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

IN THE SENATE OF THE UNITED STATES

October ______, 2021

Mr. Coons, 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, 2022, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
2

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, 2022, 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, $9,040,672,000, of which $812,216,000 may remain available until September 30, 2023, and of which up to $3,625,899,000 may remain available until expended for Worldwide Security Protection: Provided, 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 Infor-
mation and Educational Exchange Act of 1948 (62 Stat. 11; Chapter 36), $3,216,871,000, of which up to $661,240,000 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, $1,791,425,000.

(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, $1,018,951,000.

(4) SECURITY PROGRAMS.—For necessary expenses for security activities, $3,013,425,000, of which up to $2,964,659,000 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 re-
wards, 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.

(D) Funds appropriated under this heading shall be made available for the following purposes and as specified under this heading in the explanatory statement accompanying this Act—

(i) to establish and support the activities of an Ambassador-at-Large for the Arctic Region; and

(ii) to implement the Arctic Indigenous Exchange Program.
CAPITAL INVESTMENT FUND

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

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $91,458,000, of which $13,718,000 may remain available until September 30, 2023: Provided, That funds appropriated under this heading are made available notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3929(a)(1)), as it relates to post inspections.

In addition, for the Special Inspector General for Afghanistan Reconstruction (SIGAR) for reconstruction oversight, $46,000,000, to remain available until September 30, 2023: 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, $748,961,000, to remain available until expended, of which not less than $275,000,000 shall be for the Fulbright Program and not less than $113,340,000 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: Provided further, That of the amount made available under this heading,
not to exceed $1,000,000 may be used to make grants to carry out the activities of the Cultural Antiquities Task Force.

**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, 2023.

**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, $850,772,000, to remain available until September 30, 2026, 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, $1,132,427,000, to remain available until expended.

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, $8,885,000, to remain available until expended, of which not to exceed $1,000,000 may be transferred to, and merged with, funds appropriated by this Act under the heading “Repatriation Loans Program Account”: Provided, That funds transferred pursuant to the eleventh proviso under the heading “Diplomatic and Consular Programs” in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (title I of division J of Public Law 110–161) in this and prior fiscal years may be used for expenses of rewards programs.

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 obli-
gations for the principal amount of direct loans not to exceed $4,937,742.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96–8), $32,583,000.

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, conven-
tions, or specific Acts of Congress, $1,662,928,000, of
which $96,240,000 may remain available until September
30, 2023: 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 Na-
tions for the operations of the United Nations: Provided
further, That the Secretary of State shall notify the Com-
mittees 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: Provided
further, That any payment of arrearages under this head-
ing shall be directed to activities that are mutually agreed
upon by the United States and the respective international
organization and shall be subject to prior consultation
with the Committees on Appropriations: 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 Govern-
ment by such organization for loans incurred on or after
October 1, 1984, through external borrowings.
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, $1,828,614,000, of which $914,307,000 may remain available until September 30, 2023: Provided, 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 advi-
ors 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 any payment of arrearages with funds appropriated by this Act shall be subject to prior consultation with the Committees on Appropriations: Provided further, That such funds may be made available above the amount authorized in section 404(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, as amended (22 U.S.C. 287e note): Provided further, That notwithstanding any other provision of law, funds appropriated or otherwise made available under this heading shall be available for United States assessed contributions up to the amount specified in the Annex accompanying United Nations General Assembly Document 64/220.

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 appli-
cable 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, $52,220,000, of which $7,833,000 may remain available until September 30, 2023.

**CONSTRUCTION**

For detailed plan preparation and construction of authorized projects, $51,300,000, 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 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, and for technical assistance grants and the Community Assistance Program of the North American Development Bank, $15,008,000: 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, 2023, 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, $870,696,000:
Provided, That in addition to amounts otherwise available for such purposes, up to $45,708,000 of the amount appropriated under this heading may remain available until expended for satellite transmissions and Internet freedom programs, of which not less than $25,000,000 shall be for Internet freedom programs:
Provided further, That of the total amount appropriated 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:
Provided further, That notwithstanding the previous proviso, funds appropriated under this heading shall be allocated in accordance with the table included under this heading in the explanatory statement accompanying this Act:
Provided further, That notwithstanding the previous proviso, funds may be reprogrammed within and between amounts des-
ignated in such table, subject to the regular notification procedures of the Committees on Appropriations, except that no such reprogramming may reduce a designated amount by more than 5 percent: *Provided further,* That funds appropriated under this heading shall be made available in accordance with the principles and standards set forth in section 303(a) and (b) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6202) and section 305(b) of such Act (22 U.S.C. 6204): *Provided further,* That the USAGM Chief Executive Officer 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 section 303(a) and (b) of such Act or the entity’s journalistic code of ethics: *Provided further,* That 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 the Voice of America and the International Broadcasting Bureau, shall remain available until expended for carrying
out authorized purposes: Provided further, That significant modifications to USAGM broadcast hours 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.

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, $14,700,000, 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), $21,500,000, 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.), $54,000,000, to remain available until September 30, 2023, which shall not be used for construction activities.

CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

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, 2022, 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, 2022, 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, 2022, 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.

**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), $305,000,000, to remain available until expended: Provided, That the requirements of section 7063(a) of this
Act shall not apply to funds made available under this heading.

OTHER COMMISSIONS

Commission for the Preservation of America’s Heritage Abroad

Salaries and Expenses

For necessary expenses for the Commission for the Preservation of America’s Heritage Abroad, $642,000, 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, 2022: 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, 2023, including not more than $4,000 for representation expenses: Provided, That
of the funds appropriated under this heading, $1,000,000 shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided further, That the United States Commission on International Religious Freedom shall include in its Annual Report the actions taken and planned to be taken to report on, and advocate against, laws and policies of foreign governments that permit or condone discrimination against, or violations of human rights of, minority groups and other vulnerable communities on the basis of religion, in accordance with the explanatory statement accompanying this Act.

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 $5,000 for representation expenses, to remain available until September 30, 2023.

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 au-
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, 2023.

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, 2023: 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 2022 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, $1,635,947,000, of which up to $245,392,000 may remain available until September 30, 2023: Provided, 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 use 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 the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chap-
1 ter 1 of part I of such Act to “Operating Expenses” in
2 accordance with the provisions of those sections: Provided
3 further, That of the funds appropriated or made available
4 under this heading, not to exceed $250,000 may be avail-
5 able for representation and entertainment expenses, of
6 which not to exceed $5,000 may be available for entertain-
7 ment expenses, and not to exceed $100,500 shall be for
8 official residence expenses, for USAID during the current
9 fiscal year.

10 CAPITAL INVESTMENT FUND

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

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses to carry out the provisions
23 of section 667 of the Foreign Assistance Act of 1961,
24 $82,200,000, of which up to $12,330,000 may remain
25 available until September 30, 2023, for the Office of In-
spectator General of the United States Agency for International Development: *Provided*, That of the funds appropriated under this heading, up to $10,000 may be available for representation expenses.
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, $4,423,950,000, to remain available until September 30, 2023, and which shall be apportioned directly to the United States Agency for International Development: 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 prevention, treatment, control of, and research on HIV/AIDS,
tuberculosis, polio, malaria, 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 pre-
paredness training for health crises; (7) programs to pre-
vent, prepare for, and respond to unanticipated and
emerging global health threats, including zoonotic dis-
eases; and (8) family planning/reproductive health: Pro-
vided further, That funds appropriated under this para-
graph may be made available for United States contribu-
tions to The GAVI Alliance and to a multilateral vaccine
development partnership to support epidemic prepared-
ness: Provided further, That none of the funds made avail-
able by this Act nor any unobligated balances from prior
appropriations Acts may be made available to any organi-
ization or program which, as determined by the President,
directly 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 ac-
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 para-
graph 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 fam-
ily 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 For-
Foreign Assistance Act of 1961 no applicant shall be discriminated 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, 2026, which shall be apportioned directly to the Department of State: *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, Tuber-
culosis, 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: Provided further, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2022 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, $4,075,097,000, to remain available until September 30, 2023: Provided, That funds made available under this heading shall be apportioned directly to the United States Agency for International Development.
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, $4,682,362,000, to remain available until expended: Provided, That funds made available under this heading shall be apportioned directly to the United States Agency for International Development.

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, $107,043,000, 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, 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.

**COMPLEX CRISIS 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), $60,000,000, to remain available until expended: Provided, That funds appropriated under this heading may be made available notwithstanding any other provision of law, except sections 7007, 7008, and 7018 of this Act and section 620M of the Foreign Assistance Act of 1961.

**ECONOMIC SUPPORT FUND**

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $3,480,131,000, to remain available until September 30, 2023.
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), $215,450,000, to remain available until September 30, 2023, of which up to $25,000,000 may remain available until September 30, 2024, which shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor, Department of State: 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, $125,250,000, to remain available until September 30, 2023, of which up to $25,000,000 may remain available until September 30, 2024, which shall be made available for the Bureau for Development, Democracy, and Innovation, United States Agency for International Development.
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), $788,929,000, to remain available until September 30, 2023, 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 assist-
38

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

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 As-

sistance Act of 1962 (22 U.S.C. 2601), and other activi-

ties to meet refugee and migration needs; salaries and ex-

penses 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 pas-

senger motor vehicles; and services as authorized by sec-

tion 3109 of title 5, United States Code, $3,845,000,000,

to remain available until expended.

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 in ex-

cess of the limitation contained in paragraph (2) of such

section 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, $410,500,000, of which $6,330,000 is for the Of-

cine of Inspector General, to remain available until Sep-
tember 30, 2023: 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 pur-
suant to the previous proviso may not be derived from
amounts made available for Peace Corps overseas oper-
ations: Provided further, That of the funds appropriated
under this heading, not to exceed $104,000 may be avail-
able for representation expenses, of which not to exceed
$4,000 may be made available for entertainment expenses:
Provided further, That in addition to the requirements
under section 7015(a) of this Act, the Peace Corps shall
consult with the Committees on Appropriations prior to

October 17, 2021 (4:22 p.m.)
any decision to open, close, or suspend a domestic or overseas office or a country program unless there is a substantial risk to volunteers or other Peace Corps personnel: *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 $115,000,000 may be available for administrative expenses of the Millennium Challenge Corporation: *Provided further*, That section 605(e) of the MCA (22 U.S.C. 7704(e)) shall apply to funds appropriated under this heading: *Provided further*, That funds appropriated under this heading may be made available for a Millennium Challenge Compact entered into pursuant to section 609 of the MCA (22 U.S.C. 7708) only if such Compact obligates, or contains a commitment to obligate subject to the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding...
anticipated for the duration of the Compact: *Provided further*, That no country should be eligible for a threshold program after such country has completed a country compact: *Provided further*, That of the funds appropriated under this heading, not to exceed $100,000 may be available for representation and entertainment expenses, of which not to exceed $5,000 may be available for entertainment 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, $44,500,000, to remain available until September 30, 2023: *Provided*, That of the funds appropriated under this heading, not to exceed $2,500 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.), $43,000,000, to remain available until September 30, 2023, of which not to exceed $2,500 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, $38,000,000, to remain available until expended, of which not more than $7,600,000 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 “Bilateral Economic Assistance—Department of the Treasury—Debt Restructuring” there is appropriated $52,000,000, to remain available until September 30, 2023, for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees for, or credits extended to, such countries as the President may determine, including the cost of selling, reducing, or canceling amounts owed to the United States pursuant to the “Common Framework for Debt Treatments beyond the Debt Service Suspension Initiative (DSSI)”, and for reducing interest rates paid by any country eligible for the DSSI: Provided, That such amounts may be used notwithstanding any other provision of law.
1 TROPICAL FOREST AND CORAL REEF CONSERVATION ACT
2
3 For the costs, as defined in section 502 of the Con-
4 gressional Budget Act of 1974, of modifying loans and
5 loan guarantees, as the President may determine, for
6 which funds have been appropriated or otherwise made
7 available for programs within the International Affairs
8 Budget Function 150, including the cost of selling, reduc-
9 ing, or canceling amounts owed to the United States as
10 a result of concessional loans made to eligible countries
11 pursuant to part V of the Foreign Assistance Act of 1961,
12 $15,000,000, to remain available until September 30,
13 2027.
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, $1,388,853,000, to remain available until September 30, 2023: 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 of the funds appropriated under this heading, not less than $9,000,000 shall be made available, on a competitive basis, for rule of law programs for transitional and post-conflict states, and for activities to coordinate rule
of law programs among foreign governments, international
and nongovernmental organizations, and other United
States Government agencies: Provided further, 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 notifica-
tion procedures of the Committees on Appropriations: Pro-
vided further, That funds made available under this head-
ing for Program Development and Support may be made
available notwithstanding pre-obligation requirements con-
tained in this Act, except for the notification requirements
of section 7015.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-ter-
rorism, demining and related programs and activities,
$907,247,000, to remain available until September 30,
2023, 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 and unexploded ordnance clearance activities, 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 contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission, and for a voluntary contribution to the International Atomic Energy Agency (IAEA): Provided, 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 notification procedures of, the Committees on Appropriations, to promote bilateral and multilateral activities relating to nonproliferation, disarmament, and weapons destruction, and shall remain available until expended: Provided 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-
nied its right to participate in the activities of that Agency: *Provided further*, That funds made available for conventional weapons destruction programs, including demining and unexploded ordnance clearance activities, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of such programs and activities, subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds made available under this heading for Export Control and Related Border Security, Global Threat Reduction, and countering Weapons of Mass Destruction Terrorism may be made available notwithstanding any other provision of law.

**PEACEKEEPING OPERATIONS**

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $465,459,000, of which $232,730,000 may remain available until September 30, 2023: *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 $24,000,000 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 funds appropriated under this heading shall be subject to 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, $112,925,000, of which up to $56,463,000 may remain available until September 30, 2023: 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, as specified in the explanatory statement accompanying this Act: Provided further, That of the funds appropriated under this heading, $3,000,000 shall remain
available until September 30, 2025, and shall be used 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), $6,175,524,000: 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 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 para-
graph (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, including any conditions on the end use and end users of such articles and services: 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 and unexploded ordnance clearance activities, and may include 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 $1,137,000,000 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 ex-
ceed 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, $472,500,000: Provided, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to contributions to the United Nations Democracy Fund and the United Nations Office for the Coordination of Humanitarian Affairs: 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 Envi-
Ronment Facility by the Secretary of the Treasury, $149,288,000, to remain available until expended.

CONTRIBUTION TO THE GREEN CLIMATE FUND

For payment to the International Bank for Reconstruction and Development as trustee for the Green Climate Fund by the Secretary of the Treasury, $1,450,000,000, to remain available until expended: Provided, That not later than 60 days after enactment of this Act, the Secretary of the Treasury shall submit a report to the Committees on Appropriations as specified under this heading in the explanatory statement accompanying this Act.

