

[COMMITTEE PRINT]

NOTICE: This bill is a draft for use of the Committee and its Staff only, in preparation for markup.

Calendar No. 000116TH CONGRESS
2D SESSION**S. 0000****[Report No. 116-000]**

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2021, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER _____, 2020

Mr. GRAHAM, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2021, 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,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 Department of State, foreign operations, and related pro-
4 grams for the fiscal year ending September 30, 2021, and
5 for other purposes, namely:

6 TITLE I
7 DEPARTMENT OF STATE AND RELATED
8 AGENCY
9 DEPARTMENT OF STATE
10 ADMINISTRATION OF FOREIGN AFFAIRS
11 DIPLOMATIC PROGRAMS

12 For necessary expenses of the Department of State
13 and the Foreign Service not otherwise provided for,
14 \$9,151,467,000, of which \$754,585,000 may remain avail-
15 able until September 30, 2022, and of which up to
16 \$4,120,899,000 may remain available until expended for
17 Worldwide Security Protection: *Provided*, That of the
18 amount made available under this heading for Worldwide
19 Security Protection, \$2,626,122,000 is designated by the
20 Congress for Overseas Contingency Operations/Global
21 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
22 the Balanced Budget and Emergency Deficit Control Act
23 of 1985: *Provided further*, That funds made available
24 under this heading shall be allocated in accordance with
25 paragraphs (1) through (4) as follows:

1 (1) HUMAN RESOURCES.—For necessary ex-
2 penses for training, human resources management,
3 and salaries, including employment without regard
4 to civil service and classification laws of persons on
5 a temporary basis (not to exceed \$700,000), as au-
6 thorized by section 801 of the United States Infor-
7 mation and Educational Exchange Act of 1948 (62
8 Stat. 11; Chapter 36), \$2,916,685,000, of which up
9 to \$534,782,000 is for Worldwide Security Protec-
10 tion.

11 (2) OVERSEAS PROGRAMS.—For necessary ex-
12 penses for the regional bureaus of the Department
13 of State and overseas activities as authorized by law,
14 \$1,755,747,000.

15 (3) DIPLOMATIC POLICY AND SUPPORT.—For
16 necessary expenses for the functional bureaus of the
17 Department of State, including representation to
18 certain international organizations in which the
19 United States participates pursuant to treaties rati-
20 fied pursuant to the advice and consent of the Sen-
21 ate or specific Acts of Congress, general administra-
22 tion, and arms control, nonproliferation, and disar-
23 mament activities as authorized, \$867,723,000.

24 (4) SECURITY PROGRAMS.—For necessary ex-
25 penses for security activities, \$3,611,312,000, of

1 which up to \$3,586,117,000 is for Worldwide Secu-
2 rity Protection.

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

6 (A) as authorized by section 810 of the
7 United States Information and Educational Ex-
8 change Act, not to exceed \$5,000,000, to re-
9 main available until expended, may be credited
10 to this appropriation from fees or other pay-
11 ments received from English teaching, library,
12 motion pictures, and publication programs and
13 from fees from educational advising and coun-
14 seling and exchange visitor programs; and

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

18 (6) TRANSFER OF FUNDS, REPROGRAMMING,
19 AND OTHER MATTERS.—

20 (A) Notwithstanding any other provision of
21 this Act, funds may be reprogrammed within
22 and between paragraphs (1) through (4) under
23 this heading subject to section 7015 of this Act.

24 (B) Of the amount made available under
25 this heading for Worldwide Security Protection,

1 not to exceed \$50,000,000 may be transferred
2 to, and merged with, funds made available by
3 this Act under the heading “Emergencies in the
4 Diplomatic and Consular Service”, to be avail-
5 able only for emergency evacuations and re-
6 wards, as authorized: *Provided*, That the exer-
7 cise of the authority provided by this subpara-
8 graph shall be subject to prior consultation with
9 the Committees on Appropriations.

10 (C) Funds appropriated under this heading
11 are available for acquisition by exchange or pur-
12 chase of passenger motor vehicles as authorized
13 by law and, pursuant to section 1108(g) of title
14 31, United States Code, for the field examina-
15 tion of programs and activities in the United
16 States funded from any account contained in
17 this title.

18 CAPITAL INVESTMENT FUND

19 For necessary expenses of the Capital Investment
20 Fund, as authorized, \$250,000,000, to remain available
21 until expended.

22 OFFICE OF INSPECTOR GENERAL

23 For necessary expenses of the Office of Inspector
24 General, \$90,829,000, of which \$13,624,000 may remain
25 available until September 30, 2022: *Provided*, That funds

1 appropriated under this heading are made available not-
2 withstanding section 209(a)(1) of the Foreign Service Act
3 of 1980 (22 U.S.C. 3929(a)(1)), as it relates to post in-
4 spections.

5 In addition, for the Special Inspector General for Af-
6 ghanistan Reconstruction (SIGAR) for reconstruction
7 oversight, \$54,900,000, to remain available until Sep-
8 tember 30, 2022, which is designated by the Congress for
9 Overseas Contingency Operations/Global War on Ter-
10 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985:
12 *Provided*, That funds appropriated under this heading
13 that are made available for the printing and reproduction
14 costs of SIGAR shall not exceed amounts for such costs
15 during the prior fiscal year.

16 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

17 For necessary expenses of educational and cultural
18 exchange programs, as authorized, \$731,575,000, to re-
19 main available until expended, of which not less than
20 \$273,000,000 shall be for the Fulbright Program and not
21 less than \$111,860,000 shall be for Citizen Exchange Pro-
22 gram: *Provided*, That fees or other payments received
23 from, or in connection with, English teaching, educational
24 advising and counseling programs, and exchange visitor
25 programs as authorized may be credited to this account,

1 to remain available until expended: *Provided further*, That
2 a portion of the Fulbright awards from the Eurasia and
3 Central Asia regions shall be designated as Edmund S.
4 Muskie Fellowships, following consultation with the Com-
5 mittees on Appropriations: *Provided further*, That funds
6 appropriated under this heading that are made available
7 for the Benjamin Gilman International Scholarships Pro-
8 gram shall also be made available for the John S. McCain
9 Scholars Program, pursuant to section 7075 of the De-
10 partment of State, Foreign Operations, and Related Pro-
11 grams Appropriations Act, 2019 (division F of Public Law
12 116–6): *Provided further*, That funds appropriated under
13 this heading shall be made available for the Community
14 Engagement Exchange Program as described under the
15 heading “Civil Society Exchange Program” in Senate Re-
16 port 116–126: *Provided further*, That any substantive
17 modifications from the prior fiscal year to programs fund-
18 ed by this Act under this heading shall be subject to prior
19 consultation with, and the regular notification procedures
20 of, the Committees on Appropriations.

21 REPRESENTATION EXPENSES

22 For representation expenses as authorized,
23 \$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, 2022.

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, \$757,100,000, to re-
13 main available until September 30, 2025, 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 \$1,181,394,000, to remain available until expended, of
22 which \$424,287,000 is designated by the Congress for
23 Overseas Contingency Operations/Global War on Ter-
24 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
25 anced Budget and Emergency Deficit Control Act of 1985.

1 section 4 of the International Center Act (Public Law 90–
2 553), and, in addition, as authorized by section 5 of such
3 Act, \$743,000, to be derived from the reserve authorized
4 by such section, to be used for the purposes set out in
5 that section.

6 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
7 DISABILITY FUND

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

10 INTERNATIONAL ORGANIZATIONS

11 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

12 For necessary expenses, not otherwise provided for,
13 to meet annual obligations of membership in international
14 multilateral organizations, pursuant to treaties ratified
15 pursuant to the advice and consent of the Senate, conven-
16 tions, or specific Acts of Congress, \$1,479,343,000, of
17 which \$96,240,000, to remain available until September
18 30, 2022, is designated by the Congress for Overseas Con-
19 tingency Operations/Global War on Terrorism pursuant to
20 section 251(b)(2)(A)(ii) of the Balanced Budget and
21 Emergency Deficit Control Act of 1985: *Provided*, That
22 the Secretary of State shall, at the time of the submission
23 of the President’s budget to Congress under section
24 1105(a) of title 31, United States Code, transmit to the
25 Committees on Appropriations the most recent biennial

1 budget prepared by the United Nations for the operations
2 of the United Nations: *Provided further*, That the Sec-
3 retary of State shall notify the Committees on Appropria-
4 tions at least 15 days in advance (or in an emergency,
5 as far in advance as is practicable) of any United Nations
6 action to increase funding for any United Nations pro-
7 gram without identifying an offsetting decrease elsewhere
8 in the United Nations budget: *Provided further*, That any
9 payment of arrearages under this heading shall be directed
10 to activities that are mutually agreed upon by the United
11 States and the respective international organization and
12 shall be subject to the regular notification procedures of
13 the Committees on Appropriations: *Provided further*, That
14 none of the funds appropriated under this heading shall
15 be available for a United States contribution to an inter-
16 national organization for the United States share of inter-
17 est costs made known to the United States Government
18 by such organization for loans incurred on or after Octo-
19 ber 1, 1984, through external borrowings.

20 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

21 ACTIVITIES

22 For necessary expenses to pay assessed and other ex-
23 penses of international peacekeeping activities directed to
24 the maintenance or restoration of international peace and
25 security, \$1,441,094,000, of which \$705,994,000 is des-

1 ignated by the Congress for Overseas Contingency Oper-
2 ations/Global War on Terrorism pursuant to section
3 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
4 Deficit Control Act of 1985: *Provided*, That of the funds
5 made available under this heading, up to \$816,259,000
6 may remain available until September 30, 2022: *Provided*
7 *further*, That none of the funds made available by this Act
8 shall be obligated or expended for any new or expanded
9 United Nations peacekeeping mission unless, at least 15
10 days in advance of voting for such mission in the United
11 Nations Security Council (or in an emergency as far in
12 advance as is practicable), the Committees on Appropria-
13 tions are notified of: (1) the estimated cost and duration
14 of the mission, the objectives of the mission, the national
15 interest that will be served, and the exit strategy; and (2)
16 the sources of funds, including any reprogrammings or
17 transfers, that will be used to pay the cost of the new or
18 expanded mission, and the estimated cost in future fiscal
19 years: *Provided further*, That none of the funds appro-
20 priated under this heading may be made available for obli-
21 gation unless the Secretary of State certifies and reports
22 to the Committees on Appropriations on a peacekeeping
23 mission-by-mission basis that the United Nations is imple-
24 menting effective policies and procedures to prevent
25 United Nations employees, contractor personnel, and

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

1 that such involvement is in the national interest of the
2 United States and the President has submitted to Con-
3 gress such a recommendation: *Provided further*, That the
4 Secretary of State shall work with the United Nations and
5 members of the United Nations Security Council to evalu-
6 ate and prioritize peacekeeping missions, and to consider
7 a drawdown when mission goals have been substantially
8 achieved: *Provided further*, That any payment of arrear-
9 ages with funds appropriated by this Act shall be subject
10 to the regular notification procedures of the Committees
11 on Appropriations.

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:

15

1 SALARIES AND EXPENSES

2 For salaries and expenses, not otherwise provided for,
3 \$49,770,000, of which \$7,466,000 may remain available
4 until September 30, 2022.

5 CONSTRUCTION

6 For detailed plan preparation and construction of au-
7 thorized projects, \$49,000,000, 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 for Overseas Contingency Operations/Global War on
14 Terrorism or as an emergency requirement pursuant to
15 a concurrent resolution on the budget or the Balanced
16 Budget and Emergency Deficit Control Act of 1985, up
17 to \$5,000,000 may be transferred to, and merged with,
18 funds appropriated under the heading “Salaries and Ex-
19 penses” to carry out the purposes of the United States
20 Section, which shall be subject to prior consultation with,
21 and the regular notification procedures of, the Committees
22 on Appropriations: *Provided further*, That such transfer
23 authority is in addition to any other transfer authority
24 provided in this 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, \$12,498,000: *Provided*, That of the
7 amount provided under this heading for the International
8 Joint Commission, up to \$1,250,000 may remain available
9 until September 30, 2022, and up to \$9,000 may be made
10 available for representation expenses: *Provided further*,
11 That of the amount provided under this heading for the
12 International Boundary Commission, up to \$1,000 may be
13 made available for representation expenses.

14 INTERNATIONAL FISHERIES COMMISSIONS

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

21 RELATED AGENCY

22 UNITED STATES AGENCY FOR GLOBAL MEDIA

23 INTERNATIONAL BROADCASTING OPERATIONS

24 For necessary expenses to enable the United States
25 Agency for Global Media (USAGM), as authorized, to

1 carry out international communication activities, and to
2 make and supervise grants for radio, Internet, and tele-
3 vision broadcasting to the Middle East, \$643,232,000:
4 *Provided*, That of the funds made available under this
5 heading, not to exceed \$35,000 may be used for represen-
6 tation expenses, of which \$10,000 may be used for such
7 expenses within the United States as authorized, and not
8 to exceed \$30,000 may be used for representation ex-
9 penses of Radio Free Europe/Radio Liberty (RFE/RL):
10 *Provided further*, That funds made available under this
11 heading shall be allocated in accordance with paragraphs
12 (1) and (2) as follows:

13 (1) FEDERAL ENTITIES.—Of the funds made
14 available under this heading, \$42,800,000 is for the
15 International Broadcasting Bureau (IBB), of which
16 up to \$20,708,000 may remain available until ex-
17 pended for satellite transmissions; \$152,347,000 is
18 for the Office of Technology, Services, and Innova-
19 tion; \$191,559,000 is for Voice of America (VOA);
20 and \$12,973,000 is for the Office of Cuba Broad-
21 casting:

22 (2) NON-FEDERAL ENTITIES.—Of the funds
23 made available under this heading, \$87,261,000 is
24 for RFE/RL; \$39,519,000 is for Radio Free Asia;
25 \$96,773,000 is for Middle East Broadcasting Net-

1 works; and \$20,000,000, to remain available until
2 expended, is for the Open Technology Fund (OTF)
3 for Internet freedom programs in accordance with
4 section 7050 of this Act:

5 *Provided further*, That of the amounts specified for each
6 Federal and non-Federal entity in paragraphs (1) and (2)
7 under this heading, 75 percent shall be made available for
8 obligation upon enactment of this Act: *Provided further*,
9 That the remaining 25 percent of the funds specified for
10 each Federal and non-Federal entity in paragraphs (1)
11 and (2), except for IBB, shall only be made available 15
12 days after the submission of a report by the Department
13 of State Inspector General to the appropriate congress-
14 sional committees assessing whether USAGM is meeting
15 the requirements of section 303(a) and (b) of the United
16 States International Broadcasting Act of 1994 (22 U.S.C.
17 6202) and section 305(b) of such Act (22 U.S.C.
18 6204(b)): *Provided further*, That the remaining 25 percent
19 of funds for the IBB shall not be made available until
20 each other entity specified in paragraphs (1) and (2) has
21 received the full amount made available in such para-
22 graphs: *Provided further*, That notwithstanding any other
23 provision of law, the USAGM Chief Executive Officer
24 (CEO) may only take action with respect to the hiring,
25 firing, and transfer of senior staff of USAGM Federal en-

1 titles and officers of the grantee broadcasting organiza-
2 tions not less than 5 days after a detailed justification for
3 any such action taken is submitted to the appropriate con-
4 gressional committees: *Provided further*, That notwith-
5 standing any other provision of law or regulation and be-
6 ginning not later than 30 days after enactment of this Act,
7 no personnel may be detailed to USAGM during the cur-
8 rent fiscal year unless the general counsel of the home
9 agency and USAGM have jointly certified to such commit-
10 tees that such detail does not constitute an augmentation
11 of appropriation and is consistent with all applicable per-
12 sonnel policies: *Provided further*, That none of the funds
13 appropriated by this Act and prior Acts making appropria-
14 tions for the Department of State, foreign operations, and
15 related programs may be used to consolidate any USAGM
16 grantee organizations: *Provided further*, That not later
17 than 30 days after enactment of this Act and every 90
18 days thereafter until September 30, 2021, the USAGM
19 CEO, in coordination with the Federal and non-Federal
20 entities specified in paragraphs (1) and (2), shall submit
21 a spend plan to the Committees on Appropriations con-
22 sistent with the requirements of section 7034(r)(4) of this
23 Act and as described under this heading in the explanatory
24 statement accompanying this Act: *Provided further*, That
25 any modifications to such spend plans are subject to the

1 requirements of section 7015 of this Act: *Provided further*,
2 That the USAGM CEO shall notify the Committees on
3 Appropriations within 15 days of any determination by the
4 USAGM that any of its broadcast entities, including its
5 grantee organizations, provides an open platform for inter-
6 national terrorists or those who support international ter-
7 rorism, or is in violation of the principles and standards
8 set forth in 22 U.S.C. 6202 or the entity's journalistic
9 code of ethics: *Provided further*, That modifications to
10 USAGM broadcast hours in excess of 10 percent of the
11 amounts previously justified to Congress, including
12 changes to transmission platforms (shortwave, medium
13 wave, satellite, Internet, and television), for all USAGM
14 language services shall be subject to the regular notifica-
15 tion procedures of the Committees on Appropriations: *Pro-*
16 *vided further*, That funds appropriated under this heading
17 and under the heading "Broadcasting Capital Improve-
18 ments" shall be subject to the regular notification proce-
19 dures of the Committees on Appropriations.

20 In addition to funds made available under this head-
21 ing, and notwithstanding any other provision of law, up
22 to \$5,000,000 in receipts from advertising and revenue
23 from business ventures, up to \$500,000 in receipts from
24 cooperating international organizations, and up to
25 \$1,000,000 in receipts from privatization efforts of VOA

1 and IBB, shall remain available until expended for car-
2 rying out authorized purposes.

3 BROADCASTING CAPITAL IMPROVEMENTS

4 For the purchase, rent, construction, repair, preser-
5 vation, and improvement of facilities for radio, television,
6 and digital transmission and reception; the purchase, rent,
7 and installation of necessary equipment for radio, tele-
8 vision, and digital transmission and reception, including
9 to Cuba, as authorized; and physical security worldwide,
10 in addition to amounts otherwise available for such pur-
11 poses, \$4,520,000, to remain available until expended, as
12 authorized.

13 RELATED PROGRAMS

14 THE ASIA FOUNDATION

15 For a grant to The Asia Foundation, as authorized
16 by The Asia Foundation Act (22 U.S.C. 4402),
17 \$20,000,000, to remain available until expended: *Pro-*
18 *vided*, That funds appropriated under this heading shall
19 be apportioned and obligated to the Foundation not later
20 than 60 days after enactment of this Act.

21 UNITED STATES INSTITUTE OF PEACE

22 For necessary expenses of the United States Institute
23 of Peace, as authorized by the United States Institute of
24 Peace Act (22 U.S.C. 4601 et seq.), \$45,000,000, to re-

1 main available until September 30, 2022, which shall not
2 be used for construction activities.

3 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE
4 TRUST FUND

5 For necessary expenses of the Center for Middle
6 Eastern-Western Dialogue Trust Fund, as authorized by
7 section 633 of the Departments of Commerce, Justice, and
8 State, the Judiciary, and Related Agencies Appropriations
9 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-
10 est and earnings accruing to such Fund on or before Sep-
11 tember 30, 2021, to remain available until expended.

12 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

13 For necessary expenses of Eisenhower Exchange Fel-
14 lowships, Incorporated, as authorized by sections 4 and
15 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
16 U.S.C. 5204–5205), all interest and earnings accruing to
17 the Eisenhower Exchange Fellowship Program Trust
18 Fund on or before September 30, 2021, to remain avail-
19 able until expended: *Provided*, That none of the funds ap-
20 propriated herein shall be used to pay any salary or other
21 compensation, or to enter into any contract providing for
22 the payment thereof, in excess of the rate authorized by
23 section 5376 of title 5, United States Code; or for pur-
24 poses which are not in accordance with section 200 of title

1 2 of the Code of Federal Regulations, including the re-
2 strictions on compensation for personal services.

3 ISRAELI ARAB SCHOLARSHIP PROGRAM

4 For necessary expenses of the Israeli Arab Scholar-
5 ship Program, as authorized by section 214 of the Foreign
6 Relations Authorization Act, Fiscal Years 1992 and 1993
7 (22 U.S.C. 2452 note), all interest and earnings accruing
8 to the Israeli Arab Scholarship Fund on or before Sep-
9 tember 30, 2021, to remain available until expended.

10 EAST-WEST CENTER

11 To enable the Secretary of State to provide for car-
12 rying out the provisions of the Center for Cultural and
13 Technical Interchange Between East and West Act of
14 1960, by grant to the Center for Cultural and Technical
15 Interchange Between East and West in the State of Ha-
16 waii, \$19,700,000: *Provided*, That funds appropriated
17 under this heading shall be apportioned and obligated to
18 the Center not later than 60 days after enactment of this
19 Act.

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), \$300,000,000, to remain available until expended,
25 of which \$195,840,000 shall be allocated in the traditional

1 and customary manner, including for the core institutes,
2 and \$104,160,000 shall be for democracy programs: *Pro-*
3 *vided*, That the requirements of section 7061(a) of this
4 Act shall not apply to funds made available under this
5 heading: *Provided further*, That funds appropriated under
6 this heading shall be apportioned and obligated to the En-
7 dowment not later than 60 days after enactment of this
8 Act.

9 OTHER COMMISSIONS

10 COMMISSION FOR THE PRESERVATION OF AMERICA'S

11 HERITAGE ABROAD

12 SALARIES AND EXPENSES

13 For necessary expenses for the Commission for the
14 Preservation of America's Heritage Abroad, \$675,000, as
15 authorized by chapter 3123 of title 54, United States
16 Code: *Provided*, That the Commission may procure tem-
17 porary, intermittent, and other services notwithstanding
18 paragraph (3) of section 312304(b) of such chapter: *Pro-*
19 *vided further*, That such authority shall terminate on Oc-
20 tober 1, 2021: *Provided further*, That the Commission
21 shall notify the Committees on Appropriations prior to ex-
22 ercising such authority.

1 UNITED STATES COMMISSION ON INTERNATIONAL
2 RELIGIOUS FREEDOM
3 SALARIES AND EXPENSES

4 For necessary expenses for the United States Com-
5 mission on International Religious Freedom, as authorized
6 by title II of the International Religious Freedom Act of
7 1998 (22 U.S.C. 6431 et seq.), \$4,500,000, to remain
8 available until September 30, 2022, including not more
9 than \$4,000 for representation expenses.

10 COMMISSION ON SECURITY AND COOPERATION IN
11 EUROPE
12 SALARIES AND EXPENSES

13 For necessary expenses of the Commission on Secu-
14 rity and Cooperation in Europe, as authorized by Public
15 Law 94–304 (22 U.S.C. 3001 et seq.), \$2,908,000, includ-
16 ing not more than \$4,000 for representation expenses, to
17 remain available until September 30, 2022.

18 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE
19 PEOPLE’S REPUBLIC OF CHINA
20 SALARIES AND EXPENSES

21 For necessary expenses of the Congressional-Execu-
22 tive Commission on the People’s Republic of China, as au-
23 thorized by title III of the U.S.-China Relations Act of
24 2000 (22 U.S.C. 6911 et seq.), \$2,250,000, including not

1 more than \$3,000 for representation expenses, to remain
2 available until September 30, 2022.

3 UNITED STATES-CHINA ECONOMIC AND SECURITY
4 REVIEW COMMISSION
5 SALARIES AND EXPENSES

6 For necessary expenses of the United States-China
7 Economic and Security Review Commission, as authorized
8 by section 1238 of the Floyd D. Spence National Defense
9 Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),
10 \$4,000,000, including not more than \$4,000 for represen-
11 tation expenses, to remain available until September 30,
12 2022: *Provided*, That the authorities, requirements, limi-
13 tations, and conditions contained in the second through
14 sixth provisos under this heading in the Department of
15 State, Foreign Operations, and Related Programs Appro-
16 priations Act, 2010 (division F of Public Law 111–117)
17 shall continue in effect during fiscal year 2021 and shall
18 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 (22
8 U.S.C. 2427), \$1,392,246,000, of which \$208,836,900
9 may remain available until September 30, 2022: *Provided*,
10 That the authority of sections 610 and 109 of the Foreign
11 Assistance Act of 1961 (22 U.S.C. 2360, 2151g) may be
12 exercised by the Secretary of State to transfer funds ap-
13 propriated to carry out chapter 1 of part I of such Act
14 to “Operating Expenses” in accordance with the provi-
15 sions of those sections: *Provided further*, That funds made
16 available under this heading shall be allocated in accord-
17 ance with paragraphs (1) through (3) as follows:

18 (1) OVERSEAS OPERATIONS.—For necessary ex-
19 penses for overseas operations, including field mis-
20 sion support and overseas salaries and benefits,
21 \$709,300,000:

22 (2) WASHINGTON OPERATIONS.—For necessary
23 expenses of Washington operations, including secu-
24 rity, domestic salaries and benefits, and other do-
25 mestic bureau costs, \$379,446,000:

1 (3) CENTRAL SUPPORT.—For necessary ex-
2 penses for central support, including information
3 technology, rent, and other personnel support and
4 agency costs, \$303,500,000:
5 *Provided further*, That notwithstanding any other provi-
6 sion of this Act, funds may be reprogrammed within and
7 between paragraphs (1) through (3) under this heading
8 subject to section 7015 of this Act: *Provided further*, That
9 none of the funds appropriated under this heading and
10 under the heading “Capital Investment Fund” in this title
11 may be made available to finance the construction (includ-
12 ing architect and engineering services), purchase, or long-
13 term lease of offices for use by the United States Agency
14 for International Development, unless the USAID Admin-
15 istrator has identified such proposed uses of funds in a
16 report submitted to the Committees on Appropriations at
17 least 15 days prior to the obligation of funds for such pur-
18 poses: *Provided further*, That contracts or agreements en-
19 tered into with funds appropriated under this heading may
20 entail commitments for the expenditure of such funds
21 through the following fiscal year: *Provided further*, That
22 of the funds appropriated or otherwise made available
23 under this heading, up to \$250,000 may be made available
24 for representation and entertainment expenses, of which
25 up to \$5,000 may be made available for entertainment ex-

1 penses, and up to \$100,500 shall be for official residence
2 expenses, for USAID during the current fiscal year.

3 CAPITAL INVESTMENT FUND

4 For necessary expenses for overseas construction and
5 related costs, and for the procurement and enhancement
6 of information technology and related capital investments,
7 pursuant to section 667 of the Foreign Assistance Act of
8 1961, \$258,200,000, to remain available until expended:
9 *Provided*, That this amount is in addition to funds other-
10 wise available for such purposes: *Provided further*, That
11 funds appropriated under this heading shall be available
12 subject to the regular notification procedures of the Com-
13 mittees on Appropriations.

14 OFFICE OF INSPECTOR GENERAL

15 For necessary expenses to carry out the provisions
16 of section 667 of the Foreign Assistance Act of 1961,
17 \$75,500,000, of which \$11,325,000 may remain available
18 until September 30, 2022, for the Office of Inspector Gen-
19 eral of the United States Agency for International Devel-
20 opment.

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 \$3,323,500,000, to remain available until September 30,
13 2022, and which shall be apportioned directly to the
14 United States Agency for International Development not
15 later than 60 days after enactment of this Act: *Provided*,
16 That this amount shall be made available for training,
17 equipment, and technical assistance to build the capacity
18 of public health institutions and organizations in devel-
19 oping countries, and for such activities as: (1) child sur-
20 vival and maternal health programs; (2) immunization and
21 oral rehydration programs; (3) other health, nutrition,
22 water and sanitation programs which directly address the
23 needs of mothers and children, and related education pro-
24 grams; (4) assistance for children displaced or orphaned
25 by causes other than AIDS; (5) programs for the preven-

1 tion, treatment, control of, and research on HIV/AIDS,
2 tuberculosis, polio, malaria, zoonotic diseases, and other
3 infectious diseases including neglected tropical diseases,
4 and for assistance to communities severely affected by
5 HIV/AIDS, including children infected or affected by
6 AIDS; (6) disaster preparedness training for health crises;
7 (7) programs to prevent, prepare for, and respond to, un-
8 anticipated and emerging global health threats; and (8)
9 family planning/reproductive health: *Provided further*,
10 That funds appropriated under this paragraph may be
11 made available for a United States contribution to The
12 GAVI Alliance: *Provided further*, That none of the funds
13 made available in this Act nor any unobligated balances
14 from prior appropriations Acts may be made available to
15 any organization or program which, as determined by the
16 President of the United States, supports or participates
17 in the management of a program of coercive abortion or
18 involuntary sterilization: *Provided further*, That any deter-
19 mination made under the previous proviso must be made
20 not later than 6 months after the date of enactment of
21 this Act, and must be accompanied by the evidence and
22 criteria utilized to make the determination: *Provided fur-*
23 *ther*, That none of the funds made available under this
24 Act may be used to pay for the performance of abortion
25 as a method of family planning or to motivate or coerce

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

1 of family planning; (3) the project shall not deny any right
2 or benefit, including the right of access to participate in
3 any program of general welfare or the right of access to
4 health care, as a consequence of any individual's decision
5 not to accept family planning services; (4) the project shall
6 provide family planning acceptors comprehensible infor-
7 mation on the health benefits and risks of the method cho-
8 sen, including those conditions that might render the use
9 of the method inadvisable and those adverse side effects
10 known to be consequent to the use of the method; and
11 (5) the project shall ensure that experimental contracep-
12 tive drugs and devices and medical procedures are pro-
13 vided only in the context of a scientific study in which
14 participants are advised of potential risks and benefits;
15 and, not less than 60 days after the date on which the
16 USAID Administrator determines that there has been a
17 violation of the requirements contained in paragraph (1),
18 (2), (3), or (5) of this proviso, or a pattern or practice
19 of violations of the requirements contained in paragraph
20 (4) of this proviso, the Administrator shall submit to the
21 Committees on Appropriations a report containing a de-
22 scription of such violation and the corrective action taken
23 by the Agency: *Provided further*, That in awarding grants
24 for natural family planning under section 104 of the For-
25 eign Assistance Act of 1961 no applicant shall be discrimi-

1 nated against because of such applicant’s religious or con-
2 scientious commitment to offer only natural family plan-
3 ning; and, additionally, all such applicants shall comply
4 with the requirements of the previous proviso: *Provided*
5 *further*, That for purposes of this or any other Act author-
6 izing or appropriating funds for the Department of State,
7 foreign operations, and related programs, the term “moti-
8 vate”, as it relates to family planning assistance, shall not
9 be construed to prohibit the provision, consistent with
10 local law, of information or counseling about all pregnancy
11 options: *Provided further*, That information provided
12 about the use of condoms as part of projects or activities
13 that are funded from amounts appropriated by this Act
14 shall be medically accurate and shall include the public
15 health benefits and failure rates of such use.

16 In addition, for necessary expenses to carry out the
17 provisions of the Foreign Assistance Act of 1961 for the
18 prevention, treatment, and control of, and research on,
19 HIV/AIDS, \$5,930,000,000, to remain available until
20 September 30, 2025, which shall be apportioned directly
21 to the Department of State not later than 60 days after
22 enactment of this Act: *Provided*, That funds appropriated
23 under this paragraph may be made available, notwith-
24 standing any other provision of law, except for the United
25 States Leadership Against HIV/AIDS, Tuberculosis, and

1 Malaria Act of 2003 (Public Law 108–25), for a United
2 States contribution to the Global Fund to Fight AIDS,
3 Tuberculosis and Malaria (Global Fund): *Provided further*,
4 That the amount of such contribution shall be
5 \$1,560,000,000 and shall be for the second installment
6 of the sixth replenishment: *Provided further*, That up to
7 5 percent of the aggregate amount of funds made available
8 to the Global Fund in fiscal year 2021 may be made avail-
9 able to USAID for technical assistance related to the ac-
10 tivities of the Global Fund, subject to the regular notifica-
11 tion procedures of the Committees on Appropriations: *Pro-*
12 *vided further*, That of the funds appropriated under this
13 paragraph, up to \$17,000,000 may be made available, in
14 addition to amounts otherwise available for such purposes,
15 for administrative expenses of the Office of the United
16 States Global AIDS Coordinator.

17 DEVELOPMENT ASSISTANCE

18 For necessary expenses to carry out the provisions
19 of sections 103, 105, 106, 214, and sections 251 through
20 255, and chapter 10 of part I of the Foreign Assistance
21 Act of 1961, \$3,000,000,000, to remain available until
22 September 30, 2022: *Provided*, That funds made available
23 under this heading shall be apportioned directly to the
24 United States Agency for International Development not
25 later than 60 days after enactment of this Act.

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, \$4,395,362,000, to remain available
6 until expended, of which \$2,152,780,000 is designated by
7 the Congress for Overseas Contingency Operations/Global
8 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
9 the Balanced Budget and Emergency Deficit Control Act
10 of 1985: *Provided*, That funds made available under this
11 heading shall be apportioned to the United States Agency
12 for International Development not later than 60 days after
13 enactment of this Act.

14 TRANSITION INITIATIVES

15 For necessary expenses for international disaster re-
16 habilitation and reconstruction assistance administered by
17 the Office of Transition Initiatives, United States Agency
18 for International Development, pursuant to section 491 of
19 the Foreign Assistance Act of 1961, and to support transi-
20 tion to democracy and long-term development of countries
21 in crisis, \$92,043,000, to remain available until expended:
22 *Provided*, That such support may include assistance to de-
23 velop, strengthen, or preserve democratic institutions and
24 processes, revitalize basic infrastructure, and foster the
25 peaceful resolution of conflict: *Provided further*, That the

1 USAID Administrator shall submit a report to the Com-
2 mittees on Appropriations at least 5 days prior to begin-
3 ning a new program of assistance or significantly modi-
4 fying or terminating a program of assistance: *Provided*
5 *further*, That if the Secretary of State determines that it
6 is important to the national interest of the United States
7 to provide transition assistance in excess of the amount
8 appropriated under this heading, up to \$15,000,000 of the
9 funds appropriated by this Act to carry out the provisions
10 of part I of the Foreign Assistance Act of 1961 may be
11 used for purposes of this heading and under the authori-
12 ties applicable to funds appropriated under this heading:
13 *Provided further*, That funds made available pursuant to
14 the previous proviso shall be made available subject to
15 prior consultation with the Committees on Appropriations:
16 *Provided further*, That funds appropriated by this Act and
17 prior Acts making appropriations for the Department of
18 State, foreign operations, and related programs that are
19 made available for the Office of Transition Initiatives,
20 USAID, shall be subject to the regular notification proce-
21 dures of the Committees on Appropriations.

22 COMPLEX CRISES FUND

23 For necessary expenses to carry out the provisions
24 of section 509(b) of the Global Fragility Act of 2019 (title
25 V of division J of Public Law 116–94), \$30,000,000, to

1 remain available until expended: *Provided*, That funds ap-
2 propriated under this heading may be made available not-
3 withstanding any other provision of law, except sections
4 7007, 7008, and 7018 of this Act and section 620M of
5 the Foreign Assistance Act of 1961: *Provided further*,
6 That funds appropriated under this heading shall be ap-
7 portioned to the United States Agency for International
8 Development not later than 60 days after enactment of
9 this Act.

10 ECONOMIC SUPPORT FUND

11 For necessary expenses to carry out the provisions
12 of chapter 4 of part II of the Foreign Assistance Act of
13 1961, \$3,248,497,000, to remain available until Sep-
14 tember 30, 2022.

15 DEMOCRACY FUND

16 For necessary expenses to carry out the provisions
17 of the Foreign Assistance Act of 1961 for the promotion
18 of democracy globally, including to carry out the purposes
19 of section 502(b)(3) and (5) of Public Law 98–164 (22
20 U.S.C. 4411), \$360,950,000, to remain available until
21 September 30, 2022, which shall be made available for the
22 Human Rights and Democracy Fund of the Bureau of De-
23 mocracy, Human Rights, and Labor, Department of
24 State, and shall be apportioned to such Bureau not later
25 than 60 days after enactment of this Act: *Provided*, That

1 funds appropriated under this heading that are made
2 available to the National Endowment for Democracy and
3 its core institutes are in addition to amounts otherwise
4 available by this Act for such purposes: *Provided further*,
5 That the Assistant Secretary for Democracy, Human
6 Rights, and Labor, Department of State, shall consult
7 with the Committees on Appropriations prior to the initial
8 obligation of funds appropriated under this paragraph.

9 For an additional amount for such purposes,
10 \$158,250,000, to remain available until September 30,
11 2022, which shall be made available for the Center of Ex-
12 cellence on Democracy, Human Rights and Governance,
13 United States Agency for International Development, and
14 shall be apportioned to such Center not later than 60 days
15 after enactment of this Act.

16 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

17 For necessary expenses to carry out the provisions
18 of the Foreign Assistance Act of 1961, the FREEDOM
19 Support Act (Public Law 102–511), and the Support for
20 Eastern European Democracy (SEED) Act of 1989 (Pub-
21 lic Law 101–179), \$721,780,000, to remain available until
22 September 30, 2022, which shall be available, notwith-
23 standing any other provision of law, except section 7047
24 of this Act, for assistance and related programs for coun-
25 tries identified in section 3 of the FREEDOM Support

1 Act (22 U.S.C. 5801) and section 3(c) of the SEED Act
2 of 1989 (22 U.S.C. 5402), in addition to funds otherwise
3 available for such purposes: *Provided*, That funds appro-
4 priated by this Act under the headings “Global Health
5 Programs”, “Economic Support Fund”, and “Inter-
6 national Narcotics Control and Law Enforcement” that
7 are made available for assistance for such countries shall
8 be administered in accordance with the responsibilities of
9 the coordinator designated pursuant to section 102 of the
10 FREEDOM Support Act and section 601 of the SEED
11 Act of 1989: *Provided further*, That funds appropriated
12 under this heading shall be considered to be economic as-
13 sistance under the Foreign Assistance Act of 1961 for
14 purposes of making available the administrative authori-
15 ties contained in that Act for the use of economic assist-
16 ance: *Provided further*, That funds appropriated under
17 this heading may be made available for contributions to
18 multilateral initiatives to counter hybrid threats: *Provided*
19 *further*, That any notification of funds made available
20 under this heading in this Act or prior Acts making appro-
21 priations for the Department of State, foreign operations,
22 and related programs shall include information (if known
23 on the date of transmittal of such notification) on the use
24 of notwithstanding authority: *Provided further*, That if
25 subsequent to the notification of assistance it becomes nec-

1 essary to rely on notwithstanding authority, the Commit-
2 tees on Appropriations should be informed at the earliest
3 opportunity and to the extent practicable.

