

117TH CONGRESS
1ST SESSION

S. 3075

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2022, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 26, 2021

Mr. COONS introduced the following bill; which was read twice and referred to the Committee on Appropriations

A BILL

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2022, 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 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Department of State, foreign operations, and related pro-
6 grams for the fiscal year ending September 30, 2022, and
7 for other purposes, namely:

1 TITLE I
2 DEPARTMENT OF STATE AND RELATED
3 AGENCY
4 DEPARTMENT OF STATE
5 ADMINISTRATION OF FOREIGN AFFAIRS
6 DIPLOMATIC PROGRAMS

7 For necessary expenses of the Department of State
8 and the Foreign Service not otherwise provided for,
9 \$9,040,672,000, of which \$812,216,000 may remain avail-
10 able until September 30, 2023, and of which up to
11 \$3,625,899,000 may remain available until expended for
12 Worldwide Security Protection: *Provided*, That funds
13 made available under this heading shall be allocated in ac-
14 cordance with paragraphs (1) through (4) as follows:

15 (1) HUMAN RESOURCES.—For necessary ex-
16 penses for training, human resources management,
17 and salaries, including employment without regard
18 to civil service and classification laws of persons on
19 a temporary basis (not to exceed \$700,000), as au-
20 thorized by section 801 of the United States Infor-
21 mation and Educational Exchange Act of 1948 (62
22 Stat. 11; Chapter 36), \$3,216,871,000, of which up
23 to \$661,240,000 is for Worldwide Security Protec-
24 tion.

1 (2) OVERSEAS PROGRAMS.—For necessary ex-
2 penses for the regional bureaus of the Department
3 of State and overseas activities as authorized by law,
4 \$1,791,425,000.

5 (3) DIPLOMATIC POLICY AND SUPPORT.—For
6 necessary expenses for the functional bureaus of the
7 Department of State, including representation to
8 certain international organizations in which the
9 United States participates pursuant to treaties rati-
10 fied pursuant to the advice and consent of the Sen-
11 ate or specific Acts of Congress, general administra-
12 tion, and arms control, nonproliferation, and disar-
13 mament activities as authorized, \$1,018,951,000.

14 (4) SECURITY PROGRAMS.—For necessary ex-
15 penses for security activities, \$3,013,425,000, of
16 which up to \$2,964,659,000 is for Worldwide Secu-
17 rity Protection.

18 (5) FEES AND PAYMENTS COLLECTED.—In ad-
19 dition to amounts otherwise made available under
20 this heading—

21 (A) as authorized by section 810 of the
22 United States Information and Educational Ex-
23 change Act, not to exceed \$5,000,000, to re-
24 main available until expended, may be credited
25 to this appropriation from fees or other pay-

1 ments received from English teaching, library,
2 motion pictures, and publication programs and
3 from fees from educational advising and coun-
4 seling and exchange visitor programs; and

5 (B) not to exceed \$15,000, which shall be
6 derived from reimbursements, surcharges, and
7 fees for use of Blair House facilities.

8 (6) TRANSFER OF FUNDS, REPROGRAMMING,
9 AND OTHER MATTERS.—

10 (A) Notwithstanding any other provision of
11 this Act, funds may be reprogrammed within
12 and between paragraphs (1) through (4) under
13 this heading subject to section 7015 of this Act.

14 (B) Of the amount made available under
15 this heading for Worldwide Security Protection,
16 not to exceed \$50,000,000 may be transferred
17 to, and merged with, funds made available by
18 this Act under the heading “Emergencies in the
19 Diplomatic and Consular Service”, to be avail-
20 able only for emergency evacuations and re-
21 wards, as authorized: *Provided*, That the exer-
22 cise of the authority provided by this subpara-
23 graph shall be subject to prior consultation with
24 the Committees on Appropriations.

1 (C) Funds appropriated under this heading
2 are available for acquisition by exchange or pur-
3 chase of passenger motor vehicles as authorized
4 by law and, pursuant to section 1108(g) of title
5 31, United States Code, for the field examina-
6 tion of programs and activities in the United
7 States funded from any account contained in
8 this title.

9 (D) Funds appropriated under this head-
10 ing shall be made available for the following
11 purposes and as specified under this heading in
12 the explanatory statement accompanying this
13 Act—

14 (i) to establish and support the activi-
15 ties of an Ambassador-at-Large for the
16 Arctic Region; and

17 (ii) to implement the Arctic Indige-
18 nous Exchange Program.

19 CAPITAL INVESTMENT FUND

20 For necessary expenses of the Capital Investment
21 Fund, as authorized, \$448,880,000, to remain available
22 until expended.

23 OFFICE OF INSPECTOR GENERAL

24 For necessary expenses of the Office of Inspector
25 General, \$91,458,000, of which \$13,718,000 may remain

1 available until September 30, 2023: *Provided*, That funds
2 appropriated under this heading are made available not-
3 withstanding section 209(a)(1) of the Foreign Service Act
4 of 1980 (22 U.S.C. 3929(a)(1)), as it relates to post in-
5 spections.

6 In addition, for the Special Inspector General for Af-
7 ghanistan Reconstruction (SIGAR) for reconstruction
8 oversight, \$46,000,000, to remain available until Sep-
9 tember 30, 2023: *Provided*, That funds appropriated
10 under this heading that are made available for the print-
11 ing and reproduction costs of SIGAR shall not exceed
12 amounts for such costs during the prior fiscal year.

13 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

14 For necessary expenses of educational and cultural
15 exchange programs, as authorized, \$748,961,000, to re-
16 main available until expended, of which not less than
17 \$275,000,000 shall be for the Fulbright Program and not
18 less than \$113,340,000 shall be for Citizen Exchange Pro-
19 gram: *Provided*, That fees or other payments received
20 from, or in connection with, English teaching, educational
21 advising and counseling programs, and exchange visitor
22 programs as authorized may be credited to this account,
23 to remain available until expended: *Provided further*, That
24 a portion of the Fulbright awards from the Eurasia and
25 Central Asia regions shall be designated as Edmund S.

1 Muskie Fellowships, following consultation with the Com-
2 mittees on Appropriations: *Provided further*, That funds
3 appropriated under this heading that are made available
4 for the Benjamin Gilman International Scholarships Pro-
5 gram shall also be made available for the John S. McCain
6 Scholars Program, pursuant to section 7075 of the De-
7 partment of State, Foreign Operations, and Related Pro-
8 grams Appropriations Act, 2019 (division F of Public Law
9 116–6): *Provided further*, That funds appropriated under
10 this heading shall be made available for the Community
11 Engagement Exchange Program as described under the
12 heading “Civil Society Exchange Program” in Senate Re-
13 port 116–126: *Provided further*, That any substantive
14 modifications from the prior fiscal year to programs fund-
15 ed by this Act under this heading shall be subject to prior
16 consultation with, and the regular notification procedures
17 of, the Committees on Appropriations: *Provided further*,
18 That of the amount made available under this heading,
19 not to exceed \$1,000,000 may be used to make grants to
20 carry out the activities of the Cultural Antiquities Task
21 Force.

22 REPRESENTATION EXPENSES

23 For representation expenses as authorized,
24 \$7,415,000.

1 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

2 For necessary expenses, not otherwise provided, to
3 enable the Secretary of State to provide for extraordinary
4 protective services, as authorized, \$30,890,000, to remain
5 available until September 30, 2023.

6 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

7 For necessary expenses for carrying out the Foreign
8 Service Buildings Act of 1926 (22 U.S.C. 292 et seq.),
9 preserving, maintaining, repairing, and planning for real
10 property that are owned or leased by the Department of
11 State, and renovating, in addition to funds otherwise avail-
12 able, the Harry S Truman Building, \$850,772,000, to re-
13 main available until September 30, 2026, of which not to
14 exceed \$25,000 may be used for overseas representation
15 expenses as authorized: *Provided*, That none of the funds
16 appropriated in this paragraph shall be available for acqui-
17 sition of furniture, furnishings, or generators for other de-
18 partments and agencies of the United States Government.

19 In addition, for the costs of worldwide security up-
20 grades, acquisition, and construction as authorized,
21 \$1,132,427,000, to remain available until expended.

22 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
23 SERVICE

24 For necessary expenses to enable the Secretary of
25 State to meet unforeseen emergencies arising in the Diplo-

1 matic and Consular Service, as authorized, \$8,885,000, to
2 remain available until expended, of which not to exceed
3 \$1,000,000 may be transferred to, and merged with, funds
4 appropriated by this Act under the heading “Repatriation
5 Loans Program Account”: *Provided*, That funds trans-
6 ferred pursuant to the eleventh proviso under the heading
7 “Diplomatic and Consular Programs” in the Department
8 of State, Foreign Operations, and Related Programs Ap-
9 propriations Act, 2008 (title I of division J of Public Law
10 110–161) in this and prior fiscal years may be used for
11 expenses of rewards programs.

12 REPATRIATION LOANS PROGRAM ACCOUNT

13 For the cost of direct loans, \$1,300,000, as author-
14 ized: *Provided*, That such costs, including the cost of
15 modifying such loans, shall be as defined in section 502
16 of the Congressional Budget Act of 1974: *Provided fur-*
17 *ther*, That such funds are available to subsidize gross obli-
18 gations for the principal amount of direct loans not to ex-
19 ceed \$4,937,742.

20 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

21 For necessary expenses to carry out the Taiwan Rela-
22 tions Act (Public Law 96–8), \$32,583,000.

1 INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF
2 COLUMBIA

3 Not to exceed \$1,806,600 shall be derived from fees
4 collected from other executive agencies for lease or use of
5 facilities at the International Center in accordance with
6 section 4 of the International Center Act (Public Law 90–
7 553), and, in addition, as authorized by section 5 of such
8 Act, \$743,000, to be derived from the reserve authorized
9 by such section, to be used for the purposes set out in
10 that section.

11 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
12 DISABILITY FUND

13 For payment to the Foreign Service Retirement and
14 Disability Fund, as authorized, \$158,900,000.

15 INTERNATIONAL ORGANIZATIONS

16 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

17 For necessary expenses, not otherwise provided for,
18 to meet annual obligations of membership in international
19 multilateral organizations, pursuant to treaties ratified
20 pursuant to the advice and consent of the Senate, conven-
21 tions, or specific Acts of Congress, \$1,662,928,000, of
22 which \$96,240,000 may remain available until September
23 30, 2023: *Provided*, That the Secretary of State shall, at
24 the time of the submission of the President’s budget to
25 Congress under section 1105(a) of title 31, United States

1 Code, transmit to the Committees on Appropriations the
2 most recent biennial budget prepared by the United Na-
3 tions for the operations of the United Nations: *Provided*
4 *further*, That the Secretary of State shall notify the Com-
5 mittees on Appropriations at least 15 days in advance (or
6 in an emergency, as far in advance as is practicable) of
7 any United Nations action to increase funding for any
8 United Nations program without identifying an offsetting
9 decrease elsewhere in the United Nations budget: *Provided*
10 *further*, That any payment of arrearages under this head-
11 ing shall be directed to activities that are mutually agreed
12 upon by the United States and the respective international
13 organization and shall be subject to prior consultation
14 with the Committees on Appropriations: *Provided further*,
15 That none of the funds appropriated under this heading
16 shall be available for a United States contribution to an
17 international organization for the United States share of
18 interest costs made known to the United States Govern-
19 ment by such organization for loans incurred on or after
20 October 1, 1984, through external borrowings.

21 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

22 ACTIVITIES

23 For necessary expenses to pay assessed and other ex-
24 penses of international peacekeeping activities directed to
25 the maintenance or restoration of international peace and

1 security, \$1,828,614,000, of which \$914,307,000 may re-
2 main available until September 30, 2023: *Provided*, That
3 none of the funds made available by this Act shall be obli-
4 gated or expended for any new or expanded United Na-
5 tions peacekeeping mission unless, at least 15 days in ad-
6 vance of voting for such mission in the United Nations
7 Security Council (or in an emergency as far in advance
8 as is practicable), the Committees on Appropriations are
9 notified of: (1) the estimated cost and duration of the mis-
10 sion, the objectives of the mission, the national interest
11 that will be served, and the exit strategy; and (2) the
12 sources of funds, including any reprogrammings or trans-
13 fers, that will be used to pay the cost of the new or ex-
14 panded mission, and the estimated cost in future fiscal
15 years: *Provided further*, That none of the funds appro-
16 priated under this heading may be made available for obli-
17 gation unless the Secretary of State certifies and reports
18 to the Committees on Appropriations on a peacekeeping
19 mission-by-mission basis that the United Nations is imple-
20 menting effective policies and procedures to prevent
21 United Nations employees, contractor personnel, and
22 peacekeeping troops serving in such mission from traf-
23 ficking in persons, exploiting victims of trafficking, or
24 committing acts of sexual exploitation and abuse or other
25 violations of human rights, and to hold accountable indi-

1 viduals who engage in such acts while participating in
2 such mission, including prosecution in their home coun-
3 tries and making information about such prosecutions
4 publicly available on the website of the United Nations:
5 *Provided further*, That the Secretary of State shall work
6 with the United Nations and foreign governments contrib-
7 uting peacekeeping troops to implement effective vetting
8 procedures to ensure that such troops have not violated
9 human rights: *Provided further*, That funds shall be avail-
10 able for peacekeeping expenses unless the Secretary of
11 State determines that United States manufacturers and
12 suppliers are not being given opportunities to provide
13 equipment, services, and material for United Nations
14 peacekeeping activities equal to those being given to for-
15 eign manufacturers and suppliers: *Provided further*, That
16 none of the funds appropriated or otherwise made avail-
17 able under this heading may be used for any United Na-
18 tions peacekeeping mission that will involve United States
19 Armed Forces under the command or operational control
20 of a foreign national, unless the President's military advi-
21 sors have submitted to the President a recommendation
22 that such involvement is in the national interest of the
23 United States and the President has submitted to Con-
24 gress such a recommendation: *Provided further*, That any
25 payment of arrearages with funds appropriated by this Act

1 shall be subject to prior consultation with the Committees
2 on Appropriations: *Provided further*, That such funds may
3 be made available above the amount authorized in section
4 404(b)(2) of the Foreign Relations Authorization Act, Fis-
5 cal Years 1994 and 1995, as amended (22 U.S.C. 287e
6 note): *Provided further*, That notwithstanding any other
7 provision of law, funds appropriated or otherwise made
8 available under this heading shall be available for United
9 States assessed contributions up to the amount specified
10 in the Annex accompanying United Nations General As-
11 sembly Document 64/220.

12 INTERNATIONAL COMMISSIONS

13 For necessary expenses, not otherwise provided for,
14 to meet obligations of the United States arising under
15 treaties, or specific Acts of Congress, as follows:

16 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

17 UNITED STATES AND MEXICO

18 For necessary expenses for the United States Section
19 of the International Boundary and Water Commission,
20 United States and Mexico, and to comply with laws appli-
21 cable to the United States Section, including not to exceed
22 \$6,000 for representation expenses; as follows:

1 SALARIES AND EXPENSES

2 For salaries and expenses, not otherwise provided for,
3 \$52,220,000, of which \$7,833,000 may remain available
4 until September 30, 2023.

5 CONSTRUCTION

6 For detailed plan preparation and construction of au-
7 thorized projects, \$51,300,000, to remain available until
8 expended, as authorized: *Provided*, That of the funds ap-
9 propriated under this heading in this Act and prior Acts
10 making appropriations for the Department of State, for-
11 eign operations, and related programs for the United
12 States Section, except for funds designated by the Con-
13 gress as an emergency requirement pursuant to a concur-
14 rent resolution on the budget or the Balanced Budget and
15 Emergency Deficit Control Act of 1985, up to \$5,000,000
16 may be transferred to, and merged with, funds appro-
17 priated under the heading “Salaries and Expenses” to
18 carry out the purposes of the United States Section, which
19 shall be subject to prior consultation with, and the regular
20 notification procedures of, the Committees on Appropria-
21 tions: *Provided further*, That such transfer authority is in
22 addition to any other transfer authority provided in this
23 Act.

1 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

2 For necessary expenses, not otherwise provided, for
3 the International Joint Commission and the International
4 Boundary Commission, United States and Canada, as au-
5 thorized by treaties between the United States and Can-
6 ada or Great Britain, and for technical assistance grants
7 and the Community Assistance Program of the North
8 American Development Bank, \$15,008,000: *Provided*,
9 That of the amount provided under this heading for the
10 International Joint Commission, up to \$1,250,000 may re-
11 main available until September 30, 2023, and up to
12 \$9,000 may be made available for representation expenses:
13 *Provided further*, That of the amount provided under this
14 heading for the International Boundary Commission, up
15 to \$1,000 may be made available for representation ex-
16 penses.

17 INTERNATIONAL FISHERIES COMMISSIONS

18 For necessary expenses for international fisheries
19 commissions, not otherwise provided for, as authorized by
20 law, \$62,846,000: *Provided*, That the United States share
21 of such expenses may be advanced to the respective com-
22 missions pursuant to section 3324 of title 31, United
23 States Code.

1 RELATED AGENCY

2 UNITED STATES AGENCY FOR GLOBAL MEDIA

3 INTERNATIONAL BROADCASTING OPERATIONS

4 For necessary expenses to enable the United States
5 Agency for Global Media (USAGM), as authorized, to
6 carry out international communication activities, and to
7 make and supervise grants for radio, Internet, and tele-
8 vision broadcasting to the Middle East, \$870,696,000:
9 *Provided*, That in addition to amounts otherwise available
10 for such purposes, up to \$45,708,000 of the amount ap-
11 propriated under this heading may remain available until
12 expended for satellite transmissions and Internet freedom
13 programs, of which not less than \$25,000,000 shall be for
14 Internet freedom programs: *Provided further*, That of the
15 total amount appropriated under this heading, not to ex-
16 ceed \$35,000 may be used for representation expenses, of
17 which \$10,000 may be used for such expenses within the
18 United States as authorized, and not to exceed \$30,000
19 may be used for representation expenses of Radio Free
20 Europe/Radio Liberty: *Provided further*, That funds ap-
21 propriated under this heading shall be allocated in accord-
22 ance with the table included under this heading in the ex-
23 planatory statement accompanying this Act: *Provided fur-*
24 *ther*, That notwithstanding the previous proviso, funds
25 may be reprogrammed within and between amounts des-

1 ignated in such table, subject to the regular notification
2 procedures of the Committees on Appropriations, except
3 that no such reprogramming may reduce a designated
4 amount by more than 5 percent: *Provided further*, That
5 funds appropriated under this heading shall be made avail-
6 able in accordance with the principles and standards set
7 forth in section 303(a) and (b) of the United States Inter-
8 national Broadcasting Act of 1994 (22 U.S.C. 6202) and
9 section 305(b) of such Act (22 U.S.C. 6204): *Provided fur-*
10 *ther*, That the USAGM Chief Executive Officer shall no-
11 tify the Committees on Appropriations within 15 days of
12 any determination by the USAGM that any of its broad-
13 cast entities, including its grantee organizations, provides
14 an open platform for international terrorists or those who
15 support international terrorism, or is in violation of the
16 principles and standards set forth in section 303(a) and
17 (b) of such Act or the entity's journalistic code of ethics:
18 *Provided further*, That in addition to funds made available
19 under this heading, and notwithstanding any other provi-
20 sion of law, up to \$5,000,000 in receipts from advertising
21 and revenue from business ventures, up to \$500,000 in
22 receipts from cooperating international organizations, and
23 up to \$1,000,000 in receipts from privatization efforts of
24 the Voice of America and the International Broadcasting
25 Bureau, shall remain available until expended for carrying

1 out authorized purposes: *Provided further*, That signifi-
2 cant modifications to USAGM broadcast hours previously
3 justified to Congress, including changes to transmission
4 platforms (shortwave, medium wave, satellite, Internet,
5 and television), for all USAGM language services shall be
6 subject to the regular notification procedures of the Com-
7 mittees on Appropriations.

8 BROADCASTING CAPITAL IMPROVEMENTS

9 For the purchase, rent, construction, repair, preser-
10 vation, and improvement of facilities for radio, television,
11 and digital transmission and reception; the purchase, rent,
12 and installation of necessary equipment for radio, tele-
13 vision, and digital transmission and reception, including
14 to Cuba, as authorized; and physical security worldwide,
15 in addition to amounts otherwise available for such pur-
16 poses, \$14,700,000, to remain available until expended, as
17 authorized.

18 RELATED PROGRAMS

19 THE ASIA FOUNDATION

20 For a grant to The Asia Foundation, as authorized
21 by The Asia Foundation Act (22 U.S.C. 4402),
22 \$21,500,000, to remain available until expended: *Pro-*
23 *vided*, That funds appropriated under this heading shall
24 be apportioned and obligated to the Foundation not later
25 than 60 days after enactment of this Act.

1 UNITED STATES INSTITUTE OF PEACE

2 For necessary expenses of the United States Institute
3 of Peace, as authorized by the United States Institute of
4 Peace Act (22 U.S.C. 4601 et seq.), \$54,000,000, to re-
5 main available until September 30, 2023, which shall not
6 be used for construction activities.

7 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

8 TRUST FUND

9 For necessary expenses of the Center for Middle
10 Eastern-Western Dialogue Trust Fund, as authorized by
11 section 633 of the Departments of Commerce, Justice, and
12 State, the Judiciary, and Related Agencies Appropriations
13 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-
14 est and earnings accruing to such Fund on or before Sep-
15 tember 30, 2022, to remain available until expended.

16 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

17 For necessary expenses of Eisenhower Exchange Fel-
18 lowships, Incorporated, as authorized by sections 4 and
19 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
20 U.S.C. 5204–5205), all interest and earnings accruing to
21 the Eisenhower Exchange Fellowship Program Trust
22 Fund on or before September 30, 2022, to remain avail-
23 able until expended: *Provided*, That none of the funds ap-
24 propriated herein shall be used to pay any salary or other
25 compensation, or to enter into any contract providing for

1 the payment thereof, in excess of the rate authorized by
2 section 5376 of title 5, United States Code; or for pur-
3 poses which are not in accordance with section 200 of title
4 2 of the Code of Federal Regulations, including the re-
5 strictions on compensation for personal services.

6 ISRAELI ARAB SCHOLARSHIP PROGRAM

7 For necessary expenses of the Israeli Arab Scholar-
8 ship Program, as authorized by section 214 of the Foreign
9 Relations Authorization Act, Fiscal Years 1992 and 1993
10 (22 U.S.C. 2452 note), all interest and earnings accruing
11 to the Israeli Arab Scholarship Fund on or before Sep-
12 tember 30, 2022, to remain available until expended.

13 EAST-WEST CENTER

14 To enable the Secretary of State to provide for car-
15 rying out the provisions of the Center for Cultural and
16 Technical Interchange Between East and West Act of
17 1960, by grant to the Center for Cultural and Technical
18 Interchange Between East and West in the State of Ha-
19 waii, \$19,700,000.

20 NATIONAL ENDOWMENT FOR DEMOCRACY

21 For grants made by the Department of State to the
22 National Endowment for Democracy, as authorized by the
23 National Endowment for Democracy Act (22 U.S.C.
24 4412), \$305,000,000, to remain available until expended:
25 *Provided*, That the requirements of section 7063(a) of this

1 Act shall not apply to funds made available under this
2 heading.

3 OTHER COMMISSIONS

4 COMMISSION FOR THE PRESERVATION OF AMERICA'S
5 HERITAGE ABROAD

6 SALARIES AND EXPENSES

7 For necessary expenses for the Commission for the
8 Preservation of America's Heritage Abroad, \$642,000, as
9 authorized by chapter 3123 of title 54, United States
10 Code: *Provided*, That the Commission may procure tem-
11 porary, intermittent, and other services notwithstanding
12 paragraph (3) of section 312304(b) of such chapter: *Pro-*
13 *vided further*, That such authority shall terminate on Oc-
14 tober 1, 2022: *Provided further*, That the Commission
15 shall notify the Committees on Appropriations prior to ex-
16 ercising such authority.

17 UNITED STATES COMMISSION ON INTERNATIONAL
18 RELIGIOUS FREEDOM

19 SALARIES AND EXPENSES

20 For necessary expenses for the United States Com-
21 mission on International Religious Freedom, as authorized
22 by title II of the International Religious Freedom Act of
23 1998 (22 U.S.C. 6431 et seq.), \$4,500,000, to remain
24 available until September 30, 2023, including not more
25 than \$4,000 for representation expenses: *Provided*, That

1 of the funds appropriated under this heading, \$1,000,000
2 shall be subject to prior consultation with, and the regular
3 notification procedures of, the Committees on Appropria-
4 tions: *Provided further*, That the United States Commis-
5 sion on International Religious Freedom shall include in
6 its Annual Report the actions taken and planned to be
7 taken to report on, and advocate against, laws and policies
8 of foreign governments that permit or condone discrimina-
9 tion against, or violations of human rights of, minority
10 groups and other vulnerable communities on the basis of
11 religion, in accordance with the explanatory statement ac-
12 companying this Act.

13 COMMISSION ON SECURITY AND COOPERATION IN

14 EUROPE

15 SALARIES AND EXPENSES

16 For necessary expenses of the Commission on Secu-
17 rity and Cooperation in Europe, as authorized by Public
18 Law 94–304 (22 U.S.C. 3001 et seq.), \$2,908,000, includ-
19 ing not more than \$5,000 for representation expenses, to
20 remain available until September 30, 2023.

21 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE

22 PEOPLE’S REPUBLIC OF CHINA

23 SALARIES AND EXPENSES

24 For necessary expenses of the Congressional-Execu-
25 tive Commission on the People’s Republic of China, as au-

1 thORIZED by title III of the U.S.-China Relations Act of
2 2000 (22 U.S.C. 6911 et seq.), \$2,250,000, including not
3 more than \$3,000 for representation expenses, to remain
4 available until September 30, 2023.

5 UNITED STATES-CHINA ECONOMIC AND SECURITY
6 REVIEW COMMISSION
7 SALARIES AND EXPENSES

8 For necessary expenses of the United States-China
9 Economic and Security Review Commission, as authorized
10 by section 1238 of the Floyd D. Spence National Defense
11 Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),
12 \$4,000,000, including not more than \$4,000 for represen-
13 tation expenses, to remain available until September 30,
14 2023: *Provided*, That the authorities, requirements, limi-
15 tations, and conditions contained in the second through
16 sixth provisos under this heading in the Department of
17 State, Foreign Operations, and Related Programs Appro-
18 priations Act, 2010 (division F of Public Law 111–117)
19 shall continue in effect during fiscal year 2022 and shall
20 apply to funds appropriated under this heading.

1 TITLE II
2 UNITED STATES AGENCY FOR INTERNATIONAL
3 DEVELOPMENT
4 FUNDS APPROPRIATED TO THE PRESIDENT
5 OPERATING EXPENSES

6 For necessary expenses to carry out the provisions
7 of section 667 of the Foreign Assistance Act of 1961,
8 \$1,635,947,000, of which up to \$245,392,000 may remain
9 available until September 30, 2023: *Provided*, That none
10 of the funds appropriated under this heading and under
11 the heading “Capital Investment Fund” in this title may
12 be made available to finance the construction (including
13 architect and engineering services), purchase, or long-term
14 lease of offices for use by the United States Agency for
15 International Development, unless the USAID Adminis-
16 trator has identified such proposed use of funds in a re-
17 port submitted to the Committees on Appropriations at
18 least 15 days prior to the obligation of funds for such pur-
19 poses: *Provided further*, That contracts or agreements en-
20 tered into with funds appropriated under this heading may
21 entail commitments for the expenditure of such funds
22 through the following fiscal year: *Provided further*, That
23 the authority of sections 610 and 109 of the Foreign As-
24 sistance Act of 1961 may be exercised by the Secretary
25 of State to transfer funds appropriated to carry out chap-

1 ter 1 of part I of such Act to “Operating Expenses” in
2 accordance with the provisions of those sections: *Provided*
3 *further*, That of the funds appropriated or made available
4 under this heading, not to exceed \$250,000 may be avail-
5 able for representation and entertainment expenses, of
6 which not to exceed \$5,000 may be available for entertain-
7 ment expenses, and not to exceed \$100,500 shall be for
8 official residence expenses, for USAID during the current
9 fiscal year.

10 CAPITAL INVESTMENT FUND

11 For necessary expenses for overseas construction and
12 related costs, and for the procurement and enhancement
13 of information technology and related capital investments,
14 pursuant to section 667 of the Foreign Assistance Act of
15 1961, \$258,200,000, to remain available until expended:
16 *Provided*, That this amount is in addition to funds other-
17 wise available for such purposes: *Provided further*, That
18 funds appropriated under this heading shall be available
19 subject to the regular notification procedures of the Com-
20 mittees on Appropriations.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses to carry out the provisions
23 of section 667 of the Foreign Assistance Act of 1961,
24 \$82,200,000, of which up to \$12,330,000 may remain
25 available until September 30, 2023, for the Office of In-

1 spector General of the United States Agency for Inter-
2 national Development: *Provided*, That of the funds appro-
3 priated under this heading, up to \$10,000 may be avail-
4 able for representation expenses.

1 TITLE III
2 BILATERAL ECONOMIC ASSISTANCE
3 FUNDS APPROPRIATED TO THE PRESIDENT

4 For necessary expenses to enable the President to
5 carry out the provisions of the Foreign Assistance Act of
6 1961, and for other purposes, as follows:

7 GLOBAL HEALTH PROGRAMS

8 For necessary expenses to carry out the provisions
9 of chapters 1 and 10 of part I of the Foreign Assistance
10 Act of 1961, for global health activities, in addition to
11 funds otherwise available for such purposes,
12 \$4,423,950,000, to remain available until September 30,
13 2023, and which shall be apportioned directly to the
14 United States Agency for International Development: *Pro-*
15 *vided*, That this amount shall be made available for train-
16 ing, equipment, and technical assistance to build the ca-
17 pacity of public health institutions and organizations in
18 developing countries, and for such activities as: (1) child
19 survival and maternal health programs; (2) immunization
20 and oral rehydration programs; (3) other health, nutrition,
21 water and sanitation programs which directly address the
22 needs of mothers and children, and related education pro-
23 grams; (4) assistance for children displaced or orphaned
24 by causes other than AIDS; (5) programs for the preven-
25 tion, treatment, control of, and research on HIV/AIDS,

1 tuberculosis, polio, malaria, and other infectious diseases
2 including neglected tropical diseases, and for assistance to
3 communities severely affected by HIV/AIDS, including
4 children infected or affected by AIDS; (6) disaster pre-
5 paredness training for health crises; (7) programs to pre-
6 vent, prepare for, and respond to unanticipated and
7 emerging global health threats, including zoonotic dis-
8 eases; and (8) family planning/reproductive health: *Pro-*
9 *vided further*, That funds appropriated under this para-
10 graph may be made available for United States contribu-
11 tions to The GAVI Alliance and to a multilateral vaccine
12 development partnership to support epidemic prepared-
13 ness: *Provided further*, That none of the funds made avail-
14 able by this Act nor any unobligated balances from prior
15 appropriations Acts may be made available to any organi-
16 zation or program which, as determined by the President,
17 directly supports or participates in the management of a
18 program of coercive abortion or involuntary sterilization:
19 *Provided further*, That any determination made under the
20 previous proviso must be made not later than 6 months
21 after the date of enactment of this Act, and must be ac-
22 companied by the evidence and criteria utilized to make
23 the determination: *Provided further*, That none of the
24 funds made available under this Act may be used to pay
25 for the performance of abortion as a method of family

1 planning or to motivate or coerce any person to practice
2 abortions: *Provided further*, That nothing in this para-
3 graph shall be construed to alter any existing statutory
4 prohibitions against abortion under section 104 of the
5 Foreign Assistance Act of 1961: *Provided further*, That
6 none of the funds made available under this Act may be
7 used to lobby for or against abortion: *Provided further*,
8 That in order to reduce reliance on abortion in developing
9 nations, funds shall be available only to voluntary family
10 planning projects which offer, either directly or through
11 referral to, or information about access to, a broad range
12 of family planning methods and services, and that any
13 such voluntary family planning project shall meet the fol-
14 lowing requirements: (1) service providers or referral
15 agents in the project shall not implement or be subject
16 to quotas, or other numerical targets, of total number of
17 births, number of family planning acceptors, or acceptors
18 of a particular method of family planning (this provision
19 shall not be construed to include the use of quantitative
20 estimates or indicators for budgeting and planning pur-
21 poses); (2) the project shall not include payment of incen-
22 tives, bribes, gratuities, or financial reward to: (A) an indi-
23 vidual in exchange for becoming a family planning accep-
24 tor; or (B) program personnel for achieving a numerical
25 target or quota of total number of births, number of fam-

1 ily planning acceptors, or acceptors of a particular method
2 of family planning; (3) the project shall not deny any right
3 or benefit, including the right of access to participate in
4 any program of general welfare or the right of access to
5 health care, as a consequence of any individual's decision
6 not to accept family planning services; (4) the project shall
7 provide family planning acceptors comprehensible infor-
8 mation on the health benefits and risks of the method cho-
9 sen, including those conditions that might render the use
10 of the method inadvisable and those adverse side effects
11 known to be consequent to the use of the method; and
12 (5) the project shall ensure that experimental contracep-
13 tive drugs and devices and medical procedures are pro-
14 vided only in the context of a scientific study in which
15 participants are advised of potential risks and benefits;
16 and, not less than 60 days after the date on which the
17 USAID Administrator determines that there has been a
18 violation of the requirements contained in paragraph (1),
19 (2), (3), or (5) of this proviso, or a pattern or practice
20 of violations of the requirements contained in paragraph
21 (4) of this proviso, the Administrator shall submit to the
22 Committees on Appropriations a report containing a de-
23 scription of such violation and the corrective action taken
24 by the Agency: *Provided further*, That in awarding grants
25 for natural family planning under section 104 of the For-

1 eign Assistance Act of 1961 no applicant shall be discrimi-
2 nated against because of such applicant’s religious or con-
3 scientious commitment to offer only natural family plan-
4 ning; and, additionally, all such applicants shall comply
5 with the requirements of the previous proviso: *Provided*
6 *further*, That for purposes of this or any other Act author-
7 izing or appropriating funds for the Department of State,
8 foreign operations, and related programs, the term “moti-
9 vate”, as it relates to family planning assistance, shall not
10 be construed to prohibit the provision, consistent with
11 local law, of information or counseling about all pregnancy
12 options: *Provided further*, That information provided
13 about the use of condoms as part of projects or activities
14 that are funded from amounts appropriated by this Act
15 shall be medically accurate and shall include the public
16 health benefits and failure rates of such use.

17 In addition, for necessary expenses to carry out the
18 provisions of the Foreign Assistance Act of 1961 for the
19 prevention, treatment, and control of, and research on,
20 HIV/AIDS, \$5,930,000,000, to remain available until
21 September 30, 2026, which shall be apportioned directly
22 to the Department of State: *Provided*, That funds appro-
23 priated under this paragraph may be made available, not-
24 withstanding any other provision of law, except for the
25 United States Leadership Against HIV/AIDS, Tuber-

1 culosis, and Malaria Act of 2003 (Public Law 108–25),
2 for a United States contribution to the Global Fund to
3 Fight AIDS, Tuberculosis and Malaria (Global Fund):
4 *Provided further*, That the amount of such contribution
5 shall be \$1,560,000,000: *Provided further*, That up to 5
6 percent of the aggregate amount of funds made available
7 to the Global Fund in fiscal year 2022 may be made avail-
8 able to USAID for technical assistance related to the ac-
9 tivities of the Global Fund, subject to the regular notifica-
10 tion procedures of the Committees on Appropriations: *Pro-*
11 *vided further*, That of the funds appropriated under this
12 paragraph, up to \$17,000,000 may be made available, in
13 addition to amounts otherwise available for such purposes,
14 for administrative expenses of the Office of the United
15 States Global AIDS Coordinator.

16 DEVELOPMENT ASSISTANCE

17 For necessary expenses to carry out the provisions
18 of sections 103, 105, 106, 214, and sections 251 through
19 255, and chapter 10 of part I of the Foreign Assistance
20 Act of 1961, \$4,075,097,000, to remain available until
21 September 30, 2023: *Provided*, That funds made available
22 under this heading shall be apportioned directly to the
23 United States Agency for International Development.

1 INTERNATIONAL DISASTER ASSISTANCE

2 For necessary expenses to carry out the provisions
3 of section 491 of the Foreign Assistance Act of 1961 for
4 international disaster relief, rehabilitation, and recon-
5 struction assistance, \$4,682,362,000, to remain available
6 until expended: *Provided*, That funds made available
7 under this heading shall be apportioned directly to the
8 United States Agency for International Development.

9 TRANSITION INITIATIVES

10 For necessary expenses for international disaster re-
11 habilitation and reconstruction assistance administered by
12 the Office of Transition Initiatives, United States Agency
13 for International Development, pursuant to section 491 of
14 the Foreign Assistance Act of 1961, and to support transi-
15 tion to democracy and long-term development of countries
16 in crisis, \$107,043,000, to remain available until ex-
17 pended: *Provided*, That such support may include assist-
18 ance to develop, strengthen, or preserve democratic insti-
19 tutions and processes, revitalize basic infrastructure, and
20 foster the peaceful resolution of conflict: *Provided further*,
21 That the USAID Administrator shall submit a report to
22 the Committees on Appropriations at least 5 days prior
23 to beginning a new, or terminating a, program of assist-
24 ance: *Provided further*, That if the Secretary of State de-
25 termines that it is important to the national interest of

1 the United States to provide transition assistance in ex-
2 cess of the amount appropriated under this heading, up
3 to \$15,000,000 of the funds appropriated by this Act to
4 carry out the provisions of part I of the Foreign Assist-
5 ance Act of 1961 may be used for purposes of this heading
6 and under the authorities applicable to funds appropriated
7 under this heading: *Provided further*, That funds made
8 available pursuant to the previous proviso shall be made
9 available subject to prior consultation with the Committees
10 on Appropriations.

11 **COMPLEX CRISES FUND**

12 For necessary expenses to carry out the provisions
13 of section 509(b) of the Global Fragility Act of 2019 (title
14 V of division J of Public Law 116–94), \$60,000,000, to
15 remain available until expended: *Provided*, That funds ap-
16 propriated under this heading may be made available not-
17 withstanding any other provision of law, except sections
18 7007, 7008, and 7018 of this Act and section 620M of
19 the Foreign Assistance Act of 1961.

20 **ECONOMIC SUPPORT FUND**

21 For necessary expenses to carry out the provisions
22 of chapter 4 of part II of the Foreign Assistance Act of
23 1961, \$3,480,131,000, to remain available until Sep-
24 tember 30, 2023.

DEMOCRACY FUND

1
2 For necessary expenses to carry out the provisions
3 of the Foreign Assistance Act of 1961 for the promotion
4 of democracy globally, including to carry out the purposes
5 of section 502(b)(3) and (5) of Public Law 98–164 (22
6 U.S.C. 4411), \$215,450,000, to remain available until
7 September 30, 2023, of which up to \$25,000,000 may re-
8 main available until September 30, 2024, which shall be
9 made available for the Human Rights and Democracy
10 Fund of the Bureau of Democracy, Human Rights, and
11 Labor, Department of State: *Provided*, That funds appro-
12 priated under this heading that are made available to the
13 National Endowment for Democracy and its core insti-
14 tutes are in addition to amounts otherwise available by
15 this Act for such purposes: *Provided further*, That the As-
16 sistant Secretary for Democracy, Human Rights, and
17 Labor, Department of State, shall consult with the Com-
18 mittees on Appropriations prior to the initial obligation
19 of funds appropriated under this paragraph.

20 For an additional amount for such purposes,
21 \$125,250,000, to remain available until September 30,
22 2023, of which up to \$25,000,000 may remain available
23 until September 30, 2024, which shall be made available
24 for the Bureau for Development, Democracy, and Innova-
25 tion, United States Agency for International Development.

1 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

2 For necessary expenses to carry out the provisions
3 of the Foreign Assistance Act of 1961, the FREEDOM
4 Support Act (Public Law 102–511), and the Support for
5 Eastern European Democracy (SEED) Act of 1989 (Pub-
6 lic Law 101–179), \$788,929,000, to remain available until
7 September 30, 2023, which shall be available, notwith-
8 standing any other provision of law, except section 7047
9 of this Act, for assistance and related programs for coun-
10 tries identified in section 3 of the FREEDOM Support
11 Act (22 U.S.C. 5801) and section 3(c) of the SEED Act
12 of 1989 (22 U.S.C. 5402), in addition to funds otherwise
13 available for such purposes: *Provided*, That funds appro-
14 priated by this Act under the headings “Global Health
15 Programs”, “Economic Support Fund”, and “Inter-
16 national Narcotics Control and Law Enforcement” that
17 are made available for assistance for such countries shall
18 be administered in accordance with the responsibilities of
19 the coordinator designated pursuant to section 102 of the
20 FREEDOM Support Act and section 601 of the SEED
21 Act of 1989: *Provided further*, That funds appropriated
22 under this heading shall be considered to be economic as-
23 sistance under the Foreign Assistance Act of 1961 for
24 purposes of making available the administrative authori-
25 ties contained in that Act for the use of economic assist-

1 ance: *Provided further*, That funds appropriated under
2 this heading may be made available for contributions to
3 multilateral initiatives to counter hybrid threats.

4 DEPARTMENT OF STATE

5 MIGRATION AND REFUGEE ASSISTANCE

6 For necessary expenses not otherwise provided for,
7 to enable the Secretary of State to carry out the provisions
8 of section 2(a) and (b) of the Migration and Refugee As-
9 sistance Act of 1962 (22 U.S.C. 2601), and other activi-
10 ties to meet refugee and migration needs; salaries and ex-
11 penses of personnel and dependents as authorized by the
12 Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.);
13 allowances as authorized by sections 5921 through 5925
14 of title 5, United States Code; purchase and hire of pas-
15 senger motor vehicles; and services as authorized by sec-
16 tion 3109 of title 5, United States Code, \$3,845,000,000,
17 to remain available until expended.

18 UNITED STATES EMERGENCY REFUGEE AND MIGRATION

19 ASSISTANCE FUND

20 For necessary expenses to carry out the provisions
21 of section 2(c) of the Migration and Refugee Assistance
22 Act of 1962 (22 U.S.C. 2601(c)), \$100,000, to remain
23 available until expended: *Provided*, That amounts in ex-
24 cess of the limitation contained in paragraph (2) of such
25 section shall be transferred to, and merged with, funds

1 made available by this Act under the heading “Migration
2 and Refugee Assistance”.

3 INDEPENDENT AGENCIES

4 PEACE CORPS

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses to carry out the provisions
7 of the Peace Corps Act (22 U.S.C. 2501 et seq.), including
8 the purchase of not to exceed five passenger motor vehicles
9 for administrative purposes for use outside of the United
10 States, \$410,500,000, of which \$6,330,000 is for the Of-
11 fice of Inspector General, to remain available until Sep-
12 tember 30, 2023: *Provided*, That the Director of the Peace
13 Corps may transfer to the Foreign Currency Fluctuations
14 Account, as authorized by section 16 of the Peace Corps
15 Act (22 U.S.C. 2515), an amount not to exceed
16 \$5,000,000: *Provided further*, That funds transferred pur-
17 suant to the previous proviso may not be derived from
18 amounts made available for Peace Corps overseas oper-
19 ations: *Provided further*, That of the funds appropriated
20 under this heading, not to exceed \$104,000 may be avail-
21 able for representation expenses, of which not to exceed
22 \$4,000 may be made available for entertainment expenses:
23 *Provided further*, That in addition to the requirements
24 under section 7015(a) of this Act, the Peace Corps shall
25 consult with the Committees on Appropriations prior to

1 any decision to open, close, or suspend a domestic or over-
2 seas office or a country program unless there is a substan-
3 tial risk to volunteers or other Peace Corps personnel: *Pro-*
4 *vided further*, That none of the funds appropriated under
5 this heading shall be used to pay for abortions: *Provided*
6 *further*, That notwithstanding the previous proviso, section
7 614 of division E of Public Law 113–76 shall apply to
8 funds appropriated under this heading.

