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117TH CONGRESS
2D SESSION

S. 4662

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

IN THE SENATE OF THE UNITED STATES

JULY 28, 2022

Mr. COONS introduced the following bill; which was read twice and referred to the Committee on Appropriations

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A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2023, and for other purposes, namely:

TITLE I

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC PROGRAMS

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

(1) HUMAN RESOURCES.—For necessary expenses for training, human resources management, and salaries, including employment without regard to civil service and classification laws of persons on a temporary basis (not to exceed $700,000), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948 (62 Stat. 11; Chapter 36), $3,478,209,000, of which up to $685,875,000 is for Worldwide Security Protection.

(2) OVERSEAS PROGRAMS.—For necessary expenses for the regional bureaus of the Department of State and overseas activities as authorized by law, $1,897,700,000.

(3) DIPLOMATIC POLICY AND SUPPORT.—For necessary expenses for the functional bureaus of the Department of State, including representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress, general administration, and arms control, nonproliferation, and disarmament activities as authorized, $1,104,829,000.

(4) SECURITY PROGRAMS.—For necessary expenses for security activities, $3,157,058,000, of which up to $3,128,940,000 is for Worldwide Security Protection.

(5) FEES AND PAYMENTS COLLECTED.—In addition to amounts otherwise made available under this heading—

(A) as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed $5,000,000, to remain available until expended, may be credited to this appropriation from fees or other pay-

ments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and

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

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

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

(B) Of the amount made available under this heading for Worldwide Security Protection, not to exceed $50,000,000 may be transferred to, and merged with, funds made available by this Act under the heading ''Emergencies in the Diplomatic and Consular Service'', to be available only for emergency evacuations and rewards, as authorized: *Provided,* That the exercise of the authority provided by this subparagraph shall be subject to prior consultation with the Committees on Appropriations.

(C) Funds appropriated under this heading are available for acquisition by exchange or purchase of passenger motor vehicles as authorized by law and, pursuant to section 1108(g) of title 31, United States Code, for the field examination of programs and activities in the United States funded from any account contained in this title.

(D) Funds appropriated under this heading shall be made available to support the activities of an Ambassador-at-Large for the Arctic Region, as described in the explanatory statement accompanying this Act.

(E) Of the amount made available under this heading, up to $75,000,000 may be transferred to, and merged with, funds made available in title I of this Act under the heading ''Capital Investment Fund'': *Provided,* That the exercise of the authority provided by this subparagraph shall be subject to prior consultation with the Committees on Appropriations.

(F) Of the amount made available under this heading, up to $500,000 may be made available for grants, programs, and activities to promote the employment of United States citi-

zens by international organizations and bodies, including by providing consultation, analytical services, and related support for United States citizen applicants.

(G) The eleventh proviso under the heading ''Diplomatic and Consular Programs'' in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (title I of division J of Public Law 110–161) is amended by inserting ''and for expenses of rewards programs'' after ''for rewards payments''.

CAPITAL INVESTMENT FUND

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

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $98,500,000, of which $14,775,000 may remain available until September 30, 2024: *Provided,* That funds appropriated under this heading are made available notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3929(a)(1)), as it relates to post inspections.

In addition, for the Special Inspector General for Afghanistan Reconstruction (SIGAR) for reconstruction oversight, $35,200,000, to remain available until September 30, 2024: *Provided,* That funds appropriated under this heading that are made available for the printing and reproduction costs of SIGAR shall not exceed amounts for such costs during the prior fiscal year.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For necessary expenses of educational and cultural exchange programs, as authorized, $781,539,000, to remain available until expended, of which not less than $290,000,000 shall be for the Fulbright Program and not less than $115,000,000 shall be for Citizen Exchange Program: *Provided,* That fees or other payments received from, or in connection with, English teaching, educational advising and counseling programs, and exchange visitor programs as authorized may be credited to this account, to remain available until expended: *Provided further,* That a portion of the Fulbright awards from the Eurasia and Central Asia regions shall be designated as Edmund S. Muskie Fellowships, following consultation with the Committees on Appropriations: *Provided further,* That funds appropriated under this heading that are made available for the Benjamin Gilman International Scholarships Program shall also be made available for the John S. McCain

Scholars Program, pursuant to section 7075 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 (division F of Public Law 116–6): *Provided further,* That funds appropriated under this heading shall be made available for the Arctic Indigenous Exchange Program: *Provided further,* That any substantive modifications from the prior fiscal year to programs funded by this Act under this heading shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

REPRESENTATION EXPENSES

For representation expenses as authorized, $7,415,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

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

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292 et seq.), preserving, maintaining, repairing, and planning for real property that are owned or leased by the Department of State, and renovating, in addition to funds otherwise available, the Harry S Truman Building, $902,615,000, to re-

main available until September 30, 2027, of which not to exceed $25,000 may be used for overseas representation expenses as authorized: *Provided,* That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies of the United States Government.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, $1,055,206,000, to remain available until expended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For necessary expenses to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, as authorized, $8,885,000, to remain available until expended, of which not to exceed $1,000,000 may be transferred to, and merged with, funds appropriated by this Act under the heading ''Repatriation Loans Program Account''.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $1,300,000, as authorized: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That such funds are available to subsidize gross obligations for

the principal amount of direct loans not to exceed $4,753,048.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96–8), $35,583,000.

INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF COLUMBIA

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

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

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

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For necessary expenses, not otherwise provided for, to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conven-

tions, or specific Acts of Congress, $1,604,205,000, of which $96,240,000 may remain available until September 30, 2024: *Provided,* That the Secretary of State shall, at the time of the submission of the President's budget to Congress under section 1105(a) of title 31, United States Code, transmit to the Committees on Appropriations the most recent biennial budget prepared by the United Nations for the operations of the United Nations: *Provided further,* That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget: *Provided further,* That any payment of arrearages under this heading shall be directed to activities that are mutually agreed upon by the United States and the respective international organization and shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That none of the funds appropriated under this heading shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans in-

curred on or after October 1, 1984, through external borrowings.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $1,962,235,000, of which $981,118,000 may remain available until September 30, 2024: *Provided,* That none of the funds made available by this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for such mission in the United Nations Security Council (or in an emergency as far in advance as is practicable), the Committees on Appropriations are notified of: (1) the estimated cost and duration of the mission, the objectives of the mission, the national interest that will be served, and the exit strategy; and (2) the sources of funds, including any reprogrammings or transfers, that will be used to pay the cost of the new or expanded mission, and the estimated cost in future fiscal years: *Provided further,* That none of the funds appropriated under this heading may be made available for obligation unless the Secretary of State certifies and reports to the Committees on Appropriations on a peacekeeping

mission-by-mission basis that the United Nations is implementing effective policies and procedures to prevent United Nations employees, contractor personnel, and peacekeeping troops serving in such mission from trafficking in persons, exploiting victims of trafficking, or committing acts of sexual exploitation and abuse or other violations of human rights, and to hold accountable individuals who engage in such acts while participating in such mission, including prosecution in their home countries and making information about such prosecutions publicly available on the website of the United Nations: *Provided further,* That the Secretary of State shall work with the United Nations and foreign governments contributing peacekeeping troops to implement effective vetting procedures to ensure that such troops have not violated human rights: *Provided further,* That funds shall be available for peacekeeping expenses unless the Secretary of State determines that United States manufacturers and suppliers are not being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: *Provided further,* That none of the funds appropriated or otherwise made available under this heading may be used for any United Nations peacekeeping mission that will involve United States

Armed Forces under the command or operational control of a foreign national, unless the President's military advisors have submitted to the President a recommendation that such involvement is in the national interest of the United States and the President has submitted to Congress such a recommendation: *Provided further,* That any payment of arrearages with funds appropriated by this Act shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That funds appropriated or otherwise made available under this heading may be made available above the amount authorized in section 404(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, as amended (22 U.S.C. 287e note).

INTERNATIONAL COMMISSIONS

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

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation expenses, as follows:

SALARIES AND EXPENSES

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

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $51,030,000, to remain available until expended, as authorized: *Provided,* That of the funds appropriated under this heading in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs for the United States Section, up to $5,000,000 may be transferred to, and merged with, funds appropriated under the heading ''Salaries and Expenses'' to carry out the purposes of the United States Section, which shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided further,* That such transfer authority is in addition to any other transfer authority provided in this Act.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, $13,204,000: *Provided,* That of the

amount provided under this heading for the International Joint Commission, up to $1,250,000 may remain available until September 30, 2024, and up to $9,000 may be made available for representation expenses: *Provided further,* That of the amount provided under this heading for the International Boundary Commission, up to $1,000 may be made available for representation expenses.

INTERNATIONAL FISHERIES COMMISSIONS

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

RELATED AGENCY

UNITED STATES AGENCY FOR GLOBAL MEDIA

INTERNATIONAL BROADCASTING OPERATIONS

For necessary expenses to enable the United States Agency for Global Media (USAGM), as authorized, to carry out international communication activities, and to make and supervise grants for radio, Internet, and television broadcasting to the Middle East, $877,715,000, of which $43,886,000 may remain available until September 30, 2024: *Provided,* That in addition to amounts otherwise available for such purposes, up to $52,708,000 of the

amount appropriated under this heading may remain available until expended for satellite transmissions and Internet freedom programs, of which not less than $32,000,000 shall be for Internet freedom programs: *Provided further,* That of the total amount appropriated under this heading, not to exceed $35,000 may be used for representation expenses, of which $10,000 may be used for such expenses within the United States as authorized, and not to exceed $30,000 may be used for representation expenses of Radio Free Europe/Radio Liberty: *Provided further,* That funds appropriated under this heading shall be allocated in accordance with the table included under this heading in the explanatory statement accompanying this Act: *Provided further,* That notwithstanding the previous proviso, funds may be reprogrammed within and between amounts designated in such table, subject to the regular notification procedures of the Committees on Appropriations, except that no such reprogramming may reduce a designated amount by more than 5 percent: *Provided further,* That funds appropriated under this heading shall be made available in accordance with the principles and standards set forth in section 303(a) and (b) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6202) and section 305(b) of such Act (22 U.S.C. 6204): *Provided further,* That the USAGM Chief Executive Offi-

cer shall notify the Committees on Appropriations within 15 days of any determination by the USAGM that any of its broadcast entities, including its grantee organizations, provides an open platform for international terrorists or those who support international terrorism, or is in violation of the principles and standards set forth in section 303(a) and (b) of such Act or the entity's journalistic code of ethics: *Provided further,* That in addition to funds made available under this heading, and notwithstanding any other provision of law, up to $5,000,000 in receipts from advertising and revenue from business ventures, up to $500,000 in receipts from cooperating international organizations, and up to $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, shall remain available until expended for carrying out authorized purposes: *Provided further,* That significant modifications to USAGM broadcast hours previously justified to Congress, including changes to transmission platforms (shortwave, medium wave, satellite, Internet, and television), for all USAGM language services shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That up to $2,000,000 from the USAGM Buying Power Maintenance account may be transferred to, and merged with, funds appropriated by this Act under

the heading ''International Broadcasting Operations'', which shall remain available until expended: *Provided further,* That such transfer authority is in addition to any transfer authority otherwise available under any other provision of law and shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, repair, preservation, and improvement of facilities for radio, television, and digital transmission and reception; the purchase, rent, and installation of necessary equipment for radio, television, and digital transmission and reception, including to Cuba, as authorized; and physical security worldwide, in addition to amounts otherwise available for such purposes, $9,700,000, to remain available until expended, as authorized.

RELATED PROGRAMS

THE ASIA FOUNDATION

For a grant to The Asia Foundation, as authorized by The Asia Foundation Act (22 U.S.C. 4402), $22,000,000, to remain available until expended: *Provided,* That funds appropriated under this heading shall be apportioned and obligated to the Foundation not later than 60 days after the date of enactment of this Act.

UNITED STATES INSTITUTE OF PEACE

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

CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST FUND

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

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2023, to remain available until expended: *Provided,* That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for

the payment thereof, in excess of the rate authorized by section 5376 of title 5, United States Code; or for purposes which are not in accordance with section 200 of title 2 of the Code of Federal Regulations, including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

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

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $25,700,000: *Provided,* That funds appropriated under this heading shall be apportioned and obligated to the Center not later than 60 days after the date of enactment of this Act.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy, as authorized by the

National Endowment for Democracy Act (22 U.S.C. 4412), $325,000,000, to remain available until expended, of which $212,160,000 shall be allocated in the traditional and customary manner, including for the core institutes, and $112,840,000 shall be for democracy programs: *Provided,* That the requirements of section 7062(a) of this Act shall not apply to funds made available under this heading.

OTHER COMMISSIONS

Commission for the Preservation of America's Heritage Abroad

SALARIES AND EXPENSES

For necessary expenses for the Commission for the Preservation of America's Heritage Abroad, $665,000, as authorized by chapter 3123 of title 54, United States Code: *Provided,* That the Commission may procure temporary, intermittent, and other services notwithstanding paragraph (3) of section 312304(b) of such chapter: *Provided further,* That such authority shall terminate on October 1, 2023: *Provided further,* That the Commission shall notify the Committees on Appropriations prior to exercising such authority.

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

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

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

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

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

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized by title III of the U.S.-China Relations Act of 2000 (22 U.S.C. 6911 et seq.), $2,300,000, including not more than $3,000 for representation expenses, to remain available until September 30, 2024.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SALARIES AND EXPENSES

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

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

TITLE II

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $1,743,350,000, of which up to $261,503,000 may remain available until September 30, 2024: *Provided,* That none of the funds appropriated under this heading and under the heading ''Capital Investment Fund'' in this title may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development, unless the USAID Administrator has identified such proposed use of funds in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of funds for such purposes: *Provided further,* That contracts or agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through the following fiscal year: *Provided further,* That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chap-

ter 1 of part I of such Act to ''Operating Expenses'' in accordance with the provisions of those sections: *Provided further,* That of the funds appropriated or made available under this heading, not to exceed $250,000 may be available for representation and entertainment expenses, of which not to exceed $5,000 may be available for entertainment expenses, and not to exceed $100,500 shall be for official residence expenses, for USAID during the current fiscal year: *Provided further,* That of the funds appropriated under this heading, up to $20,000,000 may be transferred to, and merged with, funds appropriated or otherwise made available in title II of this Act under the heading ''Capital Investment Fund'', subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

CAPITAL INVESTMENT FUND

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

subject to the regular notification procedures of the Committees on Appropriations.

OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $80,500,000, of which up to $12,075,000 may remain available until September 30, 2024, for the Office of Inspector General of the United States Agency for International Development: *Provided,* That of the funds appropriated under this heading, up to $10,000 may be available for representation expenses.

TITLE III

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

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

GLOBAL HEALTH PROGRAMS

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for global health activities, in addition to funds otherwise available for such purposes, $4,139,500,000, to remain available until September 30, 2024, and which shall be apportioned directly to the United States Agency for International Development: *Provided,* That this amount shall be made available for training, equipment, and technical assistance to build the capacity of public health institutions and organizations in developing countries, and for such activities as: (1) child survival and maternal health programs; (2) immunization and oral rehydration programs; (3) other health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assistance for children displaced or orphaned by causes other than AIDS; (5) programs for the prevention, treatment, control of, and research on HIV/AIDS,

tuberculosis, polio, malaria, and other infectious diseases including neglected tropical diseases, and for assistance to communities severely affected by HIV/AIDS, including children infected or affected by AIDS; (6) disaster preparedness training for health crises; (7) programs to prevent, prepare for, and respond to unanticipated and emerging global health threats, including zoonotic diseases; and (8) family planning/reproductive health: *Provided further,* That funds appropriated under this paragraph may be made available for United States contributions to The GAVI Alliance and to a multilateral vaccine development partnership to support epidemic preparedness: *Provided further,* That none of the funds made available in this Act nor any unobligated balances from prior appropriations Acts may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: *Provided further,* That any determination made under the previous proviso must be made not later than 6 months after the date of enactment of this Act, and must be accompanied by the evidence and criteria utilized to make the determination: *Provided further,* That none of the funds made available under this Act may be used to pay for the performance of abortion as a method

of family planning or to motivate or coerce any person to practice abortions: *Provided further,* That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: *Provided further,* That none of the funds made available under this Act may be used to lobby for or against abortion: *Provided further,* That in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of fam-

ily planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the USAID Administrator determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: *Provided further,* That in awarding grants for natural family planning under section 104 of the For-

eign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: *Provided further,* That for purposes of this or any other Act authorizing or appropriating funds for the Department of State, foreign operations, and related programs, the term ''motivate'', as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: *Provided further,* That information provided about the use of condoms as part of projects or activities that are funded from amounts appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use.

In addition, for necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, $6,370,000,000, to remain available until September 30, 2027, which shall be apportioned directly to the Department of State: *Provided,* That funds appropriated under this paragraph may be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuber-

culosis, and Malaria Act of 2003 (Public Law 108–25), for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund): *Provided further,* That the amount of such contribution shall be $2,000,000,000: *Provided further,* That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2023 may be made available to USAID for technical assistance related to the activities of the Global Fund, subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That of the funds appropriated under this paragraph, up to $17,000,000 may be made available, in addition to amounts otherwise available for such purposes, for administrative expenses of the Office of the United States Global AIDS Coordinator.

DEVELOPMENT ASSISTANCE

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

INTERNATIONAL DISASTER ASSISTANCE

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

TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance administered by the Office of Transition Initiatives, United States Agency for International Development, pursuant to section 491 of the Foreign Assistance Act of 1961, and to support transition to democracy and long-term development of countries in crisis, $102,000,000, to remain available until expended: *Provided,* That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: *Provided further,* That the USAID Administrator shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new, or terminating a, program of assistance: *Provided further,* That if the Secretary of State de-

termines that it is important to the national interest of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to $15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: *Provided further,* That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

COMPLEX CRISES FUND

For necessary expenses to carry out the provisions of section 509(b) of the Global Fragility Act of 2019 (title V of division J of Public Law 116–94), $60,000,000, to remain available until expended: *Provided,* That funds appropriated under this heading may be made available notwithstanding any other provision of law, except sections 7007, 7008, and 7018 of this Act and section 620M of the Foreign Assistance Act of 1961: *Provided further,* That funds appropriated under this heading shall be apportioned to the United States Agency for International Development.

ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $4,122,463,000, to remain available until September 30, 2024.

DEMOCRACY FUND

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the promotion of democracy globally, including to carry out the purposes of section 502(b)(3) and (5) of Public Law 98–164 (22 U.S.C. 4411), $226,450,000, to remain available until September 30, 2024, which shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor, Department of State: *Provided,* That funds appropriated under this heading that are made available to the National Endowment for Democracy and its core institutes are in addition to amounts otherwise made available by this Act for such purposes: *Provided further,* That the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, shall consult with the Committees on Appropriations prior to the initial obligation of funds appropriated under this paragraph.

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

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

ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961, the FREEDOM Support Act (Public Law 102–511), and the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101–179), $850,000,000, to remain available until September 30, 2024, which shall be available, notwithstanding any other provision of law, except section 7047 of this Act, for assistance and related programs for countries identified in section 3 of the FREEDOM Support Act (22 U.S.C. 5801) and section 3(c) of the SEED Act of 1989 (22 U.S.C. 5402), in addition to funds otherwise available for such purposes: *Provided,* That funds appropriated by this Act under the headings ''Global Health Programs'', ''Economic Support Fund'', and ''International Narcotics Control and Law Enforcement'' that are made available for assistance for such countries shall be administered in accordance with the responsibilities of the coordinator designated pursuant to section 102 of the FREEDOM Support Act and section 601 of the SEED Act of 1989: *Provided further,* That funds appropriated under this heading shall be considered to be economic as-

sistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance: *Provided further,* That funds appropriated under this heading may be made available for contributions to multilateral initiatives to counter hybrid threats.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For necessary expenses not otherwise provided for, to enable the Secretary of State to carry out the provisions of section 2(a) and (b) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601), and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.); allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $3,637,188,000, to remain available until expended, of which $5,000,000 shall be made available for refugees resettling in Israel: *Provided,* That funds appropriated under this heading may be used to carry out section 5(a)(6) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2605(a)(6)) for employing up to 50 individuals domesti-

cally without regard to the geographic limitation in such section.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)), $100,000, to remain available until expended: *Provided,* That amounts in excess of the limitation contained in paragraph (2) of such section shall be transferred to, and merged with, funds made available by this Act under the heading ''Migration and Refugee Assistance''.

INDEPENDENT AGENCIES

PEACE CORPS

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

suant to the previous proviso may not be derived from amounts made available for Peace Corps overseas operations: *Provided further,* That of the funds appropriated under this heading, not to exceed $104,000 may be available for representation expenses, of which not to exceed $4,000 may be made available for entertainment expenses: *Provided further,* That in addition to the requirements under section 7015(a) of this Act, the Peace Corps shall consult with the Committees on Appropriations prior to any decision to open, close, or suspend a domestic or overseas office or a country program unless there is a substantial risk to volunteers or other Peace Corps personnel: *Provided further,* That none of the funds appropriated under this heading shall be used to pay for abortions: *Provided further,* That notwithstanding the previous proviso, section 614 of division E of Public Law 113–76 shall apply to funds appropriated under this heading.

MILLENNIUM CHALLENGE CORPORATION

For necessary expenses to carry out the provisions of the Millennium Challenge Act of 2003 (22 U.S.C. 7701 et seq.) (MCA), $930,000,000, to remain available until expended: *Provided,* That of the funds appropriated under this heading, up to $130,000,000 may be available for administrative expenses of the Millennium Challenge Corporation: *Provided further,* That section 605(e) of the

MCA (22 U.S.C. 7704(e)) shall apply to funds appropriated under this heading: *Provided further,* That funds appropriated under this heading may be made available for a Millennium Challenge Compact entered into pursuant to section 609 of the MCA (22 U.S.C. 7708) only if such Compact obligates, or contains a commitment to obligate subject to the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding anticipated for the duration of the Compact: *Provided further,* That of the funds appropriated under this heading, not to exceed $100,000 may be available for representation and entertainment expenses, of which not to exceed $5,000 may be available for entertainment expenses.

INTER-AMERICAN FOUNDATION

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

UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out the African Development Foundation Act (title V of Public Law 96–533;

22 U.S.C. 290h et seq.), $45,000,000, to remain available until September 30, 2024, of which not to exceed $2,000 may be available for representation expenses: *Provided,* That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the Board of Directors of the United States African Development Foundation (USADF): *Provided further,* That interest earned shall be used only for the purposes for which the grant was made: *Provided further,* That notwithstanding section 505(a)(2) of the African Development Foundation Act (22 U.S.C. 290h–3(a)(2)), in exceptional circumstances the Board of Directors of the USADF may waive the $250,000 limitation contained in that section with respect to a project and a project may exceed the limitation by up to 10 percent if the increase is due solely to foreign currency fluctuation: *Provided further,* That the USADF shall submit a report to the appropriate congressional committees after each time such waiver authority is exercised: *Provided further,* That the USADF may make rent or lease payments in advance from appropriations available for such purpose for offices, buildings, grounds, and quarters in Africa as may be necessary to carry out its functions: *Provided further,* That the USADF may maintain bank accounts outside the United States Treasury and retain any interest earned on

such accounts, in furtherance of the purposes of the African Development Foundation Act: *Provided further,* That the USADF may not withdraw any appropriation from the Treasury prior to the need of spending such funds for program purposes.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

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

DEBT RESTRUCTURING

For ''Bilateral Economic Assistance—Department of the Treasury—Debt Restructuring'' there is appropriated $52,000,000, to remain available until September 30, 2024, for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees for, or credits extended to, such countries as the President may determine, including the costs of selling, reducing, or canceling amounts owed to the United

States pursuant to the ''Common Framework for Debt Treatments beyond the Debt Service Suspension Initiative (DSSI)'', and for reducing interest rates paid by any country eligible for the DSSI: *Provided,* That such amounts may be used notwithstanding any other provision of law.

TROPICAL FOREST AND CORAL REEF CONSERVATION

For the costs, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, including the costs of selling, reducing, or canceling amounts owed to the United States as a result of concessional loans made to eligible countries pursuant to part V of the Foreign Assistance Act of 1961, $20,000,000, to remain available until September 30, 2026.

TITLE IV

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $1,473,800,000, to remain available until September 30, 2024: *Provided,* That the Department of State may use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing such property to a foreign country or international organization under chapter 8 of part I of such Act, subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading, except that any funds made available notwithstanding such section shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That funds appropriated under this heading shall be made available to support training and technical assistance for foreign law enforcement, corrections, judges, and other judicial authorities, utilizing regional partners: *Provided fur-*

ther, That funds made available under this heading that are transferred to another department, agency, or instrumentality of the United States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of $5,000,000, and any agreement made pursuant to section 632(a) of such Act, shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That funds made available under this heading for Program Development and Support may be made available notwithstanding pre-obligation requirements contained in this Act, except for the notification requirements of section 7015.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

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

tivities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission, and for a voluntary contribution to the International Atomic Energy Agency (IAEA): *Provided,* That funds made available under this heading for the Nonproliferation and Disarmament Fund shall be made available, notwithstanding any other provision of law and subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, to promote bilateral and multilateral activities relating to nonproliferation, disarmament, and weapons destruction, and shall remain available until expended: *Provided further,* That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: *Provided further,* That funds appropriated under this heading may be made available for the IAEA unless the Secretary of State determines that Israel is being denied its right to participate in the activities of that Agency: *Provided further,* That funds made available for conventional weapons destruction programs, including

demining and related activities, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of such programs and activities, subject to the regular notification procedures of the Committees on Appropriations.