CONTRIBUTION TO THE CLEAN TECHNOLOGY FUND

For contribution to the Clean Technology Fund, $450,000,000, to remain available until expended: Provided, That up to $400,000,000 of such amount shall be available to cover costs, as defined in section 502 of the Congressional Budget Act of 1974, of direct loans issued to the Clean Technology Fund: Provided further, That such funds are available to subsidize gross obligations for the principal amount of direct loans without limitation.

CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the International Bank for Reconstruction and Development by the Secretary of the Treas-
ury 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,
$53,323,000, 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 Development Bank 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 $856,174,624.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

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

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For payment to the International Fund for Agricultural Development by the Secretary of the Treasury, $43,000,000, to remain available until expended.

GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

For payment to the Global Agriculture and Food Security Program by the Secretary of the Treasury, $10,000,000, to remain available until expended.

CONTRIBUTIONS TO THE INTERNATIONAL MONETARY FUND FACILITIES AND TRUST FUNDS

For contribution by the Secretary of the Treasury to the Poverty Reduction and Growth Trust or other special purpose vehicle of the International Monetary Fund,
1 $102,000,000, to remain available until December 31, 2031.
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, 2023.

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 $114,000,000, of which up to $17,100,000 may remain available until September 30, 2023: 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 subsection (b) of section 117 of the Export Enhancement Act of 1992, subsection (a) of such section shall remain in effect until September 30, 2022: 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 monies 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 applic-
ation 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 re-
main available until expended.

PROGRAM BUDGET APPROPRIATIONS

For the cost of direct loans, loan guarantees, insur-
ance, and tied-aid grants as authorized by section 10 of
the Export-Import Bank Act of 1945, as amended, not
to exceed $5,000,000, to remain available until September
30, 2025: 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 fur-
ther, That such funds shall remain available until Sep-
tember 30, 2037, for the disbursement of direct loans,
loan guarantees, insurance and tied-aid grants obligated
in fiscal years 2022, 2023, 2024, and 2025.

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.

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), (c), (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, $698,000,000: Provided further, That of the amount provided—

(1) $198,000,000 shall remain available until September 30, 2024, 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, 2026;

(2) $500,000,000 shall remain available until September 30, 2024, for the activities described in subsections (b), (c), (e), (f), and (g) of section 1421 of the BUILD Act of 2018, except such amounts obligated in a fiscal year for activities described in section 1421(e) of such Act shall remain available for disbursement for the term of the underlying project: 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 obli-
gation or disbursement of funds, as applicable: Pro-
vided further, That amounts made available under
this paragraph may be paid to the “United States
International Development Finance Corporation—
Program Account” for programs authorized by sub-
sections (b), (e), (f), and (g) of section 1421 of the
BUILD Act of 2018:

Provided further, That funds may only be obligated pursu-
ant 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 2022 collections of amounts described in sec-
tion 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 2022
in excess of $698,000,000 shall be credited to this account
and shall be available in future fiscal years only to the
extent provided in advance in appropriations Acts: Pro-
vided further, That in fiscal year 2022, if such collections
are less than $698,000,000, 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 pro-
vide 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 re-
duced on a dollar-for-dollar basis by the offsetting collec-
tions described under this heading so as to result in a final
fiscal year appropriation from the General Fund estimated
at $316,000,000.

PROGRAM ACCOUNT

Amounts paid from “United States International De-
velopment Finance Corporation—Corporate Capital Ac-
count” (CCA) shall remain available until September 30,
2024: *Provided*, That up to $550,000,000 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 and
the costs of modifying loans and loan guarantees trans-
ferred to the Corporation pursuant to section 1463 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 fur-
ther, That such amounts obligated in a fiscal year shall remain available for disbursement for the following 8 fiscal years: Provided further, That funds made available in this Act and 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 $10,000,000,000.

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, 2023, 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 2022 or any previous fiscal year, disaggregated by fiscal year: Provided, That the report required by this section shall be submitted not later than 30 days after the end of each fiscal quarter and should specify by account the amount of funds obligated pursuant to bilateral agreements which have not been further sub-obligated.
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 2022 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 2022, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided, That notifications pursuant to this subsection shall include the information enumerated under the heading “Embassy Security, Construction, and Maintenance” in the explanatory statement accompanying this Act.

(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 ap-
proper congressional committees, to address security vulnerabilities at interim and temporary United States diplomatic facilities abroad, including physical security upgrades and local guard staffing.

(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, 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.

**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 included 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’état 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 Committees: Provided, That such transfer authority is in addition to any transfer authority otherwise 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 appropriation, 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 procedures set forth in that section.

(b) **LIMITATION ON TRANSFERS OF FUNDS BETWEEN 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 to carry out the purposes
of the Foreign Assistance Act of 1961 may be allo-
cated 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 re-
lated programs under the headings “Global Health
Programs”, “Development Assistance”, “Economic
Support Fund”, and “Assistance for Europe, Eur-
asia and Central Asia” shall be subject to the reg-
ular 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) UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.—

(1) LIMITATION.—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 such amounts shall not exceed $50,000,000: 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 may be used by the Corporation to post personnel abroad or for activities described in section 1421(e) of the BUILD Act of
2018: Provided further, That funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs to implement the Nita M. Lowey Middle East Partnership for Peace Act shall be excluded from the limitation contained in this paragraph.

(2) TRANSFER OF FUNDS FROM MILLENNIUM CHALLENGE CORPORATION.—Funds appropriated under the heading “Millennium Challenge Corporation” in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs may be transferred to, and merged with, amounts under the heading “United States International Development Finance Corporation—Program Account” and, when so transferred and merged, may be used for the costs of loans and guaranties provided by the United States International Development Finance Corporation pursuant to section 1421(b) of the BUILD Act and shall be subject to the limitations provided in the second, third, and fourth provisos under the heading “United States International Development Finance Corporation—Program Account” in this Act: Provided, That such funds shall not be available for administrative expenses of the United States
International Development Finance Corporation:

Provided further, That such authority shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided further, That such transfers shall be excluded from the limitation under paragraph (1):

Provided further, That the transfer authority provided in this section is in addition to any other transfer authority provided by law.

(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
1 United States Government under the authority of section
2 632(a) of the Foreign Assistance Act of 1961, or any com-
3 parable provision of law, shall expressly provide that the
4 Inspector General (IG) for the agency receiving the trans-
5 fer or allocation of such funds, or other entity with audit
6 responsibility if the receiving agency does not have an IG,
7 shall perform periodic program and financial audits of the
8 use of such funds and report to the Department of State
9 or USAID, as appropriate, upon completion of such au-
10 dits: Provided, That such audits shall be transmitted to
11 the Committees on Appropriations by the Department of
12 State or USAID, as appropriate: Provided further, That
13 funds transferred under such authority may be made
14 available for the cost of such audits.
15
16 PROHIBITION AND LIMITATION ON CERTAIN EXPENSES
17
18 SEC. 7010. (a) COMPUTER NETWORKS.—None of the
19 funds made available by this Act for the operating ex-
20 penses of any United States Government department or
21 agency may be used to establish or maintain a computer
22 network for use by such department or agency unless such
23 network has filters designed to block access to sexually
24 explicit websites: Provided, That nothing in this subsection
25 shall limit the use of funds necessary for any Federal,
26 State, tribal, or local law enforcement agency, or any other
27 entity carrying out the following activities: criminal inves-
tigations, prosecutions, and adjudications; administrative
discipline; and the monitoring of such websites undertaken
as part of official business.

(b) 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 to-
bacco products (including electronic nicotine delivery sys-
tems), or to seek the reduction or removal by any foreign
country of restrictions on the marketing of tobacco or to-
bacco products (including electronic nicotine delivery sys-
tems), except for restrictions which are not applied equally
to all tobacco or tobacco products (including electronic nic-
etine delivery systems) of the same type.

(c) Representation and Entertainment Ex-
penses.—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 do-

cum employees with permanent or long-term contracts with the government receive
adequate training and support to perform their duties effectively.

(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.

d 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 and the Administrator of the United States Agency for International Development shall provide a report to the Committees on Appropriations not later than October 31, 2022, 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 determines, 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 governing the terms and conditions under which such assistance 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 International Development shall expeditiously seek to negotiate...
amendments to existing bilateral agreements, as necessary, 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 2022 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 2023 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, 2023, such taxes have not been reimbursed: Provided, That the Secretary of State shall report to the Committees on Appropriations not later than 30 days after enactment of this Act and then quarterly thereafter until September 30, 2022, on the foreign governments and entities that have not reimbursed such taxes, including any amount of funds withheld pursuant to this subsection.

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 substantial reimbursement of such taxes, and that can reasonably accommodate such assistance in a programmatically responsible manner.

(e) 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 substantial 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, and under the headings “Peace Corps” and “Millennium Challenge Corporation”, 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 2022, 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 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.

(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 2022, 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.

grams”, “United States International Development Finance Corporation”, and “Trade and Development Agency” shall be available for obligation for programs, projects, activities, type of materiel assistance, countries, or other operations 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 appropriations 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 Appropriations to the same extent and under the same conditions as other committees pursuant to subsection (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 Appropriations in accordance with the regular notification procedures of such Committees if such defense articles 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 acquisition cost of such defense articles.
(e) Waiver.—The requirements of this section or any similar provision of this Act or any other Act, including 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: Provided, That in case of any such waiver, notification to the Committees on Appropriations shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: Provided further, That any notification provided pursuant to such a waiver shall contain an explanation 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, Bangladesh, Burma, Cambodia, Colombia, Cuba, Egypt, El Salvador, Ethiopia, Greenland, Guatemala, Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mexico, Nicaragua, Pakistan, Philippines, the Russian Federation, Rwanda, Somalia, South Sudan, Sri Lanka, Sudan, Syria, Tunisia, Uganda, Uzbekistan, Venezuela, Yemen, and Zimbabwe except as provided through the reg-
ular notification procedures of the Committees on Appropriations.

(g) TRUST FUNDS.—Funds appropriated or otherwise made available in title III of this Act and prior Acts making funds available for the Department of State, foreign operations, and related programs that are made available for a trust fund held by an international financial institution shall be subject to the regular notification procedures of the Committees on Appropriations, and such notification shall include the information specified under the heading “Notification Requirements” in the explanatory statement accompanying this Act.

(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 reg-
ular notification procedures of the Committees on Appropriations:

(A) the Global Engagement Center;

(B) the Power Africa and Prosper Africa initiatives;

(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 Countering PRC Influence Fund and the Countering Russian Influence Fund; and

(G) the Gender Equity and Equality Action 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, re-
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 ap-
propriations for the Department of State, foreign
operations, and related programs, shall be concur-
rently submitted to the Committees on Appropria-
tions 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 ap-
plication of a provision of law in this or any other Act
shall, if reprogrammed, be subject to the regular notifica-
tion procedures of the Committees on Appropriations.

(j) PRIOR CONSULTATION REQUIREMENT.—The Sec-
retary of State, the Administrator of the United States
Agency for International Development, the Chief Execu-
tive Officer of the United States International Develop-
ment Finance Corporation, and the Chief Executive Offi-
cer of the Millennium Challenge Corporation shall consult
with the Committees on Appropriations at least 7 days
prior to informing a government of, or publically 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.

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 CYBERSECURITY 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 execu-
tive 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 previous 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”);

(5) strengthen cybersecurity measures to mitigate 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 Inspector General; and

(6) not later than September 30, 2022, submit a report to the Committees on Appropriations describing actions taken under paragraphs (4) and (5) of this subsection.

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 constitutional 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 Assist-
ance 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 steri-
izations.

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 in the amounts spe-
cifically 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 orga-
nizations notwithstanding the date of the transmission of
such report.

(b) AUTHORIZED DEVIATIONS.—Unless otherwise
provided for by this Act, the Secretary of State and the
Administrator of the United States Agency for Inter-
national Development, as applicable, may only deviate up
to 10 percent from the amounts specifically designated in
the respective tables included in the explanatory statement
accompanying this Act: Provided, That such percentage
may be exceeded only if the Secretary of State or USAID
Administrator, as applicable, determines and reports to
the Committees on Appropriations on a case-by-case basis
that such deviation is necessary to respond to significant,
exigent, or unforeseen events, or to address other excep-
tional circumstances directly related to the national inter-
est of the United States, including a description of such
events or circumstances: Provided further, That deviations
pursuant to the preceding proviso shall be subject to prior
consultation with, and the regular notification procedures
of, 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 Assistance 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 Military Education and Training” in the table included in the explanatory statement accompanying this Act;

(2) funds for which the initial period of availability has expired; and

(3) amounts designated by this Act as minimum funding requirements.

(e) REPORTS.—The Secretary of State, USAID Administrator, 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 included for purposes of meeting amounts designated for countries in this Act or in the explanatory statement accompanying this Act, unless such headings are specifically designated as the source of funds.
MULTI-YEAR PLEDGES

SEC. 7020. None of the funds appropriated or otherwise made available by this Act may be used to make any pledge for future year funding for any multilateral or bilateral program funded in titles III through VI of this Act unless such pledge was: (1) previously justified, including the projected future year costs, in a congressional budget justification; (2) included in an Act making appropriations for the Department of State, foreign operations, and related programs or previously authorized by an Act of Congress; (3) notified in accordance with the regular notification procedures of the Committees on Appropriations, including the projected future year costs; or (4) the subject of prior consultation with the Committees on Appropriations.

PROHIBITION ON ASSISTANCE TO GOVERNMENTS SUPPORTING INTERNATIONAL TERRORISM

SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EXPORTS.—

(1) PROHIBITION.—None of the funds appropriated 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 intern-
national terrorism for purposes of section 1754(c) 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 mili-
tary 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 Presi-
dent shall submit to the Committees on Appropria-
tions 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 the United States na-
tional interest.

(b) BILATERAL ASSISTANCE.—
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(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 government 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 terrorism; or

(C) is controlled by an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(2) WAIVER.—The President may waive the application of paragraph (1) to a government if the President determines that national security or humanitarian 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 justification for the waiver) in accordance with the regular
notification procedures of the Committees on Appropriations.

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

(1) justified to Congress; or

(2) allocated by the Executive Branch in accordance with the report required by section 653(a) of the Foreign Assistance Act of 1961 or as modified pursuant to section 7019 of this Act.

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 Asso-
ication, 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

(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 director of each international financial institution to use the voice and vote of the United States to oppose any assistance by such institution, 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
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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
that country, the Administrator of the United States
Agency for International Development shall—

(A) require that local currencies be depos-
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 Assistance 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 gov-
ernment 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 pro-
posed to be made available will be used, with a dis-
cussion 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 para-
graph (1) only through the regular notification pro-
cedures of the Committees on Appropriations.

