

Union Calendar No. 356

116TH CONGRESS
2D SESSION

H. R. 7608

[Report No. 116–444]

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2021, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2020

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

A BILL

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2021, and for other purposes.

DEPARTMENT OF STATE AND RELATED

DEPARTMENT OF STATE

DIPLOMATIC PROGRAMS

14 For necessary expenses of the Department of State
15 and the Foreign Service not otherwise provided for,
16 \$9,188,195,000, of which \$763,845,000 may remain avail-
17 able until September 30, 2022, and of which up to
18 \$4,095,899,000 may remain available until expended for
19 Worldwide Security Protection: *Provided*, That of the
20 amount made available under this heading for Worldwide
21 Security Protection, \$2,626,122,000 is designated by the
22 Congress for Overseas Contingency Operations/Global
23 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
24 the Balanced Budget and Emergency Deficit Control Act
25 of 1985: *Provided further*, That funds made available

1 under this heading shall be allocated in accordance with
2 paragraphs (1) through (4) as follows:

3 (1) HUMAN RESOURCES.—For necessary ex-
4 penses for training, human resources management,
5 and salaries, including employment without regard
6 to civil service and classification laws of persons on
7 a temporary basis (not to exceed \$700,000), as au-
8 thorized by section 801 of the United States Infor-
9 mation and Educational Exchange Act of 1948 (62
10 Stat. 11; Chapter 36), \$2,999,725,000, of which up
11 to \$543,687,000 is for Worldwide Security Protec-
12 tion.

13 (2) OVERSEAS PROGRAMS.—For necessary ex-
14 penses for the regional bureaus of the Department
15 of State and overseas activities as authorized by law,
16 \$1,840,143,000.

17 (3) DIPLOMATIC POLICY AND SUPPORT.—For
18 necessary expenses for the functional bureaus of the
19 Department of State, including representation to
20 certain international organizations in which the
21 United States participates pursuant to treaties rati-
22 fied pursuant to the advice and consent of the Sen-
23 ate or specific Acts of Congress, general administra-
24 tion, and arms control, nonproliferation, and disar-
25 mament activities as authorized, \$774,882,000: *Pro-*

1 *vided*, That none of the funds made available pursu-
2 ant to this paragraph shall be available for the offi-
3 cial travel of the Secretary of State from the period
4 of time between the submission to Congress of the
5 President's fiscal year 2022 budget and the Sec-
6 retary of State providing written confirmation of a
7 mutually agreed upon date for the Secretary's par-
8 ticipation in a budget hearing before the Committees
9 on Appropriations.

10 (4) SECURITY PROGRAMS.—For necessary ex-
11 penses for security activities, \$3,573,445,000, of
12 which up to \$3,552,212,000 is for Worldwide Secu-
13 rity Protection.

14 (5) FEES AND PAYMENTS COLLECTED.—In ad-
15 dition to amounts otherwise made available under
16 this heading—

17 (A) as authorized by section 810 of the
18 United States Information and Educational Ex-
19 change Act, not to exceed \$5,000,000, to re-
20 main available until expended, may be credited
21 to this appropriation from fees or other pay-
22 ments received from English teaching, library,
23 motion pictures, and publication programs and
24 from fees from educational advising and coun-
25 seling and exchange visitor programs; and

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

4 (6) TRANSFER OF FUNDS, REPROGRAMMING,
5 AND OTHER MATTERS.—

6 (A) Notwithstanding any other provision of
7 this Act, funds may be reprogrammed within
8 and between paragraphs (1) through (4) under
9 this heading subject to section 7015 of this Act.

10 (B) Of the amount made available under
11 this heading, not to exceed \$10,000,000 may be
12 transferred to, and merged with, funds made
13 available by this Act under the heading “Emer-
14 gencies in the Diplomatic and Consular Serv-
15 ice”, to be available only for emergency evacu-
16 ations and rewards, as authorized.

17 (C) Funds appropriated under this heading
18 are available for acquisition by exchange or pur-
19 chase of passenger motor vehicles as authorized
20 by law and, pursuant to section 1108(g) of title
21 31, United States Code, for the field examina-
22 tion of programs and activities in the United
23 States funded from any account contained in
24 this title.

1 CAPITAL INVESTMENT FUND

2 For necessary expenses of the Capital Investment
3 Fund, as authorized, \$137,500,000, to remain available
4 until expended.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector
7 General, \$90,829,000, of which \$13,624,000 may remain
8 available until September 30, 2022: *Provided*, That funds
9 appropriated under this heading are made available not-
10 withstanding section 209(a)(1) of the Foreign Service Act
11 of 1980 (22 U.S.C. 3929(a)(1)), as it relates to post in-
12 spections.

13 In addition, for the Special Inspector General for Af-
14 ghanistan Reconstruction (SIGAR) for reconstruction
15 oversight, \$54,900,000, to remain available until Sep-
16 tember 30, 2022, which is designated by the Congress for
17 Overseas Contingency Operations/Global War on Ter-
18 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
19 anced Budget and Emergency Deficit Control Act of 1985:
20 *Provided*, That funds appropriated under this heading
21 that are made available for the printing and reproduction
22 costs of SIGAR shall not exceed amounts for such costs
23 during the prior fiscal year.

1 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

2 For necessary expenses of educational and cultural
3 exchange programs, as authorized, \$741,700,000, to re-
4 main available until expended, of which not less than
5 \$277,000,000 shall be for the Fulbright Program and not
6 less than \$116,860,000 shall be for Citizen Exchange Pro-
7 gram: *Provided*, That fees or other payments received
8 from, or in connection with, English teaching, educational
9 advising and counseling programs, and exchange visitor
10 programs as authorized may be credited to this account,
11 to remain available until expended: *Provided further*, That
12 a portion of the Fulbright awards from the Eurasia and
13 Central Asia regions shall be designated as Edmund S.
14 Muskie Fellowships, following consultation with the Com-
15 mittees on Appropriations: *Provided further*, That funds
16 appropriated under this heading that are made available
17 for the Benjamin Gilman International Scholarships Pro-
18 gram shall also be made available for the John S. McCain
19 Scholars Program, pursuant to section 7075 of the De-
20 partment of State, Foreign Operations, and Related Pro-
21 grams Appropriations Act, 2019 (division F of Public Law
22 116–6): *Provided further*, That not less than \$5,000,000
23 of the funds appropriated under this heading shall be
24 made available for the Global TechGirls Program in the
25 manner specified under this heading in the report accom-

1 panying this Act: *Provided further*, That of the funds
 2 made available under this heading for the Fulbright Pro-
 3 gram, not less than \$5,000,000 shall be made available
 4 for the English Teaching in Africa Program in the manner
 5 specified under this heading in the report accompanying
 6 this Act: *Provided further*, That funds appropriated under
 7 this heading may be made available for the Civil Society
 8 Exchange Program following consultation with the Com-
 9 mittees on Appropriations: *Provided further*, That any
 10 substantive 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, 2022.

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, \$769,800,000, to re-
4 main available until September 30, 2025, 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 \$1,205,649,000, to remain available until September 30,
13 2025, of which \$424,287,000 is designated by the Con-
14 gress for Overseas Contingency Operations/Global War on
15 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
16 anced Budget and Emergency Deficit Control Act of 1985.

17 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
18 SERVICE

19 For necessary expenses to enable the Secretary of
20 State to meet unforeseen emergencies arising in the Diplo-
21 matic and Consular Service, as authorized, \$7,885,000, to
22 remain available until expended, of which not to exceed
23 \$1,000,000 may be transferred to, and merged with, funds
24 appropriated by this Act under the heading “Repatriation
25 Loans Program Account”: *Provided*, That \$1,800,000 of

1 the funds appropriated under this heading may not be ob-
2 ligated until the Secretary of State provides written con-
3 firmation to the Committees on Appropriations of a mutu-
4 ally agreed upon date for the Secretary's participation in
5 a budget hearing before such Committees: *Provided fur-*
6 *ther*, That the limitation of the previous proviso shall not
7 apply if such funds are necessary for emergency evacu-
8 ations or the payment of rewards for information related
9 to international terrorism, narcotics-related activities,
10 transnational organized crime, and war crimes as author-
11 ized by section 36 of the State Department Basic Authori-
12 ties Act of 1956 (22 U.S.C. 2708).

13 REPATRIATION LOANS PROGRAM ACCOUNT

14 For the cost of direct loans, \$1,300,000, as author-
15 ized: *Provided*, That such costs, including the cost of
16 modifying such loans, shall be as defined in section 502
17 of the Congressional Budget Act of 1974: *Provided fur-*
18 *ther*, That such funds are available to subsidize gross obli-
19 gations for the principal amount of direct loans not to ex-
20 ceed \$4,147,881.

21 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

22 For necessary expenses to carry out the Taiwan Rela-
23 tions Act (Public Law 96–8), \$31,963,000.

1 INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF
2 COLUMBIA

3 Not to exceed \$1,806,600 shall be derived from fees
4 collected from other executive agencies for lease or use of
5 facilities at the International Center in accordance with
6 section 4 of the International Center Act (Public Law 90–
7 553), and, in addition, as authorized by section 5 of such
8 Act, \$2,743,000, to be derived from the reserve authorized
9 by such section, to be used for the purposes set out in
10 that section.

11 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
12 DISABILITY FUND

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

15 INTERNATIONAL ORGANIZATIONS

16 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

17 For necessary expenses, not otherwise provided for,
18 to meet annual obligations of membership in international
19 multilateral organizations, pursuant to treaties ratified
20 pursuant to the advice and consent of the Senate, conven-
21 tions, or specific Acts of Congress, \$1,505,928,000, of
22 which \$96,240,000, to remain available until September
23 30, 2022, is designated by the Congress for Overseas Con-
24 tingency Operations/Global War on Terrorism pursuant to
25 section 251(b)(2)(A)(ii) of the Balanced Budget and

1 Emergency Deficit Control Act of 1985: *Provided*, That
2 notwithstanding any other provision of this Act, of the
3 funds appropriated under this heading, not less than
4 \$118,949,000 shall be made available for the World
5 Health Organization and not less than \$53,909,000 shall
6 be made available for the North Atlantic Treaty Organiza-
7 tion, which shall be disbursed not later than 60 days after
8 the date of enactment of this Act: *Provided further*, That
9 with the exception of organizations from which the United
10 States has withdrawn, funds appropriated by this Act and
11 prior Acts making appropriations for the Department of
12 State, foreign operations, and related programs under this
13 heading shall be made available for payment of the full
14 United States assessment to the United Nations regular
15 budget at 22 percent for 2019, 2020, and 2021, as agreed
16 to by the United States Mission as a Member State to
17 the United Nations in A/RES/73/271 on December 22,
18 2018: *Provided further*, That such funds shall also be
19 made available for the full United States assessment for
20 other international organizations funded under this head-
21 ing unless otherwise provided for by this Act or another
22 provision of law: *Provided further*, That the Secretary of
23 State shall, at the time of the submission of the Presi-
24 dent's budget to Congress under section 1105(a) of title
25 31, United States Code, transmit to the Committees on

22 ACTIVITIES

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1 security, \$1,456,314,000, of which \$705,994,000 is des-
2 ignated by the Congress for Overseas Contingency Oper-
3 ations/Global War on Terrorism pursuant to section
4 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
5 Deficit Control Act of 1985: *Provided*, That of the funds
6 made available under this heading, up to \$818,494,000
7 may remain available until September 30, 2022: *Provided*
8 *further*, That none of the funds made available by this Act
9 shall be obligated or expended for any new or expanded
10 United Nations peacekeeping mission unless, at least 15
11 days in advance of voting for such mission in the United
12 Nations Security Council (or in an emergency as far in
13 advance as is practicable), the Committees on Appropria-
14 tions are notified of: (1) the estimated cost and duration
15 of the mission, the objectives of the mission, the national
16 interest that will be served, and the exit strategy; and (2)
17 the sources of funds, including any reprogrammings or
18 transfers, that will be used to pay the cost of the new or
19 expanded mission, and the estimated cost in future fiscal
20 years: *Provided further*, That none of the funds appro-
21 priated under this heading may be made available for obli-
22 gation unless the Secretary of State certifies and reports
23 to the Committees on Appropriations on a peacekeeping
24 mission-by-mission basis that the United Nations is imple-
25 menting effective policies and procedures to prevent

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

1 sors have submitted to the President a recommendation
2 that such involvement is in the national interest of the
3 United States and the President has submitted to Con-
4 gress such a recommendation: *Provided further*, That not-
5 withstanding any other provision of law, funds appro-
6 priated or otherwise made available under this heading in
7 this Act or prior Acts making appropriations for the De-
8 partment of State, foreign operations, and related pro-
9 grams may be made available for United States assessed
10 contributions up to the amount specified in the Annex ac-
11 companying United Nations General Assembly document
12 A/73/350/Add.1.

13 INTERNATIONAL COMMISSIONS

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

17 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

18 UNITED STATES AND MEXICO

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

1 SALARIES AND EXPENSES

2 For salaries and expenses, not otherwise provided for,
3 \$49,770,000, of which \$7,465,000 may remain available
4 until September 30, 2022.

5 CONSTRUCTION

6 For detailed plan preparation and construction of au-
7 thorized projects, \$49,000,000, to remain available until
8 expended, as authorized.

9 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

10 For necessary expenses, not otherwise provided, for
11 the International Joint Commission and the International
12 Boundary Commission, United States and Canada, as au-
13 thorized by treaties between the United States and Can-
14 ada or Great Britain, and the Border Environment Co-
15 operation Commission, \$15,008,000: *Provided*, That of
16 the amount provided under this heading for the Inter-
17 national Joint Commission, up to \$1,250,000 may remain
18 available until September 30, 2022, and up to \$9,000 may
19 be made available for representation expenses: *Provided*
20 *further*, That of the amount provided under this heading
21 for the International Boundary Commission, up to \$1,000
22 may be made available for representation expenses.

23 INTERNATIONAL FISHERIES COMMISSIONS

24 For necessary expenses for international fisheries
25 commissions, not otherwise provided for, as authorized by

1 law, \$60,718,000: *Provided*, That the United States share
2 of such expenses may be advanced to the respective com-
3 missions pursuant to section 3324 of title 31, United
4 States Code.

5 RELATED AGENCY

6 UNITED STATES AGENCY FOR GLOBAL MEDIA

7 INTERNATIONAL BROADCASTING OPERATIONS

8 For necessary expenses to enable the United States
9 Agency for Global Media (USAGM), as authorized, to
10 carry out international communication activities, and to
11 make and supervise grants for radio, Internet, and tele-
12 vision broadcasting to the Middle East, \$632,732,000, of
13 which \$39,035,000 may remain available until September
14 30, 2022: *Provided*, That in addition to amounts otherwise
15 available for such purposes, up to \$31,637,000 of the
16 amount appropriated under this heading may remain
17 available until expended for satellite transmissions and
18 Internet freedom programs, of which not less than
19 \$9,500,000 shall be for Internet freedom programs: *Pro-*
20 *vided further*, That of the total amount appropriated under
21 this heading, not to exceed \$35,000 may be used for rep-
22 resentation expenses, of which \$10,000 may be used for
23 such expenses within the United States as authorized, and
24 not to exceed \$30,000 may be used for representation ex-
25 penses of Radio Free Europe/Radio Liberty: *Provided fur-*

1 *ther*, That funds appropriated under this heading shall be
2 made available in accordance with the statutory firewall
3 and highest standards of professional journalism described
4 in part 531 of title 22, Code of Federal Regulations, as
5 in effect on June 11, 2020: *Provided further*, That not
6 later than 90 days after enactment of this Act the Inspec-
7 tor General for the Department of State and the United
8 States Agency for Global Media shall conduct a financial
9 and performance audit and issue a report on compliance
10 by the USAGM Chief Executive Officer and the USAGM
11 news media networks and entities with the requirement
12 of the previous proviso: *Provided further*, That the
13 USAGM shall notify the Committees on Appropriations
14 within 15 days of any determination by the USAGM that
15 any of its broadcast entities, including its grantee organi-
16 zations, provides an open platform for international ter-
17 rorists or those who support international terrorism, or
18 is in violation of the principles and standards set forth
19 in subsections (a) and (b) of section 303 of the United
20 States International Broadcasting Act of 1994 (22 U.S.C.
21 6202) or part 531 of title 22, Code of Federal Regula-
22 tions, as in effect on June 11, 2020: *Provided further*,
23 That in addition to funds made available under this head-
24 ing, and notwithstanding any other provision of law, up
25 to \$5,000,000 in receipts from advertising and revenue

1 from business ventures, up to \$500,000 in receipts from
 2 cooperating international organizations, and up to
 3 \$1,000,000 in receipts from privatization efforts of the
 4 Voice of America and the International Broadcasting Bu-
 5 reau, shall remain available until expended for carrying
 6 out authorized purposes: *Provided further*, That signifi-
 7 cant modifications to USAGM broadcast hours previously
 8 justified to Congress, including changes to transmission
 9 platforms (shortwave, medium wave, satellite, Internet,
 10 and television), for all USAGM language services shall be
 11 subject to the regular notification procedures of the Com-
 12 mittees on Appropriations: *Provided further*, That up to
 13 \$7,000,000 from the USAGM Buying Power Maintenance
 14 account may be transferred to, and merged with, funds
 15 appropriated by this Act under the heading “International
 16 Broadcasting Operations”, which shall remain available
 17 until expended: *Provided further*, That such transfer au-
 18 thority is in addition to any transfer authority otherwise
 19 available under any other provision of law and shall be
 20 subject to prior consultation with, and the regular notifica-
 21 tion procedures of, the Committees on Appropriations.

22 BROADCASTING CAPITAL IMPROVEMENTS

23 For the purchase, rent, construction, repair, preser-
 24 vation, and improvement of facilities for radio, television,
 25 and digital transmission and reception; the purchase, rent,

1 and installation of necessary equipment for radio, tele-
2 vision, and digital transmission and reception, including
3 to Cuba, as authorized; and physical security worldwide,
4 in addition to amounts otherwise available for such pur-
5 poses, \$4,520,000, to remain available until expended, as
6 authorized.

7 RELATED PROGRAMS

8 THE ASIA FOUNDATION

9 For a grant to The Asia Foundation, as authorized
10 by The Asia Foundation Act (22 U.S.C. 4402),
11 \$20,000,000, to remain available until expended: *Pro-*
12 *vided*, That funds appropriated under this heading shall
13 be apportioned and obligated to the Foundation not later
14 than 60 days after enactment of this Act.

15 UNITED STATES INSTITUTE OF PEACE

16 For necessary expenses of the United States Institute
17 of Peace, as authorized by the United States Institute of
18 Peace Act (22 U.S.C. 4601 et seq.), \$45,000,000, to re-
19 main available until September 30, 2022, which shall not
20 be used for construction activities.

21 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

22 TRUST FUND

23 For necessary expenses of the Center for Middle
24 Eastern-Western Dialogue Trust Fund, as authorized by
25 section 633 of the Departments of Commerce, Justice, and

1 State, the Judiciary, and Related Agencies Appropriations
2 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-
3 est and earnings accruing to such Fund on or before Sep-
4 tember 30, 2021, to remain available until expended.

5 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

6 For necessary expenses of Eisenhower Exchange Fel-
7 lowships, Incorporated, as authorized by sections 4 and
8 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
9 U.S.C. 5204–5205), all interest and earnings accruing to
10 the Eisenhower Exchange Fellowship Program Trust
11 Fund on or before September 30, 2021, to remain avail-
12 able until expended: *Provided*, That none of the funds ap-
13 propriated herein shall be used to pay any salary or other
14 compensation, or to enter into any contract providing for
15 the payment thereof, in excess of the rate authorized by
16 section 5376 of title 5, United States Code; or for pur-
17 poses which are not in accordance with section 200 of title
18 2 of the Code of Federal Regulations, including the re-
19 strictions on compensation for personal services.

20 ISRAELI ARAB SCHOLARSHIP PROGRAM

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

1 to the Israeli Arab Scholarship Fund on or before Sep-
2 tember 30, 2021, to remain available until expended.

3 EAST-WEST CENTER

4 To enable the Secretary of State to provide for car-
5 rying out the provisions of the Center for Cultural and
6 Technical Interchange Between East and West Act of
7 1960, by grant to the Center for Cultural and Technical
8 Interchange Between East and West in the State of Ha-
9 waii, \$19,700,000: *Provided*, That funds appropriated
10 under this heading shall be apportioned and obligated to
11 the Center not later than 60 days after enactment of this
12 Act.

13 NATIONAL ENDOWMENT FOR DEMOCRACY

14 For grants made by the Department of State to the
15 National Endowment for Democracy, as authorized by the
16 National Endowment for Democracy Act (22 U.S.C.
17 4412), \$300,000,000, to remain available until expended,
18 of which \$195,840,000 shall be allocated in the traditional
19 and customary manner, including for the core institutes,
20 and \$104,160,000 shall be for democracy programs: *Pro-*
21 *vided*, That the requirements of section 7061(a) of this
22 Act shall not apply to funds made available under this
23 heading: *Provided further*, That funds appropriated under
24 this heading shall be apportioned and obligated to the En-

1 dowment not later than 60 days after enactment of this
2 Act.

3 OTHER COMMISSIONS

4 COMMISSION FOR THE PRESERVATION OF AMERICA'S 5 HERITAGE ABROAD

6 SALARIES AND EXPENSES

7 For necessary expenses for the Commission for the
8 Preservation of America's Heritage Abroad, \$642,000, as
9 authorized by chapter 3123 of title 54, United States
10 Code: *Provided*, That the Commission may procure tem-
11 porary, intermittent, and other services notwithstanding
12 paragraph (3) of section 312304(b) of such chapter: *Pro-*
13 *vided further*, That such authority shall terminate on Oc-
14 tober 1, 2021: *Provided further*, That the Commission
15 shall notify the Committees on Appropriations prior to ex-
16 ercising such authority.

17 UNITED STATES COMMISSION ON INTERNATIONAL 18 RELIGIOUS FREEDOM

19 SALARIES AND EXPENSES

20 For necessary expenses for the United States Com-
21 mission on International Religious Freedom, as authorized
22 by title II of the International Religious Freedom Act of
23 1998 (22 U.S.C. 6431 et seq.), \$4,500,000, to remain
24 available until September 30, 2022, including not more
25 than \$4,000 for representation expenses.

1 COMMISSION ON SECURITY AND COOPERATION IN
2 EUROPE
3 SALARIES AND EXPENSES

4 For necessary expenses of the Commission on Secu-
5 rity and Cooperation in Europe, as authorized by Public
6 Law 94–304 (22 U.S.C. 3001 et seq.), \$2,908,000, includ-
7 ing not more than \$4,000 for representation expenses, to
8 remain available until September 30, 2022.

9 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE
10 PEOPLE’S REPUBLIC OF CHINA
11 SALARIES AND EXPENSES

12 For necessary expenses of the Congressional-Execu-
13 tive Commission on the People’s Republic of China, as au-
14 thorized by title III of the U.S.-China Relations Act of
15 2000 (22 U.S.C. 6911 et seq.), \$2,250,000, including not
16 more than \$3,000 for representation expenses, to remain
17 available until September 30, 2022.

18 UNITED STATES-CHINA ECONOMIC AND SECURITY
19 REVIEW COMMISSION
20 SALARIES AND EXPENSES

21 For necessary expenses of the United States-China
22 Economic and Security Review Commission, as authorized
23 by section 1238 of the Floyd D. Spence National Defense
24 Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),
25 \$4,000,000, including not more than \$4,000 for represen-

1 tation expenses, to remain available until September 30,
 2 2022: *Provided*, That the authorities, requirements, limi-
 3 tations, and conditions contained in the second through
 4 sixth provisos under this heading in the Department of
 5 State, Foreign Operations, and Related Programs Appro-
 6 priations Act, 2010 (division F of Public Law 111–117)
 7 shall continue in effect during fiscal year 2021 and shall
 8 apply to funds appropriated under this heading.

9 TITLE II

10 UNITED STATES AGENCY FOR INTERNATIONAL 11 DEVELOPMENT

12 FUNDS APPROPRIATED TO THE PRESIDENT

13 OPERATING EXPENSES

14 For necessary expenses to carry out the provisions
 15 of section 667 of the Foreign Assistance Act of 1961,
 16 \$1,364,526,000, of which up to \$204,680,000 may remain
 17 available until September 30, 2022: *Provided*, That none
 18 of the funds appropriated under this heading and under
 19 the heading “Capital Investment Fund” in this title may
 20 be made available to finance the construction (including
 21 architect and engineering services), purchase, or long-term
 22 lease of offices for use by the United States Agency for
 23 International Development, unless the USAID Adminis-
 24 trator has identified such proposed use of funds in a re-
 25 port submitted to the Committees on Appropriations at

1 least 15 days prior to the obligation of funds for such pur-
2 poses: *Provided further*, That contracts or agreements en-
3 tered into with funds appropriated under this heading may
4 entail commitments for the expenditure of such funds
5 through the following fiscal year: *Provided further*, That
6 the authority of sections 610 and 109 of the Foreign As-
7 sistance Act of 1961 may be exercised by the Secretary
8 of State to transfer funds appropriated to carry out chap-
9 ter 1 of part I of such Act to “Operating Expenses” in
10 accordance with the provisions of those sections: *Provided*
11 *further*, That of the funds appropriated or made available
12 under this heading, not to exceed \$250,000 may be avail-
13 able for representation and entertainment expenses, of
14 which not to exceed \$5,000 may be available for entertain-
15 ment expenses, and not to exceed \$100,500 shall be for
16 official residence expenses, for USAID during the current
17 fiscal year: *Provided further*, That none of the funds ap-
18 propriated under this heading may be made available to
19 hire employees under USAID’s Adaptive Personnel
20 Project.

21 CAPITAL INVESTMENT FUND

22 For necessary expenses for overseas construction and
23 related costs, and for the procurement and enhancement
24 of information technology and related capital investments,
25 pursuant to section 667 of the Foreign Assistance Act of

1 1961, \$238,000,000, to remain available until expended:
2 *Provided*, That this amount is in addition to funds other-
3 wise available for such purposes: *Provided further*, That
4 funds appropriated under this heading shall be available
5 subject to the regular notification procedures of the Com-
6 mittees on Appropriations.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses to carry out the provisions
9 of section 667 of the Foreign Assistance Act of 1961,
10 \$75,500,000, of which up to \$11,325,000 may remain
11 available until September 30, 2022, for the Office of In-
12 spector General of the United States Agency for Inter-
13 national Development.

14 TITLE III

15 BILATERAL ECONOMIC ASSISTANCE

16 FUNDS APPROPRIATED TO THE PRESIDENT

17 For necessary expenses to enable the President to
18 carry out the provisions of the Foreign Assistance Act of
19 1961, and for other purposes, as follows:

20 GLOBAL HEALTH PROGRAMS

21 For necessary expenses to carry out the provisions
22 of chapters 1 and 10 of part I of the Foreign Assistance
23 Act of 1961, for global health activities, in addition to
24 funds otherwise available for such purposes,
25 \$3,226,975,000, to remain available until September 30,

1 2022, and which shall be apportioned directly to the
2 United States Agency for International Development not
3 later than 60 days after enactment of this Act: *Provided*,
4 That this amount shall be made available for training,
5 equipment, and technical assistance to build the capacity
6 of public health institutions and organizations in devel-
7 oping countries, and for such activities as: (1) child sur-
8 vival and maternal health programs; (2) immunization and
9 oral rehydration programs; (3) other health, nutrition,
10 water and sanitation programs which directly address the
11 needs of mothers and children, and related education pro-
12 grams; (4) assistance for children displaced or orphaned
13 by causes other than AIDS; (5) programs for the preven-
14 tion, treatment, control of, and research on HIV/AIDS,
15 tuberculosis, polio, malaria, and other infectious diseases
16 including neglected tropical diseases, and for assistance to
17 communities severely affected by HIV/AIDS, including
18 children infected or affected by AIDS; (6) disaster pre-
19 paredness training for health crises; (7) programs to pre-
20 vent, prepare for, and respond to, unanticipated and
21 emerging global health threats; and (8) family planning/
22 reproductive health: *Provided further*, That funds appro-
23 priated under this paragraph may be made available for
24 a United States contribution to The GAVI Alliance: *Pro-*
25 *vided further*, That of the funds appropriated under this

1 paragraph, not less than \$200,000,000 shall be available
2 for grants or contributions to the World Health Organiza-
3 tion, which shall be allocated and allotted not later than
4 60 days after the date of enactment of this Act.

5 In addition, for necessary expenses to carry out the
6 provisions of the Foreign Assistance Act of 1961 for the
7 prevention, treatment, and control of, and research on,
8 HIV/AIDS, \$5,930,000,000, to remain available until
9 September 30, 2025, which shall be apportioned directly
10 to the Department of State not later than 60 days after
11 enactment of this Act: *Provided*, That funds appropriated
12 under this paragraph may be made available, notwith-
13 standing any other provision of law, except for the United
14 States Leadership Against HIV/AIDS, Tuberculosis, and
15 Malaria Act of 2003 (Public Law 108–25), for a United
16 States contribution to the Global Fund to Fight AIDS,
17 Tuberculosis and Malaria (Global Fund): *Provided further*,
18 That the amount of such contribution shall be
19 \$1,560,000,000 and shall be for the second installment
20 of the sixth replenishment: *Provided further*, That up to
21 5 percent of the aggregate amount of funds made available
22 to the Global Fund in fiscal year 2021 may be made avail-
23 able to USAID for technical assistance related to the ac-
24 tivities of the Global Fund, subject to the regular notifica-
25 tion procedures of the Committees on Appropriations: *Pro-*

1 *vided further*, That of the funds appropriated under this
 2 paragraph, up to \$17,000,000 may be made available, in
 3 addition to amounts otherwise available for such purposes,
 4 for administrative expenses of the Office of the United
 5 States Global AIDS Coordinator.

6 DEVELOPMENT ASSISTANCE

7 For necessary expenses to carry out the provisions
 8 of sections 103, 105, 106, 214, and sections 251 through
 9 255, and chapter 10 of part I of the Foreign Assistance
 10 Act of 1961, \$3,800,000,000, to remain available until
 11 September 30, 2022: *Provided*, That funds made available
 12 under this heading shall be apportioned directly to the
 13 United States Agency for International Development not
 14 later than 60 days after enactment of this Act.

15 INTERNATIONAL DISASTER ASSISTANCE

16 For necessary expenses to carry out the provisions
 17 of section 491 of the Foreign Assistance Act of 1961 for
 18 international disaster relief, rehabilitation, and recon-
 19 struction assistance, \$4,395,362,000, to remain available
 20 until expended, of which \$1,733,980,000 is designated by
 21 the Congress for Overseas Contingency Operations/Global
 22 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
 23 the Balanced Budget and Emergency Deficit Control Act
 24 of 1985: *Provided*, That funds made available under this
 25 heading shall be apportioned to the United States Agency

1 for International Development not later than 60 days after
2 enactment of this Act.

3 TRANSITION INITIATIVES

4 For necessary expenses for international disaster re-
5 habilitation and reconstruction assistance administered by
6 the Office of Transition Initiatives, United States Agency
7 for International Development, pursuant to section 491 of
8 the Foreign Assistance Act of 1961, and to support transi-
9 tion to democracy and long-term development of countries
10 in crisis, \$92,043,000, to remain available until expended:
11 *Provided*, That such support may include assistance to de-
12 velop, strengthen, or preserve democratic institutions and
13 processes, revitalize basic infrastructure, and foster the
14 peaceful resolution of conflict: *Provided further*, That the
15 USAID Administrator shall submit a report to the Com-
16 mittees on Appropriations at least 5 days prior to begin-
17 ning a new program of assistance: *Provided further*, That
18 if the Secretary of State determines that it is important
19 to the national interest of the United States to provide
20 transition assistance in excess of the amount appropriated
21 under this heading, up to \$15,000,000 of the funds appro-
22 priated by this Act to carry out the provisions of part I
23 of the Foreign Assistance Act of 1961 may be used for
24 purposes of this heading and under the authorities appli-
25 cable to funds appropriated under this heading: *Provided*

1 *further*, That funds made available pursuant to the pre-
 2 vious proviso shall be made available subject to prior con-
 3 sultation with the Committees on Appropriations.

4 COMPLEX CRISES FUND

5 For necessary expenses to carry out the provisions
 6 of section 509(b) of the Global Fragility Act of 2019 (title
 7 V of division J of Public Law 116–94), \$30,000,000, to
 8 remain available until expended: *Provided*, That the notifi-
 9 cation requirement of section 509(b)(5) shall apply to
 10 funds appropriated under this heading: *Provided further*,
 11 That funds appropriated under this heading may be made
 12 available notwithstanding any other provision of law, ex-
 13 cept sections 7007, 7008, and 7066 of this Act and section
 14 620M of the Foreign Assistance Act of 1961: *Provided*
 15 *further*, That funds appropriated under this heading shall
 16 be apportioned to the United States Agency for Inter-
 17 national Development not later than 60 days after enact-
 18 ment of this Act.

19 ECONOMIC SUPPORT FUND

20 For necessary expenses to carry out the provisions
 21 of chapter 4 of part II of the Foreign Assistance Act of
 22 1961, \$3,344,407,000, to remain available until Sep-
 23 tember 30, 2022: *Provided*, That of the funds made avail-
 24 able under this heading in this Act or prior Acts making
 25 appropriations for the Department of State, foreign oper-

1 ations, and related programs, not less than \$225,000,000
2 shall be made available for programs in the West Bank
3 and Gaza: *Provided further*, That, as deemed necessary by
4 the Secretary, a portion of such funds may also be made
5 available as a contribution or grant to the United Nations
6 Relief and Works Agency for activities in the West Bank
7 and Gaza: *Provided further*, That of the funds appro-
8 priated under this heading, up to \$208,144,000 may be
9 transferred to, and merged with, funds made available
10 under the heading “International Broadcasting Oper-
11 ations” for international communication activities, includ-
12 ing for the production and dissemination of independent
13 and reliable news and information, for technologies that
14 improve free and open access to such information, and for
15 the purposes described under this heading in the report
16 accompanying this Act: *Provided further*, That prior to
17 any exercise of the transfer authority of the previous pro-
18 viso, the Secretary of State shall certify in writing to the
19 appropriate congressional committees that the agency re-
20 ceiving the transfer of funds will adhere to the statutory
21 firewall and highest standards of professional journalism
22 described in part 531 of title 22 Code of Federal Regula-
23 tions, as in effect on June 11, 2020: *Provided further*,
24 That such transfer authority is in addition to any transfer
25 authority otherwise available under any provision of law

1 and shall be subject to prior consultation with, and the
2 regular notification procedures of, the Committees on Ap-
3 propriations: *Provided further*, That none of the funds ap-
4 propriated under this heading may be made available for
5 the Diplomatic Progress Fund.

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), \$218,450,000, to remain available until
12 September 30, 2022, 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, and shall be apportioned to such Bureau not later
16 than 60 days after enactment of this Act: *Provided*, That
17 funds appropriated under this heading that are made
18 available to the National Endowment for Democracy and
19 its core institutes are in addition to amounts otherwise
20 available by this Act for such purposes: *Provided further*,
21 That the Assistant Secretary for Democracy, Human
22 Rights, and Labor, Department of State, shall consult
23 with the Committees on Appropriations prior to the initial
24 obligation of funds appropriated under this paragraph.

1 For an additional amount for such purposes,
2 \$105,250,000, to remain available until September 30,
3 2022, which shall be made available for the Bureau for
4 Democracy, Conflict, and Humanitarian Assistance,
5 United States Agency for International Development, and
6 shall be apportioned to such Bureau not later than 60
7 days after enactment of this Act.

8 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

9 For necessary expenses to carry out the provisions
10 of the Foreign Assistance Act of 1961, the FREEDOM
11 Support Act (Public Law 102–511), and the Support for
12 Eastern European Democracy (SEED) Act of 1989 (Pub-
13 lic Law 101–179), \$770,334,000, to remain available until
14 September 30, 2022, which shall be available, notwith-
15 standing any other provision of law, except section 7047
16 of this Act, for assistance and related programs for coun-
17 tries identified in section 3 of the FREEDOM Support
18 Act (22 U.S.C. 5801) and section 3(c) of the SEED Act
19 of 1989 (22 U.S.C. 5402), in addition to funds otherwise
20 available for such purposes: *Provided*, That funds appro-
21 priated by this Act under the headings “Global Health
22 Programs”, “Economic Support Fund”, and “Inter-
23 national Narcotics Control and Law Enforcement” that
24 are made available for assistance for such countries shall
25 be administered in accordance with the responsibilities of

1 the coordinator designated pursuant to section 102 of the
2 FREEDOM Support Act and section 601 of the SEED
3 Act of 1989: *Provided further*, That funds appropriated
4 under this heading shall be considered to be economic as-
5 sistance under the Foreign Assistance Act of 1961 for
6 purposes of making available the administrative authori-
7 ties contained in that Act for the use of economic assist-
8 ance: *Provided further*, That funds appropriated under
9 this heading may be made available for contributions to
10 multilateral initiatives to counter hybrid threats: *Provided*
11 *further*, That any notification of funds made available
12 under this heading in this Act or prior Acts making appro-
13 priations for the Department of State, foreign operations,
14 and related programs shall include information (if known
15 on the date of transmittal of such notification) on the use
16 of notwithstanding authority: *Provided further*, That if
17 subsequent to the notification of assistance it becomes nec-
18 essary to rely on notwithstanding authority, the Commit-
19 tees on Appropriations should be informed at the earliest
20 opportunity and to the extent practicable: *Provided fur-*
21 *ther*, That of the funds appropriated under this heading,
22 not less than \$2,000,000 shall be transferred to, and
23 merged with, funds appropriated by this Act under the
24 heading “Economic Support Fund” for joint dialogues in
25 support of the Eastern Mediterranean Partnership in the

1 manner specified under this heading in the report accom-
2 panying this Act and shall remain available until ex-
3 pended: *Provided further*, That such funds shall be admin-
4 istered by, and under the policy direction of, the coordi-
5 nator designated pursuant to section 102 of the FREE-
6 DOM Support Act and section 601 of the SEED Act of
7 1989.