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $452,059,000, of which $330,000,000 may remain available until September 30, 2024: *Provided,* That funds appropriated under this heading may be used, notwithstanding section 660 of the Foreign Assistance Act of 1961, to provide assistance to enhance the capacity of foreign civilian security forces, including gendarmes, to participate in peacekeeping operations: *Provided further,* That of the funds appropriated under this heading, not less than $25,000,000 shall be made available for a United States contribution to the Multinational Force and Observers mission in the Sinai: *Provided further,* That funds appropriated under this heading may be made available to pay assessed expenses of international peacekeeping activities in Somalia under the same terms and conditions, as applicable, as funds appropriated by this Act under the heading ''Contributions for International Peacekeeping

Activities'': *Provided further,* That funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriations.

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $112,925,000, to remain available until September 30, 2024: *Provided,* That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: *Provided further,* That of the funds appropriated under this heading, $3,000,000 shall remain available until expended to increase the participation of women in programs and activities funded under this heading, following consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided further,* That of the funds appropriated under this heading, not to exceed $50,000 may be available for entertainment expenses.

FOREIGN MILITARY FINANCING PROGRAM

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

Arms Export Control Act (22 U.S.C. 2763), $5,862,525,000: *Provided,* That to expedite the provision of assistance to foreign countries and international organizations, the Secretary of State, following consultation with the Committees 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 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 articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurement has first signed an agreement with the United States Government specifying the conditions under which such procurement may be financed with such funds: *Provided,* That all coun-

try and funding level increases in allocations shall be submitted through the regular notification procedures of section 7015 of this Act: *Provided further,* That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: *Provided further,* That only those countries for which assistance was justified for the ''Foreign Military Sales Financing Program'' in the fiscal year 1989 congressional presentation for security assistance programs, and countries that are members of the North Atlantic Treaty Organization, may utilize funds made available under this heading for procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act: *Provided further,* That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: *Provided further,* That not more than $70,000,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military as-

sistance and sales, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: *Provided further,* That of the funds made available under this heading for general costs of administering military assistance and sales, not to exceed $4,000 may be available for entertainment expenses and not to exceed $130,000 may be available for representation expenses: *Provided further,* That not more than $1,253,810,229 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act (22 U.S.C. 2761(e)(1)(A)) may be obligated for expenses incurred by the Department of Defense during fiscal year 2023 pursuant to section 43(b) of the Arms Export Control Act (22 U.S.C. 2792(b)), except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations.

TITLE V

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, $481,000,000: *Provided,* That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to contributions to the United Nations Democracy Fund: *Provided further,* That not later than 60 days after the date of enactment of this Act, such funds shall be made available for core contributions for each entity listed in the table under this heading in the explanatory statement accompanying this Act unless otherwise provided for in this Act, or if the Secretary of State has justified to the Committees on Appropriations the proposed uses of funds other than for core contributions following prior consultation with, and subject to the regular notification procedures of, such Committees.

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

For payment to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility by the Secretary of the Treasury, $150,200,000, to remain available until expended.

CONTRIBUTION TO THE GREEN CLIMATE FUND

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

CONTRIBUTION TO THE CLEAN TECHNOLOGY FUND

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

CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the International Bank for Reconstruction and Development by the Secretary of the Treasury for the United States share of the paid-in portion of the increases in capital stock, $206,500,000, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

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

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, $1,430,256,000, to remain available until expended.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

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

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

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

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of increases in capital stock in an amount not to exceed $856,174,624.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

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

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For payment to the International Fund for Agricultural Development by the Secretary of the Treasury, $43,000,000, to remain available until expended.

GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

For payment to the Global Agriculture and Food Security Program by the Secretary of the Treasury, $5,000,000, to remain available until expended.

CONTRIBUTIONS TO THE INTERNATIONAL MONETARY FUND FACILITIES AND TRUST FUNDS

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

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

TITLE VI

EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

INSPECTOR GENERAL

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

PROGRAM ACCOUNT

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program for the current fiscal year for such corporation: *Provided,* That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has deto-

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

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to exceed $30,000 for official reception and representation expenses for members of the Board of Directors, not to exceed $129,800,000, of which up to $19,470,000 may remain available until September 30, 2024: *Provided,* That the Export-Import Bank (the Bank) may accept, and use, payment or services provided by transaction participants for legal, financial, or technical services in connection with any transaction for which an application for a loan, guarantee or insurance commitment has been made: *Provided further,* That notwithstanding subsection (b) of section 117 of the Export Enhancement Act of 1992, subsection (a) of such section shall remain in effect until September 30, 2023: *Provided further,* That the Bank shall charge fees for necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Bank, repossession or sale of pledged collateral or other assets acquired by the Bank in satisfaction

of moneys owed the Bank, or the investigation or appraisal of any property, or the evaluation of the legal, financial, or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, or systems infrastructure directly supporting transactions: *Provided further,* That in addition to other funds appropriated for administrative expenses, such fees shall be credited to this account for such purposes, to remain available until expended.

PROGRAM BUDGET APPROPRIATIONS

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

RECEIPTS COLLECTED

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

the amount appropriated herein, shall be credited as offsetting collections to this account: *Provided,* That the sums herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis by such offsetting collections so as to result in a final fiscal year appropriation from the General Fund estimated at $0.

UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION

INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $5,500,000, to remain available until September 30, 2024.

CORPORATE CAPITAL ACCOUNT

The United States International Development Finance Corporation (the Corporation) is authorized to make such expenditures and commitments within the limits of funds and borrowing authority available to the Corporation, and in accordance with the law, and to make such expenditures and commitments without regard to fiscal year limitations, as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs for the current fiscal year for the Corporation: *Provided,* That for necessary expenses of the activities described in subsections (b), (c), (e), (f), and (g)

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

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

(2) $780,000,000 shall remain available until September 30, 2025, for the activities described in subsections (b), (c), (e), (f), and (g) of section 1421 of the BUILD Act of 2018, except such amounts obligated in a fiscal year for activities described in section 1421(c) of such Act shall remain available for disbursement for the term of the underlying project: *Provided further,* That amounts made available under this paragraph may be paid to the ''United States International Development Finance Corporation—Program Account'' for programs authorized

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

Provided further, That funds may only be obligated pursuant to section 1421(g) of the BUILD Act of 2018 subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations: *Provided further,* That in fiscal year 2023 collections of amounts described in section 1434(h) of the BUILD Act of 2018 shall be credited as offsetting collections to this appropriation: *Provided further,* That such collections collected in fiscal year 2023 in excess of $1,000,000,000 shall be credited to this account and shall be available in future fiscal years only to the extent provided in advance in appropriations Acts: *Provided further,* That in fiscal year 2023, if such collections are less than $1,000,000,000, receipts collected pursuant to the BUILD Act of 2018 and the Federal Credit Reform Act of 1990, in an amount equal to such shortfall, shall be credited as offsetting collections to this appropriation: *Provided further,* That funds appropriated or otherwise made available under this heading may not be used to provide any type of assistance that is otherwise prohibited by any other provision of law or to provide assistance to any foreign country that is otherwise prohibited by any other provision of law: *Provided further,* That the sums

herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis by the offsetting collections described under this heading so as to result in a final fiscal year appropriation from the General Fund estimated at $588,000,000.

PROGRAM ACCOUNT

Amounts paid from ''United States International Development Finance Corporation—Corporate Capital Account'' (CCA) shall remain available until September 30, 2025: *Provided,* That amounts paid to this account from CCA or transferred to this account pursuant to section 1434(j) of the BUILD Act of 2018 (division F of Public Law 115–254) shall be available for the costs of direct and guaranteed loans provided by the Corporation pursuant to section 1421(b) of such Act and the costs of modifying loans and loan guarantees transferred to the Corporation pursuant to section 1463 of such Act: *Provided further,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That such amounts obligated in a fiscal year shall remain available for disbursement for the following 8 fiscal years: *Provided further,* That funds made available in this Act and transferred to carry out the Foreign Assistance Act of 1961 pursuant to section 1434(j) of the BUILD Act of

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

TRADE AND DEVELOPMENT AGENCY

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

TITLE VII

GENERAL PROVISIONS

ALLOWANCES AND DIFFERENTIALS

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

UNOBLIGATED BALANCES REPORT

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

CONSULTING SERVICES

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

DIPLOMATIC FACILITIES

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

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

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

(c) CONSULTATION AND NOTIFICATION.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, which may be made available for the acquisition of property or award of construction contracts for overseas United States diplomatic facilities during fiscal year 2023, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided*, That notifications pursuant to this subsection shall include the information under this section in the explanatory statement accompanying this Act.

(d) INTERIM AND TEMPORARY FACILITIES ABROAD.—

(1) SECURITY VULNERABILITIES.—Funds appropriated by this Act under the heading ''Embassy Security, Construction, and Maintenance'' may be made available, following consultation with the appropriate congressional committees, to address secu-

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

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

(e) SOFT TARGETS.—Funds appropriated by this Act under the heading ''Embassy Security, Construction, and Maintenance'' may be made available for security upgrades to soft targets, including schools, recreational facilities, and residences used by United States diplomatic personnel and their dependents.

PERSONNEL ACTIONS

SEC. 7005. Any costs incurred by a department or agency funded under title I of this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available under title I to such department or agency: *Provided,* That the authority to transfer funds

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

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 7006. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before enactment of this Act by Congress: *Provided,* That up to $25,000 may be made available to carry out the provisions of section 316 of the International Security and Development Cooperation Act of 1980 (Public Law 96–533; 22 U.S.C. 2151a note).

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

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

COUPS D'ÉTAT

SEC. 7008. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military coup d'état or decree or, after the date of enactment of this Act, a coup d'état or decree in which the military plays a decisive role: *Provided,* That assistance may be resumed to such government if the Secretary of State certifies and reports to the appropriate congressional committees that subsequent to the termination of assistance a democratically elected government has taken office: *Provided further,* That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes, or to support a democratic transition: *Provided further,* That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That the Secretary of State, following consultation with the heads of relevant Federal agencies, may waive the restriction in this section on a program-by-program basis if the Secretary certifies and reports to the Committees on Appropriations that such waiver is in the national security inter-

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

TRANSFER OF FUNDS AUTHORITY

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

(1) DEPARTMENT OF STATE.—

(A) IN GENERAL.—Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers, and no such transfer may be made to increase the appropriation under the heading ''Representation Expenses''.

(B) EMBASSY SECURITY.—Funds appropriated under the headings ''Diplomatic Programs'', including for Worldwide Security Protection, ''Embassy Security, Construction, and Maintenance'', and ''Emergencies in the Diplomatic and Consular Service'' in this Act may be

transferred to, and merged with, funds appropriated under such headings if the Secretary of State determines and reports to the Committees on Appropriations that to do so is necessary to implement the recommendations of the Benghazi Accountability Review Board, for emergency evacuations, or to prevent or respond to security situations and requirements, following consultation with, and subject to the regular notification procedures of, such Committees: *Provided*, That such transfer authority is in addition to any transfer authority otherwise available in this Act and under any other provision of law.

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

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

as a reprogramming of funds under section 7015 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

(b) LIMITATION ON TRANSFERS OF FUNDS BETWEEN AGENCIES.—

(1) IN GENERAL.—None of the funds made available under titles II through V of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

(2) ALLOCATION AND TRANSFERS.—Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961, and section 1434(j) of the BUILD Act of 2018 (division F of Public Law 115–254).

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

Development or the Department of State with any department, agency, or instrumentality of the United States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of $1,000,000 and any agreement made pursuant to section 632(a) of such Act, with funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ''Global Health Programs'', ''Development Assistance'', ''Economic Support Fund'', and ''Assistance for Europe, Eurasia and Central Asia'' shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided*, That the requirement in the previous sentence shall not apply to agreements entered into between USAID and the Department of State.

(c) UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.—

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

sultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided*, That the Secretary of State, the Administrator of the United States Agency for International Development, and the Chief Executive Officer of the United States International Development Finance Corporation, as appropriate, shall ensure that the programs funded by such transfers are coordinated with, and complement, foreign assistance programs implemented by the Department of State and USAID.

(2) TRANSFER OF FUNDS FROM MILLENNIUM CHALLENGE CORPORATION.—Funds appropriated under the heading ''Millennium Challenge Corporation'' in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs may be transferred to accounts under the heading ''United States International Development Finance Corporation'' and, when so transferred, may be used for the costs of activities described in subsections (b) and (c) of section 1421 of the BUILD Act of 2018: *Provided*, That such funds shall be subject to the limitations provided in the second, third, and fifth provisos under the heading ''United States International De-

velopment Finance Corporation—Program Account'' in this Act: *Provided further*, That any transfer executed pursuant to the transfer authority provided in this paragraph shall not exceed 10 percent of an individual Compact awarded pursuant to section 609(a) of the Millennium Challenge Act of 2003 (title VI of Public Law 108–199): *Provided further*, That such funds shall not be available for administrative expenses of the United States International Development Finance Corporation: *Provided further*, That such authority shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided further*, That the transfer authority provided in this section is in addition to any other transfer authority provided by law: *Provided further*, That within 60 days of the termination in whole or in part of the Compact from which funds were transferred under this authority to the United States International Development Finance Corporation, any unobligated balances shall be transferred back to the Millennium Challenge Corporation, subject to the regular notification procedures of the Committees on Appropriations.

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

(e) AUDIT OF INTER-AGENCY TRANSFERS OF FUNDS.—Any agreement for the transfer or allocation of funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs entered into between the Department of State or USAID and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961, or any comparable provision of law, shall expressly provide that the Inspector General (IG) for the agency receiving the transfer or allocation of such funds, or other entity with audit responsibility if the receiving agency does not have an IG, shall perform periodic program and financial audits of the use of such funds and report to the Department of State or USAID, as appropriate, upon completion of such au-

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

PROHIBITION AND LIMITATION ON CERTAIN EXPENSES

SEC. 7010. (a) COMPUTER NETWORKS.—None of the funds made available by this Act for the operating expenses of any United States Government department or agency may be used to establish or maintain a computer network for use by such department or agency unless such network has filters designed to block access to sexually explicit websites: *Provided,* That nothing in this subsection shall limit the use of funds necessary for any Federal, State, Tribal, or local law enforcement agency, or any other entity carrying out the following activities: criminal investigations, prosecutions, and adjudications; administrative discipline; and the monitoring of such websites undertaken as part of official business.

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

bacco products (including electronic nicotine delivery systems), except for restrictions which are not applied equally to all tobacco or tobacco products (including electronic nicotine delivery systems) of the same type.

(c) REPRESENTATION AND ENTERTAINMENT EXPENSES.—Each Federal department, agency, or entity funded in titles I or II of this Act, and the Department of the Treasury and independent agencies funded in titles III or VI of this Act, shall take steps to ensure that domestic and overseas representation and entertainment expenses further official agency business and United States foreign policy interests, and—

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

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

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

(4) do not include activities that are substantially of a recreational character.

(d) LIMITATIONS ON ENTERTAINMENT EXPENSES.—None of the funds appropriated or otherwise made available by this Act under the headings ''International Military Education and Training'' or ''Foreign Military Financing Program'' for Informational Program activities or under the headings ''Global Health Programs'', ''Develop-

ment Assistance'', ''Economic Support Fund'', and ''Assistance for Europe, Eurasia and Central Asia'' may be obligated or expended to pay for—

(1) alcoholic beverages; or

(2) entertainment expenses for activities that are substantially of a recreational character, including entrance fees at sporting events, theatrical and musical productions, and amusement parks.

AVAILABILITY OF FUNDS

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

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

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

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

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

PROHIBITION ON TAXATION OF UNITED STATES ASSISTANCE

SEC. 7013. (a) PROHIBITION ON TAXATION.—None of the funds appropriated under titles III through VI of this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that assistance provided by the United States shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State and the Administrator of the United States Agency for International Development shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) NOTIFICATION AND REIMBURSEMENT OF FOREIGN TAXES.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2023 on funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs by a foreign government or entity against United States assistance programs, either directly

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

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

(d) REPROGRAMMING OF FUNDS.—Funds withheld from obligation for each foreign government or entity pursuant to subsection (b) shall be reprogrammed for assistance for countries which do not assess taxes on United States assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes, and that can reasonably accommodate such assistance in a programmatically responsible manner.

(e) DETERMINATIONS.—

(1) IN GENERAL.—The provisions of this section shall not apply to any foreign government or entity that assesses such taxes if the Secretary of State reports to the Committees on Appropriations that—

(A) such foreign government or entity has an effective arrangement that is providing substantial reimbursement of such taxes; or

(B) the foreign policy interests of the United States outweigh the purpose of this section to ensure that United States assistance is not subject to taxation.

(2) CONSULTATION.—The Secretary of State shall consult with the Committees on Appropriations at least 15 days prior to exercising the authority of this subsection with regard to any foreign government or entity.

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

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

(1) BILATERAL AGREEMENT.—The term ''bilateral agreement'' refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States

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

(2) TAXES AND TAXATION.—The term ''taxes and taxation'' shall include value added taxes and customs duties but shall not include individual income taxes assessed to local staff.

RESERVATIONS OF FUNDS

SEC. 7014. (a) REPROGRAMMING.—Funds appropriated under titles III through VI of this Act which are specifically designated may be reprogrammed for other programs within the same account notwithstanding the designation if compliance with the designation is made impossible by operation of any provision of this or any other Act: *Provided,* That any such reprogramming shall be subject to the regular notification procedures of the Committees 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 designated funding levels or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

NOTIFICATION REQUIREMENTS

SEC. 7015. (a) NOTIFICATION OF CHANGES IN PROGRAMS, PROJECTS, AND ACTIVITIES.—None of the funds made available in titles I, II, and VI, and under the headings ''Peace Corps'' and ''Millennium Challenge Corpora-

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

(1) create new programs;

(2) suspend or eliminate a program, project, or activity;

(3) close, suspend, open, or reopen a mission or post;

(4) create, close, reorganize, downsize, or rename bureaus, centers, or offices; or

(5) contract out or privatize any functions or activities presently performed by Federal employees;

unless previously justified to the Committees on Appropriations or such Committees are notified 15 days in advance of such obligation.

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

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

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

(2) relocates an existing office or employees;

(3) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

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

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

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

ance for Europe, Eurasia and Central Asia'', ''Peace Corps'', ''Millennium Challenge Corporation'', ''International Narcotics Control and Law Enforcement'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''Peacekeeping Operations'', ''International Military Education and Training'', ''Foreign Military Financing Program'', ''International Organizations and Programs'', ''United States International Development Finance Corporation'', and ''Trade and Development Agency'' shall be available for obligation for programs, projects, activities, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations are notified 15 days in advance of such obligation: *Provided*, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: *Provided further*, That requirements of

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

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

(1) PROGRAMS.—None of the funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available to support or continue any program initially funded under any authority of title 10, United States Code, or any Act making or authorizing appropriations for the Department of Defense, unless the Secretary of State, in consultation with the Secretary of Defense and in accordance with the regular notification procedures of the Committees on Appropriations, submits a justification to such Committees that includes

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

(2) FUNDING.—Notwithstanding any other provision of law, funds transferred by the Department of Defense to the Department of State and the United States Agency for International Development for assistance for foreign countries and international organizations shall be subject to the regular notification procedures of the Committees on Appropriations.

(3) NOTIFICATION ON EXCESS DEFENSE ARTICLES.—Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as other committees pursuant to subsection (f) of that section: *Provided*, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or

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

(e) WAIVER.—The requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided*, That in case of any such waiver, notification to the Committees on Appropriations shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: *Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

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

Cuba, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mexico, Nicaragua, Pakistan, Philippines, the Russian Federation, Rwanda, Somalia, South Sudan, Sri Lanka, Sudan, Syria, Tunisia, Uzbekistan, Venezuela, Yemen, and Zimbabwe except as provided through the regular notification procedures of the Committees on Appropriations.

(g) TRUST FUNDS.—Funds appropriated or otherwise made available in title III of this Act and prior Acts making funds available for the Department of State, foreign operations, and related programs that are made available for a trust fund held by an international financial institution shall be subject to the regular notification procedures of the Committees on Appropriations, and such notification shall include the information specified under this section in the explanatory statement accompanying this Act.

(h) OTHER PROGRAM NOTIFICATION REQUIREMENT.—

(1) DIPLOMATIC PROGRAMS.—Funds appropriated under title I of this Act under the heading ''Diplomatic Programs'' that are made available for lateral entry into the Foreign Service shall be subject to prior consultation with, and the regular noti-

fication procedures of, the Committees on Appropriations.

(2) OTHER PROGRAMS.—Funds appropriated by this Act that are made available for the following programs and activities shall be subject to the regular notification procedures of the Committees on Appropriations:

(A) the Global Engagement Center;

(B) the Power Africa and Prosper Africa initiatives;

(C) community-based police assistance conducted pursuant to the authority of section 7035(a)(1) of this Act;

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

(E) the Indo-Pacific Strategy;

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

(G) the Gender Equity and Equality Action Fund; and

(H) funds specifically allocated for the Partnership for Global Infrastructure and Investment.

(3) DEMOCRACY PROGRAM POLICY AND PROCEDURES.—Modifications to democracy program policy

and procedures, including relating to the use of consortia, by the Department of State and USAID shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(4) ARMS SALES.—The reports, notifications, and certifications, and any other documents, required to be submitted pursuant to section 36(a) of the Arms Export Control Act (22 U.S.C. 2776), and such documents submitted pursuant to section 36(b) through (d) of such Act with respect to countries that have received assistance provided with funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, shall be concurrently submitted to the Committees on Appropriations and shall include information about the source of funds for any sale or transfer, as applicable, if known at the time of submission.

(i) WITHHOLDING OF FUNDS.—Funds appropriated by this Act under titles III and IV that are withheld from obligation or otherwise not programmed as a result of application of a provision of law in this or any other Act shall, if reprogrammed, be subject to the regular notification procedures of the Committees on Appropriations.

(j) PRIOR CONSULTATION REQUIREMENT.—The Secretary of State, the Administrator of the United States Agency for International Development, the Chief Executive Officer of the United States International Development Finance Corporation, and the Chief Executive Officer of the Millennium Challenge Corporation shall consult with the Committees on Appropriations at least 7 days prior to informing a government of, or publicly announcing a decision on, the suspension or early termination of assistance to a country or a territory, including as a result of an interagency review of such assistance, from funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs: *Provided*, That such consultation shall include a detailed justification for such suspension, including a description of the assistance being suspended.

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

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

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

(b) PUBLIC POSTING OF REPORTS.—

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

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

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

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

(C) the public posting of the report is specifically exempted in the explanatory statement accompanying this Act.

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

(c) RECORDS MANAGEMENT AND RELATED CYBERSECURITY PROTECTIONS.—The Secretary of State and USAID Administrator shall—

(1) regularly review and update the policies, directives, and oversight necessary to comply with Federal statutes, regulations, and presidential executive orders and memoranda concerning the preservation of all records made or received in the conduct of official business, including record emails, instant messaging, and other online tools;

(2) use funds appropriated by this Act under the headings ''Diplomatic Programs'' and ''Capital Investment Fund'' in title I, and ''Operating Expenses'' and ''Capital Investment Fund'' in title II, as appropriate, to improve Federal records management pursuant to the Federal Records Act (44 U.S.C. Chapters 21, 29, 31, and 33) and other applicable Federal records management statutes, regulations, or policies for the Department of State and USAID;

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

(4) substantially reduce, compared to the previous fiscal year, the response time for identifying

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

(5) strengthen cybersecurity measures to mitigate vulnerabilities, including those resulting from the use of personal email accounts or servers outside the .gov domain, improve the process to identify and remove inactive user accounts, update and enforce guidance related to the control of national security information, and implement the recommendations of the applicable reports of the cognizant Office of Inspector General.

USE OF FUNDS IN CONTRAVENTION OF THIS ACT

SEC. 7017. If the President makes a determination not to comply with any provision of this Act on constitutional grounds, the head of the relevant Federal agency shall notify the Committees on Appropriations in writing within 5 days of such determination, the basis for such determination and any resulting changes to program or policy.

PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

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

amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

ALLOCATIONS AND REPORTS

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

explanatory statement accompanying this Act: *Provided,* That such designated amounts for foreign countries and international organizations shall serve as the amounts for such countries and international organizations transmitted to Congress in the report required by section 653(a) of the Foreign Assistance Act of 1961, and shall be made available for such foreign countries and international organizations notwithstanding the date of the transmission of such report.

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

shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

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

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

(1) amounts designated for ''International Military Education and Training'' in the respective tables included in the explanatory statement accompanying this Act;

(2) funds for which the initial period of availability has expired; and

(3) amounts designated by this Act as minimum funding requirements.

(e) REPORTS.—The Secretary of State, USAID Administrator, and other designated officials, as appropriate, shall submit the reports required, in the manner described, in the explanatory statement accompanying this Act.

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

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

MULTI-YEAR PLEDGES

SEC. 7020. None of the funds appropriated or otherwise made available by this Act may be used to make any pledge for future year funding for any multilateral or bilateral program funded in titles III through VI of this Act unless such pledge was: (1) previously justified, including the projected future year costs, in a congressional budget justification; (2) included in an Act making appropriations for the Department of State, foreign operations, and related programs or previously authorized by an Act of Congress; (3) notified in accordance with the regular notification procedures of the Committees on Appropriations, including the projected future year costs; or (4) the subject of prior consultation with the Committees on Appropriations and such consultation was conducted at least 7 days in advance of the pledge.