**Eligibility for Assistance**

SEC. 7027. (a) **Assistance Through Nongovern-
mental 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 Eu-
rope, 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 Appropria-
tions pursuant to the regular notification procedures, in-
cluding 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 statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2022, 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.
DISABILITY PROGRAMS

SEC. 7028. (a) Assistance.—Of the funds appropriated by this Act under the heading “Development Assistance”, not less than $20,000,000 shall be made available for programs and activities administered by the United States Agency for International Development to implement a multi-year strategy 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, employment, transportation, sports, political and electoral participation, and integration of individuals with disabilities, including for the cost of translation: Provided, That of such funds, not less than $5,000,000 shall be made available to support disability rights advocacy organizations in developing countries: Provided further, That the USAID Administrator shall consult with the Committees on Appropriations on a multi-year strategy prior to the initial obligation of funds.

(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.
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 2021 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
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 or other violations of human rights; and

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

(e) 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) GOVERNANCE.—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—
(1) oppose loans, grants, credits, guarantees, and other financing, except to address basic human needs, to a country if the Secretary has credible information that the government of such country is not making consistent progress in reducing corruption including—

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

(B) supporting judicial independence, including the transparent selection of judges; and

(C) protecting the ability of civil society organizations to advocate for anti-corruption laws and policies without interference.

(2) include in loan, grant, credit, guarantee, and other financing agreements benchmarks for improvements in borrowing countries’ financial management and judicial capacity to investigate, prosecute, and punish fraud and corruption; and

(3) promote human rights due diligence and risk management, as appropriate, in connection with any loan, grant, policy, or strategy of such institution as 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 consult 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) Beneficial Ownership Information.—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 collect, verify, and publish, to the maximum extent practicable, beneficial ownership information (excluding proprietary information) for any corporation or limited liability company, other than a publicly listed company, 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 2021 by the United States executive directors and the international financial institutions consistent with this subsection compared to the previous fiscal year.

(f) 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.

(g) GRIEVANCE MECHANISMS AND PROCEDURES.—

The Secretary of the Treasury or the Secretary of State, as appropriate, shall instruct the United States executive director of, or representative to, each international financial institution, each United Nations agency, and the Organization of American States to use the voice and vote of the United States to support the establishment or enhancement of independent investigative and adjudicative mechanisms and procedures which meet or exceed best practices in the United States, to provide due process and fair compensation, including the right to reinstatement,
for employees who are subjected to harassment, discrimi-
nation, retaliation, false allegations, or other misconduct.

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

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

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

(3) in order for a country to be eligible to re-
cesive a loan, grant, credit, guarantee, or other fi-
nancing resulting from the capital increase, the gov-
ernment of the country is making consistent progress in reducing corruption including—

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

(B) supporting judicial independence, including the transparent selection of judges; and

(C) protecting the ability of civil society organizations to advocate for anti-corruption laws and policies without interference.

INSECURE COMMUNICATIONS NETWORKS

Sec. 7030. Funds appropriated by this Act 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 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 2023 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) Report renamed.—The Fiscal Transparency Report required by section 7031(b)(3) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76) shall hereafter be referred to as the “Fiscal Transparency and Anti-Corruption Report”.

(2) Minimum requirements of fiscal transparency and reducing corruption.—The Secretary of State shall 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), and establish, for purposes of the report renamed under paragraph (1), minimum requirements for reducing corruption, including bringing to justice public officials who have engaged in significant acts of corruption.

(3) DETERMINATION AND REPORT.—For each government identified pursuant to paragraph (2), 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 reducing corruption, and make such determinations publicly available in an annual “Fiscal Transparency and Anti-Corruption Report” to be posted on the Department of State website: Provided, That such report shall include the elements specified under this section in the explanatory statement accompanying this Act.

(4) ASSISTANCE.—Funds appropriated by this Act under the heading “Economic Support Fund” shall be made available for programs and activities to assist governments identified in the report referenced in paragraph (1) in improving budget transparency, including not less than $10,000,000 to sup-
port civil society organizations in such countries that advocate for laws and policies to improve budget transparency and reduce corruption.

(c) Anti-Kleptocracy and Human Rights.—

(1) Ineligibility.—

(A) Current and former government officials, or persons acting for or on behalf of such an official, and their immediate family members, about whom the Secretary of State has credible information are responsible for or knowingly complicit in, directly or indirectly, significant acts of corruption, including corruption related to the extraction of natural resources, or a serious violation of human rights, including the unjust or wrongful detention of members of political parties, journalists, civil society leaders, locally employed staff of a United States diplomatic mission, or a United States citizen or national, shall be ineligible for entry into the United States.

(B) Concurrent with the application of subparagraph (A), the Secretary should, as appropriate, request the Secretary of the Treasury, through the Office of Foreign Assets Control, to apply sanctions authorities in accord-
ance with United States law to block the transfer of property and interests in property, and all financial transactions, in the United States involving any person described in subparagraph (A).

(C) 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, 2022, 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 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.

(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 other conflict minerals, and for 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 financial institution to use the voice and vote of the United States to oppose any assistance by such institutions (including any loan, credit, grant, or guarantee) to any country for the extraction and export
of a natural resource if the government of such
country has in place laws, regulations, or procedures
to prevent or limit the public disclosure of company
payments as required by United States law, and un-
less such government has adopted laws, regulations,
or procedures in the sector in which assistance is
being considered that: (1) accurately account for and
publicly disclose payments to the government by
companies involved in the extraction and export of
natural resources; (2) include independent auditing
of accounts receiving such payments and the public
disclosure of such audits; and (3) require public dis-
closure of agreement and bidding documents.

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

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

SEC. 7032. (a) FUNDING.—

(1) IN GENERAL.—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 $2,600,000,000 should be made available for democracy programs.

(2) PROGRAMS.—Of the funds made available for democracy programs under the headings “Economic Support Fund” and “Assistance for Europe, Eurasia and Central Asia” pursuant to paragraph (1), not less than $102,040,000 shall be made available to the Bureau of Democracy, Human Rights, and Labor, Department of State.

(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.

(c) 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) Restriction on Prior Approval and Disclosure of Names.—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 govern-
1. Provided, That notwithstanding the requirements of any bilateral agreement between the United States and a foreign country, the names of implementing partners of such programs shall also not be disclosed to any foreign government the Secretary of State determines is undemocratic or has engaged in or condoned harassment, threats, or attacks against such organizations: Provided further, 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, on steps taken by the Department of State and USAID to comply with the requirements of this subsection.

(e) Digital Security and Countering Disinformation.—(1) Democracy programs supported with funds appropriated by this Act under subsection (a)(1) should include, as appropriate—

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

(B) assistance for civil society organizations to counter government surveillance, censorship, and repression by digital means;
(C) efforts to combat weaponized technology,
including the misuse of social media to spread
disinformation or incite hate; and

(D) measures to prevent the digital manipulation
of elections, electoral data, and critical infrastructure.

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

(f) 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 with funds made available by this Act and prior Acts making appropriations for the Department of State,
foreign operations, and related programs.

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

(1) OPERATIONS.—Funds appropriated by this
Act under the heading “Diplomatic Programs” shall
be made available for the Bureau of Democracy,
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Human Rights, and Labor, Department of State, and funds appropriated under the heading “Operating Expenses” shall be made available for the Bureau for Development, Democracy, and Innovation, USAID, for the costs of administering programs to protect civil society activists and journalists, independence of the media, and freedom of expression.

(2) ASSISTANCE.—Of the funds appropriated by this Act under the headings “Development Assistance”, “Democracy Fund”, “Economic Support Fund”, and “Assistance for Europe, Eurasia and Central Asia”, not less than $55,000,000 shall be made available to support and protect civil society activists and journalists who have been threatened, harassed, or attacked, including journalists affiliated with the United States Agency for Global Media, and to promote and defend independence of the media and freedom of expression, consistent with the “Update of the Action Plan for Protection of Civil Society Activists and Journalists” (March 2021) required under section 7032(h) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021 (division K of Public Law 116–260): Provided, That such funds shall be sub-
ject to prior consultation with 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.

(b) ASSISTANCE.—Funds appropriated by this Act under the headings “Economic Support Fund”, “Democracy Fund”, and “International Broadcasting Operations” shall be made available for international religious freedom programs: Provided, That funds made available by this Act under the headings “Economic Support Fund” and “Democracy 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 Government 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, including in Iraq, Sri Lanka, 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 2022.

SPECIAL PROVISIONS

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

(b) Forensic Assistance.—

(1) Of the funds appropriated by this Act under the heading “Economic Support Fund”, not less than $20,000,000 shall be made available for forensic anthropology assistance related to the exhumation and identification of victims of war crimes, crimes against humanity, and genocide, 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” may be made available for DNA forensic technology programs to combat human trafficking, including in Central America and Mexico.

(c) ATROCITIES PREVENTION.—Of the funds appropriated by this Act under the headings “Economic Support Fund” and “International Narcotics Control and Law Enforcement”, not less than $5,000,000 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” should 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, including partnerships with philanthropic foundations, up to $50,000,000 may remain available until September 30, 2024: Provided, That funds made available pursuant to this paragraph may only be made available following prior consultation with, 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.

(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 2022.
(6) **Development Innovation Ventures.**—Funds appropriated by this Act under the heading “Development Assistance” and made available for the Development Innovation Ventures program may be made available for the purposes of chapter I of part I of the Foreign Assistance Act of 1961.

(7) **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 consultation 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 Program.

(8) EXPORT-IMPORT BANK.—

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

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

(f) PARTNER VETTING.—Prior to initiating a partner vetting program, or making a significant 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 program: Provided further, That the Secretary or the Administrator, as appropriate, shall consult with such Committees prior to providing a direct vetting option.

(g) CONTINGENCIES.—During fiscal year 2022, the President may use up to $125,000,000 under the authority of section 451 of the Foreign Assistance Act of 1961, notwithstanding any other provision of law.

(h) INTERNATIONAL CHILD ABDUCTIONS.—The Secretary of State should withhold funds appropriated under title III of this Act for assistance for the central government 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 October 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 PROTECTION.—The Secretary of State may transfer to, and merge with, funds under the heading “Protection of Foreign Missions and Officials” unobligated balances of expired funds appropriated under the heading “Diplomatic Programs” for fiscal year 2022, 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 appro-
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 committees and the regular notification procedures of the Committees on Appropriations.

(k) Protections and Remedies for Employees of Diplomatic Missions and International Organizations.—The terms and conditions of section 7034(k) 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 2022.

(l) Extension of Authorities.—

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

October 17, 2021 (4:22 p.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, 2022.

(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, 2022” 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, 2022.

(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
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 2021” and inserting “2021, and 2022”; and

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

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

(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, 2022, and may be used to facilitate the assignment of persons for oversight of programs in
Somalia, South Sudan, Syria, Venezuela, and Yemen.

(7) **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.

(8) **Transfer of Balances.**—Section 7081(h) 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 2022.

(9) **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 waiv-
er authority pursuant to subsection (g) of such sec-
(m) MONITORING AND EVALUATION.—

(1) BENEFICIARY FEEDBACK.—Funds appro-
riated by this Act that are made available for moni-
toring and evaluation of assistance under the head-
ings “Development Assistance”, “Economic Support
Fund”, “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 en-
hance the quality and relevance of such assistance:
Provided, That not later than 90 days after enact-
ment of this Act, the Department of State and
USAID shall post on their respective websites up-
dated procedures for implementing partners that re-
ceive funds under such headings for regularly and
systematically collecting and responding to such
feedback, including guidelines for the reporting on
actions taken in response to the feedback received:
Provided further, That the Secretary of State and
USAID Administrator shall regularly conduct over-
sight to ensure that such feedback is regularly col-
lected and used by implementing partners to maximize the cost-effectiveness and utility of such assistance, and submit a report to the Committees on Appropriations not later than 90 days after enactment of this Act, and annually thereafter until September 30, 2027, on the results of such oversight.

(2) Ex-post evaluations.—Of the funds appropriated by this Act under titles III and IV, not less than $10,000,000 shall be made available for ex-post evaluations of the effectiveness and sustainability of United States Government-funded assistance programs: Provided, That not later than 60 days after enactment of this Act, the Secretary of State and USAID Administrator shall consult with the Committees on Appropriations on the criteria for selecting countries and programs to be evaluated, and the methodology for conducting such evaluations and applying lessons learned in future program design.

(n) 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) Consultation and Notification.—

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

(o) Local Works.—

(1) Funding.—Of the funds appropriated by
this Act under the headings “Development Assistance” and “Economic Support Fund”, not less than
$100,000,000 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 Sep-
tember 30, 2026.
(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.

(p) 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 2022.

(q) SECTION 889.—For the purposes of obligations and expenditures made with funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, and funds appropriated under section 10003 of the American Rescue Plan Act, the waiver authority in section 889(d)(2) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–
232) may also be available to the Secretary of State and
USAID Administrator, as appropriate.

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

(s) DEFINITIONS.—

(1) APPROPRIATE CONGRESSIONAL COMMIT-
TEES.—Unless otherwise defined in this Act, for
purposes of this Act the term “appropriate congres-
sional committees” means the Committees on Approp-
riations and Foreign Relations of the Senate and
the Committees on Appropriations and Foreign Af-
fairs 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 appro-
priated by this Act and prior Acts making appro-
priations for the Department of State, foreign oper-
ations, and related programs” means funds that re-
main available for obligation, and have not expired.

(3) INTERNATIONAL FINANCIAL INSTITU-
TIONS.—In this Act “international financial institu-
tions” means the International Bank for Recon-
struction 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) SPEND PLAN.—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) **SUCCESSOR OPERATING UNIT.**—Any reference to a particular USAID operating unit or office in this Act 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 programs 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, 1 percent of the funds appropriated by this Act under the headings
“Peacekeeping Operations” and “Foreign Military Financing Program” shall be designated 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 “Peace-
keeping Operations” and “Foreign Military Financ-
ing 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 humani-
tarian law: Provided further, That any such training
shall be made available through an open and com-
petitive process.

(5) SECURITY FORCE PROFESSIONALIZATION.—
Unobligated balances from funds appropriated by
prior Acts making appropriations for the Depart-
ment of State, foreign operations, and related pro-
grams, except for funds designated by the Congress
as an emergency requirement pursuant to a concur-
rent resolution on the budget or the Balanced Budg-
et and Emergency Deficit Control Act of 1985,
under the headings “International Narcotics Control
and Law Enforcement” and “Peacekeeping Opera-
tions”, shall be made available to increase the ca-
pacity of foreign military and law enforcement per-
sonnel to operate in accordance with appropriate
standards relating to human rights and the protec-
tion of civilians as specified under this section in the explanatory statement accompanying this Act, 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) INTERNATIONAL PRISON CONDITIONS.—Funds appropriated by this Act under the headings “Development Assistance”, “Economic Support Fund”, and “International Narcotics Control and Law Enforcement” shall be made available for assistance to eliminate inhumane conditions and reduce pre-trial detention in foreign prisons and other detention facilities, notwithstanding section 660 of the Foreign Assistance Act of 1961, including not less than $20,000,000 under the heading “International Narcotics Control and Law Enforcement”: 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 purposes.

