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117TH CONGRESS
2^D SESSION

H. R. _____

[Report No. 117-____]

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

IN THE HOUSE OF REPRESENTATIVES

JUNE --, 2022

Ms. LEE of California, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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 a temporary basis (not to exceed \$700,000), as au-
2 thORIZED by section 801 of the United States Infor-
3 mation and Educational Exchange Act of 1948 (62
4 Stat. 11; Chapter 36), \$3,441,076,000, of which up
5 to \$684,767,000 is for Worldwide Security Protec-
6 tion.

7 (2) OVERSEAS PROGRAMS.—For necessary ex-
8 penses for the regional bureaus of the Department
9 of State and overseas activities as authorized by law,
10 \$1,934,833,000.

11 (3) DIPLOMATIC POLICY AND SUPPORT.—For
12 necessary expenses for the functional bureaus of the
13 Department of State, including representation to
14 certain international organizations in which the
15 United States participates pursuant to treaties rati-
16 fied pursuant to the advice and consent of the Sen-
17 ate or specific Acts of Congress, general administra-
18 tion, and arms control, nonproliferation, and disar-
19 mament activities as authorized, \$1,104,740,000.

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

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

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

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

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

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

22 (B) Of the amount made available under
23 this heading for Worldwide Security Protection,
24 not to exceed \$50,000,000 may be transferred
25 to, and merged with, funds made available by

1 this Act under the heading “Emergencies in the
2 Diplomatic and Consular Service”, to be avail-
3 able only for emergency evacuations and re-
4 wards, as authorized: *Provided*, That the exer-
5 cise of the authority provided by this subpara-
6 graph shall be subject to prior consultation with
7 the Committees on Appropriations.

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

16 (D) Of the amount made available under
17 this heading, up to \$100,000,000 may be trans-
18 ferred to, and merged with, funds made avail-
19 able in title I of this Act under the heading
20 “Capital Investment Fund”: *Provided*, That the
21 exercise of the authority provided by this sub-
22 paragraph shall be subject to prior consultation
23 with the Committees on Appropriations.

1 CAPITAL INVESTMENT FUND

2 For necessary expenses of the Capital Investment
3 Fund, as authorized, \$350,000,000, to remain available
4 until expended.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector
7 General, \$133,700,000, of which \$52,900,000 may remain
8 available until September 30, 2024, and of which up to
9 \$38,600,000 shall be for the Special Inspector General for
10 Afghanistan Reconstruction (SIGAR) for reconstruction
11 oversight: *Provided*, That funds appropriated under this
12 heading are made available notwithstanding section
13 209(a)(1) of the Foreign Service Act of 1980 (22 U.S.C.
14 3929(a)(1)), as it relates to post inspections: *Provided fur-*
15 *ther*, That funds appropriated under this heading that are
16 made available for the printing and reproduction costs of
17 SIGAR shall not exceed amounts for such costs during
18 the prior fiscal year.

19 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

20 For necessary expenses of educational and cultural
21 exchange programs, as authorized, \$773,000,000, to re-
22 main available until expended, of which not less than
23 \$285,000,000 shall be for the Fulbright Program and not
24 less than \$115,000,000 shall be for Citizen Exchange Pro-
25 gram: *Provided*, That fees or other payments received

1 from, or in connection with, English teaching, educational
2 advising and counseling programs, and exchange visitor
3 programs as authorized may be credited to this account,
4 to remain available until expended: *Provided further*, That
5 any substantive modifications from the prior fiscal year
6 to programs funded by this Act under this heading shall
7 be subject to prior consultation with, and the regular noti-
8 fication procedures of, the Committees on Appropriations.

9 REPRESENTATION EXPENSES

10 For representation expenses as authorized,
11 \$7,415,000.

12 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

13 For necessary expenses, not otherwise provided, to
14 enable the Secretary of State to provide for extraordinary
15 protective services, as authorized, \$30,890,000, to remain
16 available until September 30, 2024.

17 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

18 For necessary expenses for carrying out the Foreign
19 Service Buildings Act of 1926 (22 U.S.C. 292 et seq.),
20 preserving, maintaining, repairing, and planning for real
21 property that are owned or leased by the Department of
22 State, and renovating, in addition to funds otherwise avail-
23 able, the Harry S Truman Building, \$902,615,000, to re-
24 main available until September 30, 2027, of which not to
25 exceed \$25,000 may be used for overseas representation

1 expenses as authorized: *Provided*, That none of the funds
2 appropriated in this paragraph shall be available for acqui-
3 sition of furniture, furnishings, or generators for other de-
4 partments and agencies of the United States Government.

5 In addition, for the costs of worldwide security up-
6 grades, acquisition, and construction as authorized,
7 \$1,055,206,000, to remain available until expended.

8 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
9 SERVICE

10 For necessary expenses to enable the Secretary of
11 State to meet unforeseen emergencies arising in the Diplo-
12 matic and Consular Service, as authorized, \$8,885,000, to
13 remain available until expended, of which not to exceed
14 \$1,000,000 may be transferred to, and merged with, funds
15 appropriated by this Act under the heading “Repatriation
16 Loans Program Account”.

17 REPATRIATION LOANS PROGRAM ACCOUNT

18 For the cost of direct loans, \$1,300,000, as author-
19 ized: *Provided*, That such costs, including the cost of
20 modifying such loans, shall be as defined in section 502
21 of the Congressional Budget Act of 1974: *Provided fur-*
22 *ther*, That such funds are available to subsidize gross obli-
23 gations for the principal amount of direct loans not to ex-
24 ceed \$4,753,048.

1 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

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

4 INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF
5 COLUMBIA

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

14 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
15 DISABILITY FUND

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

18 INTERNATIONAL ORGANIZATIONS

19 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

20 For necessary expenses, not otherwise provided for,
21 to meet annual obligations of membership in international
22 multilateral organizations, pursuant to treaties ratified
23 pursuant to the advice and consent of the Senate, conven-
24 tions, or specific Acts of Congress, \$1,659,739,000, of
25 which \$96,240,000 may remain available until September

1 30, 2024: *Provided*, That the Secretary of State shall, at
2 the time of the submission of the President's budget to
3 Congress under section 1105(a) of title 31, United States
4 Code, transmit to the Committees on Appropriations the
5 most recent biennial budget prepared by the United Na-
6 tions for the operations of the United Nations: *Provided*
7 *further*, That the Secretary of State shall notify the Com-
8 mittees on Appropriations at least 15 days in advance (or
9 in an emergency, as far in advance as is practicable) of
10 any United Nations action to increase funding for any
11 United Nations program without identifying an offsetting
12 decrease elsewhere in the United Nations budget: *Provided*
13 *further*, That any payment of arrearages under this head-
14 ing shall be directed to activities that are mutually agreed
15 upon by the United States and the respective international
16 organization and shall be subject to prior consultation
17 with the Committees on Appropriations: *Provided further*,
18 That none of the funds appropriated under this heading
19 shall be available for a United States contribution to an
20 international organization for the United States share of
21 interest costs made known to the United States Govern-
22 ment by such organization for loans incurred on or after
23 October 1, 1984, through external borrowings.

1 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
2 ACTIVITIES

3 For necessary expenses to pay assessed and other ex-
4 penses of international peacekeeping activities directed to
5 the maintenance or restoration of international peace and
6 security, \$1,797,500,000, of which \$898,750,000 may re-
7 main available until September 30, 2024: *Provided*, That
8 none of the funds made available by this Act shall be obli-
9 gated or expended for any new or expanded United Na-
10 tions peacekeeping mission unless, at least 15 days in ad-
11 vance of voting for such mission in the United Nations
12 Security Council (or in an emergency as far in advance
13 as is practicable), the Committees on Appropriations are
14 notified of: (1) the estimated cost and duration of the mis-
15 sion, the objectives of the mission, the national interest
16 that will be served, and the exit strategy; and (2) the
17 sources of funds, including any reprogrammings or trans-
18 fers, that will be used to pay the cost of the new or ex-
19 panded mission, and the estimated cost in future fiscal
20 years: *Provided further*, That none of the funds appro-
21 priated under this heading may be made available for obli-
22 gation unless the Secretary of State certifies and reports
23 to the Committees on Appropriations on a peacekeeping
24 mission-by-mission basis that the United Nations is imple-
25 menting effective policies and procedures to prevent

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

1 sors have submitted to the President a recommendation
2 that such involvement is in the national interest of the
3 United States and the President has submitted to Con-
4 gress such a recommendation: *Provided further*, That any
5 payment of arrearages with funds appropriated by this Act
6 shall be subject to prior consultation with the Committees
7 on Appropriations: *Provided further*, That funds appro-
8 priated or otherwise made available under this heading
9 may be made available above the amount authorized in
10 section 404(b)(2) of the Foreign Relations Authorization
11 Act, Fiscal Years 1994 and 1995, as amended (22 U.S.C.
12 287e note).

13 INTERNATIONAL COMMISSIONS

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

17 INTERNATIONAL BOUNDARY AND WATER COMMISSION,
18 UNITED STATES AND MEXICO

19 For necessary expenses for the United States Section
20 of the International Boundary and Water Commission,
21 United States and Mexico, and to comply with laws appli-
22 cable to the United States Section, including not to exceed
23 \$6,000 for representation expenses; as follows:

1 SALARIES AND EXPENSES

2 For salaries and expenses, not otherwise provided for,
3 \$51,970,000, of which \$7,796,000 may remain available
4 until September 30, 2024.

5 CONSTRUCTION

6 For detailed plan preparation and construction of au-
7 thorized projects, \$51,030,000, to remain available until
8 expended, as authorized: *Provided*, That of the funds ap-
9 propriated under this heading in this Act and prior Acts
10 making appropriations for the Department of State, for-
11 eign operations, and related programs for the United
12 States Section, except for funds designated by the Con-
13 gress as an emergency requirement pursuant to a concur-
14 rent resolution on the budget or the Balanced Budget and
15 Emergency Deficit Control Act of 1985, up to \$5,000,000
16 may be transferred to, and merged with, funds appro-
17 priated under the heading “Salaries and Expenses” to
18 carry out the purposes of the United States Section, which
19 shall be subject to prior consultation with, and the regular
20 notification procedures of, the Committees on Appropria-
21 tions: *Provided further*, That such transfer authority is in
22 addition to any other transfer authority provided in this
23 Act.

1 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

2 For necessary expenses, not otherwise provided, for
3 the International Joint Commission and the International
4 Boundary Commission, United States and Canada, as au-
5 thorized by treaties between the United States and Can-
6 ada or Great Britain, and for technical assistance grants
7 and the Community Assistance Program of the North
8 American Development Bank, \$16,204,000: *Provided*,
9 That of the amount provided under this heading for the
10 International Joint Commission, up to \$1,250,000 may re-
11 main available until September 30, 2024, and up to
12 \$9,000 may be made available for representation expenses:
13 *Provided further*, That of the amount provided under this
14 heading for the International Boundary Commission, up
15 to \$1,000 may be made available for representation ex-
16 penses.

17 INTERNATIONAL FISHERIES COMMISSIONS

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

1 RELATED AGENCY

2 UNITED STATES AGENCY FOR GLOBAL MEDIA

3 INTERNATIONAL BROADCASTING OPERATIONS

4 For necessary expenses to enable the United States
5 Agency for Global Media (USAGM), as authorized, to
6 carry out international communication activities, and to
7 make and supervise grants for radio, Internet, and tele-
8 vision broadcasting to the Middle East, \$852,300,000, of
9 which \$42,615,000 shall remain available until September
10 30, 2024: *Provided*, That in addition to amounts otherwise
11 available for such purposes, up to \$53,000,000 of the
12 amount appropriated under this heading may remain
13 available until expended for satellite transmissions and
14 Internet freedom programs, of which not less than
15 \$30,000,000 shall be for Internet freedom programs: *Pro-*
16 *vided further*, That of the total amount appropriated under
17 this heading, not to exceed \$35,000 may be used for rep-
18 resentation expenses, of which \$10,000 may be used for
19 such expenses within the United States as authorized, and
20 not to exceed \$30,000 may be used for representation ex-
21 penses of Radio Free Europe/Radio Liberty: *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.

1 BROADCASTING CAPITAL IMPROVEMENTS

2 For the purchase, rent, construction, repair, preser-
3 vation, and improvement of facilities for radio, television,
4 and digital transmission and reception; the purchase, rent,
5 and installation of necessary equipment for radio, tele-
6 vision, and digital transmission and reception, including
7 to Cuba, as authorized; and physical security worldwide,
8 in addition to amounts otherwise available for such pur-
9 poses, \$9,700,000, to remain available until expended, as
10 authorized.

11 RELATED PROGRAMS

12 THE ASIA FOUNDATION

13 For a grant to The Asia Foundation, as authorized
14 by The Asia Foundation Act (22 U.S.C. 4402),
15 \$22,000,000, to remain available until expended.

16 UNITED STATES INSTITUTE OF PEACE

17 For necessary expenses of the United States Institute
18 of Peace, as authorized by the United States Institute of
19 Peace Act (22 U.S.C. 4601 et seq.), \$54,000,000, to re-
20 main available until September 30, 2024, which shall not
21 be used for construction activities.

22 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

23 TRUST FUND

24 For necessary expenses of the Center for Middle
25 Eastern-Western Dialogue Trust Fund, as authorized by

1 section 633 of the Departments of Commerce, Justice, and
2 State, the Judiciary, and Related Agencies Appropriations
3 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-
4 est and earnings accruing to such Fund on or before Sep-
5 tember 30, 2023, to remain available until expended.

6 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

7 For necessary expenses of Eisenhower Exchange Fel-
8 lowships, Incorporated, as authorized by sections 4 and
9 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
10 U.S.C. 5204–5205), all interest and earnings accruing to
11 the Eisenhower Exchange Fellowship Program Trust
12 Fund on or before September 30, 2023, to remain avail-
13 able until expended: *Provided*, That none of the funds ap-
14 propriated herein shall be used to pay any salary or other
15 compensation, or to enter into any contract providing for
16 the payment thereof, in excess of the rate authorized by
17 section 5376 of title 5, United States Code; or for pur-
18 poses which are not in accordance with section 200 of title
19 2 of the Code of Federal Regulations, including the re-
20 strictions on compensation for personal services.

21 ISRAELI ARAB SCHOLARSHIP PROGRAM

22 For necessary expenses of the Israeli Arab Scholar-
23 ship Program, as authorized by section 214 of the Foreign
24 Relations Authorization Act, Fiscal Years 1992 and 1993
25 (22 U.S.C. 2452 note), all interest and earnings accruing

1 to the Israeli Arab Scholarship Fund on or before Sep-
2 tember 30, 2023, to remain available until expended.

3 EAST-WEST CENTER

4 To enable the Secretary of State to provide for car-
5 rying out the provisions of the Center for Cultural and
6 Technical Interchange Between East and West Act of
7 1960, by grant to the Center for Cultural and Technical
8 Interchange Between East and West in the State of Ha-
9 waii, \$21,000,000.

10 NATIONAL ENDOWMENT FOR DEMOCRACY

11 For grants made by the Department of State to the
12 National Endowment for Democracy, as authorized by the
13 National Endowment for Democracy Act (22 U.S.C.
14 4412), \$310,000,000, to remain available until expended:
15 *Provided*, That the requirements of section 7062(a) of this
16 Act shall not apply to funds made available under this
17 heading.

18 OTHER COMMISSIONS

19 COMMISSION FOR THE PRESERVATION OF AMERICA'S

20 HERITAGE ABROAD

21 SALARIES AND EXPENSES

22 For necessary expenses for the Commission for the
23 Preservation of America's Heritage Abroad, \$819,000, as
24 authorized by chapter 3123 of title 54, United States
25 Code: *Provided*, That the Commission may procure tem-

1 porary, intermittent, and other services notwithstanding
2 paragraph (3) of section 312304(b) of such chapter: *Pro-*
3 *vided further*, That such authority shall terminate on Oc-
4 tober 1, 2023: *Provided further*, That the Commission
5 shall notify the Committees on Appropriations prior to ex-
6 ercising such authority.

7 UNITED STATES COMMISSION ON INTERNATIONAL

8 RELIGIOUS FREEDOM

9 SALARIES AND EXPENSES

10 For necessary expenses for the United States Com-
11 mission on International Religious Freedom, as authorized
12 by title II of the International Religious Freedom Act of
13 1998 (22 U.S.C. 6431 et seq.), \$4,500,000, to remain
14 available until September 30, 2024, including not more
15 than \$4,000 for representation expenses.

16 COMMISSION ON SECURITY AND COOPERATION IN

17 EUROPE

18 SALARIES AND EXPENSES

19 For necessary expenses of the Commission on Secu-
20 rity and Cooperation in Europe, as authorized by Public
21 Law 94–304 (22 U.S.C. 3001 et seq.), \$2,908,000, includ-
22 ing not more than \$6,000 for representation expenses, to
23 remain available until September 30, 2024.

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

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

10 UNITED STATES-CHINA ECONOMIC AND SECURITY
11 REVIEW COMMISSION
12 SALARIES AND EXPENSES

13 For necessary expenses of the United States-China
14 Economic and Security Review Commission, as authorized
15 by section 1238 of the Floyd D. Spence National Defense
16 Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),
17 \$4,000,000, including not more than \$4,000 for represen-
18 tation expenses, to remain available until September 30,
19 2024: *Provided*, That the authorities, requirements, limi-
20 tations, and conditions contained in the second through
21 fifth provisos under this heading in the Department of
22 State, Foreign Operations, and Related Programs Appro-
23 priations Act, 2010 (division F of Public Law 111-117)
24 shall continue in effect during fiscal year 2023 and shall
25 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 \$261,600,000 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.

10 CAPITAL INVESTMENT FUND

11 For necessary expenses for overseas construction and
12 related costs, and for the procurement and enhancement
13 of information technology and related capital investments,
14 pursuant to section 667 of the Foreign Assistance Act of
15 1961, \$263,504,000, to remain available until expended:
16 *Provided*, That this amount is in addition to funds other-
17 wise available for such purposes: *Provided further*, That
18 funds appropriated under this heading shall be available
19 subject to the regular notification procedures of the Com-
20 mittees on Appropriations.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses to carry out the provisions
23 of section 667 of the Foreign Assistance Act of 1961,
24 \$80,500,000, of which up to \$12,100,000 may remain
25 available until September 30, 2024, for the Office of In-

1 spector General of the United States Agency for Inter-
2 national Development.

3

TITLE III

4

BILATERAL ECONOMIC ASSISTANCE

5

FUNDS APPROPRIATED TO THE PRESIDENT

6

For necessary expenses to enable the President to

7

carry out the provisions of the Foreign Assistance Act of

8

1961, and for other purposes, as follows:

9

GLOBAL HEALTH PROGRAMS

10

For necessary expenses to carry out the provisions

11

of chapters 1 and 10 of part I of the Foreign Assistance

12

Act of 1961, for global health activities, in addition to

13

funds otherwise available for such purposes,

14

\$4,581,500,000, to remain available until September 30,

15

2024, and which shall be apportioned directly to the

16

United States Agency for International Development: *Pro-*

17

vided, That this amount shall be made available for train-

18

ing, equipment, and technical assistance to build the ca-

19

capacity of public health institutions and organizations in

20

developing countries, and for such activities as: (1) child

21

survival and maternal health programs; (2) immunization

22

and oral rehydration programs; (3) other health, nutrition,

23

water and sanitation programs which directly address the

24

needs of mothers and children, and related education pro-

25

grams; (4) assistance for children displaced or orphaned

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

1 *ther*, That none of the funds made available under this
2 Act may be used to lobby for or against abortion: *Provided*
3 *further*, That in order to reduce reliance on abortion in
4 developing nations, funds shall be available only to vol-
5 untary family planning projects which offer, either directly
6 or through referral to, or information about access to, a
7 broad range of family planning methods and services, and
8 that any such voluntary family planning project shall meet
9 the following requirements: (1) service providers or refer-
10 ral agents in the project shall not implement or be subject
11 to quotas, or other numerical targets, of total number of
12 births, number of family planning acceptors, or acceptors
13 of a particular method of family planning (this provision
14 shall not be construed to include the use of quantitative
15 estimates or indicators for budgeting and planning pur-
16 poses); (2) the project shall not include payment of incen-
17 tives, bribes, gratuities, or financial reward to: (A) an indi-
18 vidual in exchange for becoming a family planning accep-
19 tor; or (B) program personnel for achieving a numerical
20 target or quota of total number of births, number of fam-
21 ily planning acceptors, or acceptors of a particular method
22 of family planning; (3) the project shall not deny any right
23 or benefit, including the right of access to participate in
24 any program of general welfare or the right of access to
25 health care, as a consequence of any individual's decision

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

1 *further*, That for purposes of this or any other Act author-
2 izing or appropriating funds for the Department of State,
3 foreign operations, and related programs, the term “moti-
4 vate”, as it relates to family planning assistance, shall not
5 be construed to prohibit the provision, consistent with
6 local law, of information or counseling about all pregnancy
7 options: *Provided further*, That information provided
8 about the use of condoms and modern contraceptives as
9 part of projects or activities that are funded from amounts
10 appropriated by this Act shall be medically accurate and
11 shall include the public health benefits and failure rates
12 of such use.

13 In addition, for necessary expenses to carry out the
14 provisions of the Foreign Assistance Act of 1961 for the
15 prevention, treatment, and control of, and research on,
16 HIV/AIDS, \$6,395,000,000, to remain available until
17 September 30, 2027, which shall be apportioned directly
18 to the Department of State: *Provided*, That funds appro-
19 priated under this paragraph may be made available, not-
20 withstanding any other provision of law, except for the
21 United States Leadership Against HIV/AIDS, Tuber-
22 culosis, and Malaria Act of 2003 (Public Law 108–25),
23 for a United States contribution to the Global Fund to
24 Fight AIDS, Tuberculosis and Malaria (Global Fund):
25 *Provided further*, That the amount of such contribution

1 shall be \$2,000,000,000: *Provided further*, That up to 5
2 percent of the aggregate amount of funds made available
3 to the Global Fund in fiscal year 2023 may be made avail-
4 able to USAID for technical assistance related to the ac-
5 tivities of the Global Fund, subject to the regular notifica-
6 tion procedures of the Committees on Appropriations: *Pro-*
7 *vided further*, That of the funds appropriated under this
8 paragraph, up to \$17,000,000 may be made available, in
9 addition to amounts otherwise available for such purposes,
10 for administrative expenses of the Office of the United
11 States Global AIDS Coordinator.

12 DEVELOPMENT ASSISTANCE

13 For necessary expenses to carry out the provisions
14 of sections 103, 105, 106, 214, and sections 251 through
15 255, and chapter 10 of part I of the Foreign Assistance
16 Act of 1961, \$4,769,787,000, to remain available until
17 September 30, 2024: *Provided*, That funds made available
18 under this heading shall be apportioned to the United
19 States Agency for International Development.

20 INTERNATIONAL DISASTER ASSISTANCE

21 For necessary expenses to carry out the provisions
22 of section 491 of the Foreign Assistance Act of 1961 for
23 international disaster relief, rehabilitation, and recon-
24 struction assistance, \$4,395,000,000, to remain available
25 until expended: *Provided*, That funds made available

1 under this heading shall be apportioned to the United
2 States Agency for International Development not later
3 than 60 days after the date of enactment of this Act.

4 TRANSITION INITIATIVES

5 For necessary expenses for international disaster re-
6 habilitation and reconstruction assistance administered by
7 the Office of Transition Initiatives, United States Agency
8 for International Development, pursuant to section 491 of
9 the Foreign Assistance Act of 1961, and to support transi-
10 tion to democracy and long-term development of countries
11 in crisis, \$93,000,000, to remain available until expended:
12 *Provided*, That such support may include assistance to de-
13 velop, strengthen, or preserve democratic institutions and
14 processes, revitalize basic infrastructure, and foster the
15 peaceful resolution of conflict: *Provided further*, That the
16 USAID Administrator shall submit a report to the Com-
17 mittees on Appropriations at least 5 days prior to begin-
18 ning a new, or terminating a, program of assistance: *Pro-*
19 *vided further*, That if the Secretary of State determines
20 that it is important to the national interest of the United
21 States to provide transition assistance in excess of the
22 amount appropriated under this heading, up to
23 \$15,000,000 of the funds appropriated by this Act to
24 carry out the provisions of part I of the Foreign Assist-
25 ance Act of 1961 may be used for purposes of this heading

1 and under the authorities applicable to funds appropriated
2 under this heading: *Provided further*, That funds made
3 available pursuant to the previous proviso shall be made
4 available subject to prior consultation with the Committees
5 on Appropriations.

6 COMPLEX CRISES FUND

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

18 ECONOMIC SUPPORT FUND

19 For necessary expenses to carry out the provisions
20 of chapter 4 of part II of the Foreign Assistance Act of
21 1961, \$4,128,268,000, to remain available until Sep-
22 tember 30, 2024.

23 DEMOCRACY FUND

24 For necessary expenses to carry out the provisions
25 of the Foreign Assistance Act of 1961 for the promotion

1 of democracy globally, including to carry out the purposes
2 of section 502(b)(3) and (5) of Public Law 98–164 (22
3 U.S.C. 4411), \$215,450,000, to remain available until
4 September 30, 2024, which shall be made available for the
5 Human Rights and Democracy Fund of the Bureau of De-
6 mocracy, Human Rights, and Labor, Department of
7 State: *Provided*, That funds appropriated under this head-
8 ing that are made available to the National Endowment
9 for Democracy and its core institutes are in addition to
10 amounts otherwise available by this Act for such purposes:
11 *Provided further*, That the Assistant Secretary for Democ-
12 racy, Human Rights, and Labor, Department of State,
13 shall consult with the Committees on Appropriations prior
14 to the initial obligation of funds appropriated under this
15 paragraph.

16 For an additional amount for such purposes,
17 \$130,250,000, to remain available until September 30,
18 2024, which shall be made available for the Bureau for
19 Development, Democracy, and Innovation, United States
20 Agency for International Development.

21 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

22 For necessary expenses to carry out the provisions
23 of the Foreign Assistance Act of 1961, the FREEDOM
24 Support Act (Public Law 102–511), and the Support for
25 Eastern European Democracy (SEED) Act of 1989 (Pub-

1 lic Law 101–179), \$850,334,000, to remain available until
2 September 30, 2024, which shall be available, notwith-
3 standing any other provision of law, except section 7047
4 of this Act, for assistance and related programs for coun-
5 tries identified in section 3 of the FREEDOM Support
6 Act (22 U.S.C. 5801) and section 3(c) of the SEED Act
7 of 1989 (22 U.S.C. 5402), in addition to funds otherwise
8 available for such purposes: *Provided*, That funds appro-
9 priated by this Act under the headings “Global Health
10 Programs”, “Economic Support Fund”, and “Inter-
11 national Narcotics Control and Law Enforcement” that
12 are made available for assistance for such countries shall
13 be administered in accordance with the responsibilities of
14 the coordinator designated pursuant to section 102 of the
15 FREEDOM Support Act and section 601 of the SEED
16 Act of 1989: *Provided further*, That funds appropriated
17 under this heading shall be considered to be economic as-
18 sistance under the Foreign Assistance Act of 1961 for
19 purposes of making available the administrative authori-
20 ties contained in that Act for the use of economic assist-
21 ance: *Provided further*, That funds appropriated under
22 this heading may be made available for contributions to
23 multilateral initiatives to counter hybrid threats.

1 DEPARTMENT OF STATE
2 MIGRATION AND REFUGEE ASSISTANCE

3 For necessary expenses not otherwise provided for,
4 to enable the Secretary of State to carry out the provisions
5 of section 2(a) and (b) of the Migration and Refugee As-
6 sistance Act of 1962 (22 U.S.C. 2601), and other activi-
7 ties to meet refugee and migration needs; salaries and ex-
8 penses of personnel and dependents as authorized by the
9 Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.);
10 allowances as authorized by sections 5921 through 5925
11 of title 5, United States Code; purchase and hire of pas-
12 senger motor vehicles; and services as authorized by sec-
13 tion 3109 of title 5, United States Code, \$3,700,000,000,
14 to remain available until expended, of which not less than
15 \$5,000,000 shall be made available for refugees resettling
16 in Israel.

17 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
18 ASSISTANCE FUND

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

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

3 INDEPENDENT AGENCIES

4 PEACE CORPS

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses to carry out the provisions
7 of the Peace Corps Act (22 U.S.C. 2501 et seq.), including
8 the purchase of not to exceed five passenger motor vehicles
9 for administrative purposes for use outside of the United
10 States, \$430,500,000, of which \$7,300,000 is for the Of-
11 fice of Inspector General, to remain available until Sep-
12 tember 30, 2024: *Provided*, That the Director of the Peace
13 Corps may transfer to the Foreign Currency Fluctuations
14 Account, as authorized by section 16 of the Peace Corps
15 Act (22 U.S.C. 2515), an amount not to exceed
16 \$5,000,000: *Provided further*, That funds transferred pur-
17 suant to the previous proviso may not be derived from
18 amounts made available for Peace Corps overseas oper-
19 ations: *Provided further*, That of the funds appropriated
20 under this heading, not to exceed \$104,000 may be avail-
21 able for representation expenses, of which not to exceed
22 \$4,000 may be made available for entertainment expenses:
23 *Provided further*, That in addition to the requirements
24 under section 7015(a) of this Act, the Peace Corps shall
25 consult with the Committees on Appropriations prior to

1 any decision to open, close, or suspend a domestic or over-
2 seas office or a country program unless there is a substan-
3 tial risk to volunteers or other Peace Corps personnel.

