

(A) all species of the orders Antipatharia (black corals), Scleractinia (stony corals), Alcyonacea (soft corals), Gorgonacea (horny corals), Stolonifera (organpipe corals and others), and Coenothecalia (blue coral), of the class Anthozoa;¹ and

(B) all species of the order Hydrocorallina (fire corals and hydrocorals) of the class Hydrozoa.

(11) Coral reef

The term “coral reef” means any reef or shoal composed primarily of coral.

(12) Coral reef ecosystem

The term “coral reef ecosystem” means any coral reef and any coastal marine ecosystem surrounding, or directly related to, a coral reef and important to maintaining the ecological integrity of that coral reef, such as seagrasses, mangroves, sandy seabed communities, and immediately adjacent coastal areas.

(Pub. L. 87-195, pt. V, §803, as added Pub. L. 105-214, §1, July 29, 1998, 112 Stat. 886; amended Pub. L. 115-440, §§3(b), 4(b), 8(e), 9(b)(1), Jan. 14, 2019, 132 Stat. 5581, 5583, 5584.)

Editorial Notes

PRIOR PROVISIONS

A prior section 803 of Pub. L. 87-195, pt. V, was classified to section 2433 of this title prior to repeal by Pub. L. 94-329.

AMENDMENTS

2019—Par. (5). Pub. L. 115-440, §3(b)(1)(A), (B), substituted “tropical forest or coral reef” for “tropical forest” in heading and introductory provisions.

Par. (5)(B). Pub. L. 115-440, §3(b)(1)(C), substituted “tropical forest or coral reef” for “tropical forest” and “tropical forests or coral reefs” for “tropical forests”.

Par. (7). Pub. L. 115-440, §8(e), substituted “Conservation Agreement” for “Tropical Forest Agreement” in heading and in two places in text.

Par. (8). Pub. L. 115-440, §4(b), substituted “Conservation Facility” for “Tropical Forest Facility” in heading and in two places in text.

Par. (9). Pub. L. 115-440, §9(b)(1), substituted “Conservation Fund” for “Tropical Forest Fund” in heading and in two places in text.

Pars. (10) to (12). Pub. L. 115-440, §3(b)(2), added pars. (10) to (12).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 2431b. Establishment of Facility

There is established in the Department of the Treasury an entity to be known as the “Conservation Facility” for the purpose of providing for the administration of debt reduction in accordance with this subchapter.

(Pub. L. 87-195, pt. V, §804, as added Pub. L. 105-214, §1, July 29, 1998, 112 Stat. 887; amended Pub. L. 115-440, §4(a), Jan. 14, 2019, 132 Stat. 5581.)

¹ So in original. Probably should be “Anthozoa;”.

Editorial Notes

PRIOR PROVISIONS

A prior section 804 of Pub. L. 87-195, pt. V, was classified to section 2434 of this title prior to repeal by Pub. L. 94-329.

AMENDMENTS

2019—Pub. L. 115-440 substituted “Conservation Facility” for “Tropical Forest Facility”.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Pub. L. 115-440, §4(c), Jan. 14, 2019, 132 Stat. 5582, provided that: “Any reference in any other provision of law, regulation, document, paper, or other record of the United States to the ‘Tropical Forest Facility’ shall be deemed to be a reference to the ‘Conservation Facility’.”

§ 2431c. Eligibility for benefits

(a) In general

To be eligible for benefits from the Facility under this subchapter, a country shall be a developing country with a tropical forest or coral reef—

(1) whose government is democratically elected;

(2) whose government has not repeatedly provided support for acts of international terrorism;

(3) whose government is not failing to cooperate on international narcotics control matters;

(4) whose government (including its military or other security forces) does not engage in a consistent pattern of gross violations of internationally recognized human rights;

(5) that has in effect, has received approval for, or is making significant progress toward—

(A) an International Monetary Fund standby arrangement, extended Fund arrangement, or an arrangement under the structural adjustment facility or enhanced structural adjustment facility, or a Fund monitored program, or is implementing sound macroeconomic policies, unless the President determines that such an arrangement or program could reasonably be expected to have significant adverse social or environmental effect; and

(B) as appropriate, structural or sectoral adjustment loans from the International Bank for Reconstruction and Development or the International Development Association, unless the President determines that the resulting adjustment requirements could reasonably be expected to have significant adverse social or environmental effects;

(6) if appropriate, has¹ agreed with its commercial bank lenders on a satisfactory financing program, including, as appropriate, debt or debt service reduction; and

(7) that has put in place investment reforms, as evidenced by the conclusion of a bilateral investment treaty with the United States, implementation of an investment sector loan with the Inter-American Development Bank,

¹ So in original. Probably should be preceded by “that”.