(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 2022.

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

(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, 2024: 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) **Duty to Inform and Public Disclosure.**—Section 620M of the Foreign Assistance Act of 1961 (Limitation on Assistance to Security Forces) is amended as follows—

(A) In subsection (b), by striking “Committee on Foreign Relations” through “Appropriations” and inserting in lieu thereof “appropriate congressional committees”.

(B) In subsection (c), by striking everything after “Duty to Inform. —” and inserting—

“(1) 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 regularly provide a list of units prohibited from receiving assistance pursuant to this section to the recipient government and the appropriate congressional committees and, effective September 30, 2022, such assistance shall only be made available subject to a written agreement that the recipient government will comply with such prohibition.

“(2) In the event that assistance is withheld from any unit pursuant to this section, the Secretary of State shall promptly inform the foreign govern-
ment and the appropriate congressional committees
of the basis for such action and shall, to the max-
imum extent practicable, assist the foreign govern-
ment in taking effective measures to bring the re-
ponsible members of the unit to justice.”.

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

“(e) DEFINITIONS.—

“(1) For the purposes of subsection (d)(7), the
term ‘to the maximum extent practicable’ 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 appro-
priate congressional committees that public disclo-
sure is not in the national security interest of the
United States and provides a detailed justification
for such determination, which may be submitted in
classified form.

“(2) For the purposes of this section, ‘appro-
priate congressional committees’ means the Com-
mittee on Foreign Relations and the Committee on
Appropriations of the Senate, and the Committee on
Foreign Affairs and the Committee on Appropri-
ations of the House of Representatives.”.

(7) OVERSIGHT AND ACCOUNTABILITY.—
(A) Prior to the signing of a new Letter of Offer and Acceptance (LOA) involving funds appropriated under the heading “Foreign Military Financing Program”, the Secretary of State shall consult with each recipient government to confirm that the LOA between the United States and such recipient government complies with the purposes of section 4 of the Arms Export Control Act (22 U.S.C. 2754) and that the defense articles, services, and training procured with funds appropriated under such heading are consistent with United States national security and foreign policy interests.

(B) The Secretary of State shall promptly inform the appropriate congressional committees of any instance in which the Secretary of State has credible information that such assistance was used in a manner contrary to such agreement.

(C) None of the funds appropriated by this Act may be used to issue licenses, or assist another Federal agency in issuing licenses, for the sale or export of firearms or ammunition to a government security force in Mexico or Central America unless the Secretary of State deter-
mines and reports to the appropriate congressional committees that such government—

(i) is implementing end use agreements, including providing end user certificates, to prevent the transfer of such firearms or ammunition to individuals or units implicated in serious crimes or not authorized in such agreements or certificates to receive such items; and

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

(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) **CONGRESSIONAL BUDGET JUSTIFICATIONS.**—Of the funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act and made available for obligation for expenses incurred by the Department of Defense, Defense Security Cooperation Agency (DSCA) during fiscal year 2022 pursuant to section 43(b) of the Arms Export Control Act (22 U.S.C. 2792(b)), $25,000,000 shall be withheld from obligation until the DSCA, jointly with the Department of State, submits to the Committees on Appropriations the congressional budget justification for funds requested under the heading “Foreign Military Financing Program” for fiscal years 2022 and 2023, including the accompanying classified appendices.

(4) **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 a unit of a foreign security force if the Secretary of State has credible information that such unit uses excessive force to repress peaceful expression or assembly concerning corruption, harm to the environment, or the fairness of electoral processes, or in countries that
the Secretary determines are undemocratic or undergoing democratic transition.

(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 expended during fiscal year 2021, by country and purpose of assistance, under the headings “Peacekeeping Operations”, “International Military Education and Training”, and “Foreign Military Financing Program”.

(2) ANNUAL FOREIGN MILITARY TRAINING REPORT.—For the purposes of implementing section 656 of the Foreign Assistance Act of 1961, the term “military training provided to foreign military personnel by the Department of Defense and the Department of State” shall be deemed to include all military training provided by foreign governments with funds appropriated to the Department of Defense or the Department of State, except for training provided by the government of a country designated by section 517(b) of such Act (22 U.S.C. 2321k(b)) as a major non-North Atlantic Treaty Organization ally: Provided, That such third-country
training shall be clearly identified in the report submitted 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 remains a symbolic impediment to trade and investment in the Middle East and should be terminated forthwith;

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

(3) all Arab League states should join Egypt, Jordan, the United Arab Emirates, Bahrain, Morocco, and Sudan in establishing and normalizing relations with Israel;

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

(5) the President should support broadening and deepening participation in the Abraham Accords, and report annually to the appropriate congressional committees on the United States Government’s strategy and steps being taken by the United States to encourage additional Arab League and
other Muslim-majority states to normalize relations with Israel.

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.

(e) 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 Palestinian Authority’’).

**PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION**

SEC. 7038. None of the funds appropriated or otherwise 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 2022, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the Committees on Appropriations that procedures have been established to assure the Comptroller 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 Program funded under the heading ‘‘Economic Support Fund’’ for the West Bank and Gaza.
(b) Vetting.—Prior to the obligation of funds appropriated by this Act under the heading “Economic Support 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 committed 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 determines has committed an act of terrorism.

(2) Security Assistance and Reporting Requirement.—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 obligation for security assistance for the West Bank and Gaza until the Secretary of State reports to the Committees on Appropriations on—

(A) the benchmarks that have been established for security assistance for the West Bank and Gaza and on the extent of Palestinian compliance with such benchmarks; and

(B) the steps being taken by the Palestinian Authority to end torture and other cruel, inhuman, and degrading treatment of detainees, including by bringing to justice members of
Palestinian security forces who commit such crimes.

(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 Program, 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 $1,300,000 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.

(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 2022.
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, in-
cluding both obligations and expenditures.

(f) NOTIFICATION PROCEDURES.—Funds made
available in this Act for the 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 provi-
sions 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 Presi-
dent 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 not 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 terrorist infrastructure.

(e) Certification.—If the President exercises the waiver authority under subsection (b), the Secretary of State shall 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 as-
sistance for Egypt, except for this subsection and
sections 502B and 620M of the Foreign Assistance
Act of 1961, and may only be made available for as-
sistance for the Government of Egypt if the Sec-
retary of State certifies and reports to the Commit-
tees 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 “Eco-

nomic Support Fund”, not less than $125,000,000
shall be made available for assistance for Egypt, of
which not less than $40,000,000 should be made
available for higher education programs, including
not less than $15,000,000 for scholarships for Egyp-
tian students with high financial need to attend not-
for-profit institutions of higher education in Egypt
that are currently accredited by a regional accred-
iting agency recognized by the United States De-
partment of Education, or meets standards equiva-
ient to those required for United States institutional
accreditation by a regional accrediting agency recog-
nized 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.

(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, 2023, 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 prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided further, That $225,000,000 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 making consistent progress in—

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

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

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

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

(v) providing regular access for United States officials to monitor such assistance in the North Sinai and other areas where the assistance is used.

(B) WAIVER.—The Secretary of State may waive the certification requirement with respect
to the withholding of funds in subparagraph (A), in whole or in part, 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.

(C) In addition to the funds withheld pursuant to subparagraph (A)—

(i) $75,000,000 of the funds made available pursuant to this paragraph shall be withheld from obligation until the Secretary of State determines and reports to the Committees on Appropriations that the Government of Egypt is making consistent progress in ending arbitrary detention and the mistreatment of prisoners, and releasing political prisoners, and is not engaging in a pattern of intimidation or harassment as referenced in 22 U.S.C. 2756; and
(ii) the Secretary of State shall take the necessary steps to ensure that the Government of Egypt provides for timely and fair compensation for injuries and losses suffered by American citizens as a result of actions by the Egyptian military.

(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 to support: (A) the United States policy to prevent Iran from achieving the capability to produce or otherwise obtain a nuclear weapon; (B) an expeditious response to any violation of UN Security Council Resolutions or to efforts that advance Iran’s nuclear program; (C) the implementation and enforcement of sanctions against Iran for its support of nuclear weapons development, terrorism, human rights abuses, and ballistic missile and weapons proliferation; and (D) democracy programs for Iran, to be administered by the Assistant Secretary of State for Democracy, Human Rights, and Labor.

(2) REPORTS.—
(A) SEMI-ANNUAL REPORT.—The Secretary of State shall submit to the Committees on Appropriations the semi-annual report required by section 135(d)(4) of the Atomic Energy Act of 1954 (42 U.S.C. 2160e(d)(4)), as added by section 2 of the Iran Nuclear Agreement Review Act of 2015 (Public Law 114–17).

(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.—Funds appropriated under titles III and IV of this Act shall be made available for assistance for Iraq for—
(A) bilateral economic assistance and international security assistance, including in the Kurdistan Region of Iraq;

(B) stabilization assistance, including in Anbar Province;

(C) programs to support government transparency and accountability, judicial independence, protect the right of due process, and combat corruption;

(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) LIMITATIONS.—The Secretary of State shall ensure that funds appropriated under title IV of this Act that are made available for assistance for Iraqi security forces are monitored in accordance with sections 502B and 620M of the Foreign Assistance Act of 1961.

(d) ISRAEL.—

(1) Of the funds appropriated by this Act under the heading “Foreign Military Financing Program”, 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, 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 $785,300,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development.

(2) Of the funds appropriated by this Act under the heading “Migration and Refugee Assistance”, $5,000,000 shall be made available for refugees resettling in Israel.

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

(f) LEBANON.—

(1) ASSISTANCE.—Funds appropriated under titles III and IV of this Act shall be made available for assistance for Lebanon: Provided, That such funds made available under the heading “Economic Support Fund” may be made available notwithstanding section 1224 of the Foreign Relations Au-
(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 available for programs and equipment for the Lebanese Internal Security Forces (ISF) and the Lebanese Armed Forces (LAF) to address security and stability requirements in areas affected by conflict in Syria, following consultation with the appropriate congressional committees.

(B) Funds appropriated by this Act under the heading “Foreign Military Financing Program” that are made available for assistance for Lebanon may only be made available for programs to——

(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: Provided further, 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).

(g) LIBYA.—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.

(h) SAUDI ARABIA.——

(1) Prohibition on assistance.—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 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 exten-
sion of) credit in connection with the export of nu-
clear 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 Addi-
tional Protocol to its Comprehensive Safeguards
Agreement with the International Atomic En-
ergy Agency.

(i) SYRIA.—

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

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

(3) AUTHORITY.—The President may exercise the authority of sections 552(c) and 610 of the Foreign Assistance Act of 1961 to provide assistance for Syria, notwithstanding any other provision of law and without regard to the percentage and dollar limitations in such sections.
(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 procedures of the Committees on Appropriations.

(j) TUNISIA.—

(1) ASSISTANCE.—Funds appropriated under titles III and IV of this Act should be made available for assistance for Tunisia to implement the reforms enumerated in section 7041(m)(1) through (4) of this Act.

(2) REPORT.—Prior to the obligation of funds appropriated by this Act under the heading “Foreign Military Financing Program” for assistance for Tunisia but not later than 45 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations on whether—

(A) the Tunisian military has participated in or otherwise supported the democratic backsliding in Tunisia;

(B) the Government of Tunisia is using or relying on the military to reinforce its autocratic actions; and
(C) the government is taking credible steps to restore constitutional order and democratic governance, including respecting freedom of expression, association, and the press, and the rights of members of political parties.

(k) West Bank and Gaza.—

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

(2) Report.—Prior to the initial 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.

(3) 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 continu-
ation 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 subparagraph, the President may waive section 1003 of Public
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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 this clause 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.

(4) 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).

(l) WESTERN SAHARA.—
(1) Funds appropriated by this Act under titles I through IV shall be made available for assistance for the Western Sahara, including to support diplomatic efforts to facilitate a political settlement of the conflict in the Western Sahara.

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

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

(1) implementing free market and civil service reforms, raising revenue to support public utilities and services, and reducing subsidies;
(2) improving transparency and accountability to reduce waste, enhance efficiencies, and prevent conflicts of interest and other corrupt practices related to public service and expenditures;

(3) enforcing laws and policies that protect freedom of expression, association, and the press, and the right of due process; and

(4) strengthening judicial independence, including the transparent selection of judges.

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) ETHIOPIA.—

(1) PROHIBITION.—None of the funds appropriated by this Act under the heading “Foreign Mili-
tary Financing Program” may be made available for assistance for Ethiopia.

(2) **Restrictions.**—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution—

(A) to use the voice and vote of the United States to oppose any loan or extension of financial or technical assistance to the Government of Ethiopia; and

(B) to work with other key donor countries to develop a coherent policy for future engagement with, and lending to, the Government of Ethiopia, in a manner that protects human rights and promotes peace and reconciliation.

(3) **Exception.**—The restrictions under paragraph (2) shall not apply—

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

(B) on or after the date that is 30 days after the Secretary of State determines and reports to the appropriate congressional committees that the Government of Ethiopia has—
(i) ceased all offensive military operations;

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

(iii) implemented measures to protect human rights and ensure adherence to international humanitarian law and international refugee law;

(iv) continuously allowed unimpeded humanitarian access; and

(v) cooperated with independent investigations of serious violations of human rights.

(c) DEMOCRATIC REPUBLIC OF THE CONGO.—Of the funds appropriated under titles III and IV of this Act, not less than $325,000,000 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: Provided, That such funds shall also be made available to support security, stabilization, development, and democracy in Eastern DRC: Provided further, That funds appropriated by this Act under the headings “Peacekeeping Operations” and
“International Military Education and Training” that are made available for such purposes may be made available notwithstanding any other provision of law, except section 620M of the Foreign Assistance Act of 1961.

(d) MOZAMBIQUE.—Of the funds appropriated under titles III and IV of this Act, not less than $537,500,000 shall be made available for assistance for Mozambique, including for stabilization, global health, and bilateral economic assistance in areas affected by violent extremism.

(e) SOUTH SUDAN.—

(1) ASSISTANCE.—Funds appropriated under title III of this Act that are made available for assistance for South Sudan should be made available for democracy programs and 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 subsequent and mutual arrangements related to such agreement, or any other internationally recognized viable peace agreement in South Sudan:

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.

