

**[COMMITTEE PRINT]**

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

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**Calendar No. 000**117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 0000****[Report No. 117-000]**

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2023, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY \_\_\_\_\_, 2022

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

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**A BILL**

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2023, and for other purposes.

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

1 That the following sums are appropriated, out of any  
2 money in the Treasury not otherwise appropriated, for the  
3 Department of State, foreign operations, and related pro-  
4 grams for the fiscal year ending September 30, 2023, and  
5 for other purposes, namely:

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

12 For necessary expenses of the Department of State  
13 and the Foreign Service not otherwise provided for,  
14 \$9,637,796,000, of which \$873,447,000 may remain avail-  
15 able until September 30, 2024, and of which up to  
16 \$3,814,815,000 may remain available until expended for  
17 Worldwide Security Protection: *Provided*, That funds  
18 made available under this heading shall be allocated in ac-  
19 cordance with paragraphs (1) through (4), as follows:

20 (1) HUMAN RESOURCES.—For necessary ex-  
21 penses for training, human resources management,  
22 and salaries, including employment without regard  
23 to civil service and classification laws of persons on  
24 a temporary basis (not to exceed \$700,000), as au-  
25 thorized by section 801 of the United States Infor-

1       mation and Educational Exchange Act of 1948 (62  
2       Stat. 11; Chapter 36), \$3,478,209,000, of which up  
3       to \$685,875,000 is for Worldwide Security Protec-  
4       tion.

5           (2) OVERSEAS PROGRAMS.—For necessary ex-  
6       penses for the regional bureaus of the Department  
7       of State and overseas activities as authorized by law,  
8       \$1,897,700,000.

9           (3) DIPLOMATIC POLICY AND SUPPORT.—For  
10      necessary expenses for the functional bureaus of the  
11      Department of State, including representation to  
12      certain international organizations in which the  
13      United States participates pursuant to treaties rati-  
14      fied pursuant to the advice and consent of the Sen-  
15      ate or specific Acts of Congress, general administra-  
16      tion, and arms control, nonproliferation, and disar-  
17      mament activities as authorized, \$1,104,829,000.

18          (4) SECURITY PROGRAMS.—For necessary ex-  
19      penses for security activities, \$3,157,058,000, of  
20      which up to \$3,128,940,000 is for Worldwide Secu-  
21      rity Protection.

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

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

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

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

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

19 (B) Of the amount made available under  
20 this heading for Worldwide Security Protection,  
21 not to exceed \$50,000,000 may be transferred  
22 to, and merged with, funds made available by  
23 this Act under the heading “Emergencies in the  
24 Diplomatic and Consular Service”, to be avail-  
25 able only for emergency evacuations and re-

1           wards, as authorized: *Provided*, That the exer-  
2           cise of the authority provided by this subpara-  
3           graph shall be subject to prior consultation with  
4           the Committees on Appropriations.

5           (C) Funds appropriated under this heading  
6           are available for acquisition by exchange or pur-  
7           chase of passenger motor vehicles as authorized  
8           by law and, pursuant to section 1108(g) of title  
9           31, United States Code, for the field examina-  
10          tion of programs and activities in the United  
11          States funded from any account contained in  
12          this title.

13          (D) Funds appropriated under this head-  
14          ing shall be made available to support the ac-  
15          tivities of an Ambassador-at-Large for the Arc-  
16          tic Region, as described in the explanatory  
17          statement accompanying this Act.

18          (E) Of the amount made available under  
19          this heading, up to \$75,000,000 may be trans-  
20          ferred to, and merged with, funds made avail-  
21          able in title I of this Act under the heading  
22          “Capital Investment Fund”: *Provided*, That the  
23          exercise of the authority provided by this sub-  
24          paragraph shall be subject to prior consultation  
25          with the Committees on Appropriations.

1 (F) Of the amount made available under  
2 this heading, up to \$500,000 may be made  
3 available for grants, programs, and activities to  
4 promote the employment of United States citi-  
5 zens by international organizations and bodies,  
6 including by providing consultation, analytical  
7 services, and related support for United States  
8 citizen applicants.

9 (G) The eleventh proviso under the head-  
10 ing “Diplomatic and Consular Programs” in  
11 the Department of State, Foreign Operations,  
12 and Related Programs Appropriations Act,  
13 2008 (title I of division J of Public Law 110–  
14 161) is amended by inserting “and for expenses  
15 of rewards programs” after “for rewards pay-  
16 ments”.

17 CAPITAL INVESTMENT FUND

18 For necessary expenses of the Capital Investment  
19 Fund, as authorized, \$389,000,000, to remain available  
20 until expended.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses of the Office of Inspector  
23 General, \$98,500,000, of which \$14,775,000 may remain  
24 available until September 30, 2024: *Provided*, That funds  
25 appropriated under this heading are made available not-

1 withstanding section 209(a)(1) of the Foreign Service Act  
2 of 1980 (22 U.S.C. 3929(a)(1)), as it relates to post in-  
3 spections.

4       In addition, for the Special Inspector General for Af-  
5 ghanistan Reconstruction (SIGAR) for reconstruction  
6 oversight, \$35,200,000, to remain available until Sep-  
7 tember 30, 2024: *Provided*, That funds appropriated  
8 under this heading that are made available for the print-  
9 ing and reproduction costs of SIGAR shall not exceed  
10 amounts for such costs during the prior fiscal year.

11       EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

12       For necessary expenses of educational and cultural  
13 exchange programs, as authorized, \$781,539,000, to re-  
14 main available until expended, of which not less than  
15 \$290,000,000 shall be for the Fulbright Program and not  
16 less than \$115,000,000 shall be for Citizen Exchange Pro-  
17 gram: *Provided*, That fees or other payments received  
18 from, or in connection with, English teaching, educational  
19 advising and counseling programs, and exchange visitor  
20 programs as authorized may be credited to this account,  
21 to remain available until expended: *Provided further*, That  
22 a portion of the Fulbright awards from the Eurasia and  
23 Central Asia regions shall be designated as Edmund S.  
24 Muskie Fellowships, following consultation with the Com-  
25 mittees on Appropriations: *Provided further*, That funds

1 appropriated under this heading that are made available  
2 for the Benjamin Gilman International Scholarships Pro-  
3 gram shall also be made available for the John S. McCain  
4 Scholars Program, pursuant to section 7075 of the De-  
5 partment of State, Foreign Operations, and Related Pro-  
6 grams Appropriations Act, 2019 (division F of Public Law  
7 116–6): *Provided further*, That funds appropriated under  
8 this heading shall be made available for the Arctic Indige-  
9 nous Exchange Program: *Provided further*, That any sub-  
10 stantive modifications from the prior fiscal year to pro-  
11 grams funded by this Act under this heading shall be sub-  
12 ject to prior consultation with, and the regular notification  
13 procedures of, the Committees on Appropriations.

14 REPRESENTATION EXPENSES

15 For representation expenses as authorized,  
16 \$7,415,000.

17 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

18 For necessary expenses, not otherwise provided, to  
19 enable the Secretary of State to provide for extraordinary  
20 protective services, as authorized, \$30,890,000, to remain  
21 available until September 30, 2024.

22 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

23 For necessary expenses for carrying out the Foreign  
24 Service Buildings Act of 1926 (22 U.S.C. 292 et seq.),  
25 preserving, maintaining, repairing, and planning for real

1 property that are owned or leased by the Department of  
2 State, and renovating, in addition to funds otherwise avail-  
3 able, the Harry S Truman Building, \$902,615,000, to re-  
4 main available until September 30, 2027, of which not to  
5 exceed \$25,000 may be used for overseas representation  
6 expenses as authorized: *Provided*, That none of the funds  
7 appropriated in this paragraph shall be available for acqui-  
8 sition of furniture, furnishings, or generators for other de-  
9 partments and agencies of the United States Government.

10 In addition, for the costs of worldwide security up-  
11 grades, acquisition, and construction as authorized,  
12 \$1,055,206,000, to remain available until expended.

13 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR  
14 SERVICE

15 For necessary expenses to enable the Secretary of  
16 State to meet unforeseen emergencies arising in the Diplo-  
17 matic and Consular Service, as authorized, \$8,885,000, to  
18 remain available until expended, of which not to exceed  
19 \$1,000,000 may be transferred to, and merged with, funds  
20 appropriated by this Act under the heading “Repatriation  
21 Loans Program Account”.

22 REPATRIATION LOANS PROGRAM ACCOUNT

23 For the cost of direct loans, \$1,300,000, as author-  
24 ized: *Provided*, That such costs, including the cost of modi-  
25 fying such loans, shall be as defined in section 502 of the

1 Congressional Budget Act of 1974: *Provided further*, That  
2 such funds are available to subsidize gross obligations for  
3 the principal amount of direct loans not to exceed  
4 \$4,753,048.

5 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

6 For necessary expenses to carry out the Taiwan Rela-  
7 tions Act (Public Law 96–8), \$35,583,000.

8 INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF  
9 COLUMBIA

10 Not to exceed \$1,842,732 shall be derived from fees  
11 collected from other executive agencies for lease or use of  
12 facilities at the International Center in accordance with  
13 section 4 of the International Center Act (Public Law 90–  
14 553), and, in addition, as authorized by section 5 of such  
15 Act, \$743,000, to be derived from the reserve authorized  
16 by such section, to be used for the purposes set out in  
17 that section.

18 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND  
19 DISABILITY FUND

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

22 INTERNATIONAL ORGANIZATIONS

23 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

24 For necessary expenses, not otherwise provided for,  
25 to meet annual obligations of membership in international

1 multilateral organizations, pursuant to treaties ratified  
2 pursuant to the advice and consent of the Senate, conven-  
3 tions, or specific Acts of Congress, \$1,604,205,000, of  
4 which \$96,240,000 may remain available until September  
5 30, 2024: *Provided*, That the Secretary of State shall, at  
6 the time of the submission of the President's budget to  
7 Congress under section 1105(a) of title 31, United States  
8 Code, transmit to the Committees on Appropriations the  
9 most recent biennial budget prepared by the United Na-  
10 tions for the operations of the United Nations: *Provided*  
11 *further*, That the Secretary of State shall notify the Com-  
12 mittees on Appropriations at least 15 days in advance (or  
13 in an emergency, as far in advance as is practicable) of  
14 any United Nations action to increase funding for any  
15 United Nations program without identifying an offsetting  
16 decrease elsewhere in the United Nations budget: *Provided*  
17 *further*, That any payment of arrearages under this head-  
18 ing shall be directed to activities that are mutually agreed  
19 upon by the United States and the respective international  
20 organization and shall be subject to the regular notifica-  
21 tion procedures of the Committees on Appropriations: *Pro-*  
22 *vided further*, That none of the funds appropriated under  
23 this heading shall be available for a United States con-  
24 tribution to an international organization for the United  
25 States share of interest costs made known to the United

1 States Government by such organization for loans in-  
2 curred on or after October 1, 1984, through external bor-  
3 rowings.

4 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING  
5 ACTIVITIES

6 For necessary expenses to pay assessed and other ex-  
7 penses of international peacekeeping activities directed to  
8 the maintenance or restoration of international peace and  
9 security, \$1,962,235,000, of which \$981,118,000 may re-  
10 main available until September 30, 2024: *Provided*, That  
11 none of the funds made available by this Act shall be obli-  
12 gated or expended for any new or expanded United Na-  
13 tions peacekeeping mission unless, at least 15 days in ad-  
14 vance of voting for such mission in the United Nations  
15 Security Council (or in an emergency as far in advance  
16 as is practicable), the Committees on Appropriations are  
17 notified of: (1) the estimated cost and duration of the mis-  
18 sion, the objectives of the mission, the national interest  
19 that will be served, and the exit strategy; and (2) the  
20 sources of funds, including any reprogrammings or trans-  
21 fers, that will be used to pay the cost of the new or ex-  
22 panded mission, and the estimated cost in future fiscal  
23 years: *Provided further*, That none of the funds appro-  
24 priated under this heading may be made available for obli-  
25 gation unless the Secretary of State certifies and reports

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

1 tions peacekeeping mission that will involve United States  
2 Armed Forces under the command or operational control  
3 of a foreign national, unless the President's military advi-  
4 sors have submitted to the President a recommendation  
5 that such involvement is in the national interest of the  
6 United States and the President has submitted to Con-  
7 gress such a recommendation: *Provided further*, That any  
8 payment of arrearages with funds appropriated by this Act  
9 shall be subject to the regular notification procedures of  
10 the Committees on Appropriations: *Provided further*, That  
11 funds appropriated or otherwise made available under this  
12 heading may be made available above the amount author-  
13 ized in section 404(b)(2) of the Foreign Relations Author-  
14 ization Act, Fiscal Years 1994 and 1995, as amended (22  
15 U.S.C. 287e note).

16 INTERNATIONAL COMMISSIONS

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

20 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

21 UNITED STATES AND MEXICO

22 For necessary expenses for the United States Section  
23 of the International Boundary and Water Commission,  
24 United States and Mexico, and to comply with laws appli-

1 cable to the United States Section, including not to exceed  
2 \$6,000 for representation expenses, as follows:

3 SALARIES AND EXPENSES

4 For salaries and expenses, not otherwise provided for,  
5 \$59,935,000, of which \$8,990,000 may remain available  
6 until September 30, 2024.

7 CONSTRUCTION

8 For detailed plan preparation and construction of au-  
9 thorized projects, \$51,030,000, to remain available until  
10 expended, as authorized: *Provided*, That of the funds ap-  
11 propriated under this heading in this Act and prior Acts  
12 making appropriations for the Department of State, for-  
13 eign operations, and related programs for the United  
14 States Section, up to \$5,000,000 may be transferred to,  
15 and merged with, funds appropriated under the heading  
16 “Salaries and Expenses” to carry out the purposes of the  
17 United States Section, which shall be subject to prior con-  
18 sultation with, and the regular notification procedures of,  
19 the Committees on Appropriations: *Provided further*, That  
20 such transfer authority is in addition to any other transfer  
21 authority provided in this Act.

22 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

23 For necessary expenses, not otherwise provided, for  
24 the International Joint Commission and the International  
25 Boundary Commission, United States and Canada, as au-

1 thORIZED by treaties between the United States and Can-  
2 ada or Great Britain, \$13,204,000: *Provided*, That of the  
3 amount provided under this heading for the International  
4 Joint Commission, up to \$1,250,000 may remain available  
5 until September 30, 2024, and up to \$9,000 may be made  
6 available for representation expenses: *Provided further*,  
7 That of the amount provided under this heading for the  
8 International Boundary Commission, up to \$1,000 may be  
9 made available for representation expenses.

10 INTERNATIONAL FISHERIES COMMISSIONS

11 For necessary expenses for international fisheries  
12 commissions, not otherwise provided for, as authorized by  
13 law, \$65,719,000: *Provided*, That the United States share  
14 of such expenses may be advanced to the respective com-  
15 missions pursuant to section 3324 of title 31, United  
16 States Code.

17 RELATED AGENCY

18 UNITED STATES AGENCY FOR GLOBAL MEDIA

19 INTERNATIONAL BROADCASTING OPERATIONS

20 For necessary expenses to enable the United States  
21 Agency for Global Media (USAGM), as authorized, to  
22 carry out international communication activities, and to  
23 make and supervise grants for radio, Internet, and tele-  
24 vision broadcasting to the Middle East, \$877,715,000, of  
25 which \$43,886,000 may remain available until September

1 30, 2024: *Provided*, That in addition to amounts otherwise  
2 available for such purposes, up to \$52,708,000 of the  
3 amount appropriated under this heading may remain  
4 available until expended for satellite transmissions and  
5 Internet freedom programs, of which not less than  
6 \$32,000,000 shall be for Internet freedom programs: *Pro-*  
7 *vided further*, That of the total amount appropriated under  
8 this heading, not to exceed \$35,000 may be used for rep-  
9 resentation expenses, of which \$10,000 may be used for  
10 such expenses within the United States as authorized, and  
11 not to exceed \$30,000 may be used for representation ex-  
12 penses of Radio Free Europe/Radio Liberty: *Provided fur-*  
13 *ther*, That funds appropriated under this heading shall be  
14 allocated in accordance with the table included under this  
15 heading in the explanatory statement accompanying this  
16 Act: *Provided further*, That notwithstanding the previous  
17 proviso, funds may be reprogrammed within and between  
18 amounts designated in such table, subject to the regular  
19 notification procedures of the Committees on Appropria-  
20 tions, except that no such reprogramming may reduce a  
21 designated amount by more than 5 percent: *Provided fur-*  
22 *ther*, That funds appropriated under this heading shall be  
23 made available in accordance with the principles and  
24 standards set forth in section 303(a) and (b) of the United  
25 States International Broadcasting Act of 1994 (22 U.S.C.

1 6202) and section 305(b) of such Act (22 U.S.C. 6204):  
2 *Provided further*, That the USAGM Chief Executive Offi-  
3 cer shall notify the Committees on Appropriations within  
4 15 days of any determination by the USAGM that any  
5 of its broadcast entities, including its grantee organiza-  
6 tions, provides an open platform for international terror-  
7 ists or those who support international terrorism, or is in  
8 violation of the principles and standards set forth in sec-  
9 tion 303(a) and (b) of such Act or the entity's journalistic  
10 code of ethics: *Provided further*, That in addition to funds  
11 made available under this heading, and notwithstanding  
12 any other provision of law, up to \$5,000,000 in receipts  
13 from advertising and revenue from business ventures, up  
14 to \$500,000 in receipts from cooperating international or-  
15 ganizations, and up to \$1,000,000 in receipts from privat-  
16 ization efforts of the Voice of America and the Inter-  
17 national Broadcasting Bureau, shall remain available until  
18 expended for carrying out authorized purposes: *Provided*  
19 *further*, That significant modifications to USAGM broad-  
20 cast hours previously justified to Congress, including  
21 changes to transmission platforms (shortwave, medium  
22 wave, satellite, Internet, and television), for all USAGM  
23 language services shall be subject to the regular notifica-  
24 tion procedures of the Committees on Appropriations: *Pro-*  
25 *vided further*, That up to \$2,000,000 from the USAGM

1 Buying Power Maintenance account may be transferred  
2 to, and merged with, funds appropriated by this Act under  
3 the heading “International Broadcasting Operations”,  
4 which shall remain available until expended: *Provided fur-*  
5 *ther*, That such transfer authority is in addition to any  
6 transfer authority otherwise available under any other pro-  
7 vision of law and shall be subject to prior consultation  
8 with, and the regular notification procedures of, the Com-  
9 mittees on Appropriations.

10 BROADCASTING CAPITAL IMPROVEMENTS

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

20 RELATED PROGRAMS

21 THE ASIA FOUNDATION

22 For a grant to The Asia Foundation, as authorized  
23 by The Asia Foundation Act (22 U.S.C. 4402),  
24 \$22,000,000, to remain available until expended: *Pro-*  
25 *vided*, That funds appropriated under this heading shall

1 be apportioned and obligated to the Foundation not later  
2 than 60 days after the date of enactment of this Act.

3 UNITED STATES INSTITUTE OF PEACE

4 For necessary expenses of the United States Institute  
5 of Peace, as authorized by the United States Institute of  
6 Peace Act (22 U.S.C. 4601 et seq.), \$55,000,000, to re-  
7 main available until September 30, 2024, which shall not  
8 be used for construction activities.

9 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

10 TRUST FUND

11 For necessary expenses of the Center for Middle  
12 Eastern-Western Dialogue Trust Fund, as authorized by  
13 section 633 of the Departments of Commerce, Justice, and  
14 State, the Judiciary, and Related Agencies Appropriations  
15 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-  
16 est and earnings accruing to such Fund on or before Sep-  
17 tember 30, 2023, to remain available until expended.

18 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

19 For necessary expenses of Eisenhower Exchange Fel-  
20 lowships, Incorporated, as authorized by sections 4 and  
21 5 of the Eisenhower Exchange Fellowship Act of 1990 (20  
22 U.S.C. 5204–5205), all interest and earnings accruing to  
23 the Eisenhower Exchange Fellowship Program Trust  
24 Fund on or before September 30, 2023, to remain avail-  
25 able until expended: *Provided*, That none of the funds ap-

1 appropriated herein shall be used to pay any salary or other  
2 compensation, or to enter into any contract providing for  
3 the payment thereof, in excess of the rate authorized by  
4 section 5376 of title 5, United States Code; or for pur-  
5 poses which are not in accordance with section 200 of title  
6 2 of the Code of Federal Regulations, including the re-  
7 strictions on compensation for personal services.

8           ISRAELI ARAB SCHOLARSHIP PROGRAM

9           For necessary expenses of the Israeli Arab Scholar-  
10 ship Program, as authorized by section 214 of the Foreign  
11 Relations Authorization Act, Fiscal Years 1992 and 1993  
12 (22 U.S.C. 2452 note), all interest and earnings accruing  
13 to the Israeli Arab Scholarship Fund on or before Sep-  
14 tember 30, 2023, to remain available until expended.

15           EAST-WEST CENTER

16           To enable the Secretary of State to provide for car-  
17 rying out the provisions of the Center for Cultural and  
18 Technical Interchange Between East and West Act of  
19 1960, by grant to the Center for Cultural and Technical  
20 Interchange Between East and West in the State of Ha-  
21 waii, \$25,700,000: *Provided*, That funds appropriated  
22 under this heading shall be apportioned and obligated to  
23 the Center not later than 60 days after the date of enact-  
24 ment of this Act.

## 1 NATIONAL ENDOWMENT FOR DEMOCRACY

2 For grants made by the Department of State to the  
3 National Endowment for Democracy, as authorized by the  
4 National Endowment for Democracy Act (22 U.S.C.  
5 4412), \$325,000,000, to remain available until expended,  
6 of which \$212,160,000 shall be allocated in the traditional  
7 and customary manner, including for the core institutes,  
8 and \$112,840,000 shall be for democracy programs: *Pro-*  
9 *vided*, That the requirements of section 7062(a) of this  
10 Act shall not apply to funds made available under this  
11 heading.

## 12 OTHER COMMISSIONS

## 13 COMMISSION FOR THE PRESERVATION OF AMERICA'S

## 14 HERITAGE ABROAD

## 15 SALARIES AND EXPENSES

16 For necessary expenses for the Commission for the  
17 Preservation of America's Heritage Abroad, \$665,000, as  
18 authorized by chapter 3123 of title 54, United States  
19 Code: *Provided*, That the Commission may procure tem-  
20 porary, intermittent, and other services notwithstanding  
21 paragraph (3) of section 312304(b) of such chapter: *Pro-*  
22 *vided further*, That such authority shall terminate on Octo-  
23 ber 1, 2023: *Provided further*, That the Commission shall  
24 notify the Committees on Appropriations prior to exer-  
25 cising such authority.

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

4 For necessary expenses for the United States Com-  
5 mission on International Religious Freedom, as authorized  
6 by title II of the International Religious Freedom Act of  
7 1998 (22 U.S.C. 6431 et seq.), \$3,500,000, to remain  
8 available until September 30, 2024, including not more  
9 than \$4,000 for representation expenses: *Provided*, That  
10 of the funds appropriated under this heading, \$1,000,000  
11 shall be subject to prior consultation with the Committees  
12 on Appropriations: *Provided further*, That the United  
13 States Commission on International Religious Freedom  
14 shall, on a regular basis, monitor, report on, and advocate  
15 against laws and policies of, foreign governments that per-  
16 mit or condone discrimination against, or violations of  
17 human rights of, minority groups and other vulnerable  
18 communities on the basis of religion.

19 COMMISSION ON SECURITY AND COOPERATION IN  
20 EUROPE  
21 SALARIES AND EXPENSES

22 For necessary expenses of the Commission on Secu-  
23 rity and Cooperation in Europe, as authorized by Public  
24 Law 94–304 (22 U.S.C. 3001 et seq.), \$2,908,000, includ-

1 ing not more than \$5,000 for representation expenses, to  
2 remain available until September 30, 2024.

3 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE  
4 PEOPLE'S REPUBLIC OF CHINA  
5 SALARIES AND EXPENSES

6 For necessary expenses of the Congressional-Execu-  
7 tive Commission on the People's Republic of China, as au-  
8 thorized by title III of the U.S.-China Relations Act of  
9 2000 (22 U.S.C. 6911 et seq.), \$2,300,000, including not  
10 more than \$3,000 for representation expenses, to remain  
11 available until September 30, 2024.

12 UNITED STATES-CHINA ECONOMIC AND SECURITY  
13 REVIEW COMMISSION  
14 SALARIES AND EXPENSES

15 For necessary expenses of the United States-China  
16 Economic and Security Review Commission, as authorized  
17 by section 1238 of the Floyd D. Spence National Defense  
18 Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),  
19 \$4,000,000, including not more than \$4,000 for represen-  
20 tation expenses, to remain available until September 30,  
21 2024: *Provided*, That the authorities, requirements, limi-  
22 tations, and conditions contained in the second through  
23 fifth provisos under this heading in the Department of  
24 State, Foreign Operations, and Related Programs Appro-  
25 priations Act, 2010 (division F of Public Law 111–117)

- 1 shall continue in effect during fiscal year 2023 and shall
- 2 apply to funds appropriated under this heading.

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

6 For necessary expenses to carry out the provisions  
7 of section 667 of the Foreign Assistance Act of 1961,  
8 \$1,743,350,000, of which up to \$261,503,000 may remain  
9 available until September 30, 2024: *Provided*, That none  
10 of the funds appropriated under this heading and under  
11 the heading “Capital Investment Fund” in this title may  
12 be made available to finance the construction (including  
13 architect and engineering services), purchase, or long-term  
14 lease of offices for use by the United States Agency for  
15 International Development, unless the USAID Adminis-  
16 trator has identified such proposed use of funds in a re-  
17 port submitted to the Committees on Appropriations at  
18 least 15 days prior to the obligation of funds for such pur-  
19 poses: *Provided further*, That contracts or agreements en-  
20 tered into with funds appropriated under this heading may  
21 entail commitments for the expenditure of such funds  
22 through the following fiscal year: *Provided further*, That  
23 the authority of sections 610 and 109 of the Foreign As-  
24 sistance Act of 1961 may be exercised by the Secretary  
25 of State to transfer funds appropriated to carry out chap-

1 ter 1 of part I of such Act to “Operating Expenses” in  
2 accordance with the provisions of those sections: *Provided*  
3 *further*, That of the funds appropriated or made available  
4 under this heading, not to exceed \$250,000 may be avail-  
5 able for representation and entertainment expenses, of  
6 which not to exceed \$5,000 may be available for entertain-  
7 ment expenses, and not to exceed \$100,500 shall be for  
8 official residence expenses, for USAID during the current  
9 fiscal year: *Provided further*, That of the funds appro-  
10 priated under this heading, up to \$20,000,000 may be  
11 transferred to, and merged with, funds appropriated or  
12 otherwise made available in title II of this Act under the  
13 heading “Capital Investment Fund”, subject to prior con-  
14 sultation with, and the regular notification procedures of,  
15 the Committees on Appropriations.

16 CAPITAL INVESTMENT FUND

17 For necessary expenses for overseas construction and  
18 related costs, and for the procurement and enhancement  
19 of information technology and related capital investments,  
20 pursuant to section 667 of the Foreign Assistance Act of  
21 1961, \$273,234,000, to remain available until expended:  
22 *Provided*, That this amount is in addition to funds other-  
23 wise available for such purposes: *Provided further*, That  
24 funds appropriated under this heading shall be available

1 subject to the regular notification procedures of the Com-  
2 mittees on Appropriations.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses to carry out the provisions  
5 of section 667 of the Foreign Assistance Act of 1961,  
6 \$80,500,000, of which up to \$12,075,000 may remain  
7 available until September 30, 2024, for the Office of In-  
8 spector General of the United States Agency for Inter-  
9 national Development: *Provided*, That of the funds appro-  
10 priated under this heading, up to \$10,000 may be avail-  
11 able for representation expenses.

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

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

7 GLOBAL HEALTH PROGRAMS

8 For necessary expenses to carry out the provisions  
9 of chapters 1 and 10 of part I of the Foreign Assistance  
10 Act of 1961, for global health activities, in addition to  
11 funds otherwise available for such purposes,  
12 \$4,139,500,000, to remain available until September 30,  
13 2024, and which shall be apportioned directly to the  
14 United States Agency for International Development: *Pro-*  
15 *vided*, That this amount shall be made available for train-  
16 ing, equipment, and technical assistance to build the ca-  
17 pacity of public health institutions and organizations in  
18 developing countries, and for such activities as: (1) child  
19 survival and maternal health programs; (2) immunization  
20 and oral rehydration programs; (3) other health, nutrition,  
21 water and sanitation programs which directly address the  
22 needs of mothers and children, and related education pro-  
23 grams; (4) assistance for children displaced or orphaned  
24 by causes other than AIDS; (5) programs for the preven-  
25 tion, treatment, control of, and research on HIV/AIDS,

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

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

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

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

17 In addition, for necessary expenses to carry out the  
18 provisions of the Foreign Assistance Act of 1961 for the  
19 prevention, treatment, and control of, and research on,  
20 HIV/AIDS, \$6,370,000,000, to remain available until  
21 September 30, 2027, which shall be apportioned directly  
22 to the Department of State: *Provided*, That funds appro-  
23 priated under this paragraph may be made available, not-  
24 withstanding any other provision of law, except for the  
25 United States Leadership Against HIV/AIDS, Tuber-

1 culosis, and Malaria Act of 2003 (Public Law 108–25),  
2 for a United States contribution to the Global Fund to  
3 Fight AIDS, Tuberculosis and Malaria (Global Fund):  
4 *Provided further*, That the amount of such contribution  
5 shall be \$2,000,000,000: *Provided further*, That up to 5  
6 percent of the aggregate amount of funds made available  
7 to the Global Fund in fiscal year 2023 may be made avail-  
8 able to USAID for technical assistance related to the ac-  
9 tivities of the Global Fund, subject to the regular notifica-  
10 tion procedures of the Committees on Appropriations: *Pro-*  
11 *vided further*, That of the funds appropriated under this  
12 paragraph, up to \$17,000,000 may be made available, in  
13 addition to amounts otherwise available for such purposes,  
14 for administrative expenses of the Office of the United  
15 States Global AIDS Coordinator.

16 DEVELOPMENT ASSISTANCE

17 For necessary expenses to carry out the provisions  
18 of sections 103, 105, 106, 214, and sections 251 through  
19 255, and chapter 10 of part I of the Foreign Assistance  
20 Act of 1961, \$4,753,403,000, to remain available until  
21 September 30, 2024: *Provided*, That funds made available  
22 under this heading shall be apportioned to the United  
23 States Agency for International Development.

## 1 INTERNATIONAL DISASTER ASSISTANCE

2 For necessary expenses to carry out the provisions  
3 of section 491 of the Foreign Assistance Act of 1961 for  
4 international disaster relief, rehabilitation, and recon-  
5 struction assistance, \$4,480,460,000, to remain available  
6 until expended: *Provided*, That funds made available  
7 under this heading shall be apportioned to the United  
8 States Agency for International Development not later  
9 than 60 days after the date of enactment of this Act.

## 10 TRANSITION INITIATIVES

11 For necessary expenses for international disaster re-  
12 habilitation and reconstruction assistance administered by  
13 the Office of Transition Initiatives, United States Agency  
14 for International Development, pursuant to section 491 of  
15 the Foreign Assistance Act of 1961, and to support transi-  
16 tion to democracy and long-term development of countries  
17 in crisis, \$102,000,000, to remain available until ex-  
18 pended: *Provided*, That such support may include assist-  
19 ance to develop, strengthen, or preserve democratic insti-  
20 tutions and processes, revitalize basic infrastructure, and  
21 foster the peaceful resolution of conflict: *Provided further*,  
22 That the USAID Administrator shall submit a report to  
23 the Committees on Appropriations at least 5 days prior  
24 to beginning a new, or terminating a, program of assist-  
25 ance: *Provided further*, That if the Secretary of State de-



## 1 ECONOMIC SUPPORT FUND

2 For necessary expenses to carry out the provisions  
3 of chapter 4 of part II of the Foreign Assistance Act of  
4 1961, \$4,122,463,000, to remain available until Sep-  
5 tember 30, 2024.

## 6 DEMOCRACY FUND

7 For necessary expenses to carry out the provisions  
8 of the Foreign Assistance Act of 1961 for the promotion  
9 of democracy globally, including to carry out the purposes  
10 of section 502(b)(3) and (5) of Public Law 98–164 (22  
11 U.S.C. 4411), \$226,450,000, to remain available until  
12 September 30, 2024, which shall be made available for the  
13 Human Rights and Democracy Fund of the Bureau of De-  
14 mocracy, Human Rights, and Labor, Department of  
15 State: *Provided*, That funds appropriated under this head-  
16 ing that are made available to the National Endowment  
17 for Democracy and its core institutes are in addition to  
18 amounts otherwise made available by this Act for such  
19 purposes: *Provided further*, That the Assistant Secretary  
20 for Democracy, Human Rights, and Labor, Department  
21 of State, shall consult with the Committees on Appropria-  
22 tions prior to the initial obligation of funds appropriated  
23 under this paragraph.

24 For an additional amount for such purposes,  
25 \$140,750,000, to remain available until September 30,

1 2024, which shall be made available for the Bureau for  
2 Development, Democracy, and Innovation, United States  
3 Agency for International Development.

4 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

5 For necessary expenses to carry out the provisions  
6 of the Foreign Assistance Act of 1961, the FREEDOM  
7 Support Act (Public Law 102–511), and the Support for  
8 Eastern European Democracy (SEED) Act of 1989 (Pub-  
9 lic Law 101–179), \$850,000,000, to remain available until  
10 September 30, 2024, which shall be available, notwith-  
11 standing any other provision of law, except section 7047  
12 of this Act, for assistance and related programs for coun-  
13 tries identified in section 3 of the FREEDOM Support  
14 Act (22 U.S.C. 5801) and section 3(c) of the SEED Act  
15 of 1989 (22 U.S.C. 5402), in addition to funds otherwise  
16 available for such purposes: *Provided*, That funds appro-  
17 priated by this Act under the headings “Global Health  
18 Programs”, “Economic Support Fund”, and “Inter-  
19 national Narcotics Control and Law Enforcement” that  
20 are made available for assistance for such countries shall  
21 be administered in accordance with the responsibilities of  
22 the coordinator designated pursuant to section 102 of the  
23 FREEDOM Support Act and section 601 of the SEED  
24 Act of 1989: *Provided further*, That funds appropriated  
25 under this heading shall be considered to be economic as-

1 sistance under the Foreign Assistance Act of 1961 for  
2 purposes of making available the administrative authori-  
3 ties contained in that Act for the use of economic assist-  
4 ance: *Provided further*, That funds appropriated under this  
5 heading may be made available for contributions to multi-  
6 lateral initiatives to counter hybrid threats.

7 DEPARTMENT OF STATE

8 MIGRATION AND REFUGEE ASSISTANCE

9 For necessary expenses not otherwise provided for,  
10 to enable the Secretary of State to carry out the provisions  
11 of section 2(a) and (b) of the Migration and Refugee As-  
12 sistance Act of 1962 (22 U.S.C. 2601), and other activi-  
13 ties to meet refugee and migration needs; salaries and ex-  
14 penses of personnel and dependents as authorized by the  
15 Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.);  
16 allowances as authorized by sections 5921 through 5925  
17 of title 5, United States Code; purchase and hire of pas-  
18 senger motor vehicles; and services as authorized by sec-  
19 tion 3109 of title 5, United States Code, \$3,637,188,000,  
20 to remain available until expended, of which \$5,000,000  
21 shall be made available for refugees resettling in Israel:  
22 *Provided*, That funds appropriated under this heading  
23 may be used to carry out section 5(a)(6) of the Migration  
24 and Refugee Assistance Act of 1962 (22 U.S.C.  
25 2605(a)(6)) for employing up to 50 individuals domesti-

1 cally without regard to the geographic limitation in such  
2 section.

3 UNITED STATES EMERGENCY REFUGEE AND MIGRATION  
4 ASSISTANCE FUND

5 For necessary expenses to carry out the provisions  
6 of section 2(c) of the Migration and Refugee Assistance  
7 Act of 1962 (22 U.S.C. 2601(c)), \$100,000, to remain  
8 available until expended: *Provided*, That amounts in excess  
9 of the limitation contained in paragraph (2) of such sec-  
10 tion shall be transferred to, and merged with, funds made  
11 available by this Act under the heading “Migration and  
12 Refugee Assistance”.

13 INDEPENDENT AGENCIES

14 PEACE CORPS

15 For necessary expenses to carry out the provisions  
16 of the Peace Corps Act (22 U.S.C. 2501 et seq.), including  
17 the purchase of not to exceed five passenger motor vehicles  
18 for administrative purposes for use outside of the United  
19 States, \$430,500,000, of which \$7,300,000 is for the Of-  
20 fice of Inspector General, to remain available until Sep-  
21 tember 30, 2024: *Provided*, That the Director of the Peace  
22 Corps may transfer to the Foreign Currency Fluctuations  
23 Account, as authorized by section 16 of the Peace Corps  
24 Act (22 U.S.C. 2515), an amount not to exceed  
25 \$5,000,000: *Provided further*, That funds transferred pur-

1 suant to the previous proviso may not be derived from  
2 amounts made available for Peace Corps overseas oper-  
3 ations: *Provided further*, That of the funds appropriated  
4 under this heading, not to exceed \$104,000 may be avail-  
5 able for representation expenses, of which not to exceed  
6 \$4,000 may be made available for entertainment expenses:  
7 *Provided further*, That in addition to the requirements  
8 under section 7015(a) of this Act, the Peace Corps shall  
9 consult with the Committees on Appropriations prior to  
10 any decision to open, close, or suspend a domestic or over-  
11 seas office or a country program unless there is a substan-  
12 tial risk to volunteers or other Peace Corps personnel: *Pro-*  
13 *vided further*, That none of the funds appropriated under  
14 this heading shall be used to pay for abortions: *Provided*  
15 *further*, That notwithstanding the previous proviso, section  
16 614 of division E of Public Law 113–76 shall apply to  
17 funds appropriated under this heading.