9 MILLENNIUM CHALLENGE CORPORATION

10 For necessary expenses to carry out the provisions
11 of the Millennium Challenge Act of 2003 (22 U.S.C. 7701
12 et seq.) (MCA), \$912,000,000, to remain available until
13 expended: *Provided*, That of the funds appropriated under
14 this heading, up to \$115,000,000 may be available for ad-
15 ministrative expenses of the Millennium Challenge Cor-
16 poration: *Provided further*, That section 605(e) of the
17 MCA (22 U.S.C. 7704(e)) shall apply to funds appro-
18 priated under this heading: *Provided further*, That funds
19 appropriated under this heading may be made available
20 for a Millennium Challenge Compact entered into pursu-
21 ant to section 609 of the MCA (22 U.S.C. 7708) only if
22 such Compact obligates, or contains a commitment to obli-
23 gate subject to the availability of funds and the mutual
24 agreement of the parties to the Compact to proceed, the
25 entire amount of the United States Government funding

1 anticipated for the duration of the Compact: *Provided fur-*
2 *ther*, That no country should be eligible for a threshold
3 program after such country has completed a country com-
4 pact: *Provided further*, That of the funds appropriated
5 under this heading, not to exceed \$100,000 may be avail-
6 able for representation and entertainment expenses, of
7 which not to exceed \$5,000 may be available for entertain-
8 ment expenses.

9 INTER-AMERICAN FOUNDATION

10 For necessary expenses to carry out the functions of
11 the Inter-American Foundation in accordance with the
12 provisions of section 401 of the Foreign Assistance Act
13 of 1969, \$44,500,000, to remain available until September
14 30, 2023: *Provided*, That of the funds appropriated under
15 this heading, not to exceed \$2,500 may be available for
16 representation expenses.

17 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

18 For necessary expenses to carry out the African De-
19 velopment Foundation Act (title V of Public Law 96-533;
20 22 U.S.C. 290h et seq.), \$43,000,000, to remain available
21 until September 30, 2023, of which not to exceed \$2,500
22 may be available for representation expenses: *Provided*,
23 That funds made available to grantees may be invested
24 pending expenditure for project purposes when authorized
25 by the Board of Directors of the United States African

1 Development Foundation (USADF): *Provided further,*
2 That interest earned shall be used only for the purposes
3 for which the grant was made: *Provided further,* That not-
4 withstanding section 505(a)(2) of the African Develop-
5 ment Foundation Act (22 U.S.C. 290h-3(a)(2)), in excep-
6 tional circumstances the Board of Directors of the
7 USADF may waive the \$250,000 limitation contained in
8 that section with respect to a project and a project may
9 exceed the limitation by up to 10 percent if the increase
10 is due solely to foreign currency fluctuation: *Provided fur-*
11 *ther,* That the USADF shall submit a report to the appro-
12 priate congressional committees after each time such waiv-
13 er authority is exercised: *Provided further,* That the
14 USADF may make rent or lease payments in advance
15 from appropriations available for such purpose for offices,
16 buildings, grounds, and quarters in Africa as may be nec-
17 essary to carry out its functions: *Provided further,* That
18 the USADF may maintain bank accounts outside the
19 United States Treasury and retain any interest earned on
20 such accounts, in furtherance of the purposes of the Afri-
21 can Development Foundation Act: *Provided further,* That
22 the USADF may not withdraw any appropriation from the
23 Treasury prior to the need of spending such funds for pro-
24 gram purposes.

1 DEPARTMENT OF THE TREASURY
2 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE
3 For necessary expenses to carry out the provisions
4 of section 129 of the Foreign Assistance Act of 1961,
5 \$38,000,000, to remain available until expended, of which
6 not more than \$7,600,000 may be used for administrative
7 expenses: *Provided*, That amounts made available under
8 this heading may be made available to contract for services
9 as described in section 129(d)(3)(A) of the Foreign Assist-
10 ance Act of 1961, without regard to the location in which
11 such services are performed.

12 DEBT RESTRUCTURING
13 For “Bilateral Economic Assistance—Department of
14 the Treasury—Debt Restructuring” there is appropriated
15 \$52,000,000, to remain available until September 30,
16 2023, for the costs, as defined in section 502 of the Con-
17 gressional Budget Act of 1974, of modifying loans and
18 loan guarantees for, or credits extended to, such countries
19 as the President may determine, including the cost of sell-
20 ing, reducing, or canceling amounts owed to the United
21 States pursuant to the “Common Framework for Debt
22 Treatments beyond the Debt Service Suspension Initiative
23 (DSSI)”, and for reducing interest rates paid by any coun-
24 try eligible for the DSSI: *Provided*, That such amounts
25 may be used notwithstanding any other provision of law.

1 TROPICAL FOREST AND CORAL REEF CONSERVATION ACT

2 For the costs, as defined in section 502 of the Con-
3 gressional Budget Act of 1974, of modifying loans and
4 loan guarantees, as the President may determine, for
5 which funds have been appropriated or otherwise made
6 available for programs within the International Affairs
7 Budget Function 150, including the cost of selling, reduc-
8 ing, or canceling amounts owed to the United States as
9 a result of concessional loans made to eligible countries
10 pursuant to part V of the Foreign Assistance Act of 1961,
11 \$15,000,000, to remain available until September 30,
12 2027.

1 TITLE IV
2 INTERNATIONAL SECURITY ASSISTANCE
3 DEPARTMENT OF STATE
4 INTERNATIONAL NARCOTICS CONTROL AND LAW
5 ENFORCEMENT

6 For necessary expenses to carry out section 481 of
7 the Foreign Assistance Act of 1961, \$1,388,853,000, to
8 remain available until September 30, 2023: *Provided*,
9 That the Department of State may use the authority of
10 section 608 of the Foreign Assistance Act of 1961, with-
11 out regard to its restrictions, to receive excess property
12 from an agency of the United States Government for the
13 purpose of providing such property to a foreign country
14 or international organization under chapter 8 of part I of
15 such Act, subject to the regular notification procedures of
16 the Committees on Appropriations: *Provided further*, That
17 section 482(b) of the Foreign Assistance Act of 1961 shall
18 not apply to funds appropriated under this heading, except
19 that any funds made available notwithstanding such sec-
20 tion shall be subject to the regular notification procedures
21 of the Committees on Appropriations: *Provided further*,
22 That of the funds appropriated under this heading, not
23 less than \$9,000,000 shall be made available, on a com-
24 petitive basis, for rule of law programs for transitional and
25 post-conflict states, and for activities to coordinate rule

1 of law programs among foreign governments, international
2 and nongovernmental organizations, and other United
3 States Government agencies: *Provided further*, That funds
4 made available under this heading that are transferred to
5 another department, agency, or instrumentality of the
6 United States Government pursuant to section 632(b) of
7 the Foreign Assistance Act of 1961 valued in excess of
8 \$5,000,000, and any agreement made pursuant to section
9 632(a) of such Act, shall be subject to the regular notifica-
10 tion procedures of the Committees on Appropriations: *Pro-*
11 *vided further*, That funds made available under this head-
12 ing for Program Development and Support may be made
13 available notwithstanding pre-obligation requirements con-
14 tained in this Act, except for the notification requirements
15 of section 7015.

16 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
17 RELATED PROGRAMS

18 For necessary expenses for nonproliferation, anti-ter-
19 rorism, demining and related programs and activities,
20 \$907,247,000, to remain available until September 30,
21 2023, to carry out the provisions of chapter 8 of part II
22 of the Foreign Assistance Act of 1961 for anti-terrorism
23 assistance, chapter 9 of part II of the Foreign Assistance
24 Act of 1961, section 504 of the FREEDOM Support Act
25 (22 U.S.C. 5854), section 23 of the Arms Export Control

1 Act (22 U.S.C. 2763), or the Foreign Assistance Act of
2 1961 for demining and unexploded ordnance clearance ac-
3 tivities, the destruction of small arms, and related activi-
4 ties, notwithstanding any other provision of law, including
5 activities implemented through nongovernmental and
6 international organizations, and section 301 of the For-
7 eign Assistance Act of 1961 for a United States contribu-
8 tion to the Comprehensive Nuclear Test Ban Treaty Pre-
9 paratory Commission, and for a voluntary contribution to
10 the International Atomic Energy Agency (IAEA): *Pro-*
11 *vided*, That funds made available under this heading for
12 the Nonproliferation and Disarmament Fund shall be
13 made available, notwithstanding any other provision of law
14 and subject to prior consultation with, and the regular no-
15 tification procedures of, the Committees on Appropria-
16 tions, to promote bilateral and multilateral activities relat-
17 ing to nonproliferation, disarmament, and weapons de-
18 struction, and shall remain available until expended: *Pro-*
19 *vided further*, That such funds may also be used for such
20 countries other than the Independent States of the former
21 Soviet Union and international organizations when it is
22 in the national security interest of the United States to
23 do so: *Provided further*, That funds appropriated under
24 this heading may be made available for the IAEA unless
25 the Secretary of State determines that Israel is being de-

1 nished its right to participate in the activities of that Agen-
2 cy: *Provided further*, That funds made available for con-
3 ventional weapons destruction programs, including
4 demining and unexploded ordnance clearance activities, in
5 addition to funds otherwise available for such purposes,
6 may be used for administrative expenses related to the op-
7 eration and management of such programs and activities,
8 subject to the regular notification procedures of the Com-
9 mittees on Appropriations: *Provided further*, That funds
10 made available under this heading for Export Control and
11 Related Border Security, Global Threat Reduction, and
12 countering Weapons of Mass Destruction Terrorism may
13 be made available notwithstanding any other provision of
14 law.

15 PEACEKEEPING OPERATIONS

16 For necessary expenses to carry out the provisions
17 of section 551 of the Foreign Assistance Act of 1961,
18 \$465,459,000, of which \$232,730,000 may remain avail-
19 able until September 30, 2023: *Provided*, That funds ap-
20 propriated under this heading may be used, notwith-
21 standing section 660 of the Foreign Assistance Act of
22 1961, to provide assistance to enhance the capacity of for-
23 eign civilian security forces, including gendarmes, to par-
24 ticipate in peacekeeping operations: *Provided further*, That
25 of the funds appropriated under this heading, not less

1 than \$24,000,000 shall be made available for a United
2 States contribution to the Multinational Force and Ob-
3 servers mission in the Sinai: *Provided further*, That funds
4 appropriated under this heading may be made available
5 to pay assessed expenses of international peacekeeping ac-
6 tivities in Somalia under the same terms and conditions,
7 as applicable, as funds appropriated by this Act under the
8 heading “Contributions for International Peacekeeping
9 Activities”: *Provided further*, That funds appropriated
10 under this heading shall be subject to the regular notifica-
11 tion procedures of the Committees on Appropriations.

12 FUNDS APPROPRIATED TO THE PRESIDENT

13 INTERNATIONAL MILITARY EDUCATION AND TRAINING

14 For necessary expenses to carry out the provisions
15 of section 541 of the Foreign Assistance Act of 1961,
16 \$112,925,000, of which up to \$56,463,000 may remain
17 available until September 30, 2023: *Provided*, That the
18 civilian personnel for whom military education and train-
19 ing may be provided under this heading may include civil-
20 ians who are not members of a government whose partici-
21 pation would contribute to improved civil-military rela-
22 tions, civilian control of the military, or respect for human
23 rights, as specified in the explanatory statement accom-
24 panying this Act: *Provided further*, That of the funds ap-
25 propriated under this heading, \$3,000,000 shall remain

1 available until September 30, 2025, and shall be used to
2 increase the participation of women in programs and ac-
3 tivities funded under this heading, following consultation
4 with, and the regular notification procedures of, the Com-
5 mittees on Appropriations: *Provided further*, That of the
6 funds appropriated under this heading, not to exceed
7 \$50,000 may be available for entertainment expenses.

8 FOREIGN MILITARY FINANCING PROGRAM

9 For necessary expenses for grants to enable the
10 President to carry out the provisions of section 23 of the
11 Arms Export Control Act (22 U.S.C. 2763),
12 \$6,175,524,000: *Provided*, That to expedite the provision
13 of assistance to foreign countries and international organi-
14 zations, the Secretary of State, following consultation with
15 the Committees on Appropriations and subject to the reg-
16 ular notification procedures of such Committees, may use
17 the funds appropriated under this heading to procure de-
18 fense articles and services to enhance the capacity of for-
19 eign security forces: *Provided further*, That funds appro-
20 priated or otherwise made available under this heading
21 shall be nonrepayable notwithstanding any requirement in
22 section 23 of the Arms Export Control Act: *Provided fur-*
23 *ther*, That funds made available under this heading shall
24 be obligated upon apportionment in accordance with para-

1 graph (5)(C) of section 1501(a) of title 31, United States
2 Code.

3 None of the funds made available under this heading
4 shall be available to finance the procurement of defense
5 articles, defense services, or design and construction serv-
6 ices that are not sold by the United States Government
7 under the Arms Export Control Act unless the foreign
8 country proposing to make such procurement has first
9 signed an agreement with the United States Government
10 specifying the conditions under which such procurement
11 may be financed with such funds, including any conditions
12 on the end use and end users of such articles and services:
13 *Provided*, That all country and funding level increases in
14 allocations shall be submitted through the regular notifica-
15 tion procedures of section 7015 of this Act: *Provided fur-*
16 *ther*, That funds made available under this heading may
17 be used, notwithstanding any other provision of law, for
18 demining and unexploded ordnance clearance activities,
19 and may include activities implemented through non-
20 governmental and international organizations: *Provided*
21 *further*, That only those countries for which assistance was
22 justified for the “Foreign Military Sales Financing Pro-
23 gram” in the fiscal year 1989 congressional presentation
24 for security assistance programs may utilize funds made
25 available under this heading for procurement of defense

1 articles, defense services, or design and construction serv-
2 ices that are not sold by the United States Government
3 under the Arms Export Control Act: *Provided further*,
4 That funds appropriated under this heading shall be ex-
5 pended at the minimum rate necessary to make timely
6 payment for defense articles and services: *Provided fur-*
7 *ther*, That not more than \$70,000,000 of the funds appro-
8 priated under this heading may be obligated for necessary
9 expenses, including the purchase of passenger motor vehi-
10 cles for replacement only for use outside of the United
11 States, for the general costs of administering military as-
12 sistance and sales, except that this limitation may be ex-
13 ceeded only through the regular notification procedures of
14 the Committees on Appropriations: *Provided further*, That
15 of the funds made available under this heading for general
16 costs of administering military assistance and sales, not
17 to exceed \$4,000 may be available for entertainment ex-
18 penses and not to exceed \$130,000 may be available for
19 representation expenses: *Provided further*, That not more
20 than \$1,137,000,000 of funds realized pursuant to section
21 21(e)(1)(A) of the Arms Export Control Act (22 U.S.C.
22 2761(e)(1)(A)) may be obligated for expenses incurred by
23 the Department of Defense during fiscal year 2021 pursu-
24 ant to section 43(b) of the Arms Export Control Act (22
25 U.S.C. 2792(b)), except that this limitation may be ex-

- 1 ceeded only through the regular notification procedures of
- 2 the Committees on Appropriations.

1 TITLE V
2 MULTILATERAL ASSISTANCE
3 FUNDS APPROPRIATED TO THE PRESIDENT
4 INTERNATIONAL ORGANIZATIONS AND PROGRAMS
5 For necessary expenses to carry out the provisions
6 of section 301 of the Foreign Assistance Act of 1961,
7 \$472,500,000: *Provided*, That section 307(a) of the For-
8 eign Assistance Act of 1961 shall not apply to contribu-
9 tions to the United Nations Democracy Fund and the
10 United Nations Office for the Coordination of Humani-
11 tarian Affairs: *Provided further*, That not later than 60
12 days after enactment of this Act, such funds shall be made
13 available for core contributions for each entity listed in
14 the table under this heading in the explanatory statement
15 accompanying this Act unless otherwise provided for in
16 this Act, or if the Secretary of State has justified to the
17 Committees on Appropriations the proposed uses of funds
18 other than for core contributions following prior consulta-
19 tion with, and subject to the regular notification proce-
20 dures of, such Committees.

21 INTERNATIONAL FINANCIAL INSTITUTIONS
22 GLOBAL ENVIRONMENT FACILITY
23 For payment to the International Bank for Recon-
24 struction and Development as trustee for the Global Envi-

1 ronment Facility by the Secretary of the Treasury,
2 \$149,288,000, to remain available until expended.

3 CONTRIBUTION TO THE GREEN CLIMATE FUND

4 For payment to the International Bank for Recon-
5 struction and Development as trustee for the Green Cli-
6 mate Fund by the Secretary of the Treasury,
7 \$1,450,000,000, to remain available until expended: *Pro-*
8 *vided*, That not later than 60 days after enactment of this
9 Act, the Secretary of the Treasury shall submit a report
10 to the Committees on Appropriations as specified under
11 this heading in the explanatory statement accompanying
12 this Act.

13 CONTRIBUTION TO THE CLEAN TECHNOLOGY FUND

14 For contribution to the Clean Technology Fund,
15 \$450,000,000, to remain available until expended: *Pro-*
16 *vided*, That up to \$400,000,000 of such amount shall be
17 available to cover costs, as defined in section 502 of the
18 Congressional Budget Act of 1974, of direct loans issued
19 to the Clean Technology Fund: *Provided further*, That
20 such funds are available to subsidize gross obligations for
21 the principal amount of direct loans without limitation.

22 CONTRIBUTION TO THE INTERNATIONAL BANK FOR
23 RECONSTRUCTION AND DEVELOPMENT

24 For payment to the International Bank for Recon-
25 struction and Development by the Secretary of the Treas-

1 ury for the United States share of the paid-in portion of
2 the increases in capital stock, \$206,500,000, to remain
3 available until expended.

4 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

5 The United States Governor of the International
6 Bank for Reconstruction and Development may subscribe
7 without fiscal year limitation to the callable capital portion
8 of the United States share of increases in capital stock
9 in an amount not to exceed \$1,421,275,728.70.

10 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT

11 ASSOCIATION

12 For payment to the International Development Asso-
13 ciation by the Secretary of the Treasury, \$1,001,400,000,
14 to remain available until expended.

15 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

16 For payment to the Asian Development Bank's Asian
17 Development Fund by the Secretary of the Treasury,
18 \$53,323,000, to remain available until expended.

19 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

20 For payment to the African Development Bank by
21 the Secretary of the Treasury for the United States share
22 of the paid-in portion of the increases in capital stock,
23 \$54,648,752, to remain available until expended.

1 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

2 The United States Governor of the African Develop-
3 ment Bank may subscribe without fiscal year limitation
4 to the callable capital portion of the United States share
5 of increases in capital stock in an amount not to exceed
6 \$856,174,624.

7 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

8 For payment to the African Development Fund by
9 the Secretary of the Treasury, \$211,300,000, to remain
10 available until expended.

11 CONTRIBUTION TO THE INTERNATIONAL FUND FOR

12 AGRICULTURAL DEVELOPMENT

13 For payment to the International Fund for Agricul-
14 tural Development by the Secretary of the Treasury,
15 \$43,000,000, to remain available until expended.

16 GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

17 For payment to the Global Agriculture and Food Se-
18 curity Program by the Secretary of the Treasury,
19 \$10,000,000, to remain available until expended.

20 CONTRIBUTIONS TO THE INTERNATIONAL MONETARY

21 FUND FACILITIES AND TRUST FUNDS

22 For contribution by the Secretary of the Treasury to
23 the Poverty Reduction and Growth Trust or other special
24 purpose vehicle of the International Monetary Fund,

1 \$102,000,000, to remain available until December 31,
2 2031.

1 TITLE VI
2 EXPORT AND INVESTMENT ASSISTANCE
3 EXPORT-IMPORT BANK OF THE UNITED STATES
4 INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978 (5 U.S.C. App.), \$6,500,000, of
8 which up to \$975,000 may remain available until Sep-
9 tember 30, 2023.

10 PROGRAM ACCOUNT

11 The Export-Import Bank of the United States is au-
12 thorized to make such expenditures within the limits of
13 funds and borrowing authority available to such corpora-
14 tion, and in accordance with law, and to make such con-
15 tracts and commitments without regard to fiscal year limi-
16 tations, as provided by section 9104 of title 31, United
17 States Code, as may be necessary in carrying out the pro-
18 gram for the current fiscal year for such corporation: *Pro-*
19 *vided*, That none of the funds available during the current
20 fiscal year may be used to make expenditures, contracts,
21 or commitments for the export of nuclear equipment, fuel,
22 or technology to any country, other than a nuclear-weapon
23 state as defined in Article IX of the Treaty on the Non-
24 Proliferation of Nuclear Weapons eligible to receive eco-
25 nomic or military assistance under this Act, that has deto-

1 nated a nuclear explosive after the date of enactment of
2 this Act.

3 ADMINISTRATIVE EXPENSES

4 For administrative expenses to carry out the direct
5 and guaranteed loan and insurance programs, including
6 hire of passenger motor vehicles and services as authorized
7 by section 3109 of title 5, United States Code, and not
8 to exceed \$30,000 for official reception and representation
9 expenses for members of the Board of Directors, not to
10 exceed \$114,000,000, of which up to \$17,100,000 may re-
11 main available until September 30, 2023: *Provided*, That
12 the Export-Import Bank (the Bank) may accept, and use,
13 payment or services provided by transaction participants
14 for legal, financial, or technical services in connection with
15 any transaction for which an application for a loan, guar-
16 antee or insurance commitment has been made: *Provided*
17 *further*, That notwithstanding subsection (b) of section
18 117 of the Export Enhancement Act of 1992, subsection
19 (a) of such section shall remain in effect until September
20 30, 2022: *Provided further*, That the Bank shall charge
21 fees for necessary expenses (including special services per-
22 formed on a contract or fee basis, but not including other
23 personal services) in connection with the collection of mon-
24 eys owed the Bank, repossession or sale of pledged collat-
25 eral or other assets acquired by the Bank in satisfaction

1 of moneys owed the Bank, or the investigation or appraisal
2 of any property, or the evaluation of the legal, financial,
3 or technical aspects of any transaction for which an appli-
4 cation for a loan, guarantee or insurance commitment has
5 been made, or systems infrastructure directly supporting
6 transactions: *Provided further*, That in addition to other
7 funds appropriated for administrative expenses, such fees
8 shall be credited to this account for such purposes, to re-
9 main available until expended.

10 PROGRAM BUDGET APPROPRIATIONS

11 For the cost of direct loans, loan guarantees, insur-
12 ance, and tied-aid grants as authorized by section 10 of
13 the Export-Import Bank Act of 1945, as amended, not
14 to exceed \$5,000,000, to remain available until September
15 30, 2025: *Provided*, That such costs, including the cost
16 of modifying such loans, shall be as defined in section 502
17 of the Congressional Budget Act of 1974: *Provided fur-*
18 *ther*, That such funds shall remain available until Sep-
19 tember 30, 2037, for the disbursement of direct loans,
20 loan guarantees, insurance and tied-aid grants obligated
21 in fiscal years 2022, 2023, 2024, and 2025.

22 RECEIPTS COLLECTED

23 Receipts collected pursuant to the Export-Import
24 Bank Act of 1945 (Public Law 79–173) and the Federal
25 Credit Reform Act of 1990, in an amount not to exceed

1 the amount appropriated herein, shall be credited as off-
2 setting collections to this account: *Provided*, That the
3 sums herein appropriated from the General Fund shall be
4 reduced on a dollar-for-dollar basis by such offsetting col-
5 lections so as to result in a final fiscal year appropriation
6 from the General Fund estimated at \$0.

7 UNITED STATES INTERNATIONAL DEVELOPMENT
8 FINANCE CORPORATION
9 INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Act of 1978 (5 U.S.C. App.), \$2,800,000, to re-
13 main available until September 30, 2023.

14 CORPORATE CAPITAL ACCOUNT

15 The United States International Development Fi-
16 nance Corporation (the Corporation) is authorized to
17 make such expenditures and commitments within the lim-
18 its of funds and borrowing authority available to the Cor-
19 poration, and in accordance with the law, and to make
20 such expenditures and commitments without regard to fis-
21 cal year limitations, as provided by section 9104 of title
22 31, United States Code, as may be necessary in carrying
23 out the programs for the current fiscal year for the Cor-
24 poration: *Provided*, That for necessary expenses of the ac-
25 tivities described in subsections (b), (c), (e), (f), and (g)

1 of section 1421 of the BUILD Act of 2018 (division F
2 of Public Law 115–254) and for administrative expenses
3 to carry out authorized activities and project-specific
4 transaction costs described in section 1434(d) of such Act,
5 \$698,000,000: *Provided further*, That of the amount pro-
6 vided—

7 (1) \$198,000,000 shall remain available until
8 September 30, 2024, for administrative expenses to
9 carry out authorized activities (including an amount
10 for official reception and representation expenses
11 which shall not exceed \$25,000) and project-specific
12 transaction costs as described in section 1434(k) of
13 such Act, of which \$1,000,000 shall remain available
14 until September 30, 2026;

15 (2) \$500,000,000 shall remain available until
16 September 30, 2024, for the activities described in
17 subsections (b), (c), (e), (f), and (g) of section 1421
18 of the BUILD Act of 2018, except such amounts ob-
19 ligated in a fiscal year for activities described in sec-
20 tion 1421(c) of such Act shall remain available for
21 disbursement for the term of the underlying project:
22 *Provided further*, That if the term of the project ex-
23 tends longer than 10 fiscal years, the Chief Execu-
24 tive Officer of the Corporation shall inform the ap-
25 propriate congressional committees prior to the obli-

1 gation or disbursement of funds, as applicable: Pro-
2 vided further, That amounts made available under
3 this paragraph may be paid to the “United States
4 International Development Finance Corporation—
5 Program Account” for programs authorized by sub-
6 sections (b), (e), (f), and (g) of section 1421 of the
7 BUILD Act of 2018:

8 *Provided further*, That funds may only be obligated pursu-
9 ant to section 1421(g) of the BUILD Act of 2018 subject
10 to prior consultation with the appropriate congressional
11 committees and the regular notification procedures of the
12 Committees on Appropriations: *Provided further*, That in
13 fiscal year 2022 collections of amounts described in sec-
14 tion 1434(h) of the BUILD Act of 2018 shall be credited
15 as offsetting collections to this appropriation: *Provided*
16 *further*, That such collections collected in fiscal year 2022
17 in excess of \$698,000,000 shall be credited to this account
18 and shall be available in future fiscal years only to the
19 extent provided in advance in appropriations Acts: *Pro-*
20 *vided further*, That in fiscal year 2022, if such collections
21 are less than \$698,000,000, receipts collected pursuant to
22 the BUILD Act of 2018 and the Federal Credit Reform
23 Act of 1990, in an amount equal to such shortfall, shall
24 be credited as offsetting collections to this appropriation:
25 *Provided further*, That funds appropriated or otherwise

1 made available under this heading may not be used to pro-
2 vide any type of assistance that is otherwise prohibited
3 by any other provision of law or to provide assistance to
4 any foreign country that is otherwise prohibited by any
5 other provision of law: *Provided further*, That the sums
6 herein appropriated from the General Fund shall be re-
7 duced on a dollar-for-dollar basis by the offsetting collec-
8 tions described under this heading so as to result in a final
9 fiscal year appropriation from the General Fund estimated
10 at \$316,000,000.

11 PROGRAM ACCOUNT

12 Amounts paid from “United States International De-
13 velopment Finance Corporation—Corporate Capital Ac-
14 count” (CCA) shall remain available until September 30,
15 2024: *Provided*, That up to \$550,000,000 of amounts paid
16 to this account from CCA or transferred to this account
17 pursuant to section 1434(j) of the BUILD Act of 2018
18 (division F of Public Law 115–254) shall be available for
19 the costs of direct and guaranteed loans provided by the
20 Corporation pursuant to section 1421(b) of such Act and
21 the costs of modifying loans and loan guarantees trans-
22 ferred to the Corporation pursuant to section 1463 of such
23 Act: *Provided further*, That such costs, including the cost
24 of modifying such loans, shall be as defined in section 502
25 of the Congressional Budget Act of 1974: *Provided fur-*

1 *ther*, That such amounts obligated in a fiscal year shall
2 remain available for disbursement for the following 8 fiscal
3 years: *Provided further*, That funds made available in this
4 Act and transferred to carry out the Foreign Assistance
5 Act of 1961 pursuant to section 1434(j) of the BUILD
6 Act of 2018 may remain available for obligation for 1 ad-
7 ditional fiscal year: *Provided further*, That the total loan
8 principal or guaranteed principal amount shall not exceed
9 \$10,000,000,000.

10 TRADE AND DEVELOPMENT AGENCY

11 For necessary expenses to carry out the provisions
12 of section 661 of the Foreign Assistance Act of 1961,
13 \$79,500,000, to remain available until September 30,
14 2023, of which no more than \$19,000,000 may be used
15 for administrative expenses: *Provided*, That of the funds
16 appropriated under this heading, not more than \$5,000
17 may be available for representation and entertainment ex-
18 penses.

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TITLE VII

GENERAL PROVISIONS

ALLOWANCES AND DIFFERENTIALS

SEC. 7001. Funds appropriated under title I of this Act shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by section 3109 of such title and for hire of passenger transportation pursuant to section 1343(b) of title 31, United States Code.

UNOBLIGATED BALANCES REPORT

SEC. 7002. Any department or agency of the United States Government to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting of cumulative unobligated balances and obligated, but unexpended, balances by program, project, and activity, and Treasury Account Fund Symbol of all funds received by such department or agency in fiscal year 2022 or any previous fiscal year, disaggregated by fiscal year: *Provided*, That the report required by this section shall be submitted not later than 30 days after the end of each fiscal quarter and should specify by account the amount of funds obligated pursuant to bilateral agreements which have not been further sub-obligated.

1 CONSULTING SERVICES

2 SEC. 7003. The expenditure of any appropriation
3 under title I of this Act for any consulting service through
4 procurement contract, pursuant to section 3109 of title
5 5, United States Code, shall be limited to those contracts
6 where such expenditures are a matter of public record and
7 available for public inspection, except where otherwise pro-
8 vided under existing law, or under existing Executive order
9 issued pursuant to existing law.

10 DIPLOMATIC FACILITIES

11 SEC. 7004. (a) CAPITAL SECURITY COST SHARING
12 EXCEPTION.—Notwithstanding paragraph (2) of section
13 604(e) of the Secure Embassy Construction and Counter-
14 terrorism Act of 1999 (title VI of division A of H.R. 3427,
15 as enacted into law by section 1000(a)(7) of Public Law
16 106–113 and contained in appendix G of that Act), as
17 amended by section 111 of the Department of State Au-
18 thorities Act, Fiscal Year 2017 (Public Law 114–323), a
19 project to construct a facility of the United States may
20 include office space or other accommodations for members
21 of the United States Marine Corps.

22 (b) NEW DIPLOMATIC FACILITIES.—For the pur-
23 poses of calculating the fiscal year 2022 costs of providing
24 new United States diplomatic facilities in accordance with
25 section 604(e) of the Secure Embassy Construction and

1 Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the
2 Secretary of State, in consultation with the Director of
3 the Office of Management and Budget, shall determine the
4 annual program level and agency shares in a manner that
5 is proportional to the contribution of the Department of
6 State for this purpose.

7 (c) CONSULTATION AND NOTIFICATION.—Funds ap-
8 propriated by this Act and prior Acts making appropria-
9 tions for the Department of State, foreign operations, and
10 related programs, which may be made available for the
11 acquisition of property or award of construction contracts
12 for overseas United States diplomatic facilities during fis-
13 cal year 2022, shall be subject to prior consultation with,
14 and the regular notification procedures of, the Committees
15 on Appropriations: *Provided*, That notifications pursuant
16 to this subsection shall include the information enumer-
17 ated under the heading “Embassy Security, Construction,
18 and Maintenance” in the explanatory statement accom-
19 panying this Act.

20 (d) INTERIM AND TEMPORARY FACILITIES
21 ABROAD.—

22 (1) SECURITY VULNERABILITIES.—Funds ap-
23 propriated by this Act under the heading “Embassy
24 Security, Construction, and Maintenance” may be
25 made available, following consultation with the ap-

1 PROHIBITION ON PUBLICITY OR PROPAGANDA

2 SEC. 7006. No part of any appropriation contained
3 in this Act shall be used for publicity or propaganda pur-
4 poses within the United States not authorized before en-
5 actment of this Act by Congress: *Provided*, That up to
6 \$25,000 may be made available to carry out the provisions
7 of section 316 of the International Security and Develop-
8 ment Cooperation Act of 1980 (Public Law 96-533; 22
9 U.S.C. 2151a note).

10 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
11 COUNTRIES

12 SEC. 7007. None of the funds appropriated or other-
13 wise made available pursuant to titles III through VI of
14 this Act shall be obligated or expended to finance directly
15 any assistance or reparations for the governments of
16 Cuba, North Korea, Iran, or Syria: *Provided*, That for
17 purposes of this section, the prohibition on obligations or
18 expenditures shall include direct loans, credits, insurance,
19 and guarantees of the Export-Import Bank or its agents.

20 COUPS D'ÉTAT

21 SEC. 7008. None of the funds appropriated or other-
22 wise made available pursuant to titles III through VI of
23 this Act shall be obligated or expended to finance directly
24 any assistance to the government of any country whose
25 duly elected head of government is deposed by military

1 coup d'état or decree or, after the date of enactment of
 2 this Act, a coup d'état or decree in which the military
 3 plays a decisive role: *Provided*, That assistance may be re-
 4 sumed to such government if the Secretary of State cer-
 5 tifies and reports to the appropriate congressional commit-
 6 tees that subsequent to the termination of assistance a
 7 democratically elected government has taken office: *Pro-*
 8 *vided further*, That the provisions of this section shall not
 9 apply to assistance to promote democratic elections or
 10 public participation in democratic processes: *Provided fur-*
 11 *ther*, That funds made available pursuant to the previous
 12 provisos shall be subject to the regular notification proce-
 13 dures of the Committees on Appropriations.

14 TRANSFER OF FUNDS AUTHORITY

15 SEC. 7009. (a) DEPARTMENT OF STATE AND
 16 UNITED STATES AGENCY FOR GLOBAL MEDIA.—

17 (1) DEPARTMENT OF STATE.—

18 (A) IN GENERAL.—Not to exceed 5 percent
 19 of any appropriation made available for the cur-
 20 rent fiscal year for the Department of State
 21 under title I of this Act may be transferred be-
 22 tween, and merged with, such appropriations,
 23 but no such appropriation, except as otherwise
 24 specifically provided, shall be increased by more
 25 than 10 percent by any such transfers, and no

1 such transfer may be made to increase the ap-
2 propriation under the heading “Representation
3 Expenses”.

4 (B) EMBASSY SECURITY.—Funds appro-
5 priated under the headings “Diplomatic Pro-
6 grams”, including for Worldwide Security Pro-
7 tection, “Embassy Security, Construction, and
8 Maintenance”, and “Emergencies in the Diplo-
9 matic and Consular Service” in this Act may be
10 transferred to, and merged with, funds appro-
11 priated under such headings if the Secretary of
12 State determines and reports to the Committees
13 on Appropriations that to do so is necessary to
14 implement the recommendations of the
15 Benghazi Accountability Review Board, for
16 emergency evacuations, or to prevent or re-
17 spond to security situations and requirements,
18 following consultation with, and subject to the
19 regular notification procedures of, such Com-
20 mittees: *Provided*, That such transfer authority
21 is in addition to any transfer authority other-
22 wise available in this Act and under any other
23 provision of law.

24 (2) UNITED STATES AGENCY FOR GLOBAL
25 MEDIA.—Not to exceed 5 percent of any appropria-

1 tion made available for the current fiscal year for
2 the United States Agency for Global Media under
3 title I of this Act may be transferred between, and
4 merged with, such appropriations, but no such ap-
5 propriation, except as otherwise specifically provided,
6 shall be increased by more than 10 percent by any
7 such transfers.

8 (3) TREATMENT AS REPROGRAMMING.—Any
9 transfer pursuant to this subsection shall be treated
10 as a reprogramming of funds under section 7015 of
11 this Act and shall not be available for obligation or
12 expenditure except in compliance with the proce-
13 dures set forth in that section.

14 (b) LIMITATION ON TRANSFERS OF FUNDS BE-
15 TWEEN AGENCIES.—

16 (1) IN GENERAL.—None of the funds made
17 available under titles II through V of this Act may
18 be transferred to any department, agency, or instru-
19 mentality of the United States Government, except
20 pursuant to a transfer made by, or transfer author-
21 ity provided in, this Act or any other appropriations
22 Act.

23 (2) ALLOCATION AND TRANSFERS.—Notwith-
24 standing paragraph (1), in addition to transfers
25 made by, or authorized elsewhere in, this Act, funds

1 appropriated by this Act to carry out the purposes
2 of the Foreign Assistance Act of 1961 may be allo-
3 cated or transferred to agencies of the United States
4 Government pursuant to the provisions of sections
5 109, 610, and 632 of the Foreign Assistance Act of
6 1961, and section 1434(j) of the BUILD Act of
7 2018 (division F of Public Law 115–254).

8 (3) NOTIFICATION.—Any agreement entered
9 into by the United States Agency for International
10 Development or the Department of State with any
11 department, agency, or instrumentality of the United
12 States Government pursuant to section 632(b) of the
13 Foreign Assistance Act of 1961 valued in excess of
14 \$1,000,000 and any agreement made pursuant to
15 section 632(a) of such Act, with funds appropriated
16 by this Act or prior Acts making appropriations for
17 the Department of State, foreign operations, and re-
18 lated programs under the headings “Global Health
19 Programs”, “Development Assistance”, “Economic
20 Support Fund”, and “Assistance for Europe, Eur-
21 asia and Central Asia” shall be subject to the reg-
22 ular notification procedures of the Committees on
23 Appropriations: *Provided*, That the requirement in
24 the previous sentence shall not apply to agreements

1 entered into between USAID and the Department of
2 State.

3 (c) UNITED STATES INTERNATIONAL DEVELOPMENT
4 FINANCE CORPORATION.—

5 (1) LIMITATION.—Amounts transferred pursu-
6 ant to section 1434(j) of the BUILD Act of 2018
7 (division F of Public Law 115–254) may only be
8 transferred from funds made available under title III
9 of this Act, and such amounts shall not exceed
10 \$50,000,000: *Provided*, That any such transfers
11 shall be subject to prior consultation with, and the
12 regular notification procedures of, the Committees
13 on Appropriations: *Provided further*, That the Sec-
14 retary of State, the Administrator of the United
15 States Agency for International Development, and
16 the Chief Executive Officer of the United States
17 International Development Finance Corporation (the
18 Corporation), as appropriate, shall ensure that the
19 programs funded by such transfers are coordinated
20 with, and complement, foreign assistance programs
21 implemented by the Department of State and
22 USAID: *Provided further*, That no funds transferred
23 pursuant to such authority may be used by the Cor-
24 poration to post personnel abroad or for activities
25 described in section 1421(c) of the BUILD Act of

1 2018: *Provided further*, That funds appropriated by
2 this Act or prior Acts making appropriations for the
3 Department of State, foreign operations, and related
4 programs to implement the Nita M. Lowey Middle
5 East Partnership for Peace Act shall be excluded
6 from the limitation contained in this paragraph.

7 (2) TRANSFER OF FUNDS FROM MILLENNIUM
8 CHALLENGE CORPORATION.—Funds appropriated
9 under the heading “Millennium Challenge Corpora-
10 tion” in this Act or prior Acts making appropria-
11 tions for the Department of State, foreign oper-
12 ations, and related programs may be transferred to,
13 and merged with, amounts under the heading
14 “United States International Development Finance
15 Corporation—Program Account” and, when so
16 transferred and merged, may be used for the costs
17 of loans and guaranties provided by the United
18 States International Development Finance Corpora-
19 tion pursuant to section 1421(b) of the BUILD Act
20 and shall be subject to the limitations provided in
21 the second, third, and fourth provisos under the
22 heading “United States International Development
23 Finance Corporation—Program Account” in this
24 Act: *Provided*, That such funds shall not be available
25 for administrative expenses of the United States

1 International Development Finance Corporation:
2 *Provided further*, That such authority shall be sub-
3 ject to prior consultation with, and the regular noti-
4 fication procedures of, the Committees on Appro-
5 priations: *Provided further*, That such transfers shall
6 be excluded from the limitation under paragraph (1):
7 *Provided further*, That the transfer authority pro-
8 vided in this section is in addition to any other
9 transfer authority provided by law.

10 (d) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—

11 None of the funds made available under titles II through
12 V of this Act may be obligated under an appropriations
13 account to which such funds were not appropriated, except
14 for transfers specifically provided for in this Act, unless
15 the President, not less than 5 days prior to the exercise
16 of any authority contained in the Foreign Assistance Act
17 of 1961 to transfer funds, consults with and provides a
18 written policy justification to the Committees on Appro-
19 priations.

20 (e) AUDIT OF INTER-AGENCY TRANSFERS OF

21 FUNDS.—Any agreement for the transfer or allocation of
22 funds appropriated by this Act or prior Acts making ap-
23 propriations for the Department of State, foreign oper-
24 ations, and related programs entered into between the De-
25 partment of State or USAID and another agency of the

1 United States Government under the authority of section
2 632(a) of the Foreign Assistance Act of 1961, or any com-
3 parable provision of law, shall expressly provide that the
4 Inspector General (IG) for the agency receiving the trans-
5 fer or allocation of such funds, or other entity with audit
6 responsibility if the receiving agency does not have an IG,
7 shall perform periodic program and financial audits of the
8 use of such funds and report to the Department of State
9 or USAID, as appropriate, upon completion of such au-
10 dits: *Provided*, That such audits shall be transmitted to
11 the Committees on Appropriations by the Department of
12 State or USAID, as appropriate: *Provided further*, That
13 funds transferred under such authority may be made
14 available for the cost of such audits.

15 PROHIBITION AND LIMITATION ON CERTAIN EXPENSES

16 SEC. 7010. (a) COMPUTER NETWORKS.—None of the
17 funds made available by this Act for the operating ex-
18 penses of any United States Government department or
19 agency may be used to establish or maintain a computer
20 network for use by such department or agency unless such
21 network has filters designed to block access to sexually
22 explicit websites: *Provided*, That nothing in this subsection
23 shall limit the use of funds necessary for any Federal,
24 State, tribal, or local law enforcement agency, or any other
25 entity carrying out the following activities: criminal inves-

1 tigtations, prosecutions, and adjudications; administrative
2 discipline; and the monitoring of such websites undertaken
3 as part of official business.

4 (b) PROHIBITION ON PROMOTION OF TOBACCO.—
5 None of the funds made available by this Act shall be
6 available to promote the sale or export of tobacco or to-
7 bacco products (including electronic nicotine delivery sys-
8 tems), or to seek the reduction or removal by any foreign
9 country of restrictions on the marketing of tobacco or to-
10 bacco products (including electronic nicotine delivery sys-
11 tems), except for restrictions which are not applied equally
12 to all tobacco or tobacco products (including electronic nic-
13 otine delivery systems) of the same type.

14 (c) REPRESENTATION AND ENTERTAINMENT EX-
15 PENSES.—Each Federal department, agency, or entity
16 funded in titles I or II of this Act, and the Department
17 of the Treasury and independent agencies funded in titles
18 III or VI of this Act, shall take steps to ensure that do-
19 mestic and overseas representation and entertainment ex-
20 penses further official agency business and United States
21 foreign policy interests, and—

22 (1) are primarily for fostering relations outside
23 of the Executive Branch;

24 (2) are principally for meals and events of a
25 protocol nature;

1 (3) are not for employee-only events; and

2 (4) do not include activities that are substan-
3 tially of a recreational character.

4 (d) LIMITATIONS ON ENTERTAINMENT EXPENSES.—

5 None of the funds appropriated or otherwise made avail-
6 able by this Act under the headings “International Mili-
7 tary Education and Training” or “Foreign Military Fi-
8 nancing Program” for Informational Program activities or
9 under the headings “Global Health Programs”, “Develop-
10 ment Assistance”, “Economic Support Fund”, and “As-
11 sistance for Europe, Eurasia and Central Asia” may be
12 obligated or expended to pay for—

13 (1) alcoholic beverages; or

14 (2) entertainment expenses for activities that
15 are substantially of a recreational character, includ-
16 ing entrance fees at sporting events, theatrical and
17 musical productions, and amusement parks.

18 AVAILABILITY OF FUNDS

19 SEC. 7011. No part of any appropriation contained
20 in this Act shall remain available for obligation after the
21 expiration of the current fiscal year unless expressly so
22 provided by this Act: *Provided*, That funds appropriated
23 for the purposes of chapters 1 and 8 of part I, section
24 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign
25 Assistance Act of 1961, section 23 of the Arms Export

1 Control Act (22 U.S.C. 2763), and funds made available
2 for “United States International Development Finance
3 Corporation” and under the heading “Assistance for Eu-
4 rope, Eurasia and Central Asia” shall remain available for
5 an additional 4 years from the date on which the avail-
6 ability of such funds would otherwise have expired, if such
7 funds are initially obligated before the expiration of their
8 respective periods of availability contained in this Act:
9 *Provided further*, That notwithstanding any other provi-
10 sion of this Act, any funds made available for the purposes
11 of chapter 1 of part I and chapter 4 of part II of the
12 Foreign Assistance Act of 1961 which are allocated or ob-
13 ligated for cash disbursements in order to address balance
14 of payments or economic policy reform objectives, shall re-
15 main available for an additional 4 years from the date on
16 which the availability of such funds would otherwise have
17 expired, if such funds are initially allocated or obligated
18 before the expiration of their respective periods of avail-
19 ability contained in this Act: *Provided further*, That the
20 Secretary of State and the Administrator of the United
21 States Agency for International Development shall provide
22 a report to the Committees on Appropriations not later
23 than October 31, 2022, detailing by account and source
24 year, the use of this authority during the previous fiscal
25 year.

1 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

2 SEC. 7012. No part of any appropriation provided
3 under titles III through VI in this Act shall be used to
4 furnish assistance to the government of any country which
5 is in default during a period in excess of 1 calendar year
6 in payment to the United States of principal or interest
7 on any loan made to the government of such country by
8 the United States pursuant to a program for which funds
9 are appropriated under this Act unless the President de-
10 termines, following consultation with the Committees on
11 Appropriations, that assistance for such country is in the
12 national interest of the United States.

13 PROHIBITION ON TAXATION OF UNITED STATES

14 ASSISTANCE

15 SEC. 7013. (a) PROHIBITION ON TAXATION.—None
16 of the funds appropriated under titles III through VI of
17 this Act may be made available to provide assistance for
18 a foreign country under a new bilateral agreement gov-
19 erning the terms and conditions under which such assist-
20 ance is to be provided unless such agreement includes a
21 provision stating that assistance provided by the United
22 States shall be exempt from taxation, or reimbursed, by
23 the foreign government, and the Secretary of State and
24 the Administrator of the United States Agency for Inter-
25 national Development shall expeditiously seek to negotiate

1 amendments to existing bilateral agreements, as nec-
2 essary, to conform with this requirement.

3 (b) NOTIFICATION AND REIMBURSEMENT OF FOR-
4 EIGN TAXES.—An amount equivalent to 200 percent of
5 the total taxes assessed during fiscal year 2022 on funds
6 appropriated by this Act and prior Acts making appropria-
7 tions for the Department of State, foreign operations, and
8 related programs by a foreign government or entity
9 against United States assistance programs, either directly
10 or through grantees, contractors, and subcontractors, shall
11 be withheld from obligation from funds appropriated for
12 assistance for fiscal year 2023 and for prior fiscal years
13 and allocated for the central government of such country
14 or for the West Bank and Gaza program, as applicable,
15 if, not later than September 30, 2023, such taxes have
16 not been reimbursed: *Provided*, That the Secretary of
17 State shall report to the Committees on Appropriations
18 not later than 30 days after enactment of this Act and
19 then quarterly thereafter until September 30, 2022, on the
20 foreign governments and entities that have not reimbursed
21 such taxes, including any amount of funds withheld pursu-
22 ant to this subsection.

23 (c) DE MINIMIS EXCEPTION.—Foreign taxes of a de
24 minimis nature shall not be subject to the provisions of
25 subsection (b).

1 (d) REPROGRAMMING OF FUNDS.—Funds withheld
2 from obligation for each foreign government or entity pur-
3 suant to subsection (b) shall be reprogrammed for assist-
4 ance for countries which do not assess taxes on United
5 States assistance or which have an effective arrangement
6 that is providing substantial reimbursement of such taxes,
7 and that can reasonably accommodate such assistance in
8 a programmatically responsible manner.

9 (e) DETERMINATIONS.—

10 (1) IN GENERAL.—The provisions of this sec-
11 tion shall not apply to any foreign government or en-
12 tity that assesses such taxes if the Secretary of
13 State reports to the Committees on Appropriations
14 that—

15 (A) such foreign government or entity has
16 an effective arrangement that is providing sub-
17 stantial reimbursement of such taxes; or

18 (B) the foreign policy interests of the
19 United States outweigh the purpose of this sec-
20 tion to ensure that United States assistance is
21 not subject to taxation.

22 (2) CONSULTATION.—The Secretary of State
23 shall consult with the Committees on Appropriations
24 at least 15 days prior to exercising the authority of

1 this subsection with regard to any foreign govern-
2 ment or entity.

3 (f) IMPLEMENTATION.—The Secretary of State shall
4 issue and update rules, regulations, or policy guidance, as
5 appropriate, to implement the prohibition against the tax-
6 ation of assistance contained in this section.

7 (g) DEFINITIONS.—As used in this section:

8 (1) BILATERAL AGREEMENT.—The term “bilat-
9 eral agreement” refers to a framework bilateral
10 agreement between the Government of the United
11 States and the government of the country receiving
12 assistance that describes the privileges and immuni-
13 ties applicable to United States foreign assistance
14 for such country generally, or an individual agree-
15 ment between the Government of the United States
16 and such government that describes, among other
17 things, the treatment for tax purposes that will be
18 accorded the United States assistance provided
19 under that agreement.

20 (2) TAXES AND TAXATION.—The term “taxes
21 and taxation” shall include value added taxes and
22 customs duties but shall not include individual in-
23 come taxes assessed to local staff.

RESERVATIONS OF FUNDS

1
2 SEC. 7014. (a) REPROGRAMMING.—Funds appro-
3 priated under titles III through VI of this Act which are
4 specifically designated may be reprogrammed for other
5 programs within the same account notwithstanding the
6 designation if compliance with the designation is made im-
7 possible by operation of any provision of this or any other
8 Act: *Provided*, That any such reprogramming shall be sub-
9 ject to the regular notification procedures of the Commit-
10 tees on Appropriations: *Provided further*, That assistance
11 that is reprogrammed pursuant to this subsection shall be
12 made available under the same terms and conditions as
13 originally provided.

14 (b) EXTENSION OF AVAILABILITY.—In addition to
15 the authority contained in subsection (a), the original pe-
16 riod of availability of funds appropriated by this Act and
17 administered by the Department of State or the United
18 States Agency for International Development that are spe-
19 cifically designated for particular programs or activities by
20 this or any other Act may be extended for an additional
21 fiscal year if the Secretary of State or the USAID Admin-
22 istrator, as appropriate, determines and reports promptly
23 to the Committees on Appropriations that the termination
24 of assistance to a country or a significant change in cir-
25 cumstances makes it unlikely that such designated funds

1 can be obligated during the original period of availability:
2 *Provided*, That such designated funds that continue to be
3 available for an additional fiscal year shall be obligated
4 only for the purpose of such designation.

5 (c) OTHER ACTS.—Ceilings and specifically des-
6 ignated funding levels contained in this Act shall not be
7 applicable to funds or authorities appropriated or other-
8 wise made available by any subsequent Act unless such
9 Act specifically so directs: *Provided*, That specifically des-
10 ignated funding levels or minimum funding requirements
11 contained in any other Act shall not be applicable to funds
12 appropriated by this Act.

13 NOTIFICATION REQUIREMENTS

14 SEC. 7015. (a) NOTIFICATION OF CHANGES IN PRO-
15 GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds
16 made available in titles I, II, and VI, and under the head-
17 ings “Peace Corps” and “Millennium Challenge Corpora-
18 tion”, of this Act or prior Acts making appropriations for
19 the Department of State, foreign operations, and related
20 programs to the departments and agencies funded by this
21 Act that remain available for obligation in fiscal year
22 2022, or provided from any accounts in the Treasury of
23 the United States derived by the collection of fees or of
24 currency reflows or other offsetting collections, or made

1 available by transfer, to the departments and agencies
2 funded by this Act, shall be available for obligation to—

3 (1) create new programs;

4 (2) suspend or eliminate a program, project, or
5 activity;

6 (3) close, suspend, open, or reopen a mission or
7 post;

8 (4) create, close, reorganize, downsize, or re-
9 name bureaus, centers, or offices; or

10 (5) contract out or privatize any functions or
11 activities presently performed by Federal employees;

12 unless previously justified to the Committees on Appro-
13 priations or such Committees are notified 15 days in ad-
14 vance of such obligation.

15 (b) NOTIFICATION OF REPROGRAMMING OF
16 FUNDS.—None of the funds provided under titles I, II,
17 and VI of this Act or prior Acts making appropriations
18 for the Department of State, foreign operations, and re-
19 lated programs, to the departments and agencies funded
20 under such titles that remain available for obligation in
21 fiscal year 2022, or provided from any accounts in the
22 Treasury of the United States derived by the collection
23 of fees available to the department and agency funded
24 under title I of this Act, shall be available for obligation
25 or expenditure for programs, projects, or activities

1 through a reprogramming of funds in excess of
2 \$1,000,000 or 10 percent, whichever is less, that—

3 (1) augments or changes existing programs,
4 projects, or activities;

5 (2) relocates an existing office or employees;

6 (3) reduces by 10 percent funding for any exist-
7 ing program, project, or activity, or numbers of per-
8 sonnel by 10 percent as approved by Congress; or

9 (4) results from any general savings, including
10 savings from a reduction in personnel, which would
11 result in a change in existing programs, projects, or
12 activities as approved by Congress;

13 unless the Committees on Appropriations are notified 15
14 days in advance of such reprogramming of funds.

15 (c) NOTIFICATION REQUIREMENT.—None of the
16 funds made available by this Act under the headings
17 “Global Health Programs”, “Development Assistance”,
18 “Economic Support Fund”, “Democracy Fund”, “Assist-
19 ance for Europe, Eurasia and Central Asia”, “Peace
20 Corps”, “Millennium Challenge Corporation”, “Inter-
21 national Narcotics Control and Law Enforcement”, “Non-
22 proliferation, Anti-terrorism, Demining and Related Pro-
23 grams”, “Peacekeeping Operations”, “International Mili-
24 tary Education and Training”, “Foreign Military Financ-
25 ing Program”, “International Organizations and Pro-

1 grams”, “United States International Development Fi-
2 nance Corporation”, and “Trade and Development Agen-
3 cy” shall be available for obligation for programs, projects,
4 activities, type of materiel assistance, countries, or other
5 operations not justified or in excess of the amount justi-
6 fied to the Committees on Appropriations for obligation
7 under any of these specific headings unless the Commit-
8 tees on Appropriations are notified 15 days in advance of
9 such obligation: *Provided*, That the President shall not
10 enter into any commitment of funds appropriated for the
11 purposes of section 23 of the Arms Export Control Act
12 for the provision of major defense equipment, other than
13 conventional ammunition, or other major defense items
14 defined to be aircraft, ships, missiles, or combat vehicles,
15 not previously justified to Congress or 20 percent in excess
16 of the quantities justified to Congress unless the Commit-
17 tees on Appropriations are notified 15 days in advance of
18 such commitment: *Provided further*, That requirements of
19 this subsection or any similar provision of this or any
20 other Act shall not apply to any reprogramming for a pro-
21 gram, project, or activity for which funds are appropriated
22 under titles III through VI of this Act of less than 10
23 percent of the amount previously justified to Congress for
24 obligation for such program, project, or activity for the
25 current fiscal year: *Provided further*, That any notification

1 submitted pursuant to subsection (f) of this section shall
2 include information (if known on the date of transmittal
3 of such notification) on the use of notwithstanding author-
4 ity.

5 (d) DEPARTMENT OF DEFENSE PROGRAMS AND
6 FUNDING NOTIFICATIONS.—

7 (1) PROGRAMS.—None of the funds appro-
8 priated by this Act or prior Acts making appropria-
9 tions for the Department of State, foreign oper-
10 ations, and related programs may be made available
11 to support or continue any program initially funded
12 under any authority of title 10, United States Code,
13 or any Act making or authorizing appropriations for
14 the Department of Defense, unless the Secretary of
15 State, in consultation with the Secretary of Defense
16 and in accordance with the regular notification pro-
17 cedures of the Committees on Appropriations, sub-
18 mits a justification to such Committees that includes
19 a description of, and the estimated costs associated
20 with, the support or continuation of such program.

21 (2) FUNDING.—Notwithstanding any other pro-
22 vision of law, funds transferred by the Department
23 of Defense to the Department of State and the
24 United States Agency for International Development
25 for assistance for foreign countries and international

1 organizations shall be subject to the regular notifica-
2 tion procedures of the Committees on Appropria-
3 tions.

4 (3) NOTIFICATION ON EXCESS DEFENSE ARTI-
5 CLES.—Prior to providing excess Department of De-
6 fense articles in accordance with section 516(a) of
7 the Foreign Assistance Act of 1961, the Department
8 of Defense shall notify the Committees on Appro-
9 priations to the same extent and under the same
10 conditions as other committees pursuant to sub-
11 section (f) of that section: *Provided*, That before
12 issuing a letter of offer to sell excess defense articles
13 under the Arms Export Control Act, the Department
14 of Defense shall notify the Committees on Appro-
15 priations in accordance with the regular notification
16 procedures of such Committees if such defense arti-
17 cles are significant military equipment (as defined in
18 section 47(9) of the Arms Export Control Act) or
19 are valued (in terms of original acquisition cost) at
20 \$7,000,000 or more, or if notification is required
21 elsewhere in this Act for the use of appropriated
22 funds for specific countries that would receive such
23 excess defense articles: *Provided further*, That such
24 Committees shall also be informed of the original ac-
25 quisition cost of such defense articles.

1 (e) WAIVER.—The requirements of this section or
2 any similar provision of this Act or any other Act, includ-
3 ing any prior Act requiring notification in accordance with
4 the regular notification procedures of the Committees on
5 Appropriations, may be waived if failure to do so would
6 pose a substantial risk to human health or welfare: *Pro-*
7 *vided*, That in case of any such waiver, notification to the
8 Committees on Appropriations shall be provided as early
9 as practicable, but in no event later than 3 days after tak-
10 ing the action to which such notification requirement was
11 applicable, in the context of the circumstances necessi-
12 tating such waiver: *Provided further*, That any notification
13 provided pursuant to such a waiver shall contain an expla-
14 nation of the emergency circumstances.

15 (f) COUNTRY NOTIFICATION REQUIREMENTS.—None
16 of the funds appropriated under titles III through VI of
17 this Act may be obligated or expended for assistance for
18 Afghanistan, Bahrain, Bangladesh, Burma, Cambodia,
19 Colombia, Cuba, Egypt, El Salvador, Ethiopia, Greenland,
20 Guatemala, Haiti, Honduras, Iran, Iraq, Lebanon, Libya,
21 Mexico, Nicaragua, Pakistan, Philippines, the Russian
22 Federation, Rwanda, Somalia, South Sudan, Sri Lanka,
23 Sudan, Syria, Tunisia, Uganda, Uzbekistan, Venezuela,
24 Yemen, and Zimbabwe except as provided through the reg-

1 ular notification procedures of the Committees on Appro-
2 priations.

3 (g) TRUST FUNDS.—Funds appropriated or other-
4 wise made available in title III of this Act and prior Acts
5 making funds available for the Department of State, for-
6 eign operations, and related programs that are made avail-
7 able for a trust fund held by an international financial
8 institution shall be subject to the regular notification pro-
9 cedures of the Committees on Appropriations, and such
10 notification shall include the information specified under
11 the heading “Notification Requirements” in the explana-
12 tory statement accompanying this Act.

13 (h) OTHER PROGRAM NOTIFICATION REQUIRE-
14 MENT.—

15 (1) DIPLOMATIC PROGRAMS.—Funds appro-
16 priated under title I of this Act under the heading
17 “Diplomatic Programs” that are made available for
18 lateral entry into the Foreign Service shall be sub-
19 ject to prior consultation with, and the regular noti-
20 fication procedures of, the Committees on Appro-
21 priations.

22 (2) OTHER PROGRAMS.—Funds appropriated by
23 this Act that are made available for the following
24 programs and activities shall be subject to the reg-

1 ular notification procedures of the Committees on
2 Appropriations:

3 (A) the Global Engagement Center;

4 (B) the Power Africa and Prosper Africa
5 initiatives;

6 (C) community-based police assistance con-
7 ducted pursuant to the authority of section
8 7035(a)(1) of this Act;

9 (D) the Prevention and Stabilization Fund
10 and the Multi-Donor Global Fragility Fund;

11 (E) the Indo-Pacific Strategy;

12 (F) the Countering PRC Influence Fund
13 and the Countering Russian Influence Fund;
14 and

15 (G) the Gender Equity and Equality Ac-
16 tion Fund.

17 (3) DEMOCRACY PROGRAM POLICY AND PROCE-
18 DURES.—Modifications to democracy program policy
19 and procedures, including relating to the use of con-
20 sortia, by the Department of State and USAID shall
21 be subject to prior consultation with, and the regular
22 notification procedures of, the Committees on Ap-
23 propriations.

24 (4) ARMS SALES.—The reports, notifications,
25 and certifications, and any other documents, re-

1 quired to be submitted pursuant to section 36(a) of
2 the Arms Export Control Act (22 U.S.C. 2776), and
3 such documents submitted pursuant to section 36(b)
4 through (d) of such Act with respect to countries
5 that have received assistance provided with funds
6 appropriated by this Act or prior Acts making ap-
7 propriations for the Department of State, foreign
8 operations, and related programs, shall be concu-
9 rently submitted to the Committees on Appropria-
10 tions and shall include information about the source
11 of funds for any sale or transfer, as applicable, if
12 known at the time of submission.

13 (i) WITHHOLDING OF FUNDS.—Funds appropriated
14 by this Act under titles III and IV that are withheld from
15 obligation or otherwise not programmed as a result of ap-
16 plication of a provision of law in this or any other Act
17 shall, if reprogrammed, be subject to the regular notifica-
18 tion procedures of the Committees on Appropriations.

19 (j) PRIOR CONSULTATION REQUIREMENT.—The Sec-
20 retary of State, the Administrator of the United States
21 Agency for International Development, the Chief Execu-
22 tive Officer of the United States International Develop-
23 ment Finance Corporation, and the Chief Executive Offi-
24 cer of the Millennium Challenge Corporation shall consult
25 with the Committees on Appropriations at least 7 days

1 prior to informing a government of, or publically announce-
2 ing a decision on, the suspension or early termination of
3 assistance to a country or a territory, including as a result
4 of an interagency review of such assistance, from funds
5 appropriated by this Act or prior Acts making appropria-
6 tions for the Department of State, foreign operations, and
7 related programs: *Provided*, That such consultation shall
8 include a detailed justification for such suspension, includ-
9 ing a description of the assistance being suspended.

10 DOCUMENT REQUESTS, RECORDS MANAGEMENT, AND
11 RELATED CYBERSECURITY PROTECTIONS

12 SEC. 7016. (a) DOCUMENT REQUESTS.—None of the
13 funds appropriated or made available pursuant to titles
14 III through VI of this Act shall be available to a non-
15 governmental organization, including any contractor,
16 which fails to provide upon timely request any document,
17 file, or record necessary to the auditing requirements of
18 the Department of State and the United States Agency
19 for International Development.

20 (b) RECORDS MANAGEMENT AND RELATED CYBER-
21 SECURITY PROTECTIONS.—The Secretary of State and
22 USAID Administrator shall—

23 (1) regularly review and update the policies, di-
24 rectives, and oversight necessary to comply with
25 Federal statutes, regulations, and presidential execu-

1 tive orders and memoranda concerning the preserva-
2 tion of all records made or received in the conduct
3 of official business, including record emails, instant
4 messaging, and other online tools;

5 (2) use funds appropriated by this Act under
6 the headings “Diplomatic Programs” and “Capital
7 Investment Fund” in title I, and “Operating Ex-
8 penses” and “Capital Investment Fund” in title II,
9 as appropriate, to improve Federal records manage-
10 ment pursuant to the Federal Records Act (44
11 U.S.C. Chapters 21, 29, 31, and 33) and other ap-
12 plicable Federal records management statutes, regu-
13 lations, or policies for the Department of State and
14 USAID;

15 (3) direct departing employees, including senior
16 officials, that all Federal records generated by such
17 employees belong to the Federal Government;

18 (4) substantially reduce, compared to the pre-
19 vious fiscal year, the response time for identifying
20 and retrieving Federal records, including requests
21 made pursuant to section 552 of title 5, United
22 States Code (commonly known as the “Freedom of
23 Information Act”);

24 (5) strengthen cybersecurity measures to miti-
25 gate vulnerabilities, including those resulting from

1 the use of personal email accounts or servers outside
2 the .gov domain, improve the process to identify and
3 remove inactive user accounts, update and enforce
4 guidance related to the control of national security
5 information, and implement the recommendations of
6 the applicable reports of the cognizant Office of In-
7 spector General; and

8 (6) not later than September 30, 2022, submit
9 a report to the Committees on Appropriations de-
10 scribing actions taken under paragraphs (4) and (5)
11 of this subsection.

12 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

13 SEC. 7017. If the President makes a determination
14 not to comply with any provision of this Act on constitu-
15 tional grounds, the head of the relevant Federal agency
16 shall notify the Committees on Appropriations in writing
17 within 5 days of such determination, the basis for such
18 determination and any resulting changes to program or
19 policy.

20 PROHIBITION ON FUNDING FOR ABORTIONS AND

21 INVOLUNTARY STERILIZATION

22 SEC. 7018. None of the funds made available to carry
23 out part I of the Foreign Assistance Act of 1961, as
24 amended, may be used to pay for the performance of abor-
25 tions as a method of family planning or to motivate or

1 coerce any person to practice abortions. None of the funds
2 made available to carry out part I of the Foreign Assist-
3 ance Act of 1961, as amended, may be used to pay for
4 the performance of involuntary sterilization as a method
5 of family planning or to coerce or provide any financial
6 incentive to any person to undergo sterilizations. None of
7 the funds made available to carry out part I of the Foreign
8 Assistance Act of 1961, as amended, may be used to pay
9 for any biomedical research which relates in whole or in
10 part, to methods of, or the performance of, abortions or
11 involuntary sterilization as a means of family planning.
12 None of the funds made available to carry out part I of
13 the Foreign Assistance Act of 1961, as amended, may be
14 obligated or expended for any country or organization if
15 the President certifies that the use of these funds by any
16 such country or organization would violate any of the
17 above provisions related to abortions and involuntary steri-
18 lizations.

19 ALLOCATIONS AND REPORTS

20 SEC. 7019. (a) ALLOCATION TABLES.—Subject to
21 subsection (b), funds appropriated by this Act under titles
22 III through V shall be made available in the amounts spe-
23 cifically designated in the respective tables included in the
24 explanatory statement accompanying this Act: *Provided*,
25 That such designated amounts for foreign countries and

1 international organizations shall serve as the amounts for
2 such countries and international organizations transmitted
3 to Congress in the report required by section 653(a) of
4 the Foreign Assistance Act of 1961, and shall be made
5 available for such foreign countries and international orga-
6 nizations notwithstanding the date of the transmission of
7 such report.

8 (b) AUTHORIZED DEVIATIONS.—Unless otherwise
9 provided for by this Act, the Secretary of State and the
10 Administrator of the United States Agency for Inter-
11 national Development, as applicable, may only deviate up
12 to 10 percent from the amounts specifically designated in
13 the respective tables included in the explanatory statement
14 accompanying this Act: *Provided*, That such percentage
15 may be exceeded only if the Secretary of State or USAID
16 Administrator, as applicable, determines and reports to
17 the Committees on Appropriations on a case-by-case basis
18 that such deviation is necessary to respond to significant,
19 exigent, or unforeseen events, or to address other excep-
20 tional circumstances directly related to the national inter-
21 est of the United States, including a description of such
22 events or circumstances: *Provided further*, That deviations
23 pursuant to the preceding proviso shall be subject to prior
24 consultation with, and the regular notification procedures
25 of, the Committees on Appropriations.

1 (c) LIMITATION.—For specifically designated
2 amounts that are included, pursuant to subsection (a), in
3 the report required by section 653(a) of the Foreign As-
4 sistance Act of 1961, deviations authorized by subsection
5 (b) may only take place after submission of such report.

6 (d) EXCEPTIONS.—Subsections (a) and (b) shall not
7 apply to—

8 (1) amounts designated for “International Mili-
9 tary Education and Training” in the table included
10 in the explanatory statement accompanying this Act;

11 (2) funds for which the initial period of avail-
12 ability has expired; and

13 (3) amounts designated by this Act as min-
14 imum funding requirements.

15 (e) REPORTS.—The Secretary of State, USAID Ad-
16 ministrator, and other designated officials, as appropriate,
17 shall submit the reports required, in the manner described,
18 in the explanatory statement accompanying this Act.

19 (f) CLARIFICATION.—Funds appropriated by this Act
20 under the headings “International Disaster Assistance”
21 and “Migration and Refugee Assistance” shall not be in-
22 cluded for purposes of meeting amounts designated for
23 countries in this Act or in the explanatory statement ac-
24 companying this Act, unless such headings are specifically
25 designated as the source of funds.

1 MULTI-YEAR PLEDGES

2 SEC. 7020. None of the funds appropriated or other-
3 wise made available by this Act may be used to make any
4 pledge for future year funding for any multilateral or bi-
5 lateral program funded in titles III through VI of this Act
6 unless such pledge was: (1) previously justified, including
7 the projected future year costs, in a congressional budget
8 justification; (2) included in an Act making appropriations
9 for the Department of State, foreign operations, and re-
10 lated programs or previously authorized by an Act of Con-
11 gress; (3) notified in accordance with the regular notifica-
12 tion procedures of the Committees on Appropriations, in-
13 cluding the projected future year costs; or (4) the subject
14 of prior consultation with the Committees on Appropria-
15 tions.

16 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

17 SUPPORTING INTERNATIONAL TERRORISM

18 SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-
19 PORTS.—

20 (1) PROHIBITION.—None of the funds appro-
21 priated or otherwise made available under titles III
22 through VI of this Act may be made available to any
23 foreign government which provides lethal military
24 equipment to a country the government of which the
25 Secretary of State has determined supports inter-

1 national terrorism for purposes of section 1754(c) of
2 the Export Reform Control Act of 2018 (50 U.S.C.
3 4813(c)): *Provided*, That the prohibition under this
4 section with respect to a foreign government shall
5 terminate 12 months after that government ceases
6 to provide such military equipment: *Provided further*,
7 That this section applies with respect to lethal mili-
8 tary equipment provided under a contract entered
9 into after October 1, 1997.

10 (2) DETERMINATION.—Assistance restricted by
11 paragraph (1) or any other similar provision of law,
12 may be furnished if the President determines that to
13 do so is important to the national interest of the
14 United States.

15 (3) REPORT.—Whenever the President makes a
16 determination pursuant to paragraph (2), the Presi-
17 dent shall submit to the Committees on Appropria-
18 tions a report with respect to the furnishing of such
19 assistance, including a detailed explanation of the
20 assistance to be provided, the estimated dollar
21 amount of such assistance, and an explanation of
22 how the assistance furthers the United States na-
23 tional interest.

24 (b) BILATERAL ASSISTANCE.—

1 (1) LIMITATIONS.—Funds appropriated for bi-
2 lateral assistance in titles III through VI of this Act
3 and funds appropriated under any such title in prior
4 Acts making appropriations for the Department of
5 State, foreign operations, and related programs,
6 shall not be made available to any foreign govern-
7 ment which the President determines—

8 (A) grants sanctuary from prosecution to
9 any individual or group which has committed
10 an act of international terrorism;

11 (B) otherwise supports international ter-
12 rorism; or

13 (C) is controlled by an organization des-
14 ignated as a terrorist organization under sec-
15 tion 219 of the Immigration and Nationality
16 Act (8 U.S.C. 1189).

17 (2) WAIVER.—The President may waive the ap-
18 plication of paragraph (1) to a government if the
19 President determines that national security or hu-
20 manitarian reasons justify such waiver: *Provided*,
21 That the President shall publish each such waiver in
22 the Federal Register and, at least 15 days before the
23 waiver takes effect, shall notify the Committees on
24 Appropriations of the waiver (including the justifica-
25 tion for the waiver) in accordance with the regular

1 notification procedures of the Committees on Appro-
2 priations.

3 AUTHORIZATION REQUIREMENTS

4 SEC. 7022. Funds appropriated by this Act, except
5 funds appropriated under the heading “Trade and Devel-
6 opment Agency”, may be obligated and expended notwith-
7 standing section 10 of Public Law 91–672 (22 U.S.C.
8 2412), section 15 of the State Department Basic Authori-
9 ties Act of 1956 (22 U.S.C. 2680), section 313 of the For-
10 eign Relations Authorization Act, Fiscal Years 1994 and
11 1995 (22 U.S.C. 6212), and section 504(a)(1) of the Na-
12 tional Security Act of 1947 (50 U.S.C. 3094(a)(1)).

13 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

14 SEC. 7023. For the purpose of titles II through VI
15 of this Act “program, project, and activity” shall be de-
16 fined at the appropriations Act account level and shall in-
17 clude all appropriations and authorizations Acts funding
18 directives, ceilings, and limitations with the exception that
19 for the “Economic Support Fund”, “Assistance for Eu-
20 rope, Eurasia and Central Asia”, and “Foreign Military
21 Financing Program” accounts, “program, project, and ac-
22 tivity” shall also be considered to include country, re-
23 gional, and central program level funding within each such
24 account, and for the development assistance accounts of
25 the United States Agency for International Development,

1 “program, project, and activity” shall also be considered
2 to include central, country, regional, and program level
3 funding, either as—

4 (1) justified to Congress; or

5 (2) allocated by the Executive Branch in ac-
6 cordance with the report required by section 653(a)
7 of the Foreign Assistance Act of 1961 or as modi-
8 fied pursuant to section 7019 of this Act.

9 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN
10 FOUNDATION, AND UNITED STATES AFRICAN DEVEL-
11 OPMENT FOUNDATION

12 SEC. 7024. Unless expressly provided to the contrary,
13 provisions of this or any other Act, including provisions
14 contained in prior Acts authorizing or making appropria-
15 tions for the Department of State, foreign operations, and
16 related programs, shall not be construed to prohibit activi-
17 ties authorized by or conducted under the Peace Corps
18 Act, the Inter-American Foundation Act, or the African
19 Development Foundation Act: *Provided*, That prior to con-
20 ducting activities in a country for which assistance is pro-
21 hibited, the agency shall consult with the Committees on
22 Appropriations and report to such Committees within 15
23 days of taking such action.

1 COMMERCE, TRADE AND SURPLUS COMMODITIES

2 SEC. 7025. (a) WORLD MARKETS.—None of the
3 funds appropriated or made available pursuant to titles
4 III through VI of this Act for direct assistance and none
5 of the funds otherwise made available to the Export-Im-
6 port Bank and the United States International Develop-
7 ment Finance Corporation shall be obligated or expended
8 to finance any loan, any assistance, or any other financial
9 commitments for establishing or expanding production of
10 any commodity for export by any country other than the
11 United States, if the commodity is likely to be in surplus
12 on world markets at the time the resulting productive ca-
13 pacity is expected to become operative and if the assist-
14 ance will cause substantial injury to United States pro-
15 ducers of the same, similar, or competing commodity: *Pro-*
16 *vided*, That such prohibition shall not apply to the Export-
17 Import Bank if in the judgment of its Board of Directors
18 the benefits to industry and employment in the United
19 States are likely to outweigh the injury to United States
20 producers of the same, similar, or competing commodity,
21 and the Chairman of the Board so notifies the Committees
22 on Appropriations: *Provided further*, That this subsection
23 shall not prohibit—

24 (1) activities in a country that is eligible for as-
25 sistance from the International Development Asso-

1 ciation, is not eligible for assistance from the Inter-
2 national Bank for Reconstruction and Development,
3 and does not export on a consistent basis the agri-
4 cultural commodity with respect to which assistance
5 is furnished; or

6 (2) activities in a country the President deter-
7 mines is recovering from widespread conflict, a hu-
8 manitarian crisis, or a complex emergency.

9 (b) EXPORTS.—None of the funds appropriated by
10 this or any other Act to carry out chapter 1 of part I
11 of the Foreign Assistance Act of 1961 shall be available
12 for any testing or breeding feasibility study, variety im-
13 provement or introduction, consultancy, publication, con-
14 ference, or training in connection with the growth or pro-
15 duction in a foreign country of an agricultural commodity
16 for export which would compete with a similar commodity
17 grown or produced in the United States: *Provided*, That
18 this subsection shall not prohibit—

19 (1) activities designed to increase food security
20 in developing countries where such activities will not
21 have a significant impact on the export of agricul-
22 tural commodities of the United States;

23 (2) research activities intended primarily to
24 benefit United States producers;

1 (3) activities in a country that is eligible for as-
2 sistance from the International Development Asso-
3 ciation, is not eligible for assistance from the Inter-
4 national Bank for Reconstruction and Development,
5 and does not export on a consistent basis the agri-
6 cultural commodity with respect to which assistance
7 is furnished; or

8 (4) activities in a country the President deter-
9 mines is recovering from widespread conflict, a hu-
10 manitarian crisis, or a complex emergency.

11 (c) INTERNATIONAL FINANCIAL INSTITUTIONS.—

12 The Secretary of the Treasury shall instruct the United
13 States executive director of each international financial in-
14 stitution to use the voice and vote of the United States
15 to oppose any assistance by such institution, using funds
16 appropriated or otherwise made available by this Act, for
17 the production or extraction of any commodity or mineral
18 for export, if it is in surplus on world markets and if the
19 assistance will cause substantial injury to United States
20 producers of the same, similar, or competing commodity.

21 SEPARATE ACCOUNTS

22 SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL
23 CURRENCIES.—

24 (1) AGREEMENTS.—If assistance is furnished to
25 the government of a foreign country under chapters

1 1 and 10 of part I or chapter 4 of part II of the
2 Foreign Assistance Act of 1961 under agreements
3 which result in the generation of local currencies of
4 that country, the Administrator of the United States
5 Agency for International Development shall—

6 (A) require that local currencies be depos-
7 ited in a separate account established by that
8 government;

9 (B) enter into an agreement with that gov-
10 ernment which sets forth—

11 (i) the amount of the local currencies
12 to be generated; and

13 (ii) the terms and conditions under
14 which the currencies so deposited may be
15 utilized, consistent with this section; and

16 (C) establish by agreement with that gov-
17 ernment the responsibilities of USAID and that
18 government to monitor and account for deposits
19 into and disbursements from the separate ac-
20 count.

21 (2) USES OF LOCAL CURRENCIES.—As may be
22 agreed upon with the foreign government, local cur-
23 rencies deposited in a separate account pursuant to
24 subsection (a), or an equivalent amount of local cur-
25 rencies, shall be used only—

1 (A) to carry out chapter 1 or 10 of part
2 I or chapter 4 of part II of the Foreign Assist-
3 ance Act of 1961 (as the case may be), for such
4 purposes as—

5 (i) project and sector assistance activi-
6 ties; or

7 (ii) debt and deficit financing; or

8 (B) for the administrative requirements of
9 the United States Government.

10 (3) PROGRAMMING ACCOUNTABILITY.—USAID
11 shall take all necessary steps to ensure that the
12 equivalent of the local currencies disbursed pursuant
13 to subsection (a)(2)(A) from the separate account
14 established pursuant to subsection (a)(1) are used
15 for the purposes agreed upon pursuant to subsection
16 (a)(2).

17 (4) TERMINATION OF ASSISTANCE PRO-
18 GRAMS.—Upon termination of assistance to a coun-
19 try under chapter 1 or 10 of part I or chapter 4 of
20 part II of the Foreign Assistance Act of 1961 (as
21 the case may be), any unencumbered balances of
22 funds which remain in a separate account estab-
23 lished pursuant to subsection (a) shall be disposed of
24 for such purposes as may be agreed to by the gov-

1 ernment of that country and the United States Gov-
2 ernment.

3 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

4 (1) IN GENERAL.—If assistance is made avail-
5 able to the government of a foreign country, under
6 chapter 1 or 10 of part I or chapter 4 of part II of
7 the Foreign Assistance Act of 1961, as cash transfer
8 assistance or as nonproject sector assistance, that
9 country shall be required to maintain such funds in
10 a separate account and not commingle with any
11 other funds.

12 (2) APPLICABILITY OF OTHER PROVISIONS OF
13 LAW.—Such funds may be obligated and expended
14 notwithstanding provisions of law which are incon-
15 sistent with the nature of this assistance, including
16 provisions which are referenced in the Joint Explan-
17 atory Statement of the Committee of Conference ac-
18 companying House Joint Resolution 648 (House Re-
19 port No. 98–1159).

20 (3) NOTIFICATION.—At least 15 days prior to
21 obligating any such cash transfer or nonproject sec-
22 tor assistance, the President shall submit a notifica-
23 tion through the regular notification procedures of
24 the Committees on Appropriations, which shall in-
25 clude a detailed description of how the funds pro-

1 posed to be made available will be used, with a dis-
2 cussion of the United States interests that will be
3 served by such assistance (including, as appropriate,
4 a description of the economic policy reforms that will
5 be promoted by such assistance).

6 (4) EXEMPTION.—Nonproject sector assistance
7 funds may be exempt from the requirements of para-
8 graph (1) only through the regular notification pro-
9 cedures of the Committees on Appropriations.

10 ELIGIBILITY FOR ASSISTANCE

11 SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERN-
12 MENTAL ORGANIZATIONS.—Restrictions contained in this
13 or any other Act with respect to assistance for a country
14 shall not be construed to restrict assistance in support of
15 programs of nongovernmental organizations from funds
16 appropriated by this Act to carry out the provisions of
17 chapters 1, 10, 11, and 12 of part I and chapter 4 of
18 part II of the Foreign Assistance Act of 1961 and from
19 funds appropriated under the heading “Assistance for Eu-
20 rope, Eurasia and Central Asia”: *Provided*, That before
21 using the authority of this subsection to furnish assistance
22 in support of programs of nongovernmental organizations,
23 the President shall notify the Committees on Appropria-
24 tions pursuant to the regular notification procedures, in-
25 cluding a description of the program to be assisted, the

1 assistance to be provided, and the reasons for furnishing
2 such assistance: *Provided further*, That nothing in this
3 subsection shall be construed to alter any existing statu-
4 tory prohibitions against abortion or involuntary steriliza-
5 tions contained in this or any other Act.

6 (b) PUBLIC LAW 480.—During fiscal year 2022, re-
7 strictions contained in this or any other Act with respect
8 to assistance for a country shall not be construed to re-
9 strict assistance under the Food for Peace Act (Public
10 Law 83–480; 7 U.S.C. 1721 et seq.): *Provided*, That none
11 of the funds appropriated to carry out title I of such Act
12 and made available pursuant to this subsection may be
13 obligated or expended except as provided through the reg-
14 ular notification procedures of the Committees on Appro-
15 priations.

16 (c) EXCEPTION.—This section shall not apply—

17 (1) with respect to section 620A of the Foreign
18 Assistance Act of 1961 or any comparable provision
19 of law prohibiting assistance to countries that sup-
20 port international terrorism; or

21 (2) with respect to section 116 of the Foreign
22 Assistance Act of 1961 or any comparable provision
23 of law prohibiting assistance to the government of a
24 country that violates internationally recognized
25 human rights.

DISABILITY PROGRAMS

1
2 SEC. 7028. (a) ASSISTANCE.—Of the funds appro-
3 priated by this Act under the heading “Development As-
4 sistance”, not less than \$20,000,000 shall be made avail-
5 able for programs and activities administered by the
6 United States Agency for International Development to
7 implement a multi-year strategy to address the needs and
8 protect and promote the rights of people with disabilities
9 in developing countries, including initiatives that focus on
10 independent living, economic self-sufficiency, advocacy,
11 education, employment, transportation, sports, political
12 and electoral participation, and integration of individuals
13 with disabilities, including for the cost of translation: *Pro-*
14 *vided*, That of such funds, not less than \$5,000,000 shall
15 be made available to support disability rights advocaey or-
16 ganizations in developing countries: *Provided further*, That
17 the USAID Administrator shall consult with the Commit-
18 tees on Appropriations on a multi-year strategy prior to
19 the initial obligation of funds.

20 (b) MANAGEMENT, OVERSIGHT, AND TECHNICAL
21 SUPPORT.—Of the funds made available pursuant to this
22 section, 5 percent may be used by USAID for manage-
23 ment, oversight, and technical support.

1 INTERNATIONAL FINANCIAL INSTITUTIONS

2 SEC. 7029. (a) EVALUATIONS AND REPORT.—The
3 Secretary of the Treasury shall instruct the United States
4 executive director of each international financial institu-
5 tion to use the voice of the United States to encourage
6 such institution to adopt and implement a publicly avail-
7 able policy, including the strategic use of peer reviews and
8 external experts, to conduct independent, in-depth evalua-
9 tions of the effectiveness of at least 35 percent of all loans,
10 grants, programs, and significant analytical non-lending
11 activities in advancing the institution’s goals of reducing
12 poverty and promoting equitable economic growth, con-
13 sistent with relevant safeguards, to ensure that decisions
14 to support such loans, grants, programs, and activities are
15 based on accurate data and objective analysis: *Provided*,
16 That not later than 45 days after enactment of this Act,
17 the Secretary shall submit a report to the Committees on
18 Appropriations on steps taken in fiscal year 2021 by the
19 United States executive directors and the international fi-
20 nancial institutions consistent with this subsection com-
21 pared to the previous fiscal year.

22 (b) SAFEGUARDS.—

23 (1) STANDARD.—The Secretary of the Treasury
24 shall instruct the United States Executive Director
25 of the International Bank for Reconstruction and

1 Development and the International Development As-
2 sociation to use the voice and vote of the United
3 States to oppose any loan, grant, policy, or strategy
4 if such institution has adopted and is implementing
5 any social or environmental safeguard relevant to
6 such loan, grant, policy, or strategy that provides
7 less protection than World Bank safeguards in effect
8 on September 30, 2015.

9 (2) ACCOUNTABILITY, STANDARDS, AND BEST
10 PRACTICES.—The Secretary of the Treasury shall in-
11 struct the United States executive director of each
12 international financial institution to use the voice
13 and vote of the United States to oppose loans or
14 other financing for projects unless such projects—

15 (A) provide for accountability and trans-
16 parency, including the collection, verification,
17 and publication of beneficial ownership informa-
18 tion related to extractive industries and on-site
19 monitoring during the life of the project;

20 (B) will be developed and carried out in ac-
21 cordance with best practices regarding environ-
22 mental conservation, cultural protection, and
23 empowerment of local populations, including
24 free, prior and informed consent of affected In-
25 digenous communities;

1 (C) do not provide incentives for, or facili-
2 tate, forced displacement or other violations of
3 human rights; and

4 (D) do not partner with or otherwise in-
5 volve enterprises owned or controlled by the
6 armed forces.

7 (c) COMPENSATION.—None of the funds appro-
8 priated under title V of this Act may be made as payment
9 to any international financial institution while the United
10 States executive director to such institution is com-
11 pensated by the institution at a rate which, together with
12 whatever compensation such executive director receives
13 from the United States, is in excess of the rate provided
14 for an individual occupying a position at level IV of the
15 Executive Schedule under section 5315 of title 5, United
16 States Code, or while any alternate United States execu-
17 tive director to such institution is compensated by the in-
18 stitution at a rate in excess of the rate provided for an
19 individual occupying a position at level V of the Executive
20 Schedule under section 5316 of title 5, United States
21 Code.

22 (d) GOVERNANCE.—The Secretary of the Treasury
23 shall instruct the United States executive director of each
24 international financial institution to use the voice and vote
25 of the United States to—

1 (1) oppose loans, grants, credits, guarantees,
2 and other financing, except to address basic human
3 needs, to a country if the Secretary has credible in-
4 formation that the government of such country is
5 not making consistent progress in reducing corrup-
6 tion including—

7 (A) bringing to justice public officials who
8 have engaged in significant acts of corruption;

9 (B) supporting judicial independence, in-
10 cluding the transparent selection of judges; and

11 (C) protecting the ability of civil society or-
12 ganizations to advocate for anti-corruption laws
13 and policies without interference.

14 (2) include in loan, grant, credit, guarantee,
15 and other financing agreements benchmarks for im-
16 provements in borrowing countries' financial man-
17 agement and judicial capacity to investigate, pros-
18 ecute, and punish fraud and corruption; and

19 (3) promote human rights due diligence and
20 risk management, as appropriate, in connection with
21 any loan, grant, policy, or strategy of such institu-
22 tion as specified under this subsection in the explan-
23 atory statement accompanying this Act: *Provided*,
24 That prior to voting on any such loan, grant, policy,
25 or strategy the executive director shall consult with

1 the Assistant Secretary for Democracy, Human
2 Rights, and Labor, Department of State, if the execu-
3 tive director has reason to believe that such loan,
4 grant, policy, or strategy could result in forced dis-
5 placement or other violation of human rights.

6 (e) BENEFICIAL OWNERSHIP INFORMATION.—The
7 Secretary of the Treasury shall instruct the United States
8 executive director of each international financial institu-
9 tion to use the voice of the United States to encourage
10 such institution to collect, verify, and publish, to the max-
11 imum extent practicable, beneficial ownership information
12 (excluding proprietary information) for any corporation or
13 limited liability company, other than a publicly listed com-
14 pany, that receives funds from any such financial institu-
15 tion: *Provided*, That not later than 45 days after enact-
16 ment of this Act, the Secretary shall submit a report to
17 the Committees on Appropriations on steps taken in fiscal
18 year 2021 by the United States executive directors and
19 the international financial institutions consistent with this
20 subsection compared to the previous fiscal year.

21 (f) WHISTLEBLOWER PROTECTIONS.—The Secretary
22 of the Treasury shall instruct the United States executive
23 director of each international financial institution to use
24 the voice of the United States to encourage each such in-
25 stitution to effectively implement and enforce policies and

1 procedures which meet or exceed best practices in the
2 United States for the protection of whistleblowers from
3 retaliation, including—

4 (1) protection against retaliation for internal
5 and lawful public disclosure;

6 (2) legal burdens of proof;

7 (3) statutes of limitation for reporting retalia-
8 tion;

9 (4) access to binding independent adjudicative
10 bodies, including shared cost and selection external
11 arbitration; and

12 (5) results that eliminate the effects of proven
13 retaliation, including provision for the restoration of
14 prior employment.

15 (g) GRIEVANCE MECHANISMS AND PROCEDURES.—

16 The Secretary of the Treasury or the Secretary of State,
17 as appropriate, shall instruct the United States executive
18 director of, or representative to, each international finan-
19 cial institution, each United Nations agency, and the Or-
20 ganization of American States to use the voice and vote
21 of the United States to support the establishment or en-
22 hancement of independent investigative and adjudicative
23 mechanisms and procedures which meet or exceed best
24 practices in the United States, to provide due process and
25 fair compensation, including the right to reinstatement,

1 for employees who are subjected to harassment, discrimi-
2 nation, retaliation, false allegations, or other misconduct.

3 (h) CAPITAL INCREASES.—None of the funds appro-
4 priated by this Act or prior Acts making appropriations
5 for the Department of State, foreign operations, and re-
6 lated programs should be made available to support a cap-
7 ital increase for an international financial institution until
8 the President submits a budget request for such increase
9 to the Congress and certifies and reports to the Commit-
10 tees on Appropriations that—

11 (1) the institution has completed a thorough
12 analysis of the development challenges facing the rel-
13 evant geographical region, the role of the institution
14 in addressing such challenges and its role relative to
15 other financing partners, and the steps to be taken
16 to enhance the efficiency and effectiveness of the in-
17 stitution;

18 (2) governors of such institution representing
19 countries holding a majority of shares of such insti-
20 tution have voted to support the capital increase;
21 and

22 (3) in order for a country to be eligible to re-
23 ceive a loan, grant, credit, guarantee, or other fi-
24 nancing resulting from the capital increase, the gov-

1 ernment of the country is making consistent
2 progress in reducing corruption including—

3 (A) bringing to justice public officials who
4 have engaged in significant acts of corruption;

5 (B) supporting judicial independence, in-
6 cluding the transparent selection of judges; and

7 (C) protecting the ability of civil society or-
8 ganizations to advocate for anti-corruption laws
9 and policies without interference.

10 INSECURE COMMUNICATIONS NETWORKS

11 SEC. 7030. Funds appropriated by this Act shall be
12 made available for programs, including through the Dig-
13 ital Connectivity and Cybersecurity Partnership, to—

14 (1) advance the adoption of secure, next-genera-
15 tion communications networks and services, includ-
16 ing 5G, and cybersecurity policies, in countries re-
17 ceiving assistance under this Act and prior Acts
18 making appropriations for the Department of State,
19 foreign operations, and related programs;

20 (2) counter the establishment of insecure com-
21 munications networks and services, including 5G,
22 promoted by the People's Republic of China and
23 other state-backed enterprises that are subject to
24 undue or extrajudicial control by their country of or-
25 igin; and

1 (3) provide policy and technical training on de-
2 ploying open, interoperable, reliable, and secure net-
3 works to information communication technology pro-
4 fessionals in countries receiving assistance under
5 this Act, as appropriate:

6 *Provided*, That such funds may be used to support the
7 participation of foreign military officials in programs de-
8 signed to strengthen civilian cybersecurity capacity, fol-
9 lowing consultation with the Committees on Appropria-
10 tions.

11 FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

12 SEC. 7031. (a) LIMITATION ON DIRECT GOVERN-
13 MENT-TO-GOVERNMENT ASSISTANCE.—

14 (1) REQUIREMENTS.—Funds appropriated by
15 this Act may be made available for direct govern-
16 ment-to-government assistance only if the require-
17 ments included in section 7031(a)(1)(A) through (E)
18 of the Department of State, Foreign Operations, and
19 Related Programs Appropriations Act, 2019 (divi-
20 sion F of Public Law 116–6) are met.

21 (2) CONSULTATION AND NOTIFICATION.—In
22 addition to the requirements in paragraph (1), funds
23 may only be made available for direct government-
24 to-government assistance subject to prior consulta-
25 tion with, and the regular notification procedures of,

1 the Committees on Appropriations: *Provided*, That
2 such notification shall contain an explanation of how
3 the proposed activity meets the requirements of
4 paragraph (1): *Provided further*, That the require-
5 ments of this paragraph shall only apply to direct
6 government-to-government assistance in excess of
7 \$10,000,000 and all funds available for cash trans-
8 fer, budget support, and cash payments to individ-
9 uals.

10 (3) SUSPENSION OF ASSISTANCE.—The Admin-
11 istrator of the United States Agency for Inter-
12 national Development or the Secretary of State, as
13 appropriate, shall suspend any direct government-to-
14 government assistance if the Administrator or the
15 Secretary has credible information of material mis-
16 use of such assistance, unless the Administrator or
17 the Secretary reports to the Committees on Appro-
18 priations that it is in the national interest of the
19 United States to continue such assistance, including
20 a justification, or that such misuse has been appro-
21 priately addressed.

22 (4) SUBMISSION OF INFORMATION.—The Sec-
23 retary of State shall submit to the Committees on
24 Appropriations, concurrent with the fiscal year 2023
25 congressional budget justification materials, amounts

1 planned for assistance described in paragraph (1) by
2 country, proposed funding amount, source of funds,
3 and type of assistance.

4 (5) DEBT SERVICE PAYMENT PROHIBITION.—
5 None of the funds made available by this Act may
6 be used by the government of any foreign country
7 for debt service payments owed by any country to
8 any international financial institution.

9 (b) NATIONAL BUDGET AND CONTRACT TRANS-
10 PARENCY.—

11 (1) REPORT RENAMED.—The Fiscal Trans-
12 parency Report required by section 7031(b)(3) of
13 the Department of State, Foreign Operations, and
14 Related Programs Appropriations Act, 2014 (divi-
15 sion K of Public Law 113–76) shall hereafter be re-
16 ferred to as the “Fiscal Transparency and Anti-Cor-
17 ruption Report”.

18 (2) MINIMUM REQUIREMENTS OF FISCAL
19 TRANSPARENCY AND REDUCING CORRUPTION.—The
20 Secretary of State shall update and strengthen the
21 “minimum requirements of fiscal transparency” for
22 each government receiving assistance appropriated
23 by this Act, as identified in the report required by
24 section 7031(b) of the Department of State, Foreign
25 Operations, and Related Programs Appropriations

1 Act, 2014 (division K of Public Law 113–76), and
2 establish, for purposes of the report renamed under
3 paragraph (1), minimum requirements for reducing
4 corruption, including bringing to justice public offi-
5 cials who have engaged in significant acts of corrup-
6 tion.

7 (3) DETERMINATION AND REPORT.—For each
8 government identified pursuant to paragraph (2),
9 the Secretary of State, not later than 180 days after
10 enactment of this Act, shall make or update any de-
11 termination of “significant progress” or “no signifi-
12 cant progress” in meeting the minimum require-
13 ments of fiscal transparency and reducing corrup-
14 tion, and make such determinations publicly avail-
15 able in an annual “Fiscal Transparency and Anti-
16 Corruption Report” to be posted on the Department
17 of State website: *Provided*, That such report shall
18 include the elements specified under this section in
19 the explanatory statement accompanying this Act.

20 (4) ASSISTANCE.—Funds appropriated by this
21 Act under the heading “Economic Support Fund”
22 shall be made available for programs and activities
23 to assist governments identified in the report ref-
24 erenced in paragraph (1) in improving budget trans-
25 parency, including not less than \$10,000,000 to sup-

1 port civil society organizations in such countries that
2 advocate for laws and policies to improve budget
3 transparency and reduce corruption.

4 (c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—

5 (1) INELIGIBILITY.—

6 (A) Current and former government offi-
7 cials, or persons acting for or on behalf of such
8 an official, and their immediate family mem-
9 bers, about whom the Secretary of State has
10 credible information are responsible for or
11 knowingly complicit in, directly or indirectly,
12 significant acts of corruption, including corrup-
13 tion related to the extraction of natural re-
14 sources, or a serious violation of human rights,
15 including the unjust or wrongful detention of
16 members of political parties, journalists, civil
17 society leaders, locally employed staff of a
18 United States diplomatic mission, or a United
19 States citizen or national, shall be ineligible for
20 entry into the United States.

21 (B) Concurrent with the application of
22 subparagraph (A), the Secretary should, as ap-
23 propriate, request the Secretary of the Treas-
24 ury, through the Office of Foreign Assets Con-
25 trol, to apply sanctions authorities in accord-

1 ance with United States law to block the trans-
2 fer of property and interests in property, and
3 all financial transactions, in the United States
4 involving any person described in subparagraph
5 (A).

6 (C) The Secretary shall also publicly or
7 privately designate or identify the officials of
8 foreign governments and their immediate family
9 members about whom the Secretary has such
10 credible information without regard to whether
11 the individual has applied for a visa.

12 (2) EXCEPTION.—Individuals shall not be ineli-
13 gible for entry into the United States pursuant to
14 paragraph (1) if such entry would further important
15 United States law enforcement objectives or is nec-
16 essary to permit the United States to fulfill its obli-
17 gations under the United Nations Headquarters
18 Agreement: *Provided*, That nothing in paragraph (1)
19 shall be construed to derogate from United States
20 Government obligations under applicable inter-
21 national agreements.

22 (3) WAIVER.—The Secretary may waive the ap-
23 plication of paragraph (1) if the Secretary deter-
24 mines that the waiver would serve a compelling na-
25 tional interest or that the circumstances which

1 caused the individual to be ineligible have changed
2 sufficiently.

3 (4) REPORT.—Not later than 30 days after en-
4 actment of this Act, and every 90 days thereafter
5 until September 30, 2022, the Secretary of State
6 shall submit a report, including a classified annex if
7 necessary, to the appropriate congressional commit-
8 tees and the Committees on the Judiciary describing
9 the information related to corruption or violation of
10 human rights concerning each of the individuals
11 found ineligible in the previous 12 months pursuant
12 to paragraph (1)(A) as well as the individuals who
13 the Secretary designated or identified pursuant to
14 paragraph (1)(B), or who would be ineligible but for
15 the application of paragraph (2), a list of any waiv-
16 ers provided under paragraph (3), and the justifica-
17 tion for each waiver.

18 (5) POSTING OF REPORT.—Any unclassified
19 portion of the report required under paragraph (4)
20 shall be posted on the Department of State website.

21 (6) CLARIFICATION.—For purposes of para-
22 graphs (1), (4), and (5), the records of the Depart-
23 ment of State and of diplomatic and consular offices
24 of the United States pertaining to the issuance or

1 refusal of visas or permits to enter the United
2 States shall not be considered confidential.

3 (d) EXTRACTION OF NATURAL RESOURCES.—

4 (1) ASSISTANCE.—Funds appropriated by this
5 Act shall be made available to promote and support
6 transparency and accountability of expenditures and
7 revenues related to the extraction of natural re-
8 sources, including by strengthening implementation
9 and monitoring of the Extractive Industries Trans-
10 parency Initiative, implementing and enforcing sec-
11 tion 8204 of the Food, Conservation, and Energy
12 Act of 2008 (Public Law 110–246; 122 Stat. 2052)
13 and the amendments made by such section, and to
14 prevent the sale of conflict diamonds and other con-
15 flict minerals, and for technical assistance to pro-
16 mote independent audit mechanisms and support
17 civil society participation in natural resource man-
18 agement.

19 (2) PUBLIC DISCLOSURE AND INDEPENDENT
20 AUDITS.—(A) The Secretary of the Treasury shall
21 instruct the executive director of each international
22 financial institution to use the voice and vote of the
23 United States to oppose any assistance by such in-
24 stitutions (including any loan, credit, grant, or guar-
25 antee) to any country for the extraction and export

1 of a natural resource if the government of such
2 country has in place laws, regulations, or procedures
3 to prevent or limit the public disclosure of company
4 payments as required by United States law, and un-
5 less such government has adopted laws, regulations,
6 or procedures in the sector in which assistance is
7 being considered that: (1) accurately account for and
8 publicly disclose payments to the government by
9 companies involved in the extraction and export of
10 natural resources; (2) include independent auditing
11 of accounts receiving such payments and the public
12 disclosure of such audits; and (3) require public dis-
13 closure of agreement and bidding documents.

14 (B) The requirements of subparagraph (A)
15 shall not apply to assistance for the purpose of
16 building the capacity of such government to meet
17 the requirements of such subparagraph.

18 (e) FOREIGN ASSISTANCE WEBSITE.—Funds appro-
19 priated by this Act under titles I and II, and funds made
20 available for any independent agency in title III, as appro-
21 priate, shall be made available to support the provision
22 of additional information on United States Government
23 foreign assistance on the “ForeignAssistance.gov”
24 website: *Provided*, That all Federal agencies funded under
25 this Act shall provide such information on foreign assist-

1 ance, upon request and in a timely manner, to the Depart-
2 ment of State and USAID.

3 DEMOCRACY PROGRAMS

4 SEC. 7032. (a) FUNDING.—

5 (1) IN GENERAL.—Of the funds appropriated
6 by this Act under the headings “Development As-
7 sistance”, “Economic Support Fund”, “Democracy
8 Fund”, “Assistance for Europe, Eurasia and Cen-
9 tral Asia”, and “International Narcotics Control and
10 Law Enforcement”, not less than \$2,600,000,000
11 should be made available for democracy programs.

12 (2) PROGRAMS.—Of the funds made available
13 for democracy programs under the headings “Eco-
14 nomic Support Fund” and “Assistance for Europe,
15 Eurasia and Central Asia” pursuant to paragraph
16 (1), not less than \$102,040,000 shall be made avail-
17 able to the Bureau of Democracy, Human Rights,
18 and Labor, Department of State.

19 (b) AUTHORITIES.—

20 (1) AVAILABILITY.—Funds made available by
21 this Act for democracy programs pursuant to sub-
22 section (a) and under the heading “National Endow-
23 ment for Democracy” may be made available not-
24 withstanding any other provision of law, and with

1 regard to the National Endowment for Democracy
2 (NED), any regulation.

3 (2) BENEFICIARIES.—Funds made available by
4 this Act for the NED are made available pursuant
5 to the authority of the National Endowment for De-
6 mocracy Act (title V of Public Law 98–164), includ-
7 ing all decisions regarding the selection of bene-
8 ficiaries.

9 (c) DEFINITION OF DEMOCRACY PROGRAMS.—For
10 purposes of funds appropriated by this Act, the term “de-
11 mocracy programs” means programs that support good
12 governance, credible and competitive elections, freedom of
13 expression, association, assembly, and religion, human
14 rights, labor rights, independent media, and the rule of
15 law, and that otherwise strengthen the capacity of demo-
16 cratic political parties, governments, nongovernmental or-
17 ganizations and institutions, and citizens to support the
18 development of democratic states and institutions that are
19 responsive and accountable to citizens.

20 (d) RESTRICTION ON PRIOR APPROVAL AND DISCLO-
21 SURE OF NAMES.—With respect to the provision of assist-
22 ance for democracy programs in this Act, the organiza-
23 tions implementing such assistance, the specific nature of
24 that assistance, and the participants in such programs
25 shall not be subject to the prior approval by the govern-

1 ment of any foreign country: *Provided*, That notwith-
2 standing the requirements of any bilateral agreement be-
3 tween the United States and a foreign country, the names
4 of implementing partners of such programs shall also not
5 be disclosed to any foreign government the Secretary of
6 State determines is undemocratic or has engaged in or
7 condoned harassment, threats, or attacks against such or-
8 ganizations: *Provided further*, That the Secretary of State,
9 in coordination with the Administrator of the United
10 States Agency for International Development, shall report
11 to the Committees on Appropriations, not later than 120
12 days after enactment of this Act, on steps taken by the
13 Department of State and USAID to comply with the re-
14 quirements of this subsection.

15 (e) DIGITAL SECURITY AND COUNTERING
16 DISINFORMATION.—(1) Democracy programs supported
17 with funds appropriated by this Act under subsection
18 (a)(1) should include, as appropriate—

19 (A) a component on digital security to enhance
20 the safety of implementers and beneficiaries;

21 (B) assistance for civil society organizations to
22 counter government surveillance, censorship, and re-
23 pression by digital means;

1 (C) efforts to combat weaponized technology,
2 including the misuse of social media to spread
3 disinformation or incite hate; and

4 (D) measures to prevent the digital manipula-
5 tion of elections, electoral data, and critical infra-
6 structure.

7 (2) Such programs should incorporate activities,
8 as appropriate, to counter disinformation propagated
9 by malign actors, including the People’s Republic of
10 China and the Russian Federation.

11 (f) INFORMING THE NATIONAL ENDOWMENT FOR
12 DEMOCRACY.—The Assistant Secretary for Democracy,
13 Human Rights, and Labor, Department of State, and the
14 Assistant Administrator for Democracy, Conflict, and Hu-
15 manitarian Assistance, USAID, shall regularly inform the
16 NED of democracy programs that are planned and sup-
17 ported with funds made available by this Act and prior
18 Acts making appropriations for the Department of State,
19 foreign operations, and related programs.

20 (g) PROTECTION OF CIVIL SOCIETY ACTIVISTS AND
21 JOURNALISTS, INDEPENDENCE OF THE MEDIA, AND
22 FREEDOM OF EXPRESSION.—

23 (1) OPERATIONS.—Funds appropriated by this
24 Act under the heading “Diplomatic Programs” shall
25 be made available for the Bureau of Democracy,

1 Human Rights, and Labor, Department of State,
2 and funds appropriated under the heading “Oper-
3 ating Expenses” shall be made available for the Bu-
4 reau for Development, Democracy, and Innovation,
5 USAID, for the costs of administering programs to
6 protect civil society activists and journalists, inde-
7 pendence of the media, and freedom of expression.

8 (2) ASSISTANCE.—Of the funds appropriated by
9 this Act under the headings “Development Assist-
10 ance”, “Democracy Fund”, “Economic Support
11 Fund”, and “Assistance for Europe, Eurasia and
12 Central Asia”, not less than \$55,000,000 shall be
13 made available to support and protect civil society
14 activists and journalists who have been threatened,
15 harassed, or attacked, including journalists affiliated
16 with the United States Agency for Global Media,
17 and to promote and defend independence of the
18 media and freedom of expression, consistent with the
19 “Update of the Action Plan for Protection of Civil
20 Society Activists and Journalists” (March 2021) re-
21 quired under section 7032(h) of the Department of
22 State, Foreign Operations, and Related Programs
23 Appropriations Act, 2021 (division K of Public Law
24 116–260): *Provided*, That such funds shall be sub-

1 ject to prior consultation with the Committees on
2 Appropriations.

3 INTERNATIONAL RELIGIOUS FREEDOM

4 SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREE-
5 DOM OFFICE.—Funds appropriated by this Act under the
6 heading “Diplomatic Programs” shall be made available
7 for the Office of International Religious Freedom, Depart-
8 ment of State.

9 (b) ASSISTANCE.—Funds appropriated by this Act
10 under the headings “Economic Support Fund”, “Democ-
11 racy Fund”, and “International Broadcasting Operations”
12 shall be made available for international religious freedom
13 programs: *Provided*, That funds made available by this
14 Act under the headings “Economic Support Fund” and
15 “Democracy Fund” pursuant to this section shall be the
16 responsibility of the Ambassador-at-Large for Inter-
17 national Religious Freedom, in consultation with other rel-
18 evant United States Government officials, and shall be
19 subject to prior consultation with the Committees on Ap-
20 propriations.

21 (c) AUTHORITY.—Funds appropriated by this Act
22 and prior Acts making appropriations for the Department
23 of State, foreign operations, and related programs under
24 the heading “Economic Support Fund” may be made
25 available notwithstanding any other provision of law for

1 assistance for ethnic and religious minorities, including in
2 Iraq, Sri Lanka, and Syria.

3 (d) DESIGNATION OF NON-STATE ACTORS.—Section
4 7033(e) of the Department of State, Foreign Operations,
5 and Related Programs Appropriations Act, 2017 (division
6 J of Public Law 115–31) shall continue in effect during
7 fiscal year 2022.

8 SPECIAL PROVISIONS

9 SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHIL-
10 DREN, AND DISPLACED BURMESE.—Funds appropriated
11 in title III of this Act that are made available for victims
12 of war, displaced children, displaced Burmese, and to com-
13 bat trafficking in persons and assist victims of such traf-
14 ficking, may be made available notwithstanding any other
15 provision of law.

16 (b) FORENSIC ASSISTANCE.—

17 (1) Of the funds appropriated by this Act under
18 the heading “Economic Support Fund”, not less
19 than \$20,000,000 shall be made available for foren-
20 sic anthropology assistance related to the exhuma-
21 tion and identification of victims of war crimes,
22 crimes against humanity, and genocide, which shall
23 be administered by the Assistant Secretary for De-
24 mocracy, Human Rights, and Labor, Department of
25 State: *Provided*, That such funds shall be in addition

1 to funds made available by this Act and prior Acts
2 making appropriations for the Department of State,
3 foreign operations, and related programs for assist-
4 ance for countries.

5 (2) Funds appropriated by this Act under the
6 heading “International Narcotics Control and Law
7 Enforcement” may be made available for DNA fo-
8 rensic technology programs to combat human traf-
9 ficking, including in Central America and Mexico.

10 (c) ATROCITIES PREVENTION.—Of the funds appro-
11 priated by this Act under the headings “Economic Sup-
12 port Fund” and “International Narcotics Control and
13 Law Enforcement”, not less than \$5,000,000 shall be
14 made available for programs to prevent atrocities, includ-
15 ing to implement recommendations of the Atrocities Pre-
16 vention Board: *Provided*, That funds made available pur-
17 suant to this subsection are in addition to amounts other-
18 wise made available for such purposes: *Provided further*,
19 That such funds shall be subject to the regular notification
20 procedures of the Committees on Appropriations.

21 (d) WORLD FOOD PROGRAMME.—Funds managed by
22 the Bureau for Humanitarian Assistance, United States
23 Agency for International Development, from this or any
24 other Act, may be made available as a general contribution

1 to the World Food Programme, notwithstanding any other
2 provision of law.

3 (e) DIRECTIVES AND AUTHORITIES.—

4 (1) RESEARCH AND TRAINING.—Funds appro-
5 priated by this Act under the heading “Assistance
6 for Europe, Eurasia and Central Asia” should be
7 made available to carry out the Program for Re-
8 search and Training on Eastern Europe and the
9 Independent States of the Former Soviet Union as
10 authorized by the Soviet-Eastern European Research
11 and Training Act of 1983 (22 U.S.C. 4501 et seq.).

12 (2) GENOCIDE VICTIMS MEMORIAL SITES.—
13 Funds appropriated by this Act and prior Acts mak-
14 ing appropriations for the Department of State, for-
15 eign operations, and related programs under the
16 headings “Economic Support Fund” and “Assist-
17 ance for Europe, Eurasia and Central Asia” may be
18 made available as contributions to establish and
19 maintain memorial sites of genocide, subject to the
20 regular notification procedures of the Committees on
21 Appropriations.

22 (3) PRIVATE SECTOR PARTNERSHIPS.—Of the
23 funds appropriated by this Act under the headings
24 “Development Assistance” and “Economic Support
25 Fund” that are made available for private sector

1 partnerships, including partnerships with philan-
2 thropic foundations, up to \$50,000,000 may remain
3 available until September 30, 2024: *Provided*, That
4 funds made available pursuant to this paragraph
5 may only be made available following prior consulta-
6 tion with, and the regular notification procedures of,
7 the Committees on Appropriations.

8 (4) ADDITIONAL AUTHORITIES.—Of the
9 amounts made available by title I of this Act under
10 the heading “Diplomatic Programs”, up to \$500,000
11 may be made available for grants pursuant to sec-
12 tion 504 of the Foreign Relations Authorization Act,
13 Fiscal Year 1979 (22 U.S.C. 2656d), including to
14 facilitate collaboration with Indigenous communities.

15 (5) INNOVATION.—The USAID Administrator
16 may use funds appropriated by this Act under title
17 III to make innovation incentive awards in accord-
18 ance with the terms and conditions of section
19 7034(e)(4) of the Department of State, Foreign Op-
20 erations, and Related Programs Appropriations Act,
21 2019 (division F of Public Law 116–6): *Provided*,
22 That each individual award may not exceed
23 \$100,000: *Provided further*, That no more than 15
24 such awards may be made during fiscal year 2022.

1 (6) DEVELOPMENT INNOVATION VENTURES.—
2 Funds appropriated by this Act under the heading
3 “Development Assistance” and made available for
4 the Development Innovation Ventures program may
5 be made available for the purposes of chapter I of
6 part I of the Foreign Assistance Act of 1961.

7 (7) EXCHANGE VISITOR PROGRAM.—None of
8 the funds made available by this Act may be used
9 to modify the Exchange Visitor Program adminis-
10 tered by the Department of State to implement the
11 Mutual Educational and Cultural Exchange Act of
12 1961 (Public Law 87–256; 22 U.S.C. 2451 et seq.),
13 except through the formal rulemaking process pursu-
14 ant to the Administrative Procedure Act (5 U.S.C.
15 551 et seq.) and notwithstanding the exceptions to
16 such rulemaking process in such Act: *Provided*, That
17 funds made available for such purpose shall only be
18 made available after consultation with, and subject
19 to the regular notification procedures of, the Com-
20 mittees on Appropriations, regarding how any pro-
21 posed modification would affect the public diplomacy
22 goals of, and the estimated economic impact on, the
23 United States: *Provided further*, That such consulta-
24 tion shall take place not later than 30 days prior to
25 the publication in the Federal Register of any regu-

1 latory action modifying the Exchange Visitor Pro-
2 gram.

3 (8) EXPORT-IMPORT BANK.—

4 (A) Section 6(a)(3) of the Export-Import
5 Bank Act of 1945 (12 U.S.C. 635e(a)(3)) shall
6 be applied through September 30, 2022, by
7 substituting “4 percent” for “2 percent” in
8 each place it appears.

9 (B) Section 8(g) of the Export-Import
10 Bank Act of 1945 (12 U.S.C. 635g(g)) shall be
11 applied through September 30, 2022, by sub-
12 stituting “4 percent” for “2 percent” in each
13 place it appears.

14 (f) PARTNER VETTING.—Prior to initiating a partner
15 vetting program, or making a significant change to the
16 scope of an existing partner vetting program, the Sec-
17 retary of State and USAID Administrator, as appropriate,
18 shall consult with the Committees on Appropriations: *Pro-*
19 *vided*, That the Secretary and the Administrator shall pro-
20 vide a direct vetting option for prime awardees in any
21 partner vetting program initiated or significantly modified
22 after the date of enactment of this Act, unless the Sec-
23 retary of State or USAID Administrator, as applicable,
24 informs the Committees on Appropriations on a case-by-
25 case basis that a direct vetting option is not feasible for

1 such program: *Provided further*, That the Secretary or the
2 Administrator, as appropriate, shall consult with such
3 Committees prior to providing a direct vetting option.

4 (g) CONTINGENCIES.—During fiscal year 2022, the
5 President may use up to \$125,000,000 under the author-
6 ity of section 451 of the Foreign Assistance Act of 1961,
7 notwithstanding any other provision of law.

8 (h) INTERNATIONAL CHILD ABDUCTIONS.—The Sec-
9 retary of State should withhold funds appropriated under
10 title III of this Act for assistance for the central govern-
11 ment of any country that is not taking appropriate steps
12 to comply with the Convention on the Civil Aspects of
13 International Child Abductions, done at the Hague on Oc-
14 tober 25, 1980: *Provided*, That the Secretary shall report
15 to the Committees on Appropriations within 15 days of
16 withholding funds under this subsection.

17 (i) TRANSFER OF FUNDS FOR EXTRAORDINARY PRO-
18 TECTION.—The Secretary of State may transfer to, and
19 merge with, funds under the heading “Protection of For-
20 eign Missions and Officials” unobligated balances of ex-
21 pired funds appropriated under the heading “Diplomatic
22 Programs” for fiscal year 2022, at no later than the end
23 of the fifth fiscal year after the last fiscal year for which
24 such funds are available for the purposes for which appro-

1 priated: *Provided*, That not more than \$50,000,000 may
2 be transferred.

3 (j) AUTHORITY.—Funds made available by this Act
4 under the heading “Economic Support Fund” to counter
5 extremism may be made available notwithstanding any
6 other provision of law restricting assistance to foreign
7 countries, except sections 502B, 620A, and 620M of the
8 Foreign Assistance Act of 1961: *Provided*, That the use
9 of the authority of this subsection shall be subject to prior
10 consultation with the appropriate congressional commit-
11 tees and the regular notification procedures of the Com-
12 mittees on Appropriations.

13 (k) PROTECTIONS AND REMEDIES FOR EMPLOYEES
14 OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANI-
15 ZATIONS.—The terms and conditions of section 7034(k)
16 of the Department of State, Foreign Operations, and Re-
17 lated Programs Appropriations Act, 2020 (division G of
18 Public Law 116–94) shall continue in effect during fiscal
19 year 2022.

20 (l) EXTENSION OF AUTHORITIES.—

21 (1) PASSPORT FEES.—Section 1(b)(2) of the
22 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))
23 shall be applied by substituting “September 30,
24 2022” for “September 30, 2010”.

1 (2) INCENTIVES FOR CRITICAL POSTS.—The
2 authority contained in section 1115(d) of the Sup-
3 plemental Appropriations Act, 2009 (Public Law
4 111–32) shall remain in effect through September
5 30, 2022.

6 (3) USAID CIVIL SERVICE ANNUITANT WAIV-
7 ER.—Section 625(j)(1) of the Foreign Assistance
8 Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied
9 by substituting “September 30, 2022” for “October
10 1, 2010” in subparagraph (B).

11 (4) OVERSEAS PAY COMPARABILITY AND LIM-
12 TATION.—(A) Subject to the limitation described in
13 subparagraph (B), the authority provided by section
14 1113 of the Supplemental Appropriations Act, 2009
15 (Public Law 111–32) shall remain in effect through
16 September 30, 2022.

17 (B) The authority described in subparagraph
18 (A) may not be used to pay an eligible member of
19 the Foreign Service (as defined in section 1113(b) of
20 the Supplemental Appropriations Act, 2009 (Public
21 Law 111–32)) a locality-based comparability pay-
22 ment (stated as a percentage) that exceeds two-
23 thirds of the amount of the locality-based com-
24 parability payment (stated as a percentage) that
25 would be payable to such member under section

1 5304 of title 5, United States Code, if such mem-
2 ber’s official duty station were in the District of Co-
3 lumbia.

4 (5) CATEGORICAL ELIGIBILITY.—The Foreign
5 Operations, Export Financing, and Related Pro-
6 grams Appropriations Act, 1990 (Public Law 101–
7 167) is amended—

8 (A) in section 599D (8 U.S.C. 1157
9 note)—

10 (i) in subsection (b)(3), by striking
11 “and 2021” and inserting “2021, and
12 2022”; and

13 (ii) in subsection (e), by striking
14 “2021” each place it appears and inserting
15 “2022”; and

16 (B) in section 599E(b)(2) (8 U.S.C. 1255
17 note), by striking “2021” and inserting
18 “2022”.

19 (6) INSPECTOR GENERAL ANNUITANT WAIV-
20 ER.—The authorities provided in section 1015(b) of
21 the Supplemental Appropriations Act, 2010 (Public
22 Law 111–212) shall remain in effect through Sep-
23 tember 30, 2022, and may be used to facilitate the
24 assignment of persons for oversight of programs in

1 Somalia, South Sudan, Syria, Venezuela, and
2 Yemen.

3 (7) SPECIAL INSPECTOR GENERAL FOR AF-
4 GHANISTAN RECONSTRUCTION COMPETITIVE STA-
5 TUS.—Notwithstanding any other provision of law,
6 any employee of the Special Inspector General for
7 Afghanistan Reconstruction (SIGAR) who completes
8 at least 12 months of continuous service after enact-
9 ment of this Act or who is employed on the date on
10 which SIGAR terminates, whichever occurs first,
11 shall acquire competitive status for appointment to
12 any position in the competitive service for which the
13 employee possesses the required qualifications.

14 (8) TRANSFER OF BALANCES.—Section 7081(h)
15 of the Department of State, Foreign Operations, and
16 Related Programs Appropriations Act, 2017 (divi-
17 sion J of Public Law 115–31) shall continue in ef-
18 fect during fiscal year 2022.

19 (9) DEPARTMENT OF STATE INSPECTOR GEN-
20 ERAL WAIVER AUTHORITY.—The Inspector General
21 of the Department of State may waive the provisions
22 of subsections (a) through (d) of section 824 of the
23 Foreign Service Act of 1980 (22 U.S.C. 4064) on a
24 case-by-case basis for an annuitant reemployed by
25 the Inspector General on a temporary basis, subject

1 to the same constraints and in the same manner by
2 which the Secretary of State may exercise such waiv-
3 er authority pursuant to subsection (g) of such sec-
4 tion.

5 (m) MONITORING AND EVALUATION.—

6 (1) BENEFICIARY FEEDBACK.—Funds appro-
7 priated by this Act that are made available for moni-
8 toring and evaluation of assistance under the head-
9 ings “Development Assistance”, “Economic Support
10 Fund”, “International Disaster Assistance”, and
11 “Migration and Refugee Assistance” shall be made
12 available for the regular and systematic collection of
13 feedback obtained directly from beneficiaries to en-
14 hance the quality and relevance of such assistance:
15 *Provided*, That not later than 90 days after enact-
16 ment of this Act, the Department of State and
17 USAID shall post on their respective websites up-
18 dated procedures for implementing partners that re-
19 ceive funds under such headings for regularly and
20 systematically collecting and responding to such
21 feedback, including guidelines for the reporting on
22 actions taken in response to the feedback received:
23 *Provided further*, That the Secretary of State and
24 USAID Administrator shall regularly conduct over-
25 sight to ensure that such feedback is regularly col-

1 lected and used by implementing partners to maxi-
2 mize the cost-effectiveness and utility of such assist-
3 ance, and submit a report to the Committees on Ap-
4 propriations not later than 90 days after enactment
5 of this Act, and annually thereafter until September
6 30, 2027, on the results of such oversight.

7 (2) EX-POST EVALUATIONS.—Of the funds ap-
8 propriated by this Act under titles III and IV, not
9 less than \$10,000,000 shall be made available for
10 ex-post evaluations of the effectiveness and sustain-
11 ability of United States Government-funded assist-
12 ance programs: *Provided*, That not later than 60
13 days after enactment of this Act, the Secretary of
14 State and USAID Administrator shall consult with
15 the Committees on Appropriations on the criteria for
16 selecting countries and programs to be evaluated,
17 and the methodology for conducting such evaluations
18 and applying lessons learned in future program de-
19 sign.

20 (n) LOANS, CONSULTATION, AND NOTIFICATION.—

21 (1) LOAN GUARANTEES.—Funds appropriated
22 under the headings “Economic Support Fund” and
23 “Assistance for Europe, Eurasia and Central Asia”
24 by this Act and prior Acts making appropriations
25 for the Department of State, foreign operations, and

1 related programs may be made available for the
2 costs, as defined in section 502 of the Congressional
3 Budget Act of 1974, of loan guarantees for Egypt,
4 Jordan, Tunisia, and Ukraine, which are authorized
5 to be provided: *Provided*, That amounts made avail-
6 able under this paragraph for the costs of such
7 guarantees shall not be considered assistance for the
8 purposes of provisions of law limiting assistance to
9 a country.

10 (2) CONSULTATION AND NOTIFICATION.—

11 Funds made available pursuant to the authorities of
12 this subsection shall be subject to prior consultation
13 with, and the regular notification procedures of, the
14 Committees on Appropriations.

15 (o) LOCAL WORKS.—

16 (1) FUNDING.—Of the funds appropriated by
17 this Act under the headings “Development Assist-
18 ance” and “Economic Support Fund”, not less than
19 \$100,000,000 shall be made available for Local
20 Works pursuant to section 7080 of the Department
21 of State, Foreign Operations, and Related Programs
22 Appropriations Act, 2015 (division J of Public Law
23 113–235), which may remain available until Sep-
24 tember 30, 2026.

1 (2) ELIGIBLE ENTITIES.—For the purposes of
2 section 7080 of the Department of State, Foreign
3 Operations, and Related Programs Appropriations
4 Act, 2015 (division J of Public Law 113–235), “eli-
5 gible entities” shall be defined as small local, inter-
6 national, and United States-based nongovernmental
7 organizations, educational institutions, and other
8 small entities that have received less than a total of
9 \$5,000,000 from USAID over the previous 5 fiscal
10 years: *Provided*, That departments or centers of
11 such educational institutions may be considered indi-
12 vidually in determining such eligibility.

13 (p) EXTENSION OF PROCUREMENT AUTHORITY.—
14 Section 7077 of the Department of State, Foreign Oper-
15 ations, and Related Programs Appropriations Act, 2012
16 (division I of Public Law 112–74) shall continue in effect
17 during fiscal year 2022.

18 (q) SECTION 889.—For the purposes of obligations
19 and expenditures made with funds appropriated by this
20 Act and prior Acts making appropriations for the Depart-
21 ment of State, foreign operations, and related programs,
22 and funds appropriated under section 10003 of the Amer-
23 ican Rescue Plan Act, the waiver authority in section
24 889(d)(2) of the John S. McCain National Defense Au-
25 thorization Act for Fiscal Year 2019 (Public Law 115–

1 232) may also be available to the Secretary of State and
2 USAID Administrator, as appropriate.

3 (r) PROTECTIVE SERVICES.—The terms and condi-
4 tions of section 7070 of the Department of State, Foreign
5 Operations, and Related Programs Appropriations Act,
6 2021 (division K of Public Law 116–260), with the excep-
7 tion of the last proviso, shall apply to this Act.

8 (s) DEFINITIONS.—

9 (1) APPROPRIATE CONGRESSIONAL COMMIT-
10 TEES.—Unless otherwise defined in this Act, for
11 purposes of this Act the term “appropriate congres-
12 sional committees” means the Committees on Appro-
13 priations and Foreign Relations of the Senate and
14 the Committees on Appropriations and Foreign Af-
15 fairs of the House of Representatives.

16 (2) FUNDS APPROPRIATED BY THIS ACT AND
17 PRIOR ACTS.—Unless otherwise defined in this Act,
18 for purposes of this Act the term “funds appro-
19 priated by this Act and prior Acts making appro-
20 priations for the Department of State, foreign oper-
21 ations, and related programs” means funds that re-
22 main available for obligation, and have not expired.

23 (3) INTERNATIONAL FINANCIAL INSTITU-
24 TIONS.—In this Act “international financial institu-
25 tions” means the International Bank for Recon-

1 construction and Development, the International Devel-
2 opment Association, the International Finance Cor-
3 poration, the Inter-American Development Bank, the
4 International Monetary Fund, the International
5 Fund for Agricultural Development, the Asian De-
6 velopment Bank, the Asian Development Fund, the
7 Inter-American Investment Corporation, the North
8 American Development Bank, the European Bank
9 for Reconstruction and Development, the African
10 Development Bank, the African Development Fund,
11 and the Multilateral Investment Guarantee Agency.

12 (4) SPEND PLAN.—In this Act, the term
13 “spend plan” means a plan for the uses of funds ap-
14 propriated for a particular entity, country, program,
15 purpose, or account and which shall include, at a
16 minimum, a description of—

17 (A) realistic and sustainable goals, criteria
18 for measuring progress, and a timeline for
19 achieving such goals;

20 (B) amounts and sources of funds by ac-
21 count;

22 (C) how such funds will complement other
23 ongoing or planned programs; and

24 (D) implementing partners, to the max-
25 imum extent practicable.

1 (5) SUCCESSOR OPERATING UNIT.—Any ref-
2 erence to a particular USAID operating unit or of-
3 fice in this Act or prior Acts making appropriations
4 for the Department of State, foreign operations, and
5 related programs shall be deemed to include any suc-
6 cessor operating unit or office performing the same
7 or similar functions.

8 (6) USAID.—In this Act, the term “USAID”
9 means the United States Agency for International
10 Development.