4 MILLENNIUM CHALLENGE CORPORATION

5 For necessary expenses to carry out the provisions
6 of the Millennium Challenge Act of 2003 (22 U.S.C. 7701
7 et seq.) (MCA), \$915,000,000, to remain available until
8 expended: *Provided*, That of the funds appropriated under
9 this heading, up to \$115,000,000 may be available for ad-
10 ministrative expenses of the Millennium Challenge Cor-
11 poration: *Provided further*, That section 605(e) of the
12 MCA (22 U.S.C. 7704(e)) shall apply to funds appro-
13 priated under this heading: *Provided further*, That funds
14 appropriated under this heading may be made available
15 for a Millennium Challenge Compact entered into pursu-
16 ant to section 609 of the MCA (22 U.S.C. 7708) only if
17 such Compact obligates, or contains a commitment to obli-
18 gate subject to the availability of funds and the mutual
19 agreement of the parties to the Compact to proceed, the
20 entire amount of the United States Government funding
21 anticipated for the duration of the Compact: *Provided fur-*
22 *ther*, That of the funds appropriated under this heading,
23 not to exceed \$100,000 may be available for representa-
24 tion and entertainment expenses, of which not to exceed
25 \$5,000 may be available for entertainment expenses.

1 INTER-AMERICAN FOUNDATION

2 For necessary expenses to carry out the functions of
3 the Inter-American Foundation in accordance with the
4 provisions of section 401 of the Foreign Assistance Act
5 of 1969, \$47,000,000, to remain available until September
6 30, 2024: *Provided*, That of the funds appropriated under
7 this heading, not to exceed \$2,000 may be available for
8 representation expenses.

9 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

10 For necessary expenses to carry out the African De-
11 velopment Foundation Act (title V of Public Law 96-533;
12 22 U.S.C. 290h et seq.), \$45,000,000, to remain available
13 until September 30, 2024, of which not to exceed \$2,000
14 may be available for representation expenses: *Provided*,
15 That funds made available to grantees may be invested
16 pending expenditure for project purposes when authorized
17 by the Board of Directors of the United States African
18 Development Foundation (USADF): *Provided further*,
19 That interest earned shall be used only for the purposes
20 for which the grant was made: *Provided further*, That not-
21 withstanding section 505(a)(2) of the African Develop-
22 ment Foundation Act (22 U.S.C. 290h-3(a)(2)), in excep-
23 tional circumstances the Board of Directors of the
24 USADF may waive the \$250,000 limitation contained in
25 that section with respect to a project and a project may

1 exceed the limitation by up to 10 percent if the increase
2 is due solely to foreign currency fluctuation: *Provided fur-*
3 *ther*, That the USADF shall submit a report to the appro-
4 priate congressional committees after each time such waiv-
5 er authority is exercised: *Provided further*, That the
6 USADF may make rent or lease payments in advance
7 from appropriations available for such purpose for offices,
8 buildings, grounds, and quarters in Africa as may be nec-
9 essary to carry out its functions: *Provided further*, That
10 the USADF may maintain bank accounts outside the
11 United States Treasury and retain any interest earned on
12 such accounts, in furtherance of the purposes of the Afri-
13 can Development Foundation Act: *Provided further*, That
14 the USADF may not withdraw any appropriation from the
15 Treasury prior to the need of spending such funds for pro-
16 gram purposes.

17 DEPARTMENT OF THE TREASURY
18 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE
19 For necessary expenses to carry out the provisions
20 of section 129 of the Foreign Assistance Act of 1961,
21 \$38,000,000, to remain available until expended, of which
22 not more than \$9,500,000 may be used for administrative
23 expenses: *Provided*, That amounts made available under
24 this heading may be made available to contract for services
25 as described in section 129(d)(3)(A) of the Foreign Assist-

1 ance Act of 1961, without regard to the location in which
2 such services are performed.

3 DEBT RESTRUCTURING

4 For “Bilateral Economic Assistance—Department of
5 the Treasury—Debt Restructuring” there is appropriated
6 \$52,000,000, to remain available until September 30,
7 2024, for the costs, as defined in section 502 of the Con-
8 gressional Budget Act of 1974, of modifying loans and
9 loan guarantees for, or credits extended to, such countries
10 as the President may determine, including the costs of
11 selling, reducing, or canceling amounts owed to the United
12 States pursuant to the “Common Framework for Debt
13 Treatments beyond the Debt Service Suspension Initiative
14 (DSSI)”, and for reducing interest rates paid by any coun-
15 try eligible for the DSSI: *Provided*, That such amounts
16 may be used notwithstanding any other provision of law.

17 TROPICAL FOREST AND CORAL REEF CONSERVATION

18 For the costs, as defined in section 502 of the Con-
19 gressional Budget Act of 1974, of modifying loans and
20 loan guarantees, as the President may determine, for
21 which funds have been appropriated or otherwise made
22 available for programs within the International Affairs
23 Budget Function 150, including the costs of selling, reduc-
24 ing, or canceling amounts owed to the United States as
25 a result of concessional loans made to eligible countries

1 pursuant to part V of the Foreign Assistance Act of 1961,
2 \$20,000,000, to remain available until September 30,
3 2026.

4 TITLE IV

5 INTERNATIONAL SECURITY ASSISTANCE

6 DEPARTMENT OF STATE

7 INTERNATIONAL NARCOTICS CONTROL AND LAW

8 ENFORCEMENT

9 For necessary expenses to carry out section 481 of
10 the Foreign Assistance Act of 1961, \$1,450,000,000, to
11 remain available until September 30, 2024: *Provided,*
12 That the Department of State may use the authority of
13 section 608 of the Foreign Assistance Act of 1961, with-
14 out regard to its restrictions, to receive excess property
15 from an agency of the United States Government for the
16 purpose of providing such property to a foreign country
17 or international organization under chapter 8 of part I of
18 such Act, subject to the regular notification procedures of
19 the Committees on Appropriations: *Provided further,* That
20 section 482(b) of the Foreign Assistance Act of 1961 shall
21 not apply to funds appropriated under this heading, except
22 that any funds made available notwithstanding such sec-
23 tion shall be subject to the regular notification procedures
24 of the Committees on Appropriations: *Provided further,*
25 That funds appropriated under this heading shall be made

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

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

18 For necessary expenses for nonproliferation, anti-ter-
19 rorism, demining and related programs and activities,
20 \$920,247,000, to remain available until September 30,
21 2024, to carry out the provisions of chapter 8 of part II
22 of the Foreign Assistance Act of 1961 for anti-terrorism
23 assistance, chapter 9 of part II of the Foreign Assistance
24 Act of 1961, section 504 of the FREEDOM Support Act
25 (22 U.S.C. 5854), section 23 of the Arms Export Control

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

1 nished its right to participate in the activities of that Agen-
2 cy: *Provided further*, That funds made available for con-
3 ventional weapons destruction programs, including
4 demining and related activities, in addition to funds other-
5 wise available for such purposes, may be used for adminis-
6 trative expenses related to the operation and management
7 of such programs and activities, subject to the regular no-
8 tification procedures of the Committees on Appropria-
9 tions.

10 PEACEKEEPING OPERATIONS

11 For necessary expenses to carry out the provisions
12 of section 551 of the Foreign Assistance Act of 1961,
13 \$460,759,000, of which \$330,000,000 may remain avail-
14 able until September 30, 2024: *Provided*, That funds ap-
15 propriated under this heading may be used, notwith-
16 standing section 660 of the Foreign Assistance Act of
17 1961, to provide assistance to enhance the capacity of for-
18 eign civilian security forces, including gendarmes, to par-
19 ticipate in peacekeeping operations: *Provided further*, That
20 of the funds appropriated under this heading, not less
21 than \$25,000,000 shall be made available for a United
22 States contribution to the Multinational Force and Ob-
23 servers mission in the Sinai: *Provided further*, That funds
24 appropriated under this heading may be made available
25 to pay assessed expenses of international peacekeeping ac-

1 tivities in Somalia under the same terms and conditions,
2 as applicable, as funds appropriated by this Act under the
3 heading “Contributions for International Peacekeeping
4 Activities”: *Provided further*, That funds appropriated
5 under this heading shall be subject to the regular notifica-
6 tion procedures of the Committees on Appropriations.

7 FUNDS APPROPRIATED TO THE PRESIDENT

8 INTERNATIONAL MILITARY EDUCATION AND TRAINING

9 For necessary expenses to carry out the provisions
10 of section 541 of the Foreign Assistance Act of 1961,
11 \$112,925,000, of which up to \$56,463,000 may remain
12 available until September 30, 2024: *Provided*, That the
13 civilian personnel for whom military education and train-
14 ing may be provided under this heading may include civil-
15 ians who are not members of a government whose partici-
16 pation would contribute to improved civil-military rela-
17 tions, civilian control of the military, or respect for human
18 rights: *Provided further*, That of the funds appropriated
19 under this heading, \$3,000,000 shall remain available
20 until expended to increase the participation of women in
21 programs and activities funded under this heading, fol-
22 lowing consultation with the Committees on Appropria-
23 tions: *Provided further*, That of the funds appropriated
24 under this heading, not to exceed \$50,000 may be avail-
25 able for entertainment expenses.

1 FOREIGN MILITARY FINANCING PROGRAM

2 For necessary expenses for grants to enable the
3 President to carry out the provisions of section 23 of the
4 Arms Export Control Act (22 U.S.C. 2763),
5 \$6,053,049,000: *Provided*, That to expedite the provision
6 of assistance to foreign countries and international organi-
7 zations, the Secretary of State, following consultation with
8 the Committees on Appropriations and subject to the reg-
9 ular notification procedures of such Committees, may use
10 the funds appropriated under this heading to procure de-
11 fense articles and services to enhance the capacity of for-
12 eign security forces: *Provided further*, That funds appro-
13 priated or otherwise made available under this heading
14 shall be nonrepayable notwithstanding any requirement in
15 section 23 of the Arms Export Control Act: *Provided fur-*
16 *ther*, That funds made available under this heading shall
17 be obligated upon apportionment in accordance with para-
18 graph (5)(C) of section 1501(a) of title 31, United States
19 Code.

20 None of the funds made available under this heading
21 shall be available to finance the procurement of defense
22 articles, defense services, or design and construction serv-
23 ices that are not sold by the United States Government
24 under the Arms Export Control Act unless the foreign
25 country proposing to make such procurement has first

1 signed an agreement with the United States Government
2 specifying the conditions under which such procurement
3 may be financed with such funds: *Provided*, That all coun-
4 try and funding level increases in allocations shall be sub-
5 mitted through the regular notification procedures of sec-
6 tion 7015 of this Act: *Provided further*, That funds made
7 available under this heading may be used, notwithstanding
8 any other provision of law, for demining, the clearance of
9 unexploded ordnance, and related activities, and may in-
10 clude activities implemented through nongovernmental
11 and international organizations: *Provided further*, That a
12 country that is a member of the North Atlantic Treaty
13 Organization (NATO) or is a major non-NATO ally des-
14 ignated by section 517(b) of the Foreign Assistance Act
15 of 1961 may utilize funds made available under this head-
16 ing for procurement of defense articles, defense services,
17 or design and construction services that are not sold by
18 the United States Government under the Arms Export
19 Control Act: *Provided further*, That funds appropriated
20 under this heading shall be expended at the minimum rate
21 necessary to make timely payment for defense articles and
22 services: *Provided further*, That not more than
23 \$70,000,000 of the funds appropriated under this heading
24 may be obligated for necessary expenses, including the
25 purchase of passenger motor vehicles for replacement only

1 for use outside of the United States, for the general costs
2 of administering military assistance and sales, except that
3 this limitation may be exceeded only through the regular
4 notification procedures of the Committees on Appropria-
5 tions: *Provided further*, That of the funds made available
6 under this heading for general costs of administering mili-
7 tary assistance and sales, not to exceed \$4,000 may be
8 available for entertainment expenses and not to exceed
9 \$130,000 may be available for representation expenses:
10 *Provided further*, That not more than \$1,253,810,229 of
11 funds realized pursuant to section 21(e)(1)(A) of the Arms
12 Export Control Act (22 U.S.C. 2761(e)(1)(A)) may be ob-
13 ligated for expenses incurred by the Department of De-
14 fense during fiscal year 2023 pursuant to section 43(b)
15 of the Arms Export Control Act (22 U.S.C. 2792(b)), ex-
16 cept that this limitation may be exceeded only through the
17 regular notification procedures of the Committees on Ap-
18 propriations.

19

TITLE V

20

MULTILATERAL ASSISTANCE

21

FUNDS APPROPRIATED TO THE PRESIDENT

22

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

23

24

25

For necessary expenses to carry out the provisions
of section 301 of the Foreign Assistance Act of 1961,
\$592,000,000: *Provided*, That section 307(a) of the For-

1 eign Assistance Act of 1961 shall not apply to contribu-
2 tions to the United Nations Democracy Fund: *Provided*
3 *further*, That not later than 60 days after the date of en-
4 actment of this Act, such funds shall be made available
5 for core contributions for each entity listed in the table
6 under this heading in the report accompanying this Act
7 unless otherwise provided for in this Act, or if the Sec-
8 retary of State has justified to the Committees on Appro-
9 priations the proposed uses of funds other than for core
10 contributions following prior consultation with, and sub-
11 ject to the regular notification procedures of, such Com-
12 mittees.

13 INTERNATIONAL FINANCIAL INSTITUTIONS

14 GLOBAL ENVIRONMENT FACILITY

15 For payment to the International Bank for Recon-
16 struction and Development as trustee for the Global Envi-
17 ronment Facility by the Secretary of the Treasury,
18 \$150,200,000, to remain available until expended.

19 CONTRIBUTION TO THE GREEN CLIMATE FUND

20 For contribution to the Green Climate Fund by the
21 Secretary of the Treasury, \$1,600,000,000, to remain
22 available until expended.

23 CONTRIBUTION TO THE CLEAN TECHNOLOGY FUND

24 For contribution to the Clean Technology Fund,
25 \$350,000,000, to remain available until expended: *Pro-*

1 *vided*, That up to \$350,000,000 of such amount shall be
2 available to cover costs, as defined in section 502 of the
3 Congressional Budget Act of 1974, of direct loans issued
4 to the Clean Technology Fund: *Provided further*, That
5 such funds are available to subsidize gross obligations for
6 the principal amount of direct loans without limitation.

7 CONTRIBUTION TO THE INTERNATIONAL BANK FOR
8 RECONSTRUCTION AND DEVELOPMENT

9 For payment to the International Bank for Recon-
10 struction and Development by the Secretary of the Treas-
11 ury for the United States share of the paid-in portion of
12 the increases in capital stock, \$206,500,000, to remain
13 available until expended.

14 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

20 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
21 ASSOCIATION

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

1 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

2 For payment to the Asian Development Bank's Asian
3 Development Fund by the Secretary of the Treasury,
4 \$43,610,000, to remain available until expended.

5 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

6 For payment to the African Development Bank by
7 the Secretary of the Treasury for the United States share
8 of the paid-in portion of the increases in capital stock,
9 \$54,648,752, to remain available until expended.

10 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

11 The United States Governor of the African Develop-
12 ment Bank may subscribe without fiscal year limitation
13 to the callable capital portion of the United States share
14 of increases in capital stock in an amount not to exceed
15 \$856,174,624.

16 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

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

20 CONTRIBUTION TO THE INTERNATIONAL FUND FOR

21 AGRICULTURAL DEVELOPMENT

22 For payment to the International Fund for Agricul-
23 tural Development by the Secretary of the Treasury,
24 \$43,000,000, to remain available until expended.

1 GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

2 For payment to the Global Agriculture and Food Se-
3 curity Program by the Secretary of the Treasury,
4 \$10,000,000, to remain available until expended.

5 CONTRIBUTIONS TO THE INTERNATIONAL MONETARY
6 FUND FACILITIES AND TRUST FUNDS

7 For contribution by the Secretary of the Treasury to
8 the Poverty Reduction and Growth Trust or the Resilience
9 and Sustainability Trust Fund of the International Mone-
10 tary Fund, \$20,000,000, to remain available until Decem-
11 ber 31, 2031.

12 TITLE VI

13 EXPORT AND INVESTMENT ASSISTANCE

14 EXPORT-IMPORT BANK OF THE UNITED STATES

15 INSPECTOR GENERAL

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

21 PROGRAM ACCOUNT

22 The Export-Import Bank of the United States is au-
23 thorized to make such expenditures within the limits of
24 funds and borrowing authority available to such corpora-
25 tion, and in accordance with law, and to make such con-

1 tracts and commitments without regard to fiscal year limi-
2 tations, as provided by section 9104 of title 31, United
3 States Code, as may be necessary in carrying out the pro-
4 gram for the current fiscal year for such corporation: *Pro-*
5 *vided*, That none of the funds available during the current
6 fiscal year may be used to make expenditures, contracts,
7 or commitments for the export of nuclear equipment, fuel,
8 or technology to any country, other than a nuclear-weapon
9 state as defined in Article IX of the Treaty on the Non-
10 Proliferation of Nuclear Weapons eligible to receive eco-
11 nomic or military assistance under this Act, that has deto-
12 nated a nuclear explosive after the date of enactment of
13 this Act.

14 ADMINISTRATIVE EXPENSES

15 For administrative expenses to carry out the direct
16 and guaranteed loan and insurance programs, including
17 hire of passenger motor vehicles and services as authorized
18 by section 3109 of title 5, United States Code, and not
19 to exceed \$30,000 for official reception and representation
20 expenses for members of the Board of Directors, not to
21 exceed \$120,000,000, of which up to \$18,000,000 may re-
22 main available until September 30, 2024: *Provided*, That
23 the Export-Import Bank (the Bank) may accept, and use,
24 payment or services provided by transaction participants
25 for legal, financial, or technical services in connection with

1 any transaction for which an application for a loan, guar-
2 antee or insurance commitment has been made: *Provided*
3 *further*, That notwithstanding subsection (b) of section
4 117 of the Export Enhancement Act of 1992, subsection
5 (a) of such section shall remain in effect until September
6 30, 2023: *Provided further*, That the Bank shall charge
7 fees for necessary expenses (including special services per-
8 formed on a contract or fee basis, but not including other
9 personal services) in connection with the collection of mon-
10 eys owed the Bank, repossession or sale of pledged collat-
11 eral or other assets acquired by the Bank in satisfaction
12 of moneys owed the Bank, or the investigation or appraisal
13 of any property, or the evaluation of the legal, financial,
14 or technical aspects of any transaction for which an appli-
15 cation for a loan, guarantee or insurance commitment has
16 been made, or systems infrastructure directly supporting
17 transactions: *Provided further*, That in addition to other
18 funds appropriated for administrative expenses, such fees
19 shall be credited to this account for such purposes, to re-
20 main available until expended.

21 PROGRAM BUDGET APPROPRIATIONS

22 For the cost of direct loans, loan guarantees, insur-
23 ance, and tied-aid grants as authorized by section 10 of
24 the Export-Import Bank Act of 1945, as amended, not
25 to exceed \$10,000,000, to remain available until Sep-

1 CORPORATE CAPITAL ACCOUNT

2 The United States International Development Fi-
3 nance Corporation (the Corporation) is authorized to
4 make such expenditures and commitments within the lim-
5 its of funds and borrowing authority available to the Cor-
6 poration, and in accordance with the law, and to make
7 such expenditures and commitments without regard to fis-
8 cal year limitations, as provided by section 9104 of title
9 31, United States Code, as may be necessary in carrying
10 out the programs for the current fiscal year for the Cor-
11 poration: *Provided*, That for necessary expenses of the ac-
12 tivities described in subsections (b), (c), (e), (f), and (g)
13 of section 1421 of the BUILD Act of 2018 (division F
14 of Public Law 115–254) and for administrative expenses
15 to carry out authorized activities and project-specific
16 transaction costs described in section 1434(d) of such Act,
17 \$813,000,000: *Provided further*, That of the amount pro-
18 vided—

19 (1) \$220,000,000 shall remain available until
20 September 30, 2025, for administrative expenses to
21 carry out authorized activities (including an amount
22 for official reception and representation expenses
23 which shall not exceed \$25,000) and project-specific
24 transaction costs as described in section 1434(k) of
25 such Act; and

1 (2) \$593,000,000 shall remain available until
2 September 30, 2025, for the activities described in
3 subsections (b), (c), (e), (f), and (g) of section 1421
4 of the BUILD Act of 2018, except such amounts ob-
5 ligated in a fiscal year for activities described in sec-
6 tion 1421(c) of such Act shall remain available for
7 disbursement for the term of the underlying project:
8 *Provided*, That amounts made available under this
9 subparagraph may be paid to the “United States
10 International Development Finance Corporation—
11 Program Account” for programs authorized by sub-
12 sections (b), (e), (f), and (g) of section 1421 of the
13 BUILD Act of 2018:
14 *Provided further*, That funds may only be obligated pursu-
15 ant to section 1421(g) of the BUILD Act of 2018 subject
16 to prior consultation with the appropriate congressional
17 committees and the regular notification procedures of the
18 Committees on Appropriations: *Provided further*, That in
19 fiscal year 2023 collections of amounts described in sec-
20 tion 1434(h) of the BUILD Act of 2018 shall be credited
21 as offsetting collections to this appropriation: *Provided*
22 *further*, That such collections collected in fiscal year 2023
23 in excess of \$813,000,000 shall be credited to this account
24 and shall be available in future fiscal years only to the
25 extent provided in advance in appropriations Acts: *Pro-*

1 *vided further*, That in fiscal year 2023, if such collections
2 are less than \$813,000,000, receipts collected pursuant to
3 the BUILD Act of 2018 and the Federal Credit Reform
4 Act of 1990, in an amount equal to such shortfall, shall
5 be credited as offsetting collections to this appropriation:
6 *Provided further*, That funds appropriated or otherwise
7 made available under this heading may not be used to pro-
8 vide any type of assistance that is otherwise prohibited
9 by any other provision of law or to provide assistance to
10 any foreign country that is otherwise prohibited by any
11 other provision of law: *Provided further*, That the sums
12 herein appropriated from the General Fund shall be re-
13 duced on a dollar-for-dollar basis by the offsetting collec-
14 tions described under this heading so as to result in a final
15 fiscal year appropriation from the General Fund estimated
16 at \$401,000,000.

17 PROGRAM ACCOUNT

18 Amounts paid from “United States International De-
19 velopment Finance Corporation—Corporate Capital Ac-
20 count” (CCA) shall remain available until September 30,
21 2025: *Provided*, That amounts paid to this account from
22 CCA or transferred to this account pursuant to section
23 1434(j) of the BUILD Act of 2018 (division F of Public
24 Law 115–254) shall be available for the costs of direct
25 and guaranteed loans provided by the Corporation pursu-

1 ant to section 1421(b) of such Act and the costs of modi-
2 fying loans and loan guarantees transferred to the Cor-
3 poration pursuant to section 1463 of such Act: *Provided*
4 *further*, That such costs, including the cost of modifying
5 such loans, shall be as defined in section 502 of the Con-
6 gressional Budget Act of 1974: *Provided further*, That
7 such amounts obligated in a fiscal year shall remain avail-
8 able for disbursement for the following 8 fiscal years: *Pro-*
9 *vided further*, That funds made available in this Act and
10 transferred to carry out the Foreign Assistance Act of
11 1961 pursuant to section 1434(j) of the BUILD Act of
12 2018 may remain available for obligation for 1 additional
13 fiscal year: *Provided further*, That the total loan principal
14 or guaranteed principal amount shall not exceed
15 \$8,000,000,000.

16 TRADE AND DEVELOPMENT AGENCY

17 For necessary expenses to carry out the provisions
18 of section 661 of the Foreign Assistance Act of 1961,
19 \$87,000,000, to remain available until September 30,
20 2024, of which no more than \$20,000,000 may be used
21 for administrative expenses: *Provided*, That of the funds
22 appropriated under this heading, not more than \$5,000
23 may be available for representation and entertainment ex-
24 penses.

1

TITLE VII

2

GENERAL PROVISIONS

3

ALLOWANCES AND DIFFERENTIALS

4

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

11

UNOBLIGATED BALANCES REPORT

12

SEC. 7002. Any department or agency of the United States Government to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting of cumulative unobligated balances and obligated, but unexpended, balances by program, project, and activity, and Treasury Account Fund Symbol of all funds received by such department or agency in fiscal year 2023 or any previous fiscal year, disaggregated by fiscal year: *Provided*, That the report required by this section shall be submitted not later than 30 days after the end of each fiscal quarter and should specify by account the amount of funds obligated pursuant to bilateral agreements which have not been further sub-obligated.

25

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 enumer-
17 ated under the heading “Embassy Security, Construction,
18 and Maintenance” in the report accompanying this 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: *Provided fur-*
17 *ther*, That funds made available pursuant to the previous
18 provisos shall be subject to the regular notification proce-
19 dures of the Committees on Appropriations.

20 TRANSFER OF FUNDS AUTHORITY

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

23 (1) DEPARTMENT OF STATE.—

24 (A) IN GENERAL.—Not to exceed 5 percent
25 of any appropriation made available for the cur-

1 rent fiscal year for the Department of State
2 under title I of this Act may be transferred be-
3 tween, and merged with, such appropriations,
4 but no such appropriation, except as otherwise
5 specifically provided, shall be increased by more
6 than 10 percent by any such transfers, and no
7 such transfer may be made to increase the ap-
8 propriation under the heading “Representation
9 Expenses”.

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

1 mittees: *Provided*, That such transfer authority
2 is in addition to any transfer authority other-
3 wise available in this Act and under any other
4 provision of law.

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

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

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

22 (1) IN GENERAL.—None of the funds made
23 available under titles II through V of this Act may
24 be transferred to any department, agency, or instru-
25 mentality of the United States Government, except

1 pursuant to a transfer made by, or transfer author-
2 ity provided in, this Act or any other appropriations
3 Act.

4 (2) ALLOCATION AND TRANSFERS.—Notwith-
5 standing paragraph (1), in addition to transfers
6 made by, or authorized elsewhere in, this Act, funds
7 appropriated by this Act to carry out the purposes
8 of the Foreign Assistance Act of 1961 may be allo-
9 cated or transferred to agencies of the United States
10 Government pursuant to the provisions of sections
11 109, 610, and 632 of the Foreign Assistance Act of
12 1961, and section 1434(j) of the BUILD Act of
13 2018 (division F of Public Law 115–254).

14 (3) NOTIFICATION.—Any agreement entered
15 into by the United States Agency for International
16 Development or the Department of State with any
17 department, agency, or instrumentality of the United
18 States Government pursuant to section 632(b) of the
19 Foreign Assistance Act of 1961 valued in excess of
20 \$1,000,000 and any agreement made pursuant to
21 section 632(a) of such Act, with funds appropriated
22 by this Act or prior Acts making appropriations for
23 the Department of State, foreign operations, and re-
24 lated programs under the headings “Global Health
25 Programs”, “Development Assistance”, “Economic

1 Support Fund”, and “Assistance for Europe, Eur-
2 asia and Central Asia” shall be subject to the reg-
3 ular notification procedures of the Committees on
4 Appropriations: *Provided*, That the requirement in
5 the previous sentence shall not apply to agreements
6 entered into between USAID and the Department of
7 State.

8 (c) UNITED STATES INTERNATIONAL DEVELOPMENT
9 FINANCE CORPORATION.—

10 (1) IN GENERAL.—Amounts transferred pursu-
11 ant to section 1434(j) of the BUILD Act of 2018
12 (division F of Public Law 115–254) may only be
13 transferred from funds made available under title III
14 of this Act: *Provided*, That any such transfers shall
15 be subject to prior consultation with, and the regular
16 notification procedures of, the Committees on Ap-
17 propriations: *Provided further*, That the Secretary of
18 State, the Administrator of the United States Agen-
19 cy for International Development, and the Chief Ex-
20 ecutive Officer of the United States International
21 Development Finance Corporation (the Corporation),
22 as appropriate, shall ensure that the programs fund-
23 ed by such transfers are coordinated with, and com-
24 plement, foreign assistance programs implemented
25 by the Department of State and USAID: *Provided*

1 *further*, That no funds transferred pursuant to such
2 authority may be used by the Corporation to post
3 personnel abroad.

4 (2) TRANSFER OF FUNDS FROM MILLENNIUM
5 CHALLENGE CORPORATION.—Funds appropriated
6 under the heading “Millennium Challenge Corpora-
7 tion” in this Act or prior Acts making appropria-
8 tions for the Department of State, foreign oper-
9 ations, and related programs may be transferred to
10 accounts under the heading “United States Inter-
11 national Development Finance Corporation” and,
12 when so transferred, may be used for the costs of
13 activities described in subsections (b) and (c) of sec-
14 tion 1421 of the BUILD Act of 2018: *Provided*,
15 That such funds shall be subject to the limitations
16 provided in the second, third, and fifth provisos
17 under the heading “United States International De-
18 velopment Finance Corporation—Program Account”
19 in this Act: *Provided further*, That any transfer exe-
20 cuted pursuant to the transfer authority provided in
21 this paragraph shall not exceed 10 percent of an in-
22 dividual Compact awarded pursuant to section
23 609(a) of the Millennium Challenge Act of 2003
24 (title VI of Public Law 108–199): *Provided further*,
25 That such funds shall not be available for adminis-

1 trative expenses of the United States International
2 Development Finance Corporation: *Provided further*,
3 That such authority shall be subject to prior con-
4 sultation with, and the regular notification proce-
5 dures of, the Committees on Appropriations: *Pro-*
6 *vided further*, That the transfer authority provided
7 in this section is in addition to any other transfer
8 authority provided by law: *Provided further*, That
9 within 60 days of the termination in whole or in part
10 of the Compact from which funds were transferred
11 under this authority to the United States Inter-
12 national Development Finance Corporation, any un-
13 obligated balances shall be transferred back to the
14 Millennium Challenge Corporation, subject to the
15 regular notification procedures of the Committees on
16 Appropriations.

17 (d) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—
18 None of the funds made available under titles II through
19 V of this Act may be obligated under an appropriations
20 account to which such funds were not appropriated, except
21 for transfers specifically provided for in this Act, unless
22 the President, not less than 5 days prior to the exercise
23 of any authority contained in the Foreign Assistance Act
24 of 1961 to transfer funds, consults with and provides a

1 written policy justification to the Committees on Appro-
2 priations.

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

23 PROHIBITION AND LIMITATION ON CERTAIN EXPENSES

24 SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the
25 funds made available by this Act may be used for first-

1 class travel by employees of United States Government de-
2 partments and agencies funded by this Act in contraven-
3 tion of section 301–10.122 through 301–10.124 of title
4 41, Code of Federal Regulations.

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

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

1 to all tobacco or tobacco products (including electronic nic-
2 otine delivery systems) of the same type.

3 (d) EMAIL SERVERS OUTSIDE THE .GOV DOMAIN.—
4 None of the funds appropriated by this Act under the
5 headings “Diplomatic Programs” and “Capital Invest-
6 ment Fund” in title I, and “Operating Expenses” and
7 “Capital Investment Fund” in title II that are made avail-
8 able to the Department of State and the United States
9 Agency for International Development may be made avail-
10 able to support the use or establishment of email accounts
11 or email servers created outside the .gov domain or not
12 fitted for automated records management as part of a
13 Federal government records management program in con-
14 travention of the Presidential and Federal Records Act
15 Amendments of 2014 (Public Law 113–187).

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

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

1 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign
2 Assistance Act of 1961, section 23 of the Arms Export
3 Control Act (22 U.S.C. 2763), and funds made available
4 for “United States International Development Finance
5 Corporation” and under the heading “Assistance for Eu-
6 rope, Eurasia and Central Asia” shall remain available for
7 an additional 4 years from the date on which the avail-
8 ability of such funds would otherwise have expired, if such
9 funds are initially obligated before the expiration of their
10 respective periods of availability contained in this Act:
11 *Provided further*, That notwithstanding any other provi-
12 sion of this Act, any funds made available for the purposes
13 of chapter 1 of part I and chapter 4 of part II of the
14 Foreign Assistance Act of 1961 which are allocated or ob-
15 ligated for cash disbursements in order to address balance
16 of payments or economic policy reform objectives, shall re-
17 main available for an additional 4 years from the date on
18 which the availability of such funds would otherwise have
19 expired, if such funds are initially allocated or obligated
20 before the expiration of their respective periods of avail-
21 ability contained in this Act: *Provided further*, That the
22 Secretary of State and the Administrator of the United
23 States Agency for International Development shall provide
24 a report to the Committees on Appropriations not later
25 than October 31, 2023, detailing by account and source

1 year, the use of this authority during the previous fiscal
2 year.

3 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

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

15 PROHIBITION ON TAXATION OF UNITED STATES

16 ASSISTANCE

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

1 the Administrator of the United States Agency for Inter-
2 national Development shall expeditiously seek to negotiate
3 amendments to existing bilateral agreements, as nec-
4 essary, to conform with this requirement.

5 (b) NOTIFICATION AND REIMBURSEMENT OF FOR-
6 EIGN TAXES.—An amount equivalent to 200 percent of
7 the total taxes assessed during fiscal year 2023 on funds
8 appropriated by this Act and prior Acts making appropria-
9 tions for the Department of State, foreign operations, and
10 related programs by a foreign government or entity
11 against United States assistance programs, either directly
12 or through grantees, contractors, and subcontractors, shall
13 be withheld from obligation from funds appropriated for
14 assistance for fiscal year 2024 and for prior fiscal years
15 and allocated for the central government of such country
16 or for the West Bank and Gaza program, as applicable,
17 if, not later than September 30, 2024, such taxes have
18 not been reimbursed.

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

22 (d) REPROGRAMMING OF FUNDS.—Funds withheld
23 from obligation for each foreign government or entity pur-
24 suant to subsection (b) shall be reprogrammed for assist-
25 ance for countries which do not assess taxes on United

1 States assistance or which have an effective arrangement
2 that is providing substantial reimbursement of such taxes,
3 and that can reasonably accommodate such assistance in
4 a programmatically responsible manner.

5 (e) DETERMINATIONS.—

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

11 (A) such foreign government or entity has
12 an effective arrangement that is providing sub-
13 stantial reimbursement of such taxes; or

14 (B) the foreign policy interests of the
15 United States outweigh the purpose of this sec-
16 tion to ensure that United States assistance is
17 not subject to taxation.

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

23 (f) IMPLEMENTATION.—The Secretary of State shall
24 issue and update rules, regulations, or policy guidance, as

1 appropriate, to implement the prohibition against the tax-
2 ation of assistance contained in this section.

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

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

16 (2) TAXES AND TAXATION.—The term “taxes
17 and taxation” shall include value added taxes and
18 customs duties but shall not include individual in-
19 come taxes assessed to local staff.

20 RESERVATIONS OF FUNDS

21 SEC. 7014. (a) REPROGRAMMING.—Funds appro-
22 priated under titles III through VI of this Act which are
23 specifically designated may be reprogrammed for other
24 programs within the same account notwithstanding the
25 designation if compliance with the designation is made im-

1 possible by operation of any provision of this or any other
2 Act: *Provided*, That any such reprogramming shall be sub-
3 ject to the regular notification procedures of the Commit-
4 tees on Appropriations: *Provided further*, That assistance
5 that is reprogrammed pursuant to this subsection shall be
6 made available under the same terms and conditions as
7 originally provided.

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

24 (c) OTHER ACTS.—Ceilings and specifically des-
25 igned funding levels contained in this Act shall not be

1 applicable to funds or authorities appropriated or other-
2 wise made available by any subsequent Act unless such
3 Act specifically so directs: *Provided*, That specifically des-
4 igned funding levels or minimum funding requirements
5 contained in any other Act shall not be applicable to funds
6 appropriated by this Act.

7 NOTIFICATION REQUIREMENTS

8 SEC. 7015. (a) NOTIFICATION OF CHANGES IN PRO-
9 GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds
10 made available in titles I, II, and VI, and under the head-
11 ings “Peace Corps” and “Millennium Challenge Corpora-
12 tion”, of this Act or prior Acts making appropriations for
13 the Department of State, foreign operations, and related
14 programs to the departments and agencies funded by this
15 Act that remain available for obligation in fiscal year
16 2023, or provided from any accounts in the Treasury of
17 the United States derived by the collection of fees or of
18 currency reflows or other offsetting collections, or made
19 available by transfer, to the departments and agencies
20 funded by this Act, shall be available for obligation to—

- 21 (1) create new programs;
- 22 (2) suspend or eliminate a program, project, or
23 activity;
- 24 (3) close, suspend, open, or reopen a mission or
25 post;

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

3 (5) contract out or privatize any functions or
4 activities presently performed by Federal employees;
5 unless previously justified to the Committees on Appro-
6 priations or such Committees are notified 15 days in ad-
7 vance of such obligation.

8 (b) NOTIFICATION OF REPROGRAMMING OF
9 FUNDS.—None of the funds provided under titles I, II,
10 and VI of this Act or prior Acts making appropriations
11 for the Department of State, foreign operations, and re-
12 lated programs, to the departments and agencies funded
13 under such titles that remain available for obligation in
14 fiscal year 2023, or provided from any accounts in the
15 Treasury of the United States derived by the collection
16 of fees available to the department and agency funded
17 under title I of this Act, shall be available for obligation
18 or expenditure for programs, projects, or activities
19 through a reprogramming of funds in excess of
20 \$1,000,000 or 10 percent, whichever is less, that—

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

23 (2) relocates an existing office or employees;

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

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

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

10 (c) NOTIFICATION REQUIREMENT.—None of the
11 funds made available by this Act under the headings
12 “Global Health Programs”, “Development Assistance”,
13 “Economic Support Fund”, “Democracy Fund”, “Assist-
14 ance for Europe, Eurasia and Central Asia”, “Peace
15 Corps”, “Millennium Challenge Corporation”, “Inter-
16 national Narcotics Control and Law Enforcement”, “Non-
17 proliferation, Anti-terrorism, Demining and Related Pro-
18 grams”, “Peacekeeping Operations”, “International Mili-
19 tary Education and Training”, “Foreign Military Financ-
20 ing Program”, “International Organizations and Pro-
21 grams”, “United States International Development Fi-
22 nance Corporation”, and “Trade and Development Agen-
23 cy” shall be available for obligation for programs, projects,
24 activities, type of materiel assistance, countries, or other
25 operations not justified or in excess of the amount justi-

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

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

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

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

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

23 (e) WAIVER.—The requirements of this section or
24 any similar provision of this Act or any other Act, includ-
25 ing any prior Act requiring notification in accordance with

1 the regular notification procedures of the Committees on
2 Appropriations, may be waived if failure to do so would
3 pose a substantial risk to human health or welfare: *Pro-*
4 *vided*, That in case of any such waiver, notification to the
5 Committees on Appropriations shall be provided as early
6 as practicable, but in no event later than 3 days after tak-
7 ing the action to which such notification requirement was
8 applicable, in the context of the circumstances necessi-
9 tating such waiver: *Provided further*, That any notification
10 provided pursuant to such a waiver shall contain an expla-
11 nation of the emergency circumstances.

12 (f) COUNTRY NOTIFICATION REQUIREMENTS.—None
13 of the funds appropriated under titles III through VI of
14 this Act may be obligated or expended for assistance for
15 Afghanistan, Bahrain, Burma, Cambodia, Colombia,
16 Cuba, Egypt, El Salvador, Ethiopia, Guatemala, Haiti,
17 Honduras, Iran, Iraq, Lebanon, Libya, Mexico, Nica-
18 ragua, Pakistan, Philippines, the Russian Federation,
19 Rwanda, Somalia, South Sudan, Sri Lanka, Sudan, Syria,
20 Venezuela, Yemen, and Zimbabwe except as provided
21 through the regular notification procedures of the Com-
22 mittees on Appropriations.

23 (g) TRUST FUNDS.—Funds appropriated or other-
24 wise made available in title III of this Act and prior Acts
25 making funds available for the Department of State, for-

1 eign operations, and related programs that are made avail-
2 able for a trust fund held by an international financial
3 institution shall be subject to the regular notification pro-
4 cedures of the Committees on Appropriations, and such
5 notification shall include the information specified under
6 this section in the report accompanying this Act.

7 (h) OTHER PROGRAM NOTIFICATION REQUIRE-
8 MENT.—

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

16 (2) OTHER PROGRAMS.—Funds appropriated by
17 this Act that are made available for the following
18 programs and activities shall be subject to the reg-
19 ular notification procedures of the Committees on
20 Appropriations:

21 (A) the Power Africa and Prosper Africa
22 initiatives;

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

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

3 (D) the Indo-Pacific Strategy;

4 (E) the Countering PRC Influence Fund
5 and the Countering Russian Influence Fund;

6 and

7 (F) the Gender Equity and Equality Ac-
8 tion Fund.

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

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

22 (j) PRIOR CONSULTATION REQUIREMENT.—The Sec-
23 retary of State, the Administrator of the United States
24 Agency for International Development, the Chief Execu-
25 tive Officer of the United States International Develop-

1 ment Finance Corporation, and the Chief Executive Offi-
2 cer of the Millennium Challenge Corporation shall consult
3 with the Committees on Appropriations at least 7 days
4 prior to informing a government of, or publicly announc-
5 ing a decision on, the suspension or early termination of
6 assistance to a country or a territory, including as a result
7 of an interagency review of such assistance, from funds
8 appropriated by this Act or prior Acts making appropria-
9 tions for the Department of State, foreign operations, and
10 related programs: *Provided*, That such consultation shall
11 include a detailed justification for such suspension, includ-
12 ing a description of the assistance being suspended.

13 DOCUMENTS, REPORT POSTING, RECORDS MANAGEMENT,
14 AND RELATED CYBERSECURITY PROTECTIONS

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

23 (b) PUBLIC POSTING OF REPORTS.—

24 (1) Except as provided in paragraphs (2) and
25 (3), any report required by this Act to be submitted

1 to Congress by any Federal agency receiving funds
2 made available by this Act shall be posted on the
3 public Web site of such agency not later than 45
4 days following the receipt of such report by Con-
5 gress.

6 (2) Paragraph (1) shall not apply to a report
7 if—

8 (A) the public posting of the report would
9 compromise national security, including the
10 conduct of diplomacy;

11 (B) the report contains proprietary or
12 other privileged information; or

13 (C) the public posting of the report is spe-
14 cifically exempted in the report accompanying
15 this Act.

16 (3) The agency posting such report shall do so
17 only after the report has been made available to the
18 Committees on Appropriations.

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

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

1 tion of all records made or received in the conduct
2 of official business, including record emails, instant
3 messaging, and other online tools;

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

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

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

23 (5) strengthen cybersecurity measures to miti-
24 gate vulnerabilities, including those resulting from
25 the use of personal email accounts or servers outside

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

7 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

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

15 PROHIBITION ON FUNDING FOR INVOLUNTARY

16 STERILIZATION

17 SEC. 7018. None of the funds made available to carry
18 out part I of the Foreign Assistance Act of 1961, as
19 amended, may be used to pay for the performance of invol-
20 untary sterilization as a method of family planning or to
21 coerce or provide any financial incentive to any person to
22 undergo sterilizations. None of the funds made available
23 to carry out part I of the Foreign Assistance Act of 1961,
24 as amended, may be used to pay for any biomedical re-
25 search which relates in whole or in part, to methods of,

1 or the performance of, abortions or involuntary steriliza-
2 tion as a means of family planning. None of the funds
3 made available to carry out part I of the Foreign Assist-
4 ance Act of 1961, as amended, may be obligated or ex-
5 pended for any country or organization if the President
6 certifies that the use of these funds by any such country
7 or organization would violate any of the above provisions
8 related to involuntary sterilizations.

9 ALLOCATIONS AND REPORTS

10 SEC. 7019. (a) ALLOCATION TABLES.—Subject to
11 subsection (b), funds appropriated by this Act under titles
12 III through V shall be made available in the amounts spe-
13 cifically designated in the respective tables included in the
14 report accompanying this Act: *Provided*, That such des-
15 ignated amounts for foreign countries and international
16 organizations shall serve as the amounts for such coun-
17 tries and international organizations transmitted to Con-
18 gress in the report required by section 653(a) of the For-
19 eign Assistance Act of 1961, and shall be made available
20 for such foreign countries and international organizations
21 notwithstanding the date of the transmission of such re-
22 port.

23 (b) AUTHORIZED DEVIATIONS.—Unless otherwise
24 provided for by this Act, the Secretary of State and the
25 Administrator of the United States Agency for Inter-

1 national Development, as applicable, may only deviate up
2 to 10 percent from the amounts specifically designated in
3 the respective tables included in the report accompanying
4 this Act: *Provided*, That such percentage may be exceeded
5 only if the Secretary of State or USAID Administrator,
6 as applicable, determines and reports in writing to the
7 Committees on Appropriations on a case-by-case basis
8 that such deviation is necessary to respond to significant,
9 exigent, or unforeseen events, or to address other excep-
10 tional circumstances directly related to the national secu-
11 rity interest of the United States, including a description
12 of such events or circumstances: *Provided further*, That
13 deviations pursuant to the preceding proviso shall be sub-
14 ject to prior consultation with, and the regular notification
15 procedures of, the Committees on Appropriations.

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

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

23 (1) amounts designated for “International Mili-
24 tary Education and Training” in the respective ta-
25 bles included in the report accompanying this Act;

1 tion procedures of the Committees on Appropriations, in-
2 cluding the projected future year costs; or (4) the subject
3 of prior consultation with the Committees on Appropria-
4 tions and such consultation was conducted at least 7 days
5 in advance of the pledge.

6 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

7 SUPPORTING INTERNATIONAL TERRORISM

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

10 (1) PROHIBITION.—None of the funds appro-
11 priated or otherwise made available under titles III
12 through VI of this Act may be made available to any
13 foreign government which provides lethal military
14 equipment to a country the government of which the
15 Secretary of State has determined supports inter-
16 national terrorism for purposes of section 1754(c) of
17 the Export Reform Control Act of 2018 (50 U.S.C.
18 4813(c)): *Provided*, That the prohibition under this
19 section with respect to a foreign government shall
20 terminate 12 months after that government ceases
21 to provide such military equipment: *Provided further*,
22 That this section applies with respect to lethal mili-
23 tary equipment provided under a contract entered
24 into after October 1, 1997.

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

6 (3) REPORT.—Whenever the President makes a
7 determination pursuant to paragraph (2), the Presi-
8 dent shall submit to the Committees on Appropria-
9 tions a report with respect to the furnishing of such
10 assistance, including a detailed explanation of the
11 assistance to be provided, the estimated dollar
12 amount of such assistance, and an explanation of
13 how the assistance furthers the United States na-
14 tional interest.

15 (b) BILATERAL ASSISTANCE.—

16 (1) LIMITATIONS.—Funds appropriated for bi-
17 lateral assistance in titles III through VI of this Act
18 and funds appropriated under any such title in prior
19 Acts making appropriations for the Department of
20 State, foreign operations, and related programs,
21 shall not be made available to any foreign govern-
22 ment which the President determines—

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

1 (B) otherwise supports international ter-
2 rorism; or

3 (C) is controlled by an organization des-
4 igned as a terrorist organization under sec-
5 tion 219 of the Immigration and Nationality
6 Act (8 U.S.C. 1189).

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

18 AUTHORIZATION REQUIREMENTS

19 SEC. 7022. Funds appropriated by this Act, except
20 funds appropriated under the heading “Trade and Devel-
21 opment Agency”, may be obligated and expended notwith-
22 standing section 10 of Public Law 91–672 (22 U.S.C.
23 2412), section 15 of the State Department Basic Authori-
24 ties Act of 1956 (22 U.S.C. 2680), section 313 of the For-
25 eign Relations Authorization Act, Fiscal Years 1994 and

1 1995 (22 U.S.C. 6212), and section 504(a)(1) of the Na-
2 tional Security Act of 1947 (50 U.S.C. 3094(a)(1)).

3 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

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

19 (1) justified to Congress; or

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

1 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN
2 FOUNDATION, AND UNITED STATES AFRICAN DEVEL-
3 OPMENT FOUNDATION

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

16 COMMERCE, TRADE AND SURPLUS COMMODITIES

17 SEC. 7025. (a) WORLD MARKETS.—None of the
18 funds appropriated or made available pursuant to titles
19 III through VI of this Act for direct assistance and none
20 of the funds otherwise made available to the Export-Im-
21 port Bank and the United States International Develop-
22 ment Finance Corporation shall be obligated or expended
23 to finance any loan, any assistance, or any other financial
24 commitments for establishing or expanding production of
25 any commodity for export by any country other than the

1 United States, if the commodity is likely to be in surplus
2 on world markets at the time the resulting productive ca-
3 pacity is expected to become operative and if the assist-
4 ance will cause substantial injury to United States pro-
5 ducers of the same, similar, or competing commodity: *Pro-*
6 *vided*, That such prohibition shall not apply to the Export-
7 Import Bank if in the judgment of its Board of Directors
8 the benefits to industry and employment in the United
9 States are likely to outweigh the injury to United States
10 producers of the same, similar, or competing commodity,
11 and the Chairman of the Board so notifies the Committees
12 on Appropriations: *Provided further*, That this subsection
13 shall not prohibit—

14 (1) activities in a country that is eligible for as-
15 sistance from the International Development Asso-
16 ciation, is not eligible for assistance from the Inter-
17 national Bank for Reconstruction and Development,
18 and does not export on a consistent basis the agri-
19 cultural commodity with respect to which assistance
20 is furnished; or

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

24 (b) EXPORTS.—None of the funds appropriated by
25 this or any other Act to carry out chapter 1 of part I

1 of the Foreign Assistance Act of 1961 shall be available
2 for any testing or breeding feasibility study, variety im-
3 provement or introduction, consultancy, publication, con-
4 ference, or training in connection with the growth or pro-
5 duction in a foreign country of an agricultural commodity
6 for export which would compete with a similar commodity
7 grown or produced in the United States: *Provided*, That
8 this subsection shall not prohibit—

9 (1) activities designed to increase food security
10 in developing countries where such activities will not
11 have a significant impact on the export of agricul-
12 tural commodities of the United States;

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

15 (3) activities in a country that is eligible for as-
16 sistance from the International Development Asso-
17 ciation, is not eligible for assistance from the Inter-
18 national Bank for Reconstruction and Development,
19 and does not export on a consistent basis the agri-
20 cultural commodity with respect to which assistance
21 is furnished; or

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

1 (c) INTERNATIONAL FINANCIAL INSTITUTIONS.—
2 The Secretary of the Treasury shall instruct the United
3 States executive director of each international financial in-
4 stitution to use the voice and vote of the United States
5 to oppose any assistance by such institution, using funds
6 appropriated or otherwise made available by this Act, for
7 the production or extraction of any commodity or mineral
8 for export, if it is in surplus on world markets and if the
9 assistance will cause substantial injury to United States
10 producers of the same, similar, or competing commodity.

11 SEPARATE ACCOUNTS

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

14 (1) AGREEMENTS.—If assistance is furnished to
15 the government of a foreign country under chapters
16 1 and 10 of part I or chapter 4 of part II of the
17 Foreign Assistance Act of 1961 under agreements
18 which result in the generation of local currencies of
19 that country, the Administrator of the United States
20 Agency for International Development shall—

21 (A) require that local currencies be depos-
22 ited in a separate account established by that
23 government;

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

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

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

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

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

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

20 (i) project and sector assistance activi-
21 ties; or

22 (ii) debt and deficit financing; or

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

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

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

18 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

19 (1) IN GENERAL.—If assistance is made avail-
20 able to the government of a foreign country, under
21 chapter 1 or 10 of part I or chapter 4 of part II of
22 the Foreign Assistance Act of 1961, as cash transfer
23 assistance or as nonproject sector assistance, that
24 country shall be required to maintain such funds in

1 a separate account and not commingle with any
2 other funds.

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

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

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

1 ELIGIBILITY FOR ASSISTANCE

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

22 (b) PUBLIC LAW 480.—During fiscal year 2023, re-
23 strictions contained in this or any other Act with respect
24 to assistance for a country shall not be construed to re-
25 strict assistance under the Food for Peace Act (Public

1 Law 83–480; 7 U.S.C. 1721 et seq.): *Provided*, That none
2 of the funds appropriated to carry out title I of such Act
3 and made available pursuant to this subsection may be
4 obligated or expended except as provided through the reg-
5 ular notification procedures of the Committees on Appro-
6 priations.

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

8 (1) with respect to section 620A of the Foreign
9 Assistance Act of 1961 or any comparable provision
10 of law prohibiting assistance to countries that sup-
11 port international terrorism; or

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

17 DISABILITY PROGRAMS

18 SEC. 7028. (a) ASSISTANCE.—Funds appropriated by
19 this Act under the heading “Development Assistance”
20 shall be made available for programs and activities admin-
21 istered by the United States Agency for International De-
22 velopment to address the needs and protect and promote
23 the rights of people with disabilities in developing coun-
24 tries.

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

5 INTERNATIONAL FINANCIAL INSTITUTIONS

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

20 (b) SAFEGUARDS.—

21 (1) STANDARD.—The Secretary of the Treasury
22 shall instruct the United States Executive Director
23 of the International Bank for Reconstruction and
24 Development and the International Development As-
25 sociation to use the voice and vote of the United

1 States to oppose any loan, grant, policy, or strategy
2 if such institution has adopted and is implementing
3 any social or environmental safeguard relevant to
4 such loan, grant, policy, or strategy that provides
5 less protection than World Bank safeguards in effect
6 on September 30, 2015.

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

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

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

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

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

7 (3) VULNERABLE GROUPS AND GENDER EQUAL-
8 ITY STANDARDS.—The Secretary of the Treasury
9 shall instruct the United States executive director of
10 each international financial institution to use the
11 voice and vote of the United States to establish and
12 promote safeguards and standards for vulnerable
13 groups and gender equality in connection with any
14 loan, grant, policy, or strategy of such institution.

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

1 stitution at a rate in excess of the rate provided for an
2 individual occupying a position at level V of the Executive
3 Schedule under section 5316 of title 5, United States
4 Code.

5 (d) HUMAN RIGHTS.—The Secretary of the Treasury
6 shall instruct the United States executive director of each
7 international financial institution to use the voice and vote
8 of the United States to promote human rights due dili-
9 gence and risk management, as appropriate, in connection
10 with any loan, grant, policy, or strategy of such institution
11 in accordance with the requirements specified under this
12 subsection in the report accompanying this Act.

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

20 (f) BENEFICIAL OWNERSHIP INFORMATION.—The
21 Secretary of the Treasury shall instruct the United States
22 executive director of each international financial institu-
23 tion to use the voice of the United States to encourage
24 such institution to collect, verify, and publish, to the max-
25 imum extent practicable, beneficial ownership information

1 (excluding proprietary information) for any corporation or
2 limited liability company, other than a publicly listed com-
3 pany, that receives funds from any such financial institu-
4 tion.

5 (g) WHISTLEBLOWER PROTECTIONS.—The Secretary
6 of the Treasury shall instruct the United States executive
7 director of each international financial institution to use
8 the voice of the United States to encourage such institu-
9 tion to effectively implement and enforce policies and pro-
10 cedures which meet or exceed best practices in the United
11 States for the protection of whistleblowers from retaliation
12 as described under this subsection in the report accom-
13 panying this Act.

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

24 (i) AUTHORIZATION.—Funds appropriated by this
25 Act for contribution to the Poverty Reduction and Growth

1 Trust (PRGT) or Resilience and Sustainability Trust
2 Fund (RST) of the International Monetary Fund (IMF)
3 and unobligated balances from funds appropriated by
4 prior Acts making appropriations for the Department of
5 State, foreign operations, and related programs under the
6 heading “Contributions to the International Monetary
7 Fund Facilities and Trust Funds” shall be available to
8 cover the cost, as defined in section 502 of the Congres-
9 sional Budget Act of 1974, of loans made by the Secretary
10 of the Treasury to the PRGT or to the RST of the IMF:
11 *Provided*, That these funds shall be available to subsidize
12 gross obligations for the principal amount of direct loans
13 not to exceed \$21,000,000,000 in the aggregate, and the
14 Secretary of the Treasury is authorized to make such
15 loans: *Provided further*, That the Exchange Stabilization
16 Fund and the financing account corresponding to trans-
17 actions with the IMF are authorized to enter into such
18 transactions as necessary to effectuate loans authorized by
19 this section.

20 INSECURE COMMUNICATIONS NETWORKS

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

24 (1) advance the adoption of secure, next-genera-
25 tion communications networks and services, includ-

1 ing 5G, and cybersecurity policies, in countries re-
2 ceiving assistance under this Act and prior Acts
3 making appropriations for the Department of State,
4 foreign operations, and related programs;

5 (2) counter the establishment of insecure com-
6 munications networks and services, including 5G,
7 promoted by the People’s Republic of China and
8 other state-backed enterprises that are subject to
9 undue or extrajudicial control by their country of or-
10 igin; and

11 (3) provide policy and technical training on de-
12 ploying open, interoperable, reliable, and secure net-
13 works to information communication technology pro-
14 fessionals in countries receiving assistance under
15 this Act, as appropriate:

16 *Provided*, That such funds may be used to support the
17 participation of foreign military officials in programs de-
18 signed to strengthen civilian cybersecurity capacity, fol-
19 lowing consultation with the Committees on Appropria-
20 tions.

21 FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

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

24 (1) REQUIREMENTS.—Funds appropriated by
25 this Act may be made available for direct govern-

1 ment-to-government assistance only if the require-
2 ments included in section 7031(a)(1)(A) through (E)
3 of the Department of State, Foreign Operations, and
4 Related Programs Appropriations Act, 2019 (divi-
5 sion F of Public Law 116–6) are fully met.

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

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

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

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

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

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

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

1 as identified in the report required by section
2 7031(b) of the Department of State, Foreign Oper-
3 ations, and Related Programs Appropriations Act,
4 2014 (division K of Public Law 113–76).

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

23 (C) The Secretary shall also publicly or
24 privately designate or identify the officials of
25 foreign governments and their immediate family

1 members about whom the Secretary has such
2 credible information without regard to whether
3 the individual has applied for a visa.

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

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

20 (4) REPORT.—Not later than 45 days after en-
21 actment of this Act, and every 90 days thereafter
22 until September 30, 2024, the Secretary of State
23 shall submit a report, including a classified annex if
24 necessary, to the appropriate congressional commit-
25 tees and the Committees on the Judiciary describing

1 the information related to corruption or violation of
2 human rights concerning each of the individuals
3 found ineligible in the previous 12 months pursuant
4 to paragraph (1)(A) as well as the individuals who
5 the Secretary designated or identified pursuant to
6 paragraph (1)(B), or who would be ineligible but for
7 the application of paragraph (2), a list of any waiv-
8 ers provided under paragraph (3), and the justifica-
9 tion for each waiver.

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

13 (6) CLARIFICATION.—For purposes of para-
14 graphs (1), (4), and (5), the records of the Depart-
15 ment of State and of diplomatic and consular offices
16 of the United States pertaining to the issuance or
17 refusal of visas or permits to enter the United
18 States shall not be considered confidential.

19 (d) EXTRACTION OF NATURAL RESOURCES.—

20 (1) ASSISTANCE.—Funds appropriated by this
21 Act shall be made available to promote and support
22 transparency and accountability of expenditures and
23 revenues related to the extraction of natural re-
24 sources, including by strengthening implementation
25 and monitoring of the Extractive Industries Trans-

1 parenancy Initiative, implementing and enforcing sec-
2 tion 8204 of the Food, Conservation, and Energy
3 Act of 2008 (Public Law 110–246; 122 Stat. 2052)
4 and the amendments made by such section, and to
5 prevent the sale of conflict diamonds, and for tech-
6 nical assistance to promote independent audit mech-
7 anisms and support civil society participation in nat-
8 ural resource management.

9 (2) PUBLIC DISCLOSURE AND INDEPENDENT
10 AUDITS.—(A) The Secretary of the Treasury shall
11 instruct the executive director of each international
12 financial institution to use the voice and vote of the
13 United States to oppose any assistance by such in-
14 stitutions (including any loan, credit, grant, or guar-
15 antee) to any country for the extraction and export
16 of a natural resource if the government of such
17 country has in place laws, regulations, or procedures
18 to prevent or limit the public disclosure of company
19 payments as required by United States law, and un-
20 less such government has adopted laws, regulations,
21 or procedures in the sector in which assistance is
22 being considered that: (1) accurately account for and
23 publicly disclose payments to the government by
24 companies involved in the extraction and export of
25 natural resources; (2) include independent auditing

1 of accounts receiving such payments and the public
2 disclosure of such audits; and (3) require public dis-
3 closure of agreement and bidding documents, as ap-
4 propriate.

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

9 (e) FOREIGN ASSISTANCE WEBSITE.—Funds appro-
10 priated by this Act under titles I and II, and funds made
11 available for any independent agency in title III, as appro-
12 priate, shall be made available to support the provision
13 of additional information on United States Government
14 foreign assistance on the “ForeignAssistance.gov”
15 website: *Provided*, That all Federal agencies funded under
16 this Act shall provide such information on foreign assist-
17 ance, upon request and in a timely manner, to the Depart-
18 ment of State and USAID.

19 DEMOCRACY PROGRAMS

20 SEC. 7032. (a) FUNDING.—Of the funds appro-
21 priated by this Act under the headings “Development As-
22 sistance”, “Economic Support Fund”, “Democracy
23 Fund”, “Assistance for Europe, Eurasia and Central
24 Asia”, and “International Narcotics Control and Law En-

1 enforcement”, not less than \$2,800,000,000 should be made
2 available for democracy programs.

3 (b) AUTHORITIES.—

4 (1) AVAILABILITY.—Funds made available by
5 this Act for democracy programs pursuant to sub-
6 section (a) and under the heading “National Endow-
7 ment for Democracy” may be made available not-
8 withstanding any other provision of law, and with
9 regard to the National Endowment for Democracy
10 (NED), any regulation.

11 (2) BENEFICIARIES.—Funds made available by
12 this Act for the NED are made available pursuant
13 to the authority of the National Endowment for De-
14 mocracy Act (title V of Public Law 98–164), includ-
15 ing all decisions regarding the selection of bene-
16 ficiaries.

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

1 development of democratic states and institutions that are
2 inclusive, responsive, and accountable to citizens.

3 (d) PROGRAM PRIORITIZATION.—Funds made avail-
4 able pursuant to this section that are made available for
5 programs to strengthen government institutions shall be
6 prioritized for those institutions that demonstrate a com-
7 mitment to democracy and the rule of law.

8 (e) RESTRICTIONS ON FOREIGN GOVERNMENT IN-
9 TERFERENCE.—

10 (1) PRIOR APPROVAL.—With respect to the pro-
11 vision of assistance for democracy programs in this
12 Act, the organizations implementing such assistance,
13 the specific nature of the assistance, and the partici-
14 pants in such programs shall not be subject to prior
15 approval by the government of any foreign country.

16 (2) DISCLOSURE OF IMPLEMENTING PARTNER
17 INFORMATION.—Section 7032(e)(2) of the Depart-
18 ment of State, Foreign Operations, and Related Pro-
19 grams Appropriations Act, 2022 (division K of Pub-
20 lic Law 117-103) shall continue in effect during fis-
21 cal year 2023.

22 (f) CONTINUATION OF CURRENT PRACTICES.—
23 USAID shall continue to implement civil society and polit-
24 ical competition and consensus building programs abroad
25 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.—Funds appropriated by this Act shall
5 be made available to advance digital security and counter
6 disinformation as described under this section in the re-
7 port accompanying this Act.

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

17 (i) PROTECTION OF HUMAN RIGHTS DEFENDERS.—
18 Of the funds appropriated by this Act under the headings
19 “Economic Support Fund” and “Democracy Fund”, not
20 less than \$40,000,000 shall be made available to support
21 and protect human rights defenders.

22 (j) INTERNATIONAL FREEDOM OF EXPRESSION AND
23 INDEPENDENT MEDIA.—Of the funds appropriated by
24 this Act under the heading “Economic Support Fund”,
25 not less than \$20,000,000 shall be made available for pro-

1 grams to protect international freedom of expression and
2 independent media.

3 (k) LABOR PROGRAMS REPORT AND CONSULTA-
4 TION.—

5 (1) REPORT.—Not later than 90 days after en-
6 actment of this Act, the USAID Administrator shall
7 update the report required under section 7032(k) of
8 the Department of State, Foreign Operations, and
9 Related Programs Appropriations Act, 2022 (divi-
10 sion K of Public Law 117-103).

11 (2) CONSULTATION.—Funds appropriated by
12 this Act that are made available for labor programs
13 administered by USAID shall be subject to prior
14 consultation with, and the regular notification proce-
15 dures of, the Committees on Appropriations.

16 (l) DAVID E. PRICE LEGISLATIVE STRENGTHENING
17 PROGRAM.—Funds appropriated by this Act under the
18 heading “Democracy Fund” shall be made available for
19 legislative strengthening programs: *Provided*, That such
20 funds shall be subject to prior consultation with, and the
21 regular notification procedures of, the Committees on Ap-
22 propriations: *Provided further*, That such programs shall
23 hereafter be collectively named the “David E. Price Legis-
24 lative Strengthening Program”.

1 INTERNATIONAL RELIGIOUS FREEDOM

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

7 (b) ASSISTANCE.—Funds appropriated by this Act
8 under the headings “Economic Support Fund”, “Democ-
9 racy Fund”, and “International Broadcasting Operations”
10 shall be made available for international religious freedom
11 programs and funds appropriated by this Act under the
12 headings “International Disaster Assistance” and “Migra-
13 tion and Refugee Assistance” shall be made available for
14 humanitarian assistance for vulnerable and persecuted
15 ethnic and religious minorities.

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

23 (d) DESIGNATION OF NON-STATE ACTORS.—Section
24 7033(e) of the Department of State, Foreign Operations,
25 and Related Programs Appropriations Act, 2017 (division

1 J of Public Law 115–31) shall continue in effect during
2 fiscal year 2023.

3 SPECIAL PROVISIONS

4 SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHIL-
5 DREN, AND DISPLACED BURMESE.—Funds appropriated
6 in title III of this Act that are made available for victims
7 of war, victims of torture, displaced children, displaced
8 Burmese, and to combat trafficking in persons and assist
9 victims of such trafficking, may be made available not-
10 withstanding any other provision of law.

11 (b) FORENSIC ASSISTANCE.—

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

1 (2) Of the funds appropriated by this Act under
2 the heading “International Narcotics Control and
3 Law Enforcement”, not less than \$10,000,000 shall
4 be made available for DNA forensic technology pro-
5 grams to combat human trafficking in Central
6 America and Mexico.

7 (c) 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 (d) DIRECTIVES AND AUTHORITIES.—

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

22 (2) GENOCIDE VICTIMS MEMORIAL SITES.—
23 Funds appropriated by this Act and prior Acts mak-
24 ing appropriations for the Department of State, for-
25 eign operations, and related programs under the

1 headings “Economic Support Fund” and “Assist-
2 ance for Europe, Eurasia and Central Asia” may be
3 made available as contributions to establish and
4 maintain memorial sites of genocide, subject to the
5 regular notification procedures of the Committees on
6 Appropriations.

7 (3) PRIVATE SECTOR PARTNERSHIPS.—Of the
8 funds appropriated by this Act under the headings
9 “Development Assistance” and “Economic Support
10 Fund” that are made available for private sector
11 partnerships, including partnerships with philan-
12 thropic foundations, up to \$50,000,000 may remain
13 available until September 30, 2025: *Provided*, That
14 funds made available pursuant to this paragraph
15 may only be made available following prior consulta-
16 tion with, and the regular notification procedures of,
17 the Committees on Appropriations.

18 (4) ADDITIONAL AUTHORITIES.—Of the
19 amounts made available by this Act under the head-
20 ing “Diplomatic Programs”, up to \$500,000 may be
21 made available for grants pursuant to section 504 of
22 the Foreign Relations Authorization Act, Fiscal
23 Year 1979 (22 U.S.C. 2656d), including to facilitate
24 collaboration with Indigenous communities, and
25 under the heading “Educational and Cultural Ex-

1 change Programs”, up to \$1,100,000 may be made
2 available for grants to carry out the activities of the
3 Cultural Antiquities Task Force.

4 (5) INNOVATION.—The USAID Administrator
5 may use funds appropriated by this Act under title
6 III to make innovation incentive awards in accord-
7 ance with the terms and conditions of section
8 7034(e)(4) of the Department of State, Foreign Op-
9 erations, and Related Programs Appropriations Act,
10 2019 (division F of Public Law 116–6): *Provided*,
11 That each individual award may not exceed
12 \$100,000: *Provided further*, That no more than 15
13 such awards may be made during fiscal year 2023.

14 (6) DEVELOPMENT INNOVATION VENTURES.—
15 Funds appropriated by this Act under the heading
16 “Development Assistance” and made available for
17 the Development Innovation Ventures program may
18 be made available for the purposes of chapter I of
19 part I of the Foreign Assistance Act of 1961.

20 (7) EXCHANGE VISITOR PROGRAM.—None of
21 the funds made available by this Act may be used
22 to modify the Exchange Visitor Program adminis-
23 tered by the Department of State to implement the
24 Mutual Educational and Cultural Exchange Act of
25 1961 (Public Law 87–256; 22 U.S.C. 2451 et seq.),

1 except through the formal rulemaking process pursu-
2 ant to the Administrative Procedure Act (5 U.S.C.
3 551 et seq.) and notwithstanding the exceptions to
4 such rulemaking process in such Act: *Provided*, That
5 funds made available for such purpose shall only be
6 made available after consultation with, and subject
7 to the regular notification procedures of, the Com-
8 mittees on Appropriations, regarding how any pro-
9 posed modification would affect the public diplomacy
10 goals of, and the estimated economic impact on, the
11 United States: *Provided further*, That such consulta-
12 tion shall take place not later than 30 days prior to
13 the publication in the Federal Register of any regu-
14 latory action modifying the Exchange Visitor Pro-
15 gram.

16 (8) PAYMENTS.—Funds appropriated by this
17 Act and prior Acts making appropriations for the
18 Department of State, foreign operations, and related
19 programs under the headings “Diplomatic Pro-
20 grams” and “Operating Expenses”, except for funds
21 designated by Congress as an emergency require-
22 ment pursuant to a concurrent resolution on the
23 budget or the Balanced Budget and Emergency Def-
24 icit Control Act of 1985, are available to provide
25 payments pursuant to section 901(i)(2) of title IX of

1 division J of the Further Consolidated Appropria-
2 tions Act, 2020 (22 U.S.C. 2680b(i)(2)): *Provided*,
3 That funds made available pursuant to this para-
4 graph shall be subject to prior consultation with the
5 Committees on Appropriations.

6 (9) EXPORT-IMPORT BANK.—

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

11 (B) Section 8(g) of the Export-Import
12 Bank Act of 1945 (12 U.S.C. 635g(g)) shall be
13 applied by substituting “4 percent” for “2 per-
14 cent” in each place it appears.

15 (10) TRANSATLANTIC ENGAGEMENT.—Funds
16 appropriated by this Act under the heading “Diplo-
17 matic Programs” are available for support of an in-
18 stitute for transatlantic engagement if legislation es-
19 tablishing such institute is enacted into law by Sep-
20 tember 30, 2023: *Provided*, That in the event that
21 such legislation is not enacted into law by such date,
22 the amounts described in this paragraph shall be
23 available under the heading “Diplomatic Programs”
24 for the purposes provided therein.

1 (11) INTER-PARLIAMENTARY UNION.—Notwith-
2 standing section 2503 of the Foreign Affairs Reform
3 and Restructuring Act of 1998 (division G of Public
4 Law 105–277; 22 U.S.C. 276 note), the President is
5 authorized to accept the statutes of, and to maintain
6 membership of the United States in, the Inter-Par-
7 liamentary Union, and the United States’ assessed
8 contributions to maintain such membership may be
9 paid from funds appropriated for “Contributions to
10 International Organizations”.

11 (e) PARTNER VETTING.—Prior to initiating a partner
12 vetting program, providing a direct vetting option, or mak-
13 ing a significant change to the scope of an existing partner
14 vetting program, the Secretary of State and USAID Ad-
15 ministrator, as appropriate, shall consult with the Com-
16 mittees on Appropriations: *Provided*, That the Secretary
17 and the Administrator shall provide a direct vetting option
18 for prime awardees in any partner vetting program initi-
19 ated or significantly modified after the date of enactment
20 of this Act, unless the Secretary of State or USAID Ad-
21 ministrator, as applicable, informs the Committees on Ap-
22 propriations on a case-by-case basis that a direct vetting
23 option is not feasible for such program.

24 (f) CONTINGENCIES.—During fiscal year 2023, the
25 President may use up to \$145,000,000 under the author-

1 ity of section 451 of the Foreign Assistance Act of 1961,
2 notwithstanding any other provision of law.

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

12 (h) TRANSFER OF FUNDS FOR EXTRAORDINARY
13 PROTECTION.—The Secretary of State may transfer to,
14 and merge with, funds under the heading “Protection of
15 Foreign Missions and Officials” unobligated balances of
16 expired funds appropriated under the heading “Diplomatic
17 Programs” for fiscal year 2023, at no later than the end
18 of the fifth fiscal year after the last fiscal year for which
19 such funds are available for the purposes for which appro-
20 priated: *Provided*, That not more than \$50,000,000 may
21 be transferred.

22 (i) AUTHORITY.—Funds made available by this Act
23 under the heading “Economic Support Fund” to counter
24 extremism may be made available notwithstanding any
25 other provision of law restricting assistance to foreign

1 countries, except sections 502B, 620A, and 620M of the
2 Foreign Assistance Act of 1961: *Provided*, That the use
3 of the authority of this subsection shall be subject to prior
4 consultation with the appropriate congressional commit-
5 tees and the regular notification procedures of the Com-
6 mittees on Appropriations.

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

14 (k) EXTENSION OF AUTHORITIES.—

15 (1) PASSPORT FEES.—Section 1(b)(2) of the
16 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))
17 shall be applied by substituting “September 30,
18 2023” for “September 30, 2010”.

19 (2) INCENTIVES FOR CRITICAL POSTS.—The
20 authority contained in section 1115(d) of the Sup-
21 plemental Appropriations Act, 2009 (Public Law
22 111–32) shall remain in effect through September
23 30, 2023.

24 (3) USAID CIVIL SERVICE ANNUITANT WAIV-
25 ER.—Section 625(j)(1) of the Foreign Assistance

1 Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied
2 by substituting “September 30, 2023” for “October
3 1, 2010” in subparagraph (B).

4 (4) OVERSEAS PAY COMPARABILITY AND LIM-
5 TATION.—(A) Subject to the limitation described in
6 subparagraph (B), the authority provided by section
7 1113 of the Supplemental Appropriations Act, 2009
8 (Public Law 111–32) shall remain in effect through
9 September 30, 2023.

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

23 (5) CATEGORICAL ELIGIBILITY.—The Foreign
24 Operations, Export Financing, and Related Pro-

1 grams Appropriations Act, 1990 (Public Law 101–
2 167) is amended—

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

5 (i) in subsection (b)(3), by striking
6 “and 2022” and inserting “2022, and
7 2023”; and

8 (ii) in subsection (e), by striking
9 “2022” each place it appears and inserting
10 “2023”; and

11 (B) in section 599E(b)(2) (8 U.S.C. 1255
12 note), by striking “2022” and inserting
13 “2023”.

14 (6) INSPECTOR GENERAL ANNUITANT WAIV-
15 ER.—The authorities provided in section 1015(b) of
16 the Supplemental Appropriations Act, 2010 (Public
17 Law 111–212) shall remain in effect through Sep-
18 tember 30, 2023, and may be used to facilitate the
19 assignment of persons for oversight of programs in
20 Somalia, South Sudan, Syria, Venezuela, and
21 Yemen.

22 (7) SPECIAL INSPECTOR GENERAL FOR AF-
23 GHANISTAN RECONSTRUCTION COMPETITIVE STA-
24 TUS.—Notwithstanding any other provision of law,
25 any employee of the Special Inspector General for

1 Afghanistan Reconstruction (SIGAR) who completes
2 at least 12 months of continuous service after enact-
3 ment of this Act or who is employed on the date on
4 which SIGAR terminates, whichever occurs first,
5 shall acquire competitive status for appointment to
6 any position in the competitive service for which the
7 employee possesses the required qualifications.

8 (8) ACCOUNTABILITY REVIEW BOARDS.—The
9 authority provided by section 301(a)(3) of the Omni-
10 bus Diplomatic Security and Antiterrorism Act of
11 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect
12 for facilities in Afghanistan through September 30,
13 2023, except that the notification and reporting re-
14 quirements contained in such section shall include
15 the Committees on Appropriations.

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

21 (10) DEPARTMENT OF STATE INSPECTOR GEN-
22 ERAL WAIVER AUTHORITY.—The Inspector General
23 of the Department of State may waive the provisions
24 of subsections (a) through (d) of section 824 of the
25 Foreign Service Act of 1980 (22 U.S.C. 4064) on a

1 case-by-case basis for an annuitant reemployed by
2 the Inspector General on a temporary basis, subject
3 to the same constraints and in the same manner by
4 which the Secretary of State may exercise such waiv-
5 er authority pursuant to subsection (g) of such sec-
6 tion.

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

12 (A) in the matter preceding the first pro-
13 viso, by striking “September 30, 2023” and in-
14 serting “September 30, 2028”; and

15 (B) in the second proviso, by striking
16 “September 30, 2023” and inserting “Sep-
17 tember 30, 2028”.

18 (12) PROTECTIVE SERVICES.—Section 7071 of
19 the Department of State, Foreign Operations, and
20 Related Programs Appropriations Act, 2022 (divi-
21 sion K of Public Law 117-103) shall continue in ef-
22 fect through fiscal year 2023.

23 (l) EX-POST EVALUATIONS.—Of the funds appro-
24 priated by this Act under titles III and IV, not less than
25 \$10,000,000 shall be made available for ex-post evalua-

1 tions of the effectiveness and sustainability of United
2 States Government-funded assistance programs.

3 (m) HIV/AIDS WORKING CAPITAL FUND.—Funds
4 available in the HIV/AIDS Working Capital Fund estab-
5 lished pursuant to section 525(b)(1) of the Foreign Oper-
6 ations, Export Financing, and Related Programs Appro-
7 priations Act, 2005 (Public Law 108–447) may be made
8 available for pharmaceuticals and other products for other
9 global health, emerging infectious diseases, and child sur-
10 vival activities to the same extent as HIV/AIDS pharma-
11 ceuticals and other products, subject to the terms and con-
12 ditions in such section: *Provided*, That the authority in
13 section 525(b)(5) of the Foreign Operations, Export Fi-
14 nancing, and Related Programs Appropriation Act, 2005
15 (Public Law 108–447) shall be exercised by the Assistant
16 Administrator for Global Health, USAID, with respect to
17 funds deposited for such non-HIV/AIDS pharmaceuticals
18 and other products, and shall be subject to the regular
19 notification procedures of the Committees on Appropria-
20 tions: *Provided further*, That the Secretary of State shall
21 include in the congressional budget justification an ac-
22 counting of budgetary resources, disbursements, balances,
23 and reimbursements related to such fund.

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

1 (1) LOAN GUARANTEES.—Funds appropriated
2 under the headings “Economic Support Fund” and
3 “Assistance for Europe, Eurasia and Central Asia”
4 by this Act and prior Acts making appropriations
5 for the Department of State, foreign operations, and
6 related programs may be made available for the
7 costs, as defined in section 502 of the Congressional
8 Budget Act of 1974, of loan guarantees for Egypt,
9 Jordan, Small Island Developing States, Tunisia,
10 and Ukraine, which are authorized to be provided:
11 *Provided*, That amounts made available under this
12 paragraph for the costs of such guarantees shall not
13 be considered assistance for the purposes of provi-
14 sions of law limiting assistance to a country.

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

21 (o) LOCAL WORKS.—

22 (1) FUNDING.—Of the funds appropriated by
23 this Act under the headings “Development Assist-
24 ance” and “Economic Support Fund”, not less than
25 \$80,000,000 shall be made available for Local

1 Works pursuant to section 7080 of the Department
2 of State, Foreign Operations, and Related Programs
3 Appropriations Act, 2015 (division J of Public Law
4 113–235), which may remain available until Sep-
5 tember 30, 2027.

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

18 (p) EXTENSION OF PROCUREMENT AUTHORITY.—
19 Section 7077 of the Department of State, Foreign Oper-
20 ations, and Related Programs Appropriations Act, 2012
21 (division I of Public Law 112–74) shall continue in effect
22 during fiscal year 2023.

23 (q) SECTION 889.—For the purposes of obligations
24 and expenditures made with funds appropriated by this
25 Act and prior Acts making appropriations for the Depart-

1 ment of State, foreign operations, and related programs,
2 the waiver authority in section 889(d)(2) of the John S.
3 McCain National Defense Authorization Act for Fiscal
4 Year 2019 (Public Law 115–232) may also be available
5 to the Secretary of State, following consultation with the
6 Director of National Intelligence: *Provided*, That not later
7 than 60 days after the date of enactment of the Act, the
8 Secretary of State shall submit to the appropriate congres-
9 sional committees a report detailing the use of the author-
10 ity of this subsection since the date of enactment of the
11 Act, which shall include the scope and duration of any
12 waiver granted, the entity covered by such waiver, and a
13 detailed description of the national security interest
14 served: *Provided further*, That such report shall be up-
15 dated every 60 days until September 30, 2024.

16 (r) DEFINITIONS.—

17 (1) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—Unless otherwise defined in this Act, for
19 purposes of this Act the term “appropriate congres-
20 sional committees” means the Committees on Appro-
21 priations and Foreign Relations of the Senate and
22 the Committees on Appropriations and Foreign Af-
23 fairs of the House of Representatives.

24 (2) FUNDS APPROPRIATED BY THIS ACT AND
25 PRIOR ACTS.—Unless otherwise defined in this Act,

1 for purposes of this Act the term “funds appro-
2 priated by this Act and prior Acts making appro-
3 priations for the Department of State, foreign oper-
4 ations, and related programs” means funds that re-
5 main available for obligation, and have not expired.

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

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

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

4 (B) amounts and sources of funds by ac-
5 count;

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

8 (D) implementing partners, to the max-
9 imum extent practicable.

10 (5) SUCCESSOR OPERATING UNIT.—Any ref-
11 erence to a particular USAID operating unit or of-
12 fice in this Act or prior Acts making appropriations
13 for the Department of State, foreign operations, and
14 related programs shall be deemed to include any suc-
15 cessor operating unit or office performing the same
16 or similar functions.

17 (6) USAID.—In this Act, the term “USAID”
18 means the United States Agency for International
19 Development.

20 LAW ENFORCEMENT AND SECURITY

21 SEC. 7035. (a) ASSISTANCE.—

22 (1) COMMUNITY-BASED POLICE ASSISTANCE.—
23 Funds made available under titles III and IV of this
24 Act to carry out the provisions of chapter 1 of part
25 I and chapters 4 and 6 of part II of the Foreign As-

1 sistance Act of 1961, may be used, notwithstanding
2 section 660 of that Act, to enhance the effectiveness
3 and accountability of civilian police authority
4 through training and technical assistance in human
5 rights, the rule of law, anti-corruption, strategic
6 planning, and through assistance to foster civilian
7 police roles that support democratic governance, in-
8 cluding assistance for programs to prevent conflict,
9 respond to disasters, address gender-based violence,
10 and foster improved police relations with the com-
11 munities they serve.

12 (2) COUNTERTERRORISM PARTNERSHIPS
13 FUND.—Funds appropriated by this Act under the
14 heading “Nonproliferation, Anti-terrorism, Demining
15 and Related Programs” shall be made available for
16 the Counterterrorism Partnerships Fund for pro-
17 grams in areas liberated from, under the influence
18 of, or adversely affected by, the Islamic State of Iraq
19 and Syria or other terrorist organizations: *Provided*,
20 That such areas shall include the Kurdistan Region
21 of Iraq: *Provided further*, That prior to the obliga-
22 tion of funds made available pursuant to this para-
23 graph, the Secretary of State shall take all prac-
24 ticable steps to ensure that mechanisms are in place
25 for monitoring, oversight, and control of such funds:

1 *Provided further*, That funds made available pursu-
2 ant to this paragraph shall be subject to prior con-
3 sultation with, and the regular notification proce-
4 dures of, the Committees on Appropriations.

5 (3) COMBAT CASUALTY CARE.—

6 (A) Consistent with the objectives of the
7 Foreign Assistance Act of 1961 and the Arms
8 Export Control Act, funds appropriated by this
9 Act under the headings “Peacekeeping Oper-
10 ations” and “Foreign Military Financing Pro-
11 gram” shall be made available for combat cas-
12 ualty training and equipment in an amount
13 above the prior fiscal year.

14 (B) The Secretary of State shall offer com-
15 bat casualty care training and equipment as a
16 component of any package of lethal assistance
17 funded by this Act with funds appropriated
18 under the headings “Peacekeeping Operations”
19 and “Foreign Military Financing Program”:
20 *Provided*, That the requirement of this subpara-
21 graph shall apply to a country in conflict, un-
22 less the Secretary determines that such country
23 has in place, to the maximum extent prac-
24 ticable, functioning combat casualty care treat-
25 ment and equipment that meets or exceeds the

1 standards recommended by the Committee on
2 Tactical Combat Casualty Care: *Provided fur-*
3 *ther*, That any such training and equipment for
4 combat casualty care shall be made available
5 through an open and competitive process.

6 (4) TRAINING RELATED TO INTERNATIONAL
7 HUMANITARIAN LAW.—The Secretary of State shall
8 offer training related to the requirements of inter-
9 national humanitarian law as a component of any
10 package of lethal assistance funded by this Act with
11 funds appropriated under the headings “Peace-
12 keeping Operations” and “Foreign Military Financ-
13 ing Program”: *Provided*, That the requirement of
14 this paragraph shall not apply to a country that is
15 a member of the North Atlantic Treaty Organization
16 (NATO), is a major non-NATO ally designated by
17 section 517(b) of the Foreign Assistance Act of
18 1961, or is complying with international humani-
19 tarian law: *Provided further*, That any such training
20 shall be made available through an open and com-
21 petitive process.

22 (5) INTERNATIONAL PRISON CONDITIONS.—
23 Funds appropriated by this Act under the headings
24 “Development Assistance”, “Economic Support
25 Fund”, and “International Narcotics Control and

1 Law Enforcement” shall be made available for as-
2 sistance to eliminate inhumane conditions in foreign
3 prisons and other detention facilities, notwith-
4 standing section 660 of the Foreign Assistance Act
5 of 1961: *Provided*, That the Secretary of State and
6 the USAID Administrator shall consult with the
7 Committees on Appropriations on the proposed uses
8 of such funds prior to obligation and not later than
9 60 days after the date of enactment of this Act: *Pro-*
10 *vided further*, That such funds shall be in addition
11 to funds otherwise made available by this Act for
12 such purpose.

13 (b) AUTHORITIES.—

14 (1) RECONSTITUTING CIVILIAN POLICE AU-
15 THORITY.—In providing assistance with funds ap-
16 propriated by this Act under section 660(b)(6) of
17 the Foreign Assistance Act of 1961, support for a
18 nation emerging from instability may be deemed to
19 mean support for regional, district, municipal, or
20 other sub-national entity emerging from instability,
21 as well as a nation emerging from instability.

22 (2) DISARMAMENT, DEMOBILIZATION, AND RE-
23 INTEGRATION.—Section 7034(d) of the Department
24 of State, Foreign Operations, and Related Programs
25 Appropriations Act, 2015 (division J of Public Law

1 113–235) shall continue in effect during fiscal year
2 2023.

3 (3) COMMERCIAL LEASING OF DEFENSE ARTI-
4 CLES.—Notwithstanding any other provision of law,
5 and subject to the regular notification procedures of
6 the Committees on Appropriations, the authority of
7 section 23(a) of the Arms Export Control Act (22
8 U.S.C. 2763) may be used to provide financing to
9 Israel, Egypt, the North Atlantic Treaty Organiza-
10 tion (NATO), and major non-NATO allies for the
11 procurement by leasing (including leasing with an
12 option to purchase) of defense articles from United
13 States commercial suppliers, not including Major
14 Defense Equipment (other than helicopters and
15 other types of aircraft having possible civilian appli-
16 cation), if the President determines that there are
17 compelling foreign policy or national security reasons
18 for those defense articles being provided by commer-
19 cial lease rather than by government-to-government
20 sale under such Act.

21 (4) SPECIAL DEFENSE ACQUISITION FUND.—
22 Not to exceed \$900,000,000 may be obligated pursu-
23 ant to section 51(c)(2) of the Arms Export Control
24 Act (22 U.S.C. 2795(c)(2)) for the purposes of the
25 Special Defense Acquisition Fund (the Fund), to re-

1 main available for obligation until September 30,
2 2025: *Provided*, That the provision of defense arti-
3 cles and defense services to foreign countries or
4 international organizations from the Fund shall be
5 subject to the concurrence of the Secretary of State.

6 (5) OVERSIGHT AND ACCOUNTABILITY.—

7 (A) Prior to the signing of a new Letter of
8 Offer and Acceptance (LOA) involving funds
9 appropriated under the heading “Foreign Mili-
10 tary Financing Program”, the Secretary of
11 State shall consult with each recipient govern-
12 ment to ensure that the LOA between the
13 United States and such recipient government
14 complies with purposes of section 4 of the Arms
15 Export Control Act (22 U.S.C. 2754) and that
16 the defense articles, services, and training pro-
17 cured with funds appropriated under such head-
18 ing are consistent with United States national
19 security policy.

20 (B) The Secretary of State shall promptly
21 inform the appropriate congressional commit-
22 tees of any instance in which the Secretary of
23 State has credible information that such assist-
24 ance was used in a manner contrary to such
25 agreement.

1 (c) LIMITATIONS.—

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

5 (2) LANDMINES AND CLUSTER MUNITIONS.—

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

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

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

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

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

1 (d) REPORTS.—

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

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

1 IMPACT ON JOBS IN THE UNITED STATES

2 SEC. 7036. None of the funds appropriated or other-
3 wise made available under titles III through VI of this
4 Act may be obligated or expended to provide—

5 (1) any financial incentive to a business enter-
6 prise currently located in the United States for the
7 purpose of inducing such an enterprise to relocate
8 outside the United States if such incentive or in-
9 ducement is likely to reduce the number of employ-
10 ees of such business enterprise in the United States
11 because United States production is being replaced
12 by such enterprise outside the United States;

13 (2) assistance for any program, project, or ac-
14 tivity that contributes to the violation of internation-
15 ally recognized worker rights, as defined in section
16 507(4) of the Trade Act of 1974, of workers in the
17 recipient country, including any designated zone or
18 area in that country: *Provided*, That the application
19 of section 507(4)(D) and (E) of such Act (19 U.S.C.
20 2467(4)(D) and (E)) under this paragraph should
21 be commensurate with the level of development of
22 the recipient country and sector, and shall not pre-
23 clude assistance for the in formal sector in such
24 country, micro and small-scale enterprise, and
25 smallholder agriculture; or

1 forts to establish a just, lasting, and comprehensive
2 peace in the Middle East that will enable Israel and
3 an independent Palestinian state to exist within the
4 context of full and normal relationships, which
5 should include—

6 (A) termination of all claims or states of
7 belligerency;

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

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

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

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

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

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

4 (d) EXEMPTION.—The restriction in subsection (a)
5 shall not apply to assistance intended to help reform the
6 Palestinian Authority and affiliated institutions, or the
7 governing entity, in order to help meet the requirements
8 of subsection (a), consistent with the provisions of section
9 7040 of this Act (“Limitation on Assistance for the Pales-
10 tinian Authority”).

11 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN

12 BROADCASTING CORPORATION

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

18 ASSISTANCE FOR THE WEST BANK AND GAZA

19 SEC. 7039. (a) OVERSIGHT.—For fiscal year 2023,
20 30 days prior to the initial obligation of funds for the bi-
21 lateral West Bank and Gaza Program, the Secretary of
22 State shall certify to the Committees on Appropriations
23 that procedures have been established to assure the Comp-
24 troller General of the United States will have access to
25 appropriate United States financial information in order

1 to review the uses of United States assistance for the Pro-
2 gram funded under the heading “Economic Support
3 Fund” for the West Bank and Gaza.

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

24 (c) PROHIBITION.—

1 (1) RECOGNITION OF ACTS OF TERRORISM.—

2 None of the funds appropriated under titles III
3 through VI of this Act for assistance under the West
4 Bank and Gaza Program may be made available
5 for—

6 (A) the purpose of recognizing or otherwise
7 honoring individuals who commit, or have com-
8 mitted acts of terrorism; and

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

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

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

1 (B) the steps being taken by the Pales-
2 tinian Authority to end torture and other cruel,
3 inhuman, and degrading treatment of detainees,
4 including by bringing to justice members of
5 Palestinian security forces who commit such
6 crimes.

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

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

17 (2) Of the funds appropriated by this Act, up
18 to \$1,300,000 may be used by the Office of Inspec-
19 tor General of the United States Agency for Inter-
20 national Development for audits, investigations, and
21 other activities in furtherance of the requirements of
22 this subsection: *Provided*, That such funds are in ad-
23 dition to funds otherwise available for such pur-
24 poses.

1 (e) COMPTROLLER GENERAL OF THE UNITED
2 STATES AUDIT.—Subsequent to the certification specified
3 in subsection (a), the Comptroller General of the United
4 States shall conduct an audit and an investigation of the
5 treatment, handling, and uses of all funds for the bilateral
6 West Bank and Gaza Program, including all funds pro-
7 vided as cash transfer assistance, in fiscal year 2023
8 under the heading “Economic Support Fund”, and such
9 audit shall address—

10 (1) the extent to which such Program complies
11 with the requirements of subsections (b) and (c);
12 and

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

16 (f) NOTIFICATION PROCEDURES.—Funds made
17 available in this Act for West Bank and Gaza shall be
18 subject to the regular notification procedures of the Com-
19 mittees on Appropriations.

20 LIMITATION ON ASSISTANCE FOR THE PALESTINIAN
21 AUTHORITY

22 SEC. 7040. (a) PROHIBITION OF FUNDS.—None of
23 the funds appropriated by this Act to carry out the provi-
24 sions of chapter 4 of part II of the Foreign Assistance

1 Act of 1961 may be obligated or expended with respect
2 to providing funds to the Palestinian Authority.

3 (b) WAIVER.—The prohibition included in subsection
4 (a) shall not apply if the President certifies in writing to
5 the Speaker of the House of Representatives, the Presi-
6 dent pro tempore of the Senate, and the Committees on
7 Appropriations that waiving such prohibition is important
8 to the national security interest of the United States.

9 (c) PERIOD OF APPLICATION OF WAIVER.—Any
10 waiver pursuant to subsection (b) shall be effective for no
11 more than a period of 6 months at a time and shall not
12 apply beyond 12 months after the enactment of this Act.

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

22 (e) CERTIFICATION.—If the President exercises the
23 waiver authority under subsection (b), the Secretary of
24 State must certify and report to the Committees on Ap-
25 propriations prior to the obligation of funds that the Pal-

1 estinian Authority has established a single treasury ac-
2 count for all Palestinian Authority financing and all fi-
3 nancing mechanisms flow through this account, no parallel
4 financing mechanisms exist outside of the Palestinian Au-
5 thority treasury account, and there is a single comprehen-
6 sive civil service roster and payroll, and the Palestinian
7 Authority is acting to counter incitement of violence
8 against Israelis and is supporting activities aimed at pro-
9 moting peace, coexistence, and security cooperation with
10 Israel.

11 (f) PROHIBITION TO HAMAS AND THE PALESTINE
12 LIBERATION ORGANIZATION.—

13 (1) None of the funds appropriated in titles III
14 through VI of this Act may be obligated for salaries
15 of personnel of the Palestinian Authority located in
16 Gaza or may be obligated or expended for assistance
17 to Hamas or any entity effectively controlled by
18 Hamas, any power-sharing government of which
19 Hamas is a member, or that results from an agree-
20 ment with Hamas and over which Hamas exercises
21 undue influence.

22 (2) Notwithstanding the limitation of paragraph
23 (1), assistance may be provided to a power-sharing
24 government only if the President certifies and re-
25 ports to the Committees on Appropriations that such

1 government, including all of its ministers or such
2 equivalent, has publicly accepted and is complying
3 with the principles contained in section 620K(b)(1)
4 (A) and (B) of the Foreign Assistance Act of 1961,
5 as amended.

6 (3) The President may exercise the authority in
7 section 620K(e) of the Foreign Assistance Act of
8 1961, as added by the Palestinian Anti-Terrorism
9 Act of 2006 (Public Law 109–446) with respect to
10 this subsection.

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

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

4 MIDDLE EAST AND NORTH AFRICA

5 SEC. 7041. (a) EGYPT.—

6 (1) CERTIFICATION AND REPORT.—Funds ap-
7 propriated by this Act that are available for assist-
8 ance for Egypt may be made available notwith-
9 standing any other provision of law restricting as-
10 sistance for Egypt, except for this subsection and
11 section 620M of the Foreign Assistance Act of 1961,
12 and may only be made available for assistance for
13 the Government of Egypt if the Secretary of State
14 certifies and reports to the Committees on Appro-
15 priations that such government is—

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

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

20 (2) ECONOMIC SUPPORT FUND.—Of the funds
21 appropriated by this Act under the heading “Eco-
22 nomic Support Fund”, not less than \$125,000,000
23 shall be made available for assistance for Egypt, of
24 which not less than \$40,000,000 should be made
25 available for higher education programs, including

1 not less than \$15,000,000 for scholarships for Eryp-
2 tian students with high financial need to attend not-
3 for-profit institutions of higher education in Egypt
4 that are currently accredited by a regional accred-
5 iting agency recognized by the United States De-
6 partment of Education, or meets standards equiva-
7 lent to those required for United States institutional
8 accreditation by a regional accrediting agency recog-
9 nized by such Department: *Provided*, That such
10 funds shall be made available for democracy pro-
11 grams, and for development programs in the Sinai.

12 (3) FOREIGN MILITARY FINANCING PRO-
13 GRAM.—

14 (A) CERTIFICATION.—Of the funds appro-
15 priated by this Act under the heading “Foreign
16 Military Financing Program”, \$1,300,000,000,
17 to remain available until September 30, 2024,
18 should be made available for assistance for
19 Egypt: *Provided*, That such funds may be
20 transferred to an interest bearing account in
21 the Federal Reserve Bank of New York, fol-
22 lowing consultation with the Committees on Ap-
23 propriations, and the uses of any interest
24 earned on such funds shall be subject to the
25 regular notification procedures of the Commit-

1 tees on Appropriations: *Provided further*, That
2 \$170,000,000 of such funds shall be withheld
3 from obligation until the Secretary of State cer-
4 tifies and reports to the Committees on Appro-
5 priations that the Government of Egypt is tak-
6 ing sustained and effective steps to—

7 (i) strengthen the rule of law, demo-
8 cratic institutions, and human rights in
9 Egypt, including to protect religious mi-
10 norities and the rights of women, which
11 are in addition to steps taken during the
12 previous calendar year for such purposes;

13 (ii) implement reforms that protect
14 freedoms of expression, association, and
15 peaceful assembly, including the ability of
16 civil society organizations, human rights
17 defenders, and the media to function with-
18 out interference;

19 (iii) hold Egyptian security forces ac-
20 countable, including officers credibly al-
21 leged to have violated human rights;

22 (iv) investigate and prosecute cases of
23 extrajudicial killings and forced disappear-
24 ances; and

1 (v) provide regular access for United
2 States officials to monitor such assistance
3 in areas where the assistance is used.

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

17 (C) In addition to the funds withheld pur-
18 suant to subparagraph (A), \$130,000,000 of
19 the funds made available pursuant to this para-
20 graph shall be withheld from obligation until
21 the Secretary of State determines and reports
22 to the Committees on Appropriations that the
23 Government of Egypt—

24 (i) is making clear and consistent
25 progress in releasing political prisoners,

1 providing detainees with due process of
2 law, and preventing the intimidation and
3 harassment of American citizens; and

4 (ii) has provided American citizens
5 with fair and commensurate compensation
6 for injuries caused during an attack
7 against a tour group by the Egyptian mili-
8 tary.

9 (b) IRAN.—

10 (1) FUNDING.—Funds appropriated by this Act
11 under the headings “Diplomatic Programs”, “Eco-
12 nomic Support Fund”, and “Nonproliferation, Anti-
13 terrorism, Demining and Related Programs” shall
14 be made available for the programs and activities de-
15 scribed under this section in the report accom-
16 panying this Act.

17 (2) REPORTS.—

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

1 (B) SANCTIONS REPORT.—Not later than
2 180 days after the date of enactment of this
3 Act, the Secretary of State, in consultation with
4 the Secretary of the Treasury, shall submit to
5 the appropriate congressional committees a re-
6 port on—

7 (i) the status of United States bilat-
8 eral sanctions on Iran;

9 (ii) the reimposition and renewed en-
10 forcement of secondary sanctions; and

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

14 (c) IRAQ.—

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

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

21 (B) stabilization assistance, including in
22 Anbar Province;

23 (C) programs to support government
24 transparency and accountability, judicial inde-

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

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

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

7 (2) BASING RIGHTS.—None of the funds appro-
8 priated or otherwise made available by this Act may
9 be used by the Government of the United States to
10 enter into a permanent basing rights agreement be-
11 tween the United States and Iraq.

12 (d) ISRAEL.—Of the funds appropriated by this Act
13 under the heading “Foreign Military Financing Pro-
14 gram”, not less than \$3,300,000,000 shall be available for
15 grants only for Israel which shall be disbursed within 30
16 days of enactment of this Act: *Provided*, That to the extent
17 that the Government of Israel requests that funds be used
18 for such purposes, grants made available for Israel under
19 this heading shall, as agreed by the United States and
20 Israel, be available for advanced weapons systems, of
21 which not less than \$775,300,000 shall be available for
22 the procurement in Israel of defense articles and defense
23 services, including research and development.

24 (e) JORDAN.—Of the funds appropriated by this Act
25 under titles III and IV, not less than \$1,650,000,000

1 should be made available for assistance for Jordan, of
2 which—

3 (1) not less than \$1,035,800,000 shall be made
4 available under the heading “Economic Support
5 Fund”, including for budget support, incentive
6 funds, and programs administered by the United
7 States Agency for International Development, con-
8 sistent with the applicable bilateral agreement be-
9 tween the Government of the United States and the
10 Government of Jordan for fiscal year 2023: *Pro-*
11 *vided*, That an additional \$200,000,000 under the
12 heading “Economic Support Fund” in this Act
13 should be made available pursuant to the commit-
14 ments made under such bilateral agreement; and

15 (2) not less than \$400,000,000 shall be made
16 available under the heading “Foreign Military Fi-
17 nancing Program”.

18 (f) LEBANON.—

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

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

3 (2) SECURITY ASSISTANCE.—

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

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

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

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

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

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

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

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

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

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

12 (h) MOROCCO.—Funds appropriated under titles III
13 and IV of this Act shall be made available for assistance
14 for Morocco.

15 (i) SAUDI ARABIA.—

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

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

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

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

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

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

17 (j) SYRIA.—

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

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

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

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

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

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

23 (k) TUNISIA.—

24 (1) ASSISTANCE.—Funds appropriated under
25 titles III and IV of this Act shall be made available

1 for assistance for Tunisia for programs to improve
2 economic growth and opportunity, support demo-
3 cratic governance and civil society, protect due pro-
4 cess of law, and maintain regional stability and secu-
5 rity, following consultation with the Committees on
6 Appropriations.

7 (2) SPEND PLAN.—Not later than 90 days after
8 the date of enactment of this Act, the Secretary of
9 State shall submit a spend plan consistent with the
10 requirements in section 7062(b) of this Act.

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

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

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

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

3 (I) 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 which may include water, sanitation, and other in-
9 frastructure 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 AFRICA

23 SEC. 7042. (a) AFRICAN GREAT LAKES REGION AS-
24 SISTANCE RESTRICTION.—Funds appropriated by this Act
25 under the heading “International Military Education and

1 Training” for the central government of a country in the
2 African Great Lakes region may be made available only
3 for Expanded International Military Education and Train-
4 ing and professional military education until the Secretary
5 of State determines and reports to the Committees on Ap-
6 propriations that such government is not facilitating or
7 otherwise participating in destabilizing activities in a
8 neighboring country, including aiding and abetting armed
9 groups.

10 (b) CENTRAL AFRICAN REPUBLIC.—Funds appro-
11 priated by this Act under the heading “Economic Support
12 Fund”, may be made available for a contribution to the
13 Special Criminal Court in Central African Republic.

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

24 (d) DEMOCRATIC REPUBLIC OF THE CONGO.—Funds
25 appropriated by this Act shall be made available for assist-

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

13 (e) ETHIOPIA.—

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

17 (A) a political dialogue to end the conflict;

18 (B) civil society and protect human rights;

19 (C) efforts to provide unimpeded access to
20 humanitarian assistance; and

21 (D) investigations and prosecutions of
22 gross violations of human rights.

23 (2) SPEND PLAN.—Not later than 90 days after
24 the date of enactment of this Act, the Secretary of

1 State shall submit a spend plan consistent with the
2 requirements in section 7062(b) of this Act.

3 (f) MALAWI.—Funds appropriated by this Act and
4 prior Acts making appropriations for the Department of
5 State, foreign operations, and related programs that are
6 made available for higher education programs in Malawi
7 shall be made available for higher education and workforce
8 development programs in agriculture as described under
9 this section in the report accompanying this Act.

10 (g) SOUTH SUDAN.—

11 (1) ASSISTANCE.—Funds appropriated under
12 title III of this Act that are made available for as-
13 sistance for South Sudan should be made available
14 for democracy programs, including programs to sup-
15 port civil society, and for conflict mitigation and rec-
16 onciliation programs, at levels above the prior fiscal
17 year.

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

24 (A) humanitarian assistance;

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

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

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

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

18 (h) SUDAN.—

19 (1) ASSISTANCE.—Funds appropriated by this
20 Act under title III should be made available to sup-
21 port a civilian-led transition in Sudan: *Provided*,
22 That notwithstanding any other provision of law ex-
23 cept section 620M of the Foreign Assistance Act of
24 1961, the Trafficking Victims Protection Act of
25 2000, and the Child Soldiers Prevention Act of

1 2008, such funds may be made available for agri-
2 culture and economic growth programs, and eco-
3 nomic assistance for marginalized areas in Sudan
4 and Abyei: *Provided further*, That funds should be
5 prioritized for civil society capacity building, political
6 party and coalition building, women and youth em-
7 powerment, protection of human rights, and support
8 for elections if the Secretary of State reports to the
9 appropriate congressional committees that conditions
10 exist for free and fair elections.

11 (2) LIMITATION.—None of the funds appro-
12 priated by this Act under title IV may be made
13 available for assistance for the central Government
14 of Sudan, except to support implementation of out-
15 standing issues of the Comprehensive Peace Agree-
16 ment, mutual arrangements related to post-ref-
17 erendum issues associated with such Agreement, or
18 any other viable peace agreement in Sudan.

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

1 (i) ZIMBABWE.—

2 (1) INSTRUCTION.—The Secretary of the Treas-
3 ury shall instruct the United States executive direc-
4 tor of each international financial institution to vote
5 against any extension by the respective institution of
6 any loan or grant to the Government of Zimbabwe,
7 except to meet basic human needs or to promote de-
8 mocracy, unless the Secretary of State certifies and
9 reports to the Committees on Appropriations that
10 the rule of law has been restored, including respect
11 for ownership and title to property, and freedoms of
12 expression, association, and assembly.

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

19 EAST ASIA AND THE PACIFIC

20 SEC. 7043. (a) BURMA.—

21 (1) USES OF FUNDS.—Funds appropriated by
22 this Act shall be made available for assistance for
23 Burma, which—

24 (A) may be made available notwithstanding
25 any other provision of law and following con-

1 sultation with the appropriate congressional
2 committees;

3 (B) may be made available for support for
4 the administrative operations and programs of
5 entities that support peaceful efforts to estab-
6 lish an inclusive and representative democracy
7 in Burma and a federal union to foster equality
8 among Burma’s diverse ethnic groups, following
9 consultation with the Committees on Appropria-
10 tions;

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

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

24 (E) shall be made available for programs
25 and activities to investigate and document viola-

1 tions of human rights in Burma committed by
2 the military junta.

3 (2) INTERNATIONAL SECURITY ASSISTANCE.—

4 None of the funds appropriated by this Act under
5 the headings “International Military Education and
6 Training” and “Foreign Military Financing Pro-
7 gram” may be made available for assistance for
8 Burma.

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

22 (4) CONSULTATION.—Any new program or ac-
23 tivity in Burma initiated in fiscal year 2023 shall be
24 subject to prior consultation with the appropriate
25 congressional committees.

1 (b) CAMBODIA.—

2 (1) CERTIFICATION AND EXCEPTIONS.—

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

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

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

23 (A) research, documentation, and edu-
24 cation programs associated with the Khmer
25 Rouge in Cambodia; and

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

5 (c) INDO-PACIFIC STRATEGY.—

6 (1) ASSISTANCE.—Of the funds appropriated
7 under titles III and IV of this Act, not less than
8 \$1,700,000,000 shall be made available to support
9 implementation of the Indo-Pacific Strategy.

10 (2) COUNTERING PRC INFLUENCE FUND.—Of
11 the funds appropriated by this Act under the head-
12 ings “Development Assistance”, “Economic Support
13 Fund”, “International Narcotics Control and Law
14 Enforcement”, “Nonproliferation, Anti-terrorism,
15 Demining and Related Programs”, and “Foreign
16 Military Financing Program”, not less than
17 \$350,000,000 shall be made available for a Coun-
18 tering PRC Influence Fund to counter the influence
19 of the Government of the People’s Republic of China
20 and the Chinese Communist Party and entities act-
21 ing on their behalf globally, which shall be subject
22 to prior consultation with the Committees on Appro-
23 priations: *Provided*, That such funds are in addition
24 to amounts otherwise made available for such pur-
25 poses: *Provided further*, That up to 10 percent of

1 such funds shall be held in reserve to respond to un-
2 anticipated opportunities to counter PRC influence:
3 *Provided further*, That the uses of such funds shall
4 be the joint responsibility of the Secretary of State
5 and the USAID Administrator and should be allo-
6 cated in a manner that prioritizes the strategic im-
7 pact of such funds to counter PRC influence as de-
8 scribed under this subsection in the report accom-
9 panying this Act: *Provided further*, That prior to the
10 initial obligation of such funds, the Secretary of
11 State and USAID Administrator shall consult with
12 the Committees on Appropriations: *Provided further*,
13 That funds appropriated by this Act for such Fund
14 under the headings “International Narcotics Control
15 and Law Enforcement”, “Nonproliferation, Anti-ter-
16 rorism, Demining and Related Programs”, and
17 “Foreign Military Financing Program” may be
18 transferred to, and merged with, funds appropriated
19 under such headings: *Provided further*, That such
20 transfer authority is in addition to any other trans-
21 fer authority provided by this Act or any other Act,
22 and is subject to the regular notification procedures
23 of the Committees on Appropriations.

24 (3) RESTRICTION ON USES OF FUNDS.—None
25 of the funds appropriated by this Act and prior Acts

1 making appropriations for the Department of State,
2 foreign operations, and related programs may be
3 made available for any project or activity that di-
4 rectly supports or promotes—

5 (A) the Belt and Road Initiative or any
6 dual-use infrastructure projects of the People’s
7 Republic of China; and

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

17 (4) MAPS.—None of the funds made available
18 by this Act should be used to create, procure, or dis-
19 play any map that inaccurately depicts the territory
20 and social and economic system of Taiwan and the
21 islands or island groups administered by Taiwan au-
22 thorities.

23 (d) NORTH KOREA.—

24 (1) CYBERSECURITY.—None of the funds ap-
25 propriated by this Act or prior Acts making appro-

1 priations for the Department of State, foreign oper-
2 ations, and related programs may be made available
3 for assistance for the central government of a coun-
4 try the Secretary of State determines and reports to
5 the appropriate congressional committees engages in
6 significant transactions contributing materially to
7 the malicious cyber-intrusion capabilities of the Gov-
8 ernment of North Korea: *Provided*, That the Sec-
9 retary of State may waive the application of the re-
10 striction in this paragraph with respect to assistance
11 for the central government of a country if the Sec-
12 retary determines and reports to the appropriate
13 congressional committees that to do so is important
14 to the national security interest of the United
15 States, including a description of such interest
16 served.

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

22 (3) HUMAN RIGHTS.—Funds appropriated by
23 this Act under the headings “Economic Support
24 Fund” and “Democracy Fund” shall be made avail-
25 able for the promotion of human rights in North

1 Korea: *Provided*, That the authority of section
2 7032(b)(1) of this Act shall apply to such funds.

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

8 (e) PACIFIC ISLANDS.—Of the funds appropriated by
9 this Act under title III, not less than \$40,000,000 shall
10 be made available for assistance for the Pacific Islands,
11 which may be made available for—

12 (1) trade capacity building programs;

13 (2) climate mitigation and adaptation pro-
14 grams;

15 (3) emergency preparedness initiatives and
16 technical assistance for emergencies and post-dis-
17 aster relief and recovery;

18 (4) economic programs to advance inclusive and
19 sustainable long-term economic development; and

20 (5) programs strengthening democratic govern-
21 ance.

22 (f) PEOPLE’S REPUBLIC OF CHINA.—

23 (1) LIMITATION ON USE OF FUNDS.—None of
24 the funds appropriated under the heading “Diplo-
25 matic Programs” in this Act may be obligated or ex-

1 pended for processing licenses for the export of sat-
2 ellites of United States origin (including commercial
3 satellites and satellite components) to the People’s
4 Republic of China (PRC) unless, at least 15 days in
5 advance, the Committees on Appropriations are noti-
6 fied of such proposed action.

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

20 (3) HONG KONG.—

21 (A) DEMOCRACY PROGRAMS.—Of the
22 funds appropriated by this Act under the first
23 paragraph under the heading “Democracy
24 Fund”, not less than \$4,000,000 shall be made
25 available for democracy and Internet freedom

1 programs for Hong Kong, including legal and
2 other support for democracy activists.

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

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

17 (h) TIBET.—

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

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

6 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

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

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

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

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

16 (3) TIBETAN INSTITUTES PROMOTING DEMOC-
17 RACY AND RELIGIOUS FREEDOM.—Funds appro-
18 priated by this Act shall be made available, on a
19 competitive basis, as grants for operations and pro-
20 gram expenses of one or more Tibetan institutes es-
21 tablished by Tibetan nationals and located in Asia,
22 a purpose of which is to support democracy and reli-
23 gious freedom in Tibet and the People’s Republic of
24 China.

1 (i) VIETNAM.—Funds appropriated under titles III
2 and IV of this Act and made available for assistance for
3 Vietnam shall be made available for—

4 (1) health and disability programs to assist per-
5 sons with severe physical mobility, cognitive, or de-
6 velopmental disabilities, including those that may be
7 related to the use of Agent Orange and exposure to
8 dioxin;

9 (2) activities related to the remediation of
10 dioxin contaminated sites in Vietnam and may be
11 made available for assistance for the Government of
12 Vietnam, including the military, for such purposes,
13 notwithstanding any other provision of law;

14 (3) a Reconciliation/Vietnamese Wartime Ac-
15 counting Initiative; and

16 (4) higher education programs.

17 SOUTH AND CENTRAL ASIA

18 SEC. 7044. (a) AFGHANISTAN.—

19 (1) None of the funds appropriated by this Act
20 and prior Acts making appropriations for the De-
21 partment of State, foreign operations, and related
22 programs and made available for assistance for Af-
23 ghanistan may be made available for direct assist-
24 ance to the Taliban.

1 (2) AFGHAN SPECIAL IMMIGRANT VISAS.—
2 Funds appropriated or otherwise made available by
3 this Act under the heading “Administration of For-
4 eign Affairs” and fees available for obligation during
5 fiscal year 2023 in the Consular and Border Secu-
6 rity Programs account shall be made available for
7 additional Department of State personnel and oper-
8 ations necessary to eliminate processing backlogs
9 and expedite adjudication of Afghan Special Imm-
10 grant Visa cases, including for the National Visa
11 Center and the Afghan Special Immigrant Visa
12 Unit.

13 (3) REPORT.—Not later than 45 days after the
14 date of enactment of this Act, the Secretary of State
15 and the USAID Administrator shall submit a report
16 to the appropriate congressional committees detail-
17 ing plans, consistent with the limitation contained in
18 paragraph (1), to—

19 (A) protect and strengthen the rights of
20 Afghan women and girls;

21 (B) support higher education programs, in-
22 cluding continued support for the American
23 University of Afghanistan’s (AUAF) online pro-
24 grams and support for other higher education
25 institutions in South Asia and the Middle East

1 that are hosting AUAF and other Afghan stu-
2 dents;

3 (C) support Afghan civil society activists,
4 journalists, and independent media, including in
5 third countries; and

6 (D) support health, education, including
7 community-based education, and other pro-
8 grams to address the basic needs of the people
9 of Afghanistan.

10 (b) BANGLADESH.—Funds appropriated under titles
11 III and IV of this Act shall be made available for assist-
12 ance for Bangladesh for—

13 (1) programs to address the needs of commu-
14 nities impacted by refugees from Burma;

15 (2) programs to protect freedom of expression
16 and association, and the right of due process; and

17 (3) democracy programs.

18 (c) NEPAL.—Funds appropriated by this Act under
19 the heading “Foreign Military Financing Program” that
20 are made available for assistance for Nepal shall only be
21 made available for humanitarian and disaster relief and
22 reconstruction activities, and in support of international
23 peacekeeping operations, military professionalization and
24 training, and border security activities: *Provided*, That
25 such funds may only be made available for additional uses

1 if the Secretary of State certifies and reports to the Com-
2 mittees on Appropriations that the Government of Nepal
3 is investigating and prosecuting violations of human rights
4 and the laws of war by the Nepal Army, and the Nepal
5 Army is cooperating fully with civilian judicial authorities
6 in such cases.

7 (d) PAKISTAN.—

8 (1) ASSISTANCE.—

9 (A) SECURITY ASSISTANCE.—Funds ap-
10 propriated by this Act under the heading “For-
11 eign Military Financing Program” for assist-
12 ance for Pakistan may be made available only
13 to support counterterrorism and counterinsur-
14 gency capabilities in Pakistan.

15 (B) BILATERAL ECONOMIC ASSISTANCE.—

16 Prior to the obligation of funds made available
17 by this Act under the heading “Economic Sup-
18 port Fund” for assistance for the central Gov-
19 ernment of Pakistan, the Secretary of State
20 shall submit a report to the appropriate con-
21 gressional committees detailing—

22 (i) the amount of financing and other
23 support, if any, provided by the Govern-
24 ment of Pakistan to schools supported by,
25 affiliated with, or run by the Taliban or

1 any domestic or foreign terrorist organiza-
2 tion in Pakistan;

3 (ii) the extent of cooperation by such
4 government in issuing visas in a timely
5 manner for United States visitors, includ-
6 ing officials and representatives of non-
7 governmental organizations, engaged in as-
8 sistance and security programs in Paki-
9 stan;

10 (iii) the extent to which such govern-
11 ment is providing humanitarian organiza-
12 tions access to detainees, internally dis-
13 placed persons, and other Pakistani civil-
14 ians affected by conflict in Pakistan and
15 the region; and

16 (iv) the extent to which such govern-
17 ment is strengthening democracy in Paki-
18 stan, including protecting freedom of ex-
19 pression, assembly, and religion.

20 (2) AUTHORITY AND USES OF FUNDS.—

21 (A) Funds appropriated by this Act for as-
22 sistance for Pakistan may be made available
23 notwithstanding any other provision of law, ex-
24 cept for section 620M of the Foreign Assistance
25 Act of 1961.

1 (B) Funds appropriated by this Act under
2 the headings “Economic Support Fund” and
3 “Nonproliferation, Anti-terrorism, Demining
4 and Related Programs” that are made available
5 for assistance for Pakistan shall be made avail-
6 able to interdict precursor materials from Paki-
7 stan to Afghanistan that are used to manufac-
8 ture improvised explosive devices and for agri-
9 culture extension programs that encourage al-
10 ternative fertilizer use among Pakistani farmers
11 to decrease the dual use of fertilizer in the
12 manufacturing of improvised explosive devices.

13 (C) Funds appropriated by this Act under
14 the heading “International Narcotics Control
15 and Law Enforcement” shall be made available
16 for border security programs in Pakistan, fol-
17 lowing consultation with the Committees on Ap-
18 propriations.

19 (D) Funds appropriated by title III of this
20 Act shall be made available for programs to
21 promote democracy and for gender programs in
22 Pakistan.

23 (3) OVERSIGHT.—The Secretary of State shall
24 take all practicable steps to ensure that mechanisms
25 are in place for monitoring, oversight, and control of

1 funds made available by this subsection for assist-
2 ance for Pakistan: *Provided*, That the Secretary
3 shall inform the Committees on Appropriations of
4 such steps in a timely manner.

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, particularly in areas recov-
10 ering from ethnic and religious conflict.

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

17 (A) protect the rights and freedoms of the
18 people of Sri Lanka regardless of ethnicity and
19 religious belief, including by investigating viola-
20 tions of human rights and the laws of war and
21 holding perpetrators of such violations account-
22 able;

23 (B) increase transparency and account-
24 ability in governance and reduce corruption;

1 (C) assert its sovereignty against influence
2 by the People's Republic of China; and

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

6 (i) addressing land confiscation and
7 ownership issues;

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

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

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

19 (v) investigating allegations of arbi-
20 trary arrest and torture, and supporting a
21 credible justice mechanism for resolving
22 cases of war crimes:

23 *Provided*, That the limitations of this paragraph
24 shall not apply to funds made available for hu-
25 manitarian assistance and disaster relief; to

1 protect human rights, locate and identify miss-
2 ing persons, and assist victims of torture and
3 trauma; to promote justice, accountability, and
4 reconciliation; to enhance maritime security and
5 domain awareness; to promote fiscal trans-
6 parency and sovereignty; and for International
7 Military Education and Training.

8 (3) LIMITATION.—None of the funds appro-
9 priated by this Act may be made available for assist-
10 ance for the Sri Lankan armed forces, except for hu-
11 manitarian assistance, disaster relief, instruction in
12 human rights and related curricula development, and
13 maritime security and domain awareness, including
14 professionalization and training for the navy and
15 coast guard.

16 (4) CONSULTATION.—Funds made available for
17 assistance for Sri Lanka other than for the purposes
18 specified in paragraph (1) shall be subject to prior
19 consultation with the Committees on Appropriations.

20 (f) REGIONAL PROGRAMS.—Funds appropriated by
21 this Act shall be made available for assistance for coun-
22 tries in South and Central Asia to significantly increase
23 the recruitment, training, and retention of women in the
24 judiciary, police, and other security forces, and to train
25 judicial and security personnel in such countries to pre-

1 vent and address gender-based violence, human traf-
2 ficking, and other practices that disproportionately harm
3 women and girls.

4 LATIN AMERICA AND THE CARIBBEAN

5 SEC. 7045. (a) CENTRAL AMERICA.—

6 (1) ASSISTANCE.—Funds appropriated by this
7 Act under titles III and IV shall be made available
8 for assistance for Belize, Costa Rica, El Salvador,
9 Guatemala, Honduras, Nicaragua, and Panama, in-
10 cluding to implement the U.S. Strategy for Address-
11 ing the Root Causes of Migration in Central Amer-
12 ica and through the Central America Regional Secu-
13 rity Initiative: *Provided*, That such assistance shall
14 be prioritized for programs that address the violence,
15 poverty, corruption, and other factors that con-
16 tribute to irregular migration, particularly of unac-
17 companied minors, to the United States, including
18 for programs to reduce violence against women and
19 girls, protect the rights of Indigenous people, sup-
20 port civil society and other independent institutions,
21 enhance equitable economic opportunity, combat cor-
22 ruption and impunity, and dismantle illegal armed
23 groups and drug trafficking organizations.

24 (A) Of the funds made available pursuant
25 to paragraph (1)—

1 (i) Not less than \$65,000,000 shall be
2 made available to support entities and ac-
3 tivities to combat corruption and impunity
4 in such countries, including, as appro-
5 priate, offices of Attorneys General; and

6 (ii) Not less than \$75,000,000 shall
7 be made available for programs to reduce
8 violence against women and girls: *Pro-*
9 *vided*, That of such funds, up to
10 \$20,000,000 shall be made available to
11 support bilateral compacts with the govern-
12 ments of such countries for the specific
13 purpose of strengthening their capacity to
14 protect women and children from domestic
15 violence, sexual assault, trafficking, and
16 child abuse or neglect, including by holding
17 perpetrators accountable.

18 (B) Within the funds made available pur-
19 suant to paragraph (1) and made available for
20 assistance for El Salvador, Guatemala, and
21 Honduras, not less than \$100,000,000 should
22 be made available for programs that support lo-
23 cally-led development in such countries: *Pro-*
24 *vided*, That up to 15 percent of the funds made
25 available to carry out this subparagraph may be

1 used by the Administrator of the United States
2 Agency for International Development for ad-
3 ministrative and oversight expenses related to
4 the purposes of this subparagraph: *Provided*
5 *further*, That the USAID Administrator shall
6 consult with the Committees on Appropriations
7 on the planned uses of funds to carry out this
8 subparagraph prior to the initial obligation of
9 funds: *Provided further*, That such funds shall
10 be subject to the regular notification procedures
11 of the Committees on Appropriations.

12 (C) Funds made available pursuant to
13 paragraph (1) shall be made available for the
14 Central America Youth Empowerment Program
15 established pursuant to section 7045(a)(1)(C)
16 of the Department of State, Foreign Oper-
17 ations, and Related Programs Appropriations
18 Act, 2022 (division K of Public Law 117–103).

19 (2) LIMITATION ON ASSISTANCE TO CERTAIN
20 CENTRAL GOVERNMENTS.—

21 (A) Of the funds made available pursuant
22 to paragraph (1) under the heading “Economic
23 Support Fund” and under title IV of this Act
24 that are made available for assistance for each
25 of the central governments of El Salvador, Gua-

1 temala, and Honduras, 60 percent may only be
2 obligated after the Secretary of State certifies
3 and reports to the Committees on Appropria-
4 tions that such government is—

5 (i) combating corruption and impu-
6 nity, including investigating and pros-
7 ecuting government officials, military per-
8 sonnel, and police officers credibly alleged
9 to be corrupt;

10 (ii) implementing reforms, policies,
11 and programs to strengthen the rule of
12 law, including increasing the transparency
13 of public institutions, strengthening the
14 independence of judicial and electoral insti-
15 tutions, and improving the transparency of
16 political campaign and political party fi-
17 nancing;

18 (iii) protecting the rights of human
19 rights defenders, trade unionists, journal-
20 ists, civil society groups, opposition polit-
21 ical parties, and the independence of the
22 media;

23 (iv) providing effective and account-
24 able law enforcement and security for its
25 citizens, curtailing the role of the military

1 in public security, and upholding due pro-
2 cess of law;

3 (v) effectively implementing programs
4 to reduce violence against women and girls;

5 (vi) implementing policies to reduce
6 poverty and promote equitable economic
7 growth and opportunity, including the im-
8 plementation of reforms to strengthen edu-
9 cational systems, vocational training pro-
10 grams, and programs for at-risk youth;

11 (vii) improving border security and
12 combating human smuggling and traf-
13 ficking and countering the activities of
14 criminal gangs, drug traffickers, and
15 transnational criminal organizations;

16 (viii) informing its citizens of the dan-
17 gers of the journey to the southwest border
18 of the United States; and

19 (ix) implementing policies that im-
20 prove the environment for foreign invest-
21 ment, including executing tax reform in a
22 transparent manner, ensuring effective
23 legal mechanisms for reimbursements of
24 tax refunds owed to United States busi-
25 nesses, and resolving disputes involving the

1 confiscation of real property of United
2 States entities.

3 (B) REPROGRAMMING.—If the Secretary is
4 unable to make the certification required by
5 subparagraph (A) for one or more of the cen-
6 tral governments, such assistance shall be re-
7 programmed for assistance for civil society or-
8 ganizations in such country, or for other coun-
9 tries in Latin America and the Caribbean, not-
10 withstanding the funding provisions in this sub-
11 section and the limitations in section 7019 of
12 this Act: *Provided*, That any such reprogram-
13 ming shall be subject to the regular notification
14 procedures of the Committees on Appropria-
15 tions.

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

20 (i) government entities and activities
21 that the Secretary of State or USAID Ad-
22 ministrator, as appropriate, have deter-
23 mined have demonstrated a commitment to
24 combating corruption and impunity;

1 (ii) programs to combat gender-based
2 violence;

3 (iii) programs to promote and protect
4 human rights, including those of Indige-
5 nous communities and Afro-descendants;

6 (iv) humanitarian assistance; and

7 (v) food security programs.

8 (D) LIMITATIONS ON SECURITY ASSIST-
9 ANCE.—

10 (i) None of the funds appropriated by
11 this Act under the heading “Foreign Mili-
12 tary Financing Program” may be made
13 available for assistance for El Salvador,
14 Guatemala, or Honduras.

15 (ii) None of the funds appropriated by
16 this Act under the headings “International
17 Narcotics Control and Law Enforcement”
18 and “International Military Education and
19 Training” may be made available for as-
20 sistance for a unit of a foreign security
21 force in El Salvador, Guatemala, or Hon-
22 duras if the Secretary of State has credible
23 information that such unit has used assist-
24 ance provided by the United States against
25 United States personnel or in violation of

1 an end-use agreement or otherwise con-
2 trary to United States national security
3 policy.

4 (b) COLOMBIA.—

5 (1) ASSISTANCE.—Of the funds appropriated by
6 this Act under titles III and IV, not less than
7 \$487,375,000 should be made available for assist-
8 ance for Colombia: *Provided*, That such funds shall
9 be made available for the programs and activities de-
10 scribed under this section in the report accom-
11 panying this Act: *Provided further*, That of the
12 funds appropriated by this Act under the heading
13 “International Narcotics Control and Law Enforce-
14 ment” and made available for assistance pursuant to
15 this paragraph, not less than \$40,000,000 shall be
16 made available to enhance rural security in coca pro-
17 ducing municipalities and other municipalities with
18 high levels of illicit activities: *Provided further*, That
19 funds made available pursuant to the preceding pro-
20 viso shall be prioritized in such municipalities that
21 are also targeted for assistance programs that pro-
22 vide viable economic alternatives and improve access
23 to public services.

24 (2) COUNTERNARCOTICS.—Funds appropriated
25 by this Act under the heading “International Nar-

1 cotics Control and Law Enforcement” that are made
2 available for counternarcotics assistance for Colom-
3 bia should be obligated and programmed—

4 (A) to support implementation of an effec-
5 tive whole-of-government strategy of the Gov-
6 ernment of Colombia to substantially and
7 sustainably reduce coca cultivation and cocaine
8 production levels in Colombia, including by
9 prioritizing funding to enhance rural security in
10 coca producing municipalities;

11 (B) in a manner that is in accordance with
12 the 2016 peace accord between the Government
13 of Colombia and the Revolutionary Armed
14 Forces of Colombia; and

15 (C) to support efforts of the Government
16 of Colombia to dismantle drug trafficking net-
17 works and to assist farmers in eradicating and
18 sustainably replacing coca.

19 (3) HUMAN RIGHTS.—Of the funds appro-
20 priated by this Act under the headings “Inter-
21 national Narcotics Control and Law Enforcement”
22 and “Foreign Military Financing Program” and
23 made available for assistance for Colombia, 30 per-
24 cent may be obligated only if the Secretary of State

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

3 (A) the Special Jurisdiction for Peace and
4 other judicial authorities, as appropriate, are
5 sentencing perpetrators of gross violations of
6 human rights, including those with command
7 responsibility, to deprivation of liberty;

8 (B) the Government of Colombia is making
9 consistent progress in reducing threats and at-
10 tacks against human rights defenders and other
11 civil society activists, and judicial authorities
12 are prosecuting and punishing those responsible
13 for ordering and carrying out such attacks;

14 (C) the Government of Colombia is making
15 consistent progress in protecting Afro-Colom-
16 bian and Indigenous communities and is re-
17 specting their rights and territories;

18 (D) military officers credibly alleged, or
19 whose units are credibly alleged, to be respon-
20 sible for ordering, committing, and covering up
21 cases of false positives and other extrajudicial
22 killings, or of committing other gross violations
23 of human rights, or of conducting illegal com-
24 munications intercepts or other illicit surveil-
25 lance, are being held accountable, including re-

1 removal from active duty if found guilty through
2 criminal, administrative, or disciplinary pro-
3 ceedings; and

4 (E) the Government of Colombia is bring-
5 ing to justice the police personnel who ordered,
6 directed, and used excessive force and engaged
7 in other illegal acts against protesters.

8 (4) EXCEPTIONS.—The limitation of paragraph
9 (3) shall not apply to funds made available for—

10 (A) protecting the rights of human rights
11 defenders, Afro-Colombian and indigenous com-
12 munity leaders, trade unionists, journalists, civil
13 society groups, opposition political parties, and
14 the independence of the media;

15 (B) combating corruption and impunity,
16 including support for offices of Attorneys Gen-
17 eral;

18 (C) aviation instruction and maintenance;
19 and

20 (D) maritime and riverine security pro-
21 grams.

22 (5) AUTHORITY.—Aircraft supported by funds
23 appropriated by this Act and prior Acts making ap-
24 propriations for the Department of State, foreign
25 operations, and related programs and made available

1 for assistance for Colombia may be used to trans-
2 port personnel and supplies involved in drug eradi-
3 cation and interdiction, including security for such
4 activities, and to provide transport in support of al-
5 ternative development programs and investigations
6 by civilian judicial authorities.

7 (6) LIMITATION.—None of the funds appro-
8 priated by this Act or prior Acts making appropria-
9 tions for the Department of State, foreign oper-
10 ations, and related programs that are made available
11 for assistance for Colombia may be made available
12 for payment of reparations to conflict victims or
13 compensation to demobilized combatants associated
14 with a peace agreement between the Government of
15 Colombia and illegal armed groups.

16 (c) CUBA.—

17 (1) Of the funds appropriated by this Act under
18 the heading “Economic Support Fund”, not more
19 than \$20,000,000 shall be made available for democ-
20 racy programs for Cuba.

21 (2) Of the funds made available pursuant to
22 paragraph (1), not less than \$5,000,000 shall be
23 made available for programs to support—

24 (A) free enterprise and private business or-
25 ganizations; and

1 (B) people-to-people educational and cul-
2 tural activities.

3 (3) For purposes of paragraph (2), activities
4 described in such paragraph shall be considered de-
5 mocracy programs pursuant to section 7032(c) of
6 this Act, except that none of the funds made avail-
7 able under such paragraph may be used for assist-
8 ance for the Government of Cuba: *Provided*, That
9 such funds shall be made available following con-
10 sultation with the Committees on Appropriations.

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

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

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

18 (d) HAITI.—

19 (1) CERTIFICATION.—Funds appropriated by
20 this Act that are made available for assistance for
21 Haiti may only be made available for the central
22 Government of Haiti if the Secretary of State cer-
23 tifies and reports to the appropriate congressional
24 committees that a new President and Parliament
25 have taken office after free and fair elections, or the

1 country is being led by a transitional governing au-
2 thority that is broadly representative of Haitian soci-
3 ety, and it is in the national interest of the United
4 States to provide such assistance.

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

7 (A) free and fair elections;

8 (B) anti-gang police and administration of
9 justice programs, including to reduce pre-trial
10 detention and eliminate inhumane prison condi-
11 tions;

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

15 (D) disaster relief and recovery.

16 (3) NOTIFICATION.—Funds appropriated by
17 this Act that are made available for assistance for
18 Haiti shall be subject to prior consultation with, and
19 the regular notification procedures of, the Commit-
20 tees on Appropriations.

21 (4) PROHIBITION.—None of the funds appro-
22 priated or otherwise made available by this Act may
23 be used for assistance for the armed forces of Haiti.

24 (5) HAITIAN COAST GUARD.—The Government
25 of Haiti shall be eligible to purchase defense articles

1 and services under the Arms Export Control Act (22
2 U.S.C. 2751 et seq.) for the Coast Guard.

3 (e) NICARAGUA.—Of the funds appropriated by this
4 Act under the heading “Development Assistance”, not less
5 than \$15,000,000 shall be made available for democracy
6 programs for Nicaragua, including to support civil society.

7 (f) THE CARIBBEAN.—Funds appropriated by this
8 Act under titles III and IV shall be made available for
9 assistance for the Caribbean, including not less than
10 \$82,000,000 for the Caribbean Basin Security Initiative.

11 (g) VENEZUELA.—

12 (1) Of the funds appropriated by this Act under
13 the heading “Economic Support Fund”,
14 \$50,000,000 shall be made available for democracy
15 programs for Venezuela.

16 (2) Funds appropriated under title III of this
17 Act and prior Acts making appropriations for the
18 Department of State, foreign operations, and related
19 programs shall be made available for assistance for
20 communities in countries supporting or otherwise
21 impacted by refugees from Venezuela, including Co-
22 lombia, Peru, Ecuador, Curacao, and Trinidad and
23 Tobago: *Provided*, That such amounts are in addi-
24 tion to funds otherwise made available for assistance
25 for such countries, subject to prior consultation

1 with, and the regular notification procedures of, the
2 Committees on Appropriations.

3 EUROPE AND EURASIA

4 SEC. 7046. (a) GEORGIA.—Of the funds appropriated
5 by this Act under titles III and IV, not less than
6 \$132,025,000 shall be made available for assistance for
7 Georgia.

8 (b) TERRITORIAL INTEGRITY.—None of the funds
9 appropriated by this Act may be made available for assist-
10 ance for a government of an Independent State of the
11 former Soviet Union if such government directs any action
12 in violation of the territorial integrity or national sov-
13 ereignty of any other Independent State of the former So-
14 viet Union, such as those violations included in the Hel-
15 sinki Final Act: *Provided*, That except as otherwise pro-
16 vided in section 7047(a) of this Act, funds may be made
17 available without regard to the restriction in this sub-
18 section if the President determines that to do so is in the
19 national security interest of the United States: *Provided*
20 *further*, That prior to executing the authority contained
21 in the previous proviso, the Secretary of State shall con-
22 sult with the Committees on Appropriations on how such
23 assistance supports the national security interest of the
24 United States.

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

4 (1) activities to support democracy or assist-
5 ance under title V of the FREEDOM Support Act
6 (22 U.S.C. 5851 et seq.) and section 1424 of the
7 Defense Against Weapons of Mass Destruction Act
8 of 1996 (50 U.S.C. 2333) or non-proliferation as-
9 sistance;

10 (2) any assistance provided by the Trade and
11 Development Agency under section 661 of the For-
12 eign Assistance Act of 1961;

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

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

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

23 (6) humanitarian assistance.

24 (d) TURKEY.—None of the funds made available by
25 this Act may be used to facilitate or support the sale of

1 defense articles or defense services to the Turkish Presi-
2 dential Protection Directorate (TPPD) under Chapter 2
3 of the Arms Export Control Act (22 U.S.C. 2761 et seq.)
4 unless the Secretary of State determines and reports to
5 the appropriate congressional committees that members of
6 the TPPD who are named in the July 17, 2017, indict-
7 ment by the Superior Court of the District of Columbia,
8 and against whom there are pending charges, have re-
9 turned to the United States to stand trial in connection
10 with the offenses contained in such indictment or have
11 otherwise been brought to justice: *Provided*, That the limi-
12 tation in this paragraph shall not apply to the use of funds
13 made available by this Act for border security purposes,
14 for North Atlantic Treaty Organization or coalition oper-
15 ations, or to enhance the protection of United States offi-
16 cials and facilities in Turkey.

17 COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

18 SEC. 7047. (a) PROHIBITION.—None of the funds ap-
19 propriated by this Act may be made available for assist-
20 ance for the central Government of the Russian Federa-
21 tion.

22 (b) ANNEXATION.—

23 (1) PROHIBITION.—None of the funds appro-
24 priated by this Act may be made available for assist-
25 ance for the central government of a country that

1 the Secretary of State determines and reports to the
2 Committees on Appropriations has taken affirmative
3 steps intended to support or be supportive of the
4 Russian Federation annexation of Crimea or other
5 territory in Ukraine: *Provided*, That except as other-
6 wise provided in subsection (a), the Secretary may
7 waive the restriction on assistance required by this
8 paragraph if the Secretary determines and reports to
9 such Committees that to do so is in the national in-
10 terest of the United States, and includes a justifica-
11 tion for such interest.

12 (2) LIMITATION.—None of the funds appro-
13 priated by this Act may be made available for—

14 (A) the implementation of any action or
15 policy that recognizes the sovereignty of the
16 Russian Federation over Crimea or other terri-
17 tory in Ukraine;

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

1 (C) assistance for Crimea or other terri-
2 tory in Ukraine under the control of Russian-
3 backed separatists, if such assistance includes
4 the participation of Russian Government offi-
5 cials, or other Russian owned or controlled fi-
6 nancial entities.

7 (3) INTERNATIONAL FINANCIAL INSTITU-
8 TIONS.—The Secretary of the Treasury shall in-
9 struct the United States executive director of each
10 international financial institution to use the voice
11 and vote of the United States to oppose any assist-
12 ance by such institution (including any loan, credit,
13 grant, or guarantee) for any program that violates
14 the sovereignty or territorial integrity of Ukraine.

15 (4) DURATION.—The requirements and limita-
16 tions of this subsection shall cease to be in effect if
17 the Secretary of State determines and reports to the
18 Committees on Appropriations that the Government
19 of Ukraine has reestablished sovereignty over Cri-
20 mea and other territory in Ukraine under the con-
21 trol of Russian-backed separatists.

22 (c) OCCUPATION OF THE GEORGIAN TERRITORIES OF
23 ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

24 (1) PROHIBITION.—None of the funds appro-
25 priated by this Act may be made available for assist-

1 ance for the central government of a country that
2 the Secretary of State determines and reports to the
3 Committees on Appropriations has recognized the
4 independence of, or has established diplomatic rela-
5 tions with, the Russian Federation occupied Geor-
6 gian territories of Abkhazia and Tskhinvali Region/
7 South Ossetia: *Provided*, That the Secretary shall
8 publish on the Department of State website a list of
9 any such central governments in a timely manner:
10 *Provided further*, That the Secretary may waive the
11 restriction on assistance required by this paragraph
12 if the Secretary determines and reports to the Com-
13 mittees on Appropriations that to do so is in the na-
14 tional interest of the United States, and includes a
15 justification for such interest.

16 (2) LIMITATION.—None of the funds appro-
17 priated by this Act may be made available to sup-
18 port the Russian Federation occupation of the Geor-
19 gian territories of Abkhazia and Tskhinvali Region/
20 South Ossetia.

21 (3) INTERNATIONAL FINANCIAL INSTITU-
22 TIONS.—The Secretary of the Treasury shall in-
23 struct the United States executive director of each
24 international financial institution to use the voice
25 and vote of the United States to oppose any assist-

1 ance by such institution (including any loan, credit,
2 grant, or guarantee) for any program that violates
3 the sovereignty and territorial integrity of Georgia.

4 (d) COUNTERING RUSSIAN INFLUENCE FUND.—

5 (1) ASSISTANCE.—Of the funds appropriated by
6 this Act under the headings “Assistance for Europe,
7 Eurasia and Central Asia”, “International Narcotics
8 Control and Law Enforcement”, “International Mili-
9 tary Education and Training”, and “Foreign Mili-
10 tary Financing Program”, not less than
11 \$300,000,000 shall be made available to carry out
12 the purposes of the Countering Russian Influence
13 Fund, as authorized by section 254 of the Coun-
14 tering Russian Influence in Europe and Eurasia Act
15 of 2017 (Public Law 115–44; 22 U.S.C. 9543) and
16 notwithstanding the country limitation in subsection
17 (b) of such section, and programs to enhance the ca-
18 pacity of law enforcement and security forces in
19 countries in Europe, Eurasia, and Central Asia and
20 strengthen security cooperation between such coun-
21 tries and the United States and the North Atlantic
22 Treaty Organization, as appropriate.

23 (2) ECONOMICS AND TRADE.—Funds appro-
24 priated by this Act and made available for assistance
25 for the Eastern Partnership countries shall be made

1 available to advance the implementation of Associa-
2 tion Agreements and trade agreements with the Eu-
3 ropean Union, and to reduce their vulnerability to
4 external economic and political pressure from the
5 Russian Federation.

6 (e) DEMOCRACY PROGRAMS.—Funds appropriated by
7 this Act shall be made available to support democracy pro-
8 grams in the Russian Federation and other countries in
9 Europe, Eurasia, and Central Asia, including to promote
10 Internet freedom: *Provided*, That of the funds appro-
11 priated under the heading “Assistance for Europe, Eur-
12 asia and Central Asia”, not less than \$20,000,000 shall
13 be made available to strengthen democracy and civil soci-
14 ety in Central Europe, including for transparency, inde-
15 pendent media, rule of law, minority rights, and programs
16 to combat anti-Semitism.

17 UNITED NATIONS

18 SEC. 7048. (a) TRANSPARENCY AND ACCOUNT-
19 ABILITY.—Not later than 180 days after the date of enact-
20 ment of this Act, the Secretary of State shall report to
21 the Committees on Appropriations whether each organiza-
22 tion, department, or agency receiving a contribution from
23 funds appropriated by this Act under the headings “Con-
24 tributions to International Organizations” and “Inter-
25 national Organizations and Programs”—

1 (1) is posting on a publicly available website,
2 consistent with privacy regulations and due process,
3 regular financial and programmatic audits of such
4 organization, department, or agency, and providing
5 the United States Government with necessary access
6 to such financial and performance audits;

7 (2) has submitted a report to the Department
8 of State, which shall be posted on the Department's
9 website in a timely manner, demonstrating that such
10 organization is effectively implementing and enforce-
11 ing policies and procedures which meet or exceed
12 best practices in the United States for the protection
13 of whistleblowers from retaliation, including—

14 (A) protection against retaliation for inter-
15 nal and lawful public disclosures;

16 (B) legal burdens of proof;

17 (C) statutes of limitation for reporting re-
18 taliation;

19 (D) access to binding independent adju-
20 dicative bodies, including shared cost and selec-
21 tion of external arbitration; and

22 (E) results that eliminate the effects of
23 proven retaliation, including provision for the
24 restoration of prior employment; and

1 (3) effectively implementing and enforcing poli-
2 cies and procedures on the appropriate use of travel
3 funds, including restrictions on first-class and busi-
4 ness-class travel.

5 (b) RESTRICTIONS ON UNITED NATIONS DELEGA-
6 TIONS AND ORGANIZATIONS.—

7 (1) RESTRICTIONS ON UNITED STATES DELEGA-
8 TIONS.—None of the funds made available by this
9 Act may be used to pay expenses for any United
10 States delegation to any specialized agency, body, or
11 commission of the United Nations if such agency,
12 body, or commission is chaired or presided over by
13 a country, the government of which the Secretary of
14 State has determined, for purposes of section
15 1754(c) of the Export Reform Control Act of 2018
16 (50 U.S.C. 4813(c)), supports international ter-
17 rorism.

18 (2) RESTRICTIONS ON CONTRIBUTIONS.—None
19 of the funds made available by this Act may be used
20 by the Secretary of State as a contribution to any
21 organization, agency, commission, or program within
22 the United Nations system if such organization,
23 agency, commission, or program is chaired or pre-
24 sided over by a country the government of which the
25 Secretary of State has determined, for purposes of

1 section 620A of the Foreign Assistance Act of 1961,
2 section 40 of the Arms Export Control Act, section
3 1754(c) of the Export Reform Control Act of 2018
4 (50 U.S.C. 4813(c)), or any other provision of law,
5 is a government that has repeatedly provided sup-
6 port for acts of international terrorism.

7 (3) WAIVER.—The Secretary of State may
8 waive the restriction in this subsection if the Sec-
9 retary determines and reports to the Committees on
10 Appropriations that to do so is important to the na-
11 tional interest of the United States, including a de-
12 scription of the national interest served.

13 (c) PROHIBITION OF PAYMENTS TO UNITED NA-
14 TIONS MEMBERS.—None of the funds appropriated or
15 made available pursuant to titles III through VI of this
16 Act for carrying out the Foreign Assistance Act of 1961,
17 may be used to pay in whole or in part any assessments,
18 arrearages, or dues of any member of the United Nations
19 or, from funds appropriated by this Act to carry out chap-
20 ter 1 of part I of the Foreign Assistance Act of 1961,
21 the costs for participation of another country's delegation
22 at international conferences held under the auspices of
23 multilateral or international organizations.

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

1 mit a report to the Committees on Appropriations detail-
2 ing the amount of funds available for obligation or expend-
3 iture in fiscal year 2023 for contributions to any organiza-
4 tion, department, agency, or program within the United
5 Nations system or any international program that are
6 withheld from obligation or expenditure due to any provi-
7 sion of law: *Provided*, That the Secretary shall update
8 such report each time additional funds are withheld by op-
9 eration of any provision of law: *Provided further*, That the
10 reprogramming of any withheld funds identified in such
11 report, including updates thereof, shall be subject to prior
12 consultation with, and the regular notification procedures
13 of, the Committees on Appropriations.

14 (e) SEXUAL EXPLOITATION AND ABUSE IN PEACE-
15 KEEPING OPERATIONS.—The Secretary of State shall
16 withhold assistance to any unit of the security forces of
17 a foreign country if the Secretary has credible information
18 that such unit has engaged in sexual exploitation or abuse,
19 including while serving in a United Nations peacekeeping
20 operation, until the Secretary determines that the govern-
21 ment of such country is taking effective steps to hold the
22 responsible members of such unit accountable and to pre-
23 vent future incidents: *Provided*, That the Secretary shall
24 promptly notify the government of each country subject
25 to any withholding of assistance pursuant to this para-

1 graph, and shall notify the appropriate congressional com-
2 mittees of such withholding not later than 10 days after
3 a determination to withhold such assistance is made: *Pro-*
4 *vided further*, That the Secretary shall, to the maximum
5 extent practicable, assist such government in bringing the
6 responsible members of such unit to justice.

7 (f) ADDITIONAL AVAILABILITY.—Subject to the reg-
8 ular notification procedures of the Committees on Appro-
9 priations, funds appropriated by this Act which are re-
10 turned or not made available due to the second proviso
11 under the heading “Contributions for International Peace-
12 keeping Activities” in title I of this Act or section 307(a)
13 of the Foreign Assistance Act of 1961 (22 U.S.C.
14 2227(a)), shall remain available for obligation until Sep-
15 tember 30, 2024: *Provided*, That the requirement to with-
16 hold funds for programs in Burma under section 307(a)
17 of the Foreign Assistance Act of 1961 shall not apply to
18 funds appropriated by this Act.

19 (g) UNITED STATES MISSION STAFFING.—Section
20 9(2) of the United Nations Participation Act of 1945 (22
21 U.S.C. 287e–1(2)) is amended by striking “30” and in-
22 serting “41”.

23 WAR CRIMES TRIBUNALS

24 SEC. 7049. (a) If the President determines that doing
25 so will contribute to a just resolution of charges regarding

1 genocide or other violations of international humanitarian
2 law, the President may direct a drawdown pursuant to sec-
3 tion 552(c) of the Foreign Assistance Act of 1961 of up
4 to \$30,000,000 of commodities and services for the United
5 Nations War Crimes Tribunal established with regard to
6 the former Yugoslavia by the United Nations Security
7 Council or such other tribunals or commissions as the
8 Council may establish or authorize to deal with such viola-
9 tions, without regard to the ceiling limitation contained
10 in paragraph (2) thereof: *Provided*, That the determina-
11 tion required under this section shall be in lieu of any de-
12 terminations otherwise required under section 552(c): *Pro-*
13 *vided further*, That funds made available pursuant to this
14 section shall be made available subject to the regular noti-
15 fication procedures of the Committees on Appropriations.

16 (b) None of the funds appropriated by this Act may
17 be made available for a United States contribution to the
18 International Criminal Court: *Provided*, That funds may
19 be made available for technical assistance, training, assist-
20 ance for victims, protection of witnesses, and law enforce-
21 ment support related to international investigations, ap-
22 prehensions, prosecutions, and adjudications of genocide,
23 crimes against humanity, and war crimes: *Provided fur-*
24 *ther*, That the previous proviso shall not apply to inves-
25 tigation, apprehensions, or prosecutions of American

1 service members and other United States citizens or na-
2 tionals, or nationals of the North Atlantic Treaty Organi-
3 zation (NATO) or major non-NATO allies initially des-
4 igned pursuant to section 517(b) of the Foreign Assist-
5 ance Act of 1961.

6 GLOBAL INTERNET FREEDOM

7 SEC. 7050. (a) FUNDING.—Of the funds available for
8 obligation during fiscal year 2023 under the headings
9 “International Broadcasting Operations”, “Economic
10 Support Fund”, “Democracy Fund”, and “Assistance for
11 Europe, Eurasia and Central Asia”, not less than
12 \$80,500,000 shall be made available for programs to pro-
13 mote Internet freedom globally: *Provided*, That such pro-
14 grams shall be prioritized for countries whose governments
15 restrict freedom of expression on the Internet, and that
16 are important to the national interest of the United
17 States: *Provided further*, That funds made available pursu-
18 ant to this section shall be matched, to the maximum ex-
19 tent practicable, by sources other than the United States
20 Government, including from the private sector.

21 (b) REQUIREMENTS.—

22 (1) DEPARTMENT OF STATE AND UNITED
23 STATES AGENCY FOR INTERNATIONAL DEVELOP-
24 MENT.—Funds appropriated by this Act under the
25 headings “Economic Support Fund”, “Democracy

1 Fund”, and “Assistance for Europe, Eurasia and
2 Central Asia” that are made available pursuant to
3 subsection (a) shall be—

4 (A) coordinated with other democracy pro-
5 grams funded by this Act under such headings,
6 and shall be incorporated into country assist-
7 ance and democracy promotion strategies, as
8 appropriate;

9 (B) for programs to implement the May
10 2011, International Strategy for Cyberspace,
11 the Department of State International Cyber-
12 space Policy Strategy required by section 402
13 of the Cybersecurity Act of 2015 (division N of
14 Public Law 114–113), and the comprehensive
15 strategy to promote Internet freedom and ac-
16 cess to information in Iran, as required by sec-
17 tion 414 of the Iran Threat Reduction and
18 Syria Human Rights Act of 2012 (22 U.S.C.
19 8754);

20 (C) made available for programs that sup-
21 port the efforts of civil society to counter the
22 development of repressive Internet-related laws
23 and regulations, including countering threats to
24 Internet freedom at international organizations;
25 to combat violence against bloggers and other

1 users; and to enhance digital security training
2 and capacity building for democracy activists;

3 (D) made available for research of key
4 threats to Internet freedom; the continued de-
5 velopment of technologies that provide or en-
6 hance access to the Internet, including cir-
7 cumvention tools that bypass Internet blocking,
8 filtering, and other censorship techniques used
9 by authoritarian governments; and maintenance
10 of the technological advantage of the United
11 States Government over such censorship tech-
12 niques: *Provided*, That the Secretary of State,
13 in consultation with the United States Agency
14 for Global Media Chief Executive Officer
15 (USAGM CEO) and the President of the Open
16 Technology Fund (OTF), shall coordinate any
17 such research and development programs with
18 other relevant United States Government de-
19 partments and agencies in order to share infor-
20 mation, technologies, and best practices, and to
21 assess the effectiveness of such technologies;
22 and

23 (E) made available only with the concur-
24 rence of the Assistant Secretary for Democracy,
25 Human Rights, and Labor, Department of

1 State, that such funds are allocated consistent
2 with—

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

5 (ii) best practices regarding security
6 for, and oversight of, Internet freedom pro-
7 grams; and

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

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

16 (A) made available only for open-source
17 tools and techniques to securely develop and
18 distribute USAGM digital content, facilitate au-
19 dience access to such content on websites that
20 are censored, coordinate the distribution of
21 USAGM digital content to targeted regional au-
22 diences, and to promote and distribute such
23 tools and techniques, including digital security
24 techniques;

1 (B) coordinated by the USAGM CEO, in
2 consultation with the OTF President, with pro-
3 grams funded by this Act under the heading
4 “International Broadcasting Operations”, and
5 shall be incorporated into country broadcasting
6 strategies, as appropriate;

7 (C) coordinated by the USAGM CEO, in
8 consultation with the OTF President, to solicit
9 project proposals through an open, transparent,
10 and competitive process, seek input from tech-
11 nical and subject matter experts to select pro-
12 posals, and support Internet circumvention
13 tools and techniques for audiences in countries
14 that are strategic priorities for the OTF and in
15 a manner consistent with the United States
16 Government Internet freedom strategy; and

17 (D) made available for the research and
18 development of new tools or techniques author-
19 ized in subparagraph (A) only after the
20 USAGM CEO, in consultation with the Sec-
21 retary of State, the OTF President, and other
22 relevant United States Government depart-
23 ments and agencies, evaluates the risks and
24 benefits of such new tools or techniques, and

1 establishes safeguards to minimize the use of
2 such new tools or techniques for illicit purposes.

3 (c) COORDINATION AND SPEND PLANS.—After con-
4 sultation among the relevant agency heads to coordinate
5 and de-conflict planned activities, but not later than 90
6 days after the date of enactment of this Act, the Secretary
7 of State and the USAGM CEO, in consultation with the
8 OTF President, shall submit to the Committees on Appro-
9 priations spend plans for funds made available by this Act
10 for programs to promote Internet freedom globally, which
11 shall include a description of safeguards established by rel-
12 evant agencies to ensure that such programs are not used
13 for illicit purposes: *Provided*, That the Department of
14 State spend plan shall include funding for all such pro-
15 grams for all relevant Department of State and United
16 States Agency for International Development offices and
17 bureaus.

18 (d) SECURITY AUDITS.—Funds made available pur-
19 suant to this section to promote Internet freedom globally
20 may only be made available to support open-source tech-
21 nologies that undergo comprehensive security audits con-
22 sistent with the requirements of the Bureau of Democracy,
23 Human Rights, and Labor, Department of State to ensure
24 that such technology is secure and has not been com-
25 promised in a manner detrimental to the interest of the

1 United States or to individuals and organizations bene-
2 fitting from programs supported by such funds: *Provided*,
3 That the security auditing procedures used by such Bu-
4 reau shall be reviewed and updated periodically to reflect
5 current industry security standards.

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

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

13 (b) ASSISTANCE.—Funds appropriated under titles
14 III and IV of this Act shall be made available, notwith-
15 standing section 660 of the Foreign Assistance Act of
16 1961 and following consultation with the Committees on
17 Appropriations, for assistance to eliminate torture and
18 other cruel, inhuman, or degrading treatment or punish-
19 ment by foreign police, military, or other security forces
20 in countries receiving assistance from funds appropriated
21 by this Act.

22 AIRCRAFT TRANSFER, COORDINATION, AND USE

23 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-
24 standing any other provision of law or regulation, aircraft
25 procured with funds appropriated by this Act and prior

1 Acts making appropriations for the Department of State,
2 foreign operations, and related programs under the head-
3 ings “Diplomatic Programs”, “International Narcotics
4 Control and Law Enforcement”, “Andean Counterdrug
5 Initiative”, and “Andean Counterdrug Programs” may be
6 used for any other program and in any region.

7 (b) PROPERTY DISPOSAL.—The authority provided
8 in subsection (a) shall apply only after the Secretary of
9 State determines and reports to the Committees on Appro-
10 priations that the equipment is no longer required to meet
11 programmatic purposes in the designated country or re-
12 gion: *Provided*, That any such transfer shall be subject
13 to prior consultation with, and the regular notification
14 procedures of, the Committees on Appropriations.

15 (c) AIRCRAFT COORDINATION.—

16 (1) AUTHORITY.—The uses of aircraft pur-
17 chased or leased by the Department of State and the
18 United States Agency for International Development
19 with funds made available in this Act or prior Acts
20 making appropriations for the Department of State,
21 foreign operations, and related programs shall be co-
22 ordinated under the authority of the appropriate
23 Chief of Mission: *Provided*, That such aircraft may
24 be used to transport, on a reimbursable or non-reim-
25 bursable basis, Federal and non-Federal personnel

1 supporting Department of State and USAID pro-
2 grams and activities: *Provided further*, That official
3 travel for other agencies for other purposes may be
4 supported on a reimbursable basis, or without reim-
5 bursement when traveling on a space available basis:
6 *Provided further*, That funds received by the Depart-
7 ment of State in connection with the use of aircraft
8 owned, leased, or chartered by the Department of
9 State may be credited to the Working Capital Fund
10 of the Department and shall be available for ex-
11 penses related to the purchase, lease, maintenance,
12 chartering, or operation of such aircraft.

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

17 (d) AIRCRAFT OPERATIONS AND MAINTENANCE.—
18 To the maximum extent practicable, the costs of oper-
19 ations and maintenance, including fuel, of aircraft funded
20 by this Act shall be borne by the recipient country.

21 PARKING FINES AND REAL PROPERTY TAXES OWED BY
22 FOREIGN GOVERNMENTS

23 SEC. 7053. The terms and conditions of section 7055
24 of the Department of State, Foreign Operations, and Re-
25 lated Programs Appropriations Act, 2010 (division F of

1 Public Law 111–117) shall apply to this Act: *Provided*,
2 That subsection (f)(2)(B) of such section shall be applied
3 by substituting “September 30, 2022” for “September 30,
4 2009”.

5 INTERNATIONAL MONETARY FUND

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

11 (b) REPAYMENT.—The Secretary of the Treasury
12 shall instruct the United States Executive Director of the
13 International Monetary Fund (IMF) to seek to ensure
14 that any loan will be repaid to the IMF before other pri-
15 vate or multilateral creditors.

16 EXTRADITION

17 SEC. 7055. (a) LIMITATION.—None of the funds ap-
18 propriated in this Act may be used to provide assistance
19 (other than funds provided under the headings “Develop-
20 ment Assistance”, “International Disaster Assistance”,
21 “Complex Crises Fund”, “International Narcotics Control
22 and Law Enforcement”, “Migration and Refugee Assis-
23 tance”, “United States Emergency Refugee and Migration
24 Assistance Fund”, and “Nonproliferation, Anti-terrorism,
25 Demining and Related Assistance”) for the central gov-

1 ernment of a country which has notified the Department
2 of State of its refusal to extradite to the United States
3 any individual indicted for a criminal offense for which
4 the maximum penalty is life imprisonment without the
5 possibility of parole or for killing a law enforcement offi-
6 cer, as specified in a United States extradition request.

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

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

18 ENTERPRISE FUNDS

19 SEC. 7056. (a) NOTIFICATION.—None of the funds
20 made available under titles III through VI of this Act may
21 be made available for Enterprise Funds unless the appro-
22 priate congressional committees are notified at least 15
23 days in advance.

24 (b) DISTRIBUTION OF ASSETS PLAN.—Prior to the
25 distribution of any assets resulting from any liquidation,

1 dissolution, or winding up of an Enterprise Fund, in whole
2 or in part, the President shall submit to the appropriate
3 congressional committees a plan for the distribution of the
4 assets of the Enterprise Fund.

5 (c) TRANSITION OR OPERATING PLAN.—Prior to a
6 transition to and operation of any private equity fund or
7 other parallel investment fund under an existing Enter-
8 prise Fund, the President shall submit such transition or
9 operating plan to the appropriate congressional commit-
10 tees.

11 UNITED NATIONS POPULATION FUND

12 SEC. 7057. (a) CONTRIBUTION.—Of the funds made
13 available under the heading “International Organizations
14 and Programs” in this Act for fiscal year 2023,
15 \$70,000,000 shall be made available for the United Na-
16 tions Population Fund (UNFPA).

17 (b) AVAILABILITY OF FUNDS.—Funds appropriated
18 by this Act for UNFPA, that are not made available for
19 UNFPA because of the operation of any provision of law,
20 shall be transferred to the “Global Health Programs” ac-
21 count and shall be made available for family planning, ma-
22 ternal, and reproductive health activities, subject to the
23 regular notification procedures of the Committees on Ap-
24 propriations.

1 (c) PROHIBITION ON USE OF FUNDS IN CHINA.—

2 None of the funds made available by this Act may be used
3 by UNFPA for a country program in the People's Repub-
4 lic of China.

5 (d) CONDITIONS ON AVAILABILITY OF FUNDS.—

6 Funds made available by this Act for UNFPA may not
7 be made available unless—

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

12 (2) UNFPA does not fund abortions.

13 (e) REPORT TO CONGRESS AND DOLLAR-FOR-DOL-
14 LAR WITHHOLDING OF FUNDS.—

15 (1) Not later than 4 months after the date of
16 enactment of this Act, the Secretary of State shall
17 submit a report to the Committees on Appropria-
18 tions indicating the amount of funds that UNFPA
19 is budgeting for the year in which the report is sub-
20 mitted for a country program in the People's Repub-
21 lic of China.

22 (2) If a report under paragraph (1) indicates
23 that UNFPA plans to spend funds for a country
24 program in the People's Republic of China in the
25 year covered by the report, then the amount of such

1 funds UNFPA plans to spend in the People’s Re-
2 public of China shall be deducted from the funds
3 made available to UNFPA after March 1 for obliga-
4 tion for the remainder of the fiscal year in which the
5 report is submitted.

6 GLOBAL HEALTH ACTIVITIES

7 SEC. 7058. (a) IN GENERAL.—Funds appropriated
8 under the heading “Global Health Programs” in this Act
9 that are made available for bilateral assistance for global
10 health programs including activities relating to research
11 on, and the prevention, treatment and control of, HIV/
12 AIDS may be made available notwithstanding any other
13 provision of law except for provisions under the heading
14 “Global Health Programs” and the United States Leader-
15 ship Against HIV/AIDS, Tuberculosis, and Malaria Act
16 of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as
17 amended: *Provided*, That of the funds appropriated under
18 the heading “Global Health Programs” in this Act, not
19 less than \$760,000,000 shall be made available for family
20 planning/reproductive health, including in areas where
21 population growth threatens biodiversity or endangered
22 species.

23 (b) PANDEMICS AND OTHER INFECTIOUS DISEASE
24 OUTBREAKS.—

1 (1) GLOBAL HEALTH SECURITY.—Funds appro-
2 priated by this Act under the heading “Global
3 Health Programs” shall be made available for global
4 health security programs to accelerate the capacity
5 of countries to prevent, detect, and respond to infec-
6 tious disease outbreaks by strengthening public
7 health capacity where there is a high risk of emerg-
8 ing zoonotic infectious diseases: *Provided*, That not
9 later than 60 days after the date of enactment of
10 this Act, the USAID Administrator and the Sec-
11 retary of State, as appropriate, shall consult with
12 the Committees on Appropriations on the planned
13 uses of such funds.

14 (2) INTERNATIONAL FINANCING MECHANISM.—
15 Funds appropriated by this Act under the heading
16 “Global Health Programs” may be made available
17 for a contribution to an international financing
18 mechanism for pandemic preparedness.

19 (3) EXTRAORDINARY MEASURES.—If the Sec-
20 retary of State determines and reports to the Com-
21 mittees on Appropriations that an international in-
22 fectious disease outbreak is sustained, severe, and is
23 spreading internationally, or that it is in the na-
24 tional interest to respond to a Public Health Emer-
25 gency of International Concern, not to exceed an ag-

1 gregate total of \$200,000,000 of the funds appro-
2 priated by this Act under the headings “Global
3 Health Programs”, “Development Assistance”,
4 “International Disaster Assistance”, “Complex Cri-
5 ses Fund”, “Economic Support Fund”, “Democracy
6 Fund”, “Assistance for Europe, Eurasia and Cen-
7 tral Asia”, “Migration and Refugee Assistance”, and
8 “Millennium Challenge Corporation” may be made
9 available to combat such infectious disease or public
10 health emergency, and may be transferred to, and
11 merged with, funds appropriated under such head-
12 ings for the purposes of this paragraph.

13 (4) EMERGENCY RESERVE FUND.—Up to
14 \$90,000,000 of the funds made available under the
15 heading “Global Health Programs” may be made
16 available for the Emergency Reserve Fund estab-
17 lished pursuant to section 7058(c)(1) of the Depart-
18 ment of State, Foreign Operations, and Related Pro-
19 grams Appropriations Act, 2017 (division J of Pub-
20 lic Law 115–31): *Provided*, That such funds shall be
21 made available under the same terms and conditions
22 of such section.

23 (5) CONSULTATION AND NOTIFICATION.—
24 Funds made available by this subsection shall be
25 subject to prior consultation with, and the regular

1 notification procedures of, the Committees on Ap-
2 propriations.

3 GENDER EQUALITY AND WOMEN'S EMPOWERMENT

4 SEC. 7059. (a) IN GENERAL.—

5 (1) GENDER EQUALITY.—Funds appropriated
6 by this Act shall be made available to promote gen-
7 der equality in United States Government diplomatic
8 and development efforts by raising the status, in-
9 creasing the economic participation and opportuni-
10 ties for political leadership, and protecting the rights
11 of women and girls worldwide: *Provided*, That funds
12 appropriated by this Act designated as development
13 and humanitarian programming shall address long-
14 standing systemic discrimination and barriers that
15 affect women and girls' full participation and access
16 to opportunity and other ongoing impediments to eq-
17 uity and equality.

18 (2) WOMEN'S ECONOMIC EMPOWERMENT.—
19 Funds appropriated by this Act are available to im-
20 plement the Women's Entrepreneurship and Eco-
21 nomic Empowerment Act of 2018 (Public Law 115–
22 428): *Provided*, That the Secretary of State and the
23 Administrator of the United States Agency for
24 International Development, as appropriate, shall

1 consult with the Committees on Appropriations on
2 the implementation of such Act.

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

8 (b) MADELEINE ALBRIGHT WOMEN’S LEADERSHIP
9 PROGRAM.—Of the funds appropriated by title III of this
10 Act, not less than \$50,000,000 shall be made available for
11 programs specifically designed to increase leadership op-
12 portunities for women in countries where women and girls
13 suffer discrimination due to law, policy, or practice, by
14 strengthening protections for women’s political status, ex-
15 panding women’s participation in political parties and
16 elections, and increasing women’s opportunities for leader-
17 ship positions in the public and private sectors at the local,
18 provincial, and national levels: *Provided*, That such pro-
19 grams shall hereafter be collectively named the “Madeleine
20 Albright Women’s Leadership Program”.

21 (c) GENDER-BASED VIOLENCE.—

22 (1) Of the funds appropriated under titles III
23 and IV of this Act, not less than \$250,000,000 shall
24 be made available to implement a multi-year strat-
25 egy to prevent and respond to gender-based violence

1 in countries where it is common in conflict and non-
2 conflict settings.

3 (2) Funds appropriated under titles III and IV
4 of this Act that are available to train foreign police,
5 judicial, and military personnel, including for inter-
6 national peacekeeping operations, shall address,
7 where appropriate, prevention and response to gen-
8 der-based violence and trafficking in persons, and
9 shall promote the integration of women into the po-
10 lice and other security forces.

11 (d) WOMEN, PEACE, AND SECURITY.—Of the funds
12 appropriated by this Act under titles III and IV, not less
13 than \$150,000,000 shall be made available to support a
14 multi-year strategy to expand, and improve coordination
15 of, United States Government efforts to empower women
16 as equal partners in conflict prevention, peace building,
17 transitional processes, and reconstruction efforts in coun-
18 tries affected by conflict or in political transition, and to
19 ensure the equitable provision of relief and recovery assist-
20 ance to women and girls.

21 SECTOR ALLOCATIONS

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

24 (1) BASIC EDUCATION.—

1 (A) Of the funds appropriated under title
2 III of this Act, not less than \$985,000,000
3 shall be made available for the Nita M. Lowey
4 Basic Education Fund, and such funds may be
5 made available notwithstanding any other provi-
6 sion of law that restricts assistance to foreign
7 countries: *Provided*, That such funds shall also
8 be used for secondary education activities: *Pro-*
9 *vided further*, That of the funds made available
10 by this paragraph, not less than \$150,000,000
11 shall be available for the education of girls in
12 areas of conflict: *Provided further*, That section
13 7(a) of Public Law 115–56 shall be imple-
14 mented by substituting “the thirtieth day of
15 June following” for “180 days after”.

16 (B) Of the funds appropriated under title
17 III of this Act for assistance for basic education
18 programs, not less than \$175,000,000 shall be
19 made available for contributions to multilateral
20 partnerships that support education.

21 (2) HIGHER EDUCATION.—Of the funds appro-
22 priated by title III of this Act, not less than
23 \$250,000,000 shall be made available for assistance
24 for higher education: *Provided*, That such funds may
25 be made available notwithstanding any other provi-

1 sion of law that restricts assistance to foreign coun-
2 tries, and shall be subject to the regular notification
3 procedures of the Committees on Appropriations:
4 *Provided further*, That of such amount, not less than
5 \$35,000,000 shall be made available for new and on-
6 going partnerships between higher education institu-
7 tions in the United States and developing countries
8 focused on building the capacity of higher education
9 institutions and systems in developing countries:
10 *Provided further*, That not later than 45 days after
11 the date of enactment of this Act, the USAID Ad-
12 ministrator shall consult with the Committees on
13 Appropriations on the proposed uses of funds for
14 such partnerships.

