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.

Be it enacted by the Senate and House of Representa-

tives of the United States of America in Congress assembled,
That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2021, and for other purposes, namely:

TITLE I
DEPARTMENT OF STATE AND RELATED AGENCY
DEPARTMENT OF STATE
ADMINISTRATION OF FOREIGN AFFAIRS
DIPLOMATIC PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, $9,151,467,000, of which $754,585,000 may remain available until September 30, 2022, and of which up to $4,120,899,000 may remain available until expended for Worldwide Security Protection: Provided, That of the amount made available under this heading for Worldwide Security Protection, $2,626,122,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That funds made available under this heading shall be allocated in accordance with paragraphs (1) through (4) as follows:
(1) HUMAN RESOURCES.—For necessary expenses for training, human resources management, and salaries, including employment without regard to civil service and classification laws of persons on a temporary basis (not to exceed $700,000), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948 (62 Stat. 11; Chapter 36), $2,916,685,000, of which up to $534,782,000 is for Worldwide Security Protection.

(2) OVERSEAS PROGRAMS.—For necessary expenses for the regional bureaus of the Department of State and overseas activities as authorized by law, $1,755,747,000.

(3) DIPLOMATIC POLICY AND SUPPORT.—For necessary expenses for the functional bureaus of the Department of State, including representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress, general administration, and arms control, nonproliferation, and disarmament activities as authorized, $867,723,000.

(4) SECURITY PROGRAMS.—For necessary expenses for security activities, $3,611,312,000, of
which up to $3,586,117,000 is for Worldwide Security Protection.

(5) **FEES AND PAYMENTS COLLECTED**.—In addition to amounts otherwise made available under this heading—

(A) as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed $5,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and

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

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

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

(B) Of the amount made available under this heading for Worldwide Security Protection,
not to exceed $50,000,000 may be transferred to, and merged with, funds made available by this Act under the heading “Emergencies in the Diplomatic and Consular Service”, to be available only for emergency evacuations and rewards, as authorized: Provided, That the exercise of the authority provided by this subparagraph shall be subject to prior consultation with the Committees on Appropriations.

(C) Funds appropriated under this heading are available for acquisition by exchange or purchase of passenger motor vehicles as authorized by law and, pursuant to section 1108(g) of title 31, United States Code, for the field examination of programs and activities in the United States funded from any account contained in this title.

CAPITAL INVESTMENT FUND

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

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $90,829,000, of which $13,624,000 may remain available until September 30, 2022: Provided, That funds
appropriated under this heading are made available not-
withstanding section 209(a)(1) of the Foreign Service Act
of 1980 (22 U.S.C. 3929(a)(1)), as it relates to post in-
spections.

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

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For necessary expenses of educational and cultural
exchange programs, as authorized, $731,575,000, to re-
main available until expended, of which not less than
$273,000,000 shall be for the Fulbright Program and not
less than $111,860,000 shall be for Citizen Exchange Pro-
gram: Provided, That fees or other payments received
from, or in connection with, English teaching, educational
advising and counseling programs, and exchange visitor
programs as authorized may be credited to this account,
to remain available until expended: Provided further, That a portion of the Fulbright awards from the Eurasia and Central Asia regions shall be designated as Edmund S. Muskie Fellowships, following consultation with the Committees on Appropriations: Provided further, That funds appropriated under this heading that are made available for the Benjamin Gilman International Scholarships Program shall also be made available for the John S. McCain Scholars Program, pursuant to section 7075 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 (division F of Public Law 116–6): Provided further, That funds appropriated under this heading shall be made available for the Community Engagement Exchange Program as described under the heading “Civil Society Exchange Program” in Senate Report 116–126: Provided further, That any substantive modifications from the prior fiscal year to programs funded by this Act under this heading shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

REPRESENTATION EXPENSES

For representation expenses as authorized, $7,415,000.
PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For necessary expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, $30,890,000, to remain available until September 30, 2022.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292 et seq.), preserving, maintaining, repairing, and planning for real property that are owned or leased by the Department of State, and renovating, in addition to funds otherwise available, the Harry S Truman Building, $757,100,000, to remain available until September 30, 2025, of which not to exceed $25,000 may be used for overseas representation expenses as authorized: Provided, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies of the United States Government.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, $1,181,394,000, to remain available until expended, of which $424,287,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.
EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For necessary expenses to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, as authorized, $7,885,000, to remain available until expended, of which not to exceed $2,200,000 may be transferred to, and merged with, funds appropriated by this Act under the heading “Repatriation Loans Program Account”.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $1,300,000, as authorized: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $6,311,992.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96–8), $31,963,000.

INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF COLUMBIA

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

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

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

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For necessary expenses, not otherwise provided for, to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions, or specific Acts of Congress, $1,479,343,000, of which $96,240,000, to remain available until September 30, 2022, is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided, That the Secretary of State shall, at the time of the submission of the President’s budget to Congress under section 1105(a) of title 31, United States Code, transmit to the Committees on Appropriations the most recent biennial
budget prepared by the United Nations for the operations of the United Nations: \textit{Provided further}, That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget: \textit{Provided further}, That any payment of arrearages under this heading shall be directed to activities that are mutually agreed upon by the United States and the respective international organization and shall be subject to the regular notification procedures of the Committees on Appropriations: \textit{Provided further}, That none of the funds appropriated under this heading shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

\textbf{CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES}

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $1,441,094,000, of which $705,994,000 is des-
ignated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided, That of the funds made available under this heading, up to $816,259,000 may remain available until September 30, 2022: Provided further, That none of the funds made available by this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for such mission in the United Nations Security Council (or in an emergency as far in advance as is practicable), the Committees on Appropriations are notified of: (1) the estimated cost and duration of the mission, the objectives of the mission, the national interest that will be served, and the exit strategy; and (2) the sources of funds, including any reprogrammings or transfers, that will be used to pay the cost of the new or expanded mission, and the estimated cost in future fiscal years: Provided further, That none of the funds appropriated under this heading may be made available for obligation unless the Secretary of State certifies and reports to the Committees on Appropriations on a peacekeeping mission-by-mission basis that the United Nations is implementing effective policies and procedures to prevent United Nations employees, contractor personnel, and
peacekeeping troops serving in such mission from trafficking in persons, exploiting victims of trafficking, or committing acts of sexual exploitation and abuse or other violations of human rights, and to hold accountable individuals who engage in such acts while participating in such mission, including prosecution in their home countries and making information about such prosecutions publicly available on the website of the United Nations: 

Provided further, That the Secretary of State shall work with the United Nations and foreign governments contributing peacekeeping troops to implement effective vetting procedures to ensure that such troops have not violated human rights: Provided further, That funds shall be available for peacekeeping expenses unless the Secretary of State determines that United States manufacturers and suppliers are not being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: Provided further, That none of the funds appropriated or otherwise made available under this heading may be used for any United Nations peacekeeping mission that will involve United States Armed Forces under the command or operational control of a foreign national, unless the President’s military advisors have submitted to the President a recommendation
that such involvement is in the national interest of the United States and the President has submitted to Congress such a recommendation: Provided further, That the Secretary of State shall work with the United Nations and members of the United Nations Security Council to evaluate and prioritize peacekeeping missions, and to consider a drawdown when mission goals have been substantially achieved: Provided further, That any payment of arrearages with funds appropriated by this Act shall be subject to the regular notification procedures of the Committees on Appropriations.

INTERNATIONAL COMMISSIONS

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

INTERNATIONAL BOUNDARY AND WATER COMMISSION,

UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation expenses; as follows:
SALARIES AND EXPENSES

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

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $49,000,000, to remain available until expended, as authorized: Provided, That of the funds appropriated under this heading in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs for the United States Section, except for funds designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, up to $5,000,000 may be transferred to, and merged with, funds appropriated under the heading “Salaries and Expenses” to carry out the purposes of the United States Section, which shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided further, That such transfer authority is in addition to any other transfer authority provided in this Act.
AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, $12,498,000: Provided, That of the amount provided under this heading for the International Joint Commission, up to $1,250,000 may remain available until September 30, 2022, and up to $9,000 may be made available for representation expenses: Provided further, That of the amount provided under this heading for the International Boundary Commission, up to $1,000 may be made available for representation expenses.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $62,846,000: Provided, That the United States share of such expenses may be advanced to the respective commissions pursuant to section 3324 of title 31, United States Code.

RELATED AGENCY

UNITED STATES AGENCY FOR GLOBAL MEDIA

INTERNATIONAL BROADCASTING OPERATIONS

For necessary expenses to enable the United States Agency for Global Media (USAGM), as authorized, to
carry out international communication activities, and to make and supervise grants for radio, Internet, and television broadcasting to the Middle East, $643,232,000:  
Provided, That of the funds made available under this heading, not to exceed $35,000 may be used for representation expenses, of which $10,000 may be used for such expenses within the United States as authorized, and not to exceed $30,000 may be used for representation expenses of Radio Free Europe/Radio Liberty (RFE/RL):  
Provided further, That funds made available under this heading shall be allocated in accordance with paragraphs (1) and (2) as follows:

(1) FEDERAL ENTITIES.—Of the funds made available under this heading, $42,800,000 is for the International Broadcasting Bureau (IBB), of which up to $20,708,000 may remain available until expended for satellite transmissions; $152,347,000 is for the Office of Technology, Services, and Innovation; $191,559,000 is for Voice of America (VOA); and $12,973,000 is for the Office of Cuba Broadcasting:

(2) NON-FEDERAL ENTITIES.—Of the funds made available under this heading, $87,261,000 is for RFE/RL; $39,519,000 is for Radio Free Asia; $96,773,000 is for Middle East Broadcasting Net-
works; and $20,000,000, to remain available until
expended, is for the Open Technology Fund (OTF)
for Internet freedom programs in accordance with
section 7050 of this Act:

Provided further, That of the amounts specified for each
Federal and non-Federal entity in paragraphs (1) and (2)
under this heading, 75 percent shall be made available for
obligation upon enactment of this Act: Provided further,
That the remaining 25 percent of the funds specified for
each Federal and non-Federal entity in paragraphs (1)
and (2), except for IBB, shall only be made available 15
days after the submission of a report by the Department
of State Inspector General to the appropriate congres-
sional committees assessing whether USAGM is meeting
the requirements of section 303(a) and (b) of the United
6202) and section 305(b) of such Act (22 U.S.C.
6204(b)): Provided further, That the remaining 25 percent
of funds for the IBB shall not be made available until
each other entity specified in paragraphs (1) and (2) has
received the full amount made available in such para-
graphs: Provided further, That notwithstanding any other
 provision of law, the USAGM Chief Executive Officer
(CEO) may only take action with respect to the hiring,
firing, and transfer of senior staff of USAGM Federal en-
ties and officers of the grantee broadcasting organizations not less than 5 days after a detailed justification for any such action taken is submitted to the appropriate congressional committees: Provided further, That notwithstanding any other provision of law or regulation and beginning not later than 30 days after enactment of this Act, no personnel may be detailed to USAGM during the current fiscal year unless the general counsel of the home agency and USAGM have jointly certified to such committees that such detail does not constitute an augmentation of appropriation and is consistent with all applicable personnel policies: Provided further, That none of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be used to consolidate any USAGM grantee organizations: Provided further, That not later than 30 days after enactment of this Act and every 90 days thereafter until September 30, 2021, the USAGM CEO, in coordination with the Federal and non-Federal entities specified in paragraphs (1) and (2), shall submit a spend plan to the Committees on Appropriations consistent with the requirements of section 7034(r)(4) of this Act and as described under this heading in the explanatory statement accompanying this Act: Provided further, That any modifications to such spend plans are subject to the
requirements of section 7015 of this Act: Provided further,

That the USAGM CEO shall notify the Committees on Appropriations within 15 days of any determination by the USAGM that any of its broadcast entities, including its grantee organizations, provides an open platform for international terrorists or those who support international terrorism, or is in violation of the principles and standards set forth in 22 U.S.C. 6202 or the entity’s journalistic code of ethics: Provided further, That modifications to USAGM broadcast hours in excess of 10 percent of the amounts previously justified to Congress, including changes to transmission platforms (shortwave, medium wave, satellite, Internet, and television), for all USAGM language services shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That funds appropriated under this heading and under the heading “Broadcasting Capital Improvements” shall be subject to the regular notification procedures of the Committees on Appropriations.

In addition to funds made available under this heading, and notwithstanding any other provision of law, up to $5,000,000 in receipts from advertising and revenue from business ventures, up to $500,000 in receipts from cooperating international organizations, and up to $1,000,000 in receipts from privatization efforts of VOA
and IBB, shall remain available until expended for carrying out authorized purposes.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, repair, preservation, and improvement of facilities for radio, television, and digital transmission and reception; the purchase, rent, and installation of necessary equipment for radio, television, and digital transmission and reception, including to Cuba, as authorized; and physical security worldwide, in addition to amounts otherwise available for such purposes, $4,520,000, to remain available until expended, as authorized.

RELATED PROGRAMS

THE ASIA FOUNDATION

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

UNITED STATES INSTITUTE OF PEACE

For necessary expenses of the United States Institute of Peace, as authorized by the United States Institute of Peace Act (22 U.S.C. 4601 et seq.), $45,000,000, to re-
main available until September 30, 2022, which shall not be used for construction activities.

CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST FUND

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

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2021, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by section 5376 of title 5, United States Code; or for purposes which are not in accordance with section 200 of title
2 of the Code of Federal Regulations, including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

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

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $19,700,000: Provided, That funds appropriated under this heading shall be apportioned and obligated to the Center not later than 60 days after enactment of this Act.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy, as authorized by the National Endowment for Democracy Act (22 U.S.C. 4412), $300,000,000, to remain available until expended, of which $195,840,000 shall be allocated in the traditional
and customary manner, including for the core institutes, and $104,160,000 shall be for democracy programs: Provided, That the requirements of section 7061(a) of this Act shall not apply to funds made available under this heading: Provided further, That funds appropriated under this heading shall be apportioned and obligated to the Endowment not later than 60 days after enactment of this Act.

OTHER COMMISSIONS

COMMISSION FOR THE PRESERVATION OF AMERICA’S HERITAGE ABROAD

FOR SALARIES AND EXPENSES

For necessary expenses for the Commission for the Preservation of America’s Heritage Abroad, $675,000, as authorized by chapter 3123 of title 54, United States Code: Provided, That the Commission may procure temporary, intermittent, and other services notwithstanding paragraph (3) of section 312304(b) of such chapter: Provided further, That such authority shall terminate on October 1, 2021: Provided further, That the Commission shall notify the Committees on Appropriations prior to exercising such authority.
UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

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

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304 (22 U.S.C. 3001 et seq.), $2,908,000, including not more than $4,000 for representation expenses, to remain available until September 30, 2022.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE’S REPUBLIC OF CHINA

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People’s Republic of China, as authorized by title III of the U.S.-China Relations Act of 2000 (22 U.S.C. 6911 et seq.), $2,250,000, including not
more than $3,000 for representation expenses, to remain available until September 30, 2022.

United States-China Economic and Security Review Commission

Salaries and Expenses

For necessary expenses of the United States-China Economic and Security Review Commission, as authorized by section 1238 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), $4,000,000, including not more than $4,000 for representation expenses, to remain available until September 30, 2022: Provided, That the authorities, requirements, limitations, and conditions contained in the second through sixth provisos under this heading in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) shall continue in effect during fiscal year 2021 and shall apply to funds appropriated under this heading.
TITLE II

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

Funds Appropriated to the President

Operating Expenses

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961 (22 U.S.C. 2427), $1,392,246,000, of which $208,836,900 may remain available until September 30, 2022: Provided, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 (22 U.S.C. 2360, 2151g) may be exercised by the Secretary of State to transfer funds appropriated to carry out chapter 1 of part I of such Act to “Operating Expenses” in accordance with the provisions of those sections: Provided further, That funds made available under this heading shall be allocated in accordance with paragraphs (1) through (3) as follows:

(1) Overseas Operations.—For necessary expenses for overseas operations, including field mission support and overseas salaries and benefits, $709,300,000:

(2) Washington Operations.—For necessary expenses of Washington operations, including security, domestic salaries and benefits, and other domestic bureau costs, $379,446,000:
(3) Central Support.—For necessary expenses for central support, including information technology, rent, and other personnel support and agency costs, $303,500,000:

Provided further, That notwithstanding any other provision of this Act, funds may be reprogrammed within and between paragraphs (1) through (3) under this heading subject to section 7015 of this Act: Provided further, That none of the funds appropriated under this heading and under the heading “Capital Investment Fund” in this title may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development, unless the USAID Administrator has identified such proposed uses of funds in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of funds for such purposes: Provided further, That contracts or agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through the following fiscal year: Provided further, That of the funds appropriated or otherwise made available under this heading, up to $250,000 may be made available for representation and entertainment expenses, of which up to $5,000 may be made available for entertainment ex-
expenses, and up to $100,500 shall be for official residence
expenses, for USAID during the current fiscal year.

CAPITAL INVESTMENT FUND

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

OFFICE OF INSPECTOR GENERAL

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

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

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

GLOBAL HEALTH PROGRAMS

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for global health activities, in addition to funds otherwise available for such purposes, $3,323,500,000, to remain available until September 30, 2022, and which shall be apportioned directly to the United States Agency for International Development not later than 60 days after enactment of this Act: Provided, That this amount shall be made available for training, equipment, and technical assistance to build the capacity of public health institutions and organizations in developing countries, and for such activities as: (1) child survival and maternal health programs; (2) immunization and oral rehydration programs; (3) other health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assistance for children displaced or orphaned by causes other than AIDS; (5) programs for the preven-
tion, treatment, control of, and research on HIV/AIDS, tuberculosis, polio, malaria, zoonotic diseases, and other infectious diseases including neglected tropical diseases, and for assistance to communities severely affected by HIV/AIDS, including children infected or affected by AIDS; (6) disaster preparedness training for health crises; (7) programs to prevent, prepare for, and respond to, unanticipated and emerging global health threats; and (8) family planning/reproductive health: Provided further, That funds appropriated under this paragraph may be made available for a United States contribution to The GAVI Alliance: Provided further, That none of the funds made available in this Act nor any unobligated balances from prior appropriations Acts may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: Provided further, That any determination made under the previous proviso must be made not later than 6 months after the date of enactment of this Act, and must be accompanied by the evidence and criteria utilized to make the determination: Provided further, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce
any person to practice abortions: Provided further, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: Provided further, That none of the funds made available under this Act may be used to lobby for or against abortion: Provided further, That in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method
of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual’s decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the USAID Administrator determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: Provided further, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discrimi-
nated against because of such applicant’s religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: Provided further, That for purposes of this or any other Act authorizing or appropriating funds for the Department of State, foreign operations, and related programs, the term “motivate”, as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: Provided further, That information provided about the use of condoms as part of projects or activities that are funded from amounts appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use.

In addition, for necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, $5,930,000,000, to remain available until September 30, 2025, which shall be apportioned directly to the Department of State not later than 60 days after enactment of this Act: Provided, That funds appropriated under this paragraph may be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis, and
Malaria Act of 2003 (Public Law 108–25), for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund): Provided further, That the amount of such contribution shall be $1,560,000,000 and shall be for the second installment of the sixth replenishment: Provided further, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2021 may be made available to USAID for technical assistance related to the activities of the Global Fund, subject to the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds appropriated under this paragraph, up to $17,000,000 may be made available, in addition to amounts otherwise available for such purposes, for administrative expenses of the Office of the United States Global AIDS Coordinator.

DEVELOPMENT ASSISTANCE

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

For necessary expenses to carry out the provisions of section 491 of the Foreign Assistance Act of 1961 for international disaster relief, rehabilitation, and reconstruction assistance, $4,395,362,000, to remain available until expended, of which $2,152,780,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided, That funds made available under this heading shall be apportioned to the United States Agency for International Development not later than 60 days after enactment of this Act.

TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance administered by the Office of Transition Initiatives, United States Agency for International Development, pursuant to section 491 of the Foreign Assistance Act of 1961, and to support transition to democracy and long-term development of countries in crisis, $92,043,000, to remain available until expended: Provided, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: Provided further, That the
USAID Administrator shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance or significantly modifying or terminating a program of assistance: Provided further, That if the Secretary of State determines that it is important to the national interest of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to $15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: Provided further, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations: Provided further, That funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for the Office of Transition Initiatives, USAID, shall be subject to the regular notification procedures of the Committees on Appropriations.

COMPLEX CRISES FUND

For necessary expenses to carry out the provisions of section 509(b) of the Global Fragility Act of 2019 (title V of division J of Public Law 116–94), $30,000,000, to
remain available until expended: *Provided*, That funds ap-
propriated under this heading may be made available not-
withstanding any other provision of law, except sections
7007, 7008, and 7018 of this Act and section 620M of
the Foreign Assistance Act of 1961: *Provided further,*
That funds appropriated under this heading shall be ap-
portioned to the United States Agency for International
Development not later than 60 days after enactment of
this Act.

**ECONOMIC SUPPORT FUND**

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

**DEMOCRACY FUND**

For necessary expenses to carry out the provisions
of the Foreign Assistance Act of 1961 for the promotion
of democracy globally, including to carry out the purposes
of section 502(b)(3) and (5) of Public Law 98–164 (22
U.S.C. 4411), $360,950,000, to remain available until
September 30, 2022, which shall be made available for the
Human Rights and Democracy Fund of the Bureau of De-
ocracy, Human Rights, and Labor, Department of
State, and shall be apportioned to such Bureau not later
than 60 days after enactment of this Act: *Provided,* That
funds appropriated under this heading that are made available to the National Endowment for Democracy and its core institutes are in addition to amounts otherwise available by this Act for such purposes: Provided further, That the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, shall consult with the Committees on Appropriations prior to the initial obligation of funds appropriated under this paragraph.

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

ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961, the FREEDOM Support Act (Public Law 102–511), and the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101–179), $721,780,000, to remain available until September 30, 2022, which shall be available, notwithstanding any other provision of law, except section 7047 of this Act, for assistance and related programs for countries identified in section 3 of the FREEDOM Support
Act (22 U.S.C. 5801) and section 3(c) of the SEED Act of 1989 (22 U.S.C. 5402), in addition to funds otherwise available for such purposes: Provided, That funds appropriated by this Act under the headings “Global Health Programs”, “Economic Support Fund”, and “International Narcotics Control and Law Enforcement” that are made available for assistance for such countries shall be administered in accordance with the responsibilities of the coordinator designated pursuant to section 102 of the FREEDOM Support Act and section 601 of the SEED Act of 1989: Provided further, That funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance: Provided further, That funds appropriated under this heading may be made available for contributions to multilateral initiatives to counter hybrid threats: Provided further, That any notification of funds made available under this heading in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall include information (if known on the date of transmittal of such notification) on the use of notwithstanding authority: Provided further, That if subsequent to the notification of assistance it becomes nec-
necessary to rely on notwithstanding authority, the Committees on Appropriations should be informed at the earliest opportunity and to the extent practicable.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For necessary expenses not otherwise provided for, to enable the Secretary of State to carry out the provisions of section 2(a) and (b) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601), and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.); allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $3,432,000,000, to remain available until expended, of which: $1,521,355,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985; not less than $35,000,000 shall be made available to respond to small-scale emergency humanitarian requirements; and $5,000,000 shall be made available for refugees resettling in Israel.
UNITED STATES EMERGENCY REFUGEE AND MIGRATION
ASSISTANCE FUND

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

INDEPENDENT AGENCIES

PEACE CORPS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Peace Corps Act (22 U.S.C. 2501 et seq.), including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States, $359,500,000, of which $6,330,000 is for the Of-
Office of Inspector General, to remain available until September 30, 2022: Provided, That the Director of the Peace Corps may transfer to the Foreign Currency Fluctuations Account, as authorized by section 16 of the Peace Corps Act (22 U.S.C. 2515), an amount not to exceed $5,000,000: Provided further, That funds transferred pursuant to the previous proviso may not be derived from amounts made available for Peace Corps overseas operations: Provided further, That of the funds appropriated under this heading, not to exceed $104,000 may be available for representation expenses, of which not to exceed $4,000 may be made available for entertainment expenses: Provided further, That of the funds appropriated under this heading, up to $3,000,000 may be made available to graduate the United States-China Friendship Volunteer Program: Provided further, That none of the funds appropriated under this heading shall be used to pay for abortions: Provided further, That notwithstanding the previous proviso, section 614 of division E of Public Law 113–76 shall apply to funds appropriated under this heading.

MILLENNIUM CHALLENGE CORPORATION

For necessary expenses to carry out the provisions of the Millennium Challenge Act of 2003 (22 U.S.C. 7701 et seq.) (MCA), $912,000,000, to remain available until expended: Provided, That of the funds appropriated under
this heading, up to $112,000,000 may be available for admin-
istrative expenses of the Millennium Challenge Cor-
poration: Provided further, That section 605(e) of the
MCA (22 U.S.C. 7704(e)) shall apply to funds appro-
priated under this heading: Provided further, That funds
appropriated under this heading may be made available
for a Millennium Challenge Compact entered into pursu-
ant to section 609 of the MCA (22 U.S.C. 7708) only if
such Compact obligates, or contains a commitment to obli-
gate subject to the availability of funds and the mutual
agreement of the parties to the Compact to proceed, the
total amount of the United States Government funding
anticipated for the duration of the Compact: Provided fur-
ther, That no country should be eligible for a threshold
program after such country has completed a country com-
pact: Provided further, That of the funds appropriated
under this heading, not to exceed $100,000 may be avail-
able for representation and entertainment expenses, of
which not to exceed $5,000 may be available for entertain-
ment expenses.

INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of
the Inter-American Foundation in accordance with the
provisions of section 401 of the Foreign Assistance Act
of 1969, $37,500,000, to remain available until September
30, 2022: Provided, That of the funds appropriated under this heading, not to exceed $2,000 may be available for representation expenses.

UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out the African Development Foundation Act (title V of Public Law 96–533; 22 U.S.C. 290h et seq.), $33,000,000, to remain available until September 30, 2022, of which not to exceed $2,000 may be available for representation expenses: Provided, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the Board of Directors of the United States African Development Foundation (USADF): Provided further, That interest earned shall be used only for the purposes for which the grant was made: Provided further, That notwithstanding section 505(a)(2) of the African Development Foundation Act (22 U.S.C. 290h–3(a)(2)), in exceptional circumstances the Board of Directors of the USADF may waive the $250,000 limitation contained in that section with respect to a project and a project may exceed the limitation by up to 10 percent if the increase is due solely to foreign currency fluctuation: Provided further, That the USADF shall submit a report to the appropriate congressional committees after each time such waiver authority is exercised: Provided further, That the
USADF may make rent or lease payments in advance from appropriations available for such purpose for offices, buildings, grounds, and quarters in Africa as may be necessary to carry out its functions: Provided further, That the USADF may maintain bank accounts outside the United States Treasury and retain any interest earned on such accounts, in furtherance of the purposes of the African Development Foundation Act: Provided further, That the USADF may not withdraw any appropriation from the Treasury prior to the need of spending such funds for program purposes.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

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

DEBT RESTRUCTURING

For the costs, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and
loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, including the cost of selling, reducing, or canceling amounts owed to the United States as a result of concessional loans made to eligible countries, pursuant to part V of the Foreign Assistance Act of 1961, $20,000,000, to remain available until September 30, 2023.

In addition, for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees for Somalia or credits extended to Somalia, as the President may determine, including the costs of selling, reducing, or cancelling amounts owed to the United States, in the event that Somalia has met the domestic and internationally-agreed conditions and such modification is consistent with United States law and foreign policy considerations, not to exceed $78,000,000, to remain available until expended, which may be used notwithstanding any other provision of law: Provided, That funds made available by this paragraph shall be subject to prior consultation with the appropriate congressional committees and subject to the regular notification procedures of the Committees on Appropriations.
TITLE IV

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $1,378,925,000, to remain available until September 30, 2022: Provided, That the Department of State may use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing such property to a foreign country or international organization under chapter 8 of part I of such Act, subject to the regular notification procedures of the Committees on Appropriations: Provided further, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading, except that any funds made available notwithstanding such section shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That funds appropriated under this heading shall be made available to support training and technical assistance for foreign law enforcement, corrections, judges, and other judicial authorities, utilizing regional partners: Provided further,
ther, That funds made available under this heading that are transferred to another department, agency, or instrumentality of the United States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of $5,000,000, and any agreement made pursuant to section 632(a) of such Act, shall be subject to the regular notification procedures of the Committees on Appropriations.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, $883,200,000, to remain available until September 30, 2022, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act (22 U.S.C. 5854), section 23 of the Arms Export Control Act (22 U.S.C. 2763), or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a United States contribu-
tion to the Comprehensive Nuclear Test Ban Treaty Pre-
paratory Commission, and for a voluntary contribution to
the International Atomic Energy Agency (IAEA): Pro-
vided, That funds made available under this heading for
the Nonproliferation and Disarmament Fund shall be
made available, notwithstanding any other provision of law
and subject to prior consultation with, and the regular no-
tification procedures of, the Committees on Appropria-
tions, to promote bilateral and multilateral activities relat-
ing to nonproliferation, disarmament, and weapons de-
struction, and shall remain available until expended: Pro-
vided further, That such funds may also be used for such
countries other than the Independent States of the former
Soviet Union and international organizations when it is
in the national security interest of the United States to
do so: Provided further, That funds appropriated under
this heading may be made available for the IAEA unless
the Secretary of State determines that Israel is being de-
ied its right to participate in the activities of that Agen-
cy: Provided further, That funds made available for con-
ventional weapons destruction programs, including
demining and related activities, in addition to funds other-
wise available for such purposes, may be used for adminis-
trative expenses related to the operation and management
of such programs and activities, subject to the regular no-
For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $406,508,000, of which $325,213,000, to remain available until September 30, 2022, is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided, That funds appropriated under this heading may be used, notwithstanding section 660 of the Foreign Assistance Act of 1961, to provide assistance to enhance the capacity of foreign civilian security forces, including gendarmes, to participate in peacekeeping operations: Provided further, That of the funds appropriated under this heading, not less than $25,000,000 shall be made available for a United States contribution to the Multinational Force and Observers mission in the Sinai: Provided further, That funds appropriated under this heading may be made available to pay assessed expenses of international peacekeeping activities in Somalia under the same terms and conditions, as applicable, as funds appropriated by this Act under the heading “Contributions for International Peacekeeping Activities”: Provided further, That
none of the funds appropriated under this heading shall be obligated except as provided through the regular notification procedures of the Committees on Appropriations.

Funds Appropriated to the President
International Military Education and Training

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $112,905,000, of which up to $11,000,000 may remain available until September 30, 2022: Provided, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: Provided further, That of the funds appropriated under this heading, up to $3,000,000 may remain available until expended to increase the participation of women in programs and activities funded under this heading, following consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided further, That of the funds appropriated under this heading, not to exceed $50,000 may be available for entertainment expenses.
FOREIGN MILITARY FINANCING PROGRAM

For necessary expenses for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act (22 U.S.C. 2763), $6,156,463,000, of which $518,232,000, to remain available until September 30, 2022, is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

Provided, That to expedite the provision of assistance to foreign countries and international organizations, the Secretary of State, following consultation with the Committees on Appropriations and subject to the regular notification procedures of such Committees, may use the funds appropriated under this heading to procure defense articles and services to enhance the capacity of foreign security forces: Provided further, That of the funds appropriated under this heading, not less than $3,300,000,000 shall be available for grants only for Israel which shall be disbursed within 30 days of enactment of this Act: Provided further, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel under this heading shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which not less than
$795,300,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: Provided further, That funds appropriated or otherwise made available under this heading shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: Provided further, That funds made available under this heading shall be obligated upon apportionment in accordance with paragraph (5)(C) of section 1501(a) of title 31, United States Code.

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurement has first signed an agreement with the United States Government specifying the conditions under which such procurement may be financed with such funds: Provided, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 7015 of this Act: Provided further, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may in-
clude activities implemented through nongovernmental and international organizations: Provided further, That only those countries for which assistance was justified for the “Foreign Military Sales Financing Program” in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act: Provided further, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: Provided further, That not more than $70,000,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds made available under this heading for general costs of administering military assistance and sales, not to exceed $4,000 may be available for entertainment expenses and not to exceed $130,000 may be available for representation expenses:
Provided further, That not more than $1,082,200,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act (22 U.S.C. 2761(e)(1)(A)) may be obligated for expenses incurred by the Department of Defense during fiscal year 2021 pursuant to section 43(b) of the Arms Export Control Act (22 U.S.C. 2792(b)), except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations.
TITLE V

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, $355,500,000: Provided, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to contributions to the United Nations Democracy Fund: Provided further, That not later than 60 days after enactment of this Act, such funds shall be made available for core contributions for each entity listed in the table under this heading in the explanatory statement accompanying this Act unless otherwise provided for in this Act, or if the Secretary of State has justified to the Committees on Appropriations the proposed uses of funds other than for core contributions following prior consultation with, and subject to the regular notification procedures of, such Committees.

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

For payment to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility by the Secretary of the Treasury, $139,575,000, to remain available until, and to be fully...
disbursed not later than, September 30, 2022: Provided,
That of such amount, $136,563,000, which shall remain
available until September 30, 2021, is only available for the third installment of the seventh replenishment of the Global Environment Facility, and shall be obligated and disbursed not later than 90 days after enactment of this Act: Provided further, That the Secretary shall report to the Committees on Appropriations on the status of funds provided under this heading not less than quarterly until fully disbursed: Provided further, That in such report the Secretary shall provide a timeline for the obligation and disbursement of any funds that have not yet been obligated or disbursed.

CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the International Bank for Reconstruction and Development by the Secretary of the Treasury for the United States share of the paid-in portion of the increases in capital stock, $206,500,000, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
ASSOCIATION

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

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For payment to the Asian Development Bank’s Asian
Development Fund by the Secretary of the Treasury,
$47,395,000, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

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

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Develop-
ment Bank may subscribe without fiscal year limitation
to the callable capital portion of the United States share
of such capital stock in an amount not to exceed
$856,174,624.
CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

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

CONTRIBUTION TO THE NORTH AMERICAN DEVELOPMENT BANK

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For payment to the International Fund for Agricultural Development by the Secretary of the Treasury, $35,000,000, to remain available until, and to be fully disbursed not later than, September 30, 2022, for the third installment of the eleventh replenishment of the International Fund for Agricultural Development: Provided, That the Secretary of the Treasury shall report to the Committees on Appropriations on the status of such payment not less than quarterly until fully disbursed: Provided further, That in such report the Secretary shall pro-
vide a timeline for the obligation and disbursement of any funds that have not yet been obligated or disbursed.
TITLE VI

EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $6,500,000, of which up to $975,000 may remain available until September 30, 2022.

PROGRAM ACCOUNT

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program for the current fiscal year for such corporation: Provided, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has deto-
nated a nuclear explosive after the date of enactment of this Act.

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to exceed $30,000 for official reception and representation expenses for members of the Board of Directors, not to exceed $110,000,000, of which up to $16,500,000 may remain available until September 30, 2022: Provided, That the Export-Import Bank (the Bank) may accept, and use, payment or services provided by transaction participants for legal, financial, or technical services in connection with any transaction for which an application for a loan, guarantee or insurance commitment has been made: Provided further, That notwithstanding chapter 51, subchapter III of chapter 53, and section 5373 of title 5, United States Code, the Board of Directors of the Bank may set an employee’s rate of basic pay up to the rate for level III of the Executive Schedule, and this authority may be applied to no more than 35 employees at any point in time and shall remain in effect until September 30, 2021: Provided further, That the Bank shall charge fees for necessary expenses (including special services performed on a contract
or fee basis, but not including other personal services) in connection with the collection of moneys owed the Bank, repossession or sale of pledged collateral or other assets acquired by the Bank in satisfaction of moneys owed the Bank, or the investigation or appraisal of any property, or the evaluation of the legal, financial, or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, or systems infrastructure directly supporting transactions:

Provided further, That in addition to other funds appropriated for administrative expenses, such fees shall be credited to this account for such purposes, to remain available until expended.

RECEIPTS COLLECTED

Receipts collected pursuant to the Export-Import Bank Act of 1945 (Public Law 79–173) and the Federal Credit Reform Act of 1990, in an amount not to exceed the amount appropriated herein, shall be credited as offsetting collections to this account: Provided, That the sums herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis by such offsetting collections so as to result in a final fiscal year appropriation from the General Fund estimated at $0.
65

UNITED STATES INTERNATIONAL DEVELOPMENT

FINANCE CORPORATION

INSPECTOR GENERAL


CORPORATE CAPITAL ACCOUNT

The United States International Development Finance Corporation (the Corporation) is authorized to make such expenditures and commitments within the limits of funds and borrowing authority available to the Corporation, and in accordance with the law, and to make such expenditures and commitments without regard to fiscal year limitations, as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs for the current fiscal year for the Corporation: Provided, That for necessary expenses of the activities described in subsections (b), (e), (f), and (g) of section 1421 of the BUILD Act of 2018 (division F of Public Law 115–254) and for administrative expenses to carry out authorized activities and project-specific transaction costs described in section 1434(d) of such Act, $819,000,000: Provided further, That of the amount provided—
(1) $119,000,000 shall remain available until September 30, 2023, for administrative expenses to carry out authorized activities (including an amount for official reception and representation expenses which shall not exceed $25,000) and project-specific transaction costs as described in section 1434(k) of such Act, of which $1,000,000 shall remain available until September 30, 2025;

(2) $450,000,000 shall remain available until September 30, 2023, for the activities described in section 1421(c) of such Act, except such amounts obligated in a fiscal year shall remain available for disbursement for the term of the underlying project and such funds shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That if the term of the project extends longer than 10 fiscal years, the Chief Executive Officer of the Corporation shall inform the appropriate congressional committees prior to the obligation or disbursement of funds, as applicable; and

(3) $250,000,000 shall be paid to the “United States International Development Finance Corporation—Program Account” for programs authorized
by subsections (b), (e), (f), and (g) of section 1421 of the BUILD Act of 2018:

Provided further, That funds may only be obligated pursuant to section 1421(g) of the BUILD Act of 2018 subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations: Provided further, That in fiscal year 2021 collections of amounts described in section 1434(h) of the BUILD Act of 2018 shall be credited as offsetting collections to this appropriation: Provided further, That such collections collected in fiscal year 2021 in excess of $819,000,000 shall be credited to this account and shall be available in future fiscal years only to the extent provided in advance in appropriations Acts: Provided further, That in fiscal year 2021, if such collections are less than $819,000,000, receipts collected pursuant to the BUILD Act of 2018 and the Federal Credit Reform Act of 1990, in an amount equal to such shortfall, shall be credited as offsetting collections to this appropriation: Provided further, That funds appropriated or otherwise made available under this heading may not be used to provide any type of assistance that is otherwise prohibited by any other provision of law or to provide assistance to any foreign country that is otherwise prohibited by any other provision of law: Provided further, That the sums
herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis by the offsetting collections described under this heading so as to result in a final fiscal year appropriation from the General Fund estimated at $411,000,000.

PROGRAM ACCOUNT

Amounts paid from “United States International Development Finance Corporation—Corporate Capital Account” (CCA) shall remain available until September 30, 2023: Provided, That up to $300,000,000 of amounts paid to this account from CCA or transferred to this account pursuant to section 1434(j) of the BUILD Act of 2018 (division F of Public Law 115–254) shall be available for the costs of direct and guaranteed loans provided by the Corporation pursuant to section 1421(b) of such Act: Provided further, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such amounts obligated in a fiscal year shall remain available for disbursement for the following 8 fiscal years: Provided further, That funds transferred to carry out the Foreign Assistance Act of 1961 pursuant to section 1434(j) of the BUILD Act of 2018 may remain available for obligation for 1 additional fiscal year: Provided further, That
the total loan principal or guaranteed principal amount shall not exceed $8,000,000,000.

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $79,500,000, to remain available until September 30, 2022, of which no more than $19,000,000 may be used for administrative expenses: Provided, That of the funds appropriated under this heading, not more than $5,000 may be available for representation and entertainment expenses.
TITLE VII

GENERAL PROVISIONS

ALLOWANCES AND DIFFERENTIALS

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

UNOBLIGATED BALANCES REPORT

Sec. 7002. Any department or agency of the United States Government to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting of cumulative unobligated balances and obligated, but unexpended, balances by program, project, and activity, and Treasury Account Fund Symbol of all funds received by such department or agency in fiscal year 2021 or any previous fiscal year, disaggregated by fiscal year: Provided, That the report required by this section shall be submitted not later than 30 days after the end of each fiscal quarter and should specify by account the amount of funds obligated pursuant to bilateral agreements which have not been further sub-obligated.
CONSULTING SERVICES

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

DIPLOMATIC FACILITIES

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

(b) NEW DIPLOMATIC FACILITIES.—For the purposes of calculating the fiscal year 2021 costs of providing new United States diplomatic facilities in accordance with section 604(e) of the Secure Embassy Construction and
Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the Secretary of State, in consultation with the Director of the Office of Management and Budget, shall determine the annual program level and agency shares in a manner that is proportional to the contribution of the Department of State for this purpose.

(c) Consultation and Notification.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, which may be made available for the acquisition of property or award of construction contracts for overseas United States diplomatic facilities during fiscal year 2021, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(d) Interim and Temporary Facilities Abroad.—

(1) Security vulnerabilities.—Funds appropriated by this Act under the heading “Embassy Security, Construction, and Maintenance” may be made available, following consultation with the appropriate congressional committees, to address security vulnerabilities at interim and temporary United States diplomatic facilities abroad, including physical security upgrades and local guard staffing, except
that the amount of funds made available for such purposes from this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be a minimum of $25,000,000.

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

(e) SOFT TARGETS.—Of the funds appropriated by this Act under the heading “Embassy Security, Construction, and Maintenance”, not less than $10,000,000 shall be made available for security upgrades to soft targets, including schools, recreational facilities, and residences used by United States diplomatic personnel and their dependents.

PERSONNEL ACTIONS

SEC. 7005. Any costs incurred by a department or agency funded under title I of this Act resulting from personnel actions taken in response to funding reductions in-
cluded in this Act shall be absorbed within the total budgetary resources available under title I to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 7015 of this Act.

PROHIBITION ON PUBLICITY OR PROPAGANDA

Sec. 7006. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before enactment of this Act by Congress: Provided, That up to $25,000 may be made available to carry out the provisions of section 316 of the International Security and Development Cooperation Act of 1980 (Public Law 96–533; 22 U.S.C. 2151a note).

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

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

COUPS D’ÉTAT

SEC. 7008. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military coup d’etat or decree or, after the date of enactment of this Act, a coup d’état or decree in which the military plays a decisive role: Provided, That assistance may be resumed to such government if the Secretary of State certifies and reports to the appropriate congressional committees that subsequent to the termination of assistance a democratically elected government has taken office: Provided further, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: Provided further, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

TRANSFER OF FUNDS AUTHORITY

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

(1) DEPARTMENT OF STATE.—
(A) IN GENERAL.—Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers, and no such transfer may be made to increase the appropriation under the heading “Representation Expenses”.

(B) EMBASSY SECURITY.—Funds appropriated under the headings “Diplomatic Programs”, including for Worldwide Security Protection, “Embassy Security, Construction, and Maintenance”, and “Emergencies in the Diplomatic and Consular Service” in this Act may be transferred to, and merged with, funds appropriated under such headings if the Secretary of State determines and reports to the Committees on Appropriations that to do so is necessary to implement the recommendations of the Benghazi Accountability Review Board, for emergency evacuations, or to prevent or respond to security situations and requirements,
following consultation with, and subject to the
regular notification procedures of, such Com-
mittees: Provided, That such transfer authority
is in addition to any transfer authority other-
wise available in this Act and under any other
provision of law.

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

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

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

(1) IN GENERAL.—None of the funds made
available under titles II through V of this Act may
be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

(2) ALLOCATION AND TRANSFERS.—Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs to carry out the purposes of the Foreign Assistance Act of 1961, except for funds designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961, and section 1434(j) of the BUILD Act of 2018 (division F of Public Law 115–254).

(3) NOTIFICATION.—Any agreement entered into by the United States Agency for International
Development or the Department of State with any department, agency, or instrumentality of the United States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of $1,000,000 and any agreement made pursuant to section 632(a) of such Act, with funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings “Global Health Programs”, “Development Assistance”, “Economic Support Fund”, and “Assistance for Europe, Eurasia and Central Asia” shall be subject to the regular notification procedures of the Committees on Appropriations: Provided, That the requirement in the previous sentence shall not apply to agreements entered into between USAID and the Department of State.

(c) LIMITATION ON UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.—Amounts transferred pursuant to section 1434(j) of the BUILD Act of 2018 (division F of Public Law 115–254) may only be transferred from funds made available under title III of this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, except for funds designated by the Congress for
1 Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, and such amounts shall not exceed $50,000,000 for the current fiscal year: Provided, That any such transfers shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided further, That the Secretary of State, the Administrator of the United States Agency for International Development, and the Chief Executive Officer of the United States International Development Finance Corporation (the Corporation), as appropriate, shall ensure that the programs funded by such transfers are coordinated with, and complement, foreign assistance programs implemented by the Department of State and USAID: Provided further, That no funds transferred pursuant to such authority or transferred pursuant to the authority of subsection (a) or (b) of section 632 of the Foreign Assistance Act of 1961 may be used by the Corporation to post personnel abroad or for activities described in section 1421(c) of the BUILD Act of 2018.

(d) Transfer of Funds Between Accounts.—
None of the funds made available under titles II through V of this Act may be obligated under an appropriations
account to which such funds were not appropriated, except for transfers specifically provided for in this Act, unless the President, not less than 5 days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations.

(e) Audit of Inter-Agency Transfers of Funds.—Any agreement for the transfer or allocation of funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs entered into between the Department of State or USAID and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961, or any comparable provision of law, shall expressly provide that the Inspector General (IG) for the agency receiving the transfer or allocation of such funds, or other entity with audit responsibility if the receiving agency does not have an IG, shall perform periodic program and financial audits of the use of such funds and report to the Department of State or USAID, as appropriate, upon completion of such audits: Provided, That such audits shall be transmitted to the Committees on Appropriations by the Department of State or USAID, as appropriate: Provided further, That
funds transferred under such authority may be made available for the cost of such audits.

(f) Transfer of Overseas Contingency Operations/Global War on Terrorism Funds.—Funds appropriated by this Act under the headings “Peacekeeping Operations” and “Foreign Military Financing Program” that are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 may be transferred to, and merged with, such funds appropriated under such headings: Provided, That such transfer authority may only be exercised to address contingencies: Provided further, That such transfer authority is in addition to any transfer authority otherwise available under any other provision of law, including section 610 of the Foreign Assistance Act of 1961: Provided further, That such transfer authority shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

PROHIBITION AND LIMITATION ON CERTAIN EXPENSES

Sec. 7010. (a) First-Class Travel.—None of the funds made available by this Act may be used for first-class travel by employees of United States Government departments and agencies funded by this Act in contraven-

(b) Computer Networks.—None of the funds made available by this Act for the operating expenses of any United States Government department or agency may be used to establish or maintain a computer network for use by such department or agency unless such network has filters designed to block access to sexually explicit websites: Provided, That nothing in this subsection shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency, or any other entity carrying out the following activities: criminal investigations, prosecutions, and adjudications; administrative discipline; and the monitoring of such websites undertaken as part of official business.

(e) Prohibition on Promotion of Tobacco.—None of the funds made available by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

(d) Email Servers Outside the .gov Domain.—None of the funds appropriated by this Act under the
headings “Diplomatic Programs” and “Capital Investment Fund” in title I, and “Operating Expenses” and “Capital Investment Fund” in title II that are made available to the Department of State and the United States Agency for International Development may be made available to support the use or establishment of email accounts or email servers created outside the .gov domain or not fitted for automated records management as part of a Federal government records management program in contravention of the Presidential and Federal Records Act Amendments of 2014 (Public Law 113–187).

(e) REPRESENTATION AND ENTERTAINMENT EXPENSES.—Each Federal department, agency, or entity funded in titles I or II of this Act, and the Department of the Treasury and independent agencies funded in titles III or VI of this Act, shall take steps to ensure that domestic and overseas representation and entertainment expenses further official agency business and United States foreign policy interests, and—

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

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

(3) are not for employee-only events; and
(4) do not include activities that are substantially of a recreational character.

(f) Limitations on Entertainment Expenses.—None of the funds appropriated or otherwise made available by this Act under the headings “International Military Education and Training” or “Foreign Military Financing Program” for Informational Program activities or under the headings “Global Health Programs”, “Development Assistance”, “Economic Support Fund”, and “Assistance for Europe, Eurasia and Central Asia” may be obligated or expended to pay for—

(1) alcoholic beverages; or

(2) entertainment expenses for activities that are substantially of a recreational character, including entrance fees at sporting events, theatrical and musical productions, and amusement parks.

Availability of Funds

Sec. 7011. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided by this Act: Provided, That funds appropriated for the purposes of chapters 1 and 8 of part I, section 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign Assistance Act of 1961, section 23 of the Arms Export Control Act (22 U.S.C. 2763), and funds made available
for “United States International Development Finance Corporation” and under the heading “Assistance for Europe, Eurasia and Central Asia” shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: 

Provided further, That notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially allocated or obligated before the expiration of their respective periods of availability contained in this Act: Provided further, That the Secretary of State shall provide a report to the Committees on Appropriations not later than October 31, 2021, detailing by account and source year, the use of this authority during the previous fiscal year.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

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

PROHIBITION ON TAXATION OF UNITED STATES
ASSISTANCE

SEC. 7013. (a) PROHIBITION ON TAXATION.—None
of the funds appropriated under titles III through VI of
this Act may be made available to provide assistance for
a foreign country under a new bilateral agreement gov-
erning the terms and conditions under which such assist-
ance is to be provided unless such agreement includes a
provision stating that assistance provided by the United
States shall be exempt from taxation, or reimbursed, by
the foreign government, and the Secretary of State and
the Administrator of the United States Agency for Inter-
national Development shall expeditiously seek to negotiate
amendments to existing bilateral agreements, as nec-
essary, to conform with this requirement.
(b) Notification and Reimbursement of Foreign Taxes.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2021 on funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs by a foreign government or entity against United States assistance programs, either directly or through grantees, contractors, and subcontractors, shall be withheld from obligation from funds appropriated for assistance for fiscal year 2022 and for prior fiscal years and allocated for the central government of such country or for the West Bank and Gaza program, as applicable, if, not later than September 30, 2022, such taxes have not been reimbursed.

(c) De Minimis Exception.—Foreign taxes of a de minimis nature shall not be subject to the provisions of subsection (b).

(d) Reprogramming of Funds.—Funds withheld from obligation for each foreign government or entity pursuant to subsection (b) shall be reprogrammed for assistance for countries which do not assess taxes on United States assistance or which have an effective arrangement that is providing reimbursement of such taxes, and that can reasonably accommodate such assistance in a programmatically responsible manner.
(c) DETERMINATIONS.—

(1) IN GENERAL.—The provisions of this section shall not apply to any foreign government or entity that assesses such taxes if the Secretary of State reports to the Committees on Appropriations that—

(A) such foreign government or entity has an effective arrangement that is providing reimbursement of such taxes; or

(B) the foreign policy interests of the United States outweigh the purpose of this section to ensure that United States assistance is not subject to taxation.

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

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

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

(1) BILATERAL AGREEMENT.—The term “bilateral agreement” refers to a framework bilateral
agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement.

(2) **TAXES AND TAXATION.**—The term “taxes and taxation” shall include value added taxes and customs duties but shall not include individual income taxes assessed to local staff.

**RESERVATIONS OF FUNDS**

**SEC. 7014. (a) REPROGRAMMING.**—Funds appropriated under titles III through VI of this Act which are specifically designated may be reprogrammed for other programs within the same account notwithstanding the designation if compliance with the designation is made impossible by operation of any provision of this or any other Act: *Provided*, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That assistance that is reprogrammed pursuant to this subsection shall be
made available under the same terms and conditions as originally provided.