(f) SUDAN.—

(1) ASSISTANCE.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, except funds designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act, may be made available for assistance for Sudan notwithstanding any other provision of law except sections 502B and
620M of the Foreign Assistance Act of 1961, the
Trafficking Victims Protection Act of 2000, and the

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

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

(B) security sector reform; and

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

(3) CONSULTATION AND NOTIFICATION.—
Funds appropriated by this Act and prior Acts mak-
ing appropriations for the Department of State, for-
ign 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, and the reg-
ular notification procedures of the Committees on Appropriations.

(g) ZIMBABWE.—

(1) INSTRUCTION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to vote against any loan, credit, grant, or guarantee for 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 Government of Zimbabwe is making consistent progress in strengthening democratic institutions and protecting freedom 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) USES OF FUNDS.—Of the funds appropriated by this Act, not less than $136,127,000 shall be made available for assistance for Burma, which—
(A) may be made available notwithstanding any other provision of law and following consultation with the appropriate congressional committees;

(B) may be made available for support for the administrative operations and programs of the National Unity Government of the Republic of the Union of Myanmar (NUG), the Civil Disobedience Movement, and other entities promoting democracy, following consultation with the appropriate congressional committees: Provided, That such administrative operations support for the NUG may only be made available for the Ministry of Human Rights and the Ministry of Women, Youths and Children Affairs;

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

(D) shall be made available for community-based organizations with experience operating in Thailand to provide food, medical, and other humanitarian assistance to internally displaced persons in eastern Burma, in addition to assist-
ance for Burmese refugees from funds appropriated by this Act under the heading “Migration and Refugee Assistance”;

(E) shall be made available for programs and activities to investigate and document violations of human rights in Burma committed by the military junta;

(F) may not be made available for assistance for the State Administration Council;

(G) may not be made available to any organization or entity controlled by the military junta in Burma, or to any individual or organization that has committed, or is credibly alleged to have committed, a gross violation of human rights or who 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 National Endowment for Democracy (NED) for programs administered by NED; and

(H) may not be made available for assistance under the headings “International Military Education and Training” and “Foreign Military Financing Program”.

October 17, 2021 (4:22 p.m.)
(2) CONSULTATION.—Any new program or activity in Burma initiated in fiscal year 2022 shall be subject to prior consultation with the appropriate congressional committees.

(b) CAMBODIA.—

(1) ASSISTANCE.—Of the funds appropriated under title III of this Act, not less than $82,505,000 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;

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

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

(B) EXCEPTIONS.—The certification re-
quired by subparagraph (A) shall not apply to
funds appropriated by this Act and made avail-
able for democracy, health, education, and envi-
ronment programs, programs to strengthen the
sovereignty of Cambodia, and programs to edu-
cate 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 Cam-
bodia shall be made available for—
(A) research, documentation, and education programs associated with the Khmer Rouge in Cambodia;

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

(C) programs in the Khmer language to monitor, map, and publicize the efforts by the People’s Republic of China to expand its influence in Cambodia.

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

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

(2) COUNTERING PRC 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 Coun-
tering PRC Influence Fund to counter the influence
of the Government of the People’s Republic of China
and the Chinese Communist Party and entities act-
ing on their behalf globally, which shall be subject
to prior consultation with the Committees on Appro-
priations: Provided, That such funds are in addition
to amounts otherwise made available for such pur-
poses: Provided further, That such funds appro-
priated under such headings may be transferred to,
and merged with, funds appropriated under such
headings: Provided further, That such transfer au-
thority 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 Com-
mittees 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 di-
rectly 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 heads of other Federal agencies, as appropriate, determines that such use does not adversely impact the national security of the United States.

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

1. $7,500,000 shall be made available for maternal and child health and nutrition programs;
2. $1,500,000 shall be made available for health/disability programs in areas sprayed with Agent Orange;
3. $1,500,000 shall be made available for assessments to determine the extent of dioxin contamination at former United States military sites in Laos, and the feasibility and cost of remediation; and
(4) $45,000,000 shall be made available for demining and unexploded ordnance clearance activities.

(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 se-
curity interest of the United States, including a de-
scription 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.—Funds appropriated by
this Act under the headings “Economic Support
Fund” and “Democracy Fund” shall be made avail-
able for the promotion 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 notified 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 assistance 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 available 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 programs that are made available for assistance for Hong Kong should be obligated for assistance for the Government of the People's Republic of China and the Chinese Communist Party or any entity acting 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 section 7043(f)(3)(C) in the explanatory statement described in section 4 in the matter preceding division A of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021 (division K of Public Law 116–260).
(4) 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: Provided, That funds appropriated by this Act under the heading “Foreign Military Financing Program” should only be made available for maritime security and domain awareness: Provided further, That not later than 45 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations the report required under this heading in the explanatory statement accompanying this Act.

(h) TIBET.—

(1) MULTILATERAL FINANCING OF PROJECTS IN TIBET.—The Secretary of the Treasury should instruct the United States executive director of each international financial 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 Tibetan land and natural resources to non-

Tibetans, are based on a thorough needs-assessment, foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions, and are subject to effective monitoring.

(2) PROGRAMS FOR TIBETAN COMMUNITIES.—

(A) Of the funds appropriated by this Act under the heading “Economic Support Fund”, not less than $13,000,000 shall be made available to nongovernmental organizations to support activities which preserve cultural traditions and promote sustainable development, education, and environmental conservation in Tibetan communities in the Tibet Autonomous 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 $7,000,000 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.

(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.

(D) Funds made available pursuant to this paragraph may be made available notwithstanding any other provision of law.

(3) **TIBETAN INSTITUTES PROMOTING DEMOCRACY AND RELIGIOUS FREEDOM.**—Of the funds appropriated by this Act under the heading “Economic Support Fund” that are made available for the Countering PRC Influence Fund, not less than
$3,000,000 shall be made available, on a competitive basis, as grants for operations and program expenses of one or more Tibetan institutes established by Tibetan nationals and located in Asia, a purpose of which is to support democracy and religious freedom in Tibet and the People’s Republic of China and to counter the influence of Confucius Institutes: Provided, That such funds shall be the responsibility of the Assistant Secretary of State for Democracy, Human Rights, and Labor, and shall be in addition to funds otherwise made available for such purposes.

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

(1) $15,000,000 shall be made available for health and disability programs related to the use of Agent Orange and exposure to 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 for demining and unexploded ordnance clearance activities;

(3) $20,000,000 shall be made available, notwithstanding any other provision of law, for activi-
ties 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;

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

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

SOUTH AND CENTRAL ASIA

SEC. 7044. (a) AFGHANISTAN.—

(1) ASSISTANCE.—

(A) None of the 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 Afghanistan may be made available for direct assistance to the Taliban.

(B) Funds appropriated by this Act under the heading “Economic Support Fund” that are available for assistance for Afghanistan should be made available to support higher education programs for Afghan students, including through distance learning and scholarships to institutions located outside of Afghanistan.
(2) REPORT.—Not later than 30 days after enactment of this Act and every 60 days thereafter until September 30, 2022, the Secretary of State shall submit a report to the Committees on Appropriations, in classified form if necessary, detailing the status of United States diplomatic facilities in Afghanistan, including whether such facilities are occupied and controlled by United States officials or contractors, information regarding any breach of such facilities by the Taliban or other non-United States Government entities, the plan and costs associated with the security and maintenance of such facilities beginning in August 2021, and an estimate of the cost of any losses regarding physical damage or violation of the integrity of the security associated with such facilities.

(b) BANGLADESH.—Of the funds appropriated under titles III and IV of this Act, not less than $198,325,000 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 expres-
... mission and association, and the right of due process;
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.

(c) NEPAL.—Funds appropriated by this Act under the heading “Foreign Military Financing Program” that are made available for assistance for Nepal shall only be made available for humanitarian and disaster relief and reconstruction activities, and in support of international peacekeeping operations: Provided, That such funds may only be made available for 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 by the Nepal Army, and the Nepal Army is cooperating 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 2022.

(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 and not less than $10,000,000 shall be made available for gender programs.

(e) SRI LANKA.—

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

(A) educational and cultural exchanges;

(B) public diplomacy programs;

(C) democracy and governance programs;

and

(D) economic development programs, particularly in areas recovering from ethnic and religious conflict.

(2) NOTIFICATION.—Funds made available for assistance for any other purposes in Sri Lanka shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.
(3) LIMITATION.—None of the funds appropriated by this Act may be made available for assistance for the Sri Lankan armed forces, except for maritime security and domain awareness, including professionalization and training for the navy and coast guard.

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

(5) REPORT.—Not later than 45 days after enactment of this Act and every 90 days thereafter until September 30, 2022, the Secretary of State shall submit a report to the Committees on Appropriations assessing actions taken by the Government of Sri Lanka to—

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

(B) increase transparency and accountability in governance, and reduce corruption;
(C) assert its sovereignty against influence by the People’s Republic of China; and

(D) promote reconciliation between ethnic and religious groups, particularly arising from past conflicts 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) bringing to justice police officers involved in cases of arbitrary and incommunicado detention and torture, and supporting a credible justice mechanism for resolving cases of war crimes.

(f) REGIONAL PROGRAMS.—Funds appropriated by this Act should be made available for assistance for coun-
tries 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 violence, human trafficking, and other practices that disproportionately harm women and girls.

LATIN AMERICA AND THE CARIBBEAN

SEC. 7045. (a) CENTRAL AMERICA.—

(1) ASSISTANCE.—

(A) Of the funds appropriated by this Act under titles III and IV, not less than $653,875,000 should be made available for assistance for Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama, including to implement the Root Causes Strategy and through the Central America Regional Security Initiative: Provided, That such assistance shall be prioritized for programs and activities that address the violence, poverty, and other factors that contribute to irregular migration, particularly of unaccompanied minors, to the United States, including for programs to reduce violence against women and girls, address the needs and protect the rights of Indigenous
people, and for support for civil society and other independent institutions and activities to combat corruption and impunity.

(B) Up to $100,000,000 of the funds made available pursuant to subparagraph (A) for assistance for El Salvador, Guatemala, and Honduras may be made available for programs that support locally-led development in such countries and may remain available until September 30, 2027: Provided, That up to 15 percent of the funds made available to carry out this subparagraph may be used by USAID for administrative and oversight expenses related to the purposes of this subparagraph: Provided further, That other than to meet the requirements of this subparagraph, funds made available to carry out this subparagraph may not be allocated in the report required by section 653(a) of the Foreign Assistance Act of 1961 to meet any other specifically designated funding levels contained in this Act: Provided further, That such funds may be attributed to any such specifically designated funding level after the award of funds under this section, if applicable: Provided further, That the USAID Ad-
ministrator shall consult with the Committees on Appropriations on the planned uses of funds to carry out this subparagraph prior to the initial obligation of funds: Provided further, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations.

(C) Not less than $70,000,000 of the funds made available pursuant to subparagraph (A) shall be made available for programs to reduce violence against women and girls, including for women’s shelters, girls education, and anti-gang programs: Provided, That of such funds, not less than $20,000,000 shall be made available to support bilateral compacts with the governments of El Salvador, Guatemala, and Honduras for the specific purpose of strengthening the capacity of the judicial systems in such countries to protect women and children from domestic violence, sexual assault, trafficking, and child abuse or neglect, including by holding perpetrators accountable.

(2) LIMITATION ON ASSISTANCE TO CERTAIN CENTRAL GOVERNMENTS.—
(A) 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 by implementing laws and policies to ensure transparency of government receipts and expenditures, and by allowing independent investigations and prosecutions of corrupt public officials to proceed;

(ii) protecting the rights of civil society, members of political parties, freedom of expression, association, and the press;

(iii) respecting the right of due process and holding accountable members of security forces who violate human rights;

(iv) implementing policies to reduce poverty and promote equitable economic growth and opportunity;
(v) respecting the independence of the judiciary and of electoral processes;

(vi) combating human smuggling and trafficking and countering the activities of criminal gangs, drug traffickers, and transnational criminal organizations;

(vii) informing its citizens of the dangers of the journey to the southwest border of the United States; and

(viii) 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 central governments, such assistance may be reprogrammed for assistance for civil society organizations and local governments in such country, or for other countries in Latin America and the Caribbean, notwithstanding the funding provisions in this subsection and the limitations in 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 authorities that are acting independently to combat organized crime, corruption, and impunity;

(ii) programs to support women and girls and to combat sexual and gender-based violence;

(iii) programs to promote respect for the rule of law and to protect human rights, including of Indigenous communities and Afro-descendants;

(iv) programs to strengthen democracy;

(v) humanitarian assistance;

(vi) public health and education; and

(vii) food security programs.

(D) FOREIGN MILITARY FINANCING PROGRAM.—None of the funds appropriated by this Act under the heading “Foreign Military Financing Program” may be made available for
assistance for El Salvador, Guatemala, or Honduras.

(E) CENTRAL AMERICORPS.—Of the funds appropriated by this Act under the heading “Development Assistance”, not less than $50,000,000 shall be made available for a program modeled on “AmeriCorps” in El Salvador, Guatemala, and Honduras, which shall be named “Central AmeriCorps” and implemented in accordance with the guidelines under this heading in the explanatory statement accompanying this Act: Provided, That the goal of Central AmeriCorps shall be to create measurable reductions in migration from targeted communities in such countries by recruiting young people to engage in COVID–19 response, hurricane preparedness and recovery, and other community projects, while having secondary impacts by channeling additional income into local economies and providing needed skills training for future employment in local businesses: Provided further, That participants shall be recruited from communities with high outward migration and low income, including Indigenous communities: 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 establishment and implementation of Central AmeriCorps.

(b) COLOMBIA.—

(1) ASSISTANCE.—Of the funds appropriated by this Act under titles III and IV, not less than $463,850,000 should be made available for assistance for Colombia: Provided, That of such funds that are made available under the heading “International Narcotics Control and Law Enforcement” for such assistance, not less than $70,000,000 shall be made available to enhance rural security in coca producing municipalities that are targeted for assistance programs that provide viable economic alternatives and improve access to public services.

(2) WITHHOLDING OF FUNDS.—

(A) COUNTERNARCOTICS.—

(i) Of the funds appropriated by this Act under the heading “International Narcotics Control and Law Enforcement” that are made available for assistance for Colombia, 20 percent may be obligated only if the Secretary of State certifies and reports
to the Committees on Appropriations that
the Government of Colombia is imple-
menting an effective whole-of-government
strategy to substantially and sustainably
reduce coca cultivation and cocaine produc-
tion levels in Colombia, by prioritizing and
increasing domestic funding to enhance
rural security in coca producing municip-
alities that are targeted for assistance
programs that provide viable economic al-
ternatives and improve access to public
services, and such strategy is in accordance
with the 2016 peace accord between the
Government of Colombia and the Revolu-
tionary Armed Forces of Colombia; and

(ii) Of the funds appropriated by this
Act under the heading “International Nar-
cotics Control and Law Enforcement” and
made available for assistance for the Co-
lombian National Police, 5 percent may be
obligated only if the Secretary of State cer-
tifies and reports to the Committees on
Appropriations that the Government of Co-
lombia is bringing to justice police per-
sonnel who ordered, directed, and used ex-
cessive force and engaged in other illegal acts against peaceful protesters in 2021.

