

have submitted the dispute to arbitration under the rules of the Convention for the Settlement of Investment Disputes, or (C) good faith negotiations are in progress aimed at providing prompt, adequate, and effective compensation under the applicable principles of international law.

(Pub. L. 89-369, §18, as added Pub. L. 92-245, §1, Mar. 10, 1972, 86 Stat. 58.)

**§ 285p. Illegal drug traffic; loan restrictions**

The Secretary of the Treasury shall instruct the United States Executive Director of the Asian Development Bank to vote against any loan or other utilization of the funds of the Bank for the benefit of any country with respect to which the President has made a determination, and so notified the Secretary of the Treasury, that the government of such country has failed to take adequate steps to prevent narcotic drugs and other controlled substances (as defined by the Comprehensive Drug Abuse Prevention and Control Act of 1970 [21 U.S.C. 801 et seq.]) produced or processed, in whole or in part, in such country, or transported through such country, from being sold illegally within the jurisdiction of such country to United States Government personnel or their dependents, or from entering the United States unlawfully. Such instruction shall continue in effect until the President determines, and so notifies the Secretary of the Treasury, that the government of such country has taken adequate steps to prevent such sale or entry of narcotic drugs and other controlled substances.

(Pub. L. 89-369, §19, as added Pub. L. 92-245, §2, Mar. 10, 1972, 86 Stat. 58.)

**Editorial Notes**

REFERENCES IN TEXT

The Comprehensive Drug Abuse Prevention and Control Act of 1970, referred to in text, is Pub. L. 91-513, Oct. 27, 1970, 84 Stat. 1236, which is classified principally to chapter 13 (§801 et seq.) of Title 21, Food and Drugs. For complete classification of this Act to the Code, see Short Title note set out under section 801 of Title 21 and Tables.

**§ 285q. Subscription to additional shares; authorization of appropriations**

(a) The United States Governor of the Bank is authorized to subscribe on behalf of the United States to thirty thousand additional shares of the capital stock of the Bank in accordance with and subject to the terms and conditions of Resolution Numbered 46 adopted by the Bank's Board of Governors on November 30, 1971.

(b) In order to pay for the increase in the United States subscription to the Bank provided for in this section, there is hereby authorized to be appropriated without fiscal year limitation \$361,904,726 for payment by the Secretary of the Treasury.

(Pub. L. 89-369, §20, as added Pub. L. 93-537, Dec. 22, 1974, 88 Stat. 1735.)

**§ 285r. Contribution to special funds; authorization of appropriations**

(a) The United States Governor of the Bank is hereby authorized to agree to contribute on be-

half of the United States \$50,000,000 to the special funds of the Bank. This contribution shall be made available to the Bank pursuant to the provisions of article 19 of the articles of agreement of the Bank.

(b) In order to pay for the United States contribution to the special funds, there is hereby authorized to be appropriated without fiscal year limitation \$50,000,000 for payment by the Secretary of the Treasury.

(Pub. L. 89-369, §21, as added Pub. L. 93-537, Dec. 22, 1974, 88 Stat. 1735.)

**§ 285s. Additional subscription to shares; authorization of appropriations**

(a) The United States Governor of the Bank is authorized to subscribe on behalf of the United States to sixty-seven thousand and five hundred additional shares of the capital stock of the Bank: *Provided, however,* That any subscription to additional shares shall be effective only to such extent or in such amounts as are provided in advance in appropriation Acts.

(b) In order to pay for the increase in the United States subscription to the Bank provided for in this section, there are authorized to be appropriated without fiscal year limitation \$814,286,250 for payment by the Secretary of the Treasury.

(Pub. L. 89-369, §22, as added Pub. L. 95-118, title V, §501, Oct. 3, 1977, 91 Stat. 1068; amended Pub. L. 97-35, title XIII, §1353, Aug. 13, 1981, 95 Stat. 745.)

**Editorial Notes**

AMENDMENTS

1981—Subsec. (a). Pub. L. 97-35 substituted “effective only to such extent or in such amounts as are provided in advance in appropriation Acts” for “made only after the amount required for such subscription has been appropriated”.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-35 effective Aug. 13, 1981, except that any funds authorized to be appropriated shall not be available for use or obligation prior to Oct. 1, 1981, see section 1372 of Pub. L. 97-35, set out as an Effective Date note under section 290i of this title.

EFFECTIVE DATE

Section effective Oct. 3, 1977, except that no funds authorized to be appropriated by this section may be available for use or obligation prior to Oct. 1, 1977, see section 1001 of Pub. L. 95-118, set out as a note under section 282i of this title.

**§ 285t. Additional contribution to special funds; authorization of appropriations**

(a) The United States Governor of the Bank is authorized to contribute on behalf of the United States \$180,000,000 to the Asian Development Fund, a special fund of the Bank: *Provided, however,* That any commitment to make such contribution shall be made subject to obtaining the necessary appropriations.

