

[COMMITTEE PRINT]

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

Calendar No. 000

117TH CONGRESS
2^D SESSION

S. 0000**[Report No. 117-000]**

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

IN THE SENATE OF THE UNITED STATES

JULY _____, 2022

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

A BILL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 CAPITAL INVESTMENT FUND

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

21 OFFICE OF INSPECTOR GENERAL

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

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

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

11 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

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

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

14 REPRESENTATION EXPENSES

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

17 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

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

22 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

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

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

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

13 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
14 SERVICE

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

22 REPATRIATION LOANS PROGRAM ACCOUNT

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

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

5 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

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

8 INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF
9 COLUMBIA

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

18 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
19 DISABILITY FUND

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

22 INTERNATIONAL ORGANIZATIONS

23 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

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

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

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

4 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
5 ACTIVITIES

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

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

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

16 INTERNATIONAL COMMISSIONS

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

20 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

21 UNITED STATES AND MEXICO

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

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

3 SALARIES AND EXPENSES

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

7 CONSTRUCTION

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

22 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

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

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

10 INTERNATIONAL FISHERIES COMMISSIONS

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

17 RELATED AGENCY

18 UNITED STATES AGENCY FOR GLOBAL MEDIA

19 INTERNATIONAL BROADCASTING OPERATIONS

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

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

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

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

10 BROADCASTING CAPITAL IMPROVEMENTS

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

20 RELATED PROGRAMS

21 THE ASIA FOUNDATION

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

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

3 UNITED STATES INSTITUTE OF PEACE

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

9 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

10 TRUST FUND

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

18 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

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

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

8 ISRAELI ARAB SCHOLARSHIP PROGRAM

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

15 EAST-WEST CENTER

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

1 NATIONAL ENDOWMENT FOR DEMOCRACY

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

12 OTHER COMMISSIONS

13 COMMISSION FOR THE PRESERVATION OF AMERICA'S

14 HERITAGE ABROAD

15 SALARIES AND EXPENSES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 CAPITAL INVESTMENT FUND

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

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

3 OFFICE OF INSPECTOR GENERAL

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

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

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

7 GLOBAL HEALTH PROGRAMS

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

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

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

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

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

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

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

16 DEVELOPMENT ASSISTANCE

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

1 INTERNATIONAL DISASTER ASSISTANCE

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

10 TRANSITION INITIATIVES

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

1 terminates that it is important to the national interest of
2 the United States to provide transition assistance in ex-
3 cess of the amount appropriated under this heading, up
4 to \$15,000,000 of the funds appropriated by this Act to
5 carry out the provisions of part I of the Foreign Assist-
6 ance Act of 1961 may be used for purposes of this heading
7 and under the authorities applicable to funds appropriated
8 under this heading: *Provided further*, That funds made
9 available pursuant to the previous proviso shall be made
10 available subject to prior consultation with the Committees
11 on Appropriations.

12

COMPLEX CRISES FUND

13 For necessary expenses to carry out the provisions
14 of section 509(b) of the Global Fragility Act of 2019 (title
15 V of division J of Public Law 116–94), \$60,000,000, to
16 remain available until expended: *Provided*, That funds ap-
17 propriated under this heading may be made available not-
18 withstanding any other provision of law, except sections
19 7007, 7008, and 7018 of this Act and section 620M of
20 the Foreign Assistance Act of 1961: *Provided further*,
21 That funds appropriated under this heading shall be ap-
22 portioned to the United States Agency for International
23 Development.

1 ECONOMIC SUPPORT FUND

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

6 DEMOCRACY FUND

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

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

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

4 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

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

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

7 DEPARTMENT OF STATE

8 MIGRATION AND REFUGEE ASSISTANCE

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

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

3 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
4 ASSISTANCE FUND

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

13 INDEPENDENT AGENCIES

14 PEACE CORPS

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

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

18 MILLENNIUM CHALLENGE CORPORATION

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

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

15 INTER-AMERICAN FOUNDATION

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

23 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

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

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

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

6 DEPARTMENT OF THE TREASURY

7 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

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

17 DEBT RESTRUCTURING

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

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

6 TROPICAL FOREST AND CORAL REEF CONSERVATION

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

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

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

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

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

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

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

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

7 PEACEKEEPING OPERATIONS

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

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

4 FUNDS APPROPRIATED TO THE PRESIDENT

5 INTERNATIONAL MILITARY EDUCATION AND TRAINING

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

23 FOREIGN MILITARY FINANCING PROGRAM

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

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

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

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

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

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

4 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

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

20 INTERNATIONAL FINANCIAL INSTITUTIONS

21 GLOBAL ENVIRONMENT FACILITY

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

1 CONTRIBUTION TO THE GREEN CLIMATE FUND

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

5 CONTRIBUTION TO THE CLEAN TECHNOLOGY FUND

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

14 CONTRIBUTION TO THE INTERNATIONAL BANK FOR
15 RECONSTRUCTION AND DEVELOPMENT

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

21 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

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

3 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
4 ASSOCIATION

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

8 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

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

12 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

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

17 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

1 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

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

5 CONTRIBUTION TO THE INTERNATIONAL FUND FOR
6 AGRICULTURAL DEVELOPMENT

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

10 GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

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

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

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

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

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

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

10 PROGRAM ACCOUNT

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

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

3 ADMINISTRATIVE EXPENSES

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

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

10 PROGRAM BUDGET APPROPRIATIONS

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

22 RECEIPTS COLLECTED

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

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

7 UNITED STATES INTERNATIONAL DEVELOPMENT
8 FINANCE CORPORATION
9 INSPECTOR GENERAL

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

14 CORPORATE CAPITAL ACCOUNT

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

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

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

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

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

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

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

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

6 PROGRAM ACCOUNT

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

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

5 TRADE AND DEVELOPMENT AGENCY

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

1

TITLE VII

2

GENERAL PROVISIONS

3

ALLOWANCES AND DIFFERENTIALS

4

SEC. 7001. Funds appropriated under title I of this 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 under this
17 section in the explanatory statement accompanying this
18 Act.

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

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

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

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

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

19 PERSONNEL ACTIONS

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

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

6 PROHIBITION ON PUBLICITY OR PROPAGANDA

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

15 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
16 COUNTRIES

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

1 COUPS D'ÉTAT

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

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

5 TRANSFER OF FUNDS AUTHORITY

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

8 (1) DEPARTMENT OF STATE.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (d) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—

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

11 (e) AUDIT OF INTER-AGENCY TRANSFERS OF

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

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

6 PROHIBITION AND LIMITATION ON CERTAIN EXPENSES

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

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

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

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

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

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

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

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

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

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

4 (1) alcoholic beverages; or

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

9 AVAILABILITY OF FUNDS

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

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

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

1 termines, following consultation with the Committees on
2 Appropriations, that assistance for such country is in the
3 national interest of the United States.

4 PROHIBITION ON TAXATION OF UNITED STATES
5 ASSISTANCE

6 SEC. 7013. (a) PROHIBITION ON TAXATION.—None
7 of the funds appropriated under titles III through VI of
8 this Act may be made available to provide assistance for
9 a foreign country under a new bilateral agreement gov-
10 erning the terms and conditions under which such assist-
11 ance is to be provided unless such agreement includes a
12 provision stating that assistance provided by the United
13 States shall be exempt from taxation, or reimbursed, by
14 the foreign government, and the Secretary of State and
15 the Administrator of the United States Agency for Inter-
16 national Development shall expeditiously seek to negotiate
17 amendments to existing bilateral agreements, as nec-
18 essary, to conform with this requirement.

19 (b) NOTIFICATION AND REIMBURSEMENT OF FOR-
20 EIGN TAXES.—An amount equivalent to 200 percent of
21 the total taxes assessed during fiscal year 2023 on funds
22 appropriated by this Act and prior Acts making appropria-
23 tions for the Department of State, foreign operations, and
24 related programs by a foreign government or entity
25 against United States assistance programs, either directly

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

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

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

19 (e) DETERMINATIONS.—

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

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

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

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

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

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

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

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

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

9 RESERVATIONS OF FUNDS

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

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

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

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

21 NOTIFICATION REQUIREMENTS

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

tion”, of this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs to the departments and agencies funded by this Act that remain available for obligation in fiscal year 2023, or provided from any accounts in the Treasury of the United States derived by the collection of fees or of currency refloes or other offsetting collections, or made available by transfer, to the departments and agencies funded by this Act, shall be available for obligation to—

- (1) create new programs;
 - (2) suspend or eliminate a program, project, or activity;
 - (3) close, suspend, open, or reopen a mission or post;
 - (4) create, close, reorganize, downsize, or rename bureaus, centers, or offices; or
 - (5) contract out or privatize any functions or activities presently performed by Federal employees;
- unless previously justified to the Committees on Appropriations or such Committees are notified 15 days in advance of such obligation.

(b) NOTIFICATION OF REPROGRAMMING OF FUNDS.—None of the funds provided under titles I, II, and VI of this Act or prior Acts making appropriations for the Department of State, foreign operations, and re-

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

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

12 (2) relocates an existing office or employees;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 (A) the Global Engagement Center;

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

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

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

16 (E) the Indo-Pacific Strategy;

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

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

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

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

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

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

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

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

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

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

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

3 (b) PUBLIC POSTING OF REPORTS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

14 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

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

22 PROHIBITION ON FUNDING FOR ABORTIONS AND
23 INVOLUNTARY STERILIZATION

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

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

21 ALLOCATIONS AND REPORTS

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

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

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

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

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

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

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

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

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

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

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

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

4 MULTI-YEAR PLEDGES

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

20 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

21 SUPPORTING INTERNATIONAL TERRORISM

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

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

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

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

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

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

3 (b) BILATERAL ASSISTANCE.—

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

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

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

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

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

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

6 AUTHORIZATION REQUIREMENTS

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

16 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

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

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

7 (1) justified to Congress; or

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

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

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

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

3 COMMERCE, TRADE AND SURPLUS COMMODITIES

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

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

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

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

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

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

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

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

13 (c) INTERNATIONAL FINANCIAL INSTITUTIONS.—
14 The Secretary of the Treasury shall instruct the United
15 States executive director of each international financial in-
16 stitution to use the voice and vote of the United States
17 to oppose any assistance by such institution, using funds
18 appropriated or otherwise made available by this Act, for
19 the production or extraction of any commodity or mineral
20 for export, if it is in surplus on world markets and if the
21 assistance will cause substantial injury to United States
22 producers of the same, similar, or competing commodity.

23 SEPARATE ACCOUNTS

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

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

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

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

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

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

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

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

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

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

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

9 (ii) debt and deficit financing; or

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

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

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

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

4 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

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

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

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

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

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

11 ELIGIBILITY FOR ASSISTANCE

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

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

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

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

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

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

1 country that violates internationally recognized
2 human rights.

3 DISABILITY PROGRAMS

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

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

1 INTERNATIONAL FINANCIAL INSTITUTIONS

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

16 (b) SAFEGUARDS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 TECHNOLOGY SECURITY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (1) INELIGIBILITY.—

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

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

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

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

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

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

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

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

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

25 (d) EXTRACTION OF NATURAL RESOURCES.—

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

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

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

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

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

18 DEMOCRACY PROGRAMS

19 SEC. 7032. (a) FUNDING.—

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

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

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

10 (b) AUTHORITIES.—

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

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

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

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

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

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

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

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

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

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

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

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

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

7 (1) include—

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

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

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

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

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

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

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

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

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

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

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

9 INTERNATIONAL RELIGIOUS FREEDOM

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

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

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

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

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

18 **SPECIAL PROVISIONS**

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

1 (b) FORENSIC ASSISTANCE.—

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

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

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

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

5 (d) DIRECTIVES AND AUTHORITIES.—

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

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

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

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

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

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

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

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

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

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

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

22 (9) EXPORT-IMPORT BANK.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (I) EXTENSION OF AUTHORITIES.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 (m) MONITORING AND EVALUATION.—

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

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

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

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

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

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

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

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

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

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

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

25 (p) LOCAL WORKS.—

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

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

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

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

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

21 (s) DEFINITIONS.—

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

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

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

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

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

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

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

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

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

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

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

1 LAW ENFORCEMENT AND SECURITY

2 SEC. 7035. (a) ASSISTANCE.—

3 (1) COMMUNITY-BASED POLICE ASSISTANCE.—

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

18 (2) COMBAT CASUALTY CARE.—

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

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

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

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

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

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

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

3 (b) AUTHORITIES.—

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

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

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

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

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

21 (5) AMENDMENT.—

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

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

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

6 (i) by striking paragraph (2);

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

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

11 “(1) For purposes of this section—

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

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

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

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

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

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

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

3 “(i) the number of sources;

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

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

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

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

18 (c) LIMITATIONS.—

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

22 (2) LANDMINES AND CLUSTER MUNITIONS.—

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

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

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

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

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

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

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

4 (d) REPORTS.—

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

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

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

4 ASSISTANCE FOR INNOCENT VICTIMS OF CONFLICT

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

16 PALESTINIAN STATEHOOD

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

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

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

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

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

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

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

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

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

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

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

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

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

1 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN
2 BROADCASTING CORPORATION

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

8 ASSISTANCE FOR THE WEST BANK AND GAZA

9 SEC. 7039. (a) OVERSIGHT.—For fiscal year 2023,
10 30 days prior to the initial obligation of funds for the bi-
11 lateral West Bank and Gaza Program, the Secretary of
12 State shall certify to the Committees on Appropriations
13 that procedures have been established to assure the Comp-
14 troller General of the United States will have access to
15 appropriate United States financial information in order
16 to review the uses of United States assistance for the Pro-
17 gram funded under the heading “Economic Support
18 Fund” for the West Bank and Gaza.

19 (b) VETTING.—Prior to the obligation of funds ap-
20 propriated by this Act under the heading “Economic Sup-
21 port Fund” for assistance for the West Bank and Gaza,
22 the Secretary of State shall take all appropriate steps to
23 ensure that such assistance is not provided to or through
24 any individual, private or government entity, or edu-
25 cational institution that the Secretary knows or has reason

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

14 (c) PROHIBITION.—

15 (1) RECOGNITION OF ACTS OF TERRORISM.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 MIDDLE EAST AND NORTH AFRICA

17 SEC. 7041. (a) EGYPT.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 (b) IRAN.—

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

20 (2) REPORTS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 (d) ISRAEL.—

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

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

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

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

21 (f) LEBANON.—

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

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

5 (2) SECURITY ASSISTANCE.—

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

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

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

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

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

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

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

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

16 (h) SAUDI ARABIA.—

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

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

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

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

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

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

18 (i) SYRIA.—

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

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

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

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

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

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

25 (j) TUNISIA.—

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

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

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

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

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

3 (k) WEST BANK AND GAZA.—

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

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

17 (A) advance Middle East peace;

18 (B) improve security in the region;

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

21 (D) promote a private sector economy; or

22 (E) address urgent humanitarian needs.

23 (3) LIMITATIONS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 AFRICA

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

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

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

15 (d) ETHIOPIA.—

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

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

21 (B) civil society and protect human rights;

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

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

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

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

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

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

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

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

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

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

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

20 (g) ZIMBABWE.—

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

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

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

7 EAST ASIA AND THE PACIFIC

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

15 (b) BURMA.—

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

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

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

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

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

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

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

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

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

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

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

21 (c) CAMBODIA.—

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

25 (2) CERTIFICATION AND EXCEPTIONS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (f) NORTH KOREA.—

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

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

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

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

17 (g) PACIFIC ISLANDS COUNTRIES.—

18 (1) OPERATIONS.—

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

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

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

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

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

18 (2) PROGRAMS.—

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

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

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

3 (B) TRANSFER AUTHORITY.—

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

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

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

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

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

17 (h) PEOPLE’S REPUBLIC OF CHINA.—

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

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

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

16 (3) HONG KONG.—

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

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

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

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

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

25 (j) TAIWAN.—

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

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

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

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

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

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

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

16 (k) TIBET.—

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

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

5 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

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

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

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

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

15 (I) VIETNAM.—

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

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

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

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

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

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

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

21 SOUTH AND CENTRAL ASIA

22 SEC. 7044. (a) AFGHANISTAN.—

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

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

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

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

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

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

5 (A) protect and strengthen the rights of
6 Afghan women and girls;

7 (B) support higher education programs, in-
8 cluding continued support for the American
9 University of Afghanistan’s (AUAF) online pro-
10 grams and support for other higher education
11 institutions in South Asia and the Middle East
12 that are hosting AUAF and other Afghan stu-
13 dents;

14 (C) support Afghan civil society activists,
15 journalists, and independent media, including in
16 third countries; and

17 (D) support health, education, including
18 community-based education, and other pro-
19 grams to address the basic needs of the people
20 of Afghanistan.