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, \$3,432,000,000,
17 to remain available until expended, of which:
18 \$1,521,355,000 is designated by the Congress for Over-
19 seas Contingency Operations/Global War on Terrorism
20 pursuant to section 251(b)(2)(A)(ii) of the Balanced
21 Budget and Emergency Deficit Control Act of 1985; not
22 less than \$35,000,000 shall be made available to respond
23 to small-scale emergency humanitarian requirements; and
24 \$5,000,000 shall be made available for refugees resettling
25 in Israel.

1 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
2 ASSISTANCE FUND

3 For necessary expenses to carry out the provisions
4 of section 2(c) of the Migration and Refugee Assistance
5 Act of 1962 (22 U.S.C. 2601(c)), \$100,000, to remain
6 available until expended: *Provided*, That amounts available
7 under this heading from funds appropriated by this Act
8 and prior Acts making appropriations for the Department
9 of State, foreign operations, and related programs that ex-
10 ceed \$15,000,000, except for funds designated by the Con-
11 gress for Overseas Contingency Operations/Global War on
12 Terrorism or as an emergency requirement pursuant to
13 a concurrent resolution on the budget or the Balanced
14 Budget and Emergency Deficit Control Act of 1985, shall
15 be transferred to, and merged with, funds made available
16 by this Act under the heading “Migration and Refugee
17 Assistance”.

18 INDEPENDENT AGENCIES

19 PEACE CORPS

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses to carry out the provisions
22 of the Peace Corps Act (22 U.S.C. 2501 et seq.), including
23 the purchase of not to exceed five passenger motor vehicles
24 for administrative purposes for use outside of the United
25 States, \$359,500,000, of which \$6,330,000 is for the Of-

1 fice of Inspector General, to remain available until Sep-
2 tember 30, 2022: *Provided*, That the Director of the Peace
3 Corps may transfer to the Foreign Currency Fluctuations
4 Account, as authorized by section 16 of the Peace Corps
5 Act (22 U.S.C. 2515), an amount not to exceed
6 \$5,000,000: *Provided further*, That funds transferred pur-
7 suant to the previous proviso may not be derived from
8 amounts made available for Peace Corps overseas oper-
9 ations: *Provided further*, That of the funds appropriated
10 under this heading, not to exceed \$104,000 may be avail-
11 able for representation expenses, of which not to exceed
12 \$4,000 may be made available for entertainment expenses:
13 *Provided further*, That of the funds appropriated under
14 this heading, up to \$3,000,000 may be made available to
15 graduate the United States-China Friendship Volunteer
16 Program: *Provided further*, That none of the funds appro-
17 priated under this heading shall be used to pay for abor-
18 tions: *Provided further*, That notwithstanding the previous
19 proviso, section 614 of division E of Public Law 113-76
20 shall apply to funds appropriated under this heading.

21 MILLENNIUM CHALLENGE CORPORATION

22 For necessary expenses to carry out the provisions
23 of the Millennium Challenge Act of 2003 (22 U.S.C. 7701
24 et seq.) (MCA), \$912,000,000, to remain available until
25 expended: *Provided*, That of the funds appropriated under

1 this heading, up to \$112,000,000 may be available for ad-
2 ministrative expenses of the Millennium Challenge Cor-
3 poration: *Provided further*, That section 605(e) of the
4 MCA (22 U.S.C. 7704(e)) shall apply to funds appro-
5 priated under this heading: *Provided further*, That funds
6 appropriated under this heading may be made available
7 for a Millennium Challenge Compact entered into pursu-
8 ant to section 609 of the MCA (22 U.S.C. 7708) only if
9 such Compact obligates, or contains a commitment to obli-
10 gate subject to the availability of funds and the mutual
11 agreement of the parties to the Compact to proceed, the
12 entire amount of the United States Government funding
13 anticipated for the duration of the Compact: *Provided fur-*
14 *ther*, That no country should be eligible for a threshold
15 program after such country has completed a country com-
16 pact: *Provided further*, That of the funds appropriated
17 under this heading, not to exceed \$100,000 may be avail-
18 able for representation and entertainment expenses, of
19 which not to exceed \$5,000 may be available for entertain-
20 ment expenses.

21 INTER-AMERICAN FOUNDATION

22 For necessary expenses to carry out the functions of
23 the Inter-American Foundation in accordance with the
24 provisions of section 401 of the Foreign Assistance Act
25 of 1969, \$37,500,000, to remain available until September

1 30, 2022: *Provided*, That of the funds appropriated under
2 this heading, not to exceed \$2,000 may be available for
3 representation expenses.

4 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

5 For necessary expenses to carry out the African De-
6 velopment Foundation Act (title V of Public Law 96–533;
7 22 U.S.C. 290h et seq.), \$33,000,000, to remain available
8 until September 30, 2022, of which not to exceed \$2,000
9 may be available for representation expenses: *Provided*,
10 That funds made available to grantees may be invested
11 pending expenditure for project purposes when authorized
12 by the Board of Directors of the United States African
13 Development Foundation (USADF): *Provided further*,
14 That interest earned shall be used only for the purposes
15 for which the grant was made: *Provided further*, That not-
16 withstanding section 505(a)(2) of the African Develop-
17 ment Foundation Act (22 U.S.C. 290h–3(a)(2)), in excep-
18 tional circumstances the Board of Directors of the
19 USADF may waive the \$250,000 limitation contained in
20 that section with respect to a project and a project may
21 exceed the limitation by up to 10 percent if the increase
22 is due solely to foreign currency fluctuation: *Provided fur-*
23 *ther*, That the USADF shall submit a report to the appro-
24 priate congressional committees after each time such waiv-
25 er authority is exercised: *Provided further*, That the

1 USADF may make rent or lease payments in advance
2 from appropriations available for such purpose for offices,
3 buildings, grounds, and quarters in Africa as may be nec-
4 essary to carry out its functions: *Provided further*, That
5 the USADF may maintain bank accounts outside the
6 United States Treasury and retain any interest earned on
7 such accounts, in furtherance of the purposes of the Afri-
8 can Development Foundation Act: *Provided further*, That
9 the USADF may not withdraw any appropriation from the
10 Treasury prior to the need of spending such funds for pro-
11 gram purposes.

12 DEPARTMENT OF THE TREASURY

13 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

14 For necessary expenses to carry out the provisions
15 of section 129 of the Foreign Assistance Act of 1961,
16 \$33,000,000, to remain available until expended, of which
17 not more than \$6,600,000 may be used for administrative
18 expenses: *Provided*, That amounts made available under
19 this heading may be made available to contract for services
20 as described in section 129(d)(3)(A) of the Foreign Assist-
21 ance Act of 1961, without regard to the location in which
22 such services are performed.

23 DEBT RESTRUCTURING

24 For the costs, as defined in section 502 of the Con-
25 gressional Budget Act of 1974, of modifying loans and

1 loan guarantees, as the President may determine, for
2 which funds have been appropriated or otherwise made
3 available for programs within the International Affairs
4 Budget Function 150, including the cost of selling, reduc-
5 ing, or canceling amounts owed to the United States as
6 a result of concessional loans made to eligible countries,
7 pursuant to part V of the Foreign Assistance Act of 1961,
8 \$20,000,000, to remain available until September 30,
9 2023.

10 In addition, for the costs, as defined in section 502
11 of the Congressional Budget Act of 1974, of modifying
12 loans and loan guarantees for Somalia or credits extended
13 to Somalia, as the President may determine, including the
14 costs of selling, reducing, or cancelling amounts owed to
15 the United States, in the event that Somalia has met the
16 domestic and internationally-agreed conditions and such
17 modification is consistent with United States law and for-
18 eign policy considerations, not to exceed \$78,000,000, to
19 remain available until expended, which may be used not-
20 withstanding any other provision of law: *Provided*, That
21 funds made available by this paragraph shall be subject
22 to prior consultation with the appropriate congressional
23 committees and subject to the regular notification proce-
24 dures of the Committees on Appropriations.

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, \$1,378,925,000, to
8 remain available until September 30, 2022: *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 funds appropriated under this heading shall be made
23 available to support training and technical assistance for
24 foreign law enforcement, corrections, judges, and other ju-
25 dicial authorities, utilizing regional partners: *Provided fur-*

1 *ther*, That funds made available under this heading that
2 are transferred to another department, agency, or instru-
3 mentality of the United States Government pursuant to
4 section 632(b) of the Foreign Assistance Act of 1961 val-
5 ued in excess of \$5,000,000, and any agreement made
6 pursuant to section 632(a) of such Act, shall be subject
7 to the regular notification procedures of the Committees
8 on Appropriations.

9 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
10 RELATED PROGRAMS

11 For necessary expenses for nonproliferation, anti-ter-
12 rorism, demining and related programs and activities,
13 \$883,200,000, to remain available until September 30,
14 2022, to carry out the provisions of chapter 8 of part II
15 of the Foreign Assistance Act of 1961 for anti-terrorism
16 assistance, chapter 9 of part II of the Foreign Assistance
17 Act of 1961, section 504 of the FREEDOM Support Act
18 (22 U.S.C. 5854), section 23 of the Arms Export Control
19 Act (22 U.S.C. 2763), or the Foreign Assistance Act of
20 1961 for demining activities, the clearance of unexploded
21 ordnance, the destruction of small arms, and related ac-
22 tivities, notwithstanding any other provision of law, includ-
23 ing activities implemented through nongovernmental and
24 international organizations, and section 301 of the For-
25 eign Assistance Act of 1961 for a United States contribu-

1 tion to the Comprehensive Nuclear Test Ban Treaty Pre-
2 paratory Commission, and for a voluntary contribution to
3 the International Atomic Energy Agency (IAEA): *Pro-*
4 *vided*, That funds made available under this heading for
5 the Nonproliferation and Disarmament Fund shall be
6 made available, notwithstanding any other provision of law
7 and subject to prior consultation with, and the regular no-
8 tification procedures of, the Committees on Appropria-
9 tions, to promote bilateral and multilateral activities relat-
10 ing to nonproliferation, disarmament, and weapons de-
11 struction, and shall remain available until expended: *Pro-*
12 *vided further*, That such funds may also be used for such
13 countries other than the Independent States of the former
14 Soviet Union and international organizations when it is
15 in the national security interest of the United States to
16 do so: *Provided further*, That funds appropriated under
17 this heading may be made available for the IAEA unless
18 the Secretary of State determines that Israel is being de-
19 nied its right to participate in the activities of that Agen-
20 cy: *Provided further*, That funds made available for con-
21 ventional weapons destruction programs, including
22 demining and related activities, in addition to funds other-
23 wise available for such purposes, may be used for adminis-
24 trative expenses related to the operation and management
25 of such programs and activities, subject to the regular no-

1 tification procedures of the Committees on Appropria-
2 tions.

3 PEACEKEEPING OPERATIONS

4 For necessary expenses to carry out the provisions
5 of section 551 of the Foreign Assistance Act of 1961,
6 \$406,508,000, of which \$325,213,000, to remain available
7 until September 30, 2022, is designated by the Congress
8 for Overseas Contingency Operations/Global War on Ter-
9 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
10 anced Budget and Emergency Deficit Control Act of 1985:
11 *Provided*, That funds appropriated under this heading
12 may be used, notwithstanding section 660 of the Foreign
13 Assistance Act of 1961, to provide assistance to enhance
14 the capacity of foreign civilian security forces, including
15 gendarmes, to participate in peacekeeping operations: *Pro-*
16 *vided further*, That of the funds appropriated under this
17 heading, not less than \$25,000,000 shall be made avail-
18 able for a United States contribution to the Multinational
19 Force and Observers mission in the Sinai: *Provided fur-*
20 *ther*, That funds appropriated under this heading may be
21 made available to pay assessed expenses of international
22 peacekeeping activities in Somalia under the same terms
23 and conditions, as applicable, as funds appropriated by
24 this Act under the heading “Contributions for Inter-
25 national Peacekeeping Activities”: *Provided further*, That

1 none of the funds appropriated under this heading shall
2 be obligated except as provided through the regular notifi-
3 cation procedures of the Committees on Appropriations.

4 FUNDS APPROPRIATED TO THE PRESIDENT

5 INTERNATIONAL MILITARY EDUCATION AND TRAINING

6 For necessary expenses to carry out the provisions
7 of section 541 of the Foreign Assistance Act of 1961,
8 \$112,905,000, of which up to \$11,000,000 may remain
9 available until September 30, 2022: *Provided*, That the
10 civilian personnel for whom military education and train-
11 ing may be provided under this heading may include civil-
12 ians who are not members of a government whose partici-
13 pation would contribute to improved civil-military rela-
14 tions, civilian control of the military, or respect for human
15 rights: *Provided further*, That of the funds appropriated
16 under this heading, up to \$3,000,000 may remain avail-
17 able until expended to increase the participation of women
18 in programs and activities funded under this heading, fol-
19 lowing consultation with, and the regular notification pro-
20 cedures of, the Committees on Appropriations: *Provided*
21 *further*, That of the funds appropriated under this head-
22 ing, not to exceed \$50,000 may be available for entertain-
23 ment expenses.

1 FOREIGN MILITARY FINANCING PROGRAM

2 For necessary expenses for grants to enable the
3 President to carry out the provisions of section 23 of the
4 Arms Export Control Act (22 U.S.C. 2763),
5 \$6,156,463,000, of which \$518,232,000, to remain avail-
6 able until September 30, 2022, is designated by the Con-
7 gress for Overseas Contingency Operations/Global War on
8 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
9 anced Budget and Emergency Deficit Control Act of 1985:
10 *Provided*, That to expedite the provision of assistance to
11 foreign countries and international organizations, the Sec-
12 retary of State, following consultation with the Commit-
13 tees on Appropriations and subject to the regular notifica-
14 tion procedures of such Committees, may use the funds
15 appropriated under this heading to procure defense arti-
16 cles and services to enhance the capacity of foreign secu-
17 rity forces: *Provided further*, That of the funds appro-
18 priated under this heading, not less than \$3,300,000,000
19 shall be available for grants only for Israel which shall
20 be disbursed within 30 days of enactment of this Act: *Pro-*
21 *vided further*, That to the extent that the Government of
22 Israel requests that funds be used for such purposes,
23 grants made available for Israel under this heading shall,
24 as agreed by the United States and Israel, be available
25 for advanced weapons systems, of which not less than

1 \$795,300,000 shall be available for the procurement in
2 Israel of defense articles and defense services, including
3 research and development: *Provided further*, That funds
4 appropriated or otherwise made available under this head-
5 ing shall be nonrepayable notwithstanding any require-
6 ment in section 23 of the Arms Export Control Act: *Pro-*
7 *vided further*, That funds made available under this head-
8 ing shall be obligated upon apportionment in accordance
9 with paragraph (5)(C) of section 1501(a) of title 31,
10 United States Code.

11 None of the funds made available under this heading
12 shall be available to finance the procurement of defense
13 articles, defense services, or design and construction serv-
14 ices that are not sold by the United States Government
15 under the Arms Export Control Act unless the foreign
16 country proposing to make such procurement has first
17 signed an agreement with the United States Government
18 specifying the conditions under which such procurement
19 may be financed with such funds: *Provided*, That all coun-
20 try and funding level increases in allocations shall be sub-
21 mitted through the regular notification procedures of sec-
22 tion 7015 of this Act: *Provided further*, That funds made
23 available under this heading may be used, notwithstanding
24 any other provision of law, for demining, the clearance of
25 unexploded ordnance, and related activities, and may in-

1 clude activities implemented through nongovernmental
2 and international organizations: *Provided further*, That
3 only those countries for which assistance was justified for
4 the “Foreign Military Sales Financing Program” in the
5 fiscal year 1989 congressional presentation for security as-
6 sistance programs may utilize funds made available under
7 this heading for procurement of defense articles, defense
8 services, or design and construction services that are not
9 sold by the United States Government under the Arms
10 Export Control Act: *Provided further*, That funds appro-
11 priated under this heading shall be expended at the min-
12 imum rate necessary to make timely payment for defense
13 articles and services: *Provided further*, That not more than
14 \$70,000,000 of the funds appropriated under this heading
15 may be obligated for necessary expenses, including the
16 purchase of passenger motor vehicles for replacement only
17 for use outside of the United States, for the general costs
18 of administering military assistance and sales, except that
19 this limitation may be exceeded only through the regular
20 notification procedures of the Committees on Appropria-
21 tions: *Provided further*, That of the funds made available
22 under this heading for general costs of administering mili-
23 tary assistance and sales, not to exceed \$4,000 may be
24 available for entertainment expenses and not to exceed
25 \$130,000 may be available for representation expenses:

1 *Provided further*, That not more than \$1,082,200,000 of
2 funds realized pursuant to section 21(e)(1)(A) of the Arms
3 Export Control Act (22 U.S.C. 2761(e)(1)(A)) may be ob-
4 ligated for expenses incurred by the Department of De-
5 fense during fiscal year 2021 pursuant to section 43(b)
6 of the Arms Export Control Act (22 U.S.C. 2792(b)), ex-
7 cept that this limitation may be exceeded only through the
8 regular notification procedures of the Committees on Ap-
9 propriations.

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 \$355,500,000: *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: *Provided*
10 *further*, That not later than 60 days after enactment of
11 this Act, such funds shall be made available for core con-
12 tributions for each entity listed in the table under this
13 heading in the explanatory statement accompanying this
14 Act unless otherwise provided for in this Act, or if the
15 Secretary of State has justified to the Committees on Ap-
16 propriations the proposed uses of funds other than for
17 core contributions following prior consultation with, and
18 subject to the regular notification procedures of, such
19 Committees.

20 INTERNATIONAL FINANCIAL INSTITUTIONS

21 GLOBAL ENVIRONMENT FACILITY

22 For payment to the International Bank for Recon-
23 struction and Development as trustee for the Global Envi-
24 ronment Facility by the Secretary of the Treasury,
25 \$139,575,000, to remain available until, and to be fully

1 disbursed not later than, September 30, 2022: *Provided*,
2 That of such amount, \$136,563,000, which shall remain
3 available until September 30, 2021, is only available for
4 the third installment of the seventh replenishment of the
5 Global Environment Facility, and shall be obligated and
6 disbursed not later than 90 days after enactment of this
7 Act: *Provided further*, That the Secretary shall report to
8 the Committees on Appropriations on the status of funds
9 provided under this heading not less than quarterly until
10 fully disbursed: *Provided further*, That in such report the
11 Secretary shall provide a timeline for the obligation and
12 disbursement of any funds that have not yet been obli-
13 gated or disbursed.

14 CONTRIBUTION TO THE INTERNATIONAL BANK FOR
15 RECONSTRUCTION AND DEVELOPMENT

16 For payment to the International Bank for Recon-
17 struction and Development by the Secretary of the Treas-
18 ury for the United States share of the paid-in portion of
19 the increases in capital stock, \$206,500,000, to remain
20 available until expended.

21 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

22 The United States Governor of the International
23 Bank for Reconstruction and Development may subscribe
24 without fiscal year limitation to the callable capital portion

1 of the United States share of increases in capital stock
2 in an amount not to exceed \$1,421,275,728.70.

3 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
4 ASSOCIATION

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

8 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

9 For payment to the Asian Development Bank's Asian
10 Development Fund by the Secretary of the Treasury,
11 \$47,395,000, to remain available until expended.

12 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

13 For payment to the African Development Bank by
14 the Secretary of the Treasury for the United States share
15 of the paid-in portion of the increases in capital stock,
16 \$54,648,752, to remain available until expended.

17 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

18 The United States Governor of the African Develop-
19 ment Bank may subscribe without fiscal year limitation
20 to the callable capital portion of the United States share
21 of such capital stock in an amount not to exceed
22 \$856,174,624.

1 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

2 For payment to the African Development Fund by
3 the Secretary of the Treasury, \$171,300,000, to remain
4 available until expended.

5 CONTRIBUTION TO THE NORTH AMERICAN DEVELOPMENT
6 BANK

7 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

8 The Secretary of the Treasury may subscribe without
9 fiscal year limitation to the callable capital portion of the
10 United States share of capital stock in an amount not to
11 exceed \$1,020,000,000: *Provided*, That such authority is
12 in addition to any other authority otherwise available in
13 this Act and under any other provision of law.

14 CONTRIBUTION TO THE INTERNATIONAL FUND FOR
15 AGRICULTURAL DEVELOPMENT

16 For payment to the International Fund for Agricul-
17 tural Development by the Secretary of the Treasury,
18 \$35,000,000, to remain available until, and to be fully dis-
19 bursed not later than, September 30, 2022, for the third
20 installment of the eleventh replenishment of the Inter-
21 national Fund for Agricultural Development: *Provided*,
22 That the Secretary of the Treasury shall report to the
23 Committees on Appropriations on the status of such pay-
24 ment not less than quarterly until fully disbursed: *Pro-*
25 *vided further*, That in such report the Secretary shall pro-

- 1 vide a timeline for the obligation and disbursement of any
- 2 funds that have not yet been obligated or disbursed.

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, 2022.

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 \$110,000,000, of which up to \$16,500,000 may re-
11 main available until September 30, 2022: *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 chapter 51, subchapter III
18 of chapter 53, and section 5373 of title 5, United States
19 Code, the Board of Directors of the Bank may set an em-
20 ployee's rate of basic pay up to the rate for level III of
21 the Executive Schedule, and this authority may be applied
22 to no more than 35 employees at any point in time and
23 shall remain in effect until September 30, 2021: *Provided*
24 *further*, That the Bank shall charge fees for necessary ex-
25 penses (including special services performed on a contract

1 or fee basis, but not including other personal services) in
2 connection with the collection of moneys owed the Bank,
3 repossession or sale of pledged collateral or other assets
4 acquired by the Bank in satisfaction of moneys owed the
5 Bank, or the investigation or appraisal of any property,
6 or the evaluation of the legal, financial, or technical as-
7 pects of any transaction for which an application for a
8 loan, guarantee or insurance commitment has been made,
9 or systems infrastructure directly supporting transactions:
10 *Provided further*, That in addition to other funds appro-
11 priated for administrative expenses, such fees shall be
12 credited to this account for such purposes, to remain avail-
13 able until expended.

14 RECEIPTS COLLECTED

15 Receipts collected pursuant to the Export-Import
16 Bank Act of 1945 (Public Law 79–173) and the Federal
17 Credit Reform Act of 1990, in an amount not to exceed
18 the amount appropriated herein, shall be credited as off-
19 setting collections to this account: *Provided*, That the
20 sums herein appropriated from the General Fund shall be
21 reduced on a dollar-for-dollar basis by such offsetting col-
22 lections so as to result in a final fiscal year appropriation
23 from the General Fund estimated at \$0.

1 UNITED STATES INTERNATIONAL DEVELOPMENT
2 FINANCE CORPORATION
3 INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978 (5 U.S.C. App.), \$2,000,000, to re-
7 main available until September 30, 2022.

8 CORPORATE CAPITAL ACCOUNT

9 The United States International Development Fi-
10 nance Corporation (the Corporation) is authorized to
11 make such expenditures and commitments within the lim-
12 its of funds and borrowing authority available to the Cor-
13 poration, and in accordance with the law, and to make
14 such expenditures and commitments without regard to fis-
15 cal year limitations, as provided by section 9104 of title
16 31, United States Code, as may be necessary in carrying
17 out the programs for the current fiscal year for the Cor-
18 poration: *Provided*, That for necessary expenses of the ac-
19 tivities described in subsections (b), (c), (e), (f), and (g)
20 of section 1421 of the BUILD Act of 2018 (division F
21 of Public Law 115–254) and for administrative expenses
22 to carry out authorized activities and project-specific
23 transaction costs described in section 1434(d) of such Act,
24 \$819,000,000: *Provided further*, That of the amount pro-
25 vided—

1 (1) \$119,000,000 shall remain available until
2 September 30, 2023, for administrative expenses to
3 carry out authorized activities (including an amount
4 for official reception and representation expenses
5 which shall not exceed \$25,000) and project-specific
6 transaction costs as described in section 1434(k) of
7 such Act, of which \$1,000,000 shall remain available
8 until September 30, 2025;

9 (2) \$450,000,000 shall remain available until
10 September 30, 2023, for the activities described in
11 section 1421(c) of such Act, except such amounts
12 obligated in a fiscal year shall remain available for
13 disbursement for the term of the underlying project
14 and such funds shall be subject to the regular notifi-
15 cation procedures of the Committees on Appropria-
16 tions: *Provided further*, That if the term of the
17 project extends longer than 10 fiscal years, the Chief
18 Executive Officer of the Corporation shall inform the
19 appropriate congressional committees prior to the
20 obligation or disbursement of funds, as applicable;
21 and

22 (3) \$250,000,000 shall be paid to the “United
23 States International Development Finance Corpora-
24 tion—Program Account” for programs authorized

1 by subsections (b), (e), (f), and (g) of section 1421
2 of the BUILD Act of 2018:

3 *Provided further*, That funds may only be obligated pursu-
4 ant to section 1421(g) of the BUILD Act of 2018 subject
5 to prior consultation with the appropriate congressional
6 committees and the regular notification procedures of the
7 Committees on Appropriations: *Provided further*, That in
8 fiscal year 2021 collections of amounts described in sec-
9 tion 1434(h) of the BUILD Act of 2018 shall be credited
10 as offsetting collections to this appropriation: *Provided*
11 *further*, That such collections collected in fiscal year 2021
12 in excess of \$819,000,000 shall be credited to this account
13 and shall be available in future fiscal years only to the
14 extent provided in advance in appropriations Acts: *Pro-*
15 *vided further*, That in fiscal year 2021, if such collections
16 are less than \$819,000,000, receipts collected pursuant to
17 the BUILD Act of 2018 and the Federal Credit Reform
18 Act of 1990, in an amount equal to such shortfall, shall
19 be credited as offsetting collections to this appropriation:
20 *Provided further*, That funds appropriated or otherwise
21 made available under this heading may not be used to pro-
22 vide any type of assistance that is otherwise prohibited
23 by any other provision of law or to provide assistance to
24 any foreign country that is otherwise prohibited by any
25 other provision of law: *Provided further*, That the sums

1 herein appropriated from the General Fund shall be re-
2 duced on a dollar-for-dollar basis by the offsetting collec-
3 tions described under this heading so as to result in a final
4 fiscal year appropriation from the General Fund estimated
5 at \$411,000,000.

6 PROGRAM ACCOUNT

7 Amounts paid from “United States International De-
8 velopment Finance Corporation—Corporate Capital Ac-
9 count” (CCA) shall remain available until September 30,
10 2023: *Provided*, That up to \$300,000,000 of amounts paid
11 to this account from CCA or transferred to this account
12 pursuant to section 1434(j) of the BUILD Act of 2018
13 (division F of Public Law 115–254) shall be available for
14 the costs of direct and guaranteed loans provided by the
15 Corporation pursuant to section 1421(b) of such Act: *Pro-*
16 *vided further*, That such costs, including the cost of modi-
17 fying such loans, shall be as defined in section 502 of the
18 Congressional Budget Act of 1974: *Provided further*, That
19 such amounts obligated in a fiscal year shall remain avail-
20 able for disbursement for the following 8 fiscal years: *Pro-*
21 *vided further*, That funds transferred to carry out the For-
22 eign Assistance Act of 1961 pursuant to section 1434(j)
23 of the BUILD Act of 2018 may remain available for obli-
24 gation for 1 additional fiscal year: *Provided further*, That

1 the total loan principal or guaranteed principal amount
2 shall not exceed \$8,000,000,000.

3 TRADE AND DEVELOPMENT AGENCY

4 For necessary expenses to carry out the provisions
5 of section 661 of the Foreign Assistance Act of 1961,
6 \$79,500,000, to remain available until September 30,
7 2022, of which no more than \$19,000,000 may be used
8 for administrative expenses: *Provided*, That of the funds
9 appropriated under this heading, not more than \$5,000
10 may be available for representation and entertainment ex-
11 penses.

1 TITLE VII
2 GENERAL PROVISIONS
3 ALLOWANCES AND DIFFERENTIALS

4 SEC. 7001. Funds appropriated under title I of this
5 Act shall be available, except as otherwise provided, for
6 allowances and differentials as authorized by subchapter
7 59 of title 5, United States Code; for services as author-
8 ized by section 3109 of such title and for hire of passenger
9 transportation pursuant to section 1343(b) of title 31,
10 United States Code.

11 UNOBLIGATED BALANCES REPORT

12 SEC. 7002. Any department or agency of the United
13 States Government to which funds are appropriated or
14 otherwise made available by this Act shall provide to the
15 Committees on Appropriations a quarterly accounting of
16 cumulative unobligated balances and obligated, but unex-
17 pended, balances by program, project, and activity, and
18 Treasury Account Fund Symbol of all funds received by
19 such department or agency in fiscal year 2021 or any pre-
20 vious fiscal year, disaggregated by fiscal year: *Provided*,
21 That the report required by this section shall be submitted
22 not later than 30 days after the end of each fiscal quarter
23 and should specify by account the amount of funds obli-
24 gated pursuant to bilateral agreements which have not
25 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 2021 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 2021, shall be subject to prior consultation with,
14 and the regular notification procedures of, the Committees
15 on Appropriations.

16 (d) INTERIM AND TEMPORARY FACILITIES
17 ABROAD.—

18 (1) SECURITY VULNERABILITIES.—Funds ap-
19 propriated by this Act under the heading “Embassy
20 Security, Construction, and Maintenance” may be
21 made available, following consultation with the ap-
22 propriate congressional committees, to address secu-
23 rity vulnerabilities at interim and temporary United
24 States diplomatic facilities abroad, including physical
25 security upgrades and local guard staffing, except

1 that the amount of funds made available for such
2 purposes from this Act and prior Acts making ap-
3 propriations for the Department of State, foreign
4 operations, and related programs shall be a min-
5 imum of \$25,000,000.

6 (2) CONSULTATION.—Notwithstanding any
7 other provision of law, the opening, closure, or any
8 significant modification to an interim or temporary
9 United States diplomatic facility shall be subject to
10 prior consultation with the appropriate congressional
11 committees and the regular notification procedures
12 of the Committees on Appropriations, except that
13 such consultation and notification may be waived if
14 there is a security risk to personnel.

15 (e) SOFT TARGETS.—Of the funds appropriated by
16 this Act under the heading “Embassy Security, Construc-
17 tion, and Maintenance”, not less than \$10,000,000 shall
18 be made available for security upgrades to soft targets,
19 including schools, recreational facilities, and residences
20 used by United States diplomatic personnel and their de-
21 pendants.

22 PERSONNEL ACTIONS

23 SEC. 7005. Any costs incurred by a department or
24 agency funded under title I of this Act resulting from per-
25 sonnel actions taken in response to funding reductions in-

1 cluded in this Act shall be absorbed within the total budg-
2 etary resources available under title I to such department
3 or agency: *Provided*, That the authority to transfer funds
4 between appropriations accounts as may be necessary to
5 carry out this section is provided in addition to authorities
6 included elsewhere in this Act: *Provided further*, That use
7 of funds to carry out this section shall be treated as a
8 reprogramming of funds under section 7015 of this Act.

9 PROHIBITION ON PUBLICITY OR PROPAGANDA

10 SEC. 7006. No part of any appropriation contained
11 in this Act shall be used for publicity or propaganda pur-
12 poses within the United States not authorized before en-
13 actment of this Act by Congress: *Provided*, That up to
14 \$25,000 may be made available to carry out the provisions
15 of section 316 of the International Security and Develop-
16 ment Cooperation Act of 1980 (Public Law 96–533; 22
17 U.S.C. 2151a note).

18 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN

19 COUNTRIES

20 SEC. 7007. None of the funds appropriated or other-
21 wise made available pursuant to titles III through VI of
22 this Act shall be obligated or expended to finance directly
23 any assistance or reparations for the governments of
24 Cuba, North Korea, Iran, or Syria: *Provided*, That for
25 purposes of this section, the prohibition on obligations or

1 expenditures shall include direct loans, credits, insurance,
2 and guarantees of the Export-Import Bank or its agents.

3 COUPS D'ÉTAT

4 SEC. 7008. None of the funds appropriated or other-
5 wise made available pursuant to titles III through VI of
6 this Act shall be obligated or expended to finance directly
7 any assistance to the government of any country whose
8 duly elected head of government is deposed by military
9 coup d'état or decree or, after the date of enactment of
10 this Act, a coup d'état or decree in which the military
11 plays a decisive role: *Provided*, That assistance may be re-
12 sumed to such government if the Secretary of State cer-
13 tifies and reports to the appropriate congressional commit-
14 tees that subsequent to the termination of assistance a
15 democratically elected government has taken office: *Pro-*
16 *vided further*, That the provisions of this section shall not
17 apply to assistance to promote democratic elections or
18 public participation in democratic processes: *Provided fur-*
19 *ther*, That funds made available pursuant to the previous
20 provisos shall be subject to the regular notification proce-
21 dures of the Committees on Appropriations.

22 TRANSFER OF FUNDS AUTHORITY

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

25 (1) DEPARTMENT OF STATE.—

1 (A) IN GENERAL.—Not to exceed 5 percent
2 of any appropriation made available for the cur-
3 rent fiscal year for the Department of State
4 under title I of this Act may be transferred be-
5 tween, and merged with, such appropriations,
6 but no such appropriation, except as otherwise
7 specifically provided, shall be increased by more
8 than 10 percent by any such transfers, and no
9 such transfer may be made to increase the ap-
10 propriation under the heading “Representation
11 Expenses”.

12 (B) EMBASSY SECURITY.—Funds appro-
13 priated under the headings “Diplomatic Pro-
14 grams”, including for Worldwide Security Pro-
15 tection, “Embassy Security, Construction, and
16 Maintenance”, and “Emergencies in the Diplo-
17 matic and Consular Service” in this Act may be
18 transferred to, and merged with, funds appro-
19 priated under such headings if the Secretary of
20 State determines and reports to the Committees
21 on Appropriations that to do so is necessary to
22 implement the recommendations of the
23 Benghazi Accountability Review Board, for
24 emergency evacuations, or to prevent or re-
25 spond to security situations and requirements,

1 following consultation with, and subject to the
2 regular notification procedures of, such Com-
3 mittees: *Provided*, That such transfer authority
4 is in addition to any transfer authority other-
5 wise available in this Act and under any other
6 provision of law.

7 (2) UNITED STATES AGENCY FOR GLOBAL
8 MEDIA.—Not to exceed 5 percent of any appropria-
9 tion made available for the current fiscal year for
10 the United States Agency for Global Media under
11 title I of this Act may be transferred between, and
12 merged with, such appropriations, but no such ap-
13 propriation, except as otherwise specifically provided,
14 shall be increased by more than 10 percent by any
15 such transfers.

16 (3) TREATMENT AS REPROGRAMMING.—Any
17 transfer pursuant to this subsection shall be treated
18 as a reprogramming of funds under section 7015 of
19 this Act and shall not be available for obligation or
20 expenditure except in compliance with the proce-
21 dures set forth in that section.

22 (b) LIMITATION ON TRANSFERS OF FUNDS BE-
23 TWEEN AGENCIES.—

24 (1) IN GENERAL.—None of the funds made
25 available under titles II through V of this Act may

1 be transferred to any department, agency, or instru-
2 mentality of the United States Government, except
3 pursuant to a transfer made by, or transfer author-
4 ity provided in, this Act or any other appropriations
5 Act.

6 (2) ALLOCATION AND TRANSFERS.—Notwith-
7 standing paragraph (1), in addition to transfers
8 made by, or authorized elsewhere in, this Act, funds
9 appropriated by this Act and prior Acts making ap-
10 propriations for the Department of State, foreign
11 operations, and related programs to carry out the
12 purposes of the Foreign Assistance Act of 1961, ex-
13 cept for funds designated by the Congress for Over-
14 seas Contingency Operations/Global War on Ter-
15 rorism or as an emergency requirement pursuant to
16 a concurrent resolution on the budget or the Bal-
17 anced Budget and Emergency Deficit Control Act of
18 1985, may be allocated or transferred to agencies of
19 the United States Government pursuant to the pro-
20 visions of sections 109, 610, and 632 of the Foreign
21 Assistance Act of 1961, and section 1434(j) of the
22 BUILD Act of 2018 (division F of Public Law 115–
23 254).

24 (3) NOTIFICATION.—Any agreement entered
25 into by the United States Agency for International

1 Development or the Department of State with any
2 department, agency, or instrumentality of the United
3 States Government pursuant to section 632(b) of the
4 Foreign Assistance Act of 1961 valued in excess of
5 \$1,000,000 and any agreement made pursuant to
6 section 632(a) of such Act, with funds appropriated
7 by this Act or prior Acts making appropriations for
8 the Department of State, foreign operations, and re-
9 lated programs under the headings “Global Health
10 Programs”, “Development Assistance”, “Economic
11 Support Fund”, and “Assistance for Europe, Eur-
12 asia and Central Asia” shall be subject to the reg-
13 ular notification procedures of the Committees on
14 Appropriations: *Provided*, That the requirement in
15 the previous sentence shall not apply to agreements
16 entered into between USAID and the Department of
17 State.