(b) EXTENSION OF AVAILABILITY.—In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the Department of State or the United States Agency for International Development that are specifically designated for particular programs or activities by this or any other Act may be extended for an additional fiscal year if the Secretary of State or the USAID Administrator, as appropriate, determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such designated funds can be obligated during the original period of availability: Provided, That such designated funds that continue to be available for an additional fiscal year shall be obligated only for the purpose of such designation.

(c) OTHER ACTS.—Ceilings and specifically designated funding levels contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs: Provided, That specifically designated funding levels or minimum funding requirements
contained in any other Act shall not be applicable to funds appropriated by this Act.

NOTIFICATION REQUIREMENTS

SEC. 7015. (a) NOTIFICATION OF CHANGES IN PROGRAMS, PROJECTS, AND ACTIVITIES.—None of the funds made available in titles I, II, and VI of this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs to the departments and agencies funded by this Act that remain available for obligation in fiscal year 2021, or provided from any accounts in the Treasury of the United States derived by the collection of fees or of currency reflows or other offsetting collections, or made available by transfer, to the departments and agencies funded by this Act, shall be available for obligation to—

(1) create new programs;

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

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

(4) create, close, reorganize, downsize, or rename bureaus, centers, or offices; or

(5) contract out or privatize any functions or activities presently performed by Federal employees;
unless previously justified to the Committees on Appropriations or such Committees are notified 15 days in advance of such obligation: Provided, That the requirements of this subsection shall also apply to funds appropriated by this Act under the headings “Peace Corps” and “Millennium Challenge Corporation”.

(b) Notification of Reprogramming of Funds.—None of the funds provided under titles I, II, and VI of this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, to the departments and agencies funded under such titles that remain available for obligation in fiscal year 2021, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the department and agency funded under title I of this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of $1,000,000 or 10 percent, whichever is less, that—

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

(2) relocates an existing office or employees;

(3) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or
(4) results from any general savings, including
savings from a reduction in personnel, which would
result in a change in existing programs, projects, or
activities as approved by Congress;

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

(e) NOTIFICATION REQUIREMENT.—None of the
funds made available by this Act under the headings
“Global Health Programs”, “Development Assistance”,
“International Organizations and Programs”, “Trade and
Development Agency”, “International Narcotics Control
and Law Enforcement”, “Economic Support Fund”, “De-
mocracy Fund”, “Assistance for Europe, Eurasia and
Central Asia”, “Peacekeeping Operations”, “Non-
proliferation, Anti-terrorism, Demining and Related Pro-
grams”, “Millennium Challenge Corporation”, “Foreign
Military Financing Program”, “International Military
Education and Training”, “United States International
Development Finance Corporation”, and “Peace Corps”,
shall be available for obligation for programs, projects, ac-
tivities, type of materiel assistance, countries, or other op-
erations not justified or in excess of the amount justified
to the Committees on Appropriations for obligation under
any of these specific headings unless the Committees on
Appropriations are notified 15 days in advance of such
obligation: *Provided*, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: *Provided further*, That requirements of this subsection or any similar provision of this or any other Act shall not apply to any reprogramming for a program, project, or activity for which funds are appropriated under titles III through VI of this Act of less than 10 percent of the amount previously justified to Congress for obligation for such program, project, or activity for the current fiscal year: *Provided further*, That any notification submitted pursuant to subsection (f) of this section shall include information (if known on the date of transmittal of such notification) on the use of notwithstanding authority.

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

(1) PROGRAMS.—None of the funds appropriated by this Act or prior Acts making appropria-
tions for the Department of State, foreign operations, and related programs may be made available to support or continue any program initially funded under any authority of title 10, United States Code, or any Act making or authorizing appropriations for the Department of Defense, unless the Secretary of State, in consultation with the Secretary of Defense and in accordance with the regular notification procedures of the Committees on Appropriations, submits a justification to such Committees that includes a description of, and the estimated costs associated with, the support or continuation of such program.

(2) FUNDING.—Notwithstanding any other provision of law, funds transferred by the Department of Defense to the Department of State and the United States Agency for International Development for assistance for foreign countries and international organizations shall be subject to the regular notification procedures of the Committees on Appropriations.

(3) NOTIFICATION ON EXCESS DEFENSE ARTICLES.—Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appro-
appropriations to the same extent and under the same
conditions as other committees pursuant to sub-
section (f) of that section: Provided, That before
issuing a letter of offer to sell excess defense articles
under the Arms Export Control Act, the Department
of Defense shall notify the Committees on Approp-
riations in accordance with the regular notification
procedures of such Committees if such defense arti-
cles are significant military equipment (as defined in
section 47(9) of the Arms Export Control Act) or
are valued (in terms of original acquisition cost) at
$7,000,000 or more, or if notification is required
elsewhere in this Act for the use of appropriated
funds for specific countries that would receive such
excess defense articles: Provided further, That such
Committees shall also be informed of the original ac-
quision cost of such defense articles.

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

November 6, 2020 (11:31 a.m.)
as practicable, but in no event later than 3 days after tak-
ing the action to which such notification requirement was
applicable, in the context of the circumstances necessi-
tating such waiver: Provided further, That any notification
provided pursuant to such a waiver shall contain an expla-
nation of the emergency circumstances.

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

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

(1) **Diplomatic Programs.**—Funds appropriated under title I of this Act under the heading “Diplomatic Programs” that are made available for lateral entry into the Foreign Service shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(2) **Other Programs.**—Funds appropriated by this Act that are made available for the following programs and activities shall be subject to the regular notification procedures of the Committees on Appropriations:

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

   (B) the Power Africa and Prosper Africa initiatives, and the United States-Africa Institute for Epidemic Preparedness and Innovation (the U.S.-Africa Institute);

   (C) community-based police assistance conducted pursuant to the authority of section 7035(a)(1) of this Act;
(D) the Prevention and Stabilization Fund and the Multi-Donor Global Fragility Fund;

(E) the Indo-Pacific Strategy;

(F) the Global Security Contingency Fund;

(G) the Countering Chinese Influence Fund and the Countering Russian Influence Fund;

(H) the Program to End Modern Slavery;

and

(I) the Women’s Global Development and Prosperity Fund.

(3) DEMOCRACY PROGRAM POLICY AND PROCEDURES.—Modifications to democracy program policy and procedures, including relating to the use of consortia, by the Department of State and USAID shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(4) ARMS SALES.—The reports, notifications, and certifications, and any other documents, required to be submitted pursuant to section 36(a) of the Arms Export Control Act (22 U.S.C. 2776), and such documents submitted pursuant to section 36(b) through (d) of such Act with respect to countries that have received assistance provided with funds
appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, shall be concurrently submitted to the Committees on Appropriations and shall include information about the source of funds for any sale or transfer, as applicable, if known at the time of submission.

(i) WITHHOLDING OF FUNDS.—Funds appropriated by this Act under titles III and IV that are withheld from obligation or otherwise not programmed as a result of application of a provision of law in this or any other Act shall, if reprogrammed, be subject to the regular notification procedures of the Committees on Appropriations.

(j) FOREIGN ASSISTANCE AND GLOBAL HEALTH REVIEWS.—Funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available to make programmatic, funding, and organizational changes resulting from implementation of any foreign assistance review or realignment shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided, That such notifications may be submitted in classified form, if necessary: Provided further, That the requirement of this subsection shall apply to the President’s Response to Out-
breaks or any other similar review of global health programs, to include the Global Health Security Agenda and emergency health responses.

(k) **Prior Consultation Requirements.**—

(1) **Suspension or Early Termination of Assistance.**—The Secretary of State, the Administrator of the United States Agency for International Development, the Chief Executive Officer of the United States Development Finance Corporation, and the Chief Executive Officer of the Millennium Challenge Corporation shall consult with the Committees on Appropriations at least seven days prior to informing a government of, or publicly announcing a decision on, the suspension or early termination of assistance to a country or a territory, including as a result of an interagency review of such assistance, from funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs: *Provided,* That such consultation shall include a detailed justification for such suspension, including a description of the assistance being suspended.

(2) **Organization of American States.**—

Funds appropriated by this Act under the heading
“Contributions to International Organizations” that are made available for an assessed contribution to the Organization of American States shall be subject to prior consultation with the Committees on Appropriations consistent with the requirements specified under this heading in the explanatory statement accompanying this Act.

(l) REPORT ON FUNDS RECEIVED FROM FOREIGN GOVERNMENTS.—The Secretary of State and the USAID Administrator, as appropriate, shall report to the Committees on Appropriations within 10 days of the receipt of funds received from foreign governments pursuant to sections 607 and 635(d) of the Foreign Assistance Act of 1961, other than from countries that are North Atlantic Treaty Organization (NATO) or major non-NATO allies designated pursuant to section 517(b) of such Act: Provided, That such report shall include the requirements described under this heading in the explanatory statement accompanying this Act.

DOCUMENT REQUESTS, RECORDS MANAGEMENT, AND RELATED CYBERSECURITY PROTECTIONS

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

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

(1) regularly review and update the policies, directives, and oversight necessary to comply with Federal statutes, regulations, and presidential executive orders and memoranda concerning the preservation of all records made or received in the conduct of official business, including record emails, instant messaging, and other online tools;

(2) use funds appropriated by this Act under the headings “Diplomatic Programs” and “Capital Investment Fund” in title I, and “Operating Expenses” and “Capital Investment Fund” in title II, as appropriate, to improve Federal records management pursuant to the Federal Records Act (44 U.S.C. Chapters 21, 29, 31, and 33) and other applicable Federal records management statutes, regulations, or policies for the Department of State and USAID;
(3) direct departing employees, including senior
officials, that all Federal records generated by such
employees belong to the Federal Government;

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

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

USE OF FUNDS IN CONTRAVENTION OF THIS ACT

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

PROHIBITION ON FUNDING FOR AbortIONS AND INVOLUNTARY STERILIZATION

SEC. 7018. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the
above provisions related to abortions and involuntary sterilizations.

**ALLOCATIONS AND REPORTS**

**SEC. 7019.** (a) **ALLOCATION TABLES.—**Subject to subsection (b), funds appropriated by this Act under titles III through V shall be made available at not less than the amounts specifically designated in the respective tables included in the explanatory statement accompanying this Act: *Provided,* That such designated amounts for foreign countries and international organizations shall serve as the amounts for such countries and international organizations transmitted to Congress in the report required by section 653(a) of the Foreign Assistance Act of 1961, and shall be made available for such foreign countries and international organizations notwithstanding the date of the transmission of such report.

(b) **AUTHORIZED DEVIATIONS BELOW MINIMUM LEVELS.—**Unless otherwise provided for by this Act, the Secretary of State and the Administrator of the United States Agency for International Development, as applicable, may deviate by not more than 10 percent below the minimum amounts specifically designated in the respective tables in the explanatory statement accompanying this Act: *Provided,* That deviations pursuant to this subsection
shall be subject to prior consultation with the Committees
on Appropriations.

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

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

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

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

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

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

(f) CLARIFICATION.—Funds appropriated by this Act
under the headings “International Disaster Assistance”
and “Migration and Refugee Assistance” shall not be in-
cluded for purposes of meeting amounts designated for
countries in this Act or the explanatory statement accom-
panying this Act, unless such headings are specifically des-
ignated as the source of funds.

**MULTI-YEAR PLEDGES**

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

**PROHIBITION ON ASSISTANCE TO GOVERNMENTS**

**SUPPORTING INTERNATIONAL TERRORISM**

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

(1) **Prohibition.**—None of the funds appro-
priated or otherwise made available under titles III
through VI of this Act may be made available to any
foreign government which provides lethal military
equipment to a country the government of which the
Secretary of State has determined supports inter-
national terrorism for purposes of section 1754(e) of
the Export Reform Control Act of 2018 (50 U.S.C. 4813(c)): Provided, That the prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment: Provided further, That this section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

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

(3) Report.—Whenever the President makes a determination pursuant to paragraph (2), the President shall submit to the Committees on Appropriations a report with respect to the furnishing of such assistance, including a detailed explanation of the assistance to be provided, the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interest.

(b) Bilateral Assistance.—

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

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

(B) otherwise supports international ter-
rorism; or

(C) is controlled by an organization des-
ignated as a terrorist organization under sec-
tion 219 of the Immigration and Nationality

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


DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 7023. For the purpose of titles II through VI of this Act “program, project, and activity” shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts funding directives, ceilings, and limitations with the exception that for the “Economic Support Fund”, “Assistance for Europe, Eurasia and Central Asia”, and “Foreign Military Financing Program” accounts, “program, project, and activity” shall also be considered to include country, regional, and central program level funding within each such account, and for the development assistance accounts of the United States Agency for International Development, “program, project, and activity” shall also be considered
1 to include central, country, regional, and program level funding, either as—
2
    (1) justified to Congress; or
3
    (2) allocated by the Executive Branch in accordance with the report required by section 653(a)
4 of the Foreign Assistance Act of 1961 or as modified pursuant to section 7019 of this Act.

8 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION, AND UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

Sec. 7024. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for the Department of State, foreign operations, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act, or the African Development Foundation Act: Provided, That prior to conducting activities in a country for which assistance is prohibited, the agency shall consult with the Committees on Appropriations and report to such Committees within 15 days of taking such action.

COMMERCE, TRADE AND SURPLUS COMMODITIES

Sec. 7025. (a) WORLD MARKETS.—None of the funds appropriated or made available pursuant to titles
III through VI of this Act for direct assistance and none of the funds otherwise made available to the Export-Import Bank and the United States International Development Finance Corporation shall be obligated or expended to finance any loan, any assistance, or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: Provided, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations: Provided further, That this subsection shall not prohibit—

(1) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agri-
cultural commodity with respect to which assistance is furnished; or

(2) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(b) EXPORTS.—None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: Provided, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States;

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

(3) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development,
and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(4) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(c) INTERNATIONAL FINANCIAL INSTITUTIONS.—

The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to use the voice and vote of the United States to oppose any assistance by such institutions, using funds appropriated or otherwise made available by this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

SEPARATE ACCOUNTS

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

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

November 6, 2020 (11:31 a.m.)
that country, the Administrator of the United States Agency for International Development shall—

(A) require that local currencies be deposed
ited in a separate account established by that
government;

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

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

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

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

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

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

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

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

(3) **Programming Accountability.**—USAID shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) **Termination of Assistance Programs.**—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(b) **Separate Accounts for Cash Transfers.**—
(1) IN GENERAL.—If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98–1159).

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by such assistance (including, as appropriate,
a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of paragraph (1) only through the regular notification procedures of the Committees on Appropriations.

ELIGIBILITY FOR ASSISTANCE

SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 and from funds appropriated under the heading “Assistance for Europe, Eurasia and Central Asia”: Provided, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations pursuant to the regular notification procedures, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: Provided further, That nothing in this subsection shall be construed to alter any existing statu-
tory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2021, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Food for Peace Act (Public Law 83–480; 7 U.S.C. 1721 et seq.): Provided, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

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

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

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

LOCAL COMPETITION

SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO COMPETITION FOR LOCAL ENTITIES.—Funds appro-
appropriated by this Act that are made available to the United States Agency for International Development may only be made available for limited competitions through local entities if—

(1) prior to the determination to limit competition to local entities, USAID has—

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

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

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

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

(B) effective monitoring and evaluation systems are in place to ensure that award funding is used for its intended purposes; and

(3) no level of acceptable fraud is assumed.

(b) Extension of Procurement Authority.—

Section 7077 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74) shall continue in effect during fiscal year 2021.
INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 7029. (a) EVALUATIONS AND REPORT.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice of the United States to encourage such institution to adopt and implement a publicly available policy, including the strategic use of peer reviews and external experts, to conduct independent, in-depth evaluations of the effectiveness of at least 35 percent of all loans, grants, programs, and significant analytical non-lending activities in advancing the institution’s goals of reducing poverty and promoting equitable economic growth, consistent with relevant safeguards, to ensure that decisions to support such loans, grants, programs, and activities are based on accurate data and objective analysis: Provided, That not later than 45 days after enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations on steps taken in fiscal year 2020 by the United States executive directors and the international financial institutions consistent with this subsection compared to the previous fiscal year.

(b) SAFEGUARDS.—

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

November 6, 2020 (11:31 a.m.)
Development and the International Development Association to use the voice and vote of the United States to oppose any loan, grant, policy, or strategy if such institution has adopted and is implementing any social or environmental safeguard relevant to such loan, grant, policy, or strategy that provides less protection than World Bank safeguards in effect on September 30, 2015.

(2) ACCOUNTABILITY, STANDARDS, AND BEST PRACTICES.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice and vote of the United States to oppose loans or other financing for projects unless such projects—

(A) provide for accountability and transparency, including the collection, verification, and publication of beneficial ownership information related to extractive industries and on-site monitoring during the life of the project;

(B) will be developed and carried out in accordance with best practices regarding environmental conservation, cultural protection, and empowerment of local populations, including free, prior and informed consent of affected indigenous communities;
(C) do not provide incentives for, or facilitate, forced displacement; and

(D) do not partner with or otherwise involve enterprises owned or controlled by the armed forces.

(c) COMPENSATION.—None of the funds appropriated under title V of this Act may be made as payment to any international financial institution while the United States executive director to such institution is compensated by the institution at a rate which, together with whatever compensation such executive director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States executive director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(d) HUMAN RIGHTS.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice and vote of the United States to promote human rights due diligence and risk management, as appropriate, in connection
with any loan, grant, policy, or strategy of such institution
in accordance with the requirements specified under this
subsection in the explanatory statement accompanying
this Act: Provided, That prior to voting on any such loan,
grant, policy, or strategy the executive director shall con-
sult with the Assistant Secretary for Democracy, Human
Rights, and Labor, Department of State, if the executive
director has reason to believe that such loan, grant, policy,
or strategy could result in forced displacement or other
violation of human rights.

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

(f) BENEFICIAL OWNERSHIP INFORMATION.—The
Secretary of the Treasury shall instruct the United States
executive director of each international financial institu-
tion to use the voice of the United States to encourage
such institution to collect, verify, and publish, to the max-
imum extent practicable, beneficial ownership information
(excluding proprietary information) for any corporation or
limited liability company, other than a publicly listed com-
pany, that receives funds from any such financial institution: *Provided*, That not later than 45 days after enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations on steps taken in fiscal year 2020 by the United States executive directors and the international financial institutions consistent with this subsection compared to the previous fiscal year.

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

1. protection against retaliation for internal and lawful public disclosure;
2. legal burdens of proof;
3. statutes of limitation for reporting retaliation;
4. access to binding independent adjudicative bodies, including shared cost and selection external arbitration; and
(5) results that eliminate the effects of proven retaliation, including provision for the restoration of prior employment.

INSECURE COMMUNICATIONS NETWORKS

Sec. 7030. Of the funds appropriated by this Act, not less than $50,000,000 shall be made available for programs, including through the Digital Connectivity and Cybersecurity Partnership, to—

(1) advance the adoption of secure, next-generation communications networks and services, including 5G, and cybersecurity policies, in countries receiving assistance under this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs;

(2) counter the establishment of insecure communications networks and services, including 5G, promoted by the People’s Republic of China and other state-backed enterprises that are subject to undue or extrajudicial control by their country of origin; and

(3) provide policy and technical training on deploying open, interoperable, reliable, and secure networks to information communication technology professionals in countries receiving assistance under this Act, as appropriate:
Provided, That such funds may be used to support the participation of foreign military officials in programs designed to strengthen civilian cybersecurity capacity, following consultation with the Committees on Appropriations.

FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

Sec. 7031. (a) LIMITATION ON DIRECT GOVERNMENT-TO-GOVERNMENT ASSISTANCE.—

(1) Requirements.—Funds appropriated by this Act may be made available for direct government-to-government assistance only if the requirements included in section 7031(a)(1)(A) through (E) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 (division F of Public Law 116–6) are fully met.

(2) Consultation and Notification.—In addition to the requirements in paragraph (1), funds may only be made available for direct government-to-government assistance subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided, That such notification shall contain an explanation of how the proposed activity meets the requirements of paragraph (1): Provided further, That the requirements of this paragraph shall only apply to direct
government-to-government assistance in excess of $10,000,000 and all funds available for cash transfer, budget support, and cash payments to individuals.

(3) SUSPENSION OF ASSISTANCE.—The Administrator of the United States Agency for International Development or the Secretary of State, as appropriate, shall suspend any direct government-to-government assistance if the Administrator or the Secretary has credible information of material misuse of such assistance, unless the Administrator or the Secretary reports to the Committees on Appropriations that it is in the national interest of the United States to continue such assistance, including a justification, or that such misuse has been appropriately addressed.

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

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

(b) National Budget and Contract Transparency.—

(1) Minimum requirements of fiscal transparency.—The Secretary of State shall continue to update and strengthen the “minimum requirements of fiscal transparency” for each government receiving assistance appropriated by this Act, as identified in the report required by section 7031(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

(2) Determination and report.—For each government identified pursuant to paragraph (1), the Secretary of State, not later than 180 days after enactment of this Act, shall make or update any determination of “significant progress” or “no significant progress” in meeting the minimum requirements of fiscal transparency, and make such determinations publicly available in an annual “Fiscal Transparency Report” to be posted on the Department of State website: Provided, That such report shall include the elements included under this sec-
tion in the explanatory statement described in section 4 in the matter preceding division A of Public Law 116–94.

(3) Assistance.—Not less than $10,000,000 of the funds appropriated by this Act under the heading “Economic Support Fund” shall be made available for programs and activities to assist governments identified pursuant to paragraph (1) to improve budget transparency and to support civil society organizations in such countries that promote budget transparency: Provided, That such sums shall be in addition to funds otherwise available for such purposes: Provided further, That a description of the uses of such funds shall be included in the annual “Fiscal Transparency Report” required by paragraph (2).

(c) Anti-Kleptocracy and Human Rights.—

(1) Ineligibility.—

(A) Officials of foreign governments and their immediate family members about whom the Secretary of State has credible information have been involved, directly or indirectly, in significant corruption, including corruption related to the extraction of natural resources, or a
gross violation of human rights shall be ineligible for entry into the United States.

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

(2) EXCEPTION.—Individuals shall not be ineligible for entry into the United States pursuant to paragraph (1) if such entry would further important United States law enforcement objectives or is necessary to permit the United States to fulfill its obligations under the United Nations Headquarters Agreement: Provided, That nothing in paragraph (1) shall be construed to derogate from United States Government obligations under applicable international agreements.

(3) WAIVER.—The Secretary may waive the application of paragraph (1) if the Secretary determines that the waiver would serve a compelling national interest or that the circumstances which caused the individual to be ineligible have changed sufficiently.
(4) REPORT.—Not later than 30 days after enactment of this Act, and every 90 days thereafter until September 30, 2021, the Secretary of State shall submit a report, including a classified annex if necessary, to the appropriate congressional committees and the Committees on the Judiciary of the Senate and House of Representatives describing the information related to corruption or violation of human rights concerning each of the individuals found ineligible in the previous 12 months pursuant to paragraph (1)(A) as well as the individuals who the Secretary designated or identified pursuant to paragraph (1)(B), or who would be ineligible but for the application of paragraph (2), a list of any waivers provided under paragraph (3), and the justification for each waiver.

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

(6) CLARIFICATION.—For purposes of paragraphs (1), (4), and (5), the records of the Department of State and of diplomatic and consular offices of the United States pertaining to the issuance or refusal of visas or permits to enter the United States shall not be considered confidential.
(7) PROHIBITION ON ENTRY.—The Secretary of State shall apply the requirements of this subsection to officials of foreign governments about whom the Secretary has credible information have been involved in the wrongful detention of locally employed staff of a United States diplomatic mission or a United States citizen or national.

(d) EXTRACTION OF NATURAL RESOURCES.—

(1) ASSISTANCE.—Funds appropriated by this Act shall be made available to promote and support transparency and accountability of expenditures and revenues related to the extraction of natural resources, including by strengthening implementation and monitoring of the Extractive Industries Transparency Initiative, implementing and enforcing section 8204 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2052) and the amendments made by such section, and to prevent the sale of conflict diamonds, and provide technical assistance to promote independent audit mechanisms and support civil society participation in natural resource management.

(2) PUBLIC DISCLOSURE AND INDEPENDENT AUDITS.—(A) The Secretary of the Treasury shall 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-
4stitutions (including any loan, eredit, 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-
10less 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-
14scribed in section 4 in the matter preceeding division
15 A of Public Law 116–94.
16
17 (B) The requirements of subparagraph (A)
18 shall not apply to assistance for the purpose of
19 building the capacity of such government to meet
20 the requirements of this paragraph.
21
22 (e) FOREIGN ASSISTANCE WEBSITE.—Funds appro-
23priated by this Act under titles I and II, and funds made
24 available for any independent agency in title III, as appro-
25 priate, shall be made available to support the provision
26 of additional information on United States Government
27 foreign assistance on the “ForeignAssistance.gov”
Provided, That all Federal agencies funded under this Act shall provide such information on foreign assistance, upon request and in a timely manner, to the Department of State and USAID.

DEMOCRACY PROGRAMS

SEC. 7032. (a) FUNDING.—Of the funds appropriated by this Act under the headings “Development Assistance”, “Economic Support Fund”, “Democracy Fund”, “Assistance for Europe, Eurasia and Central Asia”, and “International Narcotics Control and Law Enforcement”, not less than $2,468,000,000 shall be made available for democracy programs: Provided, That of such funds, not less than the amounts made available for the Consortium for Elections and Political Process Strengthening (CEPPS) in fiscal year 2020 shall be made available for CEPPS in fiscal year 2021.

(b) AUTHORITIES.—

(1) AVAILABILITY.—Funds made available by this Act for democracy programs pursuant to subsection (a) and under the heading “National Endowment for Democracy” may be made available notwithstanding any other provision of law, and with regard to the National Endowment for Democracy (NED), any regulation.
(2) Beneficiaries.—Funds made available by this Act for the NED are made available pursuant to the authority of the National Endowment for Democracy Act (title V of Public Law 98–164), including all decisions regarding the selection of beneficiaries.

(3) Responsibility.—The decision on the uses of funds appropriated by this Act for programs to promote democracy abroad that are administered by the Department of State, except such funds provided to the NED, shall be the responsibility of the Assistant Secretary of State for Democracy, Human Rights, and Labor.