(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 if the Secretary of State certifies and reports to the Committees on Appropriations that—

(i) the Special Jurisdiction for Peace and other judicial authorities, as appropriate, are sentencing perpetrators of serious violations of human rights, including those with command responsibility, to deprivation of liberty;

(ii) the Government of Colombia is making consistent progress in reducing threats and attacks against human rights defenders and other civil society activists, and judicial authorities are prosecuting and punishing those responsible for ordering and carrying out such attacks;

(iii) the Government of Colombia is making consistent progress in protecting Afro-Colombian and Indigenous commu-
nities and is respecting their rights and territories;

(iv) senior military officers responsible for ordering, committing, and covering up cases of false positives are being prosecuted and punished, officers with pending cases are not being promoted, and witnesses are being protected; and

(v) the Government of Colombia is bringing to justice military and police personnel who authorized, conducted, and covered up illegal surveillance and communications intercepts and has taken effective steps to prevent the recurrence of such crimes.

(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 eradi-
ication and interdiction, including security for such activities, and to provide transport in support of alternative development programs and investigations by civilian judicial authorities.

(5) PROHIBITION.—None of the funds appropriated by this Act may be made available for assistance for the Colombian National Police’s Mobile Anti-Disturbances Squadron.

(6) REINTEGRATION PROGRAMS.—Funds appropriated by this Act that are made available for assistance for Colombia may be used to support demining and unexploded ordnance clearance activities involving former combatants who have demobilized and renounced violence.

(c) CUBA.—

(1) Of the funds appropriated by this Act under the heading “Economic Support Fund”, $20,000,000 shall be made available for democracy programs in Cuba.

(2) Of the funds appropriated by this Act under the heading “Economic Support Fund”, $5,000,000 shall be made available, notwithstanding any other provision of law, for programs to support—

(A) free enterprise and private business organizations in Cuba; and
(B) people-to-people educational and cultural activities involving citizens of Cuba and the United States.

(3) None of the funds appropriated by this Act may be made available to any entity controlled by the Cuban military.

(4) Funds appropriated under title I of this Act shall be made available for—

(A) the operation of, and infrastructure and security improvements to, United States diplomatic facilities in Cuba; and

(B) costs associated with additional United States diplomatic personnel in Cuba.

(5) Funds made available pursuant to this subsection shall be subject to prior consultation with the Committees on Appropriations.

(d) HAITI.—

(1) CERTIFICATION.—Funds appropriated by this Act that are made available for assistance for Haiti may only be made available for the central Government of Haiti if the Secretary of State certifies and reports to the appropriate congressional committees that a new President and Parliament have taken office after free and fair elections, or the country is being led by a transitional governing au-
authority that is broadly representative of Haitian society, and it is in the national interest of the United States to provide such assistance.

(2) Exceptions.—Notwithstanding paragraph (1), funds may be made available to support—

(A) free and fair elections;

(B) anti-gang police and administration of justice programs, including to reduce pre-trial detention and eliminate inhumane prison conditions;

(C) public health, food security, water and sanitation, education, and other programs to meet basic human needs; and

(D) disaster relief and recovery.

(3) Notification.—Funds appropriated by this Act that are made available for assistance for Haiti shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(4) Prohibition.—None of the funds appropriated or otherwise made available by this Act may be used for assistance for the armed forces of Haiti.

(5) 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.

(c) NICARAGUA.—(1) Of the funds appropriated by this Act under the heading “Economic Support Fund”, not less than $10,000,000 shall be made available for civil society programs for Nicaragua.

(2) The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to vote against any loan, grant, credit, or guarantee for the Government of Nicaragua, except to meet basic human needs or to strengthen democracy, unless the Secretary of State certifies and reports to the Committees on Appropriations that Nicaragua has held free and fair presidential elections and the rule of law has been restored, including freedom of expression, association, and assembly, the right of due process, and the rights of members of political parties.

(3) The Secretary of State should apply section 7031(c) of this Act to the Nicaraguan officials responsible for ordering the wrongful arrests of potential presidential candidates in 2021.

(4) None of the funds appropriated by this Act should 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
1 taken affirmative steps intended to support or be sup-
2 portive of the outcome of presidential elections in Nica-
3 ragua that the Secretary determines are neither free nor
4 fair: Provided, That the Secretary may waive the restric-
5 tion on assistance required by this paragraph if the Sec-
6 retary determines and reports to such Committees that to
7 do so is in the national interest of the United States, and
8 includes a justification for such interest.

9 (5) The Secretary of State should use all available
10 diplomatic tools to suspend Nicaragua’s participation in
11 the Central America Free Trade Agreement in govern-
12 ment-controlled sectors of the economy, until the Sec-
13 retary determines and reports to the Committees on Ap-
14 propriations that Nicaragua has held free and fair presi-
15 dential elections.

16 (f) VENEZUELA.—(1) Of the funds appropriated by
17 this Act under the heading “Economic Support Fund”,
18 not less than $50,000,000 should be made available for
19 democracy programs for Venezuela.

20 (2) Funds appropriated under title III of this Act and
21 prior Acts making appropriations for the Department of
22 State, foreign operations, and related programs should be
23 made available for assistance for communities in countries
24 supporting or otherwise impacted by refugees from Ven-
25 ezuela, including Colombia, Peru, Ecuador, Curacao, and
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.—

(A) ASSISTANCE.—Of the funds appropriated by this Act under titles III and IV, not less than $120,625,000 should be made available for assistance for Georgia.

(B) LIMITATION.—None of the funds made available pursuant to subparagraph (A) for economic growth programs should be made available for assistance for the central Government of Georgia, unless the Secretary of State determines and reports to the appropriate congressional committees that such government is making consistent progress in implementing rule of law, judicial, and electoral reforms.

(C) WAIVER.—The Secretary may waive the limitation in subparagraph (B) if the Secretary determines and reports to such Committees that to do so is important to the national
interest of the United States and includes a justification for such waiver.

(2) UKRAINE.—Of the funds appropriated by this Act under titles III and IV, not less than $559,000,000 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) Prohibition.—None of the funds appropriated by this Act may be made available for assistance for the 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 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 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 fin-
nancial entities.

(3) International Financial Institutions.—The Secretary of the Treasury shall in-
struct the United States executive director of each international financial institution to use the voice
and vote of the United States to oppose any loan, credit, grant, or guarantee for any program that vio-
lates the sovereignty or territorial integrity of Ukraine.

(4) Duration.—The requirements and limita-
tions 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 Cri-
mea and other territory in Ukraine under the con-
trol of Russian-backed separatists.

(c) Occupation of the Georgian Territories of
Abkhazia and Tskhinvali Region/South Ossetia.—

(1) Prohibition.—None of the funds appro-
priated by this Act may be made available for assist-
ance 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 director of each international financial institution to use the voice and vote of the United States to oppose any loan, credit, grant, or guarantee for any program that vio-
lates 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 Military Education and Training”, and “Foreign Military Financing Program”, not less than $295,000,000 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 Associa-
tion 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: Provided, That of the funds appropriated under the heading “Assistance for Europe, Eurasia and Central Asia”, not less than $20,000,000 shall be made available to strengthen democracy and civil society in Central Europe, including for transparency, independent media, rule of law, minority rights, and programs to combat anti-Semitism.

UNITED NATIONS

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

(1) Of the funds appropriated by this Act under the headings “Contributions to International Organizations” and “International Organizations and Programs” in this Act that are available for contributions to the United Nations, any United Nations department or agency, and the Organization of
American States, 10 percent may not be expended
for such department, agency, or organization until—

(A) the Secretary of State determines that
such department, agency, or organization—

(i) is posting on a publicly available
website, consistent with privacy regulations
and due process, regular financial and pro-
grammatic audits of such department,
agency, or organization, and providing the
United States Government with necessary
access to such financial and performance
audits; and

(ii) is effectively enforcing policies and
procedures on the appropriate use of travel
funds, including restrictions on first-class
and business-class travel; and

(B) such department, agency, or organiza-
tion submits a report to the Department of
State, which shall be posted on the Depart-
ment’s website with an opportunity for public
comment, demonstrating that it is effectively
implementing 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 of external arbitration; and

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

(C) the Secretary determines and reports to the Committees on Appropriations, based on the report required by subparagraph (B), public comments, and any other information available to the Secretary, that the department, agency, or organization is meeting or exceeding best practices: Provided, That such determination shall be posted on the Department’s website.

(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 na-
tional interest of the United States, including a de-
scription of the national interest served.

(c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—
Funds appropriated by this Act may be made available
to support the United Nations Human Rights Council un-
less the Secretary of State determines and reports to the
Committees on Appropriations that participation in the
Council does not serve the national interest of the United
States, and that the Council is not taking significant steps
to remove Israel as a permanent agenda item and to en-
sure integrity in the election of members to the Council:

Provided, That such report shall describe why participa-
tion in the Council does not serve the national interest
and the steps that should be taken to remove Israel as
a permanent agenda item and ensure integrity in the elec-
tion of members to the Council: Provided further, That the
Secretary of State shall report to the Committees on Ap-
propriations not later than September 30, 2022, 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 the
Council.

(d) UNITED NATIONS RELIEF AND WORKS AGEN-
CY.—Funds appropriated by this Act should be made
available for the United Nations Relief and Works Agency (UNRWA) unless the Secretary of State determines and reports to the Committees on Appropriations that UNRWA is—

(1) not utilizing Operations Support Officers in the West Bank, Gaza, and other fields of operation to inspect UNRWA installations and reporting any inappropriate use;

(2) not 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) not 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) not taking necessary and appropriate measures to ensure it is operating in compliance with the conditions 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 ensure conformance with such conditions;
(5) not taking steps to ensure the content of all educational materials currently taught in UNRWA-administered schools and summer camps is consistent with the values of human rights, dignity, and tolerance and does not induce incitement;

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

(7) not in compliance with the United Nations Board of Auditors’ biennial audit requirements and is not implementing in a timely fashion the Board’s recommendations.

(e) PROHIBITION OF PAYMENTS TO UNITED NATIONS 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 PEACEKEEPING 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 government of such country is taking effective steps to hold the responsible members of such unit accountable and to prevent future incidents: Provided, That the Secretary shall
promptly notify the government of each country subject to any withholding of assistance pursuant to this paragraph, and shall notify the appropriate congressional committees of such withholding not later than 10 days after a determination to withhold such assistance is made: Provided 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 regular notification procedures of the Committees on Appropriations, funds appropriated by this Act which are returned or not made available due to the second proviso under the heading “Contributions for International Peacekeeping Activities” in title I of this Act or section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)), shall remain available for obligation until September 30, 2023: Provided, That the requirement to withhold funds for programs in Burma under section 307(a) of the Foreign Assistance 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 sec-
tion 552(c) of the Foreign Assistance Act of 1961 of up
to $30,000,000 of commodities and services for inter-
national tribunals or commissions established or author-
ized by the United Nations Security Council to address
war crimes, crimes against humanity, or genocide, without
regard to the ceiling limitation contained in paragraph (2)
thereof: Provided, That such international tribunals or
commissions shall not include the International Criminal
Court: Provided further, 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 proce-
dures 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 should
be made available for technical assistance, training, assist-
ance for victims, protection of witnesses, and law enforce-
ment support related to international investigations, app-
rehensions, prosecutions, and adjudications of genocide,
crimes against humanity, and war crimes: Provided fur-
ther, That the previous proviso shall not apply to inves-
tigations, apprehensions, or prosecutions of American
service members and other United States citizens or na-
tionals, 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 2022 under the headings “International Broadcasting Operations”, “Economic Support Fund”, “Democracy Fund”, and “Assistance for Europe, Eurasia and Central Asia”, not less than $81,000,000 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 Cyber-space 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 de-
velopment of technologies that provide or en-
hance access to the Internet, including cir-
cumvention 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 tech-
niques: Provided, That the Secretary of State,
in consultation with the United States Agency
for Global Media Chief Executive Officer
(USAGM CEO) and the President of the Open
Technology Fund (OTF), shall coordinate any
such research and development programs with
other relevant United States Government de-
partments and agencies in order to share infor-
mation, technologies, and best practices, and to
assess the effectiveness of such technologies;
and

(E) made available only with the concur-
rence of the Assistant Secretary for Democracy,
Human Rights, and Labor, Department of
State, 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 open-source tools and techniques to securely develop and distribute 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 USAGM CEO, in consultation with 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 USAGM CEO, in consultation with the OTF President, to solicit project proposals through an open, transparent, and competitive 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 USAGM CEO, in consultation with the Secretary of State, the OTF President, 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 USAGM CEO, in consultation with 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 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 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 benefitting from programs supported by such funds: Provided,

That the security auditing procedures used by such Bureau shall be reviewed and updated periodically to reflect current industry security standards.

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

SEC. 7051. (a) Prohibition.—None of the funds made available by this Act may be used to support or justify the use of torture or other cruel, inhuman, or degrading 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.

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.

(c) 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 7065(a) of this Act, such aircraft may be used to transport, on a reimbursable or non-reimb-
bursable 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 Re-
lated 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 “Sep-
tember 30, 2021”.

INTERNATIONAL MONETARY FUND

SEC. 7054. (a) EXTENSIONS.—The terms and condi-
tions 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 pri-

vate or multilateral creditors.

ORGANIZATION OF AMERICAN STATES

SEC. 7055. (a) Of the funds appropriated by this Act under the heading “Contributions to International Organ-
zations”, $10,000,000 of the United States assessment for the Organization of American States (OAS) for calendar year 2022 should be withheld from obligation until the Secretary of State determines and reports to the Commit-
tees on Appropriations that the OAS is implementing an action plan to—
(1) transfer to locations outside of the District of Columbia administrative functions that can be performed virtually at lower cost;

(2) sell real estate in the District of Columbia that is not needed to carry out OAS core activities or that the OAS is financially unable to operate and maintain;

(3) increase quota levels on a routine basis to match the rate of inflation;

(4) eliminate credit for on-time payment of assessments and impose penalties for successive late payment of assessments;

(5) restructure the OAS to reduce organizational complexity, consolidate functions and eliminate lower priority activities, and shift funds to OAS core activities with a focus on strengthening democracy, electoral cooperation and observation, protecting human rights, and multidimensional security; and

(6) overhaul the Office of the Inspector General.