8 DEPARTMENT OF STATE

9 MIGRATION AND REFUGEE ASSISTANCE

10 For necessary expenses not otherwise provided for,
11 to enable the Secretary of State to carry out the provisions
12 of section 2(a) and (b) of the Migration and Refugee As-
13 sistance Act of 1962 (22 U.S.C. 2601), and other activi-
14 ties to meet refugee and migration needs; salaries and ex-
15 penses of personnel and dependents as authorized by the
16 Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.);
17 allowances as authorized by sections 5921 through 5925
18 of title 5, United States Code; purchase and hire of pas-
19 senger motor vehicles; and services as authorized by sec-
20 tion 3109 of title 5, United States Code, \$3,432,000,000,
21 to remain available until expended, of which:
22 \$1,521,355,000 is designated by the Congress for Over-
23 seas Contingency Operations/Global War on Terrorism
24 pursuant to section 251(b)(2)(A)(ii) of the Balanced
25 Budget and Emergency Deficit Control Act of 1985; not

1 less than \$35,000,000 shall be made available to respond
 2 to small-scale emergency humanitarian requirements; and
 3 \$5,000,000 shall be made available for refugees resettling
 4 in Israel; *Provided*, That funds appropriated under this
 5 heading shall be apportioned to the Bureau of Population,
 6 Refugees, and Migration, Department of State, not later
 7 than 60 days after enactment of this Act.

8 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
 9 ASSISTANCE FUND

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

18 INDEPENDENT AGENCIES

19 PEACE CORPS

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses to carry out the provisions
 22 of the Peace Corps Act (22 U.S.C. 2501 et seq.), including
 23 the purchase of not to exceed five passenger motor vehicles
 24 for administrative purposes for use outside of the United
 25 States, \$410,500,000, of which \$6,330,000 is for the Of-

1 fice of Inspector General, to remain available until Sep-
2 tember 30, 2022: *Provided*, That the Director of the Peace
3 Corps may transfer to the Foreign Currency Fluctuations
4 Account, as authorized by section 16 of the Peace Corps
5 Act (22 U.S.C. 2515), an amount not to exceed
6 \$5,000,000: *Provided further*, That funds transferred pur-
7 suant to the previous proviso may not be derived from
8 amounts made available for Peace Corps overseas oper-
9 ations: *Provided further*, That of the funds appropriated
10 under this heading, not to exceed \$104,000 may be avail-
11 able for representation expenses, of which not to exceed
12 \$4,000 may be made available for entertainment expenses:
13 *Provided further*, That any decision to open, close, or sus-
14 pend a domestic or overseas office or country program
15 shall be subject to prior consultation with, and the regular
16 notification procedures of, the Committees on Appropria-
17 tions: *Provided further*, That such consultation and notifi-
18 cation requirements shall be met prior to any actions by
19 the Peace Corps to implement such a decision, including
20 the communication with host country officials, current or
21 prospective volunteers, and staff: *Provided further*, That
22 prior consultation and notification procedures may be
23 waived when there is a substantial risk to volunteers or
24 other Peace Corps personnel, pursuant to section 7015(e)
25 of this Act: *Provided further*, That none of the funds made

1 available by this Act or prior Acts under this heading may
2 be used to permanently close the United States-China
3 Friendship Volunteer Program: *Provided further*, That
4 none of the funds appropriated under this heading shall
5 be used to pay for abortions: *Provided further*, That not-
6 withstanding the previous proviso, section 614 of division
7 E of Public Law 113–76 shall apply to funds appropriated
8 under this heading.

9 MILLENNIUM CHALLENGE CORPORATION

10 For necessary expenses to carry out the provisions
11 of the Millennium Challenge Act of 2003 (22 U.S.C. 7701
12 et seq.) (MCA), \$905,000,000, to remain available until
13 expended: *Provided*, That of the funds appropriated under
14 this heading, up to \$112,000,000 may be available for ad-
15 ministrative expenses of the Millennium Challenge Cor-
16 poration, except that such funds shall remain available for
17 obligation until September 30, 2026: *Provided further*,
18 That section 605(e) of the MCA (22 U.S.C. 7704(e)) shall
19 apply to funds appropriated under this heading: *Provided*
20 *further*, That funds appropriated under this heading may
21 be made available for a Millennium Challenge Compact en-
22 tered into pursuant to section 609 of the MCA (22 U.S.C.
23 7708) only if such Compact obligates, or contains a com-
24 mitment to obligate subject to the availability of funds and
25 the mutual agreement of the parties to the Compact to

1 proceed, the entire amount of the United States Govern-
2 ment funding anticipated for the duration of the Compact:
3 *Provided further*, That no country should be eligible for
4 a threshold program after such country has completed a
5 country compact: *Provided further*, That of the funds ap-
6 propriated under this heading, not to exceed \$100,000
7 may be available for representation and entertainment ex-
8 penses, of which not to exceed \$5,000 may be available
9 for entertainment expenses.

10 INTER-AMERICAN FOUNDATION

11 For necessary expenses to carry out the functions of
12 the Inter-American Foundation in accordance with the
13 provisions of section 401 of the Foreign Assistance Act
14 of 1969, \$41,500,000, to remain available until September
15 30, 2022: *Provided*, That funds appropriated under this
16 heading shall be made available for programs in El Sal-
17 vador, Guatemala, and Honduras: *Provided further*, That
18 of the funds appropriated under this heading, not to ex-
19 ceed \$2,000 may be available for representation expenses.

20 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

21 For necessary expenses to carry out the African De-
22 velopment Foundation Act (title V of Public Law 96–533;
23 22 U.S.C. 290h et seq.), \$33,000,000, to remain available
24 until September 30, 2022, of which not to exceed \$2,000
25 may be available for representation expenses: *Provided*,

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

1 Treasury prior to the need of spending such funds for pro-
2 gram purposes.

3 DEPARTMENT OF THE TREASURY

4 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

5 For necessary expenses to carry out the provisions
6 of section 129 of the Foreign Assistance Act of 1961,
7 \$33,000,000, to remain available until expended, of which
8 not more than \$5,000,000 may be used for administrative
9 expenses: *Provided*, That amounts made available under
10 this heading may be made available to contract for services
11 as described in section 129(d)(3)(A) of the Foreign Assist-
12 ance Act of 1961, without regard to the location in which
13 such services are performed.

14 DEBT RESTRUCTURING

15 For the costs, as defined in section 502 of the Con-
16 gressional Budget Act of 1974, of modifying loans and
17 loan guarantees, as the President may determine, for
18 which funds have been appropriated or otherwise made
19 available for programs within the International Affairs
20 Budget Function 150, including the cost of selling, reduc-
21 ing, or canceling amounts owed to the United States as
22 a result of concessional loans made to eligible countries,
23 pursuant to part V of the Foreign Assistance Act of 1961,
24 \$15,000,000, to remain available until September 30,
25 2022.

1 In addition, for the costs, as defined in section 502
2 of the Congressional Budget Act of 1974, of modifying
3 loans and loan guarantees for Somalia or credits extended
4 to Somalia, as the President may determine, including the
5 cost of selling, reducing, or cancelling amounts owed to
6 the United States, \$63,000,000, to remain available until
7 expended, which may be used notwithstanding any other
8 provision of law.

9 TITLE IV
10 INTERNATIONAL SECURITY ASSISTANCE
11 DEPARTMENT OF STATE
12 INTERNATIONAL NARCOTICS CONTROL AND LAW
13 ENFORCEMENT

14 For necessary expenses to carry out section 481 of
15 the Foreign Assistance Act of 1961, \$1,391,000,000, to
16 remain available until September 30, 2022: *Provided*,
17 That the Department of State may use the authority of
18 section 608 of the Foreign Assistance Act of 1961, with-
19 out regard to its restrictions, to receive excess property
20 from an agency of the United States Government for the
21 purpose of providing such property to a foreign country
22 or international organization under chapter 8 of part I of
23 such Act, subject to the regular notification procedures of
24 the Committees on Appropriations: *Provided further*, That
25 section 482(b) of the Foreign Assistance Act of 1961 shall

1 not apply to funds appropriated under this heading, except
2 that any funds made available notwithstanding such sec-
3 tion shall be subject to the regular notification procedures
4 of the Committees on Appropriations: *Provided further*,
5 That funds appropriated under this heading shall be made
6 available to support training and technical assistance for
7 foreign law enforcement, corrections, judges, and other ju-
8 dicial authorities, utilizing regional partners: *Provided fur-*
9 *ther*, That funds made available under this heading that
10 are transferred to another department, agency, or instru-
11 mentality of the United States Government pursuant to
12 section 632(b) of the Foreign Assistance Act of 1961 val-
13 ued in excess of \$5,000,000, and any agreement made
14 pursuant to section 632(a) of such Act, shall be subject
15 to the regular notification procedures of the Committees
16 on Appropriations: *Provided further*, That funds made
17 available under this heading for Program Development
18 and Support may be made available notwithstanding pre-
19 obligation requirements contained in this Act, except for
20 the notification requirements of section 7015: *Provided*
21 *further*, That none of the funds appropriated under this
22 heading may be made available for the Diplomatic
23 Progress Fund.

1 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
2 RELATED PROGRAMS

3 For necessary expenses for nonproliferation, anti-ter-
4 rorism, demining and related programs and activities,
5 \$897,000,000, to remain available until September 30,
6 2022, to carry out the provisions of chapter 8 of part II
7 of the Foreign Assistance Act of 1961 for anti-terrorism
8 assistance, chapter 9 of part II of the Foreign Assistance
9 Act of 1961, section 504 of the FREEDOM Support Act
10 (22 U.S.C. 5854), section 23 of the Arms Export Control
11 Act (22 U.S.C. 2763), or the Foreign Assistance Act of
12 1961 for demining activities, the clearance of unexploded
13 ordnance, the destruction of small arms, and related ac-
14 tivities, notwithstanding any other provision of law, includ-
15 ing activities implemented through nongovernmental and
16 international organizations, and section 301 of the For-
17 eign Assistance Act of 1961 for a United States contribu-
18 tion to the Comprehensive Nuclear Test Ban Treaty Pre-
19 paratory Commission, and for a voluntary contribution to
20 the International Atomic Energy Agency (IAEA): *Pro-*
21 *vided*, That funds made available under this heading for
22 the Nonproliferation and Disarmament Fund shall be
23 made available, notwithstanding any other provision of law
24 and subject to prior consultation with, and the regular no-
25 tification procedures of, the Committees on Appropria-

1 tions, to promote bilateral and multilateral activities relat-
 2 ing to nonproliferation, disarmament, and weapons de-
 3 struction, and shall remain available until expended: *Pro-*
 4 *vided further*, That such funds may also be used for such
 5 countries other than the Independent States of the former
 6 Soviet Union and international organizations when it is
 7 in the national security interest of the United States to
 8 do so: *Provided further*, That funds appropriated under
 9 this heading may be made available for the IAEA unless
 10 the Secretary of State determines that Israel is being de-
 11 nied its right to participate in the activities of that Agen-
 12 cy: *Provided further*, That funds made available for con-
 13 ventional weapons destruction programs, including
 14 demining and related activities, in addition to funds other-
 15 wise available for such purposes, may be used for adminis-
 16 trative expenses related to the operation and management
 17 of such programs and activities, subject to the regular no-
 18 tification procedures of the Committees on Appropria-
 19 tions.

20 PEACEKEEPING OPERATIONS

21 For necessary expenses to carry out the provisions
 22 of section 551 of the Foreign Assistance Act of 1961,
 23 \$457,348,000, of which \$325,213,000, to remain available
 24 until September 30, 2022, is designated by the Congress
 25 for Overseas Contingency Operations/Global War on Ter-

1 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
2 anced Budget and Emergency Deficit Control Act of 1985:
3 *Provided*, That funds appropriated under this heading
4 may be used, notwithstanding section 660 of the Foreign
5 Assistance Act of 1961, to provide assistance to enhance
6 the capacity of foreign civilian security forces, including
7 gendarmes, to participate in peacekeeping operations: *Pro-*
8 *vided further*, That of the funds appropriated under this
9 heading, not less than \$31,000,000 shall be made avail-
10 able for a United States contribution to the Multinational
11 Force and Observers mission in the Sinai and not less
12 than \$71,000,000 shall be made available for the Global
13 Peace Operations Initiative, of which not less than
14 \$10,000,000 shall be made available to support the mod-
15 ernization of training infrastructure: *Provided further*,
16 That funds appropriated under this heading may be made
17 available to pay assessed expenses of international peace-
18 keeping activities in Somalia under the same terms and
19 conditions, as applicable, as funds appropriated by this
20 Act under the heading “Contributions for International
21 Peacekeeping Activities”: *Provided further*, That none of
22 the funds appropriated under this heading shall be obli-
23 gated except as provided through the regular notification
24 procedures of the Committees on Appropriations.

1 FUNDS APPROPRIATED TO THE PRESIDENT

2 INTERNATIONAL MILITARY EDUCATION AND TRAINING

3 For necessary expenses to carry out the provisions
4 of section 541 of the Foreign Assistance Act of 1961,
5 \$112,925,000, to remain available until September 30,
6 2022: *Provided*, That the civilian personnel for whom mili-
7 tary education and training may be provided under this
8 heading may include civilians who are not members of a
9 government whose participation would contribute to im-
10 proved civil-military relations, civilian control of the mili-
11 tary, or respect for human rights: *Provided further*, That
12 of the funds appropriated under this heading, not to ex-
13 ceed \$50,000 may be available for entertainment expenses.

14 FOREIGN MILITARY FINANCING PROGRAM

15 For necessary expenses for grants to enable the
16 President to carry out the provisions of section 23 of the
17 Arms Export Control Act (22 U.S.C. 2763),
18 \$6,156,924,000, of which \$511,909,000, to remain avail-
19 able until September 30, 2022, is designated by the Con-
20 gress for Overseas Contingency Operations/Global War on
21 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
22 anced Budget and Emergency Deficit Control Act of 1985:
23 *Provided*, That to expedite the provision of assistance to
24 foreign countries and international organizations, the Sec-
25 retary of State, following consultation with the Commit-

tees on Appropriations and subject to the regular notification procedures of such Committees, may use the funds appropriated under this heading to procure defense articles and services to enhance the capacity of foreign security forces: *Provided further*, That of the funds appropriated under this heading, not less than \$3,300,000,000 shall be available for grants only for Israel which shall be disbursed within 30 days of enactment of this Act: *Provided further*, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel under this heading shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which not less than \$795,300,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: *Provided further*, That funds appropriated or otherwise made available under this heading shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: *Provided further*, That funds made available under this heading shall be obligated upon apportionment in accordance with paragraph (5)(C) of section 1501(a) of title 31, United States Code.

None of the funds made available under this heading shall be available to finance the procurement of defense

1 articles, defense services, or design and construction serv-
2 ices that are not sold by the United States Government
3 under the Arms Export Control Act unless the foreign
4 country proposing to make such procurement has first
5 signed an agreement with the United States Government
6 specifying the conditions under which such procurement
7 may be financed with such funds: *Provided*, That all coun-
8 try and funding level increases in allocations shall be sub-
9 mitted through the regular notification procedures of sec-
10 tion 7015 of this Act: *Provided further*, That funds made
11 available under this heading may be used, notwithstanding
12 any other provision of law, for demining, the clearance of
13 unexploded ordnance, and related activities, and may in-
14 clude activities implemented through nongovernmental
15 and international organizations: *Provided further*, That
16 only those countries for which assistance was justified for
17 the “Foreign Military Sales Financing Program” in the
18 fiscal year 1989 congressional presentation for security as-
19 sistance programs may utilize funds made available under
20 this heading for procurement of defense articles, defense
21 services, or design and construction services that are not
22 sold by the United States Government under the Arms
23 Export Control Act: *Provided further*, That funds appro-
24 priated under this heading shall be expended at the min-
25 imum rate necessary to make timely payment for defense

1 articles and services: *Provided further*, That not more than
2 \$70,000,000 of the funds appropriated under this heading
3 may be obligated for necessary expenses, including the
4 purchase of passenger motor vehicles for replacement only
5 for use outside of the United States, for the general costs
6 of administering military assistance and sales, except that
7 this limitation may be exceeded only through the regular
8 notification procedures of the Committees on Appropria-
9 tions: *Provided further*, That of the funds made available
10 under this heading for general costs of administering mili-
11 tary assistance and sales, not to exceed \$4,000 may be
12 available for entertainment expenses and not to exceed
13 \$130,000 may be available for representation expenses:
14 *Provided further*, That not more than \$1,082,200,000 of
15 funds realized pursuant to section 21(e)(1)(A) of the Arms
16 Export Control Act (22 U.S.C. 2761(e)(1)(A)) may be ob-
17 ligated for expenses incurred by the Department of De-
18 fense during fiscal year 2021 pursuant to section 43(b)
19 of the Arms Export Control Act (22 U.S.C. 2792(b)), ex-
20 cept that this limitation may be exceeded only through the
21 regular notification procedures of the Committees on Ap-
22 propriations.

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 \$390,500,000: *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 enactment of
11 this Act, such funds shall be allocated and allotted for core
12 contributions for each entity listed in the table under this
13 heading in the report accompanying this Act unless other-
14 wise provided for in this Act, or if the Secretary of State
15 has justified to the Committees on Appropriations the pro-
16 posed uses of funds other than for core contributions fol-
17 lowing prior consultation with, and subject to the regular
18 notification procedures of, the Committees on Appropria-
19 tions.

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 \$139,575,000, to remain available until, and to be fully

1 disbursed not later than, September 30, 2022: *Provided*,
2 That of such amount, \$136,563,000, which shall remain
3 available until September 30, 2021, is only available for
4 the third installment of the seventh replenishment of the
5 Global Environment Facility, and shall be obligated and
6 disbursed not later than 90 days after enactment of this
7 Act: *Provided further*, That the Secretary shall report to
8 the Committees on Appropriations on the status of funds
9 provided under this heading not less than quarterly until
10 fully disbursed: *Provided further*, That in such report the
11 Secretary shall provide a timeline for the obligation and
12 disbursement of any funds that have not yet been obli-
13 gated or disbursed.

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, \$1,001,400,000,
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 \$47,395,000, 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 \$54,649,000, 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 \$30,000,000, to remain available until, and to be fully dis-
10 bursed no later than, September 30, 2022, for the third
11 installment of the eleventh replenishment of the Inter-
12 national Fund for Agricultural Development: *Provided*,
13 That the Secretary of the Treasury shall report to the
14 Committees on Appropriations on the status of such pay-
15 ment not less than quarterly until fully disbursed: *Pro-*
16 *vided further*, That in such report the Secretary shall pro-
17 vide a timeline for the obligation and disbursement of any
18 funds that have not yet been obligated or disbursed.

19 CONTRIBUTION TO THE NORTH AMERICAN DEVELOPMENT
20 BANK

21 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

22 The Secretary of the Treasury may subscribe without
23 fiscal year limitation to the callable capital portion of the
24 United States share of capital stock in an amount not to
25 exceed \$1,020,000,000: *Provided*, That this authority

1 shall be in addition to any other authority provided by pre-
2 vious Acts.

3 TITLE VI

4 EXPORT AND INVESTMENT ASSISTANCE

5 EXPORT-IMPORT BANK OF THE UNITED STATES

6 INSPECTOR GENERAL

7 For necessary expenses of the Office of Inspector
8 General in carrying out the provisions of the Inspector
9 General Act of 1978 (5 U.S.C. App.), \$5,700,000, of
10 which up to \$855,000 may remain available until Sep-
11 tember 30, 2022.

12 PROGRAM ACCOUNT

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

1 Proliferation of Nuclear Weapons eligible to receive eco-
2 nomic or military assistance under this Act, that has deto-
3 nated a nuclear explosive after the date of enactment of
4 this Act.

5 ADMINISTRATIVE EXPENSES

6 For administrative expenses to carry out the direct
7 and guaranteed loan and insurance programs, including
8 hire of passenger motor vehicles and services as authorized
9 by section 3109 of title 5, United States Code, and not
10 to exceed \$30,000 for official reception and representation
11 expenses for members of the Board of Directors, not to
12 exceed \$110,000,000, of which up to \$16,500,000 may re-
13 main available until September 30, 2022: *Provided*, That
14 the Export-Import Bank (the Bank) may accept, and use,
15 payment or services provided by transaction participants
16 for legal, financial, or technical services in connection with
17 any transaction for which an application for a loan, guar-
18 antee or insurance commitment has been made: *Provided*
19 *further*, That notwithstanding subsection (b) of section
20 117 of the Export Enhancement Act of 1992, subsection
21 (a) of such section shall remain in effect until September
22 30, 2021: *Provided further*, That the Bank shall charge
23 fees for necessary expenses (including special services per-
24 formed on a contract or fee basis, but not including other
25 personal services) in connection with the collection of mon-

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

12 RECEIPTS COLLECTED

13 Receipts collected pursuant to the Export-Import
14 Bank Act of 1945 (Public Law 79–173) and the Federal
15 Credit Reform Act of 1990, in an amount not to exceed
16 the amount appropriated herein, shall be credited as off-
17 setting collections to this account: *Provided*, That the
18 sums herein appropriated from the General Fund shall be
19 reduced on a dollar-for-dollar basis by such offsetting col-
20 lections so as to result in a final fiscal year appropriation
21 from the General Fund estimated at \$0.

1 UNITED STATES INTERNATIONAL DEVELOPMENT
2 FINANCE CORPORATION
3 INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978 (5 U.S.C. App.), \$2,000,000, to re-
7 main available until September 30, 2022.

8 CORPORATE CAPITAL ACCOUNT

9 The United States International Development Fi-
10 nance Corporation (the Corporation) is authorized to
11 make such expenditures and commitments within the lim-
12 its of funds and borrowing authority available to the Cor-
13 poration, and in accordance with the law, and to make
14 such expenditures and commitments without regard to fis-
15 cal year limitations, as provided by section 9104 of title
16 31, United States Code, as may be necessary in carrying
17 out the programs for the current fiscal year for the Cor-
18 poration: *Provided*, That for necessary expenses of the ac-
19 tivities described in subsections (b), (c), (e), (f), and (g)
20 of section 1421 of the BUILD Act of 2018 (division F
21 of Public Law 115–254) and for administrative expenses
22 to carry out authorized activities and project-specific
23 transaction costs described in section 1434(d) of such Act,
24 \$311,000,000: *Provided further*, That of the amount pro-
25 vided—

1 (1) \$131,000,000 shall remain available until
2 September 30, 2023, for administrative expenses to
3 carry out authorized activities (including an amount
4 for official reception and representation expenses
5 which shall not exceed \$25,000) and project-specific
6 transaction costs as described in section 1434(k) of
7 such Act, of which \$1,000,000 shall remain available
8 until September 30, 2025;

9 (2) \$180,000,000 shall remain available until
10 September 30, 2023, for the activities described in
11 subsections (b), (c), (e), (f), and (g) of section 1421
12 of the BUILD Act of 2018 (division F of Public
13 Law 115-254), except such amounts obligated in a
14 fiscal year for activities described in section 1421(c)
15 of such Act shall remain available for disbursement
16 for the term of the underlying project: *Provided fur-*
17 *ther*, That if the term of the project extends longer
18 than 10 fiscal years, the Chief Executive Officer of
19 the Corporation shall inform the appropriate con-
20 gressional committees prior to the obligation or dis-
21 bursement of funds, as applicable: *Provided further*,
22 That amounts made available under this paragraph
23 may be paid to the “United States International De-
24 velopment Finance Corporation—Program Account”
25 for programs authorized by subsections (b), (e), (f),

1 and (g) of section 1421 of the BUILD Act of 2018
2 (division F of Public Law 115–254):
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 this fiscal year, and each fiscal year thereafter, the Cor-
9 poration shall collect the amounts described in section
10 1434(h) of the BUILD Act of 2018: *Provided further*,
11 That in fiscal year 2021 such collections shall be credited
12 as offsetting collections to this appropriation: *Provided*
13 *further*, That such collections collected in fiscal year 2021
14 in excess of \$311,000,000 shall be credited to this account
15 and shall be available in future fiscal years only to the
16 extent provided in advance in appropriations Acts: *Pro-*
17 *vided further*, That in fiscal year 2021, if such collections
18 are less than \$311,000,000, receipts collected pursuant to
19 the BUILD Act of 2018 and the Federal Credit Reform
20 Act of 1990, in an amount equal to such shortfall, shall
21 be credited as offsetting collections to this appropriation:
22 *Provided further*, That funds appropriated or otherwise
23 made available under this heading may not be used to pro-
24 vide any type of assistance that is otherwise prohibited
25 by any other provision of law or to provide assistance to

1 any foreign country that is otherwise prohibited by any
2 other provision of law: *Provided further*, That the sums
3 herein appropriated from the General Fund shall be re-
4 duced on a dollar-for-dollar basis by the offsetting collec-
5 tions described under this heading so as to result in a final
6 fiscal year appropriation from the General Fund estimated
7 at \$0.

8 PROGRAM ACCOUNT

9 Amounts paid from “United States International De-
10 velopment Finance Corporation—Corporate Capital Ac-
11 count” (CCA) shall remain available until September 30,
12 2023: *Provided*, That not more than \$80,000,000 of
13 amounts paid to this account from CCA or transferred to
14 this account pursuant to section 1434(j) of the BUILD
15 Act of 2018 (division F of Public Law 115–254) shall be
16 available for the costs of direct and guaranteed loans pro-
17 vided by the Corporation pursuant to section 1421(b) of
18 such Act: *Provided further*, That such costs, including the
19 cost of modifying such loans, shall be as defined in section
20 502 of the Congressional Budget Act of 1974: *Provided*
21 *further*, That such amounts obligated in a fiscal year shall
22 remain available for disbursement for the following 8 fiscal
23 years: *Provided further*, That funds transferred to carry
24 out the Foreign Assistance Act of 1961 pursuant to sec-
25 tion 1434(j) of the BUILD Act of 2018 may remain avail-

1 able for obligation for 1 additional fiscal year: *Provided*
2 *further*, That the total loan principal or guaranteed prin-
3 cipal amount shall not exceed \$8,000,000,000.

4 TRADE AND DEVELOPMENT AGENCY

5 For necessary expenses to carry out the provisions
6 of section 661 of the Foreign Assistance Act of 1961,
7 \$79,500,000, to remain available until September 30,
8 2022, of which no more than \$18,285,000 may be used
9 for administrative expenses: *Provided*, That of the funds
10 appropriated under this heading, not more than \$5,000
11 may be available for representation and entertainment ex-
12 penses.

13 TITLE VII

14 GENERAL PROVISIONS

15 ALLOWANCES AND DIFFERENTIALS

16 SEC. 7001. Funds appropriated under title I of this
17 Act shall be available, except as otherwise provided, for
18 allowances and differentials as authorized by subchapter
19 59 of title 5, United States Code; for services as author-
20 ized by section 3109 of such title and for hire of passenger
21 transportation pursuant to section 1343(b) of title 31,
22 United States Code.

23 UNOBLIGATED BALANCES REPORT

24 SEC. 7002. Any department or agency of the United
25 States Government to which funds are appropriated or

1 otherwise made available by this Act shall provide to the
2 Committees on Appropriations a quarterly accounting of
3 cumulative unobligated balances and obligated, but unex-
4 pended, balances by program, project, and activity, and
5 Treasury Account Fund Symbol of all funds received by
6 such department or agency in fiscal year 2021 or any pre-
7 vious fiscal year, disaggregated by fiscal year: *Provided*,
8 That the report required by this section shall be submitted
9 not later than 30 days after the end of each fiscal quarter
10 and should specify by account the amount of funds obli-
11 gated pursuant to bilateral agreements which have not
12 been further sub-obligated.

13 CONSULTING SERVICES

14 SEC. 7003. The expenditure of any appropriation
15 under title I of this Act for any consulting service through
16 procurement contract, pursuant to section 3109 of title
17 5, United States Code, shall be limited to those contracts
18 where such expenditures are a matter of public record and
19 available for public inspection, except where otherwise pro-
20 vided under existing law, or under existing Executive order
21 issued pursuant to existing law.

22 DIPLOMATIC FACILITIES

23 SEC. 7004. (a) CAPITAL SECURITY COST SHARING
24 EXCEPTION.—Notwithstanding paragraph (2) of section
25 604(e) of the Secure Embassy Construction and Counter-

1 terrorism Act of 1999 (title VI of division A of H.R. 3427,
2 as enacted into law by section 1000(a)(7) of Public Law
3 106–113 and contained in appendix G of that Act), as
4 amended by section 111 of the Department of State Au-
5 thorities Act, Fiscal Year 2017 (Public Law 114–323), a
6 project to construct a facility of the United States may
7 include office space or other accommodations for members
8 of the United States Marine Corps.

9 (b) NEW DIPLOMATIC FACILITIES.—For the pur-
10 poses of calculating the fiscal year 2021 costs of providing
11 new United States diplomatic facilities in accordance with
12 section 604(e) of the Secure Embassy Construction and
13 Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the
14 Secretary of State, in consultation with the Director of
15 the Office of Management and Budget, shall determine the
16 annual program level and agency shares in a manner that
17 is proportional to the contribution of the Department of
18 State for this purpose.

19 (c) CONSULTATION AND NOTIFICATION.—Funds ap-
20 propriated by this Act and prior Acts making appropria-
21 tions for the Department of State, foreign operations, and
22 related programs, which may be made available for the
23 acquisition of property or award of construction contracts
24 for overseas United States diplomatic facilities during fis-
25 cal year 2021, shall be subject to prior consultation with,

1 and the regular notification procedures of, the Committees
2 on Appropriations: *Provided*, That notifications pursuant
3 to this subsection shall include the information enumer-
4 ated under the heading “Embassy Security, Construction,
5 and Maintenance” in the report accompanying this Act.

6 (d) INTERIM AND TEMPORARY FACILITIES
7 ABROAD.—

8 (1) SECURITY VULNERABILITIES.—Funds ap-
9 propriated by this Act under the heading “Embassy
10 Security, Construction, and Maintenance” shall be
11 made available to address security vulnerabilities at
12 interim and temporary United States diplomatic fa-
13 cilities abroad, including physical security upgrades
14 and local guard staffing.

15 (2) CONSULTATION.—Notwithstanding any
16 other provision of law, the opening, closure, or any
17 significant modification to an interim or temporary
18 United States diplomatic facility shall be subject to
19 prior consultation with the appropriate congressional
20 committees and the regular notification procedures
21 of the Committees on Appropriations, except that
22 such consultation and notification may be waived if
23 there is a security risk to personnel.

24 (e) SOFT TARGETS.—Funds appropriated by this Act
25 under the heading “Embassy Security, Construction, and

1 Maintenance” shall be made available for security up-
2 grades to soft targets, including schools, recreational fa-
3 cilities, and residences used by United States diplomatic
4 personnel and their dependents.

5 PERSONNEL ACTIONS

6 SEC. 7005. Any costs incurred by a department or
7 agency funded under title I of this Act resulting from per-
8 sonnel actions taken in response to funding reductions in-
9 cluded in this Act shall be absorbed within the total budg-
10 etary resources available under title I to such department
11 or agency: *Provided*, That the authority to transfer funds
12 between appropriations accounts as may be necessary to
13 carry out this section is provided in addition to authorities
14 included elsewhere in this Act: *Provided further*, That use
15 of funds to carry out this section shall be treated as a
16 reprogramming of funds under section 7015 of this Act.

17 PROHIBITION ON PUBLICITY OR PROPAGANDA

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

1 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
2 COUNTRIES

3 SEC. 7007. None of the funds appropriated or other-
4 wise made available pursuant to titles III through VI of
5 this Act shall be obligated or expended to finance directly
6 any assistance or reparations for the governments of
7 Cuba, North Korea, Iran, or Syria: *Provided*, That for
8 purposes of this section, the prohibition on obligations or
9 expenditures shall include direct loans, credits, insurance,
10 and guarantees of the Export-Import Bank or its agents.

11 COUPS D'ÉTAT

12 SEC. 7008. None of the funds appropriated or other-
13 wise made available by this Act under the heading "Eco-
14 nomic Support Fund" and under titles IV through VI
15 shall be obligated or expended to finance directly any as-
16 sistance to the government of any country whose duly
17 elected head of government is deposed by military coup
18 d'état or decree or, after the date of enactment of this
19 Act, a coup d'état or decree in which the military plays
20 a decisive role: *Provided*, That assistance may be resumed
21 to such government if the Secretary of State certifies and
22 reports to the appropriate congressional committees that
23 subsequent to the termination of assistance a democrat-
24 ically elected government has taken office: *Provided fur-*
25 *ther*, That the provisions of this section shall not apply

1 to assistance to promote democratic elections or public
2 participation in democratic processes: *Provided further*,
3 That funds made available pursuant to the previous pro-
4 visos shall be subject to the regular notification procedures
5 of the Committees on Appropriations.

6 TRANSFER OF FUNDS AUTHORITY

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

9 (1) DEPARTMENT OF STATE.—

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

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

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

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

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

7 (b) LIMITATION ON TRANSFERS OF FUNDS BE-
8 TWEEN AGENCIES.—

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

16 (2) ALLOCATION AND TRANSFERS.—Notwith-
17 standing paragraph (1), in addition to transfers
18 made by, or authorized elsewhere in, this Act, funds
19 appropriated by this Act to carry out the purposes
20 of the Foreign Assistance Act of 1961 may be allo-
21 cated or transferred to agencies of the United States
22 Government pursuant to the provisions of sections
23 109, 610, and 632 of the Foreign Assistance Act of
24 1961, and section 1434(j) of the BUILD Act of
25 2018 (division F of Public Law 115–254).

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

20 (c) LIMITATION ON UNITED STATES INTERNATIONAL
21 DEVELOPMENT FINANCE CORPORATION.—Amounts
22 transferred pursuant to section 1434(j) of the BUILD Act
23 of 2018 (division F of Public Law 115–254) may only be
24 transferred from funds made available under title III of
25 this Act, and such amounts shall not exceed \$50,000,000:

1 *Provided*, That any such transfers shall be subject to prior
2 consultation with, and the regular notification procedures
3 of, the Committees on Appropriations: *Provided further*,
4 That the Secretary of State, the Administrator of the
5 United States Agency for International Development, and
6 the Chief Executive Officer of the United States Inter-
7 national Development Finance Corporation (the Corpora-
8 tion), as appropriate, shall ensure that the programs fund-
9 ed by such transfers are coordinated with, and com-
10 plement, foreign assistance programs implemented by the
11 Department of State and USAID: *Provided further*, That
12 no funds transferred pursuant to such authority or trans-
13 ferred pursuant to the authority of subsection (a) or (b)
14 of section 632 of the Foreign Assistance Act of 1961 may
15 be used by the Corporation to post personnel abroad or
16 for activities described in section 1421(c) of the BUILD
17 Act of 2018.

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

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

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

23 (f) TRANSFER OF OVERSEAS CONTINGENCY OPER-
24 ATIONS/GLOBAL WAR ON TERRORISM FUNDS.—Funds
25 appropriated by this Act under the headings “Peace-

1 keeping Operations” and “Foreign Military Financing
2 Program” that are designated by the Congress for Over-
3 seas Contingency Operations/Global War on Terrorism
4 pursuant to section 251(b)(2)(A)(ii) of the Balanced
5 Budget and Emergency Deficit Control Act of 1985 may
6 be transferred to, and merged with, such funds appro-
7 priated under such headings: *Provided*, That such transfer
8 authority may only be exercised to address contingencies:
9 *Provided further*, That such transfer authority is in addi-
10 tion to any transfer authority otherwise available under
11 any other provision of law, including section 610 of the
12 Foreign Assistance Act of 1961: *Provided further*, That
13 such transfer authority shall be subject to prior consulta-
14 tion with, and the regular notification procedures of, the
15 Committees on Appropriations.

16 PROHIBITION AND LIMITATION ON CERTAIN EXPENSES

17 SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the
18 funds made available by this Act may be used for first-
19 class travel by employees of United States Government de-
20 partments and agencies funded by this Act in contraven-
21 tion of section 301–10.122 through 301–10.124 of title
22 41, Code of Federal Regulations.

23 (b) COMPUTER NETWORKS.—None of the funds
24 made available by this Act for the operating expenses of
25 any United States Government department or agency may

1 be used to establish or maintain a computer network for
2 use by such department or agency unless such network
3 has filters designed to block access to sexually explicit
4 websites: *Provided*, That nothing in this subsection shall
5 limit the use of funds necessary for any Federal, State,
6 tribal, or local law enforcement agency, or any other entity
7 carrying out the following activities: criminal investiga-
8 tions, prosecutions, and adjudications; administrative dis-
9 cipline; and the monitoring of such websites undertaken
10 as part of official business.