21 (b) BANGLADESH.—Of the funds appropriated under
22 titles III and IV of this Act that are made available for
23 assistance for Bangladesh—

1 (1) not less than \$23,500,000 shall be made
2 available to address the needs of communities im-
3 pacted by refugees from Burma;

4 (2) not less than \$10,000,000 shall be made
5 available for programs to protect freedom of expres-
6 sion and association, and the right of due process;
7 and

8 (3) not less than \$23,300,000 shall be made
9 available for democracy programs, of which not less
10 than \$2,000,000 shall be made available for such
11 programs for the Rohingya community in Ban-
12 gladesh.

13 (c) NEPAL.—Funds appropriated by this Act under
14 the heading “Foreign Military Financing Program” that
15 are made available for assistance for Nepal shall only be
16 made available for humanitarian and disaster relief and
17 reconstruction activities, and in support of international
18 peacekeeping operations, military professionalization and
19 training, and border security activities: *Provided*, That
20 such funds may only be made available for additional uses
21 if the Secretary of State certifies and reports to the Com-
22 mittees on Appropriations that the Government of Nepal
23 is investigating and prosecuting violations of human rights
24 and the laws of war by the Nepal Army, and the Nepal

1 Army is cooperating fully with civilian judicial authorities
2 in such cases.

3 (d) PAKISTAN.—

4 (1) ASSISTANCE.—

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

11 (B) BILATERAL ECONOMIC ASSISTANCE.—

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

18 (i) the amount of financing and other
19 support, if any, provided by the Govern-
20 ment of Pakistan to schools supported by,
21 affiliated with, or run by the Taliban or
22 any domestic or foreign terrorist organiza-
23 tion in Pakistan;

24 (ii) the extent of cooperation by such
25 government in issuing visas in a timely

1 manner for United States visitors, includ-
2 ing officials and representatives of non-
3 governmental organizations, engaged in as-
4 sistance and security programs in Paki-
5 stan;

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

12 (iv) the extent to which such govern-
13 ment is strengthening democracy in Paki-
14 stan, including protecting freedom of ex-
15 pression, assembly, and religion.

16 (2) AUTHORITY AND USES OF FUNDS.—Funds
17 appropriated by this Act for assistance for Pakistan
18 may be made available notwithstanding any other
19 provision of law, except for section 620M of the For-
20 eign Assistance Act of 1961.

21 (3) WITHHOLDING.—Of the funds appropriated
22 under titles III and IV of this Act that are made
23 available for assistance for Pakistan, \$33,000,000
24 shall be withheld from obligation until the Secretary
25 of State reports to the Committees on Appropria-

1 tions that Dr. Shakil Afridi has been released from
2 prison and cleared of all charges relating to the as-
3 sistance provided to the United States in locating
4 Osama bin Laden.

5 (e) SRI LANKA.—

6 (1) ASSISTANCE.—Funds appropriated under
7 title III of this Act shall be made available for as-
8 sistance for Sri Lanka for democracy and economic
9 development programs.

10 (2) CERTIFICATION.—Funds appropriated by
11 this Act under the headings “Peacekeeping Oper-
12 ations” and “Foreign Military Financing Program”
13 for assistance for Sri Lanka may be made available
14 only if the Secretary of State certifies and reports
15 to the Committees on Appropriations that the Gov-
16 ernment of Sri Lanka is taking effective and con-
17 sistent steps to—

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

24 (B) address the basic needs of the people
25 of Sri Lanka and responsibly mitigate the im-

1 pact of the country’s economic collapse, includ-
2 ing by addressing transparency and account-
3 ability in governance;

4 (C) combat corruption, including bringing
5 to justice public officials who have engaged in
6 significant acts of corruption;

7 (D) assert its sovereignty against influence
8 by the People’s Republic of China; and

9 (E) promote reconciliation between ethnic
10 and religious groups, particularly arising from
11 past conflict in Sri Lanka, including by—

12 (i) addressing land confiscation and
13 ownership issues;

14 (ii) resolving cases of missing persons,
15 including by maintaining a functioning of-
16 fice of missing persons;

17 (iii) reducing the presence of the
18 armed forces in former conflict zones and
19 restructuring the armed forces for a peace-
20 time role that contributes to post-conflict
21 reconciliation and regional security;

22 (iv) repealing or amending laws on ar-
23 rest and detention by security forces to
24 comply with international standards; and

1 (v) investigating allegations of arbitrary arrest and torture, and supporting a
2 credible justice mechanism for resolving
3 cases of war crimes:
4

5 *Provided*, That the limitations of this paragraph
6 shall not apply to funds made available for humanitarian assistance and disaster relief; to enhance maritime security and domain awareness,
7 including professionalization and training for
8 the navy and coast guard; and for instruction
9 in human rights and related curricula development.
10 ment.
11

12 (3) CONSULTATION.—Funds made available for
13 assistance for Sri Lanka shall be subject to prior
14 consultation with the Committees on Appropriations.
15

16 (f) REGIONAL PROGRAMS.—Funds appropriated by
17 this Act shall be made available for assistance for countries in South and Central Asia to significantly increase
18 the recruitment, training, and retention of women in the
19 judiciary, police, and other security forces, and to train
20 judicial and security personnel in such countries to prevent and address gender-based violence, human trafficking, and other practices that disproportionately harm
21 women and girls.
22
23
24

1 LATIN AMERICA AND THE CARIBBEAN

2 SEC. 7045. (a) CENTRAL AMERICA.—

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

19 (A) Of the funds made available pursuant
20 to paragraph (1)—

21 (i) not less than \$61,500,000 shall be
22 made available to support entities and ac-
23 tivities to combat corruption and impunity
24 in such countries, including, as appro-
25 priate, offices of Attorneys General; and

1 (ii) not less than \$70,000,000 shall be
2 made available for programs to reduce vio-
3 lence against women and girls.

4 (B) Within the funds made available pur-
5 suant to paragraph (1) and made available for
6 assistance for El Salvador, Guatemala, and
7 Honduras, up to \$47,600,000 may remain
8 available until September 30, 2027 for pro-
9 grams that support locally-led development in
10 such countries: *Provided*, That up to 15 percent
11 of the funds made available to carry out this
12 subparagraph may be used by the Adminis-
13 trator of the United States Agency for Inter-
14 national Development for administrative and
15 oversight expenses related to the purposes of
16 this subparagraph: *Provided further*, That the
17 USAID Administrator shall consult with the
18 Committees on Appropriations on the planned
19 uses of funds to carry out this subparagraph
20 prior to the initial obligation of funds: *Provided*
21 *further*, That such funds shall be subject to the
22 regular notification procedures of the Commit-
23 tees on Appropriations.

24 (C) Funds made available pursuant to
25 paragraph (1) shall be made available for the

1 Central America Service Corps (CASC), which
2 should be matched with contributions from pri-
3 vate donors and local governments.

4 (2) LIMITATION ON ASSISTANCE TO CERTAIN
5 CENTRAL GOVERNMENTS.—

6 (A) Of the funds made available pursuant
7 to paragraph (1) under the heading “Economic
8 Support Fund” and under title IV of this Act,
9 60 percent of such funds that are made avail-
10 able for assistance for each of the central gov-
11 ernments of El Salvador and Guatemala, and
12 45 percent of such funds that are made avail-
13 able for assistance for the central government
14 of Honduras, may only be obligated after the
15 Secretary of State certifies and reports to the
16 Committees on Appropriations that such gov-
17 ernment is—

18 (i) combating corruption and impu-
19 nity, including investigating and pros-
20 ecuting government officials, military per-
21 sonnel, and police officers credibly alleged
22 to be corrupt;

23 (ii) implementing reforms, policies,
24 and programs to strengthen the rule of
25 law, including increasing the transparency

1 of public institutions, strengthening the
2 independence of judicial and electoral insti-
3 tutions, and improving the transparency of
4 political campaign and political party fi-
5 nancing;

6 (iii) protecting the rights of human
7 rights defenders, trade unionists, journal-
8 ists, civil society groups, opposition polit-
9 ical parties, and the independence of the
10 media;

11 (iv) providing effective and account-
12 able law enforcement and security for its
13 citizens, curtailing the role of the military
14 in public security, and upholding due proc-
15 ess of law;

16 (v) implementing policies to reduce
17 poverty and promote economic growth and
18 opportunity, including the implementation
19 of reforms to strengthen educational sys-
20 tems, vocational training programs, and
21 programs for at-risk youth;

22 (vi) improving border security and
23 combating human smuggling and traf-
24 ficking and countering the activities of

1 criminal gangs, drug traffickers, and
2 transnational criminal organizations;

3 (vii) informing its citizens of the dan-
4 gers of the journey to the southwest border
5 of the United States; and

6 (viii) implementing policies that im-
7 prove the environment for foreign invest-
8 ment, including executing tax reform in a
9 transparent manner, ensuring effective
10 legal mechanisms for reimbursements of
11 tax refunds owed to United States busi-
12 nesses, and resolving disputes involving the
13 confiscation of real property of United
14 States entities.

15 (B) REPROGRAMMING.—If the Secretary is
16 unable to make the certification required by
17 subparagraph (A) for one or more of the cen-
18 tral governments, such assistance shall be re-
19 programmed for assistance for civil society or-
20 ganizations in such country, or for other coun-
21 tries in Latin America and the Caribbean, not-
22 withstanding the funding provisions in this sub-
23 section and the limitations in section 7019 of
24 this Act: *Provided*, That any such reprogram-
25 ming shall be subject to the regular notification

1 procedures of the Committees on Appropria-
2 tions.

3 (C) EXCEPTIONS.—The limitation of sub-
4 paragraph (A) shall not apply to funds appro-
5 priated by this Act that are made available
6 for—

7 (i) judicial entities and activities re-
8 lated to combating corruption and impu-
9 nity;

10 (ii) programs to combat gender-based
11 violence;

12 (iii) programs to promote and protect
13 human rights, including those of Indige-
14 nous communities and Afro-descendants;

15 (iv) humanitarian assistance; and

16 (v) food security programs.

17 (D) FOREIGN MILITARY FINANCING PRO-
18 GRAM.—None of the funds appropriated by this
19 Act under the heading “Foreign Military Fi-
20 nancing Program” may be made available for
21 assistance for El Salvador, Guatemala, or Hon-
22 duras, except for programs that support hu-
23 manitarian assistance, disaster response, and
24 maritime security.

25 (b) COLOMBIA.—

1 (1) ASSISTANCE.—Of the funds appropriated by
2 this Act under titles III and IV, not less than
3 \$471,375,000 should be made available for assist-
4 ance for Colombia: *Provided*, That such funds shall
5 be made available for the programs and activities de-
6 scribed in the explanatory statement accompanying
7 this Act: *Provided further*, That of the funds appro-
8 priated by this Act under the heading “International
9 Narcotics Control and Law Enforcement” and made
10 available for assistance pursuant to this paragraph,
11 not less than \$40,000,000 shall be made available to
12 enhance rural security in coca producing municipali-
13 ties and other municipalities with high levels of illicit
14 activities: *Provided further*, That funds made avail-
15 able pursuant to the preceding proviso shall be
16 prioritized in such municipalities that are also tar-
17 geted for assistance programs that provide viable
18 economic alternatives and improve access to public
19 services.

20 (2) WITHHOLDING OF FUNDS.—

21 (A) COUNTERNARCOTICS.—Of the funds
22 appropriated by this Act under the heading
23 “International Narcotics Control and Law En-
24 forcement” that are made available for assist-
25 ance for Colombia, 20 percent may be obligated

1 only if the Secretary of State certifies and re-
2 ports to the Committees on Appropriations
3 that—

4 (i) the Government of Colombia is im-
5 plementing an effective whole-of-govern-
6 ment strategy to substantially and
7 sustainably reduce coca cultivation and co-
8 caine production levels in Colombia, includ-
9 ing by prioritizing funding to enhance
10 rural security in coca producing munici-
11 palities and assisting farmers with vol-
12 untary eradication and viable economic al-
13 ternatives to coca cultivation in such mu-
14 nicipalities;

15 (ii) such strategy is in accordance
16 with the 2016 peace accord between the
17 Government of Colombia and the Revolu-
18 tionary Armed Forces of Colombia; and

19 (iii) the Government of Colombia is
20 taking effective steps to dismantle drug
21 trafficking networks.

22 (B) HUMAN RIGHTS.—

23 (i) Of the funds appropriated by this
24 Act under the heading “Foreign Military
25 Financing Program” and made available

1 for assistance for Colombia, 20 percent
2 may be obligated only if the Secretary of
3 State certifies and reports to the Commit-
4 tees on Appropriations that—

5 (I) the Special Jurisdiction for
6 Peace and other judicial authorities,
7 as appropriate, are sentencing per-
8 petrators of gross violations of human
9 rights, including those with command
10 responsibility, to deprivation of lib-
11 erty;

12 (II) the Government of Colombia
13 is making consistent progress in re-
14 ducing threats and attacks against
15 human rights defenders and other
16 civil society activists, and judicial au-
17 thorities are prosecuting and pun-
18 ishing those responsible for ordering
19 and carrying out such attacks;

20 (III) the Government of Colom-
21 bia is making consistent progress in
22 protecting Afro-Colombian and Indig-
23 enous communities and is respecting
24 their rights and territories;

1 (IV) senior military officers
2 credibly alleged, or whose units are
3 credibly alleged, to be responsible for
4 ordering, committing, and covering up
5 cases of false positives and other
6 extrajudicial killings, or of committing
7 other gross violations of human
8 rights, or of conducting illegal com-
9 munications intercepts or other illicit
10 surveillance, are being held account-
11 able, including removal from active
12 duty if found guilty through criminal,
13 administrative, or disciplinary pro-
14 ceedings; and

15 (V) the Colombian Armed Forces
16 are cooperating fully with the require-
17 ments described in subclauses (I)
18 through (IV).

19 (ii) Of the funds appropriated by this
20 Act under the heading “International Nar-
21 cotics Control and Law Enforcement” and
22 made available for assistance for the Co-
23 lombian National Police (CNP), five per-
24 cent may be obligated only if the Secretary
25 of State certifies and reports to the Com-

1 mittees on Appropriations that the Govern-
2 ment of Colombia is bringing to justice the
3 police personnel who ordered, directed, and
4 used excessive force and engaged in other
5 illegal acts against protesters in 2020 and
6 2021, and that the CNP is cooperating
7 fully with such efforts.

8 (3) EXCEPTIONS.—The limitations of para-
9 graph (2) shall not apply to funds made available for
10 aviation instruction and maintenance, and maritime
11 and riverine security programs.

12 (4) AUTHORITY.—Aircraft supported by funds
13 appropriated by this Act and prior Acts making ap-
14 propriations for the Department of State, foreign
15 operations, and related programs and made available
16 for assistance for Colombia may be used to trans-
17 port personnel and supplies involved in drug eradi-
18 cation and interdiction, including security for such
19 activities, and to provide transport in support of al-
20 ternative development programs and investigations
21 by civilian judicial authorities.

22 (5) LIMITATION.—None of the funds appro-
23 priated by this Act or prior Acts making appropria-
24 tions for the Department of State, foreign oper-
25 ations, and related programs that are made available

1 for assistance for Colombia may be made available
2 for payment of reparations to conflict victims or
3 compensation to demobilized combatants associated
4 with a peace agreement between the Government of
5 Colombia and illegal armed groups.

6 (c) HAITI.—

7 (1) CERTIFICATION.—Funds appropriated by
8 this Act that are made available for assistance for
9 Haiti may only be made available for the central
10 Government of Haiti if the Secretary of State cer-
11 tifies and reports to the appropriate congressional
12 committees that a new President and Parliament
13 have taken office after free and fair elections, or the
14 country is being led by a transitional governing au-
15 thority that is broadly representative of Haitian soci-
16 ety, and it is in the national interest of the United
17 States to provide such assistance.