PROHIBITION ON ASSISTANCE TO GOVERNMENTS SUPPORTING INTERNATIONAL TERRORISM

SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EXPORTS.—

(1) PROHIBITION.—None of the funds appropriated or otherwise made available under titles III

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

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

(3) REPORT.—Whenever the President makes a determination pursuant to paragraph (2), the President shall submit to the Committees on Appropriations a report with respect to the furnishing of such assistance, including a detailed explanation of the assistance to be provided, the estimated dollar amount of such assistance, and an explanation of

how the assistance furthers the United States national interest.

(b) BILATERAL ASSISTANCE.—

(1) LIMITATIONS.—Funds appropriated for bilateral assistance in titles III through VI of this Act and funds appropriated under any such title in prior Acts making appropriations for the Department of State, foreign operations, and related programs, shall not be made available to any foreign government which the President determines—

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

(B) otherwise supports international terrorism; or

(C) is controlled by an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(2) WAIVER.—The President may waive the application of paragraph (1) to a government if the President determines that national security or humanitarian reasons justify such waiver: *Provided*, That the President shall publish each such waiver in the Federal Register and, at least 15 days before the

waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

AUTHORIZATION REQUIREMENTS

SEC. 7022. Funds appropriated by this Act, except funds appropriated under the heading ''Trade and Development Agency'', may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 7023. For the purpose of titles II through VI of this Act ''program, project, and activity'' shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts funding directives, ceilings, and limitations with the exception that for the ''Economic Support Fund'', ''Assistance for Europe, Eurasia and Central Asia'', and ''Foreign Military Financing Program'' accounts, ''program, project, and activity'' shall also be considered to include country, re-

gional, and central program level funding within each such account, and for the development assistance accounts of the United States Agency for International Development, ''program, project, and activity'' shall also be considered to include central, country, regional, and program level funding, either as—

(1) justified to Congress; or

(2) allocated by the Executive Branch in accordance with the report required by section 653(a) of the Foreign Assistance Act of 1961 or as modified pursuant to section 7019 of this Act.

AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION, AND UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

SEC. 7024. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for the Department of State, foreign operations, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act, or the African Development Foundation Act: *Provided,* That prior to conducting activities in a country for which assistance is prohibited, the agency shall consult with the Committees on

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

COMMERCE, TRADE AND SURPLUS COMMODITIES

SEC. 7025. (a) WORLD MARKETS.—None of the funds appropriated or made available pursuant to titles III through VI of this Act for direct assistance and none of the funds otherwise made available to the Export-Import Bank and the United States International Development Finance Corporation shall be obligated or expended to finance any loan, any assistance, or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: *Provided,* That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations: *Provided further,* That this subsection shall not prohibit—

(1) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(2) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(b) EXPORTS.—None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: *Provided,* That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States;

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

(3) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(4) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

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

SEPARATE ACCOUNTS

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

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

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

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

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

(C) establish by agreement with that government the responsibilities of USAID and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to

subsection (a), or an equivalent amount of local currencies, shall be used only—

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

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

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

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

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of

for such purposes as may be agreed to by the government of that country and the United States Government.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

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

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance, including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98–1159).

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall in-

clude a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by such assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of paragraph (1) only through the regular notification procedures of the Committees on Appropriations.

ELIGIBILITY FOR ASSISTANCE

SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 and from funds appropriated under the heading ''Assistance for Europe, Eurasia and Central Asia'': *Provided,* That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations pursuant to the regular notification procedures, in-

cluding a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: *Provided further,* That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2023, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Food for Peace Act (Public Law 83–480; 7 U.S.C. 1721 et seq.): *Provided,* That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

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

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

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

country that violates internationally recognized human rights.

DISABILITY PROGRAMS

SEC. 7028. (a) ASSISTANCE.—Of the funds appropriated by this Act under the heading ''Development Assistance'', not less than $20,000,000 shall be made available for programs and activities administered by the United States Agency for International Development to address the needs and protect and promote the rights of people with disabilities in developing countries, including initiatives that focus on independent living, economic self-sufficiency, advocacy, education, employment, transportation, sports, political and electoral participation, and integration of individuals with disabilities, including for the cost of translation: *Provided,* That funds shall be made available to support disability rights advocacy organizations in developing countries: *Provided further,* That such funds shall be in addition to funds otherwise made available by this Act for such purposes.

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

INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 7029. (a) EVALUATIONS.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice of the United States to encourage such institution to adopt and implement a publicly available policy, including the strategic use of peer reviews and external experts, to conduct independent, in-depth evaluations of the effectiveness of at least 35 percent of all loans, grants, programs, and significant analytical non-lending activities in advancing the institution's goals of reducing poverty and promoting equitable economic growth, consistent with relevant safeguards, to ensure that decisions to support such loans, grants, programs, and activities are based on accurate data and objective analysis.

(b) SAFEGUARDS.—

(1) STANDARD.—The Secretary of the Treasury shall instruct the United States Executive Director of the International Bank for Reconstruction and Development and the International Development Association to use the voice and vote of the United States to oppose any loan, grant, policy, or strategy if such institution has adopted and is implementing any social or environmental safeguard relevant to such loan, grant, policy, or strategy that provides

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

(2) ACCOUNTABILITY, STANDARDS, AND BEST PRACTICES.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice and vote of the United States to oppose loans or other financing for projects unless such projects—

(A) provide for accountability and transparency, including the collection, verification, and publication of beneficial ownership information related to extractive industries and on-site monitoring during the life of the project;

(B) will be developed and carried out in accordance with best practices regarding environmental conservation, cultural protection, and empowerment of local populations, including free, prior and informed consent of affected Indigenous communities;

(C) do not provide incentives for, or facilitate, forced displacement or other violations of human rights;

(D) do not partner with or otherwise involve enterprises owned or controlled by the armed forces;

(E) prioritize the use of local labor; and

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

(c) COMPENSATION.—None of the funds appropriated under title V of this Act may be made as payment to any international financial institution while the United States executive director to such institution is compensated by the institution at a rate which, together with whatever compensation such executive director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States executive director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

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

in accordance with the requirements specified under this subsection in the explanatory statement accompanying this Act: *Provided,* That prior to voting on any such loan, grant, policy, or strategy the executive director shall consult with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, if the executive director has reason to believe that such loan, grant, policy, or strategy could result in, or facilitate, forced displacement or other violations of human rights.

(e) FRAUD AND CORRUPTION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice of the United States to—

(1) include in loan, grant, and other financing agreements measurable improvements in borrowing countries' financial management and judicial capacity to investigate, prosecute, and punish fraud and corruption; and

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

take effect until 180 days after the date of enactment of this Act.

(f) BENEFICIAL OWNERSHIP INFORMATION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice of the United States to encourage such institution to collect, verify, and publish, to the maximum extent practicable, beneficial ownership information (excluding proprietary information) for any corporation or limited liability company, other than a publicly listed company, that receives funds from any such financial institution.

(g) WHISTLEBLOWER PROTECTIONS.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice of the United States to encourage such institution to effectively implement and enforce policies and procedures which meet or exceed best practices in the United States for the protection of whistleblowers from retaliation, including—

(1) protection against retaliation for internal and lawful public disclosure;

(2) legal burdens of proof;

(3) statutes of limitation for reporting retaliation;

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

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

(h) GRIEVANCE MECHANISMS AND PROCEDURES.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice and vote of the United States to support independent investigative and adjudicative mechanisms and procedures that meet or exceed best practices in the United States to provide due process and fair compensation, including the right to reinstatement, for employees who are subjected to harassment, discrimination, retaliation, false allegations, or other misconduct.

(i) CAPITAL INCREASES.—None of the funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available to support a capital increase for an international financial institution unless the President submits a budget request for such increase to Congress and determines and reports to the Committees on Appropriations that—

(1) the institution has completed a thorough analysis of the development challenges facing the relevant geographical region, the role of the institution in addressing such challenges and its role relative to other financing partners, and the steps to be taken to enhance the efficiency and effectiveness of the institution;

(2) the governors of such institution have approved the capital increase; and

(3) the institution is implementing policies and guidelines to require that recipients of loans, credits, grants, guarantees, or other financing from such institution are making measurable progress in reducing corruption.

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

TECHNOLOGY SECURITY

SEC. 7030. (a) INSECURE COMMUNICATIONS NETWORKS.—Funds appropriated by this Act shall be made available for programs, including through the Digital Connectivity and Cybersecurity Partnership, to—

(1) advance the adoption of secure, next-generation communications networks and services, including 5G, and cybersecurity policies, in countries receiving assistance under this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs;

(2) counter the establishment of insecure communications networks and services, including 5G, promoted by the People's Republic of China and other state-backed enterprises that are subject to undue or extrajudicial control by their country of origin; and

(3) provide policy and technical training on deploying open, interoperable, reliable, and secure networks to information communication technology professionals in countries receiving assistance under this Act, as appropriate:

Provided, That such funds, including funds appropriated under the heading ''Economic Support Fund'', may be used to strengthen civilian cybersecurity capacity, includ-

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

(b) CONSULTATION REQUIREMENT.—Funds appropriated or otherwise made available by any provision of law for the Chips for America International Technology Security and Innovation Fund or a similar fund authorized or established by law, including to carry out sections 9905 and 9202(a)(2) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

FINANCIAL MANAGEMENT, BUDGET TRANSPARENCY, AND ANTI-CORRUPTION

SEC. 7031. (a) LIMITATION ON DIRECT GOVERNMENT-TO-GOVERNMENT ASSISTANCE.—

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

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

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

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

(2) CONSULTATION AND NOTIFICATION.—In addition to the requirements in paragraph (1), funds may only be made available for direct government-to-government assistance subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided,* That such notification shall contain an explanation of how the proposed activity meets the requirements of paragraph (1): *Provided further,* That the requirements of this paragraph shall only apply to direct government-to-government assistance in excess of $10,000,000 and all funds available for cash transfer, budget support, and cash payments to individuals.

(3) SUSPENSION OF ASSISTANCE.—The Administrator of the United States Agency for International Development or the Secretary of State, as appropriate, shall suspend any direct government-to-government assistance if the Administrator or the Secretary has credible information of material misuse of such assistance, unless the Administrator or

the Secretary reports to the Committees on Appropriations that it is in the national interest of the United States to continue such assistance, including a justification, or that such misuse has been appropriately addressed.

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

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

(b) NATIONAL BUDGET AND CONTRACT TRANSPARENCY.—

(1) MINIMUM REQUIREMENTS OF FISCAL TRANSPARENCY.—The Secretary of State shall continue to update and strengthen the ''minimum requirements of fiscal transparency'' for each government receiving assistance appropriated by this Act, as identified in the report required by section

7031(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

(2) DETERMINATION AND REPORT.—For each government identified pursuant to paragraph (1), the Secretary of State, not later than 180 days after the date of enactment of this Act, shall make or update any determination of ''significant progress'' or ''no significant progress'' in meeting the minimum requirements of fiscal transparency, and make such determinations publicly available in an annual ''Fiscal Transparency Report'' to be posted on the Department of State website: *Provided,* That such report shall include the elements included under this heading in the explanatory statement accompanying this Act.

(3) ASSISTANCE.—Not less than $7,000,000 of the funds appropriated by this Act under the heading ''Economic Support Fund'' shall be made available for programs and activities to assist governments identified pursuant to paragraph (1) to improve budget transparency and to support civil society organizations in such countries that promote budget transparency.

(c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—

(1) INELIGIBILITY.—

(A) Officials of foreign governments and their immediate family members about whom the Secretary of State has credible information have been involved, directly or indirectly, in significant corruption, including corruption related to the extraction of natural resources, or a gross violation of human rights, including the wrongful detention of locally employed staff of a United States diplomatic mission or a United States citizen or national, shall be ineligible for entry into the United States.

(B) Concurrent with the application of subparagraph (A), the Secretary shall, as appropriate, refer the matter to the Office of Foreign Assets Control, Department of the Treasury, to determine whether to apply sanctions authorities in accordance with United States law to block the transfer of property and interests in property, and all financial transactions, in the United States involving any person described in such subparagraph: *Provided,* That a copy of each such referral shall be provided to the appropriate congressional committees and

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

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

(2) EXCEPTION.—Individuals shall not be ineligible for entry into the United States pursuant to paragraph (1) if such entry would further important United States law enforcement objectives or is necessary to permit the United States to fulfill its obligations under the United Nations Headquarters Agreement: *Provided,* That nothing in paragraph (1) shall be construed to derogate from United States Government obligations under applicable international agreements.

(3) WAIVER.—The Secretary may waive the application of paragraph (1) if the Secretary determines that the waiver would serve a compelling national interest or that the circumstances which caused the individual to be ineligible have changed sufficiently.

(4) REPORT.—Not later than 30 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2024, the Secretary of State shall submit a report, including a classified annex if necessary, to the appropriate congressional committees and the Committees on the Judiciary describing the information related to corruption or violation of human rights concerning each of the individuals found ineligible in the previous 12 months pursuant to paragraph (1)(A) as well as the individuals who the Secretary designated or identified pursuant to paragraph (1)(B), or who would be ineligible but for the application of paragraph (2), a list of any waivers provided under paragraph (3), and the justification for each waiver.

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

(6) CLARIFICATION.—For purposes of paragraphs (1), (4), and (5), the records of the Department of State and of diplomatic and consular offices of the United States pertaining to the issuance or refusal of visas or permits to enter the United States shall not be considered confidential.

(d) EXTRACTION OF NATURAL RESOURCES.—

(1) ASSISTANCE.—Funds appropriated by this Act shall be made available to promote and support transparency and accountability of expenditures and revenues related to the extraction of natural resources, including by strengthening implementation and monitoring of the Extractive Industries Transparency Initiative, implementing and enforcing section 8204 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2052) and the amendments made by such section, and to prevent the sale of conflict diamonds, and for technical assistance to promote independent audit mechanisms and support civil society participation in natural resource management.

(2) PUBLIC DISCLOSURE AND INDEPENDENT AUDITS.—

(A) The Secretary of the Treasury shall instruct the executive director of each international financial institution to use the voice and vote of the United States to oppose any assistance by such institutions (including any loan, credit, grant, or guarantee) to any country for the extraction and export of a natural resource if the government of such country has in place laws, regulations, or procedures to pre-

vent or limit the public disclosure of company payments as required by United States law, and unless such government has adopted laws, regulations, or procedures in the sector in which assistance is being considered that: (1) accurately account for and publicly disclose payments to the government by companies involved in the extraction and export of natural resources; (2) include independent auditing of accounts receiving such payments and the public disclosure of such audits; and (3) require public disclosure of agreement and bidding documents, as appropriate.

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

DEMOCRACY PROGRAMS

SEC. 7032. (a) FUNDING.—

(1) IN GENERAL.—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 $2,900,000,000 should be made available for democracy programs.

(2) PROGRAMS.—Of the funds made available for democracy programs under the headings ''Economic Support Fund'' and ''Assistance for Europe, Eurasia and Central Asia'' pursuant to paragraph (1), not less than $142,640,000 shall be made available to the Bureau of Democracy, Human Rights, and Labor, Department of State.

(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 ''de-

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

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

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

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

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

States Agency for International Development, determines that the government of the country is undemocratic or has engaged in or condoned harassment, threats, or attacks against organizations implementing democracy programs, any new bilateral agreement governing the terms and conditions under which assistance is provided to such country shall not require the disclosure of the names of implementing partners of democracy programs, and the Secretary of State and the USAID Administrator shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform to this requirement.

(3) REPORTING REQUIREMENT.—The Secretary of State, in coordination with the USAID Administrator, shall submit a report to the appropriate congressional committees, not later than 90 days after the date of enactment of this Act, detailing steps taken by the Department of State and USAID to comply with the requirements of this subsection.

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

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

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

(1) include—

(A) a component on digital security to enhance the safety of implementers and beneficiaries;

(B) assistance for civil society organizations to counter government surveillance, censorship, and repression by digital means;

(C) efforts to combat weaponized technology, including the misuse of social media to spread disinformation or incite hate; and

(D) measures to prevent the digital manipulation of elections, electoral data, and critical infrastructure; and

(2) incorporate activities to counter disinformation propagated by malign actors, including the People's Republic of China and the Russian Federation.

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

Human Rights, and Labor, Department of State, and the Assistant Administrator for Democracy, Conflict, and Humanitarian Assistance, USAID, shall regularly inform the NED of democracy programs that are planned and supported with funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

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

(1) Of the funds appropriated by this Act under the headings ''Economic Support Fund'' and ''Democracy Fund'', not less than $30,000,000 shall be made available to support and protect civil society activists and journalists who have been threatened, harassed, or attacked, including journalists affiliated with the United States Agency for Global Media.

(j) INTERNATIONAL FREEDOM OF EXPRESSION AND INDEPENDENT MEDIA.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $20,000,000 shall be made available for programs to protect international freedom of expression and independent media, including to implement the updated action plan required under section 7032(h) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021 (division K of Public Law 116–

260): *Provided,* That funds appropriated by this Act under the heading ''Diplomatic Programs'' shall be made available to the Bureau of Democracy, Human Rights, and Labor, Department of State, and funds appropriated by this Act under the heading ''Operating Expenses'' shall be made available to the Bureau for Development, Democracy, and Innovation, USAID, for the costs of administering such programs.

INTERNATIONAL RELIGIOUS FREEDOM

SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREEDOM OFFICE.—Funds appropriated by this Act under the heading ''Diplomatic Programs'' shall be made available for the Office of International Religious Freedom, Department of State.

(b) ASSISTANCE.—Funds appropriated by this Act under the headings ''Economic Support Fund'', ''Democracy Fund'', and ''International Broadcasting Operations'' shall be made available for international religious freedom programs and funds appropriated by this Act under the headings ''International Disaster Assistance'' and ''Migration and Refugee Assistance'' shall be made available for humanitarian assistance for vulnerable and persecuted ethnic and religious minorities: *Provided,* That funds made available by this Act under the headings ''Economic Support Fund'' and ''Democracy Fund'' pursuant to this sec-

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

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

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

SPECIAL PROVISIONS

SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated in title III of this Act that are made available for victims of war, displaced children, displaced Burmese, and to combat trafficking in persons and assist victims of such trafficking, may be made available notwithstanding any other provision of law.

(b) FORENSIC ASSISTANCE.—

(1) Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $20,000,000 shall be made available for forensic anthropology assistance related to the exhumation and identification of victims of war crimes, crimes against humanity, and genocide, which shall be administered by the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State: *Provided,* That such funds shall be in addition to funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs for assistance for countries.

(2) Funds appropriated by this Act under the heading ''International Narcotics Control and Law Enforcement'' shall be made available for DNA forensic technology programs to combat human trafficking in Central America and Mexico.

(c) ATROCITIES PREVENTION.—Of the funds appropriated by this Act under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'', not less than $6,000,000 shall be made available for programs to prevent atrocities: *Provided,* That funds made available pursuant to this sub-

section are in addition to amounts otherwise made available for such purposes: *Provided further,* That such funds shall be subject to the regular notification procedures of the Committees on Appropriations.

(d) DIRECTIVES AND AUTHORITIES.—

(1) RESEARCH AND TRAINING.—Funds appropriated by this Act under the heading ''Assistance for Europe, Eurasia and Central Asia'' shall be made available to carry out the Program for Research and Training on Eastern Europe and the Independent States of the Former Soviet Union as authorized by the Soviet-Eastern European Research and Training Act of 1983 (22 U.S.C. 4501 et seq.).

(2) GENOCIDE VICTIMS MEMORIAL SITES.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ''Economic Support Fund'' and ''Assistance for Europe, Eurasia and Central Asia'' may be made available as contributions to establish and maintain memorial sites of genocide, subject to the regular notification procedures of the Committees on Appropriations.

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

"Development Assistance" and "Economic Support Fund" that are made available for private sector partnerships, including partnerships with philanthropic foundations, up to $50,000,000 may remain available until September 30, 2025: *Provided,* That funds made available pursuant to this paragraph may only be made available following prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(4) ADDITIONAL AUTHORITIES.—Of the amounts made available by this Act under the heading "Diplomatic Programs", up to $500,000 may be made available for grants pursuant to section 504 of the Foreign Relations Authorization Act, Fiscal Year 1979 (22 U.S.C. 2656d), including to facilitate collaboration with Indigenous communities, and under the heading "Educational and Cultural Exchange Programs", up to $1,115,000 may be made available for grants to carry out the activities of the Cultural Antiquities Task Force.

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

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

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

(7) EXCHANGE VISITOR PROGRAM.—None of the funds made available by this Act may be used to modify the Exchange Visitor Program administered by the Department of State to implement the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87–256; 22 U.S.C. 2451 et seq.), except through the formal rulemaking process pursuant to the Administrative Procedure Act (5 U.S.C. 551 et seq.) and notwithstanding the exceptions to such rulemaking process in such Act: *Provided,* That funds made available for such purpose shall only be made available after consultation with, and subject to the regular notification procedures of, the Committees on Appropriations, regarding how any proposed modification would affect the public diplomacy

goals of, and the estimated economic impact on, the United States: *Provided further,* That such consultation shall take place not later than 30 days prior to the publication in the Federal Register of any regulatory action modifying the Exchange Visitor Program.

(8) PAYMENTS.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ''Diplomatic Programs'' and ''Operating Expenses'', except for funds designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, are available to provide payments pursuant to section 901(i)(2) of title IX of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b(i)(2)): *Provided,* That funds made available pursuant to this paragraph shall be subject to prior consultation with the Committees on Appropriations.

(9) EXPORT-IMPORT BANK.—

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

substituting "4 percent" for "2 percent" in each place it appears.

(B) Section 8(g) of the Export-Import Bank Act of 1945 (12 U.S.C. 635g(g)) shall be applied through September 30, 2023, by substituting "4 percent" for "2 percent" in each place it appears.

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

(A) in the heading, by striking "2022" and inserting "2023";

(B) in the matter preceding clause (i), in the first sentence, by striking "34,500" and inserting "38,500"; and

(C) in clauses (i) and (ii), by striking "December 31, 2023" and inserting "December 31, 2024".

(e) PARTNER VETTING.—Prior to initiating a partner vetting program, providing a direct vetting option, or making a significant change to the scope of an existing partner vetting program, the Secretary of State and USAID Administrator, as appropriate, shall consult with the Committees on Appropriations: *Provided,* That the Secretary and the Administrator shall provide a direct vetting option

for prime awardees in any partner vetting program initiated or significantly modified after the date of enactment of this Act, unless the Secretary of State or USAID Administrator, as applicable, informs the Committees on Appropriations on a case-by-case basis that a direct vetting option is not feasible for such program: *Provided further,* That the Secretary and the Administrator may restrict the award of, terminate, or cancel contracts, grants, or cooperative agreements or require an awardee to restrict the award of, terminate, or cancel a sub-award based on information in connection with a partner vetting program.

(f) CONTINGENCIES.—During fiscal year 2023, the President may use up to $145,000,000 under the authority of section 451 of the Foreign Assistance Act of 1961, notwithstanding any other provision of law.

(g) INTERNATIONAL CHILD ABDUCTIONS.—The Secretary of State should withhold funds appropriated under title III of this Act for assistance for the central government of any country that is not taking appropriate steps to comply with the Convention on the Civil Aspects of International Child Abductions, done at the Hague on October 25, 1980: *Provided,* That the Secretary shall report to the Committees on Appropriations within 15 days of withholding funds under this subsection.

(h) TRANSFER OF FUNDS FOR EXTRAORDINARY PROTECTION.—The Secretary of State may transfer to, and merge with, funds under the heading ''Protection of Foreign Missions and Officials'' unobligated balances of expired funds appropriated under the heading ''Diplomatic Programs'' for fiscal year 2023, at no later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which appropriated: *Provided,* That not more than $50,000,000 may be transferred.

(i) PROTECTIONS AND REMEDIES FOR EMPLOYEES OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANIZATIONS.—The terms and conditions of section 7034(k) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2020 (division G of Public Law 116–94) shall continue in effect during fiscal year 2023.

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

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

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

(l) EXTENSION OF AUTHORITIES.—

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

(2) INCENTIVES FOR CRITICAL POSTS.—The authority contained in section 1115(d) of the Supplemental Appropriations Act, 2009 (Public Law 111–32) shall remain in effect through September 30, 2023.

(3) USAID CIVIL SERVICE ANNUITANT WAIVER.—Section 625(j)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by substituting ''September 30, 2023'' for ''October 1, 2010'' in subparagraph (B).

(4) OVERSEAS PAY COMPARABILITY AND LIMITATION.—

(A) Subject to the limitation described in subparagraph (B), the authority provided by section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111–32) shall remain in effect through September 30, 2023.

(B) The authority described in subparagraph (A) may not be used to pay an eligible member of the Foreign Service (as defined in section 1113(b) of the Supplemental Appropriations Act, 2009 (Public Law 111–32)) a locality-based comparability payment (stated as a percentage) that exceeds two-thirds of the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such member under section 5304 of title 5, United States Code, if such member's official duty station were in the District of Columbia.

(5) CATEGORICAL ELIGIBILITY.—The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

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

(i) in subsection (b)(3), by striking ''and 2022'' and inserting ''2022, and 2023''; and

(ii) in subsection (e), by striking ''2022'' each place it appears and inserting ''2023''; and

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

(6) INSPECTOR GENERAL ANNUITANT WAIVER.—The authorities provided in section 1015(b) of the Supplemental Appropriations Act, 2010 (Public Law 111–212) shall remain in effect through September 30, 2023, and may be used to facilitate the assignment of persons for oversight of programs in Somalia, South Sudan, Syria, Venezuela, and Yemen.

(7) SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION COMPETITIVE STATUS.—Notwithstanding any other provision of law, any employee of the Special Inspector General for Afghanistan Reconstruction (SIGAR) who completes at least 12 months of continuous service after enactment of this Act or who is employed on the date on which SIGAR terminates, whichever occurs first, shall acquire competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications.

(8) ACCOUNTABILITY REVIEW BOARDS.—The authority provided by section 301(a)(3) of the Omnibus Diplomatic Security and Antiterrorism Act of

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

(9) TRANSFER OF BALANCES.—Section 7081(h) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31) shall continue in effect during fiscal year 2023.

(10) DEPARTMENT OF STATE INSPECTOR GENERAL WAIVER AUTHORITY.—The Inspector General of the Department of State may waive the provisions of subsections (a) through (d) of section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064) on a case-by-case basis for an annuitant reemployed by the Inspector General on a temporary basis, subject to the same constraints and in the same manner by which the Secretary of State may exercise such waiver authority pursuant to subsection (g) of such section.

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

sion K of Public Law 117–103) shall continue in effect during fiscal year 2023.

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

(A) in the matter preceding the first proviso, by striking ''September 30, 2023'' and inserting ''September 30, 2028''; and

(B) in the second proviso, by striking ''September 30, 2023'' and inserting ''September 30, 2028''.

(m) MONITORING AND EVALUATION.—

(1) BENEFICIARY FEEDBACK.—Funds appropriated by this Act that are made available for monitoring and evaluation of assistance under the headings ''Development Assistance'', ''International Disaster Assistance'', and ''Migration and Refugee Assistance'' shall be made available for the regular and systematic collection of feedback obtained directly from beneficiaries to enhance the quality and relevance of such assistance: *Provided,* That not later than 90 days after the date of enactment of this Act, the Secretary of State and USAID Adminis-

trator shall submit to the Committees on Appropriations, and post on their respective websites, updated procedures for implementing partners that receive funds under such headings for regularly and systematically collecting and responding to such feedback, including guidelines for the reporting on actions taken in response to the feedback received: *Provided further,* That the Secretary of State and USAID Administrator shall regularly—

(A) conduct oversight to ensure that such feedback is regularly collected and used by implementing partners to maximize the cost-effectiveness and utility of such assistance; and

(B) consult with the Committees on Appropriations on the results of such oversight.

(2) EX-POST EVALUATIONS.—Of the funds appropriated by this Act under titles III and IV, not less than $10,000,000 shall be made available for ex-post evaluations of the effectiveness and sustainability of United States Government-funded assistance programs.

(n) HIV/AIDS WORKING CAPITAL FUND.—Funds available in the HIV/AIDS Working Capital Fund established pursuant to section 525(b)(1) of the Foreign Operations, Export Financing, and Related Programs Appro-

priations Act, 2005 (Public Law 108–447) may be made available for pharmaceuticals and other products for child survival, malaria, tuberculosis, and emerging and other infectious diseases, and other global health activities, to the same extent as HIV/AIDS pharmaceuticals and other products, subject to the terms and conditions in such section: *Provided,* That the authority in section 525(b)(5) of the Foreign Operations, Export Financing, and Related Programs Appropriation Act, 2005 (Public Law 108–447) shall be exercised by the Assistant Administrator for Global Health, USAID, with respect to funds deposited for such non-HIV/AIDS pharmaceuticals and other products, and shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That the Secretary of State shall include in the congressional budget justification an accounting of budgetary resources, disbursements, balances, and reimbursements related to such fund.

(o) LOANS, CONSULTATION, AND NOTIFICATION.—

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

costs, as defined in section 502 of the Congressional Budget Act of 1974, of loan guarantees, which are authorized to be provided: *Provided,* That amounts made available under this paragraph for the costs of such guarantees shall not be considered assistance for the purposes of provisions of law limiting assistance to a country: *Provided further,* That not less than 30 days prior to the initial obligation of funds for a loan guarantee or a public announcement of a loan guarantee if funds have not been obligated for such purpose prior to such announcement, the President shall designate, and concurrently report such designation to the appropriate congressional committees, the Federal agency or agencies responsible for managing the legacy loan guarantee portfolio, maintaining the current and future financial exposure of loan guarantees, and executing future loan guarantees.

(2) CONSULTATION AND NOTIFICATION.—Funds made available pursuant to the authorities of this subsection shall be subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations.

(p) LOCAL WORKS.—

(1) FUNDING.—Of the funds appropriated by this Act under the headings ''Development Assistance'' and ''Economic Support Fund'', not less than $100,000,000 shall be made available for Local Works pursuant to section 7080 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), which may remain available until September 30, 2027.

(2) ELIGIBLE ENTITIES.—For the purposes of section 7080 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), ''eligible entities'' shall be defined as small local, international, and United States-based nongovernmental organizations, educational institutions, and other small entities that have received less than a total of $5,000,000 from USAID over the previous 5 fiscal years: *Provided,* That departments or centers of such educational institutions may be considered individually in determining such eligibility.

(q) EXTENSION OF PROCUREMENT AUTHORITY.—Section 7077 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012

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

(r) SECTION 889.—For the purposes of obligations and expenditures made with funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, the waiver authority in section 889(d)(2) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) may also be available to the Secretary of State, following consultation with the Director of National Intelligence: *Provided,* That not later than 60 days after the date of enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report detailing the use of the authority of this subsection since enactment of this Act, which shall include the scope and duration of any waiver granted, the entity covered by such waiver, and a detailed description of the national security interest served: *Provided further,* That such report shall be updated every 60 days until September 30, 2024.

(s) DEFINITIONS.—

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—Unless otherwise defined in this Act, for purposes of this Act the term ''appropriate congressional committees'' means the Committees on Appro-

priations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives.

(2) FUNDS APPROPRIATED BY THIS ACT AND PRIOR ACTS.—Unless otherwise defined in this Act, for purposes of this Act the term ''funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs'' means funds that remain available for obligation, and have not expired.

(3) INTERNATIONAL FINANCIAL INSTITUTIONS.—In this Act ''international financial institutions'' means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the International Fund for Agricultural Development, the Asian Development Bank, the Asian Development Fund, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, the African Development Fund, and the Multilateral Investment Guarantee Agency.

(4) SPEND PLAN.—In this Act, the term ''spend plan'' means a plan for the uses of funds appropriated for a particular entity, country, program, purpose, or account and which shall include, at a minimum, a description of—

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

(B) amounts and sources of funds by account;

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

(D) implementing partners, to the maximum extent practicable.

(5) SUCCESSOR OPERATING UNIT.—Any reference to a particular operating unit in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be deemed to include any successor operating unit performing the same or similar functions.

(6) USAID.—In this Act, the term ''USAID'' means the United States Agency for International Development.

LAW ENFORCEMENT AND SECURITY

SEC. 7035. (a) ASSISTANCE.—

(1) COMMUNITY-BASED POLICE ASSISTANCE.—Funds made available under titles III and IV of this Act to carry out the provisions of chapter 1 of part I and chapters 4 and 6 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority through training and technical assistance in human rights, the rule of law, anti-corruption, strategic planning, and through assistance to foster civilian police roles that support democratic governance, including assistance for programs to prevent conflict, respond to disasters, address gender-based violence, and foster improved police relations with the communities they serve.

(2) COMBAT CASUALTY CARE.—

(A) Consistent with the objectives of the Foreign Assistance Act of 1961 and the Arms Export Control Act, funds appropriated by this Act under the headings ''Peacekeeping Operations'' and ''Foreign Military Financing Program'' shall be made available for combat cas-

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

(B) The Secretary of State shall offer combat casualty care training and equipment 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 subparagraph shall apply to a country in conflict, unless the Secretary determines that such country has in place, to the maximum extent practicable, functioning combat casualty care treatment 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.

(3) 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 ''Peace-

keeping 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.

(4) INTERNATIONAL PRISON CONDITIONS.—Funds appropriated by this Act under the headings ''Development Assistance'', ''Economic Support Fund'', and ''International Narcotics Control and Law Enforcement'' shall be made available for assistance to eliminate inhumane conditions in foreign prisons and other detention facilities, notwithstanding section 660 of the Foreign Assistance Act of 1961: *Provided,* That the Secretary of State and the USAID Administrator shall consult with the Committees on Appropriations on the proposed uses of such funds prior to obligation and not later than 60 days after the date of enactment of this Act: *Provided further,* That such funds shall be in addition

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

(b) AUTHORITIES.—

(1) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other sub-national entity emerging from instability, as well as a nation emerging from instability.

(2) DISARMAMENT, DEMOBILIZATION, AND REINTEGRATION.—Section 7034(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall continue in effect during fiscal year 2023.

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

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

(4) SPECIAL DEFENSE ACQUISITION FUND.—Not to exceed $900,000,000 may be obligated pursuant to section 51(c)(2) of the Arms Export Control Act (22 U.S.C. 2795(c)(2)) for the purposes of the Special Defense Acquisition Fund (the Fund), to remain available for obligation until September 30, 2025: *Provided,* That the provision of defense articles and defense services to foreign countries or international organizations from the Fund shall be subject to the concurrence of the Secretary of State.

(5) AMENDMENT.—

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

"or war crime as defined in section 2441 of title 18, United States Code".

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

(i) by striking paragraph (2);

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

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

"(1) For purposes of this section—

"(A) the term 'appropriate congressional committees' means—

"(i) the Committee on Foreign Relations of the Senate;

"(ii) the Committee on Appropriations of the Senate;

"(iii) the Committee on Foreign Affairs of the House of Representatives; and

"(iv) the Committee on Appropriations of the House of Representatives; and

"(B) the term 'credible information' means information that, considering the source of such information and the surrounding circumstances, supports a reasonable belief that a violation has

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

"(i) the number of sources;

"(ii) whether the source has been critical of a policy or action of the United States Government or its security partners;

"(iii) whether the source has a personal connection to the information being reported; or

"(iv) whether the United States Government is able to independently verify the information.".

(C) EFFECTIVE DATE.—Section 620M(a) of the Foreign Assistance Act of 1961 with respect to war crimes, as amended by subparagraph (A) of this paragraph, shall not have effect until October 1, 2023.

(c) LIMITATIONS.—

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

(2) LANDMINES AND CLUSTER MUNITIONS.—

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

retary of Defense, shall submit a report to the appropriate congressional committees on implementation of the United States policy regarding anti-personnel landmines (APLs) announced on June 21, 2022, to include progress on the destruction of APLs, and the number and types of APLs required for the defense of the Republic of Korea and the methodology used to determine such number: *Provided,* That the report shall include the types (by Department of Defense Ammunition Code) and quantities of landmines demilitarized and removed from the demilitarization account of the United States Armed Forces, and demilitarization accomplished by contract or outside the continental United States.

(B) CLUSTER MUNITIONS.—No military assistance shall be furnished for cluster munitions, no defense export license for cluster munitions may be issued, and no cluster munitions or cluster munitions technology shall be sold or transferred, unless—

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

across the range of intended operational environments, and the agreement applicable to the assistance, transfer, or sale of such cluster munitions or cluster munitions technology specifies that the cluster munitions will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians; or

(ii) such assistance, license, sale, or transfer is for the purpose of demilitarizing or permanently disposing of such cluster munitions.

(3) CROWD CONTROL.—If the Secretary of State has information that a unit of a foreign security force uses excessive force to repress peaceful expression or assembly concerning corruption, harm to the environment or human health, or the fairness of electoral processes, or in countries that are undemocratic or undergoing democratic transition, the Secretary shall promptly determine if such information is credible: *Provided,* That if the information is determined to be credible, funds appropriated by this Act should not be used for tear gas, small arms, light weapons, ammunition, or other items for crowd

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

(d) REPORTS.—

(1) SECURITY ASSISTANCE REPORT.—Not later than 120 days after the date of enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a report on funds obligated and expended during fiscal year 2022, by country and purpose of assistance, under the headings ''Peacekeeping Operations'', ''International Military Education and Training'', and ''Foreign Military Financing Program''.

(2) ANNUAL FOREIGN MILITARY TRAINING REPORT.—For the purposes of implementing section 656 of the Foreign Assistance Act of 1961, the term ''military training provided to foreign military personnel by the Department of Defense and the Department of State'' shall be deemed to include all military training provided by foreign governments with funds appropriated to the Department of Defense or the Department of State, except for training provided by the government of a country designated by section 517(b) of such Act (22 U.S.C. 2321k(b)) as a major non-North Atlantic Treaty Or-

ganization ally: *Provided,* That such third-country training shall be clearly identified in the report submitted pursuant to section 656 of such Act.

ASSISTANCE FOR INNOCENT VICTIMS OF CONFLICT

SEC. 7036. Of the funds appropriated under title III of this Act, not less than $10,000,000 shall be made available for the Marla Ruzicka Fund for Innocent Victims of Conflict: *Provided,* That the USAID Administrator shall consult with the Committees on Appropriations not later than 60 days after the date of enactment of this Act on the proposed uses of such funds: *Provided further,* That section 7056 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022 (division K of Public Law 117–103) is amended by striking ''military operations'' and inserting ''armed conflict''.

PALESTINIAN STATEHOOD

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

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

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

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

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

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

(B) respect for and acknowledgment of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

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

(d) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or the governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 7040 of this Act (''Limitation on Assistance for the Palestinian Authority'').

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

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

ASSISTANCE FOR THE WEST BANK AND GAZA

SEC. 7039. (a) OVERSIGHT.—For fiscal year 2023, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the Committees on Appropriations that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading ''Economic Support Fund'' for the West Bank and Gaza.

(b) VETTING.—Prior to the obligation of funds appropriated by this Act under the heading ''Economic Support Fund'' for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason

to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity nor, with respect to private entities or educational institutions, those that have as a principal officer of the entity's governing board or governing board of trustees any individual that has been determined to be involved in, or advocating terrorist activity or determined to be a member of a designated foreign terrorist organization: *Provided,* That the Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual, entity, or educational institution which the Secretary has determined to be involved in or advocating terrorist activity.

(c) PROHIBITION.—

(1) RECOGNITION OF ACTS OF TERRORISM.—None of the funds appropriated under titles III through VI of this Act for assistance under the West Bank and Gaza Program may be made available for—

(A) the purpose of recognizing or otherwise honoring individuals who commit, or have committed acts of terrorism; and

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

individual who the Secretary of State determines has committed an act of terrorism.

(2) SECURITY ASSISTANCE AND REPORTING REQUIREMENT.—Notwithstanding any other provision of law, none of the funds made available by this or prior appropriations Acts, including funds made available by transfer, may be made available for obligation for security assistance for the West Bank and Gaza until the Secretary of State reports to the Committees on Appropriations on—

(A) the benchmarks that have been established for security assistance for the West Bank and Gaza and on the extent of Palestinian compliance with such benchmarks; and

(B) the steps being taken by the Palestinian Authority to end torture and other cruel, inhuman, and degrading treatment of detainees, including by bringing to justice members of Palestinian security forces who commit such crimes.

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

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

and grantees, and significant subcontractors and sub-grantees, under the West Bank and Gaza Program, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) Of the funds appropriated by this Act, up to $1,300,000 may be used by the Office of Inspector General of the United States Agency for International Development for audits, investigations, and other activities in furtherance of the requirements of this subsection: *Provided,* That such funds are in addition to funds otherwise available for such purposes.

(e) COMPTROLLER GENERAL OF THE UNITED STATES AUDIT.—Subsequent to the certification specified in subsection (a), the Comptroller General of the United States shall conduct an audit and an investigation of the treatment, handling, and uses of all funds for the bilateral West Bank and Gaza Program, including all funds provided as cash transfer assistance, in fiscal year 2023 under the heading ''Economic Support Fund'', and such audit shall address—

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

(2) an examination of all programs, projects, and activities carried out under such Program, including both obligations and expenditures.

(f) NOTIFICATION PROCEDURES.—Funds made available in this Act for West Bank and Gaza shall be subject to the regular notification procedures of the Committees on Appropriations.

LIMITATION ON ASSISTANCE FOR THE PALESTINIAN AUTHORITY

SEC. 7040. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian 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.

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

(d) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the justification for the waiver, the purposes for which the funds will be spent, and the accounting procedures in place to ensure that the funds are properly disbursed: *Provided,* That the report shall also detail the steps the Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure.

(e) CERTIFICATION.—If the President exercises the waiver authority under subsection (b), the Secretary of State must certify and report to the Committees on Appropriations prior to the obligation of funds that the Palestinian Authority has established a single treasury account for all Palestinian Authority financing and all financing mechanisms flow through this account, no parallel financing mechanisms exist outside of the Palestinian Authority treasury account, and there is a single comprehensive civil service roster and payroll, and the Palestinian Authority is acting to counter incitement of violence against Israelis and is supporting activities aimed at promoting peace, coexistence, and security cooperation with Israel.

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

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

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

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

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

shall submit a report to the Committees on Appropriations within 120 days of the certification and every quarter thereafter on whether such government, including all of its ministers or such equivalent are continuing to comply with the principles contained in section 620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961, as amended: *Provided,* That the report shall also detail the amount, purposes and delivery mechanisms for any assistance provided pursuant to the abovementioned certification and a full accounting of any direct support of such government.

(5) None of the funds appropriated under titles III through VI of this Act may be obligated for assistance for the Palestine Liberation Organization.

MIDDLE EAST AND NORTH AFRICA

SEC. 7041. (a) EGYPT.—

(1) CERTIFICATION AND REPORT.—Funds appropriated by this Act that are available for assistance for Egypt may be made available notwithstanding any other provision of law restricting assistance for Egypt, except for this subsection and section 620M of the Foreign Assistance Act of 1961, and may only be made available for assistance for the Government of Egypt if the Secretary of State

certifies and reports to the Committees on Appropriations that such government is—

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

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

(2) ECONOMIC SUPPORT FUND.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $125,000,000 shall be made available for assistance for Egypt, of which not less than $40,000,000 should be made available for higher education programs, including not less than $15,000,000 for scholarships for Egyptian students with high financial need to attend not-for-profit institutions of higher education in Egypt that are currently accredited by a regional accrediting agency recognized by the United States Department of Education, or meets standards equivalent to those required for United States institutional accreditation by a regional accrediting agency recognized by such Department: *Provided,* That such funds shall be made available for democracy programs, and for development programs in the Sinai.

(3) FOREIGN MILITARY FINANCING PROGRAM.—

(A) CERTIFICATION.—Of the funds appropriated by this Act under the heading ''Foreign Military Financing Program'', $1,300,000,000, to remain available until September 30, 2024, should be made available for assistance for Egypt: *Provided,* That such funds may be transferred to an interest bearing account in the Federal Reserve Bank of New York, following consultation with the Committees on Appropriations, and the uses of any interest earned on such funds shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That $235,000,000 of such funds shall be withheld from obligation until the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Egypt is taking sustained and effective steps to—

(i) strengthen the rule of law, democratic institutions, and human rights in Egypt, including to protect religious minorities and the rights of women, which are in addition to steps taken during the previous calendar year for such purposes;

(ii) implement reforms that protect freedoms of expression, association, and peaceful assembly, including the ability of civil society organizations, human rights defenders, and the media to function without interference;

(iii) hold Egyptian security forces accountable, including officers credibly alleged to have violated human rights;

(iv) investigate and prosecute cases of extrajudicial killings and forced disappearances; and

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

Provided further, That the certification requirement of this paragraph, with the exception of clauses (iii), (iv), and (v), shall not apply to funds appropriated by this Act under such heading for counterterrorism programs for Egypt, and shall not apply to funds appropriated by this Act under such heading for border security and nonproliferation programs for Egypt.

(B) WAIVER.—The Secretary of State may waive the certification requirement in subparagraph (A) if the Secretary determines and reports to the Committees on Appropriations that to do so is important to the national security interest of the United States, and submits a report to such Committees containing a detailed justification for the use of such waiver and the reasons why any of the requirements of subparagraph (A) cannot be met: *Provided,* That the report required by this paragraph shall be submitted in unclassified form, but may be accompanied by a classified annex.

(C) In addition to the funds withheld pursuant to subparagraph (A), $95,000,000 of the funds made available pursuant to this paragraph shall be withheld from obligation until the Secretary of State determines and reports to the Committees on Appropriations that the Government of Egypt is making clear and consistent progress in releasing political prisoners, providing detainees with due process of law, and preventing the intimidation and harassment of American citizens.

(4) PRE-OBLIGATION DETERMINATION.—Prior to the initial obligation of funds made available by this Act under the heading ''Foreign Military Financing Program'' for assistance for Egypt, the Secretary of State shall submit a report to the appropriate congressional committees on known disputes involving injuries to American citizens caused by the Egyptian military, steps taken during the preceding 12 months by the Government of Egypt to resolve, or facilitate the just resolution of, such disputes, the reasons for any delay in resolving such disputes, and the remaining obstacles to such a resolution.

(b) IRAN.—

(1) FUNDING.—Funds appropriated by this Act under the headings ''Diplomatic Programs'', ''Economic Support Fund'', and ''Nonproliferation, Anti-terrorism, Demining and Related Programs'' shall be made available for the programs and activities described under this section in House Report 117–84.

(2) REPORTS.—

(A) SEMI-ANNUAL REPORT.—The Secretary of State shall submit to the Committees on Appropriations the semi-annual report required by section 135(d)(4) of the Atomic Energy Act of 1954 (42 U.S.C. 2160e(d)(4)), as

added by section 2 of the Iran Nuclear Agreement Review Act of 2015 (Public Law 114–17).

(B) SANCTIONS REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a report on—

(i) the status of United States bilateral sanctions on Iran;

(ii) the reimposition and renewed enforcement of secondary sanctions; and

(iii) the impact such sanctions have had on Iran's destabilizing activities throughout the Middle East.

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

(1) bilateral economic assistance and international security assistance, including in the Kurdistan Region of Iraq;

(2) stabilization assistance, including in Anbar Province;

(3) programs to support government transparency and accountability, support judicial inde-

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

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

(5) programs to protect and assist religious and ethnic minority populations and for survivors of violence; and

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

(d) ISRAEL.—

(1) Of the funds appropriated by this Act under the heading ''Foreign Military Financing Program'', 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,* 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 $775,300,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development.

(2) Of the funds appropriated by this Act under the heading ''Economic Support Fund'' that are

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

(e) JORDAN.—Of the funds appropriated by this Act under titles III and IV, $1,457,500,000 should be made available for assistance for Jordan: *Provided,* That of the funds appropriated by this Act under the heading ''Economic Support Fund'' that are made available for assistance for Jordan, $75,000,000 shall remain available until September 30, 2026, and may be made available for assistance for Jordan if negotiated benchmarks towards reforms are met: *Provided further,* That such funds may be reprogrammed for other countries and programs, subject to the regular notification procedures of the Committees on Appropriations.

(f) LEBANON.—

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

Support Fund'' may be made available notwithstanding section 1224 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 2346 note).

(2) SECURITY ASSISTANCE.—

(A) Funds appropriated by this Act under the headings ''International Narcotics Control and Law Enforcement'' and ''Foreign Military Financing Program'' that are made available for assistance for Lebanon may be made available for programs and equipment for the Lebanese Internal Security Forces (ISF) and the Lebanese Armed Forces (LAF) to address security and stability requirements in areas affected by conflict in Syria, following consultation with the appropriate congressional committees.

(B) Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' that are made available for assistance for Lebanon may only be made available for programs to—

(i) professionalize the LAF to mitigate internal and external threats from non-state actors, including Hizballah;

(ii) strengthen border security and combat terrorism, including training and equipping the LAF to secure the borders of Lebanon and address security and stability requirements in areas affected by conflict in Syria, interdicting arms shipments, 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: *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).

(g) LIBYA.—Funds appropriated under titles III and IV of this Act shall be made available for stabilization assistance for Libya, including support for a United Nations-facilitated political process and border security: *Provided,* That the limitation on the uses of funds for certain infrastructure projects in section 7041(f)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76) shall apply to such funds.

(h) SAUDI ARABIA.—

(1) PROHIBITION.—None of the funds appropriated by this Act under the heading ''International Military Education and Training'' may be made available for assistance for the Government of Saudi Arabia.

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

programs should be obligated or expended by the Export-Import Bank of the United States to guarantee, insure, or extend (or participate in the extension of) credit in connection with the export of nuclear technology, equipment, fuel, materials, or other nuclear technology-related goods or services to Saudi Arabia unless the Government of Saudi Arabia—

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

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

(C) has signed and implemented an Additional Protocol to its Comprehensive Safeguards Agreement with the International Atomic Energy Agency.

(i) SYRIA.—

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

(2) LIMITATIONS.—Funds made available pursuant to paragraph (1) of this subsection—

(A) may not be made available for a project or activity that supports or otherwise legitimizes the Government of Iran, foreign terrorist organizations (as designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189)), or a proxy of Iran in Syria;

(B) may not be made available for activities that further the strategic objectives of the Government of the Russian Federation that the Secretary of State determines may threaten or undermine United States national security interests; and

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

(3) CONSULTATION AND NOTIFICATION.—Funds made available pursuant to this subsection may only be made available following consultation with the appropriate congressional committees, and shall be subject to the regular notification procedures of the Committees on Appropriations.

(j) TUNISIA.—

(1) ASSISTANCE.—Funds appropriated under titles III and IV of this Act shall be made available for assistance for Tunisia for programs to improve economic growth and opportunity, support democratic governance and civil society, protect due process of law, and maintain regional stability and security, following consultation with the Committees on Appropriations.

(2) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations on the extent to which—

(A) the Government of Tunisia is implementing economic reforms, countering corruption, and taking credible steps to restore constitutional order and democratic governance, including respecting freedoms of expression, association, and the press, and the rights of members of political parties, that are in addition to steps taken in the preceding fiscal year;

(B) the Government of Tunisia is maintaining the independence of the judiciary and holding security forces who commit human rights abuses accountable; and

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

(k) WEST BANK AND GAZA.—

(1) ASSISTANCE.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $225,000,000 shall be made available for programs in the West Bank and Gaza, including for water, sanitation, and other infrastructure improvements.

(2) REPORT ON ASSISTANCE.—Prior to the initial obligation of funds made available by this Act under the heading ''Economic Support Fund'' for assistance for the West Bank and Gaza, the Secretary of State shall report to the Committees on Appropriations that the purpose of such assistance is to—

(A) advance Middle East peace;

(B) improve security in the region;

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

(D) promote a private sector economy; or

(E) address urgent humanitarian needs.

(3) LIMITATIONS.—

(A)(i) None of the funds appropriated under the heading ''Economic Support Fund''

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

(I) the Palestinians obtain the same standing as member states or full membership as a state in the United Nations or any specialized agency thereof outside an agreement negotiated between Israel and the Palestinians; or

(II) the Palestinians initiate an International Criminal Court (ICC) judicially authorized investigation, or actively support such an investigation, that subjects Israeli nationals to an investigation for alleged crimes against Palestinians.

(ii) The Secretary of State may waive the restriction in clause (i) of this subparagraph resulting from the application of subclause (I) of such clause if the Secretary certifies to the Committees on Appropriations that to do so is in the national security interest of the United States, and submits a report to such Committees detailing how the waiver and the continuation of assistance would assist in furthering Middle East peace.

(B)(i) The President may waive the provisions of section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204) if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the appropriate congressional committees that the Palestinians have not, after the date of enactment of this Act—

(I) obtained in the United Nations or any specialized agency thereof the same standing as member states or full membership as a state outside an agreement negotiated between Israel and the Palestinians; and

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

(ii) Not less than 90 days after the President is unable to make the certification pursuant to clause (i) of this subparagraph, the President may waive section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House

of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that the Palestinians have entered into direct and meaningful negotiations with Israel: *Provided,* That any waiver of the provisions of section 1003 of Public Law 100–204 under clause (i) of this subparagraph or under previous provisions of law must expire before the waiver under this clause may be exercised.

(iii) Any waiver pursuant to this subparagraph shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

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

(5) SECURITY REPORT.—The reporting requirements in section 1404 of the Supplemental Appropriations Act, 2008 (Public Law 110–252) shall apply to funds made available by this Act, including

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

(6) INCITEMENT REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees detailing steps taken by the Palestinian Authority to counter incitement of violence against Israelis and to promote peace and coexistence with Israel.

AFRICA

SEC. 7042. (a) CENTRAL AFRICAN REPUBLIC.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $3,000,000 shall be made available for a contribution to the Special Criminal Court in Central African Republic.

(b) COUNTER ILLICIT ARMED GROUPS.—Funds appropriated by this Act shall be made available for programs and activities in areas affected by the Lord's Resistance Army (LRA) or other illicit armed groups in Eastern Democratic Republic of the Congo and the Central African Republic, including to improve physical access, telecommunications infrastructure, and early-warning mechanisms and to support the disarmament, demobilization, and reintegration of former LRA combatants, especially child soldiers.

(c) DEMOCRATIC REPUBLIC OF THE CONGO.—Funds appropriated by this Act shall be made available for assistance for the Democratic Republic of the Congo (DRC) for stabilization, democracy, global health, and bilateral economic assistance, including in areas affected by, and at risk from, the Ebola virus disease: *Provided,* That such funds shall also be made available to support security, stabilization, development, and democracy in Eastern DRC: *Provided further,* That funds appropriated by this Act under the headings ''Peacekeeping Operations'' and ''International Military Education and Training'' that are made available for such purposes may be made available notwithstanding any other provision of law, except section 620M of the Foreign Assistance Act of 1961.

(d) ETHIOPIA.—

(1) ASSISTANCE.—Funds appropriated by this Act that are made available for assistance for Ethiopia should be used to support—

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

(B) civil society and protect human rights;

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

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

(2) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees on the extent to which the Government of Ethiopia and other parties to the conflict—

(A) have ceased offensive military operations across the country;

(B) have taken credible steps toward political dialogues to end the conflicts;

(C) are providing unimpeded access to humanitarian assistance;

(D) are taking effective steps to protect human rights and comply with international humanitarian law and international refugee law; and

(E) are cooperating with independent investigations of gross violations of human rights.

(e) SOUTH SUDAN.—None of the funds appropriated by this Act under title IV may be made available for assistance for the central Government of South Sudan, except to support implementation of outstanding issues of the Comprehensive Peace Agreement, mutual arrangements related to post-referendum issues associated with such Agreement, or any other viable peace agreement in

South Sudan: *Provided,* That funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for any new program, project, or activity in South Sudan shall be subject to prior consultation with the appropriate congressional committees.

(f) SUDAN.—None of the funds appropriated by this Act under title IV may be made available for assistance for the central Government of Sudan, except to support implementation of outstanding issues of the Comprehensive Peace Agreement, mutual arrangements related to post-referendum issues associated with such Agreement, or any other viable peace agreement in Sudan: *Provided,* That funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for any new program, project, or activity in Sudan shall be subject to prior consultation with the appropriate congressional committees.

(g) ZIMBABWE.—

(1) INSTRUCTION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to vote against any extension by the respective institution of any loan or grant to the Government of Zimbabwe,

except to meet basic human needs or to promote democracy.

(2) LIMITATION.—None of the funds appropriated by this Act shall be made available for assistance for the central Government of Zimbabwe, except for health and education.

EAST ASIA AND THE PACIFIC

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

(b) BURMA.—

(1) USES OF FUNDS.—Of the funds appropriated by this Act, not less than $136,127,000 shall be made available for assistance for Burma, which—

(A) may be made available notwithstanding any other provision of law and following consultation with the appropriate congressional committees;

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

lish an inclusive and representative democracy in Burma and a federal union to foster equality among Burma's diverse ethnic groups, following consultation with the Committees on Appropriations;

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

(D) shall be made available for community-based organizations with experience operating in Thailand to provide food, medical, and other humanitarian assistance to internally displaced persons in eastern Burma, in addition to assistance for Burmese refugees from funds appropriated by this Act under the heading ''Migration and Refugee Assistance''; and

(E) shall be made available for programs and activities to investigate and document violations of human rights in Burma committed by the military junta.

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

Training'' and ''Foreign Military Financing Program'' may be made available for assistance for Burma.

(3) LIMITATIONS.—None of the funds appropriated by this Act that are made available for assistance for Burma may be made available to the State Administration Council or any organization or entity controlled by, or an affiliate of, the armed forces of Burma, or to any individual or organization that has committed a gross violation of human rights or advocates violence against ethnic or religious groups or individuals in Burma, as determined by the Secretary of State for programs administered by the Department of State and USAID or the President of the National Endowment for Democracy (NED) for programs administered by NED.

(4) CONSULTATION.—Any new program or activity in Burma initiated in fiscal year 2023 shall be subject to prior consultation with the appropriate congressional committees.

(c) CAMBODIA.—

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

(2) CERTIFICATION AND EXCEPTIONS.—

(A) CERTIFICATION.—None of the funds appropriated by this Act that are made available for assistance for the Government of Cambodia may be obligated or expended unless the Secretary of State certifies and reports to the Committees on Appropriations that such Government is taking effective steps to—

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

(ii) assert its sovereignty against interference by the People's Republic of China, including by verifiably maintaining the neutrality of Ream Naval Base, other military installations in Cambodia, and dual use facilities such as the runway at the Dara Sakor development project;

(iii) cease violence, threats, and harassment against civil society and the political opposition in Cambodia, and dismiss any politically motivated criminal charges against critics of the government; and

(iv) respect the rights, freedoms, and responsibilities enshrined in the Constitution of the Kingdom of Cambodia as enacted in 1993.

(B) EXCEPTIONS.—The certification required by subparagraph (A) shall not apply to funds appropriated by this Act and made available for democracy, health, education, and environment programs, programs to strengthen the sovereignty of Cambodia, and programs to educate and inform the people of Cambodia of the influence activities of the People's Republic of China in Cambodia.

(3) USES OF FUNDS.—Funds appropriated under title III of this Act for assistance for Cambodia shall be made available for—

(A) research, documentation, and education programs associated with the Khmer Rouge in Cambodia; and

(B) programs in the Khmer language to monitor, map, and publicize the efforts by the People's Republic of China to expand its influence in Cambodia.

(d) INDO-PACIFIC STRATEGY AND THE ASIA REASSURANCE INITIATIVE ACT OF 2018.—

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

(2) COUNTERING PRC INFLUENCE FUND.—Of the funds appropriated by this Act under the headings ''Development Assistance'', ''Economic Support Fund'', ''International Narcotics Control and Law Enforcement'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', and ''Foreign Military Financing Program'', not less than $300,000,000 shall be made available for a Countering PRC Influence Fund to counter the influence of the Government of the People's Republic of China and the Chinese Communist Party and entities acting on their behalf globally, which shall be subject to prior consultation with the Committees on Appropriations: *Provided,* That such funds are in addition to amounts otherwise made available for such purposes: *Provided further,* That up to 10 percent of such funds shall be held in reserve to respond to unanticipated opportunities to counter PRC influence: *Provided further,* That the uses of such funds shall

be the joint responsibility of the Secretary of State and the USAID Administrator, in a manner consistent with the prior fiscal year: *Provided further,* That funds made available pursuant to this paragraph under the heading ''Foreign Military Financing Program'' may remain available until September 30, 2024: *Provided further,* That funds appropriated by this Act for such Fund under the headings ''International Narcotics Control and Law Enforcement'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', and ''Foreign Military Financing Program'' may be transferred to, and merged with, funds appropriated under such headings: *Provided further,* That such transfer authority is in addition to any other transfer authority provided by this Act or any other Act, and is subject to the regular notification procedures of the Committees on Appropriations.

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

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

(B) the use of technology, including biotechnology, digital, telecommunications, and cyber, developed by the People's Republic of China unless the Secretary of State, in consultation with the USAID Administrator and the heads of other Federal agencies, as appropriate, determines that such use does not adversely impact the national security of the United States.

(e) LAOS.—Of the funds appropriated by this Act under titles III and IV, not less than $85,000,000 shall be made available for assistance for Laos, including for assistance for persons with disabilities caused by unexploded ordnance accidents, and of which not less than $1,500,000 should be made available for programs to assist persons with severe physical mobility, cognitive, or developmental disabilities in areas sprayed with Agent Orange and contaminated with dioxin: *Provided,* That funds made available pursuant to this subsection may be used, in consultation with the Government of Laos, for assessments of the existence of dioxin contamination resulting

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

(f) NORTH KOREA.—

(1) CYBERSECURITY.—None of the funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for assistance for the central government of a country the Secretary of State determines and reports to the appropriate congressional committees engages in significant transactions contributing materially to the malicious cyber-intrusion capabilities of the Government of North Korea: *Provided,* That the Secretary of State shall submit the report required by section 209 of the North Korea Sanctions and Policy Enhancement Act of 2016 (Public Law 114–122; 22 U.S.C. 9229) to the Committees on Appropriations: *Provided further,* That the Secretary of State may waive the application of the restriction in this paragraph with respect to assistance for the central government of a country if the Secretary determines and reports to the appropriate congressional committees that to do so is important to the national security interest of the United States, including a description of such interest served.

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

(3) HUMAN RIGHTS.—Funds appropriated by this Act under the headings ''Economic Support Fund'' and ''Democracy Fund'' shall be made available for the promotion of human rights in North Korea: *Provided,* That the authority of section 7032(b)(1) of this Act shall apply to such funds.

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

(g) PACIFIC ISLANDS COUNTRIES.—

(1) OPERATIONS.—

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

to section 7015(a)(3) of this Act and following consultation with the Committees on Appropriations.

(B) PERSONNEL.—Not later than 90 days after the date of enactment of this Act, the Secretary of State, in consultation with the USAID Administrator, shall submit a report to the appropriate congressional committees detailing plans, including timelines and costs regarding property leases and personnel, for expanding the presence of United States diplomatic and development personnel in Pacific Islands countries: *Provided,* That in order to expeditiously expand such presence, the Secretary of State and USAID Administrator may, following consultation with the Committees on Appropriations, use funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs to hire locally employed staff in Kiribati, Tonga, Solomon Islands, Vanuatu, and other Pacific Islands countries that do not have United States diplomatic facilities.

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

the Secretary of State, following consultation with the Secretary of Defense and the heads of other relevant Federal agencies, shall submit a report to the Committees on Appropriations on the feasibility of, and if feasible, plans for, establishing an air wing program to support the operations of the Department of State and USAID in Pacific Islands countries: *Provided,* That funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for such program if the Secretary of State determines in the report required by this subparagraph that such program is feasible, following consultation with, and the regular notification procedures of, the Committees on Appropriations.

(2) PROGRAMS.—

(A) DEPARTMENT OF STATE AND USAID.—Of the funds appropriated by this Act under the headings ''Development Assistance'', ''Economic Support Fund'', ''International Narcotics Control and Law Enforcement'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''International Military Education and

Training'', and ''Foreign Military Financing Program'', not less than $205,200,000 shall be made available for assistance for Pacific Islands countries, including as described in the explanatory statement accompanying this Act: *Provided,* That of the funds made available pursuant to this subparagraph, funds shall be made available for assistance for the Pacific Freely Associated States of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, including for direct budget support, as appropriate: *Provided further,* That funds made available for the purposes of the previous proviso shall be in addition to funds made available by any Act for Compacts of Free Association: *Provided further,* That up to $1,500,000 may be made available for assistance for the Republic of Nauru, in accordance with the requirements of section 7047(c)(1) of this Act: *Provided further,* That funds made available pursuant to this subparagraph shall be made available for joint development and security programs between the United States and Australia, Japan, New Zealand,

South Korea, and Taiwan, following consultation with the Committees on Appropriations.

(B) TRANSFER AUTHORITY.—

(i) Funds made available pursuant to subparagraph (A) under the headings ''Development Assistance'' and ''Economic Support Fund'' may be transferred to, and merged with, funds appropriated under such headings.

(ii) Funds made available pursuant to subparagraph (A) under the headings ''International Narcotics Control and Law Enforcement'' and ''Foreign Military Financing Program'' may be transferred to, and merged with, funds appropriated under such headings.

(iii) The transfer authority provided pursuant to this subparagraph is in addition to any other transfer authority otherwise available under any other provision of law and shall be subject to the regular notification procedures of the Committees on Appropriations.

(C) UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.—Not

later than 30 days after the date of enactment of this Act, the Chief Executive Officer of the United States International Development Finance Corporation shall submit a report to the appropriate congressional committees detailing the authority necessary to support projects in countries that are categorized as high income countries, particularly in Pacific Islands countries: *Provided,* That such report shall include representative examples of opportunities to leverage such authority to further the national economic or foreign policy interests of the United States, including to counter the influence of the People's Republic of China, and to produce significant developmental outcomes, including in the health sector.

(h) PEOPLE'S REPUBLIC OF CHINA.—

(1) LIMITATION ON USE OF FUNDS.—None of the funds appropriated under the heading ''Diplomatic Programs'' in this Act may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China (PRC) unless, at least 15 days in

advance, the Committees on Appropriations are notified of such proposed action.

(2) PEOPLE'S LIBERATION ARMY.—The terms and requirements of section 620(h) of the Foreign Assistance Act of 1961 shall apply to foreign assistance projects or activities of the People's Liberation Army (PLA) of the PRC, to include such projects or activities by any entity that is owned or controlled by, or an affiliate of, the PLA: *Provided,* That none of the funds appropriated or otherwise made available pursuant to this Act may be used to finance any grant, contract, or cooperative agreement with the PLA, or any entity that the Secretary of State has reason to believe is owned or controlled by, or an affiliate of, the PLA.

(3) HONG KONG.—

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

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

Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for assistance for Hong Kong should be obligated for assistance for the Government of the People's Republic of China and the Chinese Communist Party or any entity acting on their behalf in Hong Kong.

(C) REPORT.—The report required under section 7043(f)(3)(C) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021 (division K of Public Law 116–260) shall be updated and submitted to the Congress in the manner described.

(i) PHILIPPINES.—None of the funds appropriated by this Act may be made available for counternarcotics assistance for the Philippines, except for drug demand reduction, maritime law enforcement, or transnational interdiction: *Provided,* That not later than 45 days after the date of enactment of this Act, the Secretary of State shall update the report required under this heading in Senate Report 116–126 and specify how United States assistance for the armed forces of the Philippines is being used to achieve measurable results in addressing the findings in such report, and the results achieved.

(j) TAIWAN.—

(1) GLOBAL COOPERATION AND TRAINING FRAMEWORK.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $4,000,000 shall be made available for the Global Cooperation and Training Framework, which shall be administered by the American Institute in Taiwan.

(2) FOREIGN MILITARY FINANCING PROGRAM LOAN GUARANTEES.—

(A) During fiscal year 2023, the Secretary of State is authorized to make direct loans under section 23 of the Arms Export Control Act available for Taiwan, notwithstanding section 23(c)(1) of the Arms Export Control Act, gross obligations for the principal amounts of which shall not exceed $2,000,000,000: *Provided,* That funds appropriated under the heading ''Foreign Military Financing Program'' in this Act may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of such loans: *Provided further,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974 and may include the costs of selling, re-

ducing, or cancelling any amounts owed to the United States or any agency of the United States: *Provided further,* That the Government of the United States may charge fees for such loans, which shall be collected from borrowers in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided further,* That no funds made available by this or any other appropriations Act for this fiscal year or prior fiscal years may be used for payment of any fees associated with such loans: *Provided further,* That such loans shall be repaid in not more than 12 years, including a grace period of up to one year on repayment of principal: *Provided further,* That notwithstanding section 23(c)(1) of the Arms Export Control Act, interest for such loans may be charged at a rate determined by the Secretary of State, except that such rate may not be less than the prevailing interest rate on marketable Treasury securities of similar maturity: *Provided further,* That amounts made available under this paragraph for such costs shall not be considered assistance for the purposes of provisions of law limiting assistance to a country.

(B) Funds appropriated under the heading ''Foreign Military Financing Program'' by this Act may be made available, notwithstanding the third proviso under such heading, for the costs of loan guarantees under section 24 of the Arms Export Control Act for Taiwan, which are authorized to be provided: *Provided,* That such funds may be made available to subsidize gross obligations for the principal amount of commercial loans, and total loan principal, any part of which is to be guaranteed, not to exceed $2,000,000,000: *Provided further,* That no loan guarantee with respect to any one borrower may exceed 80 percent of the loan principal: *Provided further,* That any loan guaranteed under this paragraph may not be subordinated to another debt contracted by the borrower or to any other claims against the borrower in the case of default: *Provided further,* That repayment in United States dollars of any loan guaranteed under this paragraph shall be required within a period not to exceed 12 years after the loan agreement is signed: *Provided further,* That the Government of the United States may charge fees for such loan guarantees, as may be

determined, notwithstanding section 24 of the Arms Export Control Act, which shall be collected from borrowers or third parties on behalf of such borrowers in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided further,* That amounts made available under this paragraph for the costs of such guarantees shall not be considered assistance for the purposes of provisions of law limiting assistance to a country.

(C) Funds made available to carry out the authorities of this subsection shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(k) TIBET.—

(1) FINANCING OF PROJECTS IN TIBET.—The Secretary of the Treasury should instruct the United States executive director of each international financial institution to use the voice and vote of the United States to support financing of projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans,

are based on a thorough needs-assessment, foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions, and are subject to effective monitoring.

(2) PROGRAMS FOR TIBETAN COMMUNITIES.—

(A) Notwithstanding any other provision of law, of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $10,000,000 shall be made available to nongovernmental organizations with experience working with Tibetan communities to support activities which preserve cultural traditions and promote sustainable development, education, and environmental conservation in Tibetan communities in the Tibet Autonomous Region and in other Tibetan communities in China.

(B) Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $8,000,000 shall be made available for programs to promote and preserve Tibetan culture and language in the refugee and diaspora Tibetan communities, development, and the resilience of Tibetan communities and the Central Tibetan Administration in India

and Nepal, and to assist in the education and development of the next generation of Tibetan leaders from such communities: *Provided,* That such funds are in addition to amounts made available in subparagraph (A) for programs inside Tibet.

(C) Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $3,000,000 shall be made available for programs to strengthen the capacity of the Central Tibetan Administration: *Provided,* That such funds shall be administered by the United States Agency for International Development.

(l) VIETNAM.—

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

(A) $30,000,000 shall be made available for programs to assist persons with severe physical mobility, cognitive, or developmental disabilities: *Provided,* That such funds shall be prioritized to assist persons whose disabilities may be related to the use of Agent Orange and

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

(B) $20,000,000 shall be made available, notwithstanding any other provision of law, for activities related to the remediation of dioxin contaminated sites in Vietnam and may be made available for assistance for the Government of Vietnam, including the military, for such purposes;

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

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

(2) Section 7043(i)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022 (division K of Public Law 117–103) is amended by striking ''that'' and inserting '': *Provided,* That such funds shall be prioritized to assist persons whose disabilities''.

SOUTH AND CENTRAL ASIA

SEC. 7044. (a) AFGHANISTAN.—

(1) RESTRICTION.—None of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign oper-

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

(2) AFGHAN SPECIAL IMMIGRANT VISAS.—Funds appropriated or otherwise made available by this Act under the heading ''Administration for Foreign Affairs'' shall be made available for additional Department of State personnel necessary to eliminate processing backlogs and expedite adjudication of Afghan Special Immigrant Visa cases.

(3) AFGHAN STUDENTS.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be made available to support the higher education of students from Afghanistan studying outside of the country, including the costs of reimbursement to institutions hosting such students, as appropriate: *Provided,* That the Secretary of State and the Administrator of the United States Agency for International Development, as appropriate, shall consult with the Committees on Appropriations prior to the initial obligation of funds for such purposes.

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

and the USAID Administrator shall submit a report to the appropriate congressional committees detailing plans, consistent with the restriction contained in paragraph (1), to—

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

(B) support higher education programs, including continued support for the American University of Afghanistan's (AUAF) online programs and support for other higher education institutions in South Asia and the Middle East that are hosting AUAF and other Afghan students;

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

(D) support health, education, including community-based education, and other programs to address the basic needs of the people of Afghanistan.

(b) BANGLADESH.—Of the funds appropriated under titles III and IV of this Act that are made available for assistance for Bangladesh—

(1) not less than $23,500,000 shall be made available to address the needs of communities impacted by refugees from Burma;

(2) not less than $10,000,000 shall be made available for programs to protect freedom of expression and association, and the right of due process; and

(3) not less than $23,300,000 shall be made available for democracy programs, of which not less than $2,000,000 shall be made available for such programs for the Rohingya community in Bangladesh.

(c) NEPAL.—Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' that are made available for assistance for Nepal shall only be made available for humanitarian and disaster relief and reconstruction activities, and in support of international peacekeeping operations, military professionalization and training, and border security activities: *Provided,* That such funds may only be made available for additional uses if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Nepal is investigating and prosecuting violations of human rights and the laws of war by the Nepal Army, and the Nepal

Army is cooperating fully with civilian judicial authorities in such cases.

(d) PAKISTAN.—

(1) ASSISTANCE.—

(A) SECURITY ASSISTANCE.—Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' for assistance for Pakistan may be made available only to support counterterrorism and counterinsurgency capabilities in Pakistan.

(B) BILATERAL ECONOMIC ASSISTANCE.—Prior to the obligation of funds made available by this Act under the heading ''Economic Support Fund'' for assistance for the central Government of Pakistan, the Secretary of State shall submit a report to the appropriate congressional committees detailing—

(i) the amount of financing and other support, if any, provided by the Government of Pakistan to schools supported by, affiliated with, or run by the Taliban or any domestic or foreign terrorist organization in Pakistan;

(ii) the extent of cooperation by such government in issuing visas in a timely

manner for United States visitors, including officials and representatives of nongovernmental organizations, engaged in assistance and security programs in Pakistan;

(iii) the extent to which such government is providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by conflict in Pakistan and the region; and

(iv) the extent to which such government is strengthening democracy in Pakistan, including protecting freedom of expression, assembly, and religion.

(2) AUTHORITY AND USES OF FUNDS.—Funds appropriated by this Act for assistance for Pakistan may be made available notwithstanding any other provision of law, except for section 620M of the Foreign Assistance Act of 1961.

(3) WITHHOLDING.—Of the funds appropriated under titles III and IV of this Act that are made available for assistance for Pakistan, $33,000,000 shall be withheld from obligation until the Secretary of State reports to the Committees on Appropria-

tions that Dr. Shakil Afridi has been released from prison and cleared of all charges relating to the assistance provided to the United States in locating Osama bin Laden.

(e) SRI LANKA.—

(1) ASSISTANCE.—Funds appropriated under title III of this Act shall be made available for assistance for Sri Lanka for democracy and economic development programs.

(2) CERTIFICATION.—Funds appropriated by this Act under the headings ''Peacekeeping Operations'' and ''Foreign Military Financing Program'' for assistance for Sri Lanka may be made available only if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Sri Lanka is taking effective and consistent steps to—

(A) protect the rights and freedoms of the people of Sri Lanka regardless of ethnicity and religious belief, including by investigating violations of human rights and the laws of war and holding perpetrators of such violations accountable;

(B) address the basic needs of the people of Sri Lanka and responsibly mitigate the im-

pact of the country's economic collapse, including by addressing transparency and accountability in governance;

(C) combat corruption, including bringing to justice public officials who have engaged in significant acts of corruption;

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

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

(i) addressing land confiscation and ownership issues;

(ii) resolving cases of missing persons, including by maintaining a functioning office of missing persons;

(iii) reducing the presence of the armed forces in former conflict zones and restructuring the armed forces for a peacetime role that contributes to post-conflict reconciliation and regional security;

(iv) repealing or amending laws on arrest and detention by security forces to comply with international standards; and

(v) investigating allegations of arbitrary arrest and torture, and supporting a credible justice mechanism for resolving cases of war crimes:

Provided, That the limitations of this paragraph shall not apply to funds made available for humanitarian assistance and disaster relief; to enhance maritime security and domain awareness, including professionalization and training for the navy and coast guard; and for instruction in human rights and related curricula development.

(3) CONSULTATION.—Funds made available for assistance for Sri Lanka shall be subject to prior consultation with the Committees on Appropriations.

(f) REGIONAL PROGRAMS.—Funds appropriated by this Act shall be made available for assistance for countries in South and Central Asia to significantly increase the recruitment, training, and retention of women in the judiciary, police, and other security forces, and to train judicial and security personnel in such countries to prevent and address gender-based violence, human trafficking, and other practices that disproportionately harm women and girls.

LATIN AMERICA AND THE CARIBBEAN

SEC. 7045. (a) CENTRAL AMERICA.—

(1) ASSISTANCE.—Funds appropriated by this Act under titles III and IV shall be made available for assistance for Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama, including through the Central America Regional Security Initiative: *Provided,* That such assistance shall be prioritized for programs that address the violence, poverty, corruption, and other factors that contribute to irregular migration, particularly of unaccompanied minors, to the United States, including for programs to reduce violence against women and girls, protect the rights of Indigenous people, support civil society and other independent institutions, enhance economic opportunity, combat corruption and impunity, and dismantle illegal armed groups and drug trafficking organizations.

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

(i) not less than $61,500,000 shall be made available to support entities and activities to combat corruption and impunity in such countries, including, as appropriate, offices of Attorneys General; and

(ii) not less than $70,000,000 shall be made available for programs to reduce violence against women and girls.

(B) Within the funds made available pursuant to paragraph (1) and made available for assistance for El Salvador, Guatemala, and Honduras, up to $47,600,000 may remain available until September 30, 2027 for programs that support locally-led development in such countries: *Provided,* That up to 15 percent of the funds made available to carry out this subparagraph may be used by the Administrator of the United States Agency for International Development for administrative and oversight expenses related to the purposes of this subparagraph: *Provided further,* That the USAID Administrator shall consult with the Committees on Appropriations on the planned uses of funds to carry out this subparagraph prior to the initial obligation of funds: *Provided further,* That such funds shall be subject to the regular notification procedures of the Committees on Appropriations.

(C) Funds made available pursuant to paragraph (1) shall be made available for the

Central America Service Corps (CASC), which should be matched with contributions from private donors and local governments.

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

(A) Of the funds made available pursuant to paragraph (1) under the heading ''Economic Support Fund'' and under title IV of this Act, 60 percent of such funds that are made available for assistance for each of the central governments of El Salvador and Guatemala, and 45 percent of such funds that are made available for assistance for the central government of Honduras, may only be obligated after the Secretary of State certifies and reports to the Committees on Appropriations that such government is—

(i) combating corruption and impunity, including investigating and prosecuting government officials, military personnel, and police officers credibly alleged to be corrupt;

(ii) implementing reforms, policies, and programs to strengthen the rule of law, including increasing the transparency

of public institutions, strengthening the independence of judicial and electoral institutions, and improving the transparency of political campaign and political party financing;

(iii) protecting the rights of human rights defenders, trade unionists, journalists, civil society groups, opposition political parties, and the independence of the media;

(iv) providing effective and accountable law enforcement and security for its citizens, curtailing the role of the military in public security, and upholding due process of law;

(v) implementing policies to reduce poverty and promote economic growth and opportunity, including the implementation of reforms to strengthen educational systems, vocational training programs, and programs for at-risk youth;

(vi) improving border security and combating human smuggling and trafficking and countering the activities of

criminal gangs, drug traffickers, and transnational criminal organizations;

(vii) informing its citizens of the dangers of the journey to the southwest border of the United States; and

(viii) implementing policies that improve the environment for foreign investment, including executing tax reform in a transparent manner, ensuring effective legal mechanisms for reimbursements of tax refunds owed to United States businesses, and resolving disputes involving the confiscation of real property of United States entities.

(B) REPROGRAMMING.—If the Secretary is unable to make the certification required by subparagraph (A) for one or more of the central governments, such assistance shall be reprogrammed for assistance for civil society organizations in such country, or for other countries in Latin America and the Caribbean, notwithstanding the funding provisions in this subsection and the limitations in section 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) judicial entities and activities related to combating corruption and impunity;

(ii) programs to combat gender-based violence;

(iii) programs to promote and protect human rights, including those of Indigenous communities and Afro-descendants;

(iv) humanitarian assistance; and

(v) 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, except for programs that support humanitarian assistance, disaster response, and maritime security.

(b) COLOMBIA.—

(1) ASSISTANCE.—Of the funds appropriated by this Act under titles III and IV, not less than $471,375,000 should be made available for assistance for Colombia: *Provided,* That such funds shall be made available for the programs and activities described in the explanatory statement accompanying this Act: *Provided further,* That of the funds appropriated by this Act under the heading ''International Narcotics Control and Law Enforcement'' and made available for assistance pursuant to this paragraph, not less than $40,000,000 shall be made available to enhance rural security in coca producing municipalities and other municipalities with high levels of illicit activities: *Provided further,* That funds made available pursuant to the preceding proviso shall be prioritized in such municipalities that are also targeted for assistance programs that provide viable economic alternatives and improve access to public services.

(2) WITHHOLDING OF FUNDS.—

(A) COUNTERNARCOTICS.—Of the funds appropriated by this Act under the heading ''International Narcotics Control and Law Enforcement'' that are made available for assistance for Colombia, 20 percent may be obligated

only if the Secretary of State certifies and reports to the Committees on Appropriations that—

(i) the Government of Colombia is implementing an effective whole-of-government strategy to substantially and sustainably reduce coca cultivation and cocaine production levels in Colombia, including by prioritizing funding to enhance rural security in coca producing municipalities and assisting farmers with voluntary eradication and viable economic alternatives to coca cultivation in such municipalities;

(ii) such strategy is in accordance with the 2016 peace accord between the Government of Colombia and the Revolutionary Armed Forces of Colombia; and

(iii) the Government of Colombia is taking effective steps to dismantle drug trafficking networks.

(B) HUMAN RIGHTS.—

(i) Of the funds appropriated by this Act under the heading ''Foreign Military Financing Program'' and made available

for assistance for Colombia, 20 percent may be obligated only if the Secretary of State certifies and reports to the Committees on Appropriations that—

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

(II) the Government of Colombia is making consistent progress in reducing threats and attacks against human rights defenders and other civil society activists, and judicial authorities are prosecuting and punishing those responsible for ordering and carrying out such attacks;

(III) the Government of Colombia is making consistent progress in protecting Afro-Colombian and Indigenous communities and is respecting their rights and territories;

(IV) senior military officers credibly alleged, or whose units are credibly alleged, to be responsible for ordering, committing, and covering up cases of false positives and other extrajudicial killings, or of committing other gross violations of human rights, or of conducting illegal communications intercepts or other illicit surveillance, are being held accountable, including removal from active duty if found guilty through criminal, administrative, or disciplinary proceedings; and

(V) the Colombian Armed Forces are cooperating fully with the requirements described in subclauses (I) through (IV).

(ii) Of the funds appropriated by this Act under the heading ''International Narcotics Control and Law Enforcement'' and made available for assistance for the Colombian National Police (CNP), five percent may be obligated only if the Secretary of State certifies and reports to the Com-

mittees on Appropriations that the Government of Colombia is bringing to justice the police personnel who ordered, directed, and used excessive force and engaged in other illegal acts against protesters in 2020 and 2021, and that the CNP is cooperating fully with such efforts.

(3) EXCEPTIONS.—The limitations of paragraph (2) shall not apply to funds made available for aviation instruction and maintenance, and maritime and riverine security programs.

(4) AUTHORITY.—Aircraft supported by funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs and made available for assistance for Colombia may be used to transport personnel and supplies involved in drug eradication and interdiction, including security for such activities, and to provide transport in support of alternative development programs and investigations by civilian judicial authorities.

(5) LIMITATION.—None of the funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available

for assistance for Colombia may be made available for payment of reparations to conflict victims or compensation to demobilized combatants associated with a peace agreement between the Government of Colombia and illegal armed groups.

(c) HAITI.—

(1) CERTIFICATION.—Funds appropriated by this Act that are made available for assistance for Haiti may only be made available for the central Government of Haiti if the Secretary of State certifies and reports to the appropriate congressional committees that a new President and Parliament have taken office after free and fair elections, or the country is being led by a transitional governing authority that is broadly representative of Haitian society, and it is in the national interest of the United States to provide such assistance.

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

(A) free and fair elections;

(B) anti-gang police and administration of justice programs, including to reduce pre-trial detention and eliminate inhumane prison conditions;

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

(D) disaster relief and recovery.

(3) NOTIFICATION.—Funds appropriated by this Act that are made available for assistance for Haiti shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(4) PROHIBITION.—None of the funds appropriated or otherwise made available by this Act may be used for assistance for the armed forces of Haiti.

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

(d) NICARAGUA.—Of the funds appropriated by this Act under the heading ''Development Assistance'', not less than $15,000,000 shall be made available for democracy programs for Nicaragua, including to support civil society.

(e) VENEZUELA.—

(1) Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less

than $40,000,000 shall be made available for democracy programs for Venezuela.

(2) Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under title III shall be made available for assistance for communities in countries supporting or otherwise impacted by refugees from Venezuela, including Colombia, Peru, Ecuador, Curacao, and Trinidad and Tobago: *Provided,* That such amounts are in addition to funds otherwise made available for assistance for such countries, subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

EUROPE AND EURASIA

SEC. 7046. (a) ASSISTANCE.—

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

(2) UKRAINE.—Funds appropriated by this Act under titles III and IV shall be made available for assistance for Ukraine.

(b) TERRITORIAL INTEGRITY.—None of the funds appropriated by this Act may be made available for assist-

ance for a government of an Independent State of the former Soviet Union if such government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: *Provided,* That except as otherwise provided in section 7047(a) of this Act, funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States: *Provided further,* That prior to executing the authority contained in the previous proviso, the Secretary of State shall consult with the Committees on Appropriations on how such assistance supports the national security interest of the United States.

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

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act (22 U.S.C. 5851 et seq.) and section 1424 of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2333) or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961;

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

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

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

(6) humanitarian assistance.

(d) TURKEY.—None of the funds made available by this Act may be used to facilitate or support the sale of defense articles or defense services to the Turkish Presidential Protection Directorate (TPPD) under chapter 2 of the Arms Export Control Act (22 U.S.C. 2761 et seq.) unless the Secretary of State determines and reports to the appropriate congressional committees that members of the TPPD who are named in the July 17, 2017, indictment by the Superior Court of the District of Columbia, and against whom there are pending charges, have returned to the United States to stand trial in connection

with the offenses contained in such indictment or have otherwise been brought to justice: *Provided,* That the limitation in this paragraph shall not apply to the use of funds made available by this Act for border security purposes, for North Atlantic Treaty Organization or coalition operations, or to enhance the protection of United States officials and facilities in Turkey.

COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

SEC. 7047. (a) PROHIBITION.—None of the funds appropriated by this Act may be made available for assistance for the central Government of the Russian Federation.

(b) ANNEXATION OF TERRITORY.—

(1) PROHIBITION.—None of the funds appropriated by this Act may be made available for assistance for the central government of a country that the Secretary of State determines and reports to the Committees on Appropriations has taken affirmative steps intended to support or be supportive of the Russian Federation annexation of Crimea or other territory in Ukraine: *Provided,* That except as otherwise provided in subsection (a), the Secretary may waive the restriction on assistance required by this paragraph if the Secretary determines and reports to such Committees that to do so is in the national in-

terest of the United States, and includes a justification for such interest.

(2) LIMITATION.—None of the funds appropriated by this Act may be made available for—

(A) the implementation of any action or policy that recognizes the sovereignty of the Russian Federation over Crimea or other territory in Ukraine;

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

(C) assistance for Crimea or other territory in Ukraine under the control of Russia or Russian-backed separatists, if such assistance includes the participation of Russian Government officials, or other Russian owned or controlled financial entities.

(3) INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice

and vote of the United States to oppose any assistance by such institution (including any loan, credit, grant, or guarantee) for any program that violates the sovereignty or territorial integrity of Ukraine.

(4) DURATION.—The requirements and limitations of this subsection shall cease to be in effect if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Ukraine has reestablished sovereignty over Crimea and other territory in Ukraine under the control of Russian-backed separatists.

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

(1) PROHIBITION.—None of the funds appropriated by this Act may be made available for assistance for the central government of a country that the Secretary of State determines and reports to the Committees on Appropriations has recognized the independence of, or has established diplomatic relations with, the Russian Federation occupied Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia: *Provided,* That the Secretary shall publish on the Department of State website a list of any such central governments in a timely manner: *Provided further,* That the Secretary may waive the

restriction on assistance required by this paragraph if the Secretary determines and reports to the Committees on Appropriations that to do so is in the national interest of the United States, and includes a justification for such interest.

(2) LIMITATION.—None of the funds appropriated by this Act may be made available to support the Russian Federation occupation of the Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia.

(3) INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice and vote of the United States to oppose any assistance by such institution (including any loan, credit, grant, or guarantee) for any program that violates the sovereignty and territorial integrity of Georgia.

(d) COUNTERING RUSSIAN INFLUENCE FUND.—

(1) ASSISTANCE.—Of the funds appropriated by this Act under the headings ''Assistance for Europe, Eurasia and Central Asia'', ''International Narcotics Control and Law Enforcement'', ''International Military Education and Training'', and ''Foreign Military Financing Program'', not less than

$295,000,000 shall be made available to carry out the purposes of the Countering Russian Influence Fund, as authorized by section 254 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (Public Law 115–44; 22 U.S.C. 9543) and notwithstanding the country limitation in subsection (b) of such section, and programs to enhance the capacity of law enforcement and security forces in countries in Europe, Eurasia, and Central Asia and strengthen security cooperation between such countries and the United States and the North Atlantic Treaty Organization, as appropriate: *Provided,* That funds made available pursuant to this paragraph under the heading ''Foreign Military Financing Program'' may remain available until September 30, 2024.

(2) ECONOMICS AND TRADE.—Funds appropriated by this Act and made available for assistance for the Eastern Partnership countries shall be made available to advance the implementation of Association Agreements and trade agreements with the European Union, and to reduce their vulnerability to external economic and political pressure from the Russian Federation.

(e) DEMOCRACY PROGRAMS.—Funds appropriated by this Act shall be made available to support democracy programs in the Russian Federation and other countries in Europe, Eurasia, and Central Asia, including to promote Internet freedom: *Provided,* That of the funds appropriated under the heading ''Assistance for Europe, Eurasia and Central Asia'', not less than $20,000,000 shall be made available to strengthen democracy and civil society in Central Europe, including for transparency, independent media, rule of law, minority rights, and programs to combat anti-Semitism.

UNITED NATIONS

SEC. 7048. (a) TRANSPARENCY AND ACCOUNTABILITY.—Not later than 120 days after the date of enactment of this Act, the Secretary of State shall report to the Committees on Appropriations whether each organization, department, or agency receiving a contribution from funds appropriated by this Act under the headings ''Contributions to International Organizations'' and ''International Organizations and Programs''—

(1) is posting on a publicly available website, consistent with privacy regulations and due process, regular financial and programmatic audits of such organization, department, or agency, and providing

the United States Government with necessary access to such financial and performance audits;

(2) has submitted a report to the Department of State, which shall be posted on the Department's website in a timely manner, demonstrating that such organization is effectively implementing and enforcing policies and procedures which meet or exceed best practices in the United States for the protection of whistleblowers from retaliation, including—

(A) protection against retaliation for internal and lawful public disclosures;

(B) legal burdens of proof;

(C) statutes of limitation for reporting retaliation;

(D) access to binding independent adjudicative bodies, including shared cost and selection of external arbitration; and

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

(3) effectively implementing and enforcing policies and procedures on the appropriate use of travel funds, including restrictions on first-class and business-class travel.

(b) RESTRICTIONS ON UNITED NATIONS DELEGATIONS AND ORGANIZATIONS.—

(1) RESTRICTIONS ON UNITED STATES DELEGATIONS.—None of the funds made available by this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or commission of the United Nations if such agency, body, or commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 1754(c) of the Export Reform Control Act of 2018 (50 U.S.C. 4813(c)), supports international terrorism.

(2) RESTRICTIONS ON CONTRIBUTIONS.—None of the funds made available by this Act may be used by the Secretary of State as a contribution to any organization, agency, commission, or program within the United Nations system if such organization, agency, commission, or program is chaired or presided over by a country the government of which the Secretary of State has determined, for purposes of section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, section 1754(c) of the Export Reform Control Act of 2018 (50 U.S.C. 4813(c)), or any other provision of law,

is a government that has repeatedly provided support for acts of international terrorism.

(3) WAIVER.—The Secretary of State may waive the restriction in this subsection if the Secretary determines and reports to the Committees on Appropriations that to do so is important to the national interest of the United States, including a description of the national interest served.

(c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—Funds appropriated by this Act may be made available to support the United Nations Human Rights Council unless the Secretary of State determines and reports to the Committees on Appropriations that participation in the Council does not serve the national interest of the United States, and that such Council is not taking significant steps to remove Israel as a permanent agenda item and ensure integrity in the election of members to such Council, including a justification for such determination: *Provided,* That the Secretary of State shall report to the Committees on Appropriations not later than September 30, 2023, on the resolutions considered in the United Nations Human Rights Council during the previous 12 months, and on steps taken to remove Israel as a permanent agenda item and ensure integrity in the election of members to such council.

(d) UNITED NATIONS RELIEF AND WORKS AGENCY.—Funds appropriated by this Act should be made available for the United Nations Relief and Works Agency (UNRWA) unless the Secretary of State determines and reports to the Committees on Appropriations that UNRWA is not—

(1) utilizing Operations Support Officers in the West Bank, Gaza, and other fields of operation to inspect UNRWA installations and reporting any inappropriate use;

(2) acting promptly to address any staff or beneficiary violation of its own policies (including the policies on neutrality and impartiality of employees) and the legal requirements under section 301(c) of the Foreign Assistance Act of 1961;

(3) implementing procedures to maintain the neutrality of its facilities, including implementing a no-weapons policy, and conducting regular inspections of its installations, to ensure they are only used for humanitarian or other appropriate purposes;

(4) taking necessary and appropriate measures to ensure it is operating in compliance with the conditions of section 301(c) of the Foreign Assistance Act of 1961 and continuing regular reporting to the

Department of State on actions it has taken to ensure conformance with such conditions;

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

(6) refraining from engaging in operations with financial institutions or related entities in violation of relevant United States law, and is taking steps to improve the financial transparency of the organization; and

(7) in compliance with the United Nations Board of Auditors' biennial audit requirements and is implementing in a timely fashion the Board's recommendations.

(e) PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS.—None of the funds appropriated or made available pursuant to titles III through VI of this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation

at international conferences held under the auspices of multilateral or international organizations.

(f) REPORT.—Not later than 45 days after the date of enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the amount of funds available for obligation or expenditure in fiscal year 2023 for contributions to any organization, department, agency, or program within the United Nations system or any international program that are withheld from obligation or expenditure due to any provision of law: *Provided,* That the Secretary shall update such report each time additional funds are withheld by operation of any provision of law: *Provided further,* That the reprogramming of any withheld funds identified in such report, including updates thereof, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(g) SEXUAL EXPLOITATION AND ABUSE IN PEACEKEEPING OPERATIONS.—The Secretary of State shall withhold assistance to any unit of the security forces of a foreign country if the Secretary has credible information that such unit has engaged in sexual exploitation or abuse, including while serving in a United Nations peacekeeping operation, until the Secretary determines that the government of such country is taking effective steps to hold the

responsible members of such unit accountable and to prevent future incidents: *Provided,* That the Secretary shall promptly notify the government of each country subject to any withholding of assistance pursuant to this paragraph, and shall notify the appropriate congressional committees of such withholding not later than 10 days after a determination to withhold such assistance is made: *Provided further,* That the Secretary shall, to the maximum extent practicable, assist such government in bringing the responsible members of such unit to justice.

(h) ADDITIONAL AVAILABILITY.—Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated by this Act which are returned or not made available due to the second proviso under the heading ''Contributions for International Peacekeeping Activities'' in title I of this Act or section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)), shall remain available for obligation until September 30, 2024: *Provided,* That the requirement to withhold funds for programs in Burma under section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated by this Act.

(i) OPERATIONS OF THE UNITED STATES MISSION TO THE UNITED NATIONS.—Section 9(2) of the United

Nations Participation Act of 1945 (22 U.S.C. 287e–1(2)) is amended by striking ''30'' and inserting ''41''.

WAR CRIMES TRIBUNAL

SEC. 7049. Section 705 of the Foreign Relations Authorization Act, Fiscal Year 2000 and 2001 (22 U.S.C. 7401) is amended by striking subsection (c) and inserting the following:

''(c) EXEMPTION.—The prohibition under subsection (b) or under any other provision of law shall not apply with regard to support, including funding, information, or in-kind support, to the International Criminal Court to assist with investigations into and prosecutions related to the Situation in Ukraine or circumstances in which the Secretary of State determines that it is in the national security interest of the United States to provide such support to assist with investigations and prosecutions of genocide, war crimes, or crimes against humanity: *Provided,* That none of the funds made available pursuant to this subsection may be made available for the purpose of supporting investigations, apprehensions, or prosecutions of American service members and other United States citizens or nationals, consistent with the purpose of the American Servicemembers' Protection Act of 2002 (22 U.S.C. 7421 et seq.), or for the purpose of supporting investigations, apprehensions, or prosecutions of nationals of the

North Atlantic Treaty Organization (NATO) or major non-NATO allies initially designated pursuant to section 517(b) of the Foreign Assistance Act of 1961.

"(d) NOTIFICATION.—The Secretary of State shall notify the appropriate congressional committees of any amounts provided pursuant to subsection (c) not later than 15 days before such payment is made.

"(e) REPORTING.—Not later than 90 days after the date of the enactment of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2023, and every 90 days thereafter until September 30, 2025, the Secretary of State shall submit a report to the appropriate congressional committees that describes the use of funds made available pursuant to subsection (c).

"(f) DEFINITIONS.—In this section:

"(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

"(A) the Committee on Foreign Relations of the Senate;

"(B) the Committee on Appropriations of the Senate;

"(C) the Committee on Foreign Affairs of the House of Representatives; and

"(D) the Committee on Appropriations of the House of Representatives.

"(2) INTERNATIONAL CRIMINAL COURT.—The term 'International Criminal Court' means the court established by the Rome Statute of the International Criminal Court, adopted by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court on July 17, 1998.".

GLOBAL INTERNET FREEDOM

SEC. 7050. (a) FUNDING.—Of the funds available for obligation during fiscal year 2023 under the headings "International Broadcasting Operations", "Economic Support Fund", "Democracy Fund", and "Assistance for Europe, Eurasia and Central Asia", not less than $87,500,000 shall be made available for programs to promote Internet freedom globally: *Provided,* That such programs shall be prioritized for countries whose governments restrict freedom of expression on the Internet, and that are important to the national interest of the United States: *Provided further,* That funds made available pursuant to this section shall be matched, to the maximum extent practicable, by sources other than the United States Government, including from the private sector.

(b) REQUIREMENTS.—

(1) DEPARTMENT OF STATE AND UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—Funds appropriated by this Act under the headings ''Economic Support Fund'', ''Democracy Fund'', and ''Assistance for Europe, Eurasia and Central Asia'' that are made available pursuant to subsection (a) shall be—

(A) coordinated with other democracy programs funded by this Act under such headings, and shall be incorporated into country assistance and democracy promotion strategies, as appropriate;

(B) for programs to implement the May 2011, International Strategy for Cyberspace, the Department of State International Cyberspace Policy Strategy required by section 402 of the Cybersecurity Act of 2015 (division N of Public Law 114–113), and the comprehensive strategy to promote Internet freedom and access to information in Iran, as required by section 414 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8754);

(C) made available for programs that support the efforts of civil society to counter the

development of repressive Internet-related laws and regulations, including countering threats to Internet freedom at international organizations; to combat violence against bloggers and other users; and to enhance digital security training and capacity building for democracy activists;

(D) made available for research of key threats to Internet freedom; the continued development of technologies that provide or enhance access to the Internet, including circumvention tools that bypass Internet blocking, filtering, and other censorship techniques used by authoritarian governments; and maintenance of the technological advantage of the United States Government over such censorship techniques: *Provided,* That the Secretary of State, in consultation with the United States Agency for Global Media Chief Executive Officer (USAGM CEO) and the President of the Open Technology Fund (OTF), shall coordinate any such research and development programs with other relevant United States Government departments and agencies in order to share information, technologies, and best practices, and to

assess the effectiveness of such technologies; and

(E) made available only with the concurrence of the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, that such funds are allocated consistent with—

(i) the strategies referenced in subparagraph (B) of this paragraph;

(ii) best practices regarding security for, and oversight of, Internet freedom programs; and

(iii) sufficient resources and support for the development and maintenance of anti-censorship technology and tools.

(2) UNITED STATES AGENCY FOR GLOBAL MEDIA.—Funds appropriated by this Act under the heading ''International Broadcasting Operations'' that are made available pursuant to subsection (a) shall be—

(A) made available only for open-source tools and techniques to securely develop and distribute USAGM digital content, facilitate audience access to such content on websites that are censored, coordinate the distribution of

USAGM digital content to targeted regional audiences, and to promote and distribute such tools and techniques, including digital security techniques;

(B) coordinated by the USAGM CEO, in consultation with the OTF President, with programs funded by this Act under the heading ''International Broadcasting Operations'', and shall be incorporated into country broadcasting strategies, as appropriate;

(C) coordinated by the USAGM CEO, in consultation with the OTF President, to solicit project proposals through an open, transparent, and competitive process, seek input from technical and subject matter experts to select proposals, and support Internet circumvention tools and techniques for audiences in countries that are strategic priorities for the OTF and in a manner consistent with the United States Government Internet freedom strategy; and

(D) made available for the research and development of new tools or techniques authorized in subparagraph (A) only after the USAGM CEO, in consultation with the Secretary of State, the OTF President, and other

relevant United States Government departments and agencies, evaluates the risks and benefits of such new tools or techniques, and establishes safeguards to minimize the use of such new tools or techniques for illicit purposes.

(c) COORDINATION AND SPEND PLANS.—After consultation among the relevant agency heads to coordinate and de-conflict planned activities, but not later than 90 days after the date of enactment of this Act, the Secretary of State and the USAGM CEO, in consultation with the OTF President, shall submit to the Committees on Appropriations spend plans for funds made available by this Act for programs to promote Internet freedom globally, which shall include a description of safeguards established by relevant agencies to ensure that such programs are not used for illicit purposes: *Provided,* That the Department of State spend plan shall include funding for all such programs for all relevant Department of State and United States Agency for International Development offices and bureaus.

(d) SECURITY AUDITS.—Funds made available pursuant to this section to promote Internet freedom globally may only be made available to support open-source technologies that undergo comprehensive security audits consistent with the requirements of the Bureau of Democracy,

Human Rights, and Labor, Department of State to ensure that such technology is secure and has not been compromised in a manner detrimental to the interest of the United States or to individuals and organizations benefiting from programs supported by such funds: *Provided,* That the security auditing procedures used by such Bureau shall be reviewed and updated periodically to reflect current industry security standards.

TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT

SEC. 7051. (a) PROHIBITION.—None of the funds made available by this Act may be used to support or justify the use of torture and other cruel, inhuman, or degrading treatment or punishment by any official or contract employee of the United States Government.

(b) ASSISTANCE.—Funds appropriated under titles III and IV of this Act shall be made available, notwithstanding section 660 of the Foreign Assistance Act of 1961 and following consultation with the Committees on Appropriations, for assistance to eliminate torture and other cruel, inhuman, or degrading treatment or punishment by foreign police, military, or other security forces in countries receiving assistance from funds appropriated by this Act.

AIRCRAFT TRANSFER, COORDINATION, AND USE

SEC. 7052. (a) TRANSFER AUTHORITY.—Notwithstanding any other provision of law or regulation, aircraft procured with funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ''Diplomatic Programs'', ''International Narcotics Control and Law Enforcement'', ''Andean Counterdrug Initiative'', and ''Andean Counterdrug Programs'' may be used for any other program and in any region.

(b) PROPERTY DISPOSAL.—The authority provided in subsection (a) shall apply only after the Secretary of State determines and reports to the Committees on Appropriations that the equipment is no longer required to meet programmatic purposes in the designated country or region: *Provided,* That any such transfer shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) AIRCRAFT COORDINATION.—

(1) AUTHORITY.—The uses of aircraft purchased or leased by the Department of State and the United States Agency for International Development with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be co-

ordinated under the authority of the appropriate Chief of Mission: *Provided,* That such aircraft may be used to transport, on a reimbursable or non-reimbursable basis, Federal and non-Federal personnel supporting Department of State and USAID programs and activities: *Provided further,* That official travel for other agencies for other purposes may be supported on a reimbursable basis, or without reimbursement when traveling on a space available basis: *Provided further,* That funds received by the Department of State in connection with the use of aircraft owned, leased, or chartered by the Department of State may be credited to the Working Capital Fund of the Department and shall be available for expenses related to the purchase, lease, maintenance, chartering, or operation of such aircraft.

(2) SCOPE.—The requirement and authorities of this subsection shall only apply to aircraft, the primary purpose of which is the transportation of personnel.

(d) AIRCRAFT OPERATIONS AND MAINTENANCE.—To the maximum extent practicable, the costs of operations and maintenance, including fuel, of aircraft funded by this Act shall be borne by the recipient country.

PARKING FINES AND REAL PROPERTY TAXES OWED BY FOREIGN GOVERNMENTS

SEC. 7053. The terms and conditions of section 7055 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) shall apply to this Act: *Provided,* That the date ''September 30, 2009'' in subsection (f)(2)(B) of such section shall be deemed to be ''September 30, 2022''.

INTERNATIONAL MONETARY FUND

SEC. 7054. (a) EXTENSIONS.—The terms and conditions of sections 7086(b)(1) and (2) and 7090(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) shall apply to this Act.

(b) REPAYMENT.—The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund (IMF) to seek to ensure that any loan will be repaid to the IMF before other private or multilateral creditors.

FOOD SECURITY AND AGRICULTURAL DEVELOPMENT

SEC. 7055. (a) IN GENERAL.—Of the funds appropriated by title III of this Act, not less than $1,010,600,000 shall be made available for food security and agricultural development programs to carry out the

purposes of the Global Food Security Act of 2016 (Public Law 114–195): *Provided,* That funds may be made available for a contribution as authorized by section 3202 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by section 3310 of the Agriculture Improvement Act of 2018 (Public Law 115–334).

(b) WORLD FOOD PROGRAMME.—Funds managed by the Bureau for Humanitarian Assistance, United States Agency for International Development, from this or any other Act, may be made available as a general contribution to the World Food Programme, notwithstanding any other provision of law.

(c) GLOBAL FOOD SECURITY PARTNERSHIP FUND.—

(1) NEGOTIATIONS FOR ESTABLISHMENT.—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development and the heads of other relevant Federal agencies, shall seek to enter into negotiations with key bilateral, multilateral, philanthropic, and private sector entities, including the United Nations Rome-based agencies and the World Bank, and with countries impacted by food insecurity, for the establishment of the Global Food Security Partnership Fund.

(2) PURPOSES.—The purposes of such Global Food Security Partnership Fund shall be to—

(A) increase funding from all sources to respond to acute food insecurity and build resilience globally;

(B) improve international coordination; and

(C) transition from short-term emergency investments toward comprehensive, compact-based agreements that support country-led strategies to sustainably address food insecurity.

(3) CONSULTATION.—Not later than 90 days after the date of enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall consult with the Committees on Appropriations on plans for the establishment of the Global Food Security Partnership Fund, including identifying which office at the Department of State will be responsible for negotiating and participating in such Fund; key donors and countries to be targeted for negotiations; expected timelines for such negotiations; and any anticipated challenges to the establishment of such Fund: *Provided,* That not

later than 180 days after the date of enactment of this Act, the Secretary of State shall consult with such committees on the status of such negotiations, including the details enumerated under this heading in the explanatory statement accompanying this Act.

(d) MARKET-BASED SOCIAL ENTERPRISES.—

(1) ASSISTANCE.—Of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under title III, not less than $5,000,000 shall be made available to provide sustainable, market-based assistance for smallholder farmers through locally-based social enterprises.

(2) CRITERIA.—Funds made available pursuant to paragraph (1) shall be made available to support organizations that—

(A) generate diverse, hybrid financing;

(B) are significantly funded through earned revenue;

(C) directly serve the world's poorest farmers and focus primarily on food security; and

(D) demonstrate social impact through clear, rigorously measured, impact data, including measuring attributable crop yield increases.

(3) CONSULTATION.—Not later than 90 days after the date of enactment of this Act, the USAID Administrator shall consult with the Committees on Appropriations on implementation of this subsection.

ENTERPRISE FUNDS

SEC. 7056. (a) NOTIFICATION.—None of the funds made available under titles III through VI of this Act may be made available for Enterprise Funds unless the appropriate congressional committees are notified at least 15 days in advance.

(b) DISTRIBUTION OF ASSETS PLAN.—Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the appropriate congressional committees a plan for the distribution of the assets of the Enterprise Fund.

(c) TRANSITION OR OPERATING PLAN.—Prior to a transition to and operation of any private equity fund or other parallel investment fund under an existing Enterprise Fund, the President shall submit such transition or operating plan to the appropriate congressional committees.

UNITED NATIONS POPULATION FUND

SEC. 7057. (a) CONTRIBUTION.—Of the funds made available under the heading ''International Organizations

and Programs'' in this Act for fiscal year 2023, $60,000,000 shall be made available for the United Nations Population Fund (UNFPA).

(b) AVAILABILITY OF FUNDS.—Funds appropriated by this Act for UNFPA, that are not made available for UNFPA because of the operation of any provision of law, shall be transferred to the ''Global Health Programs'' account and shall be made available for family planning, maternal, and reproductive health activities, subject to the regular notification procedures of the Committees on Appropriations.

(c) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available by this Act may be used by UNFPA for a country program in the People's Republic of China.

(d) CONDITIONS ON AVAILABILITY OF FUNDS.—Funds made available by this Act for UNFPA may not be made available unless—

(1) UNFPA maintains funds made available by this Act in an account separate from other accounts of UNFPA and does not commingle such funds with other sums; and

(2) UNFPA does not fund abortions.

GLOBAL HEALTH ACTIVITIES

SEC. 7058. (a) IN GENERAL.—Funds appropriated under titles III and IV of this Act that are made available for bilateral assistance for global health programs including activities relating to research on, and the prevention, treatment, and control of, HIV/AIDS may be made available notwithstanding any other provision of law except for provisions under the heading ''Global Health Programs'' and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: *Provided,* That of the funds appropriated under the heading ''Global Health Programs'' in this Act, not less than $650,000,000 shall be made available for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species.

(b) PANDEMICS AND OTHER INFECTIOUS DISEASE OUTBREAKS.—

(1) GLOBAL HEALTH SECURITY.—Funds appropriated by this Act under the heading ''Global Health Programs'' shall be made available for global health security programs to accelerate the capacity of countries to prevent, detect, and respond to infectious disease outbreaks, including by strengthening public health capacity where there is a high risk of

emerging zoonotic infectious diseases: *Provided,* That not later than 60 days after the date of enactment of this Act, the USAID Administrator and the Secretary of State, as appropriate, shall consult with the Committees on Appropriations on the planned uses of such funds.

(2) FINANCIAL INTERMEDIARY FUND.—Funds appropriated by this Act under the heading ''Global Health Programs'' may be made available for contributions to a financial intermediary fund for pandemic preparedness and global heath security.

(3) EXTRAORDINARY MEASURES.—If the Secretary of State determines and reports to the Committees on Appropriations that an international infectious disease outbreak is sustained, severe, and is spreading internationally, or that it is in the national interest to respond to a Public Health Emergency of International Concern, not to exceed an aggregate total of $200,000,000 of the funds appropriated by this Act under the headings ''Global Health Programs'', ''Development Assistance'', ''International Disaster Assistance'', ''Complex Crises Fund'', ''Economic Support Fund'', ''Democracy Fund'', ''Assistance for Europe, Eurasia and Central Asia'', ''Migration and Refugee Assistance'', and

"Millennium Challenge Corporation" may be made available to combat such infectious disease or public health emergency, and may be transferred to, and merged with, funds appropriated under such headings for the purposes of this paragraph.

(4) EMERGENCY RESERVE FUND.—Up to $90,000,000 of the funds made available under the heading "Global Health Programs" may be made available for the Emergency Reserve Fund established pursuant to section 7058(c)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31): *Provided,* That such funds shall be made available under the same terms and conditions of such section.

(5) CONSULTATION AND NOTIFICATION.—Funds made available by this subsection shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) LIMITATION.—Notwithstanding any other provision of law, none of the funds made available by this Act may be made available to the Wuhan Institute of Virology located in the City of Wuhan in the People's Republic of China.

GENDER EQUALITY AND WOMEN'S EMPOWERMENT

SEC. 7059. (a) IN GENERAL.—

(1) GENDER EQUALITY.—Funds appropriated by this Act shall be made available to promote gender equality in United States Government diplomatic and development efforts by raising the status, increasing the economic participation and opportunities for political leadership, and protecting the rights of women and girls worldwide.

(2) WOMEN'S ECONOMIC EMPOWERMENT.—Funds appropriated by this Act are available to implement the Women's Entrepreneurship and Economic Empowerment Act of 2018 (Public Law 115–428): *Provided,* That the Secretary of State and the Administrator of the United States Agency for International Development, as appropriate, shall consult with the Committees on Appropriations on the implementation of such Act.

(3) GENDER EQUITY AND EQUALITY ACTION FUND.—Of the funds appropriated under title III of this Act, up to $200,000,000 may be made available for the Gender Equity and Equality Action Fund.

(b) MADELEINE K. ALBRIGHT WOMEN'S LEADERSHIP PROGRAM.—Of the funds appropriated under title III of this Act, not less than $50,000,000 shall be made

available for programs specifically designed to increase leadership opportunities for women in countries where women and girls suffer discrimination due to law, policy, or practice, by strengthening protections for women's political status, expanding women's participation in political parties and elections, and increasing women's opportunities for leadership positions in the public and private sectors at the local, provincial, and national levels: *Provided,* That such programs shall hereafter be collectively named the ''Madeleine K. Albright Women's Leadership Program''.

(c) GENDER-BASED VIOLENCE.—

(1) Of the funds appropriated under titles III and IV of this Act, not less than $175,000,000 shall be made available to implement a multi-year strategy to prevent and respond to gender-based violence in countries where it is common in conflict and non-conflict settings.

(2) Funds appropriated under titles III and IV of this Act that are available to train foreign police, judicial, and military personnel, including for international peacekeeping operations, shall address, where appropriate, prevention and response to gender-based violence and trafficking in persons, and

shall promote the integration of women into the police and other security forces.

(d) WOMEN, PEACE, AND SECURITY.—Of the funds appropriated by this Act under the headings ''Development Assistance'', ''Economic Support Fund'', ''Assistance for Europe, Eurasia and Central Asia'', and ''International Narcotics Control and Law Enforcement'', not less than $135,000,000 should be made available to support a multi-year strategy to expand, and improve coordination of, United States Government efforts to empower women as equal partners in conflict prevention, peace building, transitional processes, and reconstruction efforts in countries affected by conflict or in political transition, and to ensure the equitable provision of relief and recovery assistance to women and girls.

SECTOR ALLOCATIONS

SEC. 7060. (a) BASIC EDUCATION AND HIGHER EDUCATION.—

(1) BASIC EDUCATION.—

(A) Of the funds appropriated under title III of this Act, not less than $693,448,000 shall be made available for the Nita M. Lowey Basic Education Fund, and such funds may be made available notwithstanding any other provision of law that restricts assistance to foreign

countries: *Provided,* That such funds shall also be used for secondary education activities: *Provided further,* That section 7(a) of Public Law 115–56 shall be implemented by substituting ''the thirtieth day of June following'' for ''180 days after''.

(B) Of the funds appropriated under title III of this Act for assistance for basic education programs, not less than $175,000,000 shall be made available for contributions to multilateral partnerships that support education.

(2) HIGHER EDUCATION.—Of the funds appropriated by title III of this Act, not less than $250,000,000 shall be made available for assistance for higher education: *Provided,* That such funds may be made available notwithstanding any other provision of law that restricts assistance to foreign countries, and shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That of such amount, not less than $35,000,000 shall be made available for new and ongoing partnerships between higher education institutions in the United States and developing countries focused on building the capacity of higher education institutions and systems in developing countries:

Provided further, That not later than 45 days after the date of enactment of this Act, the USAID Administrator shall consult with the Committees on Appropriations on the proposed uses of funds for such partnerships.

(3) HIGHER EDUCATION IN COUNTRIES IMPACTED BY ECONOMIC CRISES.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', and in addition to amounts made available pursuant to paragraph (2), not less than $35,000,000 shall be made available, notwithstanding any other provision of law that restricts assistance to foreign countries, and following consultation with the Committees on Appropriations, for the following institutions that are recipients of United States assistance and located in countries impacted by economic crises—

(A) United States-accredited institutions of higher education in the Middle East; and

(B) not-for-profit, coeducational American institutions of higher education in the Middle East and Asia.

(4) SCHOLAR RESCUE PROGRAMS.—Of the funds appropriated by this Act under the headings ''Development Assistance'', ''Economic Support

Fund'', and ''Assistance for Europe, Eurasia and Central Asia'', not less than $7,000,000 shall be made available for scholar rescue programs, including for scholars from Afghanistan, Burma, Ethiopia, the Russian Federation, Ukraine, and Yemen: *Provided,* That the Secretary of State and Administrator of the United States Agency for International Development, as appropriate, shall consult with the Committees on Appropriations on such programs not later than 90 days after the date of enactment of this Act.

(b) DEVELOPMENT PROGRAMS.—Of the funds appropriated by this Act under the heading ''Development Assistance'', not less than $20,000,000 shall be made available for USAID cooperative development programs and not less than $31,500,000 shall be made available for the American Schools and Hospitals Abroad program.

(c) MICRO, SMALL, AND MEDIUM-SIZED ENTERPRISES.—Of the funds appropriated by this Act, not less than $265,000,000 shall be made available to support the development of, and access to financing for, micro, small, and medium-sized enterprises that benefit the poor, especially women.

(d) PROGRAMS TO COMBAT TRAFFICKING IN PERSONS.—Of the funds appropriated by this Act under the

headings ''Development Assistance'', ''Economic Support Fund'', ''Assistance for Europe, Eurasia and Central Asia'', and ''International Narcotics Control and Law Enforcement'', not less than $126,400,000 shall be made available for activities to combat trafficking in persons internationally, including for the Program to End Modern Slavery, of which not less than $97,000,000 shall be from funds made available under the heading ''International Narcotics Control and Law Enforcement'': *Provided,* That funds made available by this Act under the headings ''Development Assistance'', ''Economic Support Fund'', and ''Assistance for Europe, Eurasia and Central Asia'' that are made available for activities to combat trafficking in persons should be obligated and programmed consistent with the country-specific recommendations included in the annual Trafficking in Persons Report, and shall be coordinated with the Office to Monitor and Combat Trafficking in Persons, Department of State.

(e) RECONCILIATION PROGRAMS.—Of the funds appropriated by this Act under the heading ''Development Assistance'', not less than $25,000,000 shall be made available to support people-to-people reconciliation programs which bring together individuals of different ethnic, racial, religious, and political backgrounds from areas of civil strife and war: *Provided,* That the USAID Adminis-

trator shall consult with the Committees on Appropriations, prior to the initial obligation of funds, on the uses of such funds, and such funds shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That to the maximum extent practicable, such funds shall be matched by sources other than the United States Government: *Provided further,* That such funds shall be administered by the Center for Conflict and Violence Prevention, USAID.

(f) WATER AND SANITATION.—Of the funds appropriated by this Act, not less than $475,000,000 shall be made available for water supply and sanitation projects pursuant to section 136 of the Foreign Assistance Act of 1961, of which not less than $237,000,000 shall be for programs in sub-Saharan Africa, and of which not less than $17,000,000 shall be made available to support initiatives by local communities in developing countries to build and maintain safe latrines.

(g) DEVIATION.—

(1) AUTHORITY.—Unless otherwise provided for by this Act, the Secretary of State and the Administrator of the United States Agency for International Development, as applicable, may deviate by up to 10 percent below the minimum funding requirements designated in sections 7055, 7059, 7060, and 7061

of this Act and similar provisions of law in prior Acts making appropriations for the Department of State, foreign operations, and related programs, notwithstanding such designations.

(2) OVERSIGHT.—Not later than 120 days after the date of enactment of this Act, and every 120 days thereafter until September 30, 2024, the Secretary of State shall submit a report to the Committees on Appropriations on the use, and planned use, of the authority provided in this subsection: *Provided,* That any deviations made pursuant to this subsection shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

ENVIRONMENT PROGRAMS

SEC. 7061. (a) IN GENERAL.—Of the funds appropriated under title III of this Act, not less than $1,895,000,000 shall be made available for environment programs.

(b) AUTHORITY.—Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, to support environment programs.

(c) BIODIVERSITY CONSERVATION.—

(1) FUNDING.—Of the funds appropriated under title III of this Act, not less than $450,000,000 shall be made available for biodiversity conservation programs.

(2) PUBLIC-PRIVATE PARTNERSHIPS.—Funds appropriated by this Act shall be made available to support a new public-private partnership for conservation to promote the establishment and long-term management of protected areas in developing countries: *Provided,* That such funds may remain available until September 30, 2025.

(d) WILDLIFE POACHING AND TRAFFICKING.—

(1) FUNDING.—Not less than $130,000,000 of the funds appropriated under titles III and IV of this Act shall be made available to combat the transnational threat of wildlife poaching and trafficking.

(2) LIMITATION.—None of the funds appropriated under title IV of this Act may be made available for training or other assistance for any military unit or personnel that the Secretary of State determines has been credibly alleged to have participated in wildlife poaching or trafficking, unless the Secretary reports to the appropriate congressional com-

mittees that to do so is in the national security interest of the United States.

(e) TROPICAL FORESTS.—Funds appropriated by this Act for biodiversity programs shall not be used to support the expansion of industrial scale logging, agriculture, livestock production, mining, or any other industrial scale extractive activity into areas that were primary/intact tropical forests as of December 30, 2013, and the Secretary of the Treasury shall instruct the United States executive directors of each international financial institution (IFI) to use the voice and vote of the United States to oppose any financing of any such activity.

(f) LARGE DAMS.—The Secretary of the Treasury shall instruct the United States executive director of each IFI that it is the policy of the United States to use the voice and vote of the United States, in relation to any loan, grant, strategy, or policy of such institution, regarding the construction of any large dam consistent with the criteria set forth in Senate Report 114–79, while also considering whether the project involves important foreign policy objectives.

(g) SUSTAINABLE LANDSCAPES.—Of the funds appropriated under title III of this Act, not less than $300,000,000 shall be made available for sustainable landscapes programs.

(h) ADAPTATION PROGRAMS.—Of the funds appropriated under title III of this Act, not less than $550,000,000 shall be made available for adaptation programs, including in support of the implementation of the Indo-Pacific Strategy.

(i) CLEAN ENERGY PROGRAMS.—Of the funds appropriated under title III of this Act, not less than $425,000,000 shall be made available for clean energy programs, including in support of carrying out the purposes of the Electrify Africa Act (Public Law 114–121) and implementing the Power Africa initiative.

(j) MULTILATERAL FUNDS.—Of the funds appropriated by this Act under title III, not less than $100,000,000 may be made available for United States contributions to the Adaptation Fund and the Least Developed Countries Fund.

(k) OCEAN PLASTICS.—Of the funds appropriated under title III of this Act, not less than $60,000,000 shall be made available for the purposes enumerated under section 7060(c)(7) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021 (division K of Public Law 116–260): *Provided,* That such funds may only be made available following consultation with the Committees on Appropriations.

(l) TOXIC CHEMICALS.—Of the funds appropriated under title III of this Act, not less than $10,000,000 shall be made available to support programs to measurably reduce public exposure to toxic chemicals, including exposure to lead associated with unsafe disposal or recycling of lead batteries, cookware, or other sources of lead exposure.

(m) CIVIL SOCIETY PROGRAMS.—Of the funds appropriated under title III of this Act, not less than $20,000,000 shall be made available to support civil society advocacy organizations in developing countries that are working to prevent toxic pollutants and other harm to the environment, and to support such organizations that are working to prevent the poaching and trafficking of endangered species, as described under this section in the explanatory statement accompanying this Act.

(n) NATIONAL PARKS AND PROTECTED AREAS.—The Secretary of State and USAID Administrator shall implement the directive regarding law enforcement in national parks and protected areas as described under this heading in the explanatory statement accompanying this Act.

BUDGET DOCUMENTS

SEC. 7062. (a) OPERATING PLANS.—Not later than 45 days after the date of enactment of this Act, each de-

partment, agency, or organization funded in titles I, II, and VI of this Act, and the Department of the Treasury and Independent Agencies funded in title III of this Act, including the Inter-American Foundation and the United States African Development Foundation, shall submit to the Committees on Appropriations an operating plan for funds appropriated to such department, agency, or organization in such titles of this Act, or funds otherwise available for obligation in fiscal year 2023, that provides details of the uses of such funds at the program, project, and activity level: *Provided,* That such plans shall include, as applicable, a comparison between the congressional budget justification funding levels, the most recent congressional directives or approved funding levels, and the funding levels proposed by the department or agency; and a clear, concise, and informative description/justification: *Provided further,* That operating plans that include changes in levels of funding for programs, projects, and activities specified in the congressional budget justification, in this Act, or amounts specifically designated in the respective tables included in the explanatory statement accompanying this Act, as applicable, shall be subject to the notification and reprogramming requirements of section 7015 of this Act.

(b) SPEND PLANS.—

(1) Prior to the initial obligation of funds, the Secretary of State or Administrator of the United States Agency for International Development, as appropriate, shall submit to the Committees on Appropriations spend plans as described under this heading in the explanatory statement accompanying this Act.

(2) Not later than 90 days after the date of enactment of this Act, the Secretary of the Treasury shall submit to the Committees on Appropriations a detailed spend plan for funds made available by this Act under the heading ''Department of the Treasury, International Affairs Technical Assistance'' in title III.

(3) Notwithstanding paragraph (1), up to 10 percent of the funds contained in a spend plan required by this subsection may be obligated prior to the submission of such spend plan if the Secretary of State, the USAID Administrator, or the Secretary of the Treasury, as applicable, determines that the obligation of such funds is necessary to avoid significant programmatic disruption: *Provided,* That not less than seven days prior to such obligation, the Secretary or Administrator, as appropriate, shall consult with the Committees on Appropriations on

the justification for such obligation and the proposed uses of such funds.

(c) CLARIFICATION.—The spend plans referenced in subsection (b) shall not be considered as meeting the notification requirements in this Act or under section 634A of the Foreign Assistance Act of 1961.

REORGANIZATION

SEC. 7063. (a) PRIOR CONSULTATION AND NOTIFICATION.—Funds appropriated by this Act, prior Acts making appropriations for the Department of State, foreign operations, and related programs, or any other Act may not be used to implement a reorganization, redesign, or other plan described in subsection (b) by the Department of State, the United States Agency for International Development, or any other Federal department, agency, or organization funded by this Act without prior consultation by the head of such department, agency, or organization with the appropriate congressional committees: *Provided,* That such funds shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That any such notification submitted to such Committees shall include a detailed justification for any proposed action: *Provided further,* That congressional notifications submitted in prior fiscal years pursuant to similar provisions of law in prior Acts making appropria-

tions for the Department of State, foreign operations, and related programs may be deemed to meet the notification requirements of this section.

(b) DESCRIPTION OF ACTIVITIES.—Pursuant to subsection (a), a reorganization, redesign, or other plan shall include any action to—

(1) expand, eliminate, consolidate, or downsize covered departments, agencies, or organizations, including bureaus and offices within or between such departments, agencies, or organizations, including the transfer to other agencies of the authorities and responsibilities of such bureaus and offices;

(2) expand, eliminate, consolidate, or downsize the United States official presence overseas, including at bilateral, regional, and multilateral diplomatic facilities and other platforms; or

(3) expand or reduce the size of the permanent Civil Service, Foreign Service, eligible family member, and locally employed staff workforce of the Department of State and USAID from the staffing levels previously justified to the Committees on Appropriations for fiscal year 2023.

DEPARTMENT OF STATE MANAGEMENT

SEC. 7064. (a) WORKING CAPITAL FUND.—Funds appropriated by this Act or otherwise made available to

the Department of State for payments to the Working Capital Fund that are made available for new service centers, shall be subject to the regular notification procedures of the Committees on Appropriations.

(b) CERTIFICATION.—

(1) COMPLIANCE.—Not later than 45 days after the initial obligation of funds appropriated under titles III and IV of this Act that are made available to a Department of State bureau or office with responsibility for the management and oversight of such funds, the Secretary of State shall certify and report to the Committees on Appropriations, on an individual bureau or office basis, that such bureau or office is in compliance with Department and Federal financial and grants management policies, procedures, and regulations, as applicable.

(2) CONSIDERATIONS.—When making a certification required by paragraph (1), the Secretary of State shall consider the capacity of a bureau or office to—

(A) account for the obligated funds at the country and program level, as appropriate;

(B) identify risks and develop mitigation and monitoring plans;

(C) establish performance measures and indicators;

(D) review activities and performance; and

(E) assess final results and reconcile finances.

(3) PLAN.—If the Secretary of State is unable to make a certification required by paragraph (1), the Secretary shall submit a plan and timeline detailing the steps to be taken to bring such bureau or office into compliance.

(c) INTERNSHIPS.—The Department of State may offer compensated internships, and select, appoint, employ for not more than 52 weeks under an excepted service, and remove any such compensated intern without regard to the provisions of law governing appointments in the excepted service: *Provided,* That the Secretary of State shall consult with the Director of the Office of Personnel Management on implementation of this authority, including on the number of individuals to be hired.

(d) INFORMATION TECHNOLOGY PLATFORM.—None of the funds appropriated in title I of this Act under the heading ''Administration of Foreign Affairs'' may be made available for a new major information technology investment without the concurrence of the Chief Information Officer, Department of State.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MANAGEMENT

SEC. 7065. (a) AUTHORITY.—Up to $170,000,000 of the funds made available in title III of this Act pursuant to or to carry out the provisions of part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ''Assistance for Europe, Eurasia and Central Asia'', may be used by the United States Agency for International Development to hire and employ individuals in the United States and overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980 (22 U.S.C. 3948 and 3949).

(b) RESTRICTION.—The authority to hire individuals contained in subsection (a) shall expire on September 30, 2024.

(c) PROGRAM ACCOUNT CHARGED.—The account charged for the cost of an individual hired and employed under the authority of this section shall be the account to which the responsibilities of such individual primarily relate: *Provided,* That funds made available to carry out this section may be transferred to, and merged with, funds appropriated by this Act in title II under the heading ''Operating Expenses''.

(d) FOREIGN SERVICE LIMITED EXTENSIONS.—Individuals hired and employed by USAID, with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, pursuant to the authority of section 309 of the Foreign Service Act of 1980 (22 U.S.C. 3949), may be extended for a period of up to 4 years notwithstanding the limitation set forth in such section.

(e) DISASTER SURGE CAPACITY.—Funds appropriated under title III of this Act to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ''Assistance for Europe, Eurasia and Central Asia'', may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by USAID whose primary responsibility is to carry out programs in response to natural disasters, or man-made disasters subject to the regular notification procedures of the Committees on Appropriations.

(f) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Food for Peace Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be used by USAID to employ up to 40 personal services con-

tractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: *Provided,* That not more than 15 of such contractors shall be assigned to any bureau or office: *Provided further,* That such funds appropriated to carry out title II of the Food for Peace Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be made available only for personal services contractors assigned to the Bureau for Humanitarian Assistance.

(g) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, USAID may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(h) SENIOR FOREIGN SERVICE LIMITED APPOINTMENTS.—Individuals hired pursuant to the authority provided by section 7059(o) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) may be assigned to or support programs in Afghanistan or Pakistan with funds made available in this Act and prior Acts

making appropriations for the Department of State, foreign operations, and related programs.

(i) CRISIS OPERATIONS STAFFING.—Up to $86,000,000 of the funds made available in title III of this Act pursuant to, or to carry out the provisions of, part I of the Foreign Assistance Act of 1961 and section 509(b) of the Global Fragility Act of 2019 (title V of division J of Public Law 116–94) may be made available for the United States Agency for International Development to appoint and employ personnel in the excepted service to prevent or respond to foreign crises and contexts with growing instability: *Provided,* That functions carried out by personnel hired under the authority of this subsection shall be related to the purpose for which the funds were appropriated: *Provided further,* That such funds are in addition to funds otherwise available for such purposes and may remain attributed to any minimum funding requirement for which they were originally made available: *Provided further,* That the USAID Administrator shall coordinate with the Director of the Office of Personnel Management and consult with the Committees on Appropriations on implementation of this provision.

STABILIZATION AND DEVELOPMENT IN REGIONS IMPACTED BY EXTREMISM AND CONFLICT

SEC. 7066. (a) PREVENTION AND STABILIZATION FUND.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', $75,000,000 shall be made available for the Prevention and Stabilization Fund for the purposes enumerated in section 509(a) of the Global Fragility Act of 2019 (title V of division J of Public Law 116–94), of which $25,000,000 may be made available for the Multi-Donor Global Fragility Fund authorized by section 510(c) of such Act: *Provided,* That such funds may be transferred to, and merged with, funds appropriated under the headings ''International Narcotics Control and Law Enforcement'' and ''Foreign Military Financing Program'' for such purposes: *Provided further,* That such transfer authority is in addition to any other transfer authority provided by this Act or any other Act, and is subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided further,* That such funds shall only be made available for such purposes in coastal West Africa, Mozambique, and Papua New Guinea: *Provided further,* That funds made available pursuant to this subsection that are transferred to funds appropriated under the head-

ing ''Foreign Military Financing Program'' may remain available until September 30, 2024.

(b) TRANSITIONAL JUSTICE.—Of the funds appropriated by this Act under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'', not less than $10,000,000 shall be made available for programs to promote accountability for genocide, crimes against humanity, and war crimes, which shall be in addition to any other funds made available by this Act for such purposes: *Provided,* That such programs shall include components to develop local investigative and judicial skills, and to collect and preserve evidence and maintain the chain of custody of evidence, including for use in prosecutions, and may include the establishment of, and assistance for, transitional justice mechanisms: *Provided further,* That such funds shall be administered by the Ambassador at Large for the Office of Global Criminal Justice, Department of State, and shall be subject to prior consultation with the Committees on Appropriations: *Provided further,* That funds made available by this paragraph shall be made available on an open and competitive basis.

DEBT-FOR-DEVELOPMENT

SEC. 7067. In order to enhance the continued participation of nongovernmental organizations in debt-for-devel-

opment and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title III of this Act and, subject to the regular notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization: *Provided,* That amounts made available in this Act under the heading ''Economic Support Fund'' may, as necessary, be used to cover the cost of interest earned from holdings of United States Treasury securities.

EXTENSION OF CONSULAR FEES AND RELATED AUTHORITIES

SEC. 7068. (a) Section 1(b)(1) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(1)) shall be applied through fiscal year 2023 by substituting ''the costs of providing consular services'' for ''such costs''.

(b) Section 21009 of the Emergency Appropriations for Coronavirus Health Response and Agency Operations (division B of Public Law 116–136; 134 Stat. 592) shall be applied during fiscal year 2023 by substituting ''2020 through 2023'' for ''2020, 2021, and 2022''.

(c) Discretionary amounts made available to the Department of State under the heading ''Administration of Foreign Affairs'' of this Act, and discretionary unobligated balances under such heading from prior Acts making appropriations for the Department of State, foreign operations, and related programs, may be transferred to the Consular and Border Security Programs account if the Secretary of State determines and reports to the Committees on Appropriations that to do so is necessary to sustain consular operations, following consultation with such Committees: *Provided,* That such transfer authority is in addition to any transfer authority otherwise available in this Act and under any other provision of law: *Provided further,* That no amounts may be transferred from amounts designated as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

(d) In addition to the uses permitted pursuant to section 286(v)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1356(v)(2)(A)), for fiscal year 2023, the Secretary of State may also use fees deposited into the Fraud Prevention and Detection Account for the costs of providing consular services.

(e) Of the amounts deposited in fiscal year 2023 pursuant to section 7069(e) of division K of the Consolidated

Appropriations Act, 2022 (Public Law 117–103), $25,000,000 shall be available until expended for the purposes of such account: *Provided,* That the Secretary of State may, by regulation, authorize State officials or the United States Postal Service to collect and retain the execution fee for each application for a passport accepted by such officials or by that Service.

(f) Amounts provided pursuant to subsection (b) are designated by the Congress as being for an emergency requirement pursuant to section 4001(a)(1) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and section 1(e) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022.

RESCISSION

(INCLUDING RESCISSION OF FUNDS)

PEACE CORPS

SEC. 7069. Of the unobligated balances from amounts made available under the heading ''Peace Corps'' from prior Acts making appropriations for the Department of State, foreign operations, and related programs, $30,000,000 are rescinded.

MANAGEMENT OF INTERNATIONAL TRANSBOUNDARY WATER POLLUTION

SEC. 7070. (a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) COMMISSION.—The term ''Commission'' means the United States section of the International Boundary and Water Commission.

(3) COVERED FUNDS.—The term ''covered funds'' means amounts made available to the Administrator under the heading ''Environmental Protection Agency—State and Tribal Assistance Grants'' under title IX of the United States-Mexico Canada Agreement Implementation Act (Public Law 116–113).

(4) TREATMENT WORKS.—The term ''treatment works'' has the meaning given that term in section 212 of the Federal Water Pollution Control Act (33 2 U.S.C. 1292).

(b) TRANSFER OF FUNDS.—The Administrator is authorized to transfer covered funds, by entering into an interagency agreement or by awarding a grant, to the Commission, with concurrence of the Commissioner, to support the construction of treatment works, which will be owned and operated by the Commission.

(c) USE OF FUNDS.—The Commission is authorized to use funds received under this section to plan, study,

design, and construct treatment works and carry out any related activities, including construction management and payment for general and administrative overhead, that—

(1) protect residents within the United States-Mexico border region from pollution resulting from—

(A) transboundary flows of wastewater, stormwater or other international transboundary water flows originating in Mexico; and

(B) any inadequacies or breakdowns of treatment works in Mexico; and

(2) provide treatment of such flows in compliance with local, State, and Federal law.

(d) OPERATION AND MAINTENANCE.—The Commission shall operate and maintain new treatment works in accordance with future appropriations.

(e) CONSULTATION AND COORDINATION.—The Commission shall consult and coordinate with the Administrator in carrying out any project using funds received under this section.

(f) APPLICATION OF OTHER REQUIREMENTS.—The requirements of sections 513 and 608 of the Federal Water Pollution Control Act (33 U.S.C. 1372, 1388) shall apply to the construction of any treatment works in the

United States for which the Commission receives funds under this section.

(g) SAVINGS PROVISION.—Nothing in this section shall be construed to modify, amend, repeal or otherwise limit the authority of the International Boundary and Water Commission in accordance with the treaty relating to the utilization of the waters of the Colorado and Tijuana Rivers and of the Rio Grande (Rio Bravo) from Fort Quitman, Texas, to the Gulf of Mexico, and supplementary protocol, signed at Washington February 3, 1944 (59 Stat. 1219), between the United States and Mexico.

(h) Amounts repurposed pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 or a concurrent resolution on the budget are designated as an emergency requirement pursuant to section 4001(a)(1) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and section 1(e) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022.

WAIVER AUTHORITY

SEC. 7071. The President may waive section 414 of Public Law 101–246 and section 410 of Public Law 103–236 with respect to the United Nations Educational, Sci-

entific and Cultural Organization if the President determines and reports in writing to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the appropriate congressional committees that to do so would enable the United States to counter Chinese influence or to promote other national interests of the United States: *Provided,* That the authority of this section shall cease to have effect if, after enactment of this Act, the Palestinians obtain the same standing as member states or full membership as a state in the United Nations or any specialized agency thereof outside an agreement negotiated between Israel and the Palestinians: *Provided further,* That the authority of this section shall sunset on September 30, 2025, unless extended in a subsequent Act of Congress.

ASSISTANCE FOR FOREIGN NONGOVERNMENTAL ORGANIZATIONS

SEC. 7072. The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by inserting after section 104C the following:

"SEC. 104D. ELIGIBILITY FOR ASSISTANCE.

''Notwithstanding any other provision of law, regulation, or policy, in determining eligibility for assistance under sections 104, 104A, 104B, and 104C, a foreign nongovernmental organization—

"(1) shall not be ineligible for such assistance solely on the basis of health or medical services, including counseling and referral services, provided by such organization with non-United States Government funds if such services—

"(A) do not violate the laws of the country in which they are being provided; and

"(B) would not violate United States Federal law if provided in the United States; and

"(2) shall not be subject to requirements relating to the use of non-United States Government funds for advocacy and lobbying activities other than those that apply to United States nongovernmental organizations receiving assistance under this part.".

ORGANIZATION OF AMERICAN STATES

SEC. 7073. (a) The Secretary of State shall instruct the United States Permanent Representative to the Organization of American States (OAS) to use the voice and vote of the United States to: (1) implement budgetary reforms and efficiencies within the Organization; (2) eliminate arrears, increase other donor contributions, and impose penalties for successive late payment of assessments; (3) prevent programmatic and organizational redundancies and consolidate duplicative activities and functions; (4) prioritize areas in which the OAS has exper-

tise, such as strengthening democracy, monitoring electoral processes, and protecting human rights; and (5) implement reforms within the Office of the Inspector General (OIG) to ensure the OIG has the necessary leadership, integrity, professionalism, independence, policies, and procedures to properly carry out its responsibilities in a manner that meets or exceeds best practices in the United States.

(b) Prior to the obligation of funds appropriated by this Act and made available for an assessed contribution to the Organization of American States, but not later than 90 days after the date of enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations on actions taken or planned to be taken pursuant to subsection (a) that are in addition to actions taken during the preceding fiscal year, and the results of such actions.

MULTILATERAL DEVELOPMENT BANKS

SEC. 7074. (a) INTERNATIONAL DEVELOPMENT ASSOCIATION TWENTIETH REPLENISHMENT.—The International Development Association Act, Public Law 86–565, as amended (22 U.S.C. 284 et seq.), is further amended by adding at the end thereof the following new section:

"SEC. 32. TWENTIETH REPLENISHMENT.

''(a) IN GENERAL.—The United States Governor of the International Development Association is authorized to contribute on behalf of the United States $3,500,000,000 to the twentieth replenishment of the resources of the Association, subject to obtaining the necessary appropriations.

''(b) AUTHORIZATION OF APPROPRIATIONS.—In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, $3,500,000,000 for payment by the Secretary of the Treasury.''.

(b) ASIAN DEVELOPMENT FUND TWELFTH REPLENISHMENT.—The Asian Development Bank Act, Public Law 89–369, as amended, (22 U.S.C. 285 et seq.), is further amended by adding at the end thereof the following new section:

"SEC. 37. TWELFTH REPLENISHMENT.

''(a) The United States Governor of the Bank is authorized to contribute, on behalf of the United States, $177,440,000 to the twelfth replenishment of the resources of the Fund, subject to obtaining the necessary appropriations.

''(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation,

$177,440,000 for payment by the Secretary of the Treasury.''.

CONSULAR NOTIFICATION COMPLIANCE

SEC. 7075. (a) PETITION FOR REVIEW.—

(1) JURISDICTION.—Notwithstanding any other provision of law, a Federal court shall have jurisdiction to review the merits of a petition claiming violation of Article 36(1)(b) or (c) of the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, or a comparable provision of a bilateral international agreement addressing consular notification and access, filed by an individual convicted and sentenced to death by any Federal or State court before the date of enactment of this Act.

(2) STANDARD.—To obtain relief, an individual described in paragraph (1) must make a showing of actual prejudice to the criminal conviction or sentence as a result of the violation. The court may conduct an evidentiary hearing if necessary to supplement the record and, upon a finding of actual prejudice, shall order a new trial or sentencing proceeding.

(3) LIMITATIONS.—

(A) INITIAL SHOWING.—To qualify for review under this subsection, a petition must make an initial showing that—

(i) a violation of Article 36(1)(b) or (c) of the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, or a comparable provision of a bilateral international agreement addressing consular notification and access, occurred with respect to the individual described in paragraph (1); and

(ii) if such violation had not occurred, the consulate would have provided assistance to the individual.

(B) EFFECT OF PRIOR ADJUDICATION.—A petition for review under this subsection shall not be granted if the claimed violation described in paragraph (1) has previously been adjudicated on the merits by a Federal or State court of competent jurisdiction in a proceeding in which no Federal or State procedural bars were raised with respect to such violation and in which the court provided review equivalent to the review provided in this subsection, unless the adjudication of the claim resulted in a deci-

sion that was based on an unreasonable determination of the facts in light of the evidence presented in the prior Federal or State court proceeding.

(C) FILING DEADLINE.—A petition for review under this subsection shall be filed within 1 year of the later of—

(i) the date of enactment of this Act;

(ii) the date on which the Federal or State court judgment against the individual described in paragraph (1) became final by the conclusion of direct review or the expiration of the time for seeking such review; or

(iii) the date on which the impediment to filing a petition created by Federal or State action in violation of the Constitution or laws of the United States is removed, if the individual described in paragraph (1) was prevented from filing by such Federal or State action.

(D) TOLLING.—The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending

shall not be counted toward the 1-year period of limitation.

(E) TIME LIMIT FOR REVIEW.—A Federal court shall give priority to a petition for review filed under this subsection over all noncapital matters. With respect to a petition for review filed under this subsection and claiming only a violation described in paragraph (1), a Federal court shall render a final determination and enter a final judgment not later than 1 year after the date on which the petition is filed.

(4) HABEAS PETITION.—A petition for review under this subsection shall be part of the first Federal habeas corpus application or motion for Federal collateral relief under chapter 153 of title 28, United States Code, filed by an individual, except that if an individual filed a Federal habeas corpus application or motion for Federal collateral relief before the date of enactment of this Act or if such application is required to be filed before the date that is 1 year after the date of enactment of this Act, such petition for review under this subsection shall be filed not later than 1 year after the enactment date or within the period prescribed by paragraph (3)(C)(iii), whichever is later. No petition filed in conformity with the re-

quirements of the preceding sentence shall be considered a second or successive habeas corpus application or subjected to any bars to relief based on preenactment proceedings other than as specified in paragraph (2).

(5) REFERRAL TO MAGISTRATE.—A Federal court acting under this subsection may refer the petition for review to a Federal magistrate for proposed findings and recommendations pursuant to 28 U.S.C. 636(b)(1)(B).

(6) APPEAL.—

(A) IN GENERAL.—A final order on a petition for review under paragraph (1) shall be subject to review on appeal by the court of appeals for the circuit in which the proceeding is held.

(B) APPEAL BY PETITIONER.—An individual described in paragraph (1) may appeal a final order on a petition for review under paragraph (1) only if a district or circuit judge issues a certificate of appealability. A district or circuit court judge shall issue or deny a certificate of appealability not later than 30 days after an application for a certificate of appealability is filed. A district judge or circuit

judge may issue a certificate of appealability under this subparagraph if the individual has made a substantial showing of actual prejudice to the criminal conviction or sentence of the individual as a result of a violation described in paragraph (1).

(b) VIOLATION.—

(1) IN GENERAL.—An individual not covered by subsection (a) who is arrested, detained, or held for trial on a charge that would expose the individual to a capital sentence if convicted may raise a claim of a violation of Article 36(1)(b) or (c) of the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, or of a comparable provision of a bilateral international agreement addressing consular notification and access, at a reasonable time after the individual becomes aware of the violation, before the court with jurisdiction over the charge. Upon a finding of such a violation—

(A) the consulate of the foreign state of which the individual is a national shall be notified immediately by the detaining authority, and consular access to the individual shall be afforded in accordance with the provisions of the Vienna Convention on Consular Relations,

done at Vienna April 24, 1963, or the comparable provisions of a bilateral international agreement addressing consular notification and access; and

(B) the court—

(i) shall postpone any proceedings to the extent the court determines necessary to allow for adequate opportunity for consular access and assistance; and

(ii) may enter necessary orders to facilitate consular access and assistance.

(2) EVIDENTIARY HEARINGS.—The court may conduct evidentiary hearings if necessary to resolve factual issues.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to create any additional remedy.

(c) DEFINITIONS.—In this section the term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(d) APPLICABILITY.—The provisions of this section shall apply during the current fiscal year and each fiscal year thereafter.

TITLE VIII

EMERGENCY GLOBAL HEALTH SECURITY SUPPLEMENTAL APPROPRIATIONS

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH PROGRAMS

For an additional amount for ''Global Health Programs'', $950,000,000, to remain available until expended, for programs to strengthen global health security and pandemic preparedness: *Provided,* That not less than $400,000,000 shall be apportioned directly to the United States Agency for International Development, of which $200,000,000 shall be made available to strengthen the global health workforce and related health systems capacities: *Provided further,* That up to $550,000,000 may be made available for a contribution to a financial intermediary fund for pandemic preparedness and global health security: *Provided further,* That $100,000,000 shall be made available for a contribution to the Coalition for Epidemic Preparedness Innovations: *Provided further,* That not less than $100,000,000 shall be made available for the Emergency Reserve Fund established pursuant to section 7058(c)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31), which shall be made

available under the same terms and conditions of such section: *Provided further,* That funds made available in this title shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

GENERAL PROVISIONS—THIS TITLE

SEC. 8001. Each amount appropriated or made available by this title is in addition to amounts otherwise appropriated for fiscal year 2023.

SEC. 8002. No part of any appropriation contained in this title shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 8003. Unless otherwise provided for by this title, the additional amounts appropriated by this title to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for funds appropriated in fiscal year 2023.

SEC. 8004. Each amount made available by this title is designated by the Congress as being for an emergency requirement pursuant to section 4001(a)(1) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and section 1(e) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022.

TITLE IX

EMERGENCY CORONAVIRUS RESPONSE SUPPLEMENTAL APPROPRIATIONS

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2022, and for other purposes, namely:

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC PROGRAMS

For an additional amount for ''Diplomatic Programs'', $15,000,000, to remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'', $35,000,000, to remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH PROGRAMS

For an additional amount for ''Global Health Programs'', $4,875,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus: *Provided,* That funds may be made available as contributions, including to the Global Fund to Fight AIDS, Tuberculosis, and Malaria, and to The GAVI Alliance: *Provided further,* That any contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria made pursuant to the preceding proviso shall be made available notwithstanding section 202(d)(4)(A)(i) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7622(d)(4)(A)(i)), and such contribution shall not be considered a contribution for the purpose of applying such section 202(d)(4)(A)(i).

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for ''Migration and Refugee Assistance'', $75,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, and for humanitarian needs.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Each amount appropriated or made available by this title is in addition to amounts otherwise appropriated for fiscal year 2022.

SEC. 9002. No part of any appropriation contained in this title shall remain available for obligation beyond fiscal year 2022 unless expressly so provided herein.

SEC. 9003. Unless otherwise provided for by this title, the additional amounts appropriated by this title to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for funds appropriated in fiscal year 2022.

SEC. 9004. The reporting requirement provided by section 406(b) of the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (division A of Public Law 116–123) shall apply to funds appropriated by this title, except that such section 406(b) shall be applied to such funds by substituting ''September 30, 2023'' for ''September 30, 2022''.

SEC. 9005. This title shall become effective immediately upon enactment of this Act.

SEC. 9006. If this Act is enacted after September 30, 2022, this title shall be applied as if it were in effect on September 30, 2022.

SEC. 9007. Each amount made available by this title is designated by the Congress as being for an emergency requirement pursuant to section 4001(a)(1) and section 4001(b) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022.

SEC. 9008. In this title, the term ''coronavirus'' means SARS–CoV–2 or another coronavirus with pandemic potential.

This Act may be cited as the ''Department of State, Foreign Operations, and Related Programs Appropriations Act, 2023''.

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