11 (c) PROHIBITION ON PROMOTION OF TOBACCO.—
12 None of the funds made available by this Act shall be
13 available to promote the sale or export of tobacco or to-
14 bacco products, or to seek the reduction or removal by any
15 foreign country of restrictions on the marketing of tobacco
16 or tobacco products, except for restrictions which are not
17 applied equally to all tobacco or tobacco products of the
18 same type.

19 (d) EMAIL SERVERS OUTSIDE THE .GOV DOMAIN.—
20 None of the funds appropriated by this Act under the
21 headings “Diplomatic Programs” and “Capital Invest-
22 ment Fund” in title I, and “Operating Expenses” and
23 “Capital Investment Fund” in title II that are made avail-
24 able to the Department of State and the United States
25 Agency for International Development may be made avail-

1 able to support the use or establishment of email accounts
2 or email servers created outside the .gov domain or not
3 fitted for automated records management as part of a
4 Federal government records management program in con-
5 travention of the Presidential and Federal Records Act
6 Amendments of 2014 (Public Law 113–187).

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

15 (1) are primarily for fostering relations outside
16 of the Executive Branch;

17 (2) are principally for meals and events of a
18 protocol nature;

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

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

22 (f) LIMITATIONS ON ENTERTAINMENT EXPENSES.—
23 None of the funds appropriated or otherwise made avail-
24 able by this Act under the headings “International Mili-
25 tary Education and Training” or “Foreign Military Fi-

1 nancing Program” for Informational Program activities or
 2 under the headings “Global Health Programs”, “Develop-
 3 ment Assistance”, “Economic Support Fund”, and “As-
 4 sistance for Europe, Eurasia and Central Asia” may be
 5 obligated or expended to pay for—

6 (1) alcoholic beverages; or

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

11 AVAILABILITY OF FUNDS

12 SEC. 7011. (a) No part of any appropriation con-
 13 tained in this Act shall remain available for obligation
 14 after the expiration of the current fiscal year unless ex-
 15 pressly so provided by this Act: *Provided*, That funds ap-
 16 propriated for the purposes of chapters 1 and 8 of part
 17 I, section 661, chapters 4, 5, 6, 8, and 9 of part II of
 18 the Foreign Assistance Act of 1961, section 23 of the
 19 Arms Export Control Act (22 U.S.C. 2763), and funds
 20 made available for “United States International Develop-
 21 ment Finance Corporation” and under the heading “As-
 22 sistance for Europe, Eurasia and Central Asia” shall re-
 23 main available for an additional 2 years from the date on
 24 which the availability of such funds would otherwise have
 25 expired, if such funds are initially obligated before the ex-

1 piration of their respective periods of availability contained
2 in this Act: *Provided further*, That notwithstanding any
3 other provision of this Act, any funds made available for
4 the purposes of chapter 1 of part I and chapter 4 of part
5 II of the Foreign Assistance Act of 1961 which are allo-
6 cated or obligated for cash disbursements in order to ad-
7 dress balance of payments or economic policy reform ob-
8 jectives, shall remain available for an additional 2 years
9 from the date on which the availability of such funds
10 would otherwise have expired, if such funds are initially
11 allocated or obligated before the expiration of their respec-
12 tive periods of availability contained in this Act: *Provided*
13 *further*, That the Secretary of State and the Administrator
14 of the United States Agency for International Develop-
15 ment shall provide a report to the Committees on Appro-
16 priations not later than October 31, 2021, detailing by ac-
17 count and source year, the use of the authority provided
18 pursuant to this subsection during the previous fiscal year.

19 (b) Notwithstanding any other provision of this Act,
20 with respect to any budget authority provided by this Act
21 that is proposed to be rescinded or that is set to be re-
22 served or proposed to be deferred in a special message
23 transmitted under section 1012 or 1013 of the Congres-
24 sional Budget and Impoundment Control Act of 1974 (2
25 U.S.C. 681 et seq.) within 90 days of the expiration of

1 the period of availability of such funds, including, if appli-
2 cable, the 90-day period before the initial period of avail-
3 ability for which such budget authority was provided, such
4 budget authority—

5 (1) shall be made available for obligation in suf-
6 ficient time to be prudently obligated as required
7 under section 1012(b) or 1013 of the Congressional
8 Budget and Impoundment Control Act of 1974; and

9 (2) shall remain available for an additional 90
10 days from the date on which the availability of such
11 funds would otherwise have expired, including, if ap-
12 plicable, an additional 90 days after date on which
13 such budget authority would have initially expired.

14 (c) Funds in this Act that are required to be appor-
15 tioned within a specific time period shall be apportioned
16 within such time period, without prior conditions or limita-
17 tions, including footnotes, that are not included in this or
18 any other Act.

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

1 the United States pursuant to a program for which funds
2 are appropriated under this Act unless the President de-
3 termines, following consultation with the Committees on
4 Appropriations, that assistance for such country is in the
5 national interest of the United States.

6 PROHIBITION ON TAXATION OF UNITED STATES

7 ASSISTANCE

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

21 (b) NOTIFICATION AND REIMBURSEMENT OF FOR-
22 EIGN TAXES.—(1) An amount equivalent to 200 percent
23 of the total taxes assessed during fiscal year 2021 on
24 funds appropriated by this Act and prior Acts making ap-
25 propriations for the Department of State, foreign oper-

1 ations, and related programs by a foreign government or
2 entity against United States assistance programs, either
3 directly or through grantees, contractors, and subcontractors,
4 shall be withheld from obligation from funds appropriated for assistance
5 for fiscal year 2022 and for prior fiscal years and allocated for the
6 central government of such country or for the West Bank and Gaza program,
7 as applicable, if, not later than September 30, 2022, such
8 taxes have not been reimbursed.

10 (2) The Secretary of State shall report to the Committees on Appropriations
11 not later than 30 days after enactment of this Act and then quarterly thereafter
12 until September 30, 2021, on the foreign governments and entities that have
13 not reimbursed such taxes, including any amount of funds withheld pursuant
14 to this subsection.

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

19 (d) REPROGRAMMING OF FUNDS.—Funds withheld from obligation for each foreign
20 government or entity pursuant to subsection (b) shall be reprogrammed for
21 assistance for countries which do not assess taxes on United States
22 assistance or which have an effective arrangement that is providing
23 substantial reimbursement of such taxes,

1 and that can reasonably accommodate such assistance in
2 a programmatically responsible manner.

3 (e) DETERMINATIONS.—

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

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

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

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

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

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

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

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

17 RESERVATIONS OF FUNDS

18 SEC. 7014. (a) REPROGRAMMING.—Funds appro-
19 priated under titles III through VI of this Act which are
20 specifically designated may be reprogrammed for other
21 programs within the same account notwithstanding the
22 designation if compliance with the designation is made im-
23 possible by operation of any provision of this or any other
24 Act: *Provided*, That any such reprogramming shall be sub-
25 ject to the regular notification procedures of the Commit-

tees on Appropriations: *Provided further*, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) EXTENSION OF AVAILABILITY.—In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the Department of State or the United States Agency for International Development that are specifically designated for particular programs or activities by this or any other Act may be extended for an additional fiscal year if the Secretary of State or the USAID Administrator, as appropriate, determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such designated funds can be obligated during the original period of availability: *Provided*, That such designated funds that continue to be available for an additional fiscal year shall be obligated only for the purpose of such designation.

(c) OTHER ACTS.—Ceilings and specifically designated funding levels contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs: *Provided*, That specifically des-

1 ignated funding levels or minimum funding requirements
2 contained in any other Act shall not be applicable to funds
3 appropriated by this Act.

4 NOTIFICATION REQUIREMENTS

5 SEC. 7015. (a) NOTIFICATION OF CHANGES IN PRO-
6 GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds
7 made available in titles I and II of this Act or prior Acts
8 making appropriations for the Department of State, for-
9 eign operations, and related programs to the departments
10 and agencies funded by this Act that remain available for
11 obligation in fiscal year 2021, or provided from any ac-
12 counts in the Treasury of the United States derived by
13 the collection of fees or of currency reflows or other offset-
14 ting collections, or made available by transfer, to the de-
15 partments and agencies funded by this Act, shall be avail-
16 able for obligation to—

- 17 (1) create new programs;
- 18 (2) suspend or eliminate a program, project, or
19 activity;
- 20 (3) close, suspend, open, or reopen a mission or
21 post;
- 22 (4) create, close, reorganize, downsize, or re-
23 name bureaus, centers, or offices; or
- 24 (5) contract out or privatize any functions or
25 activities presently performed by Federal employees;

1 unless previously justified to the Committees on Appro-
2 priations or such Committees are notified 15 days in ad-
3 vance of such obligation.

4 (b) NOTIFICATION OF REPROGRAMMING OF
5 FUNDS.—None of the funds provided under titles I and
6 II of this Act or prior Acts making appropriations for the
7 Department of State, foreign operations, and related pro-
8 grams, to the departments and agencies funded under ti-
9 tles I and II of this Act that remain available for obliga-
10 tion in fiscal year 2021, or provided from any accounts
11 in the Treasury of the United States derived by the collec-
12 tion of fees available to the department and agency funded
13 under title I of this Act, shall be available for obligation
14 or expenditure for programs, projects, or activities
15 through a reprogramming of funds in excess of
16 \$1,000,000 or 10 percent, whichever is less, that—

17 (1) augments or changes existing programs,
18 projects, or activities;

19 (2) relocates an existing office or employees;

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

23 (4) results from any general savings, including
24 savings from a reduction in personnel, which would

1 result in a change in existing programs, projects, or
2 activities as approved by Congress;
3 unless the Committees on Appropriations are notified 15
4 days in advance of such reprogramming of funds.

5 (c) NOTIFICATION REQUIREMENT.—None of the
6 funds made available by this Act under the headings
7 “Global Health Programs”, “Development Assistance”,
8 “International Organizations and Programs”, “Trade and
9 Development Agency”, “International Narcotics Control
10 and Law Enforcement”, “Economic Support Fund”, “De-
11 mocracy Fund”, “Assistance for Europe, Eurasia and
12 Central Asia”, “Peacekeeping Operations”, “Non-
13 proliferation, Anti-terrorism, Demining and Related Pro-
14 grams”, “Millennium Challenge Corporation”, “Foreign
15 Military Financing Program”, “International Military
16 Education and Training”, “United States International
17 Development Finance Corporation”, and “Peace Corps”,
18 shall be available for obligation for programs, projects, ac-
19 tivities, type of materiel assistance, countries, or other op-
20 erations not justified or in excess of the amount justified
21 to the Committees on Appropriations for obligation under
22 any of these specific headings unless the Committees on
23 Appropriations are notified 15 days in advance of such
24 obligation: *Provided*, That the President shall not enter
25 into any commitment of funds appropriated for the pur-

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

20 (d) DEPARTMENT OF DEFENSE PROGRAMS AND
21 FUNDING NOTIFICATIONS.—

22 (1) PROGRAMS.—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 may be made available

1 to support or continue any program initially funded
2 under any authority of title 10, United States Code,
3 or any Act making or authorizing appropriations for
4 the Department of Defense, unless the Secretary of
5 State, in consultation with the Secretary of Defense
6 and in accordance with the regular notification pro-
7 cedures of the Committees on Appropriations, sub-
8 mits a justification to such Committees that includes
9 a description of, and the estimated costs associated
10 with, the support or continuation of such program.

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

19 (3) NOTIFICATION ON EXCESS DEFENSE ARTI-
20 CLES.—Prior to providing excess Department of De-
21 fense articles in accordance with section 516(a) of
22 the Foreign Assistance Act of 1961, the Department
23 of Defense shall notify the Committees on Appro-
24 priations to the same extent and under the same
25 conditions as other committees pursuant to sub-

1 section (f) of that section: *Provided*, That before
2 issuing a letter of offer to sell excess defense articles
3 under the Arms Export Control Act, the Department
4 of Defense shall notify the Committees on Appro-
5 priations in accordance with the regular notification
6 procedures of such Committees if such defense arti-
7 cles are significant military equipment (as defined in
8 section 47(9) of the Arms Export Control Act) or
9 are valued (in terms of original acquisition cost) at
10 \$7,000,000 or more, or if notification is required
11 elsewhere in this Act for the use of appropriated
12 funds for specific countries that would receive such
13 excess defense articles: *Provided further*, That such
14 Committees shall also be informed of the original ac-
15 quisition cost of such defense articles.

16 (e) WAIVER.—The requirements of this section or
17 any similar provision of this Act or any other Act, includ-
18 ing any prior Act requiring notification in accordance with
19 the regular notification procedures of the Committees on
20 Appropriations, may be waived for demining activities and
21 funds made available under the headings “Administration
22 of Foreign Affairs”, “Global Health Programs”, and
23 “Peace Corps” if failure to do so would pose a substantial
24 risk to human health or welfare: *Provided*, That in case
25 of any such waiver, notification to the Committees on Ap-

1 appropriations shall be provided as early as practicable, but
2 in no event later than 3 days after taking the action to
3 which such notification requirement was applicable, in the
4 context of the circumstances necessitating such waiver:
5 *Provided further*, That any notification provided pursuant
6 to such a waiver shall contain an explanation of the emer-
7 gency circumstances.

8 (f) COUNTRY NOTIFICATION REQUIREMENTS.—None
9 of the funds appropriated under titles III through VI of
10 this Act may be obligated or expended for assistance for
11 Afghanistan, Bahrain, Burma, Cambodia, Colombia,
12 Cuba, Egypt, El Salvador, Ethiopia, Greenland, Guate-
13 mala, Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mex-
14 ico, Nicaragua, Pakistan, Philippines, the Russian Fed-
15 eration, Somalia, South Sudan, Sri Lanka, Sudan, Syria,
16 Uzbekistan, Venezuela, Yemen, and Zimbabwe except as
17 provided through the regular notification procedures of the
18 Committees on Appropriations.

19 (g) TRUST FUNDS.—Funds appropriated or other-
20 wise made available in title III of this Act and prior Acts
21 making funds available for the Department of State, for-
22 eign operations, and related programs that are made avail-
23 able for a trust fund held by an international financial
24 institution shall be subject to the regular notification pro-
25 cedures of the Committees on Appropriations and such no-

1 tification shall include the information specified under this
2 section in the report accompanying this Act.

3 (h) OTHER PROGRAM NOTIFICATION REQUIRE-
4 MENT.—

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

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

17 (A) the Global Engagement Center, except
18 that the Secretary of State shall consult with
19 the Committees on Appropriations prior to sub-
20 mitting such notification;

21 (B) the Power Africa and Prosper Africa
22 initiatives, or any successor programs;

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

1 (D) the Prevention and Stabilization Fund;

2 (E) the Indo-Pacific Strategy and the

3 Countering Chinese Influence Fund;

4 (F) the Global Security Contingency Fund;

5 (G) the Countering Russian Influence

6 Fund;

7 (H) programs to end modern slavery; and

8 (I) the Women's Global Development and

9 Prosperity Fund.

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

16 (j) FOREIGN ASSISTANCE REVIEW OR REALIGN-
17 MENT.—Programmatic, funding, and organizational
18 changes resulting from implementation of any foreign as-
19 sistance review or realignment shall be subject to prior
20 consultation with, and the regular notification procedures
21 of, the Committees on Appropriations: *Provided*, That
22 such notifications may be submitted in classified form, if
23 necessary.

1 DOCUMENT REQUESTS, RECORDS MANAGEMENT, AND
2 RELATED CYBERSECURITY PROTECTIONS

3 SEC. 7016. (a) DOCUMENT REQUESTS.—None of the
4 funds appropriated or made available pursuant to titles
5 III through VI of this Act shall be available to a non-
6 governmental organization, including any contractor,
7 which fails to provide upon timely request any document,
8 file, or record necessary to the auditing requirements of
9 the Department of State and the United States Agency
10 for International Development.

11 (b) RECORDS MANAGEMENT AND RELATED CYBER-
12 SECURITY PROTECTIONS.—The Secretary of State and
13 USAID Administrator shall—

14 (1) regularly review and update the policies, di-
15 rectives, and oversight necessary to comply with
16 Federal statutes, regulations, and presidential execu-
17 tive orders and memoranda concerning the preserva-
18 tion of all records made or received in the conduct
19 of official business, including record emails, instant
20 messaging, and other online tools;

21 (2) use funds appropriated by this Act under
22 the headings “Diplomatic Programs” and “Capital
23 Investment Fund” in title I, and “Operating Ex-
24 penses” and “Capital Investment Fund” in title II,
25 as appropriate, to improve Federal records manage-

1 ment pursuant to the Federal Records Act (44
2 U.S.C. Chapters 21, 29, 31, and 33) and other ap-
3 plicable Federal records management statutes, regu-
4 lations, or policies for the Department of State and
5 USAID;

6 (3) direct departing employees, including senior
7 officials, that all Federal records generated by such
8 employees belong to the Federal Government;

9 (4) improve the response time for identifying
10 and retrieving Federal records, including requests
11 made pursuant to section 552 of title 5, United
12 States Code (commonly known as the “Freedom of
13 Information Act”); and

14 (5) strengthen cybersecurity measures to miti-
15 gate vulnerabilities, including those resulting from
16 the use of personal email accounts or servers outside
17 the .gov domain, improve the process to identify and
18 remove inactive user accounts, update and enforce
19 guidance related to the control of national security
20 information, and implement the recommendations of
21 the applicable reports of the cognizant Office of In-
22 specter General.

23 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

24 SEC. 7017. If the President makes a determination
25 not to comply with any provision of this Act on constitu-

1 tional grounds, the head of the relevant Federal agency
2 shall notify the Committees on Appropriations in writing
3 within 5 days of such determination, the basis for such
4 determination and any resulting changes to program or
5 policy.

6 DEBT-FOR-DEVELOPMENT

7 SEC. 7018. In order to enhance the continued partici-
8 pation of nongovernmental organizations in debt-for-devel-
9 opment and debt-for-nature exchanges, a nongovern-
10 mental organization which is a grantee or contractor of
11 the United States Agency for International Development
12 may place in interest bearing accounts local currencies
13 which accrue to that organization as a result of economic
14 assistance provided under title III of this Act and, subject
15 to the regular notification procedures of the Committees
16 on Appropriations, any interest earned on such investment
17 shall be used for the purpose for which the assistance was
18 provided to that organization.

19 ALLOCATIONS AND REPORTS

20 SEC. 7019. (a) ALLOCATION TABLES.—Subject to
21 subsection (b), funds appropriated by this Act under titles
22 III through V shall be made available at not less than the
23 amounts specifically designated in the respective tables in-
24 cluded in the report accompanying this Act: *Provided*,
25 That such designated amounts for foreign countries and

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

8 (b) AUTHORIZED DEVIATIONS BELOW MINIMUM
9 LEVELS.—Unless otherwise provided for by this Act, the
10 Secretary of State and the Administrator of the United
11 States Agency for International Development, as applica-
12 ble, may deviate by not more than 5 percent below the
13 minimum amounts specifically designated in the respective
14 tables in the report accompanying this Act: *Provided*, That
15 deviations pursuant to this subsection shall be subject to
16 prior consultation with the Committees on Appropriations.

17 (c) LIMITATION.—Deviations authorized by sub-
18 section (b) may only take place after submission of the
19 report required by section 653(a) of the Foreign Assist-
20 ance Act of 1961.

21 (d) EXCEPTIONS.—

22 (1) Subsections (a) and (b) shall not apply to—
23 (A) funds for which the initial period of
24 availability has expired; and

1 (B) amounts designated by this Act as
2 minimum funding requirements.

3 (2) The authority in subsection (b) to deviate
4 below amounts designated in the respective tables in-
5 cluded in the report accompanying this Act shall not
6 apply to the table included under the heading “Glob-
7 al Health Programs” and to the amounts designated
8 for Global Programs in the table under the heading
9 “Economic Support Fund” in such report.

10 (e) REPORTS.—The Secretary of State, USAID Ad-
11 ministrator, and other designated officials, as appropriate,
12 shall submit the reports required, in the manner described,
13 in the report accompanying this Act.

14 (f) CLARIFICATION.—Funds appropriated by this Act
15 under the headings “International Disaster Assistance”
16 and “Migration and Refugee Assistance” shall not be in-
17 cluded for purposes of meeting amounts designated for
18 countries in this Act or the report accompanying this Act,
19 unless such headings are specifically designated as the
20 source of funds.

21 MULTI-YEAR PLEDGES

22 SEC. 7020. None of the funds appropriated by this
23 Act may be used to make any pledge for future year fund-
24 ing for any multilateral or bilateral program funded in ti-
25 tles III through VI of this Act unless such pledge meets

1 one or more of the requirements enumerated under section
2 7066 of the Department of State, Foreign Operations, and
3 Related Programs Appropriations Act, 2019 (division F
4 of Public Law 116-6).

5 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

6 SUPPORTING INTERNATIONAL TERRORISM

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

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

24 (2) DETERMINATION.—Assistance restricted by
25 paragraph (1) or any other similar provision of law,

1 may be furnished if the President determines that to
2 do so is important to the national interest of the
3 United States.

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

13 (b) BILATERAL ASSISTANCE.—

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

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

24 (B) otherwise supports international ter-
25 rorism; or

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

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

16 AUTHORIZATION REQUIREMENTS

17 SEC. 7022. Funds appropriated by this Act, except
18 funds appropriated under the heading “Trade and Devel-
19 opment Agency”, may be obligated and expended notwith-
20 standing section 10 of Public Law 91–672 (22 U.S.C.
21 2412), section 15 of the State Department Basic Authori-
22 ties Act of 1956 (22 U.S.C. 2680), section 313 of the For-
23 eign Relations Authorization Act, Fiscal Years 1994 and
24 1995 (22 U.S.C. 6212), and section 504(a)(1) of the Na-
25 tional Security Act of 1947 (50 U.S.C. 3094(a)(1)).

1 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

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

17 (1) justified to Congress; or

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

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

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

16 COMMERCE, TRADE AND SURPLUS COMMODITIES

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

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

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

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

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

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

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

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

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

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

1 (c) INTERNATIONAL FINANCIAL INSTITUTIONS.—

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

11 SEPARATE ACCOUNTS

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

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

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

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

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

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

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

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

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

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

22 (ii) debt and deficit financing; or

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

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

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

18 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

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

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

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

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

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

SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERN-

(b) PUBLIC LAW 480.—During fiscal year 2021, re-

tions contained in this or any other Act with respect

ssistance for a country shall not be construed to re-

t assistance under the Food for Peace Act (Public

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

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

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

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

17 LOCAL COMPETITION

18 SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO
 19 COMPETITION FOR LOCAL ENTITIES.—Funds appro-
 20 priated by this Act that are made available to the United
 21 States Agency for International Development may only be
 22 made available for limited competitions through local enti-
 23 ties if—

24 (1) prior to the determination to limit competi-
 25 tion to local entities, USAID has—

1 (A) assessed the level of local capacity to
2 effectively implement, manage, and account for
3 programs included in such competition; and

4 (B) documented the written results of the
5 assessment and decisions made; and

6 (2) prior to making an award after limiting
7 competition to local entities—

8 (A) each successful local entity has been
9 determined to be responsible in accordance with
10 USAID guidelines; and

11 (B) effective monitoring and evaluation
12 systems are in place to ensure that award fund-
13 ing is used for its intended purposes; and

14 (3) no level of acceptable fraud is assumed.

15 (b) EXTENSION OF PROCUREMENT AUTHORITY.—

16 Section 7077 of the Department of State, Foreign Oper-
17 ations, and Related Programs Appropriations Act, 2012
18 (division I of Public Law 112–74) shall continue in effect
19 during fiscal year 2021.

20 INTERNATIONAL FINANCIAL INSTITUTIONS

21 SEC. 7029. (a) EVALUATIONS.—The Secretary of the
22 Treasury shall instruct the United States executive direc-
23 tor of each international financial institution to use the
24 voice of the United States to encourage such institution
25 to adopt and implement a publicly available policy, includ-

1 ing the strategic use of peer reviews and external experts,
2 to conduct independent, in-depth evaluations of the effec-
3 tiveness of at least 25 percent of all loans, grants, pro-
4 grams, and significant analytical non-lending activities in
5 advancing the institution's goals of reducing poverty and
6 promoting equitable economic growth, consistent with rel-
7 evant safeguards, to ensure that decisions to support such
8 loans, grants, programs, and activities are based on accu-
9 rate data and objective analysis.

10 (b) SAFEGUARDS.—

11 (1) STANDARD.—The Secretary of the Treasury
12 shall instruct the United States Executive Director
13 of the International Bank for Reconstruction and
14 Development and the International Development As-
15 sociation to use the voice and vote of the United
16 States to oppose any loan, grant, policy, or strategy
17 if such institution has adopted and is implementing
18 any social or environmental safeguard relevant to
19 such loan, grant, policy, or strategy that provides
20 less protection than World Bank safeguards in effect
21 on September 30, 2015.

22 (2) ACCOUNTABILITY, STANDARDS, AND BEST
23 PRACTICES.—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 loans or
2 other financing for projects unless such projects—

3 (A) provide for accountability and trans-
4 parency, including the collection, verification,
5 and publication of beneficial ownership informa-
6 tion related to extractive industries and on-site
7 monitoring during the life of the project;

8 (B) will be developed and carried out in ac-
9 cordance with best practices regarding environ-
10 mental conservation, cultural protection, and
11 empowerment of local populations, including
12 free, prior and informed consent of affected in-
13 digenous communities;

14 (C) do not provide incentives for, or facili-
15 tate, forced displacement or the violation of
16 human rights; and

17 (D) do not partner with or otherwise in-
18 volve enterprises owned or controlled by the
19 armed forces.

20 (c) COMPENSATION.—None of the funds appro-
21 priated under title V of this Act may be made as payment
22 to any international financial institution while the United
23 States executive director to such institution is com-
24 pensated by the institution at a rate which, together with
25 whatever compensation such executive director receives

1 from the United States, is in excess of the rate provided
2 for an individual occupying a position at level IV of the
3 Executive Schedule under section 5315 of title 5, United
4 States Code, or while any alternate United States execu-
5 tive director to such institution is compensated by the in-
6 stitution at a rate in excess of the rate provided for an
7 individual occupying a position at level V of the Executive
8 Schedule under section 5316 of title 5, United States
9 Code.

10 (d) HUMAN RIGHTS.—The Secretary of the Treasury
11 shall instruct the United States executive director of each
12 international financial institution to use the voice and vote
13 of the United States to promote human rights due dili-
14 gence and risk management, as appropriate, in connection
15 with any loan, grant, policy, or strategy of such institution
16 in accordance with the requirements specified under this
17 subsection in the report accompanying this Act: *Provided*,
18 That prior to voting on any such loan, grant, policy, or
19 strategy the executive director shall consult with the As-
20 sistant Secretary for Democracy, Human Rights, and
21 Labor, Department of State, if the executive director has
22 reason to believe that such loan, grant, policy, or strategy
23 could result in forced displacement or other violation of
24 human rights.

1 (e) FRAUD AND CORRUPTION.—The Secretary of the
2 Treasury shall instruct the United States executive direc-
3 tor of each international financial institution to use the
4 voice of the United States to include in loan, grant, and
5 other financing agreements improvements in borrowing
6 countries' financial management and judicial capacity to
7 investigate, prosecute, and punish fraud and corruption.

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

18 (g) WHISTLEBLOWER PROTECTIONS.—The Secretary
19 of the Treasury shall instruct the United States executive
20 director of each international financial institution to use
21 the voice of the United States to encourage each such in-
22 stitution to effectively implement and enforce policies and
23 procedures which meet or exceed best practices in the
24 United States for the protection of whistleblowers from

1 retaliation, including the policies and procedures detailed
2 under this section in the report accompanying this Act.

3 RESCISSIONS

4 (INCLUDING RESCISSION OF FUNDS)

5 SEC. 7030. (a) Of the unobligated balances available
6 under the heading “Economic Support Fund”, from prior
7 Acts making appropriations for the Department of State,
8 foreign operations, and related programs, \$45,000,000 are
9 rescinded.

10 (b) Of the unobligated balances available under the
11 heading “International Narcotics Control and Law En-
12 forcement”, from prior Acts making appropriations for the
13 Department of State, foreign operations, and related pro-
14 grams, \$30,000,000 are rescinded.

15 (c) For the purposes of this section, no amounts may
16 be rescinded from amounts that were designated by Con-
17 gress as an emergency requirement or for Overseas Con-
18 tingency Operations/Global War on Terrorism pursuant to
19 a concurrent resolution on the budget or the Balanced
20 Budget and Emergency Deficit Control Act of 1985.

21 FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

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

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

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

6 (2) CONSULTATION AND NOTIFICATION.—In
7 addition to the requirements in paragraph (1), funds
8 may only be made available for direct government-
9 to-government assistance subject to prior consulta-
10 tion with, and the regular notification procedures of,
11 the Committees on Appropriations: *Provided*, That
12 the requirements of this paragraph shall only apply
13 to direct government-to-government assistance in ex-
14 cess of \$10,000,000 and all funds available for cash
15 transfer, budget support, and cash payments to indi-
16 viduals.

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

1 United States to continue such assistance, including
2 a justification, or that such misuse has been appro-
3 priately addressed.

4 (4) SUBMISSION OF INFORMATION.—The Sec-
5 retary of State shall submit to the Committees on
6 Appropriations, concurrent with the fiscal year 2022
7 congressional budget justification materials, amounts
8 planned for assistance described in paragraph (1) by
9 country, proposed funding amount, source of funds,
10 and type of assistance.

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

16 (b) NATIONAL BUDGET AND CONTRACT TRANS-
17 PARENCY.—

18 (1) MINIMUM REQUIREMENTS OF FISCAL
19 TRANSPARENCY.—The Secretary of State shall con-
20 tinue to update and strengthen the “minimum re-
21 quirements of fiscal transparency” for each govern-
22 ment receiving assistance appropriated by this Act,
23 as identified in the report required by section
24 7031(b) of the Department of State, Foreign Oper-

1 ations, and Related Programs Appropriations Act,
2 2014 (division K of Public Law 113–76).

3 (2) DETERMINATION AND REPORT.—For each
4 government identified pursuant to paragraph (1),
5 the Secretary of State, not later than 180 days after
6 enactment of this Act, shall make or update any de-
7 termination of “significant progress” or “no signifi-
8 cant progress” in meeting the minimum require-
9 ments of fiscal transparency, and make such deter-
10 minations publicly available in an annual “Fiscal
11 Transparency Report” to be posted on the Depart-
12 ment of State website: *Provided*, That such report
13 shall include the elements included in the report ac-
14 companying this Act.

15 (3) ASSISTANCE.—Not less than \$5,000,000 of
16 the funds appropriated by this Act under the head-
17 ing “Economic Support Fund” shall be made avail-
18 able for programs and activities to assist govern-
19 ments identified pursuant to paragraph (1) to im-
20 prove budget transparency and to support civil soci-
21 ety organizations in such countries that promote
22 budget transparency.

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

24 (1) INELIGIBILITY.—

1 (A) Officials of foreign governments and
2 their immediate family members about whom
3 the Secretary of State has credible information
4 have been involved, directly or indirectly, in sig-
5 nificant corruption, including corruption related
6 to the extraction of natural resources, or a
7 gross violation of human rights shall be ineli-
8 gible for entry into the United States.

9 (B) The Secretary shall also publicly or
10 privately designate or identify the officials of
11 foreign governments and their immediate family
12 members about whom the Secretary has such
13 credible information without regard to whether
14 the individual has applied for a visa.

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

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

7 (4) REPORT.—Not later than 30 days after en-
8 actment of this Act, and every 90 days thereafter
9 until September 30, 2021, the Secretary of State
10 shall submit a report, including a classified annex if
11 necessary, to the appropriate congressional commit-
12 tees and the Committees on the Judiciary describing
13 the information related to corruption or violation of
14 human rights concerning each of the individuals
15 found ineligible in the previous 12 months pursuant
16 to paragraph (1)(A) as well as the individuals who
17 the Secretary designated or identified pursuant to
18 paragraph (1)(B), or who would be ineligible but for
19 the application of paragraph (2), a list of any waiv-
20 ers provided under paragraph (3), and the justifica-
21 tion for each waiver.

22 (5) CLARIFICATION.—For purposes of para-
23 graphs (1), (4), and (5), the records of the Depart-
24 ment of State and of diplomatic and consular offices
25 of the United States pertaining to the issuance or

1 refusal of visas or permits to enter the United
2 States shall not be considered confidential.

3 (d) EXTRACTION OF NATURAL RESOURCES.—

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

18 (2) PUBLIC DISCLOSURE AND INDEPENDENT
19 AUDITS.—(A) The Secretary of the Treasury shall
20 instruct the executive director of each international
21 financial institution that it is the policy of the
22 United States to use the voice and vote of the
23 United States to oppose any assistance by such in-
24 stitutions (including any loan, credit, grant, or guar-
25 antee) to any country for the extraction and export

1 of a natural resource if the government of such
2 country has in place laws, regulations, or procedures
3 to prevent or limit the public disclosure of company
4 payments as required by United States law, and un-
5 less such government has adopted laws, regulations,
6 or procedures in the sector in which assistance is
7 being considered to meet the standards included
8 under this section in the report accompanying this
9 Act.

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

14 (e) FOREIGN ASSISTANCE WEBSITE.—Funds appro-
15 priated by this Act under titles I and II, and funds made
16 available for any independent agency in title III, as appro-
17 priate, shall be made available to support the provision
18 of additional information on United States Government
19 foreign assistance on the Department of State foreign as-
20 sistance website: *Provided*, That all Federal agencies fund-
21 ed under this Act shall provide such information on for-
22 eign assistance, upon request and in a timely manner, to
23 the Department of State.

DEMOCRACY PROGRAMS

SEC. 7032. (a) FUNDING.—Of the funds appropriated by this Act under the headings “Development Assistance”, “Economic Support Fund”, “Democracy Fund”, “Assistance for Europe, Eurasia and Central Asia”, and “International Narcotics Control and Law Enforcement”, not less than \$2,400,500,000 shall be made available for democracy programs.

(b) AUTHORITIES.—

(1) AVAILABILITY.—Funds made available by this Act for democracy programs pursuant to subsection (a) and under the heading “National Endowment for Democracy” may be made available notwithstanding any other provision of law, and with regard to the National Endowment for Democracy (NED), any regulation.

(2) BENEFICIARIES.—Funds made available by this Act for the NED are made available pursuant to the authority of the National Endowment for Democracy Act (title V of Public Law 98–164), including all decisions regarding the selection of beneficiaries.

(c) DEFINITION OF DEMOCRACY PROGRAMS.—For purposes of funds appropriated by this Act, the term “democracy programs” means programs that support good

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

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

14 (e) RESTRICTION ON PRIOR APPROVAL.—With re-
15 spect to the provision of assistance for democracy pro-
16 grams in this Act, the organizations implementing such
17 assistance, the specific nature of that assistance, and the
18 participants in such programs shall not be subject to the
19 prior approval by the government of any foreign country.

20 (f) CONTINUATION OF CURRENT PRACTICES.—
21 USAID shall continue to implement civil society and polit-
22 ical competition and consensus building programs abroad
23 with funds appropriated by this Act in a manner that rec-
24 ognizes the unique benefits of grants and cooperative
25 agreements in implementing such programs.

1 (g) INFORMING THE NATIONAL ENDOWMENT FOR
2 DEMOCRACY.—The Assistant Secretary for Democracy,
3 Human Rights, and Labor, Department of State, and the
4 Assistant Administrator for Democracy, Conflict, and Hu-
5 manitarian Assistance, USAID, shall regularly inform the
6 NED of democracy programs that are planned and sup-
7 ported by funds made available by this Act and prior Acts
8 making appropriations for the Department of State, for-
9 eign operations, and related programs.

10 (h) PROTECTION OF CIVIL SOCIETY ACTIVISTS AND
11 JOURNALISTS.—Of the funds appropriated by this Act
12 under the heading “Democracy Fund”, not less than
13 \$20,000,000 shall be made available to support and pro-
14 tect civil society activists and journalists who have been
15 threatened, harassed, or attacked, including journalists af-
16 filiated with the United States Agency for Global Media,
17 consistent with the action plan submitted pursuant to, and
18 on the same terms and conditions of, section 7032(i) of
19 the Department of State, Foreign Operations, and Related
20 Programs Appropriations Act, 2018 (division K of Public
21 Law 115–141).

22 (i) INTERNATIONAL FREEDOM OF EXPRESSION.—

23 (1) OPERATIONS.—Funds appropriated by this
24 Act under the heading “Diplomatic Programs” shall
25 be made available for the Bureau of Democracy,

1 Human Rights, and Labor, Department of State, for
2 the costs of administering programs designed to pro-
3 mote and defend freedom of expression and the inde-
4 pendence of the media in countries where such free-
5 dom and independence are restricted or denied.

6 (2) ASSISTANCE.—Of the funds appropriated by
7 this Act under the heading “Democracy Fund”, not
8 less than \$10,000,000 shall be made available for
9 programs that promote and defend freedom of ex-
10 pression and the independence of the media abroad:
11 *Provided*, That such funds are in addition to funds
12 otherwise made available by this Act for such pur-
13 poses, and are intended to complement emergency
14 and safety programs for civil society, including jour-
15 nalists and media outlets at risk: *Provided further*,
16 That such funds shall be subject to prior consulta-
17 tion with, and the regular notification procedures of,
18 the Committees on Appropriations.

19 INTERNATIONAL RELIGIOUS FREEDOM

20 SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREE-
21 DOM OFFICE.—Funds appropriated by this Act under the
22 heading “Diplomatic Programs” shall be made available
23 for the Office of International Religious Freedom, Depart-
24 ment of State, including for support staff at not less than

1 the amounts specified for such office in the table under
2 such heading in the report accompanying this Act.