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

20 (A) free and fair elections;

21 (B) anti-gang police and administration of
22 justice programs, including to reduce pre-trial
23 detention and eliminate inhumane prison condi-
24 tions;

1 (C) public health, food security, subsist-
2 ence farmers, water and sanitation, education,
3 and other programs to meet basic human needs;
4 and

5 (D) disaster relief and recovery.

6 (3) NOTIFICATION.—Funds appropriated by
7 this Act that are made available for assistance for
8 Haiti shall be subject to prior consultation with, and
9 the regular notification procedures of, the Commit-
10 tees on Appropriations.

11 (4) PROHIBITION.—None of the funds appro-
12 priated or otherwise made available by this Act may
13 be used for assistance for the armed forces of Haiti.

14 (5) HAITIAN COAST GUARD.—The Government
15 of Haiti shall be eligible to purchase defense articles
16 and services under the Arms Export Control Act (22
17 U.S.C. 2751 et seq.) for the Coast Guard.

18 (d) NICARAGUA.—Of the funds appropriated by this
19 Act under the heading “Development Assistance”, not less
20 than \$15,000,000 shall be made available for democracy
21 programs for Nicaragua, including to support civil society.

22 (e) VENEZUELA.—

23 (1) Of the funds appropriated by this Act under
24 the heading “Economic Support Fund”, not less

1 than \$40,000,000 shall be made available for democ-
2 racy programs for Venezuela.

3 (2) Funds appropriated by this Act and prior
4 Acts making appropriations for the Department of
5 State, foreign operations, and related programs
6 under title III shall be made available for assistance
7 for communities in countries supporting or otherwise
8 impacted by refugees from Venezuela, including Co-
9 lombia, Peru, Ecuador, Curacao, and Trinidad and
10 Tobago: *Provided*, That such amounts are in addi-
11 tion to funds otherwise made available for assistance
12 for such countries, subject to prior consultation
13 with, and the regular notification procedures of, the
14 Committees on Appropriations.

15 EUROPE AND EURASIA

16 SEC. 7046. (a) ASSISTANCE.—

17 (1) GEORGIA.—Of the funds appropriated by
18 this Act under titles III and IV, not less than
19 \$132,025,000 shall be made available for assistance
20 for Georgia.

21 (2) UKRAINE.—Funds appropriated by this Act
22 under titles III and IV shall be made available for
23 assistance for Ukraine.

24 (b) TERRITORIAL INTEGRITY.—None of the funds
25 appropriated by this Act may be made available for assist-

1 ance for a government of an Independent State of the
2 former Soviet Union if such government directs any action
3 in violation of the territorial integrity or national sov-
4 ereignty of any other Independent State of the former So-
5 viet Union, such as those violations included in the Hel-
6 sinki Final Act: *Provided*, That except as otherwise pro-
7 vided in section 7047(a) of this Act, funds may be made
8 available without regard to the restriction in this sub-
9 section if the President determines that to do so is in the
10 national security interest of the United States: *Provided*
11 *further*, That prior to executing the authority contained
12 in the previous proviso, the Secretary of State shall con-
13 sult with the Committees on Appropriations on how such
14 assistance supports the national security interest of the
15 United States.

16 (c) SECTION 907 OF THE FREEDOM SUPPORT
17 ACT.—Section 907 of the FREEDOM Support Act (22
18 U.S.C. 5812 note) shall not apply to—

19 (1) activities to support democracy or assist-
20 ance under title V of the FREEDOM Support Act
21 (22 U.S.C. 5851 et seq.) and section 1424 of the
22 Defense Against Weapons of Mass Destruction Act
23 of 1996 (50 U.S.C. 2333) or non-proliferation as-
24 sistance;

1 (2) any assistance provided by the Trade and
2 Development Agency under section 661 of the For-
3 eign Assistance Act of 1961;

4 (3) any activity carried out by a member of the
5 United States and Foreign Commercial Service while
6 acting within his or her official capacity;

7 (4) any insurance, reinsurance, guarantee, or
8 other assistance provided by the United States
9 International Development Finance Corporation as
10 authorized by the BUILD Act of 2018 (division F
11 of Public Law 115–254);

12 (5) any financing provided under the Export-
13 Import Bank Act of 1945 (Public Law 79–173); or

14 (6) humanitarian assistance.

15 (d) **TURKEY.**—None of the funds made available by
16 this Act may be used to facilitate or support the sale of
17 defense articles or defense services to the Turkish Presi-
18 dential Protection Directorate (TPPD) under chapter 2
19 of the Arms Export Control Act (22 U.S.C. 2761 et seq.)
20 unless the Secretary of State determines and reports to
21 the appropriate congressional committees that members of
22 the TPPD who are named in the July 17, 2017, indict-
23 ment by the Superior Court of the District of Columbia,
24 and against whom there are pending charges, have re-
25 turned to the United States to stand trial in connection

1 with the offenses contained in such indictment or have
2 otherwise been brought to justice: *Provided*, That the limi-
3 tation in this paragraph shall not apply to the use of funds
4 made available by this Act for border security purposes,
5 for North Atlantic Treaty Organization or coalition oper-
6 ations, or to enhance the protection of United States offi-
7 cials and facilities in Turkey.

8 COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

9 SEC. 7047. (a) PROHIBITION.—None of the funds ap-
10 propriated by this Act may be made available for assist-
11 ance for the central Government of the Russian Federa-
12 tion.

13 (b) ANNEXATION OF TERRITORY.—

14 (1) PROHIBITION.—None of the funds appro-
15 priated by this Act may be made available for assist-
16 ance for the central government of a country that
17 the Secretary of State determines and reports to the
18 Committees on Appropriations has taken affirmative
19 steps intended to support or be supportive of the
20 Russian Federation annexation of Crimea or other
21 territory in Ukraine: *Provided*, That except as other-
22 wise provided in subsection (a), the Secretary may
23 waive the restriction on assistance required by this
24 paragraph if the Secretary determines and reports to
25 such Committees that to do so is in the national in-

1 terest of the United States, and includes a justifica-
2 tion for such interest.

3 (2) LIMITATION.—None of the funds appro-
4 priated by this Act may be made available for—

5 (A) the implementation of any action or
6 policy that recognizes the sovereignty of the
7 Russian Federation over Crimea or other terri-
8 tory in Ukraine;

9 (B) the facilitation, financing, or guarantee
10 of United States Government investments in
11 Crimea or other territory in Ukraine under the
12 control of Russia or Russian-backed separatists,
13 if such activity includes the participation of
14 Russian Government officials, or other Russian
15 owned or controlled financial entities; or

16 (C) assistance for Crimea or other terri-
17 tory in Ukraine under the control of Russia or
18 Russian-backed separatists, if such assistance
19 includes the participation of Russian Govern-
20 ment officials, or other Russian owned or con-
21 trolled financial entities.

22 (3) INTERNATIONAL FINANCIAL INSTITU-
23 TIONS.—The Secretary of the Treasury shall in-
24 struct the United States executive director of each
25 international financial institution to use the voice

1 and vote of the United States to oppose any assist-
2 ance by such institution (including any loan, credit,
3 grant, or guarantee) for any program that violates
4 the sovereignty or territorial integrity of Ukraine.

5 (4) DURATION.—The requirements and limita-
6 tions of this subsection shall cease to be in effect if
7 the Secretary of State determines and reports to the
8 Committees on Appropriations that the Government
9 of Ukraine has reestablished sovereignty over Cri-
10 mea and other territory in Ukraine under the con-
11 trol of Russian-backed separatists.

12 (c) OCCUPATION OF THE GEORGIAN TERRITORIES OF
13 ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

14 (1) PROHIBITION.—None of the funds appro-
15 priated by this Act may be made available for assist-
16 ance for the central government of a country that
17 the Secretary of State determines and reports to the
18 Committees on Appropriations has recognized the
19 independence of, or has established diplomatic rela-
20 tions with, the Russian Federation occupied Geor-
21 gian territories of Abkhazia and Tskhinvali Region/
22 South Ossetia: *Provided*, That the Secretary shall
23 publish on the Department of State website a list of
24 any such central governments in a timely manner:
25 *Provided further*, That the Secretary may waive the

1 restriction on assistance required by this paragraph
2 if the Secretary determines and reports to the Com-
3 mittees on Appropriations that to do so is in the na-
4 tional interest of the United States, and includes a
5 justification for such interest.

6 (2) LIMITATION.—None of the funds appro-
7 priated by this Act may be made available to sup-
8 port the Russian Federation occupation of the Geor-
9 gian territories of Abkhazia and Tskhinvali Region/
10 South Ossetia.

11 (3) INTERNATIONAL FINANCIAL INSTITU-
12 TIONS.—The Secretary of the Treasury shall in-
13 struct the United States executive director of each
14 international financial institution to use the voice
15 and vote of the United States to oppose any assist-
16 ance by such institution (including any loan, credit,
17 grant, or guarantee) for any program that violates
18 the sovereignty and territorial integrity of Georgia.

19 (d) COUNTERING RUSSIAN INFLUENCE FUND.—

20 (1) ASSISTANCE.—Of the funds appropriated by
21 this Act under the headings “Assistance for Europe,
22 Eurasia and Central Asia”, “International Narcotics
23 Control and Law Enforcement”, “International Mili-
24 tary Education and Training”, and “Foreign Mili-
25 tary Financing Program”, not less than

1 \$295,000,000 shall be made available to carry out
2 the purposes of the Countering Russian Influence
3 Fund, as authorized by section 254 of the Coun-
4 tering Russian Influence in Europe and Eurasia Act
5 of 2017 (Public Law 115–44; 22 U.S.C. 9543) and
6 notwithstanding the country limitation in subsection
7 (b) of such section, and programs to enhance the ca-
8 pacity of law enforcement and security forces in
9 countries in Europe, Eurasia, and Central Asia and
10 strengthen security cooperation between such coun-
11 tries and the United States and the North Atlantic
12 Treaty Organization, as appropriate: *Provided*, That
13 funds made available pursuant to this paragraph
14 under the heading “Foreign Military Financing Pro-
15 gram” may remain available until September 30,
16 2024.

17 (2) ECONOMICS AND TRADE.—Funds appro-
18 priated by this Act and made available for assistance
19 for the Eastern Partnership countries shall be made
20 available to advance the implementation of Associa-
21 tion Agreements and trade agreements with the Eu-
22 ropean Union, and to reduce their vulnerability to
23 external economic and political pressure from the
24 Russian Federation.

1 the United States Government with necessary access
2 to such financial and performance audits;

3 (2) has submitted a report to the Department
4 of State, which shall be posted on the Department's
5 website in a timely manner, demonstrating that such
6 organization is effectively implementing and enforce-
7 ing policies and procedures which meet or exceed
8 best practices in the United States for the protection
9 of whistleblowers from retaliation, including—

10 (A) protection against retaliation for inter-
11 nal and lawful public disclosures;

12 (B) legal burdens of proof;

13 (C) statutes of limitation for reporting re-
14 taliation;

15 (D) access to binding independent adju-
16 dicative bodies, including shared cost and selec-
17 tion of external arbitration; and

18 (E) results that eliminate the effects of
19 proven retaliation, including provision for the
20 restoration of prior employment; and

21 (3) effectively implementing and enforcing poli-
22 cies and procedures on the appropriate use of travel
23 funds, including restrictions on first-class and busi-
24 ness-class travel.

1 (b) RESTRICTIONS ON UNITED NATIONS DELEGA-
2 TIONS AND ORGANIZATIONS.—

3 (1) RESTRICTIONS ON UNITED STATES DELEGA-
4 TIONS.—None of the funds made available by this
5 Act may be used to pay expenses for any United
6 States delegation to any specialized agency, body, or
7 commission of the United Nations if such agency,
8 body, or commission is chaired or presided over by
9 a country, the government of which the Secretary of
10 State has determined, for purposes of section
11 1754(c) of the Export Reform Control Act of 2018
12 (50 U.S.C. 4813(c)), supports international ter-
13 rorism.

14 (2) RESTRICTIONS ON CONTRIBUTIONS.—None
15 of the funds made available by this Act may be used
16 by the Secretary of State as a contribution to any
17 organization, agency, commission, or program within
18 the United Nations system if such organization,
19 agency, commission, or program is chaired or pre-
20 sided over by a country the government of which the
21 Secretary of State has determined, for purposes of
22 section 620A of the Foreign Assistance Act of 1961,
23 section 40 of the Arms Export Control Act, section
24 1754(c) of the Export Reform Control Act of 2018
25 (50 U.S.C. 4813(c)), or any other provision of law,

1 is a government that has repeatedly provided sup-
2 port for acts of international terrorism.

3 (3) WAIVER.—The Secretary of State may
4 waive the restriction in this subsection if the Sec-
5 retary determines and reports to the Committees on
6 Appropriations that to do so is important to the na-
7 tional interest of the United States, including a de-
8 scription of the national interest served.

9 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—
10 Funds appropriated by this Act may be made available
11 to support the United Nations Human Rights Council un-
12 less the Secretary of State determines and reports to the
13 Committees on Appropriations that participation in the
14 Council does not serve the national interest of the United
15 States, and that such Council is not taking significant
16 steps to remove Israel as a permanent agenda item and
17 ensure integrity in the election of members to such Coun-
18 cil, including a justification for such determination: *Pro-*
19 *vided*, That the Secretary of State shall report to the Com-
20 mittees on Appropriations not later than September 30,
21 2023, on the resolutions considered in the United Nations
22 Human Rights Council during the previous 12 months,
23 and on steps taken to remove Israel as a permanent agen-
24 da item and ensure integrity in the election of members
25 to such council.

1 (d) UNITED NATIONS RELIEF AND WORKS AGEN-
2 CY.—Funds appropriated by this Act should be made
3 available for the United Nations Relief and Works Agency
4 (UNRWA) unless the Secretary of State determines and
5 reports to the Committees on Appropriations that
6 UNRWA is not—

7 (1) utilizing Operations Support Officers in the
8 West Bank, Gaza, and other fields of operation to
9 inspect UNRWA installations and reporting any in-
10 appropriate use;

11 (2) acting promptly to address any staff or ben-
12 efitary violation of its own policies (including the
13 policies on neutrality and impartiality of employees)
14 and the legal requirements under section 301(c) of
15 the Foreign Assistance Act of 1961;

16 (3) implementing procedures to maintain the
17 neutrality of its facilities, including implementing a
18 no-weapons policy, and conducting regular inspec-
19 tions of its installations, to ensure they are only
20 used for humanitarian or other appropriate pur-
21 poses;

22 (4) taking necessary and appropriate measures
23 to ensure it is operating in compliance with the con-
24 ditions of section 301(c) of the Foreign Assistance
25 Act of 1961 and continuing regular reporting to the

1 Department of State on actions it has taken to en-
2 sure conformance with such conditions;

3 (5) taking steps to ensure the content of all
4 educational materials currently taught in UNRWA-
5 administered schools and summer camps is con-
6 sistent with the values of human rights, dignity, and
7 tolerance and does not induce incitement;

8 (6) refraining from engaging in operations with
9 financial institutions or related entities in violation
10 of relevant United States law, and is taking steps to
11 improve the financial transparency of the organiza-
12 tion; and

13 (7) in compliance with the United Nations
14 Board of Auditors' biennial audit requirements and
15 is implementing in a timely fashion the Board's rec-
16 ommendations.

17 (e) PROHIBITION OF PAYMENTS TO UNITED NA-
18 TIONS MEMBERS.—None of the funds appropriated or
19 made available pursuant to titles III through VI of this
20 Act for carrying out the Foreign Assistance Act of 1961,
21 may be used to pay in whole or in part any assessments,
22 arrearages, or dues of any member of the United Nations
23 or, from funds appropriated by this Act to carry out chap-
24 ter 1 of part I of the Foreign Assistance Act of 1961,
25 the costs for participation of another country's delegation

1 at international conferences held under the auspices of
2 multilateral or international organizations.

3 (f) REPORT.—Not later than 45 days after the date
4 of enactment of this Act, the Secretary of State shall sub-
5 mit a report to the Committees on Appropriations detail-
6 ing the amount of funds available for obligation or expend-
7 iture in fiscal year 2023 for contributions to any organiza-
8 tion, department, agency, or program within the United
9 Nations system or any international program that are
10 withheld from obligation or expenditure due to any provi-
11 sion of law: *Provided*, That the Secretary shall update
12 such report each time additional funds are withheld by op-
13 eration of any provision of law: *Provided further*, That the
14 reprogramming of any withheld funds identified in such
15 report, including updates thereof, shall be subject to prior
16 consultation with, and the regular notification procedures
17 of, the Committees on Appropriations.

18 (g) SEXUAL EXPLOITATION AND ABUSE IN PEACE-
19 KEEPING OPERATIONS.—The Secretary of State shall
20 withhold assistance to any unit of the security forces of
21 a foreign country if the Secretary has credible information
22 that such unit has engaged in sexual exploitation or abuse,
23 including while serving in a United Nations peacekeeping
24 operation, until the Secretary determines that the govern-
25 ment of such country is taking effective steps to hold the

1 responsible members of such unit accountable and to pre-
2 vent future incidents: *Provided*, That the Secretary shall
3 promptly notify the government of each country subject
4 to any withholding of assistance pursuant to this para-
5 graph, and shall notify the appropriate congressional com-
6 mittees of such withholding not later than 10 days after
7 a determination to withhold such assistance is made: *Pro-*
8 *vided further*, That the Secretary shall, to the maximum
9 extent practicable, assist such government in bringing the
10 responsible members of such unit to justice.

11 (h) ADDITIONAL AVAILABILITY.—Subject to the reg-
12 ular notification procedures of the Committees on Appro-
13 priations, funds appropriated by this Act which are re-
14 turned or not made available due to the second proviso
15 under the heading “Contributions for International Peace-
16 keeping Activities” in title I of this Act or section 307(a)
17 of the Foreign Assistance Act of 1961 (22 U.S.C.
18 2227(a)), shall remain available for obligation until Sep-
19 tember 30, 2024: *Provided*, That the requirement to with-
20 hold funds for programs in Burma under section 307(a)
21 of the Foreign Assistance Act of 1961 shall not apply to
22 funds appropriated by this Act.

23 (i) OPERATIONS OF THE UNITED STATES MISSION
24 TO THE UNITED NATIONS.—Section 9(2) of the United

1 Nations Participation Act of 1945 (22 U.S.C. 287e–1(2))
2 is amended by striking “30” and inserting “41”.

3 WAR CRIMES TRIBUNAL

4 SEC. 7049. Section 705 of the Foreign Relations Au-
5 thorization Act, Fiscal Year 2000 and 2001 (22 U.S.C.
6 7401) is amended by striking subsection (c) and inserting
7 the following:

8 “(c) EXEMPTION.—The prohibition under subsection
9 (b) or under any other provision of law shall not apply
10 with regard to support, including funding, information, or
11 in-kind support, to the International Criminal Court to as-
12 sist with investigations into and prosecutions related to
13 the Situation in Ukraine or circumstances in which the
14 Secretary of State determines that it is in the national
15 security interest of the United States to provide such sup-
16 port to assist with investigations and prosecutions of geno-
17 cide, war crimes, or crimes against humanity: *Provided,*
18 That none of the funds made available pursuant to this
19 subsection may be made available for the purpose of sup-
20 porting investigations, apprehensions, or prosecutions of
21 American service members and other United States citi-
22 zens or nationals, consistent with the purpose of the Amer-
23 ican Servicemembers’ Protection Act of 2002 (22 U.S.C.
24 7421 et seq.), or for the purpose of supporting investiga-
25 tions, apprehensions, or prosecutions of nationals of the

1 North Atlantic Treaty Organization (NATO) or major
2 non-NATO allies initially designated pursuant to section
3 517(b) of the Foreign Assistance Act of 1961.

4 “(d) NOTIFICATION.—The Secretary of State shall
5 notify the appropriate congressional committees of any
6 amounts provided pursuant to subsection (c) not later
7 than 15 days before such payment is made.

8 “(e) REPORTING.—Not later than 90 days after the
9 date of the enactment of the Department of State, Foreign
10 Operations, and Related Programs Appropriations Act,
11 2023, and every 90 days thereafter until September 30,
12 2025, the Secretary of State shall submit a report to the
13 appropriate congressional committees that describes the
14 use of funds made available pursuant to subsection (c).

15 “(f) DEFINITIONS.—In this section:

16 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES.—The term ‘appropriate congressional com-
18 mittees’ means—

19 “(A) the Committee on Foreign Relations
20 of the Senate;

21 “(B) the Committee on Appropriations of
22 the Senate;

23 “(C) the Committee on Foreign Affairs of
24 the House of Representatives; and

1 “(D) the Committee on Appropriations of
2 the House of Representatives.

3 “(2) INTERNATIONAL CRIMINAL COURT.—The
4 term ‘International Criminal Court’ means the court
5 established by the Rome Statute of the International
6 Criminal Court, adopted by the United Nations Dip-
7 lomatic Conference of Plenipotentiaries on the Es-
8 tablishment of an International Criminal Court on
9 July 17, 1998.”.

10 GLOBAL INTERNET FREEDOM

11 SEC. 7050. (a) FUNDING.—Of the funds available for
12 obligation during fiscal year 2023 under the headings
13 “International Broadcasting Operations”, “Economic
14 Support Fund”, “Democracy Fund”, and “Assistance for
15 Europe, Eurasia and Central Asia”, not less than
16 \$87,500,000 shall be made available for programs to pro-
17 mote Internet freedom globally: *Provided*, That such pro-
18 grams shall be prioritized for countries whose governments
19 restrict freedom of expression on the Internet, and that
20 are important to the national interest of the United
21 States: *Provided further*, That funds made available pursu-
22 ant to this section shall be matched, to the maximum ex-
23 tent practicable, by sources other than the United States
24 Government, including from the private sector.

25 (b) REQUIREMENTS.—

1 (1) DEPARTMENT OF STATE AND UNITED
2 STATES AGENCY FOR INTERNATIONAL DEVELOP-
3 MENT.—Funds appropriated by this Act under the
4 headings “Economic Support Fund”, “Democracy
5 Fund”, and “Assistance for Europe, Eurasia and
6 Central Asia” that are made available pursuant to
7 subsection (a) shall be—

8 (A) coordinated with other democracy pro-
9 grams funded by this Act under such headings,
10 and shall be incorporated into country assist-
11 ance and democracy promotion strategies, as
12 appropriate;

13 (B) for programs to implement the May
14 2011, International Strategy for Cyberspace,
15 the Department of State International Cyber-
16 space Policy Strategy required by section 402
17 of the Cybersecurity Act of 2015 (division N of
18 Public Law 114–113), and the comprehensive
19 strategy to promote Internet freedom and ac-
20 cess to information in Iran, as required by sec-
21 tion 414 of the Iran Threat Reduction and
22 Syria Human Rights Act of 2012 (22 U.S.C.
23 8754);

24 (C) made available for programs that sup-
25 port the efforts of civil society to counter the

1 development of repressive Internet-related laws
2 and regulations, including countering threats to
3 Internet freedom at international organizations;
4 to combat violence against bloggers and other
5 users; and to enhance digital security training
6 and capacity building for democracy activists;

7 (D) made available for research of key
8 threats to Internet freedom; the continued de-
9 velopment of technologies that provide or en-
10 hance access to the Internet, including cir-
11 cumvention tools that bypass Internet blocking,
12 filtering, and other censorship techniques used
13 by authoritarian governments; and maintenance
14 of the technological advantage of the United
15 States Government over such censorship tech-
16 niques: *Provided*, That the Secretary of State,
17 in consultation with the United States Agency
18 for Global Media Chief Executive Officer
19 (USAGM CEO) and the President of the Open
20 Technology Fund (OTF), shall coordinate any
21 such research and development programs with
22 other relevant United States Government de-
23 partments and agencies in order to share infor-
24 mation, technologies, and best practices, and to

1 assess the effectiveness of such technologies;
2 and

3 (E) made available only with the concur-
4 rence of the Assistant Secretary for Democracy,
5 Human Rights, and Labor, Department of
6 State, that such funds are allocated consistent
7 with—

8 (i) the strategies referenced in sub-
9 paragraph (B) of this paragraph;

10 (ii) best practices regarding security
11 for, and oversight of, Internet freedom pro-
12 grams; and

13 (iii) sufficient resources and support
14 for the development and maintenance of
15 anti-censorship technology and tools.

16 (2) UNITED STATES AGENCY FOR GLOBAL
17 MEDIA.—Funds appropriated by this Act under the
18 heading “International Broadcasting Operations”
19 that are made available pursuant to subsection (a)
20 shall be—

21 (A) made available only for open-source
22 tools and techniques to securely develop and
23 distribute USAGM digital content, facilitate au-
24 dience access to such content on websites that
25 are censored, coordinate the distribution of

1 USAGM digital content to targeted regional au-
2 diences, and to promote and distribute such
3 tools and techniques, including digital security
4 techniques;

5 (B) coordinated by the USAGM CEO, in
6 consultation with the OTF President, with pro-
7 grams funded by this Act under the heading
8 “International Broadcasting Operations”, and
9 shall be incorporated into country broadcasting
10 strategies, as appropriate;

11 (C) coordinated by the USAGM CEO, in
12 consultation with the OTF President, to solicit
13 project proposals through an open, transparent,
14 and competitive process, seek input from tech-
15 nical and subject matter experts to select pro-
16 posals, and support Internet circumvention
17 tools and techniques for audiences in countries
18 that are strategic priorities for the OTF and in
19 a manner consistent with the United States
20 Government Internet freedom strategy; and

21 (D) made available for the research and
22 development of new tools or techniques author-
23 ized in subparagraph (A) only after the
24 USAGM CEO, in consultation with the Sec-
25 retary of State, the OTF President, and other

1 relevant United States Government depart-
2 ments and agencies, evaluates the risks and
3 benefits of such new tools or techniques, and
4 establishes safeguards to minimize the use of
5 such new tools or techniques for illicit purposes.

6 (c) COORDINATION AND SPEND PLANS.—After con-
7 sultation among the relevant agency heads to coordinate
8 and de-conflict planned activities, but not later than 90
9 days after the date of enactment of this Act, the Secretary
10 of State and the USAGM CEO, in consultation with the
11 OTF President, shall submit to the Committees on Appro-
12 priations spend plans for funds made available by this Act
13 for programs to promote Internet freedom globally, which
14 shall include a description of safeguards established by rel-
15 evant agencies to ensure that such programs are not used
16 for illicit purposes: *Provided*, That the Department of
17 State spend plan shall include funding for all such pro-
18 grams for all relevant Department of State and United
19 States Agency for International Development offices and
20 bureaus.

21 (d) SECURITY AUDITS.—Funds made available pur-
22 suant to this section to promote Internet freedom globally
23 may only be made available to support open-source tech-
24 nologies that undergo comprehensive security audits con-
25 sistent with the requirements of the Bureau of Democracy,

1 Human Rights, and Labor, Department of State to ensure
2 that such technology is secure and has not been com-
3 promised in a manner detrimental to the interest of the
4 United States or to individuals and organizations bene-
5 fitting from programs supported by such funds: *Provided,*
6 That the security auditing procedures used by such Bu-
7 reau shall be reviewed and updated periodically to reflect
8 current industry security standards.

9 TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING
10 TREATMENT OR PUNISHMENT

11 SEC. 7051. (a) PROHIBITION.—None of the funds
12 made available by this Act may be used to support or jus-
13 tify the use of torture and other cruel, inhuman, or de-
14 grading treatment or punishment by any official or con-
15 tract employee of the United States Government.

16 (b) ASSISTANCE.—Funds appropriated under titles
17 III and IV of this Act shall be made available, notwith-
18 standing section 660 of the Foreign Assistance Act of
19 1961 and following consultation with the Committees on
20 Appropriations, for assistance to eliminate torture and
21 other cruel, inhuman, or degrading treatment or punish-
22 ment by foreign police, military, or other security forces
23 in countries receiving assistance from funds appropriated
24 by this Act.

1 AIRCRAFT TRANSFER, COORDINATION, AND USE

2 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-
3 standing any other provision of law or regulation, aircraft
4 procured with funds appropriated by this Act and prior
5 Acts making appropriations for the Department of State,
6 foreign operations, and related programs under the head-
7 ings “Diplomatic Programs”, “International Narcotics
8 Control and Law Enforcement”, “Andean Counterdrug
9 Initiative”, and “Andean Counterdrug Programs” may be
10 used for any other program and in any region.

11 (b) PROPERTY DISPOSAL.—The authority provided
12 in subsection (a) shall apply only after the Secretary of
13 State determines and reports to the Committees on Appro-
14 priations that the equipment is no longer required to meet
15 programmatic purposes in the designated country or re-
16 gion: *Provided*, That any such transfer shall be subject
17 to prior consultation with, and the regular notification
18 procedures of, the Committees on Appropriations.

19 (c) AIRCRAFT COORDINATION.—

20 (1) AUTHORITY.—The uses of aircraft pur-
21 chased or leased by the Department of State and the
22 United States Agency for International Development
23 with funds made available in this Act or prior Acts
24 making appropriations for the Department of State,
25 foreign operations, and related programs shall be co-

1 ordinated under the authority of the appropriate
2 Chief of Mission: *Provided*, That such aircraft may
3 be used to transport, on a reimbursable or non-reim-
4 bursable basis, Federal and non-Federal personnel
5 supporting Department of State and USAID pro-
6 grams and activities: *Provided further*, That official
7 travel for other agencies for other purposes may be
8 supported on a reimbursable basis, or without reim-
9 bursement when traveling on a space available basis:
10 *Provided further*, That funds received by the Depart-
11 ment of State in connection with the use of aircraft
12 owned, leased, or chartered by the Department of
13 State may be credited to the Working Capital Fund
14 of the Department and shall be available for ex-
15 penses related to the purchase, lease, maintenance,
16 chartering, or operation of such aircraft.

17 (2) SCOPE.—The requirement and authorities
18 of this subsection shall only apply to aircraft, the
19 primary purpose of which is the transportation of
20 personnel.

21 (d) AIRCRAFT OPERATIONS AND MAINTENANCE.—
22 To the maximum extent practicable, the costs of oper-
23 ations and maintenance, including fuel, of aircraft funded
24 by this Act shall be borne by the recipient country.

1 PARKING FINES AND REAL PROPERTY TAXES OWED BY
2 FOREIGN GOVERNMENTS

3 SEC. 7053. The terms and conditions of section 7055
4 of the Department of State, Foreign Operations, and Re-
5 lated Programs Appropriations Act, 2010 (division F of
6 Public Law 111–117) shall apply to this Act: *Provided*,
7 That the date “September 30, 2009” in subsection
8 (f)(2)(B) of such section shall be deemed to be “Sep-
9 tember 30, 2022”.

10 INTERNATIONAL MONETARY FUND

11 SEC. 7054. (a) EXTENSIONS.—The terms and condi-
12 tions of sections 7086(b)(1) and (2) and 7090(a) of the
13 Department of State, Foreign Operations, and Related
14 Programs Appropriations Act, 2010 (division F of Public
15 Law 111–117) shall apply to this Act.

16 (b) REPAYMENT.—The Secretary of the Treasury
17 shall instruct the United States Executive Director of the
18 International Monetary Fund (IMF) to seek to ensure
19 that any loan will be repaid to the IMF before other pri-
20 vate or multilateral creditors.

21 FOOD SECURITY AND AGRICULTURAL DEVELOPMENT

22 SEC. 7055. (a) IN GENERAL.—Of the funds appro-
23 priated by title III of this Act, not less than
24 \$1,010,600,000 shall be made available for food security
25 and agricultural development programs to carry out the

1 purposes of the Global Food Security Act of 2016 (Public
2 Law 114–195): *Provided*, That funds may be made avail-
3 able for a contribution as authorized by section 3202 of
4 the Food, Conservation, and Energy Act of 2008 (Public
5 Law 110–246), as amended by section 3310 of the Agri-
6 culture Improvement Act of 2018 (Public Law 115–334).