18 (c) LIMITATION ON UNITED STATES INTERNATIONAL
19 DEVELOPMENT FINANCE CORPORATION.—Amounts
20 transferred pursuant to section 1434(j) of the BUILD Act
21 of 2018 (division F of Public Law 115–254) may only be
22 transferred from funds made available under title III of
23 this Act and prior Acts making appropriations for the De-
24 partment of State, foreign operations, and related pro-
25 grams, except for funds designated by the Congress for

1 Overseas Contingency Operations/Global War on Ter-
2 rorism or as an emergency requirement pursuant to a con-
3 current resolution on the budget or the Balanced Budget
4 and Emergency Deficit Control Act of 1985, and such
5 amounts shall not exceed \$50,000,000 for the current fis-
6 cal year: *Provided*, That any such transfers shall be sub-
7 ject to prior consultation with, and the regular notification
8 procedures of, the Committees on Appropriations: *Pro-*
9 *vided further*, That the Secretary of State, the Adminis-
10 trator of the United States Agency for International De-
11 velopment, and the Chief Executive Officer of the United
12 States International Development Finance Corporation
13 (the Corporation), as appropriate, shall ensure that the
14 programs funded by such transfers are coordinated with,
15 and complement, foreign assistance programs imple-
16 mented by the Department of State and USAID: *Provided*
17 *further*, That no funds transferred pursuant to such au-
18 thority or transferred pursuant to the authority of sub-
19 section (a) or (b) of section 632 of the Foreign Assistance
20 Act of 1961 may be used by the Corporation to post per-
21 sonnel abroad or for activities described in section 1421(c)
22 of the BUILD Act of 2018.

23 (d) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—
24 None of the funds made available under titles II through
25 V of this Act may be obligated under an appropriations

1 account to which such funds were not appropriated, except
2 for transfers specifically provided for in this Act, unless
3 the President, not less than 5 days prior to the exercise
4 of any authority contained in the Foreign Assistance Act
5 of 1961 to transfer funds, consults with and provides a
6 written policy justification to the Committees on Appro-
7 priations.

8 (e) AUDIT OF INTER-AGENCY TRANSFERS OF
9 FUNDS.—Any agreement for the transfer or allocation of
10 funds appropriated by this Act or prior Acts making ap-
11 propriations for the Department of State, foreign oper-
12 ations, and related programs entered into between the De-
13 partment of State or USAID and another agency of the
14 United States Government under the authority of section
15 632(a) of the Foreign Assistance Act of 1961, or any com-
16 parable provision of law, shall expressly provide that the
17 Inspector General (IG) for the agency receiving the trans-
18 fer or allocation of such funds, or other entity with audit
19 responsibility if the receiving agency does not have an IG,
20 shall perform periodic program and financial audits of the
21 use of such funds and report to the Department of State
22 or USAID, as appropriate, upon completion of such au-
23 dits: *Provided*, That such audits shall be transmitted to
24 the Committees on Appropriations by the Department of
25 State or USAID, as appropriate: *Provided further*, That

1 funds transferred under such authority may be made
2 available for the cost of such audits.

3 (f) TRANSFER OF OVERSEAS CONTINGENCY OPER-
4 ATIONS/GLOBAL WAR ON TERRORISM FUNDS.—Funds
5 appropriated by this Act under the headings “Peace-
6 keeping Operations” and “Foreign Military Financing
7 Program” that are designated by the Congress for Over-
8 seas Contingency Operations/Global War on Terrorism
9 pursuant to section 251(b)(2)(A)(ii) of the Balanced
10 Budget and Emergency Deficit Control Act of 1985 may
11 be transferred to, and merged with, such funds appro-
12 priated under such headings: *Provided*, That such transfer
13 authority may only be exercised to address contingencies:
14 *Provided further*, That such transfer authority is in addi-
15 tion to any transfer authority otherwise available under
16 any other provision of law, including section 610 of the
17 Foreign Assistance Act of 1961: *Provided further*, That
18 such transfer authority shall be subject to prior consulta-
19 tion with, and the regular notification procedures of, the
20 Committees on Appropriations.

21 PROHIBITION AND LIMITATION ON CERTAIN EXPENSES

22 SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the
23 funds made available by this Act may be used for first-
24 class travel by employees of United States Government de-
25 partments and agencies funded by this Act in contraven-

1 tion of section 301–10.122 through 301–10.124 of title
2 41, Code of Federal Regulations.

3 (b) COMPUTER NETWORKS.—None of the funds
4 made available by this Act for the operating expenses of
5 any United States Government department or agency may
6 be used to establish or maintain a computer network for
7 use by such department or agency unless such network
8 has filters designed to block access to sexually explicit
9 websites: *Provided*, That nothing in this subsection shall
10 limit the use of funds necessary for any Federal, State,
11 tribal, or local law enforcement agency, or any other entity
12 carrying out the following activities: criminal investiga-
13 tions, prosecutions, and adjudications; administrative dis-
14 cipline; and the monitoring of such websites undertaken
15 as part of official business.

16 (c) PROHIBITION ON PROMOTION OF TOBACCO.—
17 None of the funds made available by this Act shall be
18 available to promote the sale or export of tobacco or to-
19 bacco products, or to seek the reduction or removal by any
20 foreign country of restrictions on the marketing of tobacco
21 or tobacco products, except for restrictions which are not
22 applied equally to all tobacco or tobacco products of the
23 same type.

24 (d) EMAIL SERVERS OUTSIDE THE .GOV DOMAIN.—
25 None of the funds appropriated by this Act under the

1 headings “Diplomatic Programs” and “Capital Invest-
2 ment Fund” in title I, and “Operating Expenses” and
3 “Capital Investment Fund” in title II that are made avail-
4 able to the Department of State and the United States
5 Agency for International Development may be made avail-
6 able to support the use or establishment of email accounts
7 or email servers created outside the .gov domain or not
8 fitted for automated records management as part of a
9 Federal government records management program in con-
10 travention of the Presidential and Federal Records Act
11 Amendments of 2014 (Public Law 113–187).

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

20 (1) are primarily for fostering relations outside
21 of the Executive Branch;

22 (2) are principally for meals and events of a
23 protocol nature;

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

1 for “United States International Development Finance
2 Corporation” and under the heading “Assistance for Eu-
3 rope, Eurasia and Central Asia” shall remain available for
4 an additional 4 years from the date on which the avail-
5 ability of such funds would otherwise have expired, if such
6 funds are initially obligated before the expiration of their
7 respective periods of availability contained in this Act:
8 *Provided further*, That notwithstanding any other provi-
9 sion of this Act, any funds made available for the purposes
10 of chapter 1 of part I and chapter 4 of part II of the
11 Foreign Assistance Act of 1961 which are allocated or ob-
12 ligated for cash disbursements in order to address balance
13 of payments or economic policy reform objectives, shall re-
14 main available for an additional 4 years from the date on
15 which the availability of such funds would otherwise have
16 expired, if such funds are initially allocated or obligated
17 before the expiration of their respective periods of avail-
18 ability contained in this Act: *Provided further*, That the
19 Secretary of State shall provide a report to the Commit-
20 tees on Appropriations not later than October 31, 2021,
21 detailing by account and source year, the use of this au-
22 thority during the previous fiscal year.

23 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

24 SEC. 7012. No part of any appropriation provided
25 under titles III through VI in this Act shall be used to

1 furnish assistance to the government of any country which
2 is in default during a period in excess of 1 calendar year
3 in payment to the United States of principal or interest
4 on any loan made to the government of such country by
5 the United States pursuant to a program for which funds
6 are appropriated under this Act unless the President de-
7 termines, following consultation with the Committees on
8 Appropriations, that assistance for such country is in the
9 national interest of the United States.

10 PROHIBITION ON TAXATION OF UNITED STATES

11 ASSISTANCE

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

1 (b) NOTIFICATION AND REIMBURSEMENT OF FOR-
2 EIGN TAXES.—An amount equivalent to 200 percent of
3 the total taxes assessed during fiscal year 2021 on funds
4 appropriated by this Act and prior Acts making appropria-
5 tions for the Department of State, foreign operations, and
6 related programs by a foreign government or entity
7 against United States assistance programs, either directly
8 or through grantees, contractors, and subcontractors, shall
9 be withheld from obligation from funds appropriated for
10 assistance for fiscal year 2022 and for prior fiscal years
11 and allocated for the central government of such country
12 or for the West Bank and Gaza program, as applicable,
13 if, not later than September 30, 2022, such taxes have
14 not been reimbursed.

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

18 (d) REPROGRAMMING OF FUNDS.—Funds withheld
19 from obligation for each foreign government or entity pur-
20 suant to subsection (b) shall be reprogrammed for assist-
21 ance for countries which do not assess taxes on United
22 States assistance or which have an effective arrangement
23 that is providing reimbursement of such taxes, and that
24 can reasonably accommodate such assistance in a pro-
25 grammatically responsible manner.

1 (e) DETERMINATIONS.—

2 (1) IN GENERAL.—The provisions of this sec-
3 tion shall not apply to any foreign government or en-
4 tity that assesses such taxes if the Secretary of
5 State reports to the Committees on Appropriations
6 that—

7 (A) such foreign government or entity has
8 an effective arrangement that is providing reim-
9 bursement of such taxes; or

10 (B) the foreign policy interests of the
11 United States outweigh the purpose of this sec-
12 tion to ensure that United States assistance is
13 not subject to taxation.

14 (2) CONSULTATION.—The Secretary of State
15 shall consult with the Committees on Appropriations
16 at least 15 days prior to exercising the authority of
17 this subsection with regard to any foreign govern-
18 ment or entity.

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

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

24 (1) BILATERAL AGREEMENT.—The term “bilat-
25 eral agreement” refers to a framework bilateral

1 agreement between the Government of the United
2 States and the government of the country receiving
3 assistance that describes the privileges and immuni-
4 ties applicable to United States foreign assistance
5 for such country generally, or an individual agree-
6 ment between the Government of the United States
7 and such government that describes, among other
8 things, the treatment for tax purposes that will be
9 accorded the United States assistance provided
10 under that agreement.

11 (2) TAXES AND TAXATION.—The term “taxes
12 and taxation” shall include value added taxes and
13 customs duties but shall not include individual in-
14 come taxes assessed to local staff.

15 RESERVATIONS OF FUNDS

16 SEC. 7014. (a) REPROGRAMMING.—Funds appro-
17 priated under titles III through VI of this Act which are
18 specifically designated may be reprogrammed for other
19 programs within the same account notwithstanding the
20 designation if compliance with the designation is made im-
21 possible by operation of any provision of this or any other
22 Act: *Provided*, That any such reprogramming shall be sub-
23 ject to the regular notification procedures of the Commit-
24 tees on Appropriations: *Provided further*, That assistance
25 that is reprogrammed pursuant to this subsection shall be

1 made available under the same terms and conditions as
2 originally provided.

3 (b) EXTENSION OF AVAILABILITY.—In addition to
4 the authority contained in subsection (a), the original pe-
5 riod of availability of funds appropriated by this Act and
6 administered by the Department of State or the United
7 States Agency for International Development that are spe-
8 cifically designated for particular programs or activities by
9 this or any other Act may be extended for an additional
10 fiscal year if the Secretary of State or the USAID Admin-
11 istrator, as appropriate, determines and reports promptly
12 to the Committees on Appropriations that the termination
13 of assistance to a country or a significant change in cir-
14 cumstances makes it unlikely that such designated funds
15 can be obligated during the original period of availability:
16 *Provided*, That such designated funds that continue to be
17 available for an additional fiscal year shall be obligated
18 only for the purpose of such designation.

19 (c) OTHER ACTS.—Ceilings and specifically des-
20 igned funding levels contained in this Act shall not be
21 applicable to funds or authorities appropriated or other-
22 wise made available by any subsequent Act unless such
23 Act specifically so directs: *Provided*, That specifically des-
24 igned funding levels or minimum funding requirements

1 contained in any other Act shall not be applicable to funds
2 appropriated by this Act.

3 NOTIFICATION REQUIREMENTS

4 SEC. 7015. (a) NOTIFICATION OF CHANGES IN PRO-
5 GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds
6 made available in titles I, II, and VI of this Act or prior
7 Acts making appropriations for the Department of State,
8 foreign operations, and related programs to the depart-
9 ments and agencies funded by this Act that remain avail-
10 able for obligation in fiscal year 2021, or provided from
11 any accounts in the Treasury of the United States derived
12 by the collection of fees or of currency reflows or other
13 offsetting collections, or made available by transfer, to the
14 departments and agencies funded by this Act, shall be
15 available for obligation to—

16 (1) create new programs;

17 (2) suspend, substantially modify, or eliminate
18 a program, project, or activity;

19 (3) close, suspend, open, or reopen a mission or
20 post;

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

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

1 unless previously justified to the Committees on Appro-
2 priations or such Committees are notified 15 days in ad-
3 vance of such obligation: *Provided*, That the requirements
4 of this subsection shall also apply to funds appropriated
5 by this Act under the headings “Peace Corps” and “Mil-
6 lennium Challenge Corporation”.

7 (b) NOTIFICATION OF REPROGRAMMING OF
8 FUNDS.—None of the funds provided under titles I, II,
9 and VI of this Act or prior Acts making appropriations
10 for the Department of State, foreign operations, and re-
11 lated programs, to the departments and agencies funded
12 under such titles that remain available for obligation in
13 fiscal year 2021, or provided from any accounts in the
14 Treasury of the United States derived by the collection
15 of fees available to the department and agency funded
16 under title I of this Act, shall be available for obligation
17 or expenditure for programs, projects, or activities
18 through a reprogramming of funds in excess of
19 \$1,000,000 or 10 percent, whichever is less, that—

20 (1) augments or changes existing programs,
21 projects, or activities;

22 (2) relocates an existing office or employees;

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

1 (4) results from any general savings, including
2 savings from a reduction in personnel, which would
3 result in a change in existing programs, projects, or
4 activities as approved by Congress;
5 unless the Committees on Appropriations are notified 15
6 days in advance of such reprogramming of funds.

7 (c) NOTIFICATION REQUIREMENT.—None of the
8 funds made available by this Act under the headings
9 “Global Health Programs”, “Development Assistance”,
10 “International Organizations and Programs”, “Trade and
11 Development Agency”, “International Narcotics Control
12 and Law Enforcement”, “Economic Support Fund”, “De-
13 mocracy Fund”, “Assistance for Europe, Eurasia and
14 Central Asia”, “Peacekeeping Operations”, “Non-
15 proliferation, Anti-terrorism, Demining and Related Pro-
16 grams”, “Millennium Challenge Corporation”, “Foreign
17 Military Financing Program”, “International Military
18 Education and Training”, “United States International
19 Development Finance Corporation”, and “Peace Corps”,
20 shall be available for obligation for programs, projects, ac-
21 tivities, type of materiel assistance, countries, or other op-
22 erations not justified or in excess of the amount justified
23 to the Committees on Appropriations for obligation under
24 any of these specific headings unless the Committees on
25 Appropriations are notified 15 days in advance of such

1 obligation: *Provided*, That the President shall not enter
2 into any commitment of funds appropriated for the pur-
3 poses of section 23 of the Arms Export Control Act for
4 the provision of major defense equipment, other than con-
5 ventional ammunition, or other major defense items de-
6 fined to be aircraft, ships, missiles, or combat vehicles, not
7 previously justified to Congress or 20 percent in excess
8 of the quantities justified to Congress unless the Commit-
9 tees on Appropriations are notified 15 days in advance of
10 such commitment: *Provided further*, That requirements of
11 this subsection or any similar provision of this or any
12 other Act shall not apply to any reprogramming for a pro-
13 gram, project, or activity for which funds are appropriated
14 under titles III through VI of this Act of less than 10
15 percent of the amount previously justified to Congress for
16 obligation for such program, project, or activity for the
17 current fiscal year: *Provided further*, That any notification
18 submitted pursuant to subsection (f) of this section shall
19 include information (if known on the date of transmittal
20 of such notification) on the use of notwithstanding author-
21 ity.

22 (d) DEPARTMENT OF DEFENSE PROGRAMS AND
23 FUNDING NOTIFICATIONS.—

24 (1) PROGRAMS.—None of the funds appro-
25 priated by this Act or prior Acts making appropria-

1 tions for the Department of State, foreign oper-
2 ations, and related programs may be made available
3 to support or continue any program initially funded
4 under any authority of title 10, United States Code,
5 or any Act making or authorizing appropriations for
6 the Department of Defense, unless the Secretary of
7 State, in consultation with the Secretary of Defense
8 and in accordance with the regular notification pro-
9 cedures of the Committees on Appropriations, sub-
10 mits a justification to such Committees that includes
11 a description of, and the estimated costs associated
12 with, the support or continuation of such program.

13 (2) FUNDING.—Notwithstanding any other pro-
14 vision of law, funds transferred by the Department
15 of Defense to the Department of State and the
16 United States Agency for International Development
17 for assistance for foreign countries and international
18 organizations shall be subject to the regular notifica-
19 tion procedures of the Committees on Appropria-
20 tions.

21 (3) NOTIFICATION ON EXCESS DEFENSE ARTI-
22 CLES.—Prior to providing excess Department of De-
23 fense articles in accordance with section 516(a) of
24 the Foreign Assistance Act of 1961, the Department
25 of Defense shall notify the Committees on Appro-

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

18 (e) WAIVER.—The requirements of this section or
19 any similar provision of this Act or any other Act, includ-
20 ing any prior Act requiring notification in accordance with
21 the regular notification procedures of the Committees on
22 Appropriations, may be waived if failure to do so would
23 pose a substantial risk to human health or welfare: *Pro-*
24 *vided*, That in case of any such waiver, notification to the
25 Committees on Appropriations shall be provided as early

1 as practicable, but in no event later than 3 days after tak-
2 ing the action to which such notification requirement was
3 applicable, in the context of the circumstances necessi-
4 tating such waiver: *Provided further*, That any notification
5 provided pursuant to such a waiver shall contain an expla-
6 nation of the emergency circumstances.

7 (f) COUNTRY NOTIFICATION REQUIREMENTS.—None
8 of the funds appropriated under titles III through VI of
9 this Act may be obligated or expended for assistance for
10 Afghanistan, Bahrain, Burma, Cambodia, Colombia,
11 Cuba, Egypt, El Salvador, Ethiopia, Greenland, Guate-
12 mala, Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mex-
13 ico, Nicaragua, Pakistan, Philippines, the Russian Fed-
14 eration, Somalia, South Sudan, Sri Lanka, Sudan, Syria,
15 Uzbekistan, Venezuela, Yemen, and Zimbabwe except as
16 provided through the regular notification procedures of the
17 Committees on Appropriations.

18 (g) TRUST FUNDS.—Funds appropriated or other-
19 wise made available in title III of this Act and prior Acts
20 making funds available for the Department of State, for-
21 eign operations, and related programs that are made avail-
22 able for a trust fund held by an international financial
23 institution shall be subject to the regular notification pro-
24 cedures of the Committees on Appropriations.

1 (h) OTHER PROGRAM NOTIFICATION REQUIRE-
2 MENT.—

3 (1) DIPLOMATIC PROGRAMS.—Funds appro-
4 priated under title I of this Act under the heading
5 “Diplomatic Programs” that are made available for
6 lateral entry into the Foreign Service shall be sub-
7 ject to prior consultation with, and the regular noti-
8 fication procedures of, the Committees on Appro-
9 priations.

10 (2) OTHER PROGRAMS.—Funds appropriated by
11 this Act that are made available for the following
12 programs and activities shall be subject to the reg-
13 ular notification procedures of the Committees on
14 Appropriations:

15 (A) the Global Engagement Center, except
16 that the Secretary of State shall consult with
17 the appropriate congressional committees prior
18 to submitting such notification;

19 (B) the Power Africa and Prosper Africa
20 initiatives, and the United States-Africa Insti-
21 tute for Epidemic Preparedness and Innovation
22 (the U.S.-Africa Institute);

23 (C) community-based police assistance con-
24 ducted pursuant to the authority of section
25 7035(a)(1) of this Act;

1 (D) the Prevention and Stabilization Fund
2 and the Multi-Donor Global Fragility Fund;

3 (E) the Indo-Pacific Strategy;

4 (F) the Global Security Contingency Fund;

5 (G) the Countering Chinese Influence
6 Fund and the Countering Russian Influence
7 Fund;

8 (H) the Program to End Modern Slavery;
9 and

10 (I) the Women's Global Development and
11 Prosperity Fund.

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

19 (4) ARMS SALES.—The reports, notifications,
20 and certifications, and any other documents, re-
21 quired to be submitted pursuant to section 36(a) of
22 the Arms Export Control Act (22 U.S.C. 2776), and
23 such documents submitted pursuant to section 36(b)
24 through (d) of such Act with respect to countries
25 that have received assistance provided with funds

1 appropriated by this Act or prior Acts making ap-
2 propriations for the Department of State, foreign
3 operations, and related programs, shall be concu-
4 rently submitted to the Committees on Appropria-
5 tions and shall include information about the source
6 of funds for any sale or transfer, as applicable, if
7 known at the time of submission.

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

14 (j) FOREIGN ASSISTANCE AND GLOBAL HEALTH RE-
15 VIEWS.—Funds appropriated by this Act or prior Acts
16 making appropriations for the Department of State, for-
17 eign operations, and related programs that are made avail-
18 able to make programmatic, funding, and organizational
19 changes resulting from implementation of any foreign as-
20 sistance review or realignment shall be subject to prior
21 consultation with, and the regular notification procedures
22 of, the Committees on Appropriations: *Provided*, That
23 such notifications may be submitted in classified form, if
24 necessary: *Provided further*, That the requirement of this
25 subsection shall apply to the President’s Response to Out-

1 breaks or any other similar review of global health pro-
2 grams, to include the Global Health Security Agenda and
3 emergency health responses.

4 (k) PRIOR CONSULTATION REQUIREMENTS.—

5 (1) SUSPENSION OR EARLY TERMINATION OF
6 ASSISTANCE.—The Secretary of State, the Adminis-
7 trator of the United States Agency for International
8 Development, the Chief Executive Officer of the
9 United States Development Finance Corporation,
10 and the Chief Executive Officer of the Millennium
11 Challenge Corporation shall consult with the Com-
12 mittees on Appropriations at least seven days prior
13 to informing a government of, or publically announc-
14 ing a decision on, the suspension or early termi-
15 nation of assistance to a country or a territory, in-
16 cluding as a result of an interagency review of such
17 assistance, from funds appropriated by this Act or
18 prior Acts making appropriations for the Depart-
19 ment of State, foreign operations, and related pro-
20 grams: *Provided*, That such consultation shall in-
21 clude a detailed justification for such suspension, in-
22 cluding a description of the assistance being sus-
23 pended.

24 (2) ORGANIZATION OF AMERICAN STATES.—

25 Funds appropriated by this Act under the heading

1 “Contributions to International Organizations” that
2 are made available for an assessed contribution to
3 the Organization of American States shall be subject
4 to prior consultation with the Committees on Appro-
5 priations consistent with the requirements specified
6 under this heading in the explanatory statement ac-
7 companying this Act.

8 (I) REPORT ON FUNDS RECEIVED FROM FOREIGN
9 GOVERNMENTS.—The Secretary of State and the USAID
10 Administrator, as appropriate, shall report to the Commit-
11 tees on Appropriations within 10 days of the receipt of
12 funds received from foreign governments pursuant to sec-
13 tions 607 and 635(d) of the Foreign Assistance Act of
14 1961, other than from countries that are North Atlantic
15 Treaty Organization (NATO) or major non-NATO allies
16 designated pursuant to section 517(b) of such Act: *Pro-*
17 *vided*, That such report shall include the requirements de-
18 scribed under this heading in the explanatory statement
19 accompanying this Act.

20 DOCUMENT REQUESTS, RECORDS MANAGEMENT, AND
21 RELATED CYBERSECURITY PROTECTIONS

22 SEC. 7016. (a) DOCUMENT REQUESTS.—None of the
23 funds appropriated or made available pursuant to titles
24 III through VI of this Act shall be available to a non-
25 governmental organization, including any contractor,

1 which fails to provide upon timely request any document,
2 file, or record necessary to the auditing requirements of
3 the Department of State and the United States Agency
4 for International Development.

5 (b) RECORDS MANAGEMENT AND RELATED CYBER-
6 SECURITY PROTECTIONS.—The Secretary of State and
7 USAID Administrator shall—

8 (1) regularly review and update the policies, di-
9 rectives, and oversight necessary to comply with
10 Federal statutes, regulations, and presidential execu-
11 tive orders and memoranda concerning the preserva-
12 tion of all records made or received in the conduct
13 of official business, including record emails, instant
14 messaging, and other online tools;

15 (2) use funds appropriated by this Act under
16 the headings “Diplomatic Programs” and “Capital
17 Investment Fund” in title I, and “Operating Ex-
18 penses” and “Capital Investment Fund” in title II,
19 as appropriate, to improve Federal records manage-
20 ment pursuant to the Federal Records Act (44
21 U.S.C. Chapters 21, 29, 31, and 33) and other ap-
22 plicable Federal records management statutes, regu-
23 lations, or policies for the Department of State and
24 USAID;

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

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

10 (5) strengthen cybersecurity measures to miti-
11 gate vulnerabilities, including those resulting from
12 the use of personal email accounts or servers outside
13 the .gov domain, improve the process to identify and
14 remove inactive user accounts, update and enforce
15 guidance related to the control of national security
16 information, and implement the recommendations of
17 the applicable reports of the cognizant Office of In-
18 spector General.

19 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

20 SEC. 7017. If the President makes a determination
21 not to comply with any provision of this Act on constitu-
22 tional grounds, the head of the relevant Federal agency
23 shall notify the Committees on Appropriations in writing
24 within 5 days of such determination, the basis for such

1 determination and any resulting changes to program or
2 policy.

3 PROHIBITION ON FUNDING FOR ABORTIONS AND
4 INVOLUNTARY STERILIZATION

5 SEC. 7018. None of the funds made available to carry
6 out part I of the Foreign Assistance Act of 1961, as
7 amended, may be used to pay for the performance of abor-
8 tions as a method of family planning or to motivate or
9 coerce any person to practice abortions. None of the funds
10 made available to carry out part I of the Foreign Assist-
11 ance Act of 1961, as amended, may be used to pay for
12 the performance of involuntary sterilization as a method
13 of family planning or to coerce or provide any financial
14 incentive to any person to undergo sterilizations. None of
15 the funds made available to carry out part I of the Foreign
16 Assistance Act of 1961, as amended, may be used to pay
17 for any biomedical research which relates in whole or in
18 part, to methods of, or the performance of, abortions or
19 involuntary sterilization as a means of family planning.
20 None of the funds made available to carry out part I of
21 the Foreign Assistance Act of 1961, as amended, may be
22 obligated or expended for any country or organization if
23 the President certifies that the use of these funds by any
24 such country or organization would violate any of the

1 above provisions related to abortions and involuntary steri-
2 lizations.

3 ALLOCATIONS AND REPORTS

4 SEC. 7019. (a) ALLOCATION TABLES.—Subject to
5 subsection (b), funds appropriated by this Act under titles
6 III through V shall be made available at not less than the
7 amounts specifically designated in the respective tables in-
8 cluded in the explanatory statement accompanying this
9 Act: *Provided*, That such designated amounts for foreign
10 countries and international organizations shall serve as
11 the amounts for such countries and international organi-
12 zations transmitted to Congress in the report required by
13 section 653(a) of the Foreign Assistance Act of 1961, and
14 shall be made available for such foreign countries and
15 international organizations notwithstanding the date of
16 the transmission of such report.

17 (b) AUTHORIZED DEVIATIONS BELOW MINIMUM
18 LEVELS.—Unless otherwise provided for by this Act, the
19 Secretary of State and the Administrator of the United
20 States Agency for International Development, as applica-
21 ble, may deviate by not more than 10 percent below the
22 minimum amounts specifically designated in the respective
23 tables in the explanatory statement accompanying this
24 Act: *Provided*, That deviations pursuant to this subsection

1 shall be subject to prior consultation with the Committees
2 on Appropriations.

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

8 (d) EXCEPTIONS.—Subsections (a) and (b) shall not
9 apply to—

10 (1) amounts designated for “International Mili-
11 tary Education and Training” in the respective ta-
12 bles included in the explanatory statement accom-
13 panying this Act;

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

16 (3) amounts designated by this Act as min-
17 imum funding requirements.

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

22 (f) CLARIFICATION.—Funds appropriated by this Act
23 under the headings “International Disaster Assistance”
24 and “Migration and Refugee Assistance” shall not be in-
25 cluded for purposes of meeting amounts designated for

1 countries in this Act or the explanatory statement accom-
2 panying this Act, unless such headings are specifically des-
3 ignated as the source of funds.

4 MULTI-YEAR PLEDGES

5 SEC. 7020. None of the funds appropriated or other-
6 wise made available by this Act may be used to make any
7 pledge for future year funding for any multilateral or bi-
8 lateral program funded in titles III through VI of this Act
9 unless such pledge meets the requirements enumerated
10 under this section in the explanatory statement accom-
11 panying this Act: *Provided*, That the requirements of this
12 section shall also apply regardless of the source of funds
13 or whether such pledge constitutes a binding commitment
14 of funds.

15 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

16 SUPPORTING INTERNATIONAL TERRORISM

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

19 (1) PROHIBITION.—None of the funds appro-
20 priated or otherwise made available under titles III
21 through VI of this Act may be made available to any
22 foreign government which provides lethal military
23 equipment to a country the government of which the
24 Secretary of State has determined supports inter-
25 national terrorism for purposes of section 1754(c) of

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

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

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

23 (b) BILATERAL ASSISTANCE.—

24 (1) LIMITATIONS.—Funds appropriated for bi-
25 lateral assistance in titles III through VI of this Act

1 and funds appropriated under any such title in prior
2 Acts making appropriations for the Department of
3 State, foreign operations, and related programs,
4 shall not be made available to any foreign govern-
5 ment which the President determines—

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

9 (B) otherwise supports international ter-
10 rorism; or

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

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

1 AUTHORIZATION REQUIREMENTS

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

11 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

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

1 to include central, country, regional, and program level
2 funding, either as—

3 (1) justified to Congress; or

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

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

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

23 COMMERCE, TRADE AND SURPLUS COMMODITIES

24 SEC. 7025. (a) WORLD MARKETS.—None of the
25 funds appropriated or made available pursuant to titles

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

21 (1) activities in a country that is eligible for as-
22 sistance from the International Development Asso-
23 ciation, is not eligible for assistance from the Inter-
24 national Bank for Reconstruction and Development,
25 and does not export on a consistent basis the agri-

1 cultural commodity with respect to which assistance
2 is furnished; or

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

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

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

20 (2) research activities intended primarily to
21 benefit United States producers;

22 (3) activities in a country that is eligible for as-
23 sistance from the International Development Asso-
24 ciation, is not eligible for assistance from the Inter-
25 national Bank for Reconstruction and Development,

1 and does not export on a consistent basis the agri-
2 cultural commodity with respect to which assistance
3 is furnished; or

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

7 (c) INTERNATIONAL FINANCIAL INSTITUTIONS.—
8 The Secretary of the Treasury shall instruct the United
9 States executive directors of the international financial in-
10 stitutions to use the voice and vote of the United States
11 to oppose any assistance by such institutions, using funds
12 appropriated or otherwise made available by this Act, for
13 the production or extraction of any commodity or mineral
14 for export, if it is in surplus on world markets and if the
15 assistance will cause substantial injury to United States
16 producers of the same, similar, or competing commodity.

17 SEPARATE ACCOUNTS

18 SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL
19 CURRENCIES.—

20 (1) AGREEMENTS.—If assistance is furnished to
21 the government of a foreign country under chapters
22 1 and 10 of part I or chapter 4 of part II of the
23 Foreign Assistance Act of 1961 under agreements
24 which result in the generation of local currencies of

1 that country, the Administrator of the United States
2 Agency for International Development shall—

3 (A) require that local currencies be depos-
4 ited in a separate account established by that
5 government;

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

8 (i) the amount of the local currencies
9 to be generated; and

10 (ii) the terms and conditions under
11 which the currencies so deposited may be
12 utilized, consistent with this section; and

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

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

23 (A) to carry out chapter 1 or 10 of part
24 I or chapter 4 of part II of the Foreign Assist-

1 ance Act of 1961 (as the case may be), for such
2 purposes as—

3 (i) project and sector assistance activi-
4 ties; or

5 (ii) debt and deficit financing; or

6 (B) for the administrative requirements of
7 the United States Government.

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

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

25 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

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

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

17 (3) NOTIFICATION.—At least 15 days prior to
18 obligating any such cash transfer or nonproject sec-
19 tor assistance, the President shall submit a notifica-
20 tion through the regular notification procedures of
21 the Committees on Appropriations, which shall in-
22 clude a detailed description of how the funds pro-
23 posed to be made available will be used, with a dis-
24 cussion of the United States interests that will be
25 served by such assistance (including, as appropriate,

1 a description of the economic policy reforms that will
2 be promoted by such assistance).

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

7 ELIGIBILITY FOR ASSISTANCE

8 SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERN-
9 MENTAL ORGANIZATIONS.—Restrictions contained in this
10 or any other Act with respect to assistance for a country
11 shall not be construed to restrict assistance in support of
12 programs of nongovernmental organizations from funds
13 appropriated by this Act to carry out the provisions of
14 chapters 1, 10, 11, and 12 of part I and chapter 4 of
15 part II of the Foreign Assistance Act of 1961 and from
16 funds appropriated under the heading “Assistance for Eu-
17 rope, Eurasia and Central Asia”: *Provided*, That before
18 using the authority of this subsection to furnish assistance
19 in support of programs of nongovernmental organizations,
20 the President shall notify the Committees on Appropria-
21 tions pursuant to the regular notification procedures, in-
22 cluding a description of the program to be assisted, the
23 assistance to be provided, and the reasons for furnishing
24 such assistance: *Provided further*, That nothing in this
25 subsection shall be construed to alter any existing statu-

1 tory prohibitions against abortion or involuntary steriliza-
2 tions contained in this or any other Act.

3 (b) PUBLIC LAW 480.—During fiscal year 2021, re-
4 strictions contained in this or any other Act with respect
5 to assistance for a country shall not be construed to re-
6 strict assistance under the Food for Peace Act (Public
7 Law 83–480; 7 U.S.C. 1721 et seq.): *Provided*, That none
8 of the funds appropriated to carry out title I of such Act
9 and made available pursuant to this subsection may be
10 obligated or expended except as provided through the reg-
11 ular notification procedures of the Committees on Appro-
12 priations.

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

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

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

23 LOCAL COMPETITION

24 SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO
25 COMPETITION FOR LOCAL ENTITIES.—Funds appro-

1 priated by this Act that are made available to the United
2 States Agency for International Development may only be
3 made available for limited competitions through local enti-
4 ties if—

5 (1) prior to the determination to limit competi-
6 tion to local entities, USAID has—

7 (A) assessed the level of local capacity to
8 effectively implement, manage, and account for
9 programs included in such competition; and

10 (B) documented the written results of the
11 assessment and decisions made; and

12 (2) prior to making an award after limiting
13 competition to local entities—

14 (A) each successful local entity has been
15 determined to be responsible in accordance with
16 USAID guidelines; and

17 (B) effective monitoring and evaluation
18 systems are in place to ensure that award fund-
19 ing is used for its intended purposes; and

20 (3) no level of acceptable fraud is assumed.

21 (b) **EXTENSION OF PROCUREMENT AUTHORITY.**—

22 Section 7077 of the Department of State, Foreign Oper-
23 ations, and Related Programs Appropriations Act, 2012
24 (division I of Public Law 112–74) shall continue in effect
25 during fiscal year 2021.

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 2020 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; and

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

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

21 (d) HUMAN RIGHTS.—The Secretary of the Treasury
22 shall instruct the United States executive director of each
23 international financial institution to use the voice and vote
24 of the United States to promote human rights due dili-
25 gence and risk management, as appropriate, in connection

1 with any loan, grant, policy, or strategy of such institution
2 in accordance with the requirements specified under this
3 subsection in the explanatory statement accompanying
4 this Act: *Provided*, That prior to voting on any such loan,
5 grant, policy, or strategy the executive director shall con-
6 sult with the Assistant Secretary for Democracy, Human
7 Rights, and Labor, Department of State, if the executive
8 director has reason to believe that such loan, grant, policy,
9 or strategy could result in forced displacement or other
10 violation of human rights.

11 (e) FRAUD AND CORRUPTION.—The Secretary of the
12 Treasury shall instruct the United States executive direc-
13 tor of each international financial institution to use the
14 voice of the United States to include in loan, grant, and
15 other financing agreements improvements in borrowing
16 countries' financial management and judicial capacity to
17 investigate, prosecute, and punish fraud and corruption.

18 (f) BENEFICIAL OWNERSHIP INFORMATION.—The
19 Secretary of the Treasury shall instruct the United States
20 executive director of each international financial institu-
21 tion to use the voice of the United States to encourage
22 such institution to collect, verify, and publish, to the max-
23 imum extent practicable, beneficial ownership information
24 (excluding proprietary information) for any corporation or
25 limited liability company, other than a publicly listed com-

1 pany, that receives funds from any such financial institu-
2 tion: *Provided*, That not later than 45 days after enact-
3 ment of this Act, the Secretary shall submit a report to
4 the Committees on Appropriations on steps taken in fiscal
5 year 2020 by the United States executive directors and
6 the international financial institutions consistent with this
7 subsection compared to the previous fiscal year.