18           MILLENNIUM CHALLENGE CORPORATION

19           For necessary expenses to carry out the provisions  
20 of the Millennium Challenge Act of 2003 (22 U.S.C. 7701  
21 et seq.) (MCA), \$930,000,000, to remain available until  
22 expended: *Provided*, That of the funds appropriated under  
23 this heading, up to \$130,000,000 may be available for ad-  
24 ministrative expenses of the Millennium Challenge Cor-  
25 poration: *Provided further*, That section 605(e) of the

1 MCA (22 U.S.C. 7704(e)) shall apply to funds appro-  
2 priated under this heading: *Provided further*, That funds  
3 appropriated under this heading may be made available  
4 for a Millennium Challenge Compact entered into pursu-  
5 ant to section 609 of the MCA (22 U.S.C. 7708) only if  
6 such Compact obligates, or contains a commitment to obli-  
7 gate subject to the availability of funds and the mutual  
8 agreement of the parties to the Compact to proceed, the  
9 entire amount of the United States Government funding  
10 anticipated for the duration of the Compact: *Provided fur-*  
11 *ther*, That of the funds appropriated under this heading,  
12 not to exceed \$100,000 may be available for representa-  
13 tion and entertainment expenses, of which not to exceed  
14 \$5,000 may be available for entertainment expenses.

15 INTER-AMERICAN FOUNDATION

16 For necessary expenses to carry out the functions of  
17 the Inter-American Foundation in accordance with the  
18 provisions of section 401 of the Foreign Assistance Act  
19 of 1969, \$47,000,000, to remain available until September  
20 30, 2024: *Provided*, That of the funds appropriated under  
21 this heading, not to exceed \$2,000 may be available for  
22 representation expenses.

23 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

24 For necessary expenses to carry out the African De-  
25 velopment Foundation Act (title V of Public Law 96-533;

1 22 U.S.C. 290h et seq.), \$45,000,000, to remain available  
2 until September 30, 2024, of which not to exceed \$2,000  
3 may be available for representation expenses: *Provided*,  
4 That funds made available to grantees may be invested  
5 pending expenditure for project purposes when authorized  
6 by the Board of Directors of the United States African  
7 Development Foundation (USADF): *Provided further*,  
8 That interest earned shall be used only for the purposes  
9 for which the grant was made: *Provided further*, That not-  
10 withstanding section 505(a)(2) of the African Develop-  
11 ment Foundation Act (22 U.S.C. 290h–3(a)(2)), in excep-  
12 tional circumstances the Board of Directors of the  
13 USADF may waive the \$250,000 limitation contained in  
14 that section with respect to a project and a project may  
15 exceed the limitation by up to 10 percent if the increase  
16 is due solely to foreign currency fluctuation: *Provided fur-*  
17 *ther*, That the USADF shall submit a report to the appro-  
18 priate congressional committees after each time such waiv-  
19 er authority is exercised: *Provided further*, That the  
20 USADF may make rent or lease payments in advance  
21 from appropriations available for such purpose for offices,  
22 buildings, grounds, and quarters in Africa as may be nec-  
23 essary to carry out its functions: *Provided further*, That  
24 the USADF may maintain bank accounts outside the  
25 United States Treasury and retain any interest earned on

1 such accounts, in furtherance of the purposes of the Afri-  
2 can Development Foundation Act: *Provided further*, That  
3 the USADF may not withdraw any appropriation from the  
4 Treasury prior to the need of spending such funds for pro-  
5 gram purposes.

6 DEPARTMENT OF THE TREASURY

7 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

8 For necessary expenses to carry out the provisions  
9 of section 129 of the Foreign Assistance Act of 1961,  
10 \$38,000,000, to remain available until expended, of which  
11 not more than \$9,500,000 may be used for administrative  
12 expenses: *Provided*, That amounts made available under  
13 this heading may be made available to contract for services  
14 as described in section 129(d)(3)(A) of the Foreign Assist-  
15 ance Act of 1961, without regard to the location in which  
16 such services are performed.

17 DEBT RESTRUCTURING

18 For “Bilateral Economic Assistance—Department of  
19 the Treasury—Debt Restructuring” there is appropriated  
20 \$52,000,000, to remain available until September 30,  
21 2024, for the costs, as defined in section 502 of the Con-  
22 gressional Budget Act of 1974, of modifying loans and  
23 loan guarantees for, or credits extended to, such countries  
24 as the President may determine, including the costs of  
25 selling, reducing, or canceling amounts owed to the United

1 States pursuant to the “Common Framework for Debt  
2 Treatments beyond the Debt Service Suspension Initiative  
3 (DSSI)”, and for reducing interest rates paid by any coun-  
4 try eligible for the DSSI: *Provided*, That such amounts  
5 may be used notwithstanding any other provision of law.

6 TROPICAL FOREST AND CORAL REEF CONSERVATION

7 For the costs, as defined in section 502 of the Con-  
8 gressional Budget Act of 1974, of modifying loans and  
9 loan guarantees, as the President may determine, for  
10 which funds have been appropriated or otherwise made  
11 available for programs within the International Affairs  
12 Budget Function 150, including the costs of selling, reduc-  
13 ing, or canceling amounts owed to the United States as  
14 a result of concessional loans made to eligible countries  
15 pursuant to part V of the Foreign Assistance Act of 1961,  
16 \$20,000,000, to remain available until September 30,  
17 2026.

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

6 For necessary expenses to carry out section 481 of  
7 the Foreign Assistance Act of 1961, \$1,473,800,000, to  
8 remain available until September 30, 2024: *Provided,*  
9 That the Department of State may use the authority of  
10 section 608 of the Foreign Assistance Act of 1961, with-  
11 out regard to its restrictions, to receive excess property  
12 from an agency of the United States Government for the  
13 purpose of providing such property to a foreign country  
14 or international organization under chapter 8 of part I of  
15 such Act, subject to the regular notification procedures of  
16 the Committees on Appropriations: *Provided further,* That  
17 section 482(b) of the Foreign Assistance Act of 1961 shall  
18 not apply to funds appropriated under this heading, except  
19 that any funds made available notwithstanding such sec-  
20 tion shall be subject to the regular notification procedures  
21 of the Committees on Appropriations: *Provided further,*  
22 That funds appropriated under this heading shall be made  
23 available to support training and technical assistance for  
24 foreign law enforcement, corrections, judges, and other ju-  
25 dicial authorities, utilizing regional partners: *Provided fur-*

1 *ther*, That funds made available under this heading that  
2 are transferred to another department, agency, or instru-  
3 mentality of the United States Government pursuant to  
4 section 632(b) of the Foreign Assistance Act of 1961 val-  
5 ued in excess of \$5,000,000, and any agreement made  
6 pursuant to section 632(a) of such Act, shall be subject  
7 to the regular notification procedures of the Committees  
8 on Appropriations: *Provided further*, That funds made  
9 available under this heading for Program Development  
10 and Support may be made available notwithstanding pre-  
11 obligation requirements contained in this Act, except for  
12 the notification requirements of section 7015.

13 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND  
14 RELATED PROGRAMS

15 For necessary expenses for nonproliferation, anti-ter-  
16 rorism, demining and related programs and activities,  
17 \$961,547,000, to remain available until September 30,  
18 2024, to carry out the provisions of chapter 8 of part II  
19 of the Foreign Assistance Act of 1961 for anti-terrorism  
20 assistance, chapter 9 of part II of the Foreign Assistance  
21 Act of 1961, section 504 of the FREEDOM Support Act  
22 (22 U.S.C. 5854), section 23 of the Arms Export Control  
23 Act (22 U.S.C. 2763), or the Foreign Assistance Act of  
24 1961 for demining activities, the clearance of unexploded  
25 ordnance, the destruction of small arms, and related ac-

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

1 demining and related activities, in addition to funds other-  
2 wise available for such purposes, may be used for adminis-  
3 trative expenses related to the operation and management  
4 of such programs and activities, subject to the regular no-  
5 tification procedures of the Committees on Appropria-  
6 tions.

7 PEACEKEEPING OPERATIONS

8 For necessary expenses to carry out the provisions  
9 of section 551 of the Foreign Assistance Act of 1961,  
10 \$452,059,000, of which \$330,000,000 may remain avail-  
11 able until September 30, 2024: *Provided*, That funds ap-  
12 propriated under this heading may be used, notwith-  
13 standing section 660 of the Foreign Assistance Act of  
14 1961, to provide assistance to enhance the capacity of for-  
15 eign civilian security forces, including gendarmes, to par-  
16 ticipate in peacekeeping operations: *Provided further*, That  
17 of the funds appropriated under this heading, not less  
18 than \$25,000,000 shall be made available for a United  
19 States contribution to the Multinational Force and Ob-  
20 servers mission in the Sinai: *Provided further*, That funds  
21 appropriated under this heading may be made available  
22 to pay assessed expenses of international peacekeeping ac-  
23 tivities in Somalia under the same terms and conditions,  
24 as applicable, as funds appropriated by this Act under the  
25 heading “Contributions for International Peacekeeping

1 Activities’’: *Provided further*, That funds appropriated  
2 under this heading shall be subject to the regular notifica-  
3 tion procedures of the Committees on Appropriations.

4 FUNDS APPROPRIATED TO THE PRESIDENT

5 INTERNATIONAL MILITARY EDUCATION AND TRAINING

6 For necessary expenses to carry out the provisions  
7 of section 541 of the Foreign Assistance Act of 1961,  
8 \$112,925,000, to remain available until September 30,  
9 2024: *Provided*, That the civilian personnel for whom mili-  
10 tary education and training may be provided under this  
11 heading may include civilians who are not members of a  
12 government whose participation would contribute to im-  
13 proved civil-military relations, civilian control of the mili-  
14 tary, or respect for human rights: *Provided further*, That  
15 of the funds appropriated under this heading, \$3,000,000  
16 shall remain available until expended to increase the par-  
17 ticipation of women in programs and activities funded  
18 under this heading, following consultation with, and the  
19 regular notification procedures of, the Committees on Ap-  
20 propriations: *Provided further*, That of the funds appro-  
21 priated under this heading, not to exceed \$50,000 may  
22 be available for entertainment expenses.

23 FOREIGN MILITARY FINANCING PROGRAM

24 For necessary expenses for grants to enable the  
25 President to carry out the provisions of section 23 of the

1 Arms Export Control Act (22 U.S.C. 2763),  
2 \$5,862,525,000: *Provided*, That to expedite the provision  
3 of assistance to foreign countries and international organi-  
4 zations, the Secretary of State, following consultation with  
5 the Committees on Appropriations and subject to the reg-  
6 ular notification procedures of such Committees, may use  
7 the funds appropriated under this heading to procure de-  
8 fense articles and services to enhance the capacity of for-  
9 eign security forces: *Provided further*, That funds appro-  
10 priated or otherwise made available under this heading  
11 shall be nonrepayable notwithstanding any requirement in  
12 section 23 of the Arms Export Control Act: *Provided fur-*  
13 *ther*, That funds made available under this heading shall  
14 be obligated upon apportionment in accordance with para-  
15 graph (5)(C) of section 1501(a) of title 31, United States  
16 Code.

17 None of the funds made available under this heading  
18 shall be available to finance the procurement of defense  
19 articles, defense services, or design and construction serv-  
20 ices that are not sold by the United States Government  
21 under the Arms Export Control Act unless the foreign  
22 country proposing to make such procurement has first  
23 signed an agreement with the United States Government  
24 specifying the conditions under which such procurement  
25 may be financed with such funds: *Provided*, That all coun-

1 try and funding level increases in allocations shall be sub-  
2 mitted through the regular notification procedures of sec-  
3 tion 7015 of this Act: *Provided further*, That funds made  
4 available under this heading may be used, notwithstanding  
5 any other provision of law, for demining, the clearance of  
6 unexploded ordnance, and related activities, and may in-  
7 clude activities implemented through nongovernmental  
8 and international organizations: *Provided further*, That  
9 only those countries for which assistance was justified for  
10 the “Foreign Military Sales Financing Program” in the  
11 fiscal year 1989 congressional presentation for security as-  
12 sistance programs, and countries that are members of the  
13 North Atlantic Treaty Organization, may utilize funds  
14 made available under this heading for procurement of de-  
15 fense articles, defense services, or design and construction  
16 services that are not sold by the United States Govern-  
17 ment under the Arms Export Control Act: *Provided fur-*  
18 *ther*, That funds appropriated under this heading shall be  
19 expended at the minimum rate necessary to make timely  
20 payment for defense articles and services: *Provided fur-*  
21 *ther*, That not more than \$70,000,000 of the funds appro-  
22 priated under this heading may be obligated for necessary  
23 expenses, including the purchase of passenger motor vehi-  
24 cles for replacement only for use outside of the United  
25 States, for the general costs of administering military as-

1 sistance and sales, except that this limitation may be ex-  
2 ceeded only through the regular notification procedures of  
3 the Committees on Appropriations: *Provided further*, That  
4 of the funds made available under this heading for general  
5 costs of administering military assistance and sales, not  
6 to exceed \$4,000 may be available for entertainment ex-  
7 penses and not to exceed \$130,000 may be available for  
8 representation expenses: *Provided further*, That not more  
9 than \$1,253,810,229 of funds realized pursuant to section  
10 21(e)(1)(A) of the Arms Export Control Act (22 U.S.C.  
11 2761(e)(1)(A)) may be obligated for expenses incurred by  
12 the Department of Defense during fiscal year 2023 pursu-  
13 ant to section 43(b) of the Arms Export Control Act (22  
14 U.S.C. 2792(b)), except that this limitation may be ex-  
15 ceeded only through the regular notification procedures of  
16 the Committees on Appropriations.

1 TITLE V  
2 MULTILATERAL ASSISTANCE  
3 FUNDS APPROPRIATED TO THE PRESIDENT

4 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

5 For necessary expenses to carry out the provisions  
6 of section 301 of the Foreign Assistance Act of 1961,  
7 \$481,000,000: *Provided*, That section 307(a) of the For-  
8 eign Assistance Act of 1961 shall not apply to contribu-  
9 tions to the United Nations Democracy Fund: *Provided*  
10 *further*, That not later than 60 days after the date of en-  
11 actment of this Act, such funds shall be made available  
12 for core contributions for each entity listed in the table  
13 under this heading in the explanatory statement accom-  
14 panying this Act unless otherwise provided for in this Act,  
15 or if the Secretary of State has justified to the Committees  
16 on Appropriations the proposed uses of funds other than  
17 for core contributions following prior consultation with,  
18 and subject to the regular notification procedures of, such  
19 Committees.

20 INTERNATIONAL FINANCIAL INSTITUTIONS

21 GLOBAL ENVIRONMENT FACILITY

22 For payment to the International Bank for Recon-  
23 struction and Development as trustee for the Global Envi-  
24 ronment Facility by the Secretary of the Treasury,  
25 \$150,200,000, to remain available until expended.

1           CONTRIBUTION TO THE GREEN CLIMATE FUND

2           For contribution to the Green Climate Fund by the  
3 Secretary of the Treasury, \$1,600,000,000, to remain  
4 available until expended.

5           CONTRIBUTION TO THE CLEAN TECHNOLOGY FUND

6           For contribution to the Clean Technology Fund,  
7 \$550,000,000, to remain available until expended: *Pro-*  
8 *vided*, That up to \$520,000,000 of such amount shall be  
9 available to cover costs, as defined in section 502 of the  
10 Congressional Budget Act of 1974, of direct loans issued  
11 to the Clean Technology Fund: *Provided further*, That  
12 such funds are available to subsidize gross obligations for  
13 the principal amount of direct loans without limitation.

14          CONTRIBUTION TO THE INTERNATIONAL BANK FOR  
15                   RECONSTRUCTION AND DEVELOPMENT

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

21          LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

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

3 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT  
4 ASSOCIATION

5 For payment to the International Development Asso-  
6 ciation by the Secretary of the Treasury, \$1,430,256,000,  
7 to remain available until expended.

8 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

9 For payment to the Asian Development Bank's Asian  
10 Development Fund by the Secretary of the Treasury,  
11 \$43,610,000, to remain available until expended.

12 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

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

17 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

1 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

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

5 CONTRIBUTION TO THE INTERNATIONAL FUND FOR  
6 AGRICULTURAL DEVELOPMENT

7 For payment to the International Fund for Agricul-  
8 tural Development by the Secretary of the Treasury,  
9 \$43,000,000, to remain available until expended.

10 GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

11 For payment to the Global Agriculture and Food Se-  
12 curity Program by the Secretary of the Treasury,  
13 \$5,000,000, to remain available until expended.

14 CONTRIBUTIONS TO THE INTERNATIONAL MONETARY  
15 FUND FACILITIES AND TRUST FUNDS

16 For contribution to the Poverty Reduction and  
17 Growth Trust (PRGT) or to the proposed Resilience and  
18 Sustainability Trust (RST) of the International Monetary  
19 Fund (IMF) by the Secretary of the Treasury,  
20 \$20,000,000, to remain available until September 30,  
21 2031: *Provided*, That such funds shall be available to  
22 cover the cost, as defined in section 502 of the Congres-  
23 sional Budget Act of 1974, of loans made by the Secretary  
24 of the Treasury to the PRGT or the RST of the IMF:  
25 *Provided further*, That such funds shall be available to

1 subsidize gross obligations for the principal amount of di-  
2 rect loans not to exceed \$21,000,000,000 in the aggregate,  
3 and the Secretary of the Treasury is authorized to make  
4 such loans: *Provided further*, That the Exchange Stabiliza-  
5 tion Fund (ESF) and the financing account corresponding  
6 to transactions with the IMF are authorized to enter into  
7 such transactions as necessary to effectuate loans from re-  
8 sources held in the ESF to the PRGT or RST of the IMF.

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

5 For necessary expenses of the Office of Inspector  
6 General in carrying out the provisions of the Inspector  
7 General Act of 1978 (5 U.S.C. App.), \$7,500,000, of  
8 which up to \$1,125,000 may remain available until Sep-  
9 tember 30, 2024.

10 PROGRAM ACCOUNT

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

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

3 ADMINISTRATIVE EXPENSES

4 For administrative expenses to carry out the direct  
5 and guaranteed loan and insurance programs, including  
6 hire of passenger motor vehicles and services as authorized  
7 by section 3109 of title 5, United States Code, and not  
8 to exceed \$30,000 for official reception and representation  
9 expenses for members of the Board of Directors, not to  
10 exceed \$129,800,000, of which up to \$19,470,000 may re-  
11 main available until September 30, 2024: *Provided*, That  
12 the Export-Import Bank (the Bank) may accept, and use,  
13 payment or services provided by transaction participants  
14 for legal, financial, or technical services in connection with  
15 any transaction for which an application for a loan, guar-  
16 antee or insurance commitment has been made: *Provided*  
17 *further*, That notwithstanding subsection (b) of section  
18 117 of the Export Enhancement Act of 1992, subsection  
19 (a) of such section shall remain in effect until September  
20 30, 2023: *Provided further*, That the Bank shall charge  
21 fees for necessary expenses (including special services per-  
22 formed on a contract or fee basis, but not including other  
23 personal services) in connection with the collection of mon-  
24 eys owed the Bank, repossession or sale of pledged collat-  
25 eral or other assets acquired by the Bank in satisfaction

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

10 PROGRAM BUDGET APPROPRIATIONS

11 For the cost of direct loans, loan guarantees, insur-  
12 ance, and tied-aid grants as authorized by section 10 of  
13 the Export-Import Bank Act of 1945, as amended, not  
14 to exceed \$21,000,000, to remain available until Sep-  
15 tember 30, 2026: *Provided*, That such costs, including the  
16 cost of modifying such loans, shall be as defined in section  
17 502 of the Congressional Budget Act of 1974: *Provided*  
18 *further*, That such funds shall remain available until Sep-  
19 tember 30, 2038, for the disbursement of direct loans,  
20 loan guarantees, insurance and tied-aid grants obligated  
21 in fiscal years 2022 through 2026.

22 RECEIPTS COLLECTED

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

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

7 UNITED STATES INTERNATIONAL DEVELOPMENT  
8 FINANCE CORPORATION  
9 INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector  
11 General in carrying out the provisions of the Inspector  
12 General Act of 1978 (5 U.S.C. App.), \$5,500,000, to re-  
13 main available until September 30, 2024.

14 CORPORATE CAPITAL ACCOUNT

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

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

7 (1) \$220,000,000 shall remain available until  
8 September 30, 2025, for administrative expenses to  
9 carry out authorized activities (including an amount  
10 for official reception and representation expenses  
11 which shall not exceed \$25,000) and project-specific  
12 transaction costs as described in section 1434(k) of  
13 such Act;

14 (2) \$780,000,000 shall remain available until  
15 September 30, 2025, for the activities described in  
16 subsections (b), (c), (e), (f), and (g) of section 1421  
17 of the BUILD Act of 2018, except such amounts ob-  
18 ligated in a fiscal year for activities described in sec-  
19 tion 1421(c) of such Act shall remain available for  
20 disbursement for the term of the underlying project:  
21 *Provided further*, That amounts made available  
22 under this paragraph may be paid to the “United  
23 States International Development Finance Corpora-  
24 tion—Program Account” for programs authorized

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

3 *Provided further*, That funds may only be obligated pursu-  
4 ant to section 1421(g) of the BUILD Act of 2018 subject  
5 to prior consultation with the appropriate congressional  
6 committees and the regular notification procedures of the  
7 Committees on Appropriations: *Provided further*, That in  
8 fiscal year 2023 collections of amounts described in sec-  
9 tion 1434(h) of the BUILD Act of 2018 shall be credited  
10 as offsetting collections to this appropriation: *Provided*  
11 *further*, That such collections collected in fiscal year 2023  
12 in excess of \$1,000,000,000 shall be credited to this ac-  
13 count and shall be available in future fiscal years only to  
14 the extent provided in advance in appropriations Acts:

15 *Provided further*, That in fiscal year 2023, if such collec-  
16 tions are less than \$1,000,000,000, receipts collected pur-  
17 suant to the BUILD Act of 2018 and the Federal Credit  
18 Reform Act of 1990, in an amount equal to such shortfall,  
19 shall be credited as offsetting collections to this appropria-  
20 tion: *Provided further*, That funds appropriated or other-  
21 wise made available under this heading may not be used  
22 to provide any type of assistance that is otherwise prohib-  
23 ited by any other provision of law or to provide assistance  
24 to any foreign country that is otherwise prohibited by any  
25 other provision of law: *Provided further*, That the sums

1 herein appropriated from the General Fund shall be re-  
2 duced on a dollar-for-dollar basis by the offsetting collec-  
3 tions described under this heading so as to result in a final  
4 fiscal year appropriation from the General Fund estimated  
5 at \$588,000,000.

6 PROGRAM ACCOUNT

7 Amounts paid from “United States International De-  
8 velopment Finance Corporation—Corporate Capital Ac-  
9 count” (CCA) shall remain available until September 30,  
10 2025: *Provided*, That amounts paid to this account from  
11 CCA or transferred to this account pursuant to section  
12 1434(j) of the BUILD Act of 2018 (division F of Public  
13 Law 115–254) shall be available for the costs of direct  
14 and guaranteed loans provided by the Corporation pursu-  
15 ant to section 1421(b) of such Act and the costs of modi-  
16 fying loans and loan guarantees transferred to the Cor-  
17 poration pursuant to section 1463 of such Act: *Provided*  
18 *further*, That such costs, including the cost of modifying  
19 such loans, shall be as defined in section 502 of the Con-  
20 gressional Budget Act of 1974: *Provided further*, That  
21 such amounts obligated in a fiscal year shall remain avail-  
22 able for disbursement for the following 8 fiscal years: *Pro-*  
23 *vided further*, That funds made available in this Act and  
24 transferred to carry out the Foreign Assistance Act of  
25 1961 pursuant to section 1434(j) of the BUILD Act of

1 2018 may remain available for obligation for 1 additional  
2 fiscal year: *Provided further*, That the total loan principal  
3 or guaranteed principal amount shall not exceed  
4 \$8,000,000,000.

5                   TRADE AND DEVELOPMENT AGENCY

6       For necessary expenses to carry out the provisions  
7 of section 661 of the Foreign Assistance Act of 1961,  
8 \$98,000,000, to remain available until September 30,  
9 2024, of which no more than \$21,000,000 may be used  
10 for administrative expenses: *Provided*, That of the funds  
11 appropriated under this heading, not more than \$5,000  
12 may be available for representation and entertainment ex-  
13 penses.

1 TITLE VII  
2 GENERAL PROVISIONS  
3 ALLOWANCES AND DIFFERENTIALS

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

11 UNOBLIGATED BALANCES REPORT

12 SEC. 7002. Any department or agency of the United  
13 States Government to which funds are appropriated or  
14 otherwise made available by this Act shall provide to the  
15 Committees on Appropriations a quarterly accounting of  
16 cumulative unobligated balances and obligated, but unex-  
17 pended, balances by program, project, and activity, and  
18 Treasury Account Fund Symbol of all funds received by  
19 such department or agency in fiscal year 2023 or any pre-  
20 vious fiscal year, disaggregated by fiscal year: *Provided,*  
21 That the report required by this section shall be submitted  
22 not later than 30 days after the end of each fiscal quarter  
23 and should specify by account the amount of funds obli-  
24 gated pursuant to bilateral agreements which have not  
25 been further sub-obligated.

## 1 CONSULTING SERVICES

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

## 10 DIPLOMATIC FACILITIES

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

22 (b) NEW DIPLOMATIC FACILITIES.—For the pur-  
23 poses of calculating the fiscal year 2023 costs of providing  
24 new United States diplomatic facilities in accordance with  
25 section 604(e) of the Secure Embassy Construction and

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

7 (c) CONSULTATION AND NOTIFICATION.—Funds ap-  
8 propriated by this Act and prior Acts making appropria-  
9 tions for the Department of State, foreign operations, and  
10 related programs, which may be made available for the  
11 acquisition of property or award of construction contracts  
12 for overseas United States diplomatic facilities during fis-  
13 cal year 2023, shall be subject to prior consultation with,  
14 and the regular notification procedures of, the Committees  
15 on Appropriations: *Provided*, That notifications pursuant  
16 to this subsection shall include the information under this  
17 section in the explanatory statement accompanying this  
18 Act.

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

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

1 rity vulnerabilities at interim and temporary United  
2 States diplomatic facilities abroad, including physical  
3 security upgrades and local guard staffing.

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

13 (e) SOFT TARGETS.—Funds appropriated by this Act  
14 under the heading “Embassy Security, Construction, and  
15 Maintenance” may be made available for security up-  
16 grades to soft targets, including schools, recreational fa-  
17 cilities, and residences used by United States diplomatic  
18 personnel and their dependents.

19 PERSONNEL ACTIONS

20 SEC. 7005. Any costs incurred by a department or  
21 agency funded under title I of this Act resulting from per-  
22 sonnel actions taken in response to funding reductions in-  
23 cluded in this Act shall be absorbed within the total budg-  
24 etary resources available under title I to such department  
25 or agency: *Provided*, That the authority to transfer funds

1 between appropriations accounts as may be necessary to  
2 carry out this section is provided in addition to authorities  
3 included elsewhere in this Act: *Provided further*, That use  
4 of funds to carry out this section shall be treated as a  
5 reprogramming of funds under section 7015 of this Act.

6 PROHIBITION ON PUBLICITY OR PROPAGANDA

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

15 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN  
16 COUNTRIES

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

## 1 COUPS D'ÉTAT

2 SEC. 7008. None of the funds appropriated or other-  
3 wise made available pursuant to titles III through VI of  
4 this Act shall be obligated or expended to finance directly  
5 any assistance to the government of any country whose  
6 duly elected head of government is deposed by military  
7 coup d'état or decree or, after the date of enactment of  
8 this Act, a coup d'état or decree in which the military  
9 plays a decisive role: *Provided*, That assistance may be re-  
10 sumed to such government if the Secretary of State cer-  
11 tifies and reports to the appropriate congressional commit-  
12 tees that subsequent to the termination of assistance a  
13 democratically elected government has taken office: *Pro-*  
14 *vided further*, That the provisions of this section shall not  
15 apply to assistance to promote democratic elections or  
16 public participation in democratic processes, or to support  
17 a democratic transition: *Provided further*, That funds  
18 made available pursuant to the previous provisos shall be  
19 subject to the regular notification procedures of the Com-  
20 mittees on Appropriations: *Provided further*, That the Sec-  
21 retary of State, following consultation with the heads of  
22 relevant Federal agencies, may waive the restriction in  
23 this section on a program-by-program basis if the Sec-  
24 retary certifies and reports to the Committees on Appro-  
25 priations that such waiver is in the national security inter-

1 est of the United States: *Provided further*, That funds  
2 made available pursuant to such waiver shall be subject  
3 to prior consultation with, and the regular notification  
4 procedures of, the Committees on Appropriations.

5 TRANSFER OF FUNDS AUTHORITY

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

8 (1) DEPARTMENT OF STATE.—

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

20 (B) EMBASSY SECURITY.—Funds appro-  
21 priated under the headings “Diplomatic Pro-  
22 grams”, including for Worldwide Security Pro-  
23 tection, “Embassy Security, Construction, and  
24 Maintenance”, and “Emergencies in the Diplo-  
25 matic and Consular Service” in this Act may be

1 transferred to, and merged with, funds appro-  
2 priated under such headings if the Secretary of  
3 State determines and reports to the Committees  
4 on Appropriations that to do so is necessary to  
5 implement the recommendations of the  
6 Benghazi Accountability Review Board, for  
7 emergency evacuations, or to prevent or re-  
8 spond to security situations and requirements,  
9 following consultation with, and subject to the  
10 regular notification procedures of, such Com-  
11 mittees: *Provided*, That such transfer authority  
12 is in addition to any transfer authority other-  
13 wise available in this Act and under any other  
14 provision of law.

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

24 (3) TREATMENT AS REPROGRAMMING.—Any  
25 transfer pursuant to this subsection shall be treated

1 as a reprogramming of funds under section 7015 of  
2 this Act and shall not be available for obligation or  
3 expenditure except in compliance with the proce-  
4 dures set forth in that section.

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

7 (1) IN GENERAL.—None of the funds made  
8 available under titles II through V of this Act may  
9 be transferred to any department, agency, or instru-  
10 mentality of the United States Government, except  
11 pursuant to a transfer made by, or transfer author-  
12 ity provided in, this Act or any other appropriations  
13 Act.

14 (2) ALLOCATION AND TRANSFERS.—Notwith-  
15 standing paragraph (1), in addition to transfers  
16 made by, or authorized elsewhere in, this Act, funds  
17 appropriated by this Act to carry out the purposes  
18 of the Foreign Assistance Act of 1961 may be allo-  
19 cated or transferred to agencies of the United States  
20 Government pursuant to the provisions of sections  
21 109, 610, and 632 of the Foreign Assistance Act of  
22 1961, and section 1434(j) of the BUILD Act of  
23 2018 (division F of Public Law 115–254).

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

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

18 (c) UNITED STATES INTERNATIONAL DEVELOPMENT  
19 FINANCE CORPORATION.—

20 (1) TRANSFERS.—Amounts transferred to the  
21 United States International Development Finance  
22 Corporation pursuant to section 1434(j) of the  
23 BUILD Act of 2018 (division F of Public Law 115–  
24 254), or any other transfer authority provided by  
25 any provision of law, shall be subject to prior con-

1 sultation with, and the regular notification proce-  
2 dures of, the Committees on Appropriations: *Pro-*  
3 *vided*, That the Secretary of State, the Adminis-  
4 trator of the United States Agency for International  
5 Development, and the Chief Executive Officer of the  
6 United States International Development Finance  
7 Corporation, as appropriate, shall ensure that the  
8 programs funded by such transfers are coordinated  
9 with, and complement, foreign assistance programs  
10 implemented by the Department of State and  
11 USAID.

12 (2) TRANSFER OF FUNDS FROM MILLENNIUM  
13 CHALLENGE CORPORATION.—Funds appropriated  
14 under the heading “Millennium Challenge Corpora-  
15 tion” in this Act or prior Acts making appropria-  
16 tions for the Department of State, foreign oper-  
17 ations, and related programs may be transferred to  
18 accounts under the heading “United States Inter-  
19 national Development Finance Corporation” and,  
20 when so transferred, may be used for the costs of  
21 activities described in subsections (b) and (c) of sec-  
22 tion 1421 of the BUILD Act of 2018: *Provided*,  
23 That such funds shall be subject to the limitations  
24 provided in the second, third, and fifth provisos  
25 under the heading “United States International De-

1       velopment Finance Corporation—Program Account”  
2       in this Act: *Provided further*, That any transfer exe-  
3       cuted pursuant to the transfer authority provided in  
4       this paragraph shall not exceed 10 percent of an in-  
5       dividual Compact awarded pursuant to section  
6       609(a) of the Millennium Challenge Act of 2003  
7       (title VI of Public Law 108–199): *Provided further*,  
8       That such funds shall not be available for adminis-  
9       trative expenses of the United States International  
10      Development Finance Corporation: *Provided further*,  
11      That such authority shall be subject to prior con-  
12      sultation with, and the regular notification proce-  
13      dures of, the Committees on Appropriations: *Pro-*  
14      *vided further*, That the transfer authority provided  
15      in this section is in addition to any other transfer  
16      authority provided by law: *Provided further*, That  
17      within 60 days of the termination in whole or in part  
18      of the Compact from which funds were transferred  
19      under this authority to the United States Inter-  
20      national Development Finance Corporation, any un-  
21      obligated balances shall be transferred back to the  
22      Millennium Challenge Corporation, subject to the  
23      regular notification procedures of the Committees on  
24      Appropriations.

1 (d) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—  
2 None of the funds made available under titles II through  
3 V of this Act may be obligated under an appropriations  
4 account to which such funds were not appropriated, except  
5 for transfers specifically provided for in this Act, unless  
6 the President, not less than 5 days prior to the exercise  
7 of any authority contained in the Foreign Assistance Act  
8 of 1961 to transfer funds, consults with and provides a  
9 written policy justification to the Committees on Appro-  
10 priations.

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

1 dits: *Provided*, That such audits shall be transmitted to  
2 the Committees on Appropriations by the Department of  
3 State or USAID, as appropriate: *Provided further*, That  
4 funds transferred under such authority may be made  
5 available for the cost of such audits.

6 PROHIBITION AND LIMITATION ON CERTAIN EXPENSES

7 SEC. 7010. (a) COMPUTER NETWORKS.—None of the  
8 funds made available by this Act for the operating ex-  
9 penses of any United States Government department or  
10 agency may be used to establish or maintain a computer  
11 network for use by such department or agency unless such  
12 network has filters designed to block access to sexually  
13 explicit websites: *Provided*, That nothing in this subsection  
14 shall limit the use of funds necessary for any Federal,  
15 State, Tribal, or local law enforcement agency, or any  
16 other entity carrying out the following activities: criminal  
17 investigations, prosecutions, and adjudications; adminis-  
18 trative discipline; and the monitoring of such websites un-  
19 dertaken as part of official business.

20 (b) PROHIBITION ON PROMOTION OF TOBACCO.—  
21 None of the funds made available by this Act shall be  
22 available to promote the sale or export of tobacco or to-  
23 bacco products (including electronic nicotine delivery sys-  
24 tems), or to seek the reduction or removal by any foreign  
25 country of restrictions on the marketing of tobacco or to-

1   bacco products (including electronic nicotine delivery sys-  
2   tems), except for restrictions which are not applied equally  
3   to all tobacco or tobacco products (including electronic nic-  
4   otine delivery systems) of the same type.

5           (c) REPRESENTATION AND ENTERTAINMENT EX-  
6   PENSES.—Each Federal department, agency, or entity  
7   funded in titles I or II of this Act, and the Department  
8   of the Treasury and independent agencies funded in titles  
9   III or VI of this Act, shall take steps to ensure that do-  
10  mestic and overseas representation and entertainment ex-  
11  penses further official agency business and United States  
12  foreign policy interests, and—

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

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

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

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

20           (d) LIMITATIONS ON ENTERTAINMENT EXPENSES.—  
21  None of the funds appropriated or otherwise made avail-  
22  able by this Act under the headings “International Mili-  
23  tary Education and Training” or “Foreign Military Fi-  
24  nancing Program” for Informational Program activities or  
25  under the headings “Global Health Programs”, “Develop-

1 ment Assistance”, “Economic Support Fund”, and “As-  
2 sistance for Europe, Eurasia and Central Asia” may be  
3 obligated or expended to pay for—

4 (1) alcoholic beverages; or

5 (2) entertainment expenses for activities that  
6 are substantially of a recreational character, includ-  
7 ing entrance fees at sporting events, theatrical and  
8 musical productions, and amusement parks.