3 (b) ASSISTANCE.—Funds appropriated by this Act
4 under the headings “Democracy Fund”, and “Inter-
5 national Broadcasting Operations” shall be made available
6 for international religious freedom programs and funds
7 appropriated by this Act under the headings “Inter-
8 national Disaster Assistance” and “Migration and Ref-
9 ugee Assistance” shall be made available for humanitarian
10 assistance for vulnerable and persecuted religious minori-
11 ties: *Provided*, That funds made available by this Act
12 under the heading “Democracy Fund” pursuant to this
13 section shall be made available at not less than the amount
14 in the table under such heading in the report accom-
15 panying this Act and shall be the responsibility of the Am-
16 bassador-at-Large for International Religious Freedom, in
17 consultation with other relevant United States Govern-
18 ment officials, and shall be subject to prior consultation
19 with the Committees on Appropriations.

20 (c) AUTHORITY.—Funds appropriated by this Act
21 and prior Acts making appropriations for the Department
22 of State, foreign operations, and related programs under
23 the heading “Economic Support Fund” may be made
24 available notwithstanding any other provision of law for

1 assistance for ethnic and religious minorities in Iraq and
2 Syria.

3 (d) DESIGNATION OF NON-STATE ACTORS.—Section
4 7033(e) of the Department of State, Foreign Operations,
5 and Related Programs Appropriations Act, 2017 (division
6 J of Public Law 115–31) shall continue in effect during
7 fiscal year 2021.

8 SPECIAL PROVISIONS

9 SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHILD-
10 DREN, AND DISPLACED BURMESE.—Funds appropriated
11 in titles III and VI of this Act that are made available
12 for victims of war, displaced children, displaced Burmese,
13 and to combat trafficking in persons and assist victims
14 of such trafficking, may be made available notwith-
15 standing any other provision of law.

16 (b) FORENSIC ASSISTANCE.—

17 (1) Of the funds appropriated by this Act under
18 the heading “Economic Support Fund”, not less
19 than \$10,000,000 shall be made available for foren-
20 sic anthropology assistance related to the exhuma-
21 tion and identification of victims of war crimes,
22 crimes against humanity, and genocide, which shall
23 be administered by the Assistant Secretary for De-
24 mocracy, Human Rights, and Labor, Department of
25 State: *Provided*, That such funds shall be in addition

1 to funds made available by this Act and prior Acts
2 making appropriations for the Department of State,
3 foreign operations, and related programs for assist-
4 ance for countries.

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

11 (c) ATROCITIES PREVENTION.—Of the funds appro-
12 priated by this Act under the headings “Economic Sup-
13 port Fund” and “International Narcotics Control and
14 Law Enforcement”, not less than \$5,000,000 shall be
15 made available for programs to prevent atrocities, includ-
16 ing to implement recommendations of the Atrocities Pre-
17 vention Board: *Provided*, That funds made available pur-
18 suant to this subsection are in addition to amounts other-
19 wise made available for such purposes: *Provided further*,
20 That such funds shall be subject to the regular notification
21 procedures of the Committees on Appropriations.

22 (d) WORLD FOOD PROGRAMME.—Funds managed by
23 the Bureau for Humanitarian Assistance, United States
24 Agency for International Development, from this or any
25 other Act, may be made available as a general contribution

1 to the World Food Programme, notwithstanding any other
2 provision of law.

3 (e) DIRECTIVES AND AUTHORITIES.—

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

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

22 (3) PRIVATE SECTOR PARTNERSHIPS.—Of the
23 funds appropriated by this Act under the headings
24 “Development Assistance” and “Economic Support
25 Fund” that are made available for private sector

1 partnerships, up to \$50,000,000 may remain avail-
2 able until September 30, 2023: *Provided*, That funds
3 made available pursuant to this paragraph may only
4 be made available following prior consultation with
5 the appropriate congressional committees, and the
6 regular notification procedures of the Committees on
7 Appropriations.

8 (4) ADDITIONAL AUTHORITIES.—Of the
9 amounts made available by title I of this Act under
10 the heading “Diplomatic Programs”, up to \$500,000
11 may be made available for grants pursuant to sec-
12 tion 504 of the Foreign Relations Authorization Act,
13 Fiscal Year 1979 (22 U.S.C. 2656d), including to
14 facilitate collaboration with indigenous communities,
15 and up to \$1,000,000 may be made available for
16 grants to carry out the activities of the Cultural An-
17 tiquities Task Force.

18 (5) INNOVATION.—The USAID Administrator
19 may use funds appropriated by this Act under title
20 III to make innovation incentive awards in accord-
21 ance with the terms and conditions of section
22 7034(e)(4) of the Department of State, Foreign Op-
23 erations, and Related Programs Appropriations Act,
24 2019 (division F of Public Law 116–6): *Provided*,
25 That each individual award may not exceed

1 \$100,000: *Provided further*, That no more than 15
2 such awards may be made during fiscal year 2021.

3 (6) EXCHANGE VISITOR PROGRAM.—None of
4 the funds made available by this Act may be used
5 to modify the Exchange Visitor Program adminis-
6 tered by the Department of State to implement the
7 Mutual Educational and Cultural Exchange Act of
8 1961 (Public Law 87–256; 22 U.S.C. 2451 et seq.),
9 except through the formal rulemaking process pursu-
10 ant to the Administrative Procedure Act (5 U.S.C.
11 551 et seq.) and notwithstanding the exceptions to
12 such rulemaking process in such Act: *Provided*, That
13 funds made available for such purpose shall only be
14 made available after consultation with, and subject
15 to the regular notification procedures of, the Com-
16 mittees on Appropriations, regarding how any pro-
17 posed modification would affect the public diplomacy
18 goals of, and the estimated economic impact on, the
19 United States: *Provided further*, That such consulta-
20 tion shall take place not later than 30 days prior to
21 the publication in the Federal Register of any regu-
22 latory action modifying the Exchange Visitor Pro-
23 gram.

24 (7) INTERNATIONAL FAIRS AND EXPO-
25 SITIONS.—Notwithstanding section 204 of the Admi-

1 ral James W. Nance and Meg Donovan Foreign Re-
2 lations Authorization Act, Fiscal Years 2000 and
3 2001 (22 U.S.C. 2452b), funds appropriated by this
4 Act under the heading “Diplomatic Programs” for
5 this fiscal year may be made available for United
6 States participation in international fairs and expo-
7 sitions abroad, including for construction and oper-
8 ation of United States pavilions or other major ex-
9 hibits, subject to prior consultation with, and the
10 regular notification procedures of, the Committees
11 on Appropriations: *Provided*, That any such funds
12 shall be made available on a cost matching basis
13 from sources other than the United States Govern-
14 ment, to the maximum extent practicable: *Provided*
15 *further*, That funds made available pursuant to this
16 paragraph may not be used to reimburse any partici-
17 pation in international fairs and expositions abroad
18 that took place prior to the date of enactment of this
19 Act: *Provided further*, That the Office of Inspector
20 General, Department of State, shall conduct a finan-
21 cial and performance audit and issue a report on the
22 use of such authority.

23 (8) WORLD TOURISM ORGANIZATION.—Notwith-
24 standing any other provision of law, the President is
25 authorized to accept the statutes of, and to maintain

1 membership of the United States in, the United Na-
2 tions World Tourism Organization, and the United
3 States’ assessed contributions to maintain such
4 membership may be paid from funds appropriated
5 for “Contributions to International Organizations”.

6 (f) PARTNER VETTING.—Prior to initiating a partner
7 vetting program, or making significant changes to the
8 scope of an existing partner vetting program, the Sec-
9 retary of State and USAID Administrator, as appropriate,
10 shall consult with the Committees on Appropriations: *Pro-*
11 *vided*, That the Secretary and the Administrator shall pro-
12 vide a direct vetting option for prime awardees in any
13 partner vetting program initiated or significantly modified
14 after the date of enactment of this Act, unless the Sec-
15 retary of State or USAID Administrator, as applicable,
16 informs the Committees on Appropriations on a case-by-
17 case basis that a direct vetting option is not feasible for
18 such program.

19 (g) CONTINGENCIES.—During fiscal year 2021, the
20 President may use up to \$125,000,000 under the author-
21 ity of section 451 of the Foreign Assistance Act of 1961,
22 notwithstanding any other provision of law.

23 (h) INTERNATIONAL CHILD ABDUCTIONS.—The Sec-
24 retary of State should withhold funds appropriated under
25 the heading “Economic Support Fund” and under title

1 IV of this Act for assistance for the central government
2 of any country that is not taking appropriate steps to com-
3 ply with the Convention on the Civil Aspects of Inter-
4 national Child Abductions, done at the Hague on October
5 25, 1980: *Provided*, That the Secretary shall report to the
6 Committees on Appropriations within 15 days of with-
7 holding funds under this subsection.

8 (i) TRANSFER OF FUNDS FOR EXTRAORDINARY PRO-
9 TECTION.—The Secretary of State may transfer to, and
10 merge with, funds under the heading “Protection of For-
11 eign Missions and Officials” unobligated balances of ex-
12 pired funds appropriated under the heading “Diplomatic
13 Programs” for fiscal year 2021, except for funds des-
14 ignated for Overseas Contingency Operations/Global War
15 on Terrorism pursuant to section 251(b)(2)(A)(ii) of the
16 Balanced Budget and Emergency Deficit Control Act of
17 1985, at no later than the end of the fifth fiscal year after
18 the last fiscal year for which such funds are available for
19 the purposes for which appropriated: *Provided*, That not
20 more than \$50,000,000 may be transferred.

21 (j) AUTHORITY.—Funds made available by this Act
22 under the heading “Economic Support Fund” to counter
23 extremism may be made available notwithstanding any
24 other provision of law restricting assistance to foreign
25 countries, except sections 502B, 620A, and 620M of the

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

6 (k) PROTECTIONS AND REMEDIES FOR EMPLOYEES
7 OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANI-
8 ZATIONS.—The Secretary of State shall implement section
9 203(a)(2) of the William Wilberforce Trafficking Victims
10 Protection Reauthorization Act of 2008 (Public Law 110–
11 457): *Provided*, That in addition to suspension on the
12 basis of an unpaid default or final civil judgment directly
13 or indirectly related to human trafficking against the em-
14 ployer or a family member assigned to an embassy, sus-
15 pension on this basis should also apply to an employer or
16 family member assigned to any diplomatic mission, or any
17 international organization: *Provided further*, That the Sec-
18 retary of State should assist in obtaining payment of final
19 court judgments awarded to A–3 and G–5 visa holders,
20 including encouraging the sending states to provide com-
21 pensation directly to victims: *Provided further*, That the
22 Secretary shall include in the Trafficking in Persons an-
23 nual report a concise summary of each trafficking case
24 involving an A–3 or G–5 visa holder that meets one or
25 more of the following criteria: (1) a final court judgment

1 (including a default judgment) issued against a current
2 or former employee of such diplomatic mission or inter-
3 national organization; (2) the issuance of a T-visa to the
4 victim; or (3) a request by the Department of State to
5 the sending state that immunity of individual diplomats
6 or family members be waived to permit criminal prosecu-
7 tion.

8 (l) EXTENSION OF AUTHORITIES.—

9 (1) PASSPORT FEES.—Section 1(b)(2) of the
10 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))
11 shall be applied by substituting “September 30,
12 2021” for “September 30, 2010”.

13 (2) INCENTIVES FOR CRITICAL POSTS.—The
14 authority contained in section 1115(d) of the Sup-
15 plemental Appropriations Act, 2009 (Public Law
16 111–32) shall remain in effect through September
17 30, 2021.

18 (3) USAID CIVIL SERVICE ANNUITANT WAIV-
19 ER.—Section 625(j)(1) of the Foreign Assistance
20 Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied
21 by substituting “September 30, 2021” for “October
22 1, 2010” in subparagraph (B).

23 (4) OVERSEAS PAY COMPARABILITY AND LIMI-
24 TATION.—

1 (A) Subject to the limitation described in
2 subparagraph (B), the authority provided by
3 section 1113 of the Supplemental Appropria-
4 tions Act, 2009 (Public Law 111–32) shall re-
5 main in effect through September 30, 2021.

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

19 (5) CATEGORICAL ELIGIBILITY.—The Foreign
20 Operations, Export Financing, and Related Pro-
21 grams Appropriations Act, 1990 (Public Law 101–
22 167) is amended—

23 (A) in section 599D (8 U.S.C. 1157
24 note)—

1 (i) in subsection (b)(3), by striking
2 “and 2020” and inserting “2020, and
3 2021”; and

4 (ii) in subsection (e), by striking
5 “2020” each place it appears and inserting
6 “2021”; and

7 (B) in section 599E(b)(2) (8 U.S.C. 1255
8 note), by striking “2020” and inserting
9 “2021”.

10 (6) INSPECTOR GENERAL ANNUITANT WAIV-
11 ER.—The authorities provided in section 1015(b) of
12 the Supplemental Appropriations Act, 2010 (Public
13 Law 111–212) shall remain in effect through Sep-
14 tember 30, 2021, and may be used to facilitate the
15 assignment of persons for oversight of programs in
16 Syria, South Sudan, Yemen, Somalia, and Ven-
17 ezuela.

18 (7) ACCOUNTABILITY REVIEW BOARDS.—The
19 authority provided by section 301(a)(3) of the Omni-
20 bus Diplomatic Security and Antiterrorism Act of
21 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect
22 for facilities in Afghanistan through September 30,
23 2021, except that the notification and reporting re-
24 quirements contained in such section shall include
25 the Committees on Appropriations.

1 (8) SPECIAL INSPECTOR GENERAL FOR AF-
2 GHANISTAN RECONSTRUCTION COMPETITIVE STA-
3 TUS.—Notwithstanding any other provision of law,
4 any employee of the Special Inspector General for
5 Afghanistan Reconstruction (SIGAR) who completes
6 at least 12 months of continuous service after enact-
7 ment of this Act or who is employed on the date on
8 which SIGAR terminates, whichever occurs first,
9 shall acquire competitive status for appointment to
10 any position in the competitive service for which the
11 employee possesses the required qualifications.

12 (9) TRANSFER OF BALANCES.—Section 7081(h)
13 of the Department of State, Foreign Operations, and
14 Related Programs Appropriations Act, 2017 (divi-
15 sion J of Public Law 115–31) shall continue in ef-
16 fect during fiscal year 2021.

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

1 er authority pursuant to subsection (g) of such sec-
2 tion.

3 (11) AFGHAN ALLIES.—Section 602(b)(3)(F) of
4 the Afghan Allies Protection Act of 2009 (8 U.S.C.
5 1101 note) is amended—

6 (A) in the heading, by striking “2015
7 THROUGH 2020” and inserting “2015 THROUGH
8 2021”;

9 (B) in the matter preceding clause (i), by
10 striking “22,500” and inserting “26,500”; and

11 (C) in clauses (i) and (ii), by striking “De-
12 cember 31, 2021” and inserting “December 31,
13 2022”.

14 (m) MONITORING AND EVALUATION.—Funds appro-
15 priated by this Act that are made available for monitoring
16 and evaluation of assistance under the headings “Develop-
17 ment Assistance”, “International Disaster Assistance”,
18 and “Migration and Refugee Assistance” shall, as appro-
19 priate, be made available for the regular collection of feed-
20 back obtained directly from beneficiaries to enhance the
21 quality and relevance of such assistance: *Provided*, That
22 the Department of State and USAID shall establish, and
23 post on their respective websites, updated procedures for
24 implementing partners that receive funds under such
25 headings for regularly collecting and responding to such

1 feedback, including guidelines for the reporting on actions
2 taken in response to the feedback received: *Provided fur-*
3 *ther*, That the Department of State and USAID shall reg-
4 ularly conduct oversight to ensure that such feedback is
5 regularly collected and used by implementing partners to
6 maximize the cost-effectiveness and utility of such assist-
7 ance.

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

9 (1) LOAN GUARANTEES.—Funds appropriated
10 under the headings “Economic Support Fund” and
11 “Assistance for Europe, Eurasia and Central Asia”
12 by this Act and prior Acts making appropriations
13 for the Department of State, foreign operations, and
14 related programs may be made available for the
15 costs, as defined in section 502 of the Congressional
16 Budget Act of 1974, of loan guarantees for Egypt,
17 Jordan, Tunisia, and Ukraine, which are authorized
18 to be provided: *Provided*, That amounts made avail-
19 able under this paragraph for the costs of such
20 guarantees shall not be considered assistance for the
21 purposes of provisions of law limiting assistance to
22 a country.

23 (2) DESIGNATION REQUIREMENT.—Funds
24 made available pursuant to paragraph (1) from prior
25 Acts making appropriations for the Department of

1 State, foreign operations, and related programs that
2 were previously designated by the Congress for Over-
3 seas Contingency Operations/Global War on Ter-
4 rorism pursuant to section 251(b)(2)(A)(ii) of the
5 Balanced Budget and Emergency Deficit Control
6 Act of 1985 are designated by the Congress for
7 Overseas Contingency Operations/Global War on
8 Terrorism pursuant to section 251(b)(2)(A)(ii) of
9 such Act.

10 (3) CONSULTATION AND NOTIFICATION.—

11 Funds made available pursuant to the authorities of
12 this subsection shall be subject to prior consultation
13 with the appropriate congressional committees and
14 the regular notification procedures of the Commit-
15 tees on Appropriations.

16 (o) LOCAL WORKS.—

17 (1) FUNDING.—Of the funds appropriated by
18 this Act under the headings “Development Assist-
19 ance” and “Economic Support Fund”, not less than
20 \$50,000,000 shall be made available for Local
21 Works pursuant to section 7080 of the Department
22 of State, Foreign Operations, and Related Programs
23 Appropriations Act, 2015 (division J of Public Law
24 113–235), which may remain available until Sep-
25 tember 30, 2025.

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

13 (p) DEFINITIONS.—

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

21 (2) FUNDS APPROPRIATED BY THIS ACT AND
22 PRIOR ACTS.—Unless otherwise defined in this Act,
23 for purposes of this Act the term “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” means funds that re-
2 main available for obligation, and have not expired.

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

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

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

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

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

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

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

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

17 (7) THIS ACT.—Except as expressly provided
18 otherwise, any reference to “this Act” contained in
19 titles I through VIII shall be treated as referring
20 only to the provisions of such titles.

21 LAW ENFORCEMENT AND SECURITY

22 SEC. 7035. (a) ASSISTANCE.—

23 (1) COMMUNITY-BASED POLICE ASSISTANCE.—
24 Funds made available under titles III and IV of this
25 Act to carry out the provisions of chapter 1 of part

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

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

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

6 (3) COMBAT CASUALTY CARE.—

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

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

standards recommended by the Committee on Tactical Combat Casualty Care: *Provided further*, That any such training and equipment for combat casualty care shall be made available through an open and competitive process.

(4) TRAINING RELATED TO INTERNATIONAL HUMANITARIAN LAW.—The Secretary of State shall offer training related to the requirements of international humanitarian law as a component of any package of lethal assistance funded by this Act with funds appropriated under the headings “Peacekeeping Operations” and “Foreign Military Financing Program”: *Provided*, That the requirement of this paragraph shall not apply to a country that is a member of the North Atlantic Treaty Organization (NATO), is a major non-NATO ally designated by section 517(b) of the Foreign Assistance Act of 1961, or is complying with international humanitarian law: *Provided further*, That any such training shall be made available through an open and competitive process.

(5) SECURITY FORCE PROFESSIONALIZATION.—Funds appropriated by this Act under the headings “International Narcotics Control and Law Enforcement” and “Peacekeeping Operations” shall be

1 made available to increase the capacity of foreign
2 military and law enforcement personnel to operate in
3 accordance with appropriate standards relating to
4 human rights and the protection of civilians, fol-
5 lowing consultation with the Committees on Appro-
6 priations: *Provided*, That funds made available pur-
7 suant to this paragraph shall be made available
8 through an open and competitive process.

9 (6) GLOBAL SECURITY CONTINGENCY FUND.—
10 Notwithstanding any other provision of this Act, up
11 to \$7,500,000 from funds appropriated by this Act
12 under the headings “Peacekeeping Operations” and
13 “Foreign Military Financing Program” may be
14 transferred to, and merged with, funds previously
15 made available under the heading “Global Security
16 Contingency Fund”, subject to the regular notifica-
17 tion procedures of the Committees on Appropria-
18 tions.

19 (7) INTERNATIONAL PRISON CONDITIONS.—Of
20 the funds appropriated by this Act under the head-
21 ings “Development Assistance”, “Economic Support
22 Fund”, and “International Narcotics Control and
23 Law Enforcement”, not less than \$7,500,000 shall
24 be made available for assistance to eliminate inhu-
25 mane conditions in foreign prisons and other deten-

1 tion facilities, notwithstanding section 660 of the
2 Foreign Assistance Act of 1961: *Provided*, That the
3 Secretary of State and the USAID Administrator
4 shall consult with the Committees on Appropriations
5 on the proposed uses of such funds prior to obliga-
6 tion and not later than 60 days after enactment of
7 this Act: *Provided further*, That such funds shall be
8 in addition to funds otherwise made available by this
9 Act for such purpose.

10 (b) AUTHORITIES.—

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

19 (2) DISARMAMENT, DEMOBILIZATION, AND RE-
20 INTEGRATION.—Section 7034(d) of the Department
21 of State, Foreign Operations, and Related Programs
22 Appropriations Act, 2015 (division J of Public Law
23 113–235) shall continue in effect during fiscal year
24 2021.

1 (3) EXTENSION OF WAR RESERVES STOCKPILE
2 AUTHORITY.—

3 (A) Section 12001(d) of the Department of
4 Defense Appropriations Act, 2005 (Public Law
5 108–287; 118 Stat. 1011) is amended by strik-
6 ing “of this section” and all that follows
7 through the period at the end and inserting “of
8 this section after September 30, 2023.”.

9 (B) Section 514(b)(2)(A) of the Foreign
10 Assistance Act of 1961 (22 U.S.C.
11 2321h(b)(2)(A)) is amended by striking “and
12 2021” and inserting “2021, 2022, and 2023”.

13 (4) COMMERCIAL LEASING OF DEFENSE ARTI-
14 CLES.—Notwithstanding any other provision of law,
15 and subject to the regular notification procedures of
16 the Committees on Appropriations, the authority of
17 section 23(a) of the Arms Export Control Act (22
18 U.S.C. 2763) may be used to provide financing to
19 Israel, Egypt, the North Atlantic Treaty Organiza-
20 tion (NATO), and major non-NATO allies for the
21 procurement by leasing (including leasing with an
22 option to purchase) of defense articles from United
23 States commercial suppliers, not including Major
24 Defense Equipment (other than helicopters and
25 other types of aircraft having possible civilian appli-

1 cation), if the President determines that there are
2 compelling foreign policy or national security reasons
3 for those defense articles being provided by commer-
4 cial lease rather than by government-to-government
5 sale under such Act.

6 (5) SPECIAL DEFENSE ACQUISITION FUND.—
7 Not to exceed \$900,000,000 may be obligated pursu-
8 ant to section 51(c)(2) of the Arms Export Control
9 Act (22 U.S.C. 2795(c)(2)) for the purposes of the
10 Special Defense Acquisition Fund (the Fund), to re-
11 main available for obligation until September 30,
12 2023: *Provided*, That the provision of defense arti-
13 cles and defense services to foreign countries or
14 international organizations from the Fund shall be
15 subject to the concurrence of the Secretary of State.

16 (6) PUBLIC DISCLOSURE.—For the purposes of
17 funds appropriated by this Act and prior Acts mak-
18 ing appropriations for the Department of State, for-
19 eign operations, and related programs that are made
20 available for assistance for units of foreign security
21 forces, the term “to the maximum extent prac-
22 ticable” in section 620M(d)(7) of the Foreign Assist-
23 ance Act of 1961 (22 U.S.C. 2378d) means that the
24 identity of such units shall be made publicly avail-
25 able unless the Secretary of State, on a case-by-case

1 basis, determines and reports to the appropriate con-
2 gressional committees that non-disclosure is in the
3 national security interest of the United States: *Pro-*
4 *vided*, That any such determination shall include a
5 detailed justification, and may be submitted in clas-
6 sified form.

7 (7) DUTY TO INFORM.—If assistance to a for-
8 eign security force is provided in a manner in which
9 the recipient unit or units cannot be identified prior
10 to the transfer of assistance, the Secretary of State
11 shall provide a list of units prohibited from receiving
12 such assistance pursuant to section 620M of the
13 Foreign Assistance Act of 1961 to the recipient gov-
14 ernment.

15 (c) LIMITATIONS.—

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

19 (2) LANDMINES AND CLUSTER MUNITIONS.—

20 (A) LANDMINES.—Notwithstanding any
21 other provision of law, demining equipment
22 available to the United States Agency for Inter-
23 national Development and the Department of
24 State and used in support of the clearance of
25 landmines and unexploded ordnance for human-

1 humanitarian purposes may be disposed of on a grant
2 basis in foreign countries, subject to such terms
3 and conditions as the Secretary of State may
4 prescribe.

5 (B) CLUSTER MUNITIONS.—No military
6 assistance shall be furnished for cluster muni-
7 tions, no defense export license for cluster mu-
8 nitions may be issued, and no cluster munitions
9 or cluster munitions technology shall be sold or
10 transferred, unless—

- 11 (i) the submunitions of the cluster
12 munitions, after arming, do not result in
13 more than 1 percent unexploded ordnance
14 across the range of intended operational
15 environments, and the agreement applica-
16 ble to the assistance, transfer, or sale of
17 such cluster munitions or cluster munitions
18 technology specifies that the cluster muni-
19 tions will only be used against clearly de-
20 fined military targets and will not be used
21 where civilians are known to be present or
22 in areas normally inhabited by civilians; or
23 (ii) such assistance, license, sale, or
24 transfer is for the purpose of demilitarizing

1 or permanently disposing of such cluster
2 munitions.

3 (3) CONGRESSIONAL BUDGET JUSTIFICA-
4 TIONS.—Of the funds realized pursuant to section
5 21(e)(1)(A) of the Arms Export Control Act and
6 made available for obligation for expenses incurred
7 by the Department of Defense, Defense Security Co-
8 operation Agency (DSCA) during fiscal year 2021
9 pursuant to section 43(b) of the Arms Export Con-
10 trol Act (22 U.S.C. 2792(b)), \$25,000,000 shall be
11 withheld from obligation until the DSCA, jointly
12 with the Department of State, submits to the Com-
13 mittees on Appropriations the congressional budget
14 justification for funds requested under the heading
15 “Foreign Military Financing Program” for fiscal
16 years 2021 and 2022, including the accompanying
17 classified appendices.

18 (4) CROWD CONTROL ITEMS.—Funds appro-
19 priated by this Act should not be used for tear gas,
20 small arms, light weapons, ammunition, or other
21 items for crowd control purposes for foreign security
22 forces that use excessive force to repress peaceful ex-
23 pression, association, or assembly in countries that
24 the Secretary of State determines are undemocratic
25 or are undergoing democratic transitions.

1 (d) REPORTS.—

2 (1) SECURITY ASSISTANCE REPORT.—Not later
3 than 120 days after enactment of this Act, the Sec-
4 retary of State shall submit to the Committees on
5 Appropriations a report on funds obligated and ex-
6 pended during fiscal year 2020, by country and pur-
7 pose of assistance, under the headings “Peace-
8 keeping Operations”, “International Military Edu-
9 cation and Training”, and “Foreign Military Fi-
10 nancing Program”.

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

24 ARAB LEAGUE BOYCOTT OF ISRAEL

25 SEC. 7036. It is the sense of the Congress that—

1 (1) the Arab League boycott of Israel, and the
2 secondary boycott of American firms that have com-
3 mercial ties with Israel, is an impediment to peace
4 in the region and to United States investment and
5 trade in the Middle East and North Africa;

6 (2) the Arab League boycott, which was regret-
7 tably reinstated in 1997, should be immediately and
8 publicly terminated, and the Central Office for the
9 Boycott of Israel immediately disbanded;

10 (3) all Arab League states should normalize re-
11 lations with their neighbor Israel;

12 (4) the President and the Secretary of State
13 should continue to vigorously oppose the Arab
14 League boycott of Israel and find concrete steps to
15 demonstrate that opposition by, for example, taking
16 into consideration the participation of any recipient
17 country in the boycott when determining to sell
18 weapons to said country; and

19 (5) the President should report to Congress an-
20 nually on specific steps being taken by the United
21 States to encourage Arab League states to normalize
22 their relations with Israel to bring about the termi-
23 nation of the Arab League boycott of Israel, includ-
24 ing those to encourage allies and trading partners of
25 the United States to enact laws prohibiting busi-

1 nesses from complying with the boycott and penal-
2 izing businesses that do comply.

3 PALESTINIAN STATEHOOD

4 SEC. 7037. (a) LIMITATION ON ASSISTANCE.—None
5 of the funds appropriated under titles III through VI of
6 this Act may be provided to support a Palestinian state
7 unless the Secretary of State determines and certifies to
8 the appropriate congressional committees that—

9 (1) the governing entity of a new Palestinian
10 state—

11 (A) has demonstrated a firm commitment
12 to peaceful co-existence with the State of Israel;
13 and

14 (B) is taking appropriate measures to
15 counter terrorism and terrorist financing in the
16 West Bank and Gaza, including the dismantling
17 of terrorist infrastructures, and is cooperating
18 with appropriate Israeli and other appropriate
19 security organizations; and

20 (2) the Palestinian Authority (or the governing
21 entity of a new Palestinian state) is working with
22 other countries in the region to vigorously pursue ef-
23 forts to establish a just, lasting, and comprehensive
24 peace in the Middle East that will enable Israel and
25 an independent Palestinian state to exist within the

1 context of full and normal relationships, which
2 should include—

3 (A) termination of all claims or states of
4 belligerency;

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

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

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

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

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

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

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

8 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN
9 BROADCASTING CORPORATION

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

15 ASSISTANCE FOR THE WEST BANK AND GAZA

16 SEC. 7039. (a) OVERSIGHT.—For fiscal year 2021,
17 30 days prior to the initial obligation of funds for the bi-
18 lateral West Bank and Gaza Program, the Secretary of
19 State shall certify to the Committees on Appropriations
20 that procedures have been established to assure the Comp-
21 troller General of the United States will have access to
22 appropriate United States financial information in order
23 to review the uses of United States assistance for the Pro-
24 gram funded under the heading “Economic Support
25 Fund” for the West Bank and Gaza.

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

21 (c) PROHIBITION.—

22 (1) RECOGNITION OF ACTS OF TERRORISM.—

23 None of the funds appropriated under titles III
24 through VI of this Act for assistance under the West

1 Bank and Gaza Program may be made available
2 for—

3 (A) the purpose of recognizing or otherwise
4 honoring individuals who commit, or have com-
5 mitted acts of terrorism; and

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

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

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 \$1,000,000 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 2021
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

8 LIMITATION ON ASSISTANCE FOR THE PALESTINIAN
9 AUTHORITY

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

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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”, up to \$125,000,000 may be
10 made available for assistance for Egypt, of which up
11 to \$40,000,000 should be made available for higher
12 education programs, including \$15,000,000 for
13 scholarships for Egyptian students with high finan-
14 cial need to attend not-for-profit institutions of high-
15 er education in Egypt that are currently accredited
16 by a regional accrediting agency recognized by the
17 United States Department of Education, or meets
18 standards equivalent to those required for United
19 States institutional accreditation by a regional ac-
20 crediting agency recognized by such Department:
21 *Provided*, That such funds shall be made available
22 for democracy programs, and for development pro-
23 grams in the Sinai: *Provided further*, That such
24 funds may not be made available for cash transfer
25 assistance or budget support unless the Secretary of

1 State certifies and reports to the appropriate con-
2 gressional committees that the Government of Egypt
3 is taking consistent and effective steps to stabilize
4 the economy and implement market-based economic
5 reforms.

6 (3) FOREIGN MILITARY FINANCING PRO-
7 GRAM.—

8 (A) CERTIFICATION.—Of the funds appro-
9 priated by this Act under the heading “Foreign
10 Military Financing Program”, up to
11 \$1,300,000,000, to remain available until Sep-
12 tember 30, 2022, may be made available for as-
13 sistance for Egypt: *Provided*, That such funds
14 may be transferred to an interest bearing ac-
15 count in the Federal Reserve Bank of New
16 York, following consultation with the Commit-
17 tees on Appropriations: *Provided further*, That
18 20 percent of such funds shall be withheld from
19 obligation until the Secretary of State certifies
20 and reports to the Committees on Appropria-
21 tions that the Government of Egypt is taking,
22 on a sustained and effective basis, the steps
23 enumerated under this section in the report ac-
24 companying this Act: *Provided further*, That the
25 certification requirement of this paragraph shall

1 not apply to funds appropriated by this Act
2 under such heading for counterterrorism, bor-
3 der security, and nonproliferation programs for
4 Egypt.

5 (B) WAIVER.—

6 (i) The Secretary of State may waive
7 the certification requirement in subpara-
8 graph (A) with respect to 95 percent of the
9 amount withheld from obligation pursuant
10 to such subparagraph if the Secretary de-
11 termines and reports to the Committees on
12 Appropriations that to do so is important
13 to the national security interest of the
14 United States, and includes in such report
15 a detailed justification for the use of such
16 waiver and the reasons why any of the cer-
17 tification requirements of subparagraph
18 (A) cannot be met: *Provided*, That the re-
19 port required by this paragraph shall be
20 submitted in unclassified form, but may be
21 accompanied by a classified annex.

22 (ii) The remaining 5 percent may only
23 be made available for obligation if the Sec-
24 retary of State determines and reports to
25 the Committees on Appropriations that the

1 Government of Egypt has completed action
2 to provide fair and commensurate com-
3 pensation to American citizen April Corley
4 for injuries suffered by Egyptian armed
5 forces on September 13, 2015: *Provided*,
6 That none of the funds withheld pursuant
7 to subparagraph (A) shall be transferred to
8 the interest bearing account referenced in
9 subparagraph (A) until the determination
10 in the preceding sentence has been pro-
11 vided to the Committees on Appropria-
12 tions.

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 the report accom-
20 panying this Act.

21 (2) REPORTS.—

22 (A) SEMI-ANNUAL REPORT.—The Sec-
23 retary of State shall submit to the Committees
24 on Appropriations the semi-annual report re-
25 quired by section 135(d)(4) of the Atomic En-

1 ergy Act of 1954 (42 U.S.C. 2160e(d)(4)), as
2 added by section 2 of the Iran Nuclear Agree-
3 ment Review Act of 2015 (Public Law 114–17).

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

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

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

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

17 (c) IRAQ.—

18 (1) PURPOSES.—Funds appropriated under ti-
19 tles III and IV of this Act shall be made available
20 for assistance for Iraq for bilateral economic assist-
21 ance and international security assistance, including
22 in the Kurdistan Region of Iraq and for programs
23 to protect and assist religious and ethnic minority
24 populations in Iraq as described under this section
25 in the report accompanying this Act.

1 (2) BASING RIGHTS AGREEMENT.—None of the
2 funds appropriated or otherwise made available by
3 this Act may be used by the Government of the
4 United States to enter into a permanent basing
5 rights agreement between the United States and
6 Iraq.

7 (d) JORDAN.—Of the funds appropriated by this Act
8 under titles III and IV, not less than \$1,525,000,000 shall
9 be made available for assistance for Jordan, of which not
10 less than \$800,000,000 of the funds appropriated under
11 the heading “Economic Support Fund” shall be made
12 available for budget support for the Government of Jordan
13 and not less than \$425,000,000 shall be made available
14 under the heading “Foreign Military Financing Pro-
15 gram”.

16 (e) LEBANON.—

17 (1) ASSISTANCE.—Funds appropriated under
18 titles III and IV of this Act shall be made available
19 for assistance for Lebanon: *Provided*, That such
20 funds made available under the heading “Economic
21 Support Fund” may be made available notwith-
22 standing section 1224 of the Foreign Relations Au-
23 thorization Act, Fiscal Year 2003 (Public Law 107–
24 228; 22 U.S.C. 2346 note).

25 (2) SECURITY ASSISTANCE.—

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

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

17 (i) professionalize the LAF to miti-
18 gate internal and external threats from
19 non-state actors, including Hizballah;

20 (ii) strengthen border security and
21 combat terrorism, including training and
22 equipping the LAF to secure the borders
23 of Lebanon and address security and sta-
24 bility requirements in areas affected by
25 conflict in Syria, interdicting arms ship-

ments, and preventing the use of Lebanon
as a safe haven for terrorist groups; and

(iii) implement United Nations Security Council Resolution 1701:

Provided, That prior to obligating funds made available by this subparagraph for assistance for the LAF, the Secretary of State shall submit to the Committees on Appropriations a spend plan, including actions to be taken to ensure equipment provided to the LAF is used only for the intended purposes, except such plan may not be considered as meeting the notification requirements under section 7015 of this Act or under section 634A of the Foreign Assistance Act of 1961, and shall be submitted not later than June 1, 2021: *Provided further*, That any notification submitted pursuant to such section shall include any funds specifically intended for lethal military equipment.

