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104TH CONGRESS

2D SESSION H. R. 3399 To authorize appropriations for the United States contribution to the tenth

replenishment of the resources of the International Development Associa-

tion, to authorize consent to and authorize appropriations for the United States contribution to the fifth replenishment of the resources of the African Development Bank, to authorize consent to and authorize appro- priations for a United States contribution to the Interest Subsidy Ac- count of the successor (ESAF II) to the Enhanced Structural Adjustment Facility of the International Monetary Fund, and to provide for the

establishment of the Middle East Development Bank.

IN THE HOUSE OF REPRESENTATIVES MAY 7, 1996 Mr. CASTLE (by request) introduced the following bill; which was referred to

the Committee on Banking and Financial Services, and in addition to the Committee on Commerce, for a period to be subsequently determined by
the Speaker, in each case for consideration of such provisions as fall with-
in the jurisdiction of the committee concerned

A BILL To authorize appropriations for the United States contribu-

tion to the tenth replenishment of the resources of the
International Development Association, to authorize con-

sent to and authorize appropriations for the United States contribution to the fifth replenishment of the re-
sources of the African Development Bank, to authorize

consent to and authorize appropriations for a United States contribution to the Interest Subsidy Account of
the successor (ESAF II) to the Enhanced Structural

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Adjustment Facility of the International Monetary Fund,

and to provide for the establishment of the Middle East Development Bank.
1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,

3 TITLE I—INTERNATIONAL

4 DEVELOPMENT ASSOCIATION

5 SEC. 101. The International Development Associa-

6 tion Act, 22 U.S.C. 284 et seq., is amended by adding
7 at the end thereof the following new section:

8 ‘‘SEC. 22. In order to pay for the United States con-
9 tribution to the tenth replenishment of the resources of

10 the association authorized in section 526 of Public Law

11 103–87, there are authorized to be appropriated, without
12 fiscal year limitation, $550,000,000 for payment by the

13 Secretary of the Treasury.’’.

14 TITLE II—AFRICAN
15 DEVELOPMENT BANK
16 SEC. 201. The African Development Bank Act, 22
17 U.S.C. 290i et seq., is amended by adding at the end

18 thereof the following new section:
19 ‘‘SEC. 11. (a) SUBSCRIPTION AUTHORIZED.—(1) The
20 United States Governor of the Bank may subscribe on be-

21 half of the United States to lllllll additional
22 shares of the capital stock of the Bank. (2) Any subscrip-

23 tion by the United States to the capital stock of the Bank

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1 shall be effective only to such extent or in such amounts
2 as are provided in advance in appropriations Acts.
3 ‘‘(b) LIMITATIONS ON AUTHORIZATION OF APPRO-

4 PRIATIONS.—In order to pay for the increase in the Unit-5 ed States subscription to the Bank provided for in sub-

6 section (a), there are authorized to be appropriated, with-
7 out fiscal year limitation, $llllll for payment by

8 the Secretary of the Treasury.’’.

9 TITLE III—INTEREST SUBSIDY
10 ACCOUNT OF THE SUCCES-

11 SOR (ESAF II) TO THE EN-
12 HANCED STRUCTURAL AD-
13 JUSTMENT FACILITY OF THE

14 INTERNATIONAL MONETARY
15 FUND
16 SEC. 301. The Bretton Woods Agreements Act, 22
17 U.S.C. 286 et seq., is amended by adding at the end there-

18 of the following new section:

19 ‘‘CONTRIBUTION TO THE INTEREST SUBSIDY ACCOUNT
20 OF THE SUCCESSOR (ESAF II) TO THE ENHANCED
21 STRUCTURAL ADJUSTMENT FACILITY OF THE INTER-
22 NATIONAL MONETARY FUND (FUND)
23 ‘‘SEC. 61. (a) CONTRIBUTION AUTHORIZED.—
24 ‘‘(1) IN GENERAL.—Subject to paragraph (2),

25 the United States Governor of the Fund may con-
26 tribute $75,000,000 to the Interest Subsidy Account

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1 of the Successor (ESAF II) to the Enhanced Struc-
2 tural Adjustment Facility of the Fund on behalf of
3 the United States.

4 ‘‘(2) CONTRIBUTION.—The contribution author-
5 ized in paragraph (1) shall be effective only to such

6 extent or in such amounts as are provided in ad-
7 vance in appropriations Acts.
8 ‘‘(b) LIMITATION ON AUTHORIZATION OF APPRO-

9 PRIATIONS.—To pay for the contribution authorized in 10 subsection (a), there are authorized to be appropriated

11 $75,000,000 without fiscal year limitation for payment by
12 the Secretary of the Treasury.’’.

13 TITLE IV—MIDDLE EAST

14 DEVELOPMENT BANK

15 SEC. 401. This title may be cited as the ‘‘Bank for

16 Economic Cooperation and Development in the Middle
17 East and North Africa Act’’.
18 ACCEPTANCE OF MEMBERSHIP
19 SEC. 402. The President is hereby authorized to ac-

20 cept membership for the United States in the Bank for 21 Economic Cooperation and Development in the Middle 22 East and North Africa (hereinafter the ‘‘Bank’’) provided

23 for by the agreement establishing the Bank (hereinafter
24 the ‘‘Agreement’’).

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1 GOVERNOR AND ALTERNATE GOVERNOR
2 SEC. 403. (a) The Governor and the Alternate Gov-
3 ernor of the International Bank for Reconstruction and

4 Development, appointed under section 3 of the Bretton 5 Woods Agreements Act, as amended (22 U.S.C. 286a),

6 shall serve ex-officio as the Governor and the Alternate
7 Governor at the inaugural meeting of the Board of Gov-

8 ernors of the Bank. Thereafter, the President, by and with 9 the advice and consent of the Senate, shall appoint a Gov-

10 ernor of the Bank and an alternate for the Governor.
11 (b) No person shall be entitled to receive any salary
12 or other compensation from the United States for services
13 as a Governor or Alternate Governor.
14 APPLICABILITY OF BRETTON WOODS AGREEMENTS ACT

15 SEC. 404. The provisions of section 4 of the Bretton
16 Woods Agreements Act, as amended, 59 Stat. 512, 22
17 U.S.C. 286b, shall apply with respect to the Bank to the

18 same extent as with respect to the International Bank for
19 Reconstruction and Development and the International

20 Monetary Fund.

21 FEDERAL RESERVE BANKS AS DEPOSITORIES

22 SEC. 405. Any Federal Reserve bank which is re-
23 quested to do so by the Bank may act as its depository,
24 or as its fiscal agent, and the Board of Governors of the

25 Federal Reserve System shall exercise general supervision
26 over the carrying out of these functions.

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1 SUBSCRIPTION OF STOCK
2 SEC. 406. (a) The Secretary of the Treasury is au-

3 thorized to subscribe on behalf of the United States up 4 to 7,011,270 shares of the capital stock of the Bank; pro-

5 vided, however, that the subscription shall be effective only
6 to such extent or in such amounts as are provided in ad-
7 vance in appropriations Acts.

8 (b) There is hereby authorized to be appropriated,
9 without fiscal year limitation, for payment by the Sec-

10 retary of the Treasury of the subscription of the United
11 States for those shares, $1,050,007,800.
12 (c) Any payment made to the United States by the
13 Bank as a distribution of net income shall be covered into

14 the Treasury as a miscellaneous receipt.

15 JURISDICTION OF UNITED STATES COURTS AND
16 ENFORCEMENT OF ARBITRAL AWARDS

17 SEC. 407. For the purpose of any civil action which

18 may be brought within the United States, its territories
19 or possessions, or the Common-wealth of Puerto Rico, by

20 or against the Bank in accordance with the Agreement, 21 including an action brought to enforce an arbitral award

22 against the Bank, the Bank shall be deemed to be an in-
23 habitant of the Federal judicial district in which its prin-
24 cipal office within the United States, or its agent ap-

25 pointed for purpose of accepting service or notice of serv-26 ice of process, is located, and any such action to which

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1 the Bank shall be a party shall be deemed to arise under
2 the laws of the United States, and the district courts of

3 the United States, including the courts enumerated in sec-4 tion 460 of title 28, United States Code, shall have origi-

5 nal jurisdiction of any such action. When the Bank is the
6 defendant in any action in a State court, it may, at any
7 time before trial, remove such action into the appropriate

8 district court of the United States by following the proce-9 dure for removal provided in section 1446 of title 28,

10 United States Code.
11 EFFECTIVENESS OF AGREEMENT

12 SEC. 408. The Agreement shall have full force and

13 effect in the United States, its territories and possessions,
14 and the Commonwealth of Puerto Rico, upon acceptance

15 of membership by the United States in, and the establish-16 ment of, the Bank.

17 EXEMPTION FROM SECURITIES LAWS FOR CERTAIN

18 SECURITIES ISSUED BY THE BANK; REPORTS REQUIRED
19 SEC. 409. (a) The seventh sentence of the seventh

20 undesignated paragraph of section 5136 of the Revised
21 Statutes of the United States as amended, 12 U.S.C. 24,

22 is further amended by striking out ‘‘or’’ after ‘‘the Inter-23 American Investment Corporation,’’ and by inserting, ‘‘or
24 the Bank for Economic Cooperation and Development in

25 the Middle East and North Africa,’’ after ‘‘the Inter-
26 national Finance Corporation’’.

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1 (b) Any securities issued by the Bank (including any
2 guarantee by the Bank, whether or not limited in scope)

3 in connection with borrowing of funds, or the guarantee 4 of securities as to both principal and interest, shall be

5 deemed to be exempted securities within the meaning of
6 section 3(a)(2) of the Securities Act of 1933, (15 U.S.C.
7 77c), and section 3(a)(12) of the Securities Exchange Act

8 of 1934, as amended (15 U.S.C. 78c). The Bank shall file 9 with the Securities and Exchange Commission such an-

10 nual and other reports with regard to such securities as
11 the Commission shall determine to be appropriate in view
12 of the special character of the Bank and its operations

13 and necessary in the public interest or for the protection

14 of investors.

15 (c) The Securities and Exchange Commission, acting

16 in consultation with such agency or officer as the Presi-
17 dent shall designate, is authorized to suspend the provi-

18 sions of paragraph (b) at any time as to any or all securi-19 ties issued or guaranteed by the Bank during the period
20 of such suspension. The Commission shall include in its

21 annual reports to Congress such information as it shall
22 deem advisable with regard to the operation and effect of

23 this section and in connection therewith shall include any 24 views submitted for such purpose by any association of
25 dealers registered with the Commission.

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1 TECHNICAL AMENDMENT
2 SEC. 410. (a) Section 1701(c)(2) of the International

3 Financial Institutions Act, 22 U.S.C. 262r(c)(2), is 4 amended by striking out ‘‘and’’ after ‘‘Inter-American De-5 velopment Bank’’ and inserting ‘‘and Bank for Economic

6 Cooperation and Development in the Middle East and
7 North Africa’’ after ‘‘Inter-American Development Cor-

8 poration’’.
9 (b) Section 51 of Public Law 91–599, as amended 10 84 Stat. 1657; 22 U.S.C. 276c–2, is amended by striking

11 out ‘‘and’’ after ‘‘the African Development Bank,’’ and in-
12 serting ‘‘and the Bank for Economic Cooperation and De-

13 velopment in the Middle East and North Africa,’’ after 14 ‘‘the Inter-American Investment Corporation’’.

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