9 AVAILABILITY OF FUNDS

10 SEC. 7011. No part of any appropriation contained  
11 in this Act shall remain available for obligation after the  
12 expiration of the current fiscal year unless expressly so  
13 provided by this Act: *Provided*, That funds appropriated  
14 for the purposes of chapters 1 and 8 of part I, section  
15 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign  
16 Assistance Act of 1961, section 23 of the Arms Export  
17 Control Act (22 U.S.C. 2763), and funds made available  
18 for “United States International Development Finance  
19 Corporation” and under the heading “Assistance for Eu-  
20 rope, Eurasia and Central Asia” shall remain available for  
21 an additional 4 years from the date on which the avail-  
22 ability of such funds would otherwise have expired, if such  
23 funds are initially obligated before the expiration of their  
24 respective periods of availability contained in this Act:  
25 *Provided further*, That notwithstanding any other provi-

1 sion of this Act, any funds made available for the purposes  
2 of chapter 1 of part I and chapter 4 of part II of the  
3 Foreign Assistance Act of 1961 which are allocated or ob-  
4 ligated for cash disbursements in order to address balance  
5 of payments or economic policy reform objectives, shall re-  
6 main available for an additional 4 years from the date on  
7 which the availability of such funds would otherwise have  
8 expired, if such funds are initially allocated or obligated  
9 before the expiration of their respective periods of avail-  
10 ability contained in this Act: *Provided further*, That the  
11 Secretary of State and the Administrator of the United  
12 States Agency for International Development shall provide  
13 a report to the Committees on Appropriations not later  
14 than October 31, 2023, detailing by account and source  
15 year, the use of this authority during the previous fiscal  
16 year.

17 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

18 SEC. 7012. No part of any appropriation provided  
19 under titles III through VI in this Act shall be used to  
20 furnish assistance to the government of any country which  
21 is in default during a period in excess of 1 calendar year  
22 in payment to the United States of principal or interest  
23 on any loan made to the government of such country by  
24 the United States pursuant to a program for which funds  
25 are appropriated under this Act unless the President de-



1 or through grantees, contractors, and subcontractors, shall  
2 be withheld from obligation from funds appropriated for  
3 assistance for fiscal year 2024 and for prior fiscal years  
4 and allocated for the central government of such country  
5 or for the West Bank and Gaza program, as applicable,  
6 if, not later than September 30, 2024, such taxes have  
7 not been reimbursed.

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

11 (d) REPROGRAMMING OF FUNDS.—Funds withheld  
12 from obligation for each foreign government or entity pur-  
13 suant to subsection (b) shall be reprogrammed for assist-  
14 ance for countries which do not assess taxes on United  
15 States assistance or which have an effective arrangement  
16 that is providing substantial reimbursement of such taxes,  
17 and that can reasonably accommodate such assistance in  
18 a programmatically responsible manner.

19 (e) DETERMINATIONS.—

20 (1) IN GENERAL.—The provisions of this sec-  
21 tion shall not apply to any foreign government or en-  
22 tity that assesses such taxes if the Secretary of  
23 State reports to the Committees on Appropriations  
24 that—

1 (A) such foreign government or entity has  
2 an effective arrangement that is providing sub-  
3 stantial reimbursement of such taxes; or

4 (B) the foreign policy interests of the  
5 United States outweigh the purpose of this sec-  
6 tion to ensure that United States assistance is  
7 not subject to taxation.

8 (2) CONSULTATION.—The Secretary of State  
9 shall consult with the Committees on Appropriations  
10 at least 15 days prior to exercising the authority of  
11 this subsection with regard to any foreign govern-  
12 ment or entity.

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

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

18 (1) BILATERAL AGREEMENT.—The term “bilat-  
19 eral agreement” refers to a framework bilateral  
20 agreement between the Government of the United  
21 States and the government of the country receiving  
22 assistance that describes the privileges and immuni-  
23 ties applicable to United States foreign assistance  
24 for such country generally, or an individual agree-  
25 ment between the Government of the United States

1 and such government that describes, among other  
2 things, the treatment for tax purposes that will be  
3 accorded the United States assistance provided  
4 under that agreement.

5 (2) TAXES AND TAXATION.—The term “taxes  
6 and taxation” shall include value added taxes and  
7 customs duties but shall not include individual in-  
8 come taxes assessed to local staff.

9 RESERVATIONS OF FUNDS

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

22 (b) EXTENSION OF AVAILABILITY.—In addition to  
23 the authority contained in subsection (a), the original pe-  
24 riod of availability of funds appropriated by this Act and  
25 administered by the Department of State or the United

1 States Agency for International Development that are spe-  
2 cifically designated for particular programs or activities by  
3 this or any other Act may be extended for an additional  
4 fiscal year if the Secretary of State or the USAID Admin-  
5 istrator, as appropriate, determines and reports promptly  
6 to the Committees on Appropriations that the termination  
7 of assistance to a country or a significant change in cir-  
8 cumstances makes it unlikely that such designated funds  
9 can be obligated during the original period of availability:  
10 *Provided*, That such designated funds that continue to be  
11 available for an additional fiscal year shall be obligated  
12 only for the purpose of such designation.

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

21 NOTIFICATION REQUIREMENTS

22 SEC. 7015. (a) NOTIFICATION OF CHANGES IN PRO-  
23 GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds  
24 made available in titles I, II, and VI, and under the head-  
25 ings “Peace Corps” and “Millennium Challenge Corpora-

tion”, 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 2023, 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 re-

1 lated programs, to the departments and agencies funded  
2 under such titles that remain available for obligation in  
3 fiscal year 2023, or provided from any accounts in the  
4 Treasury of the United States derived by the collection  
5 of fees available to the department and agency funded  
6 under title I of this Act, shall be available for obligation  
7 or expenditure for programs, projects, or activities  
8 through a reprogramming of funds in excess of  
9 \$1,000,000 or 10 percent, whichever is less, that—

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

12 (2) relocates an existing office or employees;

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

16 (4) results from any general savings, including  
17 savings from a reduction in personnel, which would  
18 result in a change in existing programs, projects, or  
19 activities as approved by Congress;

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

22 (c) NOTIFICATION REQUIREMENT.—None of the  
23 funds made available by this Act under the headings  
24 “Global Health Programs”, “Development Assistance”,  
25 “Economic Support Fund”, “Democracy Fund”, “Assist-

1 ance for Europe, Eurasia and Central Asia”, “Peace  
2 Corps”, “Millennium Challenge Corporation”, “Inter-  
3 national Narcotics Control and Law Enforcement”, “Non-  
4 proliferation, Anti-terrorism, Demining and Related Pro-  
5 grams”, “Peacekeeping Operations”, “International Mili-  
6 tary Education and Training”, “Foreign Military Financ-  
7 ing Program”, “International Organizations and Pro-  
8 grams”, “United States International Development Fi-  
9 nance Corporation”, and “Trade and Development Agen-  
10 cy” shall be available for obligation for programs, projects,  
11 activities, type of materiel assistance, countries, or other  
12 operations not justified or in excess of the amount justi-  
13 fied to the Committees on Appropriations for obligation  
14 under any of these specific headings unless the Commit-  
15 tees on Appropriations are notified 15 days in advance of  
16 such obligation: *Provided*, That the President shall not  
17 enter into any commitment of funds appropriated for the  
18 purposes of section 23 of the Arms Export Control Act  
19 for the provision of major defense equipment, other than  
20 conventional ammunition, or other major defense items  
21 defined to be aircraft, ships, missiles, or combat vehicles,  
22 not previously justified to Congress or 20 percent in excess  
23 of the quantities justified to Congress unless the Commit-  
24 tees on Appropriations are notified 15 days in advance of  
25 such commitment: *Provided further*, That requirements of

1 this subsection or any similar provision of this or any  
2 other Act shall not apply to any reprogramming for a pro-  
3 gram, project, or activity for which funds are appropriated  
4 under titles III through VI of this Act of less than 10  
5 percent of the amount previously justified to Congress for  
6 obligation for such program, project, or activity for the  
7 current fiscal year: *Provided further*, That any notification  
8 submitted pursuant to subsection (f) of this section shall  
9 include information (if known on the date of transmittal  
10 of such notification) on the use of notwithstanding author-  
11 ity.

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

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

1 a description of, and the estimated costs associated  
2 with, the support or continuation of such program.

3 (2) FUNDING.—Notwithstanding any other pro-  
4 vision of law, funds transferred by the Department  
5 of Defense to the Department of State and the  
6 United States Agency for International Development  
7 for assistance for foreign countries and international  
8 organizations shall be subject to the regular notifica-  
9 tion procedures of the Committees on Appropria-  
10 tions.

11 (3) NOTIFICATION ON EXCESS DEFENSE ARTI-  
12 CLES.—Prior to providing excess Department of De-  
13 fense articles in accordance with section 516(a) of  
14 the Foreign Assistance Act of 1961, the Department  
15 of Defense shall notify the Committees on Appro-  
16 priations to the same extent and under the same  
17 conditions as other committees pursuant to sub-  
18 section (f) of that section: *Provided*, That before  
19 issuing a letter of offer to sell excess defense articles  
20 under the Arms Export Control Act, the Department  
21 of Defense shall notify the Committees on Appro-  
22 priations in accordance with the regular notification  
23 procedures of such Committees if such defense arti-  
24 cles are significant military equipment (as defined in  
25 section 47(9) of the Arms Export Control Act) or

1 are valued (in terms of original acquisition cost) at  
2 \$7,000,000 or more, or if notification is required  
3 elsewhere in this Act for the use of appropriated  
4 funds for specific countries that would receive such  
5 excess defense articles: *Provided further*, That such  
6 Committees shall also be informed of the original ac-  
7 quisition cost of such defense articles.

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

22 (f) COUNTRY NOTIFICATION REQUIREMENTS.—None  
23 of the funds appropriated under titles III through VI of  
24 this Act may be obligated or expended for assistance for  
25 Afghanistan, Bahrain, Burma, Cambodia, Colombia,

1 Cuba, Egypt, El Salvador, Ethiopia, Guatemala, Haiti,  
2 Honduras, Iran, Iraq, Lebanon, Libya, Mexico, Nica-  
3 ragua, Pakistan, Philippines, the Russian Federation,  
4 Rwanda, Somalia, South Sudan, Sri Lanka, Sudan, Syria,  
5 Tunisia, Uzbekistan, Venezuela, Yemen, and Zimbabwe  
6 except as provided through the regular notification proce-  
7 dures of the Committees on Appropriations.

8 (g) TRUST FUNDS.—Funds appropriated or other-  
9 wise made available in title III of this Act and prior Acts  
10 making funds available for the Department of State, for-  
11 eign operations, and related programs that are made avail-  
12 able for a trust fund held by an international financial  
13 institution shall be subject to the regular notification pro-  
14 cedures of the Committees on Appropriations, and such  
15 notification shall include the information specified under  
16 this section in the explanatory statement accompanying  
17 this Act.

18 (h) OTHER PROGRAM NOTIFICATION REQUIRE-  
19 MENT.—

20 (1) DIPLOMATIC PROGRAMS.—Funds appro-  
21 priated under title I of this Act under the heading  
22 “Diplomatic Programs” that are made available for  
23 lateral entry into the Foreign Service shall be sub-  
24 ject to prior consultation with, and the regular noti-

1       fication procedures of, the Committees on Appro-  
2       priations.

3               (2) OTHER PROGRAMS.—Funds appropriated by  
4       this Act that are made available for the following  
5       programs and activities shall be subject to the reg-  
6       ular notification procedures of the Committees on  
7       Appropriations:

8               (A) the Global Engagement Center;

9               (B) the Power Africa and Prosper Africa  
10       initiatives;

11              (C) community-based police assistance con-  
12       ducted pursuant to the authority of section  
13       7035(a)(1) of this Act;

14              (D) the Prevention and Stabilization Fund  
15       and the Multi-Donor Global Fragility Fund;

16              (E) the Indo-Pacific Strategy;

17              (F) the Countering PRC Influence Fund  
18       and the Countering Russian Influence Fund;

19              (G) the Gender Equity and Equality Ac-  
20       tion Fund; and

21              (H) funds specifically allocated for the  
22       Partnership for Global Infrastructure and In-  
23       vestment.

24              (3) DEMOCRACY PROGRAM POLICY AND PROCE-  
25       DURES.—Modifications to democracy program policy

1 and procedures, including relating to the use of con-  
2 sortia, by the Department of State and USAID shall  
3 be subject to prior consultation with, and the regular  
4 notification procedures of, the Committees on Ap-  
5 propriations.

6 (4) ARMS SALES.—The reports, notifications,  
7 and certifications, and any other documents, re-  
8 quired to be submitted pursuant to section 36(a) of  
9 the Arms Export Control Act (22 U.S.C. 2776), and  
10 such documents submitted pursuant to section 36(b)  
11 through (d) of such Act with respect to countries  
12 that have received assistance provided with funds  
13 appropriated by this Act or prior Acts making ap-  
14 propriations for the Department of State, foreign  
15 operations, and related programs, shall be concu-  
16 rrently submitted to the Committees on Appropria-  
17 tions and shall include information about the source  
18 of funds for any sale or transfer, as applicable, if  
19 known at the time of submission.

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

1 (j) PRIOR CONSULTATION REQUIREMENT.—The Sec-  
2 retary of State, the Administrator of the United States  
3 Agency for International Development, the Chief Execu-  
4 tive Officer of the United States International Develop-  
5 ment Finance Corporation, and the Chief Executive Offi-  
6 cer of the Millennium Challenge Corporation shall consult  
7 with the Committees on Appropriations at least 7 days  
8 prior to informing a government of, or publicly announ-  
9 ing a decision on, the suspension or early termination of  
10 assistance to a country or a territory, including as a result  
11 of an interagency review of such assistance, from funds  
12 appropriated by this Act or prior Acts making appropria-  
13 tions for the Department of State, foreign operations, and  
14 related programs: *Provided*, That such consultation shall  
15 include a detailed justification for such suspension, includ-  
16 ing a description of the assistance being suspended.

17 DOCUMENTS, REPORT POSTING, RECORDS MANAGEMENT,  
18 AND RELATED CYBERSECURITY PROTECTIONS

19 SEC. 7016. (a) DOCUMENT REQUESTS.—None of the  
20 funds appropriated or made available pursuant to titles  
21 III through VI of this Act shall be available to a non-  
22 governmental organization, including any contractor,  
23 which fails to provide upon timely request any document,  
24 file, or record necessary to the auditing requirements of

1 the Department of State and the United States Agency  
2 for International Development.

3 (b) PUBLIC POSTING OF REPORTS.—

4 (1) Except as provided in paragraphs (2) and  
5 (3), any report required by this Act to be submitted  
6 to Congress by any Federal agency receiving funds  
7 made available by this Act shall be posted on the  
8 public Web site of such agency not later than 45  
9 days following the receipt of such report by Con-  
10 gress.

11 (2) Paragraph (1) shall not apply to a report  
12 if—

13 (A) the public posting of the report would  
14 compromise national security, including the  
15 conduct of diplomacy;

16 (B) the report contains proprietary or  
17 other privileged information; or

18 (C) the public posting of the report is spe-  
19 cifically exempted in the explanatory statement  
20 accompanying this Act.

21 (3) The agency posting such report shall do so  
22 only after the report has been made available to the  
23 Committees on Appropriations.

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

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

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

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

24           (4) substantially reduce, compared to the pre-  
25 vious fiscal year, the response time for identifying

1 and retrieving Federal records, including requests  
2 made pursuant to section 552 of title 5, United  
3 States Code (commonly known as the “Freedom of  
4 Information Act”); and

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

14 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

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

22 PROHIBITION ON FUNDING FOR ABORTIONS AND  
23 INVOLUNTARY STERILIZATION

24 SEC. 7018. None of the funds made available to carry  
25 out part I of the Foreign Assistance Act of 1961, as

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

21 ALLOCATIONS AND REPORTS

22 SEC. 7019. (a) ALLOCATION TABLES.—Subject to  
23 subsection (b), funds appropriated by this Act under titles  
24 III through V shall be made available in the amounts spe-  
25 cifically designated in the respective tables included in the

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

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

1 shall be subject to prior consultation with, and the regular  
2 notification procedures of, the Committees on Appropria-  
3 tions.

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

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

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

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

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

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

23 (f) CLARIFICATION.—Funds appropriated by this Act  
24 under the headings “International Disaster Assistance”  
25 and “Migration and Refugee Assistance” shall not be in-

1 cluded for purposes of meeting amounts designated for  
2 countries in this Act, unless such headings are specifically  
3 designated as the source of funds.

4 MULTI-YEAR PLEDGES

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

20 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

21 SUPPORTING INTERNATIONAL TERRORISM

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

24 (1) PROHIBITION.—None of the funds appro-  
25 priated or otherwise made available under titles III

1 through VI of this Act may be made available to any  
2 foreign government which provides lethal military  
3 equipment to a country the government of which the  
4 Secretary of State has determined supports inter-  
5 national terrorism for purposes of section 1754(c) of  
6 the Export Reform Control Act of 2018 (50 U.S.C.  
7 4813(c)): *Provided*, That the prohibition under this  
8 section with respect to a foreign government shall  
9 terminate 12 months after that government ceases  
10 to provide such military equipment: *Provided further*,  
11 That this section applies with respect to lethal mili-  
12 tary equipment provided under a contract entered  
13 into after October 1, 1997.

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

19 (3) REPORT.—Whenever the President makes a  
20 determination pursuant to paragraph (2), the Presi-  
21 dent shall submit to the Committees on Appropria-  
22 tions a report with respect to the furnishing of such  
23 assistance, including a detailed explanation of the  
24 assistance to be provided, the estimated dollar  
25 amount of such assistance, and an explanation of

1       how the assistance furthers the United States na-  
2       tional interest.

3       (b) BILATERAL ASSISTANCE.—

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

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

14           (B) otherwise supports international ter-  
15           rorism; or

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

20           (2) WAIVER.—The President may waive the ap-  
21       plication of paragraph (1) to a government if the  
22       President determines that national security or hu-  
23       manitarian reasons justify such waiver: *Provided*,  
24       That the President shall publish each such waiver in  
25       the Federal Register and, at least 15 days before the

1 waiver takes effect, shall notify the Committees on  
2 Appropriations of the waiver (including the justifica-  
3 tion for the waiver) in accordance with the regular  
4 notification procedures of the Committees on Appro-  
5 priations.

6 AUTHORIZATION REQUIREMENTS

7 SEC. 7022. Funds appropriated by this Act, except  
8 funds appropriated under the heading “Trade and Devel-  
9 opment Agency”, may be obligated and expended notwith-  
10 standing section 10 of Public Law 91–672 (22 U.S.C.  
11 2412), section 15 of the State Department Basic Authori-  
12 ties Act of 1956 (22 U.S.C. 2680), section 313 of the For-  
13 eign Relations Authorization Act, Fiscal Years 1994 and  
14 1995 (22 U.S.C. 6212), and section 504(a)(1) of the Na-  
15 tional Security Act of 1947 (50 U.S.C. 3094(a)(1)).

16 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

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

1 gional, and central program level funding within each such  
2 account, and for the development assistance accounts of  
3 the United States Agency for International Development,  
4 “program, project, and activity” shall also be considered  
5 to include central, country, regional, and program level  
6 funding, either as—

7 (1) justified to Congress; or

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

12 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN  
13 FOUNDATION, AND UNITED STATES AFRICAN DEVEL-  
14 OPMENT FOUNDATION

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

1 Appropriations and report to such Committees within 15  
2 days of taking such action.

3 COMMERCE, TRADE AND SURPLUS COMMODITIES

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

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

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

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

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



1           (1) AGREEMENTS.—If assistance is furnished to  
2           the government of a foreign country under chapters  
3           1 and 10 of part I or chapter 4 of part II of the  
4           Foreign Assistance Act of 1961 under agreements  
5           which result in the generation of local currencies of  
6           that country, the Administrator of the United States  
7           Agency for International Development shall—

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

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

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

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

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

23           (2) USES OF LOCAL CURRENCIES.—As may be  
24           agreed upon with the foreign government, local cur-  
25           rencies deposited in a separate account pursuant to

1 subsection (a), or an equivalent amount of local cur-  
2 rencies, shall be used only—

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

7 (i) project and sector assistance activi-  
8 ties; or

9 (ii) debt and deficit financing; or

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

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

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

1 for such purposes as may be agreed to by the gov-  
2 ernment of that country and the United States Gov-  
3 ernment.

4 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

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

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

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

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

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

11                               ELIGIBILITY FOR ASSISTANCE

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

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

7 (b) PUBLIC LAW 480.—During fiscal year 2023, re-  
8 strictions contained in this or any other Act with respect  
9 to assistance for a country shall not be construed to re-  
10 strict assistance under the Food for Peace Act (Public  
11 Law 83–480; 7 U.S.C. 1721 et seq.): *Provided*, That none  
12 of the funds appropriated to carry out title I of such Act  
13 and made available pursuant to this subsection may be  
14 obligated or expended except as provided through the reg-  
15 ular notification procedures of the Committees on Appro-  
16 priations.

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

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

22 (2) with respect to section 116 of the Foreign  
23 Assistance Act of 1961 or any comparable provision  
24 of law prohibiting assistance to the government of a

1 country that violates internationally recognized  
2 human rights.

3 DISABILITY PROGRAMS

4 SEC. 7028. (a) ASSISTANCE.—Of the funds appro-  
5 priated by this Act under the heading “Development As-  
6 sistance”, not less than \$20,000,000 shall be made avail-  
7 able for programs and activities administered by the  
8 United States Agency for International Development to  
9 address the needs and protect and promote the rights of  
10 people with disabilities in developing countries, including  
11 initiatives that focus on independent living, economic self-  
12 sufficiency, advocacy, education, employment, transpor-  
13 tation, sports, political and electoral participation, and in-  
14 tegration of individuals with disabilities, including for the  
15 cost of translation: *Provided*, That funds shall be made  
16 available to support disability rights advocacy organiza-  
17 tions in developing countries: *Provided further*, That such  
18 funds shall be in addition to funds otherwise made avail-  
19 able by this Act for such purposes.

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

## 1 INTERNATIONAL FINANCIAL INSTITUTIONS

2 SEC. 7029. (a) EVALUATIONS.—The Secretary of the  
3 Treasury shall instruct the United States executive direc-  
4 tor of each international financial institution to use the  
5 voice of the United States to encourage such institution  
6 to adopt and implement a publicly available policy, includ-  
7 ing the strategic use of peer reviews and external experts,  
8 to conduct independent, in-depth evaluations of the effec-  
9 tiveness of at least 35 percent of all loans, grants, pro-  
10 grams, and significant analytical non-lending activities in  
11 advancing the institution’s goals of reducing poverty and  
12 promoting equitable economic growth, consistent with rel-  
13 evant safeguards, to ensure that decisions to support such  
14 loans, grants, programs, and activities are based on accu-  
15 rate data and objective analysis.

## 16 (b) SAFEGUARDS.—

17 (1) STANDARD.—The Secretary of the Treasury  
18 shall instruct the United States Executive Director  
19 of the International Bank for Reconstruction and  
20 Development and the International Development As-  
21 sociation to use the voice and vote of the United  
22 States to oppose any loan, grant, policy, or strategy  
23 if such institution has adopted and is implementing  
24 any social or environmental safeguard relevant to  
25 such loan, grant, policy, or strategy that provides

1 less protection than World Bank safeguards in effect  
2 on September 30, 2015.

3 (2) ACCOUNTABILITY, STANDARDS, AND BEST  
4 PRACTICES.—The Secretary of the Treasury shall in-  
5 struct the United States executive director of each  
6 international financial institution to use the voice  
7 and vote of the United States to oppose loans or  
8 other financing for projects unless such projects—

9 (A) provide for accountability and trans-  
10 parency, including the collection, verification,  
11 and publication of beneficial ownership informa-  
12 tion related to extractive industries and on-site  
13 monitoring during the life of the project;

14 (B) will be developed and carried out in ac-  
15 cordance with best practices regarding environ-  
16 mental conservation, cultural protection, and  
17 empowerment of local populations, including  
18 free, prior and informed consent of affected In-  
19 digenous communities;

20 (C) do not provide incentives for, or facili-  
21 tate, forced displacement or other violations of  
22 human rights;

23 (D) do not partner with or otherwise in-  
24 volve enterprises owned or controlled by the  
25 armed forces;

1 (E) prioritize the use of local labor; and

2 (F) use value-for-money standards rather  
3 than lowest bid, including when a foreign state-  
4 owned enterprise or entity is bidding.

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

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

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

10 (e) FRAUD AND CORRUPTION.—The Secretary of the  
11 Treasury shall instruct the United States executive direc-  
12 tor of each international financial institution to use the  
13 voice of the United States to—

14 (1) include in loan, grant, and other financing  
15 agreements measurable improvements in borrowing  
16 countries' financial management and judicial capac-  
17 ity to investigate, prosecute, and punish fraud and  
18 corruption; and

19 (2) oppose any loan, grant, or other financing,  
20 except to meet basic human needs, unless the gov-  
21 ernment of the country is making measurable  
22 progress in reducing corruption, as determined in  
23 consultation with the Secretary of State: *Provided*,  
24 That the requirement of this paragraph shall not

1 take effect until 180 days after the date of enact-  
2 ment of this Act.

3 (f) BENEFICIAL OWNERSHIP INFORMATION.—The  
4 Secretary of the Treasury shall instruct the United States  
5 executive director of each international financial institu-  
6 tion to use the voice of the United States to encourage  
7 such institution to collect, verify, and publish, to the max-  
8 imum extent practicable, beneficial ownership information  
9 (excluding proprietary information) for any corporation or  
10 limited liability company, other than a publicly listed com-  
11 pany, that receives funds from any such financial institu-  
12 tion.

13 (g) WHISTLEBLOWER PROTECTIONS.—The Secretary  
14 of the Treasury shall instruct the United States executive  
15 director of each international financial institution to use  
16 the voice of the United States to encourage such institu-  
17 tion to effectively implement and enforce policies and pro-  
18 cedures which meet or exceed best practices in the United  
19 States for the protection of whistleblowers from retalia-  
20 tion, including—

- 21 (1) protection against retaliation for internal  
22 and lawful public disclosure;
- 23 (2) legal burdens of proof;
- 24 (3) statutes of limitation for reporting retalia-  
25 tion;

1           (4) access to binding independent adjudicative  
2           bodies, including shared cost and selection external  
3           arbitration; and

4           (5) results that eliminate the effects of proven  
5           retaliation, including provision for the restoration of  
6           prior employment.

7           (h) GRIEVANCE MECHANISMS AND PROCEDURES.—  
8           The Secretary of the Treasury shall instruct the United  
9           States executive director of each international financial in-  
10          stitution to use the voice and vote of the United States  
11          to support independent investigative and adjudicative  
12          mechanisms and procedures that meet or exceed best prac-  
13          tices in the United States to provide due process and fair  
14          compensation, including the right to reinstatement, for  
15          employees who are subjected to harassment, discrimina-  
16          tion, retaliation, false allegations, or other misconduct.

17          (i) CAPITAL INCREASES.—None of the funds appro-  
18          priated by this Act or prior Acts making appropriations  
19          for the Department of State, foreign operations, and re-  
20          lated programs may be made available to support a capital  
21          increase for an international financial institution unless  
22          the President submits a budget request for such increase  
23          to Congress and determines and reports to the Commit-  
24          tees on Appropriations that—

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

8           (2) the governors of such institution have ap-  
9           proved the capital increase; and

10          (3) the institution is implementing policies and  
11          guidelines to require that recipients of loans, credits,  
12          grants, guarantees, or other financing from such in-  
13          stitution are making measurable progress in reduc-  
14          ing corruption.

15          (j) REPORT.—Not later than 180 days after the date  
16          of enactment of this Act and every 180 days thereafter  
17          until September 30, 2024, the Secretary of the Treasury  
18          shall submit a report to the appropriate congressional  
19          committees detailing the actions taken by the United  
20          States executive directors of the international financial in-  
21          stitutions to implement subsections (a), (b), (d), (e), (f),  
22          (g), and (h) of this section: *Provided*, That such report  
23          shall include the processes established to ensure compli-  
24          ance with the requirements in subsections (e)(2) and  
25          (i)(3), including consultation with the Secretary of State.

## 1 TECHNOLOGY SECURITY

2 SEC. 7030. (a) INSECURE COMMUNICATIONS NET-  
3 WORKS.—Funds appropriated by this Act shall be made  
4 available for programs, including through the Digital  
5 Connectivity and Cybersecurity Partnership, to—

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

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

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

23 *Provided*, That such funds, including funds appropriated  
24 under the heading “Economic Support Fund”, may be  
25 used to strengthen civilian cybersecurity capacity, includ-

1 ing participation of foreign law enforcement and military  
2 personnel in non-military activities, notwithstanding any  
3 other provision of law and following consultation with the  
4 Committees on Appropriations.

5 (b) CONSULTATION REQUIREMENT.—Funds appro-  
6 priated or otherwise made available by any provision of  
7 law for the Chips for America International Technology  
8 Security and Innovation Fund or a similar fund author-  
9 ized or established by law, including to carry out sections  
10 9905 and 9202(a)(2) of the William M. (Mac) Thornberry  
11 National Defense Authorization Act for Fiscal Year 2021  
12 (Public Law 116–283), shall be subject to prior consulta-  
13 tion with, and the regular notification procedures of, the  
14 Committees on Appropriations.

15 FINANCIAL MANAGEMENT, BUDGET TRANSPARENCY, AND  
16 ANTI-CORRUPTION

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

19 (1) REQUIREMENTS.—Funds appropriated by  
20 this Act may be made available for direct govern-  
21 ment-to-government assistance only if—

22 (A) the requirements included in section  
23 7031(a)(1)(A) through (E) of the Department  
24 of State, Foreign Operations, and Related Pro-

1           grams Appropriations Act, 2019 (division F of  
2           Public Law 116–6) are fully met; and

3                   (B) the recipient government is making  
4           measurable progress in reducing corruption.

5           (2) CONSULTATION AND NOTIFICATION.—In  
6           addition to the requirements in paragraph (1), funds  
7           may only be made available for direct government-  
8           to-government assistance subject to prior consulta-  
9           tion with, and the regular notification procedures of,  
10          the Committees on Appropriations: *Provided*, That  
11          such notification shall contain an explanation of how  
12          the proposed activity meets the requirements of  
13          paragraph (1): *Provided further*, That the require-  
14          ments of this paragraph shall only apply to direct  
15          government-to-government assistance in excess of  
16          \$10,000,000 and all funds available for cash trans-  
17          fer, budget support, and cash payments to individ-  
18          uals.

19          (3) SUSPENSION OF ASSISTANCE.—The Admin-  
20          istrator of the United States Agency for Inter-  
21          national Development or the Secretary of State, as  
22          appropriate, shall suspend any direct government-to-  
23          government assistance if the Administrator or the  
24          Secretary has credible information of material mis-  
25          use of such assistance, unless the Administrator or

1 the Secretary reports to the Committees on Appro-  
2 priations that it is in the national interest of the  
3 United States to continue such assistance, including  
4 a justification, or that such misuse has been appro-  
5 priately addressed.

6 (4) SUBMISSION OF INFORMATION.—The Sec-  
7 retary of State shall submit to the Committees on  
8 Appropriations, concurrent with the fiscal year 2024  
9 congressional budget justification materials, amounts  
10 planned for assistance described in paragraph (1) by  
11 country, proposed funding amount, source of funds,  
12 and type of assistance.

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

18 (b) NATIONAL BUDGET AND CONTRACT TRANS-  
19 PARENCY.—

20 (1) MINIMUM REQUIREMENTS OF FISCAL  
21 TRANSPARENCY.—The Secretary of State shall con-  
22 tinue to update and strengthen the “minimum re-  
23 quirements of fiscal transparency” for each govern-  
24 ment receiving assistance appropriated by this Act,  
25 as identified in the report required by section

1       7031(b) of the Department of State, Foreign Oper-  
2       ations, and Related Programs Appropriations Act,  
3       2014 (division K of Public Law 113–76).

4           (2) DETERMINATION AND REPORT.—For each  
5       government identified pursuant to paragraph (1),  
6       the Secretary of State, not later than 180 days after  
7       the date of enactment of this Act, shall make or up-  
8       date any determination of “significant progress” or  
9       “no significant progress” in meeting the minimum  
10      requirements of fiscal transparency, and make such  
11      determinations publicly available in an annual “Fis-  
12      cal Transparency Report” to be posted on the De-  
13      partment of State website: *Provided*, That such re-  
14      port shall include the elements included under this  
15      heading in the explanatory statement accompanying  
16      this Act.

17           (3) ASSISTANCE.—Not less than \$7,000,000 of  
18      the funds appropriated by this Act under the head-  
19      ing “Economic Support Fund” shall be made avail-  
20      able for programs and activities to assist govern-  
21      ments identified pursuant to paragraph (1) to im-  
22      prove budget transparency and to support civil soci-  
23      ety organizations in such countries that promote  
24      budget transparency.

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

1 (1) INELIGIBILITY.—

2 (A) Officials of foreign governments and  
3 their immediate family members about whom  
4 the Secretary of State has credible information  
5 have been involved, directly or indirectly, in sig-  
6 nificant corruption, including corruption related  
7 to the extraction of natural resources, or a  
8 gross violation of human rights, including the  
9 wrongful detention of locally employed staff of  
10 a United States diplomatic mission or a United  
11 States citizen or national, shall be ineligible for  
12 entry into the United States.

13 (B) Concurrent with the application of  
14 subparagraph (A), the Secretary shall, as ap-  
15 propriate, refer the matter to the Office of For-  
16 eign Assets Control, Department of the Treas-  
17 ury, to determine whether to apply sanctions  
18 authorities in accordance with United States  
19 law to block the transfer of property and inter-  
20 ests in property, and all financial transactions,  
21 in the United States involving any person de-  
22 scribed in such subparagraph: *Provided*, That a  
23 copy of each such referral shall be provided to  
24 the appropriate congressional committees and

1           the Committees on the Judiciary not less than  
2           5 days after such referral is made.

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

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

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

1           (4) REPORT.—Not later than 30 days after the  
2           date of enactment of this Act, and every 90 days  
3           thereafter until September 30, 2024, the Secretary  
4           of State shall submit a report, including a classified  
5           annex if necessary, to the appropriate congressional  
6           committees and the Committees on the Judiciary de-  
7           scribing the information related to corruption or vio-  
8           lation of human rights concerning each of the indi-  
9           viduals found ineligible in the previous 12 months  
10          pursuant to paragraph (1)(A) as well as the individ-  
11          uals who the Secretary designated or identified pur-  
12          suant to paragraph (1)(B), or who would be ineli-  
13          gible but for the application of paragraph (2), a list  
14          of any waivers provided under paragraph (3), and  
15          the justification for each waiver.

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

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

25          (d) EXTRACTION OF NATURAL RESOURCES.—

1           (1) ASSISTANCE.—Funds appropriated by this  
2 Act shall be made available to promote and support  
3 transparency and accountability of expenditures and  
4 revenues related to the extraction of natural re-  
5 sources, including by strengthening implementation  
6 and monitoring of the Extractive Industries Trans-  
7 parency Initiative, implementing and enforcing sec-  
8 tion 8204 of the Food, Conservation, and Energy  
9 Act of 2008 (Public Law 110–246; 122 Stat. 2052)  
10 and the amendments made by such section, and to  
11 prevent the sale of conflict diamonds, and for tech-  
12 nical assistance to promote independent audit mech-  
13 anisms and support civil society participation in nat-  
14 ural resource management.

15           (2) PUBLIC DISCLOSURE AND INDEPENDENT  
16 AUDITS.—

17           (A) The Secretary of the Treasury shall in-  
18 struct the executive director of each inter-  
19 national financial institution to use the voice  
20 and vote of the United States to oppose any as-  
21 sistance by such institutions (including any  
22 loan, credit, grant, or guarantee) to any coun-  
23 try for the extraction and export of a natural  
24 resource if the government of such country has  
25 in place laws, regulations, or procedures to pre-

1           vent or limit the public disclosure of company  
2           payments as required by United States law, and  
3           unless such government has adopted laws, regu-  
4           lations, or procedures in the sector in which as-  
5           sistance is being considered that: (1) accurately  
6           account for and publicly disclose payments to  
7           the government by companies involved in the  
8           extraction and export of natural resources; (2)  
9           include independent auditing of accounts receiv-  
10          ing such payments and the public disclosure of  
11          such audits; and (3) require public disclosure of  
12          agreement and bidding documents, as appro-  
13          priate.

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

18                                   DEMOCRACY PROGRAMS

19          SEC. 7032. (a) FUNDING.—

20                   (1) IN GENERAL.—Of the funds appropriated  
21          by this Act under the headings “Development As-  
22          sistance”, “Economic Support Fund”, “Democracy  
23          Fund”, “Assistance for Europe, Eurasia and Cen-  
24          tral Asia”, and “International Narcotics Control and

1 Law Enforcement”, not less than \$2,900,000,000  
2 should be made available for democracy programs.

3 (2) PROGRAMS.—Of the funds made available  
4 for democracy programs under the headings “Eco-  
5 nomic Support Fund” and “Assistance for Europe,  
6 Eurasia and Central Asia” pursuant to paragraph  
7 (1), not less than \$142,640,000 shall be made avail-  
8 able to the Bureau of Democracy, Human Rights,  
9 and Labor, Department of State.