7 (b) WORLD FOOD PROGRAMME.—Funds managed by
8 the Bureau for Humanitarian Assistance, United States
9 Agency for International Development, from this or any
10 other Act, may be made available as a general contribution
11 to the World Food Programme, notwithstanding any other
12 provision of law.

13 (c) GLOBAL FOOD SECURITY PARTNERSHIP
14 FUND.—

15 (1) NEGOTIATIONS FOR ESTABLISHMENT.—The
16 Secretary of State, in consultation with the Adminis-
17 trator of the United States Agency for International
18 Development and the heads of other relevant Fed-
19 eral agencies, shall seek to enter into negotiations
20 with key bilateral, multilateral, philanthropic, and
21 private sector entities, including the United Nations
22 Rome-based agencies and the World Bank, and with
23 countries impacted by food insecurity, for the estab-
24 lishment of the Global Food Security Partnership
25 Fund.

1 (2) PURPOSES.—The purposes of such Global
2 Food Security Partnership Fund shall be to—

3 (A) increase funding from all sources to re-
4 spond to acute food insecurity and build resil-
5 ience globally;

6 (B) improve international coordination;
7 and

8 (C) transition from short-term emergency
9 investments toward comprehensive, compact-
10 based agreements that support country-led
11 strategies to sustainably address food insecu-
12 rity.

13 (3) CONSULTATION.—Not later than 90 days
14 after the date of enactment of this Act, the Sec-
15 retary of State, in consultation with the Adminis-
16 trator of the United States Agency for International
17 Development, shall consult with the Committees on
18 Appropriations on plans for the establishment of the
19 Global Food Security Partnership Fund, including
20 identifying which office at the Department of State
21 will be responsible for negotiating and participating
22 in such Fund; key donors and countries to be tar-
23 geted for negotiations; expected timelines for such
24 negotiations; and any anticipated challenges to the
25 establishment of such Fund: *Provided*, That not

1 later than 180 days after the date of enactment of
2 this Act, the Secretary of State shall consult with
3 such committees on the status of such negotiations,
4 including the details enumerated under this heading
5 in the explanatory statement accompanying this Act.

6 (d) MARKET-BASED SOCIAL ENTERPRISES.—

7 (1) ASSISTANCE.—Of the funds appropriated by
8 this Act and prior Acts making appropriations for
9 the Department of State, foreign operations, and re-
10 lated programs under title III, not less than
11 \$5,000,000 shall be made available to provide sus-
12 tainable, market-based assistance for smallholder
13 farmers through locally-based social enterprises.

14 (2) CRITERIA.—Funds made available pursuant
15 to paragraph (1) shall be made available to support
16 organizations that—

17 (A) generate diverse, hybrid financing;

18 (B) are significantly funded through
19 earned revenue;

20 (C) directly serve the world's poorest farm-
21 ers and focus primarily on food security; and

22 (D) demonstrate social impact through
23 clear, rigorously measured, impact data, includ-
24 ing measuring attributable crop yield increases.

1 (3) CONSULTATION.—Not later than 90 days
2 after the date of enactment of this Act, the USAID
3 Administrator shall consult with the Committees on
4 Appropriations on implementation of this subsection.

5 ENTERPRISE FUNDS

6 SEC. 7056. (a) NOTIFICATION.—None of the funds
7 made available under titles III through VI of this Act may
8 be made available for Enterprise Funds unless the appro-
9 priate congressional committees are notified at least 15
10 days in advance.

11 (b) DISTRIBUTION OF ASSETS PLAN.—Prior to the
12 distribution of any assets resulting from any liquidation,
13 dissolution, or winding up of an Enterprise Fund, in whole
14 or in part, the President shall submit to the appropriate
15 congressional committees a plan for the distribution of the
16 assets of the Enterprise Fund.

17 (c) TRANSITION OR OPERATING PLAN.—Prior to a
18 transition to and operation of any private equity fund or
19 other parallel investment fund under an existing Enter-
20 prise Fund, the President shall submit such transition or
21 operating plan to the appropriate congressional commit-
22 tees.

23 UNITED NATIONS POPULATION FUND

24 SEC. 7057. (a) CONTRIBUTION.—Of the funds made
25 available under the heading “International Organizations

1 and Programs” in this Act for fiscal year 2023,
2 \$60,000,000 shall be made available for the United Na-
3 tions Population Fund (UNFPA).

4 (b) AVAILABILITY OF FUNDS.—Funds appropriated
5 by this Act for UNFPA, that are not made available for
6 UNFPA because of the operation of any provision of law,
7 shall be transferred to the “Global Health Programs” ac-
8 count and shall be made available for family planning, ma-
9 ternal, and reproductive health activities, subject to the
10 regular notification procedures of the Committees on Ap-
11 propriations.

12 (c) PROHIBITION ON USE OF FUNDS IN CHINA.—
13 None of the funds made available by this Act may be used
14 by UNFPA for a country program in the People’s Repub-
15 lic of China.

16 (d) CONDITIONS ON AVAILABILITY OF FUNDS.—
17 Funds made available by this Act for UNFPA may not
18 be made available unless—

19 (1) UNFPA maintains funds made available by
20 this Act in an account separate from other accounts
21 of UNFPA and does not commingle such funds with
22 other sums; and

23 (2) UNFPA does not fund abortions.

1 GLOBAL HEALTH ACTIVITIES

2 SEC. 7058. (a) IN GENERAL.—Funds appropriated
3 under titles III and IV of this Act that are made available
4 for bilateral assistance for global health programs includ-
5 ing activities relating to research on, and the prevention,
6 treatment, and control of, HIV/AIDS may be made avail-
7 able notwithstanding any other provision of law except for
8 provisions under the heading “Global Health Programs”
9 and the United States Leadership Against HIV/AIDS,
10 Tuberculosis, and Malaria Act of 2003 (117 Stat. 711;
11 22 U.S.C. 7601 et seq.), as amended: *Provided*, That of
12 the funds appropriated under the heading “Global Health
13 Programs” in this Act, not less than \$650,000,000 shall
14 be made available for family planning/reproductive health,
15 including in areas where population growth threatens bio-
16 diversity or endangered species.

17 (b) PANDEMICS AND OTHER INFECTIOUS DISEASE
18 OUTBREAKS.—

19 (1) GLOBAL HEALTH SECURITY.—Funds appro-
20 priated by this Act under the heading “Global
21 Health Programs” shall be made available for global
22 health security programs to accelerate the capacity
23 of countries to prevent, detect, and respond to infec-
24 tious disease outbreaks, including by strengthening
25 public health capacity where there is a high risk of

1 emerging zoonotic infectious diseases: *Provided*,
2 That not later than 60 days after the date of enact-
3 ment of this Act, the USAID Administrator and the
4 Secretary of State, as appropriate, shall consult with
5 the Committees on Appropriations on the planned
6 uses of such funds.

7 (2) FINANCIAL INTERMEDIARY FUND.—Funds
8 appropriated by this Act under the heading “Global
9 Health Programs” may be made available for con-
10 tributions to a financial intermediary fund for pan-
11 demic preparedness and global health security.

12 (3) EXTRAORDINARY MEASURES.—If the Sec-
13 retary of State determines and reports to the Com-
14 mittees on Appropriations that an international in-
15 fectionous disease outbreak is sustained, severe, and is
16 spreading internationally, or that it is in the na-
17 tional interest to respond to a Public Health Emer-
18 gency of International Concern, not to exceed an ag-
19 gregate total of \$200,000,000 of the funds appro-
20 priated by this Act under the headings “Global
21 Health Programs”, “Development Assistance”,
22 “International Disaster Assistance”, “Complex Cri-
23 ses Fund”, “Economic Support Fund”, “Democracy
24 Fund”, “Assistance for Europe, Eurasia and Cen-
25 tral Asia”, “Migration and Refugee Assistance”, and

1 “Millennium Challenge Corporation” may be made
2 available to combat such infectious disease or public
3 health emergency, and may be transferred to, and
4 merged with, funds appropriated under such head-
5 ings for the purposes of this paragraph.

6 (4) EMERGENCY RESERVE FUND.—Up to
7 \$90,000,000 of the funds made available under the
8 heading “Global Health Programs” may be made
9 available for the Emergency Reserve Fund estab-
10 lished pursuant to section 7058(c)(1) of the Depart-
11 ment of State, Foreign Operations, and Related Pro-
12 grams Appropriations Act, 2017 (division J of Pub-
13 lic Law 115–31): *Provided*, That such funds shall be
14 made available under the same terms and conditions
15 of such section.

16 (5) CONSULTATION AND NOTIFICATION.—
17 Funds made available by this subsection shall be
18 subject to prior consultation with, and the regular
19 notification procedures of, the Committees on Ap-
20 propriations.

21 (c) LIMITATION.—Notwithstanding any other provi-
22 sion of law, none of the funds made available by this Act
23 may be made available to the Wuhan Institute of Virology
24 located in the City of Wuhan in the People’s Republic of
25 China.

1 GENDER EQUALITY AND WOMEN'S EMPOWERMENT

2 SEC. 7059. (a) IN GENERAL.—

3 (1) GENDER EQUALITY.—Funds appropriated
4 by this Act shall be made available to promote gen-
5 der equality in United States Government diplomatic
6 and development efforts by raising the status, in-
7 creasing the economic participation and opportuni-
8 ties for political leadership, and protecting the rights
9 of women and girls worldwide.

10 (2) WOMEN'S ECONOMIC EMPOWERMENT.—
11 Funds appropriated by this Act are available to im-
12 plement the Women's Entrepreneurship and Eco-
13 nomic Empowerment Act of 2018 (Public Law 115-
14 428): *Provided*, That the Secretary of State and the
15 Administrator of the United States Agency for
16 International Development, as appropriate, shall
17 consult with the Committees on Appropriations on
18 the implementation of such Act.

19 (3) GENDER EQUITY AND EQUALITY ACTION
20 FUND.—Of the funds appropriated under title III of
21 this Act, up to \$200,000,000 may be made available
22 for the Gender Equity and Equality Action Fund.

23 (b) MADELEINE K. ALBRIGHT WOMEN'S LEADER-
24 SHIP PROGRAM.—Of the funds appropriated under title
25 III of this Act, not less than \$50,000,000 shall be made

1 available for programs specifically designed to increase
2 leadership opportunities for women in countries where
3 women and girls suffer discrimination due to law, policy,
4 or practice, by strengthening protections for women’s po-
5 litical status, expanding women’s participation in political
6 parties and elections, and increasing women’s opportuni-
7 ties for leadership positions in the public and private sec-
8 tors at the local, provincial, and national levels: *Provided*,
9 That such programs shall hereafter be collectively named
10 the “Madeleine K. Albright Women’s Leadership Pro-
11 gram”.

12 (c) GENDER-BASED VIOLENCE.—

13 (1) Of the funds appropriated under titles III
14 and IV of this Act, not less than \$175,000,000 shall
15 be made available to implement a multi-year strat-
16 egy to prevent and respond to gender-based violence
17 in countries where it is common in conflict and non-
18 conflict settings.

19 (2) Funds appropriated under titles III and IV
20 of this Act that are available to train foreign police,
21 judicial, and military personnel, including for inter-
22 national peacekeeping operations, shall address,
23 where appropriate, prevention and response to gen-
24 der-based violence and trafficking in persons, and

1 shall promote the integration of women into the po-
2 lice and other security forces.

3 (d) WOMEN, PEACE, AND SECURITY.—Of the funds
4 appropriated by this Act under the headings “Develop-
5 ment Assistance”, “Economic Support Fund”, “Assist-
6 ance for Europe, Eurasia and Central Asia”, and “Inter-
7 national Narcotics Control and Law Enforcement”, not
8 less than \$135,000,000 should be made available to sup-
9 port a multi-year strategy to expand, and improve coordi-
10 nation of, United States Government efforts to empower
11 women as equal partners in conflict prevention, peace
12 building, transitional processes, and reconstruction efforts
13 in countries affected by conflict or in political transition,
14 and to ensure the equitable provision of relief and recovery
15 assistance to women and girls.

16 SECTOR ALLOCATIONS

17 SEC. 7060. (a) BASIC EDUCATION AND HIGHER
18 EDUCATION.—

19 (1) BASIC EDUCATION.—

20 (A) Of the funds appropriated under title
21 III of this Act, not less than \$693,448,000
22 shall be made available for the Nita M. Lowey
23 Basic Education Fund, and such funds may be
24 made available notwithstanding any other provi-
25 sion of law that restricts assistance to foreign

1 countries: *Provided*, That such funds shall also
2 be used for secondary education activities: *Pro-*
3 *vided further*, That section 7(a) of Public Law
4 115–56 shall be implemented by substituting
5 “the thirtieth day of June following” for “180
6 days after”.

7 (B) Of the funds appropriated under title
8 III of this Act for assistance for basic education
9 programs, not less than \$175,000,000 shall be
10 made available for contributions to multilateral
11 partnerships that support education.

12 (2) HIGHER EDUCATION.—Of the funds appro-
13 priated by title III of this Act, not less than
14 \$250,000,000 shall be made available for assistance
15 for higher education: *Provided*, That such funds may
16 be made available notwithstanding any other provi-
17 sion of law that restricts assistance to foreign coun-
18 tries, and shall be subject to the regular notification
19 procedures of the Committees on Appropriations:
20 *Provided further*, That of such amount, not less than
21 \$35,000,000 shall be made available for new and on-
22 going partnerships between higher education institu-
23 tions in the United States and developing countries
24 focused on building the capacity of higher education
25 institutions and systems in developing countries:

1 *Provided further*, That not later than 45 days after
2 the date of enactment of this Act, the USAID Ad-
3 ministrator shall consult with the Committees on
4 Appropriations on the proposed uses of funds for
5 such partnerships.

6 (3) HIGHER EDUCATION IN COUNTRIES IM-
7 PACTED BY ECONOMIC CRISES.—Of the funds appro-
8 priated by this Act under the heading “Economic
9 Support Fund”, and in addition to amounts made
10 available pursuant to paragraph (2), not less than
11 \$35,000,000 shall be made available, notwith-
12 standing any other provision of law that restricts as-
13 sistance to foreign countries, and following consulta-
14 tion with the Committees on Appropriations, for the
15 following institutions that are recipients of United
16 States assistance and located in countries impacted
17 by economic crises—

18 (A) United States-accredited institutions of
19 higher education in the Middle East; and

20 (B) not-for-profit, coeducational American
21 institutions of higher education in the Middle
22 East and Asia.

23 (4) SCHOLAR RESCUE PROGRAMS.—Of the
24 funds appropriated by this Act under the headings
25 “Development Assistance”, “Economic Support

1 Fund”, and “Assistance for Europe, Eurasia and
2 Central Asia”, not less than \$7,000,000 shall be
3 made available for scholar rescue programs, includ-
4 ing for scholars from Afghanistan, Burma, Ethiopia,
5 the Russian Federation, Ukraine, and Yemen: *Pro-*
6 *vided*, That the Secretary of State and Adminis-
7 trator of the United States Agency for International
8 Development, as appropriate, shall consult with the
9 Committees on Appropriations on such programs not
10 later than 90 days after the date of enactment of
11 this Act.

12 (b) DEVELOPMENT PROGRAMS.—Of the funds appro-
13 priated by this Act under the heading “Development As-
14 sistance”, not less than \$20,000,000 shall be made avail-
15 able for USAID cooperative development programs and
16 not less than \$31,500,000 shall be made available for the
17 American Schools and Hospitals Abroad program.

18 (c) MICRO, SMALL, AND MEDIUM-SIZED ENTER-
19 PRISES.—Of the funds appropriated by this Act, not less
20 than \$265,000,000 shall be made available to support the
21 development of, and access to financing for, micro, small,
22 and medium-sized enterprises that benefit the poor, espe-
23 cially women.