11 LAW ENFORCEMENT AND SECURITY

12 SEC. 7035. (a) ASSISTANCE.—

13 (1) COMMUNITY-BASED POLICE ASSISTANCE.—
14 Funds made available under titles III and IV of this
15 Act to carry out the provisions of chapter 1 of part
16 I and chapters 4 and 6 of part II of the Foreign As-
17 sistance Act of 1961, may be used, notwithstanding
18 section 660 of that Act, to enhance the effectiveness
19 and accountability of civilian police authority
20 through training and technical assistance in human
21 rights, the rule of law, anti-corruption, strategic
22 planning, and through assistance to foster civilian
23 police roles that support democratic governance, in-
24 cluding assistance for programs to prevent conflict,
25 respond to disasters, address gender-based violence,

1 and foster improved police relations with the com-
2 munities they serve.

3 (2) COUNTERTERRORISM PARTNERSHIPS
4 FUND.—Funds appropriated by this Act under the
5 heading “Nonproliferation, Anti-terrorism, Demining
6 and Related Programs” shall be made available for
7 the Counterterrorism Partnerships Fund for pro-
8 grams in areas liberated from, under the influence
9 of, or adversely affected by, the Islamic State of Iraq
10 and Syria or other terrorist organizations: *Provided*,
11 That such areas shall include the Kurdistan Region
12 of Iraq: *Provided further*, That prior to the obliga-
13 tion of funds made available pursuant to this para-
14 graph, the Secretary of State shall take all prac-
15 ticable steps to ensure that mechanisms are in place
16 for monitoring, oversight, and control of such funds:
17 *Provided further*, That funds made available pursu-
18 ant to this paragraph shall be subject to prior con-
19 sultation with, and the regular notification proce-
20 dures of, the Committees on Appropriations.

21 (3) COMBAT CASUALTY CARE.—

22 (A) Consistent with the objectives of the
23 Foreign Assistance Act of 1961 and the Arms
24 Export Control Act, 1 percent of the funds ap-
25 propriated by this Act under the headings

1 “Peacekeeping Operations” and “Foreign Military
2 Financing Program” shall be designated
3 for combat casualty training and equipment.

4 (B) The Secretary of State shall offer combat casualty care training and equipment as a
5 component of any package of lethal assistance
6 funded by this Act with funds appropriated
7 under the headings “Peacekeeping Operations”
8 and “Foreign Military Financing Program”:
9 *Provided*, That the requirement of this subparagraph
10 shall apply to a country in conflict, unless
11 the Secretary determines that such country
12 has in place, to the maximum extent practicable,
13 functioning combat casualty care treatment
14 and equipment that meets or exceeds the
15 standards recommended by the Committee on
16 Tactical Combat Casualty Care: *Provided further*,
17 That any such training and equipment for
18 combat casualty care shall be made available
19 through an open and competitive process.
20

21 (4) TRAINING RELATED TO INTERNATIONAL
22 HUMANITARIAN LAW.—The Secretary of State shall
23 offer training related to the requirements of international
24 humanitarian law as a component of any
25 package of lethal assistance funded by this Act with

1 funds appropriated under the headings “Peace-
2 keeping Operations” and “Foreign Military Financ-
3 ing Program”: *Provided*, That the requirement of
4 this paragraph shall not apply to a country that is
5 a member of the North Atlantic Treaty Organization
6 (NATO), is a major non-NATO ally designated by
7 section 517(b) of the Foreign Assistance Act of
8 1961, or is complying with international humani-
9 tarian law: *Provided further*, That any such training
10 shall be made available through an open and com-
11 petitive process.

12 (5) SECURITY FORCE PROFESSIONALIZATION.—
13 Unobligated balances from funds appropriated by
14 prior Acts making appropriations for the Depart-
15 ment of State, foreign operations, and related pro-
16 grams, except for funds designated by the Congress
17 as an emergency requirement pursuant to a concur-
18 rent resolution on the budget or the Balanced Budg-
19 et and Emergency Deficit Control Act of 1985,
20 under the headings “International Narcotics Control
21 and Law Enforcement” and “Peacekeeping Oper-
22 ations”, shall be made available to increase the ca-
23 pacity of foreign military and law enforcement per-
24 sonnel to operate in accordance with appropriate
25 standards relating to human rights and the protec-

1 tion of civilians as specified under this section in the
2 explanatory statement accompanying this Act, fol-
3 lowing consultation with the Committees on Appro-
4 priations: *Provided*, That funds made available pur-
5 suant to this paragraph shall be made available
6 through an open and competitive process.

7 (6) INTERNATIONAL PRISON CONDITIONS.—
8 Funds appropriated by this Act under the headings
9 “Development Assistance”, “Economic Support
10 Fund”, and “International Narcotics Control and
11 Law Enforcement” shall be made available for as-
12 sistance to eliminate inhumane conditions and re-
13 duce pre-trial detention in foreign prisons and other
14 detention facilities, notwithstanding section 660 of
15 the Foreign Assistance Act of 1961, including not
16 less than \$20,000,000 under the heading “Inter-
17 national Narcotics Control and Law Enforcement”:
18 *Provided*, That the Secretary of State and the
19 USAID Administrator shall consult with the Com-
20 mittees on Appropriations on the proposed uses of
21 such funds prior to obligation and not later than 60
22 days after enactment of this Act: *Provided further*,
23 That such funds shall be in addition to funds other-
24 wise made available by this Act for such purposes.

25 (b) AUTHORITIES.—

1 (1) RECONSTITUTING CIVILIAN POLICE AU-
2 THORITY.—In providing assistance with funds ap-
3 propriated by this Act under section 660(b)(6) of
4 the Foreign Assistance Act of 1961, support for a
5 nation emerging from instability may be deemed to
6 mean support for regional, district, municipal, or
7 other sub-national entity emerging from instability,
8 as well as a nation emerging from instability.

9 (2) DISARMAMENT, DEMOBILIZATION, AND RE-
10 INTEGRATION.—Section 7034(d) of the Department
11 of State, Foreign Operations, and Related Programs
12 Appropriations Act, 2015 (division J of Public Law
13 113–235) shall continue in effect during fiscal year
14 2022.

15 (3) EXTENSION OF WAR RESERVES STOCKPILE
16 AUTHORITY.—Section 12001(d) of the Department
17 of Defense Appropriations Act, 2005 (Public Law
18 108–287; 118 Stat. 1011) is amended by striking
19 “of this section” and all that follows through the pe-
20 riod at the end and inserting “of this section after
21 September 30, 2025.”.

22 (4) COMMERCIAL LEASING OF DEFENSE ARTI-
23 CLES.—Notwithstanding any other provision of law,
24 and subject to the regular notification procedures of
25 the Committees on Appropriations, the authority of

1 section 23(a) of the Arms Export Control Act (22
2 U.S.C. 2763) may be used to provide financing to
3 Israel, Egypt, the North Atlantic Treaty Organiza-
4 tion (NATO), and major non-NATO allies for the
5 procurement by leasing (including leasing with an
6 option to purchase) of defense articles from United
7 States commercial suppliers, not including Major
8 Defense Equipment (other than helicopters and
9 other types of aircraft having possible civilian appli-
10 cation), if the President determines that there are
11 compelling foreign policy or national security reasons
12 for those defense articles being provided by commer-
13 cial lease rather than by government-to-government
14 sale under such Act.

15 (5) SPECIAL DEFENSE ACQUISITION FUND.—
16 Not to exceed \$900,000,000 may be obligated pursu-
17 ant to section 51(c)(2) of the Arms Export Control
18 Act (22 U.S.C. 2795(c)(2)) for the purposes of the
19 Special Defense Acquisition Fund (the Fund), to re-
20 main available for obligation until September 30,
21 2024: *Provided*, That the provision of defense arti-
22 cles and defense services to foreign countries or
23 international organizations from the Fund shall be
24 subject to the concurrence of the Secretary of State.

1 (6) DUTY TO INFORM AND PUBLIC DISCLO-
2 SURE.—Section 620M of the Foreign Assistance Act
3 of 1961 (Limitation on Assistance to Security
4 Forces) is amended as follows—

5 (A) In subsection (b), by striking “Com-
6 mittee on Foreign Relations” through “Appro-
7 priations” and inserting in lieu thereof “appro-
8 priate congressional committees”.

9 (B) In subsection (c), by striking every-
10 thing after “DUTY TO INFORM.—” and insert-
11 ing—

12 “(1) If assistance to a foreign security force is
13 provided in a manner in which the recipient unit or
14 units cannot be identified prior to the transfer of as-
15 sistance, the Secretary of State shall regularly pro-
16 vide a list of units prohibited from receiving assist-
17 ance pursuant to this section to the recipient govern-
18 ment and the appropriate congressional committees
19 and, effective September 30, 2022, such assistance
20 shall only be made available subject to a written
21 agreement that the recipient government will comply
22 with such prohibition.

23 “(2) In the event that assistance is withheld
24 from any unit pursuant to this section, the Secretary
25 of State shall promptly inform the foreign govern-

1 ment and the appropriate congressional committees
2 of the basis for such action and shall, to the max-
3 imum extent practicable, assist the foreign govern-
4 ment in taking effective measures to bring the re-
5 sponsible members of the unit to justice.”.

6 (C) After subsection (d), by inserting the
7 following new subsection:

8 “(e) DEFINITIONS.—

9 “(1) For the purposes of subsection (d)(7), the
10 term ‘to the maximum extent practicable’ means
11 that the identity of such units shall be made publicly
12 available unless the Secretary of State, on a case-by-
13 case basis, determines and reports to the appro-
14 priate congressional committees that public disclo-
15 sure is not in the national security interest of the
16 United States and provides a detailed justification
17 for such determination, which may be submitted in
18 classified form.

19 “(2) For the purposes of this section, ‘appro-
20 priate congressional committees’ means the Com-
21 mittee on Foreign Relations and the Committee on
22 Appropriations of the Senate, and the Committee on
23 Foreign Affairs and the Committee on Appropria-
24 tions of the House of Representatives.”.

25 (7) OVERSIGHT AND ACCOUNTABILITY.—

1 (A) Prior to the signing of a new Letter of
2 Offer and Acceptance (LOA) involving funds
3 appropriated under the heading “Foreign Mili-
4 tary Financing Program”, the Secretary of
5 State shall consult with each recipient govern-
6 ment to confirm that the LOA between the
7 United States and such recipient government
8 complies with the purposes of section 4 of the
9 Arms Export Control Act (22 U.S.C. 2754) and
10 that the defense articles, services, and training
11 procured with funds appropriated under such
12 heading are consistent with United States na-
13 tional security and foreign policy interests.

14 (B) The Secretary of State shall promptly
15 inform the appropriate congressional commit-
16 tees of any instance in which the Secretary of
17 State has credible information that such assist-
18 ance was used in a manner contrary to such
19 agreement.

20 (C) None of the funds appropriated by this
21 Act may be used to issue licenses, or assist an-
22 other Federal agency in issuing licenses, for the
23 sale or export of firearms or ammunition to a
24 government security force in Mexico or Central
25 America unless the Secretary of State deter-

1 mines and reports to the appropriate congress-
2 sional committees that such government—

3 (i) is implementing end use agree-
4 ments, including providing end user certifi-
5 cates, to prevent the transfer of such fire-
6 arms or ammunition to individuals or units
7 implicated in serious crimes or not author-
8 ized in such agreements or certificates to
9 receive such items; and

10 (ii) will maintain a record of the users
11 of such firearms and ammunition for the
12 purpose of regular audits.

13 (c) LIMITATIONS.—

14 (1) CHILD SOLDIERS.—Funds appropriated by
15 this Act should not be used to support any military
16 training or operations that include child soldiers.

17 (2) LANDMINES AND CLUSTER MUNITIONS.—

18 (A) LANDMINES.—Notwithstanding any
19 other provision of law, demining equipment
20 available to the United States Agency for Inter-
21 national Development and the Department of
22 State and used in support of the clearance of
23 landmines and unexploded ordnance for human-
24 itarian purposes may be disposed of on a grant
25 basis in foreign countries, subject to such terms

1 and conditions as the Secretary of State may
2 prescribe.

3 (B) CLUSTER MUNITIONS.—No military
4 assistance shall be furnished for cluster muni-
5 tions, no defense export license for cluster mu-
6 nitions may be issued, and no cluster munitions
7 or cluster munitions technology shall be sold or
8 transferred, unless—

9 (i) the submunitions of the cluster
10 munitions, after arming, do not result in
11 more than 1 percent unexploded ordnance
12 across the range of intended operational
13 environments, and the agreement applica-
14 ble to the assistance, transfer, or sale of
15 such cluster munitions or cluster munitions
16 technology specifies that the cluster muni-
17 tions will only be used against clearly de-
18 fined military targets and will not be used
19 where civilians are known to be present or
20 in areas normally inhabited by civilians; or

21 (ii) such assistance, license, sale, or
22 transfer is for the purpose of demilitarizing
23 or permanently disposing of such cluster
24 munitions.

1 (3) CONGRESSIONAL BUDGET JUSTIFICA-
2 TIONS.—Of the funds realized pursuant to section
3 21(e)(1)(A) of the Arms Export Control Act and
4 made available for obligation for expenses incurred
5 by the Department of Defense, Defense Security Co-
6 operation Agency (DSCA) during fiscal year 2022
7 pursuant to section 43(b) of the Arms Export Con-
8 trol Act (22 U.S.C. 2792(b)), \$25,000,000 shall be
9 withheld from obligation until the DSCA, jointly
10 with the Department of State, submits to the Com-
11 mittees on Appropriations the congressional budget
12 justification for funds requested under the heading
13 “Foreign Military Financing Program” for fiscal
14 years 2022 and 2023, including the accompanying
15 classified appendices.

16 (4) CROWD CONTROL ITEMS.—Funds appro-
17 priated by this Act should not be used for tear gas,
18 small arms, light weapons, ammunition, or other
19 items for crowd control purposes for a unit of a for-
20 eign security force if the Secretary of State has
21 credible information that such unit uses excessive
22 force to repress peaceful expression or assembly con-
23 cerning corruption, harm to the environment, or the
24 fairness of electoral processes, or in countries that

1 the Secretary determines are undemocratic or under-
2 going democratic transition.

3 (d) REPORTS.—

4 (1) SECURITY ASSISTANCE REPORT.—Not later
5 than 120 days after enactment of this Act, the Sec-
6 retary of State shall submit to the Committees on
7 Appropriations a report on funds obligated and ex-
8 pended during fiscal year 2021, by country and pur-
9 pose of assistance, under the headings “Peace-
10 keeping Operations”, “International Military Edu-
11 cation and Training”, and “Foreign Military Fi-
12 nancing Program”.

13 (2) ANNUAL FOREIGN MILITARY TRAINING RE-
14 PORT.—For the purposes of implementing section
15 656 of the Foreign Assistance Act of 1961, the term
16 “military training provided to foreign military per-
17 sonnel by the Department of Defense and the De-
18 partment of State” shall be deemed to include all
19 military training provided by foreign governments
20 with funds appropriated to the Department of De-
21 fense or the Department of State, except for train-
22 ing provided by the government of a country des-
23 igned by section 517(b) of such Act (22 U.S.C.
24 2321k(b)) as a major non-North Atlantic Treaty Or-
25 ganization ally: *Provided*, That such third-country

1 training shall be clearly identified in the report sub-
2 mitted pursuant to section 656 of such Act.

3 ARAB LEAGUE BOYCOTT OF ISRAEL

4 SEC. 7036. It is the sense of the Congress that—

5 (1) the Arab League boycott of Israel remains
6 a symbolic impediment to trade and investment in
7 the Middle East and should be terminated forthwith;

8 (2) Arab states and Israel have made important
9 progress through peace treaties and the Abraham
10 Accords, opening a path toward a more peaceful
11 Middle East;

12 (3) all Arab League states should join Egypt,
13 Jordan, the United Arab Emirates, Bahrain, Mo-
14 rocco, and Sudan in establishing and normalizing re-
15 lations with Israel;

16 (4) the President and the Secretary of State
17 should continue to vigorously oppose the Arab
18 League boycott of Israel; and

19 (5) the President should support broadening
20 and deepening participation in the Abraham Ac-
21 cords, and report annually to the appropriate con-
22 gressional committees on the United States Govern-
23 ment's strategy and steps being taken by the United
24 States to encourage additional Arab League and

1 other Muslim-majority states to normalize relations
2 with Israel.

3 PALESTINIAN STATEHOOD

4 SEC. 7037. (a) LIMITATION ON ASSISTANCE.—None
5 of the funds appropriated under titles III through VI of
6 this Act may be provided to support a Palestinian state
7 unless the Secretary of State determines and certifies to
8 the appropriate congressional committees that—

9 (1) the governing entity of a new Palestinian
10 state—

11 (A) has demonstrated a firm commitment
12 to peaceful co-existence with the State of Israel;
13 and

14 (B) is taking appropriate measures to
15 counter terrorism and terrorist financing in the
16 West Bank and Gaza, including the dismantling
17 of terrorist infrastructures, and is cooperating
18 with appropriate Israeli and other appropriate
19 security organizations; and

20 (2) the Palestinian Authority (or the governing
21 entity of a new Palestinian state) is working with
22 other countries in the region to vigorously pursue ef-
23 forts to establish a just, lasting, and comprehensive
24 peace in the Middle East that will enable Israel and
25 an independent Palestinian state to exist within the

1 context of full and normal relationships, which
2 should include—

3 (A) termination of all claims or states of
4 belligerency;

5 (B) respect for and acknowledgment of the
6 sovereignty, territorial integrity, and political
7 independence of every state in the area through
8 measures including the establishment of demili-
9 tarized zones;

10 (C) their right to live in peace within se-
11 cure and recognized boundaries free from
12 threats or acts of force;

13 (D) freedom of navigation through inter-
14 national waterways in the area; and

15 (E) a framework for achieving a just set-
16 tlement of the refugee problem.

17 (b) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that the governing entity should enact a constitution
19 assuring the rule of law, an independent judiciary, and
20 respect for human rights for its citizens, and should enact
21 other laws and regulations assuring transparent and ac-
22 countable governance.

23 (c) WAIVER.—The President may waive subsection
24 (a) if the President determines that it is important to the
25 national security interest of the United States to do so.

1 (d) EXEMPTION.—The restriction in subsection (a)
2 shall not apply to assistance intended to help reform the
3 Palestinian Authority and affiliated institutions, or the
4 governing entity, in order to help meet the requirements
5 of subsection (a), consistent with the provisions of section
6 7040 of this Act (“Limitation on Assistance for the Pales-
7 tinian Authority”).

8 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN
9 BROADCASTING CORPORATION

10 SEC. 7038. None of the funds appropriated or other-
11 wise made available by this Act may be used to provide
12 equipment, technical support, consulting services, or any
13 other form of assistance to the Palestinian Broadcasting
14 Corporation.

15 ASSISTANCE FOR THE WEST BANK AND GAZA

16 SEC. 7039. (a) OVERSIGHT.—For fiscal year 2022,
17 30 days prior to the initial obligation of funds for the bi-
18 lateral West Bank and Gaza Program, the Secretary of
19 State shall certify to the Committees on Appropriations
20 that procedures have been established to assure the Comp-
21 troller General of the United States will have access to
22 appropriate United States financial information in order
23 to review the uses of United States assistance for the Pro-
24 gram funded under the heading “Economic Support
25 Fund” for the West Bank and Gaza.

1 (b) VETTING.—Prior to the obligation of funds ap-
2 propriated by this Act under the heading “Economic Sup-
3 port Fund” for assistance for the West Bank and Gaza,
4 the Secretary of State shall take all appropriate steps to
5 ensure that such assistance is not provided to or through
6 any individual, private or government entity, or edu-
7 cational institution that the Secretary knows or has reason
8 to believe advocates, plans, sponsors, engages in, or has
9 engaged in, terrorist activity nor, with respect to private
10 entities or educational institutions, those that have as a
11 principal officer of the entity’s governing board or gov-
12 erning board of trustees any individual that has been de-
13 termined to be involved in, or advocating terrorist activity
14 or determined to be a member of a designated foreign ter-
15 rorist organization: *Provided*, That the Secretary of State
16 shall, as appropriate, establish procedures specifying the
17 steps to be taken in carrying out this subsection and shall
18 terminate assistance to any individual, entity, or edu-
19 cational institution which the Secretary has determined to
20 be involved in or advocating terrorist activity.

21 (c) PROHIBITION.—

22 (1) RECOGNITION OF ACTS OF TERRORISM.—
23 None of the funds appropriated under titles III
24 through VI of this Act for assistance under the West

1 Bank and Gaza Program may be made available
2 for—

3 (A) the purpose of recognizing or otherwise
4 honoring individuals who commit, or have com-
5 mitted acts of terrorism; and

6 (B) any educational institution located in
7 the West Bank or Gaza that is named after an
8 individual who the Secretary of State deter-
9 mines has committed an act of terrorism.

10 (2) SECURITY ASSISTANCE AND REPORTING RE-
11 QUIREMENT.—Notwithstanding any other provision
12 of law, none of the funds made available by this or
13 prior appropriations Acts, including funds made
14 available by transfer, may be made available for obli-
15 gation for security assistance for the West Bank and
16 Gaza until the Secretary of State reports to the
17 Committees on Appropriations on—

18 (A) the benchmarks that have been estab-
19 lished for security assistance for the West Bank
20 and Gaza and on the extent of Palestinian com-
21 pliance with such benchmarks; and

22 (B) the steps being taken by the Pales-
23 tinian Authority to end torture and other cruel,
24 inhuman, and degrading treatment of detainees,
25 including by bringing to justice members of

1 Palestinian security forces who commit such
2 crimes.

3 (d) OVERSIGHT BY THE UNITED STATES AGENCY
4 FOR INTERNATIONAL DEVELOPMENT.—

5 (1) The Administrator of the United States
6 Agency for International Development shall ensure
7 that Federal or non-Federal audits of all contractors
8 and grantees, and significant subcontractors and
9 sub-grantees, under the West Bank and Gaza Pro-
10 gram, are conducted at least on an annual basis to
11 ensure, among other things, compliance with this
12 section.

13 (2) Of the funds appropriated by this Act, up
14 to \$1,300,000 may be used by the Office of Inspec-
15 tor General of the United States Agency for Inter-
16 national Development for audits, investigations, and
17 other activities in furtherance of the requirements of
18 this subsection.

19 (e) COMPTROLLER GENERAL OF THE UNITED
20 STATES AUDIT.—Subsequent to the certification specified
21 in subsection (a), the Comptroller General of the United
22 States shall conduct an audit and an investigation of the
23 treatment, handling, and uses of all funds for the bilateral
24 West Bank and Gaza Program, including all funds pro-
25 vided as cash transfer assistance, in fiscal year 2022

1 under the heading “Economic Support Fund”, and such
2 audit shall address—

3 (1) the extent to which such Program complies
4 with the requirements of subsections (b) and (c);
5 and

6 (2) an examination of all programs, projects,
7 and activities carried out under such Program, in-
8 cluding both obligations and expenditures.

9 (f) NOTIFICATION PROCEDURES.—Funds made
10 available in this Act for the West Bank and Gaza shall
11 be subject to the regular notification procedures of the
12 Committees on Appropriations.

13 LIMITATION ON ASSISTANCE FOR THE PALESTINIAN
14 AUTHORITY

15 SEC. 7040. (a) PROHIBITION OF FUNDS.—None of
16 the funds appropriated by this Act to carry out the provi-
17 sions of chapter 4 of part II of the Foreign Assistance
18 Act of 1961 may be obligated or expended with respect
19 to providing funds to the Palestinian Authority.

20 (b) WAIVER.—The prohibition included in subsection
21 (a) shall not apply if the President certifies in writing to
22 the Speaker of the House of Representatives, the Presi-
23 dent pro tempore of the Senate, and the Committees on
24 Appropriations that waiving such prohibition is important
25 to the national security interest of the United States.

1 (c) PERIOD OF APPLICATION OF WAIVER.—Any
2 waiver pursuant to subsection (b) shall be effective for not
3 more than a period of 6 months at a time and shall not
4 apply beyond 12 months after the enactment of this Act.

5 (d) REPORT.—Whenever the waiver authority pursu-
6 ant to subsection (b) is exercised, the President shall sub-
7 mit a report to the Committees on Appropriations detail-
8 ing the justification for the waiver, the purposes for which
9 the funds will be spent, and the accounting procedures in
10 place to ensure that the funds are properly disbursed: *Pro-*
11 *vided*, That the report shall also detail the steps the Pales-
12 tinian Authority has taken to arrest terrorists, confiscate
13 weapons and dismantle terrorist infrastructure.

14 (e) CERTIFICATION.—If the President exercises the
15 waiver authority under subsection (b), the Secretary of
16 State shall certify and report to the Committees on Appro-
17 priations prior to the obligation of funds that the Pales-
18 tinian Authority has established a single treasury account
19 for all Palestinian Authority financing and all financing
20 mechanisms flow through this account, no parallel financ-
21 ing mechanisms exist outside of the Palestinian Authority
22 treasury account, and there is a single comprehensive civil
23 service roster and payroll, and the Palestinian Authority
24 is acting to counter incitement of violence against Israelis

1 and is supporting activities aimed at promoting peace, co-
2 existence, and security cooperation with Israel.

3 (f) PROHIBITION TO HAMAS AND THE PALESTINE
4 LIBERATION ORGANIZATION.—

5 (1) None of the funds appropriated in titles III
6 through VI of this Act may be obligated for salaries
7 of personnel of the Palestinian Authority located in
8 Gaza or may be obligated or expended for assistance
9 to Hamas or any entity effectively controlled by
10 Hamas, any power-sharing government of which
11 Hamas is a member, or that results from an agree-
12 ment with Hamas and over which Hamas exercises
13 undue influence.

14 (2) Notwithstanding the limitation of paragraph
15 (1), assistance may be provided to a power-sharing
16 government only if the President certifies and re-
17 ports to the Committees on Appropriations that such
18 government, including all of its ministers or such
19 equivalent, has publicly accepted and is complying
20 with the principles contained in section 620K(b)(1)
21 (A) and (B) of the Foreign Assistance Act of 1961,
22 as amended.

23 (3) The President may exercise the authority in
24 section 620K(e) of the Foreign Assistance Act of
25 1961, as added by the Palestinian Anti-Terrorism

1 Act of 2006 (Public Law 109–446) with respect to
2 this subsection.

3 (4) Whenever the certification pursuant to
4 paragraph (2) is exercised, the Secretary of State
5 shall submit a report to the Committees on Appro-
6 priations within 120 days of the certification and
7 every quarter thereafter on whether such govern-
8 ment, including all of its ministers or such equiva-
9 lent are continuing to comply with the principles
10 contained in section 620K(b)(1) (A) and (B) of the
11 Foreign Assistance Act of 1961, as amended: *Pro-*
12 *vided*, That the report shall also detail the amount,
13 purposes and delivery mechanisms for any assistance
14 provided pursuant to the abovementioned certifi-
15 cation and a full accounting of any direct support of
16 such government.

17 (5) None of the funds appropriated under titles
18 III through VI of this Act may be obligated for as-
19 sistance for the Palestine Liberation Organization.

20 MIDDLE EAST AND NORTH AFRICA

21 SEC. 7041. (a) EGYPT.—

22 (1) CERTIFICATION AND REPORT.—Funds ap-
23 propriated by this Act that are available for assist-
24 ance for Egypt may be made available notwith-
25 standing any other provision of law restricting as-

1 sistance for Egypt, except for this subsection and
2 sections 502B and 620M of the Foreign Assistance
3 Act of 1961, and may only be made available for as-
4 sistance for the Government of Egypt if the Sec-
5 retary of State certifies and reports to the Commit-
6 tees on Appropriations that such government is—

7 (A) sustaining the strategic relationship
8 with the United States; and

9 (B) meeting its obligations under the 1979
10 Egypt-Israel Peace Treaty.

11 (2) ECONOMIC SUPPORT FUND.—Of the funds
12 appropriated by this Act under the heading “Eco-
13 nomic Support Fund”, not less than \$125,000,000
14 shall be made available for assistance for Egypt, of
15 which not less than \$40,000,000 should be made
16 available for higher education programs, including
17 not less than \$15,000,000 for scholarships for Egyp-
18 tian students with high financial need to attend not-
19 for-profit institutions of higher education in Egypt
20 that are currently accredited by a regional accred-
21 iting agency recognized by the United States De-
22 partment of Education, or meets standards equiva-
23 lent to those required for United States institutional
24 accreditation by a regional accrediting agency recog-
25 nized by such Department: *Provided*, That such

1 funds shall be made available for democracy pro-
2 grams, and for development programs in the Sinai:
3 *Provided further*, That such funds may not be made
4 available for cash transfer assistance or budget sup-
5 port.

6 (3) FOREIGN MILITARY FINANCING PRO-
7 GRAM.—

8 (A) CERTIFICATION.—Of the funds appro-
9 priated by this Act under the heading “Foreign
10 Military Financing Program”, \$1,300,000,000,
11 to remain available until September 30, 2023,
12 should be made available for assistance for
13 Egypt: *Provided*, That such funds may be
14 transferred to an interest bearing account in
15 the Federal Reserve Bank of New York, fol-
16 lowing consultation with the Committees on Ap-
17 propriations, and the uses of any interest
18 earned on such funds shall be subject to prior
19 consultation with, and the regular notification
20 procedures of, the Committees on Appropria-
21 tions: *Provided further*, That \$225,000,000 of
22 such funds shall be withheld from obligation
23 until the Secretary of State certifies and reports
24 to the Committees on Appropriations that the

1 Government of Egypt is making consistent
2 progress in—

3 (i) strengthening the rule of law,
4 democratic institutions, and human rights
5 in Egypt, including protecting religious mi-
6 norities and the rights of women, which
7 are in addition to steps taken during the
8 previous calendar year for such purposes;

9 (ii) implementing reforms that protect
10 freedom of expression, association, and as-
11 sembly, including the ability of civil society
12 organizations, human rights defenders, and
13 the media to function without interference;

14 (iii) holding Egyptian security forces
15 accountable, including officers credibly al-
16 leged to have violated human rights;

17 (iv) investigating and prosecuting
18 cases of torture, extrajudicial killings, and
19 forced disappearances; and

20 (v) providing regular access for
21 United States officials to monitor such as-
22 sistance in the North Sinai and other areas
23 where the assistance is used.

24 (B) WAIVER.—The Secretary of State may
25 waive the certification requirement with respect

1 to the withholding of funds in subparagraph
2 (A), in whole or in part, if the Secretary deter-
3 mines and reports to the Committees on Appro-
4 priations that to do so is important to the na-
5 tional security interest of the United States,
6 and submits a report to such Committees con-
7 taining a detailed justification for the use of
8 such waiver and the reasons why any of the re-
9 quirements of subparagraph (A) cannot be met:
10 *Provided*, That the report required by this para-
11 graph shall be submitted in unclassified form,
12 but may be accompanied by a classified annex.

13 (C) In addition to the funds withheld pur-
14 suant to subparagraph (A)—

15 (i) \$75,000,000 of the funds made
16 available pursuant to this paragraph shall
17 be withheld from obligation until the Sec-
18 retary of State determines and reports to
19 the Committees on Appropriations that the
20 Government of Egypt is making consistent
21 progress in ending arbitrary detention and
22 the mistreatment of prisoners, and releas-
23 ing political prisoners, and is not engaging
24 in a pattern of intimidation or harassment
25 as referenced in 22 U.S.C. 2756; and

1 (ii) the Secretary of State shall take
2 the necessary steps to ensure that the Gov-
3 ernment of Egypt provides for timely and
4 fair compensation for injuries and losses
5 suffered by American citizens as a result of
6 actions by the Egyptian military.

7 (b) IRAN.—

8 (1) FUNDING.—Funds appropriated by this Act
9 under the headings “Diplomatic Programs”, “Eco-
10 nomic Support Fund”, and “Nonproliferation, Anti-
11 terrorism, Demining and Related Programs” shall
12 be made available to support: (A) the United States
13 policy to prevent Iran from achieving the capability
14 to produce or otherwise obtain a nuclear weapon;
15 (B) an expeditious response to any violation of UN
16 Security Council Resolutions or to efforts that ad-
17 vance Iran’s nuclear program; (C) the implementa-
18 tion and enforcement of sanctions against Iran for
19 its support of nuclear weapons development, ter-
20 rorism, human rights abuses, and ballistic missile
21 and weapons proliferation; and (D) democracy pro-
22 grams for Iran, to be administered by the Assistant
23 Secretary of State for Democracy, Human Rights,
24 and Labor.

25 (2) REPORTS.—

1 (A) SEMI-ANNUAL REPORT.—The Sec-
2 retary of State shall submit to the Committees
3 on Appropriations the semi-annual report re-
4 quired by section 135(d)(4) of the Atomic En-
5 ergy Act of 1954 (42 U.S.C. 2160e(d)(4)), as
6 added by section 2 of the Iran Nuclear Agree-
7 ment Review Act of 2015 (Public Law 114–17).

8 (B) SANCTIONS REPORT.—Not later than
9 180 days after the date of enactment of this
10 Act, the Secretary of State, in consultation with
11 the Secretary of the Treasury, shall submit to
12 the appropriate congressional committees a re-
13 port on—

14 (i) the status of United States bilat-
15 eral sanctions on Iran;

16 (ii) the reimposition and renewed en-
17 forcement of secondary sanctions; and

18 (iii) the impact such sanctions have
19 had on Iran’s destabilizing activities
20 throughout the Middle East.

21 (c) IRAQ.—

22 (1) PURPOSES.—Funds appropriated under ti-
23 tles III and IV of this Act shall be made available
24 for assistance for Iraq for—

1 (A) bilateral economic assistance and inter-
2 national security assistance, including in the
3 Kurdistan Region of Iraq;

4 (B) stabilization assistance, including in
5 Anbar Province;

6 (C) programs to support government
7 transparency and accountability, judicial inde-
8 pendence, protect the right of due process, and
9 combat corruption;

10 (D) humanitarian assistance, including in
11 the Kurdistan Region of Iraq; and

12 (E) programs to protect and assist reli-
13 gious and ethnic minority populations in Iraq.

14 (2) LIMITATIONS.—The Secretary of State shall
15 ensure that funds appropriated under title IV of this
16 Act that are made available for assistance for Iraqi
17 security forces are monitored in accordance with sec-
18 tions 502B and 620M of the Foreign Assistance Act
19 of 1961.

20 (d) ISRAEL.—

21 (1) Of the funds appropriated by this Act under
22 the heading “Foreign Military Financing Program”,
23 not less than \$3,300,000,000 shall be available for
24 grants only for Israel which shall be disbursed with-
25 in 30 days of enactment of this Act: *Provided*, That

1 to the extent that the Government of Israel requests
2 that funds be used for such purposes, grants made
3 available for Israel under this heading shall, as
4 agreed by the United States and Israel, be available
5 for advanced weapons systems, of which not less
6 than \$785,300,000 shall be available for the pro-
7 curement in Israel of defense articles and defense
8 services, including research and development.

9 (2) Of the funds appropriated by this Act under
10 the heading “Migration and Refugee Assistance”,
11 \$5,000,000 shall be made available for refugees re-
12 settling in Israel.

13 (e) JORDAN.—Of the funds appropriated by this Act
14 under titles III and IV, not less than \$1,250,000,000 shall
15 be made available for assistance for Jordan: *Provided*,
16 That up to an additional \$400,000,000 under the heading
17 “Economic Support Fund” may be made available for as-
18 sistance for Jordan, including for budget support.

19 (f) LEBANON.—

20 (1) ASSISTANCE.—Funds appropriated under
21 titles III and IV of this Act shall be made available
22 for assistance for Lebanon: *Provided*, That such
23 funds made available under the heading “Economic
24 Support Fund” may be made available notwith-
25 standing section 1224 of the Foreign Relations Au-

1 authorization Act, Fiscal Year 2003 (Public Law 107–
2 228; 22 U.S.C. 2346 note).

3 (2) SECURITY ASSISTANCE.—

4 (A) Funds appropriated by this Act under
5 the headings “International Narcotics Control
6 and Law Enforcement” and “Foreign Military
7 Financing Program” that are made available
8 for assistance for Lebanon may be made avail-
9 able for programs and equipment for the Leba-
10 nese Internal Security Forces (ISF) and the
11 Lebanese Armed Forces (LAF) to address secu-
12 rity and stability requirements in areas affected
13 by conflict in Syria, following consultation with
14 the appropriate congressional committees.

15 (B) Funds appropriated by this Act under
16 the heading “Foreign Military Financing Pro-
17 gram” that are made available for assistance
18 for Lebanon may only be made available for
19 programs to—

20 (i) professionalize the LAF to miti-
21 gate internal and external threats from
22 non-state actors, including Hizballah;

23 (ii) strengthen border security and
24 combat terrorism, including training and
25 equipping the LAF to secure the borders

1 of Lebanon and address security and sta-
2 bility requirements in areas affected by
3 conflict in Syria, interdicting arms ship-
4 ments, and preventing the use of Lebanon
5 as a safe haven for terrorist groups; and

6 (iii) implement United Nations Secu-
7 rity Council Resolution 1701:

8 *Provided*, That prior to obligating funds made
9 available by this subparagraph for assistance
10 for the LAF, the Secretary of State shall sub-
11 mit to the Committees on Appropriations a
12 spend plan, including actions to be taken to en-
13 sure equipment provided to the LAF is used
14 only for the intended purposes, except such plan
15 may not be considered as meeting the notifica-
16 tion requirements under section 7015 of this
17 Act or under section 634A of the Foreign As-
18 sistance Act of 1961: *Provided further*, That
19 any notification submitted pursuant to such
20 section shall include any funds specifically in-
21 tended for lethal military equipment.

22 (3) LIMITATION.—None of the funds appro-
23 priated by this Act may be made available for the
24 ISF or the LAF if the ISF or the LAF is controlled
25 by a foreign terrorist organization, as designated

1 pursuant to section 219 of the Immigration and Na-
2 tionality Act (8 U.S.C. 1189).

3 (g) LIBYA.—Funds appropriated under titles III and
4 IV of this Act shall be made available for stabilization as-
5 sistance for Libya, including support for a United Na-
6 tions-facilitated political process and border security: *Pro-*
7 *vided*, That the limitation on the uses of funds for certain
8 infrastructure projects in section 7041(f)(2) of the De-
9 partment of State, Foreign Operations, and Related Pro-
10 grams Appropriations Act, 2014 (division K of Public Law
11 113–76) shall apply to such funds.

12 (h) SAUDI ARABIA.—

13 (1) PROHIBITION ON ASSISTANCE.—None of
14 the funds appropriated by this Act and prior Acts
15 making appropriations for the Department of State,
16 foreign operations, and related programs may be
17 made available for assistance for the Government of
18 Saudi Arabia.

19 (2) EXPORT-IMPORT BANK.—None of the funds
20 appropriated or otherwise made available by this Act
21 and prior Acts making appropriations for the De-
22 partment of State, foreign operations, and related
23 programs should be obligated or expended by the
24 Export-Import Bank of the United States to guar-
25 antee, insure, or extend (or participate in the exten-

1 sion of) credit in connection with the export of nu-
2 clear technology, equipment, fuel, materials, or other
3 nuclear technology-related goods or services to Saudi
4 Arabia unless the Government of Saudi Arabia—

5 (A) has in effect a nuclear cooperation
6 agreement pursuant to section 123 of the
7 Atomic Energy Act of 1954 (42 U.S.C. 2153);

8 (B) has committed to renounce uranium
9 enrichment and reprocessing on its territory
10 under that agreement; and

11 (C) has signed and implemented an Addi-
12 tional Protocol to its Comprehensive Safeguards
13 Agreement with the International Atomic En-
14 ergy Agency.

15 (i) SYRIA.—

16 (1) NON-LETHAL ASSISTANCE.—Funds appro-
17 priated by this Act under the headings “Economic
18 Support Fund”, “International Narcotics Control
19 and Law Enforcement”, and “Peacekeeping Oper-
20 ations”, may be made available, notwithstanding any
21 other provision of law, for non-lethal stabilization as-
22 sistance for Syria, including for emergency medical
23 and rescue response and chemical weapons investiga-
24 tions.

1 (2) LIMITATIONS.—Funds made available pur-
2 suant to paragraph (1) of this subsection—

3 (A) may not be made available for a
4 project or activity that supports or otherwise le-
5 gitimizes the Government of Iran, foreign ter-
6 rorist organizations (as designated pursuant to
7 section 219 of the Immigration and Nationality
8 Act (8 U.S.C. 1189)), or a proxy of Iran in
9 Syria;

10 (B) may not be made available for activi-
11 ties that further the strategic objectives of the
12 Government of the Russian Federation that the
13 Secretary of State determines may threaten or
14 undermine United States national security in-
15 terests; and

16 (C) should not be used in areas of Syria
17 controlled by a government led by Bashar al-
18 Assad or associated forces.

19 (3) AUTHORITY.—The President may exercise
20 the authority of sections 552(c) and 610 of the For-
21 eign Assistance Act of 1961 to provide assistance for
22 Syria, notwithstanding any other provision of law
23 and without regard to the percentage and dollar lim-
24 itations in such sections.

1 (4) CONSULTATION AND NOTIFICATION.—
2 Funds made available pursuant to this subsection
3 may only be made available following consultation
4 with the appropriate congressional committees, and
5 shall be subject to the regular notification proce-
6 dures of the Committees on Appropriations.

7 (j) TUNISIA.—

8 (1) ASSISTANCE.—Funds appropriated under
9 titles III and IV of this Act should be made avail-
10 able for assistance for Tunisia to implement the re-
11 forms enumerated in section 7041(m)(1) through (4)
12 of this Act.

13 (2) REPORT.—Prior to the obligation of funds
14 appropriated by this Act under the heading “For-
15 eign Military Financing Program” for assistance for
16 Tunisia but not later than 45 days after enactment
17 of this Act, the Secretary of State shall submit a re-
18 port to the Committees on Appropriations on wheth-
19 er—

20 (A) the Tunisian military has participated
21 in or otherwise supported the democratic back-
22 sliding in Tunisia;

23 (B) the Government of Tunisia is using or
24 relying on the military to reinforce its auto-
25 cratic actions; and

1 (C) the government is taking credible steps
2 to restore constitutional order and democratic
3 governance, including respecting freedom of ex-
4 pression, association, and the press, and the
5 rights of members of political parties.

6 (k) WEST BANK AND GAZA.—

7 (1) ASSISTANCE.—Of the funds appropriated by
8 this Act under the heading “Economic Support
9 Fund”, not less than \$225,000,000 shall be made
10 available for programs in the West Bank and Gaza,
11 including for water, sanitation, and other municipal
12 infrastructure improvements.

13 (2) REPORT.—Prior to the initial obligation of
14 funds made available by this Act under the heading
15 “Economic Support Fund” for assistance for the
16 West Bank and Gaza, the Secretary of State shall
17 report to the Committees on Appropriations that the
18 purpose of such assistance is to—

19 (A) advance Middle East peace;

20 (B) improve security in the region;

21 (C) continue support for transparent and
22 accountable government institutions;

23 (D) promote a private sector economy; or

24 (E) address urgent humanitarian needs.

25 (3) LIMITATIONS.—

1 (A)(i) None of the funds appropriated
2 under the heading “Economic Support Fund”
3 in this Act may be made available for assistance
4 for the Palestinian Authority, if after the date
5 of enactment of this Act—

6 (I) the Palestinians obtain the same
7 standing as member states or full member-
8 ship as a state in the United Nations or
9 any specialized agency thereof outside an
10 agreement negotiated between Israel and
11 the Palestinians; or

12 (II) the Palestinians initiate an Inter-
13 national Criminal Court (ICC) judicially
14 authorized investigation, or actively sup-
15 port such an investigation, that subjects
16 Israeli nationals to an investigation for al-
17 leged crimes against Palestinians.

18 (ii) The Secretary of State may waive the
19 restriction in clause (i) of this subparagraph re-
20 sulting from the application of subclause (I) of
21 such clause if the Secretary certifies to the
22 Committees on Appropriations that to do so is
23 in the national security interest of the United
24 States, and submits a report to such Commit-
25 tees detailing how the waiver and the continu-

1 ation of assistance would assist in furthering
2 Middle East peace.