(b) Funds appropriated by this Act that are made available as contributions to the OAS shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.
ASSISTANCE FOR INNOCENT VICTIMS OF CONFLICT

SEC. 7056. Not later than 90 days after enactment of this Act, the Administrator of the United States Agency for International Development shall establish a fund, which shall be referred to as the “Marla Ruzicka Fund for Innocent Victims of Conflict” (the “Marla Fund”), to provide assistance to civilians harmed as a result of military operations of the United States: Provided, That such assistance may also be provided to other innocent victims of conflict: Provided further, That of the funds appropriated under title III of this Act, not less than $17,000,000 shall be made available for the Marla Fund: Provided further, That the USAID Administrator shall consult with the Committees on Appropriations not later than 60 days after enactment of this Act regarding the establishment and implementation of the Marla Fund.

UNITED NATIONS POPULATION FUND

SEC. 7057. (a) CONTRIBUTION.—Of the funds made available under the heading “International Organizations and Programs” in this Act for fiscal year 2022, not less than $55,000,000 shall be made available for the United Nations Population Fund (UNFPA).

(b) AVAILABILITY OF FUNDS.—Funds appropriated by this Act for UNFPA, that are not made available for UNFPA because of the operation of any provision of law,
shall be transferred to the “Global Health Programs” account and shall be made available for family planning and reproductive health activities, subject to the regular notification procedures of the Committees on Appropriations.

(e) Prohibition on Use of Funds in China.—None of the funds made available by this Act may be used by UNFPA for a country program in the People’s Republic of China.

(d) Conditions on Availability of Funds.—Funds made available by this Act for UNFPA may not be made available unless—

(1) UNFPA maintains funds made available by this Act in an account separate from other accounts of UNFPA and does not commingle such funds with other sums; and

(2) UNFPA does not fund abortions.

GLOBAL HEALTH ACTIVITIES

SEC. 7058. (a) Preventing and Responding to Pandemics.—

(1) Funds appropriated by this Act under the heading “Global Health Programs” shall be made available for global health security programs to accelerate the capacity of targeted countries to prevent, detect, and respond to infectious disease outbreaks by strengthening public health capacity where
there is a high risk of emerging zoonotic infectious
diseases, and by supporting the collection, analysis,
and transparent sharing of data on unknown viruses
and other pathogens that may pose future threats to
human health: Provided, That not later than 60
days after enactment of this Act, the USAID Ad-
министрator and the Secretary of State, as appro-
priate, shall consult with the Committees on Approp-
riations on the planned uses of such funds.

(2) Reducing Human Contact with Wild-
life.—Funds appropriated by this Act shall be
made available to support national and local strate-
gies to reduce human contact with wildlife, deforest-
ation and wildlife habitat degradation, and the com-
merce in, and consumption of, live wildlife and raw
or unprocessed wildlife parts and derivatives that
contribute to zoonotic spillover between animals and
humans: Provided, That not later than 60 days after
enactment of this Act, the USAID Administrator
shall consult with the Committees on Appropriations
on funding for this purpose, including planned
amounts, geographical areas, partners, and activi-
ties.

(3) International Financing Mechanism.—
Up to $250,000,000 of the funds appropriated by
this Act under the heading “Global Health Programs” may be made available for a contribution to an international financing mechanism for pandemic preparedness, following consultation with the Committees on Appropriations.

(4) EXTRAORDINARY MEASURES.—If the Secretary of State determines and reports to the Committees 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 $200,000,000 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: Provided, That such aggregate total may be exceeded if the
President determines and reports to such committees that it is vital to the national security interest of the United States to do so, including a detailed explanation of such interest: Provided further, That such determination and report should include future budget plans to reimburse the accounts from which funds are to be made available pursuant to such determination.

(5) Emergency Reserve Fund.—Up to $100,000,000 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.

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

(b) Authority.— Funds appropriated under titles III and IV of this Act that are made available for bilateral
assistance for global health 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.

(e) 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, emerging infectious diseases, and other global health activities 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: Provided further, That the Secretary of State shall include in the
congressional budget justification an accounting of budgetary resources, disbursements, balances, and reimbursements related to such fund.

(d) FAMILY PLANNING AND REPRODUCTIVE HEALTH.—Of the funds appropriated under title III of this Act, not less than $650,000,000 shall be made available for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species.

GENDER EQUALITY AND WOMEN’S EMPOWERMENT

SEC. 7059. (a) IN GENERAL.—

(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 economic participation and opportunities for political leadership, and protecting the rights of women and girls worldwide.

(2) WOMEN’S ECONOMIC EMPOWERMENT.—

Funds appropriated by this Act shall be made available for programs, projects, and activities that promote and support women’s entrepreneurship and economic empowerment as a core element of each country assistance strategy administered by the De-
partment of State and the United States Agency for
International Development.

(3) GENDER EQUITY AND EQUALITY ACTION
FUND.—Of the funds appropriated under title III of
this Act, not less than $200,000,000 should be made
available for the Gender Equity and Equality Action
Fund.

(b) WOMEN’S LEADERSHIP.—Of the funds appro-
priated under title III of this Act, not less than
$70,000,000 shall be made available for programs specifi-
cally designed to increase leadership opportunities for
women in countries where women and girls suffer discrimi-
nation due to law, policy, or practice, by strengthening
protections for women’s political status, expanding wom-
en’s participation in political parties and elections, and in-
creasing 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 $175,000,000 shall
be made available to implement a multi-year strat-
 egy 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.—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 $135,000,000 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 prevention, peace building, transitional processes, and reconstruction efforts in countries affected by conflict or in political transition, and to ensure the equitable provision of relief and recovery assistance to women and girls.

EDUCATION PROGRAMS

SEC. 7060. (a) BASIC EDUCATION.—

(1) Of the funds appropriated under title III of this Act, not less than $682,448,000 should be made
available for the Nita M. Lowey Basic Education Fund, and such funds may be made available notwithstanding 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 funds made available by this paragraph should be made available for the education of girls in areas of conflict or humanitarian crises where girls have been denied equal access to education.

(2) Of the funds appropriated under title III of this Act for assistance for basic education programs, not less than $150,000,000 should be made available for contributions to multilateral partnerships that support education.

(b) HIGHER EDUCATION.—Of the funds appropriated by title III of this Act, not less than $250,000,000 should 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 institutions

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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.

ENVIRONMENT PROGRAMS

SEC. 7061. (a) IN GENERAL.—Of the funds appropriated under title III of this Act, not less than $1,484,400,000 shall be made available for environment programs.

(b) ADAPTATION PROGRAMS.—Of the funds appropriated under title III of this Act, not less than $343,900,000 shall be made available for climate change adaptation programs, including in support of the Indo-Pacific Strategy.

(c) CLEAN ENERGY PROGRAMS.—Of the funds appropriated under title III of this Act, not less than $418,200,000 shall be made available for clean energy programs, including in support of carrying out the purposes of the Electrify Africa Act (Public Law 114–121) and implementing the Power Africa initiative, of which not less than $10,000,000 shall be made available to support civil society organizations in developing countries that ad-
vocate for laws and policies to reduce carbon emissions and other harmful pollution, as specified in the explanatory statement accompanying this Act.

(d) **Biodiversity Conservation.**—

(1) **Funding.**—Of the funds appropriated under title III of this Act, not less than $405,000,000 shall be made available for biodiversity conservation programs.

(2) **Tropical Forests.**—None of the funds appropriated by this Act may be used to support the expansion of industrial scale logging, agriculture, livestock production, mining, or any other industrial scale 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 director of each international financial institution (IFI) to use the voice and vote of the United States to oppose any financing of any such activity.

(3) **Partnership for Conservation.**—Funds appropriated by this Act may be made available to support a public-private partnership grant-making entity, if authorized in a subsequent act of Congress, to support the establishment and long-term management of protected areas in developing countries, in-
including terrestrial, coastal and marine protected areas, parks, community conservancies, Indigenous reserves, conservation easements, and biological reserves, and to carry out other effective area-based conservation measures: Provided, That such a partnership should be supported by contributions from the private and philanthropic sectors, as well as governments and multilateral institutions: Provided further, That not later than 60 days after enactment of a subsequent act of Congress authorizing such a grant-making entity, the Secretary of State and the USAID Administrator, in coordination with the Secretary of the Interior and other relevant Federal agencies, shall consult with the Committees on Appropriations on the establishment and management of such an entity.

(e) SUSTAINABLE LANDSCAPES.—Of the funds appropriated under title III of this Act, not less than $232,300,000 should be made available for sustainable landscapes programs.

(f) WILDLIFE POACHING AND TRAFFICKING.—

(1) FUNDING.—Of the funds appropriated under titles III and IV of this Act, not less than $125,000,000 shall be made available to combat the transnational threat of wildlife poaching and traf-
ficking, of which not less than $10,000,000 shall be
made available to support civil society organizations
in developing countries that are working to stop the
poaching and trafficking of endangered species, as
specified in the explanatory statement accompanying
this Act.

(2) LIMITATION.—None of the funds appropri-
ated under title IV of this Act may be made avail-
able for training or other assistance for any military
unit or personnel that the Secretary of State deter-
mines has been credibly alleged to have participated
in wildlife poaching or trafficking, unless the Sec-
retary reports to the appropriate congressional com-
mittees that to do so is in the national security in-
terest of the United States.

(g) LARGE DAMS.—Funds appropriated by this Act
shall not be used to support the construction of any large
dam, and the Secretary of the Treasury shall instruct the
United States executive director of each IFI to use the
voice and vote of the United States, in relation to any loan,
grant, credit, guarantee, strategy, or policy of such institu-
tion regarding the construction of any large dam, con-
sistent with the criteria specified in the explanatory state-
ment accompanying this Act, while also considering
whether the project involves overriding foreign policy objectives.

(h) OCEAN PLASTIC POLLUTION.—Of the funds appropriated under title III of this Act, not less than $75,000,000 shall be made available for programs to reduce ocean plastic pollution and other marine debris, including technical assistance for waste management: Provided, That the Secretary of State, in consultation with the Secretary of the Treasury, the USAID Administrator, and the heads of other relevant Federal agencies, shall seek to enter into negotiations with key bilateral and multilateral donors, including the World Bank, to establish a new multilateral fund to reduce ocean plastic pollution and other marine debris: Provided further, That such funds may be made available for a contribution to such a multilateral fund, for a USAID-administered multi-donor fund, and for other USAID programs for such purpose: Provided further, That such funds may only be made available following consultation with the Committees on Appropriations.

(i) TOXIC CHEMICALS.—Of the funds appropriated under title III of this Act, not less than $10,000,000 shall be made available to support programs to measurably reduce public exposure to lead associated with the unsafe disposal or recycling of lead batteries, contaminated food...
and cookware, or other sources of lead exposure: Provided,

That prior to the initial obligation of funds, the USAID Administrator shall consult with the Committees on Appropriations on a multi-year strategy targeting such exposure and materials in countries with high estimated childhood blood lead levels.

(j) ADMINISTRATION OF FUNDS.—Of the funds made available pursuant to subsections (b) and (c), not less than $641,800,000 shall be administered by the USAID Administrator.

(k) AUTHORITY.—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, to support environment programs: Provided, That funds appropriated by this Act under titles III and V may be made available for United States contributions to multilateral environmental funds and facilities to support adaptation and mitigation programs.

(l) NOTIFICATION.—Funds made available pursuant to this section shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.
SECTOR ALLOCATIONS

SEC. 7062. (a) FOOD SECURITY AND AGRICULTURAL DEVELOPMENT.—Of the funds appropriated under title III of this Act, not less than $1,010,600,000 should 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).

(b) WATER AND SANITATION.—Of the funds appropriated under title III of this Act, not less than $500,000,000 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 $250,000,000 should be made available for programs in sub-Saharan Africa, and of which not less than $17,000,000 shall be used to support initiatives by local communities in developing countries to build and maintain safe latrines.

(c) MICRO, SMALL, AND MEDIUM-SIZED ENTERPRISES.—Of the funds appropriated under title III of this Act, not less than $265,000,000 should 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.

(d) DEVELOPMENT PROGRAMS.—Of the funds appropriated by this Act under the heading “Development Assistance”, not less than $19,000,000 shall be made available for USAID cooperative development programs and not less than $31,000,000 shall be made available for the American Schools and Hospitals Abroad program.

(e) 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 $106,400,000 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 $77,000,000 should 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 should be obligated and programmed
consistent with the country-specific recommendations included in the annual Trafficking in Persons Report, and shall be coordinated with the Office to Monitor and Combat Trafficking in Persons, Department of State.

(f) 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, racial, religious, and political backgrounds from areas of civil strife and war, including cross border programs involving Palestinians and Israelis: 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.

BUDGET DOCUMENTS

SEC. 7063. (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 Inde-
pendent Agencies funded in title III of this Act, including
the Inter-American Foundation and the United States Af-
merican Development Foundation, shall submit to the Com-
mittees on Appropriations an operating plan for funds ap-
propriated to such department, agency, or organization in
such titles of this Act, or funds otherwise available for ob-
ligation in fiscal year 2022, that provides details of the
uses of such funds at the program, project, and activity
level: Provided, That such plans shall include, as applica-
ble, a comparison between the congressional budget jus-
tification funding levels, the most recent congressional di-
rectives or approved funding levels, and the funding levels
proposed by the department or agency; and a clear, con-
cise, and informative description/justification: Provided

further, That operating plans that include changes in lev-
els of funding for programs, projects, and activities speci-
fied 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 Colombia, Cuba, Democratic Republic of the Congo, Egypt, El Salvador, Ethiopia, Guatemala, Honduras, Iraq, Jordan, Lebanon, Mexico, Mozambique, Pakistan, Sri Lanka, Sudan, Syria, Tunisia, and Vietnam;

(B) assistance made available pursuant to section 7047(d) of this Act to counter Russian influence, 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 PRC Influence Fund;

(E) environment programs, including adaptation and clean energy programs;

(F) democracy programs, education programs, the Power Africa and Prosper Africa initiatives, and sectors enumerated in sub-
sections (a), (b), (c), (e), and (f) of section 7062 of this Act;

(G) 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;

(H) implementation of the Global Fragility Act of 2019 (title V of division J of Public Law 116–94); and

(I) the Caribbean Basin Security Initiative; the Central America Regional Security Initiative; the Trans-Saharan Counterterrorism Partnership; the Partnership for Regional East Africa Counterterrorism; the Global Peace Operations Initiative, including Africa Contingency Operations Training and Assistance; the Africa Regional Counterterrorism program; and the Counterterrorism Partnerships Fund.

(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.—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 2023: Provided, That the appendices for such justification shall be provided to the Committees on Appropriations not later than 10 calendar days thereafter.