10 (b) AUTHORITIES.—

11 (1) AVAILABILITY.—Funds made available by  
12 this Act for democracy programs pursuant to sub-  
13 section (a) and under the heading “National Endow-  
14 ment for Democracy” may be made available not-  
15 withstanding any other provision of law, and with  
16 regard to the National Endowment for Democracy  
17 (NED), any regulation.

18 (2) BENEFICIARIES.—Funds made available by  
19 this Act for the NED are made available pursuant  
20 to the authority of the National Endowment for De-  
21 mocracy Act (title V of Public Law 98–164), includ-  
22 ing all decisions regarding the selection of bene-  
23 ficiaries.

24 (c) DEFINITION OF DEMOCRACY PROGRAMS.—For  
25 purposes of funds appropriated by this Act, the term “de-

1 mocracy programs” means programs that support good  
2 governance, credible and competitive elections, freedom of  
3 expression, association, assembly, and religion, human  
4 rights, labor rights, independent media, and the rule of  
5 law, and that otherwise strengthen the capacity of demo-  
6 cratic political parties, governments, nongovernmental or-  
7 ganizations and institutions, and citizens to support the  
8 development of democratic states and institutions that are  
9 responsive and accountable to citizens.

10 (d) PROGRAM PRIORITIZATION.—Funds made avail-  
11 able pursuant to this section that are made available for  
12 programs to strengthen government institutions shall be  
13 prioritized for those institutions that demonstrate a com-  
14 mitment to democracy and the rule of law.

15 (e) RESTRICTIONS ON FOREIGN GOVERNMENT IN-  
16 TERFERENCE.—

17 (1) PRIOR APPROVAL.—With respect to the pro-  
18 vision of assistance for democracy programs in this  
19 Act, the organizations implementing such assistance,  
20 the specific nature of the assistance, and the partici-  
21 pants in such programs shall not be subject to prior  
22 approval by the government of any foreign country.

23 (2) DISCLOSURE OF IMPLEMENTING PARTNER  
24 INFORMATION.—If the Secretary of State, in con-  
25 sultation with the Administrator of the United

1 States Agency for International Development, deter-  
2 mines that the government of the country is un-  
3 democratic or has engaged in or condoned harass-  
4 ment, threats, or attacks against organizations im-  
5 plementing democracy programs, any new bilateral  
6 agreement governing the terms and conditions under  
7 which assistance is provided to such country shall  
8 not require the disclosure of the names of imple-  
9 menting partners of democracy programs, and the  
10 Secretary of State and the USAID Administrator  
11 shall expeditiously seek to negotiate amendments to  
12 existing bilateral agreements, as necessary, to con-  
13 form to this requirement.

14 (3) REPORTING REQUIREMENT.—The Secretary  
15 of State, in coordination with the USAID Adminis-  
16 trator, shall submit a report to the appropriate con-  
17 gressional committees, not later than 90 days after  
18 the date of enactment of this Act, detailing steps  
19 taken by the Department of State and USAID to  
20 comply with the requirements of this subsection.

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

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

3 (g) DIGITAL SECURITY AND COUNTERING  
4 DISINFORMATION.—Democracy programs supported with  
5 funds appropriated by this Act under subsection (a)(1)  
6 should, as appropriate—

7 (1) include—

8 (A) a component on digital security to en-  
9 hance the safety of implementers and bene-  
10 ficiaries;

11 (B) assistance for civil society organiza-  
12 tions to counter government surveillance, cen-  
13 sorship, and repression by digital means;

14 (C) efforts to combat weaponized tech-  
15 nology, including the misuse of social media to  
16 spread disinformation or incite hate; and

17 (D) measures to prevent the digital manip-  
18 ulation of elections, electoral data, and critical  
19 infrastructure; and

20 (2) incorporate activities to counter  
21 disinformation propagated by malign actors, includ-  
22 ing the People’s Republic of China and the Russian  
23 Federation.

24 (h) INFORMING THE NATIONAL ENDOWMENT FOR  
25 DEMOCRACY.—The Assistant Secretary for Democracy,

1 Human Rights, and Labor, Department of State, and the  
2 Assistant Administrator for Democracy, Conflict, and Hu-  
3 manitarian Assistance, USAID, shall regularly inform the  
4 NED of democracy programs that are planned and sup-  
5 ported with funds made available by this Act and prior  
6 Acts making appropriations for the Department of State,  
7 foreign operations, and related programs.

8 (i) PROTECTION OF CIVIL SOCIETY ACTIVISTS AND  
9 JOURNALISTS.—

10 (1) Of the funds appropriated by this Act under  
11 the headings “Economic Support Fund” and “De-  
12 mocracy Fund”, not less than \$30,000,000 shall be  
13 made available to support and protect civil society  
14 activists and journalists who have been threatened,  
15 harassed, or attacked, including journalists affiliated  
16 with the United States Agency for Global Media.

17 (j) INTERNATIONAL FREEDOM OF EXPRESSION AND  
18 INDEPENDENT MEDIA.—Of the funds appropriated by  
19 this Act under the heading “Economic Support Fund”,  
20 not less than \$20,000,000 shall be made available for pro-  
21 grams to protect international freedom of expression and  
22 independent media, including to implement the updated  
23 action plan required under section 7032(h) of the Depart-  
24 ment of State, Foreign Operations, and Related Programs  
25 Appropriations Act, 2021 (division K of Public Law 116—

1 260): *Provided*, That funds appropriated by this Act under  
2 the heading “Diplomatic Programs” shall be made avail-  
3 able to the Bureau of Democracy, Human Rights, and  
4 Labor, Department of State, and funds appropriated by  
5 this Act under the heading “Operating Expenses” shall  
6 be made available to the Bureau for Development, Democ-  
7 racy, and Innovation, USAID, for the costs of admin-  
8 istering such programs.

9 INTERNATIONAL RELIGIOUS FREEDOM

10 SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREE-  
11 DOM OFFICE.—Funds appropriated by this Act under the  
12 heading “Diplomatic Programs” shall be made available  
13 for the Office of International Religious Freedom, Depart-  
14 ment of State.

15 (b) ASSISTANCE.—Funds appropriated by this Act  
16 under the headings “Economic Support Fund”, “Democ-  
17 racy Fund”, and “International Broadcasting Operations”  
18 shall be made available for international religious freedom  
19 programs and funds appropriated by this Act under the  
20 headings “International Disaster Assistance” and “Migra-  
21 tion and Refugee Assistance” shall be made available for  
22 humanitarian assistance for vulnerable and persecuted  
23 ethnic and religious minorities: *Provided*, That funds made  
24 available by this Act under the headings “Economic Sup-  
25 port Fund” and “Democracy Fund” pursuant to this sec-

1 tion shall be the responsibility of the Ambassador-at-Large  
2 for International Religious Freedom, in consultation with  
3 other relevant United States Government officials, and  
4 shall be subject to prior consultation with the Committees  
5 on Appropriations.

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

13 (d) DESIGNATION OF NON-STATE ACTORS.—Section  
14 7033(e) of the Department of State, Foreign Operations,  
15 and Related Programs Appropriations Act, 2017 (division  
16 J of Public Law 115–31) shall continue in effect during  
17 fiscal year 2023.

18 SPECIAL PROVISIONS

19 SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHIL-  
20 DREN, AND DISPLACED BURMESE.—Funds appropriated  
21 in title III of this Act that are made available for victims  
22 of war, displaced children, displaced Burmese, and to com-  
23 bat trafficking in persons and assist victims of such traf-  
24 ficking, may be made available notwithstanding any other  
25 provision of law.

1 (b) FORENSIC ASSISTANCE.—

2 (1) Of the funds appropriated by this Act under  
3 the heading “Economic Support Fund”, not less  
4 than \$20,000,000 shall be made available for foren-  
5 sic anthropology assistance related to the exhuma-  
6 tion and identification of victims of war crimes,  
7 crimes against humanity, and genocide, which shall  
8 be administered by the Assistant Secretary for De-  
9 mocracy, Human Rights, and Labor, Department of  
10 State: *Provided*, That such funds shall be in addition  
11 to funds made available by this Act and prior Acts  
12 making appropriations for the Department of State,  
13 foreign operations, and related programs for assist-  
14 ance for countries.

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

20 (c) ATROCITIES PREVENTION.—Of the funds appro-  
21 priated by this Act under the headings “Economic Sup-  
22 port Fund” and “International Narcotics Control and  
23 Law Enforcement”, not less than \$6,000,000 shall be  
24 made available for programs to prevent atrocities: *Pro-*  
25 *vided*, That funds made available pursuant to this sub-

1 section are in addition to amounts otherwise made avail-  
2 able for such purposes: *Provided further*, That such funds  
3 shall be subject to the regular notification procedures of  
4 the Committees on Appropriations.

5 (d) DIRECTIVES AND AUTHORITIES.—

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

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

24 (3) PRIVATE SECTOR PARTNERSHIPS.—Of the  
25 funds appropriated by this Act under the headings

1 “Development Assistance” and “Economic Support  
2 Fund” that are made available for private sector  
3 partnerships, including partnerships with philan-  
4 thropic foundations, up to \$50,000,000 may remain  
5 available until September 30, 2025: *Provided*, That  
6 funds made available pursuant to this paragraph  
7 may only be made available following prior consulta-  
8 tion with, and the regular notification procedures of,  
9 the Committees on Appropriations.

10 (4) ADDITIONAL AUTHORITIES.—Of the  
11 amounts made available by this Act under the head-  
12 ing “Diplomatic Programs”, up to \$500,000 may be  
13 made available for grants pursuant to section 504 of  
14 the Foreign Relations Authorization Act, Fiscal  
15 Year 1979 (22 U.S.C. 2656d), including to facilitate  
16 collaboration with Indigenous communities, and  
17 under the heading “Educational and Cultural Ex-  
18 change Programs”, up to \$1,115,000 may be made  
19 available for grants to carry out the activities of the  
20 Cultural Antiquities Task Force.

21 (5) INNOVATION.—The USAID Administrator  
22 may use funds appropriated by this Act under title  
23 III to make innovation incentive awards in accord-  
24 ance with the terms and conditions of section  
25 7034(e)(4) of the Department of State, Foreign Op-

1 erations, and Related Programs Appropriations Act,  
2 2019 (division F of Public Law 116–6): *Provided*,  
3 That each individual award may not exceed  
4 \$100,000.

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

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

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

7 (8) PAYMENTS.—Funds appropriated by this  
8 Act and prior Acts making appropriations for the  
9 Department of State, foreign operations, and related  
10 programs under the headings “Diplomatic Pro-  
11 grams” and “Operating Expenses”, except for funds  
12 designated by Congress as an emergency require-  
13 ment pursuant to a concurrent resolution on the  
14 budget or the Balanced Budget and Emergency Def-  
15 icit Control Act of 1985, are available to provide  
16 payments pursuant to section 901(i)(2) of title IX of  
17 division J of the Further Consolidated Appropria-  
18 tions Act, 2020 (22 U.S.C. 2680b(i)(2)): *Provided*,  
19 That funds made available pursuant to this para-  
20 graph shall be subject to prior consultation with the  
21 Committees on Appropriations.

22 (9) EXPORT-IMPORT BANK.—

23 (A) Section 6(a)(3) of the Export-Import  
24 Bank Act of 1945 (12 U.S.C. 635e(a)(3)) shall  
25 be applied through September 30, 2023, by

1 substituting “4 percent” for “2 percent” in  
2 each place it appears.

3 (B) Section 8(g) of the Export-Import  
4 Bank Act of 1945 (12 U.S.C. 635g(g)) shall be  
5 applied through September 30, 2023, by sub-  
6 stituting “4 percent” for “2 percent” in each  
7 place it appears.

8 (10) AFGHAN ALLIES.—Section 602(b)(3)(F) of  
9 the Afghan Allies Protection Act of 2009 (8 U.S.C.  
10 1101 note) is amended—

11 (A) in the heading, by striking “2022” and  
12 inserting “2023”;

13 (B) in the matter preceding clause (i), in  
14 the first sentence, by striking “34,500” and in-  
15 serting “38,500”; and

16 (C) in clauses (i) and (ii), by striking “De-  
17 cember 31, 2023” and inserting “December 31,  
18 2024”.

19 (e) PARTNER VETTING.—Prior to initiating a partner  
20 vetting program, providing a direct vetting option, or mak-  
21 ing a significant change to the scope of an existing partner  
22 vetting program, the Secretary of State and USAID Ad-  
23 ministrator, as appropriate, shall consult with the Com-  
24 mittees on Appropriations: *Provided*, That the Secretary  
25 and the Administrator shall provide a direct vetting option

1 for prime awardees in any partner vetting program initi-  
2 ated or significantly modified after the date of enactment  
3 of this Act, unless the Secretary of State or USAID Ad-  
4 ministrator, as applicable, informs the Committees on Ap-  
5 propriations on a case-by-case basis that a direct vetting  
6 option is not feasible for such program: *Provided further*,  
7 That the Secretary and the Administrator may restrict the  
8 award of, terminate, or cancel contracts, grants, or cooper-  
9 ative agreements or require an awardee to restrict the  
10 award of, terminate, or cancel a sub-award based on infor-  
11 mation in connection with a partner vetting program.

12 (f) CONTINGENCIES.—During fiscal year 2023, the  
13 President may use up to \$145,000,000 under the author-  
14 ity of section 451 of the Foreign Assistance Act of 1961,  
15 notwithstanding any other provision of law.

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

1           (h) TRANSFER OF FUNDS FOR EXTRAORDINARY  
2 PROTECTION.—The Secretary of State may transfer to,  
3 and merge with, funds under the heading “Protection of  
4 Foreign Missions and Officials” unobligated balances of  
5 expired funds appropriated under the heading “Diplomatic  
6 Programs” for fiscal year 2023, at no later than the end  
7 of the fifth fiscal year after the last fiscal year for which  
8 such funds are available for the purposes for which appro-  
9 priated: *Provided*, That not more than \$50,000,000 may  
10 be transferred.

11           (i) PROTECTIONS AND REMEDIES FOR EMPLOYEES  
12 OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANI-  
13 ZATIONS.—The terms and conditions of section 7034(k)  
14 of the Department of State, Foreign Operations, and Re-  
15 lated Programs Appropriations Act, 2020 (division G of  
16 Public Law 116–94) shall continue in effect during fiscal  
17 year 2023.

18           (j) EXTRADITION.—Section 7055 of the Department  
19 of State, Foreign Operations, and Related Programs Ap-  
20 propriations Act, 2022 (division K of Public Law 117–  
21 103) shall continue in effect during fiscal year 2023.

22           (k) INVOLUNTARY REPATRIATIONS.—Funds appro-  
23 priated by this Act and prior Acts making appropriations  
24 for the Department of State, foreign operations, and re-

1 lated programs may not be made available for the direct  
2 removal costs of involuntary repatriation operations.

3 (I) EXTENSION OF AUTHORITIES.—

4 (1) PASSPORT FEES.—Section 1(b)(2) of the  
5 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))  
6 shall be applied by substituting “September 30,  
7 2023” for “September 30, 2010”.

8 (2) INCENTIVES FOR CRITICAL POSTS.—The  
9 authority contained in section 1115(d) of the Sup-  
10 plemental Appropriations Act, 2009 (Public Law  
11 111–32) shall remain in effect through September  
12 30, 2023.

13 (3) USAID CIVIL SERVICE ANNUITANT WAIV-  
14 ER.—Section 625(j)(1) of the Foreign Assistance  
15 Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied  
16 by substituting “September 30, 2023” for “October  
17 1, 2010” in subparagraph (B).

18 (4) OVERSEAS PAY COMPARABILITY AND LIM-  
19 TATION.—

20 (A) Subject to the limitation described in  
21 subparagraph (B), the authority provided by  
22 section 1113 of the Supplemental Appropria-  
23 tions Act, 2009 (Public Law 111–32) shall re-  
24 main in effect through September 30, 2023.

1           (B) The authority described in subpara-  
2 graph (A) may not be used to pay an eligible  
3 member of the Foreign Service (as defined in  
4 section 1113(b) of the Supplemental Appropria-  
5 tions Act, 2009 (Public Law 111–32)) a local-  
6 ity-based comparability payment (stated as a  
7 percentage) that exceeds two-thirds of the  
8 amount of the locality-based comparability pay-  
9 ment (stated as a percentage) that would be  
10 payable to such member under section 5304 of  
11 title 5, United States Code, if such member’s  
12 official duty station were in the District of Co-  
13 lumbia.

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

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

20           (i) in subsection (b)(3), by striking  
21 “and 2022” and inserting “2022, and  
22 2023”; and

23           (ii) in subsection (e), by striking  
24 “2022” each place it appears and inserting  
25 “2023”; and

1 (B) in section 599E(b)(2) (8 U.S.C. 1255  
2 note), by striking “2022” and inserting  
3 “2023”.

4 (6) INSPECTOR GENERAL ANNUITANT WAIV-  
5 ER.—The authorities provided in section 1015(b) of  
6 the Supplemental Appropriations Act, 2010 (Public  
7 Law 111–212) shall remain in effect through Sep-  
8 tember 30, 2023, and may be used to facilitate the  
9 assignment of persons for oversight of programs in  
10 Somalia, South Sudan, Syria, Venezuela, and  
11 Yemen.

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

23 (8) ACCOUNTABILITY REVIEW BOARDS.—The  
24 authority provided by section 301(a)(3) of the Omni-  
25 bus Diplomatic Security and Antiterrorism Act of

1       1986 (22 U.S.C. 4831(a)(3)) shall remain in effect  
2       for facilities in Afghanistan through September 30,  
3       2023, except that the notification and reporting re-  
4       quirements contained in such section shall include  
5       the Committees on Appropriations.

6               (9) TRANSFER OF BALANCES.—Section 7081(h)  
7       of the Department of State, Foreign Operations, and  
8       Related Programs Appropriations Act, 2017 (divi-  
9       sion J of Public Law 115–31) shall continue in ef-  
10      fect during fiscal year 2023.

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

22              (11) PROTECTIVE SERVICES.—Section 7071 of  
23      the Department of State, Foreign Operations, and  
24      Related Programs Appropriations Act, 2022 (divi-

1       sion K of Public Law 117–103) shall continue in ef-  
2       fect during fiscal year 2023.

3           (12) EXTENSION OF LOAN GUARANTEES TO  
4       ISRAEL.—Chapter 5 of title I of the Emergency  
5       Wartime Supplemental Appropriations Act, 2003  
6       (Public Law 108–11; 117 Stat. 576) is amended  
7       under the heading “Loan Guarantees to Israel”—

8           (A) in the matter preceding the first pro-  
9       viso, by striking “September 30, 2023” and in-  
10      serting “September 30, 2028”; and

11          (B) in the second proviso, by striking  
12      “September 30, 2023” and inserting “Sep-  
13      tember 30, 2028”.

14      (m) MONITORING AND EVALUATION.—

15          (1) BENEFICIARY FEEDBACK.—Funds appro-  
16      priated by this Act that are made available for moni-  
17      toring and evaluation of assistance under the head-  
18      ings “Development Assistance”, “International Dis-  
19      aster Assistance”, and “Migration and Refugee As-  
20      sistance” shall be made available for the regular and  
21      systematic collection of feedback obtained directly  
22      from beneficiaries to enhance the quality and rel-  
23      evance of such assistance: *Provided*, That not later  
24      than 90 days after the date of enactment of this  
25      Act, the Secretary of State and USAID Adminis-

1       trator shall submit to the Committees on Appropria-  
2       tions, and post on their respective websites, updated  
3       procedures for implementing partners that receive  
4       funds under such headings for regularly and system-  
5       atically collecting and responding to such feedback,  
6       including guidelines for the reporting on actions  
7       taken in response to the feedback received: *Provided*  
8       *further*, That the Secretary of State and USAID Ad-  
9       ministrators shall regularly—

10               (A) conduct oversight to ensure that such  
11               feedback is regularly collected and used by im-  
12               plementing partners to maximize the cost-effec-  
13               tiveness and utility of such assistance; and

14               (B) consult with the Committees on Appro-  
15               priations on the results of such oversight.

16               (2) EX-POST EVALUATIONS.—Of the funds ap-  
17               propriated by this Act under titles III and IV, not  
18               less than \$10,000,000 shall be made available for  
19               ex-post evaluations of the effectiveness and sustain-  
20               ability of United States Government-funded assist-  
21               ance programs.

22               (n) HIV/AIDS WORKING CAPITAL FUND.—Funds  
23               available in the HIV/AIDS Working Capital Fund estab-  
24               lished pursuant to section 525(b)(1) of the Foreign Oper-  
25               ations, Export Financing, and Related Programs Appro-

1 priations Act, 2005 (Public Law 108–447) may be made  
2 available for pharmaceuticals and other products for child  
3 survival, malaria, tuberculosis, and emerging and other in-  
4 fectious diseases, and other global health activities, to the  
5 same extent as HIV/AIDS pharmaceuticals and other  
6 products, subject to the terms and conditions in such sec-  
7 tion: *Provided*, That the authority in section 525(b)(5) of  
8 the Foreign Operations, Export Financing, and Related  
9 Programs Appropriation Act, 2005 (Public Law 108–447)  
10 shall be exercised by the Assistant Administrator for Glob-  
11 al Health, USAID, with respect to funds deposited for  
12 such non-HIV/AIDS pharmaceuticals and other products,  
13 and shall be subject to the regular notification procedures  
14 of the Committees on Appropriations: *Provided further*,  
15 That the Secretary of State shall include in the congres-  
16 sional budget justification an accounting of budgetary re-  
17 sources, disbursements, balances, and reimbursements re-  
18 lated to such fund.

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

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

1 costs, as defined in section 502 of the Congressional  
2 Budget Act of 1974, of loan guarantees, which are  
3 authorized to be provided: *Provided*, That amounts  
4 made available under this paragraph for the costs of  
5 such guarantees shall not be considered assistance  
6 for the purposes of provisions of law limiting assist-  
7 ance to a country: *Provided further*, That not less  
8 than 30 days prior to the initial obligation of funds  
9 for a loan guarantee or a public announcement of a  
10 loan guarantee if funds have not been obligated for  
11 such purpose prior to such announcement, the Presi-  
12 dent shall designate, and concurrently report such  
13 designation to the appropriate congressional commit-  
14 tees, the Federal agency or agencies responsible for  
15 managing the legacy loan guarantee portfolio, main-  
16 taining the current and future financial exposure of  
17 loan guarantees, and executing future loan guaran-  
18 tees.

19 (2) CONSULTATION AND NOTIFICATION.—  
20 Funds made available pursuant to the authorities of  
21 this subsection shall be subject to prior consultation  
22 with the appropriate congressional committees and  
23 the regular notification procedures of the Commit-  
24 tees on Appropriations.

25 (p) LOCAL WORKS.—

1           (1) FUNDING.—Of the funds appropriated by  
2 this Act under the headings “Development Assist-  
3 ance” and “Economic Support Fund”, not less than  
4 \$100,000,000 shall be made available for Local  
5 Works pursuant to section 7080 of the Department  
6 of State, Foreign Operations, and Related Programs  
7 Appropriations Act, 2015 (division J of Public Law  
8 113–235), which may remain available until Sep-  
9 tember 30, 2027.

10           (2) ELIGIBLE ENTITIES.—For the purposes of  
11 section 7080 of the Department of State, Foreign  
12 Operations, and Related Programs Appropriations  
13 Act, 2015 (division J of Public Law 113–235), “eli-  
14 gible entities” shall be defined as small local, inter-  
15 national, and United States-based nongovernmental  
16 organizations, educational institutions, and other  
17 small entities that have received less than a total of  
18 \$5,000,000 from USAID over the previous 5 fiscal  
19 years: *Provided*, That departments or centers of  
20 such educational institutions may be considered indi-  
21 vidualy in determining such eligibility.

22           (q) EXTENSION OF PROCUREMENT AUTHORITY.—  
23 Section 7077 of the Department of State, Foreign Oper-  
24 ations, and Related Programs Appropriations Act, 2012

1 (division I of Public Law 112–74) shall continue in effect  
2 during fiscal year 2023.

3 (r) SECTION 889.—For the purposes of obligations  
4 and expenditures made with funds appropriated by this  
5 Act and prior Acts making appropriations for the Depart-  
6 ment of State, foreign operations, and related programs,  
7 the waiver authority in section 889(d)(2) of the John S.  
8 McCain National Defense Authorization Act for Fiscal  
9 Year 2019 (Public Law 115–232) may also be available  
10 to the Secretary of State, following consultation with the  
11 Director of National Intelligence: *Provided*, That not later  
12 than 60 days after the date of enactment of this Act, the  
13 Secretary of State shall submit to the appropriate congres-  
14 sional committees a report detailing the use of the author-  
15 ity of this subsection since enactment of this Act, which  
16 shall include the scope and duration of any waiver grant-  
17 ed, the entity covered by such waiver, and a detailed de-  
18 scription of the national security interest served: *Provided*  
19 *further*, That such report shall be updated every 60 days  
20 until September 30, 2024.

21 (s) DEFINITIONS.—

22 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
23 TEES.—Unless otherwise defined in this Act, for  
24 purposes of this Act the term “appropriate congres-  
25 sional committees” means the Committees on Appro-

1        priations and Foreign Relations of the Senate and  
2        the Committees on Appropriations and Foreign Af-  
3        fairs of the House of Representatives.

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

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

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

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

9                   (B) amounts and sources of funds by ac-  
10                  count;

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

13                  (D) implementing partners, to the max-  
14                  imum extent practicable.

15           (5) SUCCESSOR OPERATING UNIT.—Any ref-  
16           erence to a particular operating unit in this Act or  
17           prior Acts making appropriations for the Depart-  
18           ment of State, foreign operations, and related pro-  
19           grams shall be deemed to include any successor op-  
20           erating unit performing the same or similar func-  
21           tions.

22           (6) USAID.—In this Act, the term “USAID”  
23           means the United States Agency for International  
24           Development.

## 1                   LAW ENFORCEMENT AND SECURITY

## 2           SEC. 7035. (a) ASSISTANCE.—

## 3                   (1) COMMUNITY-BASED POLICE ASSISTANCE.—

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

## 18                   (2) COMBAT CASUALTY CARE.—

19                   (A) Consistent with the objectives of the  
20                   Foreign Assistance Act of 1961 and the Arms  
21                   Export Control Act, funds appropriated by this  
22                   Act under the headings “Peacekeeping Oper-  
23                   ations” and “Foreign Military Financing Pro-  
24                   gram” shall be made available for combat cas-

1           ualty training and equipment in an amount  
2           above the prior fiscal year.

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

20                   (3) TRAINING RELATED TO INTERNATIONAL  
21          HUMANITARIAN LAW.—The Secretary of State shall  
22          offer training related to the requirements of inter-  
23          national humanitarian law as a component of any  
24          package of lethal assistance funded by this Act with  
25          funds appropriated under the headings “Peace-

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

11           (4) INTERNATIONAL PRISON CONDITIONS.—  
12      Funds appropriated by this Act under the headings  
13      “Development Assistance”, “Economic Support  
14      Fund”, and “International Narcotics Control and  
15      Law Enforcement” shall be made available for as-  
16      sistance to eliminate inhumane conditions in foreign  
17      prisons and other detention facilities, notwith-  
18      standing section 660 of the Foreign Assistance Act  
19      of 1961: *Provided*, That the Secretary of State and  
20      the USAID Administrator shall consult with the  
21      Committees on Appropriations on the proposed uses  
22      of such funds prior to obligation and not later than  
23      60 days after the date of enactment of this Act: *Pro-*  
24      *vided further*, That such funds shall be in addition

1 to funds otherwise made available by this Act for  
2 such purpose.

3 (b) AUTHORITIES.—

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

12 (2) DISARMAMENT, DEMOBILIZATION, AND RE-  
13 INTEGRATION.—Section 7034(d) of the Department  
14 of State, Foreign Operations, and Related Programs  
15 Appropriations Act, 2015 (division J of Public Law  
16 113–235) shall continue in effect during fiscal year  
17 2023.

18 (3) COMMERCIAL LEASING OF DEFENSE ARTI-  
19 CLES.—Notwithstanding any other provision of law,  
20 and subject to the regular notification procedures of  
21 the Committees on Appropriations, the authority of  
22 section 23(a) of the Arms Export Control Act (22  
23 U.S.C. 2763) may be used to provide financing to  
24 Israel, Egypt, the North Atlantic Treaty Organiza-  
25 tion (NATO), and major non-NATO allies for the

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

11 (4) SPECIAL DEFENSE ACQUISITION FUND.—  
12 Not to exceed \$900,000,000 may be obligated pursu-  
13 ant to section 51(c)(2) of the Arms Export Control  
14 Act (22 U.S.C. 2795(c)(2)) for the purposes of the  
15 Special Defense Acquisition Fund (the Fund), to re-  
16 main available for obligation until September 30,  
17 2025: *Provided*, That the provision of defense arti-  
18 cles and defense services to foreign countries or  
19 international organizations from the Fund shall be  
20 subject to the concurrence of the Secretary of State.

21 (5) AMENDMENT.—

22 (A) APPLICATION.—Section 620M(a) of  
23 the Foreign Assistance Act of 1961 (22 U.S.C.  
24 2378d(a)) is amended by inserting the following  
25 after “a gross violation of human rights”:

1           “or war crime as defined in section 2441  
2 of title 18, United States Code”.

3           (B) DEFINITION.—Section 620M(e) of the  
4 Foreign Assistance Act of 1961 (22 U.S.C.  
5 2378d(e)) is amended—

6                   (i) by striking paragraph (2);

7                   (ii) by redesignating paragraph (1) as  
8 paragraph (2); and

9                   (iii) by inserting before paragraph (2)  
10 the following:

11           “(1) For purposes of this section—

12                   “(A) the term ‘appropriate congressional  
13 committees’ means—

14                           “(i) the Committee on Foreign Rela-  
15 tions of the Senate;

16                           “(ii) the Committee on Appropriations  
17 of the Senate;

18                           “(iii) the Committee on Foreign Af-  
19 fairs of the House of Representatives; and

20                           “(iv) the Committee on Appropria-  
21 tions of the House of Representatives; and

22                   “(B) the term ‘credible information’ means  
23 information that, considering the source of such  
24 information and the surrounding circumstances,  
25 supports a reasonable belief that a violation has

1           occurred, and shall not be determined solely on  
2           the basis of—

3                   “(i) the number of sources;

4                   “(ii) whether the source has been crit-  
5                   ical of a policy or action of the United  
6                   States Government or its security partners;

7                   “(iii) whether the source has a per-  
8                   sonal connection to the information being  
9                   reported; or

10                   “(iv) whether the United States Gov-  
11                   ernment is able to independently verify the  
12                   information.”.

13                   (C) EFFECTIVE DATE.—Section 620M(a)  
14                   of the Foreign Assistance Act of 1961 with re-  
15                   spect to war crimes, as amended by subpara-  
16                   graph (A) of this paragraph, shall not have ef-  
17                   fect until October 1, 2023.

18                   (c) LIMITATIONS.—

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

22                   (2) LANDMINES AND CLUSTER MUNITIONS.—

23                   (A) LANDMINES.—Not later than 120 days  
24                   after the date of enactment of this Act, the Sec-  
25                   retary of State, in consultation with the Sec-

1           retary of Defense, shall submit a report to the  
2           appropriate congressional committees on imple-  
3           mentation of the United States policy regarding  
4           anti-personnel landmines (APLs) announced on  
5           June 21, 2022, to include progress on the de-  
6           struction of APLs, and the number and types  
7           of APLs required for the defense of the Repub-  
8           lic of Korea and the methodology used to deter-  
9           mine such number: *Provided*, That the report  
10          shall include the types (by Department of De-  
11          fense Ammunition Code) and quantities of land-  
12          mines demilitarized and removed from the de-  
13          militarization account of the United States  
14          Armed Forces, and demilitarization accom-  
15          plished by contract or outside the continental  
16          United States.

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

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

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

14 (3) CROWD CONTROL.—If the Secretary of  
15 State has information that a unit of a foreign secu-  
16 rity force uses excessive force to repress peaceful ex-  
17 pression or assembly concerning corruption, harm to  
18 the environment or human health, or the fairness of  
19 electoral processes, or in countries that are undemo-  
20 cratic or undergoing democratic transition, the Sec-  
21 retary shall promptly determine if such information  
22 is credible: *Provided*, That if the information is de-  
23 termined to be credible, funds appropriated by this  
24 Act should not be used for tear gas, small arms,  
25 light weapons, ammunition, or other items for crowd

1 control purposes for such unit, unless the foreign  
2 government is taking effective measures to bring the  
3 responsible members of such unit to justice.

4 (d) REPORTS.—

5 (1) SECURITY ASSISTANCE REPORT.—Not later  
6 than 120 days after the date of enactment of this  
7 Act, the Secretary of State shall submit to the Com-  
8 mittees on Appropriations a report on funds obli-  
9 gated and expended during fiscal year 2022, by  
10 country and purpose of assistance, under the head-  
11 ings “Peacekeeping Operations”, “International  
12 Military Education and Training”, and “Foreign  
13 Military Financing Program”.

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

1 organization ally: *Provided*, That such third-country  
2 training shall be clearly identified in the report sub-  
3 mitted pursuant to section 656 of such Act.

4 ASSISTANCE FOR INNOCENT VICTIMS OF CONFLICT

5 SEC. 7036. Of the funds appropriated under title III  
6 of this Act, not less than \$10,000,000 shall be made avail-  
7 able for the Marla Ruzicka Fund for Innocent Victims of  
8 Conflict: *Provided*, That the USAID Administrator shall  
9 consult with the Committees on Appropriations not later  
10 than 60 days after the date of enactment of this Act on  
11 the proposed uses of such funds: *Provided further*, That  
12 section 7056 of the Department of State, Foreign Oper-  
13 ations, and Related Programs Appropriations Act, 2022  
14 (division K of Public Law 117–103) is amended by strik-  
15 ing “military operations” and inserting “armed conflict”.

16 PALESTINIAN STATEHOOD

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

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

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

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

10          (2) the Palestinian Authority (or the governing  
11          entity of a new Palestinian state) is working with  
12          other countries in the region to vigorously pursue ef-  
13          forts to establish a just, lasting, and comprehensive  
14          peace in the Middle East that will enable Israel and  
15          an independent Palestinian state to exist within the  
16          context of full and normal relationships, which  
17          should include—

18                 (A) termination of all claims or states of  
19                 belligerency;

20                 (B) respect for and acknowledgment of the  
21                 sovereignty, territorial integrity, and political  
22                 independence of every state in the area through  
23                 measures including the establishment of demili-  
24                 tarized zones;

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

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

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

8 (b) SENSE OF CONGRESS.—It is the sense of Con-  
9 gress that the governing entity should enact a constitution  
10 assuring the rule of law, an independent judiciary, and  
11 respect for human rights for its citizens, and should enact  
12 other laws and regulations assuring transparent and ac-  
13 countable governance.

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

17 (d) EXEMPTION.—The restriction in subsection (a)  
18 shall not apply to assistance intended to help reform the  
19 Palestinian Authority and affiliated institutions, or the  
20 governing entity, in order to help meet the requirements  
21 of subsection (a), consistent with the provisions of section  
22 7040 of this Act (“Limitation on Assistance for the Pales-  
23 tinian Authority”).



1 to believe advocates, plans, sponsors, engages in, or has  
2 engaged in, terrorist activity nor, with respect to private  
3 entities or educational institutions, those that have as a  
4 principal officer of the entity's governing board or gov-  
5 erning board of trustees any individual that has been de-  
6 termined to be involved in, or advocating terrorist activity  
7 or determined to be a member of a designated foreign ter-  
8 rorist organization: *Provided*, That the Secretary of State  
9 shall, as appropriate, establish procedures specifying the  
10 steps to be taken in carrying out this subsection and shall  
11 terminate assistance to any individual, entity, or edu-  
12 cational institution which the Secretary has determined to  
13 be involved in or advocating terrorist activity.

14 (c) PROHIBITION.—

15 (1) RECOGNITION OF ACTS OF TERRORISM.—

16 None of the funds appropriated under titles III  
17 through VI of this Act for assistance under the West  
18 Bank and Gaza Program may be made available  
19 for—

20 (A) the purpose of recognizing or otherwise  
21 honoring individuals who commit, or have com-  
22 mitted acts of terrorism; and

23 (B) any educational institution located in  
24 the West Bank or Gaza that is named after an

1 individual who the Secretary of State deter-  
2 mines has committed an act of terrorism.

3 (2) SECURITY ASSISTANCE AND REPORTING RE-  
4 QUIREMENT.—Notwithstanding any other provision  
5 of law, none of the funds made available by this or  
6 prior appropriations Acts, including funds made  
7 available by transfer, may be made available for obli-  
8 gation for security assistance for the West Bank and  
9 Gaza until the Secretary of State reports to the  
10 Committees on Appropriations on—

11 (A) the benchmarks that have been estab-  
12 lished for security assistance for the West Bank  
13 and Gaza and on the extent of Palestinian com-  
14 pliance with such benchmarks; and

15 (B) the steps being taken by the Pales-  
16 tinian Authority to end torture and other cruel,  
17 inhuman, and degrading treatment of detainees,  
18 including by bringing to justice members of  
19 Palestinian security forces who commit such  
20 crimes.

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

23 (1) The Administrator of the United States  
24 Agency for International Development shall ensure  
25 that Federal or non-Federal audits of all contractors

1 and grantees, and significant subcontractors and  
2 sub-grantees, under the West Bank and Gaza Pro-  
3 gram, are conducted at least on an annual basis to  
4 ensure, among other things, compliance with this  
5 section.

6 (2) Of the funds appropriated by this Act, up  
7 to \$1,300,000 may be used by the Office of Inspec-  
8 tor General of the United States Agency for Inter-  
9 national Development for audits, investigations, and  
10 other activities in furtherance of the requirements of  
11 this subsection: *Provided*, That such funds are in ad-  
12 dition to funds otherwise available for such pur-  
13 poses.

14 (e) COMPTROLLER GENERAL OF THE UNITED  
15 STATES AUDIT.—Subsequent to the certification specified  
16 in subsection (a), the Comptroller General of the United  
17 States shall conduct an audit and an investigation of the  
18 treatment, handling, and uses of all funds for the bilateral  
19 West Bank and Gaza Program, including all funds pro-  
20 vided as cash transfer assistance, in fiscal year 2023  
21 under the heading “Economic Support Fund”, and such  
22 audit shall address—

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



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

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

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

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

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

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

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

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

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

16 MIDDLE EAST AND NORTH AFRICA

17 SEC. 7041. (a) EGYPT.—

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

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

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

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

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

24 (3) FOREIGN MILITARY FINANCING PRO-  
25 GRAM.—

1           (A) CERTIFICATION.—Of the funds appro-  
2           priated by this Act under the heading “Foreign  
3           Military Financing Program”, \$1,300,000,000,  
4           to remain available until September 30, 2024,  
5           should be made available for assistance for  
6           Egypt: *Provided*, That such funds may be  
7           transferred to an interest bearing account in  
8           the Federal Reserve Bank of New York, fol-  
9           lowing consultation with the Committees on Ap-  
10          propriations, and the uses of any interest  
11          earned on such funds shall be subject to the  
12          regular notification procedures of the Commit-  
13          tees on Appropriations: *Provided further*, That  
14          \$235,000,000 of such funds shall be withheld  
15          from obligation until the Secretary of State cer-  
16          tifies and reports to the Committees on Appro-  
17          priations that the Government of Egypt is tak-  
18          ing sustained and effective steps to—

19                   (i) strengthen the rule of law, demo-  
20                   cratic institutions, and human rights in  
21                   Egypt, including to protect religious mi-  
22                   norities and the rights of women, which  
23                   are in addition to steps taken during the  
24                   previous calendar year for such purposes;

1                   (ii) implement reforms that protect  
2 freedoms of expression, association, and  
3 peaceful assembly, including the ability of  
4 civil society organizations, human rights  
5 defenders, and the media to function with-  
6 out interference;

7                   (iii) hold Egyptian security forces ac-  
8 countable, including officers credibly al-  
9 leged to have violated human rights;

10                  (iv) investigate and prosecute cases of  
11 extrajudicial killings and forced disappear-  
12 ances; and

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

16                  *Provided further,* That the certification require-  
17 ment of this paragraph, with the exception of  
18 clauses (iii), (iv), and (v), shall not apply to  
19 funds appropriated by this Act under such  
20 heading for counterterrorism programs for  
21 Egypt, and shall not apply to funds appro-  
22 priated by this Act under such heading for bor-  
23 der security and nonproliferation programs for  
24 Egypt.

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

14           (C) In addition to the funds withheld pur-  
15 suant to subparagraph (A), \$95,000,000 of the  
16 funds made available pursuant to this para-  
17 graph shall be withheld from obligation until  
18 the Secretary of State determines and reports  
19 to the Committees on Appropriations that the  
20 Government of Egypt is making clear and con-  
21 sistent progress in releasing political prisoners,  
22 providing detainees with due process of law,  
23 and preventing the intimidation and harassment  
24 of American citizens.

1           (4) PRE-OBLIGATION DETERMINATION.—Prior  
2           to the initial obligation of funds made available by  
3           this Act under the heading “Foreign Military Fi-  
4           nancing Program” for assistance for Egypt, the Sec-  
5           retary of State shall submit a report to the appro-  
6           priate congressional committees on known disputes  
7           involving injuries to American citizens caused by the  
8           Egyptian military, steps taken during the preceding  
9           12 months by the Government of Egypt to resolve,  
10          or facilitate the just resolution of, such disputes, the  
11          reasons for any delay in resolving such disputes, and  
12          the remaining obstacles to such a resolution.

13          (b) IRAN.—

14           (1) FUNDING.—Funds appropriated by this Act  
15           under the headings “Diplomatic Programs”, “Eco-  
16           nomic Support Fund”, and “Nonproliferation, Anti-  
17           terrorism, Demining and Related Programs” shall  
18           be made available for the programs and activities de-  
19           scribed under this section in House Report 117–84.

20           (2) REPORTS.—

21           (A) SEMI-ANNUAL REPORT.—The Sec-  
22           retary of State shall submit to the Committees  
23           on Appropriations the semi-annual report re-  
24           quired by section 135(d)(4) of the Atomic En-  
25           ergy Act of 1954 (42 U.S.C. 2160e(d)(4)), as

1 added by section 2 of the Iran Nuclear Agree-  
2 ment Review Act of 2015 (Public Law 114–17).

3 (B) SANCTIONS REPORT.—Not later than  
4 180 days after the date of enactment of this  
5 Act, the Secretary of State, in consultation with  
6 the Secretary of the Treasury, shall submit to  
7 the appropriate congressional committees a re-  
8 port on—

9 (i) the status of United States bilat-  
10 eral sanctions on Iran;

11 (ii) the reimposition and renewed en-  
12 forcement of secondary sanctions; and

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

16 (c) IRAQ.—Funds appropriated under titles III and  
17 IV of this Act shall be made available for assistance for  
18 Iraq for—

19 (1) bilateral economic assistance and inter-  
20 national security assistance, including in the  
21 Kurdistan Region of Iraq;

22 (2) stabilization assistance, including in Anbar  
23 Province;

24 (3) programs to support government trans-  
25 parency and accountability, support judicial inde-

1           pendence, protect the right of due process, end the  
2           use of torture, and combat corruption;

3           (4) humanitarian assistance, including in the  
4           Kurdistan Region of Iraq;

5           (5) programs to protect and assist religious and  
6           ethnic minority populations and for survivors of vio-  
7           lence; and

8           (6) programs to increase United States private  
9           sector investment.

10          (d) ISRAEL.—

11           (1) Of the funds appropriated by this Act under  
12           the heading “Foreign Military Financing Program”,  
13           not less than \$3,300,000,000 shall be available for  
14           grants only for Israel which shall be disbursed with-  
15           in 30 days of enactment of this Act: *Provided*, That  
16           to the extent that the Government of Israel requests  
17           that funds be used for such purposes, grants made  
18           available for Israel under this heading shall, as  
19           agreed by the United States and Israel, be available  
20           for advanced weapons systems, of which not less  
21           than \$725,300,000 shall be available for the pro-  
22           curement in Israel of defense articles and defense  
23           services, including research and development.

24           (2) Of the funds appropriated by this Act under  
25           the heading “Economic Support Fund” that are

1       made available for implementation of the Nita M.  
2       Lowey Middle East Partnership for Peace Act of  
3       2020 (title VIII of division K of Public Law 116–  
4       260), not less than \$1,500,000 shall be made avail-  
5       able for a new women’s leadership program that  
6       brings together Israeli and Palestinian women who  
7       are committed to working in pursuit of Middle East  
8       peace.

9       (e) JORDAN.—Of the funds appropriated by this Act  
10      under titles III and IV, \$1,457,500,000 should be made  
11      available for assistance for Jordan: *Provided*, That of the  
12      funds appropriated by this Act under the heading “Eco-  
13      nomic Support Fund” that are made available for assist-  
14      ance for Jordan, \$75,000,000 shall remain available until  
15      September 30, 2026, and may be made available for as-  
16      sistance for Jordan if negotiated benchmarks towards re-  
17      forms are met: *Provided further*, That such funds may be  
18      reprogrammed for other countries and programs, subject  
19      to the regular notification procedures of the Committees  
20      on Appropriations.

21      (f) LEBANON.—

22           (1) ASSISTANCE.—Funds appropriated under  
23      titles III and IV of this Act shall be made available  
24      for assistance for Lebanon: *Provided*, That such  
25      funds made available under the heading “Economic

1 Support Fund” may be made available notwith-  
2 standing section 1224 of the Foreign Relations Au-  
3 thorization Act, Fiscal Year 2003 (Public Law 107–  
4 228; 22 U.S.C. 2346 note).

5 (2) SECURITY ASSISTANCE.—

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

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

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

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

9                   (iii) implement United Nations Secu-  
10                  rity Council Resolution 1701:

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

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

7           (g) LIBYA.—Funds appropriated under titles III and  
8           IV of this Act shall be made available for stabilization as-  
9           sistance for Libya, including support for a United Na-  
10          tions-facilitated political process and border security: *Pro-*  
11          *vided*, That the limitation on the uses of funds for certain  
12          infrastructure projects in section 7041(f)(2) of the De-  
13          partment of State, Foreign Operations, and Related Pro-  
14          grams Appropriations Act, 2014 (division K of Public Law  
15          113–76) shall apply to such funds.

16          (h) SAUDI ARABIA.—

17               (1) PROHIBITION.—None of the funds appro-  
18               priated by this Act under the heading “International  
19               Military Education and Training” may be made  
20               available for assistance for the Government of Saudi  
21               Arabia.

22               (2) EXPORT-IMPORT BANK.—None of the funds  
23               appropriated or otherwise made available by this Act  
24               and prior Acts making appropriations for the De-  
25               partment of State, foreign operations, and related

1 programs should be obligated or expended by the  
2 Export-Import Bank of the United States to guar-  
3 antee, insure, or extend (or participate in the exten-  
4 sion of) credit in connection with the export of nu-  
5 clear technology, equipment, fuel, materials, or other  
6 nuclear technology-related goods or services to Saudi  
7 Arabia unless the Government of Saudi Arabia—

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

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

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

18 (i) SYRIA.—

19 (1) NON-LETHAL ASSISTANCE.—Funds appro-  
20 priated by this Act under titles III and IV may be  
21 made available, notwithstanding any other provision  
22 of law, for non-lethal stabilization assistance for  
23 Syria, including for emergency medical and rescue  
24 response and chemical weapons investigations.

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

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

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

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

19           (3) CONSULTATION AND NOTIFICATION.—  
20           Funds made available pursuant to this subsection  
21           may only be made available following consultation  
22           with the appropriate congressional committees, and  
23           shall be subject to the regular notification proce-  
24           dures of the Committees on Appropriations.

25           (j) TUNISIA.—

1           (1) ASSISTANCE.—Funds appropriated under  
2 titles III and IV of this Act shall be made available  
3 for assistance for Tunisia for programs to improve  
4 economic growth and opportunity, support demo-  
5 cratic governance and civil society, protect due pro-  
6 cess of law, and maintain regional stability and secu-  
7 rity, following consultation with the Committees on  
8 Appropriations.

9           (2) REPORT.—Not later than 90 days after the  
10 date of enactment of this Act, the Secretary of State  
11 shall submit a report to the Committees on Appro-  
12 priations on the extent to which—

13           (A) the Government of Tunisia is imple-  
14 menting economic reforms, countering corrup-  
15 tion, and taking credible steps to restore con-  
16 stitutional order and democratic governance, in-  
17 cluding respecting freedoms of expression, asso-  
18 ciation, and the press, and the rights of mem-  
19 bers of political parties, that are in addition to  
20 steps taken in the preceding fiscal year;

21           (B) the Government of Tunisia is main-  
22 taining the independence of the judiciary and  
23 holding security forces who commit human  
24 rights abuses accountable; and

1 (C) the Tunisian military has remained an  
2 apolitical and professional institution.

3 (k) WEST BANK AND GAZA.—

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

10 (2) REPORT ON ASSISTANCE.—Prior to the ini-  
11 tial obligation of funds made available by this Act  
12 under the heading “Economic Support Fund” for  
13 assistance for the West Bank and Gaza, the Sec-  
14 retary of State shall report to the Committees on  
15 Appropriations that the purpose of such assistance  
16 is to—

17 (A) advance Middle East peace;

18 (B) improve security in the region;

19 (C) continue support for transparent and  
20 accountable government institutions;

21 (D) promote a private sector economy; or

22 (E) address urgent humanitarian needs.

23 (3) LIMITATIONS.—

24 (A)(i) None of the funds appropriated  
25 under the heading “Economic Support Fund”

1 in this Act may be made available for assistance  
2 for the Palestinian Authority, if after the date  
3 of enactment of this Act—

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

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

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

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

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

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

20           (ii) Not less than 90 days after the Presi-  
21           dent is unable to make the certification pursu-  
22           ant to clause (i) of this subparagraph, the  
23           President may waive section 1003 of Public  
24           Law 100–204 if the President determines and  
25           certifies in writing to the Speaker of the House

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

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

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

22 (5) SECURITY REPORT.—The reporting require-  
23 ments in section 1404 of the Supplemental Appro-  
24 priations Act, 2008 (Public Law 110–252) shall  
25 apply to funds made available by this Act, including

1 a description of modifications, if any, to the security  
2 strategy of the Palestinian Authority.

3 (6) INCITEMENT REPORT.—Not later than 90  
4 days after the date of enactment of this Act, the  
5 Secretary of State shall submit a report to the ap-  
6 propriate congressional committees detailing steps  
7 taken by the Palestinian Authority to counter incite-  
8 ment of violence against Israelis and to promote  
9 peace and coexistence with Israel.

10 AFRICA

11 SEC. 7042. (a) CENTRAL AFRICAN REPUBLIC.—Of  
12 the funds appropriated by this Act under the heading  
13 “Economic Support Fund”, not less than \$3,000,000 shall  
14 be made available for a contribution to the Special Crimi-  
15 nal Court in Central African Republic.

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

1           (c) DEMOCRATIC REPUBLIC OF THE CONGO.—Funds  
2 appropriated by this Act shall be made available for assist-  
3 ance for the Democratic Republic of the Congo (DRC) for  
4 stabilization, democracy, global health, and bilateral eco-  
5 nomic assistance, including in areas affected by, and at  
6 risk from, the Ebola virus disease: *Provided*, That such  
7 funds shall also be made available to support security, sta-  
8 bilization, development, and democracy in Eastern DRC:  
9 *Provided further*, That funds appropriated by this Act  
10 under the headings “Peacekeeping Operations” and  
11 “International Military Education and Training” that are  
12 made available for such purposes may be made available  
13 notwithstanding any other provision of law, except section  
14 620M of the Foreign Assistance Act of 1961.

15           (d) ETHIOPIA.—

16           (1) ASSISTANCE.—Funds appropriated by this  
17 Act that are made available for assistance for Ethi-  
18 opia should be used to support—

19                   (A) political dialogues and confidence  
20 building measures to end the conflicts;

21                   (B) civil society and protect human rights;

22                   (C) efforts to provide unimpeded access to  
23 humanitarian assistance; and

24                   (D) investigations and prosecutions of  
25 gross violations of human rights.

1           (2) REPORT.—Not later than 90 days after the  
2           date of enactment of this Act, the Secretary of State  
3           shall submit a report to the appropriate congress-  
4           sional committees on the extent to which the Gov-  
5           ernment of Ethiopia and other parties to the con-  
6           flict—

7                   (A) have ceased offensive military oper-  
8                   ations across the country;

9                   (B) have taken credible steps toward polit-  
10                  ical dialogues to end the conflicts;

11                  (C) are providing unimpeded access to hu-  
12                  manitarian assistance;

13                  (D) are taking effective steps to protect  
14                  human rights and comply with international hu-  
15                  manitarian law and international refugee law;  
16                  and

17                  (E) are cooperating with independent in-  
18                  vestigations of gross violations of human rights.

19           (e) SOUTH SUDAN.—None of the funds appropriated  
20           by this Act under title IV may be made available for as-  
21           sistance for the central Government of South Sudan, ex-  
22           cept to support implementation of outstanding issues of  
23           the Comprehensive Peace Agreement, mutual arrange-  
24           ments related to post-referendum issues associated with  
25           such Agreement, or any other viable peace agreement in

1 South Sudan: *Provided*, That funds appropriated by this  
2 Act and prior Acts making appropriations for the Depart-  
3 ment of State, foreign operations, and related programs  
4 that are made available for any new program, project, or  
5 activity in South Sudan shall be subject to prior consulta-  
6 tion with the appropriate congressional committees.

7 (f) SUDAN.—None of the funds appropriated by this  
8 Act under title IV may be made available for assistance  
9 for the central Government of Sudan, except to support  
10 implementation of outstanding issues of the Comprehen-  
11 sive Peace Agreement, mutual arrangements related to  
12 post-referendum issues associated with such Agreement,  
13 or any other viable peace agreement in Sudan: *Provided*,  
14 That funds appropriated by this Act and prior Acts mak-  
15 ing appropriations for the Department of State, foreign  
16 operations, and related programs that are made available  
17 for any new program, project, or activity in Sudan shall  
18 be subject to prior consultation with the appropriate con-  
19 gressional committees.

20 (g) ZIMBABWE.—

21 (1) INSTRUCTION.—The Secretary of the Treas-  
22 ury shall instruct the United States executive direc-  
23 tor of each international financial institution to vote  
24 against any extension by the respective institution of  
25 any loan or grant to the Government of Zimbabwe,

1       except to meet basic human needs or to promote de-  
2       mocracy.

3           (2) LIMITATION.—None of the funds appro-  
4       priated by this Act shall be made available for as-  
5       sistance for the central Government of Zimbabwe,  
6       except for health and education.

7                           EAST ASIA AND THE PACIFIC

8       SEC. 7043. (a) ASSOCIATION OF SOUTHEAST ASIAN  
9       NATIONS.—Of the funds appropriated by this Act under  
10      titles III and IV, not less than \$25,000,000 shall be made  
11      available for programs to support the Association of  
12      Southeast Asian Nations (ASEAN), for which the policy  
13      justifications and decisions shall be coordinated with the  
14      Ambassador to the United States Mission to ASEAN.

15      (b) BURMA.—

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

19           (A) may be made available notwithstanding  
20      any other provision of law and following con-  
21      sultation with the appropriate congressional  
22      committees;

23           (B) may be made available for support for  
24      the administrative operations and programs of  
25      entities that support peaceful efforts to estab-

1           lish an inclusive and representative democracy  
2           in Burma and a federal union to foster equality  
3           among Burma’s diverse ethnic groups, following  
4           consultation with the Committees on Appropria-  
5           tions;

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

11          (D) shall be made available for community-  
12          based organizations with experience operating  
13          in Thailand to provide food, medical, and other  
14          humanitarian assistance to internally displaced  
15          persons in eastern Burma, in addition to assist-  
16          ance for Burmese refugees from funds appro-  
17          priated by this Act under the heading “Migra-  
18          tion and Refugee Assistance”; and

19          (E) shall be made available for programs  
20          and activities to investigate and document viola-  
21          tions of human rights in Burma committed by  
22          the military junta.

23          (2) INTERNATIONAL SECURITY ASSISTANCE.—  
24          None of the funds appropriated by this Act under  
25          the headings “International Military Education and

1       Training” and “Foreign Military Financing Pro-  
2       gram” may be made available for assistance for  
3       Burma.

4           (3) LIMITATIONS.—None of the funds appro-  
5       priated by this Act that are made available for as-  
6       sistance for Burma may be made available to the  
7       State Administration Council or any organization or  
8       entity controlled by, or an affiliate of, the armed  
9       forces of Burma, or to any individual or organization  
10      that has committed a gross violation of human  
11      rights or advocates violence against ethnic or reli-  
12      gious groups or individuals in Burma, as determined  
13      by the Secretary of State for programs administered  
14      by the Department of State and USAID or the  
15      President of the National Endowment for Democ-  
16      racy (NED) for programs administered by NED.

17           (4) CONSULTATION.—Any new program or ac-  
18      tivity in Burma initiated in fiscal year 2023 shall be  
19      subject to prior consultation with the appropriate  
20      congressional committees.

21      (c) CAMBODIA.—

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

25           (2) CERTIFICATION AND EXCEPTIONS.—

1           (A) CERTIFICATION.—None of the funds  
2           appropriated by this Act that are made avail-  
3           able for assistance for the Government of Cam-  
4           bodia may be obligated or expended unless the  
5           Secretary of State certifies and reports to the  
6           Committees on Appropriations that such Gov-  
7           ernment is taking effective steps to—

8                   (i) strengthen regional security and  
9                   stability, particularly regarding territorial  
10                  disputes in the South China Sea and the  
11                  enforcement of international sanctions with  
12                  respect to North Korea;

13                  (ii) assert its sovereignty against in-  
14                  terference by the People’s Republic of  
15                  China, including by verifiably maintaining  
16                  the neutrality of Ream Naval Base, other  
17                  military installations in Cambodia, and  
18                  dual use facilities such as the runway at  
19                  the Dara Sakor development project;

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

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

5 (B) EXCEPTIONS.—The certification re-  
6 quired by subparagraph (A) shall not apply to  
7 funds appropriated by this Act and made avail-  
8 able for democracy, health, education, and envi-  
9 ronment programs, programs to strengthen the  
10 sovereignty of Cambodia, and programs to edu-  
11 cate and inform the people of Cambodia of the  
12 influence activities of the People’s Republic of  
13 China in Cambodia.

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

17 (A) research, documentation, and edu-  
18 cation programs associated with the Khmer  
19 Rouge in Cambodia; and

20 (B) programs in the Khmer language to  
21 monitor, map, and publicize the efforts by the  
22 People’s Republic of China to expand its influ-  
23 ence in Cambodia.

24 (d) INDO-PACIFIC STRATEGY AND THE ASIA REAS-  
25 SURANCE INITIATIVE ACT OF 2018.—

1           (1) ASSISTANCE.—Of the funds appropriated  
2           under titles III and IV of this Act, not less than  
3           \$1,800,000,000 shall be made available to support  
4           implementation of the Indo-Pacific Strategy and the  
5           Asia Reassurance Initiative Act of 2018 (Public Law  
6           115–409).

7           (2) COUNTERING PRC INFLUENCE FUND.—Of  
8           the funds appropriated by this Act under the head-  
9           ings “Development Assistance”, “Economic Support  
10          Fund”, “International Narcotics Control and Law  
11          Enforcement”, “Nonproliferation, Anti-terrorism,  
12          Demining and Related Programs”, and “Foreign  
13          Military Financing Program”, not less than  
14          \$300,000,000 shall be made available for a Coun-  
15          tering PRC Influence Fund to counter the influence  
16          of the Government of the People’s Republic of China  
17          and the Chinese Communist Party and entities act-  
18          ing on their behalf globally, which shall be subject  
19          to prior consultation with the Committees on Appro-  
20          priations: *Provided*, That such funds are in addition  
21          to amounts otherwise made available for such pur-  
22          poses: *Provided further*, That up to 10 percent of  
23          such funds shall be held in reserve to respond to un-  
24          anticipated opportunities to counter PRC influence:  
25          *Provided further*, That the uses of such funds shall

1 be the joint responsibility of the Secretary of State  
2 and the USAID Administrator, in a manner con-  
3 sistent with the prior fiscal year: *Provided further,*  
4 That funds made available pursuant to this para-  
5 graph under the heading “Foreign Military Financ-  
6 ing Program” may remain available until September  
7 30, 2024: *Provided further,* That funds appropriated  
8 by this Act for such Fund under the headings  
9 “International Narcotics Control and Law Enforce-  
10 ment”, “Nonproliferation, Anti-terrorism, Demining  
11 and Related Programs”, and “Foreign Military Fi-  
12 nancing Program” may be transferred to, and  
13 merged with, funds appropriated under such head-  
14 ings: *Provided further,* That such transfer authority  
15 is in addition to any other transfer authority pro-  
16 vided by this Act or any other Act, and is subject  
17 to the regular notification procedures of the Com-  
18 mittees on Appropriations.

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

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

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

13 (e) LAOS.—Of the funds appropriated by this Act  
14 under titles III and IV, not less than \$85,000,000 shall  
15 be made available for assistance for Laos, including for  
16 assistance for persons with disabilities caused by  
17 unexploded ordnance accidents, and of which not less than  
18 \$1,500,000 should be made available for programs to as-  
19 sist persons with severe physical mobility, cognitive, or de-  
20 velopmental disabilities in areas sprayed with Agent Or-  
21 ange and contaminated with dioxin: *Provided*, That funds  
22 made available pursuant to this subsection may be used,  
23 in consultation with the Government of Laos, for assess-  
24 ments of the existence of dioxin contamination resulting

1 from the use of Agent Orange in Laos and the feasibility  
2 and cost of remediation.

3 (f) NORTH KOREA.—

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

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

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

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

17 (g) PACIFIC ISLANDS COUNTRIES.—

18           (1) OPERATIONS.—

19           (A) DIPLOMATIC FACILITIES.—Funds ap-  
20 propriated by this Act and prior Acts making  
21 appropriations for the Department of State,  
22 foreign operations, and related programs under  
23 title I should be made available for establishing  
24 and operating diplomatic facilities in Kiribati,  
25 Tonga, Solomon Islands, and Vanuatu, subject

1 to section 7015(a)(3) of this Act and following  
2 consultation with the Committees on Appropria-  
3 tions.

4 (B) PERSONNEL.—Not later than 90 days  
5 after the date of enactment of this Act, the Sec-  
6 retary of State, in consultation with the USAID  
7 Administrator, shall submit a report to the ap-  
8 propriate congressional committees detailing  
9 plans, including timelines and costs regarding  
10 property leases and personnel, for expanding  
11 the presence of United States diplomatic and  
12 development personnel in Pacific Islands coun-  
13 tries: *Provided*, That in order to expeditiously  
14 expand such presence, the Secretary of State  
15 and USAID Administrator may, following con-  
16 sultation with the Committees on Appropria-  
17 tions, use funds appropriated by this Act and  
18 prior Acts making appropriations for the De-  
19 partment of State, foreign operations, and re-  
20 lated programs to hire locally employed staff in  
21 Kiribati, Tonga, Solomon Islands, Vanuatu, and  
22 other Pacific Islands countries that do not have  
23 United States diplomatic facilities.

24 (C) PACIFIC AIR WING.—Not later than 90  
25 days after the date of enactment of this Act,

1 the Secretary of State, following consultation  
2 with the Secretary of Defense and the heads of  
3 other relevant Federal agencies, shall submit a  
4 report to the Committees on Appropriations on  
5 the feasibility of, and if feasible, plans for, es-  
6 tablishing an air wing program to support the  
7 operations of the Department of State and  
8 USAID in Pacific Islands countries: *Provided*,  
9 That funds appropriated by this Act and prior  
10 Acts making appropriations for the Department  
11 of State, foreign operations, and related pro-  
12 grams may be made available for such program  
13 if the Secretary of State determines in the re-  
14 port required by this subparagraph that such  
15 program is feasible, following consultation with,  
16 and the regular notification procedures of, the  
17 Committees on Appropriations.

18 (2) PROGRAMS.—

19 (A) DEPARTMENT OF STATE AND USAID.—  
20 Of the funds appropriated by this Act under the  
21 headings “Development Assistance”, “Economic  
22 Support Fund”, “International Narcotics Con-  
23 trol and Law Enforcement”, “Nonproliferation,  
24 Anti-terrorism, Demining and Related Pro-  
25 grams”, “International Military Education and

1 Training”, and “Foreign Military Financing  
2 Program”, not less than \$205,200,000 shall be  
3 made available for assistance for Pacific Islands  
4 countries, including as described in the explana-  
5 tory statement accompanying this Act: *Pro-*  
6 *vided*, That of the funds made available pursu-  
7 ant to this subparagraph, funds shall be made  
8 available for assistance for the Pacific Freely  
9 Associated States of the Federated States of  
10 Micronesia, the Republic of the Marshall Is-  
11 lands, and the Republic of Palau, including for  
12 direct budget support, as appropriate: *Provided*  
13 *further*, That funds made available for the pur-  
14 poses of the previous proviso shall be in addi-  
15 tion to funds made available by any Act for  
16 Compacts of Free Association: *Provided further*,  
17 That up to \$1,500,000 may be made available  
18 for assistance for the Republic of Nauru, in ac-  
19 cordance with the requirements of section  
20 7047(c)(1) of this Act: *Provided further*, That  
21 funds made available pursuant to this subpara-  
22 graph shall be made available for joint develop-  
23 ment and security programs between the United  
24 States and Australia, Japan, New Zealand,

1 South Korea, and Taiwan, following consulta-  
2 tion with the Committees on Appropriations.

3 (B) TRANSFER AUTHORITY.—

4 (i) Funds made available pursuant to  
5 subparagraph (A) under the headings “De-  
6 velopment Assistance” and “Economic  
7 Support Fund” may be transferred to, and  
8 merged with, funds appropriated under  
9 such headings.

10 (ii) Funds made available pursuant to  
11 subparagraph (A) under the headings  
12 “International Narcotics Control and Law  
13 Enforcement” and “Foreign Military Fi-  
14 nancing Program” may be transferred to,  
15 and merged with, funds appropriated  
16 under such headings.

17 (iii) The transfer authority provided  
18 pursuant to this subparagraph is in addi-  
19 tion to any other transfer authority other-  
20 wise available under any other provision of  
21 law and shall be subject to the regular no-  
22 tification procedures of the Committees on  
23 Appropriations.

24 (C) UNITED STATES INTERNATIONAL DE-  
25 VELOPMENT FINANCE CORPORATION.—Not

1 later than 30 days after the date of enactment  
2 of this Act, the Chief Executive Officer of the  
3 United States International Development Fi-  
4 nance Corporation shall submit a report to the  
5 appropriate congressional committees detailing  
6 the authority necessary to support projects in  
7 countries that are categorized as high income  
8 countries, particularly in Pacific Islands coun-  
9 tries: *Provided*, That such report shall include  
10 representative examples of opportunities to le-  
11 verage such authority to further the national  
12 economic or foreign policy interests of the  
13 United States, including to counter the influ-  
14 ence of the People’s Republic of China, and to  
15 produce significant developmental outcomes, in-  
16 cluding in the health sector.

17 (h) PEOPLE’S REPUBLIC OF CHINA.—

18 (1) LIMITATION ON USE OF FUNDS.—None of  
19 the funds appropriated under the heading “Diplo-  
20 matic Programs” in this Act may be obligated or ex-  
21 pended for processing licenses for the export of sat-  
22 ellites of United States origin (including commercial  
23 satellites and satellite components) to the People’s  
24 Republic of China (PRC) unless, at least 15 days in

1 advance, the Committees on Appropriations are noti-  
2 fied of such proposed action.

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

16 (3) HONG KONG.—

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

24 (B) RESTRICTIONS ON ASSISTANCE.—None  
25 of the funds appropriated by this Act or prior

1           Acts making appropriations for the Department  
2           of State, foreign operations, and related pro-  
3           grams that are made available for assistance for  
4           Hong Kong should be obligated for assistance  
5           for the Government of the People’s Republic of  
6           China and the Chinese Communist Party or  
7           any entity acting on their behalf in Hong Kong.

8           (C) REPORT.—The report required under  
9           section 7043(f)(3)(C) of the Department of  
10          State, Foreign Operations, and Related Pro-  
11          grams Appropriations Act, 2021 (division K of  
12          Public Law 116–260) shall be updated and sub-  
13          mitted to the Congress in the manner described.

14          (i) PHILIPPINES.—None of the funds appropriated by  
15          this Act may be made available for counternarcotics assist-  
16          ance for the Philippines, except for drug demand reduc-  
17          tion, maritime law enforcement, or transnational interdic-  
18          tion: *Provided*, That not later than 45 days after the date  
19          of enactment of this Act, the Secretary of State shall up-  
20          date the report required under this heading in Senate Re-  
21          port 116–126 and specify how United States assistance  
22          for the armed forces of the Philippines is being used to  
23          achieve measurable results in addressing the findings in  
24          such report, and the results achieved.

25          (j) TAIWAN.—

1           (1) GLOBAL COOPERATION AND TRAINING  
2 FRAMEWORK.—Of the funds appropriated by this  
3 Act under the heading “Economic Support Fund”,  
4 not less than \$4,000,000 shall be made available for  
5 the Global Cooperation and Training Framework,  
6 which shall be administered by the American Insti-  
7 tute in Taiwan.

8           (2) FOREIGN MILITARY FINANCING PROGRAM  
9 LOAN GUARANTEES.—

10           (A) During fiscal year 2023, the Secretary  
11 of State is authorized to make direct loans  
12 under section 23 of the Arms Export Control  
13 Act available for Taiwan, notwithstanding sec-  
14 tion 23(e)(1) of the Arms Export Control Act,  
15 gross obligations for the principal amounts of  
16 which shall not exceed \$2,000,000,000: *Pro-*  
17 *vided*, That funds appropriated under the head-  
18 ing “Foreign Military Financing Program” in  
19 this Act may be made available for the costs, as  
20 defined in section 502 of the Congressional  
21 Budget Act of 1974, of such loans: *Provided*  
22 *further*, That such costs, including the cost of  
23 modifying such loans, shall be as defined in sec-  
24 tion 502 of the Congressional Budget Act of  
25 1974 and may include the costs of selling, re-

1           ducing, or cancelling any amounts owed to the  
2           United States or any agency of the United  
3           States: *Provided further*, That the Government  
4           of the United States may charge fees for such  
5           loans, which shall be collected from borrowers  
6           in accordance with section 502(7) of the Con-  
7           gressional Budget Act of 1974: *Provided fur-*  
8           *ther*, That no funds made available by this or  
9           any other appropriations Act for this fiscal year  
10          or prior fiscal years may be used for payment  
11          of any fees associated with such loans: *Provided*  
12          *further*, That such loans shall be repaid in not  
13          more than 12 years, including a grace period of  
14          up to one year on repayment of principal: *Pro-*  
15          *vided further*, That notwithstanding section  
16          23(c)(1) of the Arms Export Control Act, inter-  
17          est for such loans may be charged at a rate de-  
18          termined by the Secretary of State, except that  
19          such rate may not be less than the prevailing  
20          interest rate on marketable Treasury securities  
21          of similar maturity: *Provided further*, That  
22          amounts made available under this paragraph  
23          for such costs shall not be considered assistance  
24          for the purposes of provisions of law limiting  
25          assistance to a country.

1 (B) Funds appropriated under the heading  
2 “Foreign Military Financing Program” by this  
3 Act may be made available, notwithstanding the  
4 third proviso under such heading, for the costs  
5 of loan guarantees under section 24 of the  
6 Arms Export Control Act for Taiwan, which are  
7 authorized to be provided: *Provided*, That such  
8 funds may be made available to subsidize gross  
9 obligations for the principal amount of commer-  
10 cial loans, and total loan principal, any part of  
11 which is to be guaranteed, not to exceed  
12 \$2,000,000,000: *Provided further*, That no loan  
13 guarantee with respect to any one borrower  
14 may exceed 80 percent of the loan principal:  
15 *Provided further*, That any loan guaranteed  
16 under this paragraph may not be subordinated  
17 to another debt contracted by the borrower or  
18 to any other claims against the borrower in the  
19 case of default: *Provided further*, That repay-  
20 ment in United States dollars of any loan guar-  
21 anteed under this paragraph shall be required  
22 within a period not to exceed 12 years after the  
23 loan agreement is signed: *Provided further*,  
24 That the Government of the United States may  
25 charge fees for such loan guarantees, as may be

1           determined, notwithstanding section 24 of the  
2           Arms Export Control Act, which shall be col-  
3           lected from borrowers or third parties on behalf  
4           of such borrowers in accordance with section  
5           502(7) of the Congressional Budget Act of  
6           1974: *Provided further*, That amounts made  
7           available under this paragraph for the costs of  
8           such guarantees shall not be considered assist-  
9           ance for the purposes of provisions of law lim-  
10          iting assistance to a country.

11                   (C) Funds made available to carry out the  
12           authorities of this subsection shall be subject to  
13           prior consultation with, and the regular notifi-  
14           cation procedures of, the Committees on Appro-  
15           priations.

16          (k) TIBET.—

17                   (1) FINANCING OF PROJECTS IN TIBET.—The  
18           Secretary of the Treasury should instruct the United  
19           States executive director of each international finan-  
20           cial institution to use the voice and vote of the  
21           United States to support financing of projects in  
22           Tibet if such projects do not provide incentives for  
23           the migration and settlement of non-Tibetans into  
24           Tibet or facilitate the transfer of ownership of Ti-  
25           betan land and natural resources to non-Tibetans,

1 are based on a thorough needs-assessment, foster  
2 self-sufficiency of the Tibetan people and respect Ti-  
3 betan culture and traditions, and are subject to ef-  
4 fective monitoring.

5 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

6 (A) Notwithstanding any other provision of  
7 law, of the funds appropriated by this Act  
8 under the heading “Economic Support Fund”,  
9 not less than \$10,000,000 shall be made avail-  
10 able to nongovernmental organizations with ex-  
11 perience working with Tibetan communities to  
12 support activities which preserve cultural tradi-  
13 tions and promote sustainable development,  
14 education, and environmental conservation in  
15 Tibetan communities in the Tibet Autonomous  
16 Region and in other Tibetan communities in  
17 China.