(3) LIMITATION.—None of the funds appropriated by this Act may be made available for the ISF or the LAF if the ISF or the LAF is controlled by a foreign terrorist organization, as designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

1 (f) LIBYA.—Prior to the initial obligation of funds
2 made available by this Act for assistance for Libya, the
3 Secretary of State shall certify and report to the Commit-
4 tees on Appropriations that all practicable steps have been
5 taken to ensure that mechanisms are in place for moni-
6 toring, oversight, and control of such funds.

7 (g) MOROCCO.—

8 (1) AVAILABILITY AND CONSULTATION RE-
9 QUIREMENT.—Funds appropriated under title III of
10 this Act shall be made available for assistance for
11 the Western Sahara: *Provided*, That not later than
12 90 days after enactment of this Act and prior to the
13 obligation of such funds, the Secretary of State, in
14 consultation with the Administrator of the United
15 States Agency for International Development, shall
16 consult with the Committees on Appropriations on
17 the proposed uses of such funds.

18 (2) FOREIGN MILITARY FINANCING PRO-
19 GRAM.—Funds appropriated by this Act under the
20 heading “Foreign Military Financing Program” that
21 are available for assistance for Morocco may only be
22 used for the purposes requested in the Congressional
23 Budget Justification, Foreign Operations, Fiscal
24 Year 2017.

1 (h) SAUDI ARABIA.—None of the funds appropriated
2 by this Act under the heading “International Military
3 Education and Training” may be made available for as-
4 sistance for the Government of Saudi Arabia.

5 (i) SYRIA.—

6 (1) NON-LETHAL ASSISTANCE.—Funds appro-
7 priated or otherwise made available by this Act may
8 be made available notwithstanding any other provi-
9 sion of law for non-lethal stabilization assistance for
10 Syria, including for emergency medical and rescue
11 response and chemical weapons use investigations.

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

14 (A) may not be made available for a
15 project or activity that supports or otherwise le-
16 gitimizes the Government of Iran, foreign ter-
17 rorist organizations (as designated pursuant to
18 section 219 of the Immigration and Nationality
19 Act (8 U.S.C. 1189)), or a proxy of Iran in
20 Syria;

21 (B) may not be made available for activi-
22 ties that further the strategic objectives of the
23 Government of the Russian Federation that
24 may threaten or undermine United States na-
25 tional security interests; and

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

4 (3) MONITORING AND OVERSIGHT.—Prior to
5 the obligation of any funds appropriated by this Act
6 and made available for assistance for Syria, the Sec-
7 retary of State shall take all practicable steps to en-
8 sure that mechanisms are in place for monitoring,
9 oversight, and control of such assistance inside
10 Syria.

11 (4) CONSULTATION AND NOTIFICATION.—
12 Funds made available pursuant to this subsection
13 may only be made available following consultation
14 with the appropriate congressional committees, and
15 shall be subject to the regular notification proce-
16 dures of the Committees on Appropriations.

17 (j) TUNISIA.—Of the funds appropriated under titles
18 III and IV of this Act, not less than \$191,400,000 shall
19 be made available for assistance for Tunisia.

20 (k) WEST BANK AND GAZA.—

21 (1) REPORT ON ASSISTANCE.—Prior to the ini-
22 tial obligation of funds made available by this Act
23 under the heading “Economic Support Fund” for
24 assistance for the West Bank and Gaza, the Sec-
25 retary of State shall report to the Committees on

1 Appropriations that the purpose of such assistance
2 is to—

3 (A) advance Middle East peace;

4 (B) improve security in the region;

5 (C) continue support for transparent and
6 accountable government institutions;

7 (D) promote a private sector economy; or

8 (E) address urgent humanitarian needs.

9 (2) LIMITATIONS.—

10 (A)(i) None of the funds appropriated
11 under the heading “Economic Support Fund”
12 in this Act may be made available for assistance
13 for the Palestinian Authority, if after the date
14 of enactment of this Act—

15 (I) the Palestinians obtain the same
16 standing as member states or full member-
17 ship as a state in the United Nations or
18 any specialized agency thereof outside an
19 agreement negotiated between Israel and
20 the Palestinians; or

21 (II) the Palestinians initiate an Inter-
22 national Criminal Court (ICC) judicially
23 authorized investigation, or actively sup-
24 port such an investigation, that subjects

1 Israeli nationals to an investigation for al-
2 leged crimes against Palestinians.

3 (ii) The Secretary of State may waive the
4 restriction in clause (i) of this subparagraph re-
5 sulting from the application of subclause (I) of
6 such clause if the Secretary certifies to the
7 Committees on Appropriations that to do so is
8 in the national security interest of the United
9 States, and submits a report to such Commit-
10 tees detailing how the waiver and the continu-
11 ation of assistance would assist in furthering
12 Middle East peace.

13 (B)(i) The President may waive the provi-
14 sions of section 1003 of the Foreign Relations
15 Authorization Act, Fiscal Years 1988 and 1989
16 (Public Law 100–204) if the President deter-
17 mines and certifies in writing to the Speaker of
18 the House of Representatives, the President pro
19 tempore of the Senate, and the appropriate con-
20 gressional committees that the Palestinians
21 have not, after the date of enactment of this
22 Act—

23 (I) obtained in the United Nations or
24 any specialized agency thereof the same
25 standing as member states or full member-

1 ship as a state outside an agreement nego-
2 tiated between Israel and the Palestinians;
3 and

4 (II) initiated or actively supported an
5 ICC investigation against Israeli nationals
6 for alleged crimes against Palestinians.

7 (ii) Not less than 90 days after the Presi-
8 dent is unable to make the certification pursu-
9 ant to clause (i) of this subparagraph, the
10 President may waive section 1003 of Public
11 Law 100–204 if the President determines and
12 certifies in writing to the Speaker of the House
13 of Representatives, the President pro tempore
14 of the Senate, and the Committees on Appro-
15 priations that the Palestinians have entered
16 into direct and meaningful negotiations with
17 Israel: *Provided*, That any waiver of the provi-
18 sions of section 1003 of Public Law 100–204
19 under clause (i) of this subparagraph or under
20 previous provisions of law must expire before
21 the waiver under the preceding sentence may be
22 exercised.

23 (iii) Any waiver pursuant to this subpara-
24 graph shall be effective for no more than a pe-
25 riod of 6 months at a time and shall not apply

1 beyond 12 months after the enactment of this
2 Act.

3 (3) APPLICATION OF TAYLOR FORCE ACT.—
4 Funds appropriated by this Act under the heading
5 “Economic Support Fund” and made available for
6 assistance for the West Bank and Gaza shall not be
7 made available in contravention of section 1004(a)
8 of the Taylor Force Act (title X of division S of
9 Public Law 115–141).

10 (4) PRIVATE SECTOR PARTNERSHIP PRO-
11 GRAMS.—Funds appropriated by this Act and prior
12 Acts making appropriations for the Department of
13 State, foreign operations, and related programs may
14 be made available for private sector partnership pro-
15 grams for the West Bank and Gaza if such funds
16 are authorized: *Provided*, That funds made available
17 pursuant to this paragraph shall be subject to prior
18 consultation with the appropriate congressional com-
19 mittees, and the regular notification procedures of
20 the Committees on Appropriations.

21 (5) SECURITY REPORT.—The reporting require-
22 ments in section 1404 of the Supplemental Appro-
23 priations Act, 2008 (Public Law 110–252) shall
24 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 enactment of this Act, the Secretary of
5 State shall submit a report to the appropriate con-
6 gressional committees detailing steps taken by the
7 Palestinian Authority to counter incitement of vio-
8 lence against Israelis and to promote peace and co-
9 existence with Israel.

10 (l) YEMEN.—Funds appropriated under title III of
11 this Act and prior Acts making appropriations for the De-
12 partment of State, foreign operations, and related pro-
13 grams shall be made available for global health, humani-
14 tarian, and stabilization assistance for Yemen.

15 AFRICA

16 SEC. 7042. (a) AFRICAN GREAT LAKES REGION AS-
17 SISTANCE RESTRICTION.—Funds appropriated by this Act
18 under the heading “International Military Education and
19 Training” for the central government of a country in the
20 African Great Lakes region may be made available only
21 for Expanded International Military Education and Train-
22 ing and professional military education until the Secretary
23 of State determines and reports to the Committees on Ap-
24 propriations that such government is not facilitating or
25 otherwise participating in destabilizing activities in a

1 neighboring country, including aiding and abetting armed
2 groups.

3 (b) CAMEROON.—Funds appropriated under title IV
4 of this Act that are made available for assistance for the
5 armed forces of Cameroon, including the Rapid Interven-
6 tion Battalion, may only be made available to counter re-
7 gional terrorism, including Boko Haram and other Islamic
8 State affiliates, participate in international peacekeeping
9 operations, and for military education and maritime secu-
10 rity programs.

11 (c) CENTRAL AFRICAN REPUBLIC.—Of the funds ap-
12 propriated by this Act under the heading “Economic Sup-
13 port Fund”, not less than \$3,000,000 shall be made avail-
14 able for a contribution to the Special Criminal Court in
15 Central African Republic.

16 (d) LAKE CHAD BASIN COUNTRIES.—Funds appro-
17 priated under titles III and IV of this Act shall be made
18 available, following consultation with the Committees on
19 Appropriations, for assistance for Cameroon, Chad, Niger,
20 and Nigeria for—

21 (1) democracy, development, and health pro-
22 grams;

23 (2) assistance for individuals targeted by for-
24 eign terrorist and other extremist organizations, in-

1 including Boko Haram, consistent with the provisions
2 of section 7059 of this Act;

3 (3) assistance for individuals displaced by vio-
4 lent conflict; and

5 (4) counterterrorism programs.

6 (e) MALAWI.—Of the funds appropriated by this Act
7 under the heading “Development Assistance”, not less
8 than \$60,000,000 shall be made available for assistance
9 for Malawi, of which up to \$10,000,000 shall be made
10 available for higher education programs.

11 (f) SOUTH SUDAN.—

12 (1) ASSISTANCE.—Of the funds appropriated
13 under title III of this Act that are made available
14 for assistance for South Sudan, not less than
15 \$15,000,000 shall be made available for democracy
16 programs and not less than \$8,000,000 shall be
17 made available for conflict mitigation and reconcili-
18 ation programs.

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

25 (A) humanitarian assistance;

1 (B) health programs, including to prevent,
2 detect, and respond to the Ebola virus disease;

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

6 (D) assistance to support implementation
7 of outstanding issues of the Comprehensive
8 Peace Agreement and mutual arrangements re-
9 lated to such agreement:

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

16 (g) SUDAN.—

17 (1) ASSISTANCE.—Funds appropriated by this
18 Act under title III should be made available to sup-
19 port the civilian-led transition in Sudan, including
20 for assistance for health, democracy, economic
21 growth, agriculture, and education.

22 (2) LIMITATION ON LOANS.—None of the funds
23 appropriated by this Act may be made available for
24 the cost, as defined in section 502 of the Congres-
25 sional Budget Act of 1974, of modifying loans and

1 loan guarantees held by the Government of Sudan,
2 including the cost of selling, reducing, or canceling
3 amounts owed to the United States, and modifying
4 concessional loans, guarantees, and credit agree-
5 ments.

6 (3) CONSULTATION.—Funds appropriated by
7 this Act and prior Acts making appropriations for
8 the Department of State, foreign operations, and re-
9 lated programs that are made available for any new
10 program or activity in Sudan shall be subject to
11 prior consultation with the appropriate congressional
12 committees.

13 (h) ZIMBABWE.—

14 (1) INSTRUCTION.—The Secretary of the Treas-
15 ury shall instruct the United States executive direc-
16 tor of each international financial institution to vote
17 against any extension by the respective institution of
18 any loan or grant to the Government of Zimbabwe,
19 except to meet basic human needs or to promote de-
20 mocracy, unless the Secretary of State certifies and
21 reports to the Committees on Appropriations that
22 the rule of law has been restored, including respect
23 for ownership and title to property, and freedoms of
24 expression, association, and assembly.

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

7 EAST ASIA AND THE PACIFIC

8 SEC. 7043. (a) BURMA.—

9 (1) BILATERAL ECONOMIC ASSISTANCE.—

10 (A) Funds appropriated under title III of
11 this Act for assistance for Burma—

12 (i) may be made available notwith-
13 standing any other provision of law, except
14 for this subsection, and following consulta-
15 tion with the Committees on Appropria-
16 tions;

17 (ii) may be made available for ethnic
18 groups and civil society in Burma to help
19 sustain ceasefire agreements and further
20 prospects for reconciliation and peace,
21 which may include support to representa-
22 tives of ethnic armed groups for this pur-
23 pose; and

24 (iii) shall be made available for pro-
25 grams to strengthen independent media

1 and civil society organizations, to promote
2 ethnic and religious tolerance, and to com-
3 bat gender-based violence, including in
4 Kachin, Karen, Rakhine, and Shan states
5 and for the purposes enumerated under
6 this section in the report accompanying
7 this Act.

8 (B) Funds appropriated under title III of
9 this Act for assistance for Burma shall be made
10 available for community-based organizations op-
11 erating in Thailand to provide food, medical,
12 and other humanitarian assistance to internally
13 displaced persons in eastern Burma, in addition
14 to assistance for Burmese refugees from funds
15 appropriated by this Act under the heading
16 “Migration and Refugee Assistance”: *Provided*,
17 That such funds may be available for programs
18 to support the return of Kachin, Karen,
19 Rohingya, Shan, and other refugees and inter-
20 nally displaced persons to their locations of ori-
21 gin or preference in Burma only if such returns
22 are voluntary and consistent with international
23 law.

24 (C) Funds appropriated under title III of
25 this Act for assistance for Burma that are

1 made available for assistance for the Govern-
2 ment of Burma to support the implementation
3 of Nationwide Ceasefire Agreement conferences,
4 committees, and other procedures may only be
5 made available if the Secretary of State reports
6 to the Committees on Appropriations that such
7 conferences, committees, and procedures are di-
8 rected toward a sustainable peace and the Gov-
9 ernment of Burma is implementing its commit-
10 ments under such Agreement.

11 (2) INTERNATIONAL SECURITY ASSISTANCE.—
12 None of the funds appropriated by this Act under
13 the headings “International Military Education and
14 Training” and “Foreign Military Financing Pro-
15 gram” may be made available for assistance for
16 Burma: *Provided*, That the Department of State
17 may continue consultations with the armed forces of
18 Burma only on human rights and disaster response
19 in a manner consistent with the prior fiscal year,
20 and following consultation with the appropriate con-
21 gressional committees.

22 (3) LIMITATIONS.—None of the funds appro-
23 priated under title III of this Act for assistance for
24 Burma may be made available to any organization
25 or entity controlled by the armed forces of Burma,

1 or to any individual or organization that has com-
2 mitted a gross violation of human rights or advo-
3 cates violence against ethnic or religious groups or
4 individuals in Burma, as determined by the Sec-
5 retary of State for programs administered by the
6 Department of State and USAID or the President
7 of the National Endowment for Democracy (NED)
8 for programs administered by NED.

9 (4) CONSULTATION.—Any new program or ac-
10 tivity in Burma initiated in fiscal year 2021 shall be
11 subject to prior consultation with the appropriate
12 congressional committees.

13 (b) CAMBODIA.—

14 (1) ASSISTANCE.—Funds appropriated under
15 title III of this Act, shall be made available for as-
16 sistance for Cambodia.

17 (2) DETERMINATION AND EXCEPTIONS.—

18 (A) DETERMINATION.—None of the funds
19 appropriated by this Act that are made avail-
20 able for assistance for the Government of Cam-
21 bodia may be obligated or expended unless the
22 Secretary of State determines and reports to
23 the Committees on Appropriations that such
24 Government is taking effective steps to—

1 (i) strengthen regional security and
2 stability, particularly regarding territorial
3 disputes in the South China Sea and the
4 enforcement of international sanctions with
5 respect to North Korea;

6 (ii) cease violence and harassment
7 against civil society in Cambodia, including
8 the political opposition, and dismiss any
9 politically motivated criminal charges
10 against those who criticize the government;
11 and

12 (iii) respect the rights, freedoms, and
13 responsibilities enshrined in the Constitu-
14 tion of the Kingdom of Cambodia as en-
15 acted in 1993.

16 (B) EXCEPTIONS.—The determination re-
17 quired by subparagraph (A) shall not apply to
18 funds appropriated by this Act and made avail-
19 able for democracy, health, education, and envi-
20 ronment programs, programs to strengthen the
21 sovereignty of Cambodia, and programs to edu-
22 cate and inform the people of Cambodia of the
23 influence efforts of the People’s Republic of
24 China in Cambodia.

1 (3) USES OF FUNDS.—Funds appropriated
2 under title III of this Act for assistance for Cam-
3 bodia may be made available for—

4 (A) research and education programs asso-
5 ciated with the Khmer Rouge in Cambodia; and

6 (B) programs in the Khmer language to
7 monitor, map, and publicize the efforts by the
8 People’s Republic of China to expand its influ-
9 ence in Cambodia.

10 (c) INDO-PACIFIC STRATEGY AND THE COUNTERING
11 CHINESE INFLUENCE FUND.—

12 (1) ASSISTANCE.—Funds appropriated under
13 titles III and IV of this Act shall be made available
14 to support the implementation of the Indo-Pacific
15 Strategy and the Asia Reassurance Initiative Act of
16 2018 (Public Law 115–409).

17 (2) COUNTERING CHINESE INFLUENCE
18 FUND.—Funds appropriated by this Act under the
19 headings “Development Assistance”, “Economic
20 Support Fund”, “International Narcotics Control
21 and Law Enforcement”, and “Foreign Military Fi-
22 nancing Program”, may be made available for a
23 Countering Chinese Influence Fund to counter the
24 influence of the People’s Republic of China globally,

1 which shall be subject to prior consultation with the
2 Committees on Appropriations.

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

9 (A) the Belt and Road Initiative or any
10 dual-use infrastructure projects of the People’s
11 Republic of China; and

12 (B) the use of technology, including bio-
13 technology, digital, telecommunications, and
14 cyber, developed by the People’s Republic of
15 China unless the Secretary of State, in con-
16 sultation with the USAID Administrator, deter-
17 mines that such use does not adversely impact
18 the national security of the United States.

19 (d) NORTH KOREA.—

20 (1) REPORT.—The Secretary of State shall sub-
21 mit the report required by section 209 of the North
22 Korea Sanctions and Policy Enhancement Act of
23 2016 (Public Law 114–122; 22 U.S.C. 9229) to the
24 Committees on Appropriations.

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 PROMOTION AND LIMITA-
7 TION ON USE OF FUNDS.—

8 (A) Funds appropriated by this Act under
9 the headings “Economic Support Fund” and
10 “Democracy Fund” shall be made available for
11 the promotion of human rights in North Korea:
12 *Provided*, That the authority of section
13 7032(b)(1) of this Act shall apply to such
14 funds.

15 (B) None of the funds made available by
16 this Act under the heading “Economic Support
17 Fund” may be made available for assistance for
18 the Government of North Korea.

19 (e) PEOPLE’S REPUBLIC OF CHINA.—

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

1 Republic of China (PRC) unless, at least 15 days in
2 advance, the Committees on Appropriations are noti-
3 fied of such proposed action.

4 (2) PEOPLE’S LIBERATION ARMY.—None of the
5 funds appropriated or otherwise made available pur-
6 suant to this Act may be used to finance any grant,
7 contract, or cooperative agreement with the People’s
8 Liberation Army (PLA), or any entity that the Sec-
9 retary of State has reason to believe is owned or
10 controlled by, or an affiliate of, the PLA.

11 (3) HONG KONG.—

12 (A) ASSISTANCE.—Funds appropriated by
13 this Act under the heading “Democracy Fund”
14 for the Human Rights and Democracy Fund of
15 the Bureau of Democracy, Human Rights, and
16 Labor, Department of State, shall be made
17 available for democracy programs for Hong
18 Kong, including legal and other support for de-
19 mocracy activists.

20 (B) RESTRICTION.—None of the funds ap-
21 propriated by this Act may be made available to
22 enterprises, organizations, or other entities in
23 Hong Kong that receive funding from, or are
24 supported by, the Government of the PRC.

1 (C) REPORT.—Funds appropriated under
2 title I of this Act shall be made available to pre-
3 pare and submit to Congress the report re-
4 quired by section 301 of the United States-
5 Hong Kong Policy Act of 1992 (22 U.S.C.
6 5731) pursuant to section 7043(f)(4)(B) of the
7 Department of State, Foreign Operations, and
8 Related Programs Appropriations Act, 2020
9 (division G of Public Law 116-94), which shall
10 also include a description of—

11 (i) actions taken by the Government
12 of the PRC and the Hong Kong authorities
13 to implement the decision approved by the
14 National People’s Congress on May 28,
15 2020 for the Hong Kong Special Adminis-
16 tration Region; and

17 (ii) actions taken by the Government
18 of the PRC and the Hong Kong authorities
19 to modify Hong Kong’s existing judicial
20 systems and enforcement mechanisms in
21 order to erode democratic rights and civil
22 liberties protected under Hong Kong Basic
23 Law.

24 (D) VISA RESTRICTION.—Section 7031(c)
25 of this Act shall be construed to apply to gov-

ernment officials and their immediate family members about whom the Secretary of State has credible information have been involved in implementing the decision approved by the National People's Congress on May 28, 2020 for the Hong Kong Special Administration Region that undermines the autonomy and fundamental freedoms of the people of Hong Kong: *Provided*, That not later than 60 days after enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees describing the implementation of this subparagraph.

(f) PHILIPPINES.—

(1) None of the funds appropriated by this Act under the heading “International Narcotics Control and Law Enforcement” may be made available for counternarcotics assistance for the Philippines, except for drug demand reduction, maritime law enforcement, or transnational interdiction.

(2)(A) None of the funds appropriated by this Act under the heading “Foreign Military Financing Program” may be made available for assistance for the Government of Philippines unless the Secretary of State determines and reports to the Committees

1 on Appropriations that such Government is taking
2 effective steps to promote human rights and
3 strengthen accountability mechanisms.

4 (B) The Secretary of State may waive the re-
5 striction on assistance required by subparagraph (A)
6 if the Secretary determines and reports to the Com-
7 mittees on Appropriations that providing such as-
8 sistance is important to the national security inter-
9 est of the United States, including a description of
10 the national security interest served.

11 (g) TIBET.—

12 (1) FINANCING OF PROJECTS IN TIBET.—The
13 Secretary of the Treasury should instruct the United
14 States executive director of each international finan-
15 cial institution to use the voice and vote of the
16 United States to support financing of projects in
17 Tibet if such projects do not provide incentives for
18 the migration and settlement of non-Tibetans into
19 Tibet or facilitate the transfer of ownership of Ti-
20 betan land and natural resources to non-Tibetans,
21 are based on a thorough needs-assessment, foster
22 self-sufficiency of the Tibetan people and respect Ti-
23 betan culture and traditions, and are subject to ef-
24 fective monitoring.

25 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

1 (A) Notwithstanding any other provision of
2 law, of the funds appropriated by this Act
3 under the heading “Economic Support Fund”,
4 not less than \$8,000,000 shall be made avail-
5 able to nongovernmental organizations to sup-
6 port activities which preserve cultural traditions
7 and promote sustainable development, edu-
8 cation, and environmental conservation in Ti-
9 betan communities in the Tibet Autonomous
10 Region and in other Tibetan communities in
11 China.

12 (B) Of the funds appropriated by this Act
13 under the heading “Economic Support Fund”,
14 not less than \$6,000,000 shall be made avail-
15 able for programs to promote and preserve Ti-
16 betan culture and language in the refugee and
17 diaspora Tibetan communities, development,
18 and the resilience of Tibetan communities and
19 the Central Tibetan Administration in India
20 and Nepal, and to assist in the education and
21 development of the next generation of Tibetan
22 leaders from such communities: *Provided*, That
23 such funds are in addition to amounts made
24 available in subparagraph (A) for programs in-
25 side Tibet.

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

9 (h) VIETNAM.—Funds appropriated under titles III
10 and IV of this Act and made available for assistance for
11 Vietnam, should be made available for—

12 (1) health and disability programs in areas
13 sprayed with Agent Orange and contaminated with
14 dioxin, to assist individuals with severe upper or
15 lower body mobility impairment or cognitive or de-
16 velopmental disabilities; and

17 (2) activities related to the remediation of
18 dioxin contaminated sites in Vietnam and may be
19 made available for assistance for the Government of
20 Vietnam, including the military, for such purposes,
21 notwithstanding any other provision of law.

22 SOUTH AND CENTRAL ASIA

23 SEC. 7044. (a) AFGHANISTAN.—

24 (1) FUNDING AND LIMITATIONS.—Funds ap-
25 propriated by this Act under the headings “Eco-

1 nomic Support Fund” and “International Narcotics
2 Control and Law Enforcement” that are made avail-
3 able for assistance for Afghanistan—

4 (A) shall be made available to implement
5 the South Asia Strategy, the Revised Strategy
6 for United States Engagement in Afghanistan,
7 and the United States Agency for International
8 Development Country Development Cooperation
9 Strategy for Afghanistan, or any updated sub-
10 subsequent strategy;

11 (B) shall be made available to continue
12 support for institutions of higher education in
13 Kabul, Afghanistan that are accessible to both
14 women and men in a coeducational environ-
15 ment, including for the costs for operations and
16 security for such institutions;

17 (C) shall be made available for programs
18 that protect and strengthen the rights of Af-
19 ghan women and girls and promote the political
20 and economic empowerment of women including
21 their meaningful inclusion in political processes:
22 *Provided*, That such assistance to promote the
23 economic empowerment of women shall be made
24 available as grants to Afghan organizations, to
25 the maximum extent practicable;

1 (D) shall be made available to support
2 long-term development assistance programs in
3 areas previously under the control of the
4 Taliban: *Provided*, That such funds may be
5 made available notwithstanding any other provi-
6 sion of law and following consultation with the
7 Committees on Appropriation; and

8 (E) may not be made available for any
9 program, project, or activity pursuant to section
10 7044(a)(1)(C) of the Department of State, For-
11 eign Operations, and Related Programs Appro-
12 priations Act, 2019 (division F of Public Law
13 116–6).

14 (2) AFGHAN WOMEN.—

15 (A) IN GENERAL.—The Secretary of State
16 shall promote the meaningful participation of
17 Afghan women in ongoing peace and reconcili-
18 ation processes in Afghanistan in a manner
19 consistent with the Women, Peace, and Security
20 Act of 2017 (Public Law 115–68), including
21 advocacy for the inclusion of Afghan women
22 leaders in ongoing and future dialogue and ne-
23 gotiations and efforts to ensure that any long-
24 term peace agreement reached between the Af-
25 ghan Government and the Taliban protects the

1 rights of women and girls and ensures their
2 freedom of movement, rights to education and
3 work, and access to healthcare and legal rep-
4 resentation.

5 (B) ASSISTANCE.—Funds appropriated by
6 this Act and prior Acts making appropriations
7 for the Department of State, foreign operations,
8 and related programs under the heading “Eco-
9 nomic Support Fund” shall be made available
10 for an endowment pursuant to paragraph
11 (3)(A)(iv) of this subsection for an institution
12 of higher education in Kabul, Afghanistan that
13 is accessible to both women and men in a co-
14 educational environment: *Provided*, That such
15 endowment shall be established in partnership
16 with a United States-based American higher
17 education institution that will serve on its board
18 of trustees: *Provided further*, That prior to the
19 obligation of funds for such an endowment, the
20 Administrator of the United States Agency for
21 International Development shall submit a re-
22 port to the Committees on Appropriations de-
23 scribing the governance structure, including a
24 proposed board of trustees, and financial safe-
25 guards, including regular audit and reporting

1 requirements, in any endowment agreement:
2 *Provided further*, That the USAID Adminis-
3 trator shall provide a report on the expenditure
4 of funds generated from such an endowment to
5 the Committees on Appropriations on an annual
6 basis.

7 (3) AUTHORITIES.—

8 (A) Funds appropriated by this Act under
9 titles III through VI that are made available for
10 assistance for Afghanistan may be made avail-
11 able—

12 (i) notwithstanding section 7012 of
13 this Act or any similar provision of law
14 and section 660 of the Foreign Assistance
15 Act of 1961;

16 (ii) for reconciliation programs and
17 disarmament, demobilization, and re-
18 integration activities for former combat-
19 ants who have renounced violence against
20 the Government of Afghanistan, including
21 in accordance with section
22 7046(a)(2)(B)(ii) of the Department of
23 State, Foreign Operations, and Related
24 Programs Appropriations Act, 2012 (divi-
25 sion I of Public Law 112–74);

1 (iii) for an endowment to empower
2 women and girls; and

3 (iv) for an endowment for higher edu-
4 cation.

5 (B) Section 7046(a)(2)(A) of the Depart-
6 ment of State, Foreign Operations, and Related
7 Programs Appropriations Act, 2012 (division I
8 of Public Law 112–74) shall apply to funds ap-
9 propriated by this Act for assistance for Af-
10 ghanistan.

11 (C) Of the funds appropriated by this Act
12 under the heading “Diplomatic Programs”, up
13 to \$3,000,000 may be transferred to any other
14 appropriation of any department or agency of
15 the United States Government, upon the con-
16 currence of the head of such department or
17 agency, to support operations in, and assistance
18 for, Afghanistan and to carry out the provisions
19 of the Foreign Assistance Act of 1961: *Pro-*
20 *vided*, That any such transfer shall be subject
21 to the regular notification procedures of the
22 Committees on Appropriations.

23 (4) STRATEGY.—Not later than 45 days after
24 the date of enactment of this Act, the Secretary of
25 State, in consultation with the Administrator of the

1 United States Agency for International Develop-
2 ment, shall submit to the appropriate congressional
3 committees a comprehensive, multi-year strategy for
4 diplomatic and development engagement with Af-
5 ghanistan that reflects the agreement between the
6 United States Government and the Taliban, as well
7 as on-going intra-Afghan negotiations: *Provided*,
8 That such strategy shall include information regard-
9 ing, but not limited to, the inclusion of women in
10 intra-Afghan negotiations, political concessions be-
11 tween the Afghan government and the Taliban, and
12 expected Department of State and United States
13 military presence in Afghanistan.

14 (5) BASING RIGHTS AGREEMENT.—None of the
15 funds made available by this Act may be used by the
16 United States Government to enter into a perma-
17 nent basing rights agreement between the United
18 States and Afghanistan.

19 (b) BANGLADESH.—Funds appropriated under titles
20 III and IV of this Act shall be made available for—

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

23 (2) programs to protect freedom of expression
24 and due process of law; and

1 (3) democracy programs, of which not less than
2 \$2,000,000 shall be made available for such pro-
3 grams for the Rohingya community in Bangladesh.

4 (c) NEPAL.—Funds appropriated under titles III and
5 IV of this Act shall be made available for assistance for
6 Nepal, including for development and democracy pro-
7 grams.

8 (d) PAKISTAN.—The terms and conditions of section
9 7044(c) of the Department of State, Foreign Operations,
10 and Related Programs Appropriations Act, 2019 (division
11 F of Public Law 116–6) shall continue in effect during
12 fiscal year 2021.

13 (e) SRI LANKA.—

14 (1) ASSISTANCE.—Funds appropriated under
15 title III of this Act shall be made available for as-
16 sistance for Sri Lanka for democracy and economic
17 development programs, particularly in areas recov-
18 ering from ethnic and religious conflict: *Provided*,
19 That such funds shall be made available for pro-
20 grams to assist in the identification and resolution
21 of cases of missing persons.

22 (2) DETERMINATION.—Funds appropriated by
23 this Act for assistance for the central Government of
24 Sri Lanka, except for funds made available for hu-
25 manitarian assistance, victims of trauma, and tech-

1 nical assistance to promote fiscal transparency and
2 sovereignty, may be made available only if the Sec-
3 retary of State determines and reports to the Com-
4 mittees on Appropriations that such Government is
5 taking effective and consistent steps to—

6 (A) respect and uphold the rights and free-
7 doms of the people of Sri Lanka regardless of
8 ethnicity and religious belief, including by inves-
9 tigating violations of human rights and holding
10 perpetrators of such violations accountable;

11 (B) assert its sovereignty against inter-
12 ference by the People’s Republic of China; and

13 (C) promote reconciliation between ethnic
14 and religious groups arising from past conflict
15 in Sri Lanka, including by addressing land con-
16 fiscation and ownership issues, resolving cases
17 of missing persons, and reducing the presence
18 of the armed forces in former conflict zones.

19 (3) INTERNATIONAL SECURITY ASSISTANCE.—

20 Funds appropriated under title IV of this Act that
21 are available for assistance for Sri Lanka shall be
22 subject to the following conditions—

23 (A) not to exceed \$500,000 may be made
24 available under the heading “Foreign Military
25 Financing Program” only for programs to sup-

1 port humanitarian and disaster response pre-
2 paredness and maritime security, including
3 professionalization and training for the navy
4 and coast guard; and

5 (B) funds under the heading “Peace-
6 keeping Operations” may only be made avail-
7 able subject to the regular notification proce-
8 dures of the Committees on Appropriations.

9 (f) REGIONAL PROGRAMS.—Funds appropriated by
10 this Act shall be made available for assistance for Afghani-
11 stan, Pakistan, and other countries in South and Central
12 Asia to significantly increase the recruitment, training,
13 and retention of women in the judiciary, police, and other
14 security forces, and to train judicial and security personnel
15 in such countries to prevent and address gender-based vio-
16 lence, human trafficking, and other practices that dis-
17 proportionately harm women and girls.

18 LATIN AMERICA AND THE CARIBBEAN

19 SEC. 7045. (a) CENTRAL AMERICA.—

20 (1) ASSISTANCE.—

21 (A) FISCAL YEAR 2021.—Of the funds ap-
22 propriated by this Act under titles III and IV,
23 not less than \$519,885,000 shall be made avail-
24 able for assistance for Central America, includ-
25 ing through the Central America Regional Se-

1 curity Initiative, of which not less than
2 \$420,790,000 shall be for assistance for El Sal-
3 vador, Guatemala, and Honduras: *Provided*,
4 That such assistance shall be prioritized for
5 programs and activities that addresses the key
6 factors that contribute to the migration of un-
7 accompanied, undocumented minors to the
8 United States and such funds shall be made
9 available for global health, humanitarian, devel-
10 opment, democracy, border security, and law
11 enforcement programs for such countries, in-
12 cluding for programs to reduce violence against
13 women and girls and to combat corruption, and
14 for support of commissions against corruption
15 and impunity, as appropriate: *Provided further*,
16 That not less than \$45,000,000 shall be for
17 support of offices of Attorneys General and of
18 other entities and activities to combat corrup-
19 tion and impunity in such countries.

20 (B) FISCAL YEAR 2020.—Section
21 7045(a)(1)(A) of the Department of State, For-
22 eign Operations, and Related Programs Appro-
23 priations Act, 2020 (division G of Public Law
24 116–94) is amended by striking “\$519,885,000

1 should” and inserting in lieu thereof
2 “\$519,885,000 shall”.

3 (2) NORTHERN TRIANGLE.—

4 (A) LIMITATION ON ASSISTANCE TO CER-
5 TAIN CENTRAL GOVERNMENTS.—Of the funds
6 made available pursuant to paragraph (1)
7 under the heading “Economic Support Fund”
8 and under title IV of this Act that are made
9 available for assistance for each of the central
10 governments of El Salvador, Guatemala, and
11 Honduras, 50 percent may only be obligated
12 after the Secretary of State certifies and re-
13 ports to the appropriate congressional commit-
14 tees that such government is—

15 (i) combating corruption and impu-
16 nity, including prosecuting corrupt govern-
17 ment officials;

18 (ii) implementing reforms, policies,
19 and programs to increase transparency and
20 strengthen public institutions;

21 (iii) protecting the rights of civil soci-
22 ety, opposition political parties, and the
23 independence of the media;

1 (iv) providing effective and account-
2 able law enforcement and security for its
3 citizens, and upholding due process of law;

4 (v) implementing policies to reduce
5 poverty and promote equitable economic
6 growth and opportunity;

7 (vi) supporting the independence of
8 the judiciary and of electoral institutions;

9 (vii) improving border security;

10 (viii) combating human smuggling
11 and trafficking and countering the activi-
12 ties of criminal gangs, drug traffickers,
13 and transnational criminal organizations;
14 and

15 (ix) informing its citizens of the dan-
16 gers of the journey to the southwest border
17 of the United States.

18 (B) REPROGRAMMING.—If the Secretary is
19 unable to make the certification required by
20 subparagraph (A) for one or more of the gov-
21 ernments, such assistance for such central gov-
22 ernment shall be reprogrammed for assistance
23 for other countries in Latin America and the
24 Caribbean, notwithstanding the minimum fund-
25 ing requirements of this subsection and of sec-

tion 7019 of this Act: *Provided*, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations.

(C) EXCEPTIONS.—The limitation of subparagraph (A) shall not apply to funds appropriated by this Act that are made available for—

(i) the International Commission Against Impunity in El Salvador, and support of offices of Attorneys General and of other entities and activities related to combating corruption and impunity;

(ii) programs to combat gender-based violence;

(iii) humanitarian assistance; and

(iv) food security programs.

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

(3) COSTA RICA.—The Secretary of State shall report to the Committees on Appropriations in writ-

1 ing on American citizens detained in Costa Rica:
2 *Provided*, That such report shall include the number
3 of American citizens known to be detained and
4 whether such individuals are serving sentences or in
5 pre-trial detention, provided regular access to United
6 States Consular officers, being treated humanely,
7 and afforded access to legal representation: *Provided*
8 *further*, That such report shall be updated every 45
9 days until September 30, 2022: *Provided further*,
10 That such report shall be submitted in unclassified
11 form, but may include a classified annex.