24 (d) PROGRAMS TO COMBAT TRAFFICKING IN PER-
25 SONS.—Of the funds appropriated by this Act under the

1 headings “Development Assistance”, “Economic Support
2 Fund”, “Assistance for Europe, Eurasia and Central
3 Asia”, and “International Narcotics Control and Law En-
4 forcement”, not less than \$126,400,000 shall be made
5 available for activities to combat trafficking in persons
6 internationally, including for the Program to End Modern
7 Slavery, of which not less than \$97,000,000 shall be from
8 funds made available under the heading “International
9 Narcotics Control and Law Enforcement”: *Provided*, That
10 funds made available by this Act under the headings “De-
11 velopment Assistance”, “Economic Support Fund”, and
12 “Assistance for Europe, Eurasia and Central Asia” that
13 are made available for activities to combat trafficking in
14 persons should be obligated and programmed consistent
15 with the country-specific recommendations included in the
16 annual Trafficking in Persons Report, and shall be coordi-
17 nated with the Office to Monitor and Combat Trafficking
18 in Persons, Department of State.

19 (e) RECONCILIATION PROGRAMS.—Of the funds ap-
20 propriated by this Act under the heading “Development
21 Assistance”, not less than \$25,000,000 shall be made
22 available to support people-to-people reconciliation pro-
23 grams which bring together individuals of different ethnic,
24 racial, religious, and political backgrounds from areas of
25 civil strife and war: *Provided*, That the USAID Adminis-

1 trator shall consult with the Committees on Appropria-
2 tions, prior to the initial obligation of funds, on the uses
3 of such funds, and such funds shall be subject to the reg-
4 ular notification procedures of the Committees on Appro-
5 priations: *Provided further*, That to the maximum extent
6 practicable, such funds shall be matched by sources other
7 than the United States Government: *Provided further*,
8 That such funds shall be administered by the Center for
9 Conflict and Violence Prevention, USAID.

10 (f) WATER AND SANITATION.—Of the funds appro-
11 priated by this Act, not less than \$475,000,000 shall be
12 made available for water supply and sanitation projects
13 pursuant to section 136 of the Foreign Assistance Act of
14 1961, of which not less than \$237,000,000 shall be for
15 programs in sub-Saharan Africa, and of which not less
16 than \$17,000,000 shall be made available to support ini-
17 tiatives by local communities in developing countries to
18 build and maintain safe latrines.

19 (g) DEVIATION.—

20 (1) AUTHORITY.—Unless otherwise provided for
21 by this Act, the Secretary of State and the Adminis-
22 trator of the United States Agency for International
23 Development, as applicable, may deviate by up to 10
24 percent below the minimum funding requirements
25 designated in sections 7055, 7059, 7060, and 7061

1 of this Act and similar provisions of law in prior
2 Acts making appropriations for the Department of
3 State, foreign operations, and related programs, not-
4 withstanding such designations.

5 (2) OVERSIGHT.—Not later than 120 days after
6 the date of enactment of this Act, and every 120
7 days thereafter until September 30, 2024, the Sec-
8 retary of State shall submit a report to the Commit-
9 tees on Appropriations on the use, and planned use,
10 of the authority provided in this subsection: *Pro-*
11 *vided*, That any deviations made pursuant to this
12 subsection shall be subject to prior consultation
13 with, and the regular notification procedures of, the
14 Committees on Appropriations.

15 ENVIRONMENT PROGRAMS

16 SEC. 7061. (a) IN GENERAL.—Of the funds appro-
17 priated under title III of this Act, not less than
18 \$1,895,000,000 shall be made available for environment
19 programs.

20 (b) AUTHORITY.—Funds appropriated by this Act to
21 carry out the provisions of sections 103 through 106, and
22 chapter 4 of part II, of the Foreign Assistance Act of 1961
23 may be used, notwithstanding any other provision of law,
24 to support environment programs.

25 (c) BIODIVERSITY CONSERVATION.—

1 (1) FUNDING.—Of the funds appropriated
2 under title III of this Act, not less than
3 \$450,000,000 shall be made available for biodiver-
4 sity conservation programs.

5 (2) PUBLIC-PRIVATE PARTNERSHIPS.—Funds
6 appropriated by this Act shall be made available to
7 support a new public-private partnership for con-
8 servation to promote the establishment and long-
9 term management of protected areas in developing
10 countries: *Provided*, That such funds may remain
11 available until September 30, 2025.

12 (d) WILDLIFE POACHING AND TRAFFICKING.—

13 (1) FUNDING.—Not less than \$130,000,000 of
14 the funds appropriated under titles III and IV of
15 this Act shall be made available to combat the
16 transnational threat of wildlife poaching and traf-
17 ficking.

18 (2) LIMITATION.—None of the funds appro-
19 priated under title IV of this Act may be made avail-
20 able for training or other assistance for any military
21 unit or personnel that the Secretary of State deter-
22 mines has been credibly alleged to have participated
23 in wildlife poaching or trafficking, unless the Sec-
24 retary reports to the appropriate congressional com-

1 mittees that to do so is in the national security in-
2 terest of the United States.

3 (e) TROPICAL FORESTS.—Funds appropriated by
4 this Act for biodiversity programs shall not be used to sup-
5 port the expansion of industrial scale logging, agriculture,
6 livestock production, mining, or any other industrial scale
7 extractive activity into areas that were primary/intact
8 tropical forests as of December 30, 2013, and the Sec-
9 retary of the Treasury shall instruct the United States ex-
10 ecutive directors of each international financial institution
11 (IFI) to use the voice and vote of the United States to
12 oppose any financing of any such activity.

13 (f) LARGE DAMS.—The Secretary of the Treasury
14 shall instruct the United States executive director of each
15 IFI that it is the policy of the United States to use the
16 voice and vote of the United States, in relation to any loan,
17 grant, strategy, or policy of such institution, regarding the
18 construction of any large dam consistent with the criteria
19 set forth in Senate Report 114–79, while also considering
20 whether the project involves important foreign policy ob-
21 jectives.

22 (g) SUSTAINABLE LANDSCAPES.—Of the funds ap-
23 propriated under title III of this Act, not less than
24 \$300,000,000 shall be made available for sustainable land-
25 scapes programs.

1 (h) ADAPTATION PROGRAMS.—Of the funds appro-
2 priated under title III of this Act, not less than
3 \$550,000,000 shall be made available for adaptation pro-
4 grams, including in support of the implementation of the
5 Indo-Pacific Strategy.

6 (i) CLEAN ENERGY PROGRAMS.—Of the funds appro-
7 priated under title III of this Act, not less than
8 \$425,000,000 shall be made available for clean energy
9 programs, including in support of carrying out the pur-
10 poses of the Electrify Africa Act (Public Law 114–121)
11 and implementing the Power Africa initiative.

12 (j) MULTILATERAL FUNDS.—Of the funds appro-
13 priated by this Act under title III, not less than
14 \$100,000,000 may be made available for United States
15 contributions to the Adaptation Fund and the Least De-
16 veloped Countries Fund.

17 (k) OCEAN PLASTICS.—Of the funds appropriated
18 under title III of this Act, not less than \$60,000,000 shall
19 be made available for the purposes enumerated under sec-
20 tion 7060(c)(7) of the Department of State, Foreign Oper-
21 ations, and Related Programs Appropriations Act, 2021
22 (division K of Public Law 116–260): *Provided*, That such
23 funds may only be made available following consultation
24 with the Committees on Appropriations.

1 (l) TOXIC CHEMICALS.—Of the funds appropriated
2 under title III of this Act, not less than \$10,000,000 shall
3 be made available to support programs to measurably re-
4 duce public exposure to toxic chemicals, including expo-
5 sure to lead associated with unsafe disposal or recycling
6 of lead batteries, cookware, or other sources of lead expo-
7 sure.

8 (m) CIVIL SOCIETY PROGRAMS.—Of the funds appro-
9 priated under title III of this Act, not less than
10 \$20,000,000 shall be made available to support civil soci-
11 ety advocacy organizations in developing countries that
12 are working to prevent toxic pollutants and other harm
13 to the environment, and to support such organizations
14 that are working to prevent the poaching and trafficking
15 of endangered species, as described under this section in
16 the explanatory statement accompanying this Act.

17 (n) NATIONAL PARKS AND PROTECTED AREAS.—
18 The Secretary of State and USAID Administrator shall
19 implement the directive regarding law enforcement in na-
20 tional parks and protected areas as described under this
21 heading in the explanatory statement accompanying this
22 Act.

23 BUDGET DOCUMENTS

24 SEC. 7062. (a) OPERATING PLANS.—Not later than
25 45 days after the date of enactment of this Act, each de-

1 department, agency, or organization funded in titles I, II,
2 and VI of this Act, and the Department of the Treasury
3 and Independent Agencies funded in title III of this Act,
4 including the Inter-American Foundation and the United
5 States African Development Foundation, shall submit to
6 the Committees on Appropriations an operating plan for
7 funds appropriated to such department, agency, or organi-
8 zation in such titles of this Act, or funds otherwise avail-
9 able for obligation in fiscal year 2023, that provides de-
10 tails of the uses of such funds at the program, project,
11 and activity level: *Provided*, That such plans shall include,
12 as applicable, a comparison between the congressional
13 budget justification funding levels, the most recent con-
14 gressional directives or approved funding levels, and the
15 funding levels proposed by the department or agency; and
16 a clear, concise, and informative description/justification:
17 *Provided further*, That operating plans that include
18 changes in levels of funding for programs, projects, and
19 activities specified in the congressional budget justifica-
20 tion, in this Act, or amounts specifically designated in the
21 respective tables included in the explanatory statement ac-
22 companying this Act, as applicable, shall be subject to the
23 notification and reprogramming requirements of section
24 7015 of this Act.

25 (b) SPEND PLANS.—

1 (1) Prior to the initial obligation of funds, the
2 Secretary of State or Administrator of the United
3 States Agency for International Development, as ap-
4 propriate, shall submit to the Committees on Appro-
5 priations spend plans as described under this head-
6 ing in the explanatory statement accompanying this
7 Act.

8 (2) Not later than 90 days after the date of en-
9 actment of this Act, the Secretary of the Treasury
10 shall submit to the Committees on Appropriations a
11 detailed spend plan for funds made available by this
12 Act under the heading “Department of the Treas-
13 ury, International Affairs Technical Assistance” in
14 title III.

15 (3) Notwithstanding paragraph (1), up to 10
16 percent of the funds contained in a spend plan re-
17 quired by this subsection may be obligated prior to
18 the submission of such spend plan if the Secretary
19 of State, the USAID Administrator, or the Secretary
20 of the Treasury, as applicable, determines that the
21 obligation of such funds is necessary to avoid signifi-
22 cant programmatic disruption: *Provided*, That not
23 less than seven days prior to such obligation, the
24 Secretary or Administrator, as appropriate, shall
25 consult with the Committees on Appropriations on

1 the justification for such obligation and the proposed
2 uses of such funds.

3 (c) CLARIFICATION.—The spend plans referenced in
4 subsection (b) shall not be considered as meeting the noti-
5 fication requirements in this Act or under section 634A
6 of the Foreign Assistance Act of 1961.

7 REORGANIZATION

8 SEC. 7063. (a) PRIOR CONSULTATION AND NOTIFI-
9 CATION.—Funds appropriated by this Act, prior Acts
10 making appropriations for the Department of State, for-
11 eign operations, and related programs, or any other Act
12 may not be used to implement a reorganization, redesign,
13 or other plan described in subsection (b) by the Depart-
14 ment of State, the United States Agency for International
15 Development, or any other Federal department, agency,
16 or organization funded by this Act without prior consulta-
17 tion by the head of such department, agency, or organiza-
18 tion with the appropriate congressional committees: *Pro-*
19 *vided*, That such funds shall be subject to the regular noti-
20 fication procedures of the Committees on Appropriations:
21 *Provided further*, That any such notification submitted to
22 such Committees shall include a detailed justification for
23 any proposed action: *Provided further*, That congressional
24 notifications submitted in prior fiscal years pursuant to
25 similar provisions of law in prior Acts making appropria-

1 tions for the Department of State, foreign operations, and
2 related programs may be deemed to meet the notification
3 requirements of this section.

4 (b) DESCRIPTION OF ACTIVITIES.—Pursuant to sub-
5 section (a), a reorganization, redesign, or other plan shall
6 include any action to—

7 (1) expand, eliminate, consolidate, or downsize
8 covered departments, agencies, or organizations, in-
9 cluding bureaus and offices within or between such
10 departments, agencies, or organizations, including
11 the transfer to other agencies of the authorities and
12 responsibilities of such bureaus and offices;

13 (2) expand, eliminate, consolidate, or downsize
14 the United States official presence overseas, includ-
15 ing at bilateral, regional, and multilateral diplomatic
16 facilities and other platforms; or

17 (3) expand or reduce the size of the permanent
18 Civil Service, Foreign Service, eligible family mem-
19 ber, and locally employed staff workforce of the De-
20 partment of State and USAID from the staffing lev-
21 els previously justified to the Committees on Appro-
22 priations for fiscal year 2023.

23 DEPARTMENT OF STATE MANAGEMENT

24 SEC. 7064. (a) WORKING CAPITAL FUND.—Funds
25 appropriated by this Act or otherwise made available to

1 the Department of State for payments to the Working
2 Capital Fund that are made available for new service cen-
3 ters, shall be subject to the regular notification procedures
4 of the Committees on Appropriations.

5 (b) CERTIFICATION.—

6 (1) COMPLIANCE.—Not later than 45 days
7 after the initial obligation of funds appropriated
8 under titles III and IV of this Act that are made
9 available to a Department of State bureau or office
10 with responsibility for the management and over-
11 sight of such funds, the Secretary of State shall cer-
12 tify and report to the Committees on Appropria-
13 tions, on an individual bureau or office basis, that
14 such bureau or office is in compliance with Depart-
15 ment and Federal financial and grants management
16 policies, procedures, and regulations, as applicable.

17 (2) CONSIDERATIONS.—When making a certifi-
18 cation required by paragraph (1), the Secretary of
19 State shall consider the capacity of a bureau or of-
20 fice to—

21 (A) account for the obligated funds at the
22 country and program level, as appropriate;

23 (B) identify risks and develop mitigation
24 and monitoring plans;

1 (C) establish performance measures and
2 indicators;

3 (D) review activities and performance; and

4 (E) assess final results and reconcile fi-
5 nances.

6 (3) PLAN.—If the Secretary of State is unable
7 to make a certification required by paragraph (1),
8 the Secretary shall submit a plan and timeline de-
9 tailing the steps to be taken to bring such bureau
10 or office into compliance.

11 (c) INTERNSHIPS.—The Department of State may
12 offer compensated internships, and select, appoint, employ
13 for not more than 52 weeks under an excepted service,
14 and remove any such compensated intern without regard
15 to the provisions of law governing appointments in the ex-
16 cepted service: *Provided*, That the Secretary of State shall
17 consult with the Director of the Office of Personnel Man-
18 agement on implementation of this authority, including on
19 the number of individuals to be hired.

20 (d) INFORMATION TECHNOLOGY PLATFORM.—None
21 of the funds appropriated in title I of this Act under the
22 heading “Administration of Foreign Affairs” may be made
23 available for a new major information technology invest-
24 ment without the concurrence of the Chief Information Of-
25 ficer, Department of State.

1 UNITED STATES AGENCY FOR INTERNATIONAL
2 DEVELOPMENT MANAGEMENT

3 SEC. 7065. (a) AUTHORITY.—Up to \$170,000,000 of
4 the funds made available in title III of this Act pursuant
5 to or to carry out the provisions of part I of the Foreign
6 Assistance Act of 1961, including funds appropriated
7 under the heading “Assistance for Europe, Eurasia and
8 Central Asia”, may be used by the United States Agency
9 for International Development to hire and employ individ-
10 uals in the United States and overseas on a limited ap-
11 pointment basis pursuant to the authority of sections 308
12 and 309 of the Foreign Service Act of 1980 (22 U.S.C.
13 3948 and 3949).

14 (b) RESTRICTION.—The authority to hire individuals
15 contained in subsection (a) shall expire on September 30,
16 2024.

17 (c) PROGRAM ACCOUNT CHARGED.—The account
18 charged for the cost of an individual hired and employed
19 under the authority of this section shall be the account
20 to which the responsibilities of such individual primarily
21 relate: *Provided*, That funds made available to carry out
22 this section may be transferred to, and merged with, funds
23 appropriated by this Act in title II under the heading “Op-
24 erating Expenses”.