(b) In order to pay for the United States contribution to the Asian Development Fund provided for in this section, there are authorized to

be appropriated without fiscal year limitation \$180,000,000 for payment by the Secretary of the Treasury: *Provided, however*, That not more than \$14,116,177 may be made available for such contribution for the fiscal year 1982.

(Pub. L. 89-369, §23, as added Pub. L. 95-118, title V, §501, Oct. 3, 1977, 91 Stat. 1069; amended Pub. L. 97-35, title XIII, §1352(c), Aug. 13, 1981, 95 Stat. 745.)

#### Editorial Notes

##### AMENDMENTS

1981—Subsec. (b). Pub. L. 97-35 inserted provision limiting amount of appropriations available for contributions for fiscal year 1982.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-35 effective Aug. 13, 1981, except that any funds authorized to be appropriated shall not be available for use or obligation prior to Oct. 1, 1981, see section 1372 of Pub. L. 97-35, set out as an Effective Date note under section 290i of this title.

##### EFFECTIVE DATE

Section effective Oct. 3, 1977, except that no funds authorized to be appropriated by this section may be available for use or obligation prior to Oct. 1, 1977, see section 1001 of Pub. L. 95-118, set out as a note under section 282i of this title.

#### § 285u. Additional contribution to special funds

##### (a) United States share

The United States Governor of the Bank is authorized to contribute on behalf of the United States \$378,250,000 to the Asian Development Fund, a special fund of the Bank, except that any commitment to make such contribution shall be made subject to obtaining the necessary appropriations.

##### (b) Authorization of appropriations; maximum available for certain years

In order to pay for the United States contribution to the Asian Development Fund provided for in this section, there are authorized to be appropriated, without fiscal year limitation, \$378,250,000 for payment by the Secretary of the Treasury: *Provided, however*, That not more than \$111,250,000 of such sum may be made available for the fiscal year 1982, and not more than \$44,500,000 of such sum may be made available for the fiscal year 1983.

##### (c) Funding requirements

For the purpose of keeping to a minimum the cost to the United States, the Secretary of the Treasury—

(1) shall pay the United States contribution to the Asian Development Fund authorized by this section by letter of credit in four annual installments; and

(2) shall take the steps necessary to obtain a certification from the Bank that any undisbursed balances resulting from drawdowns on such letter of credit will not exceed at any time the United States share of expected disbursement requirements for the following three-month period.

(Pub. L. 89-369, §24, as added Pub. L. 96-259, title II, §201, June 3, 1980, 94 Stat. 430; amended Pub.

L. 97-35, title XIII, §1352(b), Aug. 13, 1981, 95 Stat. 744.)

#### Editorial Notes

##### AMENDMENTS

1981—Subsec. (b). Pub. L. 97-35 inserted provision limiting amount of appropriations for fiscal years 1982 and 1983.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-35 effective Aug. 13, 1981, except that any funds authorized to be appropriated shall not be available for use or obligation prior to Oct. 1, 1981, see section 1372 of Pub. L. 97-35, set out as an Effective Date note under section 290i of this title.

#### § 285v. Sense of Congress respecting membership of Taiwan in Bank

It is the sense of the Congress that it is the policy of the United States that Taiwan (before January 1, 1979, known as the Republic of China) shall be permitted to retain membership in the Asian Development Bank and that the United States Executive Director of the Bank shall notify the Bank that a serious review of future United States participation, including any future payments to the Asian Development Fund, would ensue if Taiwan were expelled from the Bank.

(Pub. L. 89-369, §25, as added Pub. L. 96-259, title II, §201, June 3, 1980, 94 Stat. 430.)

#### § 285w. Contribution to Asian Development Fund; authorization of appropriations

(a) The United States Governor of the Bank is authorized to contribute on behalf of the United States \$66,750,000 to the Asian Development Fund, a special fund of the Bank: *Provided, however*, That any commitment to make such contribution shall be made subject to obtaining the necessary appropriations.

(b) In order to pay for the United States contribution to the Asian Development Fund provided for in this section, there is authorized to be appropriated, without fiscal year limitation, \$66,750,000 for payment by the Secretary of the Treasury: *Provided, however*, That no funds may be made available for such contribution for the fiscal year 1982.

(Pub. L. 89-369, §26, as added Pub. L. 97-35, title XIII, §1352(a), Aug. 13, 1981, 95 Stat. 744.)

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective Aug. 13, 1981, except that any funds authorized to be appropriated shall not be available for use or obligation prior to Oct. 1, 1981, see section 1372 of Pub. L. 97-35, set out as a note under section 290i of this title.

#### § 285x. Additional subscription to shares

##### (a) United States share

(1) The United States Governor of the Bank is authorized to subscribe on behalf of the United States to one hundred twenty-three thousand three hundred and seventy-five additional shares of the capital stock of the Bank.