12 (b) COLOMBIA.—

13 (1) ASSISTANCE.—Of the funds appropriated by
14 this Act under titles III and IV, not less than
15 \$457,253,000 shall be made available for assistance
16 for Colombia: *Provided*, That such funds shall be
17 made available for the programs and activities de-
18 scribed under this section in the report accom-
19 panying this Act.

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” and made available for assistance
25 for Colombia, 20 percent may be obligated only

1 after the Secretary of State determines and re-
2 ports to the Committees on Appropriations that
3 the Government of Colombia is continuing to
4 implement a national whole-of-government
5 counternarcotics strategy intended to reduce by
6 50 percent cocaine production and coca cultiva-
7 tion levels in Colombia by 2023 and such pro-
8 gram is not in violation of the 2016 peace ac-
9 cord between the Government of Colombia and
10 the Revolutionary Armed Forces of Colombia.

11 (B) HUMAN RIGHTS.—Of the funds appro-
12 priated by this Act under the heading “Foreign
13 Military Financing Program” and made avail-
14 able for assistance for Colombia, 20 percent
15 may be obligated only after the Secretary of
16 State determines and reports to the Committees
17 on Appropriations that—

18 (i) the Special Jurisdiction for Peace
19 and other judicial authorities are taking ef-
20 fective steps to hold accountable perpetra-
21 tors of gross violations of human rights in
22 a manner consistent with international law,
23 including for command responsibility, and
24 sentence them to deprivation of liberty;

1 (ii) the Government of Colombia is
2 taking effective steps to prevent attacks
3 against human rights defenders and other
4 civil society activists, trade unionists, and
5 journalists, and judicial authorities are
6 prosecuting those responsible for such at-
7 tacks;

8 (iii) the Government of Colombia is
9 taking effective steps to protect Afro-Co-
10 lombian and indigenous communities and
11 is respecting their rights and territory;

12 (iv) senior military officers responsible
13 for ordering, committing, and covering up
14 cases of false positives are being held ac-
15 countable, including removal from active
16 duty if found guilty through criminal or
17 disciplinary proceedings; and

18 (v) the Government of Colombia has
19 investigated and is taking steps to hold ac-
20 countable Government officials credibly al-
21 leged to have directed, authorized, or con-
22 ducted illegal surveillance of political oppo-
23 nents, government officials, journalists,
24 and human rights defenders, including the
25 use of assets provided by the United States

1 for combating counterterrorism and coun-
2 ternarcotics for such purposes.

3 (3) EXCEPTIONS.—The limitations of para-
4 graph (2) shall not apply to funds made available for
5 aviation instruction and maintenance, and maritime
6 and riverine security programs.

7 (4) AUTHORITY.—Aircraft supported by funds
8 appropriated by this Act and prior Acts making ap-
9 propriations for the Department of State, foreign
10 operations, and related programs and made available
11 for assistance for Colombia may be used to trans-
12 port personnel and supplies involved in drug eradi-
13 cation and interdiction, including security for such
14 activities, and to provide transport in support of al-
15 ternative development programs and investigations
16 by civilian judicial authorities.

17 (c) HAITI.—

18 (1) CERTIFICATION.—The certification require-
19 ment contained in section 7045(c)(1) of the Depart-
20 ment of State, Foreign Operations, and Related Pro-
21 grams Appropriations Act, 2020 (division G of Pub-
22 lic Law 116-94) shall continue in effect during fiscal
23 year 2021 and shall apply to funds appropriated by
24 this Act under the headings “Development Assist-

1 ance” and “Economic Support Fund” that are made
2 available for assistance for Haiti.

3 (2) HAITIAN COAST GUARD.—The Government
4 of Haiti shall be eligible to purchase defense articles
5 and services under the Arms Export Control Act (22
6 U.S.C. 2751 et seq.) for the Coast Guard.

7 (3) LIMITATION.—None of the funds made
8 available by this Act may be used to provide assist-
9 ance to the armed forces of Haiti.

10 (d) THE CARIBBEAN.—Of the funds appropriated by
11 this Act under titles III and IV, not less than \$74,800,000
12 shall be made available for the Caribbean Basin Security
13 Initiative.

14 (e) VENEZUELA.—

15 (1) Of the funds appropriated by this Act under
16 the heading “Economic Support Fund”, not less
17 than \$30,000,000 shall be made available for democ-
18 racy programs for Venezuela.

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

1 Tobago: *Provided*, That such amounts are in addi-
2 tion to funds otherwise made available for assistance
3 for such countries, subject to prior consultation
4 with, and the regular notification procedures of, the
5 Committees on Appropriations.

6 EUROPE AND EURASIA

7 SEC. 7046. (a) GEORGIA.—

8 (1) ASSISTANCE.—Of the funds appropriated by
9 this Act under titles III and IV, not less than
10 \$132,025,000 shall be made available for assistance
11 for Georgia.

12 (2) WITHHOLDING OF FUNDS.—Of the funds
13 appropriated by this Act under the heading “Assist-
14 ance to Europe, Eurasia and Central Asia” and
15 made available for assistance for the central Govern-
16 ment of Georgia, 15 percent may not be obligated
17 until the Secretary of State determines and reports
18 to the Committees on Appropriations that such gov-
19 ernment is taking effective steps to—

20 (A) strengthen democratic institutions as
21 described under this section in the report ac-
22 companying this Act;

23 (B) combat corruption within the govern-
24 ment, including in the application of anti-cor-
25 ruption laws and regulations; and

1 (C) ensure the rule of law in the private
2 sector is consistent with internationally recog-
3 nized standards, including protecting the rights
4 of foreign businesses to operate free from har-
5 assment and to fully realize all due commercial
6 and financial benefits resulting from invest-
7 ments made in Georgia.

8 (3) EXEMPTIONS.—The withholding in para-
9 graph (2) of this subsection shall not apply to pro-
10 grams that support democracy, the rule of law, civil
11 society and the media, or programs to reduce gen-
12 der-based violence and to protect vulnerable popu-
13 lations.

14 (4) WAIVER.—The Secretary may waive the ap-
15 plication of paragraph (2) if the Secretary deter-
16 mines and reports to the Committees on Appropria-
17 tions that to do so is important to the national inter-
18 est of the United States, including a description of
19 the national interest served.

20 (b) UKRAINE.—Of the funds appropriated by this Act
21 under titles III and IV, not less than \$453,000,000 shall
22 be made available for assistance for Ukraine.

23 (c) TERRITORIAL INTEGRITY.—None of the funds ap-
24 propriated by this Act may be made available for assist-
25 ance for a government of an Independent State of the

1 former Soviet Union if such government directs any action
2 in violation of the territorial integrity or national sov-
3 ereignty of any other Independent State of the former So-
4 viet Union, such as those violations included in the Hel-
5 sinki Final Act: *Provided*, That except as otherwise pro-
6 vided in section 7047(a) of this Act, funds may be made
7 available without regard to the restriction in this sub-
8 section if the President determines that to do so is in the
9 national security interest of the United States: *Provided*
10 *further*, That prior to executing the authority contained
11 in the previous proviso, the Secretary of State shall con-
12 sult with the Committees on Appropriations on how such
13 assistance supports the national security interest of the
14 United States.

15 (d) SECTION 907 OF THE FREEDOM SUPPORT
16 ACT.—Section 907 of the FREEDOM Support Act (22
17 U.S.C. 5812 note) shall not apply to—

18 (1) activities to support democracy or assist-
19 ance under title V of the FREEDOM Support Act
20 (22 U.S.C. 5851 et seq.) and section 1424 of the
21 Defense Against Weapons of Mass Destruction Act
22 of 1996 (50 U.S.C. 2333) or non-proliferation as-
23 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 (e) TURKEY.—

16 (1) None of the funds made available by this
17 Act may be used to facilitate or support the sale of
18 defense articles or defense services to the Turkish
19 Presidential Protection Directorate (TPPD) under
20 Chapter 2 of the Arms Export Control Act (22
21 U.S.C. 2761 et seq.) unless the Secretary of State
22 determines and reports to the appropriate congres-
23 sional committees that members of the TPPD who
24 are named in the July 17, 2017, indictment by the
25 Superior Court of the District of Columbia, and

1 against whom there are pending charges, have re-
2 turned to the United States to stand trial in connec-
3 tion with the offenses contained in such indictment
4 or have otherwise been brought to justice: *Provided*,
5 That the limitation in this paragraph shall not apply
6 to the use of funds made available by this Act for
7 border security purposes, for North Atlantic Treaty
8 Organization or coalition operations, or to enhance
9 the protection of United States officials and facilities
10 in Turkey.

11 (2) None of the funds appropriated or otherwise
12 made available by this Act and prior Acts making
13 appropriations for the Department of State, foreign
14 operations, and related programs, may be made
15 available to transfer or deliver, or to facilitate the
16 transfer or delivery of, F-35 aircraft to Turkey, in-
17 cluding any defense articles or services related to
18 such aircraft, until the Secretary of State certifies to
19 the appropriate congressional committees that the
20 Government of Turkey no longer possesses the Rus-
21 sian S-400 missile defense system or any other
22 equipment, materials, or personnel associated with
23 such system and has provided credible assurances
24 that the Government of Turkey will not in the future
25 accept delivery of such system.

1 COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

2 SEC. 7047. (a) LIMITATION.—Notwithstanding sec-
3 tion 7068(a) of this Act, none of the funds appropriated
4 by this Act may be made available for assistance for the
5 central Government of the Russian Federation.

6 (b) ANNEXATION OF CRIMEA.—

7 (1) PROHIBITION.—None of the funds appro-
8 priated by this Act may be made available for assist-
9 ance for the central government of a country that
10 the Secretary of State determines and reports to the
11 Committees on Appropriations has taken affirmative
12 steps intended to support or be supportive of the
13 Russian Federation annexation of Crimea or other
14 territory in Ukraine: *Provided*, That except as other-
15 wise provided in subsection (a), the Secretary may
16 waive the restriction on assistance required by this
17 paragraph if the Secretary determines and reports to
18 such Committees that to do so is in the national in-
19 terest of the United States, and includes a justifica-
20 tion for such interest.

21 (2) LIMITATION.—None of the funds appro-
22 priated by this Act may be made available for—

23 (A) the implementation of any action or
24 policy that recognizes the sovereignty of the

1 Russian Federation over Crimea or other terri-
2 tory in Ukraine;

3 (B) the facilitation, financing, or guarantee
4 of United States Government investments in
5 Crimea or other territory in Ukraine under the
6 control of Russian-backed separatists, if such
7 activity includes the participation of Russian
8 Government officials, or other Russian owned
9 or controlled financial entities; or

10 (C) assistance for Crimea or other terri-
11 tory in Ukraine under the control of Russian-
12 backed separatists, if such assistance includes
13 the participation of Russian Government offi-
14 cials, or other Russian owned or controlled fi-
15 nancial entities.

16 (3) INTERNATIONAL FINANCIAL INSTITU-
17 TIONS.—The Secretary of the Treasury shall in-
18 struct the United States executive directors of each
19 international financial institution to use the voice
20 and vote of the United States to oppose any assist-
21 ance by such institution (including any loan, credit,
22 or guarantee) for any program that violates the sov-
23 ereignty or territorial integrity of Ukraine.

24 (4) DURATION.—The requirements and limita-
25 tions of this subsection shall cease to be in effect if

1 the Secretary of State determines and reports to the
2 Committees on Appropriations that the Government
3 of Ukraine has reestablished sovereignty over Cri-
4 mea and other territory in Ukraine under the con-
5 trol of Russian-backed separatists.

6 (c) OCCUPATION OF THE GEORGIAN TERRITORIES OF
7 ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

8 (1) PROHIBITION.—None of the funds appro-
9 priated by this Act may be made available for assist-
10 ance for the central government of a country that
11 the Secretary of State determines and reports to the
12 Committees on Appropriations has recognized the
13 independence of, or has established diplomatic rela-
14 tions with, the Russian Federation occupied Geor-
15 gian territories of Abkhazia and Tskhinvali Region/
16 South Ossetia: *Provided*, That the Secretary shall
17 publish on the Department of State website a list of
18 any such central governments in a timely manner:
19 *Provided further*, That except as otherwise provided
20 in subsection (a), the Secretary may waive the re-
21 striction on assistance required by this paragraph if
22 the Secretary determines and reports to the Com-
23 mittees on Appropriations that to do so is in the na-
24 tional interest of the United States, and includes a
25 justification for such interest.

1 (2) LIMITATION.—None of the funds appro-
2 priated by this Act may be made available to sup-
3 port the Russian Federation occupation of the Geor-
4 gian territories of Abkhazia and Tskhinvali Region/
5 South Ossetia.

6 (3) INTERNATIONAL FINANCIAL INSTITU-
7 TIONS.—The Secretary of the Treasury shall in-
8 struct the United States executive directors of each
9 international financial institution to use the voice
10 and vote of the United States to oppose any assist-
11 ance by such institution (including any loan, credit,
12 or guarantee) for any program that violates the sov-
13 ereignty and territorial integrity of Georgia.

14 (d) COUNTERING RUSSIAN INFLUENCE FUND.—

15 (1) ASSISTANCE.—Of the funds appropriated by
16 this Act under the headings “Assistance for Europe,
17 Eurasia and Central Asia”, “International Narcotics
18 Control and Law Enforcement”, “International Mili-
19 tary Education and Training”, and “Foreign Mili-
20 tary Financing Program”, not less than
21 \$290,000,000 shall be made available to carry out
22 the purposes of the Countering Russian Influence
23 Fund, as authorized by section 254 of the Coun-
24 tering Russian Influence in Europe and Eurasia Act
25 of 2017 (Public Law 115–44; 22 U.S.C. 9543) and

1 notwithstanding the country limitation in subsection
2 (b) of such section, and programs to enhance the ca-
3 pacity of law enforcement and security forces in
4 countries in Europe, Eurasia, and Central Asia and
5 strengthen security cooperation between such coun-
6 tries and the United States and the North Atlantic
7 Treaty Organization, as appropriate.

8 (2) ECONOMICS AND TRADE.—Funds appro-
9 priated by this Act and made available for assistance
10 for the Eastern Partnership countries shall be made
11 available to advance the implementation of Associa-
12 tion Agreements and trade agreements with the Eu-
13 ropean Union, and to reduce their vulnerability to
14 external economic and political pressure from the
15 Russian Federation.

16 (e) DEMOCRACY PROGRAMS.—Funds appropriated by
17 this Act shall be made available to support democracy pro-
18 grams in the Russian Federation and other countries in
19 Europe, Eurasia, and Central Asia, including to promote
20 Internet freedom: *Provided*, That of the funds appro-
21 priated under the heading “Assistance for Europe, Eur-
22 asia and Central Asia”, not less than \$20,000,000 shall
23 be made available to strengthen democracy and civil soci-
24 ety in Central Europe, including for transparency, inde-

1 pendent media, rule of law, minority rights, and programs
2 to combat anti-Semitism.

3 UNITED NATIONS

4 SEC. 7048. (a) TRANSPARENCY AND ACCOUNT-
5 ABILITY.—Not later than 180 days after enactment of this
6 Act, the Secretary of State shall report to the Committees
7 on Appropriations whether each organization, department,
8 or agency receiving a contribution from funds appro-
9 priated by this Act under the headings “Contributions to
10 International Organizations” and “International Organi-
11 zations and Programs” is—

12 (1) posting on a publicly available website, con-
13 sistent with privacy regulations and due process,
14 regular financial and programmatic audits of such
15 organization, department, or agency, and providing
16 the United States Government with necessary access
17 to such financial and performance audits;

18 (2) effectively implementing and enforcing poli-
19 cies and procedures which meet or exceed best prac-
20 tices in the United States for the protection of whis-
21 tleblowers from retaliation, including—

22 (A) protection against retaliation for inter-
23 nal and lawful public disclosures;

24 (B) legal burdens of proof;

1 (C) statutes of limitation for reporting re-
2 taliation;

3 (D) access to binding independent adju-
4 dicative bodies, including shared cost and selec-
5 tion of external arbitration; and

6 (E) results that eliminate the effects of
7 proven retaliation, including provision for the
8 restoration of prior employment; and

9 (3) effectively implementing and enforcing poli-
10 cies and procedures on the appropriate use of travel
11 funds, including restrictions on first-class and busi-
12 ness-class travel.

13 (b) RESTRICTIONS ON UNITED NATIONS DELEGA-
14 TIONS AND ORGANIZATIONS.—

15 (1) RESTRICTIONS ON UNITED STATES DELEGA-
16 TIONS.—None of the funds made available by this
17 Act may be used to pay expenses for any United
18 States delegation to any specialized agency, body, or
19 commission of the United Nations if such agency,
20 body, or commission is chaired or presided over by
21 a country, the government of which the Secretary of
22 State has determined, for purposes of section
23 1754(c) of the Export Reform Control Act of 2018
24 (50 U.S.C. 4813(c)), supports international ter-
25 rorism.

1 (2) RESTRICTIONS ON CONTRIBUTIONS.—None
2 of the funds made available by this Act may be used
3 by the Secretary of State as a contribution to any
4 organization, agency, commission, or program within
5 the United Nations system if such organization,
6 agency, commission, or program is chaired or pre-
7 sided over by a country the government of which the
8 Secretary of State has determined, for purposes of
9 section 620A of the Foreign Assistance Act of 1961,
10 section 40 of the Arms Export Control Act, section
11 1754(c) of the Export Reform Control Act of 2018
12 (50 U.S.C. 4813(c)), or any other provision of law,
13 is a government that has repeatedly provided sup-
14 port for acts of international terrorism.

15 (3) WAIVER.—The Secretary of State may
16 waive the restriction in this subsection if the Sec-
17 retary determines and reports to the Committees on
18 Appropriations that to do so is important to the na-
19 tional interest of the United States, including a de-
20 scription of the national interest served.

21 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—
22 Funds appropriated by this Act shall be made available
23 in support of the United Nations Human Rights Council
24 unless the Secretary of State determines and reports to
25 the Committees on Appropriations that participation in

1 the Council does not serve the national interest of the
2 United States and that such Council is neither taking sig-
3 nificant steps to remove Israel as a permanent agenda
4 item nor taking actions to ensure integrity in the election
5 of members to such Council: *Provided*, That such report
6 shall include a description of how the national interest is
7 better served by the United States not being a member
8 of the Council: *Provided further*, That the Secretary of
9 State shall report to the Committees on Appropriations
10 not later than September 30, 2021, on the resolutions con-
11 sidered in the United Nations Human Rights Council dur-
12 ing the previous 12 months, and on steps taken to remove
13 Israel as a permanent agenda item and ensure integrity
14 in the election of members to such Council.

15 (d) UNITED NATIONS RELIEF AND WORKS AGEN-
16 CY.—Funds appropriated by this Act under title III shall
17 be made available to the United Nations Relief and Works
18 Agency (UNRWA), unless the Secretary of State deter-
19 mines and reports to the Committees on Appropriations,
20 in writing, that UNRWA—

21 (1) is inappropriately utilizing Operations Sup-
22 port Officers in the West Bank, Gaza, and other
23 fields of operation to inspect UNRWA installations;
24 (2) is not acting promptly to address any staff
25 or beneficiary violation of its own policies (including

1 the policies on neutrality and impartiality of employ-
2 ees) and the legal requirements under section 301(c)
3 of the Foreign Assistance Act of 1961;

4 (3) is not implementing procedures to maintain
5 the neutrality of its facilities, including imple-
6 menting a no-weapons policy, and conducting reg-
7 ular inspections of its installations, to ensure they
8 are only used for humanitarian or other appropriate
9 purposes;

10 (4) is not taking necessary and appropriate
11 measures to ensure it is operating in compliance
12 with the conditions of section 301(c) of the Foreign
13 Assistance Act of 1961 and continuing regular re-
14 porting to the Department of State on actions it has
15 taken to ensure conformance with such conditions;

16 (5) is not taking steps to ensure the content of
17 all educational materials currently taught in
18 UNRWA-administered schools and summer camps is
19 consistent with the values of human rights, dignity,
20 and tolerance and does not induce incitement;

21 (6) is engaging in operations with financial in-
22 stitutions or related entities in violation of relevant
23 United States law, and is not taking steps to im-
24 prove the financial transparency of the organization;
25 and

1 (7) is not in compliance with the United Na-
2 tions Board of Auditors' biennial audit requirements
3 and is not implementing in a timely fashion the
4 Board's recommendations.

5 (e) PROHIBITION OF PAYMENTS TO UNITED NA-
6 TIONS MEMBERS.—None of the funds appropriated or
7 made available pursuant to titles III through VI of this
8 Act for carrying out the Foreign Assistance Act of 1961,
9 may be used to pay in whole or in part any assessments,
10 arrearages, or dues of any member of the United Nations
11 or, from funds appropriated by this Act to carry out chap-
12 ter 1 of part I of the Foreign Assistance Act of 1961,
13 the costs for participation of another country's delegation
14 at international conferences held under the auspices of
15 multilateral or international organizations.

16 (f) REPORT.—Not later than 45 days after enactment
17 of this Act, the Secretary of State shall submit a report
18 to the Committees on Appropriations detailing the amount
19 of funds available for obligation or expenditure in fiscal
20 year 2021 for contributions to any organization, depart-
21 ment, agency, or program within the United Nations sys-
22 tem or any international program that are withheld from
23 obligation or expenditure due to any provision of law: *Pro-*
24 *vided*, That the Secretary shall update such report each
25 time additional funds are withheld by operation of any

1 provision of law: *Provided further*, That the reprogram-
2 ming of any withheld funds identified in such report, in-
3 cluding updates thereof, shall be subject to prior consulta-
4 tion with, and the regular notification procedures of, the
5 Committees on Appropriations.

6 (g) SEXUAL EXPLOITATION AND ABUSE IN PEACE-
7 KEEPING OPERATIONS.—The Secretary of State should
8 withhold assistance to any unit of the security forces of
9 a foreign country if the Secretary has credible information
10 that such unit has engaged in sexual exploitation or abuse,
11 including while serving in a United Nations peacekeeping
12 operation, until the Secretary determines that the govern-
13 ment of such country is taking effective steps to hold the
14 responsible members of such unit accountable and to pre-
15 vent future incidents: *Provided*, That the Secretary shall
16 promptly notify the government of each country subject
17 to any withholding of assistance pursuant to this para-
18 graph, and shall notify the appropriate congressional com-
19 mittees of such withholding not later than 10 days after
20 a determination to withhold such assistance is made: *Pro-*
21 *vided further*, That the Secretary shall, to the maximum
22 extent practicable, assist such government in bringing the
23 responsible members of such unit to justice.

24 (h) ADDITIONAL AVAILABILITY.—Subject to the reg-
25 ular notification procedures of the Committees on Appro-

1 priations, funds appropriated by this Act which are re-
2 turned or not made available due to the third proviso
3 under the heading “Contributions for International Peace-
4 keeping Activities” in title I of this Act or section 307(a)
5 of the Foreign Assistance Act of 1961 (22 U.S.C.
6 2227(a)), shall remain available for obligation until Sep-
7 tember 30, 2022: *Provided*, That the requirement to with-
8 hold funds for programs in Burma under section 307(a)
9 of the Foreign Assistance Act of 1961 shall not apply to
10 funds appropriated by this Act.

11 WAR CRIMES TRIBUNALS

12 SEC. 7049. (a) If the President determines that doing
13 so will contribute to a just resolution of charges regarding
14 genocide or other violations of international humanitarian
15 law, the President may direct a drawdown pursuant to sec-
16 tion 552(c) of the Foreign Assistance Act of 1961 of up
17 to \$30,000,000 of commodities and services for the United
18 Nations War Crimes Tribunal established with regard to
19 the former Yugoslavia by the United Nations Security
20 Council or such other tribunals or commissions as the
21 Council may establish or authorize to deal with such viola-
22 tions, without regard to the ceiling limitation contained
23 in paragraph (2) thereof: *Provided*, That the determina-
24 tion required under this section shall be in lieu of any de-
25 terminations otherwise required under section 552(c): *Pro-*

1 *vided further*, That funds made available pursuant to this
2 section shall be made available subject to the regular noti-
3 fication procedures of the Committees on Appropriations.

4 (b) None of the funds appropriated by this Act may
5 be made available for a United States contribution to the
6 International Criminal Court: *Provided*, That funds may
7 be made available for technical assistance, training, assist-
8 ance for victims, protection of witnesses, and law enforce-
9 ment support related to international investigations, ap-
10 prehensions, prosecutions, and adjudications of genocide,
11 crimes against humanity, and war crimes: *Provided fur-*
12 *ther*, That the previous proviso shall not apply to inves-
13 tigation, apprehensions, or prosecutions of American
14 service members and other United States citizens or na-
15 tionals, or nationals of the North Atlantic Treaty Organi-
16 zation (NATO) or major non-NATO allies initially des-
17 igned pursuant to section 517(b) of the Foreign Assist-
18 ance Act of 1961.

19 GLOBAL INTERNET FREEDOM

20 SEC. 7050. (a) FUNDING.—Of the funds available for
21 obligation during fiscal year 2021 under the headings
22 “International Broadcasting Operations”, “Economic
23 Support Fund”, “Democracy Fund”, and “Assistance for
24 Europe, Eurasia and Central Asia”, not less than
25 \$68,000,000 shall be made available for programs to pro-

1 mote Internet freedom globally: *Provided*, That such pro-
2 grams shall be prioritized for countries whose governments
3 restrict freedom of expression on the Internet, and that
4 are important to the national interest of the United
5 States: *Provided further*, That funds made available pursu-
6 ant to this section shall be matched, to the maximum ex-
7 tent practicable, by sources other than the United States
8 Government, including from the private sector.

9 (b) REQUIREMENTS.—

10 (1) DEPARTMENT OF STATE AND UNITED
11 STATES AGENCY FOR INTERNATIONAL DEVELOP-
12 MENT.—Funds appropriated by this Act under the
13 headings “Economic Support Fund”, “Democracy
14 Fund”, and “Assistance for Europe, Eurasia and
15 Central Asia” that are made available pursuant to
16 subsection (a) shall be—

17 (A) coordinated with other democracy pro-
18 grams funded by this Act under such headings,
19 and shall be incorporated into country assist-
20 ance and democracy promotion strategies, as
21 appropriate;

22 (B) for programs and activities described
23 under this section in the report accompanying
24 this Act; and

1 (C) made available only after the Assistant
2 Secretary for Democracy, Human Rights, and
3 Labor, Department of State, concurs that such
4 funds are allocated consistent with—

5 (i) programs and activities described
6 in the report accompanying this Act pursu-
7 ant to subparagraph (B);

8 (ii) best practices regarding security
9 for, and oversight of, Internet freedom pro-
10 grams; and

11 (iii) sufficient resources and support
12 for the development and maintenance of
13 anti-censorship technology and tools.

14 (2) UNITED STATES AGENCY FOR GLOBAL
15 MEDIA.—Funds appropriated by this Act under the
16 heading “International Broadcasting Operations”
17 that are made available pursuant to subsection (a)
18 shall be—

19 (A) made available only for tools and tech-
20 niques to securely develop and distribute United
21 States Agency for Global Media (USAGM) dig-
22 ital content, facilitate audience access to such
23 content on websites that are censored, coordi-
24 nate the distribution of USAGM digital content
25 to targeted regional audiences, and to promote

1 and distribute such tools and techniques, in-
2 cluding digital security techniques;

3 (B) coordinated with programs funded by
4 this Act under the heading “International
5 Broadcasting Operations”, and shall be incor-
6 porated into country broadcasting strategies, as
7 appropriate;

8 (C) coordinated by the Chief Executive Of-
9 ficer (CEO) of USAGM to provide Internet cir-
10 cumvention tools and techniques for audiences
11 in countries that are strategic priorities for the
12 USAGM and in a manner consistent with the
13 USAGM Internet freedom strategy; and

14 (D) made available for the research and
15 development of new tools or techniques author-
16 ized in subparagraph (A) only after the
17 USAGM CEO, in consultation with the Sec-
18 retary of State and other relevant United
19 States Government departments and agencies,
20 evaluates the risks and benefits of such new
21 tools or techniques, and establishes safeguards
22 to minimize the use of such new tools or tech-
23 niques for illicit purposes.

24 (c) COORDINATION AND SPEND PLANS.—After con-
25 sultation among the relevant agency heads to coordinate

1 and de-conflict planned activities, but not later than 90
2 days after enactment of this Act, the Secretary of State
3 and the USAGM CEO shall submit to the Committees on
4 Appropriations spend plans for funds made available by
5 this Act for programs to promote Internet freedom glob-
6 ally, which shall include a description of safeguards estab-
7 lished by relevant agencies to ensure that such programs
8 are not used for illicit purposes: *Provided*, That the De-
9 partment of State spend plan shall include funding for all
10 such programs for all relevant Department of State and
11 the United States Agency for International Development
12 offices and bureaus.

13 (d) SECURITY AUDITS.—Funds made available pur-
14 suant to this section to promote Internet freedom globally
15 may only be made available to support technologies that
16 undergo comprehensive security audits conducted by the
17 Bureau of Democracy, Human Rights, and Labor, De-
18 partment of State to ensure that such technology is secure
19 and has not been compromised in a manner detrimental
20 to the interest of the United States or to individuals and
21 organizations benefiting from programs supported by such
22 funds: *Provided*, That the security auditing procedures
23 used by such Bureau shall be reviewed and updated peri-
24 odically to reflect current industry security standards.

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

3 SEC. 7051. (a) LIMITATION.—None of the funds
4 made available by this Act may be used to support or jus-
5 tify the use of torture and other cruel, inhuman, or de-
6 grading treatment or punishment by any official or con-
7 tract employee of the United States Government.

8 (b) ASSISTANCE.—Funds appropriated under titles
9 III and IV of this Act shall be made available, notwith-
10 standing section 660 of the Foreign Assistance Act of
11 1961 and following consultation with the Committees on
12 Appropriations, for assistance to eliminate torture and
13 other cruel, inhuman, or degrading treatment or punish-
14 ment by foreign police, military or other security forces
15 in countries receiving assistance from funds appropriated
16 by this Act.

17 AIRCRAFT TRANSFER, COORDINATION, AND USE

18 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-
19 standing any other provision of law or regulation, aircraft
20 procured with funds appropriated by this Act and prior
21 Acts making appropriations for the Department of State,
22 foreign operations, and related programs under the head-
23 ings “Diplomatic Programs”, “International Narcotics
24 Control and Law Enforcement”, “Andean Counterdrug

1 Initiative”, and “Andean Counterdrug Programs” may be
2 used for any other program and in any region.

3 (b) PROPERTY DISPOSAL.—The authority provided
4 in subsection (a) shall apply only after the Secretary of
5 State determines and reports to the Committees on Appro-
6 priations that the equipment is no longer required to meet
7 programmatic purposes in the designated country or re-
8 gion: *Provided*, That any such transfer shall be subject
9 to prior consultation with, and the regular notification
10 procedures of, the Committees on Appropriations.

11 (c) AIRCRAFT COORDINATION.—

12 (1) AUTHORITY.—The uses of aircraft pur-
13 chased or leased by the Department of State and the
14 United States Agency for International Development
15 with funds made available in this Act or prior Acts
16 making appropriations for the Department of State,
17 foreign operations, and related programs shall be co-
18 ordinated under the authority of the appropriate
19 Chief of Mission: *Provided*, That notwithstanding
20 section 7063(b) of this Act, such aircraft may be
21 used to transport, on a reimbursable or non-reim-
22 bursable basis, Federal and non-Federal personnel
23 supporting Department of State and USAID pro-
24 grams and activities: *Provided further*, That official
25 travel for other agencies for other purposes may be

1 supported on a reimbursable basis, or without reim-
2 bursement when traveling on a space available basis:
3 *Provided further*, That funds received by the Depart-
4 ment of State in connection with the use of aircraft
5 owned, leased, or chartered by the Department of
6 State may be credited to the Working Capital Fund
7 of the Department and shall be available for ex-
8 penses related to the purchase, lease, maintenance,
9 chartering, or operation of such aircraft.

10 (2) SCOPE.—The requirement and authorities
11 of this subsection shall only apply to aircraft, the
12 primary purpose of which is the transportation of
13 personnel.

14 (d) AIRCRAFT OPERATIONS AND MAINTENANCE.—
15 To the maximum extent practicable, the costs of oper-
16 ations and maintenance, including fuel, of aircraft funded
17 by this Act shall be borne by the recipient country.

18 PARKING FINES AND REAL PROPERTY TAXES OWED BY
19 FOREIGN GOVERNMENTS

20 SEC. 7053. The terms and conditions of section 7055
21 of the Department of State, Foreign Operations, and Re-
22 lated Programs Appropriations Act, 2010 (division F of
23 Public Law 111–117) shall apply to this Act: *Provided*,
24 That the date “September 30, 2009” in subsection

1 (f)(2)(B) of such section shall be deemed to be “Sep-
2 tember 30, 2020”.

3 INTERNATIONAL MONETARY FUND

4 SEC. 7054. (a) EXTENSIONS.—The terms and condi-
5 tions of sections 7086(b) (1) and (2) and 7090(a) of the
6 Department of State, Foreign Operations, and Related
7 Programs Appropriations Act, 2010 (division F of Public
8 Law 111–117) shall apply to this Act.

9 (b) REPAYMENT.—The Secretary of the Treasury
10 shall instruct the United States Executive Director of the
11 International Monetary Fund (IMF) to seek to ensure
12 that any loan will be repaid to the IMF before other pri-
13 vate or multilateral creditors.

14 EXTRADITION

15 SEC. 7055. (a) LIMITATION.—None of the funds ap-
16 propriated in this Act may be used to provide assistance
17 (other than funds provided under the headings “Develop-
18 ment Assistance”, “International Disaster Assistance”,
19 “Complex Crises Fund”, “International Narcotics Control
20 and Law Enforcement”, “Migration and Refugee Assist-
21 ance”, “United States Emergency Refugee and Migration
22 Assistance Fund”, and “Nonproliferation, Anti-terrorism,
23 Demining and Related Assistance”) for the central gov-
24 ernment of a country which has notified the Department
25 of State of its refusal to extradite to the United States

1 any individual indicted for a criminal offense for which
2 the maximum penalty is life imprisonment without the
3 possibility of parole or for killing a law enforcement offi-
4 cer, as specified in a United States extradition request.

5 (b) CLARIFICATION.—Subsection (a) shall only apply
6 to the central government of a country with which the
7 United States maintains diplomatic relations and with
8 which the United States has an extradition treaty and the
9 government of that country is in violation of the terms
10 and conditions of the treaty.

11 (c) WAIVER.—The Secretary of State may waive the
12 restriction in subsection (a) on a case-by-case basis if the
13 Secretary certifies to the Committees on Appropriations
14 that such waiver is important to the national interest of
15 the United States.

16 IMPACT ON JOBS IN THE UNITED STATES

17 SEC. 7056. None of the funds appropriated or other-
18 wise made available under titles III through VI of this
19 Act may be obligated or expended to provide—

20 (1) any financial incentive to a business enter-
21 prise currently located in the United States for the
22 purpose of inducing such an enterprise to relocate
23 outside the United States if such incentive or in-
24 ducement is likely to reduce the number of employ-
25 ees of such business enterprise in the United States

1 because United States production is being replaced
2 by such enterprise outside the United States;

3 (2) assistance for any program, project, or ac-
4 tivity that contributes to the violation of internation-
5 ally recognized workers' rights, as defined in section
6 507(4) of the Trade Act of 1974, of workers in the
7 recipient country, including any designated zone or
8 area in that country: *Provided*, That the application
9 of section 507(4)(D) and (E) of such Act (19 U.S.C.
10 2467(4)(D) and (E)) should be commensurate with
11 the level of development of the recipient country and
12 sector, and shall not preclude assistance for the in-
13 formal sector in such country, micro and small-scale
14 enterprise, and smallholder agriculture; or

15 (3) any assistance to an entity outside the
16 United States if such assistance is for the purpose
17 of directly relocating or transferring jobs from the
18 United States to other countries and adversely im-
19 pacts the labor force in the United States.

20 DISABILITY PROGRAMS

21 SEC. 7057. (a) ASSISTANCE.—Funds appropriated by
22 this Act under the heading “Development Assistance”
23 shall be made available for programs and activities admin-
24 istered by the United States Agency for International De-
25 velopment to address the needs and protect and promote

1 the rights of people with disabilities in developing coun-
2 tries, including initiatives that focus on independent living,
3 economic self-sufficiency, advocacy, education, employ-
4 ment, transportation, sports, political and electoral par-
5 ticipation, and integration of individuals with disabilities,
6 including for the cost of translation.

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

11 ENTERPRISE FUNDS

12 SEC. 7058. (a) NOTIFICATION.—None of the funds
13 made available under titles III through VI of this Act may
14 be made available for Enterprise Funds unless the appro-
15 priate congressional committees are notified at least 15
16 days in advance.

17 (b) DISTRIBUTION OF ASSETS PLAN.—Prior to the
18 distribution of any assets resulting from any liquidation,
19 dissolution, or winding up of an Enterprise Fund, in whole
20 or in part, the President shall submit to the appropriate
21 congressional committees a plan for the distribution of the
22 assets of the Enterprise Fund.

23 (c) TRANSITION OR OPERATING PLAN.—Prior to a
24 transition to and operation of any private equity fund or
25 other parallel investment fund under an existing Enter-

1 prise Fund, the President shall submit such transition or
2 operating plan to the appropriate congressional commit-
3 tees.

4 GENDER EQUALITY

5 SEC. 7059. (a) WOMEN'S EMPOWERMENT.—

6 (1) GENDER EQUALITY.—Funds appropriated
7 by this Act shall be made available to promote gen-
8 der equality in United States Government diplomatic
9 and development efforts by raising the status, in-
10 creasing the participation, and protecting the rights
11 of women and girls worldwide.

12 (2) WOMEN'S ECONOMIC EMPOWERMENT.—
13 Funds appropriated by this Act are available to im-
14 plement the Women's Entrepreneurship and Eco-
15 nomic Empowerment Act of 2018 (Public Law 115–
16 428): *Provided*, That the Secretary of State and the
17 Administrator of the United States Agency for
18 International Development, as appropriate, shall
19 consult with the Committees on Appropriations on
20 the implementation of such Act.

21 (3) WOMEN'S GLOBAL DEVELOPMENT AND
22 PROSPERITY FUND.—Of the funds appropriated
23 under title III of this Act, up to \$100,000,000 may
24 be made available for the Women's Global Develop-
25 ment and Prosperity Fund.

1 (b) WOMEN’S LEADERSHIP.—Of the funds appro-
2 priated by title III of this Act, not less than \$50,000,000
3 shall be made available for programs specifically designed
4 to increase leadership opportunities for women in coun-
5 tries where women and girls suffer discrimination due to
6 law, policy, or practice, by strengthening protections for
7 women’s political status, expanding women’s participation
8 in political parties and elections, and increasing women’s
9 opportunities for leadership positions in the public and
10 private sectors at the local, provincial, and national levels.

11 (c) GENDER-BASED VIOLENCE.—

12 (1) Of the funds appropriated under titles III
13 and IV of this Act, not less than \$165,000,000 shall
14 be made available to implement a multi-year strat-
15 egy to prevent and respond to gender-based violence
16 in countries where it is common in conflict and non-
17 conflict settings.

18 (2) Funds appropriated under titles III and IV
19 of this Act that are available to train foreign police,
20 judicial, and military personnel, including for inter-
21 national peacekeeping operations, shall address,
22 where appropriate, prevention and response to gen-
23 der-based violence and trafficking in persons, and
24 shall promote the integration of women into the po-
25 lice and other security forces.

1 (d) WOMEN, PEACE, AND SECURITY.—Of the funds
2 appropriated by this Act under the headings “Develop-
3 ment Assistance”, “Economic Support Fund”, “Assist-
4 ance for Europe, Eurasia and Central Asia”, and “Inter-
5 national Narcotics Control and Law Enforcement” not
6 less than \$130,000,000 shall be made available to support
7 a multi-year strategy to expand, and improve coordination
8 of, United States Government efforts to empower women
9 as equal partners in conflict prevention, peace building,
10 transitional processes, and reconstruction efforts in coun-
11 tries affected by conflict or in political transition, and to
12 ensure the equitable provision of relief and recovery assist-
13 ance to women and girls.

14 (e) WOMEN AND GIRLS AT RISK FROM EXTREMISM
15 AND CONFLICT.—Of the funds appropriated by this Act
16 under the heading “Economic Support Fund”, not less
17 than \$15,000,000 shall be made available to support
18 women and girls who are at risk from extremism and con-
19 flict, and for the activities described in section 7059(e)(1)
20 of the Department of State, Foreign Operations, and Re-
21 lated Programs Appropriations Act, 2018 (division K of
22 Public Law 115–141): *Provided*, That such funds are in
23 addition to amounts otherwise made available by this Act
24 for such purposes, and shall be made available following

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

3 SECTOR ALLOCATIONS

4 SEC. 7060. (a) BASIC EDUCATION AND HIGHER
5 EDUCATION.—

6 (1) BASIC EDUCATION.—

7 (A) Of the funds appropriated under title III of
8 this Act, not less than \$975,000,000 shall be made
9 available for assistance for basic education, and such
10 funds may be made available notwithstanding any
11 other provision of law that restricts assistance to
12 foreign countries: *Provided*, That such funds shall
13 also be used for secondary education activities: *Pro-*
14 *vided further*, That of the funds made available by
15 this paragraph not less than \$150,000,000 shall be
16 available for the education of girls in areas of con-
17 flict: *Provided further*, That the Administrator of the
18 United States Agency for International Develop-
19 ment, following consultation with the Committees on
20 Appropriations, may reprogram such funds between
21 countries: *Provided further*, That funds made avail-
22 able under the headings “Development Assistance”
23 and “Economic Support Fund” for the support of
24 non-state schools in this Act and prior Acts making
25 appropriations for the Department of State, foreign

1 operations, and related programs shall be subject to
2 the regular notification procedures of the Commit-
3 tees on Appropriations.

4 (B) Of the funds appropriated under title III of
5 this Act for assistance for basic education programs,
6 not less than \$125,000,000 shall be made available
7 for contributions to multilateral partnerships that
8 support education.

9 (C) Funds appropriated under title III of this
10 Act and made available for assistance for basic edu-
11 cation as provided for in this paragraph shall be re-
12 ferred to as the “Nita M. Lowey Basic Education
13 Fund”.

14 (2) HIGHER EDUCATION.—Of the funds appro-
15 priated by title III of this Act, not less than \$235,000,000
16 shall be made available for assistance for higher education:
17 *Provided*, That such funds may be made available notwith-
18 standing any other provision of law that restricts assist-
19 ance to foreign countries, and shall be subject to the reg-
20 ular notification procedures of the Committees on Appro-
21 priations: *Provided further*, That of such amount, not less
22 than \$35,000,000 shall be made available for new and on-
23 going partnerships between higher education institutions
24 in the United States and developing countries focused on
25 building the capacity of higher education institutions and

1 systems in developing countries: *Provided further*, That
2 not later than 45 days after enactment of this Act, the
3 USAID Administrator shall consult with the Committees
4 on Appropriations on the proposed uses of funds for such
5 partnerships.

6 (b) DEVELOPMENT PROGRAMS.—Of the funds appro-
7 priated by this Act under the heading “Development As-
8 sistance”, not less than \$17,000,000 shall be made avail-
9 able for cooperative development programs of USAID and
10 not less than \$30,000,000 shall be made available for the
11 American Schools and Hospitals Abroad program.

12 (c) ENVIRONMENT PROGRAMS.—

13 (1)(A) Funds appropriated by this Act to carry
14 out the provisions of sections 103 through 106, and
15 chapter 4 of part II, of the Foreign Assistance Act
16 of 1961 may be used, notwithstanding any other
17 provision of law, except for the provisions of this
18 subsection, to support environment programs.

19 (B) Funds made available pursuant to this sub-
20 section shall be subject to the regular notification
21 procedures of the Committees on Appropriations.

22 (C) Of the funds made available under the
23 heading “Economic Support Fund” in this Act and
24 prior Acts making appropriations for the Depart-
25 ment of State, foreign operations, and related pro-

1 grams, not less than \$500,000,000 shall be made
2 available for a contribution, grant, or any other
3 available funding mechanism to a dedicated inter-
4 national fund to assist developing nations to reduce
5 greenhouse gas emissions and pursue adaptation and
6 mitigation strategies: *Provided*, That any such use of
7 funds shall be subject to prior consultation with, and
8 the regular notification procedures of, the Commit-
9 tees on Appropriations.

10 (2)(A) Of the funds appropriated under title III
11 of this Act, not less than \$315,000,000 shall be
12 made available for biodiversity conservation pro-
13 grams.

14 (B) Not less than \$100,664,000 of the funds
15 appropriated under titles III and IV of this Act shall
16 be made available to combat the transnational threat
17 of wildlife poaching and trafficking.

18 (C) None of the funds appropriated under title
19 IV of this Act may be made available for training or
20 other assistance for any military unit or personnel
21 that the Secretary of State determines has been
22 credibly alleged to have participated in wildlife
23 poaching or trafficking, unless the Secretary reports
24 to the appropriate congressional committees that to

1 do so is in the national security interest of the
2 United States.

3 (D) Funds appropriated by this Act for bio-
4 diversity programs shall not be used to support the
5 expansion of industrial scale logging or any other in-
6 dustrial scale extractive activity into areas that were
7 primary/intact tropical forests as of December 30,
8 2013, and the Secretary of the Treasury shall in-
9 struct the United States executive directors of each
10 international financial institutions (IFI) to use the
11 voice and vote of the United States to oppose any
12 financing of any such activity.

13 (3) The Secretary of the Treasury shall instruct
14 the United States executive director of each IFI that
15 it is the policy of the United States to use the voice
16 and vote of the United States, in relation to any
17 loan, grant, strategy, or policy of such institution,
18 regarding the construction of any large dam in a
19 manner consistent with the criteria set forth in Sen-
20 ate Report 114–79, while also considering whether
21 the project involves important foreign policy objec-
22 tives.

23 (4) Of the funds appropriated under title III of
24 this Act, not less than \$135,000,000 shall be made
25 available for sustainable landscapes programs.

1 (5) Of the funds appropriated under title III of
2 this Act, not less than \$177,000,000 shall be made
3 available for adaptation programs.

4 (6) Of the funds appropriated under title III of
5 this Act, not less than \$179,000,000 shall be made
6 available for renewable energy programs.

7 (d) FOOD SECURITY AND AGRICULTURAL DEVELOP-
8 MENT.—Of the funds appropriated by title III of this Act,
9 not less than \$1,005,600,000 shall be made available for
10 food security and agricultural development programs to
11 carry out the purposes of the Global Food Security Act
12 of 2016 (Public Law 114–195): *Provided*, That funds may
13 be made available for a contribution as authorized by sec-
14 tion 3202 of the Food, Conservation, and Energy Act of
15 2008 (Public Law 110–246), as amended by section 3310
16 of the Agriculture Improvement Act of 2018 (Public Law
17 115–334).

18 (e) 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 (f) 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 \$67,000,000 shall be made
5 available for activities to combat trafficking in persons
6 internationally, of which not less than \$45,000,000 shall
7 be from funds made available under the heading “Inter-
8 national Narcotics Control and Law Enforcement”: *Pro-*
9 *vided*, That funds appropriated by this Act that are made
10 available for programs to end modern slavery shall be in
11 addition to funds made available by this subsection to
12 combat trafficking in persons.

13 (g) RECONCILIATION PROGRAMS.—Of the funds ap-
14 propriated by this Act under the heading “Development
15 Assistance”, not less than \$30,000,000 shall be made
16 available to support people-to-people reconciliation pro-
17 grams which bring together individuals of different ethnic,
18 religious, and political backgrounds from areas of civil
19 strife and war, including cross-border programs between
20 Israelis and Palestinians: *Provided*, That the USAID Ad-
21 ministrator shall consult with the Committees on Appro-
22 priations, prior to the initial obligation of funds, on the
23 uses of such funds, and such funds shall be subject to the
24 regular notification procedures of the Committees on Ap-
25 propriations: *Provided further*, That to the maximum ex-

1 tent practicable, such funds shall be matched by sources
2 other than the United States Government: *Provided fur-*
3 *ther*, That such funds shall be administered by the Office
4 of Conflict Management and Mitigation, USAID.

5 (h) WATER AND SANITATION.—Of the funds appro-
6 priated by this Act, not less than \$450,000,000 shall be
7 made available for water supply and sanitation projects
8 pursuant to section 136 of the Foreign Assistance Act of
9 1961, of which not less than \$225,000,000 shall be for
10 programs in sub-Saharan Africa, and of which not less
11 than \$15,000,000 shall be made available to support ini-
12 tiatives by local communities in developing countries to
13 build and maintain safe latrines.

14 BUDGET DOCUMENTS

15 SEC. 7061. (a) OPERATING PLANS.—Not later than
16 45 days after enactment of this Act, each department,
17 agency, or organization funded in titles I, II, and VI of
18 this Act, and the Department of the Treasury and Inde-
19 pendent Agencies funded in title III of this Act, including
20 the Inter-American Foundation and the United States Af-
21 rican Development Foundation, shall submit to the Com-
22 mittees on Appropriations an operating plan for funds ap-
23 propriated to such department, agency, or organization in
24 such titles of this Act, or funds otherwise available for ob-
25 ligation in fiscal year 2021, that provides details of the

1 uses of such funds at the program, project, and activity
2 level: *Provided*, That such plans shall include, as applica-
3 ble, a comparison between the congressional budget jus-
4 tification funding levels, the most recent congressional di-
5 rectives or approved funding levels, and the funding levels
6 proposed by the department or agency; and a clear, con-
7 cise, and informative description/justification: *Provided*
8 *further*, That operating plans that include changes in lev-
9 els of funding for programs, projects, and activities speci-
10 fied in the congressional budget justification, in this Act,
11 or amounts specifically designated in the respective tables
12 included in the report accompanying this Act, as applica-
13 ble, shall be subject to the notification and reprogramming
14 requirements of section 7015 of this Act.

15 (b) SPEND PLANS.—

16 (1) Not later than 90 days after enactment of
17 this Act, the Secretary of State or Administrator of
18 the United States Agency for International Develop-
19 ment, as appropriate, shall submit to the Commit-
20 tees on Appropriations a spend plan for funds made
21 available by this Act, for—

22 (A) assistance for Afghanistan, Iraq, Leb-
23 anon, Pakistan, Colombia, and countries in
24 Central America;

1 (B) assistance made available pursuant to
2 section 7047(d) of this Act to counter Russian
3 influence and aggression, except that such plan
4 shall be on a country-by-country basis;

5 (C) assistance made available pursuant to
6 section 7059 of this Act;

7 (D) the Indo-Pacific Strategy and the
8 Countering Chinese Influence Fund;

9 (E) democracy programs, Power Africa,
10 Prosper Africa, and sectors enumerated in sub-
11 sections (a), (c), (d), (e), (f), (g) and (h) of sec-
12 tion 7060 of this Act;

13 (F) funds provided under the heading
14 “International Narcotics Control and Law En-
15 forcement” for International Organized Crime
16 and for Cybercrime and Intellectual Property
17 Rights: *Provided*, That the spend plans shall in-
18 clude bilateral and global programs funded
19 under such heading along with a brief descrip-
20 tion of the activities planned for each country;
21 and

22 (G) the regional security initiatives de-
23 scribed under this heading in Senate Report
24 116–126.

1 (2) Not later than 90 days after enactment of
2 this Act, the Secretary of the Treasury shall submit
3 to the Committees on Appropriations a detailed
4 spend plan for funds made available by this Act
5 under the heading “Department of the Treasury,
6 International Affairs Technical Assistance” in title
7 III.

8 (c) CLARIFICATION.—The spend plans referenced in
9 subsection (b) shall not be considered as meeting the noti-
10 fication requirements in this Act or under section 634A
11 of the Foreign Assistance Act of 1961.

12 (d) CONGRESSIONAL BUDGET JUSTIFICATION.—

13 (1) SUBMISSION.—The congressional budget
14 justification for Department of State operations and
15 foreign operations shall be provided to the Commit-
16 tees on Appropriations concurrent with the date of
17 submission of the President’s budget for fiscal year
18 2022: *Provided*, That the appendices for such jus-
19 tification shall be provided to the Committees on Ap-
20 propriations not later than 10 calendar days there-
21 after.

22 (2) MULTI-YEAR AVAILABILITY OF CERTAIN
23 FUNDS.—The Secretary of State and the USAID
24 Administrator shall include in the congressional
25 budget justification a detailed justification for multi-

1 year availability for any funds requested under the
2 headings “Diplomatic Programs” and “Operating
3 Expenses”.

4 REORGANIZATION

5 SEC. 7062. (a) OVERSIGHT.—

6 (1) PRIOR CONSULTATION AND NOTIFICA-
7 TION.—Funds appropriated by this Act, prior Acts
8 making appropriations for the Department of State,
9 foreign operations, and related programs, or any
10 other Act may not be used to implement a reorga-
11 nization, redesign, or other plan described in para-
12 graph (2) by the Department of State, the United
13 States Agency for International Development, or any
14 other Federal department, agency, or organization
15 funded by this Act without prior consultation by the
16 head of such department, agency, or organization
17 with the appropriate congressional committees: *Pro-*
18 *vided*, That such funds shall be subject to the reg-
19 ular notification procedures of the Committees on
20 Appropriations: *Provided further*, That any such no-
21 tification submitted to such Committees shall include
22 a detailed justification for any proposed action, in-
23 cluding the information specified under section 7073
24 of the joint explanatory statement accompanying the
25 Department of State, Foreign Operations, and Re-

1 lated Programs Appropriations Act, 2019 (division
2 F of Public Law 116–6): *Provided further*, That con-
3 gressional notifications submitted in prior fiscal
4 years pursuant to similar provisions of law in prior
5 Acts making appropriations for the Department of
6 State, foreign operations, and related programs may
7 be deemed to meet the notification requirements of
8 this section.

9 (2) DESCRIPTION OF ACTIVITIES.—Pursuant to
10 paragraph (1), a reorganization, redesign, or other
11 plan shall include any action to—

12 (A) expand, eliminate, consolidate, or
13 downsize covered departments, agencies, or or-
14 ganizations, including bureaus and offices with-
15 in or between such departments, agencies, or
16 organizations, including the transfer to other
17 agencies of the authorities and responsibilities
18 of such bureaus and offices;

19 (B) expand, eliminate, consolidate, or
20 downsize the United States official presence
21 overseas, including at bilateral, regional, and
22 multilateral diplomatic facilities and other plat-
23 forms; or

24 (C) reduce the size of the permanent Civil
25 Service, Foreign Service, eligible family mem-

1 ber, and locally employed staff workforce of the
2 Department of State and USAID from the lev-
3 els specified in sections 7063(d)(1) and
4 7064(i)(1) of this Act.

5 (b) ADDITIONAL REQUIREMENTS AND LIMITA-
6 TIONS.—

7 (1) USAID REORGANIZATION.—Not later than
8 30 days after enactment of this Act, and quarterly
9 thereafter until September 30, 2022, the USAID
10 Administrator shall submit a report to the appro-
11 priate congressional committees on the status of
12 USAID’s reorganization in the manner described in
13 House Report 116–78.

14 (2) BUREAU OF POPULATION, REFUGEES, AND
15 MIGRATION, DEPARTMENT OF STATE.—None of the
16 funds appropriated by this Act, prior Acts making
17 appropriations for the Department of State, foreign
18 operations, and related programs, or any other Act
19 may be used to downsize, downgrade, consolidate,
20 close, move, or relocate the Bureau of Population,
21 Refugees, and Migration, Department of State, or
22 any activities of such Bureau, to another Federal
23 agency.

24 (3) ADMINISTRATION OF FUNDS.—Funds made
25 available by this Act—

1 (A) under the heading “Migration and
2 Refugee Assistance” shall be administered by
3 the Assistant Secretary for Population, Refu-
4 gees, and Migration, Department of State, and
5 this responsibility shall not be delegated; and

6 (B) that are made available for the Office
7 of Global Women’s Issues shall be administered
8 by the United States Ambassador-at-Large for
9 Global Women’s Issues, Department of State,
10 and this responsibility shall not be delegated.

11 DEPARTMENT OF STATE MANAGEMENT

12 SEC. 7063. (a) FINANCIAL SYSTEMS IMPROVE-
13 MENT.—Funds appropriated by this Act for the operations
14 of the Department of State under the headings “Diplo-
15 matic Programs” and “Capital Investment Fund” shall be
16 made available to implement the recommendations con-
17 tained in the Foreign Assistance Data Review Findings
18 Report (FADR) and the Office of Inspector General (OIG)
19 report entitled “Department Financial Systems Are Insuf-
20 ficient to Track and Report on Foreign Assistance
21 Funds”: *Provided*, That such funds may not be obligated
22 for enhancements to, or expansions of, the Budget System
23 Modernization Financial System, Central Resource Man-
24 agement System, Joint Financial Management System, or
25 Foreign Assistance Coordination and Tracking System

1 until such updated plan is submitted to the Committees
2 on Appropriations: *Provided further*, That such funds may
3 not be obligated for new, or expansion of existing, ad hoc
4 electronic systems to track commitments, obligations, or
5 expenditures of funds unless the Secretary of State, fol-
6 lowing consultation with the Chief Information Officer of
7 the Department of State, has reviewed and certified that
8 such new system or expansion is consistent with the
9 FADR and OIG recommendations: *Provided further*, That
10 not later than 45 days after enactment of this Act, the
11 Secretary of State shall submit to the Committees on Ap-
12 propriations an update to the plan required under section
13 7006 of the Department of State, Foreign Operations, and
14 Related Programs Appropriations Act, 2017 (division J of
15 Public Law 115–31) for implementing the FADR and
16 OIG recommendations.

17 (b) WORKING CAPITAL FUND.—Funds appropriated
18 by this Act or otherwise made available to the Department
19 of State for payments to the Working Capital Fund may
20 only be used for the service centers included in the Con-
21 gressional Budget Justification, Department of State,
22 Foreign Operations, and Related Programs, Fiscal Year
23 2021: *Provided*, That the amounts for such service centers
24 shall be the amounts included in such budget justification,
25 except as provided in section 7015(b) of this Act: *Provided*

1 *further*, That Federal agency components shall be charged
2 only for their direct usage of each Working Capital Fund
3 service: *Provided further*, That prior to increasing the per-
4 centage charged to Department of State bureaus and of-
5 fices for procurement-related activities, the Secretary of
6 State shall include the proposed increase in the Depart-
7 ment of State budget justification or, at least 60 days
8 prior to the increase, provide the Committees on Appro-
9 priations a justification for such increase, including a de-
10 tailed assessment of the cost and benefit of the services
11 provided by the procurement fee: *Provided further*, That
12 Federal agency components may only pay for Working
13 Capital Fund services that are consistent with the purpose
14 and authorities of such components: *Provided further*,
15 That the Working Capital Fund shall be paid in advance
16 or reimbursed at rates which will return the full cost of
17 each service.

18 (c) CERTIFICATION.—

19 (1) COMPLIANCE.—Not later than 45 days
20 after the initial obligation of funds appropriated
21 under titles III and IV of this Act that are made
22 available to a Department of State bureau or office
23 with responsibility for the management and over-
24 sight of such funds, the Secretary of State shall cer-
25 tify and report to the Committees on Appropria-

1 tions, on an individual bureau or office basis, that
2 such bureau or office is in compliance with Depart-
3 ment and Federal financial and grants management
4 policies, procedures, and regulations, as applicable.

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

9 (A) account for the obligated funds at the
10 country and program level, as appropriate;

11 (B) identify risks and develop mitigation
12 and monitoring plans;

13 (C) establish performance measures and
14 indicators;

15 (D) review activities and performance; and

16 (E) assess final results and reconcile fi-
17 nances.

18 (3) PLAN.—If the Secretary of State is unable
19 to make a certification required by paragraph (1),
20 the Secretary shall submit a plan and timeline de-
21 tailing the steps to be taken to bring such bureau
22 or office into compliance.

23 (d) PERSONNEL LEVELS.—

24 (1) Funds made available by this Act are made
25 available to support the permanent Foreign Service

1 and Civil Service staff levels of the Department of
2 State at not less than the hiring targets established
3 in the fiscal year 2020 operating plan.

4 (2) Not later than 60 days after enactment of
5 this Act, and every 60 days thereafter until Sep-
6 tember 30, 2022, the Secretary of State shall report
7 to the appropriate congressional committees on the
8 on-board personnel levels, hiring, and attrition of the
9 Civil Service, Foreign Service, eligible family mem-
10 ber, and locally employed staff workforce of the De-
11 partment of State, on an operating unit-by-operating
12 unit basis: *Provided*, That such report shall also in-
13 clude a hiring plan, including timelines, for main-
14 taining the agency-wide, on-board Foreign Service
15 and Civil Service at not less than the levels specified
16 in paragraph (1).

17 (e) INFORMATION TECHNOLOGY PLATFORM.—

18 (1) None of the funds appropriated in title I of
19 this Act under the heading “Administration of For-
20 eign Affairs” may be made available for a new major
21 information technology (IT) investment without the
22 concurrence of the Chief Information Officer, De-
23 partment of State.

24 (2) None of the funds appropriated in title I of
25 this Act under the heading “Administration of For-

1 eign Affairs” may be used by an agency to submit
2 a project proposal to the Technology Modernization
3 Board for funding from the Technology Moderniza-
4 tion Fund unless, not later than 15 days in advance
5 of submitting the project proposal to the Board, the
6 head of the agency—

7 (A) notifies the Committees on Appropria-
8 tions of the proposed submission of the project
9 proposal; and

10 (B) submits to the Committees on Appro-
11 priations a copy of the project proposal.

12 (3) None of the funds appropriated in title I of
13 this Act and prior Acts making appropriations for
14 the Department of State, foreign operations, and re-
15 lated programs under the heading “Administration
16 of Foreign Affairs” may be used by an agency to
17 carry out a project that is approved by the Board
18 unless the head of the agency—

19 (A) submits to the Committees on Appro-
20 priations a copy of the approved project pro-
21 posal, including the terms of reimbursement of
22 funding received for the project; and

23 (B) agrees to submit to the Committees on
24 Appropriations a copy of each report relating to

1 the project that the head of the agency submits
2 to the Board.

3 UNITED STATES AGENCY FOR INTERNATIONAL
4 DEVELOPMENT MANAGEMENT

5 SEC. 7064. (a) AUTHORITY.—Up to \$100,000,000 of
6 the funds made available in title III of this Act pursuant
7 to or to carry out the provisions of part I of the Foreign
8 Assistance Act of 1961, including funds appropriated
9 under the heading “Assistance for Europe, Eurasia and
10 Central Asia”, may be used by the United States Agency
11 for International Development to hire and employ individ-
12 uals in the United States and overseas on a limited ap-
13 pointment basis pursuant to the authority of sections 308
14 and 309 of the Foreign Service Act of 1980 (22 U.S.C.
15 3948 and 3949).

16 (b) RESTRICTION.—The authority to hire individuals
17 contained in subsection (a) shall expire on September 30,
18 2022.

19 (c) PROGRAM ACCOUNT CHARGED.—The account
20 charged for the cost of an individual hired and employed
21 under the authority of this section shall be the account
22 to which the responsibilities of such individual primarily
23 relate: *Provided*, That funds made available to carry out
24 this section may be transferred to, and merged with, funds

1 appropriated by this Act in title II under the heading “Op-
2 erating Expenses”.

3 (d) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-
4 viduals hired and employed by USAID, with funds made
5 available in this Act or prior Acts making appropriations
6 for the Department of State, foreign operations, and re-
7 lated programs, pursuant to the authority of section 309
8 of the Foreign Service Act of 1980 (22 U.S.C. 3949), may
9 be extended for a period of up to 4 years notwithstanding
10 the limitation set forth in such section.

11 (e) DISASTER SURGE CAPACITY.—Funds appro-
12 priated under title III of this Act to carry out part I of
13 the Foreign Assistance Act of 1961, including funds ap-
14 propriated under the heading “Assistance for Europe,
15 Eurasia and Central Asia”, may be used, in addition to
16 funds otherwise available for such purposes, for the cost
17 (including the support costs) of individuals detailed to or
18 employed by USAID whose primary responsibility is to
19 carry out programs in response to natural disasters, or
20 man-made disasters subject to the regular notification
21 procedures of the Committees on Appropriations.

22 (f) PERSONAL SERVICES CONTRACTORS.—Funds ap-
23 propriated by this Act to carry out chapter 1 of part I,
24 chapter 4 of part II, and section 667 of the Foreign As-
25 sistance Act of 1961, and title II of the Food for Peace

1 Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be
2 used by USAID to employ up to 40 personal services con-
3 tractors in the United States, notwithstanding any other
4 provision of law, for the purpose of providing direct, in-
5 terim support for new or expanded overseas programs and
6 activities managed by the agency until permanent direct
7 hire personnel are hired and trained: *Provided*, That not
8 more than 15 of such contractors shall be assigned to any
9 bureau or office: *Provided further*, That such funds appro-
10 priated to carry out title II of the Food for Peace Act
11 (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be made
12 available only for personal services contractors assigned
13 to the Bureau for Humanitarian Assistance.

14 (g) SMALL BUSINESS.—In entering into multiple
15 award indefinite-quantity contracts with funds appro-
16 priated by this Act, USAID may provide an exception to
17 the fair opportunity process for placing task orders under
18 such contracts when the order is placed with any category
19 of small or small disadvantaged business.

20 (h) SENIOR FOREIGN SERVICE LIMITED APPOINT-
21 MENTS.—Individuals hired pursuant to the authority pro-
22 vided by section 7059(o) of the Department of State, For-
23 eign Operations, and Related Programs Appropriations
24 Act, 2010 (division F of Public Law 111–117) may be
25 assigned to or support programs in Afghanistan or Paki-

1 stan with funds made available in this Act and prior Acts
2 making appropriations for the Department of State, for-
3 eign operations, and related programs.

4 (i) PERSONNEL LEVELS.—

5 (1) Funds made available by this Act under the
6 heading “Operating Expenses” are made available to
7 support not less than 1,850 permanent Foreign
8 Service Officers and 1,600 permanent Civil Service
9 staff.

10 (2) Not later than 60 days after enactment of
11 this Act, and every 60 days thereafter until Sep-
12 tember 30, 2022, the USAID Administrator shall re-
13 port to the appropriate congressional committees on
14 the on-board personnel levels, hiring, and attrition of
15 the Civil Service, Foreign Service, and foreign serv-
16 ice national workforce of USAID, on an operating
17 unit-by-operating unit basis: *Provided*, That such re-
18 port shall also include a hiring plan, including
19 timelines, for maintaining the agency-wide, on-board
20 Foreign Service Officers and Civil Service staff at
21 not less than the levels specified in paragraph (1).

22 STABILIZATION AND DEVELOPMENT IN REGIONS

23 IMPACTED BY EXTREMISM AND CONFLICT

24 SEC. 7065. (a) PREVENTION AND STABILIZATION
25 FUND.—

1 (1) FUNDS AND TRANSFER AUTHORITY.—Of
2 the funds appropriated by this Act under the head-
3 ings “Economic Support Fund”, “International Nar-
4 cotics Control and Law Enforcement”, “Non-
5 proliferation, Anti-terrorism, Demining and Related
6 Programs”, “Peacekeeping Operations”, and “For-
7 eign Military Financing Program”, up to
8 \$100,000,000 may be made available for the Preven-
9 tion and Stabilization Fund for the purposes enu-
10 merated in section 509(a) of the Global Fragility
11 Act of 2019 (title V of division J of Public Law
12 116–94): *Provided*, That unless specifically des-
13 ignated in this Act or in the report accompanying
14 this Act for assistance for countries, such funds are
15 in addition to amounts otherwise made available for
16 such purposes: *Provided further*, That such funds
17 appropriated under such headings may be trans-
18 ferred to, and merged with, funds appropriated
19 under such headings: *Provided further*, That such
20 transfer authority is in addition to any other trans-
21 fer authority provided by this Act or any other Act,
22 and is subject to the regular notification procedures
23 of the Committees on Appropriations.

24 (2) TRANSITIONAL JUSTICE.—Of the funds ap-
25 propriated by this Act under the headings “Eco-

1 nomic Support Fund” and “International Narcotics
2 Control and Law Enforcement” that are made avail-
3 able for the Prevention and Stabilization Fund, not
4 less than \$10,000,000 may be made available for
5 programs to promote accountability for genocide,
6 crimes against humanity, and war crimes, including
7 in Iraq and Syria, which shall be in addition to any
8 other funds made available by this Act for such pur-
9 poses: *Provided*, That such programs shall include
10 components to develop local investigative and judi-
11 cial skills, and to collect and preserve evidence and
12 maintain the chain of custody of evidence, including
13 for use in prosecutions, and may include the estab-
14 lishment of, and assistance for, transitional justice
15 mechanisms: *Provided further*, That such funds shall
16 be administered by the Special Coordinator for the
17 Office of Global Criminal Justice, Department of
18 State: *Provided further*, That funds made available
19 by this paragraph shall be made available on an
20 open and competitive basis.

21 (b) GLOBAL CONCESSIONAL FINANCING FACILITY.—
22 Of the funds appropriated by this Act under the heading
23 “Economic Support Fund”, \$25,000,000 may be made
24 available for the Global Concessional Financing Facility
25 of the World Bank to provide financing to support refu-

1 gees and host communities: *Provided*, That such funds
2 shall be in addition to funds allocated for bilateral assist-
3 ance in the report required by section 653(a) of the For-
4 eign Assistance Act of 1961, and may only be made avail-
5 able subject to prior consultation with the Committees on
6 Appropriations.

7 PROHIBITION ON FUNDING FOR ABORTIONS AND
8 INVOLUNTARY STERILIZATION

9 SEC. 7066. None of the funds made available to carry
10 out part I of the Foreign Assistance Act of 1961, as
11 amended, may be used to pay for the performance of abor-
12 tions as a method of family planning or to motivate or
13 coerce any person to practice abortions. None of the funds
14 made available to carry out part I of the Foreign Assist-
15 ance Act of 1961, as amended, may be used to pay for
16 the performance of involuntary sterilization as a method
17 of family planning or to coerce or provide any financial
18 incentive to any person to undergo sterilizations. None of
19 the funds made available to carry out part I of the Foreign
20 Assistance Act of 1961, as amended, may be used to pay
21 for any biomedical research which relates in whole or in
22 part, to methods of, or the performance of, abortions or
23 involuntary sterilization as a means of family planning.
24 None of the funds made available to carry out part I of
25 the Foreign Assistance Act of 1961, as amended, may be

1 obligated or expended for any country or organization if
2 the President certifies that the use of these funds by any
3 such country or organization would violate any of the
4 above provisions related to abortions and involuntary steri-
5 lizations.

6 UNITED NATIONS POPULATION FUND

7 SEC. 7067. (a) CONTRIBUTION.—Of the funds made
8 available under the heading “International Organizations
9 and Programs” in this Act for fiscal year 2021,
10 \$55,500,000 shall be made available for the United Na-
11 tions Population Fund (UNFPA).

12 (b) AVAILABILITY OF FUNDS.—Funds appropriated
13 by this Act for UNFPA, that are not made available for
14 UNFPA because of the operation of any provision of law,
15 shall be transferred to the “Global Health Programs” ac-
16 count and shall be made available for family planning, ma-
17 ternal, and reproductive health activities, subject to the
18 regular notification procedures of the Committees on Ap-
19 propriations.

20 (c) PROHIBITION ON USE OF FUNDS IN CHINA.—
21 None of the funds made available by this Act may be used
22 by UNFPA for a country program in the People’s Repub-
23 lic of China.

1 (d) CONDITIONS ON AVAILABILITY OF FUNDS.—
2 Funds made available by this Act for UNFPA may not
3 be made available unless—

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

8 (2) UNFPA does not fund abortions.

9 (e) REPORT TO CONGRESS AND DOLLAR-FOR-DOL-
10 LAR WITHHOLDING OF FUNDS.—

11 (1) Not later than 4 months after the date of
12 enactment of this Act, the Secretary of State shall
13 submit a report to the Committees on Appropria-
14 tions indicating the amount of funds that UNFPA
15 is budgeting for the year in which the report is sub-
16 mitted for a country program in the People's Repub-
17 lic of China.

18 (2) If a report under paragraph (1) indicates
19 that UNFPA plans to spend funds for a country
20 program in the People's Republic of China in the
21 year covered by the report, then the amount of such
22 funds UNFPA plans to spend in the People's Re-
23 public of China shall be deducted from the funds
24 made available to UNFPA after March 1 for obliga-

1 tion for the remainder of the fiscal year in which the
2 report is submitted.

3 GLOBAL HEALTH ACTIVITIES

4 SEC. 7068. (a)(1) IN GENERAL.—Funds appro-
5 priated under the heading “Global Health Programs” in
6 this Act that are made available for bilateral assistance
7 for global health programs including activities relating to
8 research on, and the prevention, treatment and control of,
9 HIV/AIDS may be made available notwithstanding any
10 other provision of law except for provisions under this sec-
11 tion and the United States Leadership Against HIV/
12 AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat.
13 711; 22 U.S.C. 7601 et seq.), as amended: *Provided*, That
14 of the funds appropriated under title III of this Act, not
15 less than \$750,000,000 shall be made available for family
16 planning/reproductive health, including in areas where
17 population growth threatens biodiversity or endangered
18 species: *Provided further*, That none of the funds made
19 available by this Act or prior Acts making appropriations
20 for the Department of State, foreign operations, and re-
21 lated programs shall be made available to implement the
22 Presidential Memorandum on Mexico City Policy dated
23 January 23, 2017: *Provided further*, That none of the
24 funds made available by this Act may be used in con-
25 travention of the conditions of section 7066 of this Act

1 and section 104(f)(1) of the Foreign Assistance Act of
2 1961.

3 (2) PROHIBITION.—None of the funds made available
4 in this Act nor any unobligated balances from prior appro-
5 priations Acts may be made available to any organization
6 or program which, as determined by the President, di-
7 rectly supports or participates in the management of a
8 program of coercive abortion or involuntary sterilization:
9 *Provided*, That any determination made pursuant to this
10 paragraph must be made not later than 6 months after
11 the date of enactment of this Act, and must be accom-
12 panied by the evidence and criteria utilized to make the
13 determination: *Provided further*, That none of the funds
14 made available under this Act may be used to pay for the
15 performance of abortion as a method of family planning
16 or to motivate or coerce any person to practice abortions:
17 *Provided further*, That nothing in this paragraph shall be
18 construed to alter any existing statutory prohibitions
19 against abortion under section 104 of the Foreign Assist-
20 ance Act of 1961: *Provided further*, That none of the funds
21 made available under this Act may be used to lobby for
22 or against abortion.