(e) Definition of Democracy Programs.—For purposes of funds appropriated by this Act, the term “democracy programs” means programs that support good governance, credible and competitive elections, freedom of expression, association, assembly, and religion, human rights, labor rights, independent media, and the rule of law, and that otherwise strengthen the capacity of democratic political parties, governments, nongovernmental organizations and institutions, and citizens to support the development of democratic states and institutions that are responsive and accountable to citizens.
(d) Program Prioritization.—Funds made available pursuant to this section that are made available for programs to strengthen government institutions shall be prioritized for those institutions that demonstrate a commitment to democracy and the rule of law or that have been adversely impacted by the erosion of the rule of law and the rise of authoritarianism.

(e) Restriction on Prior Approval.—With respect to the provision of assistance for democracy programs in this Act, the organizations implementing such assistance, the specific nature of that assistance, and the participants in such programs shall not be subject to the prior approval by the government of any foreign country: Provided, That the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall report to the Committees on Appropriations, not later than 120 days after enactment of this Act, detailing steps taken by the Department of State and USAID to comply with the requirements of this subsection.

(f) Continuation of Current Practices.—USAID shall continue to implement civil society and political competition and consensus building programs abroad with funds appropriated by this Act in a manner that rec-
recognizes the unique benefits of grants and cooperative agreements in implementing such programs.

(g) INFORMING THE NATIONAL ENDOWMENT FOR DEMOCRACY.—The Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, and the Assistant Administrator for Democracy, Conflict, and Humanitarian Assistance, USAID, shall regularly inform the NED of democracy programs that are planned and supported by funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

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

(1) ASSISTANCE.—Of the funds appropriated by this Act under the heading “Democracy Fund”, not less than $25,000,000 shall be made available to support and protect civil society activists, human rights defenders, and journalists who have been threatened, harassed, or attacked, including journalists affiliated with the United States Agency for Global Media, consistent with the action plan submitted pursuant to this subsection, and on the same terms and conditions of section 7032(i) of the Department of State, Foreign Operations, and Related
Programs Appropriations Act, 2018 (division K of Public Law 115–141).

(2) UPDATED PLAN.—Not later than 120 days after enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees an update of the plan submitted pursuant to section 7032(i) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115–141): Provided, That such plan shall include detailed guidelines for United States diplomatic personnel to engage with and protect human rights defenders, environmental defenders, other civil society activists, and journalists, where such individuals are the target of intimidation and attacks, including maintaining open and sustained communication with local civil society organizations for such purpose, and at a minimum shall include the requirements specified under this heading in the explanatory statement accompanying this Act.

(3) RESTRICTIONS.—The Secretary of State shall apply section 7031(c) of this Act to officials of foreign governments about whom the Secretary has credible information have been involved in the wrongful imprisonment, other deprivation of liberty,
or threats or other acts of intimidation against independent journalists for engaging in peaceful expression, including speaking or publishing information related to government corruption or other official misconduct.

(i) INTERNATIONAL FREEDOM OF EXPRESSION.—

(1) OPERATIONS.—Funds appropriated by this Act under the heading “Diplomatic Programs” shall be made available for the Bureau of Democracy, Human Rights, and Labor, Department of State, for the costs of administering programs designed to promote and defend freedom of expression and the independence of the media in countries where such freedom and independence are restricted or denied.

(2) ASSISTANCE.—Of the funds appropriated by this Act under the heading “Economic Support Fund”, not less than $15,000,000 shall be made available for programs that promote and defend freedom of expression and the independence of the media abroad: Provided, That such funds are in addition to funds otherwise made available by this Act for such purposes, and are intended to complement emergency and safety programs for civil society, including journalists and media outlets at risk: Provided further, That such funds shall be subject to

November 6, 2020 (11:31 a.m.)
prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

INTERNATIONAL RELIGIOUS FREEDOM

Sec. 7033. (a) International Religious Freedom Office.—Funds appropriated by this Act under the heading “Diplomatic Programs” shall be made available for the Office of International Religious Freedom, Department of State, including for support staff, at not less than the amounts specified for such office in the table under such heading in the explanatory statement accompanying this Act.

(b) Assistance.—Funds appropriated by this Act under the headings “Economic Support Fund” and “International Broadcasting Operations” shall be made available for international religious freedom programs and funds appropriated by this Act under the headings “International Disaster Assistance” and “Migration and Refugee Assistance” shall be made available for humanitarian assistance for vulnerable and persecuted religious minorities: Provided, That funds made available by this Act under the heading “Economic Support Fund” pursuant to this section shall be the responsibility of the Ambassador-at-Large for International Religious Freedom, in consultation with other relevant United States Govern-
ment officials, and shall be subject to prior consultation
with the Committees on Appropriations.

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

(d) Designation of Non-state Actors.—Section
7033(e) of the Department of State, Foreign Operations,
and Related Programs Appropriations Act, 2017 (division
J of Public Law 115–31) shall continue in effect during
fiscal year 2021.

SPECIAL PROVISIONS

Sec. 7034. (a) Victims of War, Displaced Chil-
dren, and Displaced Burmese.—Funds appropriated
in title III of this Act that are made available for victims
of war, victims of torture and trauma, displaced children,
displaced Burmese, and to combat trafficking in persons
and assist victims of such trafficking, may be made avail-
able notwithstanding any other provision of law.

(b) Forensic Assistance.—

(1) Of the funds appropriated by this Act under
the first paragraph under the heading “Democracy
Fund”, not less than $15,500,000 shall be made available for forensic anthropology assistance related to the exhumation and identification of victims of war crimes, crimes against humanity, and genocide, including in Central America, which shall be administered by the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State: 

*Provided,* That such funds shall be in addition to funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs for assistance for countries.

(2) Funds appropriated by this Act under the heading “International Narcotics Control and Law Enforcement” shall be made available for DNA forensic technology programs to combat human trafficking in Central America and Mexico.

(c) ATROCITIES PREVENTION.—Of the funds appropriated by this Act under the headings “Democracy Fund” and “International Narcotics Control and Law Enforcement”, not less than $10,000,000 shall be made available for programs to prevent atrocities, including to implement recommendations of the Atrocities Prevention Board: *Provided,* That funds made available pursuant to this subsection are in addition to amounts otherwise made
available for such purposes: *Provided further*, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations.

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

(e) DIRECTIVES AND AUTHORITIES.—

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

(2) GENOCIDE VICTIMS MEMORIAL SITES.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings “Economic Support Fund” and “Assistance for Europe, Eurasia and Central Asia” may be made available as contributions to establish and
maintain memorial sites of genocide, subject to the regular notification procedures of the Committees on Appropriations.

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

(4) **ADDITIONAL AUTHORITIES.**—Of the amounts made available by title I of this Act under the heading “Diplomatic Programs”, up to $500,000 may be made available for grants pursuant to section 504 of the Foreign Relations Authorization Act, Fiscal Year 1979 (22 U.S.C. 2656d), including to facilitate collaboration with indigenous communities, and up to $1,000,000 may be made available for grants to carry out the activities of the Cultural Antiquities Task Force.
(5) **INNOVATION.**—The USAID Administrator may use funds appropriated by this Act under title III to make innovation incentive awards in accordance with the terms and conditions of section 7034(e)(4) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 (division F of Public Law 116–6): *Provided*, That each individual award may not exceed $100,000: *Provided further*, That no more than 15 such awards may be made during fiscal year 2021.

(6) **EXCHANGE VISITOR PROGRAM.**—None of the funds made available by this Act may be used to modify the Exchange Visitor Program administered by the Department of State to implement the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87–256; 22 U.S.C. 2451 et seq.), except through the formal rulemaking process pursuant to the Administrative Procedure Act (5 U.S.C. 551 et seq.) and notwithstanding the exceptions to such rulemaking process in such Act: *Provided*, That funds made available for such purpose shall only be made available after consultation with, and subject to the regular notification procedures of, the Committees on Appropriations, regarding how any proposed modification would affect the public diplomacy
goals of, and the estimated economic impact on, the
United States: Provided further, That such consulta-
tion shall take place not later than 30 days prior to
the publication in the Federal Register of any regu-
latory action modifying the Exchange Visitor Pro-
gram.

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

(f) PARTNER VETTING.—Prior to initiating a partner
vetting program, or making a material change to the scope
of an existing partner vetting program, the Secretary of
State and USAID Administrator, as appropriate, shall
consult with the Committees on Appropriations: Provided,
That the Secretary and the Administrator shall provide
a direct vetting option for prime awardees in any partner
vetting program initiated or significantly modified after
the date of enactment of this Act, unless the Secretary
of State or USAID Administrator, as applicable, informs
the Committees on Appropriations on a case-by-case basis
that a direct vetting option is not feasible for such pro-
gram.

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

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

(i) TRANSFER OF FUNDS FOR EXTRAORDINARY PRO-
TECTION.—The Secretary of State may transfer to, and
merge with, funds under the heading “Protection of For-
eign Missions and Officials” unobligated balances of ex-
pired funds appropriated under the heading “Diplomatic
Programs” for fiscal year 2021, except for funds des-
ignated for Overseas Contingency Operations/Global War
on Terrorism pursuant to section 251(b)(2)(A)(ii) of the
Balanced Budget and Emergency Deficit Control Act of
1985, at no later than the end of the fifth fiscal year after
the last fiscal year for which such funds are available for
the purposes for which appropriated: Provided, That not
more than $50,000,000 may be transferred.

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

(k) Protections and Remedies for Employees
Of Diplomatic Missions and International Organi-
zations.—The terms and conditions of section 7034(k)
of the Department of State, Foreign Operations, and Re-
lated Programs Appropriations Act, 2020 (division G of
Public Law 116–94) shall continue in effect during fiscal
year 2021.

(l) Extension of Authorities.—

(1) Passport fees.—Section 1(b)(2) of the
shall be applied by substituting “September 30,
2021” for “September 30, 2010”.

November 6, 2020 (11:31 a.m.)
(2) INCENTIVES FOR CRITICAL POSTS.—The authority contained in section 1115(d) of the Supplemental Appropriations Act, 2009 (Public Law 111–32) shall remain in effect through September 30, 2021.

(3) USAID CIVIL SERVICE ANNUITANT WAIVER.—Section 625(j)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by substituting “September 30, 2021” for “October 1, 2010” in subparagraph (B).

(4) OVERSEAS PAY COMPARABILITY AND LIMITATION.—(A) Subject to the limitation described in subparagraph (B), the authority provided by section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111–32) shall remain in effect through September 30, 2021.

(B) The authority described in subparagraph (A) may not be used to pay an eligible member of the Foreign Service (as defined in section 1113(b) of the Supplemental Appropriations Act, 2009 (Public Law 111–32)) a locality-based comparability payment (stated as a percentage) that exceeds two-thirds of the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such member under section 1113(b).
5304 of title 5, United States Code, if such member’s official duty station were in the District of Columbia.

(5) CATEGORICAL ELIGIBILITY.—The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

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

(i) in subsection (b)(3), by striking “and 2020” and inserting “2020, and 2021”; and

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

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

(6) INSPECTOR GENERAL ANNUITANT WAIVER.—The authorities provided in section 1015(b) of the Supplemental Appropriations Act, 2010 (Public Law 111–212) shall remain in effect through September 30, 2021, and may be used to facilitate the assignment of persons for oversight of programs in
Syria, South Sudan, Yemen, Somalia, and Venezuela.

(7) **ACCOUNTABILITY REVIEW BOARDS.**—The authority provided by section 301(a)(3) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect for facilities in Afghanistan through September 30, 2021, except that the notification and reporting requirements contained in such section shall include the Committees on Appropriations.

(8) **SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION COMPETITIVE STATUS.**—Notwithstanding any other provision of law, any employee of the Special Inspector General for Afghanistan Reconstruction (SIGAR) who completes at least 12 months of continuous service after enactment of this Act or who is employed on the date on which SIGAR terminates, whichever occurs first, shall acquire competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications.

(9) **TRANSFER OF BALANCES.**—Section 7081(h) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (divi-
sion J of Public Law 115–31) shall continue in effect during fiscal year 2021.

(10) DEPARTMENT OF STATE INSPECTOR GENERAL WAIVER AUTHORITY.—The Inspector General of the Department of State may waive the provisions of subsections (a) through (d) of section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064) on a case-by-case basis for an annuitant reemployed by the Inspector General on a temporary basis, subject to the same constraints and in the same manner by which the Secretary of State may exercise such waiver authority pursuant to subsection (g) of such section.

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

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

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

(C) in clauses (i) and (ii), by striking “December 31, 2021” and inserting “December 31, 2022”.

(m) MONITORING AND EVALUATION.—
(1) Beneficiary Feedback.—Funds appropriated by this Act that are made available for monitoring and evaluation of assistance under the headings “Development Assistance”, “International Disaster Assistance”, and “Migration and Refugee Assistance” shall be made available for the regular and systematic collection of feedback obtained directly from beneficiaries to enhance the quality and relevance of such assistance: Provided, That the Department of State and USAID shall establish, and post on their respective websites, updated procedures for implementing partners that receive funds under such headings for regularly collecting and responding to such feedback, including guidelines for the reporting on actions taken in response to the feedback received: Provided further, That the Department of State and USAID shall regularly conduct oversight to ensure that such feedback is regularly collected and used by implementing partners to maximize the cost-effectiveness and utility of such assistance.

(2) Ex-post Evaluations.—Of the funds appropriated by this Act under the heading “Economic Support Fund”, not less than $10,000,000 shall be made available for ex-post evaluations consistent with the requirements under this heading in the ex-
planatory statement accompanying this Act, which shall be in addition to funds otherwise made available for monitoring and evaluation: Provided, That such funds may be transferred to, and merged with, funds appropriated by this Act under the headings “Global Health Programs” and “Development Assistance” and under title IV for such purposes: Provided further, That such transfer authority is in addition to any other transfer authority provided by law, subject to the regular notification procedures of the Committees on Appropriations.

(n) HIV/AIDS WORKING CAPITAL FUND.—Funds available in the HIV/AIDS Working Capital Fund established pursuant to section 525(b)(1) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (Public Law 108–447) may be made available for pharmaceuticals and other products for child survival, malaria, tuberculosis, and emerging infectious diseases to the same extent as HIV/AIDS pharmaceuticals and other products, subject to the terms and conditions in such section: Provided, That the authority in section 525(b)(5) of the Foreign Operations, Export Financing, and Related Programs Appropriation Act, 2005 (Public Law 108–447) shall be exercised by the Assistant Administrator for Global Health, USAID, with respect to funds
deposited for such non-HIV/AIDS pharmaceuticals and
other products, and shall be subject to the regular notifica-
tion procedures of the Committees on Appropriations: Pro-
vided further, That the Secretary of State shall include
in the congressional budget justification an accounting of
budgetary resources, disbursements, balances, and reim-
bursements related to such fund.

(o) LOANS, CONSULTATION, AND NOTIFICATION.—

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

(2) FOREIGN MILITARY FINANCING DIRECT
LOANS.—During fiscal year 2021, direct loans under
section 23 of the Arms Export Control Act may be
made available for Jordan and Tunisia, notwithstanding section 23(e)(1) of the Arms Export Control Act, gross obligations for the principal amounts of which shall not exceed $4,000,000,000: Provided, That funds appropriated under the heading “Foreign Military Financing Program” in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of such loans: Provided further, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974 and may include the costs of selling, reducing, or cancelling any amounts owed to the United States or any agency of the United States: Provided further, That the Government of the United States may charge fees for such loans, which shall be collected from borrowers in accordance with section 502(7) of the Congressional Budget Act of 1974: Provided further, That no funds made available to the North Atlantic Treaty Organization (NATO) or major non-NATO allies by this or any other appropriations Act for this fiscal year or prior fiscal years may be used for payment of any
fees associated with such loans: Provided further, That such loans shall be repaid in not more than 12 years, including a grace period of up to one year on repayment of principal: Provided further, That notwithstanding section 23(c)(1) of the Arms Export Control Act, interest for such loans may be charged at a rate determined by the Secretary of State, except that such rate may not be less than the prevailing interest rate on marketable Treasury securities of similar maturity: Provided further, That amounts made available under this paragraph for such costs shall not be considered assistance for the purposes of provisions of law limiting assistance to a country.

(3) FOREIGN MILITARY FINANCING LOAN GUARANTEES.—Funds appropriated under the heading “Foreign Military Financing Program” in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available, notwithstanding the third proviso under such heading, for the costs of loan guarantees under section 24 of the Arms Export Control Act for Jordan and Tunisia, which are authorized to be provided: Provided, That such funds are available to subsidize gross obligations for
the principal amount of commercial loans, and total
loan principal, any part of which is to be guaran-
teed, not to exceed $4,000,000,000: Provided fur-
ther, That no loan guarantee with respect to any one
borrower may exceed 80 percent of the loan prin-
cipal: Provided further, That any loan guaranteed
under this paragraph may not be subordinated to
another debt contracted by the borrower or to any
other claims against the borrower in the case of de-
fault: Provided further, That repayment in United
States dollars of any loan guaranteed under this
paragraph shall be required within a period not to
exceed 12 years after the loan agreement is signed:
Provided further, That the Government of the
United States may charge fees for such loans guar-
antees, as may be determined, notwithstanding sec-
tion 24 of the Export Control Act, which shall be
collected from borrowers or third parties on behalf
of such borrowers in accordance with section 502(7)
of the Congressional Budget Act of 1974: Provided
further, That amounts made available under this
paragraph for the costs of such guarantees shall not
be considered assistance for the purposes of provi-
sions of law limiting assistance to a country.
(4) **DESIGNATION REQUIREMENT.**—Funds made available pursuant to paragraphs (1) through (3) from prior Acts making appropriations for the Department of State, foreign operations, and related programs that were previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of such Act.

(5) **CONSULTATION AND NOTIFICATION.**—Funds made available pursuant to the authorities of this subsection shall be subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations.

(p) **LOCAL WORKS.**—

(1) **FUNDING.**—Of the funds appropriated by this Act under the headings “Development Assistance” and “Economic Support Fund”, not less than $59,000,000 shall be made available for Local Works pursuant to section 7080 of the Department of State, Foreign Operations, and Related Programs.
Appropriations Act, 2015 (division J of Public Law 113–235), which may remain available until September 30, 2025.

(2) Eligible Entities.—For the purposes of section 7080 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), “eligible entities” shall be defined as small local, international, and United States-based nongovernmental organizations, educational institutions, and other small entities that have received less than a total of $5,000,000 from USAID over the previous 5 fiscal years: Provided, That departments or centers of such educational institutions may be considered individually in determining such eligibility.

(q) Nita M. Lowey Middle East Partnership for Peace Fund.—Funds appropriated by this Act shall be made available to implement the purposes of the Middle East Partnership for Peace Act, as contained in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021 (H.R. 7608, as passed in the House of Representatives on July 24, 2020), if such Act is enacted by Congress: Provided, That such funds shall be referred to as the “Nita M. Lowey Middle East Partnership for Peace Fund”.

November 6, 2020 (11:31 a.m.)
(f) Definitions.—

(1) Appropriate Congressional Committees.—Unless otherwise defined in this Act, for purposes of this Act the term “appropriate congressional committees” means the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives.

(2) Funds Appropriated by This Act and Prior Acts.—Unless otherwise defined in this Act, for purposes of this Act the term “funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs” means funds that remain available for obligation, and have not expired.

(3) International Financial Institutions.—In this Act “international financial institutions” means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the International Fund for Agricultural Development, the Asian Development Bank, the Asian Development Fund, the Inter-American Investment Corporation, the North
American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, the African Development Fund, and the Multilateral Investment Guarantee Agency.

(4) S P E N D P L A N .—In this Act, the term “spend plan” means a plan for the uses of funds appropriated for a particular entity, country, program, purpose, or account and which shall include, at a minimum, a description of—

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

(B) amounts and sources of funds by account;

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

(D) implementing partners, to the maximum extent practicable.

(5) S U C C E S S O R O P E R A T I N G U N I T .—Any reference to a particular USAID operating unit or office in this or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be deemed to include any successor operating unit or office performing the same or similar functions.
(6) USAID.—In this Act, the term “USAID” means the United States Agency for International Development.

LAW ENFORCEMENT AND SECURITY

SEC. 7035. (a) ASSISTANCE.—

(1) Community-based police assistance.—

Funds made available under titles III and IV of this Act to carry out the provisions of chapter 1 of part I and chapters 4 and 6 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority through training and technical assistance in human rights, the rule of law, anti-corruption, strategic planning, and through assistance to foster civilian police roles that support democratic governance, including assistance for programs to prevent conflict, respond to disasters, address gender-based violence, and foster improved police relations with the communities they serve.

(2) Counterterrorism partnerships fund.—Funds appropriated by this Act under the heading “Nonproliferation, Anti-terrorism, Demining and Related Programs” shall be made available for the Counterterrorism Partnerships Fund for pro-
grams in areas liberated from, under the influence of, or adversely affected by, the Islamic State of Iraq and Syria or other terrorist organizations: Provided, That such areas shall include the Kurdistan Region of Iraq: Provided further, That prior to the obligation of funds made available pursuant to this paragraph, the Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of such funds: Provided further, That funds made available pursuant to this paragraph shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(3) COMBAT CASUALTY CARE.—

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

(B) The Secretary of State shall offer combat casualty care training and equipment as a component of any package of lethal assistance
funded by this Act with funds appropriated under the headings “Peacekeeping Operations” and “Foreign Military Financing Program”: 

Provided, That the requirement of this subparagraph shall apply to a country in conflict, unless the Secretary determines that such country has in place, to the maximum extent practicable, functioning combat casualty care treatment and equipment that meets or exceeds the standards recommended by the Committee on Tactical Combat Casualty Care: Provided further, That any such training and equipment for combat casualty care shall be made available through an open and competitive process.

(4) TRAINING RELATED TO INTERNATIONAL HUMANITARIAN LAW.—The Secretary of State shall offer training related to the requirements of international humanitarian law as a component of any package of lethal assistance funded by this Act with funds appropriated under the headings “Peacekeeping Operations” and “Foreign Military Financing Program”: Provided, That the requirement of this paragraph shall not apply to a country that is a member of the North Atlantic Treaty Organization (NATO), is a major non-NATO ally designated by
section 517(b) of the Foreign Assistance Act of 1961, or is complying with international humanitarian law: Provided further, That any such training shall be made available through an open and competitive process.

(5) SECURITY FORCE PROFESSIONALIZATION.—

Funds appropriated by this Act under the headings “International Narcotics Control and Law Enforcement” and “Peacekeeping Operations” shall be made available to increase the capacity of foreign military and law enforcement personnel to operate in accordance with appropriate standards relating to human rights and the protection of civilians in the manner specified under this section in Senate Report 116–126, following consultation with the Committees on Appropriations: Provided, That funds made available pursuant to this paragraph shall be made available through an open and competitive process.

(6) GLOBAL SECURITY CONTINGENCY FUND.—

Notwithstanding any other provision of this Act, up to $7,500,000 from funds appropriated by this Act under the headings “Peacekeeping Operations” and “Foreign Military Financing Program” may be transferred to, and merged with, funds previously made available under the heading “Global Security
Contingency Fund”, subject to the regular notification procedures of the Committees on Appropriations.

(7) INTERNATIONAL PRISON CONDITIONS.—Of the funds appropriated by this Act under the headings “Development Assistance”, “Economic Support Fund”, and “International Narcotics Control and Law Enforcement”, not less than $7,500,000 shall be made available for assistance to eliminate inhumane conditions in foreign prisons and other detention facilities, notwithstanding section 660 of the Foreign Assistance Act of 1961: Provided, That the Secretary of State and the USAID Administrator shall consult with the Committees on Appropriations on the proposed uses of such funds prior to obligation and not later than 60 days after enactment of this Act: Provided further, That such funds shall be in addition to funds otherwise made available by this Act for such purpose.

(b) AUTHORITIES.—

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

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

(3) EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.—

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

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

(4) COMMERCIAL LEASING OF DEFENSE ARTICLES.—Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act (22 U.S.C. 2763) may be used to provide financing to
Israel, Egypt, the North Atlantic Treaty Organization (NATO), and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

(5) **SPECIAL DEFENSE ACQUISITION FUND.**—Not to exceed $900,000,000 may be obligated pursuant to section 51(c)(2) of the Arms Export Control Act (22 U.S.C. 2795(c)(2)) for the purposes of the Special Defense Acquisition Fund (the Fund), to remain available for obligation until September 30, 2023: *Provided*, That the provision of defense articles and defense services to foreign countries or international organizations from the Fund shall be subject to the concurrence of the Secretary of State.

(6) **PUBLIC DISCLOSURE.**—For the purposes of funds appropriated by this Act and prior Acts making appropriations for the Department of State, for-
eign operations, and related programs that are made available for assistance for units of foreign security forces, the term “to the maximum extent practicable” in section 620M(d)(7) of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) means that the identity of such units shall be made publicly available unless the Secretary of State, on a case-by-case basis, determines and reports to the appropriate congressional committees that disclosure would endanger the safety of human sources or reveal sensitive intelligence sources and methods, or that non-disclosure is in the national security interest of the United States: Provided, That any such determination shall include a detailed justification, and may be submitted in classified form.

(7) D U TY TO I NFORM.—If assistance to a foreign security force is provided in a manner in which the recipient unit or units cannot be identified prior to the transfer of assistance, the Secretary of State shall provide a list of units prohibited from receiving such assistance pursuant to section 620M of the Foreign Assistance Act of 1961 to the recipient government, and such assistance shall be made available subject to a written agreement that the recipient government will comply with such prohibition.
(c) LIMITATIONS.—

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

(2) LANDMINES AND CLUSTER MUNITIONS.—

(A) LANDMINES.—Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the Secretary of State may prescribe.

(B) CLUSTER MUNITIONS.—No military assistance shall be furnished for cluster munitions, no defense export license for cluster munitions may be issued, and no cluster munitions or cluster munitions technology shall be sold or transferred, unless—

(i) the submunitions of the cluster munitions, after arming, do not result in more than 1 percent unexploded ordnance across the range of intended operational
environments, and the agreement applicable to the assistance, transfer, or sale of such cluster munitions or cluster munitions technology specifies that the cluster munitions will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians; or

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

(3) Crowd control items.—Funds appropriated by this Act should not be used for tear gas, small arms, light weapons, ammunition, or other items for crowd control purposes for foreign security forces that use excessive force to repress peaceful expression, association, or assembly in countries that the Secretary of State determines are undemocratic or are undergoing democratic transitions.

(d) Reports.—

(1) Security assistance report.—Not later than 120 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a report on funds obligated and ex-
176

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

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

ARAB LEAGUE BOYCOTT OF ISRAEL

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

(1) the Arab League boycott of Israel, and the
secondary boycott of American firms that have com-
cmercial ties with Israel, is an impediment to peace
in the region and to United States investment and
trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and
publicly terminated, and the Central Office for the
Boycott of Israel immediately disbanded;

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

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

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

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

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

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

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

(2) the Palestinian Authority (or the governing entity of a new Palestinian state) is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships, which should include—
(A) termination of all claims or states of belligerency;

(B) respect for and acknowledgment of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) Sense of Congress.—It is the sense of Congress that the governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

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

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

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN
BROADCASTING CORPORATION

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

ASSISTANCE FOR THE WEST BANK AND GAZA

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

(b) VETTING.—Prior to the obligation of funds ap-
propriated by this Act under the heading “Economic Sup-
port Fund” for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity nor, with respect to private entities or educational institutions, those that have as a principal officer of the entity’s governing board or governing board of trustees any individual that has been determined to be involved in, or advocating terrorist activity or determined to be a member of a designated foreign terrorist organization: Provided, That the Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual, entity, or educational institution which the Secretary has determined to be involved in or advocating terrorist activity.

(c) PROHIBITION.—

(1) RECOGNITION OF ACTS OF TERRORISM.— None of the funds appropriated under titles III through VI of this Act for assistance under the West Bank and Gaza Program may be made available for—
(A) the purpose of recognizing or otherwise honoring individuals who commit, or have comm-
mitted acts of terrorism; and

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

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

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

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

(2) Of the funds appropriated by this Act, up to $1,000,000 may be used by the Office of Inspector General of the United States Agency for International Development for audits, investigations, and other activities in furtherance of the requirements of this subsection: Provided, That such funds are in addition to funds otherwise available for such purposes.

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

(1) the extent to which such Program complies with the requirements of subsections (b) and (c); and
(2) an examination of all programs, projects, and activities carried out under such Program, including both obligations and expenditures.

(f) Notification Procedures.—Funds made available in this Act for West Bank and Gaza shall be subject to the regular notification procedures of the Committees on Appropriations.

LIMITATION ON ASSISTANCE FOR THE PALESTINIAN AUTHORITY

SEC. 7040. (a) Prohibition of Funds.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) Waiver.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that waiving such prohibition is important to the national security interest of the United States.

(c) Period of Application of Waiver.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.
(d) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the justification for the waiver, the purposes for which the funds will be spent, and the accounting procedures in place to ensure that the funds are properly disbursed: Provided, That the report shall also detail the steps the Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure.

(e) CERTIFICATION.—If the President exercises the waiver authority under subsection (b), the Secretary of State must certify and report to the Committees on Appropriations prior to the obligation of funds that the Palestinian Authority has established a single treasury account for all Palestinian Authority financing and all financing mechanisms flow through this account, no parallel financing mechanisms exist outside of the Palestinian Authority treasury account, and there is a single comprehensive civil service roster and payroll, and the Palestinian Authority is acting to counter incitement of violence against Israelis and is supporting activities aimed at promoting peace, coexistence, and security cooperation with Israel.

(f) PROHIBITION TO HAMAS AND THE PALESTINE LIBERATION ORGANIZATION.—
(1) None of the funds appropriated in titles III through VI of this Act may be obligated for salaries of personnel of the Palestinian Authority located in Gaza or may be obligated or expended for assistance to Hamas or any entity effectively controlled by Hamas, any power-sharing government of which Hamas is a member, or that results from an agreement with Hamas and over which Hamas exercises undue influence.

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

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

(4) Whenever the certification pursuant to paragraph (2) is exercised, the Secretary of State
shall submit a report to the Committees on Appropriations within 120 days of the certification and every quarter thereafter on whether such government, including all of its ministers or such equivalent are continuing to comply with the principles contained in section 620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961, as amended: Provided, That the report shall also detail the amount, purposes and delivery mechanisms for any assistance provided pursuant to the abovementioned certification and a full accounting of any direct support of such government.

(5) None of the funds appropriated under titles III through VI of this Act may be obligated for assistance for the Palestine Liberation Organization.

MIDDLE EAST AND NORTH AFRICA

SEC. 7041. (a) EGYPT.—

(1) CERTIFICATION AND REPORT.—Funds appropriated by this Act that are available for assistance for Egypt may be made available notwithstanding any other provision of law restricting assistance for Egypt, except for this subsection and section 620M of the Foreign Assistance Act of 1961, and may only be made available for assistance for the Government of Egypt if the Secretary of State
certifies and reports to the Committees on Appropriations that such government is—

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

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

(2) ECONOMIC SUPPORT FUND.—Of the funds appropriated by this Act under the heading “Economic Support Fund”, not less than $125,000,000 shall be made available for assistance for Egypt, of which $40,000,000 should be made available for higher education programs, including not less than $15,000,000 for scholarships for Egyptian students with high financial need to attend not-for-profit institutions of higher education in Egypt that are currently accredited by a regional accrediting agency recognized by the United States Department of Education, or meets standards equivalent to those required for United States institutional accreditation by a regional accrediting agency recognized by such Department: Provided, That such funds shall be made available for democracy programs, and for development programs in the Sinai: Provided further, That such funds may not be made available for cash transfer assistance or budget support unless the Sec-
Secretary of State certifies and reports to the appropriate congressional committees that the Government of Egypt is taking consistent and effective steps to stabilize the economy and implement market-based economic reforms.

(3) FOREIGN MILITARY FINANCING PROGRAM.—

(A) CERTIFICATION.—Of the funds appropriated by this Act under the heading “Foreign Military Financing Program”, $1,300,000,000, to remain available until September 30, 2022, should be made available for assistance for Egypt: Provided, That such funds may be transferred to an interest bearing account in the Federal Reserve Bank of New York, following consultation with the Committees on Appropriations, and the uses of any interest earned on such funds shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That $300,000,000 of such funds shall be withheld from obligation until the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Egypt is taking sustained and effective steps to—
190

(i) strengthen the rule of law, democratic institutions, and human rights in Egypt, including to protect religious minorities and the rights of women, which are in addition to steps taken during the previous calendar year for such purposes;

(ii) implement reforms that protect freedoms of expression, association, and peaceful assembly, including the ability of civil society organizations, human rights defenders, and the media to function without interference;

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

(iv) hold Egyptian security forces accountable, including officers credibly alleged to have violated human rights;

(v) investigate and prosecute cases of extrajudicial killings and forced disappearances; and

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

Provided further, That the certification requirement of this paragraph shall not apply to funds
appropriated by this Act under such heading for counterterrorism, border security, and non-proliferation programs for Egypt.

(B) WAIVER.—The Secretary of State may waive the certification requirement in subparagraph (A) if the Secretary determines and reports to the Committees on Appropriations that to do so is important to the national security interest of the United States, and submits a report to such Committees containing a detailed justification for the use of such waiver and the reasons why any of the requirements of subparagraph (A) cannot be met: Provided, That the report required by this paragraph shall be submitted in unclassified form, but may be accompanied by a classified annex.

(b) IRAN.—

(1) FUNDING.—Funds appropriated by this Act under the headings “Diplomatic Programs”, “Economic Support Fund”, and “Nonproliferation, Anti-terrorism, Demining and Related Programs” shall be made available for the programs and activities described under this section in the explanatory statement accompanying this Act.

(2) REPORTS.—

(B) Sanctions Report.—Not later than 180 days after the date of enactment of this Act, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a report on—

(i) the status of United States bilateral sanctions on Iran;

(ii) the reimposition and renewed enforcement of secondary sanctions; and

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

(c) Iraq.—

(1) Purposes.—Of the funds appropriated under titles III and IV of this Act, not less than $454,110,000 shall be made available for assistance for Iraq, including not less than $25,000,000 under
the first paragraph under the heading “Democracy Fund”, for—

(A) bilateral economic assistance and international security assistance, including in the Kurdistan Region of Iraq and for the Marla Ruzicka Iraqi War Victims Fund;

(B) stabilization assistance, including in Anbar Province;

(C) justice sector strengthening;

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

(E) programs to protect and assist religious and ethnic minority populations in Iraq.

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

(d) JORDAN.—Of the funds appropriated by this Act under titles III and IV, not less than $1,650,000,000 shall be made available for assistance for Jordan, of which: not
less than $1,207,400,000 shall be made available under
the heading “Economic Support Fund”, of which not less
than $845,100,000 shall be made available for budget sup-
port for the Government of Jordan and not less than
$25,000,000 shall be made available for programs and ac-
tivities for which policy justifications and decisions shall
be the responsibility of the United States Chief of Mission
in Jordan; and not less than $425,000,000 shall be made
available under the heading “Foreign Military Financing
Program”, including for the purchase of F–16 fighter air-
craft: Provided, That of such funds appropriated under
the headings “Economic Support Fund” and “Foreign
Military Financing Program”, up to $50,000,000 may be
transferred to, and merged with, funds appropriated under
such headings for purposes of this subsection: Provided

further, That such transfer authority is in addition to any
other transfer authority provided by this Act or any other
Act, and is subject to prior consultation with, and the reg-
ular notification procedures of, the Committees on Appro-
priations.

(e) LEBANON.—

(1) ASSISTANCE.—Of the funds appropriated
under titles III and IV of this Act, not less than
$237,370,000 shall be made available for assistance
for Lebanon, including not less than $105,000,000
under the heading “Foreign Military Financing Pro-
gram”: Provided, That such funds made available
under the heading “Economic Support Fund” may
be made available notwithstanding section 1224 of
the Foreign Relations Authorization Act, Fiscal
Year 2003 (Public Law 107–228; 22 U.S.C. 2346
note).

(2) SECURITY ASSISTANCE.—

(A) Funds appropriated by this Act under
the headings “International Narcotics Control
and Law Enforcement” and “Foreign Military
Financing Program” that are made available
for assistance for Lebanon may be made avail-
able for programs and equipment for the Leba-
nese Internal Security Forces (ISF) and the
Lebanese Armed Forces (LAF) to address secu-


November 6, 2020 (11:31 a.m.)
(i) professionalize the LAF to mitigate internal and external threats from non-state actors, including Hizballah;

(ii) strengthen border security and combat terrorism, including training and equipping the LAF to secure the borders of Lebanon and address security and stability requirements in areas affected by conflict in Syria, interdicting arms shipments, and preventing the use of Lebanon as a safe haven for terrorist groups; and

(iii) implement United Nations Security Council Resolution 1701:

Provided, That prior to obligating funds made available by this subparagraph for assistance for the LAF, the Secretary of State shall submit to the Committees on Appropriations a spend plan, including actions to be taken to ensure equipment provided to the LAF is used only for the intended purposes, except such plan may not be considered as meeting the notification requirements under section 7015 of this Act or under section 634A of the Foreign Assistance Act of 1961, and shall be submitted not later than September 1, 2021: Provided fur-
ther. That any notification submitted pursuant to such section shall include any funds specifically intended for lethal military equipment.

(3) LIMITATION.—None of the funds appropriated by this Act may be made available for the ISF or the LAF if the ISF or the LAF is controlled by a foreign terrorist organization, as designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(f) LIBYA.—

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

(2) CERTIFICATION.—Prior to the initial obligation of funds made available by this Act for assistance for Libya, the Secretary of State shall certify and report to the Committees on Appropriations that all practicable steps have been taken to ensure
that mechanisms are in place for monitoring, oversight, and control of such funds.

(g) MOROCCO.—

(1) AVAILABILITY AND CONSULTATION REQUIREMENT.—Funds appropriated under title III of this Act shall be made available for assistance for the Western Sahara: Provided, That not later than 90 days after enactment of this Act and prior to the obligation of such funds, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall consult with the Committees on Appropriations on the proposed uses of such funds.

(2) FOREIGN MILITARY FINANCING PROGRAM.—Funds appropriated by this Act under the heading “Foreign Military Financing Program” that are available for assistance for Morocco may only be used for the purposes requested in the Congressional Budget Justification, Foreign Operations, Fiscal Year 2017.

(h) SAUDI ARABIA.—

(1) INTERNATIONAL MILITARY EDUCATION AND TRAINING.—None of the funds appropriated by this Act under the heading “International Military Edu-
cation and Training’’ may be made available for assistance for the Government of Saudi Arabia.

(2) EXPORT-IMPORT BANK.—None of the funds appropriated or otherwise made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs should be obligated or expended by the Export-Import Bank of the United States to guarantee, insure, or extend (or participate in the extension of) credit in connection with the export of nuclear technology, equipment, fuel, materials, or other nuclear technology-related goods or services to Saudi Arabia unless the Government of Saudi Arabia—

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

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

(C) has signed and implemented an Additional Protocol to its Comprehensive Safeguards Agreement with the International Atomic Energy Agency.

(i) SYRIA.—
(1) **NON-LETHAL ASSISTANCE.**—Of the funds appropriated by this Act under the headings “Economic Support Fund”, “Democracy Fund”, and “International Narcotics Control and Law Enforcement”, not less than $40,000,000 shall be made available, notwithstanding any other provision of law, for non-lethal stabilization assistance for Syria, including in Deir ez-Zor, of which not less than $7,000,000 shall be made available for emergency medical and rescue response and chemical weapons use investigations.

(2) **LIMITATIONS.**—Funds made available pursuant to paragraph (1) of this subsection—

(A) may not be made available for a project or activity that supports or otherwise legitimizes the Government of Iran, foreign terrorist organizations (as designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189)), or a proxy of Iran in Syria;

(B) may not be made available for activities that further the strategic objectives of the Government of the Russian Federation that the Secretary of State determines may threaten or
undermine United States national security inter-

tests; and

(C) should not be used in areas of Syria

trolled by a government led by Bashar al-
Assad or associated forces.

(3) MONITORING AND OVERSIGHT.—Prior to

the obligation of any funds appropriated by this Act

and made available for assistance for Syria, the Sec-

retary of State shall take all practicable steps to en-

sure that mechanisms are in place for monitoring,

oversight, and control of such assistance inside

Syria.

(4) CONSULTATION AND NOTIFICATION.—

Funds made available pursuant to this subsection

may only be made available following consultation

with the appropriate congressional committees, and

shall be subject to the regular notification proce-

dures of the Committees on Appropriations.

(j) TUNISIA.—Of the funds appropriated under titles

III and IV of this Act, not less than $241,400,000 shall

be made available for assistance for Tunisia.

(k) WEST BANK AND GAZA.—

(1) REPORT ON ASSISTANCE.—Prior to the ini-

tial obligation of funds made available by this Act

under the heading “Economic Support Fund” for
assistance for the West Bank and Gaza, the Secretary of State shall report to the Committees on Appropriations that the purpose of such assistance is to—

(A) advance Middle East peace;
(B) improve security in the region;
(C) continue support for transparent and accountable government institutions;
(D) promote a private sector economy; or
(E) address urgent humanitarian needs.

(2) LIMITATIONS,—

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

(I) the Palestinians obtain the same standing as member states or full membership as a state in the United Nations or any specialized agency thereof outside an agreement negotiated between Israel and the Palestinians; or

(II) the Palestinians initiate an International Criminal Court (ICC)
judicially authorized investigation, or actively support such an investigation, that subjects Israeli nationals to an investigation for alleged crimes against Palestinians.

(ii) The Secretary of State may waive the restriction in clause (i) of this subparagraph resulting from the application of subclause (I) of such clause if the Secretary certifies to the Committees on Appropriations that to do so is in the national security interest of the United States, and submits a report to such Committees detailing how the waiver and the continuation of assistance would assist in furthering Middle East peace.

(B)(i) The President may waive the provisions of section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204) if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the appropriate congressional committees that the Palestinians
have not, after the date of enactment of this Act—

(I) obtained in the United Nations or any specialized agency thereof the same standing as member states or full membership as a state outside an agreement negotiated between Israel and the Palestinians; and

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

(ii) Not less than 90 days after the President is unable to make the certification pursuant to clause (i) of this sub-paragraph, the President may waive section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that the Palestinians have entered into direct and meaningful negotiations with Israel: Provided, That any waiver of the provisions of section 1003 of
Public Law 100–204 under clause (i) of this subparagraph or under previous provisions of law must expire before the waiver under the preceding sentence may be exercised.

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

(3) Application of Taylor Force Act.—Funds appropriated by this Act under the heading “Economic Support Fund” that are made available for assistance for the West Bank and Gaza shall be made available consistent with section 1004(a) of the Taylor Force Act (title X of division S of Public Law 115–141).

(4) Private Sector Partnership Programs.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for private sector partnership programs for the West Bank and Gaza if such funds are authorized: Provided, That funds made available pursuant to this paragraph shall be subject to prior

November 6, 2020 (11:31 a.m.)
consultation with the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations.

(5) Security Report.—The reporting requirements in section 1404 of the Supplemental Appropriations Act, 2008 (Public Law 110–252) shall apply to funds made available by this Act, including a description of modifications, if any, to the security strategy of the Palestinian Authority.

(6) Incitement Report.—Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees detailing steps taken by the Palestinian Authority to counter incitement of violence against Israelis and to promote peace and co-existence with Israel.

(7) Assistance.—Of the funds appropriated by this Act—

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

(B) under the heading “International Narcotics Control and Law Enforcement”, not less than $75,000,000 shall be made available for
the security assistance program for the West

Bank.

(l) YEMEN.—Funds appropriated under titles III and IV of this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be made available for public health, humanitarian, and stabilization assistance for Yemen.

AFRICA

SEC. 7042. (a) AFRICAN GREAT LAKES REGION ASSISTANCE RESTRICTION.—Funds appropriated by this Act under the heading “International Military Education and Training” for the central government of a country in the African Great Lakes region may be made available only for Expanded International Military Education and Training and professional military education until the Secretary of State determines and reports to the Committees on Appropriations that such government is not facilitating or otherwise participating in destabilizing activities in a neighboring country, including aiding and abetting armed groups.

(b) CAMEROON.—

(1) RESTRICTION ON ASSISTANCE.—Funds appropriated under title IV of this Act that are made available for assistance for the armed forces of Cameroon, including the Rapid Intervention Battalion,
may only be made available to counter regional terrorism, including Boko Haram and other Islamic State affiliates, participate in international peacekeeping operations, and for military education and maritime security programs.

(2) **HUMAN RIGHTS.**—The Secretary of State shall apply the requirements of section 7031(c) of this Act to officials of the Government of Cameroon and their immediate family members about whom the Secretary has credible information are responsible for extrajudicial killings, torture, and other gross violations of human rights in Cameroon.

(c) **CENTRAL AFRICAN REPUBLIC.**—Of the funds appropriated by this Act under the heading “Economic Support Fund”, not less than $3,000,000 shall be made available for a contribution to the Special Criminal Court in Central African Republic.

(d) **COUNTER ILLICIT ARMED GROUPS.**—Funds appropriated by this Act shall be made available for programs and activities in areas affected by the Lord’s Resistance Army (LRA) or other illicit armed groups in Eastern Democratic Republic of the Congo and the Central African Republic, including to improve physical access, telecommunications infrastructure, and early-warning mechanisms and to support the disarmament, demobi-
(c) **Democratic Republic of the Congo.**—

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

(2) **Eastern DRC.**—In addition to amounts made available pursuant to paragraph (1), of the funds appropriated under titles III and IV of this Act, not less than $36,000,000 shall be made available in Eastern DRC for stabilization, global health, bilateral economic, counterterrorism, and counter wildlife trafficking assistance.

(3) **Availability.**—Funds appropriated under title III of this Act and made available pursuant to this subsection, may be made available notwithstanding any other provision of law.

(f) **Lake Chad Basin Countries.**—Funds appropriated under titles III and IV of this Act shall be made available, following consultation with the Committees on
Appropriations, for assistance for Cameroon, Chad, Niger, and Nigeria for—

(1) democracy, development, and health programs;

(2) assistance for individuals targeted by foreign terrorist and other extremist organizations, including Boko Haram, consistent with the provisions of section 7059 of this Act;

(3) assistance for individuals displaced by violent conflict; and

(4) counterterrorism programs.

(g) Sahel Stabilization and Security.—Funds appropriated under titles III and IV of this Act shall be made available for stabilization, health, development, and security programs in the countries of the Sahel region at levels not less than the prior fiscal year, respectively, to include funding reductions resulting from the application of any other provision of this or any other Act.

(h) South Sudan.—

(1) Assistance.—Of the funds appropriated under title III of this Act that are made available for assistance for South Sudan, not less than $15,000,000 shall be made available for democracy programs and not less than $8,000,000 shall be
made available for conflict mitigation and reconciliation programs.

(2) LIMITATION ON ASSISTANCE FOR THE CENTRAL GOVERNMENT.—Funds appropriated by this Act that are made available for assistance for the central Government of South Sudan may only be made available, following consultation with the Committees on Appropriations, for—

(A) humanitarian assistance;

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

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

(D) assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement and mutual arrangements related to such agreement:

Provided, That prior to the initial obligation of funds made available pursuant to subparagraphs (C) and (D), the Secretary of State shall consult with the Committees on Appropriations on the intended uses of such funds and steps taken by such government to advance or implement a peace agreement.

(i) SUDAN.—
(1) **ASSISTANCE.**—

(A) Subject to the limitation in subparagraph (B), funds appropriated by this Act may be made available for assistance for the Government of Sudan.

(B) None of the funds appropriated under title IV of this Act may be made available for assistance for the Government of Sudan, except assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement, mutual arrangements related to post-referendum issues associated with such Agreement, or any other viable peace agreement in Sudan.

(C) Notwithstanding any other provision of law, funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs for assistance for Sudan may be made available for agriculture and economic growth programs and economic assistance for marginalized areas in Sudan and Abyei.

(2) **LOANS.**—None of the funds appropriated by this Act may be made available for the cost, as defined in section 502 of the Congressional Budget Act...
of 1974, of modifying loans and loan guarantees held by the Government of Sudan, including the cost of selling, reducing, or canceling amounts owed to the United States, and modifying concessional loans, guarantees, and credit agreements.

(3) CONSULTATION.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for any new program, project, or activity in Sudan shall be subject to prior consultation with the appropriate congressional committees.

(j) ZIMBABWE.—

(1) INSTRUCTION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to vote against any extension by the respective institution of any loan or grant to the Government of Zimbabwe, except to meet basic human needs or to promote democracy, unless the Secretary of State certifies and reports to the Committees on Appropriations that the rule of law has been restored, including respect for ownership and title to property, and freedoms of expression, association, and assembly.
(2) LIMITATION.—None of the funds appropriated by this Act shall be made available for assistance for the central Government of Zimbabwe, except for health and education, unless the Secretary of State certifies and reports as required in paragraph (1).

EAST ASIA AND THE PACIFIC

SEC. 7043. (a) BURMA.—

(1) BILATERAL ECONOMIC ASSISTANCE.—

(A) Of the funds appropriated under titles III and IV of this Act, not less than $134,950,000 shall be made available for assistance for Burma: Provided, That such funds may be made available notwithstanding any other provision of law and following consultation with the appropriate congressional committees: Provided further, That such funds shall be made available for programs to promote ethnic and religious tolerance and to combat gender-based violence, including in Kachin, Karen, Rakhine, and Shan states: Provided further, That such funds may be made available for ethnic groups and civil society in Burma to help sustain ceasefire agreements and further prospects for reconciliation and peace, which may
include support to representatives of ethnic armed groups for this purpose.

(B) Funds appropriated under title III of this Act for assistance for Burma shall be made available for community-based organizations operating in Thailand to provide food, medical, and other humanitarian assistance to internally displaced persons in eastern Burma, in addition to assistance for Burmese refugees from funds appropriated by this Act under the heading “Migration and Refugee Assistance”: Provided,

That such funds may be available for programs to support the return of Kachin, Karen, Rohingya, Shan, and other refugees and internally displaced persons to their locations of origin or preference in Burma only if such returns are voluntary and consistent with international law.

(C) Funds appropriated under title III of this Act for assistance for Burma that are made available for assistance for the Government of Burma to support the implementation of Nationwide Ceasefire Agreement conferences, committees, and other procedures may only be made available if the Secretary of State reports
to the Committees on Appropriations that such conferences, committees, and procedures are directed toward a sustainable peace and the Government of Burma is implementing its commitments under such Agreement.

(2) INTERNATIONAL SECURITY ASSISTANCE.—None of the funds appropriated by this Act under the headings “International Military Education and Training” and “Foreign Military Financing Program” may be made available for assistance for Burma: Provided, That the Department of State may continue consultations with the armed forces of Burma only on human rights and disaster response in a manner consistent with the prior fiscal year, and following consultation with the appropriate congressional committees.

(3) LIMITATIONS.—None of the funds appropriated under title III of this Act for assistance for Burma may be made available to any organization or entity controlled by the armed forces of Burma, or to any individual or organization that advocates violence against ethnic or religious groups or individuals in Burma, as determined by the Secretary of State for programs administered by the Department of State and USAID or the President of the Na-
tional Endowment for Democracy (NED) for programs administered by NED.

(4) CONSULTATION.—Any new program or activity in Burma initiated in fiscal year 2021 shall be subject to prior consultation with the appropriate congressional committees.

(b) CAMBODIA.—

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

(2) CERTIFICATION AND EXCEPTIONS.—

(A) CERTIFICATION.—None of the funds appropriated by this Act that are made available for assistance for the Government of Cambodia may be obligated or expended unless the Secretary of State certifies and reports to the Committees on Appropriations that such Government is taking effective steps to—

(i) strengthen regional security and stability, particularly regarding territorial disputes in the South China Sea and the enforcement of international sanctions with respect to North Korea;
(ii) assert its sovereignty against interference by the People’s Republic of China, including by verifiably maintaining the neutrality of Ream Naval Base, other military installations in Cambodia, and dual use facilities such as the Dara Sakor development project; and

(iii) respect the rights, freedoms, and responsibilities enshrined in the Constitution of the Kingdom of Cambodia as enacted in 1993.

(B) EXCEPTIONS.—The certification required by subparagraph (A) shall not apply to funds appropriated by this Act and made available for democracy, health, education, and environment programs, programs to strengthen the sovereignty of Cambodia, and programs to educate and inform the people of Cambodia of the influence activities of the People’s Republic of China in Cambodia.

(3) USES OF FUNDS.—Funds appropriated under title III of this Act for assistance for Cambodia shall be made available for—

(A) research and education programs associated with the Khmer Rouge in Cambodia; and
(B) programs in the Khmer language to
monitor, map, and publicize the efforts by the
People’s Republic of China to expand its influ-
ence in Cambodia.

(c) INDO-PACIFIC STRATEGY AND THE ASIA REA-
SUREANCE INITIATIVE ACT OF 2018.—

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

(2) COUNTERING CHINESE INFLUENCE
FUND.—Of the funds appropriated by this Act under
the headings “Development Assistance”, “Economic
Support Fund”, “International Narcotics Control
and Law Enforcement’, ‘Nonproliferation, Anti-terrorism, Demining and Related Programs’, and ‘Foreign Military Financing Program’, not less than $300,000,000 shall be made available for a Countering Chinese Influence Fund to counter the malign influence of the Government of the People’s Republic of China and the Chinese Communist Party and entities acting on their behalf globally, which shall be subject to prior consultation with the Committees on Appropriations: Provided, That such funds are in addition to amounts otherwise made available for such purposes: Provided further, That such funds appropriated under such headings may be transferred to, and merged with, funds appropriated under such headings: Provided further, That such transfer authority is in addition to any other transfer authority provided by this Act or any other Act, and is subject to the regular notification procedures of the Committees on Appropriations.

(3) Restriction on Uses of Funds.—None of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for any project or activity that directly supports or promotes—
(A) the Belt and Road Initiative or any dual-use infrastructure projects of the People’s Republic of China; and

(B) the use of technology, including biotechnology, digital, telecommunications, and cyber, developed by the People’s Republic of China unless the Secretary of State, in consultation with the USAID Administrator and the Chief Executive Officer of the United States International Development Finance Corporation, as appropriate, determines that such use does not adversely impact the national security of the United States.

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

(e) NORTH KOREA.—

(1) CYBERSECURITY.—None of the funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available
for assistance for the central government of a country the Secretary of State determines and reports to the appropriate congressional committees engages in significant transactions contributing materially to the malicious cyber-intrusion capabilities of the Government of North Korea: Provided, That the Secretary of State shall submit the report required by section 209 of the North Korea Sanctions and Policy Enhancement Act of 2016 (Public Law 114–122; 22 U.S.C. 9229) to the Committees on Appropriations: Provided further, That the Secretary of State may waive the application of the restriction in this paragraph with respect to assistance for the central government of a country if the Secretary determines and reports to the appropriate congressional committees that to do so is important to the national security interest of the United States, including a description of such interest served.

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

(3) HUMAN RIGHTS.—Of the funds appropriated by this Act under the first paragraph under

November 6, 2020 (11:31 a.m.)
the heading “Democracy Fund”, not less than
$5,000,000 shall be made available for the pro-
motion of human rights in North Korea: Provided,
That the authority of section 7032(b)(1) of this Act
shall apply to such funds.

(4) Limitation on Use of Funds.—None of
the funds made available by this Act under the
heading “Economic Support Fund” may be made
available for assistance for the Government of North
Korea.

(f) People’s Republic of China.—

(1) Limitation on Use of Funds.—None of
the funds appropriated under the heading “Diplom-
atic Programs” in this Act may be obligated or ex-
pended for processing licenses for the export of sat-
ellites of United States origin (including commercial
satellites and satellite components) to the People’s
Republic of China (PRC) unless, at least 15 days in
advance, the Committees on Appropriations are noti-
fied of such proposed action.

(2) People’s Liberation Army.—The terms
and requirements of section 620(h) of the Foreign
Assistance Act of 1961 shall apply to foreign assist-
ance projects or activities of the People’s Liberation
Army (PLA) of the PRC, to include such projects or
activities by any entity that is owned or controlled
by, or an affiliate of, the PLA: Provided, That none
of the funds appropriated or otherwise made avail-
able pursuant to this Act may be used to finance
any grant, contract, or cooperative agreement with
the PLA, or any entity that the Secretary of State
has reason to believe is owned or controlled by, or
an affiliate of, the PLA.

(3) HONG KONG.—

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

(B) RESTRICTIONS ON ASSISTANCE.—None
of the funds appropriated by this Act or prior
Acts making appropriations for the Department
of State, foreign operations, and related pro-
grams that are made available for assistance for
Hong Kong may be made available for the Gov-
ernment of the People’s Republic of China and
the Chinese Communist Party or any entity act-
ing on their behalf in Hong Kong.
(C) REPORT.—Funds appropriated under title I of this Act shall be made available to prepare and submit to Congress the report required by section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731), which shall include the information described in section 7043(f)(4)(B) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2020 (division G of Public Law 116–94) and under this paragraph in the explanatory statement accompanying this Act.

(D) FUNDAMENTAL FREEDOMS AND AUTONOMY.—The Secretary of State shall apply the requirements of section 7031(c) of this Act to officials of the Governments of Hong Kong and the People’s Republic of China and their immediate family members about whom the Secretary has credible information are undermining the fundamental freedoms and autonomy of the people of Hong Kong.

(4) UYGHURS AND OTHER MUSLIM MINORITIES.—The determination described under this heading in the explanatory statement accompanying this Act shall be submitted to the appropriate con-
gressional committees not later than 90 days after enactment of this Act.

(5) CLARIFICATION.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for programs in the People’s Republic of China may be used to counter the impact of Chinese influence and investments in the Greater Mekong Subregion, following consultation with the Committees on Appropriations.

(g) PHILIPPINES.—None of the funds appropriated by this Act may be made available for counternarcotics assistance for the Philippines, except for drug demand reduction, maritime law enforcement, or transnational interdiction.

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

(i) TIBET.—

(1) FINANCING OF PROJECTS IN TIBET.—The Secretary of the Treasury should instruct the United States executive director of each international finan-
cial institution to use the voice and vote of the
United States to support financing of projects in
Tibet if such projects do not provide incentives for
the migration and settlement of non-Tibetans into
Tibet or facilitate the transfer of ownership of Ti-
betan land and natural resources to non-Tibetans,
are based on a thorough needs-assessment, foster
self-sufficiency of the Tibetan people and respect Ti-
betan culture and traditions, and are subject to ef-
fective monitoring.

(2) Programs for Tibetan Communities.—
(A) Notwithstanding any other provision of law, of
the funds appropriated by this Act under the head-
ing “Economic Support Fund”, not less than
$8,000,000 shall be made available to nongovern-
mental organizations to support activities which pre-
serve cultural traditions and promote sustainable de-
velopment, education, and environmental conserva-
ion in Tibetan communities in the Tibet Autono-
mous Region and in other Tibetan communities in
China.

(B) Of the funds appropriated by this Act
under the heading “Economic Support Fund”, not
less than $6,000,000 shall be made available for
programs to promote and preserve Tibetan culture
and language in the refugee and diaspora Tibetan communities, development, and the resilience of Tibetan communities and the Central Tibetan Administration in India and Nepal, and to assist in the education and development of the next generation of Tibetan leaders from such communities: Provided,

That such funds are in addition to amounts made available in subparagraph (A) for programs inside Tibet: Provided further, That such funds shall be made available to establish and maintain a comprehensive digital library and secure archive for Tibetan cultural resources.

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

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

(1) $14,500,000 shall be made available for health and disability programs in areas sprayed with
Agent Orange and contaminated with dioxin, to assist individuals with severe upper or lower body mobility impairment or cognitive or developmental disabilities;

(2) $19,000,000 shall be made available, notwithstanding any other provision of law, for activities related to the remediation of dioxin contaminated sites in Vietnam and may be made available for assistance for the Government of Vietnam, including the military, for such purposes; and

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

SOUTH AND CENTRAL ASIA

SEC. 7044. (a) AFGHANISTAN.—

(1) FUNDING AND LIMITATIONS.—Funds appropriated by this Act under the headings “Economic Support Fund” and “International Narcotics Control and Law Enforcement” that are made available for assistance for Afghanistan—

(A) shall be made available to implement the South Asia Strategy, the Revised Strategy for United States Engagement in Afghanistan, and the United States Agency for International Development Country Development Cooperation Strategy for Afghanistan;
(B) shall be made available for programs that implement and support comprehensive strategies to combat corruption in Afghanistan, with an emphasis on public disclosure of government receipts and expenditures and prosecution and punishment of corrupt officials;

(C) shall be made available to continue support for non-profit institutions of higher education in Kabul, Afghanistan that are accessible to both women and men in a coeducational environment, including for the costs for operations and security for such institutions;

(D) shall be made available for programs that protect and strengthen the rights of Afghan women and girls and promote the political and economic empowerment of women including their meaningful inclusion in political processes:

Provided, That such assistance to promote the economic empowerment of women shall be made available as grants to Afghan organizations, to the maximum extent practicable;

(E) may not be made available for any program, project, or activity pursuant to section 7044(a)(1)(C) of the Department of State, Foreign Operations, and Related Programs Appro-
appropriations Act, 2019 (division F of Public Law 116–6); and

(F) may be made available, notwithstanding any other provision of law, for programs and activities to address the needs of the people of Afghanistan in support of peace and reconciliation, including reintegration of former Taliban and other extremists.

(2) DEMOCRACY PROGRAMS.—Of the funds appropriated by this Act under the heading “Economic Support Fund”, not less than $40,000,000 shall be made available to continue democracy programs, including for electoral assistance before and during the implementation of a peace agreement.

(3) AFGHAN WOMEN.—

(A) IN GENERAL.—The Secretary of State shall promote and ensure the meaningful participation of Afghan women in any discussions between the Government of Afghanistan and the Taliban related to the future of Afghanistan in a manner consistent with the Women, Peace, and Security Act of 2017 (Public Law 115–68) and the 2019 United States Strategy on Women, Peace, and Security, including through—
(i) advocacy by the United States Government for the inclusion of Afghan women representatives, particularly from civil society and rural provinces, in ongoing and future discussion;

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

(iii) efforts to ensure that any agreement protects women’s and girl’s rights and ensures their freedom of movement, rights to education and work, and access to healthcare and legal representation.

(B) ASSISTANCE.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading “Economic Support Fund” shall be made available for an endowment pursuant to paragraph (4)(A)(iv) of this subsection for a non-profit institution of higher education in Kabul, Afghanistan that is accessible to both women and men in a coeducational environment: Provided, That such endowment shall be established in partnership with a United States-based American high-
er education institution that will serve on its
board of trustees: *Provided further,* That prior
to the obligation of funds for such an endow-
ment, the Administrator of the United States
Agency for International Development shall
submit a report to the Committees on Approp-
riations describing the governance structure,
including a proposed board of trustees, and fi-
nancial safeguards, including regular audit and
reporting requirements, in any endowment
agreement: *Provided further,* That the USAID
Administrator shall provide a report on the ex-
penditure of funds generated from such an en-
dowment to the Committees on Appropriations
on an annual basis.

(4) AUTHORITIES.—

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

(i) notwithstanding section 7012 of
this Act or any similar provision of law
and section 660 of the Foreign Assistance
Act of 1961;
(ii) for reconciliation programs and
disarmament, demobilization, and re-
integration activities for former combat-
ants who have renounced violence against
the Government of Afghanistan, including
in accordance with section
7046(a)(2)(B)(ii) of the Department of
State, Foreign Operations, and Related
Programs Appropriations Act, 2012 (divi-
sion I of Public Law 112–74);

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

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

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

(C) Of the funds appropriated by this Act
under the heading “Diplomatic Programs”, up
to $3,000,000 may be transferred to any other
appropriation of any department or agency of
the United States Government, upon the con-
currency of the head of such department or agency, to support operations in, and assistance for, Afghanistan and to carry out the provisions of the Foreign Assistance Act of 1961: Provided, That any such transfer shall be subject to the regular notification procedures of the Committees on Appropriations.

(5) Agreement, report, and certification.—Funds appropriated by this Act shall be made available for the following purposes—

(A) the submission to the appropriate congressional committees by the President of a copy of any agreement or arrangement between the Government of the United States and the Taliban relating to the United States presence in Afghanistan or Taliban commitments on the future of Afghanistan, which shall be submitted not later than 30 days after finalizing or amending such an agreement or arrangement: Provided, That not later than 30 days after enactment of this Act and every 60 days thereafter until September 30, 2021, the Secretary of State shall submit to such committees a report detailing and assessing the activities of the

November 6, 2020 (11:31 a.m.)
Taliban to abide by their commitments in such agreement or arrangement; and

(B) the submission to the appropriate congressional committees of a joint certification by the Secretary of State and Secretary of Defense that such agreement or arrangement, or any amendment to such agreement or arrangement, will further the objective of setting conditions for the long-term defeat of al Qaeda and Islamic State and will not make the United States more vulnerable to terrorist attacks originating from Afghanistan or supported by terrorist elements in Afghanistan: Provided, That the initial joint certification to such committees shall be submitted upon enactment of this Act, and additional joint certifications, as appropriate, shall be submitted to such committees not later than 30 days after any amendment to such agreement or arrangement.

(6) UPDATED STRATEGY.—Not less than 90 days after enactment of this Act, the Secretary of State, in consultation with the heads of other relevant Federal agencies, shall submit to the appropriate congressional committees a comprehensive, multi-year strategy for diplomatic and development
engagement with the Government of Afghanistan that reflects the agreement between the United States and the Taliban, as well as intra-Afghan negotiations: Provided, That such strategy shall include a component to protect and strengthen women and girl’s welfare and rights, including in any intra-Afghan negotiation and during the implementation of any peace agreement: Provided further, That such strategy shall describe the anticipated United States diplomatic and military presence in Afghanistan over a multi-year period and related strategy for mitigating and countering ongoing terrorist threats and violent extremism: Provided further, That the Secretary of State shall consult with such committees on the parameters of such strategy: Provided further, That the strategy required by this paragraph shall be submitted in unclassified form, but may be accompanied by a classified annex.

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

(1) not less than $23,500,000 shall be made available to address the needs of communities impacted by refugees from Burma;
(2) not less than $10,000,000 shall be made available for programs to protect freedom of expression and due process of law; and

(3) not less than $23,300,000 shall be made available for democracy programs, of which not less than $2,000,000 shall be made available for such programs for the Rohingya community in Bangladesh.

e) Nepal.—

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

(2) Foreign Military Financing Program.—Funds appropriated by this Act under the heading “Foreign Military Financing Program” shall only be made available for humanitarian and disaster relief and reconstruction activities in Nepal, and in support of international peacekeeping operations: Provided, That such funds may only be made available for any additional uses if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Nepal is investigating and prosecuting violations of human rights and the laws of war, and the Nepal Army is cooper-
ating fully with civilian judicial authorities in such cases.

(d) PAKISTAN.—

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

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

(3) CLARIFICATION.—Notwithstanding paragraph (1), section 7044(d)(4)(A) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235) is amended by striking “shall” and inserting in lieu thereof “may”.

(e) SRI LANKA.—
(1) ASSISTANCE.—Funds appropriated under title III of this Act shall be made available for assistance for Sri Lanka for democracy and economic development programs, particularly in areas recovering from ethnic and religious conflict: Provided, that such funds shall be made available for programs in Sri Lanka to assist in the identification and resolution of cases of missing persons, including through forensic anthropology assistance.

(2) CERTIFICATION.—Funds appropriated by this Act for assistance for the central Government of Sri Lanka may be made available only if the Secretary of State certifies and reports to the Committees on Appropriations that such Government is taking effective and consistent steps to—

(A) respect and uphold the rights and freedoms of the people of Sri Lanka regardless of ethnicity and religious belief, including by investigating violations of human rights and holding perpetrators of such violations accountable;

(B) increase transparency and accountability in governance;

(C) assert its sovereignty against influence by the People’s Republic of China; and
promote reconciliation between ethnic and religious groups, particularly arising from past conflict in Sri Lanka, including by—

(i) addressing land confiscation and ownership issues;

(ii) resolving cases of missing persons, including by maintaining a functioning office of missing persons;

(iii) reducing the presence of the armed forces in former conflict zones and restructuring the armed forces for a peacetime role that contributes to post-conflict reconciliation and regional security;

(iv) repealing or amending laws on arrest and detention by security forces to comply with international standards; and

(v) investigating allegations of arbitrary arrest and torture, and supporting a credible justice mechanism:

**Provided,** That the limitations of this paragraph shall not apply to funds made available for humanitarian assistance and disaster relief; to protect human rights, locate and identify missing persons, and assist victims of torture and trauma; to promote justice, accountability, and
reconciliation; to enhance maritime security and
domain awareness; to promote fiscal trans-
parency and sovereignty; and for International
Military Education and Training.

(3) INTERNATIONAL SECURITY ASSISTANCE.—
Of the funds appropriated by this Act and prior Acts
making appropriations for the Department of State,
foreign operations, and related programs under the
heading “Foreign Military Financing Program”, up
to $15,000,000 may be made available for assistance
for Sri Lanka for the refurbishing of a high endur-
ance cutter: Provided, That in addition to such pur-
pose, such funds may be made available only for
programs to support humanitarian assistance and
disaster relief, instruction in human rights and re-
lated curricula development, maritime security and
domain awareness, including professionalization and
training for the navy and coast guard: Provided fur-
ther, That funds made available under the heading
“Peacekeeping Operations” may only be made avail-
able subject to the regular notification procedures of
the Committees on Appropriations: Provided further,
That amounts repurposed pursuant to this para-
graph that were previously designated by the Con-
gress, respectively, as an emergency requirement or
for Overseas Contingency Operations/Global War on
Terrorism pursuant to the Balanced Budget and
Emergency Deficit Control Act of 1985 are des-
ignated by the Congress as being for an emergency
requirement pursuant to section 251(b)(2)(A)(i) of
such Act or for Overseas Contingency Operations/
Global War on Terrorism pursuant to section
251(b)(2)(A)(ii) of such Act.

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

LATIN AMERICA AND THE CARIBBEAN

SEC. 7045. (a) CENTRAL AMERICA.—

(1) ASSISTANCE.—Of the funds appropriated by
this Act under titles III and IV, $505,925,000
should be made available for assistance for Belize,
Costa Rica, El Salvador, Guatemala, Honduras,
Nicaragua, and Panama, including through the Cen-
Central America Regional Security Initiative: Provided,
That such assistance shall be prioritized for programs and activities that address the key factors that contribute to the migration of unaccompanied, undocumented minors to the United States and such funds shall be made available for global health, humanitarian, development, democracy, border security, and law enforcement programs for such countries, including for programs to reduce violence against women and girls and to combat corruption, and for support of commissions against corruption and impunity, as appropriate: Provided further, That $45,000,000 should be made available for support of offices of Attorneys General and of other entities and activities to combat corruption and impunity in such countries.

(2) NORTHERN TRIANGLE.—

(A) LIMITATION ON ASSISTANCE TO CERTAIN CENTRAL GOVERNMENTS.—Of the funds made available pursuant to paragraph (1) under the heading “Economic Support Fund” and under title IV of this Act that are made available for assistance for each of the central governments of El Salvador, Guatemala, and Honduras, 50 percent may only be obligated
after the Secretary of State certifies and reports to the Committees on Appropriations that such government is—

(i) combating corruption and impunity, including prosecuting corrupt government officials;

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

(iii) protecting the rights of civil society, opposition political parties, and the independence of the media;

(iv) providing effective and accountable law enforcement and security for its citizens, and upholding due process of law;

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

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

(vii) improving border security;

(viii) combating human smuggling and trafficking and countering the activities of criminal gangs, drug traffickers, and transnational criminal organizations;
(ix) informing its citizens of the dangers of the journey to the southwest border of the United States; and

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

(B) REPROGRAMMING.—If the Secretary is unable to make the certification required by subparagraph (A) for one or more of the governments, such assistance for such central government shall be reprogrammed for assistance for other countries in Latin America and the Caribbean, notwithstanding the minimum funding requirements of this subsection and of section 7019 of this Act: Provided, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations.

(C) EXCEPTIONS.—The limitation of subparagraph (A) shall not apply to funds appropriated by this Act that are made available for—

(i) offices of Attorneys General and other judicial entities and activities related to combating corruption and impunity;
(ii) programs to combat gender-based violence;

(iii) humanitarian assistance; and

(iv) food security programs.

(b) COLOMBIA.—

(1) ASSISTANCE.—Of the funds appropriated by this Act under titles III and IV, not less than $455,413,000 shall be made available for assistance for Colombia: Provided, That such funds shall be made available for the programs and activities described under this section in the explanatory statement accompanying this Act.

(2) WITHHOLDING OF FUNDS.—

(A) COUNTERNARCOTICS.—Of the funds appropriated by this Act under the heading “International Narcotics Control and Law Enforcement” and made available for assistance for Colombia, 20 percent may be obligated only after the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Colombia is continuing to implement a national whole-of-government counternarcotics strategy designed to reduce by 50 percent cocaine production and coca cultivation levels in Colombia by 2023.
(B) HUMAN RIGHTS.—Of the funds appropriated by this Act under the heading “Foreign Military Financing Program” and made available for assistance for Colombia, 20 percent may be obligated only after the Secretary of State certifies and reports to the Committees on Appropriations that—

(i) the Special Jurisdiction for Peace and other judicial authorities are taking effective steps to hold accountable perpetrators of gross violations of human rights in a manner consistent with international law, including for command responsibility, and sentence them to deprivation of liberty;

(ii) the Government of Colombia is taking effective steps to prevent attacks against human rights defenders and other civil society activists, trade unionists, and journalists, and judicial authorities are prosecuting those responsible for such attacks; and

(iii) senior military officers responsible for ordering, committing, and covering up cases of illegal surveillance and false positives are being held accountable,
including removal from active duty if found guilty through criminal or disciplinary proceedings.

(3) **Exceptions.**—The limitations of paragraph (2) shall not apply to funds made available for aviation instruction and maintenance, and maritime and riverine security programs.

(4) **Authority.**—Aircraft supported by funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs and made available for assistance for Colombia may be used to transport personnel and supplies involved in drug eradication and interdiction, including security for such activities, and to provide transport in support of alternative development programs and investigations by civilian judicial authorities.

(5) **Limitation.**—None of the funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for assistance for Colombia may be made available for payment of reparations to conflict victims or compensation to demobilized combatants associated
with a peace agreement between the Government of Colombia and illegal armed groups.

(c) HAITI.—

(1) CERTIFICATION.—The certification requirement contained in section 7045(c)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2020 (division G of Public Law 116–94) shall continue in effect during fiscal year 2021 and shall apply to funds appropriated by this Act under the heading “Economic Support Fund” that are made available for assistance for Haiti: Provided, That such requirement shall not apply to funds made available for democracy, judicial strengthening, anti-corruption, prison reform, and programs to promote professionalism and accountability of the Haitian National Police.

(2) HAITIAN COAST GUARD.—The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.) for the Coast Guard.

(d) VENEZUELA.—

(1) Of the funds appropriated by this Act under the heading “Economic Support Fund” and under the first paragraph under the heading “Democracy
Fund”, not less than $30,000,000 shall be made available for democracy programs for Venezuela.

(2) Funds appropriated under title III of this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be made available for assistance for communities in countries supporting or otherwise impacted by refugees from Venezuela, including Colombia, Peru, Ecuador, Curacao, and Trinidad and Tobago: Provided, That such amounts are in addition to funds otherwise made available for assistance for such countries, subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

EUROPE AND EURASIA

SEC. 7046. (a) ASSISTANCE.—

(1) GEORGIA.—Of the funds appropriated by this Act under titles III and IV, not less than $132,025,000 shall be made available for assistance for Georgia.

(2) UKRAINE.—Of the funds appropriated by this Act under titles III and IV, not less than $448,000,000 shall be made available for assistance for Ukraine.
(b) TERRITORIAL INTEGRITY.—None of the funds appropriated by this Act may be made available for assistance for a government of an Independent State of the former Soviet Union if such government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: Provided, That except as otherwise provided in section 7047(a) of this Act, funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States: Provided further, That prior to executing the authority contained in the previous proviso, the Secretary of State shall consult with the Committees on Appropriations on how such assistance supports the national security interest of the United States.

(c) SECTION 907 OF THE FREEDOM SUPPORT ACT.—Section 907 of the FREEDOM Support Act (22 U.S.C. 5812 note) shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act (22 U.S.C. 5851 et seq.) and section 1424 of the Defense Against Weapons of Mass Destruction Act...
of 1996 (50 U.S.C. 2333) or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961;

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee, or other assistance provided by the United States International Development Finance Corporation as authorized by the BUILD Act of 2018 (division F of Public Law 115–254);

(5) any financing provided under the Export-Import Bank Act of 1945 (Public Law 79–173); or

(6) humanitarian assistance.

(d) TURKEY.—None of the funds made available by this Act may be used to facilitate or support the sale of defense articles or defense services to the Turkish Presidential Protection Directorate (TPPD) under Chapter 2 of the Arms Export Control Act (22 U.S.C. 2761 et seq.) unless the Secretary of State determines and reports to the appropriate congressional committees that members of the TPPD who are named in the July 17, 2017, indictment by the Superior Court of the District of Columbia,
and against whom there are pending charges, have returned to the United States to stand trial in connection with the offenses contained in such indictment or have otherwise been brought to justice: Provided, That the limitation in this paragraph shall not apply to the use of funds made available by this Act for border security purposes, for North Atlantic Treaty Organization or coalition operations, or to enhance the protection of United States officials and facilities in Turkey.

COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

SEC. 7047. (a) LIMITATION.—None of the funds appropriated by this Act may be made available for assistance for the central Government of the Russian Federation.

(b) ANNEXATION OF CRIMEA.—

(1) PROHIBITION.—None of the funds appropriated by this Act may be made available for assistance for the central government of a country that the Secretary of State determines and reports to the Committees on Appropriations has taken affirmative steps intended to support or be supportive of the Russian Federation annexation of Crimea or other territory in Ukraine: Provided, That except as otherwise provided in subsection (a), the Secretary may waive the restriction on assistance required by this
paragraph if the Secretary determines and reports to
such Committees that to do so is in the national in-
terest of the United States, and includes a justification for such interest.

(2) LIMITATION.—None of the funds appropriated by this Act may be made available for—

(A) the implementation of any action or policy that recognizes the sovereignty of the Russian Federation over Crimea or other territory in Ukraine;

(B) the facilitation, financing, or guarantee of United States Government investments in Crimea or other territory in Ukraine under the control of Russian-backed separatists, if such activity includes the participation of Russian Government officials, or other Russian owned or controlled financial entities; or

(C) assistance for Crimea or other territory in Ukraine under the control of Russian-backed separatists, if such assistance includes the participation of Russian Government officials, or other Russian owned or controlled financial entities.

(3) INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury shall in-
struct the United States executive directors of each international financial institution to use the voice and vote of the United States to oppose any assistance by such institution (including any loan, credit, or guarantee) for any program that violates the sovereignty or territorial integrity of Ukraine.

(4) DURATION.—The requirements and limitations of this subsection shall cease to be in effect if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Ukraine has reestablished sovereignty over Crimea and other territory in Ukraine under the control of Russian-backed separatists.

(e) OCCUPATION OF THE GEORGIAN TERRITORIES OF ABKHAZIA AND TSKHINVALI REGION/SOUTH OSETIA.—

(1) PROHIBITION.—None of the funds appropriated by this Act may be made available for assistance for the central government of a country that the Secretary of State determines and reports to the Committees on Appropriations has recognized the independence of, or has established diplomatic relations with, the Russian Federation occupied Georgian territories of Abkhazia and Tskhinvali Region/ South Ossetia: Provided, That the Secretary shall publish on the Department of State website a list of...
any such central governments in a timely manner:

Provided further, That the Secretary may waive the restriction on assistance required by this paragraph if the Secretary determines and reports to the Committees on Appropriations that to do so is in the national interest of the United States, and includes a justification for such interest.

(2) LIMITATION.—None of the funds appropriated by this Act may be made available to support the Russian Federation occupation of the Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia.

(3) INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury shall instruct the United States executive directors of each international financial institution to use the voice and vote of the United States to oppose any assistance by such institution (including any loan, credit, or guarantee) for any program that violates the sovereignty and territorial integrity of Georgia.

(d) COUNTERING RUSSIAN INFLUENCE FUND.—

(1) ASSISTANCE.—Of the funds appropriated by this Act under the headings “Assistance for Europe, Eurasia and Central Asia”, “International Narcotics Control and Law Enforcement”, “International Mili-
tary Education and Training”, and “Foreign Military Financing Program”, not less than
$290,000,000 shall be made available to carry out the purposes of the Countering Russian Influence Fund, as authorized by section 254 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (Public Law 115–44; 22 U.S.C. 9543) and notwithstanding the country limitation in subsection (b) of such section, and programs to enhance the capacity of law enforcement and security forces in countries in Europe, Eurasia, and Central Asia and strengthen security cooperation between such countries and the United States and the North Atlantic Treaty Organization, as appropriate.

(2) ECONOMICS AND TRADE.—Funds appropriated by this Act and made available for assistance for the Eastern Partnership countries shall be made available to advance the implementation of Association Agreements and trade agreements with the European Union, and to reduce their vulnerability to external economic and political pressure from the Russian Federation.

(e) DEMOCRACY PROGRAMS.—Funds appropriated by this Act shall be made available to support democracy programs in the Russian Federation and other countries in
Europe, Eurasia, and Central Asia, including to promote Internet freedom.

UNITED NATIONS

SEC. 7048. (a) TRANSPARENCY AND ACCOUNTABILITY.—

(1) WITHHELDING OF FUNDS.—Of the funds appropriated under the heading “Contributions to International Organizations” in title I and “International Organizations and Programs” in title V of this Act that are available for contributions to the United Nations (including the Department of Peacekeeping Operations), any United Nations agency, or the Organization of American States, 5 percent may not be obligated for such organization, department, or agency until the Secretary of State determines and reports to the Committees on Appropriations that the organization, department, or agency is—

(A) posting on a publicly available website, consistent with privacy regulations and due process, regular financial and programmatic audits of such organization, department, or agency, and providing the United States Government with necessary access to such financial and performance audits;
(B) effectively implementing and enforcing policies and procedures which meet or exceed best practices in the United States for the protection of whistleblowers from retaliation, including—

(i) protection against retaliation for internal and lawful public disclosures;

(ii) legal burdens of proof;

(iii) statutes of limitation for reporting retaliation;

(iv) access to binding independent adjudicative bodies, including shared cost and selection external arbitration; and

(v) results that eliminate the effects of proven retaliation, including provision for the restoration of prior employment; and

(C) effectively implementing and enforcing policies and procedures on the appropriate use of travel funds, including restrictions on first class and business class travel.

(2) WAIVER.—The restrictions imposed by or pursuant to paragraph (1) may be waived on a case-by-case basis if the Secretary of State determines and reports to the Committees on Appropriations.
that such waiver is necessary to avert or respond to a humanitarian crisis.

(b) Restrictions on United Nations Delegations and Organizations.—

(1) Restrictions on United States Delegations.—None of the funds made available by this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or commission of the United Nations if such agency, body, or commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 1754(c) of the Export Reform Control Act of 2018 (50 U.S.C. 4813(c)), supports international terrorism.

(2) Restrictions on Contributions.—None of the funds made available by this Act may be used by the Secretary of State as a contribution to any organization, agency, commission, or program within the United Nations system if such organization, agency, commission, or program is chaired or presided over by a country the government of which the Secretary of State has determined, for purposes of section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, section
1754(c) of the Export Reform Control Act of 2018 (50 U.S.C. 4813(c)), or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.

(3) WAIVER.—The Secretary of State may waive the restriction in this subsection if the Secretary determines and reports to the Committees on Appropriations that to do so is important to the national interest of the United States, including a description of the national interest served.

(c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—None of the funds appropriated by this Act may be made available in support of the United Nations Human Rights Council unless the Secretary of State determines and reports to the Committees on Appropriations that participation in the Council is important to the national interest of the United States and that such Council is taking significant steps to remove Israel as a permanent agenda item and ensure integrity in the election of members to such Council: Provided, That such report shall include a description of the national interest served and the steps taken to remove Israel as a permanent agenda item and ensure integrity in the election of members to such Council: Provided further, That the Secretary of State shall report to the Committees on Appropriations not later than...
September 30, 2021, on the resolutions considered in the United Nations Human Rights Council during the previous 12 months, and on steps taken to remove Israel as a permanent agenda item and ensure integrity in the election of members to such Council.

(d) UNITED NATIONS RELIEF AND WORKS AGENCY.—Prior to the initial obligation of funds for the United Nations Relief and Works Agency (UNRWA), the Secretary of State shall report to the Committees on Appropriations, in writing, on whether UNRWA is—

(1) utilizing Operations Support Officers in the West Bank, Gaza, and other fields of operation to inspect UNRWA installations and reporting any inappropriate use;

(2) acting promptly to address any staff or beneficiary violation of its own policies (including the policies on neutrality and impartiality of employees) and the legal requirements under section 301(c) of the Foreign Assistance Act of 1961;

(3) implementing procedures to maintain the neutrality of its facilities, including implementing a no-weapons policy, and conducting regular inspections of its installations, to ensure they are only used for humanitarian or other appropriate purposes;
(4) taking necessary and appropriate measures

to ensure it is operating in compliance with the con-
ditions of section 301(c) of the Foreign Assistance
Act of 1961 and continuing regular reporting to the
Department of State on actions it has taken to en-
sure conformance with such conditions;

(5) taking steps to ensure the content of all
educational materials currently taught in UNRWA-
administered schools and summer camps is con-
sistent with the values of human rights, dignity, and
tolerance and does not induce incitement;

(6) not engaging in operations with financial in-
stitutions or related entities in violation of relevant
United States law, and is taking steps to improve
the financial transparency of the organization; and

(7) in compliance with the United Nations
Board of Auditors’ biennial audit requirements and
is implementing in a timely fashion the Board’s rec-
ommendations.

(e) PROHIBITION OF PAYMENTS TO UNITED NA-
TIONS MEMBERS.—None of the funds appropriated or
made available pursuant to titles III through VI of this
Act for carrying out the Foreign Assistance Act of 1961,
may be used to pay in whole or in part any assessments,
arrearages, or dues of any member of the United Nations
or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country’s delegation at international conferences held under the auspices of multilateral or international organizations.

(f) REPORT.—Not later than 45 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the amount of funds available for obligation or expenditure in fiscal year 2021 for contributions to any organization, department, agency, or program within the United Nations system or any international program that are withheld from obligation or expenditure due to any provision of law: Provided, That the Secretary shall update such report each time additional funds are withheld by operation of any provision of law: Provided further, That the reprogramming of any withheld funds identified in such report, including updates thereof, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(g) SEXUAL EXPLOITATION AND ABUSE IN PEACE-KEEPING OPERATIONS.—The Secretary of State should withhold assistance to any unit of the security forces of a foreign country if the Secretary has credible information that such unit has engaged in sexual exploitation or abuse,
including while serving in a United Nations peacekeeping
operation, until the Secretary determines that the govern-
ment of such country is taking effective steps to hold the
responsible members of such unit accountable and to pre-
vent future incidents: Provided, That the Secretary shall
promptly notify the government of each country subject
to any withholding of assistance pursuant to this para-
graph, and shall notify the appropriate congressional com-
mittees of such withholding not later than 10 days after
a determination to withhold such assistance is made: Pro-
vided further, That the Secretary shall, to the maximum
extent practicable, assist such government in bringing the
responsible members of such unit to justice.

(h) ADDITIONAL AVAILABILITY.—Subject to the reg-
ular notification procedures of the Committees on Approp-
riations, funds appropriated by this Act which are re-
turned or not made available due to the implementation
of subsection (a), the third proviso under the heading
“Contributions for International Peacekeeping Activities”
in title I of this Act, or section 307(a) of the Foreign As-
sistance Act of 1961 (22 U.S.C. 2227(a)), shall remain
available for obligation until September 30, 2022: Pro-
vided, That the requirement to withhold funds for pro-
grams in Burma under section 307(a) of the Foreign As-
267

sistance Act of 1961 shall not apply to funds appropriated by this Act.

WAR CRIMES TRIBUNALS

SEC. 7049. (a) If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961 of up to $30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: Provided, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): Provided further, That funds made available pursuant to this section shall be made available subject to the regular notification procedures of the Committees on Appropriations.

(b) None of the funds appropriated by this Act may be made available for a United States contribution to the International Criminal Court: Provided, That funds may be made available for technical assistance, training, assistance for victims, protection of witnesses, and law enforce-
ment support related to international investigations, apprehensions, prosecutions, and adjudications of genocide, crimes against humanity, and war crimes: Provided further, That the previous proviso shall not apply to investigations, apprehensions, or prosecutions of American service members and other United States citizens or nationals, or nationals of the North Atlantic Treaty Organization (NATO) or major non-NATO allies initially designated pursuant to section 517(b) of the Foreign Assistance Act of 1961.

GLOBAL INTERNET FREEDOM

SEC. 7050. (a) FUNDING.—Of the funds available for obligation during fiscal year 2021 under the headings “International Broadcasting Operations”, “Economic Support Fund”, “Democracy Fund”, and “Assistance for Europe, Eurasia and Central Asia”, not less than $70,000,000 shall be made available for programs to promote Internet freedom globally: Provided, That such programs shall be prioritized for countries whose governments restrict freedom of expression on the Internet, and that are important to the national interest of the United States: Provided further, That funds made available pursuant to this section shall be matched, to the maximum extent practicable, by sources other than the United States Government, including from the private sector.
(b) REQUIREMENTS.—

(1) DEPARTMENT OF STATE AND UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—Funds appropriated by this Act under the headings “Economic Support Fund”, “Democracy Fund”, and “Assistance for Europe, Eurasia and Central Asia” that are made available pursuant to subsection (a) shall be—

(A) coordinated with other democracy programs funded by this Act under such headings, and shall be incorporated into country assistance and democracy promotion strategies, as appropriate;

(B) for programs to implement the May 2011, International Strategy for Cyberspace, the Department of State International Cyberspace Policy Strategy required by section 402 of the Cybersecurity Act of 2015 (division N of Public Law 114–113), and the comprehensive strategy to promote Internet freedom and access to information in Iran, as required by section 414 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8754);
(C) made available for programs that support the efforts of civil society to counter the development of repressive Internet-related laws and regulations, including countering threats to Internet freedom at international organizations; to combat violence against bloggers and other users; and to enhance digital security training and capacity building for democracy activists;

(D) made available for research of key threats to Internet freedom; the continued development of technologies that provide or enhance access to the Internet, including circumvention tools that bypass Internet blocking, filtering, and other censorship techniques used by authoritarian governments; and maintenance of the technological advantage of the United States Government over such censorship techniques: Provided, That the Secretary of State, in consultation with the President of the Open Technology Fund (OTF), shall coordinate any such research and development programs with other relevant United States Government departments and agencies in order to share information, technologies, and best practices, and to
assess the effectiveness of such technologies; and

(E) made available only after the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, concurs that such funds are allocated consistent with—

(i) the strategies referenced in sub-paragraph (B) of this paragraph;

(ii) best practices regarding security for, and oversight of, Internet freedom programs; and

(iii) sufficient resources and support for the development and maintenance of anti-censorship technology and tools.

(2) UNITED STATES AGENCY FOR GLOBAL MEDIA.—Funds appropriated by this Act under the heading “International Broadcasting Operations” that are made available pursuant to subsection (a) shall be—

(A) made available only for fully open-source tools and techniques to securely develop and distribute United States Agency for Global Media (USAGM) digital content, facilitate audience access to such content on websites that are censored, coordinate the distribution of
USAGM digital content to targeted regional audiences, and to promote and distribute such tools and techniques, including digital security techniques;

(B) coordinated by the OTF President with programs funded by this Act under the heading “International Broadcasting Operations”, and shall be incorporated into country broadcasting strategies, as appropriate;

(C) coordinated by the OTF President to solicit project proposals through an open, transparent, and competitive application process, seek input from technical and subject matter experts to select proposals, and support Internet circumvention tools and techniques for audiences in countries that are strategic priorities for the OTF and in a manner consistent with the United States Government Internet freedom strategy; and

(D) made available for the research and development of new tools or techniques authorized in subparagraph (A) only after the OTF President, in consultation with the Secretary of State and other relevant United States Government departments and agencies, evaluates the
risks and benefits of such new tools or techniques, and establishes safeguards to minimize the use of such new tools or techniques for illicit purposes.

(c) COORDINATION AND SPEND PLANS.—After consultation among the relevant agency heads to coordinate and de-conflict planned activities, but not later than 90 days after enactment of this Act, the Secretary of State and the OTF President shall submit to the Committees on Appropriations spend plans for funds made available by this Act for programs to promote Internet freedom globally, which shall include a description of safeguards established by relevant agencies to ensure that such programs are not used for illicit purposes: Provided, That the Department of State spend plan shall include funding for all such programs for all relevant Department of State and the United States Agency for International Development offices and bureaus.

(d) SECURITY AUDITS.—Funds made available pursuant to this section to promote Internet freedom globally may only be made available to support fully open-source technologies that undergo comprehensive security audits consistent with the requirements of the Bureau of Democracy, Human Rights, and Labor, Department of State to ensure that such technology is secure and has not been
compromised in a manner detrimental to the interest of
the United States or to individuals and organizations ben-
efiting from programs supported by such funds: Provided,
That the security auditing procedures used by such Bu-
reau shall be reviewed and updated periodically to reflect
current industry security standards.

(e) SURGE.—Of the funds appropriated by this Act
under the heading “Economic Support Fund”, up to
$2,500,000 may be made available to surge Internet free-
dom programs in closed societies if the Secretary of State
determines and reports to the appropriate congressional
committees that such use of funds is in the national inter-
est: Provided, That such funds are in addition to amounts
made available for such purposes: Provided further, That
such funds may be transferred to, and merged with, funds
appropriated by this Act under the heading “International
Broadcasting Operations” following consultation with, and
the regular notification procedures of, the Committees on
Appropriations.

TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING
TREATMENT OR PUNISHMENT

SEC. 7051. (a) LIMITATION.—None of the funds
made available by this Act may be used to support or jus-
tify the use of torture and other cruel, inhuman, or de-
grading treatment or punishment by any official or contract employee of the United States Government.

(b) ASSISTANCE.—Funds appropriated under titles III and IV of this Act shall be made available, notwithstanding section 660 of the Foreign Assistance Act of 1961 and following consultation with the Committees on Appropriations, for assistance to eliminate torture and other cruel, inhuman, or degrading treatment or punishment by foreign police, military or other security forces in countries receiving assistance from funds appropriated by this Act: Provided, That not later than 90 days after enactment of this Act, the Secretary of State shall consult with the Committees on Appropriations on the planned amounts and uses of such funds.

AIRCRAFT TRANSFER, COORDINATION, AND USE

SEC. 7052. (a) TRANSFER AUTHORITY.—Notwithstanding any other provision of law or regulation, aircraft procured with funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings “Diplomatic Programs”, “International Narcotics Control and Law Enforcement”, “Andean Counterdrug Initiative”, and “Andean Counterdrug Programs” may be used for any other program and in any region.
(b) PROPERTY DISPOSAL.—The authority provided in subsection (a) shall apply only after the Secretary of State determines and reports to the Committees on Appropriations that the equipment is no longer required to meet programmatic purposes in the designated country or region: Provided, That any such transfer shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(e) AIRCRAFT COORDINATION.—

(1) AUTHORITY.—The uses of aircraft purchased or leased by the Department of State and the United States Agency for International Development with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be coordinated under the authority of the appropriate Chief of Mission: Provided, That notwithstanding section 7063(b) of this Act, such aircraft may be used to transport, on a reimbursable or non-reimbursable basis, Federal and non-Federal personnel supporting Department of State and USAID programs and activities: Provided further, That official travel for other agencies for other purposes may be supported on a reimbursable basis, or without reimbursement when traveling on a space available basis:
Provided further, That funds received by the Department of State in connection with the use of aircraft owned, leased, or chartered by the Department of State may be credited to the Working Capital Fund of the Department and shall be available for expenses related to the purchase, lease, maintenance, chartering, or operation of such aircraft.

(2) Scope.—The requirement and authorities of this subsection shall only apply to aircraft, the primary purpose of which is the transportation of personnel.

(d) Aircraft Operations and Maintenance.—To the maximum extent practicable, the costs of operations and maintenance, including fuel, of aircraft funded by this Act shall be borne by the recipient country.

Parking fines and real property taxes owed by foreign governments

Sec. 7053. The terms and conditions of section 7055 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) shall apply to this Act: Provided, That the date “September 30, 2009” in subsection (f)(2)(B) of such section shall be deemed to be “September 30, 2020”.

November 6, 2020 (11:31 a.m.)
INTERNATIONAL MONETARY FUND

SEC. 7054. (a) EXTENSIONS.—The terms and conditions of sections 7086(b) (1) and (2) and 7090(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) shall apply to this Act.

(b) REPAYMENT.—The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund (IMF) to seek to ensure that any loan will be repaid to the IMF before other private or multilateral creditors.

EXTRADITION

SEC. 7055. (a) LIMITATION.—None of the funds appropriated in this Act may be used to provide assistance (other than funds provided under the headings “International Disaster Assistance”, “Complex Crises Fund”, “International Narcotics Control and Law Enforcement”, “Migration and Refugee Assistance”, “United States Emergency Refugee and Migration Assistance Fund”, and “Nonproliferation, Anti-terrorism, Demining and Related Assistance”) for the central government of a country which has notified the Department of State of its refusal to extradite to the United States any individual indicted for a criminal offense for which the maximum penalty is life imprisonment without the possibility of parole or for
1. killing a law enforcement officer, as specified in a United States extradition request.

(b) CLARIFICATION.—Subsection (a) shall only apply to the central government of a country with which the United States maintains diplomatic relations and with which the United States has an extradition treaty and the government of that country is in violation of the terms and conditions of the treaty.

(e) WAIVER.—The Secretary of State may waive the restriction in subsection (a) on a case-by-case basis if the Secretary certifies to the Committees on Appropriations that such waiver is important to the national interest of the United States.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 7056. None of the funds appropriated or otherwise made available under titles III through VI of this Act may be obligated or expended to provide—

(1) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States;
(2) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers' rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: Provided, That the application of section 507(4)(D) and (E) of such Act (19 U.S.C. 2467(4)(D) and (E)) should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture;

(3) any assistance to an entity outside the United States if such assistance is for the purpose of directly relocating or transferring jobs from the United States to other countries and adversely impacts the labor force in the United States; or

(4) for the enforcement of any rule, regulation, policy, or guidelines implemented pursuant to the Supplemental Guidelines for High Carbon Intensity Projects approved by the Export-Import Bank of the United States on December 12, 2013, when enforcement of such rule, regulation, policy, or guidelines would prohibit, or have the effect of prohibiting, any
coal-fired or other power-generation project the purpose of which is to—

(A) provide affordable electricity in International Development Association (IDA)-eligible countries and IDA-blend countries; and

(B) increase exports of goods and services from the United States or prevent the loss of jobs from the United States.

LIMITATIONS RELATED TO FAMILY PLANNING AND REPRODUCTIVE HEALTH

SEC. 7057. (a) None of the funds appropriated or otherwise made available by this Act may be made available for the United Nations Population Fund.

(b) None of the funds appropriated or otherwise made available by this Act for global health assistance may be made available to any foreign nongovernmental organization that promotes or performs abortions, except in cases of rape or incest or when the life of the mother would be endangered if the fetus were carried to term.

GLOBAL HEALTH ACTIVITIES

SEC. 7058. (a) IN GENERAL.—Funds appropriated by titles III and IV of this Act that are made available for bilateral assistance for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS...
may be made available notwithstanding any other provision of law except for provisions under the heading “Global Health Programs” and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: Provided, That of the funds appropriated under title III of this Act, not more than $461,000,000 may be made available for family planning/reproductive health.

(b) INFECTIOUS DISEASE OUTBREAKS.—

(1) GLOBAL HEALTH SECURITY.—Of the funds appropriated by this Act under the heading “Global Health Programs”, not less than $275,000,000 shall be made available for global health security programs, which shall prioritize and accelerate efforts to strengthen public health capacity in countries where there is a high risk of emerging zoonotic and other infectious diseases and to support the collection, analysis, and sharing of data on unknown viruses and other pathogens: Provided, That not later than 45 days after enactment of this Act, the USAID Administrator shall consult with the Committees on Appropriations on the planned uses of such funds.

(2) EXTRAORDINARY MEASURES.—If the Secretary of State determines and reports to the Com-
mittees on Appropriations that an international infectious disease outbreak is sustained, severe, and is spreading internationally, or that it is in the national interest to respond to a Public Health Emergency of International Concern, not to exceed an aggregate total of $50,000,000 of the funds appropriated by this Act under the headings “Global Health Programs”, “Development Assistance”, “International Disaster Assistance”, “Complex Crises Fund”, “Economic Support Fund”, “Democracy Fund”, “Assistance for Europe, Eurasia and Central Asia”, “Migration and Refugee Assistance”, and “Millennium Challenge Corporation” may be made available to combat such infectious disease or public health emergency, and may be transferred to, and merged with, funds appropriated under such headings for the purposes of this paragraph.

(3) Emergency Reserve Fund.—Up to $25,000,000 of the funds made available under the heading “Global Health Programs” may be made available for the Emergency Reserve Fund established pursuant to section 7058(c)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31): Provided, That such funds shall be
made available under the same terms and conditions of such section.

(4) Consultation and Notification.—Funds made available by this subsection shall be subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations.

(e) Childhood Cancer.—Funds appropriated by this Act under the heading “Global Health Programs” should be made available for public-private partnerships, including in coordination with relevant multilateral organizations and research entities, to address childhood cancer: Provided, That for the purposes of this subsection, the term “childhood cancer” means cancers formed or diagnosed in individuals under the age of 20 years old.

Gender Equality

Sec. 7059. (a) Women’s Empowerment.—

(1) Gender Equality.—Funds appropriated by this Act shall be made available to promote gender equality in United States Government diplomatic and development efforts by raising the status, increasing the participation, and protecting the rights of women and girls worldwide.
(2) WOMEN’S ECONOMIC EMPOWERMENT.—

Funds appropriated by this Act are available to implement the Women’s Entrepreneurship and Economic Empowerment Act of 2018 (Public Law 115–428): Provided, That the Secretary of State and the Administrator of the United States Agency for International Development, as appropriate, shall consult with the Committees on Appropriations on the implementation of such Act.

(3) WOMEN’S GLOBAL DEVELOPMENT AND PROSPERITY FUND.—Of the funds appropriated under the headings “Economic Support Fund” and “Assistance for Europe, Eurasia and Central Asia” in this Act, up to $200,000,000 may be made available for the Women’s Global Development and Prosperity Fund.

(b) WOMEN’S LEADERSHIP.—Of the funds appropriated by title III of this Act, not less than $50,000,000 shall be made available for programs specifically designed to increase leadership opportunities for women in countries where women and girls suffer discrimination due to law, policy, or practice, by strengthening protections for women’s political status, expanding women’s participation in political parties and elections, and increasing women’s
opportunities for leadership positions in the public and private sectors at the local, provincial, and national levels.

(c) GENDER-BASED VIOLENCE.—

(1) Of the funds appropriated under titles III and IV of this Act, not less than $165,000,000 shall be made available to implement a multi-year strategy to prevent and respond to gender-based violence in countries where it is common in conflict and non-conflict settings.

(2) Funds appropriated under titles III and IV of this Act that are available to train foreign police, judicial, and military personnel, including for international peacekeeping operations, shall address, where appropriate, prevention and response to gender-based violence and trafficking in persons, and shall promote the integration of women into the police and other security forces.

(d) WOMEN, PEACE, AND SECURITY.—Funds appropriated by this Act under the headings “Development Assistance”, “Economic Support Fund”, “Assistance for Europe, Eurasia and Central Asia”, and “International Narcotics Control and Law Enforcement” should be made available to support a multi-year strategy to expand, and improve coordination of, United States Government efforts to empower women as equal partners in conflict pre-
vention, peace building, transitional processes, and recon-
struction efforts in countries affected by conflict or in po-
itical transition, and to ensure the equitable provision of
relief and recovery assistance to women and girls.

(e) WOMEN AND GIRLS AT RISK FROM EXTREMISM
AND CONFLICT.—Of the funds appropriated by this Act
under the heading “Economic Support Fund”, not less
than $15,000,000 shall be made available to support
women and girls who are at risk from extremism and con-
flict, and for the activities described in section 7059(e)(1)
of the Department of State, Foreign Operations, and Re-
lated Programs Appropriations Act, 2018 (division K of
Public Law 115–141): Provided, That such funds are in
addition to amounts otherwise made available by this Act
for such purposes, and shall be made available following
consultation with, and the regular notification procedures
of, the Committees on Appropriations.

SECTOR ALLOCATIONS

SEC. 7060. (a) BASIC EDUCATION AND HIGHER
EDUCATION.—

(1) BASIC EDUCATION.—

(A) Of the funds appropriated under title
III of this Act, $515,000,000 should be made
available for assistance for basic education, and
such funds may be made available notwith-
standing any other provision of law that restricts assistance to foreign countries: Provided,
That such funds shall also be used for secondary education activities: Provided further,
That the Administrator of the United States Agency for International Development, following consultation with the Committees on Appropriations, may reprogram such funds between countries.

(B) Of the funds appropriated under title III of this Act for assistance for basic education programs, not less than $125,000,000 shall be made available for contributions to multilateral partnerships that support education.

(2) HIGHER EDUCATION.—Of the funds appropriated by title III of this Act, not less than $235,000,000 shall be made available for assistance for higher education: Provided, That such funds may be made available notwithstanding any other provision of law that restricts assistance to foreign countries, and shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That of such amount, not less than $35,000,000 shall be made available for new and ongoing partnerships between higher education institu-
tions in the United States and developing countries
focused on building the capacity of higher education
institutions and systems in developing countries:
Provided further, That not later than 45 days after
enactment of this Act, the USAID Administrator
shall consult with the Committees on Appropriations
on the proposed uses of funds for such partnerships.

(3) Higher education in countries im-
pacted by economic crises.—Of the funds appro-
priated under title III of this Act, not less than
$50,000,000 shall be made available, notwith-
standing any other provision of law that restricts as-
sistance to foreign countries, for the following insti-
tutions that are recipients of United States assist-
ance and located in countries impacted by economic
crises—

(A) United States-accredited and United
States-chartered institutions of higher edu-
cation in the Middle East; and

(B) non-profit, coeducational American in-
stitutions of higher education in the Middle
East and Asia.

(b) Development programs.—Of the funds appro-
priated by this Act under the heading “Development As-
sistance”, not less than $20,000,000 shall be made avail-
able for cooperative development programs of USAID, including funding to support community-based credit unions in developing countries at a level above fiscal year 2020, and not less than $30,000,000 shall be made available for the American Schools and Hospitals Abroad program.

(e) Environment Programs.—

(1)(A) Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, except for the provisions of this subsection, to support environment programs.

(B) Funds made available pursuant to this subsection shall be subject to the regular notification procedures of the Committees on Appropriations.

(2)(A) Of the funds appropriated under title III of this Act, not less than $320,000,000 shall be made available for biodiversity conservation programs.

(B) Not less than $100,664,000 of the funds appropriated under titles III and IV of this Act shall be made available to combat the transnational threat of wildlife poaching and trafficking and to prevent zoonotic disease spillover, including in wildlife markets in Africa and Asia.
(C) None of the funds appropriated under title IV of this Act may be made available for training or other assistance for any military unit or personnel that the Secretary of State determines has been credibly alleged to have participated in wildlife poaching or trafficking, unless the Secretary reports to the appropriate congressional committees that to do so is in the national security interest of the United States.

(D) Funds appropriated by this Act for biodiversity programs shall not be used to support the expansion of industrial scale logging or any other industrial scale extractive activity into areas that were primary/intact tropical forests as of December 30, 2013, and the Secretary of the Treasury shall instruct the United States executive directors of each international financial institutions (IFI) to vote against any financing of any such activity.

(3) The Secretary of the Treasury shall instruct the United States executive director of each IFI that it is the policy of the United States to use the voice and vote of the United States, in relation to any loan, grant, strategy, or policy of such institution, regarding the construction of any large dam consistent with the criteria set forth in Senate Report
114–79, while also considering whether the project
involves important foreign policy objectives.

(4) Of the funds appropriated under title III of
this Act, not less than $135,000,000 shall be made
available for sustainable landscapes programs.

(5) Of the funds appropriated under title III of
this Act, not less than $177,000,000 shall be made
available for adaptation programs, including in sup-
port of the implementation of the Indo-Pacific Strat-
egy.

(6) Of the funds appropriated under title III of
this Act, not less than $179,000,000 shall be made
available for renewable energy programs, including
in support of carrying out the purposes of the Elec-
trify Africa Act (Public Law 114–121) and imple-
mentation of the Power Africa and Prosper Africa
initiatives.

(7) Of the funds appropriated under title III of
this Act, not less than $100,000,000 shall be made
available for programs to address ocean plastic pol-
lution and other marine debris: Provided, That the
Secretary of State, in consultation with the Sec-
retary of the Treasury, the USAID Administrator,
and the heads of other relevant Federal agencies,
shall seek to enter into negotiations with key bilat-
eral and multilateral donors, including the World Bank, to establish a new trust fund for ocean plastic pollution and other marine debris: *Provided further,* That such funds may be made available for a contribution to such a new trust fund, and for a USAID-administered multi-donor fund for such purposes: *Provided further,* That such funds are in addition to amounts otherwise made available by this Act for such purposes: *Provided further,* That such funds may only be made available following consultation with the Committees on Appropriations.

(d) **Food Security and Agricultural Development.**—Of the funds appropriated by title III of this Act, not less than $1,005,600,000 shall be made available for food security and agricultural development programs to carry out the purposes of the Global Food Security Act of 2016 (Public Law 114–195): *Provided,* That funds may be made available for a contribution as authorized by section 3202 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by section 3310 of the Agriculture Improvement Act of 2018 (Public Law 115–334).

(e) **Micro, Small, and Medium-sized Enterprises.**—Of the funds appropriated by this Act, not less than $265,000,000 shall be made available to support the
development of, and access to financing for, micro, small, and medium-sized enterprises that benefit the poor, especially women.

(f) Programs to Combat Trafficking in Persons.—Of the funds appropriated by this Act under the headings “Development Assistance”, “Economic Support Fund”, “Assistance for Europe, Eurasia and Central Asia”, and “International Narcotics Control and Law Enforcement”, not less than $97,000,000 shall be made available for activities to combat trafficking in persons internationally, including for the Program to End Modern Slavery, of which not less than $65,000,000 shall be from funds made available under the heading “International Narcotics Control and Law Enforcement”: Provided, That funds made available by this Act under the headings “Development Assistance”, “Economic Support Fund”, and “Assistance for Europe, Eurasia and Central Asia” that are made available for activities to combat trafficking in persons shall be obligated and programmed consistent with the country-specific recommendations included in the annual Trafficking in Persons Report, and shall be administered by the Director of the Office to Monitor and Combat Trafficking in Persons, Department of State.

(g) Reconciliation Programs.—Of the funds appropriated by this Act under the heading “Development
“Assistance”, not less than $30,000,000 shall be made available to support people-to-people reconciliation programs which bring together individuals of different ethnic, religious, and political backgrounds from areas of civil strife and war, including not less than $5,000,000 for programs between Israelis and Palestinians living in the West Bank and Gaza: Provided, That the USAID Administrator shall consult with the Committees on Appropriations, prior to the initial obligation of funds, on the uses of such funds, and such funds shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That to the maximum extent practicable, such funds shall be matched by sources other than the United States Government: Provided further, That such funds shall be administered by the Office of Conflict Management and Mitigation, USAID.

(h) WATER AND SANITATION.—Of the funds appropriated by this Act, not less than $450,000,000 shall be made available for water supply and sanitation projects pursuant to section 136 of the Foreign Assistance Act of 1961, of which not less than $225,000,000 shall be for programs in sub-Saharan Africa, and of which not less than $15,000,000 shall be made available to support initiatives by local communities in developing countries, in-
cluding in sub-Saharan Africa and Haiti, to build and maintain safe latrines.

BUDGET DOCUMENTS

SEC. 7061. (a) OPERATING PLANS.—Not later than 45 days after enactment of this Act, each department, agency, or organization funded in titles I, II, and VI of this Act, and the Department of the Treasury and Independent Agencies funded in title III of this Act, including the Inter-American Foundation and the United States African Development Foundation, shall submit to the Committees on Appropriations an operating plan for funds appropriated to such department, agency, or organization in such titles of this Act, or funds otherwise available for obligation in fiscal year 2021, that provides details of the uses of such funds at the program, project, and activity level: Provided, That such plans shall include, as applicable, a comparison between the congressional budget justification funding levels, the most recent congressional directives or approved funding levels, and the funding levels proposed by the department or agency; and a clear, concise, and informative description/justification: Provided further, That operating plans that include changes in levels of funding for programs, projects, and activities specified in the congressional budget justification, in this Act, or amounts specifically designated in the respective tables.
 included in the explanatory statement accompanying this Act, as applicable, shall be subject to the notification and reprogramming requirements of section 7015 of this Act.

(b) SPEND PLANS.—

(1) Not later than 90 days after enactment of this Act, the Secretary of State or Administrator of the United States Agency for International Development, as appropriate, shall submit to the Committees on Appropriations a spend plan for funds made available by this Act, for—

(A) assistance for Afghanistan, Iraq, Lebanon, Pakistan, Syria, Colombia, and countries in Central America;

(B) assistance made available pursuant to section 7047(d) of this Act to counter Russian influence and aggression, except that such plan shall be on a country-by-country basis;

(C) assistance made available pursuant to section 7059 of this Act;

(D) the Indo-Pacific Strategy and the Countering Chinese Influence Fund;

(E) democracy programs, the Power Africa and Prosper Africa initiatives, and sectors enumerated in subsections (a), (c), (d), (e), (f), (g) and (h) of section 7060 of this Act;
(F) funds provided under the heading “International Narcotics Control and Law Enforcement” for International Organized Crime and for Cybercrime and Intellectual Property Rights: Provided, That the spend plans shall include bilateral and global programs funded under such heading along with a brief description of the activities planned for each country; and

(G) the regional security initiatives described under this heading in the explanatory statement accompanying this Act.

(2) Not later than 90 days after enactment of this Act, the Secretary of the Treasury shall submit to the Committees on Appropriations a detailed spend plan for funds made available by this Act under the heading “Department of the Treasury, International Affairs Technical Assistance” in title III.

(c) CLARIFICATION.—The spend plans referenced in subsection (b) shall not be considered as meeting the notification requirements in this Act or under section 634A of the Foreign Assistance Act of 1961.

(d) CONGRESSIONAL BUDGET JUSTIFICATION.—
(1) Submission.—The congressional budget justification for Department of State operations and foreign operations shall be provided to the Committees on Appropriations concurrent with the date of submission of the President’s budget for fiscal year 2022: Provided, That the appendices for such justification shall be provided to the Committees on Appropriations not later than 10 calendar days thereafter.

(2) Multi-year availability of certain funds.—The Secretary of State and the USAID Administrator shall include in the congressional budget justification a detailed justification for multi-year availability for any funds requested under the headings “Diplomatic Programs” and “Operating Expenses”.

REORGANIZATION
SEC. 7062. (a) Oversight.—

(1) Prior consultation and notification.—Funds appropriated by this Act, prior Acts making appropriations for the Department of State, foreign operations, and related programs, or any other Act may not be used to implement a reorganization, redesign, or other plan described in paragraph (2) by the Department of State, the United
300 States Agency for International Development, or any other Federal department, agency, or organization funded by this Act without prior consultation by the head of such department, agency, or organization with the appropriate congressional committees: Provided, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That any such notification submitted to such Committees shall include a detailed justification for any proposed action, including the information specified under section 7073 of the joint explanatory statement accompanying the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 (division F of Public Law 116–6): Provided further, That congressional notifications submitted in prior fiscal years pursuant to similar provisions of law in prior Acts making appropriations for the Department of State, foreign operations, and related programs may be deemed to meet the notification requirements of this section.

(2) DESCRIPTION OF ACTIVITIES.—Pursuant to paragraph (1), a reorganization, redesign, or other plan shall include any action to—
(A) expand, eliminate, consolidate, or downsize covered departments, agencies, or organizations, including bureaus and offices within or between such departments, agencies, or organizations, including the transfer to other agencies of the authorities and responsibilities of such bureaus and offices;

(B) expand, eliminate, consolidate, or downsize the United States official presence overseas, including at bilateral, regional, and multilateral diplomatic facilities and other platforms; or

(C) expand or reduce the size of the permanent Civil Service, Foreign Service, eligible family member, and locally employed staff workforce of the Department of State and USAID from the levels specified in the explanatory statement accompanying this Act.

(b) ADDITIONAL REQUIREMENTS AND LIMITATIONS.—

(1) BUREAU OF POPULATION, REFUGEES, AND MIGRATION, DEPARTMENT OF STATE.—None of the funds appropriated by this Act, prior Acts making appropriations for the Department of State, foreign operations, and related programs, or any other Act
may be used to downsize, downgrade, consolidate, close, move, or relocate the Bureau of Population, Refugees, and Migration, Department of State, or any activities of such Bureau, to another Federal agency.

(2) ADMINISTRATION OF FUNDS.—Funds made available by this Act—

(A) under the heading “Migration and Refugee Assistance” shall be administered by the Assistant Secretary for Population, Refugees, and Migration, Department of State, and this responsibility shall not be delegated; and

(B) that are made available for the Office of Global Women’s Issues shall be administered by the United States Ambassador-at-Large for Global Women’s Issues, Department of State, and this responsibility shall not be delegated.

DEPARTMENT OF STATE MANAGEMENT

SEC. 7063. (a) FINANCIAL SYSTEMS IMPROVEMENT.—Funds appropriated by this Act for the operations of the Department of State under the headings “Diplomatic Programs” and “Capital Investment Fund” shall be made available to implement the recommendations contained in the Foreign Assistance Data Review Findings Report (FADR) and the Office of Inspector General (OIG)
report entitled “Department Financial Systems Are Insufficient to Track and Report on Foreign Assistance Funds”: Provided, That such funds may not be obligated for enhancements to, or expansions of, the Budget System Modernization Financial System, Central Resource Management System, Joint Financial Management System, or Foreign Assistance Coordination and Tracking System until such updated plan is submitted to the Committees on Appropriations: Provided further, That such funds may not be obligated for new, or expansion of existing, ad hoc electronic systems to track commitments, obligations, or expenditures of funds unless the Secretary of State, following consultation with the Chief Information Officer of the Department of State, has reviewed and certified that such new system or expansion is consistent with the FADR and OIG recommendations: Provided further, That not later than 45 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations an update to the plan required under section 7006 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31) for implementing the FADR and OIG recommendations.

(b) WORKING CAPITAL FUND.—Funds appropriated by this Act or otherwise made available to the Department
of State for payments to the Working Capital Fund may only be used for the service centers included in the Congressional Budget Justification, Department of State, Foreign Operations, and Related Programs, Fiscal Year 2021: Provided, That the amounts for such service centers shall be the amounts included in such budget justification, except as provided in section 7015(b) of this Act: Provided further, That Federal agency components shall be charged only for their direct usage of each Working Capital Fund service: Provided further, That prior to increasing the percentage charged to Department of State bureaus and offices for procurement-related activities, the Secretary of State shall include the proposed increase in the Department of State budget justification or, at least 60 days prior to the increase, provide the Committees on Appropriations a justification for such increase, including a detailed assessment of the cost and benefit of the services provided by the procurement fee: Provided further, That Federal agency components may only pay for Working Capital Fund services that are consistent with the purpose and authorities of such components: Provided further, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service.

(c) Certification.—
(1) COMPLIANCE.—Not later than 45 days after the initial obligation of funds appropriated under titles III and IV of this Act that are made available to a Department of State bureau or office with responsibility for the management and oversight of such funds, the Secretary of State shall certify and report to the Committees on Appropriations, on an individual bureau or office basis, that such bureau or office is in compliance with Department and Federal financial and grants management policies, procedures, and regulations, as applicable.

(2) CONSIDERATIONS.—When making a certification required by paragraph (1), the Secretary of State shall consider the capacity of a bureau or office to—

(A) account for the obligated funds at the country and program level, as appropriate;

(B) identify risks and develop mitigation and monitoring plans;

(C) establish performance measures and indicators;

(D) review activities and performance; and

(E) assess final results and reconcile finances.
(3) PLAN.—If the Secretary of State is unable to make a certification required by paragraph (1), the Secretary shall submit a plan and timeline detailing the steps to be taken to bring such bureau or office into compliance.

(d) INFORMATION TECHNOLOGY PLATFORM.—

(1) None of the funds appropriated in title I of this Act under the heading “Administration of Foreign Affairs” may be made available for a new major information technology (IT) investment without the concurrence of the Chief Information Officer, Department of State.

(2) None of the funds appropriated in title I of this Act under the heading “Administration of Foreign Affairs” may be used by an agency to submit a project proposal to the Technology Modernization Board for funding from the Technology Modernization Fund unless, not later than 15 days in advance of submitting the project proposal to the Board, the head of the agency—

(A) notifies the Committees on Appropriations of the proposed submission of the project proposal; and

(B) submits to the Committees on Appropriations a copy of the project proposal.
(3) None of the funds appropriated in title I of this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading “Administration of Foreign Affairs” may be used by an agency to carry out a project that is approved by the Board unless the head of the agency—

(A) submits to the Committees on Appropriations a copy of the approved project proposal, including the terms of reimbursement of funding received for the project; and

(B) agrees to submit to the Committees on Appropriations a copy of each report relating to the project that the head of the agency submits to the Board.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

SEC. 7064. (a) Authority.—Up to $110,000,000 of the funds made available in title III of this Act pursuant to or to carry out the provisions of part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading “Assistance for Europe, Eurasia and Central Asia”, may be used by the United States Agency for International Development to hire and employ individuals in the United States and overseas on a limited ap-
pointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980 (22 U.S.C. 3948 and 3949).

(b) RESTRICION.—The authority to hire individuals contained in subsection (a) shall expire on September 30, 2022.

(c) PROGRAM ACCOUNT CHARGED.—The account charged for the cost of an individual hired and employed under the authority of this section shall be the account to which the responsibilities of such individual primarily relate: Provided, That funds made available to carry out this section may be transferred to, and merged with, funds appropriated by this Act in title II under the heading “Operating Expenses”.

(d) FOREIGN SERVICE LIMITED EXTENSIONS.—Individuals hired and employed by USAID, with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, pursuant to the authority of section 309 of the Foreign Service Act of 1980 (22 U.S.C. 3949), may be extended for a period of up to 4 years notwithstanding the limitation set forth in such section.

(e) DISASTER SURGE CAPACITY.—Funds appropriated under title III of this Act to carry out part I of the Foreign Assistance Act of 1961, including funds ap-
propriated under the heading “Assistance for Europe, Eurasia and Central Asia”, may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by USAID whose primary responsibility is to carry out programs in response to natural disasters, or man-made disasters subject to the regular notification procedures of the Committees on Appropriations.

(f) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Food for Peace Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be used by USAID to employ up to 40 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: Provided, That not more than 15 of such contractors shall be assigned to any bureau or office: Provided further, That such funds appropriated to carry out title II of the Food for Peace Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be made available only for personal services contractors assigned to the Bureau for Humanitarian Assistance.
(g) **Small Business.**—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, USAID may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(h) **Senior Foreign Service Limited Appointments.**—Individuals hired pursuant to the authority provided by section 7059(o) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) may be assigned to or support programs in Afghanistan or Pakistan with funds made available in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

(i) **Accountability Mechanism.**—Not later than 90 days after enactment of this Act, the USAID Administrator shall submit to the Committees on Appropriations a plan to establish an accountability mechanism to which individuals, communities, civil society organizations, and other stakeholders can communicate concerns about potential adverse impacts, including social, environmental, and economic impacts, resulting from USAID-funded programs, projects, and activities, and through which USAID can respond: Provided, That such plan shall include proce-
dures, to be posted on the USAID website, for communicating and responding to such concerns: Provided further, That prior to submitting such plan, the Administrator shall consult with such Committees.

STABILIZATION AND DEVELOPMENT IN REGIONS IMPACTED BY EXTREMISM AND CONFLICT

SEC. 7065. (a) PREVENTION AND STABILIZATION FUND.—

(1) FUNDS AND TRANSFER AUTHORITY.—Of the funds appropriated by this Act under the headings “Economic Support Fund”, “International Narcotics Control and Law Enforcement”, “Non-proliferation, Anti-terrorism, Demining and Related Programs”, “Peacekeeping Operations”, and “Foreign Military Financing Program”, not less than $100,000,000 shall be made available for the purposes of the Prevention and Stabilization Fund, as authorized by, and for the purposes enumerated in, section 509(a) of the Global Fragility Act of 2019 (title V of division J of Public Law 116–94), including $25,000,000 for the Multi-Donor Global Fragility Fund authorized by section 510(c) of such Act: Provided, That unless specifically designated in this Act or in the explanatory statement accompanying this Act for assistance for countries, such funds are
in addition to amounts otherwise made available for such purposes: Provided further, That such funds appropriated under such headings may be transferred to, and merged with, funds appropriated under such headings: Provided further, That such transfer authority is in addition to any other transfer authority provided by this Act or any other Act, and is subject to the regular notification procedures of the Committees on Appropriations.

(2) TRANSITIONAL JUSTICE.—Of the funds appropriated by this Act under the headings “Economic Support Fund” and “International Narcotics Control and Law Enforcement” that are made available for the Prevention and Stabilization Fund, not less than $10,000,000 shall be made available for programs to promote accountability for genocide, crimes against humanity, and war crimes, including in Iraq and Syria, which shall be in addition to any other funds made available by this Act for such purposes: Provided, That such programs shall include components to develop local investigative and judicial skills, and to collect and preserve evidence and maintain the chain of custody of evidence, including for use in prosecutions, and may include the establishment of, and assistance for, transitional justice
mechanisms: *Provided further*, That such funds shall be administered by the Special Coordinator for the Office of Global Criminal Justice, Department of State: *Provided further*, That funds made available by this paragraph shall be made available on an open and competitive basis.

(b) **GLOBAL FRAGILITY ACT IMPLEMENTATION.**—Funds appropriated by this Act shall be made available to implement the Global Fragility Act of 2019 (title V of division J of Public Law 116–94): *Provided*, That not later than 90 days after enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit a spend plan to the Committees on Appropriations detailing the use of funds made available by this Act for such purposes.

(c) **GLOBAL COMMUNITY ENGAGEMENT AND RESILIENCE FUND.**—Of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading “Economic Support Fund”, $5,000,000 shall be made available to the Global Community Engagement and Resilience Fund (GCERF), including as a contribution: *Provided*, That any such funds made available for the GCERF shall be made available on a cost-matching basis.
from sources other than the United States Government, to the maximum extent practicable, and shall be subject to the regular notification procedures of the Committees on Appropriations.

(d) **GLOBAL CONCESSIONAL FINANCING FACILITY.**— Of the funds appropriated by this Act under the heading “Economic Support Fund”, $25,000,000 shall be made available for the Global Concessional Financing Facility of the World Bank to provide financing to support refugees and host communities: *Provided*, That such funds shall be in addition to funds allocated for bilateral assistance in the report required by section 653(a) of the Foreign Assistance Act of 1961, and may only be made available subject to prior to consultation with the Committees on Appropriations: *Provided further*, That such funds may be transferred to the Department of the Treasury.

**DISABILITY PROGRAMS**

SEC. 7066. (a) **ASSISTANCE.**—Funds appropriated by this Act under the heading “Development Assistance” shall be made available for programs and activities administered by the United States Agency for International Development to address the needs and protect and promote the rights of people with disabilities in developing countries, including initiatives that focus on independent living, economic self-sufficiency, advocacy, education, employ-
ment, transportation, sports, and integration of individuals with disabilities, including for the cost of translation. (b) MANAGEMENT, OVERSIGHT, AND TECHNICAL SUPPORT.—Of the funds made available pursuant to this section, 5 percent may be used by USAID for management, oversight, and technical support.

DEBT-FOR-DEVELOPMENT

SEC. 7067. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title III of this Act and, subject to the regular notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

ENTERPRISE FUNDS

SEC. 7068. (a) NOTIFICATION.—None of the funds made available under titles III through VI of this Act may be made available for Enterprise Funds unless the appropriate congressional committees are notified at least 15 days in advance.
(b) DISTRIBUTION OF ASSETS PLAN.—Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the appropriate congressional committees a plan for the distribution of the assets of the Enterprise Fund.

(c) TRANSITION OR OPERATING PLAN.—Prior to a transition to and operation of any private equity fund or other parallel investment fund under an existing Enterprise Fund, the President shall submit such transition or operating plan to the appropriate congressional committees.

RESCISSIONS

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 7069. (a) DIPLOMATIC AND CONSULAR PROGRAMS.—Of the unobligated balances from amounts available under the heading “Diplomatic and Consular Programs” in title II of the Security Assistance Appropriations Act, 2017 (division B of Public Law 114–254), $360,123,000 are rescinded: Provided, That such funds that were previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress for Overseas Contingency Op-
317
1. operations/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 pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, $40,000,000 are rescinded: Provided, That such funds that were previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and
Emergency Deficit Control Act of 1985 are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of such Act.

(e) Foreign Military Financing Program.—Of the unobligated balances made available under the heading “Foreign Military Financing Program” in title IV of division G of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94) and designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, $25,000,000 are rescinded:

Provided, That such funds that were previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of such Act.

DESIGNATIONS

Sec. 7070. (a) Designation.—Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and
Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

(b) DESIGNATION RETENTION.—Any amount appropriated by this Act, designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 and subsequently so designated by the President, and transferred pursuant to transfer authorities provided by this Act, shall retain such designation.

This Act may be cited as the “Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021”.

November 6, 2020 (11:31 a.m.)