REORGANIZATION OVERSIGHT

SEC. 7064. (a) 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 subsection (b) by the Department of State, the United 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 Committees on Appropriations: 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: 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.

(b) DESCRIPTION OF ACTIVITIES.—Pursuant to subsection (a), a reorganization, redesign, or other plan shall include any action to—

(1) 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;

(2) expand, eliminate, consolidate, or downsize the United States official presence overseas, includ-
ing at bilateral, regional, and multilateral diplomatic facilities and other platforms; or (3) 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 staffing levels in place as of October 1, 2021.

DEPARTMENT OF STATE MANAGEMENT

SEC. 7065. (a) 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 be used for new service centers, and are subject to the regular notification procedures of the Committees on Appropriations.

(b) 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 Depart-
ment and Federal financial and grants management
policies, procedures, and regulations, as applicable.

(2) CONSIDERATIONS.—When making a certifi-
cation required by paragraph (1), the Secretary of
State shall consider the capacity of a bureau or of-

(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 fi-
nances.

(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 de-
tailing the steps to be taken to bring such bureau
or office into compliance.

(c) INTERNSHIPS.—The Department of State may
offer compensated and uncompensated internships, and
select, appoint, employ for not more than 52 weeks, and
remove any such compensated intern without regard to the
provisions of law governing appointments in the competitive service, notwithstanding any other provision of law.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

SEC. 7066. (a) AUTHORITY.—Up to $170,000,000 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 appointment 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) RESTRICTION.—The authority to hire individuals contained in subsection (a) shall expire on September 30, 2023.

(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 appropriated 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 Paki-
stan with funds made available in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

(i) MANAGEMENT, OVERSIGHT, AND TECHNICAL SUPPORT.—Of the funds made available by this Act under the heading “Development Assistance” that are made available for programs administered by the USAID Advisor for Indigenous Peoples Issues, up to $500,000 may be used for management, oversight, and technical support, in addition to funds otherwise made available for such purposes.

STABILIZATION AND DEVELOPMENT IN REGIONS IMPACTED BY EXTREMISM AND CONFLICT

SEC. 7067. (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 $125,000,000 should 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), of
which $25,000,000 may be made available for the
Multi-Donor Global Fragility Fund authorized by
section 510(c) of such Act: Provided, 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 trans-
fer 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 ap-
propriated by this Act under the heading “Inter-
national Narcotics Control and Law Enforcement”
that are made available for the Prevention and Sta-
bilization Fund, not less than $10,000,000 shall be
made available for programs to promote account-
ability for genocide, crimes against humanity, and
war crimes, including in Ethiopia, Iraq, South
Sudan, Sri Lanka, Syria, and Yemen which shall be
in addition to any other funds made available by this
Act for such purposes: Provided, That such pro-
grams shall include components to develop local in-
vestigative and judicial skills, and to collect and pre-
serve 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 Community Engagement and Resilience Fund.—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 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.

(c) Global Concessional Financing Facility.—Of the funds appropriated by this Act under the heading “Economic Support Fund”, $25,000,000 may 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 should 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 consultation with the Committees on Appropriations: Provided further, That such funds may be transferred to the Department of the Treasury.

DEBT-FOR-DEVELOPMENT

SEC. 7068. 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. 7069. (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 appro-
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.

EXTENSION OF CONSULAR FEES AND RELATED AUTHORITIES

Sec. 7070. (a) Section 1(b)(1) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(1)) shall be applied through fiscal year 2022 by substituting “the costs of providing consular services” for “such costs”.


October 17, 2021 (4:22 p.m.)
(c) Discretionary amounts made available to the Department of State under the heading “Administration of Foreign Affairs” of this Act, and discretionary unobligated balances under such heading from prior Acts making appropriations for the Department of State, foreign operations, and related programs, may be transferred to the Consular and Border Security Programs account if the Secretary of State determines and reports to the Committees on Appropriations that to do so is necessary to sustain consular operations, following consultation with such Committees: Provided, That such transfer authority is in addition to any transfer authority otherwise available in this Act and under any other provision of law: Provided further, That no amounts may be transferred from amounts designated as emergency requirements pursuant to a concurrent resolution on the budget or section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(d) In addition to the uses permitted pursuant to section 286(v)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1356(v)(2)(A)), for fiscal year 2022, the Secretary of State may also use fees deposited into the Fraud Prevention and Detection Account for the costs of providing consular services.
(e) Beginning in fiscal year 2022 and for each fiscal year thereafter, fees collected pursuant to subsection (a) of section 1 of the Passport Act of June 4, 1920 (22 U.S.C. 214(a)) shall, notwithstanding such subsection, be deposited in the Consular and Border Security Programs account as discretionary offsetting receipts and shall remain available until expended for the purposes of such account: Provided, That the Secretary of State may by regulation authorize State officials or the United States Postal Service to collect and retain the execution fee for each application for a passport accepted by such officials or by that Service.

(f) Amounts provided pursuant to subsections (a), (b), and (d) are designated by the Congress as being for an emergency requirement pursuant to section 4001(a)(1) and section 4001(b) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and to section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INCENTIVE FUNDS

Sec. 7071. (a) Not later than 90 days after enactment of this Act, the Secretary of State and the USAID Administrator shall jointly submit to the Committees on Appropriations recommendations for establishing incentive funds, with benchmarks for measuring progress, for coun-
tries receiving United States assistance funded by this Act.

(b) The purpose of such funds is to encourage the governments of such countries to adopt, and make consistent progress in implementing, economic and political reforms to promote equitable economic growth and opportunity, strengthen democratic governance, reduce corruption and impunity, protect fundamental rights, and reduce dependency on United States assistance, including, as appropriate—

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

(2) improving transparency and accountability to reduce waste, enhance efficiencies, and prevent conflicts of interest and other corrupt practices related to public service and expenditures;

(3) enforcing laws and policies that protect freedom of expression, association, and the press, and the right of due process; and

(4) strengthening the independence of the judiciary and of electoral processes.

(e) Not later than 45 days after enactment of this Act, the Secretary of State and USAID Administrator shall consult with the Committees on Appropriations on
the format and content of the recommendations to be submitted.

**WAIVER AUTHORITY**

SEC. 7072. The President may waive section 414 of Public Law 101–246 and section 410 of Public Law 103–236 on a case-by-case basis if the President determines and reports in writing to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the appropriate congressional committees that to do so would enable the United States to counter Chinese influence or to promote other national interests of the United States: *Provided*, That the authority of this section shall cease to have effect if, after enactment of this Act, 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: *Provided further*, That the authority of this section shall sunset on September 30, 2025, unless extended in a subsequent Act of Congress.

**CONSULAR NOTIFICATION COMPLIANCE**

SEC. 7073. (a) PETITION FOR REVIEW.—

(1) JURISDICTION.—Notwithstanding any other provision of law, a Federal court shall have jurisdiction to review the merits of a petition claiming viola-
tion of Article 36(1)(b) or (c) of the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, or a comparable provision of a bilateral international agreement addressing consular notification and access, filed by an individual convicted and sentenced to death by any Federal or State court before the date of enactment of this Act.

(2) Standard.—To obtain relief, an individual described in paragraph (1) must make a showing of actual prejudice to the criminal conviction or sentence as a result of the violation. The court may conduct an evidentiary hearing if necessary to supplement the record and, upon a finding of actual prejudice, shall order a new trial or sentencing proceeding.

(3) Limitations.—

(A) Initial Showing.—To qualify for review under this subsection, a petition must make an initial showing that—

(i) a violation of Article 36(1)(b) or (c) of the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, or a comparable provision of a bilateral international agreement addressing consular notification and access, occurred with...
respect to the individual described in para-
graph (1); and

(ii) if such violation had not occurred,

the consulate would have provided assist-
ance to the individual.

(B) Effect of prior adjudication.—A
petition for review under this subsection shall
not be granted if the claimed violation described
in paragraph (1) has previously been adju-
dicated on the merits by a Federal or State
court of competent jurisdiction in a proceeding
in which no Federal or State procedural bars
were raised with respect to such violation and
in which the court provided review equivalent to
the review provided in this subsection, unless
the adjudication of the claim resulted in a deci-
sion that was based on an unreasonable deter-
mination of the facts in light of the evidence
presented in the prior Federal or State court
proceeding.

(C) Filing deadline.—A petition for re-
view under this subsection shall be filed within
1 year of the later of—

(i) the date of enactment of this Act;
(ii) the date on which the Federal or State court judgment against the individual described in paragraph (1) became final by the conclusion of direct review or the expiration of the time for seeking such review; or

(iii) the date on which the impediment to filing a petition created by Federal or State action in violation of the Constitution or laws of the United States is removed, if the individual described in paragraph (1) was prevented from filing by such Federal or State action.

(D) TOLLING.—The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward the 1-year period of limitation.

(E) TIME LIMIT FOR REVIEW.—A Federal court shall give priority to a petition for review filed under this subsection over all noncapital matters. With respect to a petition for review filed under this subsection and claiming only a violation described in paragraph (1), a Federal
court shall render a final determination and
enter a final judgment not later than 1 year
after the date on which the petition is filed.

(4) HABEAS PETITION.—A petition for review
under this subsection shall be part of the first Fed-
eral habeas corpus application or motion for Federal
collateral relief under chapter 153 of title 28, United
States Code, filed by an individual, except that if an
individual filed a Federal habeas corpus application
or motion for Federal collateral relief before the date
of enactment of this Act or if such application is re-
quired to be filed before the date that is 1 year after
the date of enactment of this Act, such petition for
review under this subsection shall be filed not later
than 1 year after the enactment date or within the
period prescribed by paragraph (3)(C)(iii), whichever
is later. No petition filed in conformity with the re-
quirements of the preceding sentence shall be consid-
ered a second or successive habeas corpus applica-
tion or subjected to any bars to relief based on
preenactment proceedings other than as specified in
paragraph (2).

(5) REFERRAL TO MAGISTRATE.—A Federal
court acting under this subsection may refer the pe-
tition for review to a Federal magistrate for pro-
posed findings and recommendations pursuant to 28 U.S.C. 636(b)(1)(B).

(6) APPEAL.—

(A) IN GENERAL.—A final order on a petition for review under paragraph (1) shall be subject to review on appeal by the court of appeals for the circuit in which the proceeding is held.

(B) APPEAL BY PETITIONER.—An individual described in paragraph (1) may appeal a final order on a petition for review under paragraph (1) only if a district or circuit judge issues a certificate of appealability. A district or circuit court judge shall issue or deny a certificate of appealability not later than 30 days after an application for a certificate of appealability is filed. A district judge or circuit judge may issue a certificate of appealability under this subparagraph if the individual has made a substantial showing of actual prejudice to the criminal conviction or sentence of the individual as a result of a violation described in paragraph (1).

(b) VIOLATION.—
(1) IN GENERAL.—An individual not covered by subsection (a) who is arrested, detained, or held for trial on a charge that would expose the individual to a capital sentence if convicted may raise a claim of a violation of Article 36(1)(b) or (c) of the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, or of a comparable provision of a bilateral international agreement addressing consular notification and access, at a reasonable time after the individual becomes aware of the violation, before the court with jurisdiction over the charge. Upon a finding of such a violation—

(A) the consulate of the foreign state of which the individual is a national shall be notified immediately by the detaining authority, and consular access to the individual shall be afforded in accordance with the provisions of the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, or the comparable provisions of a bilateral international agreement addressing consular notification and access; and

(B) the court—

(i) shall postpone any proceedings to the extent the court determines necessary
to allow for adequate opportunity for consular access and assistance; and

(ii) may enter necessary orders to facilitate consular access and assistance.

(2) EVIDENTIARY HEARINGS.—The court may conduct evidentiary hearings if necessary to resolve factual issues.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to create any additional remedy.

(c) DEFINITIONS.—In this section the term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(d) APPLICABILITY.—The provisions of this section shall apply during the current fiscal year and each fiscal year thereafter.

ASSISTANCE FOR FOREIGN NONGOVERNMENTAL ORGANIZATIONS

SEC. 7074. The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by inserting after section 104C the following:

“SEC. 104D. ELIGIBILITY FOR ASSISTANCE.

“Notwithstanding any other provision of law, regulation, or policy, in determining eligibility for assistance
under sections 104, 104A, 104B, and 104C, a foreign non-
governmental organization—

“(1) shall not be ineligible for such assistance
solely on the basis of health or medical services, in-
cluding counseling and referral services, provided by
such organization with non-United States Govern-
ment funds if such services—

“(A) do not violate the laws of the country
in which they are being provided; and

“(B) would not violate United States Fed-
eral law if provided in the United States; and

“(2) shall not be subject to requirements relat-
ing to the use of non-United States Government
funds for advocacy and lobbying activities other than
those that apply to United States nongovernmental
organizations receiving assistance under this part.”.

RESCISSIONS

SEC. 7075. (a) ECONOMIC SUPPORT FUND.—Of the
unobligated and unexpended balances from amounts made
available under the heading “Economic Support Fund”
from prior Acts making appropriations for the Depart-
ment of State, foreign operations, and related programs
and allocated by the Executive Branch for Afghanistan in
the annual reports required by section 653(a) of the For-

eign Assistance Act of 1961 (22 U.S.C. 2413(a)),

October 17, 2021 (4:22 p.m.)
1. $840,644,000, shall be deobligated, as appropriate, and shall be rescinded.

(b) Millennium Challenge Corporation.—Of the unobligated balances from amounts made available under the heading “Millennium Challenge Corporation” from prior Acts making appropriations for the Department of State, foreign operations, and related programs, $515,000,000 are rescinded.

(c) International Narcotics Control and Law Enforcement.—Of the unobligated and unexpended balances from amounts made available under the heading “International Narcotics Control and Law Enforcement” from prior Acts making appropriations for the Department of State, foreign operations, and related programs and allocated by the Executive Branch for Afghanistan in the annual reports required by section 653(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2413(a)), $100,000,000, shall be deobligated, as appropriate, and shall be rescinded.

(d) Peace Corps.—Of the unobligated balances from amounts made available under the heading “Peace Corps” from prior Acts making appropriations for the Department of State, foreign operations, and related programs, $85,000,000 are rescinded.
(c) Embassy Security, Construction, and Maintenance.—

(1) Of the unobligated and unexpended balances from amounts made available under the heading “Embassy Security, Construction, and Maintenance” in title II of the Security Assistance Appropriations Act, 2017 (division B of Public Law 114–254), $41,000,000 are rescinded.

(2) Of the unobligated and unexpended balances from amounts available under the heading “Embassy Security, Construction, and Maintenance” from prior Acts making appropriations for the Department of State, foreign operations, and related programs for Embassy Kabul construction projects, $412,000,000 are rescinded.

(f) Restriction.—No amounts may be rescinded from amounts that were previously designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

This Act may be cited as the “Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022”.