23 (3) LIMITATIONS.—In order to reduce reliance on
24 abortion in developing nations, funds shall be available
25 only to voluntary family planning projects which offer, ei-

1 ther directly or through referral to, or information about
2 access to, a broad range of family planning methods and
3 services, and that any such voluntary family planning
4 project shall meet the following requirements—

5 (A) service providers or referral agents in the project
6 shall not implement or be subject to quotas, or other nu-
7 merical targets, of total number of births, number of fam-
8 ily planning acceptors, or acceptors of a particular method
9 of family planning (this provision shall not be construed
10 to include the use of quantitative estimates or indicators
11 for budgeting and planning purposes);

12 (B) the project shall not include payment of incen-
13 tives, bribes, gratuities, or financial reward to:

14 (i) an individual in exchange for becoming a
15 family planning acceptor; or

16 (ii) program personnel for achieving a numer-
17 ical target or quota of total number of births, num-
18 ber of family planning acceptors, or acceptors of a
19 particular method of family planning;

20 (C) the project shall not deny any right or benefit,
21 including the right of access to participate in any program
22 of general welfare or the right of access to health care,
23 as a consequence of any individual's decision not to accept
24 family planning services;

1 (D) the project shall provide family planning accep-
2 tors comprehensible information on the health benefits
3 and risks of the method chosen, including those conditions
4 that might render the use of the method inadvisable and
5 those adverse side effects known to be consequent to the
6 use of the method; and

7 (E) the project shall ensure that experimental contra-
8 ceptive drugs and devices and medical procedures are pro-
9 vided only in the context of a scientific study in which
10 participants are advised of potential risks and benefits;
11 and

12 (F) not less than 60 days after the date on which
13 the USAID Administrator determines that there has been
14 a violation of the requirements contained in subpara-
15 graphs (A), (B), (C), or (E) of this paragraph, or a pat-
16 tern or practice of violations of the requirements contained
17 in subparagraph (D) of such paragraph, the Adminis-
18 trator shall submit to the Committees on Appropriations
19 a report containing a description of such violation and the
20 corrective action taken by the Agency.

21 (4) NATURAL FAMILY PLANNING.—In awarding
22 grants for natural family planning under section 104 of
23 the Foreign Assistance Act of 1961, no applicant shall be
24 discriminated against because of such applicant's religious
25 or conscientious commitment to offer only natural family

1 planning; and, additionally, all such applicants shall com-
2 ply with the requirements of paragraph (3).

3 (5) DEFINITION.—For purposes of this or any other
4 Act authorizing or appropriating funds for the Depart-
5 ment of State, foreign operations, and related programs,
6 the term “motivate”, as it relates to family planning as-
7 sistance, shall not be construed to prohibit the provision,
8 consistent with local law, of information or counseling
9 about all pregnancy options.

10 (6) INFORMATION.—Information provided about the
11 use of condoms as part of projects or activities that are
12 funded from amounts appropriated by this Act shall be
13 medically accurate and shall include the public health ben-
14 efits and failure rates of such use.

15 (7) HIV/AIDS WORKING CAPITAL FUND.—Funds
16 available in the HIV/AIDS Working Capital Fund estab-
17 lished pursuant to section 525(b)(1) of the Foreign Oper-
18 ations, Export Financing, and Related Programs Appro-
19 priations Act, 2005 (Public Law 108–447) may be made
20 available for pharmaceuticals and other products for other
21 global health, emerging infectious disease, and child sur-
22 vival activities to the same extent as HIV/AIDS pharma-
23 ceuticals and other products, subject to the terms and con-
24 ditions in such section: *Provided*, That the authority in
25 section 525(b)(5) of the Foreign Operations, Export Fi-

1 nancing, and Related Programs Appropriation Act, 2005
2 (Public Law 108–447) shall be exercised by the Assistant
3 Administrator for Global Health, USAID, with respect to
4 funds deposited for such non-HIV/AIDS pharmaceuticals
5 and other products, and shall be subject to the regular
6 notification procedures of the Committees on Appropria-
7 tions: *Provided further*, That the Secretary of State shall
8 include in the congressional budget justification an ac-
9 counting of budgetary resources, disbursements, balances,
10 and reimbursements related to such fund.

11 (b) INFECTIOUS DISEASE OUTBREAKS.—

12 (1) 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, funds appropriated
19 by this Act under the headings “Global Health Pro-
20 grams”, “Development Assistance”, “International
21 Disaster Assistance”, “Complex Crises Fund”,
22 “Economic Support Fund”, “Democracy Fund”,
23 “Assistance for Europe, Eurasia and Central Asia”,
24 “Migration and Refugee Assistance”, and “Millen-
25 nium Challenge Corporation” may be made available

1 to combat such infectious disease or public health
2 emergency, and may be transferred to, and merged
3 with, funds appropriated under such headings for
4 the purposes of this paragraph.

5 (2) EMERGENCY RESERVE FUND.—Up to
6 \$50,000,000 of the funds made available under the
7 heading “Global Health Programs” may be made
8 available for the Emergency Reserve Fund estab-
9 lished pursuant to section 7058(c)(1) of the Depart-
10 ment of State, Foreign Operations, and Related Pro-
11 grams Appropriations Act, 2017 (division J of Pub-
12 lic Law 115–31): *Provided*, That such funds shall be
13 made available under the same terms and conditions
14 of such section, as amended.

15 (3) CONSULTATION AND NOTIFICATION.—
16 Funds made available by this subsection shall be
17 subject to prior consultation with the appropriate
18 congressional committees and the regular notifica-
19 tion procedures of the Committees on Appropria-
20 tions.

21 ASSISTANCE FOR FOREIGN NONGOVERNMENTAL

22 ORGANIZATIONS

23 SEC. 7069. The Foreign Assistance Act of 1961 (22
24 U.S.C. 2151 et seq.) is amended by inserting after section
25 104C the following:

1 **“SEC. 104D ELIGIBILITY FOR ASSISTANCE.**

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

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

11 “(A) are permitted in the country in which
12 they are being provided; and

13 “(B) would not violate United States law if
14 provided in the United States; and

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

20 **DESIGNATION**

21 **SEC. 7070.** Each amount designated in this Act by
22 the Congress for Overseas Contingency Operations/Global
23 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
24 the Balanced Budget and Emergency Deficit Control Act
25 of 1985 shall be available (or rescinded or transferred, if
26 applicable) only if the President subsequently so des-

1 ignates all such amounts and transmits such designations
2 to the Congress.

3 TITLE VIII
4 CORONAVIRUS PANDEMIC PREPAREDNESS AND
5 RESPONSE EMERGENCY FUNDING
6 DEPARTMENT OF STATE
7 ADMINISTRATION OF FOREIGN AFFAIRS
8 DIPLOMATIC PROGRAMS

9 For an additional amount for “Diplomatic Pro-
10 grams”, \$955,000,000, to remain available until Sep-
11 tember 30, 2022, for necessary expenses to prevent, pre-
12 pare for, and respond to coronavirus, including for evacu-
13 ation expenses, emergency preparedness, maintaining con-
14 sular operations, and other operations and maintenance
15 requirements related to the consequences of coronavirus:
16 *Provided*, That such amount is designated by the Congress
17 as being for an emergency requirement pursuant to sec-
18 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
19 gency Deficit Control Act of 1985.

20 OFFICE OF INSPECTOR GENERAL

21 For an additional amount for “Office of Inspector
22 General”, \$4,400,000, to remain available until September
23 30, 2022, for oversight of funds administered by the De-
24 partment of State and made available to prevent, prepare
25 for, and respond to coronavirus by this title and by prior

1 acts: *Provided*, That such amount is designated by the
2 Congress as being for an emergency requirement pursuant
3 to section 251(b)(2)(A)(i) of the Balanced Budget and
4 Emergency Deficit Control Act of 1985.

5 UNITED STATES AGENCY FOR INTERNATIONAL
6 DEVELOPMENT

7 FUNDS APPROPRIATED TO THE PRESIDENT

8 OPERATING EXPENSES

9 For an additional amount for “Operating Expenses”,
10 \$105,000,000, to remain available until September 30,
11 2022, to prevent, prepare for, and respond to coronavirus
12 and for other operations and maintenance requirements
13 related to the consequences of coronavirus: *Provided*, That
14 such amount is designated by the Congress as being for
15 an emergency requirement pursuant to section
16 251(b)(2)(A)(i) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 OFFICE OF INSPECTOR GENERAL

19 For an additional ammount for “Office of Inspector
20 General”, \$3,000,000, to remain available until September
21 30, 2022, for oversight of funds administered by the
22 United States Agency for International Development and
23 made available to prevent, prepare for, and respond to
24 coronavirus by this title and by prior acts: *Provided*, That
25 such amount is designated by the Congress as being for

1 an emergency requirement pursuant to section
2 251(b)(2)(A)(i) of the Balanced Budget and Emergency
3 Deficit Control Act of 1985

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”, \$2,500,000,000, to remain available until Sep-
9 tember 30, 2022, for necessary expenses to prevent, pre-
10 pare for, and respond to coronavirus: *Provided*, That such
11 funds shall be administered by the Administrator of the
12 United States Agency for International Development: *Pro-*
13 *vided further*, That of the funds appropriated under this
14 heading in this title, not less than \$150,000,000 shall be
15 transferred to, and merged with, funds made available for
16 the Emergency Reserve Fund established pursuant to sec-
17 tion 7058(c)(1) of the Department of State, Foreign Oper-
18 ations, and Related Programs Appropriations Act, 2017
19 (division J of Public Law 115-31): *Provided further*, That
20 funds made available pursuant to the preceding proviso
21 shall be made available under the terms and conditions
22 of such section, as amended: *Provided further*, That funds
23 appropriated under this heading in this title shall be made
24 available for a contribution to a multilateral vaccine devel-
25 opment partnership to support epidemic preparedness:

1 *Provided further*, That of the funds appropriated under
2 this heading in this title, not less than \$750,000,000 shall
3 be made available for a United States contribution to The
4 GAVI Alliance and not less than \$800,000,000 shall be
5 made available as a United States contribution to the
6 Global Fund to Fight AIDS, Tuberculosis and Malaria
7 (Global Fund): *Provided further*, That funds made avail-
8 able to the Global Fund pursuant to the previous proviso
9 shall be made available notwithstanding section
10 202(d)(4)(A)(i) of the United States Leadership Against
11 HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22
12 U.S.C. 7622(d)(4)(A)(i)): *Provided further*, That funds
13 appropriated under this heading for fiscal years 2020 and
14 2021 which are designated as being for an emergency re-
15 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
16 anced Budget and Emergency Deficit Control Act of 1985
17 and made available as a United States contribution to the
18 Global Fund shall not be considered a contribution for the
19 purpose of applying such section 202(d)(4)(A)(i): *Provided*
20 *further*, That funds made available under this heading in
21 this title shall be allocated and allotted not later than 60
22 days after the date of enactment of this Act: *Provided fur-*
23 *ther*, That such amount is designated by the Congress as
24 being for an emergency requirement pursuant to section

1 251(b)(2)(A)(i) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985.

3 DEVELOPMENT ASSISTANCE

4 For an additional amount for “Development Assist-
5 ance”, \$900,000,000, to remain available until September
6 30, 2022, for necessary expenses to prevent, prepare for,
7 and respond to coronavirus, including to address related
8 economic, and stabilization requirements, of which not less
9 than \$150,000,000 shall be made available to maintain
10 access to basic education and to not-for-profit institutions
11 of higher education for costs related to the consequences
12 of coronavirus: *Provided*, That such institutions of higher
13 education shall meet standards equivalent to those re-
14 quired for United States institutional accreditation by a
15 regional accreditation agency recognized by the United
16 States Department of Education: *Provided further*, That
17 funds made available under this heading in this title shall
18 be allocated and allotted within 60 days of the date of
19 enactment of this Act: *Provided further*, That such amount
20 is designated by the Congress as being for an emergency
21 requirement pursuant to section 251(b)(2)(A)(i) of the
22 Balanced Budget and Emergency Deficit Control Act of
23 1985.

1 INTERNATIONAL DISASTER ASSISTANCE

2 For an additional amount for “International Disaster
3 Assistance”, \$1,125,000,000, to remain available until ex-
4 pended, for necessary expenses to prevent, prepare for,
5 and respond to coronavirus: *Provided*, That funds made
6 available under this heading in this title shall be allocated
7 and allotted within 60 days of the date of enactment of
8 this Act: *Provided further*, That such amount is designated
9 by the Congress as being for an emergency requirement
10 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
11 et and Emergency Deficit Control Act of 1985.

12 ECONOMIC SUPPORT FUND

13 For an additional amount for “Economic Support
14 Fund”, \$1,500,000,000, to remain available until Sep-
15 tember 30, 2022, for necessary expenses to prevent, pre-
16 pare for, and respond to coronavirus, including to address
17 related economic and stabilization requirements: *Provided*,
18 That funds made available under this heading in this title
19 shall be allocated and allotted within 60 days of the date
20 of enactment of this Act: *Provided further*, That such
21 amount is designated by the Congress as being for an
22 emergency requirement pursuant to section
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

2 For an additional amount for “Assistance for Eu-
3 rope, Eurasia and Central Asia”, \$500,000,000, to remain
4 available until September 30, 2022, for necessary expenses
5 to prevent, prepare for, and respond to coronavirus, in-
6 cluding to address related economic and stabilization re-
7 quirements: *Provided*, funds made available under this
8 heading in this title shall be allocated and allotted within
9 60 days of the date of enactment of this Act: *Provided*
10 *further*, That such amount is designated by Congress as
11 being for an emergency requirement pursuant to section
12 251(b)(2)(A)(i) of the Balanced Budget and Emergency
13 Deficit Control Act of 1985.

14 DEPARTMENT OF STATE

15 MIGRATION AND REFUGEE ASSISTANCE

16 For an additional amount for “Migration and Ref-
17 ugee Assistance”, \$1,125,000,000, to remain available
18 until expended, for necessary expenses to prevent, prepare
19 for, and respond to coronavirus: *Provided*, That funds
20 made available under this heading in this title shall be al-
21 located and allotted within 60 days of the date of enact-
22 ment of this Act: *Provided further*, That such amount is
23 designated by the Congress as being for an emergency re-
24 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
25 anced Budget and Emergency Deficit Control Act of 1985.

INDEPENDENT AGENCIES

INTER-AMERICAN FOUNDATION

For an additional amount for “Inter-American Foundation”, \$10,000,000, to remain available until September 30, 2022, for necessary expenses to prevent, prepare for, and respond to coronavirus, including to address related economic and stabilization requirements: *Provided*, that funds made available under this heading in this title shall be allocated and allotted within 60 days of the enactment of this Act: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

For an additional amount for “United States African Development Foundation”, \$10,000,000, to remain available until September 30, 2022, for necessary expenses to prevent, prepare for, and respond to coronavirus, including to address related economic and stabilization requirements: *Provided*, that funds made available under this heading in this title shall be allocated and allotted within 60 days of the enactment of this Act: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section

1 251(b)(2)(A)(i) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985.

3 MULTILATERAL ASSISTANCE

4 FUNDS APPROPRIATED TO THE PRESIDENT

5 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

6 For an additional amount for “International Organi-
7 zations and Programs”, \$1,281,150,000, to remain avail-
8 able until September 30, 2022, for necessary expenses to
9 prevent, prepare for, and respond to coronavirus and to
10 support the United Nations Global Humanitarian Re-
11 sponse Plan COVID–19: *Provided*, That funds made avail-
12 able under this heading in this title shall be allocated and
13 allotted within 60 days of the date of enactment of this
14 Act: *Provided further*, That such amount is designated by
15 the Congress as being for an emergency requirement pur-
16 suant to section 251(b)(2)(A)(i) of the Balanced Budget
17 and Emergency Deficit Control Act of 1985.

18 GENERAL PROVISIONS — THIS TITLE

19 (INCLUDING TRANSFER OF FUNDS)

20 TRANSFERS AND LIMITATIONS

21 SEC. 8001. The authorities and limitations of section
22 402 of the Coronavirus Preparedness and Response Sup-
23 plemental Appropriations Act (division A of Public Law
24 116-123) shall apply to funds appropriated by this title
25 as follows:

1 (1) Subsections (a), (d), (e), and (f) shall apply
2 to funds under the heading “Diplomatic Programs”;
3 and

4 (2) Subsections (c), (d), (e), and (f) shall apply
5 to funds under the heading “Global Health Pro-
6 grams”, “Development Assistance”, “International
7 Disaster Assistance”, “Economic Support Fund”,
8 and “Migration and Refugee Assistance”.

9 REIMBURSEMENT AUTHORITY

10 SEC. 8002. Funds appropriated by this title under
11 the headings “Diplomatic Programs”, “Operating Ex-
12 penses”, “Global Health Programs”, “Development As-
13 sistance”, “International Disaster Assistance”, “Eco-
14 nomic Support Fund”, “Assistance for Europe, Eurasia
15 and Central Asia”, “Migration and Refugee Assistance”,
16 “Inter-American Foundation”, and “United States Afri-
17 can Development Foundation” may be used to reimburse
18 such accounts administered by the Department of State
19 and the United States Agency for International Develop-
20 ment for obligations incurred to prevent, prepare for, and
21 respond to coronavirus prior to the date of enactment of
22 this Act.

23 REPORTING REQUIREMENTS

24 SEC. 8003. The reporting requirements of section
25 406(b) of the Coronavirus Preparedness and Response

1 Supplemental Appropriations Act, 2020 (division A of
2 Public Law 116-123) shall apply to funds appropriated
3 by this title.

4 CONTRIBUTION AUTHORITY

5 SEC. 8004. Section 404 of the Coronavirus Prepared-
6 ness and Response Supplemental Appropriations Act (divi-
7 sion A of Public Law 116-123) shall apply to funds appro-
8 priated by this title under the same headings as specified
9 by such section.

10 REPATRIATION LOANS PROGRAM ACCOUNT

11 SEC. 8005. Section 21005 of the Emergency Appro-
12 priations for Coronavirus Health Response and Agency
13 Operations (division B of Public Law 116-136) is amend-
14 ed by inserting at the end before the period “and is further
15 amended by striking ‘\$5,563,619’ in the second proviso
16 under the heading ‘Repatriation Loans Program Account’
17 and inserting in lieu thereof ‘\$15,563,619’ ”.

18 CONSULAR SERVICES

19 SEC. 8006. Section 21009 of the Emergency Appro-
20 priations for Coronavirus Health Response and Agency
21 Operations (division B of Public Law 116-136) is amend-
22 ed by striking “fiscal year 2020” and inserting in lieu
23 thereof “fiscal years 2020 and 2021”: *Provided*, That the
24 amount provided by this section is designated by the Con-
25 gress as being for an emergency requirement pursuant to

1 section 251(b)(2)(A)(i) of the Balanced Budget and
2 Emergency Deficit Control Act of 1985.

3 DEFINITION

4 SEC. 8007. In this title, the term “coronavirus”
5 means SARS-CoV-2 or another coronavirus with pandemic
6 potential.

7 DESIGNATION

8 SEC. 8008. Each amount designated in this title by
9 the Congress as being for an emergency requirement pur-
10 suant to section 251(b)(2)(A)(i) of the Balanced Budget
11 and Emergency Deficit Control Act of 1985 shall be avail-
12 able (or rescinded or transferred, if applicable) only if the
13 President subsequently so designates all such amounts
14 and transmits such designations to the Congress.

15 TITLE IX

16 MIDDLE EAST PARTNERSHIP FOR PEACE

17 **SEC. 9001. SHORT TITLE.**

18 This title may be cited as the “Middle East Partner-
19 ship for Peace Act of 2020”.

20 **SEC. 9002. FINDINGS.**

21 Congress finds the following:

22 (1) Economic development in conflict settings
23 has been shown to support stabilization by empow-
24 ering entrepreneurs, growing the middle class, and
25 mitigating unemployment.

1 (2) In 2018, unemployment in the Palestinian
2 territories was 32.4 percent. Gross Domestic Prod-
3 uct (GDP) growth in the Palestinian territories de-
4 clined from 2017 to 2019, and it is projected to fur-
5 ther decline in 2020.

6 (3) According to the World Bank Ad Hoc Liai-
7 son Committee’s April 2019 Economic Monitoring
8 Report, “to achieve sustainable economic growth, in
9 the Palestinian territories, growth and job creation
10 going forward will need to be private sector driven”.

11 (4) According to the 2018 Joint Strategic Plan
12 of the Department of State and the United States
13 Agency for International Development, “assistance
14 can help prevent new recruitment to terrorist organi-
15 zations, reduce levels of violence, promote legitimate
16 governance structures that strengthen inclusion, and
17 reduce policies that marginalize communities”.

18 (5) Although economic development is an im-
19 portant tool for stabilizing conflict-prone settings
20 and establishing connections between communities,
21 economic development by itself will not lead to last-
22 ing peace. People-to-people peace-building programs
23 further advance reconciliation efforts by promoting
24 greater understanding, mutual trust, and coopera-
25 tion between communities.

1 (6) While the United States and its inter-
2 national partners continue to support diplomatic and
3 political negotiations between the representatives of
4 the parties to the Israeli-Palestinian conflict, such
5 efforts require broad popular support among the
6 people on the ground to succeed.

7 (7) Achieving sustainable, high-level agreements
8 for lasting peace in the Middle East must come
9 through, and with the support of, the people who
10 live there, and the United States and its inter-
11 national partners can help the people of the region
12 build popular support for sustainable agreements for
13 lasting peace.

14 **SEC. 9003. SENSE OF CONGRESS.**

15 It is the sense of Congress that—

16 (1) building a viable Palestinian economy is
17 central to the effort to preserve the possibility of a
18 negotiated settlement leading to a sustainable two-
19 state solution with the democratic, Jewish state of
20 Israel and a demilitarized, democratic Palestinian
21 state living side-by-side in peace, security, and mu-
22 tual recognition;

23 (2) United States and international support for
24 grassroots, people-to-people efforts aimed at fos-
25 tering tolerance, and building support for a such so-

1 lution, can help counter extremist propaganda and
2 the growing issue of incitement;

3 (3) strengthening engagement between Palestin-
4 ians, Israelis, and through people-to-people peace-
5 building programs can increase the bonds of friend-
6 ship and understanding;

7 (4) investing in the development of the Pales-
8 tinian economy and in joint economic ventures can
9 advance multiple sectors to the benefit of local, re-
10 gional, and global parties; and

11 (5) Congress encourages cooperation between
12 Palestinian, American, and Israeli business sectors
13 in order to benefit the Palestinian, American, and
14 Israeli peoples and economies.

15 **SEC. 9004. PEOPLE-TO-PEOPLE PARTNERSHIP FOR PEACE**
16 **FUND.**

17 Chapter 4 of part II of the Foreign Assistance Act
18 of 1961 (22 U.S.C. 2346 et seq.) is amended by adding
19 at the end the following:

20 **“SEC. 535 PEOPLE-TO-PEOPLE PARTNERSHIP FOR PEACE**
21 **FUND.**

22 “(a) ESTABLISHMENT.—Beginning on the date that
23 is one year after the date of enactment of this section,
24 the Administrator of the United States Agency for Inter-
25 national Development is authorized to establish a program

1 to provide funding for projects to help build the founda-
2 tion for peaceful co-existence between Israelis and Pal-
3 estinians and for a sustainable two-state solution. The
4 program established under this subsection shall be known
5 as the ‘People-to-People Partnership for Peace Fund’ (re-
6 ferred to in this section as the ‘Fund’).

7 “(b) ELIGIBILITY FOR SUPPORT.—In providing fund-
8 ing for projects through the Fund, the Administrator may
9 provide support for qualified organizations, prioritizing
10 those organizations that seek to build better cooperation
11 between Israelis and Palestinians, including Palestinian
12 organizations, Israeli organizations, and international or-
13 ganizations that bring Israelis and Palestinians together.

14 “(c) ADDITIONAL ELIGIBILITY FOR SUPPORT.—In
15 providing funding for projects through the Fund, The Ad-
16 ministrator may additionally provide support to qualified
17 organizations that further shared community building,
18 peaceful co-existence, dialogue, and reconciliation between
19 Arab and Jewish citizens of Israel.

20 “(d) CONTRIBUTIONS.—The Administrator—

21 “(1) is encouraged to work with foreign govern-
22 ments and international organizations to leverage
23 the impact of United States resources and achieve
24 the objectives of this section; and

1 “(2) is authorized to make and accept contribu-
2 tions for the purposes of the Fund, consistent with
3 subsections (b) and (d) of section 635.

4 “(e) ADVISORY BOARD.—

5 “(1) ESTABLISHMENT.—The Administrator
6 shall establish an advisory board to make rec-
7 ommendations to the Administrator regarding the
8 types of projects that should be funded through the
9 Fund.

10 “(2) MEMBERSHIP.—

11 “(A) IN GENERAL.—Subject to subpara-
12 graph (B), the advisory board shall be com-
13 posed of 13 members, none of whom may be
14 Members of Congress, who shall be appointed
15 for renewable periods of 3 years, as follows:

16 “(i) One member appointed by the
17 Administrator, in consultation with the
18 Secretary of State.

19 “(ii) One member appointed by the
20 chair, and one member appointed by the
21 ranking member, of the Committee on For-
22 eign Relations of the Senate.

23 “(iii) One member appointed by the
24 chair, and one member appointed by the
25 ranking member, of the Committee on For-

1 eign Affairs of the House of Representa-
2 tives.

3 “(iv) One member appointed by the
4 chair, and one member appointed by the
5 ranking member, of the Committee on Ap-
6 propriations of the Senate.

7 “(v) One member appointed by the
8 chair, and one member appointed by the
9 ranking member, of the Committee on Ap-
10 propriations of the House of Representa-
11 tives.

12 “(vi) One member appointed by the
13 majority leader, and one member ap-
14 pointed by the minority leader, of the Sen-
15 ate.

16 “(vii) One member appointed by the
17 Speaker, and one member appointed by the
18 minority leader, of the House of Rep-
19 resentatives.

20 “(B) INTERNATIONAL PARTICIPATION.—

21 The Administrator may appoint up to 2 addi-
22 tional members to the advisory board who are
23 representatives of foreign governments or inter-
24 national organizations for renewable periods of
25 3 years.

1 “(C) QUALIFICATIONS.—Members of the
2 advisory board shall have demonstrated regional
3 expertise and experience and expertise in con-
4 flict mitigation and people-to-people programs.

5 “(D) ADDITIONAL RECOMMENDATIONS.—
6 The Administrator should consider the input
7 and recommendations from missions of the
8 United States Agency for International Devel-
9 opment in the region and mission directors
10 when considering types of projects.”.

11 **SEC. 9005. JOINT INVESTMENT FOR PEACE INITIATIVE.**

12 (a) ESTABLISHMENT.—Beginning on the date that is
13 180 days after the date of the enactment of this Act, the
14 Chief Executive Officer of the United States International
15 Development Finance Corporation (referred to in this sec-
16 tion as the “Chief Executive Officer” and the “Corpora-
17 tion”, respectively) is authorized to establish a program
18 to provide investments in entities that carry out projects
19 that contribute to the development of the Palestinian pri-
20 vate sector economy. The program established under this
21 subsection shall be known as the “Joint Investment for
22 Peace Initiative” (referred to in this section as the “Initia-
23 tive”).

24 (b) PARTICIPATION REQUIREMENT.—In providing in-
25 vestments through the Initiative, the Chief Executive Offi-

1 cer shall ensure participation by small and medium-sized
2 enterprises owned by Palestinians.

3 (c) PRIORITY.—In providing investments through the
4 Initiative, the Chief Executive Officer shall prioritize
5 projects that increase economic cooperation between
6 Israelis and Palestinians.

7 (d) USE OF EXISTING AUTHORITIES.—In carrying
8 out the Initiative, the Chief Executive Officer shall utilize
9 the authorities under section 1421 of the Better Utiliza-
10 tion of Investments Leading to Development Act of 2018
11 (22 U.S.C. 9621) to—

12 (1) select a manager of the Initiative with the
13 consensus of the majority of the Board of Directors
14 of the Corporation;

15 (2) oversee and direct the operation of the Ini-
16 tiative consistent with such Act and other provisions
17 of law;

18 (3) provide the Initiative with loans, guaranties,
19 equity, and insurance, as appropriate, to enable the
20 Initiative to attract private investment; and

21 (4) carry out the purposes of the Initiative con-
22 sistent with the provisions of this section and other
23 applicable provisions of law.

24 (e) EXPENDITURES.—Funds made available to carry
25 out the Initiative shall be expended at the minimum rate

1 necessary to make timely payments for projects and activi-
2 ties carried out under the Initiative.

3 (f) PRIVATE CHARACTER OF INITIATIVE.—Any entity
4 that receives an investment under the Initiative shall not
5 by virtue of receipt of such investment be considered to
6 be an agency or establishment of the United States Gov-
7 ernment for purposes of title 5, United States Code.

8 (g) OVERSIGHT.—Operations of the Corporation
9 under the Initiative shall be subject to—

10 (1) audits, investigations, and inspections con-
11 ducted by the Office of the Inspector General of the
12 United States International Development Finance
13 Corporation; and

14 (2) assessment by the Comptroller General of
15 the United States.

16 (h) ANNUAL REPORT.—

17 (1) IN GENERAL.—Not later than December 31,
18 2021, and each December 31 thereafter, the Chief
19 Executive Officer shall submit to the appropriate
20 congressional committees a report that describes the
21 following:

22 (A) The extent to which the Initiative has
23 contributed to promoting and supporting Pales-
24 tinian economic development.

1 (B) The extent to which the Initiative has
2 contributed to greater integration of the Pales-
3 tinian economy into the international rules-
4 based business system.

5 (C) The extent to which projects that in-
6 crease economic cooperation between Israelis
7 and Palestinians have been prioritized.

8 (D) Information on the following:

9 (i) Investments received and provided
10 through the Initiative.

11 (ii) The mechanisms established for
12 transparency and accountability of invest-
13 ments provided through the Initiative.

14 (E) A description of the Initiative's oper-
15 ations, activities, budget, receipts, and expendi-
16 tures for the preceding 12-month period, includ-
17 ing an audited report of the Initiative's finances
18 which shall further include statements of finan-
19 cial position, operations, equity positions and
20 cash flows, in accordance with generally accept-
21 ed government auditing standards prescribed by
22 the Comptroller General of the United States.

23 (F) Lessons learned from improvements to
24 the efficacy of people-to-people relationships.

1 (G) A description of potential strategies
2 for achieving sustainability for civic institutions
3 that the Initiative develops or supports, includ-
4 ing novel financing mechanisms.

5 (H) A description of the process for vetting
6 and oversight of entities eligible for support
7 from the Initiative to ensure compliance with
8 the requirements of section 9006(b).

9 (2) FORM.—The reports required under this
10 subsection shall be submitted in unclassified form,
11 without the designation “For Official Use Only” or
12 any related or successor designation, but may be ac-
13 companied by a classified annex.

14 (i) EXCEPTIONS TO CERTAIN LIMITATIONS.—In pro-
15 viding investments through the Initiative described in sub-
16 section (c)—

17 (1) the Corporation may provide support for
18 projects in countries with upper-middle-income
19 economies or high-income economies (as those terms
20 are defined by the International Bank for Recon-
21 struction and Development and the International
22 Development Association); and

23 (2) the restriction under section 1412(c)(2) of
24 the Better Utilization of Investments Leading to De-
25 velopment Act of 2018 (22 U.S.C. 9612(c)(2)) shall

1 not apply with respect to support for projects in
2 countries described in paragraph (1).

3 (j) TERMINATION.—

4 (1) IN GENERAL.—The authority to carry out
5 the Initiative shall terminate on the date that is 10
6 years after the date on which the Chief Executive
7 Officer makes the first investment under the Initia-
8 tive.

9 (2) EXCEPTION.—The Chief Executive Officer
10 is authorized to continue to manage investments
11 made under the Initiative on and after the date
12 specified in paragraph (1).

13 **SEC. 9006. LIMITATIONS, VETTING, COORDINATION, AND**
14 **OVERSIGHT.**

15 (a) LIMITATIONS.—None of the funds made available
16 to carry out this title, or any amendment made by this
17 title, may be used to provide—

18 (1) financial assistance to the national govern-
19 ment of any foreign country;

20 (2) assistance for—

21 (A) any individual or group the Secretary
22 of State determines to be involved in, or advo-
23 cating, terrorist activity; or

24 (B) any individual who is a member of a
25 foreign terrorist organization (as designated

1 pursuant to section 219 of the Immigration and
2 Nationality Act (8 U.S.C. 1189)); or

3 (3) assistance for the Palestinian Authority or
4 the Palestine Liberation Organization.

5 (b) APPLICABLE REGULATIONS.—Assistance made
6 available under this title, and any amendment made by
7 this title, shall adhere to the mission directives and vetting
8 practices for assistance for the West Bank and Gaza, as
9 set forth by the United States Agency for International
10 Development.

11 (c) COORDINATION.—

12 (1) The Chief Executive Officer of the United
13 States International Development Finance Corpora-
14 tion, acting through the Chief Development Officer
15 of such Corporation, shall coordinate with the Ad-
16 ministrator of the United States Agency for Inter-
17 national Development to ensure that all expenditures
18 from the Joint Investment for Peace Initiative com-
19 ply with this section.

20 (2) To the extent practicable, the Administrator
21 of the United States Agency for International Devel-
22 opment and the Chief Executive Officer of the
23 United States International Development Finance
24 Corporation should coordinate and share information
25 in advance of providing resources through the Peo-

1 ple-to-People Partnership for Peace Fund and the
2 Joint Investment for Peace Initiative.

3 (d) REPORT.—

4 (1) IN GENERAL.—Not later than 90 days after
5 the end of the first fiscal year in which both the
6 People-to-People Partnership for Peace Fund and
7 the Joint Investment for Peace Initiative are in ef-
8 fect, and annually thereafter, the Administrator of
9 the United States Agency for International Develop-
10 ment and the Chief Executive Officer of the United
11 States International Development Finance Corpora-
12 tion shall jointly submit to the appropriate congres-
13 sional committees a report in writing that de-
14 scribes—

15 (A)(i) lessons learned and best practices
16 developed from funding for projects under the
17 People-to-People Partnership for Peace Fund
18 during the prior fiscal year; and

19 (ii) the extent to which such projects have
20 contributed to the purposes of the People-to-
21 People Partnership for Peace Fund;

22 (B)(i) lessons learned and best practices
23 developed from investments provided under the
24 Joint Investment for Peace Initiative during the
25 prior fiscal year; and

1 (ii) the extent to which such investments
2 have contributed to the purposes of the Joint
3 Investment for Peace Initiative; and

4 (C) how the United States International
5 Development Finance Corporation and the
6 United States Agency for International Devel-
7 opment coordinate and share information with
8 respect to the People-to-People Partnership for
9 Peace Fund and the Joint Investment for Peace
10 Initiative.

11 (2) CONSULTATION.—The Administrator of the
12 United States Agency for International Development
13 shall consult with the advisory board established by
14 subsection (e) of section 535 of the Foreign Assist-
15 ance Act of 1961 (as added by section 9004) to in-
16 form the reports required by paragraph (1).

17 **SEC. 9007. APPROPRIATE CONGRESSIONAL COMMITTEES**
18 **DEFINED.**

19 In this title, the term “appropriate congressional
20 committees” has the meaning given that term in section
21 1402 of the Better Utilization of Investments Leading to
22 Development Act of 2018 (22 U.S.C. 9601).

23 **SEC. 9008. AUTHORIZATION OF APPROPRIATIONS.**

24 (a) IN GENERAL.—There is authorized to be appro-
25 priated to carry out this title, and the amendments made

1 by this title, \$50,000,000 for each of the first 5 fiscal
2 years beginning after the date of the enactment of this
3 Act.

4 (b) AVAILABILITY OF AMOUNTS TO CARRY OUT SEC-
5 TION 535 OF THE FOREIGN ASSISTANCE ACT OF 1961.—
6 Of the amounts authorized to be appropriated by sub-
7 section (a) for each of the fiscal years described in such
8 subsection, the following amounts shall be made available
9 to carry out section 535 of the Foreign Assistance Act
10 of 1961 (as added by section 9004):

11 (1) 60 percent of such amounts for the first fis-
12 cal year.

13 (2) 50 percent of such amounts for the second
14 fiscal year.

15 (3) 40 percent of such amounts for each of the
16 third and fourth such fiscal years.

17 (4) 30 percent of such amounts for the fifth
18 such fiscal year.

19 (c) ADMINISTRATIVE EXPENSES.—Not more than 3
20 percent of amounts authorized to be appropriated by sub-
21 section (a) for a fiscal year may be made available for ad-
22 ministrative expenses to carry out section 535 of the For-
23 eign Assistance Act of 1961 (as added by section 9004).

24 (d) AVAILABILITY.—Amounts authorized to be ap-
25 propriated by subsection (a) for a fiscal year are author-

1 ized to remain available for such fiscal year and the subse-
2 quent 4 fiscal years.

3 This Act may be cited as the “Department of State,
4 Foreign Operations, and Related Programs Appropria-
5 tions Act, 2021”.

Union Calendar No. 356

116TH CONGRESS
2^D Session

H. R. 7608

[Report No. 116-444]

A BILL

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2021, and for other purposes.

JULY 13, 2020

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed