

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 7633
OFFERED BY MR. SHREVE OF INDIANA**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “American Assistance
3 Visibility Act”.

4 **SEC. 2. REQUIREMENT TO DISPLAY UNITED STATES FLAG
5 ON FOREIGN ASSISTANCE.**

6 The Foreign Assistance Act of 1961 (22 U.S.C. 2151
7 et seq.) is amended—

8 (1) in section 641, by striking the second sen-
9 tence; and

10 (2) by adding after such section the following:

11 **“SEC. 641A. REQUIREMENT TO DISPLAY UNITED STATES
12 FLAG ON FOREIGN ASSISTANCE.**

13 “(a) IN GENERAL.—The United States flag shall be
14 displayed on foreign assistance.

15 “(b) ADDITIONAL BRANDING ELEMENTS.—In addi-
16 tion to the United State flag, the Secretary of State where
17 appropriate may authorize on a case-by-case basis any
18 other branding element to be displayed on foreign assist-

1 ance, provided that the United States flag remains the
2 most prominent branding element, under the following:

3 “(1) When required by an international agree-
4 ment or partnership where co-branding is a formal
5 condition of such agreement or partnership.

6 “(2) When necessary for the clear identification
7 of implementing partners.

8 “(3) Any other basis the Secretary of State de-
9 termines necessary.

10 “(c) EXCEPTIONS.—The Secretary of State may
11 grant an exception to any requirement under this section
12 when the Secretary determines such exception to be in the
13 national interest, including to ensure the safety or security
14 of personnel or beneficiaries.

15 “(d) PROHIBITION ON NAME OR LIKENESS OF CER-
16 TAIN INDIVIDUALS.—Foreign assistance may not display
17 the name or likeness of an individual who is a United
18 States Government official.

19 “(e) DIRECTED RULEMAKING.—The Secretary of
20 State shall issue regulations to establish clear and con-
21 sistent guidelines for—

22 “(1) displaying the United States flag on for-
23 eign assistance, which may include specifications
24 with respect to the United States flag regarding—

25 “(A) minimum size requirements;

1 “(B) color accuracy;

2 “(C) placement location; and

3 “(D) any other requirement the Secretary
4 of State determines necessary to ensure the
5 clear and prominent display of the United
6 States flag on foreign assistance in a prac-
7 ticable manner; and

8 “(2) compliance with this section by imple-
9 menting partners, which may include—

10 “(A) required adherence by sub-recipients
11 and sub-contractors; and

12 “(B) modifying existing contracts to tran-
13 sition to any new regulation issued pursuant to
14 this section.

15 “(f) FOREIGN ASSISTANCE DEFINED.—In this sec-
16 tion, the term ‘foreign assistance’ means each tangible and
17 intangible item provided by the United States Government
18 to a foreign country or international organization under
19 this or any other Act, including—

20 “(1) buildings, equipment, vehicles, project or
21 construction site signage, and any other physical
22 asset or infrastructure;

23 “(2) food aid, medical supplies, and any other
24 commodity or supplies; and

1 “(3) banners, posters, websites, social media ac-
2 counts or posts, and other public outreach or report
3 publications.”.

4 **SEC. 3. APPLICABILITY AND TRANSITIONAL PERIOD.**

5 (a) **APPLICABILITY.**—Except as provided under sub-
6 section (b), this Act, and the amendments made by this
7 Act, shall apply with respect to foreign assistance provided
8 on and after the date that is 180 days after the date of
9 the enactment of this Act.

10 (b) **TRANSITIONAL PERIOD.**—

11 (1) **IN GENERAL.**—Except as provided under
12 paragraph (2), foreign assistance provided pursuant
13 to a grant, cooperative agreement, contract, or other
14 award which was executed before the date of the en-
15 actment of this Act shall comply with the branding
16 requirements in effect at the time of such execution
17 until the earlier of the following:

18 (A) The date on which the period covered
19 by such grant, cooperative agreement, contract,
20 or other award ends.

21 (B) The date that is two years after the
22 date of the enactment of this Act.

23 (2) **EXTENSION.**—The Secretary of State may
24 grant an extension to the transition period described

1 in paragraph (1) on a case-by-case basis to avoid un-
2 necessary costs or operational disruption.

3 (3) GUIDANCE.—The Secretary of State shall
4 issue guidance for modifying a grant, cooperative
5 agreement, contract, or other award to provide for-
6 eign assistance which was executed before the date
7 of the enactment of this Act to comply with the re-
8 quirements of this Act, provided that—

9 (A) the modifications account for reason-
10 able implementation timelines and operational
11 constraints; and

12 (B) the modifications do not conflict with
13 any other legal obligation.

14 (c) FOREIGN ASSISTANCE DEFINED.—In this sec-
15 tion, the term “foreign assistance” has the meaning given
16 such term in section 641A of the Foreign Assistance Act
17 of 1961.