8 (g) WHISTLEBLOWER PROTECTIONS.—The Secretary
9 of the Treasury shall instruct the United States executive
10 director of each international financial institution to use
11 the voice of the United States to encourage each such in-
12 stitution to effectively implement and enforce policies and
13 procedures which meet or exceed best practices in the
14 United States for the protection of whistleblowers from
15 retaliation, including—

16 (1) protection against retaliation for internal
17 and lawful public disclosure;

18 (2) legal burdens of proof;

19 (3) statutes of limitation for reporting retalia-
20 tion;

21 (4) access to binding independent adjudicative
22 bodies, including shared cost and selection external
23 arbitration; and

1 (5) results that eliminate the effects of proven
2 retaliation, including provision for the restoration of
3 prior employment.

4 INSECURE COMMUNICATIONS NETWORKS

5 SEC. 7030. Of the funds appropriated by this Act,
6 not less than \$50,000,000 shall be made available for pro-
7 grams, including through the Digital Connectivity and Cy-
8 bersecurity Partnership, to—

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

15 (2) counter the establishment of insecure com-
16 munications networks and services, including 5G,
17 promoted by the People’s Republic of China and
18 other state-backed enterprises that are subject to
19 undue or extrajudicial control by their country of or-
20 igin; and

21 (3) provide policy and technical training on de-
22 ploying open, interoperable, reliable, and secure net-
23 works to information communication technology pro-
24 fessionals in countries receiving assistance under
25 this Act, as appropriate:

1 *Provided*, That such funds may be used to support the
2 participation of foreign military officials in programs de-
3 signed to strengthen civilian cybersecurity capacity, fol-
4 lowing consultation with the Committees on Appropria-
5 tions.

6 FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

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

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

16 (2) CONSULTATION AND NOTIFICATION.—In
17 addition to the requirements in paragraph (1), funds
18 may only be made available for direct government-
19 to-government assistance subject to prior consulta-
20 tion with, and the regular notification procedures of,
21 the Committees on Appropriations: *Provided*, That
22 such notification shall contain an explanation of how
23 the proposed activity meets the requirements of
24 paragraph (1): *Provided further*, That the require-
25 ments of this paragraph shall only apply to direct

1 government-to-government assistance in excess of
2 \$10,000,000 and all funds available for cash trans-
3 fer, budget support, and cash payments to individ-
4 uals.

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

17 (4) SUBMISSION OF INFORMATION.—The Sec-
18 retary of State shall submit to the Committees on
19 Appropriations, concurrent with the fiscal year 2022
20 congressional budget justification materials, amounts
21 planned for assistance described in paragraph (1) by
22 country, proposed funding amount, source of funds,
23 and type of assistance.

24 (5) DEBT SERVICE PAYMENT PROHIBITION.—
25 None of the funds made available by this Act may

1 be used by the government of any foreign country
2 for debt service payments owed by any country to
3 any international financial institution.

4 (b) NATIONAL BUDGET AND CONTRACT TRANS-
5 PARENCY.—

6 (1) MINIMUM REQUIREMENTS OF FISCAL
7 TRANSPARENCY.—The Secretary of State shall con-
8 tinue to update and strengthen the “minimum re-
9 quirements of fiscal transparency” for each govern-
10 ment receiving assistance appropriated by this Act,
11 as identified in the report required by section
12 7031(b) of the Department of State, Foreign Oper-
13 ations, and Related Programs Appropriations Act,
14 2014 (division K of Public Law 113–76).

15 (2) DETERMINATION AND REPORT.—For each
16 government identified pursuant to paragraph (1),
17 the Secretary of State, not later than 180 days after
18 enactment of this Act, shall make or update any de-
19 termination of “significant progress” or “no signifi-
20 cant progress” in meeting the minimum require-
21 ments of fiscal transparency, and make such deter-
22 minations publicly available in an annual “Fiscal
23 Transparency Report” to be posted on the Depart-
24 ment of State website: *Provided*, That such report
25 shall include the elements included under this sec-

1 tion in the explanatory statement described in sec-
2 tion 4 in the matter preceding division A of Public
3 Law 116–94.

4 (3) ASSISTANCE.—Not less than \$10,000,000
5 of the funds appropriated by this Act under the
6 heading “Economic Support Fund” shall be made
7 available for programs and activities to assist gov-
8 ernments identified pursuant to paragraph (1) to
9 improve budget transparency and to support civil so-
10 ciety organizations in such countries that promote
11 budget transparency: *Provided*, That such sums
12 shall be in addition to funds otherwise available for
13 such purposes: *Provided further*, That a description
14 of the uses of such funds shall be included in the an-
15 nual “Fiscal Transparency Report” required by
16 paragraph (2).

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

18 (1) INELIGIBILITY.—

19 (A) Officials of foreign governments and
20 their immediate family members about whom
21 the Secretary of State has credible information
22 have been involved, directly or indirectly, in sig-
23 nificant corruption, including corruption related
24 to the extraction of natural resources, or a

1 gross violation of human rights shall be ineli-
2 gible for entry into the United States.

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

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

19 (3) WAIVER.—The Secretary may waive the ap-
20 plication of paragraph (1) if the Secretary deter-
21 mines that the waiver would serve a compelling na-
22 tional interest or that the circumstances which
23 caused the individual to be ineligible have changed
24 sufficiently.

1 (4) REPORT.—Not later than 30 days after en-
2 actment of this Act, and every 90 days thereafter
3 until September 30, 2021, the Secretary of State
4 shall submit a report, including a classified annex if
5 necessary, to the appropriate congressional commit-
6 tees and the Committees on the Judiciary of the
7 Senate and House of Representatives describing the
8 information related to corruption or violation of
9 human rights concerning each of the individuals
10 found ineligible in the previous 12 months pursuant
11 to paragraph (1)(A) as well as the individuals who
12 the Secretary designated or identified pursuant to
13 paragraph (1)(B), or who would be ineligible but for
14 the application of paragraph (2), a list of any waiv-
15 ers provided under paragraph (3), and the justifica-
16 tion for each waiver.

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

20 (6) CLARIFICATION.—For purposes of para-
21 graphs (1), (4), and (5), the records of the Depart-
22 ment of State and of diplomatic and consular offices
23 of the United States pertaining to the issuance or
24 refusal of visas or permits to enter the United
25 States shall not be considered confidential.

1 (7) PROHIBITION ON ENTRY.—The Secretary of
2 State shall apply the requirements of this subsection
3 to officials of foreign governments about whom the
4 Secretary has credible information have been in-
5 volved in the wrongful detention of locally employed
6 staff of a United States diplomatic mission or a
7 United States citizen or national.

8 (d) EXTRACTION OF NATURAL RESOURCES.—

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

23 (2) PUBLIC DISCLOSURE AND INDEPENDENT
24 AUDITS.—(A) The Secretary of the Treasury shall
25 instruct the executive director of each international

1 financial institution that it is the policy of the
2 United States to use the voice and vote of the
3 United States to oppose any assistance by such in-
4 stitutions (including any loan, credit, grant, or guar-
5 antee) to any country for the extraction and export
6 of a natural resource if the government of such
7 country has in place laws, regulations, or procedures
8 to prevent or limit the public disclosure of company
9 payments as required by United States law, and un-
10 less such government has adopted laws, regulations,
11 or procedures in the sector in which assistance is
12 being considered to meet the standards included
13 under this section in the explanatory statement de-
14 scribed in section 4 in the matter preceding division
15 A of Public Law 116–94.

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

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

1 website: *Provided*, That all Federal agencies funded under
2 this Act shall provide such information on foreign assist-
3 ance, upon request and in a timely manner, to the Depart-
4 ment of State and USAID.

5
6 DEMOCRACY PROGRAMS

7 SEC. 7032. (a) FUNDING.—Of the funds appro-
8 priated by this Act under the headings “Development As-
9 sistance”, “Economic Support Fund”, “Democracy
10 Fund”, “Assistance for Europe, Eurasia and Central
11 Asia”, and “International Narcotics Control and Law En-
12 forcement”, not less than \$2,468,000,000 shall be made
13 available for democracy programs: *Provided*, That of such
14 funds, not less than the amounts made available for the
15 Consortium for Elections and Political Process Strength-
16 ening (CEPPS) in fiscal year 2020 shall be made available
17 for CEPPS in fiscal year 2021.

18 (b) AUTHORITIES.—

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

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

7 (3) RESPONSIBILITY.—The decision on the uses
8 of funds appropriated by this Act for programs to
9 promote democracy abroad that are administered by
10 the Department of State, except such funds provided
11 to the NED, shall be the responsibility of the Assist-
12 ant Secretary of State for Democracy, Human
13 Rights, and Labor.

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

1 (d) PROGRAM PRIORITIZATION.—Funds made avail-
2 able pursuant to this section that are made available for
3 programs to strengthen government institutions shall be
4 prioritized for those institutions that demonstrate a com-
5 mitment to democracy and the rule of law or that have
6 been adversely impacted by the erosion of the rule of law
7 and the rise of authoritarianism.

8 (e) RESTRICTION ON PRIOR APPROVAL.—With re-
9 spect to the provision of assistance for democracy pro-
10 grams in this Act, the organizations implementing such
11 assistance, the specific nature of that assistance, and the
12 participants in such programs shall not be subject to the
13 prior approval by the government of any foreign country:
14 *Provided*, That the Secretary of State, in coordination
15 with the Administrator of the United States Agency for
16 International Development, shall report to the Committees
17 on Appropriations, not later than 120 days after enact-
18 ment of this Act, detailing steps taken by the Department
19 of State and USAID to comply with the requirements of
20 this subsection.

21 (f) CONTINUATION OF CURRENT PRACTICES.—
22 USAID shall continue to implement civil society and polit-
23 ical competition and consensus building programs abroad
24 with funds appropriated by this Act in a manner that rec-

1 ognizes the unique benefits of grants and cooperative
2 agreements in implementing such programs.

3 (g) INFORMING THE NATIONAL ENDOWMENT FOR
4 DEMOCRACY.—The Assistant Secretary for Democracy,
5 Human Rights, and Labor, Department of State, and the
6 Assistant Administrator for Democracy, Conflict, and Hu-
7 manitarian Assistance, USAID, shall regularly inform the
8 NED of democracy programs that are planned and sup-
9 ported by funds made available by this Act and prior Acts
10 making appropriations for the Department of State, for-
11 eign operations, and related programs.

12 (h) PROTECTION OF CIVIL SOCIETY ACTIVISTS,
13 HUMAN RIGHTS DEFENDERS, AND JOURNALISTS.—

14 (1) ASSISTANCE.—Of the funds appropriated by
15 this Act under the heading “Democracy Fund”, not
16 less than \$25,000,000 shall be made available to
17 support and protect civil society activists, human
18 rights defenders, and journalists who have been
19 threatened, harassed, or attacked, including journal-
20 ists affiliated with the United States Agency for
21 Global Media, consistent with the action plan sub-
22 mitted pursuant to this subsection, and on the same
23 terms and conditions of section 7032(i) of the De-
24 partment of State, Foreign Operations, and Related

1 Programs Appropriations Act, 2018 (division K of
2 Public Law 115–141).

3 (2) UPDATED PLAN.—Not later than 120 days
4 after enactment of this Act, the Secretary of State
5 shall submit to the appropriate congressional com-
6 mittees an update of the plan submitted pursuant to
7 section 7032(i) of the Department of State, Foreign
8 Operations, and Related Programs Appropriations
9 Act, 2018 (division K of Public Law 115–141): *Pro-*
10 *vided*, That such plan shall include detailed guide-
11 lines for United States diplomatic personnel to en-
12 gage with and protect human rights defenders, envi-
13 ronmental defenders, other civil society activists, and
14 journalists, where such individuals are the target of
15 intimidation and attacks, including maintaining open
16 and sustained communication with local civil society
17 organizations for such purpose, and at a minimum
18 shall include the requirements specified under this
19 heading in the explanatory statement accompanying
20 this Act.

21 (3) RESTRICTIONS.—The Secretary of State
22 shall apply section 7031(c) of this Act to officials of
23 foreign governments about whom the Secretary has
24 credible information have been involved in the
25 wrongful imprisonment, other deprivation of liberty,

1 or threats or other acts of intimidation against inde-
2 pendent journalists for engaging in peaceful expres-
3 sion, including speaking or publishing information
4 related to government corruption or other official
5 misconduct.

6 (i) INTERNATIONAL FREEDOM OF EXPRESSION.—

7 (1) OPERATIONS.—Funds appropriated by this
8 Act under the heading “Diplomatic Programs” shall
9 be made available for the Bureau of Democracy,
10 Human Rights, and Labor, Department of State, for
11 the costs of administering programs designed to pro-
12 mote and defend freedom of expression and the inde-
13 pendence of the media in countries where such free-
14 dom and independence are restricted or denied.

15 (2) ASSISTANCE.—Of the funds appropriated by
16 this Act under the heading “Economic Support
17 Fund”, not less than \$15,000,000 shall be made
18 available for programs that promote and defend
19 freedom of expression and the independence of the
20 media abroad: *Provided*, That such funds are in ad-
21 dition to funds otherwise made available by this Act
22 for such purposes, and are intended to complement
23 emergency and safety programs for civil society, in-
24 cluding journalists and media outlets at risk: *Pro-*
25 *vided further*, That such funds shall be subject to

1 prior consultation with, and the regular notification
2 procedures of, the Committees on 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, including for support staff, at not less than
9 the amounts specified for such office in the table under
10 such heading in the explanatory statement accompanying
11 this Act.

12 (b) ASSISTANCE.—Funds appropriated by this Act
13 under the headings “Economic Support Fund” and
14 “International Broadcasting Operations” shall be made
15 available for international religious freedom programs and
16 funds appropriated by this Act under the headings “Inter-
17 national Disaster Assistance” and “Migration and Ref-
18 ugee Assistance” shall be made available for humanitarian
19 assistance for vulnerable and persecuted religious minori-
20 ties: *Provided*, That funds made available by this Act
21 under the heading “Economic Support Fund” pursuant
22 to this section shall be the responsibility of the Amba-
23 sador-at-Large for International Religious Freedom, in
24 consultation with other relevant United States Govern-

1 ment officials, and shall be subject to prior consultation
2 with the Committees on Appropriations.

3 (c) AUTHORITY.—Funds appropriated by this Act
4 and prior Acts making appropriations for the Department
5 of State, foreign operations, and related programs under
6 the heading “Economic Support Fund” may be made
7 available notwithstanding any other provision of law for
8 assistance for ethnic and religious minorities in Iraq and
9 Syria.

10 (d) DESIGNATION OF NON-STATE ACTORS.—Section
11 7033(e) of the Department of State, Foreign Operations,
12 and Related Programs Appropriations Act, 2017 (division
13 J of Public Law 115–31) shall continue in effect during
14 fiscal year 2021.

15 SPECIAL PROVISIONS

16 SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHIL-
17 DREN, AND DISPLACED BURMESE.—Funds appropriated
18 in title III of this Act that are made available for victims
19 of war, victims of torture and trauma, displaced children,
20 displaced Burmese, and to combat trafficking in persons
21 and assist victims of such trafficking, may be made avail-
22 able notwithstanding any other provision of law.

23 (b) FORENSIC ASSISTANCE.—

24 (1) Of the funds appropriated by this Act under
25 the first paragraph under the heading “Democracy

1 Fund”, not less than \$15,500,000 shall be made
2 available for forensic anthropology assistance related
3 to the exhumation and identification of victims of
4 war crimes, crimes against humanity, and genocide,
5 including in Central America, which shall be admin-
6 istered by the Assistant Secretary for Democracy,
7 Human Rights, and Labor, Department of State:
8 *Provided*, That such funds shall be in addition to
9 funds made available by this Act and prior Acts
10 making appropriations for the Department of State,
11 foreign operations, and related programs for assist-
12 ance for countries.

13 (2) Funds appropriated by this Act under the
14 heading “International Narcotics Control and Law
15 Enforcement” shall be made available for DNA fo-
16 rensic technology programs to combat human traf-
17 ficking in Central America and Mexico.

18 (c) ATROCITIES PREVENTION.—Of the funds appro-
19 priated by this Act under the headings “Democracy
20 Fund” and “International Narcotics Control and Law En-
21 forcement”, not less than \$10,000,000 shall be made
22 available for programs to prevent atrocities, including to
23 implement recommendations of the Atrocities Prevention
24 Board: *Provided*, That funds made available pursuant to
25 this subsection are in addition to amounts otherwise made

1 available for such purposes: *Provided further*, That such
2 funds shall be subject to the regular notification proce-
3 dures of the Committees on Appropriations.

4 (d) WORLD FOOD PROGRAMME.—Funds managed by
5 the Bureau for Humanitarian Assistance, United States
6 Agency for International Development, from this or any
7 other Act, may be made available as a general contribution
8 to the World Food Programme, notwithstanding any other
9 provision of law.

10 (e) DIRECTIVES AND AUTHORITIES.—

11 (1) RESEARCH AND TRAINING.—Funds appro-
12 priated by this Act under the heading “Assistance
13 for Europe, Eurasia and Central Asia” shall be
14 made available to carry out the Program for Re-
15 search and Training on Eastern Europe and the
16 Independent States of the Former Soviet Union as
17 authorized by the Soviet-Eastern European Research
18 and Training Act of 1983 (22 U.S.C. 4501 et seq.).

19 (2) GENOCIDE VICTIMS MEMORIAL SITES.—
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 under the
23 headings “Economic Support Fund” and “Assist-
24 ance for Europe, Eurasia and Central Asia” may be
25 made available as contributions to establish and

1 maintain memorial sites of genocide, subject to the
2 regular notification procedures of the Committees on
3 Appropriations.

4 (3) PRIVATE SECTOR PARTNERSHIPS.—Of the
5 funds appropriated by this Act under the headings
6 “Development Assistance” and “Economic Support
7 Fund” that are made available for private sector
8 partnerships, up to \$50,000,000 may remain avail-
9 able until September 30, 2023: *Provided*, That funds
10 made available pursuant to this paragraph may only
11 be made available following prior consultation with
12 the appropriate congressional committees, and the
13 regular notification procedures of the Committees on
14 Appropriations.

15 (4) ADDITIONAL AUTHORITIES.—Of the
16 amounts made available by title I of this Act under
17 the heading “Diplomatic Programs”, up to \$500,000
18 may be made available for grants pursuant to sec-
19 tion 504 of the Foreign Relations Authorization Act,
20 Fiscal Year 1979 (22 U.S.C. 2656d), including to
21 facilitate collaboration with indigenous communities,
22 and up to \$1,000,000 may be made available for
23 grants to carry out the activities of the Cultural An-
24 tiquities Task Force.

1 (5) INNOVATION.—The USAID Administrator
2 may use funds appropriated by this Act under title
3 III to make innovation incentive awards in accord-
4 ance with the terms and conditions of section
5 7034(e)(4) of the Department of State, Foreign Op-
6 erations, and Related Programs Appropriations Act,
7 2019 (division F of Public Law 116–6): *Provided*,
8 That each individual award may not exceed
9 \$100,000: *Provided further*, That no more than 15
10 such awards may be made during fiscal year 2021.

11 (6) EXCHANGE VISITOR PROGRAM.—None of
12 the funds made available by this Act may be used
13 to modify the Exchange Visitor Program adminis-
14 tered by the Department of State to implement the
15 Mutual Educational and Cultural Exchange Act of
16 1961 (Public Law 87–256; 22 U.S.C. 2451 et seq.),
17 except through the formal rulemaking process pursu-
18 ant to the Administrative Procedure Act (5 U.S.C.
19 551 et seq.) and notwithstanding the exceptions to
20 such rulemaking process in such Act: *Provided*, That
21 funds made available for such purpose shall only be
22 made available after consultation with, and subject
23 to the regular notification procedures of, the Com-
24 mittees on Appropriations, regarding how any pro-
25 posed modification would affect the public diplomacy

1 goals of, and the estimated economic impact on, the
2 United States: *Provided further*, That such consulta-
3 tion shall take place not later than 30 days prior to
4 the publication in the Federal Register of any regu-
5 latory action modifying the Exchange Visitor Pro-
6 gram.

7 (7) RECAAP PARTICIPATION.—For fiscal year
8 2021 and each fiscal year thereafter, the Secretary
9 of State is authorized to provide for the participa-
10 tion by the United States in the Information Shar-
11 ing Centre located in Singapore, as established by
12 the Regional Cooperation Agreement on Combating
13 Piracy and Armed Robbery Against Ships in Asia.

14 (f) PARTNER VETTING.—Prior to initiating a partner
15 vetting program, or making a material change to the scope
16 of an existing partner vetting program, the Secretary of
17 State and USAID Administrator, as appropriate, shall
18 consult with the Committees on Appropriations: *Provided*,
19 That the Secretary and the Administrator shall provide
20 a direct vetting option for prime awardees in any partner
21 vetting program initiated or significantly modified after
22 the date of enactment of this Act, unless the Secretary
23 of State or USAID Administrator, as applicable, informs
24 the Committees on Appropriations on a case-by-case basis

1 that a direct vetting option is not feasible for such pro-
2 gram.

3 (g) CONTINGENCIES.—During fiscal year 2021, the
4 President may use up to \$125,000,000 under the author-
5 ity of section 451 of the Foreign Assistance Act of 1961,
6 notwithstanding any other provision of law.

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

16 (i) TRANSFER OF FUNDS FOR EXTRAORDINARY PRO-
17 TECTION.—The Secretary of State may transfer to, and
18 merge with, funds under the heading “Protection of For-
19 eign Missions and Officials” unobligated balances of ex-
20 pired funds appropriated under the heading “Diplomatic
21 Programs” for fiscal year 2021, except for funds des-
22 ignated for Overseas Contingency Operations/Global War
23 on Terrorism pursuant to section 251(b)(2)(A)(ii) of the
24 Balanced Budget and Emergency Deficit Control Act of
25 1985, at no later than the end of the fifth fiscal year after

1 the last fiscal year for which such funds are available for
2 the purposes for which appropriated: *Provided*, That not
3 more than \$50,000,000 may be transferred.

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

14 (k) PROTECTIONS AND REMEDIES FOR EMPLOYEES
15 OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANI-
16 ZATIONS.—The terms and conditions of section 7034(k)
17 of the Department of State, Foreign Operations, and Re-
18 lated Programs Appropriations Act, 2020 (division G of
19 Public Law 116–94) shall continue in effect during fiscal
20 year 2021.

21 (l) EXTENSION OF AUTHORITIES.—

22 (1) PASSPORT FEES.—Section 1(b)(2) of the
23 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))
24 shall be applied by substituting “September 30,
25 2021” 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, 2021.

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, 2021” 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, 2021.

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 2020” and inserting “2020, and
12 2021”; and

13 (ii) in subsection (e), by striking
14 “2020” each place it appears and inserting
15 “2021”; and

16 (B) in section 599E(b)(2) (8 U.S.C. 1255
17 note), by striking “2020” and inserting
18 “2021”.

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, 2021, and may be used to facilitate the
24 assignment of persons for oversight of programs in

1 Syria, South Sudan, Yemen, Somalia, and Ven-
2 ezuela.

3 (7) ACCOUNTABILITY REVIEW BOARDS.—The
4 authority provided by section 301(a)(3) of the Omni-
5 bus Diplomatic Security and Antiterrorism Act of
6 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect
7 for facilities in Afghanistan through September 30,
8 2021, except that the notification and reporting re-
9 quirements contained in such section shall include
10 the Committees on Appropriations.

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

22 (9) TRANSFER OF BALANCES.—Section 7081(h)
23 of the Department of State, Foreign Operations, and
24 Related Programs Appropriations Act, 2017 (divi-

1 sion J of Public Law 115–31) shall continue in ef-
2 fect during fiscal year 2021.

3 (10) DEPARTMENT OF STATE INSPECTOR GEN-
4 ERAL WAIVER AUTHORITY.—The Inspector General
5 of the Department of State may waive the provisions
6 of subsections (a) through (d) of section 824 of the
7 Foreign Service Act of 1980 (22 U.S.C. 4064) on a
8 case-by-case basis for an annuitant reemployed by
9 the Inspector General on a temporary basis, subject
10 to the same constraints and in the same manner by
11 which the Secretary of State may exercise such waiv-
12 er authority pursuant to subsection (g) of such sec-
13 tion.

14 (11) AFGHAN ALLIES.—Section 602(b)(3)(F) of
15 the Afghan Allies Protection Act of 2009 (8 U.S.C.
16 1101 note) is amended—

17 (A) in the heading, striking “2015
18 THROUGH 2020” and inserting “2015
19 THROUGH 2021”;

20 (B) in the matter preceding clause (i), by
21 striking “22,500” and inserting “26,500”; and

22 (C) in clauses (i) and (ii), by striking “De-
23 cember 31, 2021” and inserting “December 31,
24 2022”.

25 (m) MONITORING AND EVALUATION.—

1 (1) BENEFICIARY FEEDBACK.—Funds appro-
2 priated by this Act that are made available for moni-
3 toring and evaluation of assistance under the head-
4 ings “Development Assistance”, “International Dis-
5 aster Assistance”, and “Migration and Refugee As-
6 sistance” shall be made available for the regular and
7 systematic collection of feedback obtained directly
8 from beneficiaries to enhance the quality and rel-
9 evance of such assistance: *Provided*, That the De-
10 partment of State and USAID shall establish, and
11 post on their respective websites, updated procedures
12 for implementing partners that receive funds under
13 such headings for regularly collecting and respond-
14 ing to such feedback, including guidelines for the re-
15 porting on actions taken in response to the feedback
16 received: *Provided further*, That the Department of
17 State and USAID shall regularly conduct oversight
18 to ensure that such feedback is regularly collected
19 and used by implementing partners to maximize the
20 cost-effectiveness and utility of such assistance.

21 (2) EX-POST EVALUATIONS.—Of the funds ap-
22 propriated by this Act under the heading “Economic
23 Support Fund”, not less than \$10,000,000 shall be
24 made available for ex-post evaluations consistent
25 with the requirements under this heading in the ex-

1 planatory statement accompanying this Act, which
2 shall be in addition to funds otherwise made avail-
3 able for monitoring and evaluation: *Provided*, That
4 such funds may be transferred to, and merged with,
5 funds appropriated by this Act under the headings
6 “Global Health Programs” and “Development As-
7 sistance” and under title IV for such purposes: *Pro-*
8 *vided further*, That such transfer authority is in ad-
9 dition to any other transfer authority provided by
10 law, subject to the regular notification procedures of
11 the Committees on Appropriations.

12 (n) HIV/AIDS WORKING CAPITAL FUND.—Funds
13 available in the HIV/AIDS Working Capital Fund estab-
14 lished pursuant to section 525(b)(1) of the Foreign Oper-
15 ations, Export Financing, and Related Programs Appro-
16 priations Act, 2005 (Public Law 108–447) may be made
17 available for pharmaceuticals and other products for child
18 survival, malaria, tuberculosis, and emerging infectious
19 diseases to the same extent as HIV/AIDS pharmaceuticals
20 and other products, subject to the terms and conditions
21 in such section: *Provided*, That the authority in section
22 525(b)(5) of the Foreign Operations, Export Financing,
23 and Related Programs Appropriation Act, 2005 (Public
24 Law 108–447) shall be exercised by the Assistant Admin-
25 istrator for Global Health, USAID, with respect to funds

1 deposited for such non-HIV/AIDS pharmaceuticals and
2 other products, and shall be subject to the regular notifica-
3 tion procedures of the Committees on Appropriations: *Pro-*
4 *vided further*, That the Secretary of State shall include
5 in the congressional budget justification an accounting of
6 budgetary resources, disbursements, balances, and reim-
7 bursements related to such fund.

8 (o) LOANS, CONSULTATION, AND NOTIFICATION.—

9 (1) LOAN GUARANTEES.—Funds appropriated
10 under the headings “Economic Support Fund” and
11 “Assistance for Europe, Eurasia and Central Asia”
12 by this Act and prior Acts making appropriations
13 for the Department of State, foreign operations, and
14 related programs may be made available for the
15 costs, as defined in section 502 of the Congressional
16 Budget Act of 1974, of loan guarantees for Egypt,
17 Jordan, Tunisia, and Ukraine, which are authorized
18 to be provided: *Provided*, That amounts made avail-
19 able under this paragraph for the costs of such
20 guarantees shall not be considered assistance for the
21 purposes of provisions of law limiting assistance to
22 a country.

23 (2) FOREIGN MILITARY FINANCING DIRECT
24 LOANS.—During fiscal year 2021, direct loans under
25 section 23 of the Arms Export Control Act may be

1 made available for Jordan and Tunisia, notwith-
2 standing section 23(c)(1) of the Arms Export Con-
3 trol Act, gross obligations for the principal amounts
4 of which shall not exceed \$4,000,000,000: *Provided*,
5 That funds appropriated under the heading “For-
6 eign Military Financing Program” in this Act and
7 prior Acts making appropriations for the Depart-
8 ment of State, foreign operations, and related pro-
9 grams may be made available for the costs, as de-
10 fined in section 502 of the Congressional Budget Act
11 of 1974, of such loans: *Provided further*, That such
12 costs, including the cost of modifying such loans,
13 shall be as defined in section 502 of the Congres-
14 sional Budget Act of 1974 and may include the costs
15 of selling, reducing, or cancelling any amounts owed
16 to the United States or any agency of the United
17 States: *Provided further*, That the Government of
18 the United States may charge fees for such loans,
19 which shall be collected from borrowers in accord-
20 ance with section 502(7) of the Congressional Budg-
21 et Act of 1974: *Provided further*, That no funds
22 made available to the North Atlantic Treaty Organi-
23 zation (NATO) or major non-NATO allies by this or
24 any other appropriations Act for this fiscal year or
25 prior fiscal years may be used for payment of any

1 fees associated with such loans: *Provided further*,
2 That such loans shall be repaid in not more than 12
3 years, including a grace period of up to one year on
4 repayment of principal: *Provided further*, That not-
5 withstanding section 23(c)(1) of the Arms Export
6 Control Act, interest for such loans may be charged
7 at a rate determined by the Secretary of State, ex-
8 cept that such rate may not be less than the pre-
9 vailing interest rate on marketable Treasury securi-
10 ties of similar maturity: *Provided further*, That
11 amounts made available under this paragraph for
12 such costs shall not be considered assistance for the
13 purposes of provisions of law limiting assistance to
14 a country.

15 (3) FOREIGN MILITARY FINANCING LOAN GUAR-
16 ANTEES.—Funds appropriated under the heading
17 “Foreign Military Financing Program” in this Act
18 and prior Acts making appropriations for the De-
19 partment of State, foreign operations, and related
20 programs may be made available, notwithstanding
21 the third proviso under such heading, for the costs
22 of loan guarantees under section 24 of the Arms Ex-
23 port Control Act for Jordan and Tunisia, which are
24 authorized to be provided: *Provided*, That such
25 funds are available to subsidize gross obligations for

1 the principal amount of commercial loans, and total
2 loan principal, any part of which is to be guaran-
3 teed, not to exceed \$4,000,000,000: *Provided fur-*
4 *ther*, That no loan guarantee with respect to any one
5 borrower may exceed 80 percent of the loan prin-
6 cipal: *Provided further*, That any loan guaranteed
7 under this paragraph may not be subordinated to
8 another debt contracted by the borrower or to any
9 other claims against the borrower in the case of de-
10 fault: *Provided further*, That repayment in United
11 States dollars of any loan guaranteed under this
12 paragraph shall be required within a period not to
13 exceed 12 years after the loan agreement is signed:
14 *Provided further*, That the Government of the
15 United States may charge fees for such loans guar-
16 antees, as may be determined, notwithstanding sec-
17 tion 24 of the Export Control Act, which shall be
18 collected from borrowers or third parties on behalf
19 of such borrowers in accordance with section 502(7)
20 of the Congressional Budget Act of 1974: *Provided*
21 *further*, That amounts made available under this
22 paragraph for the costs of such guarantees shall not
23 be considered assistance for the purposes of provi-
24 sions of law limiting assistance to a country.

1 (4) DESIGNATION REQUIREMENT.—Funds
2 made available pursuant to paragraphs (1) through
3 (3) from prior Acts making appropriations for the
4 Department of State, foreign operations, and related
5 programs that were previously designated by the
6 Congress for Overseas Contingency Operations/Glob-
7 al War on Terrorism pursuant to section
8 251(b)(2)(A)(ii) of the Balanced Budget and Emer-
9 gency Deficit Control Act of 1985 are designated by
10 the Congress for Overseas Contingency Operations/
11 Global War on Terrorism pursuant to section
12 251(b)(2)(A)(ii) of such Act.

13 (5) CONSULTATION AND NOTIFICATION.—
14 Funds made available pursuant to the authorities of
15 this subsection shall be subject to prior consultation
16 with the appropriate congressional committees and
17 the regular notification procedures of the Commit-
18 tees on Appropriations.

19 (p) LOCAL WORKS.—

20 (1) FUNDING.—Of the funds appropriated by
21 this Act under the headings “Development Assist-
22 ance” and “Economic Support Fund”, not less than
23 \$59,000,000 shall be made available for Local
24 Works pursuant to section 7080 of the Department
25 of State, Foreign Operations, and Related Programs

1 Appropriations Act, 2015 (division J of Public Law
2 113–235), which may remain available until Sep-
3 tember 30, 2025.

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

16 (q) NITA M. LOWEY MIDDLE EAST PARTNERSHIP
17 FOR PEACE FUND.—Funds appropriated by this Act shall
18 be made available to implement the purposes of the Middle
19 East Partnership for Peace Act, as contained in title IX
20 of the Department of State, Foreign Operations, and Re-
21 lated Programs Appropriations Act, 2021 (H.R. 7608, as
22 passed in the House of Representatives on July 24, 2020),
23 if such Act is enacted by Congress: *Provided*, That such
24 funds shall be referred to as the “Nita M. Lowey Middle
25 East Partnership for Peace Fund”.

1 (r) DEFINITIONS.—

2 (1) APPROPRIATE CONGRESSIONAL COMMIT-
3 TEES.—Unless otherwise defined in this Act, for
4 purposes of this Act the term “appropriate congress-
5 sional committees” means the Committees on Appro-
6 priations and Foreign Relations of the Senate and
7 the Committees on Appropriations and Foreign Af-
8 fairs of the House of Representatives.

9 (2) FUNDS APPROPRIATED BY THIS ACT AND
10 PRIOR ACTS.—Unless otherwise defined in this Act,
11 for purposes of this Act the term “funds appro-
12 priated by this Act and prior Acts making appro-
13 priations for the Department of State, foreign oper-
14 ations, and related programs” means funds that re-
15 main available for obligation, and have not expired.

16 (3) INTERNATIONAL FINANCIAL INSTITU-
17 TIONS.—In this Act “international financial institu-
18 tions” means the International Bank for Recon-
19 struction and Development, the International Devel-
20 opment Association, the International Finance Cor-
21 poration, the Inter-American Development Bank, the
22 International Monetary Fund, the International
23 Fund for Agricultural Development, the Asian De-
24 velopment Bank, the Asian Development Fund, the
25 Inter-American Investment Corporation, the North

1 American Development Bank, the European Bank
2 for Reconstruction and Development, the African
3 Development Bank, the African Development Fund,
4 and the Multilateral Investment Guarantee Agency.

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

10 (A) realistic and sustainable goals, criteria
11 for measuring progress, and a timeline for
12 achieving such goals;

13 (B) amounts and sources of funds by ac-
14 count;

15 (C) how such funds will complement other
16 ongoing or planned programs; and

17 (D) implementing partners, to the max-
18 imum extent practicable.

19 (5) SUCCESSOR OPERATING UNIT.—Any ref-
20 erence to a particular USAID operating unit or of-
21 fice in this or prior Acts making appropriations for
22 the Department of State, foreign operations, and re-
23 lated programs shall be deemed to include any suc-
24 cessor operating unit or office performing the same
25 or similar functions.

1 (6) USAID.—In this Act, the term “USAID”
2 means the United States Agency for International
3 Development.

4 LAW ENFORCEMENT AND SECURITY

5 SEC. 7035. (a) ASSISTANCE.—

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

21 (2) COUNTERTERRORISM PARTNERSHIPS
22 FUND.—Funds appropriated by this Act under the
23 heading “Nonproliferation, Anti-terrorism, Demining
24 and Related Programs” shall be made available for
25 the Counterterrorism Partnerships Fund for pro-

1 grams in areas liberated from, under the influence
2 of, or adversely affected by, the Islamic State of Iraq
3 and Syria or other terrorist organizations: *Provided*,
4 That such areas shall include the Kurdistan Region
5 of Iraq: *Provided further*, That prior to the obliga-
6 tion of funds made available pursuant to this para-
7 graph, the Secretary of State shall take all prac-
8 ticable steps to ensure that mechanisms are in place
9 for monitoring, oversight, and control of such funds:
10 *Provided further*, That funds made available pursu-
11 ant to this paragraph shall be subject to prior con-
12 sultation with, and the regular notification proce-
13 dures of, the Committees on Appropriations.

14 (3) COMBAT CASUALTY CARE.—

15 (A) Consistent with the objectives of the
16 Foreign Assistance Act of 1961 and the Arms
17 Export Control Act, not less than 1.5 percent
18 of the funds appropriated by this Act under the
19 headings “Peacekeeping Operations” and “For-
20 eign Military Financing Program” shall be
21 made available for combat casualty training and
22 equipment.

