

Calendar No. 113111TH CONGRESS
1ST SESSION**S. 955****[Report No. 111-51]**

To authorize United States participation in, and appropriations for the United States contribution to, the African Development Fund and the Multilateral Debt Relief Initiative, to require budgetary disclosures by multilateral development banks, to encourage multilateral development banks to endorse the principles of the Extractive Industries Transparency Initiative, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 1, 2009

Mr. KERRY (for himself, Mr. LUGAR, and Mr. KAUFMAN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

JULY 16, 2009

Reported by Mr. KERRY, without amendment

A BILL

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Industries Transparency Initiative, 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 “African Development
 5 Fund Replenishment Act of 2009”.

6 **SEC. 2. AFRICAN DEVELOPMENT FUND.**

7 The African Development Fund Act (22 U.S.C. 290g
 8 et seq.) is amended by adding at the end the following:

9 **“SEC. 219. ELEVENTH REPLENISHMENT.**

10 “(a) IN GENERAL.—The United States Governor of
 11 the Fund is authorized to contribute on behalf of the
 12 United States \$468,165,000 to the eleventh replenishment
 13 of the resources of the Fund, subject to obtaining the nec-
 14 essary appropriations.

15 “(b) AUTHORIZATION OF APPROPRIATIONS.—In
 16 order to pay for the United States contribution provided
 17 for in subsection (a), there are authorized to be appro-
 18 priated, without fiscal year limitation, \$468,165,000 for
 19 payment by the Secretary of the Treasury.

20 **“SEC. 220. MULTILATERAL DEBT RELIEF INITIATIVE.**

21 “(a) IN GENERAL.—The Secretary of the Treasury
 22 is authorized to contribute, on behalf of the United States,
 23 not more than \$26,000,000 to the African Development
 24 Fund for the purpose of funding debt relief under the Mul-

1 bilateral Debt Relief Initiative, subject to obtaining the
 2 necessary appropriations and without prejudice to any
 3 funding arrangements in existence on the date of the en-
 4 actment of this section.

5 “(b) AUTHORIZATION OF APPROPRIATIONS.—In
 6 order to pay for the United States contribution provided
 7 for in subsection (a), there are authorized to be appro-
 8 priated, without fiscal year limitation, not more than
 9 \$26,000,000 for payment by the Secretary of the Treas-
 10 ury.

11 “(c) MULTILATERAL DEBT RELIEF INITIATIVE DE-
 12 FINED.—In this section, the term ‘Multilateral Debt Relief
 13 Initiative’ means the proposal set out in the G8 Finance
 14 Ministers’ Joint Communiqué entitled ‘Conclusions on De-
 15 velopment’, London, June 11, 2005, and reaffirmed by G8
 16 Heads of State at the Gleneagles Summit on July 8,
 17 2005.”.

18 **SEC. 3. BUDGET DISCLOSURE AND ENDORSEMENT OF EX-**
 19 **RACTIVE INDUSTRIES TRANSPARENCY INI-**
 20 **TIATIVE BY MULTILATERAL DEVELOPMENT**
 21 **BANKS.**

22 (a) BUDGETARY DISCLOSURE.—

23 (1) IN GENERAL.—The Secretary of the Treas-
 24 ury shall seek to ensure that each multilateral devel-
 25 opment bank discloses to member countries the oper-

1 ating budget of the bank, including expenses for
2 staff, consultants, travel, and facilities.

3 (2) REPORT.—Not later than December 1,
4 2009, the Secretary of the Treasury shall submit to
5 Congress a report describing the status of the budg-
6 et disclosure of each multilateral development bank
7 required by paragraph (1). The report shall contain
8 an assessment of—

9 (A) the degree to which each such bank
10 has disclosed the budget of the bank; and

11 (B) how the budget disclosure of each such
12 bank may be improved in order to permit the
13 evaluation of the budget by member countries.

14 (b) ENDORSEMENT OF EXTRACTIVE INDUSTRIES
15 TRANSPARENCY INITIATIVE.—

16 (1) IN GENERAL.—The Secretary of the Treas-
17 ury shall direct the United States Executive Director
18 of each multilateral development bank to use the
19 voice and vote of the United States to ensure that
20 the bank—

21 (A) endorses the principles of the Extrac-
22 tive Industry Transparency Initiative; and

23 (B) integrates such principles into any
24 project funded by the bank that is related to an
25 extractive industry.

1 (2) REPORT.—Not later than December 1,
2 2009, the Secretary of the Treasury shall submit to
3 Congress a report—

4 (A) listing each multilateral development
5 bank that has endorsed the principles of the
6 Extractive Industry Transparency Initiative;
7 and

8 (B) assessing the extent to which each
9 such bank has integrated such principles into
10 the projects of the bank.

11 (c) DEFINITIONS.—In this section:

12 (1) MULTILATERAL DEVELOPMENT BANK.—
13 The term “multilateral development bank” has the
14 meaning given that term in section 1307(g) of the
15 International Financial Institutions Act (22 U.S.C.
16 262m–7(g)).

17 (2) PRINCIPLES OF THE EXTRACTIVE INDUS-
18 TRY TRANSPARENCY INITIATIVE.—The term “prin-
19 ciples of the Extractive Industry Transparency Ini-
20 tiative” means the principles contained in the State-
21 ment of Principles and Agreed Actions of the Ex-
22 tractive Industries Transparency Initiative, agreed
23 to in London June 17, 2003.

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