1 (d) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-
2 viduals hired and employed by USAID, with funds made
3 available in this Act or prior Acts making appropriations
4 for the Department of State, foreign operations, and re-
5 lated programs, pursuant to the authority of section 309
6 of the Foreign Service Act of 1980 (22 U.S.C. 3949), may
7 be extended for a period of up to 4 years notwithstanding
8 the limitation set forth in such section.

9 (e) DISASTER SURGE CAPACITY.—Funds appro-
10 priated under title III of this Act to carry out part I of
11 the Foreign Assistance Act of 1961, including funds ap-
12 propriated under the heading “Assistance for Europe,
13 Eurasia and Central Asia”, may be used, in addition to
14 funds otherwise available for such purposes, for the cost
15 (including the support costs) of individuals detailed to or
16 employed by USAID whose primary responsibility is to
17 carry out programs in response to natural disasters, or
18 man-made disasters subject to the regular notification
19 procedures of the Committees on Appropriations.

20 (f) PERSONAL SERVICES CONTRACTORS.—Funds ap-
21 propriated by this Act to carry out chapter 1 of part I,
22 chapter 4 of part II, and section 667 of the Foreign As-
23 sistance Act of 1961, and title II of the Food for Peace
24 Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be
25 used by USAID to employ up to 40 personal services con-

1 tractors in the United States, notwithstanding any other
2 provision of law, for the purpose of providing direct, in-
3 terim support for new or expanded overseas programs and
4 activities managed by the agency until permanent direct
5 hire personnel are hired and trained: *Provided*, That not
6 more than 15 of such contractors shall be assigned to any
7 bureau or office: *Provided further*, That such funds appro-
8 priated to carry out title II of the Food for Peace Act
9 (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be made
10 available only for personal services contractors assigned
11 to the Bureau for Humanitarian Assistance.

12 (g) SMALL BUSINESS.—In entering into multiple
13 award indefinite-quantity contracts with funds appro-
14 priated by this Act, USAID may provide an exception to
15 the fair opportunity process for placing task orders under
16 such contracts when the order is placed with any category
17 of small or small disadvantaged business.

18 (h) SENIOR FOREIGN SERVICE LIMITED APPOINT-
19 MENTS.—Individuals hired pursuant to the authority pro-
20 vided by section 7059(o) of the Department of State, For-
21 eign Operations, and Related Programs Appropriations
22 Act, 2010 (division F of Public Law 111–117) may be
23 assigned to or support programs in Afghanistan or Paki-
24 stan with funds made available in this Act and prior Acts

1 making appropriations for the Department of State, for-
2 eign operations, and related programs.

3 (i) CRISIS OPERATIONS STAFFING.—Up to
4 \$86,000,000 of the funds made available in title III of
5 this Act pursuant to, or to carry out the provisions of,
6 part I of the Foreign Assistance Act of 1961 and section
7 509(b) of the Global Fragility Act of 2019 (title V of divi-
8 sion J of Public Law 116–94) may be made available for
9 the United States Agency for International Development
10 to appoint and employ personnel in the excepted service
11 to prevent or respond to foreign crises and contexts with
12 growing instability: *Provided*, That functions carried out
13 by personnel hired under the authority of this subsection
14 shall be related to the purpose for which the funds were
15 appropriated: *Provided further*, That such funds are in ad-
16 dition to funds otherwise available for such purposes and
17 may remain attributed to any minimum funding require-
18 ment for which they were originally made available: *Pro-*
19 *vided further*, That the USAID Administrator shall coordi-
20 nate with the Director of the Office of Personnel Manage-
21 ment and consult with the Committees on Appropriations
22 on implementation of this provision.

1 STABILIZATION AND DEVELOPMENT IN REGIONS
2 IMPACTED BY EXTREMISM AND CONFLICT
3 SEC. 7066. (a) PREVENTION AND STABILIZATION
4 FUND.—Of the funds appropriated by this Act under the
5 heading “Economic Support Fund”, \$75,000,000 shall be
6 made available for the Prevention and Stabilization Fund
7 for the purposes enumerated in section 509(a) of the Glob-
8 al Fragility Act of 2019 (title V of division J of Public
9 Law 116–94), of which \$25,000,000 may be made avail-
10 able for the Multi-Donor Global Fragility Fund authorized
11 by section 510(c) of such Act: *Provided*, That such funds
12 may be transferred to, and merged with, funds appro-
13 priated under the headings “International Narcotics Con-
14 trol and Law Enforcement” and “Foreign Military Fi-
15 nancing Program” for such purposes: *Provided further*,
16 That such transfer authority is in addition to any other
17 transfer authority provided by this Act or any other Act,
18 and is subject to prior consultation with, and the regular
19 notification procedures of, the Committees on Appropria-
20 tions: *Provided further*, That such funds shall only be
21 made available for such purposes in coastal West Africa,
22 Mozambique, and Papua New Guinea: *Provided further*,
23 That funds made available pursuant to this subsection
24 that are transferred to funds appropriated under the head-

1 ing “Foreign Military Financing Program” may remain
2 available until September 30, 2024.

3 (b) TRANSITIONAL JUSTICE.—Of the funds appro-
4 priated by this Act under the headings “Economic Sup-
5 port Fund” and “International Narcotics Control and
6 Law Enforcement”, not less than \$10,000,000 shall be
7 made available for programs to promote accountability for
8 genocide, crimes against humanity, and war crimes, which
9 shall be in addition to any other funds made available by
10 this Act for such purposes: *Provided*, That such programs
11 shall include components to develop local investigative and
12 judicial skills, and to collect and preserve evidence and
13 maintain the chain of custody of evidence, including for
14 use in prosecutions, and may include the establishment of,
15 and assistance for, transitional justice mechanisms: *Pro-*
16 *vided further*, That such funds shall be administered by
17 the Ambassador at Large for the Office of Global Criminal
18 Justice, Department of State, and shall be subject to prior
19 consultation with the Committees on Appropriations: *Pro-*
20 *vided further*, That funds made available by this para-
21 graph shall be made available on an open and competitive
22 basis.

23 DEBT-FOR-DEVELOPMENT

24 SEC. 7067. In order to enhance the continued partici-
25 pation of nongovernmental organizations in debt-for-devel-

1 opment and debt-for-nature exchanges, a nongovern-
2 mental organization which is a grantee or contractor of
3 the United States Agency for International Development
4 may place in interest bearing accounts local currencies
5 which accrue to that organization as a result of economic
6 assistance provided under title III of this Act and, subject
7 to the regular notification procedures of the Committees
8 on Appropriations, any interest earned on such investment
9 shall be used for the purpose for which the assistance was
10 provided to that organization: *Provided*, That amounts
11 made available in this Act under the heading “Economic
12 Support Fund” may, as necessary, be used to cover the
13 cost of interest earned from holdings of United States
14 Treasury securities.

15 EXTENSION OF CONSULAR FEES AND RELATED

16 AUTHORITIES

17 SEC. 7068. (a) Section 1(b)(1) of the Passport Act
18 of June 4, 1920 (22 U.S.C. 214(b)(1)) shall be applied
19 through fiscal year 2023 by substituting “the costs of pro-
20 viding consular services” for “such costs”.

21 (b) Section 21009 of the Emergency Appropriations
22 for Coronavirus Health Response and Agency Operations
23 (division B of Public Law 116–136; 134 Stat. 592) shall
24 be applied during fiscal year 2023 by substituting “2020
25 through 2023” for “2020, 2021, and 2022”.

1 (c) Discretionary amounts made available to the De-
2 partment of State under the heading “Administration of
3 Foreign Affairs” of this Act, and discretionary unobli-
4 gated balances under such heading from prior Acts mak-
5 ing appropriations for the Department of State, foreign
6 operations, and related programs, may be transferred to
7 the Consular and Border Security Programs account if the
8 Secretary of State determines and reports to the Commit-
9 tees on Appropriations that to do so is necessary to sus-
10 tain consular operations, following consultation with such
11 Committees: *Provided*, That such transfer authority is in
12 addition to any transfer authority otherwise available in
13 this Act and under any other provision of law: *Provided*
14 *further*, That no amounts may be transferred from
15 amounts designated as an emergency requirement pursu-
16 ant to a concurrent resolution on the budget or the Bal-
17 anced Budget and Emergency Deficit Control Act of 1985.

18 (d) In addition to the uses permitted pursuant to sec-
19 tion 286(v)(2)(A) of the Immigration and Nationality Act
20 (8 U.S.C. 1356(v)(2)(A)), for fiscal year 2023, the Sec-
21 retary of State may also use fees deposited into the Fraud
22 Prevention and Detection Account for the costs of pro-
23 viding consular services.

24 (e) Of the amounts deposited in fiscal year 2023 pur-
25 suant to section 7069(e) of division K of the Consolidated

1 Appropriations Act, 2022 (Public Law 117–103),
2 \$25,000,000 shall be available until expended for the pur-
3 poses of such account: *Provided*, That the Secretary of
4 State may, by regulation, authorize State officials or the
5 United States Postal Service to collect and retain the exe-
6 cution fee for each application for a passport accepted by
7 such officials or by that Service.

8 (f) Amounts provided pursuant to subsection (b) are
9 designated by the Congress as being for an emergency re-
10 quirement pursuant to section 4001(a)(1) of S. Con. Res.
11 14 (117th Congress), the concurrent resolution on the
12 budget for fiscal year 2022, and section 1(e) of H. Res.
13 1151 (117th Congress), as engrossed in the House of Rep-
14 resentatives on June 8, 2022.

15 RESCISSION

16 (INCLUDING RESCISSION OF FUNDS)

17 PEACE CORPS

18 SEC. 7069. Of the unobligated balances from
19 amounts made available under the heading “Peace Corps”
20 from prior Acts making appropriations for the Depart-
21 ment of State, foreign operations, and related programs,
22 \$30,000,000 are rescinded.

23 MANAGEMENT OF INTERNATIONAL TRANSBOUNDARY

24 WATER POLLUTION

25 SEC. 7070. (a) DEFINITIONS.—In this section:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Environ-
3 mental Protection Agency.

4 (2) COMMISSION.—The term “Commission”
5 means the United States section of the International
6 Boundary and Water Commission.

7 (3) COVERED FUNDS.—The term “covered
8 funds” means amounts made available to the Ad-
9 ministrator under the heading “Environmental Pro-
10 tection Agency—State and Tribal Assistance
11 Grants” under title IX of the United States-Mexico
12 Canada Agreement Implementation Act (Public Law
13 116–113).

14 (4) TREATMENT WORKS.—The term “treatment
15 works” has the meaning given that term in section
16 212 of the Federal Water Pollution Control Act (33
17 2 U.S.C. 1292).

18 (b) TRANSFER OF FUNDS.—The Administrator is au-
19 thorized to transfer covered funds, by entering into an
20 interagency agreement or by awarding a grant, to the
21 Commission, with concurrence of the Commissioner, to
22 support the construction of treatment works, which will
23 be owned and operated by the Commission.

24 (c) USE OF FUNDS.—The Commission is authorized
25 to use funds received under this section to plan, study,

1 design, and construct treatment works and carry out any
2 related activities, including construction management and
3 payment for general and administrative overhead, that—

4 (1) protect residents within the United States-
5 Mexico border region from pollution resulting
6 from—

7 (A) transboundary flows of wastewater,
8 stormwater or other international transbound-
9 ary water flows originating in Mexico; and

10 (B) any inadequacies or breakdowns of
11 treatment works in Mexico; and

12 (2) provide treatment of such flows in compli-
13 ance with local, State, and Federal law.

14 (d) OPERATION AND MAINTENANCE.—The Commis-
15 sion shall operate and maintain new treatment works in
16 accordance with future appropriations.

17 (e) CONSULTATION AND COORDINATION.—The Com-
18 mission shall consult and coordinate with the Adminis-
19 trator in carrying out any project using funds received
20 under this section.

21 (f) APPLICATION OF OTHER REQUIREMENTS.—The
22 requirements of sections 513 and 608 of the Federal
23 Water Pollution Control Act (33 U.S.C. 1372, 1388) shall
24 apply to the construction of any treatment works in the

1 United States for which the Commission receives funds
2 under this section.

3 (g) SAVINGS PROVISION.—Nothing in this section
4 shall be construed to modify, amend, repeal or otherwise
5 limit the authority of the International Boundary and
6 Water Commission in accordance with the treaty relating
7 to the utilization of the waters of the Colorado and Ti-
8 juana Rivers and of the Rio Grande (Rio Bravo) from
9 Fort Quitman, Texas, to the Gulf of Mexico, and supple-
10 mentary protocol, signed at Washington February 3, 1944
11 (59 Stat. 1219), between the United States and Mexico.

12 (h) Amounts repurposed pursuant to this section that
13 were previously designated by the Congress as an emer-
14 gency requirement pursuant to the Balanced Budget and
15 Emergency Deficit Control Act of 1985 or a concurrent
16 resolution on the budget are designated as an emergency
17 requirement pursuant to section 4001(a)(1) of S. Con.
18 Res. 14 (117th Congress), the concurrent resolution on
19 the budget for fiscal year 2022, and section 1(e) of H.
20 Res. 1151 (117th Congress), as engrossed in the House
21 of Representatives on June 8, 2022.

22 WAIVER AUTHORITY

23 SEC. 7071. The President may waive section 414 of
24 Public Law 101–246 and section 410 of Public Law 103–
25 236 with respect to the United Nations Educational, Sci-

1 entific and Cultural Organization if the President deter-
2 mines and reports in writing to the Speaker of the House
3 of Representatives, the President Pro Tempore of the Sen-
4 ate, and the appropriate congressional committees that to
5 do so would enable the United States to counter Chinese
6 influence or to promote other national interests of the
7 United States: *Provided*, That the authority of this section
8 shall cease to have effect if, after enactment of this Act,
9 the Palestinians obtain the same standing as member
10 states or full membership as a state in the United Nations
11 or any specialized agency thereof outside an agreement ne-
12 gotiated between Israel and the Palestinians: *Provided fur-*
13 *ther*, That the authority of this section shall sunset on
14 September 30, 2025, unless extended in a subsequent Act
15 of Congress.

16 ASSISTANCE FOR FOREIGN NONGOVERNMENTAL
17 ORGANIZATIONS

18 SEC. 7072. The Foreign Assistance Act of 1961 (22
19 U.S.C. 2151 et seq.) is amended by inserting after section
20 104C the following:

21 **“SEC. 104D. ELIGIBILITY FOR ASSISTANCE.**

22 “Notwithstanding any other provision of law, regula-
23 tion, or policy, in determining eligibility for assistance
24 under sections 104, 104A, 104B, and 104C, a foreign non-
25 governmental organization—

1 “(1) shall not be ineligible for such assistance
2 solely on the basis of health or medical services, in-
3 cluding counseling and referral services, provided by
4 such organization with non-United States Govern-
5 ment funds if such services—

6 “(A) do not violate the laws of the country
7 in which they are being provided; and

8 “(B) would not violate United States Fed-
9 eral law if provided in the United States; and

10 “(2) shall not be subject to requirements relat-
11 ing to the use of non-United States Government
12 funds for advocacy and lobbying activities other than
13 those that apply to United States nongovernmental
14 organizations receiving assistance under this part.”.

15 ORGANIZATION OF AMERICAN STATES

16 SEC. 7073. (a) The Secretary of State shall instruct
17 the United States Permanent Representative to the Orga-
18 nization of American States (OAS) to use the voice and
19 vote of the United States to: (1) implement budgetary re-
20 forms and efficiencies within the Organization; (2) elimi-
21 nate arrears, increase other donor contributions, and im-
22 pose penalties for successive late payment of assessments;
23 (3) prevent programmatic and organizational
24 redundancies and consolidate duplicative activities and
25 functions; (4) prioritize areas in which the OAS has exper-

1 tise, such as strengthening democracy, monitoring elec-
2 toral processes, and protecting human rights; and (5) im-
3 plement reforms within the Office of the Inspector General
4 (OIG) to ensure the OIG has the necessary leadership, in-
5 tegrity, professionalism, independence, policies, and proce-
6 dures to properly carry out its responsibilities in a manner
7 that meets or exceeds best practices in the United States.