15 (b) DEVELOPMENT PROGRAMS.—Of the funds appro-
16 priated by this Act under the heading “Development As-
17 sistance”, not less than \$20,000,000 shall be made avail-
18 able for USAID cooperative development programs and
19 not less than \$33,000,000 shall be made available for the
20 American Schools and Hospitals Abroad program.

21 (c) FOOD SECURITY AND AGRICULTURAL DEVELOP-
22 MENT.—Of the funds appropriated by title III of this Act,
23 not less than \$1,200,000,000 shall be made available for
24 food security and agricultural development programs to
25 carry out the purposes of the Global Food Security Act

1 of 2016 (Public Law 114–195): *Provided*, That funds may
2 be made available for a contribution as authorized by sec-
3 tion 3202 of the Food, Conservation, and Energy Act of
4 2008 (Public Law 110–246), as amended by section 3310
5 of the Agriculture Improvement Act of 2018 (Public Law
6 115–334).

7 (d) MICRO, SMALL, AND MEDIUM-SIZED ENTER-
8 PRISES.—Of the funds appropriated by this Act, not less
9 than \$265,000,000 shall be made available to support the
10 development of, and access to financing for, micro, small,
11 and medium-sized enterprises that benefit the poor, espe-
12 cially women.

13 (e) PROGRAMS TO COMBAT TRAFFICKING IN PER-
14 SONS.—Of the funds appropriated by this Act under the
15 headings “Development Assistance”, “Economic Support
16 Fund”, “Assistance for Europe, Eurasia and Central
17 Asia”, and “International Narcotics Control and Law En-
18 forcement”, not less than \$112,200,000 shall be made
19 available for activities to combat trafficking in persons
20 internationally, including for the Program to End Modern
21 Slavery, of which not less than \$77,000,000 shall be from
22 funds made available under the heading “International
23 Narcotics Control and Law Enforcement”: *Provided*, That
24 funds made available by this Act under the headings “De-
25 velopment Assistance”, “Economic Support Fund”, and

1 “Assistance for Europe, Eurasia and Central Asia” that
2 are made available for activities to combat trafficking in
3 persons should be obligated and programmed consistent
4 with the country-specific recommendations included in the
5 annual Trafficking in Persons Report, and shall be coordi-
6 nated with the Office to Monitor and Combat Trafficking
7 in Persons, Department of State.

8 (f) RECONCILIATION PROGRAMS.—Of the funds ap-
9 propriated by this Act under the heading “Development
10 Assistance”, not less than \$30,000,000 shall be made
11 available to support people-to-people reconciliation pro-
12 grams which bring together individuals of different ethnic,
13 racial, religious, and political backgrounds from areas of
14 civil strife and war: *Provided*, That the USAID Adminis-
15 trator shall consult with the Committees on Appropria-
16 tions, prior to the initial obligation of funds, on the uses
17 of such funds, and such funds shall be subject to the reg-
18 ular notification procedures of the Committees on Appro-
19 priations: *Provided further*, That to the maximum extent
20 practicable, such funds shall be matched by sources other
21 than the United States Government: *Provided further*,
22 That such funds shall be administered by the Center for
23 Conflict and Violence Prevention, USAID.

24 (g) WATER AND SANITATION.—Of the funds appro-
25 priated by this Act, not less than \$500,000,000 shall be

1 made available for water supply and sanitation projects
2 pursuant to section 136 of the Foreign Assistance Act of
3 1961, of which not less than \$250,000,000 shall be for
4 programs in sub-Saharan Africa, and of which not less
5 than \$19,000,000 shall be made available to support ini-
6 tiatives by local communities in developing countries to
7 build and maintain safe latrines.

8 (h) DEVIATION.—Unless otherwise provided for by
9 this Act, the Secretary of State and the Administrator of
10 the United States Agency for International Development,
11 as applicable, may deviate below the minimum funding re-
12 quirements designated in sections 7059, 7060, and 7061
13 of this Act by up to 10 percent, notwithstanding such des-
14 ignation: *Provided*, That concurrent with the submission
15 of the report required by section 653(a) of the Foreign
16 Assistance Act of 1961, the Secretary of State shall sub-
17 mit to the Committees on Appropriations in writing any
18 proposed deviations utilizing such authority that are
19 planned at the time of submission of such report: *Provided*
20 *further*, That any deviations proposed subsequent to the
21 submission of such report shall be subject to prior con-
22 sultation with such Committees: *Provided further*, That
23 not later than November 1, 2024, the Secretary of State
24 shall submit a report to the Committees on Appropriations
25 on the use of the authority of this subsection.

1 ENVIRONMENT PROGRAMS

2 SEC. 7061. (a) Funds appropriated by this Act to
3 carry out the provisions of sections 103 through 106, and
4 chapter 4 of part II, of the Foreign Assistance Act of 1961
5 may be used, notwithstanding any other provision of law,
6 except for the provisions of this section and subject to the
7 regular notification procedures of the Committees on Ap-
8 propriations, to support environment programs.

9 (b)(1) Of the funds appropriated under title III of
10 this Act, not less than \$420,000,000 shall be made avail-
11 able for biodiversity conservation programs.

12 (2) Not less than \$140,000,000 of the funds appro-
13 priated under titles III and IV of this Act shall be made
14 available to combat the transnational threat of wildlife
15 poaching and trafficking.

16 (3) None of the funds appropriated under title IV of
17 this Act may be made available for training or other as-
18 sistance for any military unit or personnel that the Sec-
19 retary of State determines has been credibly alleged to
20 have participated in wildlife poaching or trafficking, unless
21 the Secretary reports to the appropriate congressional
22 committees that to do so is in the national security inter-
23 est of the United States.

24 (4) Funds appropriated by this Act for biodiversity
25 programs shall not be used to support the expansion of

1 industrial scale logging, agriculture, livestock production,
2 mining, or any other industrial scale extractive activity
3 into areas that were primary/intact tropical forests as of
4 December 30, 2013, and the Secretary of the Treasury
5 shall instruct the United States executive directors of each
6 international financial institution (IFI) to use the voice
7 and vote of the United States to oppose any financing of
8 any such activity.

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

17 (d) Of the funds appropriated under title III of this
18 Act, not less than \$300,000,000 shall be made available
19 for sustainable landscapes programs.

20 (e) Of the funds appropriated under title III of this
21 Act, not less than \$450,000,000 shall be made available
22 for adaptation programs, including in support of the im-
23 plementation of the Indo-Pacific Strategy.

24 (f) Of the funds appropriated under title III of this
25 Act, not less than \$390,000,000 shall be made available

1 for clean energy programs, including in support of car-
2 rying out the purposes of the Electrify Africa Act (Public
3 Law 114–121) and implementing the Power Africa initia-
4 tive.

5 (g) Of the funds appropriated under title III of this
6 Act, not less than \$100,000,000 may be made available
7 for United States contributions to the Adaptation Fund
8 and the Least Developed Countries Fund.

9 (h) Of the funds appropriated under title III of this
10 Act, not less than \$60,000,000 shall be made available for
11 programs to address ocean plastic and other marine debris
12 and waste management infrastructure: *Provided*, That
13 such funds may only be made available following consulta-
14 tion with the Committees on Appropriations.

15 BUDGET DOCUMENTS

16 SEC. 7062. (a) OPERATING PLANS.—Not later than
17 45 days after the date of enactment of this Act, each de-
18 partment, agency, or organization funded in titles I, II,
19 and VI of this Act, and the Department of the Treasury
20 and Independent Agencies funded in title III of this Act,
21 including the Inter-American Foundation and the United
22 States African Development Foundation, shall submit to
23 the Committees on Appropriations an operating plan for
24 funds appropriated to such department, agency, or organi-
25 zation in such titles of this Act, or funds otherwise avail-

1 able for obligation in fiscal year 2023, that provides de-
2 tails of the uses of such funds at the program, project,
3 and activity level: *Provided*, That such plans shall include,
4 as applicable, a comparison between the congressional
5 budget justification funding levels, the most recent con-
6 gressional directives or approved funding levels, and the
7 funding levels proposed by the department or agency; and
8 a clear, concise, and informative description/justification:
9 *Provided further*, That operating plans that include
10 changes in levels of funding for programs, projects, and
11 activities specified in the congressional budget justifica-
12 tion, in this Act, or amounts specifically designated in the
13 respective tables included in the report accompanying this
14 Act, as applicable, shall be subject to the notification and
15 reprogramming requirements of section 7015 of this Act.

16 (b) SPEND PLANS.—

17 (1) Prior to the initial obligation of funds, the
18 Secretary of State or Administrator of the United
19 States Agency for International Development, as ap-
20 propriate, shall submit to the Committees on Appro-
21 priations a spend plan for funds made available by
22 this Act for—

23 (A) assistance for countries in Central
24 America;

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

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

7 (D) the Indo-Pacific Strategy and the
8 Countering PRC Influence Fund;

9 (E) democracy programs, the Power Africa
10 and Prosper Africa initiatives, and sectors enu-
11 merated in subsections (a), (c), (d), (e), (f), and
12 (g) of section 7060 of this Act;

13 (F) funds provided under the heading
14 “International Narcotics Control and Law En-
15 forcement” for International Organized Crime
16 and for Cybercrime and Intellectual Property
17 Rights: *Provided*, That the spend plans shall in-
18 clude bilateral and global programs funded
19 under such heading along with a brief descrip-
20 tion of the activities planned for each country;

21 (G) implementation of the Global Fragility
22 Act of 2019 (title V of division J of Public Law
23 116–94);

24 (H) the Caribbean Basin Security Initia-
25 tive; the Central America Regional Security Ini-

1 tiative; the Trans-Saharan Counterterrorism
2 Partnership; the Partnership for Regional East
3 Africa Counterterrorism; the Global Peace Op-
4 erations Initiative; the Africa Regional Counter-
5 terrorism program; and the Counterterrorism
6 Partnerships Fund; and

7 (I) environment programs.

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 or the USAID Administrator, as appro-
20 priate, determines that the obligation of such funds
21 is necessary to avoid significant programmatic dis-
22 ruption: *Provided*, That not less than seven days
23 prior to such obligation, the Secretary or Adminis-
24 trator, as appropriate, shall consult with the Com-

1 tion with the appropriate congressional committees: *Pro-*
2 *vided*, That such funds shall be subject to the regular noti-
3 fication procedures of the Committees on Appropriations:
4 *Provided further*, That any such notification submitted to
5 such Committees shall include a detailed justification for
6 any proposed action: *Provided further*, That congressional
7 notifications submitted in prior fiscal years pursuant to
8 similar provisions of law in prior Acts making appropria-
9 tions for the Department of State, foreign operations, and
10 related programs may be deemed to meet the notification
11 requirements of this section.

12 (b) DESCRIPTION OF ACTIVITIES.—Pursuant to sub-
13 section (a), a reorganization, redesign, or other plan shall
14 include any action to—

15 (1) expand, eliminate, consolidate, or downsize
16 covered departments, agencies, or organizations, in-
17 cluding bureaus and offices within or between such
18 departments, agencies, or organizations, including
19 the transfer to other agencies of the authorities and
20 responsibilities of such bureaus and offices;

21 (2) expand, eliminate, consolidate, or downsize
22 the United States official presence overseas, includ-
23 ing at bilateral, regional, and multilateral diplomatic
24 facilities and other platforms; or

1 (3) expand or reduce the size of the permanent
2 Civil Service, Foreign Service, eligible family mem-
3 ber, and locally employed staff workforce of the De-
4 partment of State and USAID from the staffing lev-
5 els previously justified to the Committees on Appro-
6 priations for fiscal year 2023.

7 DEPARTMENT OF STATE MANAGEMENT

8 SEC. 7064. (a) WORKING CAPITAL FUND.—Funds
9 appropriated by this Act or otherwise made available to
10 the Department of State for payments to the Working
11 Capital Fund that are made available for new service cen-
12 ters, shall be subject to the regular notification procedures
13 of the Committees on Appropriations.

14 (b) CERTIFICATION.—

15 (1) COMPLIANCE.—Not later than 45 days
16 after the initial obligation of funds appropriated
17 under titles III and IV of this Act that are made
18 available to a Department of State bureau or office
19 with responsibility for the management and over-
20 sight of such funds, the Secretary of State shall cer-
21 tify and report to the Committees on Appropria-
22 tions, on an individual bureau or office basis, that
23 such bureau or office is in compliance with Depart-
24 ment and Federal financial and grants management
25 policies, procedures, and regulations, as applicable.

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

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

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

9 (C) establish performance measures and
10 indicators;

11 (D) review activities and performance; and

12 (E) assess final results and reconcile fi-
13 nances.

14 (3) PLAN.—If the Secretary of State is unable
15 to make a certification required by paragraph (1),
16 the Secretary shall submit a plan and timeline de-
17 tailing the steps to be taken to bring such bureau
18 or office into compliance.

19 (c) INTERNSHIPS.—The Department of State may
20 offer compensated internships, and select, appoint, employ
21 for not more than 52 weeks, and remove any such com-
22 pensated intern without regard to the provisions of law
23 governing appointments in the competitive service.

24 (d) INFORMATION TECHNOLOGY PLATFORM.—None
25 of the funds appropriated in title I of this Act under the

1 heading “Administration of Foreign Affairs” may be made
2 available for a new major information technology (IT) in-
3 vestment without the concurrence of the Chief Information
4 Officer, Department of State.

5 UNITED STATES AGENCY FOR INTERNATIONAL
6 DEVELOPMENT MANAGEMENT

7 SEC. 7065. (a) AUTHORITY.—Up to \$170,000,000 of
8 the funds made available in title III of this Act pursuant
9 to or to carry out the provisions of part I of the Foreign
10 Assistance Act of 1961, including funds appropriated
11 under the heading “Assistance for Europe, Eurasia and
12 Central Asia”, may be used by the United States Agency
13 for International Development to hire and employ individ-
14 uals in the United States and overseas on a limited ap-
15 pointment basis pursuant to the authority of sections 308
16 and 309 of the Foreign Service Act of 1980 (22 U.S.C.
17 3948 and 3949).

18 (b) RESTRICTION.—The authority to hire individuals
19 contained in subsection (a) shall expire on September 30,
20 2024.

21 (c) PROGRAM ACCOUNT CHARGED.—The account
22 charged for the cost of an individual hired and employed
23 under the authority of this section shall be the account
24 to which the responsibilities of such individual primarily
25 relate: *Provided*, That funds made available to carry out

1 this section may be transferred to, and merged with, funds
2 appropriated by this Act in title II under the heading “Op-
3 erating Expenses”.

4 (d) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-
5 viduals hired and employed by USAID, with funds made
6 available in this Act or prior Acts making appropriations
7 for the Department of State, foreign operations, and re-
8 lated programs, pursuant to the authority of section 309
9 of the Foreign Service Act of 1980 (22 U.S.C. 3949), may
10 be extended for a period of up to 4 years notwithstanding
11 the limitation set forth in such section.

12 (e) DISASTER SURGE CAPACITY.—Funds appro-
13 priated under title III of this Act to carry out part I of
14 the Foreign Assistance Act of 1961, including funds ap-
15 propriated under the heading “Assistance for Europe,
16 Eurasia and Central Asia”, may be used, in addition to
17 funds otherwise available for such purposes, for the cost
18 (including the support costs) of individuals detailed to or
19 employed by USAID whose primary responsibility is to
20 carry out programs in response to natural disasters, or
21 man-made disasters subject to the regular notification
22 procedures of the Committees on Appropriations.

23 (f) PERSONAL SERVICES CONTRACTORS.—Funds ap-
24 propriated by this Act to carry out chapter 1 of part I,
25 chapter 4 of part II, and section 667 of the Foreign As-

1 sistance Act of 1961, and title II of the Food for Peace
2 Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be
3 used by USAID to employ up to 40 personal services con-
4 tractors in the United States, notwithstanding any other
5 provision of law, for the purpose of providing direct, in-
6 terim support for new or expanded overseas programs and
7 activities managed by the agency until permanent direct
8 hire personnel are hired and trained: *Provided*, That not
9 more than 15 of such contractors shall be assigned to any
10 bureau or office: *Provided further*, That such funds appro-
11 priated to carry out title II of the Food for Peace Act
12 (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be made
13 available only for personal services contractors assigned
14 to the Bureau for Humanitarian Assistance.

15 (g) SMALL BUSINESS.—In entering into multiple
16 award indefinite-quantity contracts with funds appro-
17 priated by this Act, USAID may provide an exception to
18 the fair opportunity process for placing task orders under
19 such contracts when the order is placed with any category
20 of small or small disadvantaged business.

21 (h) SENIOR FOREIGN SERVICE LIMITED APPOINT-
22 MENTS.—Individuals hired pursuant to the authority pro-
23 vided by section 7059(o) of the Department of State, For-
24 eign Operations, and Related Programs Appropriations
25 Act, 2010 (division F of Public Law 111–117) may be

1 assigned to or support programs in Pakistan with funds
2 made available in this Act and prior Acts making appro-
3 priations for the Department of State, foreign operations,
4 and related programs.

5 STABILIZATION AND DEVELOPMENT IN REGIONS
6 IMPACTED BY EXTREMISM AND CONFLICT

7 SEC. 7066. (a) PREVENTION AND STABILIZATION
8 FUND.—

9 (1) FUNDS AND TRANSFER AUTHORITY.—Of
10 the funds appropriated by this Act under the head-
11 ings “Economic Support Fund”, “International Nar-
12 cotics Control and Law Enforcement”, “Non-
13 proliferation, Anti-terrorism, Demining and Related
14 Programs”, “Peacekeeping Operations”, and “For-
15 eign Military Financing Program”, not less than
16 \$150,000,000 shall be made available for the pur-
17 poses of the Prevention and Stabilization Fund, as
18 authorized by, and for the purposes enumerated in,
19 section 509(a) of the Global Fragility Act of 2019
20 (title V of division J of Public Law 116–94), of
21 which \$25,000,000 may be made available for the
22 Multi-Donor Global Fragility Fund authorized by
23 section 510(c) of such Act: *Provided*, That such
24 funds appropriated under such headings may be
25 transferred to, and merged with, funds appropriated

1 under such headings: *Provided further*, That such
2 transfer authority is in addition to any other trans-
3 fer authority provided by this Act or any other Act,
4 and is subject to the regular notification procedures
5 of the Committees on Appropriations.

6 (2) TRANSITIONAL JUSTICE.—Of the funds ap-
7 propriated by this Act under the headings “Eco-
8 nomic Support Fund” and “International Narcotics
9 Control and Law Enforcement” that are made avail-
10 able for the Prevention and Stabilization Fund, not
11 less than \$10,000,000 shall be made available for
12 programs to promote accountability for genocide,
13 crimes against humanity, and war crimes, which
14 shall be in addition to any other funds made avail-
15 able by this Act for such purposes: *Provided*, That
16 such programs shall include components to develop
17 local investigative and judicial skills, and to collect
18 and preserve evidence and maintain the chain of cus-
19 tody of evidence, including for use in prosecutions,
20 and may include the establishment of, and assistance
21 for, transitional justice mechanisms: *Provided fur-*
22 *ther*, That such funds shall be administered by the
23 Special Coordinator for the Office of Global Criminal
24 Justice, Department of State, and shall be subject to
25 prior consultation with the Committees on Appro-

1 priations: *Provided further*, That funds made avail-
2 able by this paragraph shall be made available on an
3 open and competitive basis.

4 (b) GLOBAL COMMUNITY ENGAGEMENT AND RESIL-
5 IENCE FUND.—Funds appropriated by this Act and prior
6 Acts making appropriations for the Department of State,
7 foreign operations, and related programs under the head-
8 ing “Economic Support Fund” may be made available to
9 the Global Community Engagement and Resilience Fund
10 (GCERF), including as a contribution: *Provided*, That any
11 such funds made available for the GCERF shall be made
12 available on a cost-matching basis from sources other than
13 the United States Government, to the maximum extent
14 practicable, and shall be subject to the regular notification
15 procedures of the Committees on Appropriations.

16 (c) GLOBAL CONCESSIONAL FINANCING FACILITY.—
17 Funds appropriated by this Act under the heading “Eco-
18 nomic Support Fund” may be made available for the Glob-
19 al Concessional Financing Facility of the World Bank to
20 provide financing to support refugees and host commu-
21 nities: *Provided*, That such funds should be in addition
22 to funds allocated for bilateral assistance in the report re-
23 quired by section 653(a) of the Foreign Assistance Act
24 of 1961, and may only be made available subject to prior
25 to consultation with the Committees on Appropriations:

1 *Provided further*, That such funds may be transferred to
2 the Department of the Treasury.

3 DEBT-FOR-DEVELOPMENT

4 SEC. 7067. In order to enhance the continued partici-
5 pation of nongovernmental organizations in debt-for-devel-
6 opment and debt-for-nature exchanges, a nongovern-
7 mental organization which is a grantee or contractor of
8 the United States Agency for International Development
9 may place in interest bearing accounts local currencies
10 which accrue to that organization as a result of economic
11 assistance provided under title III of this Act and, subject
12 to the regular notification procedures of the Committees
13 on Appropriations, any interest earned on such investment
14 shall be used for the purpose for which the assistance was
15 provided to that organization: *Provided*, That such cur-
16 rencies may not be placed into accounts that accrue inter-
17 est from holdings of United States Treasury securities.

18 EXTENSION OF CONSULAR FEES AND RELATED

19 AUTHORITIES

20 SEC. 7068. (a) Section 1(b)(1) of the Passport Act
21 of June 4, 1920 (22 U.S.C. 214(b)(1)) shall be applied
22 through fiscal year 2023 by substituting “the costs of pro-
23 viding consular services” for “such costs”.

24 (b) Section 21009 of the Emergency Appropriations
25 for Coronavirus Health Response and Agency Operations

1 (division B of Public Law 116–136; 134 Stat. 592) shall
2 be applied during fiscal year 2023 by substituting “2020,
3 2021, 2022, and 2023” for “2020, 2021, and 2022”.

4 (c) Discretionary amounts made available to the De-
5 partment of State under the heading “Administration of
6 Foreign Affairs” of this Act, and discretionary unobli-
7 gated balances under such heading from prior Acts mak-
8 ing appropriations for the Department of State, foreign
9 operations, and related programs, may be transferred to
10 the Consular and Border Security Programs account if the
11 Secretary of State determines and reports to the Commit-
12 tees on Appropriations that to do so is necessary to sus-
13 tain consular operations, following consultation with such
14 Committees: *Provided*, That such transfer authority is in
15 addition to any transfer authority otherwise available in
16 this Act and under any other provision of law: *Provided*
17 *further*, That no amounts may be transferred from
18 amounts designated as an emergency requirement pursu-
19 ant to a concurrent resolution on the budget or the Bal-
20 anced Budget and Emergency Deficit Control Act of 1985.

21 (d) In addition to the uses permitted pursuant to sec-
22 tion 286(v)(2)(A) of the Immigration and Nationality Act
23 (8 U.S.C. 1356(v)(2)(A)), for fiscal year 2023, the Sec-
24 retary of State may also use fees deposited into the Fraud

1 Prevention and Detection Account for the costs of pro-
2 viding consular services.

3 (e) Amounts repurposed pursuant to subsections (a),
4 (b), and (d) that were previously designated by the Con-
5 gress as an emergency requirement pursuant to the Bal-
6 anced Budget and Emergency Deficit Control Act of 1985
7 or a concurrent resolution on the budget are designated
8 as an emergency requirement pursuant to section
9 4001(a)(1) of S. Con. Res. 14 (117th Congress), the con-
10 current resolution on the budget for fiscal year 2022, and
11 section 1(e) of H. Res. 1151 (117th Congress), as en-
12 grossed in the House of Representatives on June 8, 2022.

13 RESCISSION

14 (INCLUDING RESCISSION OF FUNDS)

15 SEC. 7069. Of the unobligated balances from
16 amounts made available under the heading “Peace Corps”
17 from prior Acts making appropriations for the Depart-
18 ment of State, foreign operations, and related programs,
19 \$20,000,000 are rescinded: *Provided*, That no amounts
20 may be rescinded from amounts that were previously des-
21 ignated by the Congress as an emergency requirement
22 pursuant to a concurrent resolution on the budget or the
23 Balanced Budget and Emergency Deficit Control Act of
24 1985.

1 MANAGEMENT OF INTERNATIONAL TRANSBOUNDARY
2 WATER POLLUTION
3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 7070. In fiscal year 2023 and in each fiscal year
5 thereafter—

6 (a) The Administrator of the Environmental Protec-
7 tion Agency (the “Administrator”) may transfer amounts
8 made available under the heading “Environmental Protec-
9 tion Agency—State and Tribal Assistance Grants” in the
10 USMCA Supplemental Appropriations Act, 2019 (title IX
11 of Public Law 116–113) to the International Boundary
12 and Water Commission, United States and Mexico (the
13 “Commission”), to support the construction of treatment
14 works (as that term is defined in section 212(2) of the
15 Federal Water Pollution Control Act (33 U.S.C. 1292(2)),
16 that are owned or will be operated by the Commission:
17 *Provided*, That the Commission shall, in consultation with
18 the Administrator and subject to the requirements of sec-
19 tion 513 and 608 of the Federal Water Pollution Control
20 Act (33 U.S.C. 1372 and 1388), use amounts transferred
21 pursuant to this section for general, administrative, or
22 other costs (including construction management) related
23 to the planning, study, design, and construction, of treat-
24 ment works that, as determined by the Commissioner of
25 the Commission, will—

1 (1) protect residents in the United States-Mex-
2 ico border region from water pollution resulting
3 from—

4 (A) transboundary flows of wastewater,
5 stormwater, or other international transbound-
6 ary water flows originating in Mexico; and

7 (B) any inadequacies or breakdowns of
8 treatment works in Mexico; and

9 (2) provide treatment of the flows and water
10 pollution described in subparagraph (A) in compli-
11 ance with local, State, and Federal law:

12 *Provided*, That the Commission may also use amounts
13 transferred pursuant to this section to operate and main-
14 tain any new treatment work constructed, which shall be
15 in addition to any amounts otherwise available to the
16 Commission for such purposes.

17 (b) The Commission is authorized to enter into an
18 agreement with the appropriate official or officials of the
19 United States and Mexican States for the operation and
20 maintenance by the Commission of any new treatment
21 works, pursuant to subsection (a): *Provided*, That such
22 agreement shall contain a provision relating to the division
23 between the two Governments of the costs of such oper-
24 ation and maintenance, or of the works involved there as

1 may be recommended by said Commission and approved
2 by the Government of Mexico.

3 (c) Nothing in this section modifies, amends, repeals,
4 or otherwise limits the authority of the Commission
5 under—

6 (1) the treaty relating to the utilization of the
7 waters of the Colorado and Tijuana Rivers, and of
8 the Rio Grande (Rio Bravo) from Fort Quitman,
9 Texas, to the Gulf of Mexico, and supplementary
10 protocol, signed at Washington February 3, 1944
11 (59 Stat. 1219), between the United States and
12 Mexico;or

13 (2) any other applicable treaty.

14 (d) Funds transferred pursuant to subsection (a)
15 shall be subject to the regular notification procedures of
16 the Committees on Appropriations.

17 (e) Amounts repurposed pursuant to this section that
18 were previously designated by the Congress as an emer-
19 gency requirement pursuant to the Balanced Budget and
20 Emergency Deficit Control Act of 1985 or a concurrent
21 resolution on the budget are designated as an emergency
22 requirement pursuant to section 4001(a)(1) of S. Con.
23 Res. 14 (117th Congress), the concurrent resolution on
24 the budget for fiscal year 2022, and section 1(e) of H.

1 Res. 1151 (117th Congress), as engrossed in the House
2 of Representatives on June 8, 2022.

3 WAIVER AUTHORITY

4 SEC. 7071. The President may waive section 414 of
5 Public Law 101–246 and section 410 of Public Law 103–
6 236 with respect to the United Nations Educational, Sci-
7 entific and Cultural Organization if the President deter-
8 mines and reports in writing to the Speaker of the House
9 of Representatives, the President Pro Tempore of the Sen-
10 ate, and the appropriate congressional committees that to
11 do so would enable the United States to counter Chinese
12 influence or to promote other national interests of the
13 United States: *Provided*, That the authority of this section
14 shall cease to have effect if, after enactment of this Act,
15 the Palestinians obtain the same standing as member
16 states or full membership as a state in the United Nations
17 or any specialized agency thereof outside an agreement ne-
18 gotiated between Israel and the Palestinians: *Provided fur-*
19 *ther*, That the authority of this section shall sunset on
20 September 30, 2025, unless extended in a subsequent Act
21 of Congress.

1 ASSISTANCE FOR FOREIGN NONGOVERNMENTAL
2 ORGANIZATIONS

3 SEC. 7072. The Foreign Assistance Act of 1961 (22
4 U.S.C. 2151 et seq.) is amended by inserting after section
5 104C the following:

6 **“SEC. 104D ELIGIBILITY FOR ASSISTANCE.**

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

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

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

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

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

1 This Act may be cited as the “Department of State,
2 Foreign Operations, and Related Programs Appropria-
3 tions Act, 2023”.

[FULL COMMITTEE PRINT]

Union Calendar No. _____

117TH CONGRESS
2^D Session

H. R. _____

[Report No. 117-_____] _____

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.

JUNE --, 2022

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed