

## Special Drawing Rights Act

[Public Law 90–349, approved June 19, 1968]

[As Amended Through P.L. 118–47, Enacted March 23, 2024]

【Currency: This publication is a compilation of the text of Public Law 90-349. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To provide for United States participation in the facility based on Special Drawing Rights in the International Monetary Fund, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the “Special Drawing Rights Act”.* 【22 U.S.C. 286n note】

SEC. 2. 【22 U.S.C. 286n】 The President is hereby authorized (a) to accept the amendment to the articles of agreement of the International Monetary Fund (hereinafter referred to as the “Fund”), attached to the April 1968 report by the Executive Directors to the Board of Governors of the Fund, for the purpose of (i) establishing a facility based on Special Drawing Rights in the Fund and (ii) giving effect to certain modifications in the present rules and practices of the Fund, and (b) to participate in the special drawing account established by the amendment.

SEC. 3. 【22 U.S.C. 286o】 (a) Special Drawing Rights allocated to the United States pursuant to article XVIII<sup>1</sup> of the Articles of Agreement of the Fund, and Special Drawing Rights otherwise acquired by the United States, shall be credited to the account of, and administered as part of, the Exchange Stabilization Fund established by section 10 of the Gold Reserve Act of 1934, as amended (31 U.S.C. 822a).

(b) The proceeds resulting from the use of Special Drawing Rights by the United States, and payments of interest to the United States Articles of Agreement of the Fund, shall be deposited in the Exchange Stabilization Fund. Currency payments by the United States in return for Special Drawing Rights, and payments of charges or assessments pursuant to article XX, article XXIV, and

<sup>1</sup>Upon entry into force on Apr. 1, 1978, of the amendments to the Articles of Agreement of the IMF, certain technical changes regarding references to articles in secs. 3, 6, and 7 became effective, as provided for by sec. 5 of Public Law 94–564.

article XXV<sup>1</sup> of the Articles of Agreement of the Fund, shall be made from the resources of the Exchange Stabilization Fund.

SEC. 4. [22 U.S.C. 286p] (a) The Secretary of the Treasury is authorized to issue to the Federal Reserve banks, and such banks shall purchase, Special Drawing Right certificates in such form and in such denominations as he may determine, against any Special Drawing Rights held to the credit of the Exchange Stabilization Fund. Such certificates shall be issued and remain outstanding only for the purpose of financing the acquisition of Special Drawing Rights or for financing exchange stabilization operations. The amount of special Drawing Right certificates issued and outstanding shall at no time exceed the value of the Special Drawing Rights held against the Special Drawing Right certificates. The proceeds resulting from the issuance of Special Drawing Right certificates shall be covered into the Exchange Stabilization Fund.

(b) Special Drawing Right certificates owned by the Federal Reserve banks shall be redeemed from the resources of the Exchange Stabilization Fund at such times and in such amounts as the Secretary of the Treasury may determine.

SEC. 5.<sup>2</sup>

SEC. 6.<sup>3</sup> [22 U.S.C. 286q] (a)<sup>4</sup> Unless Congress by law authorizes such action, neither the President nor any person or agency shall on behalf of the United States vote to allocate in each basic period Special Drawing Rights under article XVIII,<sup>1</sup> sections 2 and 3, of the Articles of Agreement of the Fund so that allocations to the United States in that period exceed an amount equal to the United States quota in the Fund as authorized under the Bretton Woods Agreements Act.

(b)(1) Neither the President nor any person or agency shall on behalf of the United States vote to allocate Special Drawing Rights under article XVIII, sections 2 and 3, of the Articles of Agreement of the Fund without consultations by the Secretary of the Treasury at least 90 days prior to any such vote, with the Chairman and ranking minority members of the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking, Finance and Urban Affairs<sup>5</sup> of the House of Representatives, and the appropriate subcommittees thereof.

(2) Such consultations shall include an explanation of the consistency of such proposal to allocate with the requirements of the Articles of Agreement of the Fund, in particular the requirement that in all its decisions with respect to allocation of Special Drawing Rights, the Fund shall “seek to meet the long-term global need, as and when it arises, to supplement existing reserve assets in such manner as will promote the attainment of its purposes and will avoid economic stagnation and deflation as well as excess demand and inflation in the world”.

<sup>2</sup>Sec. 5 made conforming amendments at 12 U.S.C. 412, 12 U.S.C. 415, 12 U.S.C. 417, and 12 U.S.C. 467.

<sup>3</sup>Amended and restated by sec. 2 of Public Law 91-599 (84 Stat. 1657).

<sup>4</sup>Sec. 803 of Public Law 98-181 (97 Stat. 1270) added the subsec. designation “(a)” and a new subsec. (b).

<sup>5</sup>Sec. 1(a)(2) of Public Law 104-14 (109 Stat. 186) provided that references to the Committee on Banking, Finance and Urban Affairs of the House of Representatives shall be treated as referring to the Committee on Banking and Financial Services of the House of Representatives.

(3)<sup>6</sup> Unless Congress by law authorizes such action, neither the President nor any person or agency shall on behalf of the United States engage in any voluntary transaction involving the exchange of Special Drawing Rights that are held by a member country of the Fund, if the Secretary of State has found that the government of the member country—

(A) has committed genocide at any time during the 1-year period ending with the date of the transaction; or

(B) has repeatedly provided support for acts of international terrorism.

(4)<sup>6</sup> The Secretary of the Treasury shall direct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) to use the voice and vote of the United States to—

(A) oppose the provision of financial assistance to any government with respect to which the Secretary of State has made a finding described in paragraph (3); and

(B) seek to ensure that the member countries of the institution do not engage in voluntary transactions involving the exchange of Special Drawing Rights held by such a government.

(5)<sup>6</sup> **WAIVER.**—The President may waive paragraphs (3) and (4) on a case-by-case basis if the President reports to the Committee on Financial Services of the House of Representatives and the Committee on Foreign Relations of the Senate that the waiver is in the national interest of the United States, and includes a detailed explanation of the reasons therefor.

**SEC. 7. [22 U.S.C. 286r]** The provisions of article XXI(b)<sup>1</sup> of the Articles of Agreement of the Fund shall have full force and effect in the United States and its territories and possessions when the United States becomes a participant in the special drawing account.

<sup>6</sup>Effective March 23, 2034, paragraphs (3) through (5) of section 6(b), as added by section 7071(a) of division F of Public Law 118–47, are repealed.