) shall be made available to the public, including through publication in the Federal Register. In any case in which the President concludes that such publication would be harmful to the national security of the United States, only a statement that a determination or finding has been made by the President, including the name and section of the Act under which it was made, shall be published.

²So in original. Probably should be “subparagraphs (A) and (B)”.

³So in original. Probably should be “subsection (d)”.

⁴So in original. Probably should be “subsection (c)”.

(h) Definitions

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

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

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

(Pub. L. 116–260, div. FF, title III, §353, Dec. 27, 2020, 134 Stat. 3129; Pub. L. 117–54, §7, Nov. 10, 2021, 135 Stat. 418.)

Editorial Notes

REFERENCES IN TEXT

The Immigration and Nationality Act, referred to in subsec. (d)(1)(A)(iii), is act June 27, 1952, ch. 477, 66 Stat. 163, which is classified principally to chapter 12 (§1101 et seq.) of Title 8, Aliens and Nationality. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of Title 8 and Tables.

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.

AMENDMENTS

2021—Pub. L. 117–54 substituted “, Honduras, and Nicaragua” for “and Honduras” in section catchline and wherever appearing in text.

Executive Documents

DELEGATION OF CERTAIN AUTHORITIES AND FUNCTIONS UNDER SECTION 353 OF THE UNITED STATES-NORTHERN TRIANGLE ENHANCED ENGAGEMENT ACT

Memorandum of President of the United States, June 21, 2021, 86 F.R. 34591, provided:

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby delegate to the Secretary of State all authorities and functions vested in the President by section 353 of the United States-Northern Triangle Enhanced Engagement Act (Subtitle F of Title III of Division FF of Public Law 116–260) (the “Act”) [22 U.S.C. 2277a].

Any reference herein to the Act related to the subject of this memorandum shall be deemed to include references to any hereafter-enacted [June 21, 2021] provisions of law that are the same or substantially the same as such provisions.

You are authorized and directed to publish this memorandum in the Federal Register.

J.R. BIDEN, JR.

PART VII—DEBT-FOR-NATURE EXCHANGES

§ 2281. “Debt-for-nature exchange” defined

For purpose of this part, the term “debt-for-nature exchange” means the cancellation or redemption of the foreign debt of the government of a country in exchange for—

(1) that government's making available local currencies (including through the issuance of bonds) which are used only for eligible projects involving the conservation or protection of the environment in that country (as described in section 2283 of this title); or

(2) that government's financial resource or policy commitment to take certain specified

actions to ensure the restoration, protection, or sustainable use of natural resources within that country; or

(3) a combination of assets and actions under both paragraphs (1) and (2).

(Pub. L. 87-195, pt. I, § 461 [471], as added Pub. L. 101-240, title VII, § 711, Dec. 19, 1989, 103 Stat. 2521.)

Editorial Notes

REFERENCES IN TEXT

Section 2283 of this title, referred to in par. (1), was in the original "section 463", meaning section 463 of Pub. L. 87-195, which has been translated as meaning section 463 of Pub. L. 87-195 relating to eligible projects rather than section 463 of Pub. L. 87-195, relating to the peace process in Central America, which is classified to section 2273 of this title.

CODIFICATION

Another section 461 of Pub. L. 87-195 is classified to section 2271 of this title.

PRIOR PROVISIONS

A prior section 2281, Pub. L. 87-195, pt. I, § 471, as added Pub. L. 89-583, pt. I, § 110, Sept. 19, 1966, 80 Stat. 802, related to agreements with less developed countries for establishment of Joint Commissions on Rural Development, prior to repeal by Pub. L. 95-424, title VI, § 604, Oct. 6, 1978, 92 Stat. 961, effective Oct. 1, 1978.

§ 2282. Assistance for commercial debt exchanges

(a) The Administrator of the Agency for International Development is authorized to furnish assistance, in the form of grants on such terms and conditions as may be necessary, to nongovernmental organizations for the purchase on the open market of discounted commercial debt of a foreign government of an eligible country which will be canceled or redeemed under the terms of an agreement with that government as part of a debt-for-nature exchange.

(b) Notwithstanding any other provision of law, a grantee (or any subgrantee) of the grants referred to in subsection (a) may retain, without deposit in the Treasury of the United States and without further appropriation by Congress, interest earned on the proceeds of any resulting debt-for-nature exchange pending the disbursements of such proceeds and interest for approved program purposes, which may include the establishment of an endowment, the income of which is used for such purposes.

(Pub. L. 87-195, pt. I, § 462 [472], as added Pub. L. 101-240, title VII, § 711, Dec. 19, 1989, 103 Stat. 2521.)

Editorial Notes

CODIFICATION

Another section 462 of Pub. L. 87-195 is classified to section 2272 of this title.

§ 2283. Eligible projects

(a) The Administrator of the Agency for International Development shall seek to ensure that debt-for-nature exchanges under this part support one or more of the following activities by either the host government, a local private conservation group, or a combination thereof:

(1) restoration, protection, or sustainable use of the world's oceans and atmosphere;

(2) restoration, protection, or sustainable use of diverse animal and plant species;

(3) establishment, restoration, protection, and maintenance of parks and reserves;

(4) development and implementation of sound systems of natural resource management;

(5) development and support of local conservation programs;

(6) training programs to strengthen conservation institutions and increase scientific, technical, and managerial capabilities of individuals and organizations involved in conservation efforts;

(7) efforts to generate knowledge, increase understanding, and enhance public commitment to conservation;

(8) design and implementation of sound programs of land and ecosystem management; and

(9) promotion of regenerative approaches in farming, forestry, fishing, and watershed management.

(b)(1) In cooperation with nongovernmental organizations, the Administrator of the Agency for International Development shall seek to identify those areas, which because of an imminent threat, are in particular need of immediate attention to prevent the loss of unique biological life or valuable ecosystem.

(2) The Administrator of the Agency for International Development shall encourage as many eligible countries as possible to propose such exchanges with the purpose of demonstrating to a large number of governments the feasibility and benefits of sustainable development.

(Pub. L. 87-195, pt. I, § 463 [473], as added Pub. L. 101-240, title VII, § 711, Dec. 19, 1989, 103 Stat. 2522.)

Editorial Notes

CODIFICATION

Another section 463 of Pub. L. 87-195 is classified to section 2273 of this title.

§ 2284. Eligible countries

In order for a foreign country to be eligible to participate in a debt-for-nature exchange under this part, the Administrator of the Agency for International Development shall determine that—

(1) the host country is fully committed to the long-term viability of the program or project that is to be undertaken through the debt-for-nature exchange;

(2) a long-term plan has been prepared by the host country, or private conservation group, which adequately provides for the long-term viability of the program or project that is to be undertaken through the debt-for-nature exchange or that such a plan will be prepared in a timely manner; and

(3) there is a government agency or a local nongovernmental organization, or combination thereof, in the host country with the capability, commitment, and record of environmental concern to oversee the long-term via-