

109TH CONGRESS
1ST SESSION

H. R. 3916

To amend the Millennium Challenge Act of 2003 to promote environmental sustainability in the implementation of programs and activities carried out under such Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2005

Ms. McCOLLUM of Minnesota (for herself, Mr. BLUMENAUER, and Mr. HINCHAY) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To amend the Millennium Challenge Act of 2003 to promote environmental sustainability in the implementation of programs and activities carried out under such Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Millennium Challenge
5 Environmental Accountability Act”.

6 **SEC. 2. AMENDMENTS TO AUTHORIZATION OF ASSISTANCE.**

7 Section 605 of the Millennium Challenge Act of 2003
8 (22 U.S.C. 7704) is amended—

1 (1) by redesignating subsection (f) as sub-
2 section (g); and

3 (2) by inserting after subsection (e) the fol-
4 lowing new subsection:

5 “(f) APPLICABILITY OF USAID ENVIRONMENTAL
6 PROCEDURES AND OTHER REQUIREMENTS.—

7 “(1) ENVIRONMENTAL PROCEDURES.—The en-
8 vironmental procedures applicable to programs,
9 projects, and activities of the United States Agency
10 for International Development pursuant to part 216
11 of chapter II of title 22, Code of Federal Regula-
12 tions (as in effect on September 30, 2005), shall
13 apply to the provision of assistance under this sec-
14 tion.

15 “(2) OTHER REQUIREMENTS.—Assistance
16 under this section shall be provided in a manner
17 consistent with the requirements applicable to the
18 provision of assistance under sections 117 (relating
19 to environment and natural resources), 118 (relating
20 to tropical forests), and 119 (relating to endangered
21 species) of the Foreign Assistance Act of 1961 (22
22 U.S.C. 2151p, 2151p–1, and 2151q). In addition,
23 assistance under this section may not be provided
24 for any program or activity that is likely to have an

1 adverse impact on the indigenous peoples of a coun-
2 try.”.

3 **SEC. 3. AMENDMENTS TO MILLENNIUM CHALLENGE COM-**
4 **PACT.**

5 (a) **ELEMENTS.**—Section 609(b) of the Millennium
6 Challenge Act of 2003 (22 U.S.C. 7708(b)) is amended—

7 (1) in paragraph (1)—

8 (A) in subparagraph (J), by striking “and”
9 at the end;

10 (B) in subparagraph (K), by striking the
11 period at the end and inserting “; and”; and

12 (C) by adding at the end the following:

13 “(L) a plan to promote environmental sus-
14 tainability, including to prevent, minimize, miti-
15 gate, or compensate for the potential adverse
16 impact on natural resources in the implementa-
17 tion of programs and activities funded under
18 the Compact.”; and

19 (2) in paragraph (3), by inserting “conservation
20 and environmental organizations, indigenous peo-
21 ples,” after “women’s and student organizations,”.

22 (b) **LOCAL INPUT.**—Section 609(d)(2) of such Act
23 (22 U.S.C. 7708(d)(2)) is amended by inserting “non-
24 governmental organizations,” after “private and voluntary
25 organizations,”.

1 (c) ASSISTANCE FOR DEVELOPMENT AND IMPLE-
2 MENTATION OF COMPACT.—Section 609(g) of such Act
3 (22 U.S.C. 7708(g)) is amended—

4 (1) in the heading, by inserting “AND IMPLE-
5 MENTATION” after “DEVELOPMENT”; and

6 (2) by adding at the end before the period the
7 following: “, including institutional capacity building
8 for sustainable management of natural resources,
9 protection of the environment, and protection of bio-
10 logical diversity in carrying out the Compact, as ap-
11 propriate”.

12 **SEC. 4. AMENDMENTS TO ANNUAL REPORT.**

13 (a) CONTENTS.—Section 613(b)(2) of the Millennium
14 Challenge Act of 2003 (22 U.S.C. 7712(b)(2)) is amend-
15 ed—

16 (1) in subparagraph (A), by striking “and” at
17 the end;

18 (2) in subparagraph (B), by striking the period
19 at the end and inserting “; and”; and

20 (3) by adding at the end the following new sub-
21 paragraph:

22 “(C) the progress made during each year
23 toward implementing the country’s plan to pro-
24 mote environmental sustainability, including to
25 prevent, minimize, mitigate, or compensate for

1 the potential adverse impact on natural re-
2 sources in the implementation of programs and
3 activities funded under the Compact.”.

4 (b) PUBLIC NOTIFICATION.—Section 613 of the Mil-
5 lennium Challenge Act of 2003 (22 U.S.C. 7712) is
6 amended by adding at the end the following new sub-
7 section:

8 “(c) PUBLIC NOTIFICATION.—The Board, acting
9 through the Chief Executive Officer, shall publish the re-
10 port required by this section in the Federal Register and
11 make the report available on the Internet website of the
12 Corporation.”.

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