3 (B)(i) The President may waive the provi-
4 sions of section 1003 of the Foreign Relations
5 Authorization Act, Fiscal Years 1988 and 1989
6 (Public Law 100–204) if the President deter-
7 mines and certifies in writing to the Speaker of
8 the House of Representatives, the President pro
9 tempore of the Senate, and the appropriate con-
10 gressional committees that the Palestinians
11 have not, after the date of enactment of this
12 Act—

13 (I) obtained in the United Nations or
14 any specialized agency thereof the same
15 standing as member states or full member-
16 ship as a state outside an agreement nego-
17 tiated between Israel and the Palestinians;
18 and

19 (II) initiated or actively supported an
20 ICC investigation against Israeli nationals
21 for alleged crimes against Palestinians.

22 (ii) Not less than 90 days after the Presi-
23 dent is unable to make the certification pursu-
24 ant to clause (i) of this subparagraph, the
25 President may waive section 1003 of Public

1 Law 100–204 if the President determines and
2 certifies in writing to the Speaker of the House
3 of Representatives, the President pro tempore
4 of the Senate, and the Committees on Appro-
5 priations that the Palestinians have entered
6 into direct and meaningful negotiations with
7 Israel: *Provided*, That any waiver of the provi-
8 sions of section 1003 of Public Law 100–204
9 under clause (i) of this subparagraph or under
10 previous provisions of law must expire before
11 the waiver under this clause may be exercised.

12 (iii) Any waiver pursuant to this subpara-
13 graph shall be effective for no more than a pe-
14 riod of 6 months at a time and shall not apply
15 beyond 12 months after the enactment of this
16 Act.

17 (4) APPLICATION OF TAYLOR FORCE ACT.—
18 Funds appropriated by this Act under the heading
19 “Economic Support Fund” that are made available
20 for assistance for the West Bank and Gaza shall be
21 made available consistent with section 1004(a) of
22 the Taylor Force Act (title X of division S of Public
23 Law 115–141).

24 (1) WESTERN SAHARA.—

1 (1) Funds appropriated by this Act under titles
2 I through IV shall be made available for assistance
3 for the Western Sahara, including to support diplo-
4 matic efforts to facilitate a political settlement of the
5 conflict in the Western Sahara.

6 (2) None of the funds appropriated or otherwise
7 made available by this Act or prior Acts making ap-
8 propriations for the Department of State, foreign
9 operations, and related programs may be used to
10 support the construction or operation in the Western
11 Sahara of a United States consulate.

12 (m) ECONOMIC AND GOVERNANCE REFORMS.—Prior
13 to the initial obligation of funds appropriated by this Act
14 under the heading “Economic Support Fund” for assist-
15 ance for the governments of Egypt, Jordan, Lebanon, and
16 Tunisia, but not later than 90 days after enactment of
17 this Act, the Secretary of State shall submit a report to
18 the Committees on Appropriations on the extent to which
19 each government is making consistent progress in increas-
20 ing equitable economic growth and opportunity, improving
21 governance, and reducing corruption, including by—

22 (1) implementing free market and civil service
23 reforms, raising revenue to support public utilities
24 and services, and reducing subsidies;

1 tary Financing Program” may be made available for
2 assistance for Ethiopia.

3 (2) RESTRICTIONS.—The Secretary of the
4 Treasury shall instruct the United States executive
5 director of each international financial institution—

6 (A) to use the voice and vote of the United
7 States to oppose any loan or extension of finan-
8 cial or technical assistance to the Government
9 of Ethiopia; and

10 (B) to work with other key donor countries
11 to develop a coherent policy for future engage-
12 ment with, and lending to, the Government of
13 Ethiopia, in a manner that protects human
14 rights and promotes peace and reconciliation.

15 (3) EXCEPTION.—The restrictions under para-
16 graph (2) shall not apply—

17 (A) with respect to loans or financial or
18 technical assistance for humanitarian purposes
19 or to support projects that meet basic human
20 needs; and

21 (B) on or after the date that is 30 days
22 after the Secretary of State determines and re-
23 ports to the appropriate congressional commit-
24 tees that the Government of Ethiopia has—

1 (i) ceased all offensive military oper-
2 ations;

3 (ii) taken credible and sustained steps
4 toward a genuine political dialogue to end
5 the conflict;

6 (iii) implemented measures to protect
7 human rights and ensure adherence to
8 international humanitarian law and inter-
9 national refugee law;

10 (iv) continuously allowed unimpeded
11 humanitarian access; and

12 (v) cooperated with independent inves-
13 tigations of serious violations of human
14 rights.

15 (c) DEMOCRATIC REPUBLIC OF THE CONGO.—Of the
16 funds appropriated under titles III and IV of this Act,
17 not less than \$325,000,000 shall be made available for
18 assistance for the Democratic Republic of the Congo
19 (DRC) for stabilization, global health, and bilateral eco-
20 nomic assistance, including in areas affected by, and at
21 risk from, the Ebola virus disease: *Provided*, That such
22 funds shall also be made available to support security, sta-
23 bilization, development, and democracy in Eastern DRC:
24 *Provided further*, That funds appropriated by this Act
25 under the headings “Peacekeeping Operations” and

1 “International Military Education and Training” that are
2 made available for such purposes may be made available
3 notwithstanding any other provision of law, except section
4 620M of the Foreign Assistance Act of 1961.

5 (d) MOZAMBIQUE.—Of the funds appropriated under
6 titles III and IV of this Act, not less than \$537,500,000
7 shall be made available for assistance for Mozambique, in-
8 cluding for stabilization, global health, and bilateral eco-
9 nomic assistance in areas affected by violent extremism.

10 (e) SOUTH SUDAN.—

11 (1) ASSISTANCE.—Funds appropriated under
12 title III of this Act that are made available for as-
13 sistance for South Sudan should be made available
14 for democracy programs and for conflict mitigation
15 and reconciliation programs.

16 (2) LIMITATION ON ASSISTANCE FOR THE CEN-
17 TRAL GOVERNMENT.—Funds appropriated by this
18 Act that are made available for assistance for the
19 central Government of South Sudan may only be
20 made available, following consultation with the Com-
21 mittees on Appropriations, for—

22 (A) humanitarian assistance;

23 (B) health programs, including to prevent,
24 detect, and respond to infectious diseases;

1 (C) assistance to support South Sudan
2 peace negotiations or to advance or implement
3 a peace agreement; and

4 (D) assistance to support implementation
5 of outstanding issues of the Comprehensive
6 Peace Agreement, and subsequent and mutual
7 arrangements related to such agreement, or any
8 other internationally recognized viable peace
9 agreement in South Sudan:

10 *Provided*, That prior to the initial obligation of
11 funds made available pursuant to subparagraphs (C)
12 and (D), the Secretary of State shall consult with
13 the Committees on Appropriations on the intended
14 uses of such funds and steps taken by such govern-
15 ment to advance or implement a peace agreement.

16 (f) SUDAN.—

17 (1) ASSISTANCE.—Funds appropriated by this
18 Act and prior Acts making appropriations for the
19 Department of State, foreign operations, and related
20 programs, except funds designated by the Congress
21 as an emergency requirement pursuant to a concur-
22 rent resolution on the budget or the Balanced Budg-
23 et and Emergency Deficit Control Act, may be made
24 available for assistance for Sudan notwithstanding
25 any other provision of law except sections 502B and

1 620M of the Foreign Assistance Act of 1961, the
2 Trafficking Victims Protection Act of 2000, and the
3 Child Soldiers Prevention Act of 2008.

4 (2) LIMITATION.—None of the funds appro-
5 priated under title IV of this Act may be made avail-
6 able for military assistance for Sudan except with
7 the consent of relevant civilian transitional authori-
8 ties, and only for—

9 (A) Expanded International Military Edu-
10 cation and Training and professional military
11 education;

12 (B) security sector reform; and

13 (C) assistance to support implementation
14 of outstanding issues of the Juba Peace Agree-
15 ment, Comprehensive Peace Agreement, mutual
16 arrangements related to post-referendum issues
17 associated with such Agreement, or any other
18 viable peace agreement in Sudan.

19 (3) CONSULTATION AND NOTIFICATION.—
20 Funds appropriated by this Act and prior Acts mak-
21 ing appropriations for the Department of State, for-
22 eign operations, and related programs that are made
23 available for any new program, project, or activity in
24 Sudan shall be subject to prior consultation with the
25 appropriate congressional committees, and the reg-

1 ular notification procedures of the Committees on
2 Appropriations.

3 (g) ZIMBABWE.—

4 (1) INSTRUCTION.—The Secretary of the Treas-
5 ury shall instruct the United States executive direc-
6 tor of each international financial institution to vote
7 against any loan, credit, grant, or guarantee for
8 Zimbabwe, except to meet basic human needs or to
9 promote democracy, unless the Secretary of State
10 certifies and reports to the Committees on Appro-
11 priations that the Government of Zimbabwe is mak-
12 ing consistent progress in strengthening democratic
13 institutions and protecting freedom of expression,
14 association, and assembly.

15 (2) LIMITATION.—None of the funds appro-
16 priated by this Act shall be made available for as-
17 sistance for the central Government of Zimbabwe,
18 except for health and education, unless the Secretary
19 of State certifies and reports as required in para-
20 graph (1).

21 EAST ASIA AND THE PACIFIC

22 SEC. 7043. (a) BURMA.—

23 (1) USES OF FUNDS.—Of the funds appro-
24 priated by this Act, not less than \$136,127,000 shall
25 be made available for assistance for Burma, which—

1 (A) may be made available notwithstanding
2 any other provision of law and following con-
3 sultation with the appropriate congressional
4 committees;

5 (B) may be made available for support for
6 the administrative operations and programs of
7 the National Unity Government of the Republic
8 of the Union of Myanmar (NUG), the Civil Dis-
9 obedience Movement, and other entities pro-
10 moting democracy, following consultation with
11 the appropriate congressional committees: *Pro-*
12 *vided*, That such administrative operations sup-
13 port for the NUG may only be made available
14 for the Ministry of Human Rights and the Min-
15 istry of Women, Youths and Children Affairs;

16 (C) shall be made available for programs
17 to promote ethnic and religious tolerance and to
18 combat gender-based violence, including in
19 Kachin, Chin, Mon, Karen, Karenni, Rakhine,
20 and Shan states;

21 (D) shall be made available for community-
22 based organizations with experience operating
23 in Thailand to provide food, medical, and other
24 humanitarian assistance to internally displaced
25 persons in eastern Burma, in addition to assist-

1 ance for Burmese refugees from funds appro-
2 priated by this Act under the heading “Migra-
3 tion and Refugee Assistance”;

4 (E) shall be made available for programs
5 and activities to investigate and document viola-
6 tions of human rights in Burma committed by
7 the military junta;

8 (F) may not be made available for assist-
9 ance for the State Administration Council;

10 (G) may not be made available to any or-
11 ganization or entity controlled by the military
12 junta in Burma, or to any individual or organi-
13 zation that has committed, or is credibly alleged
14 to have committed, a gross violation of human
15 rights or who advocates violence against ethnic
16 or religious groups or individuals in Burma, as
17 determined by the Secretary of State for pro-
18 grams administered by the Department of State
19 and USAID or the President of the National
20 Endowment for Democracy (NED) for pro-
21 grams administered by NED; and

22 (H) may not be made available for assist-
23 ance under the headings “International Military
24 Education and Training” and “Foreign Military
25 Financing Program”.

1 (2) CONSULTATION.—Any new program or ac-
2 tivity in Burma initiated in fiscal year 2022 shall be
3 subject to prior consultation with the appropriate
4 congressional committees.

5 (b) CAMBODIA.—

6 (1) ASSISTANCE.—Of the funds appropriated
7 under title III of this Act, not less than \$82,505,000
8 shall be made available for assistance for Cambodia.

9 (2) CERTIFICATION AND EXCEPTIONS.—

10 (A) CERTIFICATION.—None of the funds
11 appropriated by this Act that are made avail-
12 able for assistance for the Government of Cam-
13 bodia may be obligated or expended unless the
14 Secretary of State certifies and reports to the
15 Committees on Appropriations that such Gov-
16 ernment is taking effective steps to—

17 (i) strengthen regional security and
18 stability, particularly regarding territorial
19 disputes in the South China Sea and the
20 enforcement of international sanctions with
21 respect to North Korea;

22 (ii) assert its sovereignty against in-
23 terference by the People’s Republic of
24 China, including by verifiably maintaining
25 the neutrality of Ream Naval Base, other

1 military installations in Cambodia, and
2 dual use facilities such as the Dara Sakor
3 development project;

4 (iii) cease violence, threats, and har-
5 assment against civil society and the polit-
6 ical opposition in Cambodia, and dismiss
7 any politically motivated criminal charges
8 against critics of the government; and

9 (iv) respect the rights, freedoms, and
10 responsibilities enshrined in the Constitu-
11 tion of the Kingdom of Cambodia as en-
12 acted in 1993.

13 (B) EXCEPTIONS.—The certification re-
14 quired by subparagraph (A) shall not apply to
15 funds appropriated by this Act and made avail-
16 able for democracy, health, education, and envi-
17 ronment programs, programs to strengthen the
18 sovereignty of Cambodia, and programs to edu-
19 cate and inform the people of Cambodia of the
20 influence activities of the People’s Republic of
21 China in Cambodia.

22 (3) USES OF FUNDS.—Funds appropriated
23 under title III of this Act for assistance for Cam-
24 bodia shall be made available for—

1 (A) research, documentation, and edu-
2 cation programs associated with the Khmer
3 Rouge in Cambodia;

4 (B) assistance for survivors of the Khmer
5 Rouge; and

6 (C) programs in the Khmer language to
7 monitor, map, and publicize the efforts by the
8 People’s Republic of China to expand its influ-
9 ence in Cambodia.

10 (c) INDO-PACIFIC STRATEGY AND THE ASIA REAS-
11 SURANCE INITIATIVE ACT OF 2018.—

12 (1) ASSISTANCE.—Of the funds appropriated
13 under titles III and IV of this Act, not less than
14 \$1,605,105,000 shall be made available to support
15 implementation of the Indo-Pacific Strategy and the
16 Asia Reassurance Initiative Act of 2018 (Public Law
17 115–409).

18 (2) COUNTERING PRC INFLUENCE FUND.—Of
19 the funds appropriated by this Act under the head-
20 ings “Development Assistance”, “Economic Support
21 Fund”, “International Narcotics Control and Law
22 Enforcement”, “Nonproliferation, Anti-terrorism,
23 Demining and Related Programs”, and “Foreign
24 Military Financing Program”, not less than
25 \$300,000,000 shall be made available for a Coun-

1 tering PRC Influence Fund to counter the influence
2 of the Government of the People’s Republic of China
3 and the Chinese Communist Party and entities act-
4 ing on their behalf globally, which shall be subject
5 to prior consultation with the Committees on Appro-
6 priations: *Provided*, That such funds are in addition
7 to amounts otherwise made available for such pur-
8 poses: *Provided further*, That such funds appro-
9 priated under such headings may be transferred to,
10 and merged with, funds appropriated under such
11 headings: *Provided further*, That such transfer au-
12 thority is in addition to any other transfer authority
13 provided by this Act or any other Act, and is subject
14 to the regular notification procedures of the Com-
15 mittees on Appropriations.

16 (3) RESTRICTION ON USES OF FUNDS.—None
17 of the funds appropriated by this Act and prior Acts
18 making appropriations for the Department of State,
19 foreign operations, and related programs may be
20 made available for any project or activity that di-
21 rectly supports or promotes—

22 (A) the Belt and Road Initiative or any
23 dual-use infrastructure projects of the People’s
24 Republic of China; and

1 (B) the use of technology, including bio-
2 technology, digital, telecommunications, and
3 cyber, developed by the People's Republic of
4 China unless the Secretary of State, in con-
5 sultation with the USAID Administrator and
6 the heads of other Federal agencies, as appro-
7 priate, determines that such use does not ad-
8 versely impact the national security of the
9 United States.

10 (d) LAOS.—Of the funds appropriated by this Act
11 under titles III and IV, not less than \$85,000,000 shall
12 be made available for assistance for Laos, of which not
13 less than—

14 (1) \$7,500,000 shall be made available for ma-
15 ternal and child health and nutrition programs;

16 (2) \$1,500,000 shall be made available for
17 health/disability programs in areas sprayed with
18 Agent Orange;

19 (3) \$1,500,000 shall be made available for as-
20 sessments to determine the extent of dioxin contami-
21 nation at former United States military sites in
22 Laos, and the feasibility and cost of remediation;
23 and

1 (4) \$45,000,000 shall be made available for
2 demining and unexploded ordnance clearance activi-
3 ties.

4 (e) NORTH KOREA.—

5 (1) CYBERSECURITY.—None of the funds ap-
6 propriated by this Act or prior Acts making appro-
7 priations for the Department of State, foreign oper-
8 ations, and related programs may be made available
9 for assistance for the central government of a coun-
10 try the Secretary of State determines and reports to
11 the appropriate congressional committees engages in
12 significant transactions contributing materially to
13 the malicious cyber-intrusion capabilities of the Gov-
14 ernment of North Korea: *Provided*, That the Sec-
15 retary of State shall submit the report required by
16 section 209 of the North Korea Sanctions and Policy
17 Enhancement Act of 2016 (Public Law 114–122; 22
18 U.S.C. 9229) to the Committees on Appropriations:
19 *Provided further*, That the Secretary of State may
20 waive the application of the restriction in this para-
21 graph with respect to assistance for the central gov-
22 ernment of a country if the Secretary determines
23 and reports to the appropriate congressional com-
24 mittees that to do so is important to the national se-

1 security interest of the United States, including a de-
2 scription of such interest served.

3 (2) BROADCASTS.—Funds appropriated by this
4 Act under the heading “International Broadcasting
5 Operations” shall be made available to maintain
6 broadcasting hours into North Korea at levels not
7 less than the prior fiscal year.

8 (3) HUMAN RIGHTS.—Funds appropriated by
9 this Act under the headings “Economic Support
10 Fund” and “Democracy Fund” shall be made avail-
11 able for the promotion of human rights in North
12 Korea: *Provided*, That the authority of section
13 7032(b)(1) of this Act shall apply to such funds.

14 (4) LIMITATION ON USE OF FUNDS.—None of
15 the funds made available by this Act under the
16 heading “Economic Support Fund” may be made
17 available for assistance for the Government of North
18 Korea.

19 (f) PEOPLE’S REPUBLIC OF CHINA.—

20 (1) LIMITATION ON USE OF FUNDS.—None of
21 the funds appropriated under the heading “Diplo-
22 matic Programs” in this Act may be obligated or ex-
23 pended for processing licenses for the export of sat-
24 ellites of United States origin (including commercial
25 satellites and satellite components) to the People’s

1 Republic of China (PRC) unless, at least 15 days in
2 advance, the Committees on Appropriations are noti-
3 fied of such proposed action.

4 (2) PEOPLE'S LIBERATION ARMY.—The terms
5 and requirements of section 620(h) of the Foreign
6 Assistance Act of 1961 shall apply to foreign assist-
7 ance projects or activities of the People's Liberation
8 Army (PLA) of the PRC, to include such projects or
9 activities by any entity that is owned or controlled
10 by, or an affiliate of, the PLA: *Provided*, That none
11 of the funds appropriated or otherwise made avail-
12 able pursuant to this Act may be used to finance
13 any grant, contract, or cooperative agreement with
14 the PLA, or any entity that the Secretary of State
15 has reason to believe is owned or controlled by, or
16 an affiliate of, the PLA.

17 (3) HONG KONG.—

18 (A) DEMOCRACY PROGRAMS.—Of the
19 funds appropriated by this Act under the first
20 paragraph under the heading “Democracy
21 Fund”, not less than \$5,000,000 shall be made
22 available for democracy and Internet freedom
23 programs for Hong Kong, including legal and
24 other support for democracy activists.

1 (B) RESTRICTIONS ON ASSISTANCE.—None
2 of the funds appropriated by this Act or prior
3 Acts making appropriations for the Department
4 of State, foreign operations, and related pro-
5 grams that are made available for assistance for
6 Hong Kong should be obligated for assistance
7 for the Government of the People’s Republic of
8 China and the Chinese Communist Party or
9 any entity acting on their behalf in Hong Kong.

10 (C) REPORT.—Funds appropriated under
11 title I of this Act shall be made available to pre-
12 pare and submit to Congress the report re-
13 quired by section 301 of the United States-
14 Hong Kong Policy Act of 1992 (22 U.S.C.
15 5731), which shall include the information de-
16 scribed in section 7043(f)(4)(B) of the Depart-
17 ment of State, Foreign Operations, and Related
18 Programs Appropriations Act, 2020 (division G
19 of Public Law 116–94) and under section
20 7043(f)(3)(C) in the explanatory statement de-
21 scribed in section 4 in the matter preceding di-
22 vision A of the Department of State, Foreign
23 Operations, and Related Programs Appropria-
24 tions Act, 2021 (division K of Public Law 116–
25 260).

1 (4) CLARIFICATION.—Funds appropriated by
2 this Act and prior Acts making appropriations for
3 the Department of State, foreign operations, and re-
4 lated programs that are made available for programs
5 in the People’s Republic of China may be used to
6 counter the impact of Chinese influence and invest-
7 ments in the Greater Mekong Subregion, following
8 consultation with the Committees on Appropriations.

9 (g) PHILIPPINES.—None of the funds appropriated
10 by this Act may be made available for counternarcotics
11 assistance for the Philippines, except for drug demand re-
12 duction, maritime law enforcement, or transnational inter-
13 diction: *Provided*, That funds appropriated by this Act
14 under the heading “Foreign Military Financing Program”
15 should only be made available for maritime security and
16 domain awareness: *Provided further*, That not later than
17 45 days after enactment of this Act, the Secretary of State
18 shall submit to the Committees on Appropriations the re-
19 port required under this heading in the explanatory state-
20 ment accompanying this Act.

21 (h) TIBET.—

22 (1) MULTILATERAL FINANCING OF PROJECTS
23 IN TIBET.—The Secretary of the Treasury should in-
24 struct the United States executive director of each
25 international financial institution to use the voice

1 and vote of the United States to support financing
2 of projects in Tibet if such projects do not provide
3 incentives for the migration and settlement of non-
4 Tibetans into Tibet or facilitate the transfer of own-
5 ership of Tibetan land and natural resources to non-
6 Tibetans, are based on a thorough needs-assessment,
7 foster self-sufficiency of the Tibetan people and re-
8 spect Tibetan culture and traditions, and are subject
9 to effective monitoring.

10 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

11 (A) Of the funds appropriated by this Act
12 under the heading “Economic Support Fund”,
13 not less than \$13,000,000 shall be made avail-
14 able to nongovernmental organizations to sup-
15 port activities which preserve cultural traditions
16 and promote sustainable development, edu-
17 cation, and environmental conservation in Ti-
18 betan communities in the Tibet Autonomous
19 Region and in other Tibetan communities in
20 China.

21 (B) Of the funds appropriated by this Act
22 under the heading “Economic Support Fund”,
23 not less than \$7,000,000 shall be made avail-
24 able for programs to promote and preserve Ti-
25 betan culture and language in the refugee and

1 diaspora Tibetan communities, development,
2 and the resilience of Tibetan communities and
3 the Central Tibetan Administration in India
4 and Nepal, and to assist in the education and
5 development of the next generation of Tibetan
6 leaders from such communities: *Provided*, That
7 such funds are in addition to amounts made
8 available in subparagraph (A) for programs in-
9 side Tibet.

10 (C) Of the funds appropriated by this Act
11 under the heading “Economic Support Fund”,
12 not less than \$3,000,000 shall be made avail-
13 able for programs to strengthen the capacity of
14 the Central Tibetan Administration: *Provided*,
15 That such funds shall be administered by the
16 United States Agency for International Devel-
17 opment.

18 (D) Funds made available pursuant to this
19 paragraph may be made available notwith-
20 standing any other provision of law.

21 (3) TIBETAN INSTITUTES PROMOTING DEMOC-
22 RACY AND RELIGIOUS FREEDOM.—Of the funds ap-
23 propriated by this Act under the heading “Economic
24 Support Fund” that are made available for the
25 Countering PRC Influence Fund, not less than

1 \$3,000,000 shall be made available, on a competitive
2 basis, as grants for operations and program ex-
3 penses of one or more Tibetan institutes established
4 by Tibetan nationals and located in Asia, a purpose
5 of which is to support democracy and religious free-
6 dom in Tibet and the People's Republic of China
7 and to counter the influence of Confucius Institutes:
8 *Provided*, That such funds shall be the responsibility
9 of the Assistant Secretary of State for Democracy,
10 Human Rights, and Labor, and shall be in addition
11 to funds otherwise made available for such purposes.

12 (i) VIETNAM.—Of the funds appropriated under titles
13 III and IV of this Act, not less than \$181,000,000 shall
14 be made available for assistance for Vietnam, of which not
15 less than—

16 (1) \$15,000,000 shall be made available for
17 health and disability programs related to the use of
18 Agent Orange and exposure to dioxin, to assist indi-
19 viduals with severe upper or lower body mobility im-
20 pairment or cognitive or developmental disabilities;

21 (2) \$19,000,000 shall be made available for
22 demining and unexploded ordnance clearance activi-
23 ties;

24 (3) \$20,000,000 shall be made available, not-
25 withstanding any other provision of law, for activi-

1 ties related to the remediation of dioxin contami-
2 nated sites in Vietnam and may be made available
3 for assistance for the Government of Vietnam, in-
4 cluding the military, for such purposes;

5 (4) \$2,000,000 shall be made available for a
6 war legacy reconciliation program; and

7 (5) \$15,000,000 shall be made available for
8 higher education programs.

9 SOUTH AND CENTRAL ASIA

10 SEC. 7044. (a) AFGHANISTAN.—

11 (1) ASSISTANCE.—

12 (A) None of the funds appropriated by this
13 Act and prior Acts making appropriations for
14 the Department of State, foreign operations,
15 and related programs and made available for
16 assistance for Afghanistan may be made avail-
17 able for direct assistance to the Taliban.

18 (B) Funds appropriated by this Act under
19 the heading “Economic Support Fund” that are
20 available for assistance for Afghanistan should
21 be made available to support higher education
22 programs for Afghan students, including
23 through distance learning and scholarships to
24 institutions located outside of Afghanistan.

1 (2) REPORT.—Not later than 30 days after en-
2 actment of this Act and every 60 days thereafter
3 until September 30, 2022, the Secretary of State
4 shall submit a report to the Committees on Appro-
5 priations, in classified form if necessary, detailing
6 the status of United States diplomatic facilities in
7 Afghanistan, including whether such facilities are oc-
8 cupied and controlled by United States officials or
9 contractors, information regarding any breach of
10 such facilities by the Taliban or other non-United
11 States Government entities, the plan and costs asso-
12 ciated with the security and maintenance of such fa-
13 cilities beginning in August 2021, and an estimate
14 of the cost of any losses regarding physical damage
15 or violation of the integrity of the security associated
16 with such facilities.

17 (b) BANGLADESH.—Of the funds appropriated under
18 titles III and IV of this Act, not less than \$198,325,000
19 shall be made available for assistance for Bangladesh, of
20 which—

21 (1) not less than \$23,500,000 shall be made
22 available to address the needs of communities im-
23 pacted by refugees from Burma;

24 (2) not less than \$10,000,000 shall be made
25 available for programs to protect freedom of expres-

1 sion and association, and the right of due process;
2 and

3 (3) not less than \$23,300,000 shall be made
4 available for democracy programs, of which not less
5 than \$2,000,000 shall be made available for such
6 programs for the Rohingya community in Ban-
7 gladesh.

8 (c) NEPAL.—Funds appropriated by this Act under
9 the heading “Foreign Military Financing Program” that
10 are made available for assistance for Nepal shall only be
11 made available for humanitarian and disaster relief and
12 reconstruction activities, and in support of international
13 peacekeeping operations: *Provided*, That such funds may
14 only be made available for additional uses if the Secretary
15 of State certifies and reports to the Committees on Appro-
16 priations that the Government of Nepal is investigating
17 and prosecuting violations of human rights and the laws
18 of war by the Nepal Army, and the Nepal Army is cooper-
19 ating fully with civilian judicial authorities in such cases.

20 (d) PAKISTAN.—

21 (1) TERMS AND CONDITIONS.—The terms and
22 conditions of section 7044(c) of the Department of
23 State, Foreign Operations, and Related Programs
24 Appropriations Act, 2019 (division F of Public Law

1 116–6) shall continue in effect during fiscal year
2 2022.

3 (2) ASSISTANCE.—Of the funds appropriated
4 under title III of this Act that are made available
5 for assistance for Pakistan, not less than
6 \$15,000,000 shall be made available for democracy
7 programs and not less than \$10,000,000 shall be
8 made available for gender programs.

9 (e) SRI LANKA.—

10 (1) ASSISTANCE.—Funds appropriated by this
11 Act under titles I and III should be made available
12 for assistance for Sri Lanka for—

- 13 (A) educational and cultural exchanges;
14 (B) public diplomacy programs;
15 (C) democracy and governance programs;
16 and
17 (D) economic development programs, par-
18 ticularly in areas recovering from ethnic and re-
19 ligious conflict.

20 (2) NOTIFICATION.—Funds made available for
21 assistance for any other purposes in Sri Lanka shall
22 be subject to prior consultation with, and the regular
23 notification procedures of, the Committees on Ap-
24 propriations.

1 (3) LIMITATION.—None of the funds appro-
2 priated by this Act may be made available for assist-
3 ance for the Sri Lankan armed forces, except for
4 maritime security and domain awareness, including
5 professionalization and training for the navy and
6 coast guard.

7 (4) INELIGIBILITY.—The Secretary of State
8 should apply section 7031(c) of this Act to Sri
9 Lankan officials credibly implicated in war crimes
10 and other serious violations of human rights, or in
11 significant acts of corruption.

12 (5) REPORT.—Not later than 45 days after en-
13 actment of this Act and every 90 days thereafter
14 until September 30, 2022, the Secretary of State
15 shall submit a report to the Committees on Appro-
16 priations assessing actions taken by the Government
17 of Sri Lanka to—

18 (A) protect the rights and freedoms of the
19 people of Sri Lanka regardless of ethnicity and
20 religious belief, including by investigating viola-
21 tions of human rights and the laws of war and
22 holding perpetrators accountable;

23 (B) increase transparency and account-
24 ability in governance, and reduce corruption;

1 (C) assert its sovereignty against influence
2 by the People's Republic of China; and

3 (D) promote reconciliation between ethnic
4 and religious groups, particularly arising from
5 past conflicts in Sri Lanka, including by—

6 (i) addressing land confiscation and
7 ownership issues;

8 (ii) resolving cases of missing persons,
9 including by maintaining a functioning of-
10 fice of missing persons;

11 (iii) reducing the presence of the
12 armed forces in former conflict zones and
13 restructuring the armed forces for a peace-
14 time role that contributes to post-conflict
15 reconciliation and regional security;

16 (iv) repealing or amending laws on ar-
17 rest and detention by security forces to
18 comply with international standards; and

19 (v) bringing to justice police officers
20 involved in cases of arbitrary and incom-
21 municado detention and torture, and sup-
22 porting a credible justice mechanism for
23 resolving cases of war crimes.

24 (f) REGIONAL PROGRAMS.—Funds appropriated by
25 this Act should be made available for assistance for coun-

1 tries in South and Central Asia to significantly increase
2 the recruitment, training, and retention of women in the
3 judiciary, police, and other security forces, and to train
4 judicial and security personnel in such countries to pre-
5 vent and address gender-based violence, human traf-
6 ficking, and other practices that disproportionately harm
7 women and girls.

8 LATIN AMERICA AND THE CARIBBEAN

9 SEC. 7045. (a) CENTRAL AMERICA.—

10 (1) ASSISTANCE.—

11 (A) Of the funds appropriated by this Act
12 under titles III and IV, not less than
13 \$653,875,000 should be made available for as-
14 sistance for Belize, Costa Rica, El Salvador,
15 Guatemala, Honduras, Nicaragua, and Pan-
16 ama, including to implement the Root Causes
17 Strategy and through the Central America Re-
18 gional Security Initiative: *Provided*, That such
19 assistance shall be prioritized for programs and
20 activities that address the violence, poverty, and
21 other factors that contribute to irregular migra-
22 tion, particularly of unaccompanied minors, to
23 the United States, including for programs to re-
24 duce violence against women and girls, address
25 the needs and protect the rights of Indigenous

1 people, and for support for civil society and
2 other independent institutions and activities to
3 combat corruption and impunity.

4 (B) Up to \$100,000,000 of the funds
5 made available pursuant to subparagraph (A)
6 for assistance for El Salvador, Guatemala, and
7 Honduras may be made available for programs
8 that support locally-led development in such
9 countries and may remain available until Sep-
10 tember 30, 2027: *Provided*, That up to 15 per-
11 cent of the funds made available to carry out
12 this subparagraph may be used by USAID for
13 administrative and oversight expenses related to
14 the purposes of this subparagraph: *Provided*
15 *further*, That other than to meet the require-
16 ments of this subparagraph, funds made avail-
17 able to carry out this subparagraph may not be
18 allocated in the report required by section
19 653(a) of the Foreign Assistance Act of 1961
20 to meet any other specifically designated fund-
21 ing levels contained in this Act: *Provided fur-*
22 *ther*, That such funds may be attributed to any
23 such specifically designated funding level after
24 the award of funds under this section, if appli-
25 cable: *Provided further*, That the USAID Ad-

1 administrator shall consult with the Committees
2 on Appropriations on the planned uses of funds
3 to carry out this subparagraph prior to the ini-
4 tial obligation of funds: *Provided further*, That
5 such funds shall be subject to the regular notifi-
6 cation procedures of the Committees on Appro-
7 priations.

8 (C) Not less than \$70,000,000 of the
9 funds made available pursuant to subparagraph
10 (A) shall be made available for programs to re-
11 duce violence against women and girls, includ-
12 ing for women’s shelters, girls education, and
13 anti-gang programs: *Provided*, That of such
14 funds, not less than \$20,000,000 shall be made
15 available to support bilateral compacts with the
16 governments of El Salvador, Guatemala, and
17 Honduras for the specific purpose of strength-
18 ening the capacity of the judicial systems in
19 such countries to protect women and children
20 from domestic violence, sexual assault, traf-
21 ficking, and child abuse or neglect, including by
22 holding perpetrators accountable.

23 (2) LIMITATION ON ASSISTANCE TO CERTAIN
24 CENTRAL GOVERNMENTS.—

1 (A) Of the funds made available pursuant
2 to paragraph (1) under the heading “Economic
3 Support Fund” and under title IV of this Act
4 that are made available for assistance for each
5 of the central governments of El Salvador, Gua-
6 temala, and Honduras, 50 percent may only be
7 obligated after the Secretary of State certifies
8 and reports to the Committees on Appropria-
9 tions that such government is—

10 (i) combating corruption and impu-
11 nity, including by implementing laws and
12 policies to ensure transparency of govern-
13 ment receipts and expenditures, and by al-
14 lowing independent investigations and
15 prosecutions of corrupt public officials to
16 proceed;

17 (ii) protecting the rights of civil soci-
18 ety, members of political parties, freedom
19 of expression, association, and the press;

20 (iii) respecting the right of due proc-
21 ess and holding accountable members of
22 security forces who violate human rights;

23 (iv) implementing policies to reduce
24 poverty and promote equitable economic
25 growth and opportunity;

1 (v) respecting the independence of the
2 judiciary and of electoral processes;

3 (vi) combating human smuggling and
4 trafficking and countering the activities of
5 criminal gangs, drug traffickers, and
6 transnational criminal organizations;

7 (vii) informing its citizens of the dan-
8 gers of the journey to the southwest border
9 of the United States; and

10 (viii) resolving disputes involving the
11 confiscation of real property of United
12 States entities.

13 (B) REPROGRAMMING.—If the Secretary is
14 unable to make the certification required by
15 subparagraph (A) for one or more of the cen-
16 tral governments, such assistance may be repro-
17 grammed for assistance for civil society organi-
18 zations and local governments in such country,
19 or for other countries in Latin America and the
20 Caribbean, notwithstanding the funding provi-
21 sions in this subsection and the limitations in
22 section 7019 of this Act: *Provided*, That any
23 such reprogramming shall be subject to the reg-
24 ular notification procedures of the Committees
25 on Appropriations.

1 (C) EXCEPTIONS.—The limitation of sub-
2 paragraph (A) shall not apply to funds appro-
3 priated by this Act that are made available
4 for—

5 (i) offices of Attorneys General and
6 other judicial authorities that are acting
7 independently to combat organized crime,
8 corruption, and impunity;

9 (ii) programs to support women and
10 girls and to combat sexual and gender-
11 based violence;

12 (iii) programs to promote respect for
13 the rule of law and to protect human
14 rights, including of Indigenous commu-
15 nities and Afro-descendants;

16 (iv) programs to strengthen democ-
17 racy;

18 (v) humanitarian assistance;

19 (vi) public health and education; and

20 (vii) food security programs.

21 (D) FOREIGN MILITARY FINANCING PRO-
22 GRAM.—None of the funds appropriated by this
23 Act under the heading “Foreign Military Fi-
24 nancing Program” may be made available for

1 assistance for El Salvador, Guatemala, or Hon-
2 duras.

3 (E) CENTRAL AMERICORPS.—Of the funds
4 appropriated by this Act under the heading
5 “Development Assistance”, not less than
6 \$50,000,000 shall be made available for a pro-
7 gram modeled on “AmeriCorps” in El Salvador,
8 Guatemala, and Honduras, which shall be
9 named “Central AmeriCorps” and implemented
10 in accordance with the guidelines under this
11 heading in the explanatory statement accom-
12 panying this Act: *Provided*, That the goal of
13 Central AmeriCorps shall be to create measur-
14 able reductions in migration from targeted com-
15 munities in such countries by recruiting young
16 people to engage in COVID–19 response, hurri-
17 cane preparedness and recovery, and other com-
18 munity projects, while having secondary im-
19 pacts by channeling additional income into local
20 economies and providing needed skills training
21 for future employment in local businesses: *Pro-*
22 *vided further*, That participants shall be re-
23 cruited from communities with high outward
24 migration and low income, including Indigenous
25 communities: *Provided further*, That not later

1 than 45 days after enactment of this Act, the
2 USAID Administrator shall consult with the
3 Committees on Appropriations on the establish-
4 ment and implementation of Central
5 AmeriCorps.

6 (b) COLOMBIA.—

7 (1) ASSISTANCE.—Of the funds appropriated by
8 this Act under titles III and IV, not less than
9 \$463,850,000 should be made available for assist-
10 ance for Colombia: *Provided*, That of such funds
11 that are made available under the heading “Inter-
12 national Narcotics Control and Law Enforcement”
13 for such assistance, not less than \$70,000,000 shall
14 be made available to enhance rural security in coca
15 producing municipalities that are targeted for assist-
16 ance programs that provide viable economic alter-
17 natives and improve access to public services.

18 (2) WITHHOLDING OF FUNDS.—

19 (A) COUNTERNARCOTICS.—

20 (i) Of the funds appropriated by this
21 Act under the heading “International Nar-
22 cotics Control and Law Enforcement” that
23 are made available for assistance for Co-
24 lombia, 20 percent may be obligated only if
25 the Secretary of State certifies and reports

1 to the Committees on Appropriations that
2 the Government of Colombia is imple-
3 menting an effective whole-of-government
4 strategy to substantially and sustainably
5 reduce coca cultivation and cocaine produc-
6 tion levels in Colombia, by prioritizing and
7 increasing domestic funding to enhance
8 rural security in coca producing munici-
9 palities that are targeted for assistance
10 programs that provide viable economic al-
11 ternatives and improve access to public
12 services, and such strategy is in accordance
13 with the 2016 peace accord between the
14 Government of Colombia and the Revolu-
15 tionary Armed Forces of Colombia; and

16 (ii) Of the funds appropriated by this
17 Act under the heading “International Nar-
18 cotics Control and Law Enforcement” and
19 made available for assistance for the Co-
20 lombian National Police, 5 percent may be
21 obligated only if the Secretary of State cer-
22 tifies and reports to the Committees on
23 Appropriations that the Government of Co-
24 lombia is bringing to justice police per-
25 sonnel who ordered, directed, and used ex-

1 cessive force and engaged in other illegal
2 acts against peaceful protesters in 2021.

3 (B) HUMAN RIGHTS.—Of the funds appro-
4 priated by this Act under the heading “Foreign
5 Military Financing Program” and made avail-
6 able for assistance for Colombia, 20 percent
7 may be obligated only if the Secretary of State
8 certifies and reports to the Committees on Ap-
9 propriations that—

10 (i) the Special Jurisdiction for Peace
11 and other judicial authorities, as appro-
12 priate, are sentencing perpetrators of seri-
13 ous violations of human rights, including
14 those with command responsibility, to dep-
15 rivation of liberty;

16 (ii) the Government of Colombia is
17 making consistent progress in reducing
18 threats and attacks against human rights
19 defenders and other civil society activists,
20 and judicial authorities are prosecuting
21 and punishing those responsible for order-
22 ing and carrying out such attacks;

23 (iii) the Government of Colombia is
24 making consistent progress in protecting
25 Afro-Colombian and Indigenous commu-

1 nities and is respecting their rights and
2 territories;

3 (iv) senior military officers responsible
4 for ordering, committing, and covering up
5 cases of false positives are being pros-
6 ecuted and punished, officers with pending
7 cases are not being promoted, and wit-
8 nesses are being protected; and

9 (v) the Government of Colombia is
10 bringing to justice military and police per-
11 sonnel who authorized, conducted, and cov-
12 ered up illegal surveillance and commu-
13 nications intercepts and has taken effective
14 steps to prevent the recurrence of such
15 crimes.

16 (3) EXCEPTIONS.—The limitations of para-
17 graph (2) shall not apply to funds made available for
18 aviation instruction and maintenance, and maritime
19 and riverine security programs.

20 (4) AUTHORITY.—Aircraft supported by funds
21 appropriated by this Act and prior Acts making ap-
22 propriations for the Department of State, foreign
23 operations, and related programs and made available
24 for assistance for Colombia may be used to trans-
25 port personnel and supplies involved in drug eradi-

1 cation and interdiction, including security for such
2 activities, and to provide transport in support of al-
3 ternative development programs and investigations
4 by civilian judicial authorities.

5 (5) PROHIBITION.—None of the funds appro-
6 priated by this Act may be made available for assist-
7 ance for the Colombian National Police’s Mobile
8 Anti-Disturbances Squadron.

9 (6) REINTEGRATION PROGRAMS.—Funds ap-
10 propriated by this Act that are made available for
11 assistance for Colombia may be used to support
12 demining and unexploded ordnance clearance activi-
13 ties involving former combatants who have demobi-
14 lized and renounced violence.

15 (c) CUBA.—

16 (1) Of the funds appropriated by this Act under
17 the heading “Economic Support Fund”,
18 \$20,000,000 shall be made available for democracy
19 programs in Cuba.

20 (2) Of the funds appropriated by this Act under
21 the heading “Economic Support Fund”, \$5,000,000
22 shall be made available, notwithstanding any other
23 provision of law, for programs to support—

24 (A) free enterprise and private business or-
25 ganizations in Cuba; and

1 (B) people-to-people educational and cul-
2 tural activities involving citizens of Cuba and
3 the United States.

4 (3) None of the funds appropriated by this Act
5 may be made available to any entity controlled by
6 the Cuban military.

7 (4) Funds appropriated under title I of this Act
8 shall be made available for—

9 (A) the operation of, and infrastructure
10 and security improvements to, United States
11 diplomatic facilities in Cuba; and

12 (B) costs associated with additional United
13 States diplomatic personnel in Cuba.

14 (5) Funds made available pursuant to this sub-
15 section shall be subject to prior consultation with the
16 Committees on Appropriations.

17 (d) HAITI.—

18 (1) CERTIFICATION.—Funds appropriated by
19 this Act that are made available for assistance for
20 Haiti may only be made available for the central
21 Government of Haiti if the Secretary of State cer-
22 tifies and reports to the appropriate congressional
23 committees that a new President and Parliament
24 have taken office after free and fair elections, or the
25 country is being led by a transitional governing au-

1 thority that is broadly representative of Haitian soci-
2 ety, and it is in the national interest of the United
3 States to provide such assistance.

4 (2) EXCEPTIONS.—Notwithstanding paragraph
5 (1), funds may be made available to support—

6 (A) free and fair elections;

7 (B) anti-gang police and administration of
8 justice programs, including to reduce pre-trial
9 detention and eliminate inhumane prison condi-
10 tions;

11 (C) public health, food security, water and
12 sanitation, education, and other programs to
13 meet basic human needs; and

14 (D) disaster relief and recovery.

15 (3) NOTIFICATION.—Funds appropriated by
16 this Act that are made available for assistance for
17 Haiti shall be subject to prior consultation with, and
18 the regular notification procedures of, the Commit-
19 tees on Appropriations.

20 (4) PROHIBITION.—None of the funds appro-
21 priated or otherwise made available by this Act may
22 be used for assistance for the armed forces of Haiti.

23 (5) HAITIAN COAST GUARD.—The Government
24 of Haiti shall be eligible to purchase defense articles

1 and services under the Arms Export Control Act (22
2 U.S.C. 2751 et seq.) for the Coast Guard.

3 (e) NICARAGUA.—(1) Of the funds appropriated by
4 this Act under the heading “Economic Support Fund”,
5 not less than \$10,000,000 shall be made available for civil
6 society programs for Nicaragua.

7 (2) The Secretary of the Treasury shall instruct the
8 United States executive director of each international fi-
9 nancial institution to vote against any loan, grant, credit,
10 or guarantee for the Government of Nicaragua, except to
11 meet basic human needs or to strengthen democracy, un-
12 less the Secretary of State certifies and reports to the
13 Committees on Appropriations that Nicaragua has held
14 free and fair presidential elections and the rule of law has
15 been restored, including freedom of expression, associa-
16 tion, and assembly, the right of due process, and the rights
17 of members of political parties.

18 (3) The Secretary of State should apply section
19 7031(c) of this Act to the Nicaraguan officials responsible
20 for ordering the wrongful arrests of potential presidential
21 candidates in 2021.

22 (4) None of the funds appropriated by this Act should
23 be made available for assistance for the central govern-
24 ment of a country that the Secretary of State determines
25 and reports to the Committees on Appropriations has

1 taken affirmative steps intended to support or be sup-
2 portive of the outcome of presidential elections in Nica-
3 ragua that the Secretary determines are neither free nor
4 fair: *Provided*, That the Secretary may waive the restric-
5 tion on assistance required by this paragraph if the Sec-
6 retary determines and reports to such Committees that to
7 do so is in the national interest of the United States, and
8 includes a justification for such interest.

9 (5) The Secretary of State should use all available
10 diplomatic tools to suspend Nicaragua's participation in
11 the Central America Free Trade Agreement in govern-
12 ment-controlled sectors of the economy, until the Sec-
13 retary determines and reports to the Committees on Ap-
14 propriations that Nicaragua has held free and fair presi-
15 dential elections.

16 (f) VENEZUELA.—(1) Of the funds appropriated by
17 this Act under the heading “Economic Support Fund”,
18 not less than \$50,000,000 should be made available for
19 democracy programs for Venezuela.

20 (2) Funds appropriated under title III of this Act and
21 prior Acts making appropriations for the Department of
22 State, foreign operations, and related programs should be
23 made available for assistance for communities in countries
24 supporting or otherwise impacted by refugees from Ven-
25 ezuela, including Colombia, Peru, Ecuador, Curacao, and

1 Trinidad and Tobago: *Provided*, That such amounts are
2 in addition to funds otherwise made available for assist-
3 ance for such countries, subject to prior consultation with,
4 and the regular notification procedures of, the Committees
5 on Appropriations.

6 EUROPE AND EURASIA

7 SEC. 7046. (a) ASSISTANCE.—

8 (1) GEORGIA.—

9 (A) ASSISTANCE.—Of the funds appro-
10 priated by this Act under titles III and IV, not
11 less than \$120,625,000 should be made avail-
12 able for assistance for Georgia.

13 (B) LIMITATION.—None of the funds made
14 available pursuant to subparagraph (A) for eco-
15 nomic growth programs should be made avail-
16 able for assistance for the central Government
17 of Georgia, unless the Secretary of State deter-
18 mines and reports to the appropriate congres-
19 sional committees that such government is mak-
20 ing consistent progress in implementing rule of
21 law, judicial, and electoral reforms.

22 (C) WAIVER.—The Secretary may waive
23 the limitation in subparagraph (B) if the Sec-
24 retary determines and reports to such Commit-
25 tees that to do so is important to the national

1 interest of the United States and includes a jus-
2 tification for such waiver.

3 (2) UKRAINE.—Of the funds appropriated by
4 this Act under titles III and IV, not less than
5 \$559,000,000 shall be made available for assistance
6 for Ukraine.

7 (b) TERRITORIAL INTEGRITY.—None of the funds
8 appropriated by this Act may be made available for assist-
9 ance for a government of an Independent State of the
10 former Soviet Union if such government directs any action
11 in violation of the territorial integrity or national sov-
12 ereignty of any other Independent State of the former So-
13 viet Union, such as those violations included in the Hel-
14 sinki Final Act: *Provided*, That except as otherwise pro-
15 vided in section 7047(a) of this Act, funds may be made
16 available without regard to the restriction in this sub-
17 section if the President determines that to do so is in the
18 national security interest of the United States: *Provided*
19 *further*, That prior to executing the authority contained
20 in the previous proviso, the Secretary of State shall con-
21 sult with the Committees on Appropriations on how such
22 assistance supports the national security interest of the
23 United States.

1 (c) SECTION 907 OF THE FREEDOM SUPPORT
2 ACT.—Section 907 of the FREEDOM Support Act (22
3 U.S.C. 5812 note) shall not apply to—

4 (1) activities to support democracy or assist-
5 ance under title V of the FREEDOM Support Act
6 (22 U.S.C. 5851 et seq.) and section 1424 of the
7 Defense Against Weapons of Mass Destruction Act
8 of 1996 (50 U.S.C. 2333) or non-proliferation as-
9 sistance;

10 (2) any assistance provided by the Trade and
11 Development Agency under section 661 of the For-
12 eign Assistance Act of 1961;

13 (3) any activity carried out by a member of the
14 United States and Foreign Commercial Service while
15 acting within his or her official capacity;

16 (4) any insurance, reinsurance, guarantee, or
17 other assistance provided by the United States
18 International Development Finance Corporation as
19 authorized by the BUILD Act of 2018 (division F
20 of Public Law 115–254);

21 (5) any financing provided under the Export-
22 Import Bank Act of 1945 (Public Law 79–173); or

23 (6) humanitarian assistance.

24 (d) TURKEY.—None of the funds made available by
25 this Act may be used to facilitate or support the sale of

1 defense articles or defense services to the Turkish Presi-
2 dential Protection Directorate (TPPD) under Chapter 2
3 of the Arms Export Control Act (22 U.S.C. 2761 et seq.)
4 unless the Secretary of State determines and reports to
5 the appropriate congressional committees that members of
6 the TPPD who are named in the July 17, 2017, indict-
7 ment by the Superior Court of the District of Columbia,
8 and against whom there are pending charges, have re-
9 turned to the United States to stand trial in connection
10 with the offenses contained in such indictment or have
11 otherwise been brought to justice: *Provided*, That the limi-
12 tation in this paragraph shall not apply to the use of funds
13 made available by this Act for border security purposes,
14 for North Atlantic Treaty Organization or coalition oper-
15 ations, or to enhance the protection of United States offi-
16 cials and facilities in Turkey.

17 COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

18 SEC. 7047. (a) PROHIBITION.—None of the funds ap-
19 propriated by this Act may be made available for assist-
20 ance for the Government of the Russian Federation.

21 (b) ANNEXATION OF CRIMEA.—

22 (1) PROHIBITION.—None of the funds appro-
23 priated by this Act may be made available for assist-
24 ance for the central government of a country that
25 the Secretary of State determines and reports to the

1 Committees on Appropriations has taken affirmative
2 steps intended to support or be supportive of the
3 Russian Federation annexation of Crimea or other
4 territory in Ukraine: *Provided*, That except as other-
5 wise provided in subsection (a), the Secretary may
6 waive the restriction on assistance required by this
7 paragraph if the Secretary determines and reports to
8 such Committees that to do so is in the national in-
9 terest of the United States, and includes a justifica-
10 tion for such interest.

11 (2) LIMITATION.—None of the funds appro-
12 priated by this Act may be made available for—

13 (A) the implementation of any action or
14 policy that recognizes the sovereignty of the
15 Russian Federation over Crimea or other terri-
16 tory in Ukraine;

17 (B) the facilitation, financing, or guarantee
18 of United States Government investments in
19 Crimea or other territory in Ukraine under the
20 control of Russian-backed separatists, if such
21 activity includes the participation of Russian
22 Government officials, or other Russian owned
23 or controlled financial entities; or

24 (C) assistance for Crimea or other terri-
25 tory in Ukraine under the control of Russian-

1 backed separatists, if such assistance includes
2 the participation of Russian Government offi-
3 cials, or other Russian owned or controlled fi-
4 nancial entities.

5 (3) INTERNATIONAL FINANCIAL INSTITU-
6 TIONS.—The Secretary of the Treasury shall in-
7 struct the United States executive director of each
8 international financial institution to use the voice
9 and vote of the United States to oppose any loan,
10 credit, grant, or guarantee for any program that vio-
11 lates the sovereignty or territorial integrity of
12 Ukraine.

13 (4) DURATION.—The requirements and limita-
14 tions of this subsection shall cease to be in effect if
15 the Secretary of State determines and reports to the
16 Committees on Appropriations that the Government
17 of Ukraine has reestablished sovereignty over Cri-
18 mea and other territory in Ukraine under the con-
19 trol of Russian-backed separatists.

20 (c) OCCUPATION OF THE GEORGIAN TERRITORIES OF
21 ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

22 (1) PROHIBITION.—None of the funds appro-
23 priated by this Act may be made available for assist-
24 ance for the central government of a country that
25 the Secretary of State determines and reports to the

1 Committees on Appropriations has recognized the
2 independence of, or has established diplomatic rela-
3 tions with, the Russian Federation occupied Geor-
4 gian territories of Abkhazia and Tskhinvali Region/
5 South Ossetia: *Provided*, That the Secretary shall
6 publish on the Department of State website a list of
7 any such central governments in a timely manner:
8 *Provided further*, That the Secretary may waive the
9 restriction on assistance required by this paragraph
10 if the Secretary determines and reports to the Com-
11 mittees on Appropriations that to do so is in the na-
12 tional interest of the United States, and includes a
13 justification for such interest.

14 (2) LIMITATION.—None of the funds appro-
15 priated by this Act may be made available to sup-
16 port the Russian Federation occupation of the Geor-
17 gian territories of Abkhazia and Tskhinvali Region/
18 South Ossetia.

19 (3) INTERNATIONAL FINANCIAL INSTITU-
20 TIONS.—The Secretary of the Treasury shall in-
21 struct the United States executive director of each
22 international financial institution to use the voice
23 and vote of the United States to oppose any loan,
24 credit, grant, or guarantee for any program that vio-

1 lates the sovereignty and territorial integrity of
2 Georgia.

3 (d) COUNTERING RUSSIAN INFLUENCE FUND.—

4 (1) ASSISTANCE.—Of the funds appropriated by
5 this Act under the headings “Assistance for Europe,
6 Eurasia and Central Asia”, “International Narcotics
7 Control and Law Enforcement”, “International Mili-
8 tary Education and Training”, and “Foreign Mili-
9 tary Financing Program”, not less than
10 \$295,000,000 shall be made available to carry out
11 the purposes of the Countering Russian Influence
12 Fund, as authorized by section 254 of the Coun-
13 tering Russian Influence in Europe and Eurasia Act
14 of 2017 (Public Law 115–44; 22 U.S.C. 9543) and
15 notwithstanding the country limitation in subsection
16 (b) of such section, and programs to enhance the ca-
17 pacity of law enforcement and security forces in
18 countries in Europe, Eurasia, and Central Asia and
19 strengthen security cooperation between such coun-
20 tries and the United States and the North Atlantic
21 Treaty Organization, as appropriate.

22 (2) ECONOMICS AND TRADE.—Funds appro-
23 priated by this Act and made available for assistance
24 for the Eastern Partnership countries shall be made
25 available to advance the implementation of Associa-

1 tion Agreements and trade agreements with the Eu-
 2 ropean Union, and to reduce their vulnerability to
 3 external economic and political pressure from the
 4 Russian Federation.

5 (e) DEMOCRACY PROGRAMS.—Funds appropriated by
 6 this Act shall be made available to support democracy pro-
 7 grams in the Russian Federation and other countries in
 8 Europe, Eurasia, and Central Asia, including to promote
 9 Internet freedom: *Provided*, That of the funds appro-
 10 priated under the heading “Assistance for Europe, Eur-
 11 asia and Central Asia”, not less than \$20,000,000 shall
 12 be made available to strengthen democracy and civil soci-
 13 ety in Central Europe, including for transparency, inde-
 14 pendent media, rule of law, minority rights, and programs
 15 to combat anti-Semitism.

16 UNITED NATIONS

17 SEC. 7048. (a) TRANSPARENCY AND ACCOUNT-
 18 ABILITY.—

19 (1) Of the funds appropriated by this Act under
 20 the headings “Contributions to International Orga-
 21 nizations” and “International Organizations and
 22 Programs” in this Act that are available for con-
 23 tributions to the United Nations, any United Na-
 24 tions department or agency, and the Organization of

1 American States, 10 percent may not be expended
2 for such department, agency, or organization until—

3 (A) the Secretary of State determines that
4 such department, agency, or organization—

5 (i) is posting on a publicly available
6 website, consistent with privacy regulations
7 and due process, regular financial and pro-
8 grammatic audits of such department,
9 agency, or organization, and providing the
10 United States Government with necessary
11 access to such financial and performance
12 audits; and

13 (ii) is effectively enforcing policies and
14 procedures on the appropriate use of travel
15 funds, including restrictions on first-class
16 and business-class travel; and

17 (B) such department, agency, or organiza-
18 tion submits a report to the Department of
19 State, which shall be posted on the Depart-
20 ment's website with an opportunity for public
21 comment, demonstrating that it is effectively
22 implementing policies and procedures which
23 meet or exceed best practices in the United
24 States for the protection of whistleblowers from
25 retaliation, including—

1 (i) protection against retaliation for
2 internal and lawful public disclosures;
3 (ii) legal burdens of proof;
4 (iii) statutes of limitation for report-
5 ing retaliation;
6 (iv) access to binding independent ad-
7 judicative bodies, including shared cost and
8 selection of external arbitration; and
9 (v) results that eliminate the effects of
10 proven retaliation, including provision for
11 the restoration of prior employment; and
12 (C) the Secretary determines and reports
13 to the Committees on Appropriations, based on
14 the report required by subparagraph (B), public
15 comments, and any other information available
16 to the Secretary, that the department, agency,
17 or organization is meeting or exceeding best
18 practices: *Provided*, That such determination
19 shall be posted on the Department's website.

20 (b) RESTRICTIONS ON UNITED NATIONS DELEGA-
21 TIONS AND ORGANIZATIONS.—

22 (1) RESTRICTIONS ON UNITED STATES DELEGA-
23 TIONS.—None of the funds made available by this
24 Act may be used to pay expenses for any United
25 States delegation to any specialized agency, body, or

1 commission of the United Nations if such agency,
2 body, or commission is chaired or presided over by
3 a country, the government of which the Secretary of
4 State has determined, for purposes of section
5 1754(e) of the Export Reform Control Act of 2018
6 (50 U.S.C. 4813(c)), supports international ter-
7 rorism.

8 (2) RESTRICTIONS ON CONTRIBUTIONS.—None
9 of the funds made available by this Act may be used
10 by the Secretary of State as a contribution to any
11 organization, agency, commission, or program within
12 the United Nations system if such organization,
13 agency, commission, or program is chaired or pre-
14 sided over by a country the government of which the
15 Secretary of State has determined, for purposes of
16 section 620A of the Foreign Assistance Act of 1961,
17 section 40 of the Arms Export Control Act, section
18 1754(e) of the Export Reform Control Act of 2018
19 (50 U.S.C. 4813(c)), or any other provision of law,
20 is a government that has repeatedly provided sup-
21 port for acts of international terrorism.

22 (3) WAIVER.—The Secretary of State may
23 waive the restriction in this subsection if the Sec-
24 retary determines and reports to the Committees on
25 Appropriations that to do so is important to the na-

1 tional interest of the United States, including a de-
2 scription of the national interest served.

3 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—

4 Funds appropriated by this Act may be made available
5 to support the United Nations Human Rights Council un-
6 less the Secretary of State determines and reports to the
7 Committees on Appropriations that participation in the
8 Council does not serve the national interest of the United
9 States, and that the Council is not taking significant steps
10 to remove Israel as a permanent agenda item and to en-
11 sure integrity in the election of members to the Council:
12 *Provided*, That such report shall describe why participa-
13 tion in the Council does not serve the national interest
14 and the steps that should be taken to remove Israel as
15 a permanent agenda item and ensure integrity in the elec-
16 tion of members to the Council: *Provided further*, That the
17 Secretary of State shall report to the Committees on Ap-
18 propriations not later than September 30, 2022, on the
19 resolutions considered in the United Nations Human
20 Rights Council during the previous 12 months, and on
21 steps taken to remove Israel as a permanent agenda item
22 and ensure integrity in the election of members to the
23 Council.

24 (d) UNITED NATIONS RELIEF AND WORKS AGEN-
25 CY.—Funds appropriated by this Act should be made

1 available for the United Nations Relief and Works Agency
2 (UNRWA) unless the Secretary of State determines and
3 reports to the Committees on Appropriations that
4 UNRWA is—

5 (1) not utilizing Operations Support Officers in
6 the West Bank, Gaza, and other fields of operation
7 to inspect UNRWA installations and reporting any
8 inappropriate use;

9 (2) not acting promptly to address any staff or
10 beneficiary violation of its own policies (including the
11 policies on neutrality and impartiality of employees)
12 and the legal requirements under section 301(c) of
13 the Foreign Assistance Act of 1961;

14 (3) not implementing procedures to maintain
15 the neutrality of its facilities, including imple-
16 menting a no-weapons policy, and conducting reg-
17 ular inspections of its installations, to ensure they
18 are only used for humanitarian or other appropriate
19 purposes;

20 (4) not taking necessary and appropriate meas-
21 ures to ensure it is operating in compliance with the
22 conditions of section 301(c) of the Foreign Assist-
23 ance Act of 1961 and continuing regular reporting
24 to the Department of State on actions it has taken
25 to ensure conformance with such conditions;

1 (5) not taking steps to ensure the content of all
2 educational materials currently taught in UNRWA-
3 administered schools and summer camps is con-
4 sistent with the values of human rights, dignity, and
5 tolerance and does not induce incitement;

6 (6) engaging in operations with financial insti-
7 tutions or related entities in violation of relevant
8 United States law, and is not taking steps to im-
9 prove the financial transparency of the organization;
10 and

11 (7) not in compliance with the United Nations
12 Board of Auditors' biennial audit requirements and
13 is not implementing in a timely fashion the Board's
14 recommendations.

15 (e) PROHIBITION OF PAYMENTS TO UNITED NA-
16 TIONS MEMBERS.—None of the funds appropriated or
17 made available pursuant to titles III through VI of this
18 Act for carrying out the Foreign Assistance Act of 1961,
19 may be used to pay in whole or in part any assessments,
20 arrearages, or dues of any member of the United Nations
21 or, from funds appropriated by this Act to carry out chap-
22 ter 1 of part I of the Foreign Assistance Act of 1961,
23 the costs for participation of another country's delegation
24 at international conferences held under the auspices of
25 multilateral or international organizations.

1 (f) REPORT.—Not later than 45 days after enactment
2 of this Act, the Secretary of State shall submit a report
3 to the Committees on Appropriations detailing the amount
4 of funds available for obligation or expenditure in fiscal
5 year 2021 for contributions to any organization, depart-
6 ment, agency, or program within the United Nations sys-
7 tem or any international program that are withheld from
8 obligation or expenditure due to any provision of law: *Pro-*
9 *vided*, That the Secretary shall update such report each
10 time additional funds are withheld by operation of any
11 provision of law: *Provided further*, That the reprogram-
12 ming of any withheld funds identified in such report, in-
13 cluding updates thereof, shall be subject to prior consulta-
14 tion with, and the regular notification procedures of, the
15 Committees on Appropriations.

16 (g) SEXUAL EXPLOITATION AND ABUSE IN PEACE-
17 KEEPING OPERATIONS.—The Secretary of State should
18 withhold assistance to any unit of the security forces of
19 a foreign country if the Secretary has credible information
20 that such unit has engaged in sexual exploitation or abuse,
21 including while serving in a United Nations peacekeeping
22 operation, until the Secretary determines that the govern-
23 ment of such country is taking effective steps to hold the
24 responsible members of such unit accountable and to pre-
25 vent future incidents: *Provided*, That the Secretary shall

1 promptly notify the government of each country subject
2 to any withholding of assistance pursuant to this para-
3 graph, and shall notify the appropriate congressional com-
4 mittees of such withholding not later than 10 days after
5 a determination to withhold such assistance is made: *Pro-*
6 *vided further*, That the Secretary shall, to the maximum
7 extent practicable, assist such government in bringing the
8 responsible members of such unit to justice.

9 (h) ADDITIONAL AVAILABILITY.—Subject to the reg-
10 ular notification procedures of the Committees on Appro-
11 priations, funds appropriated by this Act which are re-
12 turned or not made available due to the second proviso
13 under the heading “Contributions for International Peace-
14 keeping Activities” in title I of this Act or section 307(a)
15 of the Foreign Assistance Act of 1961 (22 U.S.C.
16 2227(a)), shall remain available for obligation until Sep-
17 tember 30, 2023: *Provided*, That the requirement to with-
18 hold funds for programs in Burma under section 307(a)
19 of the Foreign Assistance Act of 1961 shall not apply to
20 funds appropriated by this Act.

21 WAR CRIMES TRIBUNALS

22 SEC. 7049. (a) If the President determines that doing
23 so will contribute to a just resolution of charges regarding
24 genocide or other violations of international humanitarian
25 law, the President may direct a drawdown pursuant to sec-

1 tion 552(c) of the Foreign Assistance Act of 1961 of up
2 to \$30,000,000 of commodities and services for inter-
3 national tribunals or commissions established or author-
4 ized by the United Nations Security Council to address
5 war crimes, crimes against humanity, or genocide, without
6 regard to the ceiling limitation contained in paragraph (2)
7 thereof: *Provided*, That such international tribunals or
8 commissions shall not include the International Criminal
9 Court: *Provided further*, That the determination required
10 under this section shall be in lieu of any determinations
11 otherwise required under section 552(c): *Provided further*,
12 That funds made available pursuant to this section shall
13 be made available subject to the regular notification proce-
14 dures of the Committees on Appropriations.

15 (b) None of the funds appropriated by this Act may
16 be made available for a United States contribution to the
17 International Criminal Court: *Provided*, That funds should
18 be made available for technical assistance, training, assist-
19 ance for victims, protection of witnesses, and law enforce-
20 ment support related to international investigations, ap-
21 prehensions, prosecutions, and adjudications of genocide,
22 crimes against humanity, and war crimes: *Provided fur-*
23 *ther*, That the previous proviso shall not apply to inves-
24 tigations, apprehensions, or prosecutions of American
25 service members and other United States citizens or na-

1 tionals, or nationals of the North Atlantic Treaty Organi-
2 zation (NATO) or major non-NATO allies initially des-
3 igned pursuant to section 517(b) of the Foreign Assist-
4 ance Act of 1961.

5 GLOBAL INTERNET FREEDOM

6 SEC. 7050. (a) FUNDING.—Of the funds available for
7 obligation during fiscal year 2022 under the headings
8 “International Broadcasting Operations”, “Economic
9 Support Fund”, “Democracy Fund”, and “Assistance for
10 Europe, Eurasia and Central Asia”, not less than
11 \$81,000,000 shall be made available for programs to pro-
12 mote Internet freedom globally: *Provided*, That such pro-
13 grams shall be prioritized for countries whose governments
14 restrict freedom of expression on the Internet, and that
15 are important to the national interest of the United
16 States: *Provided further*, That funds made available pursu-
17 ant to this section shall be matched, to the maximum ex-
18 tent practicable, by sources other than the United States
19 Government, including from the private sector.

20 (b) REQUIREMENTS.—

21 (1) DEPARTMENT OF STATE AND UNITED
22 STATES AGENCY FOR INTERNATIONAL DEVELOP-
23 MENT.—Funds appropriated by this Act under the
24 headings “Economic Support Fund”, “Democracy
25 Fund”, and “Assistance for Europe, Eurasia and

1 Central Asia” that are made available pursuant to
2 subsection (a) shall be—

3 (A) coordinated with other democracy pro-
4 grams funded by this Act under such headings,
5 and shall be incorporated into country assist-
6 ance and democracy promotion strategies, as
7 appropriate;

8 (B) for programs to implement the May
9 2011, International Strategy for Cyberspace,
10 the Department of State International Cyber-
11 space Policy Strategy required by section 402
12 of the Cybersecurity Act of 2015 (division N of
13 Public Law 114–113), and the comprehensive
14 strategy to promote Internet freedom and ac-
15 cess to information in Iran, as required by sec-
16 tion 414 of the Iran Threat Reduction and
17 Syria Human Rights Act of 2012 (22 U.S.C.
18 8754);

19 (C) made available for programs that sup-
20 port the efforts of civil society to counter the
21 development of repressive Internet-related laws
22 and regulations, including countering threats to
23 Internet freedom at international organizations;
24 to combat violence against bloggers and other

1 users; and to enhance digital security training
2 and capacity building for democracy activists;

3 (D) made available for research of key
4 threats to Internet freedom; the continued de-
5 velopment of technologies that provide or en-
6 hance access to the Internet, including cir-
7 cumvention tools that bypass Internet blocking,
8 filtering, and other censorship techniques used
9 by authoritarian governments; and maintenance
10 of the technological advantage of the United
11 States Government over such censorship tech-
12 niques: *Provided*, That the Secretary of State,
13 in consultation with the United States Agency
14 for Global Media Chief Executive Officer
15 (USAGM CEO) and the President of the Open
16 Technology Fund (OTF), shall coordinate any
17 such research and development programs with
18 other relevant United States Government de-
19 partments and agencies in order to share infor-
20 mation, technologies, and best practices, and to
21 assess the effectiveness of such technologies;
22 and

23 (E) made available only with the concur-
24 rence of the Assistant Secretary for Democracy,
25 Human Rights, and Labor, Department of

1 State, that such funds are allocated consistent
2 with—

3 (i) the strategies referenced in sub-
4 paragraph (B) of this paragraph;

5 (ii) best practices regarding security
6 for, and oversight of, Internet freedom pro-
7 grams; and

8 (iii) sufficient resources and support
9 for the development and maintenance of
10 anti-censorship technology and tools.

11 (2) UNITED STATES AGENCY FOR GLOBAL
12 MEDIA.—Funds appropriated by this Act under the
13 heading “International Broadcasting Operations”
14 that are made available pursuant to subsection (a)
15 shall be—

16 (A) made available only for open-source
17 tools and techniques to securely develop and
18 distribute USAGM digital content, facilitate au-
19 dience access to such content on websites that
20 are censored, coordinate the distribution of
21 USAGM digital content to targeted regional au-
22 diences, and to promote and distribute such
23 tools and techniques, including digital security
24 techniques;

1 (B) coordinated by the USAGM CEO, in
2 consultation with the OTF President, with pro-
3 grams funded by this Act under the heading
4 “International Broadcasting Operations”, and
5 shall be incorporated into country broadcasting
6 strategies, as appropriate;

7 (C) coordinated by the USAGM CEO, in
8 consultation with the OTF President, to solicit
9 project proposals through an open, transparent,
10 and competitive process, seek input from tech-
11 nical and subject matter experts to select pro-
12 posals, and support Internet circumvention
13 tools and techniques for audiences in countries
14 that are strategic priorities for the OTF and in
15 a manner consistent with the United States
16 Government Internet freedom strategy; and

17 (D) made available for the research and
18 development of new tools or techniques author-
19 ized in subparagraph (A) only after the
20 USAGM CEO, in consultation with the Sec-
21 retary of State, the OTF President, and other
22 relevant United States Government depart-
23 ments and agencies, evaluates the risks and
24 benefits of such new tools or techniques, and

1 establishes safeguards to minimize the use of
2 such new tools or techniques for illicit purposes.

3 (c) COORDINATION AND SPEND PLANS.—After con-
4 sultation among the relevant agency heads to coordinate
5 and de-conflict planned activities, but not later than 90
6 days after enactment of this Act, the Secretary of State
7 and the USAGM CEO, in consultation with the OTF
8 President, shall submit to the Committees on Appropria-
9 tions spend plans for funds made available by this Act for
10 programs to promote Internet freedom globally, which
11 shall include a description of safeguards established by rel-
12 evant agencies to ensure that such programs are not used
13 for illicit purposes: *Provided*, That the Department of
14 State spend plan shall include funding for all such pro-
15 grams for all relevant Department of State and United
16 States Agency for International Development offices and
17 bureaus.

18 (d) SECURITY AUDITS.—Funds made available pur-
19 suant to this section to promote Internet freedom globally
20 may only be made available to support open-source tech-
21 nologies that undergo comprehensive security audits con-
22 sistent with the requirements of the Bureau of Democracy,
23 Human Rights, and Labor, Department of State to ensure
24 that such technology is secure and has not been com-
25 promised in a manner detrimental to the interest of the

1 United States or to individuals and organizations bene-
2 fitting from programs supported by such funds: *Provided*,
3 That the security auditing procedures used by such Bu-
4 reau shall be reviewed and updated periodically to reflect
5 current industry security standards.

6 TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING
7 TREATMENT OR PUNISHMENT

8 SEC. 7051. (a) PROHIBITION.—None of the funds
9 made available by this Act may be used to support or jus-
10 tify the use of torture or other cruel, inhuman, or degrad-
11 ing treatment or punishment by any official or contract
12 employee of the United States Government.

13 (b) ASSISTANCE.—Funds appropriated under titles
14 III and IV of this Act shall be made available, notwith-
15 standing section 660 of the Foreign Assistance Act of
16 1961 and following consultation with the Committees on
17 Appropriations, for assistance to eliminate torture and
18 other cruel, inhuman, or degrading treatment or punish-
19 ment by foreign police, military, or other security forces
20 in countries receiving assistance from funds appropriated
21 by this Act.

22 AIRCRAFT TRANSFER, COORDINATION, AND USE

23 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-
24 standing any other provision of law or regulation, aircraft
25 procured with funds appropriated by this Act and prior

1 Acts making appropriations for the Department of State,
2 foreign operations, and related programs under the head-
3 ings “Diplomatic Programs”, “International Narcotics
4 Control and Law Enforcement”, “Andean Counterdrug
5 Initiative”, and “Andean Counterdrug Programs” may be
6 used for any other program and in any region.

7 (b) PROPERTY DISPOSAL.—The authority provided
8 in subsection (a) shall apply only after the Secretary of
9 State determines and reports to the Committees on Appro-
10 priations that the equipment is no longer required to meet
11 programmatic purposes in the designated country or re-
12 gion: *Provided*, That any such transfer shall be subject
13 to prior consultation with, and the regular notification
14 procedures of, the Committees on Appropriations.

15 (c) AIRCRAFT COORDINATION.—

16 (1) AUTHORITY.—The uses of aircraft pur-
17 chased or leased by the Department of State and the
18 United States Agency for International Development
19 with funds made available in this Act or prior Acts
20 making appropriations for the Department of State,
21 foreign operations, and related programs shall be co-
22 ordinated under the authority of the appropriate
23 Chief of Mission: *Provided*, That notwithstanding
24 section 7065(a) of this Act, such aircraft may be
25 used to transport, on a reimbursable or non-reim-

1 lated Programs Appropriations Act, 2010 (division F of
2 Public Law 111–117) shall apply to this Act: *Provided*,
3 That the date “September 30, 2009” in subsection
4 (f)(2)(B) of such section shall be deemed to be “Sep-
5 tember 30, 2021”.

6 INTERNATIONAL MONETARY FUND

7 SEC. 7054. (a) EXTENSIONS.—The terms and condi-
8 tions of sections 7086(b) (1) and (2) and 7090(a) of the
9 Department of State, Foreign Operations, and Related
10 Programs Appropriations Act, 2010 (division F of Public
11 Law 111–117) shall apply to this Act.

12 (b) REPAYMENT.—The Secretary of the Treasury
13 shall instruct the United States Executive Director of the
14 International Monetary Fund (IMF) to seek to ensure
15 that any loan will be repaid to the IMF before other pri-
16 vate or multilateral creditors.

17 ORGANIZATION OF AMERICAN STATES

18 SEC. 7055. (a) Of the funds appropriated by this Act
19 under the heading “Contributions to International Organi-
20 zations”, \$10,000,000 of the United States assessment for
21 the Organization of American States (OAS) for calendar
22 year 2022 should be withheld from obligation until the
23 Secretary of State determines and reports to the Commit-
24 tees on Appropriations that the OAS is implementing an
25 action plan to—

1 (1) transfer to locations outside of the District
2 of Columbia administrative functions that can be
3 performed virtually at lower cost;

4 (2) sell real estate in the District of Columbia
5 that is not needed to carry out OAS core activities
6 or that the OAS is financially unable to operate and
7 maintain;

8 (3) increase quota levels on a routine basis to
9 match the rate of inflation;

10 (4) eliminate credit for on-time payment of as-
11 sessments and impose penalties for successive late
12 payment of assessments;

13 (5) restructure the OAS to reduce organiza-
14 tional complexity, consolidate functions and elimi-
15 nate lower priority activities, and shift funds to OAS
16 core activities with a focus on strengthening democ-
17 racy, electoral cooperation and observation, pro-
18 tecting human rights, and multidimensional security;
19 and

20 (6) overhaul the Office of the Inspector Gen-
21 eral.

22 (b) Funds appropriated by this Act that are made
23 available as contributions to the OAS shall be subject to
24 prior consultation with, and the regular notification proce-
25 dures of, the Committees on Appropriations.

1 ASSISTANCE FOR INNOCENT VICTIMS OF CONFLICT

2 SEC. 7056. Not later than 90 days after enactment
3 of this Act, the Administrator of the United States Agency
4 for International Development shall establish a fund,
5 which shall be referred to as the “Marla Ruzicka Fund
6 for Innocent Victims of Conflict” (the “Marla Fund”), to
7 provide assistance to civilians harmed as a result of mili-
8 tary operations of the United States: *Provided*, That such
9 assistance may also be provided to other innocent victims
10 of conflict: *Provided further*, That of the funds appro-
11 priated under title III of this Act, not less than
12 \$17,000,000 shall be made available for the Marla Fund:
13 *Provided further*, That the USAID Administrator shall
14 consult with the Committees on Appropriations not later
15 than 60 days after enactment of this Act regarding the
16 establishment and implementation of the Marla Fund.

17 UNITED NATIONS POPULATION FUND

18 SEC. 7057. (a) CONTRIBUTION.—Of the funds made
19 available under the heading “International Organizations
20 and Programs” in this Act for fiscal year 2022, not less
21 than \$55,000,000 shall be made available for the United
22 Nations Population Fund (UNFPA).

23 (b) AVAILABILITY OF FUNDS.—Funds appropriated
24 by this Act for UNFPA, that are not made available for
25 UNFPA because of the operation of any provision of law,

1 shall be transferred to the “Global Health Programs” ac-
2 count and shall be made available for family planning and
3 reproductive health activities, subject to the regular notifi-
4 cation procedures of the Committees on Appropriations.

5 (c) PROHIBITION ON USE OF FUNDS IN CHINA.—

6 None of the funds made available by this Act may be used
7 by UNFPA for a country program in the People’s Repub-
8 lic of China.

9 (d) CONDITIONS ON AVAILABILITY OF FUNDS.—

10 Funds made available by this Act for UNFPA may not
11 be made available unless—

12 (1) UNFPA maintains funds made available by
13 this Act in an account separate from other accounts
14 of UNFPA and does not commingle such funds with
15 other sums; and

16 (2) UNFPA does not fund abortions.

17 GLOBAL HEALTH ACTIVITIES

18 SEC. 7058. (a) PREVENTING AND RESPONDING TO
19 PANDEMICS.—

20 (1) Funds appropriated by this Act under the
21 heading “Global Health Programs” shall be made
22 available for global health security programs to ac-
23 celerate the capacity of targeted countries to pre-
24 vent, detect, and respond to infectious disease out-
25 breaks by strengthening public health capacity where

1 there is a high risk of emerging zoonotic infectious
2 diseases, and by supporting the collection, analysis,
3 and transparent sharing of data on unknown viruses
4 and other pathogens that may pose future threats to
5 human health: *Provided*, That not later than 60
6 days after enactment of this Act, the USAID Ad-
7 ministrator and the Secretary of State, as appro-
8 priate, shall consult with the Committees on Appro-
9 priations on the planned uses of such funds.

10 (2) REDUCING HUMAN CONTACT WITH WILD-
11 LIFE.—Funds appropriated by this Act shall be
12 made available to support national and local strate-
13 gies to reduce human contact with wildlife, deforest-
14 ation and wildlife habitat degradation, and the com-
15 merce in, and consumption of, live wildlife and raw
16 or unprocessed wildlife parts and derivatives that
17 contribute to zoonotic spillover between animals and
18 humans: *Provided*, That not later than 60 days after
19 enactment of this Act, the USAID Administrator
20 shall consult with the Committees on Appropriations
21 on funding for this purpose, including planned
22 amounts, geographical areas, partners, and activi-
23 ties.

24 (3) INTERNATIONAL FINANCING MECHANISM.—
25 Up to \$250,000,000 of the funds appropriated by

1 this Act under the heading “Global Health Pro-
2 grams” may be made available for a contribution to
3 an international financing mechanism for pandemic
4 preparedness, following consultation with the Com-
5 mittees on Appropriations.

6 (4) EXTRAORDINARY MEASURES.—If the Sec-
7 retary of State determines and reports to the Com-
8 mittees on Appropriations that an international in-
9 fectious disease outbreak is sustained, severe, and is
10 spreading internationally, or that it is in the na-
11 tional interest to respond to a Public Health Emer-
12 gency of International Concern, not to exceed an ag-
13 gregate total of \$200,000,000 of the funds appro-
14 priated by this Act under the headings “Global
15 Health Programs”, “Development Assistance”,
16 “International Disaster Assistance”, “Complex Cri-
17 ses Fund”, “Economic Support Fund”, “Democracy
18 Fund”, “Assistance for Europe, Eurasia and Cen-
19 tral Asia”, “Migration and Refugee Assistance”, and
20 “Millennium Challenge Corporation” may be made
21 available to combat such infectious disease or public
22 health emergency, and may be transferred to, and
23 merged with, funds appropriated under such head-
24 ings for the purposes of this paragraph: *Provided*,
25 That such aggregate total may be exceeded if the

1 President determines and reports to such commit-
2 tees that it is vital to the national security interest
3 of the United States to do so, including a detailed
4 explanation of such interest: *Provided further*, That
5 such determination and report should include future
6 budget plans to reimburse the accounts from which
7 funds are to be made available pursuant to such de-
8 termination.

9 (5) EMERGENCY RESERVE FUND.—Up to
10 \$100,000,000 of the funds made available under the
11 heading “Global Health Programs” may be made
12 available for the Emergency Reserve Fund estab-
13 lished pursuant to section 7058(c)(1) of the Depart-
14 ment of State, Foreign Operations, and Related Pro-
15 grams Appropriations Act, 2017 (division J of Pub-
16 lic Law 115–31): *Provided*, That such funds shall be
17 made available under the same terms and conditions
18 of such section.

19 (6) CONSULTATION AND NOTIFICATION.—
20 Funds made available by this subsection shall be
21 subject to prior consultation with, and the regular
22 notification procedures of, the Committees on Ap-
23 propriations.

24 (b) AUTHORITY.—Funds appropriated under titles
25 III and IV of this Act that are made available for bilateral

1 assistance for global health programs, including activities
2 relating to research on, and the prevention, treatment, and
3 control of, HIV/AIDS may be made available notwith-
4 standing any other provision of law except for provisions
5 under the heading “Global Health Programs” and the
6 United States Leadership Against HIV/AIDS, Tuber-
7 culosis, and Malaria Act of 2003 (117 Stat. 711; 22
8 U.S.C. 7601 et seq.), as amended.

9 (c) HIV/AIDS WORKING CAPITAL FUND.—Funds
10 available in the HIV/AIDS Working Capital Fund estab-
11 lished pursuant to section 525(b)(1) of the Foreign Oper-
12 ations, Export Financing, and Related Programs Appro-
13 priations Act, 2005 (Public Law 108–447) may be made
14 available for pharmaceuticals and other products for child
15 survival, malaria, tuberculosis, emerging infectious dis-
16 eases, and other global health activities to the same extent
17 as HIV/AIDS pharmaceuticals and other products, subject
18 to the terms and conditions in such section: *Provided*,
19 That the authority in section 525(b)(5) of the Foreign Op-
20 erations, Export Financing, and Related Programs Appro-
21 priation Act, 2005 (Public Law 108–447) shall be exer-
22 cised by the Assistant Administrator for Global Health,
23 USAID, with respect to funds deposited for such non-
24 HIV/AIDS pharmaceuticals and other products: *Provided*
25 *further*, That the Secretary of State shall include in the

1 congressional budget justification an accounting of budg-
2 etary resources, disbursements, balances, and reimburse-
3 ments related to such fund.

4 (d) FAMILY PLANNING AND REPRODUCTIVE
5 HEALTH.—Of the funds appropriated under title III of
6 this Act, not less than \$650,000,000 shall be made avail-
7 able for family planning/reproductive health, including in
8 areas where population growth threatens biodiversity or
9 endangered species.

10 GENDER EQUALITY AND WOMEN’S EMPOWERMENT

11 SEC. 7059. (a) IN GENERAL.—

12 (1) GENDER EQUALITY.—Funds appropriated
13 by this Act shall be made available to promote gen-
14 der equality in United States Government diplomatic
15 and development efforts by raising the status, in-
16 creasing the economic participation and opportuni-
17 ties for political leadership, and protecting the rights
18 of women and girls worldwide.

19 (2) WOMEN’S ECONOMIC EMPOWERMENT.—

20 Funds appropriated by this Act shall be made avail-
21 able for programs, projects, and activities that pro-
22 mote and support women’s entrepreneurship and
23 economic empowerment as a core element of each
24 country assistance strategy administered by the De-

1 partment of State and the United States Agency for
2 International Development.

3 (3) GENDER EQUITY AND EQUALITY ACTION
4 FUND.—Of the funds appropriated under title III of
5 this Act, not less than \$200,000,000 should be made
6 available for the Gender Equity and Equality Action
7 Fund.

8 (b) WOMEN’S LEADERSHIP.—Of the funds appro-
9 priated under title III of this Act, not less than
10 \$70,000,000 shall be made available for programs specifi-
11 cally designed to increase leadership opportunities for
12 women in countries where women and girls suffer discrimi-
13 nation due to law, policy, or practice, by strengthening
14 protections for women’s political status, expanding wom-
15 en’s participation in political parties and elections, and in-
16 creasing women’s opportunities for leadership positions in
17 the public and private sectors at the local, provincial, and
18 national levels.

19 (c) GENDER-BASED VIOLENCE.—

20 (1) Of the funds appropriated under titles III
21 and IV of this Act, not less than \$175,000,000 shall
22 be made available to implement a multi-year strat-
23 egy to prevent and respond to gender-based violence
24 in countries where it is common in conflict and non-
25 conflict settings.

1 available for the Nita M. Lowey Basic Education
2 Fund, and such funds may be made available not-
3 withstanding any other provision of law that re-
4 stricts assistance to foreign countries: *Provided*,
5 That such funds shall also be used for secondary
6 education activities: *Provided further*, That funds
7 made available by this paragraph should be made
8 available for the education of girls in areas of con-
9 flict or humanitarian crises where girls have been
10 denied equal access to education.

11 (2) Of the funds appropriated under title III of
12 this Act for assistance for basic education programs,
13 not less than \$150,000,000 should be made available
14 for contributions to multilateral partnerships that
15 support education.

16 (b) HIGHER EDUCATION.—Of the funds appropriated
17 by title III of this Act, not less than \$250,000,000 should
18 be made available for assistance for higher education: *Pro-*
19 *vided*, That such funds may be made available notwith-
20 standing any other provision of law that restricts assist-
21 ance to foreign countries, and shall be subject to the reg-
22 ular notification procedures of the Committees on Appro-
23 priations: *Provided further*, That of such amount, not less
24 than \$35,000,000 shall be made available for new and on-
25 going partnerships between higher education institutions

1 in the United States and developing countries focused on
2 building the capacity of higher education institutions and
3 systems in developing countries: *Provided further*, That
4 not later than 45 days after enactment of this Act, the
5 USAID Administrator shall consult with the Committees
6 on Appropriations on the proposed uses of funds for such
7 partnerships.

8 ENVIRONMENT PROGRAMS

9 SEC. 7061. (a) IN GENERAL.—Of the funds appro-
10 priated under title III of this Act, not less than
11 \$1,484,400,000 shall be made available for environment
12 programs.

13 (b) ADAPTATION PROGRAMS.—Of the funds appro-
14 priated under title III of this Act, not less than
15 \$343,900,000 shall be made available for climate change
16 adaptation programs, including in support of the Indo-Pa-
17 cific Strategy.

18 (c) CLEAN ENERGY PROGRAMS.—Of the funds ap-
19 propriated under title III of this Act, not less than
20 \$418,200,000 shall be made available for clean energy
21 programs, including in support of carrying out the pur-
22 poses of the Electrify Africa Act (Public Law 114–121)
23 and implementing the Power Africa initiative, of which not
24 less than \$10,000,000 shall be made available to support
25 civil society organizations in developing countries that ad-

1 vocate for laws and policies to reduce carbon emissions
2 and other harmful pollution, as specified in the explana-
3 tory statement accompanying this Act.

4 (d) BIODIVERSITY CONSERVATION.—

5 (1) FUNDING.—Of the funds appropriated
6 under title III of this Act, not less than
7 \$405,000,000 shall be made available for biodiver-
8 sity conservation programs.

9 (2) TROPICAL FORESTS.—None of the funds
10 appropriated by this Act may be used to support the
11 expansion of industrial scale logging, agriculture,
12 livestock production, mining, or any other industrial
13 scale activity into areas that were primary/intact
14 tropical forests as of December 30, 2013, and the
15 Secretary of the Treasury shall instruct the United
16 States executive director of each international finan-
17 cial institution (IFI) to use the voice and vote of the
18 United States to oppose any financing of any such
19 activity.

20 (3) PARTNERSHIP FOR CONSERVATION.—Funds
21 appropriated by this Act may be made available to
22 support a public-private partnership grant-making
23 entity, if authorized in a subsequent act of Congress,
24 to support the establishment and long-term manage-
25 ment of protected areas in developing countries, in-

1 cluding terrestrial, coastal and marine protected
2 areas, parks, community conservancies, Indigenous
3 reserves, conservation easements, and biological re-
4 serves, and to carry out other effective area-based
5 conservation measures: *Provided*, That such a part-
6 nership should be supported by contributions from
7 the private and philanthropic sectors, as well as gov-
8 ernments and multilateral institutions: *Provided fur-*
9 *ther*, That not later than 60 days after enactment of
10 a subsequent act of Congress authorizing such a
11 grant-making entity, the Secretary of State and the
12 USAID Administrator, in coordination with the Sec-
13 retary of the Interior and other relevant Federal
14 agencies, shall consult with the Committees on Ap-
15 propriations on the establishment and management
16 of such an entity.

17 (e) SUSTAINABLE LANDSCAPES.—Of the funds ap-
18 propriated under title III of this Act, not less than
19 \$232,300,000 should be made available for sustainable
20 landscapes programs.

21 (f) WILDLIFE POACHING AND TRAFFICKING.—

22 (1) FUNDING.—Of the funds appropriated
23 under titles III and IV of this Act, not less than
24 \$125,000,000 shall be made available to combat the
25 transnational threat of wildlife poaching and traf-

1 ficking, of which not less than \$10,000,000 shall be
2 made available to support civil society organizations
3 in developing countries that are working to stop the
4 poaching and trafficking of endangered species, as
5 specified in the explanatory statement accompanying
6 this Act.

7 (2) LIMITATION.—None of the funds appro-
8 priated under title IV of this Act may be made avail-
9 able for training or other assistance for any military
10 unit or personnel that the Secretary of State deter-
11 mines has been credibly alleged to have participated
12 in wildlife poaching or trafficking, unless the Sec-
13 retary reports to the appropriate congressional com-
14 mittees that to do so is in the national security in-
15 terest of the United States.

16 (g) LARGE DAMS.—Funds appropriated by this Act
17 shall not be used to support the construction of any large
18 dam, and the Secretary of the Treasury shall instruct the
19 United States executive director of each IFI to use the
20 voice and vote of the United States, in relation to any loan,
21 grant, credit, guarantee, strategy, or policy of such institu-
22 tion regarding the construction of any large dam, con-
23 sistent with the criteria specified in the explanatory state-
24 ment accompanying this Act, while also considering

1 whether the project involves overriding foreign policy ob-
2 jectives.

3 (h) OCEAN PLASTIC POLLUTION.—Of the funds ap-
4 propriated under title III of this Act, not less than
5 \$75,000,000 shall be made available for programs to re-
6 duce ocean plastic pollution and other marine debris, in-
7 cluding technical assistance for waste management: *Pro-*
8 *vided*, That the Secretary of State, in consultation with
9 the Secretary of the Treasury, the USAID Administrator,
10 and the heads of other relevant Federal agencies, shall
11 seek to enter into negotiations with key bilateral and mul-
12 tilateral donors, including the World Bank, to establish
13 a new multilateral fund to reduce ocean plastic pollution
14 and other marine debris: *Provided further*, That such
15 funds may be made available for a contribution to such
16 a multilateral fund, for a USAID-administered multi-
17 donor fund, and for other USAID programs for such pur-
18 pose: *Provided further*, That such funds may only be made
19 available following consultation with the Committees on
20 Appropriations.

21 (i) TOXIC CHEMICALS.—Of the funds appropriated
22 under title III of this Act, not less than \$10,000,000 shall
23 be made available to support programs to measurably re-
24 duce public exposure to lead associated with the unsafe
25 disposal or recycling of lead batteries, contaminated food

1 and cookware, or other sources of lead exposure: *Provided*,
2 That prior to the initial obligation of funds, the USAID
3 Administrator shall consult with the Committees on Ap-
4 propriations on a multi-year strategy targeting such expo-
5 sure and materials in countries with high estimated child-
6 hood blood lead levels.

7 (j) ADMINISTRATION OF FUNDS.—Of the funds made
8 available pursuant to subsections (b) and (c), not less than
9 \$641,800,000 shall be administered by the USAID Ad-
10 ministrator.

11 (k) AUTHORITY.—Funds appropriated by this Act to
12 carry out the provisions of sections 103 through 106, and
13 chapter 4 of part II, of the Foreign Assistance Act of 1961
14 may be used, notwithstanding any other provision of law,
15 to support environment programs: *Provided*, That funds
16 appropriated by this Act under titles III and V may be
17 made available for United States contributions to multilat-
18 eral environmental funds and facilities to support adapta-
19 tion and mitigation programs.

20 (l) NOTIFICATION.—Funds made available pursuant
21 to this section shall be subject to prior consultation with,
22 and the regular notification procedures of, the Committees
23 on Appropriations.

1 to support the development of, and access to financing for,
2 micro, small, and medium-sized enterprises that benefit
3 the poor, especially women.

4 (d) DEVELOPMENT PROGRAMS.—Of the funds appro-
5 priated by this Act under the heading “Development As-
6 sistance”, not less than \$19,000,000 shall be made avail-
7 able for USAID cooperative development programs and
8 not less than \$31,000,000 shall be made available for the
9 American Schools and Hospitals Abroad program.

10 (e) PROGRAMS TO COMBAT TRAFFICKING IN PER-
11 SONS.—Of the funds appropriated by this Act under the
12 headings “Development Assistance”, “Economic Support
13 Fund”, “Assistance for Europe, Eurasia and Central
14 Asia”, and “International Narcotics Control and Law En-
15 forcement”, not less than \$106,400,000 shall be made
16 available for activities to combat trafficking in persons
17 internationally, including for the Program to End Modern
18 Slavery, of which not less than \$77,000,000 should be
19 from funds made available under the heading “Inter-
20 national Narcotics Control and Law Enforcement”: *Pro-*
21 *vided*, That funds made available by this Act under the
22 headings “Development Assistance”, “Economic Support
23 Fund”, and “Assistance for Europe, Eurasia and Central
24 Asia” that are made available for activities to combat traf-
25 ficking in persons should be obligated and programmed

1 consistent with the country-specific recommendations in-
2 cluded in the annual Trafficking in Persons Report, and
3 shall be coordinated with the Office to Monitor and Com-
4 bat Trafficking in Persons, Department of State.

5 (f) RECONCILIATION PROGRAMS.—Of the funds ap-
6 propriated by this Act under the heading “Development
7 Assistance”, not less than \$30,000,000 shall be made
8 available to support people-to-people reconciliation pro-
9 grams which bring together individuals of different ethnic,
10 racial, religious, and political backgrounds from areas of
11 civil strife and war, including cross border programs in-
12 volving Palestinians and Israelis: *Provided*, That the
13 USAID Administrator shall consult with the Committees
14 on Appropriations, prior to the initial obligation of funds,
15 on the uses of such funds, and such funds shall be subject
16 to the regular notification procedures of the Committees
17 on Appropriations: *Provided further*, That to the max-
18 imum extent practicable, such funds shall be matched by
19 sources other than the United States Government: *Pro-*
20 *vided further*, That such funds shall be administered by
21 the Office of Conflict Management and Mitigation,
22 USAID.

23 BUDGET DOCUMENTS

24 SEC. 7063. (a) OPERATING PLANS.—Not later than
25 45 days after enactment of this Act, each department,

1 agency, or organization funded in titles I, II, and VI of
2 this Act, and the Department of the Treasury and Inde-
3 pendent Agencies funded in title III of this Act, including
4 the Inter-American Foundation and the United States Af-
5 rican Development Foundation, shall submit to the Com-
6 mittees on Appropriations an operating plan for funds ap-
7 propriated to such department, agency, or organization in
8 such titles of this Act, or funds otherwise available for ob-
9 ligation in fiscal year 2022, that provides details of the
10 uses of such funds at the program, project, and activity
11 level: *Provided*, That such plans shall include, as applica-
12 ble, a comparison between the congressional budget jus-
13 tification funding levels, the most recent congressional di-
14 rectives or approved funding levels, and the funding levels
15 proposed by the department or agency; and a clear, con-
16 cise, and informative description/justification: *Provided*
17 *further*, That operating plans that include changes in lev-
18 els of funding for programs, projects, and activities speci-
19 fied in the congressional budget justification, in this Act,
20 or amounts specifically designated in the respective tables
21 included in the explanatory statement accompanying this
22 Act, as applicable, shall be subject to the notification and
23 reprogramming requirements of section 7015 of this Act.

24 (b) SPEND PLANS.—

1 (1) Not later than 90 days after enactment of
2 this Act, the Secretary of State or Administrator of
3 the United States Agency for International Develop-
4 ment, as appropriate, shall submit to the Commit-
5 tees on Appropriations a spend plan for funds made
6 available by this Act for—

7 (A) assistance for Colombia, Cuba, Demo-
8 cratic Republic of the Congo, Egypt, El Sal-
9 vador, Ethiopia, Guatemala, Honduras, Iraq,
10 Jordan, Lebanon, Mexico, Mozambique, Paki-
11 stan, Sri Lanka, Sudan, Syria, Tunisia, and
12 Vietnam;

13 (B) assistance made available pursuant to
14 section 7047(d) of this Act to counter Russian
15 influence, except that such plan shall be on a
16 country-by-country basis;

17 (C) assistance made available pursuant to
18 section 7059 of this Act;

19 (D) the Indo-Pacific Strategy and the
20 Countering PRC Influence Fund;

21 (E) environment programs, including adap-
22 tation and clean energy programs;

23 (F) democracy programs, education pro-
24 grams, the Power Africa and Prosper Africa
25 initiatives, and sectors enumerated in sub-

1 sections (a), (b), (c), (e), and (f) of section
2 7062 of this Act;

3 (G) funds provided under the heading
4 “International Narcotics Control and Law En-
5 forcement” for International Organized Crime
6 and for Cybercrime and Intellectual Property
7 Rights: *Provided*, That the spend plans shall in-
8 clude bilateral and global programs funded
9 under such heading along with a brief descrip-
10 tion of the activities planned for each country;

11 (H) implementation of the Global Fragility
12 Act of 2019 (title V of division J of Public Law
13 116–94); and

14 (I) the Caribbean Basin Security Initiative;
15 the Central America Regional Security Initia-
16 tive; the Trans-Saharan Counterterrorism Part-
17 nership; the Partnership for Regional East Af-
18 rica Counterterrorism; the Global Peace Oper-
19 ations Initiative, including Africa Contingency
20 Operations Training and Assistance; the Africa
21 Regional Counterterrorism program; and the
22 Counterterrorism Partnerships Fund.

23 (2) Not later than 90 days after enactment of
24 this Act, the Secretary of the Treasury shall submit
25 to the Committees on Appropriations a detailed

1 spend plan for funds made available by this Act
2 under the heading “Department of the Treasury,
3 International Affairs Technical Assistance” in title
4 III.

5 (c) CLARIFICATION.—The spend plans referenced in
6 subsection (b) shall not be considered as meeting the noti-
7 fication requirements in this Act or under section 634A
8 of the Foreign Assistance Act of 1961.

9 (d) CONGRESSIONAL BUDGET JUSTIFICATION.—The
10 congressional budget justification for Department of State
11 operations and foreign operations shall be provided to the
12 Committees on Appropriations concurrent with the date
13 of submission of the President’s budget for fiscal year
14 2023: *Provided*, That the appendices for such justification
15 shall be provided to the Committees on Appropriations not
16 later than 10 calendar days thereafter.

17 REORGANIZATION

18 OVERSIGHT

19 SEC. 7064. (a) PRIOR CONSULTATION AND NOTIFI-
20 CATION.—Funds appropriated by this Act, prior Acts
21 making appropriations for the Department of State, for-
22 eign operations, and related programs, or any other Act
23 may not be used to implement a reorganization, redesign,
24 or other plan described in subsection (b) by the Depart-
25 ment of State, the United States Agency for International

1 Development, or any other Federal department, agency,
2 or organization funded by this Act without prior consulta-
3 tion by the head of such department, agency, or organiza-
4 tion with the Committees on Appropriations: *Provided*,
5 That such funds shall be subject to the regular notification
6 procedures of the Committees on Appropriations: *Provided*
7 *further*, That any such notification submitted to such
8 Committees shall include a detailed justification for any
9 proposed action: *Provided further*, That congressional noti-
10 fications submitted in prior fiscal years pursuant to simi-
11 lar provisions of law in prior Acts making appropriations
12 for the Department of State, foreign operations, and re-
13 lated programs may be deemed to meet the notification
14 requirements of this section.

15 (b) DESCRIPTION OF ACTIVITIES.—Pursuant to sub-
16 section (a), a reorganization, redesign, or other plan shall
17 include any action to—

18 (1) expand, eliminate, consolidate, or downsize
19 covered departments, agencies, or organizations, in-
20 cluding bureaus and offices within or between such
21 departments, agencies, or organizations, including
22 the transfer to other agencies of the authorities and
23 responsibilities of such bureaus and offices;

24 (2) expand, eliminate, consolidate, or downsize
25 the United States official presence overseas, includ-

1 ing at bilateral, regional, and multilateral diplomatic
2 facilities and other platforms; or

3 (3) expand or reduce the size of the permanent
4 Civil Service, Foreign Service, eligible family mem-
5 ber, and locally employed staff workforce of the De-
6 partment of State and USAID from the staffing lev-
7 els in place as of October 1, 2021.

8 DEPARTMENT OF STATE MANAGEMENT

9 SEC. 7065. (a) WORKING CAPITAL FUND.—Funds
10 appropriated by this Act or otherwise made available to
11 the Department of State for payments to the Working
12 Capital Fund may be used for new service centers, and
13 are subject to the regular notification procedures of the
14 Committees on Appropriations.

15 (b) CERTIFICATION.—

16 (1) COMPLIANCE.—Not later than 45 days
17 after the initial obligation of funds appropriated
18 under titles III and IV of this Act that are made
19 available to a Department of State bureau or office
20 with responsibility for the management and over-
21 sight of such funds, the Secretary of State shall cer-
22 tify and report to the Committees on Appropria-
23 tions, on an individual bureau or office basis, that
24 such bureau or office is in compliance with Depart-

1 ment and Federal financial and grants management
2 policies, procedures, and regulations, as applicable.

3 (2) CONSIDERATIONS.—When making a certifi-
4 cation required by paragraph (1), the Secretary of
5 State shall consider the capacity of a bureau or of-
6 fice to—

7 (A) account for the obligated funds at the
8 country and program level, as appropriate;

9 (B) identify risks and develop mitigation
10 and monitoring plans;

11 (C) establish performance measures and
12 indicators;

13 (D) review activities and performance; and

14 (E) assess final results and reconcile fi-
15 nances.

16 (3) PLAN.—If the Secretary of State is unable
17 to make a certification required by paragraph (1),
18 the Secretary shall submit a plan and timeline de-
19 tailing the steps to be taken to bring such bureau
20 or office into compliance.

21 (c) INTERNSHIPS.—The Department of State may
22 offer compensated and uncompensated internships, and
23 select, appoint, employ for not more than 52 weeks, and
24 remove any such compensated intern without regard to the

1 provisions of law governing appointments in the competi-
2 tive service, notwithstanding any other provision of law.

3 UNITED STATES AGENCY FOR INTERNATIONAL
4 DEVELOPMENT MANAGEMENT

5 SEC. 7066. (a) AUTHORITY.—Up to \$170,000,000 of
6 the funds made available in title III of this Act pursuant
7 to or to carry out the provisions of part I of the Foreign
8 Assistance Act of 1961, including funds appropriated
9 under the heading “Assistance for Europe, Eurasia and
10 Central Asia”, may be used by the United States Agency
11 for International Development to hire and employ individ-
12 uals in the United States and overseas on a limited ap-
13 pointment basis pursuant to the authority of sections 308
14 and 309 of the Foreign Service Act of 1980 (22 U.S.C.
15 3948 and 3949).

16 (b) RESTRICTION.—The authority to hire individuals
17 contained in subsection (a) shall expire on September 30,
18 2023.

19 (c) PROGRAM ACCOUNT CHARGED.—The account
20 charged for the cost of an individual hired and employed
21 under the authority of this section shall be the account
22 to which the responsibilities of such individual primarily
23 relate: *Provided*, That funds made available to carry out
24 this section may be transferred to, and merged with, funds

1 appropriated by this Act in title II under the heading “Op-
2 erating Expenses”.

3 (d) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-
4 viduals hired and employed by USAID, with funds made
5 available in this Act or prior Acts making appropriations
6 for the Department of State, foreign operations, and re-
7 lated programs, pursuant to the authority of section 309
8 of the Foreign Service Act of 1980 (22 U.S.C. 3949), may
9 be extended for a period of up to 4 years notwithstanding
10 the limitation set forth in such section.

11 (e) DISASTER SURGE CAPACITY.—Funds appro-
12 priated under title III of this Act to carry out part I of
13 the Foreign Assistance Act of 1961, including funds ap-
14 propriated under the heading “Assistance for Europe,
15 Eurasia and Central Asia”, may be used, in addition to
16 funds otherwise available for such purposes, for the cost
17 (including the support costs) of individuals detailed to or
18 employed by USAID whose primary responsibility is to
19 carry out programs in response to natural disasters, or
20 man-made disasters subject to the regular notification
21 procedures of the Committees on Appropriations.

22 (f) PERSONAL SERVICES CONTRACTORS.—Funds ap-
23 propriated by this Act to carry out chapter 1 of part I,
24 chapter 4 of part II, and section 667 of the Foreign As-
25 sistance Act of 1961, and title II of the Food for Peace

1 Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be
2 used by USAID to employ up to 40 personal services con-
3 tractors in the United States, notwithstanding any other
4 provision of law, for the purpose of providing direct, in-
5 terim support for new or expanded overseas programs and
6 activities managed by the agency until permanent direct
7 hire personnel are hired and trained: *Provided*, That not
8 more than 15 of such contractors shall be assigned to any
9 bureau or office: *Provided further*, That such funds appro-
10 priated to carry out title II of the Food for Peace Act
11 (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be made
12 available only for personal services contractors assigned
13 to the Bureau for Humanitarian Assistance.

14 (g) SMALL BUSINESS.—In entering into multiple
15 award indefinite-quantity contracts with funds appro-
16 priated by this Act, USAID may provide an exception to
17 the fair opportunity process for placing task orders under
18 such contracts when the order is placed with any category
19 of small or small disadvantaged business.

20 (h) SENIOR FOREIGN SERVICE LIMITED APPOINT-
21 MENTS.—Individuals hired pursuant to the authority pro-
22 vided by section 7059(o) of the Department of State, For-
23 eign Operations, and Related Programs Appropriations
24 Act, 2010 (division F of Public Law 111–117) may be
25 assigned to or support programs in Afghanistan or Paki-

1 stan with funds made available in this Act and prior Acts
2 making appropriations for the Department of State, for-
3 eign operations, and related programs.

4 (i) MANAGEMENT, OVERSIGHT, AND TECHNICAL
5 SUPPORT.—Of the funds made available by this Act under
6 the heading “Development Assistance” that are made
7 available for programs administered by the USAID Advi-
8 sor for Indigenous Peoples Issues, up to \$500,000 may
9 be used for management, oversight, and technical support,
10 in addition to funds otherwise made available for such pur-
11 poses.

12 STABILIZATION AND DEVELOPMENT IN REGIONS

13 IMPACTED BY EXTREMISM AND CONFLICT

14 SEC. 7067. (a) PREVENTION AND STABILIZATION
15 FUND.—

16 (1) FUNDS AND TRANSFER AUTHORITY.—Of
17 the funds appropriated by this Act under the head-
18 ings “Economic Support Fund”, “International Nar-
19 cotics Control and Law Enforcement”, “Non-
20 proliferation, Anti-terrorism, Demining and Related
21 Programs”, “Peacekeeping Operations”, and “For-
22 eign Military Financing Program”, not less than
23 \$125,000,000 should be made available for the pur-
24 poses of the Prevention and Stabilization Fund, as
25 authorized by, and for the purposes enumerated in,

1 section 509(a) of the Global Fragility Act of 2019
2 (title V of division J of Public Law 116–94), of
3 which \$25,000,000 may be made available for the
4 Multi-Donor Global Fragility Fund authorized by
5 section 510(c) of such Act: *Provided*, That such
6 funds appropriated under such headings may be
7 transferred to, and merged with, funds appropriated
8 under such headings: *Provided further*, That such
9 transfer authority is in addition to any other trans-
10 fer authority provided by this Act or any other Act,
11 and is subject to the regular notification procedures
12 of the Committees on Appropriations.

13 (2) TRANSITIONAL JUSTICE.—Of the funds ap-
14 propriated by this Act under the heading “Inter-
15 national Narcotics Control and Law Enforcement”
16 that are made available for the Prevention and Sta-
17 bilization Fund, not less than \$10,000,000 shall be
18 made available for programs to promote account-
19 ability for genocide, crimes against humanity, and
20 war crimes, including in Ethiopia, Iraq, South
21 Sudan, Sri Lanka, Syria, and Yemen which shall be
22 in addition to any other funds made available by this
23 Act for such purposes: *Provided*, That such pro-
24 grams shall include components to develop local in-
25 vestigative and judicial skills, and to collect and pre-

1 serve evidence and maintain the chain of custody of
2 evidence, including for use in prosecutions, and may
3 include the establishment of, and assistance for,
4 transitional justice mechanisms: *Provided further*,
5 That such funds shall be administered by the Special
6 Coordinator for the Office of Global Criminal Jus-
7 tice, Department of State: *Provided further*, That
8 funds made available by this paragraph shall be
9 made available on an open and competitive basis.

10 (b) GLOBAL COMMUNITY ENGAGEMENT AND RESIL-
11 IENCE FUND.—Funds appropriated by this Act and prior
12 Acts making appropriations for the Department of State,
13 foreign operations, and related programs under the head-
14 ing “Economic Support Fund” may be made available to
15 the Global Community Engagement and Resilience Fund
16 (GCERF), including as a contribution: *Provided*, That any
17 such funds made available for the GCERF shall be made
18 available on a cost-matching basis from sources other than
19 the United States Government, to the maximum extent
20 practicable, and shall be subject to the regular notification
21 procedures of the Committees on Appropriations.

22 (c) GLOBAL CONCESSIONAL FINANCING FACILITY.—
23 Of the funds appropriated by this Act under the heading
24 “Economic Support Fund”, \$25,000,000 may be made
25 available for the Global Concessional Financing Facility

1 of the World Bank to provide financing to support refu-
2 gees and host communities: *Provided*, That such funds
3 should be in addition to funds allocated for bilateral assist-
4 ance in the report required by section 653(a) of the For-
5 eign Assistance Act of 1961, and may only be made avail-
6 able subject to prior to consultation with the Committees
7 on Appropriations: *Provided further*, That such funds may
8 be transferred to the Department of the Treasury.

9 DEBT-FOR-DEVELOPMENT

10 SEC. 7068. In order to enhance the continued partici-
11 pation of nongovernmental organizations in debt-for-devel-
12 opment and debt-for-nature exchanges, a nongovern-
13 mental organization which is a grantee or contractor of
14 the United States Agency for International Development
15 may place in interest bearing accounts local currencies
16 which accrue to that organization as a result of economic
17 assistance provided under title III of this Act and, subject
18 to the regular notification procedures of the Committees
19 on Appropriations, any interest earned on such investment
20 shall be used for the purpose for which the assistance was
21 provided to that organization.

22 ENTERPRISE FUNDS

23 SEC. 7069. (a) NOTIFICATION.—None of the funds
24 made available under titles III through VI of this Act may
25 be made available for Enterprise Funds unless the appro-

1 priate congressional committees are notified at least 15
2 days in advance.

3 (b) DISTRIBUTION OF ASSETS PLAN.—Prior to the
4 distribution of any assets resulting from any liquidation,
5 dissolution, or winding up of an Enterprise Fund, in whole
6 or in part, the President shall submit to the appropriate
7 congressional committees a plan for the distribution of the
8 assets of the Enterprise Fund.

9 (c) TRANSITION OR OPERATING PLAN.—Prior to a
10 transition to and operation of any private equity fund or
11 other parallel investment fund under an existing Enter-
12 prise Fund, the President shall submit such transition or
13 operating plan to the appropriate congressional commit-
14 tees.

15 EXTENSION OF CONSULAR FEES AND RELATED

16 AUTHORITIES

17 SEC. 7070. (a) Section 1(b)(1) of the Passport Act
18 of June 4, 1920 (22 U.S.C. 214(b)(1)) shall be applied
19 through fiscal year 2022 by substituting “the costs of pro-
20 viding consular services” for “such costs”.

21 (b) Section 21009 of the Emergency Appropriations
22 for Coronavirus Health Response and Agency Operations
23 (division B of Public Law 116–136; 134 Stat. 592) shall
24 be applied during fiscal year 2022 by substituting “2020,
25 2021, and 2022” for “2020 and 2021”.

1 (c) Discretionary amounts made available to the De-
2 partment of State under the heading “Administration of
3 Foreign Affairs” of this Act, and discretionary unobli-
4 gated balances under such heading from prior Acts mak-
5 ing appropriations for the Department of State, foreign
6 operations, and related programs, may be transferred to
7 the Consular and Border Security Programs account if the
8 Secretary of State determines and reports to the Commit-
9 tees on Appropriations that to do so is necessary to sus-
10 tain consular operations, following consultation with such
11 Committees: *Provided*, That such transfer authority is in
12 addition to any transfer authority otherwise available in
13 this Act and under any other provision of law: *Provided*
14 *further*, That no amounts may be transferred from
15 amounts designated as emergency requirements pursuant
16 to a concurrent resolution on the budget or section
17 251(b)(2)(A) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 (d) In addition to the uses permitted pursuant to sec-
20 tion 286(v)(2)(A) of the Immigration and Nationality Act
21 (8 U.S.C. 1356(v)(2)(A)), for fiscal year 2022, the Sec-
22 retary of State may also use fees deposited into the Fraud
23 Prevention and Detection Account for the costs of pro-
24 viding consular services.

1 (e) Beginning in fiscal year 2022 and for each fiscal
2 year thereafter, fees collected pursuant to subsection (a)
3 of section 1 of the Passport Act of June 4, 1920 (22
4 U.S.C. 214(a)) shall, notwithstanding such subsection, be
5 deposited in the Consular and Border Security Programs
6 account as discretionary offsetting receipts and shall re-
7 main available until expended for the purposes of such ac-
8 count: *Provided*, That the Secretary of State may by regu-
9 lation authorize State officials or the United States Postal
10 Service to collect and retain the execution fee for each ap-
11 plication for a passport accepted by such officials or by
12 that Service.

13 (f) Amounts provided pursuant to subsections (a),
14 (b), and (d) are designated by the Congress as being for
15 an emergency requirement pursuant to section 4001(a)(1)
16 and section 4001(b) of S. Con. Res. 14 (117th Congress),
17 the concurrent resolution on the budget for fiscal year
18 2022, and to section 251(b) of the Balanced Budget and
19 Emergency Deficit Control Act of 1985.

20 INCENTIVE FUNDS

21 SEC. 7071. (a) Not later than 90 days after enact-
22 ment of this Act, the Secretary of State and the USAID
23 Administrator shall jointly submit to the Committees on
24 Appropriations recommendations for establishing incentive
25 funds, with benchmarks for measuring progress, for coun-

1 tries receiving United States assistance funded by this
2 Act.

3 (b) The purpose of such funds is to encourage the
4 governments of such countries to adopt, and make con-
5 sistent progress in implementing, economic and political
6 reforms to promote equitable economic growth and oppor-
7 tunity, strengthen democratic governance, reduce corrup-
8 tion and impunity, protect fundamental rights, and reduce
9 dependency on United States assistance, including, as ap-
10 propriate—

11 (1) implementing free market and civil service
12 reforms, raising revenue to support public utilities
13 and services, and reducing subsidies;

14 (2) improving transparency and accountability
15 to reduce waste, enhance efficiencies, and prevent
16 conflicts of interest and other corrupt practices re-
17 lated to public service and expenditures;

18 (3) enforcing laws and policies that protect
19 freedom of expression, association, and the press,
20 and the right of due process; and

21 (4) strengthening the independence of the judi-
22 ciary and of electoral processes.

23 (c) Not later than 45 days after enactment of this
24 Act, the Secretary of State and USAID Administrator
25 shall consult with the Committees on Appropriations on

1 the format and content of the recommendations to be sub-
2 mitted.

3 WAIVER AUTHORITY

4 SEC. 7072. The President may waive section 414 of
5 Public Law 101–246 and section 410 of Public Law 103–
6 236 on a case-by-case basis if the President determines
7 and reports in writing to the Speaker of the House of Rep-
8 resentatives, the President Pro Tempore of the Senate,
9 and the appropriate congressional committees that to do
10 so would enable the United States to counter Chinese in-
11 fluence or to promote other national interests of the
12 United States: *Provided*, That the authority of this section
13 shall cease to have effect if, after enactment of this Act,
14 the Palestinians obtain the same standing as member
15 states or full membership as a state in the United Nations
16 or any specialized agency thereof outside an agreement ne-
17 gotiated between Israel and the Palestinians: *Provided fur-*
18 *ther*, That the authority of this section shall sunset on
19 September 30, 2025, unless extended in a subsequent Act
20 of Congress.

21 CONSULAR NOTIFICATION COMPLIANCE

22 SEC. 7073. (a) PETITION FOR REVIEW.—

23 (1) JURISDICTION.—Notwithstanding any other
24 provision of law, a Federal court shall have jurisdic-
25 tion to review the merits of a petition claiming viola-

1 tion of Article 36(1)(b) or (c) of the Vienna Conven-
2 tion on Consular Relations, done at Vienna April 24,
3 1963, or a comparable provision of a bilateral inter-
4 national agreement addressing consular notification
5 and access, filed by an individual convicted and sen-
6 tenced to death by any Federal or State court before
7 the date of enactment of this Act.

8 (2) STANDARD.—To obtain relief, an individual
9 described in paragraph (1) must make a showing of
10 actual prejudice to the criminal conviction or sen-
11 tence as a result of the violation. The court may
12 conduct an evidentiary hearing if necessary to sup-
13 plement the record and, upon a finding of actual
14 prejudice, shall order a new trial or sentencing pro-
15 ceeding.

16 (3) LIMITATIONS.—

17 (A) INITIAL SHOWING.—To qualify for re-
18 view under this subsection, a petition must
19 make an initial showing that—

20 (i) a violation of Article 36(1)(b) or
21 (c) of the Vienna Convention on Consular
22 Relations, done at Vienna April 24, 1963,
23 or a comparable provision of a bilateral
24 international agreement addressing con-
25 sular notification and access, occurred with

1 respect to the individual described in para-
2 graph (1); and

3 (ii) if such violation had not occurred,
4 the consulate would have provided assist-
5 ance to the individual.

6 (B) EFFECT OF PRIOR ADJUDICATION.—A
7 petition for review under this subsection shall
8 not be granted if the claimed violation described
9 in paragraph (1) has previously been adju-
10 dicated on the merits by a Federal or State
11 court of competent jurisdiction in a proceeding
12 in which no Federal or State procedural bars
13 were raised with respect to such violation and
14 in which the court provided review equivalent to
15 the review provided in this subsection, unless
16 the adjudication of the claim resulted in a deci-
17 sion that was based on an unreasonable deter-
18 mination of the facts in light of the evidence
19 presented in the prior Federal or State court
20 proceeding.

21 (C) FILING DEADLINE.—A petition for re-
22 view under this subsection shall be filed within
23 1 year of the later of—

24 (i) the date of enactment of this Act;

1 (ii) the date on which the Federal or
2 State court judgment against the indi-
3 vidual described in paragraph (1) became
4 final by the conclusion of direct review or
5 the expiration of the time for seeking such
6 review; or

7 (iii) the date on which the impediment
8 to filing a petition created by Federal or
9 State action in violation of the Constitu-
10 tion or laws of the United States is re-
11 moved, if the individual described in para-
12 graph (1) was prevented from filing by
13 such Federal or State action.

14 (D) TOLLING.—The time during which a
15 properly filed application for State post-convic-
16 tion or other collateral review with respect to
17 the pertinent judgment or claim is pending
18 shall not be counted toward the 1-year period of
19 limitation.

20 (E) TIME LIMIT FOR REVIEW.—A Federal
21 court shall give priority to a petition for review
22 filed under this subsection over all noncapital
23 matters. With respect to a petition for review
24 filed under this subsection and claiming only a
25 violation described in paragraph (1), a Federal

1 court shall render a final determination and
2 enter a final judgment not later than 1 year
3 after the date on which the petition is filed.

4 (4) **HABEAS PETITION.**—A petition for review
5 under this subsection shall be part of the first Fed-
6 eral habeas corpus application or motion for Federal
7 collateral relief under chapter 153 of title 28, United
8 States Code, filed by an individual, except that if an
9 individual filed a Federal habeas corpus application
10 or motion for Federal collateral relief before the date
11 of enactment of this Act or if such application is re-
12 quired to be filed before the date that is 1 year after
13 the date of enactment of this Act, such petition for
14 review under this subsection shall be filed not later
15 than 1 year after the enactment date or within the
16 period prescribed by paragraph (3)(C)(iii), whichever
17 is later. No petition filed in conformity with the re-
18 quirements of the preceding sentence shall be consid-
19 ered a second or successive habeas corpus applica-
20 tion or subjected to any bars to relief based on
21 preenactment proceedings other than as specified in
22 paragraph (2).

23 (5) **REFERRAL TO MAGISTRATE.**—A Federal
24 court acting under this subsection may refer the pe-
25 tition for review to a Federal magistrate for pro-

1 posed findings and recommendations pursuant to 28
2 U.S.C. 636(b)(1)(B).

3 (6) APPEAL.—

4 (A) IN GENERAL.—A final order on a peti-
5 tion for review under paragraph (1) shall be
6 subject to review on appeal by the court of ap-
7 peals for the circuit in which the proceeding is
8 held.

9 (B) APPEAL BY PETITIONER.—An indi-
10 vidual described in paragraph (1) may appeal a
11 final order on a petition for review under para-
12 graph (1) only if a district or circuit judge
13 issues a certificate of appealability. A district or
14 circuit court judge shall issue or deny a certifi-
15 cate of appealability not later than 30 days
16 after an application for a certificate of
17 appealability is filed. A district judge or circuit
18 judge may issue a certificate of appealability
19 under this subparagraph if the individual has
20 made a substantial showing of actual prejudice
21 to the criminal conviction or sentence of the in-
22 dividual as a result of a violation described in
23 paragraph (1).

24 (b) VIOLATION.—

1 (1) IN GENERAL.—An individual not covered by
2 subsection (a) who is arrested, detained, or held for
3 trial on a charge that would expose the individual to
4 a capital sentence if convicted may raise a claim of
5 a violation of Article 36(1)(b) or (c) of the Vienna
6 Convention on Consular Relations, done at Vienna
7 April 24, 1963, or of a comparable provision of a bi-
8 lateral international agreement addressing consular
9 notification and access, at a reasonable time after
10 the individual becomes aware of the violation, before
11 the court with jurisdiction over the charge. Upon a
12 finding of such a violation—

13 (A) the consulate of the foreign state of
14 which the individual is a national shall be noti-
15 fied immediately by the detaining authority,
16 and consular access to the individual shall be
17 afforded in accordance with the provisions of
18 the Vienna Convention on Consular Relations,
19 done at Vienna April 24, 1963, or the com-
20 parable provisions of a bilateral international
21 agreement addressing consular notification and
22 access; and

23 (B) the court—

24 (i) shall postpone any proceedings to
25 the extent the court determines necessary

1 to allow for adequate opportunity for con-
2 sular access and assistance; and

3 (ii) may enter necessary orders to fa-
4 cilitate consular access and assistance.

5 (2) EVIDENTIARY HEARINGS.—The court may
6 conduct evidentiary hearings if necessary to resolve
7 factual issues.

8 (3) RULE OF CONSTRUCTION.—Nothing in this
9 subsection shall be construed to create any addi-
10 tional remedy.

11 (c) DEFINITIONS.—In this section the term “State”
12 means any State of the United States, the District of Co-
13 lumbia, the Commonwealth of Puerto Rico, and any terri-
14 tory or possession of the United States.

15 (d) APPLICABILITY.—The provisions of this section
16 shall apply during the current fiscal year and each fiscal
17 year thereafter.

18 ASSISTANCE FOR FOREIGN NONGOVERNMENTAL

19 ORGANIZATIONS

20 SEC. 7074. The Foreign Assistance Act of 1961 (22
21 U.S.C. 2151 et seq.) is amended by inserting after section
22 104C the following:

23 **“SEC. 104D. ELIGIBILITY FOR ASSISTANCE.**

24 “Notwithstanding any other provision of law, regula-
25 tion, or policy, in determining eligibility for assistance

1 under sections 104, 104A, 104B, and 104C, a foreign non-
2 governmental organization—

3 “(1) shall not be ineligible for such assistance
4 solely on the basis of health or medical services, in-
5 cluding counseling and referral services, provided by
6 such organization with non-United States Govern-
7 ment funds if such services—

8 “(A) do not violate the laws of the country
9 in which they are being provided; and

10 “(B) would not violate United States Fed-
11 eral law if provided in the United States; and

12 “(2) shall not be subject to requirements relat-
13 ing to the use of non-United States Government
14 funds for advocacy and lobbying activities other than
15 those that apply to United States nongovernmental
16 organizations receiving assistance under this part.”.

17 RESCISSIONS

18 SEC. 7075. (a) ECONOMIC SUPPORT FUND.—Of the
19 unobligated and unexpended balances from amounts made
20 available under the heading “Economic Support Fund”
21 from prior Acts making appropriations for the Depart-
22 ment of State, foreign operations, and related programs
23 and allocated by the Executive Branch for Afghanistan in
24 the annual reports required by section 653(a) of the For-
25 eign Assistance Act of 1961 (22 U.S.C. 2413(a)),

1 \$840,644,000, shall be deobligated, as appropriate, and
2 shall be rescinded.

3 (b) MILLENNIUM CHALLENGE CORPORATION.—Of
4 the unobligated balances from amounts made available
5 under the heading “Millennium Challenge Corporation”
6 from prior Acts making appropriations for the Depart-
7 ment of State, foreign operations, and related programs,
8 \$515,000,000 are rescinded.

9 (c) INTERNATIONAL NARCOTICS CONTROL AND LAW
10 ENFORCEMENT.—Of the unobligated and unexpended bal-
11 ances from amounts made available under the heading
12 “International Narcotics Control and Law Enforcement”
13 from prior Acts making appropriations for the Depart-
14 ment of State, foreign operations, and related programs
15 and allocated by the Executive Branch for Afghanistan in
16 the annual reports required by section 653(a) of the For-
17 eign Assistance Act of 1961 (22 U.S.C. 2413(a)),
18 \$100,000,000, shall be deobligated, as appropriate, and
19 shall be rescinded.

20 (d) PEACE CORPS.—Of the unobligated balances
21 from amounts made available under the heading “Peace
22 Corps” from prior Acts making appropriations for the De-
23 partment of State, foreign operations, and related pro-
24 grams, \$85,000,000 are rescinded.

1 (e) EMBASSY SECURITY, CONSTRUCTION, AND MAIN-
2 TENANCE.—

3 (1) Of the unobligated and unexpended bal-
4 ances from amounts made available under the head-
5 ing “Embassy Security, Construction, and Mainte-
6 nance” in title II of the Security Assistance Appro-
7 priations Act, 2017 (division B of Public Law 114–
8 254), \$41,000,000 are rescinded.

9 (2) Of the unobligated and unexpended bal-
10 ances from amounts available under the heading
11 “Embassy Security, Construction, and Maintenance”
12 from prior Acts making appropriations for the De-
13 partment of State, foreign operations, and related
14 programs for Embassy Kabul construction projects,
15 \$412,000,000 are rescinded.

16 (f) RESTRICTION.—No amounts may be rescinded
17 from amounts that were previously designated by the Con-
18 gress as an emergency requirement pursuant to a concur-
19 rent resolution on the budget or the Balanced Budget and
20 Emergency Deficit Control Act of 1985.

21 This Act may be cited as the “Department of State,
22 Foreign Operations, and Related Programs Appropria-
23 tions Act, 2022”.

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