8 (b) Prior to the obligation of funds appropriated by
9 this Act and made available for an assessed contribution
10 to the Organization of American States, but not later than
11 90 days after the date of enactment of this Act, the Sec-
12 retary of State shall submit a report to the Committees
13 on Appropriations on actions taken or planned to be taken
14 pursuant to subsection (a) that are in addition to actions
15 taken during the preceding fiscal year, and the results of
16 such actions.

17 MULTILATERAL DEVELOPMENT BANKS

18 SEC. 7074. (a) INTERNATIONAL DEVELOPMENT AS-
19 SOCIATION TWENTIETH REPLENISHMENT.—The Inter-
20 national Development Association Act, Public Law 86–
21 565, as amended (22 U.S.C. 284 et seq.), is further
22 amended by adding at the end thereof the following new
23 section:

1 **“SEC. 32. TWENTIETH REPLENISHMENT.**

2 “(a) IN GENERAL.—The United States Governor of
3 the International Development Association is authorized
4 to contribute on behalf of the United States
5 \$3,500,000,000 to the twentieth replenishment of the re-
6 sources of the Association, subject to obtaining the nec-
7 essary appropriations.

8 “(b) AUTHORIZATION OF APPROPRIATIONS.—In
9 order to pay for the United States contribution provided
10 for in subsection (a), there are authorized to be appro-
11 priated, without fiscal year limitation, \$3,500,000,000 for
12 payment by the Secretary of the Treasury.”.

13 (b) ASIAN DEVELOPMENT FUND TWELFTH REPLEN-
14 ISHMENT.—The Asian Development Bank Act, Public
15 Law 89–369, as amended, (22 U.S.C. 285 et seq.), is fur-
16 ther amended by adding at the end thereof the following
17 new section:

18 **“SEC. 37. TWELFTH REPLENISHMENT.**

19 “(a) The United States Governor of the Bank is au-
20 thorized to contribute, on behalf of the United States,
21 \$177,440,000 to the twelfth replenishment of the re-
22 sources of the Fund, subject to obtaining the necessary
23 appropriations.

24 “(b) In order to pay for the United States contribu-
25 tion provided for in subsection (a), there are authorized
26 to be appropriated, without fiscal year limitation,

1 \$177,440,000 for payment by the Secretary of the Treas-
2 ury.”.

3 CONSULAR NOTIFICATION COMPLIANCE

4 SEC. 7075. (a) PETITION FOR REVIEW.—

5 (1) JURISDICTION.—Notwithstanding any other
6 provision of law, a Federal court shall have jurisdic-
7 tion to review the merits of a petition claiming viola-
8 tion of Article 36(1)(b) or (c) of the Vienna Conven-
9 tion on Consular Relations, done at Vienna April 24,
10 1963, or a comparable provision of a bilateral inter-
11 national agreement addressing consular notification
12 and access, filed by an individual convicted and sen-
13 tenced to death by any Federal or State court before
14 the date of enactment of this Act.

15 (2) STANDARD.—To obtain relief, an individual
16 described in paragraph (1) must make a showing of
17 actual prejudice to the criminal conviction or sen-
18 tence as a result of the violation. The court may
19 conduct an evidentiary hearing if necessary to sup-
20 plement the record and, upon a finding of actual
21 prejudice, shall order a new trial or sentencing pro-
22 ceeding.

23 (3) LIMITATIONS.—

1 (A) INITIAL SHOWING.—To qualify for re-
2 view under this subsection, a petition must
3 make an initial showing that—

4 (i) a violation of Article 36(1)(b) or
5 (c) of the Vienna Convention on Consular
6 Relations, done at Vienna April 24, 1963,
7 or a comparable provision of a bilateral
8 international agreement addressing con-
9 sular notification and access, occurred with
10 respect to the individual described in para-
11 graph (1); and

12 (ii) if such violation had not occurred,
13 the consulate would have provided assist-
14 ance to the individual.

15 (B) EFFECT OF PRIOR ADJUDICATION.—A
16 petition for review under this subsection shall
17 not be granted if the claimed violation described
18 in paragraph (1) has previously been adju-
19 dicated on the merits by a Federal or State
20 court of competent jurisdiction in a proceeding
21 in which no Federal or State procedural bars
22 were raised with respect to such violation and
23 in which the court provided review equivalent to
24 the review provided in this subsection, unless
25 the adjudication of the claim resulted in a deci-

1 sion that was based on an unreasonable deter-
2 mination of the facts in light of the evidence
3 presented in the prior Federal or State court
4 proceeding.

5 (C) FILING DEADLINE.—A petition for re-
6 view under this subsection shall be filed within
7 1 year of the later of—

8 (i) the date of enactment of this Act;

9 (ii) the date on which the Federal or
10 State court judgment against the indi-
11 vidual described in paragraph (1) became
12 final by the conclusion of direct review or
13 the expiration of the time for seeking such
14 review; or

15 (iii) the date on which the impediment
16 to filing a petition created by Federal or
17 State action in violation of the Constitu-
18 tion or laws of the United States is re-
19 moved, if the individual described in para-
20 graph (1) was prevented from filing by
21 such Federal or State action.

22 (D) TOLLING.—The time during which a
23 properly filed application for State post-convie-
24 tion or other collateral review with respect to
25 the pertinent judgment or claim is pending

1 shall not be counted toward the 1-year period of
2 limitation.

3 (E) TIME LIMIT FOR REVIEW.—A Federal
4 court shall give priority to a petition for review
5 filed under this subsection over all noncapital
6 matters. With respect to a petition for review
7 filed under this subsection and claiming only a
8 violation described in paragraph (1), a Federal
9 court shall render a final determination and
10 enter a final judgment not later than 1 year
11 after the date on which the petition is filed.

12 (4) HABEAS PETITION.—A petition for review
13 under this subsection shall be part of the first Fed-
14 eral habeas corpus application or motion for Federal
15 collateral relief under chapter 153 of title 28, United
16 States Code, filed by an individual, except that if an
17 individual filed a Federal habeas corpus application
18 or motion for Federal collateral relief before the date
19 of enactment of this Act or if such application is re-
20 quired to be filed before the date that is 1 year after
21 the date of enactment of this Act, such petition for
22 review under this subsection shall be filed not later
23 than 1 year after the enactment date or within the
24 period prescribed by paragraph (3)(C)(iii), whichever
25 is later. No petition filed in conformity with the re-

1 requirements of the preceding sentence shall be consid-
2 ered a second or successive habeas corpus applica-
3 tion or subjected to any bars to relief based on
4 preenactment proceedings other than as specified in
5 paragraph (2).

6 (5) REFERRAL TO MAGISTRATE.—A Federal
7 court acting under this subsection may refer the pe-
8 tition for review to a Federal magistrate for pro-
9 posed findings and recommendations pursuant to 28
10 U.S.C. 636(b)(1)(B).

11 (6) APPEAL.—

12 (A) IN GENERAL.—A final order on a peti-
13 tion for review under paragraph (1) shall be
14 subject to review on appeal by the court of ap-
15 peals for the circuit in which the proceeding is
16 held.

17 (B) APPEAL BY PETITIONER.—An indi-
18 vidual described in paragraph (1) may appeal a
19 final order on a petition for review under para-
20 graph (1) only if a district or circuit judge
21 issues a certificate of appealability. A district or
22 circuit court judge shall issue or deny a certifi-
23 cate of appealability not later than 30 days
24 after an application for a certificate of
25 appealability is filed. A district judge or circuit

1 judge may issue a certificate of appealability
2 under this subparagraph if the individual has
3 made a substantial showing of actual prejudice
4 to the criminal conviction or sentence of the in-
5 dividual as a result of a violation described in
6 paragraph (1).

7 (b) VIOLATION.—

8 (1) IN GENERAL.—An individual not covered by
9 subsection (a) who is arrested, detained, or held for
10 trial on a charge that would expose the individual to
11 a capital sentence if convicted may raise a claim of
12 a violation of Article 36(1)(b) or (c) of the Vienna
13 Convention on Consular Relations, done at Vienna
14 April 24, 1963, or of a comparable provision of a bi-
15 lateral international agreement addressing consular
16 notification and access, at a reasonable time after
17 the individual becomes aware of the violation, before
18 the court with jurisdiction over the charge. Upon a
19 finding of such a violation—

20 (A) the consulate of the foreign state of
21 which the individual is a national shall be noti-
22 fied immediately by the detaining authority,
23 and consular access to the individual shall be
24 afforded in accordance with the provisions of
25 the Vienna Convention on Consular Relations,

1 done at Vienna April 24, 1963, or the com-
2 parable provisions of a bilateral international
3 agreement addressing consular notification and
4 access; and

5 (B) the court—

6 (i) shall postpone any proceedings to
7 the extent the court determines necessary
8 to allow for adequate opportunity for con-
9 sular access and assistance; and

10 (ii) may enter necessary orders to fa-
11 cilitate consular access and assistance.

12 (2) EVIDENTIARY HEARINGS.—The court may
13 conduct evidentiary hearings if necessary to resolve
14 factual issues.

15 (3) RULE OF CONSTRUCTION.—Nothing in this
16 subsection shall be construed to create any addi-
17 tional remedy.

18 (c) DEFINITIONS.—In this section the term “State”
19 means any State of the United States, the District of Co-
20 lumbia, the Commonwealth of Puerto Rico, and any terri-
21 tory or possession of the United States.

22 (d) APPLICABILITY.—The provisions of this section
23 shall apply during the current fiscal year and each fiscal
24 year thereafter.

1 TITLE VIII
2 EMERGENCY GLOBAL HEALTH SECURITY
3 SUPPLEMENTAL APPROPRIATIONS
4 BILATERAL ECONOMIC ASSISTANCE
5 FUNDS APPROPRIATED TO THE PRESIDENT
6 GLOBAL HEALTH PROGRAMS

7 For an additional amount for “Global Health Pro-
8 grams”, \$950,000,000, to remain available until ex-
9 pended, for programs to strengthen global health security
10 and pandemic preparedness: *Provided*, That not less than
11 \$400,000,000 shall be apportioned directly to the United
12 States Agency for International Development, of which
13 \$200,000,000 shall be made available to strengthen the
14 global health workforce and related health systems capaci-
15 ties: *Provided further*, That up to \$550,000,000 may be
16 made available for a contribution to a financial inter-
17 mediary fund for pandemic preparedness and global health
18 security: *Provided further*, That \$100,000,000 shall be
19 made available for a contribution to the Coalition for Epi-
20 demic Preparedness Innovations: *Provided further*, That
21 not less than \$100,000,000 shall be made available for
22 the Emergency Reserve Fund established pursuant to sec-
23 tion 7058(c)(1) of the Department of State, Foreign Oper-
24 ations, and Related Programs Appropriations Act, 2017
25 (division J of Public Law 115–31), which shall be made

1 available under the same terms and conditions of such sec-
2 tion: *Provided further*, That funds made available in this
3 title shall be subject to prior consultation with, and the
4 regular notification procedures of, the Committees on Ap-
5 propriations.

6 GENERAL PROVISIONS—THIS TITLE

7 SEC. 8001. Each amount appropriated or made avail-
8 able by this title is in addition to amounts otherwise ap-
9 propriated for fiscal year 2023.

10 SEC. 8002. No part of any appropriation contained
11 in this title shall remain available for obligation beyond
12 the current fiscal year unless expressly so provided herein.

13 SEC. 8003. Unless otherwise provided for by this
14 title, the additional amounts appropriated by this title to
15 appropriations accounts shall be available under the au-
16 thorities and conditions applicable to such appropriations
17 accounts for funds appropriated in fiscal year 2023.

18 SEC. 8004. Each amount made available by this title
19 is designated by the Congress as being for an emergency
20 requirement pursuant to section 4001(a)(1) of S. Con.
21 Res. 14 (117th Congress), the concurrent resolution on
22 the budget for fiscal year 2022, and section 1(e) of H.
23 Res. 1151 (117th Congress), as engrossed in the House
24 of Representatives on June 8, 2022.

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1 TITLE IX
2 EMERGENCY CORONAVIRUS RESPONSE
3 SUPPLEMENTAL APPROPRIATIONS

4 The following sums are appropriated, out of any
5 money in the Treasury not otherwise appropriated, for the
6 fiscal year ending September 30, 2022, and for other pur-
7 poses, namely:

8 DEPARTMENT OF STATE AND RELATED
9 AGENCY

10 DEPARTMENT OF STATE
11 ADMINISTRATION OF FOREIGN AFFAIRS
12 DIPLOMATIC PROGRAMS

13 For an additional amount for “Diplomatic Pro-
14 grams”, \$15,000,000, to remain available until September
15 30, 2024, to prevent, prepare for, and respond to
16 coronavirus.

17 UNITED STATES AGENCY FOR INTERNATIONAL
18 DEVELOPMENT

19 FUNDS APPROPRIATED TO THE PRESIDENT
20 OPERATING EXPENSES

21 For an additional amount for “Operating Expenses”,
22 \$35,000,000, to remain available until September 30,
23 2024, to prevent, prepare for, and respond to coronavirus.

1 BILATERAL ECONOMIC ASSISTANCE
2 FUNDS APPROPRIATED TO THE PRESIDENT
3 GLOBAL HEALTH PROGRAMS

4 For an additional amount for “Global Health Pro-
5 grams”, \$4,875,000,000, to remain available until ex-
6 pended, to prevent, prepare for, and respond to
7 coronavirus: *Provided*, That funds may be made available
8 as contributions, including to the Global Fund to Fight
9 AIDS, Tuberculosis, and Malaria, and to The GAVI Alli-
10 ance: *Provided further*, That any contribution to the Glob-
11 al Fund to Fight AIDS, Tuberculosis and Malaria made
12 pursuant to the preceding proviso shall be made available
13 notwithstanding section 202(d)(4)(A)(i) of the United
14 States Leadership Against HIV/AIDS, Tuberculosis, and
15 Malaria Act of 2003 (22 U.S.C. 7622(d)(4)(A)(i)), and
16 such contribution shall not be considered a contribution
17 for the purpose of applying such section 202(d)(4)(A)(i).

18 DEPARTMENT OF STATE
19 MIGRATION AND REFUGEE ASSISTANCE

20 For an additional amount for “Migration and Ref-
21 ugee Assistance”, \$75,000,000, to remain available until
22 expended, to prevent, prepare for, and respond to
23 coronavirus, and for humanitarian needs.

1 GENERAL PROVISIONS—THIS TITLE

2 SEC. 9001. Each amount appropriated or made avail-
3 able by this title is in addition to amounts otherwise ap-
4 propriated for fiscal year 2022.

5 SEC. 9002. No part of any appropriation contained
6 in this title shall remain available for obligation beyond
7 fiscal year 2022 unless expressly so provided herein.

8 SEC. 9003. Unless otherwise provided for by this
9 title, the additional amounts appropriated by this title to
10 appropriations accounts shall be available under the au-
11 thorities and conditions applicable to such appropriations
12 accounts for funds appropriated in fiscal year 2022.

13 SEC. 9004. The reporting requirement provided by
14 section 406(b) of the Coronavirus Preparedness and Re-
15 sponse Supplemental Appropriations Act, 2020 (division
16 A of Public Law 116–123) shall apply to funds appro-
17 priated by this title, except that such section 406(b) shall
18 be applied to such funds by substituting “September 30,
19 2023” for “September 30, 2022”.

20 SEC. 9005. This title shall become effective imme-
21 diately upon enactment of this Act.

22 SEC. 9006. If this Act is enacted after September 30,
23 2022, this title shall be applied as if it were in effect on
24 September 30, 2022.

1 SEC. 9007. Each amount made available by this title
2 is designated by the Congress as being for an emergency
3 requirement pursuant to section 4001(a)(1) and section
4 4001(b) of S. Con. Res. 14 (117th Congress), the concur-
5 rent resolution on the budget for fiscal year 2022.

6 SEC. 9008. In this title, the term “coronavirus”
7 means SARS-CoV-2 or another coronavirus with pan-
8 demic potential.

9 This Act may be cited as the “Department of State,
10 Foreign Operations, and Related Programs Appropria-
11 tions Act, 2023”.