23 (B) The Secretary of State shall offer com-
24 bat casualty care training and equipment as a
25 component of any package of lethal assistance

1 funded by this Act with funds appropriated
2 under the headings “Peacekeeping Operations”
3 and “Foreign Military Financing Program”:
4 *Provided*, That the requirement of this subpara-
5 graph shall apply to a country in conflict, un-
6 less the Secretary determines that such country
7 has in place, to the maximum extent prac-
8 ticable, functioning combat casualty care treat-
9 ment and equipment that meets or exceeds the
10 standards recommended by the Committee on
11 Tactical Combat Casualty Care: *Provided fur-*
12 *ther*, That any such training and equipment for
13 combat casualty care shall be made available
14 through an open and competitive process.

15 (4) TRAINING RELATED TO INTERNATIONAL
16 HUMANITARIAN LAW.—The Secretary of State shall
17 offer training related to the requirements of inter-
18 national humanitarian law as a component of any
19 package of lethal assistance funded by this Act with
20 funds appropriated under the headings “Peace-
21 keeping Operations” and “Foreign Military Financ-
22 ing Program”: *Provided*, That the requirement of
23 this paragraph shall not apply to a country that is
24 a member of the North Atlantic Treaty Organization
25 (NATO), is a major non-NATO ally designated by

1 section 517(b) of the Foreign Assistance Act of
2 1961, or is complying with international humani-
3 tarian law: *Provided further*, That any such training
4 shall be made available through an open and com-
5 petitive process.

6 (5) SECURITY FORCE PROFESSIONALIZATION.—
7 Funds appropriated by this Act under the headings
8 “International Narcotics Control and Law Enforce-
9 ment” and “Peacekeeping Operations” shall be
10 made available to increase the capacity of foreign
11 military and law enforcement personnel to operate in
12 accordance with appropriate standards relating to
13 human rights and the protection of civilians in the
14 manner specified under this section in Senate Report
15 116–126, following consultation with the Commit-
16 tees on Appropriations: *Provided*, That funds made
17 available pursuant to this paragraph shall be made
18 available through an open and competitive process.

19 (6) GLOBAL SECURITY CONTINGENCY FUND.—
20 Notwithstanding any other provision of this Act, up
21 to \$7,500,000 from funds appropriated by this Act
22 under the headings “Peacekeeping Operations” and
23 “Foreign Military Financing Program” may be
24 transferred to, and merged with, funds previously
25 made available under the heading “Global Security

1 Contingency Fund”, subject to the regular notifica-
2 tion procedures of the Committees on Appropria-
3 tions.

4 (7) INTERNATIONAL PRISON CONDITIONS.—Of
5 the funds appropriated by this Act under the head-
6 ings “Development Assistance”, “Economic Support
7 Fund”, and “International Narcotics Control and
8 Law Enforcement”, not less than \$7,500,000 shall
9 be made available for assistance to eliminate inhu-
10 mane conditions in foreign prisons and other deten-
11 tion facilities, notwithstanding section 660 of the
12 Foreign Assistance Act of 1961: *Provided*, That the
13 Secretary of State and the USAID Administrator
14 shall consult with the Committees on Appropriations
15 on the proposed uses of such funds prior to obliga-
16 tion and not later than 60 days after enactment of
17 this Act: *Provided further*, That such funds shall be
18 in addition to funds otherwise made available by this
19 Act for such purpose.

20 (b) AUTHORITIES.—

21 (1) RECONSTITUTING CIVILIAN POLICE AU-
22 THORITY.—In providing assistance with funds ap-
23 propriated by this Act under section 660(b)(6) of
24 the Foreign Assistance Act of 1961, support for a
25 nation emerging from instability may be deemed to

1 mean support for regional, district, municipal, or
2 other sub-national entity emerging from instability,
3 as well as a nation emerging from instability.

4 (2) DISARMAMENT, DEMOBILIZATION, AND RE-
5 INTEGRATION.—Section 7034(d) of the Department
6 of State, Foreign Operations, and Related Programs
7 Appropriations Act, 2015 (division J of Public Law
8 113–235) shall continue in effect during fiscal year
9 2021.

10 (3) EXTENSION OF WAR RESERVES STOCKPILE
11 AUTHORITY.—

12 (A) Section 12001(d) of the Department of
13 Defense Appropriations Act, 2005 (Public Law
14 108–287; 118 Stat. 1011) is amended by strik-
15 ing “2021” and inserting “2022”.

16 (B) Section 514(b)(2)(A) of the Foreign
17 Assistance Act of 1961 (22 U.S.C.
18 2321h(b)(2)(A)) is amended by striking “and
19 2021” and inserting “2021, and 2022”.

20 (4) COMMERCIAL LEASING OF DEFENSE ARTI-
21 CLES.—Notwithstanding any other provision of law,
22 and subject to the regular notification procedures of
23 the Committees on Appropriations, the authority of
24 section 23(a) of the Arms Export Control Act (22
25 U.S.C. 2763) may be used to provide financing to

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

13 (5) SPECIAL DEFENSE ACQUISITION FUND.—
14 Not to exceed \$900,000,000 may be obligated pursu-
15 ant to section 51(c)(2) of the Arms Export Control
16 Act (22 U.S.C. 2795(c)(2)) for the purposes of the
17 Special Defense Acquisition Fund (the Fund), to re-
18 main available for obligation until September 30,
19 2023: *Provided*, That the provision of defense arti-
20 cles and defense services to foreign countries or
21 international organizations from the Fund shall be
22 subject to the concurrence of the Secretary of State.

23 (6) PUBLIC DISCLOSURE.—For the purposes of
24 funds appropriated by this Act and prior Acts mak-
25 ing appropriations for the Department of State, for-

1 eign operations, and related programs that are made
2 available for assistance for units of foreign security
3 forces, the term “to the maximum extent prac-
4 ticable” in section 620M(d)(7) of the Foreign Assist-
5 ance Act of 1961 (22 U.S.C. 2378d) means that the
6 identity of such units shall be made publicly avail-
7 able unless the Secretary of State, on a case-by-case
8 basis, determines and reports to the appropriate con-
9 gressional committees that disclosure would endan-
10 ger the safety of human sources or reveal sensitive
11 intelligence sources and methods, or that non-disclo-
12 sure is in the national security interest of the United
13 States: *Provided*, That any such determination shall
14 include a detailed justification, and may be sub-
15 mitted in classified form.

16 (7) DUTY TO INFORM.—If assistance to a for-
17 eign security force is provided in a manner in which
18 the recipient unit or units cannot be identified prior
19 to the transfer of assistance, the Secretary of State
20 shall provide a list of units prohibited from receiving
21 such assistance pursuant to section 620M of the
22 Foreign Assistance Act of 1961 to the recipient gov-
23 ernment, and such assistance shall be made available
24 subject to a written agreement that the recipient
25 government will comply with such prohibition.

1 (c) LIMITATIONS.—

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

5 (2) LANDMINES AND CLUSTER MUNITIONS.—

6 (A) LANDMINES.—Notwithstanding any
7 other provision of law, demining equipment
8 available to the United States Agency for Inter-
9 national Development and the Department of
10 State and used in support of the clearance of
11 landmines and unexploded ordnance for human-
12 itarian purposes may be disposed of on a grant
13 basis in foreign countries, subject to such terms
14 and conditions as the Secretary of State may
15 prescribe.

16 (B) CLUSTER MUNITIONS.—No military
17 assistance shall be furnished for cluster muni-
18 tions, no defense export license for cluster mu-
19 nitions may be issued, and no cluster munitions
20 or cluster munitions technology shall be sold or
21 transferred, unless—

22 (i) the submunitions of the cluster
23 munitions, after arming, do not result in
24 more than 1 percent unexploded ordnance
25 across the range of intended operational

1 environments, and the agreement applica-
2 ble to the assistance, transfer, or sale of
3 such cluster munitions or cluster munitions
4 technology specifies that the cluster muni-
5 tions will only be used against clearly de-
6 fined military targets and will not be used
7 where civilians are known to be present or
8 in areas normally inhabited by civilians; or
9 (ii) such assistance, license, sale, or
10 transfer is for the purpose of demilitarizing
11 or permanently disposing of such cluster
12 munitions.

13 (3) CROWD CONTROL ITEMS.—Funds appro-
14 priated by this Act should not be used for tear gas,
15 small arms, light weapons, ammunition, or other
16 items for crowd control purposes for foreign security
17 forces that use excessive force to repress peaceful ex-
18 pression, association, or assembly in countries that
19 the Secretary of State determines are undemocratic
20 or are undergoing democratic transitions.

21 (d) REPORTS.—

22 (1) SECURITY ASSISTANCE REPORT.—Not later
23 than 120 days after enactment of this Act, the Sec-
24 retary of State shall submit to the Committees on
25 Appropriations a report on funds obligated and ex-

1 pended during fiscal year 2020, by country and pur-
2 pose of assistance, under the headings “Peace-
3 keeping Operations”, “International Military Edu-
4 cation and Training”, and “Foreign Military Fi-
5 nancing Program”.

6 (2) ANNUAL FOREIGN MILITARY TRAINING RE-
7 PORT.—For the purposes of implementing section
8 656 of the Foreign Assistance Act of 1961, the term
9 “military training provided to foreign military per-
10 sonnel by the Department of Defense and the De-
11 partment of State” shall be deemed to include all
12 military training provided by foreign governments
13 with funds appropriated to the Department of De-
14 fense or the Department of State, except for train-
15 ing provided by the government of a country des-
16 ignated by section 517(b) of such Act (22 U.S.C.
17 2321k(b)) as a major non-North Atlantic Treaty Or-
18 ganization ally: *Provided*, That such third-country
19 training shall be clearly identified in the report sub-
20 mitted pursuant to section 656 of such Act.

21 ARAB LEAGUE BOYCOTT OF ISRAEL

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

23 (1) the Arab League boycott of Israel, and the
24 secondary boycott of American firms that have com-
25 mercial ties with Israel, is an impediment to peace

1 in the region and to United States investment and
2 trade in the Middle East and North Africa;

3 (2) the Arab League boycott, which was regret-
4 tably reinstated in 1997, should be immediately and
5 publicly terminated, and the Central Office for the
6 Boycott of Israel immediately disbanded;

7 (3) all Arab League states should normalize re-
8 lations with their neighbor Israel;

9 (4) the President and the Secretary of State
10 should continue to vigorously oppose the Arab
11 League boycott of Israel and find concrete steps to
12 demonstrate that opposition by, for example, taking
13 into consideration the participation of any recipient
14 country in the boycott when determining to sell
15 weapons to said country; and

16 (5) the President should report to Congress an-
17 nually on specific steps being taken by the United
18 States to encourage Arab League states to normalize
19 their relations with Israel to bring about the termi-
20 nation of the Arab League boycott of Israel, includ-
21 ing those to encourage allies and trading partners of
22 the United States to enact laws prohibiting busi-
23 nesses from complying with the boycott and penal-
24 izing businesses that do comply.

1 PALESTINIAN STATEHOOD

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

7 (1) the governing entity of a new Palestinian
8 state—

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

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

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

1 (A) termination of all claims or states of
2 belligerency;

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

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

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

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

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

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

24 (d) EXEMPTION.—The restriction in subsection (a)
25 shall not apply to assistance intended to help reform the

1 Palestinian Authority and affiliated institutions, or the
2 governing entity, in order to help meet the requirements
3 of subsection (a), consistent with the provisions of section
4 7040 of this Act (“Limitation on Assistance for the Pales-
5 tinian Authority”).

6 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN
7 BROADCASTING CORPORATION

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

13 ASSISTANCE FOR THE WEST BANK AND GAZA

14 SEC. 7039. (a) OVERSIGHT.—For fiscal year 2021,
15 30 days prior to the initial obligation of funds for the bi-
16 lateral West Bank and Gaza Program, the Secretary of
17 State shall certify to the Committees on Appropriations
18 that procedures have been established to assure the Comp-
19 troller General of the United States will have access to
20 appropriate United States financial information in order
21 to review the uses of United States assistance for the Pro-
22 gram funded under the heading “Economic Support
23 Fund” for the West Bank and Gaza.

24 (b) VETTING.—Prior to the obligation of funds ap-
25 propriated by this Act under the heading “Economic Sup-

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

19 (c) PROHIBITION.—

20 (1) RECOGNITION OF ACTS OF TERRORISM.—

21 None of the funds appropriated under titles III
22 through VI of this Act for assistance under the West
23 Bank and Gaza Program may be made available
24 for—

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

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

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

19 (d) OVERSIGHT BY THE UNITED STATES AGENCY
20 FOR INTERNATIONAL DEVELOPMENT.—

21 (1) The Administrator of the United States
22 Agency for International Development shall ensure
23 that Federal or non-Federal audits of all contractors
24 and grantees, and significant subcontractors and
25 sub-grantees, under the West Bank and Gaza Pro-

1 gram, are conducted at least on an annual basis to
2 ensure, among other things, compliance with this
3 section.

4 (2) Of the funds appropriated by this Act, up
5 to \$1,000,000 may be used by the Office of Inspec-
6 tor General of the United States Agency for Inter-
7 national Development for audits, investigations, and
8 other activities in furtherance of the requirements of
9 this subsection: *Provided*, That such funds are in ad-
10 dition to funds otherwise available for such pur-
11 poses.

12 (e) COMPTROLLER GENERAL OF THE UNITED
13 STATES AUDIT.—Subsequent to the certification specified
14 in subsection (a), the Comptroller General of the United
15 States shall conduct an audit and an investigation of the
16 treatment, handling, and uses of all funds for the bilateral
17 West Bank and Gaza Program, including all funds pro-
18 vided as cash transfer assistance, in fiscal year 2021
19 under the heading “Economic Support Fund”, and such
20 audit shall address—

21 (1) the extent to which such Program complies
22 with the requirements of subsections (b) and (c);
23 and

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

10 (e) CERTIFICATION.—If the President exercises the
11 waiver authority under subsection (b), the Secretary of
12 State must certify and report to the Committees on Ap-
13 propriations prior to the obligation of funds that the Pal-
14 estinian Authority has established a single treasury ac-
15 count for all Palestinian Authority financing and all fi-
16 nancing mechanisms flow through this account, no parallel
17 financing mechanisms exist outside of the Palestinian Au-
18 thority treasury account, and there is a single comprehen-
19 sive civil service roster and payroll, and the Palestinian
20 Authority is acting to counter incitement of violence
21 against Israelis and is supporting activities aimed at pro-
22 moting peace, coexistence, and security cooperation with
23 Israel.

24 (f) PROHIBITION TO HAMAS AND THE PALESTINE
25 LIBERATION ORGANIZATION.—

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

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

19 (3) The President may exercise the authority in
20 section 620K(e) of the Foreign Assistance Act of
21 1961, as added by the Palestinian Anti-Terrorism
22 Act of 2006 (Public Law 109–446) with respect to
23 this subsection.

24 (4) Whenever the certification pursuant to
25 paragraph (2) is exercised, the Secretary of State

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

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

16 MIDDLE EAST AND NORTH AFRICA

17 SEC. 7041. (a) EGYPT.—

18 (1) CERTIFICATION AND REPORT.—Funds ap-
19 propriated by this Act that are available for assist-
20 ance for Egypt may be made available notwith-
21 standing any other provision of law restricting as-
22 sistance for Egypt, except for this subsection and
23 section 620M of the Foreign Assistance Act of 1961,
24 and may only be made available for assistance for
25 the Government of Egypt if the Secretary of State

1 certifies and reports to the Committees on Appro-
2 priations that such government is—

3 (A) sustaining the strategic relationship
4 with the United States; and

5 (B) meeting its obligations under the 1979
6 Egypt-Israel Peace Treaty.

7 (2) ECONOMIC SUPPORT FUND.—Of the funds
8 appropriated by this Act under the heading “Eco-
9 nomic Support Fund”, not less than \$125,000,000
10 shall be made available for assistance for Egypt, of
11 which \$40,000,000 should be made available for
12 higher education programs, including not less than
13 \$15,000,000 for scholarships for Egyptian students
14 with high financial need to attend not-for-profit in-
15 stitutions of higher education in Egypt that are cur-
16 rently accredited by a regional accrediting agency
17 recognized by the United States Department of Edu-
18 cation, or meets standards equivalent to those re-
19 quired for United States institutional accreditation
20 by a regional accrediting agency recognized by such
21 Department: *Provided*, That such funds shall be
22 made available for democracy programs, and for de-
23 velopment programs in the Sinai: *Provided further*,
24 That such funds may not be made available for cash
25 transfer assistance or budget support unless the Sec-

1 retary of State certifies and reports to the appro-
2 priate congressional committees that the Govern-
3 ment of Egypt is taking consistent and effective
4 steps to stabilize the economy and implement mar-
5 ket-based economic reforms.

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, 2022,
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 the
19 regular notification procedures of the Commit-
20 tees on Appropriations: *Provided further*, That
21 \$300,000,000 of such funds shall be withheld
22 from obligation until the Secretary of State cer-
23 tifies and reports to the Committees on Appro-
24 priations that the Government of Egypt is tak-
25 ing sustained and effective steps to—

1 (i) strengthen the rule of law, demo-
2 cratic institutions, and human rights in
3 Egypt, including to protect religious mi-
4 norities and the rights of women, which
5 are in addition to steps taken during the
6 previous calendar year for such purposes;

7 (ii) implement reforms that protect
8 freedoms of expression, association, and
9 peaceful assembly, including the ability of
10 civil society organizations, human rights
11 defenders, and the media to function with-
12 out interference;

13 (iii) release political prisoners and
14 provide detainees with due process of law;

15 (iv) hold Egyptian security forces ac-
16 countable, including officers credibly al-
17 leged to have violated human rights;

18 (v) investigate and prosecute cases of
19 extrajudicial killings and forced disappear-
20 ances; and

21 (vi) provide regular access for United
22 States officials to monitor such assistance
23 in areas where the assistance is used:

24 *Provided further,* That the certification require-
25 ment of this paragraph shall not apply to funds

1 appropriated by this Act under such heading
2 for counterterrorism, border security, and non-
3 proliferation programs for Egypt.

4 (B) WAIVER.—The Secretary of State may
5 waive the certification requirement in subpara-
6 graph (A) if the Secretary determines and re-
7 ports to the Committees on Appropriations that
8 to do so is important to the national security
9 interest of the United States, and submits a re-
10 port to such Committees containing a detailed
11 justification for the use of such waiver and the
12 reasons why any of the requirements of sub-
13 paragraph (A) cannot be met: *Provided*, That
14 the report required by this paragraph shall be
15 submitted in unclassified form, but may be ac-
16 companied by a classified annex.

17 (b) IRAN.—

18 (1) FUNDING.—Funds appropriated by this Act
19 under the headings “Diplomatic Programs”, “Eco-
20 nomic Support Fund”, and “Nonproliferation, Anti-
21 terrorism, Demining and Related Programs” shall
22 be made available for the programs and activities de-
23 scribed under this section in the explanatory state-
24 ment accompanying this Act.

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.—Of the funds appropriated
23 under titles III and IV of this Act, not less than
24 \$454,110,000 shall be made available for assistance
25 for Iraq, including not less than \$25,000,000 under

1 the first paragraph under the heading “Democracy
2 Fund”, for—

3 (A) bilateral economic assistance and inter-
4 national security assistance, including in the
5 Kurdistan Region of Iraq and for the Marla
6 Ruzicka Iraqi War Victims Fund;

7 (B) stabilization assistance, including in
8 Anbar Province;

9 (C) justice sector strengthening;

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) UNITED STATES CONSULATE GENERAL
15 BASRAH.—Any change in the status of operations at
16 United States Consulate General Basrah, including
17 the return of Consulate property located adjacent to
18 the Basrah International Airport to the Government
19 of Iraq, shall be subject to prior consultation with
20 the appropriate congressional committees and the
21 regular notification procedures of the Committees on
22 Appropriations.

23 (d) JORDAN.—Of the funds appropriated by this Act
24 under titles III and IV, not less than \$1,650,000,000 shall
25 be made available for assistance for Jordan, of which: not

1 less than \$1,207,400,000 shall be made available under
2 the heading “Economic Support Fund”, of which not less
3 than \$845,100,000 shall be made available for budget sup-
4 port for the Government of Jordan and not less than
5 \$25,000,000 shall be made available for programs and ac-
6 tivities for which policy justifications and decisions shall
7 be the responsibility of the United States Chief of Mission
8 in Jordan; and not less than \$425,000,000 shall be made
9 available under the heading “Foreign Military Financing
10 Program”, including for the purchase of F-16 fighter air-
11 craft: *Provided*, That of such funds appropriated under
12 the headings “Economic Support Fund” and “Foreign
13 Military Financing Program”, up to \$50,000,000 may be
14 transferred to, and merged with, funds appropriated under
15 such headings for purposes of this subsection: *Provided*
16 *further*, That such transfer authority is in addition to any
17 other transfer authority provided by this Act or any other
18 Act, and is subject to prior consultation with, and the reg-
19 ular notification procedures of, the Committees on Appro-
20 priations.

21 (e) LEBANON.—

22 (1) ASSISTANCE.—Of the funds appropriated
23 under titles III and IV of this Act, not less than
24 \$237,370,000 shall be made available for assistance
25 for Lebanon, including not less than \$105,000,000

1 under the heading “Foreign Military Financing Pro-
2 gram”: *Provided*, That such funds made available
3 under the heading “Economic Support Fund” may
4 be made available notwithstanding section 1224 of
5 the Foreign Relations Authorization Act, Fiscal
6 Year 2003 (Public Law 107–228; 22 U.S.C. 2346
7 note).

8 (2) SECURITY ASSISTANCE.—

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

20 (B) Funds appropriated by this Act under
21 the heading “Foreign Military Financing Pro-
22 gram” that are made available for assistance
23 for Lebanon may only be made available for
24 programs to—

1 (i) professionalize the LAF to miti-
2 gate internal and external threats from
3 non-state actors, including Hizballah;

4 (ii) strengthen border security and
5 combat terrorism, including training and
6 equipping the LAF to secure the borders
7 of Lebanon and address security and sta-
8 bility requirements in areas affected by
9 conflict in Syria, interdicting arms ship-
10 ments, and preventing the use of Lebanon
11 as a safe haven for terrorist groups; and

12 (iii) implement United Nations Secu-
13 rity Council Resolution 1701:

14 *Provided*, That prior to obligating funds made
15 available by this subparagraph for assistance
16 for the LAF, the Secretary of State shall sub-
17 mit to the Committees on Appropriations a
18 spend plan, including actions to be taken to en-
19 sure equipment provided to the LAF is used
20 only for the intended purposes, except such plan
21 may not be considered as meeting the notifica-
22 tion requirements under section 7015 of this
23 Act or under section 634A of the Foreign As-
24 sistance Act of 1961, and shall be submitted
25 not later than September 1, 2021: *Provided fur-*

1 *ther*, That any notification submitted pursuant
2 to such section shall include any funds specifi-
3 cally intended for lethal military equipment.

4 (3) LIMITATION.—None of the funds appro-
5 priated by this Act may be made available for the
6 ISF or the LAF if the ISF or the LAF is controlled
7 by a foreign terrorist organization, as designated
8 pursuant to section 219 of the Immigration and Na-
9 tionality Act (8 U.S.C. 1189).

10 (f) LIBYA.—

11 (1) ASSISTANCE.—Funds appropriated under
12 titles III and IV of this Act shall be made available
13 for stabilization assistance for Libya, including sup-
14 port for a United Nations-facilitated political process
15 and border security: *Provided*, That the limitation on
16 the uses of funds for certain infrastructure projects
17 in section 7041(f)(2) of the Department of State,
18 Foreign Operations, and Related Programs Appro-
19 priations Act, 2014 (division K of Public Law 113–
20 76) shall apply to such funds.

21 (2) CERTIFICATION.—Prior to the initial obliga-
22 tion of funds made available by this Act for assist-
23 ance for Libya, the Secretary of State shall certify
24 and report to the Committees on Appropriations
25 that all practicable steps have been taken to ensure

1 that mechanisms are in place for monitoring, over-
2 sight, and control of such funds.

3 (g) MOROCCO.—

4 (1) AVAILABILITY AND CONSULTATION RE-
5 QUIREMENT.—Funds appropriated under title III of
6 this Act shall be made available for assistance for
7 the Western Sahara: *Provided*, That not later than
8 90 days after enactment of this Act and prior to the
9 obligation of such funds, the Secretary of State, in
10 consultation with the Administrator of the United
11 States Agency for International Development, shall
12 consult with the Committees on Appropriations on
13 the proposed uses of such funds.

14 (2) FOREIGN MILITARY FINANCING PRO-
15 GRAM.—Funds appropriated by this Act under the
16 heading “Foreign Military Financing Program” that
17 are available for assistance for Morocco may only be
18 used for the purposes requested in the Congressional
19 Budget Justification, Foreign Operations, Fiscal
20 Year 2017.

21 (h) SAUDI ARABIA.—

22 (1) INTERNATIONAL MILITARY EDUCATION AND
23 TRAINING.—None of the funds appropriated by this
24 Act under the heading “International Military Edu-

1 cation and Training’’ may be made available for as-
2 sistance for the Government of Saudi Arabia.

3 (2) EXPORT-IMPORT BANK.—None of the funds
4 appropriated or otherwise made available by this Act
5 and prior Acts making appropriations for the De-
6 partment of State, foreign operations, and related
7 programs should be obligated or expended by the
8 Export-Import Bank of the United States to guar-
9 antee, insure, or extend (or participate in the exten-
10 sion of) credit in connection with the export of nu-
11 clear technology, equipment, fuel, materials, or other
12 nuclear technology-related goods or services to Saudi
13 Arabia unless the Government of Saudi Arabia—

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

17 (B) has committed to renounce uranium
18 enrichment and reprocessing on its territory
19 under that agreement; and

20 (C) has signed and implemented an Addi-
21 tional Protocol to its Comprehensive Safeguards
22 Agreement with the International Atomic En-
23 ergy Agency.

24 (i) SYRIA.—

1 (1) NON-LETHAL ASSISTANCE.—Of the funds
2 appropriated by this Act under the headings “Eco-
3 nomic Support Fund”, “Democracy Fund”, and
4 “International Narcotics Control and Law Enforce-
5 ment”, not less than \$40,000,000 shall be made
6 available, notwithstanding any other provision of
7 law, for non-lethal stabilization assistance for Syria,
8 including in Deir ez-Zor, of which not less than
9 \$7,000,000 shall be made available for emergency
10 medical and rescue response and chemical weapons
11 use investigations.

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

14 (A) may not be made available for a
15 project or activity that supports or otherwise le-
16 gitimizes the Government of Iran, foreign ter-
17 rorist organizations (as designated pursuant to
18 section 219 of the Immigration and Nationality
19 Act (8 U.S.C. 1189)), or a proxy of Iran in
20 Syria;

21 (B) may not be made available for activi-
22 ties that further the strategic objectives of the
23 Government of the Russian Federation that the
24 Secretary of State determines may threaten or

1 undermine United States national security in-
2 terests; and

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

6 (3) MONITORING AND OVERSIGHT.—Prior to
7 the obligation of any funds appropriated by this Act
8 and made available for assistance for Syria, the Sec-
9 retary of State shall take all practicable steps to en-
10 sure that mechanisms are in place for monitoring,
11 oversight, and control of such assistance inside
12 Syria.

13 (4) CONSULTATION AND NOTIFICATION.—
14 Funds made available pursuant to this subsection
15 may only be made available following consultation
16 with the appropriate congressional committees, and
17 shall be subject to the regular notification proce-
18 dures of the Committees on Appropriations.

19 (j) TUNISIA.—Of the funds appropriated under titles
20 III and IV of this Act, not less than \$241,400,000 shall
21 be made available for assistance for Tunisia.

22 (k) WEST BANK AND GAZA.—

23 (1) REPORT ON ASSISTANCE.—Prior to the ini-
24 tial obligation of funds made available by this Act
25 under the heading “Economic Support Fund” for

1 assistance for the West Bank and Gaza, the Sec-
2 retary of State shall report to the Committees on
3 Appropriations that the purpose of such assistance
4 is to—

5 (A) advance Middle East peace;

6 (B) improve security in the region;

7 (C) continue support for transparent and
8 accountable government institutions;

9 (D) promote a private sector economy; or

10 (E) address urgent humanitarian needs.

11 (2) LIMITATIONS.—

12 (A)(i) None of the funds appropriated
13 under the heading “Economic Support Fund”
14 in this Act may be made available for assistance
15 for the Palestinian Authority, if after the date
16 of enactment of this Act—

17 (I) the Palestinians obtain the
18 same standing as member states or
19 full membership as a state in the
20 United Nations or any specialized
21 agency thereof outside an agreement
22 negotiated between Israel and the Pal-
23 estinians; or

24 (II) the Palestinians initiate an
25 International Criminal Court (ICC)

1 judicially authorized investigation, or
2 actively support such an investigation,
3 that subjects Israeli nationals to an
4 investigation for alleged crimes
5 against Palestinians.

6 (ii) The Secretary of State may waive
7 the restriction in clause (i) of this subpara-
8 graph resulting from the application of
9 subclause (I) of such clause if the Sec-
10 retary certifies to the Committees on Ap-
11 propriations that to do so is in the national
12 security interest of the United States, and
13 submits a report to such Committees de-
14 tailing how the waiver and the continu-
15 ation of assistance would assist in fur-
16 thering Middle East peace.

17 (B)(i) The President may waive the provi-
18 sions of section 1003 of the Foreign Relations
19 Authorization Act, Fiscal Years 1988 and 1989
20 (Public Law 100–204) if the President deter-
21 mines and certifies in writing to the Speaker of
22 the House of Representatives, the President pro
23 tempore of the Senate, and the appropriate con-
24 gressional committees that the Palestinians

1 have not, after the date of enactment of this
2 Act—

3 (I) obtained in the United Na-
4 tions or any specialized agency thereof
5 the same standing as member states
6 or full membership as a state outside
7 an agreement negotiated between
8 Israel and the Palestinians; and

9 (II) initiated or actively sup-
10 ported an ICC investigation against
11 Israeli nationals for alleged crimes
12 against Palestinians.

13 (ii) Not less than 90 days after the
14 President is unable to make the certifi-
15 cation pursuant to clause (i) of this sub-
16 paragraph, the President may waive sec-
17 tion 1003 of Public Law 100–204 if the
18 President determines and certifies in writ-
19 ing to the Speaker of the House of Rep-
20 resentatives, the President pro tempore of
21 the Senate, and the Committees on Appro-
22 priations that the Palestinians have en-
23 tered into direct and meaningful negotia-
24 tions with Israel: *Provided*, That any waiv-
25 er of the provisions of section 1003 of

1 Public Law 100–204 under clause (i) of
2 this subparagraph or under previous provi-
3 sions of law must expire before the waiver
4 under the preceding sentence may be exer-
5 cised.

6 (iii) Any waiver pursuant to this sub-
7 paragraph shall be effective for no more
8 than a period of 6 months at a time and
9 shall not apply beyond 12 months after the
10 enactment of this Act.

11 (3) APPLICATION OF TAYLOR FORCE ACT.—
12 Funds appropriated by this Act under the heading
13 “Economic Support Fund” that are made available
14 for assistance for the West Bank and Gaza shall be
15 made available consistent with section 1004(a) of
16 the Taylor Force Act (title X of division S of Public
17 Law 115–141).

18 (4) PRIVATE SECTOR PARTNERSHIP PRO-
19 GRAMS.—Funds appropriated by this Act and prior
20 Acts making appropriations for the Department of
21 State, foreign operations, and related programs may
22 be made available for private sector partnership pro-
23 grams for the West Bank and Gaza if such funds
24 are authorized: *Provided*, That funds made available
25 pursuant to this paragraph shall be subject to prior

1 consultation with the appropriate congressional com-
2 mittees, and the regular notification procedures of
3 the Committees on Appropriations.

4 (5) SECURITY REPORT.—The reporting require-
5 ments in section 1404 of the Supplemental Appro-
6 priations Act, 2008 (Public Law 110–252) shall
7 apply to funds made available by this Act, including
8 a description of modifications, if any, to the security
9 strategy of the Palestinian Authority.

10 (6) INCITEMENT REPORT.—Not later than 90
11 days after enactment of this Act, the Secretary of
12 State shall submit a report to the appropriate con-
13 gressional committees detailing steps taken by the
14 Palestinian Authority to counter incitement of vio-
15 lence against Israelis and to promote peace and co-
16 existence with Israel.

17 (7) ASSISTANCE.—Of the funds appropriated by
18 this Act—

19 (A) under the heading “Economic Support
20 Fund”, not less than \$75,000,000 shall be
21 made available for assistance for the West
22 Bank and Gaza; and

23 (B) under the heading “International Nar-
24 cotics Control and Law Enforcement”, not less
25 than \$75,000,000 shall be made available for

1 may only be made available to counter regional ter-
2 rorism, including Boko Haram and other Islamic
3 State affiliates, participate in international peace-
4 keeping operations, and for military education and
5 maritime security programs.

6 (2) HUMAN RIGHTS.—The Secretary of State
7 shall apply the requirements of section 7031(c) of
8 this Act to officials of the Government of Cameroon
9 and their immediate family members about whom
10 the Secretary has credible information are respon-
11 sible for extrajudicial killings, torture, and other
12 gross violations of human rights in Cameroon.

13 (c) CENTRAL AFRICAN REPUBLIC.—Of the funds ap-
14 propriated by this Act under the heading “Economic Sup-
15 port Fund”, not less than \$3,000,000 shall be made avail-
16 able for a contribution to the Special Criminal Court in
17 Central African Republic.

18 (d) COUNTER ILLICIT ARMED GROUPS.—Funds ap-
19 propriated by this Act shall be made available for pro-
20 grams and activities in areas affected by the Lord’s Re-
21 sistance Army (LRA) or other illicit armed groups in
22 Eastern Democratic Republic of the Congo and the Cen-
23 tral African Republic, including to improve physical ac-
24 cess, telecommunications infrastructure, and early-warn-
25 ing mechanisms and to support the disarmament, demobi-

1 lization, and reintegration of former LRA combatants, es-
2 pecially child soldiers.

3 (e) DEMOCRATIC REPUBLIC OF THE CONGO.—

4 (1) ASSISTANCE.—Of the funds appropriated
5 under titles III and IV of this Act, not less than
6 \$315,291,000 shall be made available for assistance
7 for the Democratic Republic of the Congo (DRC) for
8 stabilization, global health, and bilateral economic
9 assistance, including in areas affected by, and at
10 risk from, the Ebola virus disease.

11 (2) EASTERN DRC.—In addition to amounts
12 made available pursuant to paragraph (1), of the
13 funds appropriated under titles III and IV of this
14 Act, not less than \$36,000,000 shall be made avail-
15 able in Eastern DRC for stabilization, global health,
16 bilateral economic, counterterrorism, and counter
17 wildlife trafficking assistance.

18 (3) AVAILABILITY.—Funds appropriated under
19 title III of this Act and made available pursuant to
20 this subsection, may be made available notwith-
21 standing any other provision of law.

22 (f) LAKE CHAD BASIN COUNTRIES.—Funds appro-
23 priated under titles III and IV of this Act shall be made
24 available, following consultation with the Committees on

1 Appropriations, for assistance for Cameroon, Chad, Niger,
2 and Nigeria for—

3 (1) democracy, development, and health pro-
4 grams;

5 (2) assistance for individuals targeted by for-
6 eign terrorist and other extremist organizations, in-
7 cluding Boko Haram, consistent with the provisions
8 of section 7059 of this Act;

9 (3) assistance for individuals displaced by vio-
10 lent conflict; and

11 (4) counterterrorism programs.

12 (g) SAHEL STABILIZATION AND SECURITY.—Funds
13 appropriated under titles III and IV of this Act shall be
14 made available for stabilization, health, development, and
15 security programs in the countries of the Sahel region at
16 levels not less than the prior fiscal year, respectively, to
17 include funding reductions resulting from the application
18 of any other provision of this or any other Act.

19 (h) SOUTH SUDAN.—

20 (1) ASSISTANCE.—Of the funds appropriated
21 under title III of this Act that are made available
22 for assistance for South Sudan, not less than
23 \$15,000,000 shall be made available for democracy
24 programs and not less than \$8,000,000 shall be

1 made available for conflict mitigation and reconcili-
2 ation programs.

3 (2) LIMITATION ON ASSISTANCE FOR THE CEN-
4 TRAL GOVERNMENT.—Funds appropriated by this
5 Act that are made available for assistance for the
6 central Government of South Sudan may only be
7 made available, following consultation with the Com-
8 mittees on Appropriations, for—

9 (A) humanitarian assistance;

10 (B) health programs, including to prevent,
11 detect, and respond to infectious diseases;

12 (C) assistance to support South Sudan
13 peace negotiations or to advance or implement
14 a peace agreement; and

15 (D) assistance to support implementation
16 of outstanding issues of the Comprehensive
17 Peace Agreement and mutual arrangements re-
18 lated to such agreement:

19 *Provided*, That prior to the initial obligation of
20 funds made available pursuant to subparagraphs (C)
21 and (D), the Secretary of State shall consult with
22 the Committees on Appropriations on the intended
23 uses of such funds and steps taken by such govern-
24 ment to advance or implement a peace agreement.

25 (i) SUDAN.—

1 (1) ASSISTANCE.—

2 (A) Subject to the limitation in subpara-
3 graph (B), funds appropriated by this Act may
4 be made available for assistance for the Govern-
5 ment of Sudan.

6 (B) None of the funds appropriated under
7 title IV of this Act may be made available for
8 assistance for the Government of Sudan, except
9 assistance to support implementation of out-
10 standing issues of the Comprehensive Peace
11 Agreement, mutual arrangements related to
12 post-referendum issues associated with such
13 Agreement, or any other viable peace agreement
14 in Sudan.

15 (C) Notwithstanding any other provision of
16 law, funds made available by this Act and prior
17 Acts making appropriations for the Department
18 of State, foreign operations, and related pro-
19 grams for assistance for Sudan may be made
20 available for agriculture and economic growth
21 programs and economic assistance for
22 marginalized areas in Sudan and Abyei.

23 (2) LOANS.—None of the funds appropriated by
24 this Act may be made available for the cost, as de-
25 fined in section 502 of the Congressional Budget Act

1 of 1974, of modifying loans and loan guarantees
2 held by the Government of Sudan, including the cost
3 of selling, reducing, or canceling amounts owed to
4 the United States, and modifying concessional loans,
5 guarantees, and credit agreements.

6 (3) CONSULTATION.—Funds appropriated by
7 this Act and prior Acts making appropriations for
8 the Department of State, foreign operations, and re-
9 lated programs that are made available for any new
10 program, project, or activity in Sudan shall be sub-
11 ject to prior consultation with the appropriate con-
12 gressional committees.

13 (j) ZIMBABWE.—

14 (1) INSTRUCTION.—The Secretary of the Treas-
15 ury shall instruct the United States executive direc-
16 tor of each international financial institution to vote
17 against any extension by the respective institution of
18 any loan or grant to the Government of Zimbabwe,
19 except to meet basic human needs or to promote de-
20 mocracy, unless the Secretary of State certifies and
21 reports to the Committees on Appropriations that
22 the rule of law has been restored, including respect
23 for ownership and title to property, and freedoms of
24 expression, association, and assembly.

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

7 EAST ASIA AND THE PACIFIC

8 SEC. 7043. (a) BURMA.—

9 (1) BILATERAL ECONOMIC ASSISTANCE.—

10 (A) Of the funds appropriated under titles
11 III and IV of this Act, not less than
12 \$134,950,000 shall be made available for assist-
13 ance for Burma: *Provided*, That such funds
14 may be made available notwithstanding any
15 other provision of law and following consulta-
16 tion with the appropriate congressional commit-
17 tees: *Provided further*, That such funds shall be
18 made available for programs to promote ethnic
19 and religious tolerance and to combat gender-
20 based violence, including in Kachin, Karen,
21 Rakhine, and Shan states: *Provided further*,
22 That such funds may be made available for eth-
23 nic groups and civil society in Burma to help
24 sustain ceasefire agreements and further pros-
25 pects for reconciliation and peace, which may

1 include support to representatives of ethnic
2 armed groups for this purpose.

3 (B) Funds appropriated under title III of
4 this Act for assistance for Burma shall be made
5 available for community-based organizations op-
6 erating in Thailand to provide food, medical,
7 and other humanitarian assistance to internally
8 displaced persons in eastern Burma, in addition
9 to assistance for Burmese refugees from funds
10 appropriated by this Act under the heading
11 “Migration and Refugee Assistance”: *Provided,*
12 That such funds may be available for programs
13 to support the return of Kachin, Karen,
14 Rohingya, Shan, and other refugees and inter-
15 nally displaced persons to their locations of ori-
16 gin or preference in Burma only if such returns
17 are voluntary and consistent with international
18 law.

19 (C) Funds appropriated under title III of
20 this Act for assistance for Burma that are
21 made available for assistance for the Govern-
22 ment of Burma to support the implementation
23 of Nationwide Ceasefire Agreement conferences,
24 committees, and other procedures may only be
25 made available if the Secretary of State reports

1 to the Committees on Appropriations that such
2 conferences, committees, and procedures are di-
3 rected toward a sustainable peace and the Gov-
4 ernment of Burma is implementing its commit-
5 ments under such Agreement.

6 (2) INTERNATIONAL SECURITY ASSISTANCE.—
7 None of the funds appropriated by this Act under
8 the headings “International Military Education and
9 Training” and “Foreign Military Financing Pro-
10 gram” may be made available for assistance for
11 Burma: *Provided*, That the Department of State
12 may continue consultations with the armed forces of
13 Burma only on human rights and disaster response
14 in a manner consistent with the prior fiscal year,
15 and following consultation with the appropriate con-
16 gressional committees.

17 (3) LIMITATIONS.—None of the funds appro-
18 priated under title III of this Act for assistance for
19 Burma may be made available to any organization
20 or entity controlled by the armed forces of Burma,
21 or to any individual or organization that advocates
22 violence against ethnic or religious groups or individ-
23 uals in Burma, as determined by the Secretary of
24 State for programs administered by the Department
25 of State and USAID or the President of the Na-

1 tional Endowment for Democracy (NED) for pro-
2 grams administered by NED.

3 (4) CONSULTATION.—Any new program or ac-
4 tivity in Burma initiated in fiscal year 2021 shall be
5 subject to prior consultation with the appropriate
6 congressional committees.

7 (b) CAMBODIA.—

8 (1) ASSISTANCE.—Of the funds appropriated
9 under titles III and IV of this Act, not less than
10 \$92,505,000 shall be made available for assistance
11 for Cambodia.

12 (2) CERTIFICATION AND EXCEPTIONS.—

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

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

1 (ii) assert its sovereignty against in-
2 terference by the People's Republic of
3 China, including by verifiably maintaining
4 the neutrality of Ream Naval Base, other
5 military installations in Cambodia, and
6 dual use facilities such as the Dara Sakor
7 development project; and

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

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

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

24 (A) research and education programs asso-
25 ciated with the Khmer Rouge in Cambodia; and

1 (B) programs in the Khmer language to
2 monitor, map, and publicize the efforts by the
3 People’s Republic of China to expand its influ-
4 ence in Cambodia.

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

7 (1) ASSISTANCE.—Of the funds appropriated
8 under titles III and IV of this Act, not less than
9 \$1,482,000,000 shall be made available to support
10 implementation of the Indo-Pacific Strategy and the
11 Asia Reassurance Initiative Act of 2018 (Public Law
12 115–409), of which not less than \$3,000,000 shall
13 be made available for a multi-year, technical advi-
14 sory program in Vietnam and Pacific island coun-
15 tries on issues mutually agreed upon by the Govern-
16 ment of the United States and the respective govern-
17 ments of such countries, to be administered by the
18 United States Agency for International Development
19 and to be made available through an open and com-
20 petitive process to an American educational institu-
21 tion.

22 (2) COUNTERING CHINESE INFLUENCE
23 FUND.—Of the funds appropriated by this Act under
24 the headings “Development Assistance”, “Economic
25 Support Fund”, “International Narcotics Control

1 and Law Enforcement”, “Nonproliferation, Anti-ter-
2 rorism, Demining and Related Programs”, and
3 “Foreign Military Financing Program”, not less
4 than \$300,000,000 shall be made available for a
5 Countering Chinese Influence Fund to counter the
6 malign influence of the Government of the People’s
7 Republic of China and the Chinese Communist
8 Party and entities acting on their behalf globally,
9 which shall be subject to prior consultation with the
10 Committees on Appropriations: *Provided*, That such
11 funds are in addition to amounts otherwise made
12 available for such purposes: *Provided further*, That
13 such funds appropriated under such headings may
14 be transferred to, and merged with, funds appro-
15 priated under such headings: *Provided further*, That
16 such transfer authority is in addition to any other
17 transfer authority provided by this Act or any other
18 Act, and is subject to the regular notification proce-
19 dures of the Committees on Appropriations.

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

1 (A) the Belt and Road Initiative or any
2 dual-use infrastructure projects of the People's
3 Republic of China; and

4 (B) the use of technology, including bio-
5 technology, digital, telecommunications, and
6 cyber, developed by the People's Republic of
7 China unless the Secretary of State, in con-
8 sultation with the USAID Administrator and
9 the Chief Executive Officer of the United States
10 International Development Finance Corpora-
11 tion, as appropriate, determines that such use
12 does not adversely impact the national security
13 of the United States.

14 (d) LAOS.—Of the funds appropriated under titles III
15 and IV of this Act, not less than \$80,930,000 shall be
16 made available for assistance for Laos, of which not less
17 than \$8,500,000 shall be made available for maternal and
18 child health and nutrition programs and not less than
19 \$40,000,000 shall be made available to clear unexploded
20 ordnance in Laos.

21 (e) NORTH KOREA.—

22 (1) CYBERSECURITY.—None of the funds ap-
23 propriated by this Act or prior Acts making appro-
24 priations for the Department of State, foreign oper-
25 ations, and related programs may be made available

1 for assistance for the central government of a coun-
2 try the Secretary of State determines and reports to
3 the appropriate congressional committees engages in
4 significant transactions contributing materially to
5 the malicious cyber-intrusion capabilities of the Gov-
6 ernment of North Korea: *Provided*, That the Sec-
7 retary of State shall submit the report required by
8 section 209 of the North Korea Sanctions and Policy
9 Enhancement Act of 2016 (Public Law 114–122; 22
10 U.S.C. 9229) to the Committees on Appropriations:
11 *Provided further*, That the Secretary of State may
12 waive the application of the restriction in this para-
13 graph with respect to assistance for the central gov-
14 ernment of a country if the Secretary determines
15 and reports to the appropriate congressional com-
16 mittees that to do so is important to the national se-
17 curity interest of the United States, including a de-
18 scription of such interest served.

19 (2) BROADCASTS.—Funds appropriated by this
20 Act under the heading “International Broadcasting
21 Operations” shall be made available to maintain
22 broadcasting hours into North Korea at levels not
23 less than the prior fiscal year.

24 (3) HUMAN RIGHTS.—Of the funds appro-
25 priated by this Act under the first paragraph under

1 the heading “Democracy Fund”, not less than
2 \$5,000,000 shall be made available for the pro-
3 motion of human rights in North Korea: *Provided*,
4 That the authority of section 7032(b)(1) of this Act
5 shall apply to such funds.

6 (4) LIMITATION ON USE OF FUNDS.—None of
7 the funds made available by this Act under the
8 heading “Economic Support Fund” may be made
9 available for assistance for the Government of North
10 Korea.

11 (f) PEOPLE’S REPUBLIC OF CHINA.—

12 (1) LIMITATION ON USE OF FUNDS.—None of
13 the funds appropriated under the heading “Diplo-
14 matic Programs” in this Act may be obligated or ex-
15 pended for processing licenses for the export of sat-
16 ellites of United States origin (including commercial
17 satellites and satellite components) to the People’s
18 Republic of China (PRC) unless, at least 15 days in
19 advance, the Committees on Appropriations are noti-
20 fied of such proposed action.

21 (2) PEOPLE’S LIBERATION ARMY.—The terms
22 and requirements of section 620(h) of the Foreign
23 Assistance Act of 1961 shall apply to foreign assist-
24 ance projects or activities of the People’s Liberation
25 Army (PLA) of the PRC, to include such projects or

1 activities by any entity that is owned or controlled
2 by, or an affiliate of, the PLA: *Provided*, That none
3 of the funds appropriated or otherwise made avail-
4 able pursuant to this Act may be used to finance
5 any grant, contract, or cooperative agreement with
6 the PLA, or any entity that the Secretary of State
7 has reason to believe is owned or controlled by, or
8 an affiliate of, the PLA.

9 (3) HONG KONG.—

10 (A) DEMOCRACY PROGRAMS.—Of the
11 funds appropriated by this Act under the first
12 paragraph under the heading “Democracy
13 Fund”, not less than \$5,000,000 shall be made
14 available for democracy and Internet freedom
15 programs for Hong Kong, including legal and
16 other support for democracy activists.

17 (B) RESTRICTIONS ON ASSISTANCE.—None
18 of the funds appropriated by this Act or prior
19 Acts making appropriations for the Department
20 of State, foreign operations, and related pro-
21 grams that are made available for assistance for
22 Hong Kong may be made available for the Gov-
23 ernment of the People’s Republic of China and
24 the Chinese Communist Party or any entity act-
25 ing on their behalf in Hong Kong.

1 (C) REPORT.—Funds appropriated under
2 title I of this Act shall be made available to pre-
3 pare and submit to Congress the report re-
4 quired by section 301 of the United States-
5 Hong Kong Policy Act of 1992 (22 U.S.C.
6 5731), which shall include the information de-
7 scribed in section 7043(f)(4)(B) of the Depart-
8 ment of State, Foreign Operations, and Related
9 Programs Appropriations Act, 2020 (division G
10 of Public Law 116–94) and under this para-
11 graph in the explanatory statement accom-
12 panying this Act.

13 (D) FUNDAMENTAL FREEDOMS AND AU-
14 TONOMY.—The Secretary of State shall apply
15 the requirements of section 7031(c) of this Act
16 to officials of the Governments of Hong Kong
17 and the People’s Republic of China and their
18 immediate family members about whom the
19 Secretary has credible information are under-
20 mining the fundamental freedoms and auton-
21 omy of the people of Hong Kong.

22 (4) UYGHURS AND OTHER MUSLIM MINORI-
23 TIES.—The determination described under this
24 heading in the explanatory statement accompanying
25 this Act shall be submitted to the appropriate con-

1 gressional committees not later than 90 days after
2 enactment of this Act.

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

11 (g) PHILIPPINES.—None of the funds appropriated
12 by this Act may be made available for counternarcotics
13 assistance for the Philippines, except for drug demand re-
14 duction, maritime law enforcement, or transnational inter-
15 diction.

16 (h) TAIWAN.—Of the funds appropriated by this Act
17 under the heading “Economic Support Fund”, not less
18 than \$3,000,000 shall be made available for the Global
19 Cooperation and Training Framework to promote joint
20 United States and Taiwanese interests in the Indo-Pacific
21 region.

22 (i) TIBET.—

23 (1) FINANCING OF PROJECTS IN TIBET.—The
24 Secretary of the Treasury should instruct the United
25 States executive director of each international finan-

1 cial institution to use the voice and vote of the
2 United States to support financing of projects in
3 Tibet if such projects do not provide incentives for
4 the migration and settlement of non-Tibetans into
5 Tibet or facilitate the transfer of ownership of Ti-
6 betan land and natural resources to non-Tibetans,
7 are based on a thorough needs-assessment, foster
8 self-sufficiency of the Tibetan people and respect Ti-
9 betan culture and traditions, and are subject to ef-
10 fective monitoring.

11 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

12 (A) Notwithstanding any other provision of law, of
13 the funds appropriated by this Act under the head-
14 ing “Economic Support Fund”, not less than
15 \$8,000,000 shall be made available to nongovern-
16 mental organizations to support activities which pre-
17 serve cultural traditions and promote sustainable de-
18 velopment, education, and environmental conserva-
19 tion in Tibetan communities in the Tibet Autono-
20 mous Region and in other Tibetan communities in
21 China.

22 (B) Of the funds appropriated by this Act
23 under the heading “Economic Support Fund”, not
24 less than \$6,000,000 shall be made available for
25 programs to promote and preserve Tibetan culture

1 and language in the refugee and diaspora Tibetan
2 communities, development, and the resilience of Ti-
3 betan communities and the Central Tibetan Admin-
4 istration in India and Nepal, and to assist in the
5 education and development of the next generation of
6 Tibetan leaders from such communities: *Provided*,
7 That such funds are in addition to amounts made
8 available in subparagraph (A) for programs inside
9 Tibet: *Provided further*, That such funds shall be
10 made available to establish and maintain a com-
11 prehensive digital library and secure archive for Ti-
12 betan cultural resources.

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

20 (j) VIETNAM.—Of the funds appropriated under titles
21 III and IV of this Act, not less than \$181,989,000 shall
22 be made available for assistance for Vietnam, of which not
23 less than—

24 (1) \$14,500,000 shall be made available for
25 health and disability programs in areas sprayed with

1 Agent Orange and contaminated with dioxin, to as-
2 sist individuals with severe upper or lower body mo-
3 bility impairment or cognitive or developmental dis-
4 abilities;

5 (2) \$19,000,000 shall be made available, not-
6 withstanding any other provision of law, for activi-
7 ties related to the remediation of dioxin contami-
8 nated sites in Vietnam and may be made available
9 for assistance for the Government of Vietnam, in-
10 cluding the military, for such purposes; and

11 (3) \$2,500,000 shall be made available for a
12 war legacy reconciliation program.

13 SOUTH AND CENTRAL ASIA

14 SEC. 7044. (a) AFGHANISTAN.—

15 (1) FUNDING AND LIMITATIONS.—Funds ap-
16 propriated by this Act under the headings “Eco-
17 nomic Support Fund” and “International Narcotics
18 Control and Law Enforcement” that are made avail-
19 able for assistance for Afghanistan—

20 (A) shall be made available to implement
21 the South Asia Strategy, the Revised Strategy
22 for United States Engagement in Afghanistan,
23 and the United States Agency for International
24 Development Country Development Cooperation
25 Strategy for Afghanistan;

1 (B) shall be made available for programs
2 that implement and support comprehensive
3 strategies to combat corruption in Afghanistan,
4 with an emphasis on public disclosure of gov-
5 ernment receipts and expenditures and prosecu-
6 tion and punishment of corrupt officials;

7 (C) shall be made available to continue
8 support for non-profit institutions of higher
9 education in Kabul, Afghanistan that are acces-
10 sible to both women and men in a coeducational
11 environment, including for the costs for oper-
12 ations and security for such institutions;

13 (D) shall be made available for programs
14 that protect and strengthen the rights of Af-
15 ghan women and girls and promote the political
16 and economic empowerment of women including
17 their meaningful inclusion in political processes:
18 *Provided*, That such assistance to promote the
19 economic empowerment of women shall be made
20 available as grants to Afghan organizations, to
21 the maximum extent practicable;

22 (E) may not be made available for any
23 program, project, or activity pursuant to section
24 7044(a)(1)(C) of the Department of State, For-
25 eign Operations, and Related Programs Appro-

1 priations Act, 2019 (division F of Public Law
2 116–6); and

3 (F) may be made available, notwith-
4 standing any other provision of law, for pro-
5 grams and activities to address the needs of the
6 people of Afghanistan in support of peace and
7 reconciliation, including reintegration of former
8 Taliban and other extremists.

9 (2) DEMOCRACY PROGRAMS.—Of the funds ap-
10 propriated by this Act under the heading “Economic
11 Support Fund”, not less than \$40,000,000 shall be
12 made available to continue democracy programs, in-
13 cluding for electoral assistance before and during the
14 implementation of a peace agreement.

15 (3) AFGHAN WOMEN.—

16 (A) IN GENERAL.—The Secretary of State
17 shall promote and ensure the meaningful par-
18 ticipation of Afghan women in any discussions
19 between the Government of Afghanistan and
20 the Taliban related to the future of Afghanistan
21 in a manner consistent with the Women, Peace,
22 and Security Act of 2017 (Public Law 115–68)
23 and the 2019 United States Strategy on
24 Women, Peace, and Security, including
25 through—

1 (i) advocacy by the United States
2 Government for the inclusion of Afghan
3 women representatives, particularly from
4 civil society and rural provinces, in ongoing
5 and future discussion;

6 (ii) the leveraging of assistance for
7 the protection of women and girls and
8 their rights; and

9 (iii) efforts to ensure that any agree-
10 ment protects women’s and girl’s rights
11 and ensures their freedom of movement,
12 rights to education and work, and access
13 to healthcare and legal representation.

14 (B) ASSISTANCE.—Funds appropriated by
15 this Act and prior Acts making appropriations
16 for the Department of State, foreign operations,
17 and related programs under the heading “Eco-
18 nomic Support Fund” shall be made available
19 for an endowment pursuant to paragraph
20 (4)(A)(iv) of this subsection for a non-profit in-
21 stitution of higher education in Kabul, Afghani-
22 stan that is accessible to both women and men
23 in a coeducational environment: *Provided*, That
24 such endowment shall be established in partner-
25 ship with a United States-based American high-

1 er education institution that will serve on its
2 board of trustees: *Provided further*, That prior
3 to the obligation of funds for such an endow-
4 ment, the Administrator of the United States
5 Agency for International Development shall
6 submit a report to the Committees on Appro-
7 priations describing the governance structure,
8 including a proposed board of trustees, and fi-
9 nancial safeguards, including regular audit and
10 reporting requirements, in any endowment
11 agreement: *Provided further*, That the USAID
12 Administrator shall provide a report on the ex-
13 penditure of funds generated from such an en-
14 dowment to the Committees on Appropriations
15 on an annual basis.

16 (4) AUTHORITIES.—

17 (A) Funds appropriated by this Act under
18 titles III through VI that are made available for
19 assistance for Afghanistan may be made avail-
20 able—

21 (i) notwithstanding section 7012 of
22 this Act or any similar provision of law
23 and section 660 of the Foreign Assistance
24 Act of 1961;

1 (ii) for reconciliation programs and
2 disarmament, demobilization, and re-
3 integration activities for former combat-
4 ants who have renounced violence against
5 the Government of Afghanistan, including
6 in accordance with section
7 7046(a)(2)(B)(ii) of the Department of
8 State, Foreign Operations, and Related
9 Programs Appropriations Act, 2012 (divi-
10 sion I of Public Law 112–74);

11 (iii) for an endowment to empower
12 women and girls; and

13 (iv) for an endowment for higher edu-
14 cation.

15 (B) Section 7046(a)(2)(A) of the Depart-
16 ment of State, Foreign Operations, and Related
17 Programs Appropriations Act, 2012 (division I
18 of Public Law 112–74) shall apply to funds ap-
19 propriated by this Act for assistance for Af-
20 ghanistan.

21 (C) Of the funds appropriated by this Act
22 under the heading “Diplomatic Programs”, up
23 to \$3,000,000 may be transferred to any other
24 appropriation of any department or agency of
25 the United States Government, upon the con-

1 currence of the head of such department or
2 agency, to support operations in, and assistance
3 for, Afghanistan and to carry out the provisions
4 of the Foreign Assistance Act of 1961: *Pro-*
5 *vided*, That any such transfer shall be subject
6 to the regular notification procedures of the
7 Committees on Appropriations.

8 (5) AGREEMENT, REPORT, AND CERTIFI-
9 CATION.—Funds appropriated by this Act shall be
10 made available for the following purposes—

11 (A) the submission to the appropriate con-
12 gressional committees by the President of a
13 copy of any agreement or arrangement between
14 the Government of the United States and the
15 Taliban relating to the United States presence
16 in Afghanistan or Taliban commitments on the
17 future of Afghanistan, which shall be submitted
18 not later than 30 days after finalizing or
19 amending such an agreement or arrangement:
20 *Provided*, That not later than 30 days after en-
21 actment of this Act and every 60 days there-
22 after until September 30, 2021, the Secretary
23 of State shall submit to such committees a re-
24 port detailing and assessing the activities of the

1 Taliban to abide by their commitments in such
2 agreement or arrangement; and

3 (B) the submission to the appropriate con-
4 gressional committees of a joint certification by
5 the Secretary of State and Secretary of Defense
6 that such agreement or arrangement, or any
7 amendment to such agreement or arrangement,
8 will further the objective of setting conditions
9 for the long-term defeat of al Qaeda and Is-
10 lamic State and will not make the United
11 States more vulnerable to terrorist attacks orig-
12 inating from Afghanistan or supported by ter-
13 rorist elements in Afghanistan: *Provided*, That
14 the initial joint certification to such committees
15 shall be submitted upon enactment of this Act,
16 and additional joint certifications, as appro-
17 priate, shall be submitted to such committees
18 not later than 30 days after any amendment to
19 such agreement or arrangement.

20 (6) UPDATED STRATEGY.—Not less than 90
21 days after enactment of this Act, the Secretary of
22 State, in consultation with the heads of other rel-
23 evant Federal agencies, shall submit to the appro-
24 priate congressional committees a comprehensive,
25 multi-year strategy for diplomatic and development

1 engagement with the Government of Afghanistan
2 that reflects the agreement between the United
3 States and the Taliban, as well as intra-Afghan ne-
4 gotiations: *Provided*, That such strategy shall in-
5 clude a component to protect and strengthen women
6 and girl’s welfare and rights, including in any intra-
7 Afghan negotiation and during the implementation
8 of any peace agreement: *Provided further*, That such
9 strategy shall describe the anticipated United States
10 diplomatic and military presence in Afghanistan over
11 a multi-year period and related strategy for miti-
12 gating and countering ongoing terrorist threats and
13 violent extremism: *Provided further*, That the Sec-
14 retary of State shall consult with such committees
15 on the parameters of such strategy: *Provided further*,
16 That the strategy required by this paragraph shall
17 be submitted in unclassified form, but may be ac-
18 companied by a classified annex.

19 (b) BANGLADESH.—Of the funds appropriated under
20 titles III and IV of this Act, not less than \$198,323,000
21 shall be made available for assistance for Bangladesh, of
22 which—

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

1 (2) not less than \$10,000,000 shall be made
2 available for programs to protect freedom of expres-
3 sion and due process of law; and

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

9 (c) NEPAL.—

10 (1) ASSISTANCE.—Of the funds appropriated
11 under titles III and IV of this Act, not less than
12 \$130,265,000 shall be made available for assistance
13 for Nepal.

14 (2) FOREIGN MILITARY FINANCING PRO-
15 GRAM.—Funds appropriated by this Act under the
16 heading “Foreign Military Financing Program”
17 shall only be made available for humanitarian and
18 disaster relief and reconstruction activities in Nepal,
19 and in support of international peacekeeping oper-
20 ations: *Provided*, That such funds may only be made
21 available for any additional uses if the Secretary of
22 State certifies and reports to the Committees on Ap-
23 propriations that the Government of Nepal is inves-
24 tigating and prosecuting violations of human rights
25 and the laws of war, and the Nepal Army is cooper-

1 ating fully with civilian judicial authorities in such
2 cases.

3 (d) PAKISTAN.—

4 (1) TERMS AND CONDITIONS.—The terms and
5 conditions of section 7044(c) of the Department of
6 State, Foreign Operations, and Related Programs
7 Appropriations Act, 2019 (division F of Public Law
8 116–6) shall continue in effect during fiscal year
9 2021.

10 (2) ASSISTANCE.—Of the funds appropriated
11 under title III of this Act that are made available
12 for assistance for Pakistan, not less than
13 \$15,000,000 shall be made available for democracy
14 programs, not less than \$10,000,000 shall be made
15 available for gender programs, and not less than
16 \$5,000,000 shall be made available for the Pakistan
17 Civilian Assistance Program.

18 (3) CLARIFICATION.—Notwithstanding para-
19 graph (1), section 7044(d)(4)(A) of the Department
20 of State, Foreign Operations, and Related Programs
21 Appropriations Act, 2015 (division J of Public Law
22 113-235) is amended by striking “shall” and insert-
23 ing in lieu thereof “may”.

24 (e) SRI LANKA.—

1 (1) ASSISTANCE.—Funds appropriated under
2 title III of this Act shall be made available for as-
3 sistance for Sri Lanka for democracy and economic
4 development programs, particularly in areas recov-
5 ering from ethnic and religious conflict: *Provided,*
6 That such funds shall be made available for pro-
7 grams in Sri Lanka to assist in the identification
8 and resolution of cases of missing persons, including
9 through forensic anthropology assistance.

10 (2) CERTIFICATION.—Funds appropriated by
11 this Act for assistance for the central Government of
12 Sri Lanka may be made available only if the Sec-
13 retary of State certifies and reports to the Commit-
14 tees on Appropriations that such Government is tak-
15 ing effective and consistent steps to—

16 (A) respect and uphold the rights and free-
17 doms of the people of Sri Lanka regardless of
18 ethnicity and religious belief, including by inves-
19 tigating violations of human rights and holding
20 perpetrators of such violations accountable;

21 (B) increase transparency and account-
22 ability in governance;

23 (C) assert its sovereignty against influence
24 by the People’s Republic of China; and

1 (D) promote reconciliation between ethnic
2 and religious groups, particularly arising from
3 past conflict in Sri Lanka, including by—

4 (i) addressing land confiscation and
5 ownership issues;

6 (ii) resolving cases of missing persons,
7 including by maintaining a functioning of-
8 fice of missing persons;

9 (iii) reducing the presence of the
10 armed forces in former conflict zones and
11 restructuring the armed forces for a peace-
12 time role that contributes to post-conflict
13 reconciliation and regional security;

14 (iv) repealing or amending laws on ar-
15 rest and detention by security forces to
16 comply with international standards; and

17 (v) investigating allegations of arbi-
18 trary arrest and torture, and supporting a
19 credible justice mechanism:

20 *Provided*, That the limitations of this paragraph
21 shall not apply to funds made available for hu-
22 manitarian assistance and disaster relief; to
23 protect human rights, locate and identify miss-
24 ing persons, and assist victims of torture and
25 trauma; to promote justice, accountability, and

1 reconciliation; to enhance maritime security and
2 domain awareness; to promote fiscal trans-
3 parency and sovereignty; and for International
4 Military Education and Training.

5 (3) INTERNATIONAL SECURITY ASSISTANCE.—

6 Of the funds appropriated by this Act and prior Acts
7 making appropriations for the Department of State,
8 foreign operations, and related programs under the
9 heading “Foreign Military Financing Program”, up
10 to \$15,000,000 may be made available for assistance
11 for Sri Lanka for the refurbishing of a high endur-
12 ance cutter: *Provided*, That in addition to such pur-
13 pose, such funds may be made available only for
14 programs to support humanitarian assistance and
15 disaster relief, instruction in human rights and re-
16 lated curricula development, maritime security and
17 domain awareness, including professionalization and
18 training for the navy and coast guard: *Provided fur-*
19 *ther*, That funds made available under the heading
20 “Peacekeeping Operations” may only be made avail-
21 able subject to the regular notification procedures of
22 the Committees on Appropriations: *Provided further*,
23 That amounts repurposed pursuant to this para-
24 graph that were previously designated by the Con-
25 gress, respectively, as an emergency requirement or

1 for Overseas Contingency Operations/Global War on
2 Terrorism pursuant to the Balanced Budget and
3 Emergency Deficit Control Act of 1985 are des-
4 ignated by the Congress as being for an emergency
5 requirement pursuant to section 251(b)(2)(A)(i) of
6 such Act or for Overseas Contingency Operations/
7 Global War on Terrorism pursuant to section
8 251(b)(2)(A)(ii) of such Act.

9 (f) REGIONAL PROGRAMS.—Funds appropriated by
10 this Act shall be made available for assistance for Afghani-
11 stan, Pakistan, and other countries in South and Central
12 Asia to significantly increase the recruitment, training,
13 and retention of women in the judiciary, police, and other
14 security forces, and to train judicial and security personnel
15 in such countries to prevent and address gender-based vio-
16 lence, human trafficking, and other practices that dis-
17 proportionately harm women and girls, including not less
18 than \$10,000,000 for such purposes in Afghanistan.

19 LATIN AMERICA AND THE CARIBBEAN

20 SEC. 7045. (a) CENTRAL AMERICA.—

21 (1) ASSISTANCE.—Of the funds appropriated by
22 this Act under titles III and IV, \$505,925,000
23 should be made available for assistance for Belize,
24 Costa Rica, El Salvador, Guatemala, Honduras,
25 Nicaragua, and Panama, including through the Cen-

1 tral America Regional Security Initiative: *Provided*,
2 That such assistance shall be prioritized for pro-
3 grams and activities that address the key factors
4 that contribute to the migration of unaccompanied,
5 undocumented minors to the United States and such
6 funds shall be made available for global health, hu-
7 manitarian, development, democracy, border secu-
8 rity, and law enforcement programs for such coun-
9 tries, including for programs to reduce violence
10 against women and girls and to combat corruption,
11 and for support of commissions against corruption
12 and impunity, as appropriate: *Provided further*, That
13 \$45,000,000 should be made available for support of
14 offices of Attorneys General and of other entities
15 and activities to combat corruption and impunity in
16 such countries.

17 (2) NORTHERN TRIANGLE.—

18 (A) LIMITATION ON ASSISTANCE TO CER-
19 TAIN CENTRAL GOVERNMENTS.—Of the funds
20 made available pursuant to paragraph (1)
21 under the heading “Economic Support Fund”
22 and under title IV of this Act that are made
23 available for assistance for each of the central
24 governments of El Salvador, Guatemala, and
25 Honduras, 50 percent may only be obligated

1 after the Secretary of State certifies and re-
2 ports to the Committees on Appropriations that
3 such government is—

4 (i) combating corruption and impu-
5 nity, including prosecuting corrupt govern-
6 ment officials;

7 (ii) implementing reforms, policies,
8 and programs to increase transparency and
9 strengthen public institutions;

10 (iii) protecting the rights of civil soci-
11 ety, opposition political parties, and the
12 independence of the media;

13 (iv) providing effective and account-
14 able law enforcement and security for its
15 citizens, and upholding due process of law;

16 (v) implementing policies to reduce
17 poverty and promote equitable economic
18 growth and opportunity;

19 (vi) upholding the independence of the
20 judiciary and of electoral institutions;

21 (vii) improving border security;

22 (viii) combating human smuggling
23 and trafficking and countering the activi-
24 ties of criminal gangs, drug traffickers,
25 and transnational criminal organizations;

1 (ix) informing its citizens of the dan-
2 gers of the journey to the southwest border
3 of the United States; and

4 (x) resolving disputes involving the
5 confiscation of real property of United
6 States entities.

7 (B) REPROGRAMMING.—If the Secretary is
8 unable to make the certification required by
9 subparagraph (A) for one or more of the gov-
10 ernments, such assistance for such central gov-
11 ernment shall be reprogrammed for assistance
12 for other countries in Latin America and the
13 Caribbean, notwithstanding the minimum fund-
14 ing requirements of this subsection and of sec-
15 tion 7019 of this Act: *Provided*, That any such
16 reprogramming shall be subject to the regular
17 notification procedures of the Committees on
18 Appropriations.

19 (C) EXCEPTIONS.—The limitation of sub-
20 paragraph (A) shall not apply to funds appro-
21 priated by this Act that are made available
22 for—

23 (i) offices of Attorneys General and
24 other judicial entities and activities related
25 to combating corruption and impunity;

- 1 (ii) programs to combat gender-based
2 violence;
3 (iii) humanitarian assistance; and
4 (iv) food security programs.

5 (b) COLOMBIA.—

6 (1) ASSISTANCE.—Of the funds appropriated by
7 this Act under titles III and IV, not less than
8 \$455,413,000 shall be made available for assistance
9 for Colombia: *Provided*, That such funds shall be
10 made available for the programs and activities de-
11 scribed under this section in the explanatory state-
12 ment accompanying this Act.

13 (2) WITHHOLDING OF FUNDS.—

14 (A) COUNTERNARCOTICS.—Of the funds
15 appropriated by this Act under the heading
16 “International Narcotics Control and Law En-
17 forcement” and made available for assistance
18 for Colombia, 20 percent may be obligated only
19 after the Secretary of State certifies and re-
20 ports to the Committees on Appropriations that
21 the Government of Colombia is continuing to
22 implement a national whole-of-government
23 counternarcotics strategy designed to reduce by
24 50 percent cocaine production and coca cultiva-
25 tion levels in Colombia by 2023.

1 (B) HUMAN RIGHTS.—Of the funds appro-
2 priated by this Act under the heading “Foreign
3 Military Financing Program” and made avail-
4 able for assistance for Colombia, 20 percent
5 may be obligated only after the Secretary of
6 State certifies and reports to the Committees
7 on Appropriations that—

8 (i) the Special Jurisdiction for Peace
9 and other judicial authorities are taking ef-
10 fective steps to hold accountable perpetra-
11 tors of gross violations of human rights in
12 a manner consistent with international law,
13 including for command responsibility, and
14 sentence them to deprivation of liberty;

15 (ii) the Government of Colombia is
16 taking effective steps to prevent attacks
17 against human rights defenders and other
18 civil society activists, trade unionists, and
19 journalists, and judicial authorities are
20 prosecuting those responsible for such at-
21 tacks; and

22 (iii) senior military officers respon-
23 sible for ordering, committing, and cov-
24 ering up cases of illegal surveillance and
25 false positives are being held accountable,

1 including removal from active duty if found
2 guilty through criminal or disciplinary pro-
3 ceedings.

4 (3) EXCEPTIONS.—The limitations of para-
5 graph (2) shall not apply to funds made available for
6 aviation instruction and maintenance, and maritime
7 and riverine security programs.

8 (4) AUTHORITY.—Aircraft supported by funds
9 appropriated by this Act and prior Acts making ap-
10 propriations for the Department of State, foreign
11 operations, and related programs and made available
12 for assistance for Colombia may be used to trans-
13 port personnel and supplies involved in drug eradi-
14 cation and interdiction, including security for such
15 activities, and to provide transport in support of al-
16 ternative development programs and investigations
17 by civilian judicial authorities.

18 (5) LIMITATION.—None of the funds appro-
19 priated by this Act or prior Acts making appropria-
20 tions for the Department of State, foreign oper-
21 ations, and related programs that are made available
22 for assistance for Colombia may be made available
23 for payment of reparations to conflict victims or
24 compensation to demobilized combatants associated

1 with a peace agreement between the Government of
2 Colombia and illegal armed groups.

3 (c) HAITI.—

4 (1) CERTIFICATION.—The certification require-
5 ment contained in section 7045(e)(1) of the Depart-
6 ment of State, Foreign Operations, and Related Pro-
7 grams Appropriations Act, 2020 (division G of Pub-
8 lic Law 116–94) shall continue in effect during fis-
9 cal year 2021 and shall apply to funds appropriated
10 by this Act under the heading “Economic Support
11 Fund” that are made available for assistance for
12 Haiti: *Provided*, That such requirement shall not
13 apply to funds made available for democracy, judi-
14 cial strengthening, anti-corruption, prison reform,
15 and programs to promote professionalism and ac-
16 countability of the Haitian National Police.

17 (2) HAITIAN COAST GUARD.—The Government
18 of Haiti shall be eligible to purchase defense articles
19 and services under the Arms Export Control Act (22
20 U.S.C. 2751 et seq.) for the Coast Guard.

21 (d) VENEZUELA.—

22 (1) Of the funds appropriated by this Act under
23 the heading “Economic Support Fund” and under
24 the first paragraph under the heading “Democracy

1 Fund”, not less than \$30,000,000 shall be made
2 available for democracy programs for Venezuela.

3 (2) Funds appropriated under title III of this
4 Act and prior Acts making appropriations for the
5 Department of State, foreign operations, and related
6 programs shall be made available for assistance for
7 communities in countries supporting or otherwise
8 impacted by refugees from Venezuela, including Co-
9 lombia, Peru, Ecuador, Curacao, and Trinidad and
10 Tobago: *Provided*, That such amounts are in addi-
11 tion to funds otherwise made available for assistance
12 for such countries, subject to prior consultation
13 with, and the regular notification procedures of, the
14 Committees on Appropriations.

15 EUROPE AND EURASIA

16 SEC. 7046. (a) ASSISTANCE.—

17 (1) GEORGIA.—Of the funds appropriated by
18 this Act under titles III and IV, not less than
19 \$132,025,000 shall be made available for assistance
20 for Georgia.

21 (2) UKRAINE.—Of the funds appropriated by
22 this Act under titles III and IV, not less than
23 \$448,000,000 shall be made available for assistance
24 for Ukraine.

1 (b) TERRITORIAL INTEGRITY.—None of the funds
2 appropriated by this Act may be made available for assist-
3 ance for a government of an Independent State of the
4 former Soviet Union if such government directs any action
5 in violation of the territorial integrity or national sov-
6 ereignty of any other Independent State of the former So-
7 viet Union, such as those violations included in the Hel-
8 sinki Final Act: *Provided*, That except as otherwise pro-
9 vided in section 7047(a) of this Act, funds may be made
10 available without regard to the restriction in this sub-
11 section if the President determines that to do so is in the
12 national security interest of the United States: *Provided*
13 *further*, That prior to executing the authority contained
14 in the previous proviso, the Secretary of State shall con-
15 sult with the Committees on Appropriations on how such
16 assistance supports the national security interest of the
17 United States.

18 (c) SECTION 907 OF THE FREEDOM SUPPORT
19 ACT.—Section 907 of the FREEDOM Support Act (22
20 U.S.C. 5812 note) shall not apply to—

21 (1) activities to support democracy or assist-
22 ance under title V of the FREEDOM Support Act
23 (22 U.S.C. 5851 et seq.) and section 1424 of the
24 Defense Against Weapons of Mass Destruction Act

1 of 1996 (50 U.S.C. 2333) or non-proliferation as-
2 sistance;

3 (2) any assistance provided by the Trade and
4 Development Agency under section 661 of the For-
5 eign Assistance Act of 1961;

6 (3) any activity carried out by a member of the
7 United States and Foreign Commercial Service while
8 acting within his or her official capacity;

9 (4) any insurance, reinsurance, guarantee, or
10 other assistance provided by the United States
11 International Development Finance Corporation as
12 authorized by the BUILD Act of 2018 (division F
13 of Public Law 115–254);

14 (5) any financing provided under the Export-
15 Import Bank Act of 1945 (Public Law 79–173); or

16 (6) humanitarian assistance.

17 (d) TURKEY.—None of the funds made available by
18 this Act may be used to facilitate or support the sale of
19 defense articles or defense services to the Turkish Presi-
20 dential Protection Directorate (TPPD) under Chapter 2
21 of the Arms Export Control Act (22 U.S.C. 2761 et seq.)
22 unless the Secretary of State determines and reports to
23 the appropriate congressional committees that members of
24 the TPPD who are named in the July 17, 2017, indict-
25 ment by the Superior Court of the District of Columbia,

1 and against whom there are pending charges, have re-
2 turned to the United States to stand trial in connection
3 with the offenses contained in such indictment or have
4 otherwise been brought to justice: *Provided*, That the limi-
5 tation in this paragraph shall not apply to the use of funds
6 made available by this Act for border security purposes,
7 for North Atlantic Treaty Organization or coalition oper-
8 ations, or to enhance the protection of United States offi-
9 cials and facilities in Turkey.

10 COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

11 SEC. 7047. (a) LIMITATION.—None of the funds ap-
12 propriated by this Act may be made available for assist-
13 ance for the central Government of the Russian Federa-
14 tion.

15 (b) ANNEXATION OF CRIMEA.—

16 (1) PROHIBITION.—None of the funds appro-
17 priated by this Act may be made available for assist-
18 ance for the central government of a country that
19 the Secretary of State determines and reports to the
20 Committees on Appropriations has taken affirmative
21 steps intended to support or be supportive of the
22 Russian Federation annexation of Crimea or other
23 territory in Ukraine: *Provided*, That except as other-
24 wise provided in subsection (a), the Secretary may
25 waive the restriction on assistance required by this

1 paragraph if the Secretary determines and reports to
2 such Committees that to do so is in the national in-
3 terest of the United States, and includes a justifica-
4 tion for such interest.

5 (2) LIMITATION.—None of the funds appro-
6 priated by this Act may be made available for—

7 (A) the implementation of any action or
8 policy that recognizes the sovereignty of the
9 Russian Federation over Crimea or other terri-
10 tory in Ukraine;

11 (B) the facilitation, financing, or guarantee
12 of United States Government investments in
13 Crimea or other territory in Ukraine under the
14 control of Russian-backed separatists, if such
15 activity includes the participation of Russian
16 Government officials, or other Russian owned
17 or controlled financial entities; or

18 (C) assistance for Crimea or other terri-
19 tory in Ukraine under the control of Russian-
20 backed separatists, if such assistance includes
21 the participation of Russian Government offi-
22 cials, or other Russian owned or controlled fi-
23 nancial entities.

24 (3) INTERNATIONAL FINANCIAL INSTITU-
25 TIONS.—The Secretary of the Treasury shall in-

1 struct the United States executive directors of each
2 international financial institution to use the voice
3 and vote of the United States to oppose any assist-
4 ance by such institution (including any loan, credit,
5 or guarantee) for any program that violates the sov-
6 ereignty or territorial integrity of Ukraine.

7 (4) DURATION.—The requirements and limita-
8 tions of this subsection shall cease to be in effect if
9 the Secretary of State determines and reports to the
10 Committees on Appropriations that the Government
11 of Ukraine has reestablished sovereignty over Cri-
12 mea and other territory in Ukraine under the con-
13 trol of Russian-backed separatists.

14 (c) OCCUPATION OF THE GEORGIAN TERRITORIES OF
15 ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

16 (1) PROHIBITION.—None of the funds appro-
17 priated by this Act may be made available for assist-
18 ance for the central government of a country that
19 the Secretary of State determines and reports to the
20 Committees on Appropriations has recognized the
21 independence of, or has established diplomatic rela-
22 tions with, the Russian Federation occupied Geor-
23 gian territories of Abkhazia and Tskhinvali Region/
24 South Ossetia: *Provided*, That the Secretary shall
25 publish on the Department of State website a list of

1 any such central governments in a timely manner:
2 *Provided further*, That the Secretary may waive the
3 restriction on assistance required by this paragraph
4 if the Secretary determines and reports to the Com-
5 mittees on Appropriations that to do so is in the na-
6 tional interest of the United States, and includes a
7 justification for such interest.

8 (2) LIMITATION.—None of the funds appro-
9 priated by this Act may be made available to sup-
10 port the Russian Federation occupation of the Geor-
11 gian territories of Abkhazia and Tskhinvali Region/
12 South Ossetia.

13 (3) INTERNATIONAL FINANCIAL INSTITU-
14 TIONS.—The Secretary of the Treasury shall in-
15 struct the United States executive directors of each
16 international financial institution to use the voice
17 and vote of the United States to oppose any assist-
18 ance by such institution (including any loan, credit,
19 or guarantee) for any program that violates the sov-
20 ereignty and territorial integrity of Georgia.

21 (d) COUNTERING RUSSIAN INFLUENCE FUND.—

22 (1) ASSISTANCE.—Of the funds appropriated by
23 this Act under the headings “Assistance for Europe,
24 Eurasia and Central Asia”, “International Narcotics
25 Control and Law Enforcement”, “International Mili-

1 tary Education and Training”, and “Foreign Mili-
2 tary Financing Program”, not less than
3 \$290,000,000 shall be made available to carry out
4 the purposes of the Countering Russian Influence
5 Fund, as authorized by section 254 of the Coun-
6 tering Russian Influence in Europe and Eurasia Act
7 of 2017 (Public Law 115–44; 22 U.S.C. 9543) and
8 notwithstanding the country limitation in subsection
9 (b) of such section, and programs to enhance the ca-
10 capacity of law enforcement and security forces in
11 countries in Europe, Eurasia, and Central Asia and
12 strengthen security cooperation between such coun-
13 tries and the United States and the North Atlantic
14 Treaty Organization, as appropriate.

15 (2) ECONOMICS AND TRADE.—Funds appro-
16 priated by this Act and made available for assistance
17 for the Eastern Partnership countries shall be made
18 available to advance the implementation of Associa-
19 tion Agreements and trade agreements with the Eu-
20 ropean Union, and to reduce their vulnerability to
21 external economic and political pressure from the
22 Russian Federation.

23 (e) DEMOCRACY PROGRAMS.—Funds appropriated by
24 this Act shall be made available to support democracy pro-
25 grams in the Russian Federation and other countries in

1 Europe, Eurasia, and Central Asia, including to promote
2 Internet freedom.

3 UNITED NATIONS

4 SEC. 7048. (a) TRANSPARENCY AND ACCOUNT-
5 ABILITY.—

6 (1) WITHHOLDING OF FUNDS.—Of the funds
7 appropriated under the heading “Contributions to
8 International Organizations” in title I and “Inter-
9 national Organizations and Programs” in title V of
10 this Act that are available for contributions to the
11 United Nations (including the Department of Peace-
12 keeping Operations), any United Nations agency, or
13 the Organization of American States, 5 percent may
14 not be obligated for such organization, department,
15 or agency until the Secretary of State determines
16 and reports to the Committees on Appropriations
17 that the organization, department, or agency is—

18 (A) posting on a publicly available website,
19 consistent with privacy regulations and due
20 process, regular financial and programmatic au-
21 dits of such organization, department, or agen-
22 cy, and providing the United States Govern-
23 ment with necessary access to such financial
24 and performance audits;

1 (B) effectively implementing and enforcing
2 policies and procedures which meet or exceed
3 best practices in the United States for the pro-
4 tection of whistleblowers from retaliation, in-
5 cluding—

6 (i) protection against retaliation for
7 internal and lawful public disclosures;

8 (ii) legal burdens of proof;

9 (iii) statutes of limitation for report-
10 ing retaliation;

11 (iv) access to binding independent ad-
12 judicative bodies, including shared cost and
13 selection external arbitration; and

14 (v) results that eliminate the effects of
15 proven retaliation, including provision for
16 the restoration of prior employment; and

17 (C) effectively implementing and enforcing
18 policies and procedures on the appropriate use
19 of travel funds, including restrictions on first
20 class and business class travel.

21 (2) WAIVER.—The restrictions imposed by or
22 pursuant to paragraph (1) may be waived on a case-
23 by-case basis if the Secretary of State determines
24 and reports to the Committees on Appropriations

1 that such waiver is necessary to avert or respond to
2 a humanitarian crisis.

3 (b) RESTRICTIONS ON UNITED NATIONS DELEGA-
4 TIONS AND ORGANIZATIONS.—

5 (1) RESTRICTIONS ON UNITED STATES DELEGA-
6 TIONS.—None of the funds made available by this
7 Act may be used to pay expenses for any United
8 States delegation to any specialized agency, body, or
9 commission of the United Nations if such agency,
10 body, or commission is chaired or presided over by
11 a country, the government of which the Secretary of
12 State has determined, for purposes of section
13 1754(e) of the Export Reform Control Act of 2018
14 (50 U.S.C. 4813(e)), supports international ter-
15 rorism.

16 (2) RESTRICTIONS ON CONTRIBUTIONS.—None
17 of the funds made available by this Act may be used
18 by the Secretary of State as a contribution to any
19 organization, agency, commission, or program within
20 the United Nations system if such organization,
21 agency, commission, or program is chaired or pre-
22 sided over by a country the government of which the
23 Secretary of State has determined, for purposes of
24 section 620A of the Foreign Assistance Act of 1961,
25 section 40 of the Arms Export Control Act, section

1 1754(e) of the Export Reform Control Act of 2018
2 (50 U.S.C. 4813(c)), or any other provision of law,
3 is a government that has repeatedly provided sup-
4 port for acts of international terrorism.

5 (3) WAIVER.—The Secretary of State may
6 waive the restriction in this subsection if the Sec-
7 retary determines and reports to the Committees on
8 Appropriations that to do so is important to the na-
9 tional interest of the United States, including a de-
10 scription of the national interest served.

11 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—
12 None of the funds appropriated by this Act may be made
13 available in support of the United Nations Human Rights
14 Council unless the Secretary of State determines and re-
15 ports to the Committees on Appropriations that participa-
16 tion in the Council is important to the national interest
17 of the United States and that such Council is taking sig-
18 nificant steps to remove Israel as a permanent agenda
19 item and ensure integrity in the election of members to
20 such Council: *Provided*, That such report shall include a
21 description of the national interest served and the steps
22 taken to remove Israel as a permanent agenda item and
23 ensure integrity in the election of members to such Coun-
24 cil: *Provided further*, That the Secretary of State shall re-
25 port to the Committees on Appropriations not later than

1 September 30, 2021, on the resolutions considered in the
2 United Nations Human Rights Council during the pre-
3 vious 12 months, and on steps taken to remove Israel as
4 a permanent agenda item and ensure integrity in the elec-
5 tion of members to such Council.

6 (d) UNITED NATIONS RELIEF AND WORKS AGEN-
7 CY.—Prior to the initial obligation of funds for the United
8 Nations Relief and Works Agency (UNRWA), the Sec-
9 retary of State shall report to the Committees on Appro-
10 priations, in writing, on whether UNRWA is—

11 (1) utilizing Operations Support Officers in the
12 West Bank, Gaza, and other fields of operation to
13 inspect UNRWA installations and reporting any in-
14 appropriate use;

15 (2) acting promptly to address any staff or ben-
16 efiary violation of its own policies (including the
17 policies on neutrality and impartiality of employees)
18 and the legal requirements under section 301(c) of
19 the Foreign Assistance Act of 1961;

20 (3) implementing procedures to maintain the
21 neutrality of its facilities, including implementing a
22 no-weapons policy, and conducting regular inspec-
23 tions of its installations, to ensure they are only
24 used for humanitarian or other appropriate pur-
25 poses;

1 (4) taking necessary and appropriate measures
2 to ensure it is operating in compliance with the con-
3 ditions of section 301(c) of the Foreign Assistance
4 Act of 1961 and continuing regular reporting to the
5 Department of State on actions it has taken to en-
6 sure conformance with such conditions;

7 (5) taking steps to ensure the content of all
8 educational materials currently taught in UNRWA-
9 administered schools and summer camps is con-
10 sistent with the values of human rights, dignity, and
11 tolerance and does not induce incitement;

12 (6) not engaging in operations with financial in-
13 stitutions or related entities in violation of relevant
14 United States law, and is taking steps to improve
15 the financial transparency of the organization; and

16 (7) in compliance with the United Nations
17 Board of Auditors' biennial audit requirements and
18 is implementing in a timely fashion the Board's rec-
19 ommendations.

20 (e) PROHIBITION OF PAYMENTS TO UNITED NA-
21 TIONS MEMBERS.—None of the funds appropriated or
22 made available pursuant to titles III through VI of this
23 Act for carrying out the Foreign Assistance Act of 1961,
24 may be used to pay in whole or in part any assessments,
25 arrearages, or dues of any member of the United Nations

1 or, from funds appropriated by this Act to carry out chap-
2 ter 1 of part I of the Foreign Assistance Act of 1961,
3 the costs for participation of another country's delegation
4 at international conferences held under the auspices of
5 multilateral or international organizations.

6 (f) REPORT.—Not later than 45 days after enactment
7 of this Act, the Secretary of State shall submit a report
8 to the Committees on Appropriations detailing the amount
9 of funds available for obligation or expenditure in fiscal
10 year 2021 for contributions to any organization, depart-
11 ment, agency, or program within the United Nations sys-
12 tem or any international program that are withheld from
13 obligation or expenditure due to any provision of law: *Pro-*
14 *vided*, That the Secretary shall update such report each
15 time additional funds are withheld by operation of any
16 provision of law: *Provided further*, That the reprogram-
17 ming of any withheld funds identified in such report, in-
18 cluding updates thereof, shall be subject to prior consulta-
19 tion with, and the regular notification procedures of, the
20 Committees on Appropriations.

21 (g) SEXUAL EXPLOITATION AND ABUSE IN PEACE-
22 KEEPING OPERATIONS.—The Secretary of State should
23 withhold assistance to any unit of the security forces of
24 a foreign country if the Secretary has credible information
25 that such unit has engaged in sexual exploitation or abuse,

1 including while serving in a United Nations peacekeeping
2 operation, until the Secretary determines that the govern-
3 ment of such country is taking effective steps to hold the
4 responsible members of such unit accountable and to pre-
5 vent future incidents: *Provided*, That the Secretary shall
6 promptly notify the government of each country subject
7 to any withholding of assistance pursuant to this para-
8 graph, and shall notify the appropriate congressional com-
9 mittees of such withholding not later than 10 days after
10 a determination to withhold such assistance is made: *Pro-*
11 *vided further*, That the Secretary shall, to the maximum
12 extent practicable, assist such government in bringing the
13 responsible members of such unit to justice.

14 (h) ADDITIONAL AVAILABILITY.—Subject to the reg-
15 ular notification procedures of the Committees on Appro-
16 priations, funds appropriated by this Act which are re-
17 turned or not made available due to the implementation
18 of subsection (a), the third proviso under the heading
19 “Contributions for International Peacekeeping Activities”
20 in title I of this Act, or section 307(a) of the Foreign As-
21 sistance Act of 1961 (22 U.S.C. 2227(a)), shall remain
22 available for obligation until September 30, 2022: *Pro-*
23 *vided*, That the requirement to withhold funds for pro-
24 grams in Burma under section 307(a) of the Foreign As-

1 sistance Act of 1961 shall not apply to funds appropriated
2 by this Act.

3 WAR CRIMES TRIBUNALS

4 SEC. 7049. (a) If the President determines that doing
5 so will contribute to a just resolution of charges regarding
6 genocide or other violations of international humanitarian
7 law, the President may direct a drawdown pursuant to sec-
8 tion 552(c) of the Foreign Assistance Act of 1961 of up
9 to \$30,000,000 of commodities and services for the United
10 Nations War Crimes Tribunal established with regard to
11 the former Yugoslavia by the United Nations Security
12 Council or such other tribunals or commissions as the
13 Council may establish or authorize to deal with such viola-
14 tions, without regard to the ceiling limitation contained
15 in paragraph (2) thereof: *Provided*, That the determina-
16 tion required under this section shall be in lieu of any de-
17 terminations otherwise required under section 552(c): *Pro-*
18 *vided further*, That funds made available pursuant to this
19 section shall be made available subject to the regular noti-
20 fication procedures of the Committees on Appropriations.

21 (b) None of the funds appropriated by this Act may
22 be made available for a United States contribution to the
23 International Criminal Court: *Provided*, That funds may
24 be made available for technical assistance, training, assist-
25 ance for victims, protection of witnesses, and law enforce-

1 ment support related to international investigations, ap-
2 prehensions, prosecutions, and adjudications of genocide,
3 crimes against humanity, and war crimes: *Provided fur-*
4 *ther*, That the previous proviso shall not apply to inves-
5 tigation, apprehensions, or prosecutions of American
6 service members and other United States citizens or na-
7 tionals, or nationals of the North Atlantic Treaty Organi-
8 zation (NATO) or major non-NATO allies initially des-
9 igned pursuant to section 517(b) of the Foreign Assist-
10 ance Act of 1961.

11 GLOBAL INTERNET FREEDOM

12 SEC. 7050. (a) FUNDING.—Of the funds available for
13 obligation during fiscal year 2021 under the headings
14 “International Broadcasting Operations”, “Economic
15 Support Fund”, “Democracy Fund”, and “Assistance for
16 Europe, Eurasia and Central Asia”, not less than
17 \$70,000,000 shall be made available for programs to pro-
18 mote Internet freedom globally: *Provided*, That such pro-
19 grams shall be prioritized for countries whose governments
20 restrict freedom of expression on the Internet, and that
21 are important to the national interest of the United
22 States: *Provided further*, That funds made available pursu-
23 ant to this section shall be matched, to the maximum ex-
24 tent practicable, by sources other than the United States
25 Government, including from the private sector.

1 (b) REQUIREMENTS.—

2 (1) DEPARTMENT OF STATE AND UNITED
3 STATES AGENCY FOR INTERNATIONAL DEVELOP-
4 MENT.—Funds appropriated by this Act under the
5 headings “Economic Support Fund”, “Democracy
6 Fund”, and “Assistance for Europe, Eurasia and
7 Central Asia” that are made available pursuant to
8 subsection (a) shall be—

9 (A) coordinated with other democracy pro-
10 grams funded by this Act under such headings,
11 and shall be incorporated into country assist-
12 ance and democracy promotion strategies, as
13 appropriate;

14 (B) for programs to implement the May
15 2011, International Strategy for Cyberspace,
16 the Department of State International Cyber-
17 space Policy Strategy required by section 402
18 of the Cybersecurity Act of 2015 (division N of
19 Public Law 114–113), and the comprehensive
20 strategy to promote Internet freedom and ac-
21 cess to information in Iran, as required by sec-
22 tion 414 of the Iran Threat Reduction and
23 Syria Human Rights Act of 2012 (22 U.S.C.
24 8754);

1 (C) made available for programs that sup-
2 port the efforts of civil society to counter the
3 development of repressive Internet-related laws
4 and regulations, including countering threats to
5 Internet freedom at international organizations;
6 to combat violence against bloggers and other
7 users; and to enhance digital security training
8 and capacity building for democracy activists;

9 (D) made available for research of key
10 threats to Internet freedom; the continued de-
11 velopment of technologies that provide or en-
12 hance access to the Internet, including cir-
13 cumvention tools that bypass Internet blocking,
14 filtering, and other censorship techniques used
15 by authoritarian governments; and maintenance
16 of the technological advantage of the United
17 States Government over such censorship tech-
18 niques: *Provided*, That the Secretary of State,
19 in consultation with the President of the Open
20 Technology Fund (OTF), shall coordinate any
21 such research and development programs with
22 other relevant United States Government de-
23 partments and agencies in order to share infor-
24 mation, technologies, and best practices, and to

1 assess the effectiveness of such technologies;
2 and

3 (E) made available only after the Assistant
4 Secretary for Democracy, Human Rights, and
5 Labor, Department of State, concurs that such
6 funds are allocated consistent with—

7 (i) the strategies referenced in sub-
8 paragraph (B) of this paragraph;

9 (ii) best practices regarding security
10 for, and oversight of, Internet freedom pro-
11 grams; and

12 (iii) sufficient resources and support
13 for the development and maintenance of
14 anti-censorship technology and tools.

15 (2) UNITED STATES AGENCY FOR GLOBAL
16 MEDIA.—Funds appropriated by this Act under the
17 heading “International Broadcasting Operations”
18 that are made available pursuant to subsection (a)
19 shall be—

20 (A) made available only for fully open-
21 source tools and techniques to securely develop
22 and distribute United States Agency for Global
23 Media (USAGM) digital content, facilitate audi-
24 ence access to such content on websites that are
25 censored, coordinate the distribution of

1 USAGM digital content to targeted regional au-
2 diences, and to promote and distribute such
3 tools and techniques, including digital security
4 techniques;

5 (B) coordinated by the OTF President
6 with programs funded by this Act under the
7 heading “International Broadcasting Oper-
8 ations”, and shall be incorporated into country
9 broadcasting strategies, as appropriate;

10 (C) coordinated by the OTF President to
11 solicit project proposals through an open, trans-
12 parent, and competitive application process,
13 seek input from technical and subject matter
14 experts to select proposals, and support Inter-
15 net circumvention tools and techniques for audi-
16 ences in countries that are strategic priorities
17 for the OTF and in a manner consistent with
18 the United States Government Internet freedom
19 strategy; and

20 (D) made available for the research and
21 development of new tools or techniques author-
22 ized in subparagraph (A) only after the OTF
23 President, in consultation with the Secretary of
24 State and other relevant United States Govern-
25 ment departments and agencies, evaluates the

1 risks and benefits of such new tools or tech-
2 niques, and establishes safeguards to minimize
3 the use of such new tools or techniques for il-
4 licit purposes.

5 (c) COORDINATION AND SPEND PLANS.—After con-
6 sultation among the relevant agency heads to coordinate
7 and de-conflict planned activities, but not later than 90
8 days after enactment of this Act, the Secretary of State
9 and the OTF President shall submit to the Committees
10 on Appropriations spend plans for funds made available
11 by this Act for programs to promote Internet freedom
12 globally, which shall include a description of safeguards
13 established by relevant agencies to ensure that such pro-
14 grams are not used for illicit purposes: *Provided*, That the
15 Department of State spend plan shall include funding for
16 all such programs for all relevant Department of State
17 and the United States Agency for International Develop-
18 ment offices and bureaus.

19 (d) SECURITY AUDITS.—Funds made available pur-
20 suant to this section to promote Internet freedom globally
21 may only be made available to support fully open-source
22 technologies that undergo comprehensive security audits
23 consistent with the requirements of the Bureau of Democ-
24 racy, Human Rights, and Labor, Department of State to
25 ensure that such technology is secure and has not been

1 compromised in a manner detrimental to the interest of
2 the United States or to individuals and organizations ben-
3 efitting from programs supported by such funds: *Provided*,
4 That the security auditing procedures used by such Bu-
5 reau shall be reviewed and updated periodically to reflect
6 current industry security standards.

7 (e) SURGE.—Of the funds appropriated by this Act
8 under the heading “Economic Support Fund”, up to
9 \$2,500,000 may be made available to surge Internet free-
10 dom programs in closed societies if the Secretary of State
11 determines and reports to the appropriate congressional
12 committees that such use of funds is in the national inter-
13 est: *Provided*, That such funds are in addition to amounts
14 made available for such purposes: *Provided further*, That
15 such funds may be transferred to, and merged with, funds
16 appropriated by this Act under the heading “International
17 Broadcasting Operations” following consultation with, and
18 the regular notification procedures of, the Committees on
19 Appropriations.

20 TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING
21 TREATMENT OR PUNISHMENT

22 SEC. 7051. (a) LIMITATION.—None of the funds
23 made available by this Act may be used to support or jus-
24 tify the use of torture and other cruel, inhuman, or de-

1 grading treatment or punishment by any official or con-
2 tract employee of the United States Government.

3 (b) ASSISTANCE.—Funds appropriated under titles
4 III and IV of this Act shall be made available, notwith-
5 standing section 660 of the Foreign Assistance Act of
6 1961 and following consultation with the Committees on
7 Appropriations, for assistance to eliminate torture and
8 other cruel, inhuman, or degrading treatment or punish-
9 ment by foreign police, military or other security forces
10 in countries receiving assistance from funds appropriated
11 by this Act: *Provided*, That not later than 90 days after
12 enactment of this Act, the Secretary of State shall consult
13 with the Committees on Appropriations on the planned
14 amounts and uses of such funds.

15 AIRCRAFT TRANSFER, COORDINATION, AND USE

16 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-
17 standing any other provision of law or regulation, aircraft
18 procured with funds appropriated by this Act and prior
19 Acts making appropriations for the Department of State,
20 foreign operations, and related programs under the head-
21 ings “Diplomatic Programs”, “International Narcotics
22 Control and Law Enforcement”, “Andean Counterdrug
23 Initiative”, and “Andean Counterdrug Programs” may be
24 used for any other program and in any region.

1 (b) PROPERTY DISPOSAL.—The authority provided
2 in subsection (a) shall apply only after the Secretary of
3 State determines and reports to the Committees on Appro-
4 priations that the equipment is no longer required to meet
5 programmatic purposes in the designated country or re-
6 gion: *Provided*, That any such transfer shall be subject
7 to prior consultation with, and the regular notification
8 procedures of, the Committees on Appropriations.

9 (c) AIRCRAFT COORDINATION.—

10 (1) AUTHORITY.—The uses of aircraft pur-
11 chased or leased by the Department of State and the
12 United States Agency for International Development
13 with funds made available in this Act or prior Acts
14 making appropriations for the Department of State,
15 foreign operations, and related programs shall be co-
16 ordinated under the authority of the appropriate
17 Chief of Mission: *Provided*, That notwithstanding
18 section 7063(b) of this Act, such aircraft may be
19 used to transport, on a reimbursable or non-reim-
20 bursable basis, Federal and non-Federal personnel
21 supporting Department of State and USAID pro-
22 grams and activities: *Provided further*, That official
23 travel for other agencies for other purposes may be
24 supported on a reimbursable basis, or without reim-
25 bursement when traveling on a space available basis:

1 INTERNATIONAL MONETARY FUND

2 SEC. 7054. (a) EXTENSIONS.—The terms and condi-
3 tions of sections 7086(b) (1) and (2) and 7090(a) of the
4 Department of State, Foreign Operations, and Related
5 Programs Appropriations Act, 2010 (division F of Public
6 Law 111–117) shall apply to this Act.

7 (b) REPAYMENT.—The Secretary of the Treasury
8 shall instruct the United States Executive Director of the
9 International Monetary Fund (IMF) to seek to ensure
10 that any loan will be repaid to the IMF before other pri-
11 vate or multilateral creditors.

12 EXTRADITION

13 SEC. 7055. (a) LIMITATION.—None of the funds ap-
14 propriated in this Act may be used to provide assistance
15 (other than funds provided under the headings “Inter-
16 national Disaster Assistance”, “Complex Crises Fund”,
17 “International Narcotics Control and Law Enforcement”,
18 “Migration and Refugee Assistance”, “United States
19 Emergency Refugee and Migration Assistance Fund”, and
20 “Nonproliferation, Anti-terrorism, Demining and Related
21 Assistance”) for the central government of a country
22 which has notified the Department of State of its refusal
23 to extradite to the United States any individual indicted
24 for a criminal offense for which the maximum penalty is
25 life imprisonment without the possibility of parole or for

1 killing a law enforcement officer, as specified in a United
2 States extradition request.

3 (b) CLARIFICATION.—Subsection (a) shall only apply
4 to the central government of a country with which the
5 United States maintains diplomatic relations and with
6 which the United States has an extradition treaty and the
7 government of that country is in violation of the terms
8 and conditions of the treaty.

9 (c) WAIVER.—The Secretary of State may waive the
10 restriction in subsection (a) on a case-by-case basis if the
11 Secretary certifies to the Committees on Appropriations
12 that such waiver is important to the national interest of
13 the United States.

14 IMPACT ON JOBS IN THE UNITED STATES

15 SEC. 7056. None of the funds appropriated or other-
16 wise made available under titles III through VI of this
17 Act may be obligated or expended to provide—

18 (1) any financial incentive to a business enter-
19 prise currently located in the United States for the
20 purpose of inducing such an enterprise to relocate
21 outside the United States if such incentive or in-
22 ducement is likely to reduce the number of employ-
23 ees of such business enterprise in the United States
24 because United States production is being replaced
25 by such enterprise outside the United States;

1 (2) assistance for any program, project, or ac-
2 tivity that contributes to the violation of internation-
3 ally recognized workers' rights, as defined in section
4 507(4) of the Trade Act of 1974, of workers in the
5 recipient country, including any designated zone or
6 area in that country: *Provided*, That the application
7 of section 507(4)(D) and (E) of such Act (19 U.S.C.
8 2467(4)(D) and (E)) should be commensurate with
9 the level of development of the recipient country and
10 sector, and shall not preclude assistance for the in-
11 formal sector in such country, micro and small-scale
12 enterprise, and smallholder agriculture;

13 (3) any assistance to an entity outside the
14 United States if such assistance is for the purpose
15 of directly relocating or transferring jobs from the
16 United States to other countries and adversely im-
17 pacts the labor force in the United States; or

18 (4) for the enforcement of any rule, regulation,
19 policy, or guidelines implemented pursuant to the
20 Supplemental Guidelines for High Carbon Intensity
21 Projects approved by the Export-Import Bank of the
22 United States on December 12, 2013, when enforce-
23 ment of such rule, regulation, policy, or guidelines
24 would prohibit, or have the effect of prohibiting, any

1 coal-fired or other power-generation project the pur-
2 pose of which is to—

3 (A) provide affordable electricity in Inter-
4 national Development Association (IDA)-eligible
5 countries and IDA-blend countries; and

6 (B) increase exports of goods and services
7 from the United States or prevent the loss of
8 jobs from the United States.

9 LIMITATIONS RELATED TO FAMILY PLANNING AND

10 REPRODUCTIVE HEALTH

11 SEC. 7057. (a) None of the funds appropriated or
12 otherwise made available by this Act may be made avail-
13 able for the United Nations Population Fund.

14 (b) None of the funds appropriated or otherwise
15 made available by this Act for global health assistance
16 may be made available to any foreign nongovernmental or-
17 ganization that promotes or performs abortions, except in
18 cases of rape or incest or when the life of the mother
19 would be endangered if the fetus were carried to term.

20 GLOBAL HEALTH ACTIVITIES

21 SEC. 7058. (a) IN GENERAL.—Funds appropriated
22 by titles III and IV of this Act that are made available
23 for bilateral assistance for child survival activities or dis-
24 ease programs including activities relating to research on,
25 and the prevention, treatment and control of, HIV/AIDS

1 may be made available notwithstanding any other provi-
2 sion of law except for provisions under the heading “Glob-
3 al Health Programs” and the United States Leadership
4 Against HIV/AIDS, Tuberculosis, and Malaria Act of
5 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amend-
6 ed: *Provided*, That of the funds appropriated under title
7 III of this Act, not more than \$461,000,000 may be made
8 available for family planning/reproductive health.

9 (b) INFECTIOUS DISEASE OUTBREAKS.—

10 (1) GLOBAL HEALTH SECURITY.—Of the funds
11 appropriated by this Act under the heading “Global
12 Health Programs”, not less than \$275,000,000 shall
13 be made available for global health security pro-
14 grams, which shall prioritize and accelerate efforts
15 to strengthen public health capacity in countries
16 where there is a high risk of emerging zoonotic and
17 other infectious diseases and to support the collec-
18 tion, analysis, and sharing of data on unknown vi-
19 ruses and other pathogens: *Provided*, That not later
20 than 45 days after enactment of this Act, the
21 USAID Administrator shall consult with the Com-
22 mittees on Appropriations on the planned uses of
23 such funds.

24 (2) EXTRAORDINARY MEASURES.—If the Sec-
25 retary of State determines and reports to the Com-

1 mittees on Appropriations that an international in-
2 fectious disease outbreak is sustained, severe, and is
3 spreading internationally, or that it is in the na-
4 tional interest to respond to a Public Health Emer-
5 gency of International Concern, not to exceed an ag-
6 gregate total of \$50,000,000 of the funds appro-
7 priated by this Act under the headings “Global
8 Health Programs”, “Development Assistance”,
9 “International Disaster Assistance”, “Complex Cri-
10 ses Fund”, “Economic Support Fund”, “Democracy
11 Fund”, “Assistance for Europe, Eurasia and Cen-
12 tral Asia”, “Migration and Refugee Assistance”, and
13 “Millennium Challenge Corporation” may be made
14 available to combat such infectious disease or public
15 health emergency, and may be transferred to, and
16 merged with, funds appropriated under such head-
17 ings for the purposes of this paragraph.

18 (3) EMERGENCY RESERVE FUND.—Up to
19 \$25,000,000 of the funds made available under the
20 heading “Global Health Programs” may be made
21 available for the Emergency Reserve Fund estab-
22 lished pursuant to section 7058(c)(1) of the Depart-
23 ment of State, Foreign Operations, and Related Pro-
24 grams Appropriations Act, 2017 (division J of Pub-
25 lic Law 115–31): *Provided*, That such funds shall be

1 (2) WOMEN’S ECONOMIC EMPOWERMENT.—
2 Funds appropriated by this Act are available to im-
3 plement the Women’s Entrepreneurship and Eco-
4 nomic Empowerment Act of 2018 (Public Law 115–
5 428): *Provided*, That the Secretary of State and the
6 Administrator of the United States Agency for
7 International Development, as appropriate, shall
8 consult with the Committees on Appropriations on
9 the implementation of such Act.

10 (3) WOMEN’S GLOBAL DEVELOPMENT AND
11 PROSPERITY FUND.—Of the funds appropriated
12 under the headings “Economic Support Fund” and
13 “Assistance for Europe, Eurasia and Central Asia”
14 in this Act, up to \$200,000,000 may be made avail-
15 able for the Women’s Global Development and Pros-
16 perity Fund.

17 (b) WOMEN’S LEADERSHIP.—Of the funds appro-
18 priated by title III of this Act, not less than \$50,000,000
19 shall be made available for programs specifically designed
20 to increase leadership opportunities for women in coun-
21 tries where women and girls suffer discrimination due to
22 law, policy, or practice, by strengthening protections for
23 women’s political status, expanding women’s participation
24 in political parties and elections, and increasing women’s

1 opportunities for leadership positions in the public and
2 private sectors at the local, provincial, and national levels.

3 (c) GENDER-BASED VIOLENCE.—

4 (1) Of the funds appropriated under titles III
5 and IV of this Act, not less than \$165,000,000 shall
6 be made available to implement a multi-year strat-
7 egy to prevent and respond to gender-based violence
8 in countries where it is common in conflict and non-
9 conflict settings.

10 (2) Funds appropriated under titles III and IV
11 of this Act that are available to train foreign police,
12 judicial, and military personnel, including for inter-
13 national peacekeeping operations, shall address,
14 where appropriate, prevention and response to gen-
15 der-based violence and trafficking in persons, and
16 shall promote the integration of women into the po-
17 lice and other security forces.

18 (d) WOMEN, PEACE, AND SECURITY.—Funds appro-
19 priated by this Act under the headings “Development As-
20 sistance”, “Economic Support Fund”, “Assistance for Eu-
21 rope, Eurasia and Central Asia”, and “International Nar-
22 cotics Control and Law Enforcement” should be made
23 available to support a multi-year strategy to expand, and
24 improve coordination of, United States Government ef-
25 forts to empower women as equal partners in conflict pre-

1 vention, peace building, transitional processes, and recon-
2 struction efforts in countries affected by conflict or in po-
3 litical transition, and to ensure the equitable provision of
4 relief and recovery assistance to women and girls.

5 (e) WOMEN AND GIRLS AT RISK FROM EXTREMISM
6 AND CONFLICT.—Of the funds appropriated by this Act
7 under the heading “Economic Support Fund”, not less
8 than \$15,000,000 shall be made available to support
9 women and girls who are at risk from extremism and con-
10 flict, and for the activities described in section 7059(e)(1)
11 of the Department of State, Foreign Operations, and Re-
12 lated Programs Appropriations Act, 2018 (division K of
13 Public Law 115–141): *Provided*, That such funds are in
14 addition to amounts otherwise made available by this Act
15 for such purposes, and shall be made available following
16 consultation with, and the regular notification procedures
17 of, the Committees on Appropriations.

18 SECTOR ALLOCATIONS

19 SEC. 7060. (a) BASIC EDUCATION AND HIGHER
20 EDUCATION.—

21 (1) BASIC EDUCATION.—

22 (A) Of the funds appropriated under title
23 III of this Act, \$515,000,000 should be made
24 available for assistance for basic education, and
25 such funds may be made available notwith-

1 standing any other provision of law that re-
2 stricts assistance to foreign countries: *Provided*,
3 That such funds shall also be used for sec-
4 ondary education activities: *Provided further*,
5 That the Administrator of the United States
6 Agency for International Development, fol-
7 lowing consultation with the Committees on Ap-
8 propriations, may reprogram such funds be-
9 tween countries.

10 (B) Of the funds appropriated under title
11 III of this Act for assistance for basic education
12 programs, not less than \$125,000,000 shall be
13 made available for contributions to multilateral
14 partnerships that support education.

15 (2) HIGHER EDUCATION.—Of the funds appro-
16 priated by title III of this Act, not less than
17 \$235,000,000 shall be made available for assistance
18 for higher education: *Provided*, That such funds may
19 be made available notwithstanding any other provi-
20 sion of law that restricts assistance to foreign coun-
21 tries, and shall be subject to the regular notification
22 procedures of the Committees on Appropriations:
23 *Provided further*, That of such amount, not less than
24 \$35,000,000 shall be made available for new and on-
25 going partnerships between higher education institu-

1 tions in the United States and developing countries
2 focused on building the capacity of higher education
3 institutions and systems in developing countries:
4 *Provided further*, That not later than 45 days after
5 enactment of this Act, the USAID Administrator
6 shall consult with the Committees on Appropriations
7 on the proposed uses of funds for such partnerships.

8 (3) HIGHER EDUCATION IN COUNTRIES IM-
9 PACTED BY ECONOMIC CRISES.—Of the funds appro-
10 priated under title III of this Act, not less than
11 \$50,000,000 shall be made available, notwith-
12 standing any other provision of law that restricts as-
13 sistance to foreign countries, for the following insti-
14 tutions that are recipients of United States assist-
15 ance and located in countries impacted by economic
16 crises—

17 (A) United States-accredited and United
18 States-chartered institutions of higher edu-
19 cation in the Middle East; and

20 (B) non-profit, coeducational American in-
21 stitutions of higher education in the Middle
22 East and Asia.

23 (b) DEVELOPMENT PROGRAMS.—Of the funds appro-
24 priated by this Act under the heading “Development As-
25 sistance”, not less than \$20,000,000 shall be made avail-

1 able for cooperative development programs of USAID, in-
2 cluding funding to support community-based credit unions
3 in developing countries at a level above fiscal year 2020,
4 and not less than \$30,000,000 shall be made available for
5 the American Schools and Hospitals Abroad program.

6 (c) ENVIRONMENT PROGRAMS.—

7 (1)(A) Funds appropriated by this Act to carry
8 out the provisions of sections 103 through 106, and
9 chapter 4 of part II, of the Foreign Assistance Act
10 of 1961 may be used, notwithstanding any other
11 provision of law, except for the provisions of this
12 subsection, to support environment programs.

13 (B) Funds made available pursuant to this sub-
14 section shall be subject to the regular notification
15 procedures of the Committees on Appropriations.

16 (2)(A) Of the funds appropriated under title III
17 of this Act, not less than \$320,000,000 shall be
18 made available for biodiversity conservation pro-
19 grams.

20 (B) Not less than \$100,664,000 of the funds
21 appropriated under titles III and IV of this Act shall
22 be made available to combat the transnational threat
23 of wildlife poaching and trafficking and to prevent
24 zoonotic disease spillover, including in wildlife mar-
25 kets in Africa and Asia.

1 (C) None of the funds appropriated under title
2 IV of this Act may be made available for training or
3 other assistance for any military unit or personnel
4 that the Secretary of State determines has been
5 credibly alleged to have participated in wildlife
6 poaching or trafficking, unless the Secretary reports
7 to the appropriate congressional committees that to
8 do so is in the national security interest of the
9 United States.

10 (D) Funds appropriated by this Act for bio-
11 diversity programs shall not be used to support the
12 expansion of industrial scale logging or any other in-
13 dustrial scale extractive activity into areas that were
14 primary/intact tropical forests as of December 30,
15 2013, and the Secretary of the Treasury shall in-
16 struct the United States executive directors of each
17 international financial institutions (IFI) to vote
18 against any financing of any such activity.

19 (3) The Secretary of the Treasury shall instruct
20 the United States executive director of each IFI that
21 it is the policy of the United States to use the voice
22 and vote of the United States, in relation to any
23 loan, grant, strategy, or policy of such institution,
24 regarding the construction of any large dam con-
25 sistent with the criteria set forth in Senate Report

1 114–79, while also considering whether the project
2 involves important foreign policy objectives.

3 (4) Of the funds appropriated under title III of
4 this Act, not less than \$135,000,000 shall be made
5 available for sustainable landscapes programs.

6 (5) Of the funds appropriated under title III of
7 this Act, not less than \$177,000,000 shall be made
8 available for adaptation programs, including in sup-
9 port of the implementation of the Indo-Pacific Strat-
10 egy.

11 (6) Of the funds appropriated under title III of
12 this Act, not less than \$179,000,000 shall be made
13 available for renewable energy programs, including
14 in support of carrying out the purposes of the Elec-
15 trify Africa Act (Public Law 114–121) and imple-
16 mentation of the Power Africa and Prosper Africa
17 initiatives.

18 (7) Of the funds appropriated under title III of
19 this Act, not less than \$100,000,000 shall be made
20 available for programs to address ocean plastic pol-
21 lution and other marine debris: *Provided*, That the
22 Secretary of State, in consultation with the Sec-
23 retary of the Treasury, the USAID Administrator,
24 and the heads of other relevant Federal agencies,
25 shall seek to enter into negotiations with key bilat-

1 eral and multilateral donors, including the World
2 Bank, to establish a new trust fund for ocean plastic
3 pollution and other marine debris: *Provided further*,
4 That such funds may be made available for a con-
5 tribution to such a new trust fund, and for a
6 USAID-administered multi-donor fund for such pur-
7 poses: *Provided further*, That such funds are in addi-
8 tion to amounts otherwise made available by this Act
9 for such purposes: *Provided further*, That such funds
10 may only be made available following consultation
11 with the Committees on Appropriations.

12 (d) FOOD SECURITY AND AGRICULTURAL DEVELOP-
13 MENT.—Of the funds appropriated by title III of this Act,
14 not less than \$1,005,600,000 shall be made available for
15 food security and agricultural development programs to
16 carry out the purposes of the Global Food Security Act
17 of 2016 (Public Law 114–195): *Provided*, That funds may
18 be made available for a contribution as authorized by sec-
19 tion 3202 of the Food, Conservation, and Energy Act of
20 2008 (Public Law 110–246), as amended by section 3310
21 of the Agriculture Improvement Act of 2018 (Public Law
22 115–334).

23 (e) MICRO, SMALL, AND MEDIUM-SIZED ENTER-
24 PRISES.—Of the funds appropriated by this Act, not less
25 than \$265,000,000 shall be made available to support the

1 development of, and access to financing for, micro, small,
2 and medium-sized enterprises that benefit the poor, espe-
3 cially women.

4 (f) PROGRAMS TO COMBAT TRAFFICKING IN PER-
5 SONS.—Of the funds appropriated by this Act under the
6 headings “Development Assistance”, “Economic Support
7 Fund”, “Assistance for Europe, Eurasia and Central
8 Asia”, and “International Narcotics Control and Law En-
9 forcement”, not less than \$97,000,000 shall be made
10 available for activities to combat trafficking in persons
11 internationally, including for the Program to End Modern
12 Slavery, of which not less than \$65,000,000 shall be from
13 funds made available under the heading “International
14 Narcotics Control and Law Enforcement”: *Provided*, That
15 funds made available by this Act under the headings “De-
16 velopment Assistance”, “Economic Support Fund”, and
17 “Assistance for Europe, Eurasia and Central Asia” that
18 are made available for activities to combat trafficking in
19 persons shall be obligated and programmed consistent
20 with the country-specific recommendations included in the
21 annual Trafficking in Persons Report, and shall be admin-
22 istered by the Director of the Office to Monitor and Com-
23 bat Trafficking in Persons, Department of State.

24 (g) RECONCILIATION PROGRAMS.—Of the funds ap-
25 propriated by this Act under the heading “Development

1 Assistance”, not less than \$30,000,000 shall be made
2 available to support people-to-people reconciliation pro-
3 grams which bring together individuals of different ethnic,
4 religious, and political backgrounds from areas of civil
5 strife and war, including not less than \$5,000,000 for pro-
6 grams between Israelis and Palestinians living in the West
7 Bank and Gaza: *Provided*, That the USAID Administrator
8 shall consult with the Committees on Appropriations, prior
9 to the initial obligation of funds, on the uses of such funds,
10 and such funds shall be subject to the regular notification
11 procedures of the Committees on Appropriations: *Provided*
12 *further*, That to the maximum extent practicable, such
13 funds shall be matched by sources other than the United
14 States Government: *Provided further*, That such funds
15 shall be administered by the Office of Conflict Manage-
16 ment and Mitigation, USAID.

17 (h) WATER AND SANITATION.—Of the funds appro-
18 priated by this Act, not less than \$450,000,000 shall be
19 made available for water supply and sanitation projects
20 pursuant to section 136 of the Foreign Assistance Act of
21 1961, of which not less than \$225,000,000 shall be for
22 programs in sub-Saharan Africa, and of which not less
23 than \$15,000,000 shall be made available to support ini-
24 tiatives by local communities in developing countries, in-

1 cluding in sub-Saharan Africa and Haiti, to build and
2 maintain safe latrines.

3 BUDGET DOCUMENTS

4 SEC. 7061. (a) OPERATING PLANS.—Not later than
5 45 days after enactment of this Act, each department,
6 agency, or organization funded in titles I, II, and VI of
7 this Act, and the Department of the Treasury and Inde-
8 pendent Agencies funded in title III of this Act, including
9 the Inter-American Foundation and the United States Af-
10 rican Development Foundation, shall submit to the Com-
11 mittees on Appropriations an operating plan for funds ap-
12 propriated to such department, agency, or organization in
13 such titles of this Act, or funds otherwise available for ob-
14 ligation in fiscal year 2021, that provides details of the
15 uses of such funds at the program, project, and activity
16 level: *Provided*, That such plans shall include, as applica-
17 ble, a comparison between the congressional budget jus-
18 tification funding levels, the most recent congressional di-
19 rectives or approved funding levels, and the funding levels
20 proposed by the department or agency; and a clear, con-
21 cise, and informative description/justification: *Provided*
22 *further*, That operating plans that include changes in lev-
23 els of funding for programs, projects, and activities speci-
24 fied in the congressional budget justification, in this Act,
25 or amounts specifically designated in the respective tables

1 included in the explanatory statement accompanying this
2 Act, as applicable, shall be subject to the notification and
3 reprogramming requirements of section 7015 of this Act.

4 (b) SPEND PLANS.—

5 (1) Not later than 90 days after enactment of
6 this Act, the Secretary of State or Administrator of
7 the United States Agency for International Develop-
8 ment, as appropriate, shall submit to the Commit-
9 tees on Appropriations a spend plan for funds made
10 available by this Act, for—

11 (A) assistance for Afghanistan, Iraq, Leb-
12 anon, Pakistan, Syria, Colombia, and countries
13 in Central America;

14 (B) assistance made available pursuant to
15 section 7047(d) of this Act to counter Russian
16 influence and aggression, except that such plan
17 shall be on a country-by-country basis;

18 (C) assistance made available pursuant to
19 section 7059 of this Act;

20 (D) the Indo-Pacific Strategy and the
21 Countering Chinese Influence Fund;

22 (E) democracy programs, the Power Africa
23 and Prosper Africa initiatives, and sectors enu-
24 merated in subsections (a), (c), (d), (e), (f), (g)
25 and (h) of section 7060 of this Act;

1 (F) funds provided under the heading
2 “International Narcotics Control and Law En-
3 forcement” for International Organized Crime
4 and for Cybercrime and Intellectual Property
5 Rights: *Provided*, That the spend plans shall in-
6 clude bilateral and global programs funded
7 under such heading along with a brief descrip-
8 tion of the activities planned for each country;
9 and

10 (G) the regional security initiatives de-
11 scribed under this heading in the explanatory
12 statement accompanying this Act.

13 (2) Not later than 90 days after enactment of
14 this Act, the Secretary of the Treasury shall submit
15 to the Committees on Appropriations a detailed
16 spend plan for funds made available by this Act
17 under the heading “Department of the Treasury,
18 International Affairs Technical Assistance” in title
19 III.

20 (c) CLARIFICATION.—The spend plans referenced in
21 subsection (b) shall not be considered as meeting the noti-
22 fication requirements in this Act or under section 634A
23 of the Foreign Assistance Act of 1961.

24 (d) CONGRESSIONAL BUDGET JUSTIFICATION.—

1 States Agency for International Development, or any
2 other Federal department, agency, or organization
3 funded by this Act without prior consultation by the
4 head of such department, agency, or organization
5 with the appropriate congressional committees: *Pro-*
6 *vided*, That such funds shall be subject to the reg-
7 ular notification procedures of the Committees on
8 Appropriations: *Provided further*, That any such no-
9 tification submitted to such Committees shall include
10 a detailed justification for any proposed action, in-
11 cluding the information specified under section 7073
12 of the joint explanatory statement accompanying the
13 Department of State, Foreign Operations, and Re-
14 lated Programs Appropriations Act, 2019 (division
15 F of Public Law 116–6): *Provided further*, That con-
16 gressional notifications submitted in prior fiscal
17 years pursuant to similar provisions of law in prior
18 Acts making appropriations for the Department of
19 State, foreign operations, and related programs may
20 be deemed to meet the notification requirements of
21 this section.

22 (2) DESCRIPTION OF ACTIVITIES.—Pursuant to
23 paragraph (1), a reorganization, redesign, or other
24 plan shall include any action to—

1 (A) expand, eliminate, consolidate, or
2 downsize covered departments, agencies, or or-
3 ganizations, including bureaus and offices with-
4 in or between such departments, agencies, or
5 organizations, including the transfer to other
6 agencies of the authorities and responsibilities
7 of such bureaus and offices;

8 (B) expand, eliminate, consolidate, or
9 downsize the United States official presence
10 overseas, including at bilateral, regional, and
11 multilateral diplomatic facilities and other plat-
12 forms; or

13 (C) expand or reduce the size of the per-
14 manent Civil Service, Foreign Service, eligible
15 family member, and locally employed staff
16 workforce of the Department of State and
17 USAID from the levels specified in the explana-
18 tory statement accompanying this Act.

19 (b) ADDITIONAL REQUIREMENTS AND LIMITA-
20 TIONS.—

21 (1) BUREAU OF POPULATION, REFUGEES, AND
22 MIGRATION, DEPARTMENT OF STATE.—None of the
23 funds appropriated by this Act, prior Acts making
24 appropriations for the Department of State, foreign
25 operations, and related programs, or any other Act

1 may be used to downsize, downgrade, consolidate,
2 close, move, or relocate the Bureau of Population,
3 Refugees, and Migration, Department of State, or
4 any activities of such Bureau, to another Federal
5 agency.

6 (2) ADMINISTRATION OF FUNDS.—Funds made
7 available by this Act—

8 (A) under the heading “Migration and
9 Refugee Assistance” shall be administered by
10 the Assistant Secretary for Population, Refu-
11 gees, and Migration, Department of State, and
12 this responsibility shall not be delegated; and

13 (B) that are made available for the Office
14 of Global Women’s Issues shall be administered
15 by the United States Ambassador-at-Large for
16 Global Women’s Issues, Department of State,
17 and this responsibility shall not be delegated.

18 DEPARTMENT OF STATE MANAGEMENT

19 SEC. 7063. (a) FINANCIAL SYSTEMS IMPROVE-
20 MENT.—Funds appropriated by this Act for the operations
21 of the Department of State under the headings “Diplo-
22 matic Programs” and “Capital Investment Fund” shall be
23 made available to implement the recommendations con-
24 tained in the Foreign Assistance Data Review Findings
25 Report (FADR) and the Office of Inspector General (OIG)

1 report entitled “Department Financial Systems Are Insuf-
2 ficient to Track and Report on Foreign Assistance
3 Funds”: *Provided*, That such funds may not be obligated
4 for enhancements to, or expansions of, the Budget System
5 Modernization Financial System, Central Resource Man-
6 agement System, Joint Financial Management System, or
7 Foreign Assistance Coordination and Tracking System
8 until such updated plan is submitted to the Committees
9 on Appropriations: *Provided further*, That such funds may
10 not be obligated for new, or expansion of existing, ad hoc
11 electronic systems to track commitments, obligations, or
12 expenditures of funds unless the Secretary of State, fol-
13 lowing consultation with the Chief Information Officer of
14 the Department of State, has reviewed and certified that
15 such new system or expansion is consistent with the
16 FADR and OIG recommendations: *Provided further*, That
17 not later than 45 days after enactment of this Act, the
18 Secretary of State shall submit to the Committees on Ap-
19 propriations an update to the plan required under section
20 7006 of the Department of State, Foreign Operations, and
21 Related Programs Appropriations Act, 2017 (division J of
22 Public Law 115–31) for implementing the FADR and
23 OIG recommendations.

24 (b) WORKING CAPITAL FUND.—Funds appropriated
25 by this Act or otherwise made available to the Department

1 of State for payments to the Working Capital Fund may
2 only be used for the service centers included in the Con-
3 gressional Budget Justification, Department of State,
4 Foreign Operations, and Related Programs, Fiscal Year
5 2021: *Provided*, That the amounts for such service centers
6 shall be the amounts included in such budget justification,
7 except as provided in section 7015(b) of this Act: *Provided*
8 *further*, That Federal agency components shall be charged
9 only for their direct usage of each Working Capital Fund
10 service: *Provided further*, That prior to increasing the per-
11 centage charged to Department of State bureaus and of-
12 fices for procurement-related activities, the Secretary of
13 State shall include the proposed increase in the Depart-
14 ment of State budget justification or, at least 60 days
15 prior to the increase, provide the Committees on Appro-
16 priations a justification for such increase, including a de-
17 tailed assessment of the cost and benefit of the services
18 provided by the procurement fee: *Provided further*, That
19 Federal agency components may only pay for Working
20 Capital Fund services that are consistent with the purpose
21 and authorities of such components: *Provided further*,
22 That the Working Capital Fund shall be paid in advance
23 or reimbursed at rates which will return the full cost of
24 each service.

25 (c) CERTIFICATION.—

1 (1) COMPLIANCE.—Not later than 45 days
2 after the initial obligation of funds appropriated
3 under titles III and IV of this Act that are made
4 available to a Department of State bureau or office
5 with responsibility for the management and over-
6 sight of such funds, the Secretary of State shall cer-
7 tify and report to the Committees on Appropria-
8 tions, on an individual bureau or office basis, that
9 such bureau or office is in compliance with Depart-
10 ment and Federal financial and grants management
11 policies, procedures, and regulations, as applicable.

12 (2) CONSIDERATIONS.—When making a certifi-
13 cation required by paragraph (1), the Secretary of
14 State shall consider the capacity of a bureau or of-
15 fice to—

16 (A) account for the obligated funds at the
17 country and program level, as appropriate;

18 (B) identify risks and develop mitigation
19 and monitoring plans;

20 (C) establish performance measures and
21 indicators;

22 (D) review activities and performance; and

23 (E) assess final results and reconcile fi-
24 nances.

1 (3) PLAN.—If the Secretary of State is unable
2 to make a certification required by paragraph (1),
3 the Secretary shall submit a plan and timeline de-
4 tailing the steps to be taken to bring such bureau
5 or office into compliance.

6 (d) INFORMATION TECHNOLOGY PLATFORM.—

7 (1) None of the funds appropriated in title I of
8 this Act under the heading “Administration of For-
9 eign Affairs” may be made available for a new major
10 information technology (IT) investment without the
11 concurrence of the Chief Information Officer, De-
12 partment of State.

13 (2) None of the funds appropriated in title I of
14 this Act under the heading “Administration of For-
15 eign Affairs” may be used by an agency to submit
16 a project proposal to the Technology Modernization
17 Board for funding from the Technology Moderniza-
18 tion Fund unless, not later than 15 days in advance
19 of submitting the project proposal to the Board, the
20 head of the agency—

21 (A) notifies the Committees on Appropria-
22 tions of the proposed submission of the project
23 proposal; and

24 (B) submits to the Committees on Appro-
25 priations a copy of the project proposal.

1 (3) None of the funds appropriated in title I of
2 this Act and prior Acts making appropriations for
3 the Department of State, foreign operations, and re-
4 lated programs under the heading “Administration
5 of Foreign Affairs” may be used by an agency to
6 carry out a project that is approved by the Board
7 unless the head of the agency—

8 (A) submits to the Committees on Appro-
9 priations a copy of the approved project pro-
10 posal, including the terms of reimbursement of
11 funding received for the project; and

12 (B) agrees to submit to the Committees on
13 Appropriations a copy of each report relating to
14 the project that the head of the agency submits
15 to the Board.

16 UNITED STATES AGENCY FOR INTERNATIONAL
17 DEVELOPMENT MANAGEMENT

18 SEC. 7064. (a) AUTHORITY.—Up to \$110,000,000 of
19 the funds made available in title III of this Act pursuant
20 to or to carry out the provisions of part I of the Foreign
21 Assistance Act of 1961, including funds appropriated
22 under the heading “Assistance for Europe, Eurasia and
23 Central Asia”, may be used by the United States Agency
24 for International Development to hire and employ individ-
25 uals in the United States and overseas on a limited ap-

1 pointment basis pursuant to the authority of sections 308
2 and 309 of the Foreign Service Act of 1980 (22 U.S.C.
3 3948 and 3949).

4 (b) RESTRICTION.—The authority to hire individuals
5 contained in subsection (a) shall expire on September 30,
6 2022.

7 (c) PROGRAM ACCOUNT CHARGED.—The account
8 charged for the cost of an individual hired and employed
9 under the authority of this section shall be the account
10 to which the responsibilities of such individual primarily
11 relate: *Provided*, That funds made available to carry out
12 this section may be transferred to, and merged with, funds
13 appropriated by this Act in title II under the heading “Op-
14 erating Expenses”.

15 (d) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-
16 viduals hired and employed by USAID, with funds made
17 available in this Act or prior Acts making appropriations
18 for the Department of State, foreign operations, and re-
19 lated programs, pursuant to the authority of section 309
20 of the Foreign Service Act of 1980 (22 U.S.C. 3949), may
21 be extended for a period of up to 4 years notwithstanding
22 the limitation set forth in such section.

23 (e) DISASTER SURGE CAPACITY.—Funds appro-
24 priated under title III of this Act to carry out part I of
25 the Foreign Assistance Act of 1961, including funds ap-

1 appropriated under the heading “Assistance for Europe,
2 Eurasia and Central Asia”, may be used, in addition to
3 funds otherwise available for such purposes, for the cost
4 (including the support costs) of individuals detailed to or
5 employed by USAID whose primary responsibility is to
6 carry out programs in response to natural disasters, or
7 man-made disasters subject to the regular notification
8 procedures of the Committees on Appropriations.

9 (f) PERSONAL SERVICES CONTRACTORS.—Funds ap-
10 propriated by this Act to carry out chapter 1 of part I,
11 chapter 4 of part II, and section 667 of the Foreign As-
12 sistance Act of 1961, and title II of the Food for Peace
13 Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be
14 used by USAID to employ up to 40 personal services con-
15 tractors in the United States, notwithstanding any other
16 provision of law, for the purpose of providing direct, in-
17 terim support for new or expanded overseas programs and
18 activities managed by the agency until permanent direct
19 hire personnel are hired and trained: *Provided*, That not
20 more than 15 of such contractors shall be assigned to any
21 bureau or office: *Provided further*, That such funds appro-
22 priated to carry out title II of the Food for Peace Act
23 (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be made
24 available only for personal services contractors assigned
25 to the Bureau for Humanitarian Assistance.

1 (g) SMALL BUSINESS.—In entering into multiple
2 award indefinite-quantity contracts with funds appro-
3 priated by this Act, USAID may provide an exception to
4 the fair opportunity process for placing task orders under
5 such contracts when the order is placed with any category
6 of small or small disadvantaged business.

7 (h) SENIOR FOREIGN SERVICE LIMITED APPOINT-
8 MENTS.—Individuals hired pursuant to the authority pro-
9 vided by section 7059(o) of the Department of State, For-
10 eign Operations, and Related Programs Appropriations
11 Act, 2010 (division F of Public Law 111–117) may be
12 assigned to or support programs in Afghanistan or Paki-
13 stan with funds made available in this Act and prior Acts
14 making appropriations for the Department of State, for-
15 eign operations, and related programs.

16 (i) ACCOUNTABILITY MECHANISM.—Not later than
17 90 days after enactment of this Act, the USAID Adminis-
18 trator shall submit to the Committees on Appropriations
19 a plan to establish an accountability mechanism to which
20 individuals, communities, civil society organizations, and
21 other stakeholders can communicate concerns about po-
22 tential adverse impacts, including social, environmental,
23 and economic impacts, resulting from USAID-funded pro-
24 grams, projects, and activities, and through which USAID
25 can respond: *Provided*, That such plan shall include proce-

1 dures, to be posted on the USAID website, for commu-
2 nicating and responding to such concerns: *Provided fur-*
3 *ther*, That prior to submitting such plan, the Adminis-
4 trator shall consult with such Committees.

5 STABILIZATION AND DEVELOPMENT IN REGIONS

6 IMPACTED BY EXTREMISM AND CONFLICT

7 SEC. 7065. (a) PREVENTION AND STABILIZATION
8 FUND.—

9 (1) FUNDS AND TRANSFER AUTHORITY.—Of
10 the funds appropriated by this Act under the head-
11 ings “Economic Support Fund”, “International Nar-
12 cotics Control and Law Enforcement”, “Non-
13 proliferation, Anti-terrorism, Demining and Related
14 Programs”, “Peacekeeping Operations”, and “For-
15 eign Military Financing Program”, not less than
16 \$100,000,000 shall be made available for the pur-
17 poses of the Prevention and Stabilization Fund, as
18 authorized by, and for the purposes enumerated in,
19 section 509(a) of the Global Fragility Act of 2019
20 (title V of division J of Public Law 116–94), includ-
21 ing \$25,000,000 for the Multi-Donor Global Fra-
22 gility Fund authorized by section 510(c) of such Act:
23 *Provided*, That unless specifically designated in this
24 Act or in the explanatory statement accompanying
25 this Act for assistance for countries, such funds are

1 in addition to amounts otherwise made available for
2 such purposes: *Provided further*, That such funds
3 appropriated under such headings may be trans-
4 ferred to, and merged with, funds appropriated
5 under such headings: *Provided further*, That such
6 transfer authority is in addition to any other trans-
7 fer authority provided by this Act or any other Act,
8 and is subject to the regular notification procedures
9 of the Committees on Appropriations.

10 (2) TRANSITIONAL JUSTICE.—Of the funds ap-
11 propriated by this Act under the headings “Eco-
12 nomic Support Fund” and “International Narcotics
13 Control and Law Enforcement” that are made avail-
14 able for the Prevention and Stabilization Fund, not
15 less than \$10,000,000 shall be made available for
16 programs to promote accountability for genocide,
17 crimes against humanity, and war crimes, including
18 in Iraq and Syria, which shall be in addition to any
19 other funds made available by this Act for such pur-
20 poses: *Provided*, That such programs shall include
21 components to develop local investigative and judi-
22 cial skills, and to collect and preserve evidence and
23 maintain the chain of custody of evidence, including
24 for use in prosecutions, and may include the estab-
25 lishment of, and assistance for, transitional justice

1 mechanisms: *Provided further*, That such funds shall
2 be administered by the Special Coordinator for the
3 Office of Global Criminal Justice, Department of
4 State: *Provided further*, That funds made available
5 by this paragraph shall be made available on an
6 open and competitive basis.

7 (b) GLOBAL FRAGILITY ACT IMPLEMENTATION.—
8 Funds appropriated by this Act shall be made available
9 to implement the Global Fragility Act of 2019 (title V of
10 division J of Public Law 116–94): *Provided*, That not
11 later than 90 days after enactment of this Act, the Sec-
12 retary of State, in consultation with the Administrator of
13 the United States Agency for International Development,
14 shall submit a spend plan to the Committees on Appro-
15 priations detailing the use of funds made available by this
16 Act for such purposes.

17 (c) GLOBAL COMMUNITY ENGAGEMENT AND RESIL-
18 IENCE FUND.—Of the funds appropriated by this Act and
19 prior Acts making appropriations for the Department of
20 State, foreign operations, and related programs under the
21 heading “Economic Support Fund”, \$5,000,000 shall be
22 made available to the Global Community Engagement and
23 Resilience Fund (GCERF), including as a contribution:
24 *Provided*, That any such funds made available for the
25 GCERF shall be made available on a cost-matching basis

1 from sources other than the United States Government,
2 to the maximum extent practicable, and shall be subject
3 to the regular notification procedures of the Committees
4 on Appropriations.

5 (d) GLOBAL CONCESSIONAL FINANCING FACILITY.—
6 Of the funds appropriated by this Act under the heading
7 “Economic Support Fund”, \$25,000,000 shall be made
8 available for the Global Concessional Financing Facility
9 of the World Bank to provide financing to support refu-
10 gees and host communities: *Provided*, That such funds
11 shall be in addition to funds allocated for bilateral assist-
12 ance in the report required by section 653(a) of the For-
13 eign Assistance Act of 1961, and may only be made avail-
14 able subject to prior to consultation with the Committees
15 on Appropriations: *Provided further*, That such funds may
16 be transferred to the Department of the Treasury.

17 DISABILITY PROGRAMS

18 SEC. 7066. (a) ASSISTANCE.—Funds appropriated by
19 this Act under the heading “Development Assistance”
20 shall be made available for programs and activities admin-
21 istered by the United States Agency for International De-
22 velopment to address the needs and protect and promote
23 the rights of people with disabilities in developing coun-
24 tries, including initiatives that focus on independent living,
25 economic self-sufficiency, advocacy, education, employ-

1 ment, transportation, sports, and integration of individ-
2 uals with disabilities, including for the cost of translation.

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

7 DEBT-FOR-DEVELOPMENT

8 SEC. 7067. In order to enhance the continued partici-
9 pation of nongovernmental organizations in debt-for-devel-
10 opment and debt-for-nature exchanges, a nongovern-
11 mental organization which is a grantee or contractor of
12 the United States Agency for International Development
13 may place in interest bearing accounts local currencies
14 which accrue to that organization as a result of economic
15 assistance provided under title III of this Act and, subject
16 to the regular notification procedures of the Committees
17 on Appropriations, any interest earned on such investment
18 shall be used for the purpose for which the assistance was
19 provided to that organization.

20 ENTERPRISE FUNDS

21 SEC. 7068. (a) NOTIFICATION.—None of the funds
22 made available under titles III through VI of this Act may
23 be made available for Enterprise Funds unless the appro-
24 priate congressional committees are notified at least 15
25 days in advance.

1 (b) DISTRIBUTION OF ASSETS PLAN.—Prior to the
2 distribution of any assets resulting from any liquidation,
3 dissolution, or winding up of an Enterprise Fund, in whole
4 or in part, the President shall submit to the appropriate
5 congressional committees a plan for the distribution of the
6 assets of the Enterprise Fund.

7 (c) TRANSITION OR OPERATING PLAN.—Prior to a
8 transition to and operation of any private equity fund or
9 other parallel investment fund under an existing Enter-
10 prise Fund, the President shall submit such transition or
11 operating plan to the appropriate congressional commit-
12 tees.

13 RESCISSIONS

14 (INCLUDING RESCISSIONS OF FUNDS)

15 SEC. 7069. (a) DIPLOMATIC AND CONSULAR PRO-
16 GRAMS.—Of the unobligated balances from amounts avail-
17 able under the heading “Diplomatic and Consular Pro-
18 grams” in title II of the Security Assistance Appropria-
19 tions Act, 2017 (division B of Public Law 114–254),
20 \$360,123,000 are rescinded: *Provided*, That such funds
21 that were previously designated by the Congress for Over-
22 seas Contingency Operations/Global War on Terrorism
23 pursuant to section 251(b)(2)(A)(ii) of the Balanced
24 Budget and Emergency Deficit Control Act of 1985 are
25 designated by the Congress for Overseas Contingency Op-

1 erations/Global War on Terrorism pursuant to section
2 251(b)(2)(A)(ii) of such Act.

3 (b) ECONOMIC SUPPORT FUND.—Of the unobligated
4 balances made available under the heading “Economic
5 Support Fund” in title III of division G of the Further
6 Consolidated Appropriations Act, 2020 (Public Law 116–
7 94), \$75,000,000 are rescinded.

8 (c) INTERNATIONAL NARCOTICS CONTROL AND LAW
9 ENFORCEMENT.—Of the unobligated balances made avail-
10 able under the heading “International Narcotics Control
11 and Law Enforcement” in title IV of division G of the
12 Further Consolidated Appropriations Act, 2020 (Public
13 Law 116–94), \$25,000,000 are rescinded.

14 (d) PEACEKEEPING OPERATIONS.—Of the unobli-
15 gated balances made available under the heading “Peace-
16 keeping Operations” in title IV of division G of the Fur-
17 ther Consolidated Appropriations Act, 2020 (Public Law
18 116–94) and designated by the Congress for Overseas
19 Contingency Operations/Global War on Terrorism pursu-
20 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
21 and Emergency Deficit Control Act of 1985, \$40,000,000
22 are rescinded: *Provided*, That such funds that were pre-
23 viously designated by the Congress for Overseas Contin-
24 gency Operations/Global War on Terrorism pursuant to
25 section 251(b)(2)(A)(ii) of the Balanced Budget and

1 Emergency Deficit Control Act of 1985 are designated by
2 the Congress for Overseas Contingency Operations/Global
3 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
4 such Act.

5 (e) FOREIGN MILITARY FINANCING PROGRAM.—Of
6 the unobligated balances made available under the heading
7 “Foreign Military Financing Program” in title IV of divi-
8 sion G of the Further Consolidated Appropriations Act,
9 2020 (Public Law 116–94) and designated by the Con-
10 gress for Overseas Contingency Operations/Global War on
11 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
12 anced Budget and Emergency Deficit Control Act of 1985,
13 \$25,000,000 are rescinded: *Provided*, That such funds
14 that were previously designated by the Congress for Over-
15 seas Contingency Operations/Global War on Terrorism
16 pursuant to section 251(b)(2)(A)(ii) of the Balanced
17 Budget and Emergency Deficit Control Act of 1985 are
18 designated by the Congress for Overseas Contingency Op-
19 erations/Global War on Terrorism pursuant to section
20 251(b)(2)(A)(ii) of such Act.

21 DESIGNATIONS

22 SEC. 7070. (a) DESIGNATION.—Each amount des-
23 igned in this Act by the Congress for Overseas Contin-
24 gency Operations/Global War on Terrorism pursuant to
25 section 251(b)(2)(A)(ii) of the Balanced Budget and

1 Emergency Deficit Control Act of 1985 shall be available
2 (or rescinded, if applicable) only if the President subse-
3 quently so designates all such amounts and transmits such
4 designations to the Congress.

5 (b) DESIGNATION RETENTION.—Any amount appro-
6 priated by this Act, designated by the Congress for Over-
7 seas Contingency Operations/Global War on Terrorism
8 pursuant to section 251(b)(2)(A)(ii) of the Balanced
9 Budget and Emergency Deficit Control Act of 1985 and
10 subsequently so designated by the President, and trans-
11 ferred pursuant to transfer authorities provided by this
12 Act, shall retain such designation.

13 This Act may be cited as the “Department of State,
14 Foreign Operations, and Related Programs Appropria-
15 tions Act, 2021”.