18 (B) Of the funds appropriated by this Act  
19 under the heading “Economic Support Fund”,  
20 not less than \$8,000,000 shall be made avail-  
21 able for programs to promote and preserve Ti-  
22 betan culture and language in the refugee and  
23 diaspora Tibetan communities, development,  
24 and the resilience of Tibetan communities and  
25 the Central Tibetan Administration in India

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

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

15        (I) VIETNAM.—

16           (1) Of the funds appropriated under titles III  
17          and IV of this Act, not less than \$197,000,000 shall  
18          be made available for assistance for Vietnam, of  
19          which not less than—

20           (A) \$30,000,000 shall be made available  
21          for programs to assist persons with severe phys-  
22          ical mobility, cognitive, or developmental dis-  
23          abilities: *Provided*, That such funds shall be  
24          prioritized to assist persons whose disabilities  
25          may be related to the use of Agent Orange and

1 exposure to dioxin, or are the result of  
2 unexploded ordnance accidents;

3 (B) \$20,000,000 shall be made available,  
4 notwithstanding any other provision of law, for  
5 activities related to the remediation of dioxin  
6 contaminated sites in Vietnam and may be  
7 made available for assistance for the Govern-  
8 ment of Vietnam, including the military, for  
9 such purposes;

10 (C) \$2,000,000 shall be made available for  
11 the Vietnamese Wartime Accounting Initiative;  
12 and

13 (D) \$15,000,000 shall be made available  
14 for higher education programs.

15 (2) Section 7043(i)(1) of the Department of  
16 State, Foreign Operations, and Related Programs  
17 Appropriations Act, 2022 (division K of Public Law  
18 117–103) is amended by striking “that” and insert-  
19 ing “: *Provided*, That such funds shall be prioritized  
20 to assist persons whose disabilities”.

21 SOUTH AND CENTRAL ASIA

22 SEC. 7044. (a) AFGHANISTAN.—

23 (1) RESTRICTION.—None of the funds appro-  
24 priated by this Act and prior Acts making appro-  
25 priations for the Department of State, foreign oper-

1        ations, and related programs and made available for  
2        assistance for Afghanistan may be made available  
3        for direct assistance to the Taliban.

4            (2) AFGHAN SPECIAL IMMIGRANT VISAS.—  
5        Funds appropriated or otherwise made available by  
6        this Act under the heading “Administration for For-  
7        eign Affairs” shall be made available for additional  
8        Department of State personnel necessary to elimi-  
9        nate processing backlogs and expedite adjudication  
10       of Afghan Special Immigrant Visa cases.

11           (3) AFGHAN STUDENTS.—Funds appropriated  
12       by this Act and prior Acts making appropriations  
13       for the Department of State, foreign operations, and  
14       related programs shall be made available to support  
15       the higher education of students from Afghanistan  
16       studying outside of the country, including the costs  
17       of reimbursement to institutions hosting such stu-  
18       dents, as appropriate: *Provided*, That the Secretary  
19       of State and the Administrator of the United States  
20       Agency for International Development, as appro-  
21       priate, shall consult with the Committees on Appro-  
22       priations prior to the initial obligation of funds for  
23       such purposes.

24           (4) REPORT.—Not later than 45 days after the  
25       date of enactment of this Act, the Secretary of State

1 and the USAID Administrator shall submit a report  
2 to the appropriate congressional committees detail-  
3 ing plans, consistent with the restriction contained  
4 in paragraph (1), to—

5 (A) protect and strengthen the rights of  
6 Afghan women and girls;

7 (B) support higher education programs, in-  
8 cluding continued support for the American  
9 University of Afghanistan’s (AUAF) online pro-  
10 grams and support for other higher education  
11 institutions in South Asia and the Middle East  
12 that are hosting AUAF and other Afghan stu-  
13 dents;

14 (C) support Afghan civil society activists,  
15 journalists, and independent media, including in  
16 third countries; and

17 (D) support health, education, including  
18 community-based education, and other pro-  
19 grams to address the basic needs of the people  
20 of Afghanistan.

21 (b) BANGLADESH.—Of the funds appropriated under  
22 titles III and IV of this Act that are made available for  
23 assistance for Bangladesh—

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

4           (2) not less than \$10,000,000 shall be made  
5           available for programs to protect freedom of expres-  
6           sion and association, and the right of due process;  
7           and

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

13          (c) NEPAL.—Funds appropriated by this Act under  
14          the heading “Foreign Military Financing Program” that  
15          are made available for assistance for Nepal shall only be  
16          made available for humanitarian and disaster relief and  
17          reconstruction activities, and in support of international  
18          peacekeeping operations, military professionalization and  
19          training, and border security activities: *Provided*, That  
20          such funds may only be made available for additional uses  
21          if the Secretary of State certifies and reports to the Com-  
22          mittees on Appropriations that the Government of Nepal  
23          is investigating and prosecuting violations of human rights  
24          and the laws of war by the Nepal Army, and the Nepal

1 Army is cooperating fully with civilian judicial authorities  
2 in such cases.

3 (d) PAKISTAN.—

4 (1) ASSISTANCE.—

5 (A) SECURITY ASSISTANCE.—Funds ap-  
6 propriated by this Act under the heading “For-  
7 eign Military Financing Program” for assist-  
8 ance for Pakistan may be made available only  
9 to support counterterrorism and counterinsur-  
10 gency capabilities in Pakistan.

11 (B) BILATERAL ECONOMIC ASSISTANCE.—

12 Prior to the obligation of funds made available  
13 by this Act under the heading “Economic Sup-  
14 port Fund” for assistance for the central Gov-  
15 ernment of Pakistan, the Secretary of State  
16 shall submit a report to the appropriate con-  
17 gressional committees detailing—

18 (i) the amount of financing and other  
19 support, if any, provided by the Govern-  
20 ment of Pakistan to schools supported by,  
21 affiliated with, or run by the Taliban or  
22 any domestic or foreign terrorist organiza-  
23 tion in Pakistan;

24 (ii) the extent of cooperation by such  
25 government in issuing visas in a timely

1 manner for United States visitors, includ-  
2 ing officials and representatives of non-  
3 governmental organizations, engaged in as-  
4 sistance and security programs in Paki-  
5 stan;

6 (iii) the extent to which such govern-  
7 ment is providing humanitarian organiza-  
8 tions access to detainees, internally dis-  
9 placed persons, and other Pakistani civil-  
10 ians affected by conflict in Pakistan and  
11 the region; and

12 (iv) the extent to which such govern-  
13 ment is strengthening democracy in Paki-  
14 stan, including protecting freedom of ex-  
15 pression, assembly, and religion.

16 (2) AUTHORITY AND USES OF FUNDS.—Funds  
17 appropriated by this Act for assistance for Pakistan  
18 may be made available notwithstanding any other  
19 provision of law, except for section 620M of the For-  
20 eign Assistance Act of 1961.

21 (3) WITHHOLDING.—Of the funds appropriated  
22 under titles III and IV of this Act that are made  
23 available for assistance for Pakistan, \$33,000,000  
24 shall be withheld from obligation until the Secretary  
25 of State reports to the Committees on Appropria-

1 tions that Dr. Shakil Afridi has been released from  
2 prison and cleared of all charges relating to the as-  
3 sistance provided to the United States in locating  
4 Osama bin Laden.

5 (e) SRI LANKA.—

6 (1) ASSISTANCE.—Funds appropriated under  
7 title III of this Act shall be made available for as-  
8 sistance for Sri Lanka for democracy and economic  
9 development programs.

10 (2) CERTIFICATION.—Funds appropriated by  
11 this Act under the headings “Peacekeeping Oper-  
12 ations” and “Foreign Military Financing Program”  
13 for assistance for Sri Lanka may be made available  
14 only if the Secretary of State certifies and reports  
15 to the Committees on Appropriations that the Gov-  
16 ernment of Sri Lanka is taking effective and con-  
17 sistent steps to—

18 (A) protect the rights and freedoms of the  
19 people of Sri Lanka regardless of ethnicity and  
20 religious belief, including by investigating viola-  
21 tions of human rights and the laws of war and  
22 holding perpetrators of such violations account-  
23 able;

24 (B) address the basic needs of the people  
25 of Sri Lanka and responsibly mitigate the im-

1           pact of the country’s economic collapse, includ-  
2           ing by addressing transparency and account-  
3           ability in governance;

4           (C) combat corruption, including bringing  
5           to justice public officials who have engaged in  
6           significant acts of corruption;

7           (D) assert its sovereignty against influence  
8           by the People’s Republic of China; and

9           (E) promote reconciliation between ethnic  
10          and religious groups, particularly arising from  
11          past conflict in Sri Lanka, including by—

12           (i) addressing land confiscation and  
13           ownership issues;

14           (ii) resolving cases of missing persons,  
15           including by maintaining a functioning of-  
16           fice of missing persons;

17           (iii) reducing the presence of the  
18           armed forces in former conflict zones and  
19           restructuring the armed forces for a peace-  
20           time role that contributes to post-conflict  
21           reconciliation and regional security;

22           (iv) repealing or amending laws on ar-  
23           rest and detention by security forces to  
24           comply with international standards; and

1                   (v) investigating allegations of arbitrary arrest and torture, and supporting a  
2                   credible justice mechanism for resolving  
3                   cases of war crimes:  
4

5                   *Provided*, That the limitations of this paragraph  
6                   shall not apply to funds made available for humanitarian assistance and disaster relief; to enhance maritime security and domain awareness,  
7                   including professionalization and training for  
8                   the navy and coast guard; and for instruction  
9                   in human rights and related curricula development.  
10                   ment.  
11

12                   (3) CONSULTATION.—Funds made available for  
13                   assistance for Sri Lanka shall be subject to prior  
14                   consultation with the Committees on Appropriations.  
15

16                   (f) REGIONAL PROGRAMS.—Funds appropriated by  
17                   this Act shall be made available for assistance for countries in South and Central Asia to significantly increase  
18                   the recruitment, training, and retention of women in the  
19                   judiciary, police, and other security forces, and to train  
20                   judicial and security personnel in such countries to prevent and address gender-based violence, human trafficking, and other practices that disproportionately harm  
21                   women and girls.  
22  
23  
24

1                   LATIN AMERICA AND THE CARIBBEAN

2           SEC. 7045. (a) CENTRAL AMERICA.—

3                   (1) ASSISTANCE.—Funds appropriated by this  
4           Act under titles III and IV shall be made available  
5           for assistance for Belize, Costa Rica, El Salvador,  
6           Guatemala, Honduras, Nicaragua, and Panama, in-  
7           cluding through the Central America Regional Secu-  
8           rity Initiative: *Provided*, That such assistance shall  
9           be prioritized for programs that address the violence,  
10          poverty, corruption, and other factors that con-  
11          tribute to irregular migration, particularly of unac-  
12          companied minors, to the United States, including  
13          for programs to reduce violence against women and  
14          girls, protect the rights of Indigenous people, sup-  
15          port civil society and other independent institutions,  
16          enhance economic opportunity, combat corruption  
17          and impunity, and dismantle illegal armed groups  
18          and drug trafficking organizations.

19                   (A) Of the funds made available pursuant  
20          to paragraph (1)—

21                   (i) not less than \$61,500,000 shall be  
22          made available to support entities and ac-  
23          tivities to combat corruption and impunity  
24          in such countries, including, as appro-  
25          priate, offices of Attorneys General; and

1                   (ii) not less than \$70,000,000 shall be  
2                   made available for programs to reduce vio-  
3                   lence against women and girls.

4                   (B) Within the funds made available pur-  
5                   suant to paragraph (1) and made available for  
6                   assistance for El Salvador, Guatemala, and  
7                   Honduras, up to \$47,600,000 may remain  
8                   available until September 30, 2027 for pro-  
9                   grams that support locally-led development in  
10                  such countries: *Provided*, That up to 15 percent  
11                  of the funds made available to carry out this  
12                  subparagraph may be used by the Adminis-  
13                  trator of the United States Agency for Inter-  
14                  national Development for administrative and  
15                  oversight expenses related to the purposes of  
16                  this subparagraph: *Provided further*, That the  
17                  USAID Administrator shall consult with the  
18                  Committees on Appropriations on the planned  
19                  uses of funds to carry out this subparagraph  
20                  prior to the initial obligation of funds: *Provided*  
21                  *further*, That such funds shall be subject to the  
22                  regular notification procedures of the Commit-  
23                  tees on Appropriations.

24                  (C) Funds made available pursuant to  
25                  paragraph (1) shall be made available for the

1 Central America Service Corps (CASC), which  
2 should be matched with contributions from pri-  
3 vate donors and local governments.

4 (2) LIMITATION ON ASSISTANCE TO CERTAIN  
5 CENTRAL GOVERNMENTS.—

6 (A) Of the funds made available pursuant  
7 to paragraph (1) under the heading “Economic  
8 Support Fund” and under title IV of this Act,  
9 60 percent of such funds that are made avail-  
10 able for assistance for each of the central gov-  
11 ernments of El Salvador and Guatemala, and  
12 45 percent of such funds that are made avail-  
13 able for assistance for the central government  
14 of Honduras, may only be obligated after the  
15 Secretary of State certifies and reports to the  
16 Committees on Appropriations that such gov-  
17 ernment is—

18 (i) combating corruption and impu-  
19 nity, including investigating and pros-  
20 ecuting government officials, military per-  
21 sonnel, and police officers credibly alleged  
22 to be corrupt;

23 (ii) implementing reforms, policies,  
24 and programs to strengthen the rule of  
25 law, including increasing the transparency

1 of public institutions, strengthening the  
2 independence of judicial and electoral insti-  
3 tutions, and improving the transparency of  
4 political campaign and political party fi-  
5 nancing;

6 (iii) protecting the rights of human  
7 rights defenders, trade unionists, journal-  
8 ists, civil society groups, opposition polit-  
9 ical parties, and the independence of the  
10 media;

11 (iv) providing effective and account-  
12 able law enforcement and security for its  
13 citizens, curtailing the role of the military  
14 in public security, and upholding due proc-  
15 ess of law;

16 (v) implementing policies to reduce  
17 poverty and promote economic growth and  
18 opportunity, including the implementation  
19 of reforms to strengthen educational sys-  
20 tems, vocational training programs, and  
21 programs for at-risk youth;

22 (vi) improving border security and  
23 combating human smuggling and traf-  
24 ficking and countering the activities of

1 criminal gangs, drug traffickers, and  
2 transnational criminal organizations;

3 (vii) informing its citizens of the dan-  
4 gers of the journey to the southwest border  
5 of the United States; and

6 (viii) implementing policies that im-  
7 prove the environment for foreign invest-  
8 ment, including executing tax reform in a  
9 transparent manner, ensuring effective  
10 legal mechanisms for reimbursements of  
11 tax refunds owed to United States busi-  
12 nesses, and resolving disputes involving the  
13 confiscation of real property of United  
14 States entities.

15 (B) REPROGRAMMING.—If the Secretary is  
16 unable to make the certification required by  
17 subparagraph (A) for one or more of the cen-  
18 tral governments, such assistance shall be re-  
19 programmed for assistance for civil society or-  
20 ganizations in such country, or for other coun-  
21 tries in Latin America and the Caribbean, not-  
22 withstanding the funding provisions in this sub-  
23 section and the limitations in section 7019 of  
24 this Act: *Provided*, That any such reprogram-  
25 ming shall be subject to the regular notification

1 procedures of the Committees on Appropria-  
2 tions.

3 (C) EXCEPTIONS.—The limitation of sub-  
4 paragraph (A) shall not apply to funds appro-  
5 priated by this Act that are made available  
6 for—

7 (i) judicial entities and activities re-  
8 lated to combating corruption and impu-  
9 nity;

10 (ii) programs to combat gender-based  
11 violence;

12 (iii) programs to promote and protect  
13 human rights, including those of Indige-  
14 nous communities and Afro-descendants;

15 (iv) humanitarian assistance; and

16 (v) food security programs.

17 (D) FOREIGN MILITARY FINANCING PRO-  
18 GRAM.—None of the funds appropriated by this  
19 Act under the heading “Foreign Military Fi-  
20 nancing Program” may be made available for  
21 assistance for El Salvador, Guatemala, or Hon-  
22 duras, except for programs that support hu-  
23 manitarian assistance, disaster response, and  
24 maritime security.

25 (b) COLOMBIA.—

1           (1) ASSISTANCE.—Of the funds appropriated by  
2           this Act under titles III and IV, not less than  
3           \$471,375,000 should be made available for assist-  
4           ance for Colombia: *Provided*, That such funds shall  
5           be made available for the programs and activities de-  
6           scribed in the explanatory statement accompanying  
7           this Act: *Provided further*, That of the funds appro-  
8           priated by this Act under the heading “International  
9           Narcotics Control and Law Enforcement” and made  
10          available for assistance pursuant to this paragraph,  
11          not less than \$40,000,000 shall be made available to  
12          enhance rural security in coca producing municipali-  
13          ties and other municipalities with high levels of illicit  
14          activities: *Provided further*, That funds made avail-  
15          able pursuant to the preceding proviso shall be  
16          prioritized in such municipalities that are also tar-  
17          geted for assistance programs that provide viable  
18          economic alternatives and improve access to public  
19          services.

20           (2) WITHHOLDING OF FUNDS.—

21           (A) COUNTERNARCOTICS.—Of the funds  
22           appropriated by this Act under the heading  
23           “International Narcotics Control and Law En-  
24           forcement” that are made available for assist-  
25           ance for Colombia, 20 percent may be obligated

1           only if the Secretary of State certifies and re-  
2           ports to the Committees on Appropriations  
3           that—

4                   (i) the Government of Colombia is im-  
5                   plementing an effective whole-of-govern-  
6                   ment strategy to substantially and  
7                   sustainably reduce coca cultivation and co-  
8                   caine production levels in Colombia, includ-  
9                   ing by prioritizing funding to enhance  
10                  rural security in coca producing munici-  
11                  palities and assisting farmers with vol-  
12                  untary eradication and viable economic al-  
13                  ternatives to coca cultivation in such mu-  
14                  nicipalities;

15                  (ii) such strategy is in accordance  
16                  with the 2016 peace accord between the  
17                  Government of Colombia and the Revolu-  
18                  tionary Armed Forces of Colombia; and

19                  (iii) the Government of Colombia is  
20                  taking effective steps to dismantle drug  
21                  trafficking networks.

22           (B) HUMAN RIGHTS.—

23                   (i) Of the funds appropriated by this  
24                   Act under the heading “Foreign Military  
25                   Financing Program” and made available

1           for assistance for Colombia, 20 percent  
2           may be obligated only if the Secretary of  
3           State certifies and reports to the Commit-  
4           tees on Appropriations that—

5                   (I) the Special Jurisdiction for  
6                   Peace and other judicial authorities,  
7                   as appropriate, are sentencing per-  
8                   petrators of gross violations of human  
9                   rights, including those with command  
10                  responsibility, to deprivation of lib-  
11                  erty;

12                  (II) the Government of Colombia  
13                  is making consistent progress in re-  
14                  ducing threats and attacks against  
15                  human rights defenders and other  
16                  civil society activists, and judicial au-  
17                  thorities are prosecuting and pun-  
18                  ishing those responsible for ordering  
19                  and carrying out such attacks;

20                  (III) the Government of Colom-  
21                  bia is making consistent progress in  
22                  protecting Afro-Colombian and Indig-  
23                  enous communities and is respecting  
24                  their rights and territories;

1 (IV) senior military officers  
2 credibly alleged, or whose units are  
3 credibly alleged, to be responsible for  
4 ordering, committing, and covering up  
5 cases of false positives and other  
6 extrajudicial killings, or of committing  
7 other gross violations of human  
8 rights, or of conducting illegal com-  
9 munications intercepts or other illicit  
10 surveillance, are being held account-  
11 able, including removal from active  
12 duty if found guilty through criminal,  
13 administrative, or disciplinary pro-  
14 ceedings; and

15 (V) the Colombian Armed Forces  
16 are cooperating fully with the require-  
17 ments described in subclauses (I)  
18 through (IV).

19 (ii) Of the funds appropriated by this  
20 Act under the heading “International Nar-  
21 cotics Control and Law Enforcement” and  
22 made available for assistance for the Co-  
23 lombian National Police (CNP), five per-  
24 cent may be obligated only if the Secretary  
25 of State certifies and reports to the Com-

1           mittees on Appropriations that the Govern-  
2           ment of Colombia is bringing to justice the  
3           police personnel who ordered, directed, and  
4           used excessive force and engaged in other  
5           illegal acts against protesters in 2020 and  
6           2021, and that the CNP is cooperating  
7           fully with such efforts.

8           (3) EXCEPTIONS.—The limitations of para-  
9           graph (2) shall not apply to funds made available for  
10          aviation instruction and maintenance, and maritime  
11          and riverine security programs.

12          (4) AUTHORITY.—Aircraft supported by funds  
13          appropriated by this Act and prior Acts making ap-  
14          propriations for the Department of State, foreign  
15          operations, and related programs and made available  
16          for assistance for Colombia may be used to trans-  
17          port personnel and supplies involved in drug eradi-  
18          cation and interdiction, including security for such  
19          activities, and to provide transport in support of al-  
20          ternative development programs and investigations  
21          by civilian judicial authorities.

22          (5) LIMITATION.—None of the funds appro-  
23          priated by this Act or prior Acts making appropria-  
24          tions for the Department of State, foreign oper-  
25          ations, and related programs that are made available

1 for assistance for Colombia may be made available  
2 for payment of reparations to conflict victims or  
3 compensation to demobilized combatants associated  
4 with a peace agreement between the Government of  
5 Colombia and illegal armed groups.

6 (c) HAITI.—

7 (1) CERTIFICATION.—Funds appropriated by  
8 this Act that are made available for assistance for  
9 Haiti may only be made available for the central  
10 Government of Haiti if the Secretary of State cer-  
11 tifies and reports to the appropriate congressional  
12 committees that a new President and Parliament  
13 have taken office after free and fair elections, or the  
14 country is being led by a transitional governing au-  
15 thority that is broadly representative of Haitian soci-  
16 ety, and it is in the national interest of the United  
17 States to provide such assistance.

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

20 (A) free and fair elections;

21 (B) anti-gang police and administration of  
22 justice programs, including to reduce pre-trial  
23 detention and eliminate inhumane prison condi-  
24 tions;

1           (C) public health, food security, subsist-  
2           ence farmers, water and sanitation, education,  
3           and other programs to meet basic human needs;  
4           and

5           (D) disaster relief and recovery.

6           (3) NOTIFICATION.—Funds appropriated by  
7           this Act that are made available for assistance for  
8           Haiti shall be subject to prior consultation with, and  
9           the regular notification procedures of, the Commit-  
10          tees on Appropriations.

11          (4) PROHIBITION.—None of the funds appro-  
12          priated or otherwise made available by this Act may  
13          be used for assistance for the armed forces of Haiti.

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

18          (d) NICARAGUA.—Of the funds appropriated by this  
19          Act under the heading “Development Assistance”, not less  
20          than \$15,000,000 shall be made available for democracy  
21          programs for Nicaragua, including to support civil society.

22          (e) VENEZUELA.—

23                (1) Of the funds appropriated by this Act under  
24                the heading “Economic Support Fund”, not less

1 than \$40,000,000 shall be made available for democ-  
2 racy programs for Venezuela.

3 (2) Funds appropriated by this Act and prior  
4 Acts making appropriations for the Department of  
5 State, foreign operations, and related programs  
6 under title III shall be made available for assistance  
7 for communities in countries supporting or otherwise  
8 impacted by refugees from Venezuela, including Co-  
9 lombia, Peru, Ecuador, Curacao, and Trinidad and  
10 Tobago: *Provided*, That such amounts are in addi-  
11 tion to funds otherwise made available for assistance  
12 for such countries, subject to prior consultation  
13 with, and the regular notification procedures of, the  
14 Committees on Appropriations.

15 EUROPE AND EURASIA

16 SEC. 7046. (a) ASSISTANCE.—

17 (1) GEORGIA.—Of the funds appropriated by  
18 this Act under titles III and IV, not less than  
19 \$132,025,000 shall be made available for assistance  
20 for Georgia.

21 (2) UKRAINE.—Funds appropriated by this Act  
22 under titles III and IV shall be made available for  
23 assistance for Ukraine.

24 (b) TERRITORIAL INTEGRITY.—None of the funds  
25 appropriated by this Act may be made available for assist-

1   ance for a government of an Independent State of the  
2   former Soviet Union if such government directs any action  
3   in violation of the territorial integrity or national sov-  
4   ereignty of any other Independent State of the former So-  
5   viet Union, such as those violations included in the Hel-  
6   sinki Final Act: *Provided*, That except as otherwise pro-  
7   vided in section 7047(a) of this Act, funds may be made  
8   available without regard to the restriction in this sub-  
9   section if the President determines that to do so is in the  
10   national security interest of the United States: *Provided*  
11   *further*, That prior to executing the authority contained  
12   in the previous proviso, the Secretary of State shall con-  
13   sult with the Committees on Appropriations on how such  
14   assistance supports the national security interest of the  
15   United States.

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

19           (1) activities to support democracy or assist-  
20   ance under title V of the FREEDOM Support Act  
21   (22 U.S.C. 5851 et seq.) and section 1424 of the  
22   Defense Against Weapons of Mass Destruction Act  
23   of 1996 (50 U.S.C. 2333) or non-proliferation as-  
24   sistance;

1           (2) any assistance provided by the Trade and  
2           Development Agency under section 661 of the For-  
3           eign Assistance Act of 1961;

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

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

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

14          (6) humanitarian assistance.

15          (d) **TURKEY.**—None of the funds made available by  
16          this Act may be used to facilitate or support the sale of  
17          defense articles or defense services to the Turkish Presi-  
18          dential Protection Directorate (TPPD) under chapter 2  
19          of the Arms Export Control Act (22 U.S.C. 2761 et seq.)  
20          unless the Secretary of State determines and reports to  
21          the appropriate congressional committees that members of  
22          the TPPD who are named in the July 17, 2017, indict-  
23          ment by the Superior Court of the District of Columbia,  
24          and against whom there are pending charges, have re-  
25          turned to the United States to stand trial in connection

1 with the offenses contained in such indictment or have  
2 otherwise been brought to justice: *Provided*, That the limi-  
3 tation in this paragraph shall not apply to the use of funds  
4 made available by this Act for border security purposes,  
5 for North Atlantic Treaty Organization or coalition oper-  
6 ations, or to enhance the protection of United States offi-  
7 cials and facilities in Turkey.

8 COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

9 SEC. 7047. (a) PROHIBITION.—None of the funds ap-  
10 propriated by this Act may be made available for assist-  
11 ance for the central Government of the Russian Federa-  
12 tion.

13 (b) ANNEXATION OF TERRITORY.—

14 (1) PROHIBITION.—None of the funds appro-  
15 priated by this Act may be made available for assist-  
16 ance for the central government of a country that  
17 the Secretary of State determines and reports to the  
18 Committees on Appropriations has taken affirmative  
19 steps intended to support or be supportive of the  
20 Russian Federation annexation of Crimea or other  
21 territory in Ukraine: *Provided*, That except as other-  
22 wise provided in subsection (a), the Secretary may  
23 waive the restriction on assistance required by this  
24 paragraph if the Secretary determines and reports to  
25 such Committees that to do so is in the national in-

1 interest of the United States, and includes a justifica-  
2 tion for such interest.

3 (2) LIMITATION.—None of the funds appro-  
4 priated by this Act may be made available for—

5 (A) the implementation of any action or  
6 policy that recognizes the sovereignty of the  
7 Russian Federation over Crimea or other terri-  
8 tory in Ukraine;

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

16 (C) assistance for Crimea or other terri-  
17 tory in Ukraine under the control of Russia or  
18 Russian-backed separatists, if such assistance  
19 includes the participation of Russian Govern-  
20 ment officials, or other Russian owned or con-  
21 trolled financial entities.

22 (3) INTERNATIONAL FINANCIAL INSTITU-  
23 TIONS.—The Secretary of the Treasury shall in-  
24 struct the United States executive director of each  
25 international financial institution to use the voice

1 and vote of the United States to oppose any assist-  
2 ance by such institution (including any loan, credit,  
3 grant, or guarantee) for any program that violates  
4 the sovereignty or territorial integrity of Ukraine.

5 (4) DURATION.—The requirements and limita-  
6 tions of this subsection shall cease to be in effect if  
7 the Secretary of State determines and reports to the  
8 Committees on Appropriations that the Government  
9 of Ukraine has reestablished sovereignty over Cri-  
10 mea and other territory in Ukraine under the con-  
11 trol of Russian-backed separatists.

12 (c) OCCUPATION OF THE GEORGIAN TERRITORIES OF  
13 ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

14 (1) PROHIBITION.—None of the funds appro-  
15 priated by this Act may be made available for assist-  
16 ance for the central government of a country that  
17 the Secretary of State determines and reports to the  
18 Committees on Appropriations has recognized the  
19 independence of, or has established diplomatic rela-  
20 tions with, the Russian Federation occupied Geor-  
21 gian territories of Abkhazia and Tskhinvali Region/  
22 South Ossetia: *Provided*, That the Secretary shall  
23 publish on the Department of State website a list of  
24 any such central governments in a timely manner:  
25 *Provided further*, That the Secretary may waive the

1 restriction on assistance required by this paragraph  
2 if the Secretary determines and reports to the Com-  
3 mittees on Appropriations that to do so is in the na-  
4 tional interest of the United States, and includes a  
5 justification for such interest.

6 (2) LIMITATION.—None of the funds appro-  
7 priated by this Act may be made available to sup-  
8 port the Russian Federation occupation of the Geor-  
9 gian territories of Abkhazia and Tskhinvali Region/  
10 South Ossetia.

11 (3) INTERNATIONAL FINANCIAL INSTITU-  
12 TIONS.—The Secretary of the Treasury shall in-  
13 struct the United States executive director of each  
14 international financial institution to use the voice  
15 and vote of the United States to oppose any assist-  
16 ance by such institution (including any loan, credit,  
17 grant, or guarantee) for any program that violates  
18 the sovereignty and territorial integrity of Georgia.

19 (d) COUNTERING RUSSIAN INFLUENCE FUND.—

20 (1) ASSISTANCE.—Of the funds appropriated by  
21 this Act under the headings “Assistance for Europe,  
22 Eurasia and Central Asia”, “International Narcotics  
23 Control and Law Enforcement”, “International Mili-  
24 tary Education and Training”, and “Foreign Mili-  
25 tary Financing Program”, not less than

1       \$295,000,000 shall be made available to carry out  
2       the purposes of the Countering Russian Influence  
3       Fund, as authorized by section 254 of the Coun-  
4       tering Russian Influence in Europe and Eurasia Act  
5       of 2017 (Public Law 115–44; 22 U.S.C. 9543) and  
6       notwithstanding the country limitation in subsection  
7       (b) of such section, and programs to enhance the ca-  
8       pacity of law enforcement and security forces in  
9       countries in Europe, Eurasia, and Central Asia and  
10      strengthen security cooperation between such coun-  
11      tries and the United States and the North Atlantic  
12      Treaty Organization, as appropriate: *Provided*, That  
13      funds made available pursuant to this paragraph  
14      under the heading “Foreign Military Financing Pro-  
15      gram” may remain available until September 30,  
16      2024.

17           (2) ECONOMICS AND TRADE.—Funds appro-  
18      priated by this Act and made available for assistance  
19      for the Eastern Partnership countries shall be made  
20      available to advance the implementation of Associa-  
21      tion Agreements and trade agreements with the Eu-  
22      ropean Union, and to reduce their vulnerability to  
23      external economic and political pressure from the  
24      Russian Federation.



1 the United States Government with necessary access  
2 to such financial and performance audits;

3 (2) has submitted a report to the Department  
4 of State, which shall be posted on the Department's  
5 website in a timely manner, demonstrating that such  
6 organization is effectively implementing and enforce-  
7 ing policies and procedures which meet or exceed  
8 best practices in the United States for the protection  
9 of whistleblowers from retaliation, including—

10 (A) protection against retaliation for inter-  
11 nal and lawful public disclosures;

12 (B) legal burdens of proof;

13 (C) statutes of limitation for reporting re-  
14 taliation;

15 (D) access to binding independent adju-  
16 dicative bodies, including shared cost and selec-  
17 tion of external arbitration; and

18 (E) results that eliminate the effects of  
19 proven retaliation, including provision for the  
20 restoration of prior employment; and

21 (3) effectively implementing and enforcing poli-  
22 cies and procedures on the appropriate use of travel  
23 funds, including restrictions on first-class and busi-  
24 ness-class travel.

1 (b) RESTRICTIONS ON UNITED NATIONS DELEGA-  
2 TIONS AND ORGANIZATIONS.—

3 (1) RESTRICTIONS ON UNITED STATES DELEGA-  
4 TIONS.—None of the funds made available by this  
5 Act may be used to pay expenses for any United  
6 States delegation to any specialized agency, body, or  
7 commission of the United Nations if such agency,  
8 body, or commission is chaired or presided over by  
9 a country, the government of which the Secretary of  
10 State has determined, for purposes of section  
11 1754(c) of the Export Reform Control Act of 2018  
12 (50 U.S.C. 4813(c)), supports international ter-  
13 rorism.

14 (2) RESTRICTIONS ON CONTRIBUTIONS.—None  
15 of the funds made available by this Act may be used  
16 by the Secretary of State as a contribution to any  
17 organization, agency, commission, or program within  
18 the United Nations system if such organization,  
19 agency, commission, or program is chaired or pre-  
20 sided over by a country the government of which the  
21 Secretary of State has determined, for purposes of  
22 section 620A of the Foreign Assistance Act of 1961,  
23 section 40 of the Arms Export Control Act, section  
24 1754(c) of the Export Reform Control Act of 2018  
25 (50 U.S.C. 4813(c)), or any other provision of law,

1 is a government that has repeatedly provided sup-  
2 port for acts of international terrorism.

3 (3) WAIVER.—The Secretary of State may  
4 waive the restriction in this subsection if the Sec-  
5 retary determines and reports to the Committees on  
6 Appropriations that to do so is important to the na-  
7 tional interest of the United States, including a de-  
8 scription of the national interest served.

9 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—  
10 Funds appropriated by this Act may be made available  
11 to support the United Nations Human Rights Council un-  
12 less the Secretary of State determines and reports to the  
13 Committees on Appropriations that participation in the  
14 Council does not serve the national interest of the United  
15 States, and that such Council is not taking significant  
16 steps to remove Israel as a permanent agenda item and  
17 ensure integrity in the election of members to such Coun-  
18 cil, including a justification for such determination: *Pro-*  
19 *vided*, That the Secretary of State shall report to the Com-  
20 mittees on Appropriations not later than September 30,  
21 2023, on the resolutions considered in the United Nations  
22 Human Rights Council during the previous 12 months,  
23 and on steps taken to remove Israel as a permanent agen-  
24 da item and ensure integrity in the election of members  
25 to such council.

1 (d) UNITED NATIONS RELIEF AND WORKS AGEN-  
2 CY.—Funds appropriated by this Act should be made  
3 available for the United Nations Relief and Works Agency  
4 (UNRWA) unless the Secretary of State determines and  
5 reports to the Committees on Appropriations that  
6 UNRWA is not—

7 (1) utilizing Operations Support Officers in the  
8 West Bank, Gaza, and other fields of operation to  
9 inspect UNRWA installations and reporting any in-  
10 appropriate use;

11 (2) acting promptly to address any staff or ben-  
12 efitary violation of its own policies (including the  
13 policies on neutrality and impartiality of employees)  
14 and the legal requirements under section 301(c) of  
15 the Foreign Assistance Act of 1961;

16 (3) implementing procedures to maintain the  
17 neutrality of its facilities, including implementing a  
18 no-weapons policy, and conducting regular inspec-  
19 tions of its installations, to ensure they are only  
20 used for humanitarian or other appropriate pur-  
21 poses;

22 (4) taking necessary and appropriate measures  
23 to ensure it is operating in compliance with the con-  
24 ditions of section 301(c) of the Foreign Assistance  
25 Act of 1961 and continuing regular reporting to the

1 Department of State on actions it has taken to en-  
2 sure conformance with such conditions;

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

8 (6) refraining from engaging in operations with  
9 financial institutions or related entities in violation  
10 of relevant United States law, and is taking steps to  
11 improve the financial transparency of the organiza-  
12 tion; and

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

17 (e) PROHIBITION OF PAYMENTS TO UNITED NA-  
18 TIONS MEMBERS.—None of the funds appropriated or  
19 made available pursuant to titles III through VI of this  
20 Act for carrying out the Foreign Assistance Act of 1961,  
21 may be used to pay in whole or in part any assessments,  
22 arrearages, or dues of any member of the United Nations  
23 or, from funds appropriated by this Act to carry out chap-  
24 ter 1 of part I of the Foreign Assistance Act of 1961,  
25 the costs for participation of another country's delegation

1 at international conferences held under the auspices of  
2 multilateral or international organizations.

3 (f) REPORT.—Not later than 45 days after the date  
4 of enactment of this Act, the Secretary of State shall sub-  
5 mit a report to the Committees on Appropriations detail-  
6 ing the amount of funds available for obligation or expend-  
7 iture in fiscal year 2023 for contributions to any organiza-  
8 tion, department, agency, or program within the United  
9 Nations system or any international program that are  
10 withheld from obligation or expenditure due to any provi-  
11 sion of law: *Provided*, That the Secretary shall update  
12 such report each time additional funds are withheld by op-  
13 eration of any provision of law: *Provided further*, That the  
14 reprogramming of any withheld funds identified in such  
15 report, including updates thereof, shall be subject to prior  
16 consultation with, and the regular notification procedures  
17 of, the Committees on Appropriations.

18 (g) SEXUAL EXPLOITATION AND ABUSE IN PEACE-  
19 KEEPING OPERATIONS.—The Secretary of State shall  
20 withhold assistance to any unit of the security forces of  
21 a foreign country if the Secretary has credible information  
22 that such unit has engaged in sexual exploitation or abuse,  
23 including while serving in a United Nations peacekeeping  
24 operation, until the Secretary determines that the govern-  
25 ment of such country is taking effective steps to hold the

1 responsible members of such unit accountable and to pre-  
2 vent future incidents: *Provided*, That the Secretary shall  
3 promptly notify the government of each country subject  
4 to any withholding of assistance pursuant to this para-  
5 graph, and shall notify the appropriate congressional com-  
6 mittees of such withholding not later than 10 days after  
7 a determination to withhold such assistance is made: *Pro-*  
8 *vided further*, That the Secretary shall, to the maximum  
9 extent practicable, assist such government in bringing the  
10 responsible members of such unit to justice.

11 (h) ADDITIONAL AVAILABILITY.—Subject to the reg-  
12 ular notification procedures of the Committees on Appro-  
13 priations, funds appropriated by this Act which are re-  
14 turned or not made available due to the second proviso  
15 under the heading “Contributions for International Peace-  
16 keeping Activities” in title I of this Act or section 307(a)  
17 of the Foreign Assistance Act of 1961 (22 U.S.C.  
18 2227(a)), shall remain available for obligation until Sep-  
19 tember 30, 2024: *Provided*, That the requirement to with-  
20 hold funds for programs in Burma under section 307(a)  
21 of the Foreign Assistance Act of 1961 shall not apply to  
22 funds appropriated by this Act.

23 (i) OPERATIONS OF THE UNITED STATES MISSION  
24 TO THE UNITED NATIONS.—Section 9(2) of the United

1 Nations Participation Act of 1945 (22 U.S.C. 287e–1(2))  
2 is amended by striking “30” and inserting “41”.

3 WAR CRIMES TRIBUNAL

4 SEC. 7049. Section 705 of the Foreign Relations Au-  
5 thorization Act, Fiscal Year 2000 and 2001 (22 U.S.C.  
6 7401) is amended by striking subsection (c) and inserting  
7 the following:

8 “(c) EXEMPTION.—The prohibition under subsection  
9 (b) or under any other provision of law shall not apply  
10 with regard to support, including funding, information, or  
11 in-kind support, to the International Criminal Court to as-  
12 sist with investigations into and prosecutions related to  
13 the Situation in Ukraine or circumstances in which the  
14 Secretary of State determines that it is in the national  
15 security interest of the United States to provide such sup-  
16 port to assist with investigations and prosecutions of geno-  
17 cide, war crimes, or crimes against humanity: *Provided,*  
18 That none of the funds made available pursuant to this  
19 subsection may be made available for the purpose of sup-  
20 porting investigations, apprehensions, or prosecutions of  
21 American service members and other United States citi-  
22 zens or nationals, consistent with the purpose of the Amer-  
23 ican Servicemembers’ Protection Act of 2002 (22 U.S.C.  
24 7421 et seq.), or for the purpose of supporting investiga-  
25 tions, apprehensions, or prosecutions of nationals of the

1 North Atlantic Treaty Organization (NATO) or major  
2 non-NATO allies initially designated pursuant to section  
3 517(b) of the Foreign Assistance Act of 1961.

4 “(d) NOTIFICATION.—The Secretary of State shall  
5 notify the appropriate congressional committees of any  
6 amounts provided pursuant to subsection (c) not later  
7 than 15 days before such payment is made.

8 “(e) REPORTING.—Not later than 90 days after the  
9 date of the enactment of the Department of State, Foreign  
10 Operations, and Related Programs Appropriations Act,  
11 2023, and every 90 days thereafter until September 30,  
12 2025, the Secretary of State shall submit a report to the  
13 appropriate congressional committees that describes the  
14 use of funds made available pursuant to subsection (c).

15 “(f) DEFINITIONS.—In this section:

16 “(1) APPROPRIATE CONGRESSIONAL COMMIT-  
17 TEES.—The term ‘appropriate congressional com-  
18 mittees’ means—

19 “(A) the Committee on Foreign Relations  
20 of the Senate;

21 “(B) the Committee on Appropriations of  
22 the Senate;

23 “(C) the Committee on Foreign Affairs of  
24 the House of Representatives; and



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

8           (A) coordinated with other democracy pro-  
9 grams funded by this Act under such headings,  
10 and shall be incorporated into country assist-  
11 ance and democracy promotion strategies, as  
12 appropriate;

13           (B) for programs to implement the May  
14 2011, International Strategy for Cyberspace,  
15 the Department of State International Cyber-  
16 space Policy Strategy required by section 402  
17 of the Cybersecurity Act of 2015 (division N of  
18 Public Law 114–113), and the comprehensive  
19 strategy to promote Internet freedom and ac-  
20 cess to information in Iran, as required by sec-  
21 tion 414 of the Iran Threat Reduction and  
22 Syria Human Rights Act of 2012 (22 U.S.C.  
23 8754);

24           (C) made available for programs that sup-  
25 port the efforts of civil society to counter the

1 development of repressive Internet-related laws  
2 and regulations, including countering threats to  
3 Internet freedom at international organizations;  
4 to combat violence against bloggers and other  
5 users; and to enhance digital security training  
6 and capacity building for democracy activists;

7 (D) made available for research of key  
8 threats to Internet freedom; the continued de-  
9 velopment of technologies that provide or en-  
10 hance access to the Internet, including cir-  
11 cumvention tools that bypass Internet blocking,  
12 filtering, and other censorship techniques used  
13 by authoritarian governments; and maintenance  
14 of the technological advantage of the United  
15 States Government over such censorship tech-  
16 niques: *Provided*, That the Secretary of State,  
17 in consultation with the United States Agency  
18 for Global Media Chief Executive Officer  
19 (USAGM CEO) and the President of the Open  
20 Technology Fund (OTF), shall coordinate any  
21 such research and development programs with  
22 other relevant United States Government de-  
23 partments and agencies in order to share infor-  
24 mation, technologies, and best practices, and to

1 assess the effectiveness of such technologies;  
2 and

3 (E) made available only with the concur-  
4 rence of the Assistant Secretary for Democracy,  
5 Human Rights, and Labor, Department of  
6 State, that such funds are allocated consistent  
7 with—

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

10 (ii) best practices regarding security  
11 for, and oversight of, Internet freedom pro-  
12 grams; and

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

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

21 (A) made available only for open-source  
22 tools and techniques to securely develop and  
23 distribute USAGM digital content, facilitate au-  
24 dience access to such content on websites that  
25 are censored, coordinate the distribution of

1 USAGM digital content to targeted regional au-  
2 diences, and to promote and distribute such  
3 tools and techniques, including digital security  
4 techniques;

5 (B) coordinated by the USAGM CEO, in  
6 consultation with the OTF President, with pro-  
7 grams funded by this Act under the heading  
8 “International Broadcasting Operations”, and  
9 shall be incorporated into country broadcasting  
10 strategies, as appropriate;

11 (C) coordinated by the USAGM CEO, in  
12 consultation with the OTF President, to solicit  
13 project proposals through an open, transparent,  
14 and competitive process, seek input from tech-  
15 nical and subject matter experts to select pro-  
16 posals, and support Internet circumvention  
17 tools and techniques for audiences in countries  
18 that are strategic priorities for the OTF and in  
19 a manner consistent with the United States  
20 Government Internet freedom strategy; and

21 (D) made available for the research and  
22 development of new tools or techniques author-  
23 ized in subparagraph (A) only after the  
24 USAGM CEO, in consultation with the Sec-  
25 retary of State, the OTF President, and other

1 relevant United States Government depart-  
2 ments and agencies, evaluates the risks and  
3 benefits of such new tools or techniques, and  
4 establishes safeguards to minimize the use of  
5 such new tools or techniques for illicit purposes.

6 (c) COORDINATION AND SPEND PLANS.—After con-  
7 sultation among the relevant agency heads to coordinate  
8 and de-conflict planned activities, but not later than 90  
9 days after the date of enactment of this Act, the Secretary  
10 of State and the USAGM CEO, in consultation with the  
11 OTF President, shall submit to the Committees on Appro-  
12 priations spend plans for funds made available by this Act  
13 for programs to promote Internet freedom globally, which  
14 shall include a description of safeguards established by rel-  
15 evant agencies to ensure that such programs are not used  
16 for illicit purposes: *Provided*, That the Department of  
17 State spend plan shall include funding for all such pro-  
18 grams for all relevant Department of State and United  
19 States Agency for International Development offices and  
20 bureaus.

21 (d) SECURITY AUDITS.—Funds made available pur-  
22 suant to this section to promote Internet freedom globally  
23 may only be made available to support open-source tech-  
24 nologies that undergo comprehensive security audits con-  
25 sistent with the requirements of the Bureau of Democracy,

1 Human Rights, and Labor, Department of State to ensure  
2 that such technology is secure and has not been com-  
3 promised in a manner detrimental to the interest of the  
4 United States or to individuals and organizations bene-  
5 fitting from programs supported by such funds: *Provided,*  
6 That the security auditing procedures used by such Bu-  
7 reau shall be reviewed and updated periodically to reflect  
8 current industry security standards.

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

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

16 (b) ASSISTANCE.—Funds appropriated under titles  
17 III and IV of this Act shall be made available, notwith-  
18 standing section 660 of the Foreign Assistance Act of  
19 1961 and following consultation with the Committees on  
20 Appropriations, for assistance to eliminate torture and  
21 other cruel, inhuman, or degrading treatment or punish-  
22 ment by foreign police, military, or other security forces  
23 in countries receiving assistance from funds appropriated  
24 by this Act.

1 AIRCRAFT TRANSFER, COORDINATION, AND USE

2 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-  
3 standing any other provision of law or regulation, aircraft  
4 procured with funds appropriated by this Act and prior  
5 Acts making appropriations for the Department of State,  
6 foreign operations, and related programs under the head-  
7 ings “Diplomatic Programs”, “International Narcotics  
8 Control and Law Enforcement”, “Andean Counterdrug  
9 Initiative”, and “Andean Counterdrug Programs” may be  
10 used for any other program and in any region.

11 (b) PROPERTY DISPOSAL.—The authority provided  
12 in subsection (a) shall apply only after the Secretary of  
13 State determines and reports to the Committees on Appro-  
14 priations that the equipment is no longer required to meet  
15 programmatic purposes in the designated country or re-  
16 gion: *Provided*, That any such transfer shall be subject  
17 to prior consultation with, and the regular notification  
18 procedures of, the Committees on Appropriations.

19 (c) AIRCRAFT COORDINATION.—

20 (1) AUTHORITY.—The uses of aircraft pur-  
21 chased or leased by the Department of State and the  
22 United States Agency for International Development  
23 with funds made available in this Act or prior Acts  
24 making appropriations for the Department of State,  
25 foreign operations, and related programs shall be co-

1       ordinated under the authority of the appropriate  
2       Chief of Mission: *Provided*, That such aircraft may  
3       be used to transport, on a reimbursable or non-reim-  
4       bursable basis, Federal and non-Federal personnel  
5       supporting Department of State and USAID pro-  
6       grams and activities: *Provided further*, That official  
7       travel for other agencies for other purposes may be  
8       supported on a reimbursable basis, or without reim-  
9       bursement when traveling on a space available basis:  
10      *Provided further*, That funds received by the Depart-  
11      ment of State in connection with the use of aircraft  
12      owned, leased, or chartered by the Department of  
13      State may be credited to the Working Capital Fund  
14      of the Department and shall be available for ex-  
15      penses related to the purchase, lease, maintenance,  
16      chartering, or operation of such aircraft.

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

21           (d) AIRCRAFT OPERATIONS AND MAINTENANCE.—  
22      To the maximum extent practicable, the costs of oper-  
23      ations and maintenance, including fuel, of aircraft funded  
24      by this Act shall be borne by the recipient country.



1 purposes of the Global Food Security Act of 2016 (Public  
2 Law 114–195): *Provided*, That funds may be made avail-  
3 able for a contribution as authorized by section 3202 of  
4 the Food, Conservation, and Energy Act of 2008 (Public  
5 Law 110–246), as amended by section 3310 of the Agri-  
6 culture Improvement Act of 2018 (Public Law 115–334).

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

13 (c) GLOBAL FOOD SECURITY PARTNERSHIP  
14 FUND.—

15 (1) NEGOTIATIONS FOR ESTABLISHMENT.—The  
16 Secretary of State, in consultation with the Adminis-  
17 trator of the United States Agency for International  
18 Development and the heads of other relevant Fed-  
19 eral agencies, shall seek to enter into negotiations  
20 with key bilateral, multilateral, philanthropic, and  
21 private sector entities, including the United Nations  
22 Rome-based agencies and the World Bank, and with  
23 countries impacted by food insecurity, for the estab-  
24 lishment of the Global Food Security Partnership  
25 Fund.

1           (2) PURPOSES.—The purposes of such Global  
2 Food Security Partnership Fund shall be to—

3                   (A) increase funding from all sources to re-  
4 spond to acute food insecurity and build resil-  
5 ience globally;

6                   (B) improve international coordination;  
7 and

8                   (C) transition from short-term emergency  
9 investments toward comprehensive, compact-  
10 based agreements that support country-led  
11 strategies to sustainably address food insecu-  
12 rity.

13           (3) CONSULTATION.—Not later than 90 days  
14 after the date of enactment of this Act, the Sec-  
15 retary of State, in consultation with the Adminis-  
16 trator of the United States Agency for International  
17 Development, shall consult with the Committees on  
18 Appropriations on plans for the establishment of the  
19 Global Food Security Partnership Fund, including  
20 identifying which office at the Department of State  
21 will be responsible for negotiating and participating  
22 in such Fund; key donors and countries to be tar-  
23 geted for negotiations; expected timelines for such  
24 negotiations; and any anticipated challenges to the  
25 establishment of such Fund: *Provided*, That not

1 later than 180 days after the date of enactment of  
2 this Act, the Secretary of State shall consult with  
3 such committees on the status of such negotiations,  
4 including the details enumerated under this heading  
5 in the explanatory statement accompanying this Act.

6 (d) MARKET-BASED SOCIAL ENTERPRISES.—

7 (1) ASSISTANCE.—Of the funds appropriated by  
8 this Act and prior Acts making appropriations for  
9 the Department of State, foreign operations, and re-  
10 lated programs under title III, not less than  
11 \$5,000,000 shall be made available to provide sus-  
12 tainable, market-based assistance for smallholder  
13 farmers through locally-based social enterprises.

14 (2) CRITERIA.—Funds made available pursuant  
15 to paragraph (1) shall be made available to support  
16 organizations that—

17 (A) generate diverse, hybrid financing;

18 (B) are significantly funded through  
19 earned revenue;

20 (C) directly serve the world's poorest farm-  
21 ers and focus primarily on food security; and

22 (D) demonstrate social impact through  
23 clear, rigorously measured, impact data, includ-  
24 ing measuring attributable crop yield increases.



1 and Programs” in this Act for fiscal year 2023,  
2 \$60,000,000 shall be made available for the United Na-  
3 tions Population Fund (UNFPA).

4 (b) AVAILABILITY OF FUNDS.—Funds appropriated  
5 by this Act for UNFPA, that are not made available for  
6 UNFPA because of the operation of any provision of law,  
7 shall be transferred to the “Global Health Programs” ac-  
8 count and shall be made available for family planning, ma-  
9 ternal, and reproductive health activities, subject to the  
10 regular notification procedures of the Committees on Ap-  
11 propriations.

12 (c) PROHIBITION ON USE OF FUNDS IN CHINA.—  
13 None of the funds made available by this Act may be used  
14 by UNFPA for a country program in the People’s Repub-  
15 lic of China.

16 (d) CONDITIONS ON AVAILABILITY OF FUNDS.—  
17 Funds made available by this Act for UNFPA may not  
18 be made available unless—

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

23 (2) UNFPA does not fund abortions.

## 1 GLOBAL HEALTH ACTIVITIES

2 SEC. 7058. (a) IN GENERAL.—Funds appropriated  
3 under titles III and IV of this Act that are made available  
4 for bilateral assistance for global health programs includ-  
5 ing activities relating to research on, and the prevention,  
6 treatment, and control of, HIV/AIDS may be made avail-  
7 able notwithstanding any other provision of law except for  
8 provisions under the heading “Global Health Programs”  
9 and the United States Leadership Against HIV/AIDS,  
10 Tuberculosis, and Malaria Act of 2003 (117 Stat. 711;  
11 22 U.S.C. 7601 et seq.), as amended: *Provided*, That of  
12 the funds appropriated under the heading “Global Health  
13 Programs” in this Act, not less than \$650,000,000 shall  
14 be made available for family planning/reproductive health,  
15 including in areas where population growth threatens bio-  
16 diversity or endangered species.

17 (b) PANDEMICS AND OTHER INFECTIOUS DISEASE  
18 OUTBREAKS.—

19 (1) GLOBAL HEALTH SECURITY.—Funds appro-  
20 priated by this Act under the heading “Global  
21 Health Programs” shall be made available for global  
22 health security programs to accelerate the capacity  
23 of countries to prevent, detect, and respond to infec-  
24 tious disease outbreaks, including by strengthening  
25 public health capacity where there is a high risk of

1 emerging zoonotic infectious diseases: *Provided*,  
2 That not later than 60 days after the date of enact-  
3 ment of this Act, the USAID Administrator and the  
4 Secretary of State, as appropriate, shall consult with  
5 the Committees on Appropriations on the planned  
6 uses of such funds.

7 (2) FINANCIAL INTERMEDIARY FUND.—Funds  
8 appropriated by this Act under the heading “Global  
9 Health Programs” may be made available for con-  
10 tributions to a financial intermediary fund for pan-  
11 demic preparedness and global health security.

12 (3) EXTRAORDINARY MEASURES.—If the Sec-  
13 retary of State determines and reports to the Com-  
14 mittees on Appropriations that an international in-  
15 fectionous disease outbreak is sustained, severe, and is  
16 spreading internationally, or that it is in the na-  
17 tional interest to respond to a Public Health Emer-  
18 gency of International Concern, not to exceed an ag-  
19 gregate total of \$200,000,000 of the funds appro-  
20 priated by this Act under the headings “Global  
21 Health Programs”, “Development Assistance”,  
22 “International Disaster Assistance”, “Complex Cri-  
23 ses Fund”, “Economic Support Fund”, “Democracy  
24 Fund”, “Assistance for Europe, Eurasia and Cen-  
25 tral Asia”, “Migration and Refugee Assistance”, and

1 “Millennium Challenge Corporation” may be made  
2 available to combat such infectious disease or public  
3 health emergency, and may be transferred to, and  
4 merged with, funds appropriated under such head-  
5 ings for the purposes of this paragraph.

6 (4) EMERGENCY RESERVE FUND.—Up to  
7 \$90,000,000 of the funds made available under the  
8 heading “Global Health Programs” may be made  
9 available for the Emergency Reserve Fund estab-  
10 lished pursuant to section 7058(c)(1) of the Depart-  
11 ment of State, Foreign Operations, and Related Pro-  
12 grams Appropriations Act, 2017 (division J of Pub-  
13 lic Law 115–31): *Provided*, That such funds shall be  
14 made available under the same terms and conditions  
15 of such section.

16 (5) CONSULTATION AND NOTIFICATION.—  
17 Funds made available by this subsection shall be  
18 subject to prior consultation with, and the regular  
19 notification procedures of, the Committees on Ap-  
20 propriations.

21 (c) LIMITATION.—Notwithstanding any other provi-  
22 sion of law, none of the funds made available by this Act  
23 may be made available to the Wuhan Institute of Virology  
24 located in the City of Wuhan in the People’s Republic of  
25 China.

1 GENDER EQUALITY AND WOMEN'S EMPOWERMENT

2 SEC. 7059. (a) IN GENERAL.—

3 (1) GENDER EQUALITY.—Funds appropriated  
4 by this Act shall be made available to promote gen-  
5 der equality in United States Government diplomatic  
6 and development efforts by raising the status, in-  
7 creasing the economic participation and opportuni-  
8 ties for political leadership, and protecting the rights  
9 of women and girls worldwide.

10 (2) WOMEN'S ECONOMIC EMPOWERMENT.—  
11 Funds appropriated by this Act are available to im-  
12 plement the Women's Entrepreneurship and Eco-  
13 nomic Empowerment Act of 2018 (Public Law 115-  
14 428): *Provided*, That the Secretary of State and the  
15 Administrator of the United States Agency for  
16 International Development, as appropriate, shall  
17 consult with the Committees on Appropriations on  
18 the implementation of such Act.

19 (3) GENDER EQUITY AND EQUALITY ACTION  
20 FUND.—Of the funds appropriated under title III of  
21 this Act, up to \$200,000,000 may be made available  
22 for the Gender Equity and Equality Action Fund.

23 (b) MADELEINE K. ALBRIGHT WOMEN'S LEADER-  
24 SHIP PROGRAM.—Of the funds appropriated under title  
25 III of this Act, not less than \$50,000,000 shall be made

1 available for programs specifically designed to increase  
2 leadership opportunities for women in countries where  
3 women and girls suffer discrimination due to law, policy,  
4 or practice, by strengthening protections for women’s po-  
5 litical status, expanding women’s participation in political  
6 parties and elections, and increasing women’s opportuni-  
7 ties for leadership positions in the public and private sec-  
8 tors at the local, provincial, and national levels: *Provided*,  
9 That such programs shall hereafter be collectively named  
10 the “Madeleine K. Albright Women’s Leadership Pro-  
11 gram”.

12 (c) GENDER-BASED VIOLENCE.—

13 (1) Of the funds appropriated under titles III  
14 and IV of this Act, not less than \$175,000,000 shall  
15 be made available to implement a multi-year strat-  
16 egy to prevent and respond to gender-based violence  
17 in countries where it is common in conflict and non-  
18 conflict settings.

19 (2) Funds appropriated under titles III and IV  
20 of this Act that are available to train foreign police,  
21 judicial, and military personnel, including for inter-  
22 national peacekeeping operations, shall address,  
23 where appropriate, prevention and response to gen-  
24 der-based violence and trafficking in persons, and

1 shall promote the integration of women into the po-  
2 lice and other security forces.

3 (d) WOMEN, PEACE, AND SECURITY.—Of the funds  
4 appropriated by this Act under the headings “Develop-  
5 ment Assistance”, “Economic Support Fund”, “Assist-  
6 ance for Europe, Eurasia and Central Asia”, and “Inter-  
7 national Narcotics Control and Law Enforcement”, not  
8 less than \$135,000,000 should be made available to sup-  
9 port a multi-year strategy to expand, and improve coordi-  
10 nation of, United States Government efforts to empower  
11 women as equal partners in conflict prevention, peace  
12 building, transitional processes, and reconstruction efforts  
13 in countries affected by conflict or in political transition,  
14 and to ensure the equitable provision of relief and recovery  
15 assistance to women and girls.

16 SECTOR ALLOCATIONS

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

19 (1) BASIC EDUCATION.—

20 (A) Of the funds appropriated under title  
21 III of this Act, not less than \$693,448,000  
22 shall be made available for the Nita M. Lowey  
23 Basic Education Fund, and such funds may be  
24 made available notwithstanding any other provi-  
25 sion of law that restricts assistance to foreign

1 countries: *Provided*, That such funds shall also  
2 be used for secondary education activities: *Pro-*  
3 *vided further*, That section 7(a) of Public Law  
4 115–56 shall be implemented by substituting  
5 “the thirtieth day of June following” for “180  
6 days after”.

7 (B) Of the funds appropriated under title  
8 III of this Act for assistance for basic education  
9 programs, not less than \$175,000,000 shall be  
10 made available for contributions to multilateral  
11 partnerships that support education.

12 (2) HIGHER EDUCATION.—Of the funds appro-  
13 priated by title III of this Act, not less than  
14 \$250,000,000 shall be made available for assistance  
15 for higher education: *Provided*, That such funds may  
16 be made available notwithstanding any other provi-  
17 sion of law that restricts assistance to foreign coun-  
18 tries, and shall be subject to the regular notification  
19 procedures of the Committees on Appropriations:  
20 *Provided further*, That of such amount, not less than  
21 \$35,000,000 shall be made available for new and on-  
22 going partnerships between higher education institu-  
23 tions in the United States and developing countries  
24 focused on building the capacity of higher education  
25 institutions and systems in developing countries:

1       *Provided further*, That not later than 45 days after  
2       the date of enactment of this Act, the USAID Ad-  
3       ministrator shall consult with the Committees on  
4       Appropriations on the proposed uses of funds for  
5       such partnerships.

6               (3) HIGHER EDUCATION IN COUNTRIES IM-  
7       PACTED BY ECONOMIC CRISES.—Of the funds appro-  
8       priated by this Act under the heading “Economic  
9       Support Fund”, and in addition to amounts made  
10      available pursuant to paragraph (2), not less than  
11      \$35,000,000 shall be made available, notwith-  
12      standing any other provision of law that restricts as-  
13      sistance to foreign countries, and following consulta-  
14      tion with the Committees on Appropriations, for the  
15      following institutions that are recipients of United  
16      States assistance and located in countries impacted  
17      by economic crises—

18               (A) United States-accredited institutions of  
19              higher education in the Middle East; and

20               (B) not-for-profit, coeducational American  
21              institutions of higher education in the Middle  
22              East and Asia.

23               (4) SCHOLAR RESCUE PROGRAMS.—Of the  
24      funds appropriated by this Act under the headings  
25      “Development Assistance”, “Economic Support

1 Fund”, and “Assistance for Europe, Eurasia and  
2 Central Asia”, not less than \$7,000,000 shall be  
3 made available for scholar rescue programs, includ-  
4 ing for scholars from Afghanistan, Burma, Ethiopia,  
5 the Russian Federation, Ukraine, and Yemen: *Pro-*  
6 *vided*, That the Secretary of State and Adminis-  
7 trator of the United States Agency for International  
8 Development, as appropriate, shall consult with the  
9 Committees on Appropriations on such programs not  
10 later than 90 days after the date of enactment of  
11 this Act.

12 (b) DEVELOPMENT PROGRAMS.—Of the funds appro-  
13 priated by this Act under the heading “Development As-  
14 sistance”, not less than \$20,000,000 shall be made avail-  
15 able for USAID cooperative development programs and  
16 not less than \$31,500,000 shall be made available for the  
17 American Schools and Hospitals Abroad program.

18 (c) MICRO, SMALL, AND MEDIUM-SIZED ENTER-  
19 PRISES.—Of the funds appropriated by this Act, not less  
20 than \$265,000,000 shall be made available to support the  
21 development of, and access to financing for, micro, small,  
22 and medium-sized enterprises that benefit the poor, espe-  
23 cially women.

24 (d) PROGRAMS TO COMBAT TRAFFICKING IN PER-  
25 SONS.—Of the funds appropriated by this Act under the

1 headings “Development Assistance”, “Economic Support  
2 Fund”, “Assistance for Europe, Eurasia and Central  
3 Asia”, and “International Narcotics Control and Law En-  
4 forcement”, not less than \$126,400,000 shall be made  
5 available for activities to combat trafficking in persons  
6 internationally, including for the Program to End Modern  
7 Slavery, of which not less than \$97,000,000 shall be from  
8 funds made available under the heading “International  
9 Narcotics Control and Law Enforcement”: *Provided*, That  
10 funds made available by this Act under the headings “De-  
11 velopment Assistance”, “Economic Support Fund”, and  
12 “Assistance for Europe, Eurasia and Central Asia” that  
13 are made available for activities to combat trafficking in  
14 persons should be obligated and programmed consistent  
15 with the country-specific recommendations included in the  
16 annual Trafficking in Persons Report, and shall be coordi-  
17 nated with the Office to Monitor and Combat Trafficking  
18 in Persons, Department of State.

19 (e) RECONCILIATION PROGRAMS.—Of the funds ap-  
20 propriated by this Act under the heading “Development  
21 Assistance”, not less than \$25,000,000 shall be made  
22 available to support people-to-people reconciliation pro-  
23 grams which bring together individuals of different ethnic,  
24 racial, religious, and political backgrounds from areas of  
25 civil strife and war: *Provided*, That the USAID Adminis-

1 trator shall consult with the Committees on Appropria-  
2 tions, prior to the initial obligation of funds, on the uses  
3 of such funds, and such funds shall be subject to the reg-  
4 ular notification procedures of the Committees on Appro-  
5 priations: *Provided further*, That to the maximum extent  
6 practicable, such funds shall be matched by sources other  
7 than the United States Government: *Provided further*,  
8 That such funds shall be administered by the Center for  
9 Conflict and Violence Prevention, USAID.

10 (f) WATER AND SANITATION.—Of the funds appro-  
11 priated by this Act, not less than \$475,000,000 shall be  
12 made available for water supply and sanitation projects  
13 pursuant to section 136 of the Foreign Assistance Act of  
14 1961, of which not less than \$237,000,000 shall be for  
15 programs in sub-Saharan Africa, and of which not less  
16 than \$17,000,000 shall be made available to support ini-  
17 tiatives by local communities in developing countries to  
18 build and maintain safe latrines.

19 (g) DEVIATION.—

20 (1) AUTHORITY.—Unless otherwise provided for  
21 by this Act, the Secretary of State and the Adminis-  
22 trator of the United States Agency for International  
23 Development, as applicable, may deviate by up to 10  
24 percent below the minimum funding requirements  
25 designated in sections 7055, 7059, 7060, and 7061

1 of this Act and similar provisions of law in prior  
2 Acts making appropriations for the Department of  
3 State, foreign operations, and related programs, not-  
4 withstanding such designations.

5 (2) OVERSIGHT.—Not later than 120 days after  
6 the date of enactment of this Act, and every 120  
7 days thereafter until September 30, 2024, the Sec-  
8 retary of State shall submit a report to the Commit-  
9 tees on Appropriations on the use, and planned use,  
10 of the authority provided in this subsection: *Pro-*  
11 *vided*, That any deviations made pursuant to this  
12 subsection shall be subject to prior consultation  
13 with, and the regular notification procedures of, the  
14 Committees on Appropriations.

15 ENVIRONMENT PROGRAMS

16 SEC. 7061. (a) IN GENERAL.—Of the funds appro-  
17 priated under title III of this Act, not less than  
18 \$1,895,000,000 shall be made available for environment  
19 programs.

20 (b) AUTHORITY.—Funds appropriated by this Act to  
21 carry out the provisions of sections 103 through 106, and  
22 chapter 4 of part II, of the Foreign Assistance Act of 1961  
23 may be used, notwithstanding any other provision of law,  
24 to support environment programs.

25 (c) BIODIVERSITY CONSERVATION.—

1           (1) FUNDING.—Of the funds appropriated  
2 under title III of this Act, not less than  
3 \$450,000,000 shall be made available for biodiver-  
4 sity conservation programs.

5           (2) PUBLIC-PRIVATE PARTNERSHIPS.—Funds  
6 appropriated by this Act shall be made available to  
7 support a new public-private partnership for con-  
8 servation to promote the establishment and long-  
9 term management of protected areas in developing  
10 countries: *Provided*, That such funds may remain  
11 available until September 30, 2025.

12 (d) WILDLIFE POACHING AND TRAFFICKING.—

13           (1) FUNDING.—Not less than \$130,000,000 of  
14 the funds appropriated under titles III and IV of  
15 this Act shall be made available to combat the  
16 transnational threat of wildlife poaching and traf-  
17 ficking.

18           (2) LIMITATION.—None of the funds appro-  
19 priated under title IV of this Act may be made avail-  
20 able for training or other assistance for any military  
21 unit or personnel that the Secretary of State deter-  
22 mines has been credibly alleged to have participated  
23 in wildlife poaching or trafficking, unless the Sec-  
24 retary reports to the appropriate congressional com-

1           mittees that to do so is in the national security in-  
2           terest of the United States.

3           (e) TROPICAL FORESTS.—Funds appropriated by  
4 this Act for biodiversity programs shall not be used to sup-  
5 port the expansion of industrial scale logging, agriculture,  
6 livestock production, mining, or any other industrial scale  
7 extractive activity into areas that were primary/intact  
8 tropical forests as of December 30, 2013, and the Sec-  
9 retary of the Treasury shall instruct the United States ex-  
10 ecutive directors of each international financial institution  
11 (IFI) to use the voice and vote of the United States to  
12 oppose any financing of any such activity.

13          (f) LARGE DAMS.—The Secretary of the Treasury  
14 shall instruct the United States executive director of each  
15 IFI that it is the policy of the United States to use the  
16 voice and vote of the United States, in relation to any loan,  
17 grant, strategy, or policy of such institution, regarding the  
18 construction of any large dam consistent with the criteria  
19 set forth in Senate Report 114–79, while also considering  
20 whether the project involves important foreign policy ob-  
21 jectives.

22          (g) SUSTAINABLE LANDSCAPES.—Of the funds ap-  
23 propriated under title III of this Act, not less than  
24 \$300,000,000 shall be made available for sustainable land-  
25 scapes programs.

1           (h) ADAPTATION PROGRAMS.—Of the funds appro-  
2 priated under title III of this Act, not less than  
3 \$550,000,000 shall be made available for adaptation pro-  
4 grams, including in support of the implementation of the  
5 Indo-Pacific Strategy.

6           (i) CLEAN ENERGY PROGRAMS.—Of the funds appro-  
7 priated under title III of this Act, not less than  
8 \$425,000,000 shall be made available for clean energy  
9 programs, including in support of carrying out the pur-  
10 poses of the Electrify Africa Act (Public Law 114–121)  
11 and implementing the Power Africa initiative.

12           (j) MULTILATERAL FUNDS.—Of the funds appro-  
13 priated by this Act under title III, not less than  
14 \$100,000,000 may be made available for United States  
15 contributions to the Adaptation Fund and the Least De-  
16 veloped Countries Fund.

17           (k) OCEAN PLASTICS.—Of the funds appropriated  
18 under title III of this Act, not less than \$60,000,000 shall  
19 be made available for the purposes enumerated under sec-  
20 tion 7060(c)(7) of the Department of State, Foreign Oper-  
21 ations, and Related Programs Appropriations Act, 2021  
22 (division K of Public Law 116–260): *Provided*, That such  
23 funds may only be made available following consultation  
24 with the Committees on Appropriations.

1 (l) TOXIC CHEMICALS.—Of the funds appropriated  
2 under title III of this Act, not less than \$10,000,000 shall  
3 be made available to support programs to measurably re-  
4 duce public exposure to toxic chemicals, including expo-  
5 sure to lead associated with unsafe disposal or recycling  
6 of lead batteries, cookware, or other sources of lead expo-  
7 sure.

8 (m) CIVIL SOCIETY PROGRAMS.—Of the funds appro-  
9 priated under title III of this Act, not less than  
10 \$20,000,000 shall be made available to support civil soci-  
11 ety advocacy organizations in developing countries that  
12 are working to prevent toxic pollutants and other harm  
13 to the environment, and to support such organizations  
14 that are working to prevent the poaching and trafficking  
15 of endangered species, as described under this section in  
16 the explanatory statement accompanying this Act.

17 (n) NATIONAL PARKS AND PROTECTED AREAS.—  
18 The Secretary of State and USAID Administrator shall  
19 implement the directive regarding law enforcement in na-  
20 tional parks and protected areas as described under this  
21 heading in the explanatory statement accompanying this  
22 Act.

23 BUDGET DOCUMENTS

24 SEC. 7062. (a) OPERATING PLANS.—Not later than  
25 45 days after the date of enactment of this Act, each de-

1 department, agency, or organization funded in titles I, II,  
2 and VI of this Act, and the Department of the Treasury  
3 and Independent Agencies funded in title III of this Act,  
4 including the Inter-American Foundation and the United  
5 States African Development Foundation, shall submit to  
6 the Committees on Appropriations an operating plan for  
7 funds appropriated to such department, agency, or organi-  
8 zation in such titles of this Act, or funds otherwise avail-  
9 able for obligation in fiscal year 2023, that provides de-  
10 tails of the uses of such funds at the program, project,  
11 and activity level: *Provided*, That such plans shall include,  
12 as applicable, a comparison between the congressional  
13 budget justification funding levels, the most recent con-  
14 gressional directives or approved funding levels, and the  
15 funding levels proposed by the department or agency; and  
16 a clear, concise, and informative description/justification:  
17 *Provided further*, That operating plans that include  
18 changes in levels of funding for programs, projects, and  
19 activities specified in the congressional budget justifica-  
20 tion, in this Act, or amounts specifically designated in the  
21 respective tables included in the explanatory statement ac-  
22 companying this Act, as applicable, shall be subject to the  
23 notification and reprogramming requirements of section  
24 7015 of this Act.

25 (b) SPEND PLANS.—

1           (1) Prior to the initial obligation of funds, the  
2           Secretary of State or Administrator of the United  
3           States Agency for International Development, as ap-  
4           propriate, shall submit to the Committees on Appro-  
5           priations spend plans as described under this head-  
6           ing in the explanatory statement accompanying this  
7           Act.

8           (2) Not later than 90 days after the date of en-  
9           actment of this Act, the Secretary of the Treasury  
10          shall submit to the Committees on Appropriations a  
11          detailed spend plan for funds made available by this  
12          Act under the heading “Department of the Treas-  
13          ury, International Affairs Technical Assistance” in  
14          title III.

15          (3) Notwithstanding paragraph (1), up to 10  
16          percent of the funds contained in a spend plan re-  
17          quired by this subsection may be obligated prior to  
18          the submission of such spend plan if the Secretary  
19          of State, the USAID Administrator, or the Secretary  
20          of the Treasury, as applicable, determines that the  
21          obligation of such funds is necessary to avoid signifi-  
22          cant programmatic disruption: *Provided*, That not  
23          less than seven days prior to such obligation, the  
24          Secretary or Administrator, as appropriate, shall  
25          consult with the Committees on Appropriations on

1 the justification for such obligation and the proposed  
2 uses of such funds.

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

7 REORGANIZATION

8 SEC. 7063. (a) PRIOR CONSULTATION AND NOTIFI-  
9 CATION.—Funds appropriated by this Act, prior Acts  
10 making appropriations for the Department of State, for-  
11 eign operations, and related programs, or any other Act  
12 may not be used to implement a reorganization, redesign,  
13 or other plan described in subsection (b) by the Depart-  
14 ment of State, the United States Agency for International  
15 Development, or any other Federal department, agency,  
16 or organization funded by this Act without prior consulta-  
17 tion by the head of such department, agency, or organiza-  
18 tion with the appropriate congressional committees: *Pro-*  
19 *vided*, That such funds shall be subject to the regular noti-  
20 fication procedures of the Committees on Appropriations:  
21 *Provided further*, That any such notification submitted to  
22 such Committees shall include a detailed justification for  
23 any proposed action: *Provided further*, That congressional  
24 notifications submitted in prior fiscal years pursuant to  
25 similar provisions of law in prior Acts making appropria-

1 tions for the Department of State, foreign operations, and  
2 related programs may be deemed to meet the notification  
3 requirements of this section.

4 (b) DESCRIPTION OF ACTIVITIES.—Pursuant to sub-  
5 section (a), a reorganization, redesign, or other plan shall  
6 include any action to—

7 (1) expand, eliminate, consolidate, or downsize  
8 covered departments, agencies, or organizations, in-  
9 cluding bureaus and offices within or between such  
10 departments, agencies, or organizations, including  
11 the transfer to other agencies of the authorities and  
12 responsibilities of such bureaus and offices;

13 (2) expand, eliminate, consolidate, or downsize  
14 the United States official presence overseas, includ-  
15 ing at bilateral, regional, and multilateral diplomatic  
16 facilities and other platforms; or

17 (3) expand or reduce the size of the permanent  
18 Civil Service, Foreign Service, eligible family mem-  
19 ber, and locally employed staff workforce of the De-  
20 partment of State and USAID from the staffing lev-  
21 els previously justified to the Committees on Appro-  
22 priations for fiscal year 2023.

23 DEPARTMENT OF STATE MANAGEMENT

24 SEC. 7064. (a) WORKING CAPITAL FUND.—Funds  
25 appropriated by this Act or otherwise made available to

1 the Department of State for payments to the Working  
2 Capital Fund that are made available for new service cen-  
3 ters, shall be subject to the regular notification procedures  
4 of the Committees on Appropriations.

5 (b) CERTIFICATION.—

6 (1) COMPLIANCE.—Not later than 45 days  
7 after the initial obligation of funds appropriated  
8 under titles III and IV of this Act that are made  
9 available to a Department of State bureau or office  
10 with responsibility for the management and over-  
11 sight of such funds, the Secretary of State shall cer-  
12 tify and report to the Committees on Appropria-  
13 tions, on an individual bureau or office basis, that  
14 such bureau or office is in compliance with Depart-  
15 ment and Federal financial and grants management  
16 policies, procedures, and regulations, as applicable.

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

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

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

1 (C) establish performance measures and  
2 indicators;

3 (D) review activities and performance; and

4 (E) assess final results and reconcile fi-  
5 nances.

6 (3) PLAN.—If the Secretary of State is unable  
7 to make a certification required by paragraph (1),  
8 the Secretary shall submit a plan and timeline de-  
9 tailing the steps to be taken to bring such bureau  
10 or office into compliance.

11 (c) INTERNSHIPS.—The Department of State may  
12 offer compensated internships, and select, appoint, employ  
13 for not more than 52 weeks under an excepted service,  
14 and remove any such compensated intern without regard  
15 to the provisions of law governing appointments in the ex-  
16 cepted service: *Provided*, That the Secretary of State shall  
17 consult with the Director of the Office of Personnel Man-  
18 agement on implementation of this authority, including on  
19 the number of individuals to be hired.

20 (d) INFORMATION TECHNOLOGY PLATFORM.—None  
21 of the funds appropriated in title I of this Act under the  
22 heading “Administration of Foreign Affairs” may be made  
23 available for a new major information technology invest-  
24 ment without the concurrence of the Chief Information Of-  
25 ficer, Department of State.

1 UNITED STATES AGENCY FOR INTERNATIONAL  
2 DEVELOPMENT MANAGEMENT

3 SEC. 7065. (a) AUTHORITY.—Up to \$170,000,000 of  
4 the funds made available in title III of this Act pursuant  
5 to or to carry out the provisions of part I of the Foreign  
6 Assistance Act of 1961, including funds appropriated  
7 under the heading “Assistance for Europe, Eurasia and  
8 Central Asia”, may be used by the United States Agency  
9 for International Development to hire and employ individ-  
10 uals in the United States and overseas on a limited ap-  
11 pointment basis pursuant to the authority of sections 308  
12 and 309 of the Foreign Service Act of 1980 (22 U.S.C.  
13 3948 and 3949).

14 (b) RESTRICTION.—The authority to hire individuals  
15 contained in subsection (a) shall expire on September 30,  
16 2024.

17 (c) PROGRAM ACCOUNT CHARGED.—The account  
18 charged for the cost of an individual hired and employed  
19 under the authority of this section shall be the account  
20 to which the responsibilities of such individual primarily  
21 relate: *Provided*, That funds made available to carry out  
22 this section may be transferred to, and merged with, funds  
23 appropriated by this Act in title II under the heading “Op-  
24 erating Expenses”.

1           (d) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-  
2           viduals hired and employed by USAID, with funds made  
3           available in this Act or prior Acts making appropriations  
4           for the Department of State, foreign operations, and re-  
5           lated programs, pursuant to the authority of section 309  
6           of the Foreign Service Act of 1980 (22 U.S.C. 3949), may  
7           be extended for a period of up to 4 years notwithstanding  
8           the limitation set forth in such section.

9           (e) DISASTER SURGE CAPACITY.—Funds appro-  
10          priated under title III of this Act to carry out part I of  
11          the Foreign Assistance Act of 1961, including funds ap-  
12          propriated under the heading “Assistance for Europe,  
13          Eurasia and Central Asia”, may be used, in addition to  
14          funds otherwise available for such purposes, for the cost  
15          (including the support costs) of individuals detailed to or  
16          employed by USAID whose primary responsibility is to  
17          carry out programs in response to natural disasters, or  
18          man-made disasters subject to the regular notification  
19          procedures of the Committees on Appropriations.

20          (f) PERSONAL SERVICES CONTRACTORS.—Funds ap-  
21          propriated by this Act to carry out chapter 1 of part I,  
22          chapter 4 of part II, and section 667 of the Foreign As-  
23          sistance Act of 1961, and title II of the Food for Peace  
24          Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be  
25          used by USAID to employ up to 40 personal services con-

1 tractors in the United States, notwithstanding any other  
2 provision of law, for the purpose of providing direct, in-  
3 terim support for new or expanded overseas programs and  
4 activities managed by the agency until permanent direct  
5 hire personnel are hired and trained: *Provided*, That not  
6 more than 15 of such contractors shall be assigned to any  
7 bureau or office: *Provided further*, That such funds appro-  
8 priated to carry out title II of the Food for Peace Act  
9 (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be made  
10 available only for personal services contractors assigned  
11 to the Bureau for Humanitarian Assistance.

12 (g) SMALL BUSINESS.—In entering into multiple  
13 award indefinite-quantity contracts with funds appro-  
14 priated by this Act, USAID may provide an exception to  
15 the fair opportunity process for placing task orders under  
16 such contracts when the order is placed with any category  
17 of small or small disadvantaged business.

18 (h) SENIOR FOREIGN SERVICE LIMITED APPOINT-  
19 MENTS.—Individuals hired pursuant to the authority pro-  
20 vided by section 7059(o) of the Department of State, For-  
21 eign Operations, and Related Programs Appropriations  
22 Act, 2010 (division F of Public Law 111–117) may be  
23 assigned to or support programs in Afghanistan or Paki-  
24 stan with funds made available in this Act and prior Acts

1 making appropriations for the Department of State, for-  
2 eign operations, and related programs.

3 (i) CRISIS OPERATIONS STAFFING.—Up to  
4 \$86,000,000 of the funds made available in title III of  
5 this Act pursuant to, or to carry out the provisions of,  
6 part I of the Foreign Assistance Act of 1961 and section  
7 509(b) of the Global Fragility Act of 2019 (title V of divi-  
8 sion J of Public Law 116–94) may be made available for  
9 the United States Agency for International Development  
10 to appoint and employ personnel in the excepted service  
11 to prevent or respond to foreign crises and contexts with  
12 growing instability: *Provided*, That functions carried out  
13 by personnel hired under the authority of this subsection  
14 shall be related to the purpose for which the funds were  
15 appropriated: *Provided further*, That such funds are in ad-  
16 dition to funds otherwise available for such purposes and  
17 may remain attributed to any minimum funding require-  
18 ment for which they were originally made available: *Pro-*  
19 *vided further*, That the USAID Administrator shall coordi-  
20 nate with the Director of the Office of Personnel Manage-  
21 ment and consult with the Committees on Appropriations  
22 on implementation of this provision.

1 STABILIZATION AND DEVELOPMENT IN REGIONS

2 IMPACTED BY EXTREMISM AND CONFLICT

3 SEC. 7066. (a) PREVENTION AND STABILIZATION

4 FUND.—Of the funds appropriated by this Act under the  
5 heading “Economic Support Fund”, \$75,000,000 shall be  
6 made available for the Prevention and Stabilization Fund  
7 for the purposes enumerated in section 509(a) of the Glob-  
8 al Fragility Act of 2019 (title V of division J of Public  
9 Law 116–94), of which \$25,000,000 may be made avail-  
10 able for the Multi-Donor Global Fragility Fund authorized  
11 by section 510(c) of such Act: *Provided*, That such funds  
12 may be transferred to, and merged with, funds appro-  
13 priated under the headings “International Narcotics Con-  
14 trol and Law Enforcement” and “Foreign Military Fi-  
15 nancing Program” for such purposes: *Provided further*,  
16 That such transfer authority is in addition to any other  
17 transfer authority provided by this Act or any other Act,  
18 and is subject to prior consultation with, and the regular  
19 notification procedures of, the Committees on Appropria-  
20 tions: *Provided further*, That such funds shall only be  
21 made available for such purposes in coastal West Africa,  
22 Mozambique, and Papua New Guinea: *Provided further*,  
23 That funds made available pursuant to this subsection  
24 that are transferred to funds appropriated under the head-

1 ing “Foreign Military Financing Program” may remain  
2 available until September 30, 2024.

3 (b) TRANSITIONAL JUSTICE.—Of the funds appro-  
4 priated by this Act under the headings “Economic Sup-  
5 port Fund” and “International Narcotics Control and  
6 Law Enforcement”, not less than \$10,000,000 shall be  
7 made available for programs to promote accountability for  
8 genocide, crimes against humanity, and war crimes, which  
9 shall be in addition to any other funds made available by  
10 this Act for such purposes: *Provided*, That such programs  
11 shall include components to develop local investigative and  
12 judicial skills, and to collect and preserve evidence and  
13 maintain the chain of custody of evidence, including for  
14 use in prosecutions, and may include the establishment of,  
15 and assistance for, transitional justice mechanisms: *Pro-*  
16 *vided further*, That such funds shall be administered by  
17 the Ambassador at Large for the Office of Global Criminal  
18 Justice, Department of State, and shall be subject to prior  
19 consultation with the Committees on Appropriations: *Pro-*  
20 *vided further*, That funds made available by this para-  
21 graph shall be made available on an open and competitive  
22 basis.

23 DEBT-FOR-DEVELOPMENT

24 SEC. 7067. In order to enhance the continued partici-  
25 pation of nongovernmental organizations in debt-for-devel-

1 opment and debt-for-nature exchanges, a nongovern-  
2 mental organization which is a grantee or contractor of  
3 the United States Agency for International Development  
4 may place in interest bearing accounts local currencies  
5 which accrue to that organization as a result of economic  
6 assistance provided under title III of this Act and, subject  
7 to the regular notification procedures of the Committees  
8 on Appropriations, any interest earned on such investment  
9 shall be used for the purpose for which the assistance was  
10 provided to that organization: *Provided*, That amounts  
11 made available in this Act under the heading “Economic  
12 Support Fund” may, as necessary, be used to cover the  
13 cost of interest earned from holdings of United States  
14 Treasury securities.

15 EXTENSION OF CONSULAR FEES AND RELATED

16 AUTHORITIES

17 SEC. 7068. (a) Section 1(b)(1) of the Passport Act  
18 of June 4, 1920 (22 U.S.C. 214(b)(1)) shall be applied  
19 through fiscal year 2023 by substituting “the costs of pro-  
20 viding consular services” for “such costs”.

21 (b) Section 21009 of the Emergency Appropriations  
22 for Coronavirus Health Response and Agency Operations  
23 (division B of Public Law 116–136; 134 Stat. 592) shall  
24 be applied during fiscal year 2023 by substituting “2020  
25 through 2023” for “2020, 2021, and 2022”.

1           (c) Discretionary amounts made available to the De-  
2   partment of State under the heading “Administration of  
3   Foreign Affairs” of this Act, and discretionary unobli-  
4   gated balances under such heading from prior Acts mak-  
5   ing appropriations for the Department of State, foreign  
6   operations, and related programs, may be transferred to  
7   the Consular and Border Security Programs account if the  
8   Secretary of State determines and reports to the Commit-  
9   tees on Appropriations that to do so is necessary to sus-  
10   tain consular operations, following consultation with such  
11   Committees: *Provided*, That such transfer authority is in  
12   addition to any transfer authority otherwise available in  
13   this Act and under any other provision of law: *Provided*  
14   *further*, That no amounts may be transferred from  
15   amounts designated as an emergency requirement pursu-  
16   ant to a concurrent resolution on the budget or the Bal-  
17   anced Budget and Emergency Deficit Control Act of 1985.

18           (d) In addition to the uses permitted pursuant to sec-  
19   tion 286(v)(2)(A) of the Immigration and Nationality Act  
20   (8 U.S.C. 1356(v)(2)(A)), for fiscal year 2023, the Sec-  
21   retary of State may also use fees deposited into the Fraud  
22   Prevention and Detection Account for the costs of pro-  
23   viding consular services.

24           (e) Of the amounts deposited in fiscal year 2023 pur-  
25   suant to section 7069(e) of division K of the Consolidated

1 Appropriations Act, 2022 (Public Law 117–103),  
2 \$25,000,000 shall be available until expended for the pur-  
3 poses of such account: *Provided*, That the Secretary of  
4 State may, by regulation, authorize State officials or the  
5 United States Postal Service to collect and retain the exe-  
6 cution fee for each application for a passport accepted by  
7 such officials or by that Service.

8 (f) Amounts provided pursuant to subsection (b) are  
9 designated by the Congress as being for an emergency re-  
10 quirement pursuant to section 4001(a)(1) of S. Con. Res.  
11 14 (117th Congress), the concurrent resolution on the  
12 budget for fiscal year 2022, and section 1(e) of H. Res.  
13 1151 (117th Congress), as engrossed in the House of Rep-  
14 resentatives on June 8, 2022.

15 RESCISSION

16 (INCLUDING RESCISSION OF FUNDS)

17 PEACE CORPS

18 SEC. 7069. Of the unobligated balances from  
19 amounts made available under the heading “Peace Corps”  
20 from prior Acts making appropriations for the Depart-  
21 ment of State, foreign operations, and related programs,  
22 \$30,000,000 are rescinded.

23 MANAGEMENT OF INTERNATIONAL TRANSBOUNDARY

24 WATER POLLUTION

25 SEC. 7070. (a) DEFINITIONS.—In this section:

1           (1) ADMINISTRATOR.—The term “Adminis-  
2           trator” means the Administrator of the Environ-  
3           mental Protection Agency.

4           (2) COMMISSION.—The term “Commission”  
5           means the United States section of the International  
6           Boundary and Water Commission.

7           (3) COVERED FUNDS.—The term “covered  
8           funds” means amounts made available to the Ad-  
9           ministrator under the heading “Environmental Pro-  
10          tection Agency—State and Tribal Assistance  
11          Grants” under title IX of the United States-Mexico  
12          Canada Agreement Implementation Act (Public Law  
13          116–113).

14          (4) TREATMENT WORKS.—The term “treatment  
15          works” has the meaning given that term in section  
16          212 of the Federal Water Pollution Control Act (33  
17          2 U.S.C. 1292).

18          (b) TRANSFER OF FUNDS.—The Administrator is au-  
19          thorized to transfer covered funds, by entering into an  
20          interagency agreement or by awarding a grant, to the  
21          Commission, with concurrence of the Commissioner, to  
22          support the construction of treatment works, which will  
23          be owned and operated by the Commission.

24          (c) USE OF FUNDS.—The Commission is authorized  
25          to use funds received under this section to plan, study,

1 design, and construct treatment works and carry out any  
2 related activities, including construction management and  
3 payment for general and administrative overhead, that—

4 (1) protect residents within the United States-  
5 Mexico border region from pollution resulting  
6 from—

7 (A) transboundary flows of wastewater,  
8 stormwater or other international transbound-  
9 ary water flows originating in Mexico; and

10 (B) any inadequacies or breakdowns of  
11 treatment works in Mexico; and

12 (2) provide treatment of such flows in compli-  
13 ance with local, State, and Federal law.

14 (d) OPERATION AND MAINTENANCE.—The Commis-  
15 sion shall operate and maintain new treatment works in  
16 accordance with future appropriations.

17 (e) CONSULTATION AND COORDINATION.—The Com-  
18 mission shall consult and coordinate with the Adminis-  
19 trator in carrying out any project using funds received  
20 under this section.

21 (f) APPLICATION OF OTHER REQUIREMENTS.—The  
22 requirements of sections 513 and 608 of the Federal  
23 Water Pollution Control Act (33 U.S.C. 1372, 1388) shall  
24 apply to the construction of any treatment works in the

1 United States for which the Commission receives funds  
2 under this section.

3 (g) SAVINGS PROVISION.—Nothing in this section  
4 shall be construed to modify, amend, repeal or otherwise  
5 limit the authority of the International Boundary and  
6 Water Commission in accordance with the treaty relating  
7 to the utilization of the waters of the Colorado and Ti-  
8 juana Rivers and of the Rio Grande (Rio Bravo) from  
9 Fort Quitman, Texas, to the Gulf of Mexico, and supple-  
10 mentary protocol, signed at Washington February 3, 1944  
11 (59 Stat. 1219), between the United States and Mexico.

12 (h) Amounts repurposed pursuant to this section that  
13 were previously designated by the Congress as an emer-  
14 gency requirement pursuant to the Balanced Budget and  
15 Emergency Deficit Control Act of 1985 or a concurrent  
16 resolution on the budget are designated as an emergency  
17 requirement pursuant to section 4001(a)(1) of S. Con.  
18 Res. 14 (117th Congress), the concurrent resolution on  
19 the budget for fiscal year 2022, and section 1(e) of H.  
20 Res. 1151 (117th Congress), as engrossed in the House  
21 of Representatives on June 8, 2022.

22 WAIVER AUTHORITY

23 SEC. 7071. The President may waive section 414 of  
24 Public Law 101–246 and section 410 of Public Law 103–  
25 236 with respect to the United Nations Educational, Sci-

1 entific and Cultural Organization if the President deter-  
2 mines and reports in writing to the Speaker of the House  
3 of Representatives, the President Pro Tempore of the Sen-  
4 ate, and the appropriate congressional committees that to  
5 do so would enable the United States to counter Chinese  
6 influence or to promote other national interests of the  
7 United States: *Provided*, That the authority of this section  
8 shall cease to have effect if, after enactment of this Act,  
9 the Palestinians obtain the same standing as member  
10 states or full membership as a state in the United Nations  
11 or any specialized agency thereof outside an agreement ne-  
12 gotiated between Israel and the Palestinians: *Provided fur-*  
13 *ther*, That the authority of this section shall sunset on  
14 September 30, 2025, unless extended in a subsequent Act  
15 of Congress.

16 ASSISTANCE FOR FOREIGN NONGOVERNMENTAL  
17 ORGANIZATIONS

18 SEC. 7072. The Foreign Assistance Act of 1961 (22  
19 U.S.C. 2151 et seq.) is amended by inserting after section  
20 104C the following:

21 **“SEC. 104D. ELIGIBILITY FOR ASSISTANCE.**

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

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

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

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

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

15           ORGANIZATION OF AMERICAN STATES

16           SEC. 7073. (a) The Secretary of State shall instruct  
17 the United States Permanent Representative to the Orga-  
18 nization of American States (OAS) to use the voice and  
19 vote of the United States to: (1) implement budgetary re-  
20 forms and efficiencies within the Organization; (2) elimi-  
21 nate arrears, increase other donor contributions, and im-  
22 pose penalties for successive late payment of assessments;  
23 (3) prevent programmatic and organizational  
24 redundancies and consolidate duplicative activities and  
25 functions; (4) prioritize areas in which the OAS has exper-

1 tise, such as strengthening democracy, monitoring elec-  
2 toral processes, and protecting human rights; and (5) im-  
3 plement reforms within the Office of the Inspector General  
4 (OIG) to ensure the OIG has the necessary leadership, in-  
5 tegrity, professionalism, independence, policies, and proce-  
6 dures to properly carry out its responsibilities in a manner  
7 that meets or exceeds best practices in the United States.

8 (b) Prior to the obligation of funds appropriated by  
9 this Act and made available for an assessed contribution  
10 to the Organization of American States, but not later than  
11 90 days after the date of enactment of this Act, the Sec-  
12 retary of State shall submit a report to the Committees  
13 on Appropriations on actions taken or planned to be taken  
14 pursuant to subsection (a) that are in addition to actions  
15 taken during the preceding fiscal year, and the results of  
16 such actions.

17 MULTILATERAL DEVELOPMENT BANKS

18 SEC. 7074. (a) INTERNATIONAL DEVELOPMENT AS-  
19 SOCIATION TWENTIETH REPLENISHMENT.—The Inter-  
20 national Development Association Act, Public Law 86–  
21 565, as amended (22 U.S.C. 284 et seq.), is further  
22 amended by adding at the end thereof the following new  
23 section:

1 **“SEC. 32. TWENTIETH REPLENISHMENT.**

2 “(a) IN GENERAL.—The United States Governor of  
3 the International Development Association is authorized  
4 to contribute on behalf of the United States  
5 \$3,500,000,000 to the twentieth replenishment of the re-  
6 sources of the Association, subject to obtaining the nec-  
7 essary appropriations.

8 “(b) AUTHORIZATION OF APPROPRIATIONS.—In  
9 order to pay for the United States contribution provided  
10 for in subsection (a), there are authorized to be appro-  
11 priated, without fiscal year limitation, \$3,500,000,000 for  
12 payment by the Secretary of the Treasury.”.

13 (b) ASIAN DEVELOPMENT FUND TWELFTH REPLEN-  
14 ISHMENT.—The Asian Development Bank Act, Public  
15 Law 89–369, as amended, (22 U.S.C. 285 et seq.), is fur-  
16 ther amended by adding at the end thereof the following  
17 new section:

18 **“SEC. 37. TWELFTH REPLENISHMENT.**

19 “(a) The United States Governor of the Bank is au-  
20 thorized to contribute, on behalf of the United States,  
21 \$177,440,000 to the twelfth replenishment of the re-  
22 sources of the Fund, subject to obtaining the necessary  
23 appropriations.

24 “(b) In order to pay for the United States contribu-  
25 tion provided for in subsection (a), there are authorized  
26 to be appropriated, without fiscal year limitation,

1 \$177,440,000 for payment by the Secretary of the Treas-  
2 ury.”.

3                   CONSULAR NOTIFICATION COMPLIANCE

4           SEC. 7075. (a) PETITION FOR REVIEW.—

5                   (1) JURISDICTION.—Notwithstanding any other  
6           provision of law, a Federal court shall have jurisdic-  
7           tion to review the merits of a petition claiming viola-  
8           tion of Article 36(1)(b) or (c) of the Vienna Conven-  
9           tion on Consular Relations, done at Vienna April 24,  
10          1963, or a comparable provision of a bilateral inter-  
11          national agreement addressing consular notification  
12          and access, filed by an individual convicted and sen-  
13          tenced to death by any Federal or State court before  
14          the date of enactment of this Act.

15                   (2) STANDARD.—To obtain relief, an individual  
16           described in paragraph (1) must make a showing of  
17           actual prejudice to the criminal conviction or sen-  
18           tence as a result of the violation. The court may  
19           conduct an evidentiary hearing if necessary to sup-  
20           plement the record and, upon a finding of actual  
21           prejudice, shall order a new trial or sentencing pro-  
22           ceeding.

23                   (3) LIMITATIONS.—

1           (A) INITIAL SHOWING.—To qualify for re-  
2 view under this subsection, a petition must  
3 make an initial showing that—

4           (i) a violation of Article 36(1)(b) or  
5 (c) of the Vienna Convention on Consular  
6 Relations, done at Vienna April 24, 1963,  
7 or a comparable provision of a bilateral  
8 international agreement addressing con-  
9 sular notification and access, occurred with  
10 respect to the individual described in para-  
11 graph (1); and

12           (ii) if such violation had not occurred,  
13 the consulate would have provided assist-  
14 ance to the individual.

15           (B) EFFECT OF PRIOR ADJUDICATION.—A  
16 petition for review under this subsection shall  
17 not be granted if the claimed violation described  
18 in paragraph (1) has previously been adju-  
19 dicated on the merits by a Federal or State  
20 court of competent jurisdiction in a proceeding  
21 in which no Federal or State procedural bars  
22 were raised with respect to such violation and  
23 in which the court provided review equivalent to  
24 the review provided in this subsection, unless  
25 the adjudication of the claim resulted in a deci-

1           sion that was based on an unreasonable deter-  
2           mination of the facts in light of the evidence  
3           presented in the prior Federal or State court  
4           proceeding.

5           (C) FILING DEADLINE.—A petition for re-  
6           view under this subsection shall be filed within  
7           1 year of the later of—

8                   (i) the date of enactment of this Act;

9                   (ii) the date on which the Federal or  
10           State court judgment against the indi-  
11           vidual described in paragraph (1) became  
12           final by the conclusion of direct review or  
13           the expiration of the time for seeking such  
14           review; or

15                   (iii) the date on which the impediment  
16           to filing a petition created by Federal or  
17           State action in violation of the Constitu-  
18           tion or laws of the United States is re-  
19           moved, if the individual described in para-  
20           graph (1) was prevented from filing by  
21           such Federal or State action.

22           (D) TOLLING.—The time during which a  
23           properly filed application for State post-convic-  
24           tion or other collateral review with respect to  
25           the pertinent judgment or claim is pending

1           shall not be counted toward the 1-year period of  
2           limitation.

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

12          (4) HABEAS PETITION.—A petition for review  
13          under this subsection shall be part of the first Fed-  
14          eral habeas corpus application or motion for Federal  
15          collateral relief under chapter 153 of title 28, United  
16          States Code, filed by an individual, except that if an  
17          individual filed a Federal habeas corpus application  
18          or motion for Federal collateral relief before the date  
19          of enactment of this Act or if such application is re-  
20          quired to be filed before the date that is 1 year after  
21          the date of enactment of this Act, such petition for  
22          review under this subsection shall be filed not later  
23          than 1 year after the enactment date or within the  
24          period prescribed by paragraph (3)(C)(iii), whichever  
25          is later. No petition filed in conformity with the re-

1        requirements of the preceding sentence shall be consid-  
2        ered a second or successive habeas corpus applica-  
3        tion or subjected to any bars to relief based on  
4        preenactment proceedings other than as specified in  
5        paragraph (2).

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

11           (6) APPEAL.—

12            (A) IN GENERAL.—A final order on a peti-  
13        tion for review under paragraph (1) shall be  
14        subject to review on appeal by the court of ap-  
15        peals for the circuit in which the proceeding is  
16        held.

17            (B) APPEAL BY PETITIONER.—An indi-  
18        vidual described in paragraph (1) may appeal a  
19        final order on a petition for review under para-  
20        graph (1) only if a district or circuit judge  
21        issues a certificate of appealability. A district or  
22        circuit court judge shall issue or deny a certifi-  
23        cate of appealability not later than 30 days  
24        after an application for a certificate of  
25        appealability is filed. A district judge or circuit

1 judge may issue a certificate of appealability  
2 under this subparagraph if the individual has  
3 made a substantial showing of actual prejudice  
4 to the criminal conviction or sentence of the in-  
5 dividual as a result of a violation described in  
6 paragraph (1).

7 (b) VIOLATION.—

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

20 (A) the consulate of the foreign state of  
21 which the individual is a national shall be noti-  
22 fied immediately by the detaining authority,  
23 and consular access to the individual shall be  
24 afforded in accordance with the provisions of  
25 the Vienna Convention on Consular Relations,

1 done at Vienna April 24, 1963, or the com-  
2 parable provisions of a bilateral international  
3 agreement addressing consular notification and  
4 access; and

5 (B) the court—

6 (i) shall postpone any proceedings to  
7 the extent the court determines necessary  
8 to allow for adequate opportunity for con-  
9 sular access and assistance; and

10 (ii) may enter necessary orders to fa-  
11 cilitate consular access and assistance.

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

15 (3) RULE OF CONSTRUCTION.—Nothing in this  
16 subsection shall be construed to create any addi-  
17 tional remedy.

18 (c) DEFINITIONS.—In this section the term “State”  
19 means any State of the United States, the District of Co-  
20 lumbia, the Commonwealth of Puerto Rico, and any terri-  
21 tory or possession of the United States.

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

1 TITLE VIII  
2 EMERGENCY GLOBAL HEALTH SECURITY  
3 SUPPLEMENTAL APPROPRIATIONS  
4 BILATERAL ECONOMIC ASSISTANCE  
5 FUNDS APPROPRIATED TO THE PRESIDENT  
6 GLOBAL HEALTH PROGRAMS

7 For an additional amount for “Global Health Pro-  
8 grams”, \$950,000,000, to remain available until ex-  
9 pended, for programs to strengthen global health security  
10 and pandemic preparedness: *Provided*, That not less than  
11 \$400,000,000 shall be apportioned directly to the United  
12 States Agency for International Development, of which  
13 \$200,000,000 shall be made available to strengthen the  
14 global health workforce and related health systems capaci-  
15 ties: *Provided further*, That up to \$550,000,000 may be  
16 made available for a contribution to a financial inter-  
17 mediary fund for pandemic preparedness and global health  
18 security: *Provided further*, That \$100,000,000 shall be  
19 made available for a contribution to the Coalition for Epi-  
20 demic Preparedness Innovations: *Provided further*, That  
21 not less than \$100,000,000 shall be made available for  
22 the Emergency Reserve Fund established pursuant to sec-  
23 tion 7058(c)(1) of the Department of State, Foreign Oper-  
24 ations, and Related Programs Appropriations Act, 2017  
25 (division J of Public Law 115–31), which shall be made

1 available under the same terms and conditions of such sec-  
2 tion: *Provided further*, That funds made available in this  
3 title shall be subject to prior consultation with, and the  
4 regular notification procedures of, the Committees on Ap-  
5 propriations.

6           GENERAL PROVISIONS—THIS TITLE

7           SEC. 8001. Each amount appropriated or made avail-  
8 able by this title is in addition to amounts otherwise ap-  
9 propriated for fiscal year 2023.

10          SEC. 8002. No part of any appropriation contained  
11 in this title shall remain available for obligation beyond  
12 the current fiscal year unless expressly so provided herein.

13          SEC. 8003. Unless otherwise provided for by this  
14 title, the additional amounts appropriated by this title to  
15 appropriations accounts shall be available under the au-  
16 thorities and conditions applicable to such appropriations  
17 accounts for funds appropriated in fiscal year 2023.

18          SEC. 8004. Each amount made available by this title  
19 is designated by the Congress as being for an emergency  
20 requirement pursuant to section 4001(a)(1) of S. Con.  
21 Res. 14 (117th Congress), the concurrent resolution on  
22 the budget for fiscal year 2022, and section 1(e) of H.  
23 Res. 1151 (117th Congress), as engrossed in the House  
24 of Representatives on June 8, 2022.

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## 1 TITLE IX

## 2 EMERGENCY CORONAVIRUS RESPONSE

## 3 SUPPLEMENTAL APPROPRIATIONS

4 The following sums are appropriated, out of any  
5 money in the Treasury not otherwise appropriated, for the  
6 fiscal year ending September 30, 2022, and for other pur-  
7 poses, namely:

## 8 DEPARTMENT OF STATE AND RELATED

## 9 AGENCY

## 10 DEPARTMENT OF STATE

## 11 ADMINISTRATION OF FOREIGN AFFAIRS

## 12 DIPLOMATIC PROGRAMS

13 For an additional amount for “Diplomatic Pro-  
14 grams”, \$15,000,000, to remain available until September  
15 30, 2024, to prevent, prepare for, and respond to  
16 coronavirus.

## 17 UNITED STATES AGENCY FOR INTERNATIONAL

## 18 DEVELOPMENT

## 19 FUNDS APPROPRIATED TO THE PRESIDENT

## 20 OPERATING EXPENSES

21 For an additional amount for “Operating Expenses”,  
22 \$35,000,000, to remain available until September 30,  
23 2024, to prevent, prepare for, and respond to coronavirus.

1           BILATERAL ECONOMIC ASSISTANCE  
2           FUNDS APPROPRIATED TO THE PRESIDENT  
3           GLOBAL HEALTH PROGRAMS

4           For an additional amount for “Global Health Pro-  
5 grams”, \$4,875,000,000, to remain available until ex-  
6 pended, to prevent, prepare for, and respond to  
7 coronavirus: *Provided*, That funds may be made available  
8 as contributions, including to the Global Fund to Fight  
9 AIDS, Tuberculosis, and Malaria, and to The GAVI Alli-  
10 ance: *Provided further*, That any contribution to the Glob-  
11 al Fund to Fight AIDS, Tuberculosis and Malaria made  
12 pursuant to the preceding proviso shall be made available  
13 notwithstanding section 202(d)(4)(A)(i) of the United  
14 States Leadership Against HIV/AIDS, Tuberculosis, and  
15 Malaria Act of 2003 (22 U.S.C. 7622(d)(4)(A)(i)), and  
16 such contribution shall not be considered a contribution  
17 for the purpose of applying such section 202(d)(4)(A)(i).

18           DEPARTMENT OF STATE  
19           MIGRATION AND REFUGEE ASSISTANCE

20           For an additional amount for “Migration and Ref-  
21 ugee Assistance”, \$75,000,000, to remain available until  
22 expended, to prevent, prepare for, and respond to  
23 coronavirus, and for humanitarian needs.

1           GENERAL PROVISIONS—THIS TITLE

2           SEC. 9001. Each amount appropriated or made avail-  
3 able by this title is in addition to amounts otherwise ap-  
4 propriated for fiscal year 2022.

5           SEC. 9002. No part of any appropriation contained  
6 in this title shall remain available for obligation beyond  
7 fiscal year 2022 unless expressly so provided herein.

8           SEC. 9003. Unless otherwise provided for by this  
9 title, the additional amounts appropriated by this title to  
10 appropriations accounts shall be available under the au-  
11 thorities and conditions applicable to such appropriations  
12 accounts for funds appropriated in fiscal year 2022.

13          SEC. 9004. The reporting requirement provided by  
14 section 406(b) of the Coronavirus Preparedness and Re-  
15 sponse Supplemental Appropriations Act, 2020 (division  
16 A of Public Law 116–123) shall apply to funds appro-  
17 priated by this title, except that such section 406(b) shall  
18 be applied to such funds by substituting “September 30,  
19 2023” for “September 30, 2022”.

20          SEC. 9005. This title shall become effective imme-  
21 diately upon enactment of this Act.

22          SEC. 9006. If this Act is enacted after September 30,  
23 2022, this title shall be applied as if it were in effect on  
24 September 30, 2022.

1           SEC. 9007. Each amount made available by this title  
2 is designated by the Congress as being for an emergency  
3 requirement pursuant to section 4001(a)(1) and section  
4 4001(b) of S. Con. Res. 14 (117th Congress), the concur-  
5 rent resolution on the budget for fiscal year 2022.

6           SEC. 9008. In this title, the term “coronavirus”  
7 means SARS–CoV–2 or another coronavirus with pan-  
8 demic potential.

9           This Act may be cited as the “Department of State,  
10 Foreign Operations, and Related Programs Appropria-  
11 tions Act, 2023”.