

118TH CONGRESS
1ST SESSION

H. R. 6727

To establish the United States Foundation for International Conservation to promote long-term management of protected and conserved areas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 2023

Mr. McCAUL (for himself, Mr. COLE, Mr. MEEKS, Mr. JOYCE of Ohio, Ms. MCCOLLUM, Mr. HUDSON, Mr. CUELLAR, Mr. GARAMENDI, Mr. RESCHENTHALER, Ms. WILD, Mr. KEAN of New Jersey, and Ms. KAMLAGER-DOVE) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To establish the United States Foundation for International Conservation to promote long-term management of protected and conserved areas, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “United States Founda-
5 tion for International Conservation Act of 2023”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on Appropriations of
5 the Senate;

6 (B) the Committee on Foreign Relations of
7 the Senate;

8 (C) the Committee on Appropriations of
9 the House of Representatives; and

10 (D) the Committee on Foreign Affairs of
11 the House of Representatives.

12 (2) BOARD.—The term “Board” means the
13 Board of Directors established pursuant to section
14 4(a).

15 (3) DIRECTOR.—The term “Director” means—

16 (A) an initial member of the Board ap-
17 pointed pursuant to section 4(a)(2)(C); or

18 (B) a member of the Board selected to fill
19 a vacancy pursuant to section 4(a)(3)(B).

20 (4) ELIGIBLE COUNTRY.—The term “eligible
21 country” means any of the countries described in
22 section 7(b).

23 (5) ELIGIBLE PROJECT.—The term “eligible
24 project” means any of the projects described in sec-
25 tion 7(a)(2).

1 (6) EXECUTIVE DIRECTOR.—The term “Execu-
2 tive Director” means the Executive Director of the
3 Foundation hired pursuant to section 4(b).

4 (7) FOUNDATION.—The term “Foundation”
5 means the United States Foundation for Inter-
6 national Conservation established pursuant to sec-
7 tion 3(a).

8 (8) SECRETARY.—The term “Secretary” means
9 the Secretary of State.

10 **SEC. 3. UNITED STATES FOUNDATION FOR INTERNATIONAL**
11 **CONSERVATION.**

12 (a) ESTABLISHMENT.—

13 (1) IN GENERAL.—There is established the
14 United States Foundation for International Con-
15 servation (in this Act referred to as the “Founda-
16 tion”). The Foundation is a charitable and nonprofit
17 corporation.

18 (2) TERMINATION OF OPERATIONS.—The
19 Foundation shall terminate operations on the date
20 that is 10 years after the date on which it is estab-
21 lished pursuant to paragraph (1), in accordance
22 with—

23 (A) a plan for winding down the activities
24 of the Foundation that the Board shall submit
25 to the appropriate congressional committees not

1 later than 180 days before such termination
2 date; and

3 (B) the bylaws established pursuant to sec-
4 tion 4(a)(9).

5 (b) PURPOSES.—The purposes of the Foundation
6 are—

7 (1) to provide grants for the management of
8 priority protected and conserved areas that have a
9 high degree of biodiversity or species and ecosystems
10 of significant importance;

11 (2) to promote effective, long-term management
12 of protected and conserved areas and their contig-
13 uous buffer zones in eligible countries;

14 (3) to advocate for, incentivize, accept, and ad-
15 minister governmental and nongovernmental funds,
16 including donations from the private sector, to in-
17 crease the availability and predictability of financing
18 for long-term management of protected and con-
19 served areas;

20 (4) to close critical gaps in public international
21 conservation efforts by—

22 (A) increasing private sector investment,
23 including investments from philanthropic enti-
24 ties; and

1 (B) collaborating with partners providing
2 bilateral and multilateral financing to support
3 enhanced coordination;

4 (5) to identify and financially support imple-
5 mentation-ready projects—

6 (A) that promote long-term management
7 of protected and conserved areas and their con-
8 tiguous buffer zones in eligible countries, in-
9 cluding supporting the management of terres-
10 trial, coastal, freshwater, and marine protected
11 areas, parks, community conservancies, Indige-
12 nous reserves, conservation easements, and bio-
13 logical reserves; and

14 (B) that provide effective area-based con-
15 servation measures, consistent with internation-
16 ally recognized best practices and standards for
17 environmental and social safeguards; and

18 (6) to coordinate with, and otherwise support
19 and assist, foreign governments, private sector enti-
20 ties, local communities, Indigenous Peoples, and
21 other stakeholders in undertaking biodiversity con-
22 servation activities—

23 (A) to achieve sustainable biodiversity con-
24 servation outcomes; and

1 (B) to improve local security, governance,
2 food security, and economic opportunities.

3 **SEC. 4. GOVERNANCE OF THE FOUNDATION.**

4 (a) BOARD OF DIRECTORS.—

5 (1) GOVERNANCE.—The Foundation shall be
6 governed by a Board of Directors.

7 (2) COMPOSITION.—

8 (A) IN GENERAL.—The Board shall be
9 composed of—

10 (i) the Directors described in subpara-
11 graph (B); and

12 (ii) appointed Directors described in
13 subparagraph (C).

14 (B) DIRECTORS.—The following individ-
15 uals, or designees of such individuals, shall
16 serve as Directors:

17 (i) The Secretary of State.

18 (ii) The Administrator of the United
19 States Agency for International Develop-
20 ment.

21 (iii) The Secretary of the Interior.

22 (iv) The Chief of the United States
23 Forest Service.

24 (v) The Administrator of the National
25 Oceanic and Atmospheric Administration.

1 (C) APPOINTED DIRECTORS.—The Sec-
2 retary, in consultation with the other Directors
3 described in subparagraph (B), the Speaker and
4 minority leader of the House of Representa-
5 tives, and the majority and minority leader of
6 the Senate, shall appoint, as Directors of the
7 Board—

8 (i) 4 private-sector committed donors;

9 and

10 (ii) 5 independent experts who rep-
11 resent diverse points of view, to the max-
12 imum extent practicable.

13 (D) APPOINTMENT STRUCTURE.—There
14 shall be an appointment structure that applies
15 to directors in subsection (C) such that—

16 (i) the Speaker of the House of Rep-
17 resentatives after consultation with the
18 chair of the Committee on Foreign Affairs
19 of the House and the minority leader of
20 the House of Representatives after con-
21 sultation with the ranking member of the
22 Committee on Foreign Affairs of the
23 House shall each submit a list of five indi-
24 viduals to be considered by the Secretary
25 for appointment to the Board of Directors,

1 of which the Secretary shall appoint one
2 individual from each list submitted; and

3 (ii) the majority leader of the Senate
4 after consultation with the chair of the
5 Committee on Foreign Relations of the
6 Senate and the minority leader of the Sen-
7 ate after consultation with the ranking mi-
8 nority member of the Committee on For-
9 eign Relations of the Senate shall each
10 submit a list of individuals to be consid-
11 ered by the Secretary for appointment to
12 the Board of Directors, of which the Sec-
13 retary shall appoint one individual from
14 each list submitted.

15 (E) QUALIFICATIONS.—Each independent
16 expert appointed pursuant to subparagraph (C)
17 shall be knowledgeable and experienced in mat-
18 ters relating to—

19 (i) international development;

20 (ii) protected area management and
21 the conservation of global biodiversity, fish
22 and wildlife, ecosystem restoration, adapta-
23 tion, and resilience; and

24 (iii) grantmaking in support of inter-
25 national conservation.

1 (F) CHAIRPERSON.—The Board shall
2 elect, from among its Directors, a Chairperson,
3 who shall serve for a 2-year term.

4 (3) TERMS; VACANCIES.—

5 (A) TERMS.—

6 (i) IN GENERAL.—The term of service
7 of each Director appointed pursuant to
8 paragraph (2)(C) shall be not more than 5
9 years.

10 (ii) INITIAL APPOINTED DIRECTORS.—
11 Of the initial Directors appointed pursuant
12 to paragraph (2)(C)—

13 (I) 5 Directors, including at least
14 private-sector committed donors, shall
15 serve for 4 years; and

16 (II) 4 Directors shall serve for 5
17 years, as determined by the Chair-
18 person of the Board.

19 (B) VACANCIES.—Any vacancy in the
20 membership of the appointed Directors of the
21 Board—

22 (i) shall be filled in accordance with
23 the bylaws of the Foundation by a private
24 sector committed donor or an independent
25 expert who meets the qualifications de-

1 scribed in paragraph (2)(E), as cor-
2 responding to the vacating Director;

3 (ii) shall not affect the power of the
4 remaining appointed Directors to execute
5 the duties of the Board; and

6 (iii) shall be filled by an individual se-
7 lected by the Board.

8 (4) QUORUM.—A majority of the current mem-
9 bership of the Board shall constitute a quorum for
10 the transaction of Foundation business.

11 (5) MEETINGS.—

12 (A) IN GENERAL.—The Board shall meet
13 at the call of the Chairperson not less fre-
14 quently than annually.

15 (B) INITIAL MEETING.—Not later than 60
16 days after the Board is established pursuant to
17 section 3(a), the Secretary shall convene a
18 meeting of the ex-officio Directors and the ap-
19 pointed Directors of the Board to incorporate
20 the Foundation.

21 (C) REMOVAL.—Any Director who misses
22 3 consecutive regularly scheduled meetings may
23 be removed from the Board.

24 (6) REIMBURSEMENT OF EXPENSES.—Directors
25 of the Board shall serve without pay, but may be re-

1 imbursed for the actual and necessary traveling and
2 subsistence expenses incurred in the performance of
3 the duties of the Foundation. Such reimbursement
4 may only be made available for expenses incurred
5 outside the United States if at least two Directors
6 concurrently incurred such expenses.

7 (7) NOT FEDERAL EMPLOYEES.—Appointment
8 as a Director of the Board shall not constitute em-
9 ployment by, or the holding of an office of, the
10 United States for purposes of any Federal law.

11 (8) DUTIES.—The Board shall—

12 (A) establish bylaws for the Foundation in
13 accordance with paragraph (9);

14 (B) provide overall direction for the activi-
15 ties of the Foundation and establish priority ac-
16 tivities;

17 (C) carry out any other necessary activities
18 of the Foundation;

19 (D) evaluate the performance of the Exec-
20 utive Director;

21 (E) take steps to limit the Foundations ad-
22 ministrative expenses to the extent practicable;
23 and

24 (F) not less frequently than annually, con-
25 sult and coordinate with stakeholders qualified

1 to provide advice, assistance, and information
2 regarding effective protected and conserved
3 area management.

4 (9) BYLAWS.—

5 (A) IN GENERAL.—The bylaws established
6 pursuant to paragraph (8)(A) shall include—

7 (i) policies for the selection of Direc-
8 tors of the Board and officers, employees,
9 agents, and contractors of the Foundation;

10 (ii) policies, including ethical stand-
11 ards, for—

12 (I) the acceptance, solicitation,
13 and disposition of donations and
14 grants to the Foundation; and

15 (II) the disposition of assets of
16 the Foundation;

17 (iii) policies that subject all employ-
18 ees, fellows, trainees, and other agents of
19 the Foundation (including ex-officio Direc-
20 tors and appointed Directors of the Board)
21 to conflict of interest standards;

22 (iv) the specific duties of the Execu-
23 tive Director;

1 (v) policies for winding down the ac-
2 tivities of the Foundation upon its termi-
3 nation, including a plan—

4 (I) to return unspent appropria-
5 tions to the Department of the Treas-
6 ury; and

7 (II) to donate unspent private
8 and philanthropic contributions to
9 projects that align with the goals and
10 requirements described in section 7;
11 and

12 (vi) policies for vetting grantees to en-
13 sure the Foundation does not provide
14 grants to for-profit entities whose primary
15 objective is activity other than conserva-
16 tion.

17 (B) REQUIREMENTS.—The Board shall en-
18 sure that the bylaws of the Foundation and the
19 activities carried out under such bylaws do
20 not—

21 (i) reflect unfavorably on the ability of
22 the Foundation to carry out activities in a
23 fair and objective manner; or

24 (ii) compromise, or appear to com-
25 promise, the integrity of any governmental

1 agency or program, or any officer or em-
2 ployee employed by, or involved in, a gov-
3 ernmental agency or program.

4 (b) EXECUTIVE DIRECTOR.—The Board shall hire an
5 Executive Director of the Foundation, who shall serve, at
6 the pleasure of the Board, as the Chief Executive Officer
7 of the Foundation.

8 (c) FOUNDATION STAFF.—Officers and employees of
9 the Foundation—

10 (1) may not be employees of, or hold any office
11 in, the United States Government;

12 (2) shall be appointed without regard to the
13 provisions of—

14 (A) title 5, United States Code, governing
15 appointments in the competitive service; and

16 (B) chapter 51 and subchapter III of chap-
17 ter 53 of such title, relating to classification
18 and General Schedule pay rates; and

19 (3) may not receive a salary at a rate in excess
20 of 150 percent of the maximum rate of basic pay au-
21 thorized for positions at level I of the Executive
22 Schedule under section 5312 of title 5, United
23 States Code, for that fiscal year.

24 (d) LIMITATION AND CONFLICTS OF INTERESTS.—

1 (1) **POLITICAL PARTICIPATION.**—The Founda-
2 tion may not participate or intervene in any political
3 campaign on behalf of any candidate for public of-
4 fice in any country.

5 (2) **FINANCIAL INTERESTS.**—Any Director of
6 the Board or officer or employee of the Foundation
7 is prohibited from participating, directly or indi-
8 rectly, in the consideration or determination of any
9 question before the Foundation affecting—

10 (A) the financial interests of such Director,
11 officer, or employee; and

12 (B) the interests of any corporation, part-
13 nership, entity, or organization in which such
14 Director, officer, or employee has any fiduciary
15 obligation or direct or indirect financial inter-
16 est.

17 **SEC. 5. CORPORATE POWERS AND OBLIGATIONS OF THE**
18 **FOUNDATION.**

19 (a) **GENERAL AUTHORITY.**—

20 (1) **IN GENERAL.**—The Foundation—

21 (A) may conduct business throughout the
22 States, territories, and possessions of the
23 United States and in foreign countries;

24 (B) shall have its principal offices in the
25 Washington, DC, metropolitan area; and

1 (C) shall continuously maintain a des-
2 ignated agent in Washington, DC, who is au-
3 thorized to accept notice or service of process
4 on behalf of the Foundation.

5 (2) NOTICE AND SERVICE OF PROCESS.—The
6 serving of notice to, or service of process upon, the
7 agent referred to in paragraph (1)(C), or mailed to
8 the business address of such agent, shall be deemed
9 as service upon, or notice to, the Foundation.

10 (3) SEAL.—The Foundation shall have an offi-
11 cial seal, which shall be selected by the Board and
12 judicially noticed.

13 (b) AUTHORITIES.—In addition to powers explicitly
14 authorized under this Act, the Foundation, in order to
15 carry out the purposes described in section 3(b), shall have
16 the usual powers of a corporation headquartered in Wash-
17 ington, DC, including the authority—

18 (1) to accept, receive, solicit, hold, administer,
19 and use any gift, devise, or bequest, either absolutely
20 or in trust, or real or personal property or any in-
21 come derived from such gift or property, or other in-
22 terest in such gift or property located in the United
23 States;

24 (2) to acquire by donation, gift, devise, pur-
25 chase, or exchange any real or personal property or

1 interest in such property located in the United
2 States;

3 (3) unless otherwise required by the instrument
4 of transfer, to sell, donate, lease, invest, reinvest, re-
5 tain, or otherwise dispose of any property or income
6 derived from such property located in the United
7 States;

8 (4) to borrow money and issue bonds, debent-
9 ures, or other debt instruments;

10 (5) to complain and defend itself in any court
11 of competent jurisdiction (except that the Directors
12 of the Board shall not be personally liable, except for
13 gross negligence);

14 (6) to enter into contracts or other arrange-
15 ments with public agencies, private organizations,
16 and persons and to make such payments as may be
17 necessary to carry out the purposes of such con-
18 tracts or arrangements; and

19 (7) to award grants for eligible projects, in ac-
20 cordance with section 7.

21 (c) LIMITATION OF PUBLIC LIABILITY.—The United
22 States shall not be liable for any debts, defaults, acts, or
23 omissions of the Foundation.

1 **SEC. 6. SAFEGUARDS AND ACCOUNTABILITY.**

2 (a) SAFEGUARDS.—The Foundation shall develop,
3 and incorporate into any agreement for support provided
4 by the Foundation, appropriate safeguards, policies, and
5 guidelines, consistent with internationally recognized best
6 practices and standards for environmental and social safe-
7 guards.

8 (b) INDEPENDENT ACCOUNTABILITY MECHANISM.—

9 (1) IN GENERAL.—The Foundation shall estab-
10 lish a transparent and independent accountability
11 mechanism, which shall provide—

12 (A) a compliance review function that as-
13 sesses whether Foundation-supported projects
14 adhere to the requirements developed pursuant
15 to subsection (a);

16 (B) a dispute resolution function for re-
17 solving concerns between complainants and
18 project implementers regarding the impacts of
19 specific Foundation-supported projects with re-
20 spect to such standards; and

21 (C) an advisory function that reports to
22 the Foundation on projects, policies, and prac-
23 tices.

24 (2) DUTIES.—The accountability mechanism
25 shall—

1 (A) report annually to the Board and to
2 the appropriate congressional committees re-
3 garding the Foundation's compliance with inter-
4 nationally recognized best practices and stand-
5 ards in accordance with paragraph (1)(A);

6 (B)(i) have permanent staff to conduct
7 compliance reviews and dispute resolutions; or

8 (ii) maintain a roster of experts to
9 serve such roles, to the extent needed; and

10 (C) hold a public comment period lasting
11 not fewer than 60 days regarding the initial de-
12 sign of the accountability mechanism.

13 (c) INTERNAL ACCOUNTABILITY.—The Foundation
14 shall establish an ombudsman position at a senior level
15 of executive staff as a confidential, neutral source of infor-
16 mation and assistance to anyone affected by the activities
17 of the Foundation.

18 **SEC. 7. PROJECTS AND GRANTS.**

19 (a) PROJECT FUNDING REQUIREMENTS.—

20 (1) IN GENERAL.—The Foundation shall—

21 (A) provide grants to fund eligible projects
22 described in paragraph (2) that support its mis-
23 sion to provide long-term funding for the effec-
24 tive management of protected and conserved

1 areas and their contiguous buffer zones in eligi-
2 ble countries; and

3 (B) recognize the importance of a land-
4 scape or seascape approach to conservation that
5 includes buffer zones, wildlife dispersal and cor-
6 ridor areas, and other effective area-based con-
7 servation measures.

8 (2) ELIGIBLE PROJECTS.—Eligible projects
9 shall include projects that—

10 (A) focus on supporting—

11 (i) long-term management of pro-
12 tected or conserved areas and their contig-
13 uous buffer zones in countries described in
14 subsection (b), including terrestrial, coast-
15 al, and marine protected or conserved
16 areas, parks, community conservancies, In-
17 digenous reserves, conservation easements,
18 and biological reserves; and

19 (ii) other effective area-based con-
20 servation measures;

21 (B) are cost-matched at a ratio of 2 from
22 other sources to 1 from the United States Gov-
23 ernment;

24 (C) have host country and local population
25 support, as evidenced by a long-term binding

1 memorandum of understanding signed by the
2 host government that respects free, prior, and
3 informed consent of affected communities;

4 (D) incorporate a set of key performance
5 indicators;

6 (E) demonstrate robust local community
7 engagement, with the completion of appropriate
8 environmental and social due diligence, includ-
9 ing—

10 (i) free, prior, and informed consent
11 of Indigenous Peoples and prior consulta-
12 tion with relevant local communities;

13 (ii) equitable governance structures;
14 and

15 (iii) effective grievance mechanisms;

16 (F) create economic opportunities for local
17 communities, through activities such as—

18 (i) equity and profit-sharing;

19 (ii) employment activities; and

20 (iii) other economic growth activities;

21 (G) provide stable baseline funding for the
22 effective management of the protected or con-
23 served area project;

24 (H) are implementation-ready; and

1 (I) where possible, demonstrate a plan to
2 strengthen the capacity of, and transfer skills
3 to, local institutions to manage the protected or
4 conserved area before or after grant funding is
5 exhausted.

6 (b) ELIGIBLE COUNTRIES.—

7 (1) IN GENERAL.—Before awarding any grants
8 or entering into any project agreements for a given
9 fiscal year, the Board shall conduct a review to de-
10 termine candidate countries in which the Foundation
11 shall be eligible to fund projects to determine which
12 countries—

13 (A) are low-income, lower middle-income,
14 or upper-middle-income economies (as defined
15 by the International Bank for Reconstruction
16 and Development and the International Devel-
17 opment Association);

18 (B) have—

19 (i) a high degree of threatened or at
20 risk biological diversity; or

21 (ii) species or ecosystems of signifi-
22 cant importance, including threatened or en-
23 dangered species or ecosystems at risk of
24 degradation or destruction; and

1 (C) have demonstrated a commitment to
2 conservation through actions, such as protecting
3 lands and waters through the gazettelement of
4 national parks, community conservancies, ma-
5 rine reserves and protected areas, forest re-
6 serves, or other legally recognized forms of
7 place-based conservation.

8 (2) IDENTIFICATION OF ELIGIBLE COUN-
9 TRIES.—Not later than 5 days after the date on
10 which the Board determines which countries are eli-
11 gible countries for a given fiscal year, the Executive
12 Director shall—

13 (A) submit a report to the appropriate con-
14 gressional committees that includes—

15 (i) a list of all such eligible countries
16 as determined through the review process
17 described in paragraph (1); and

18 (ii) a justification for such eligibility ;
19 and

20 (B) publish the information contained in
21 the report described in paragraph (A) in the
22 Federal Register.

23 (c) GRANTMAKING.—

24 (1) IN GENERAL.—In order to maximize its
25 program effects, the Foundation shall—

1 (A) coordinate with other international
2 public and private donors to the extent possible;

3 (B) seek additional financial and non-
4 financial contributions and commitments for its
5 projects from host governments;

6 (C) strive to generate a partnership men-
7 tality among all participants, including public
8 and private funders, host governments, local
9 protected areas authorities, and private and
10 nongovernmental organization partners; and

11 (D) prioritize investments in communities
12 with low levels of economic development to the
13 extent practicable.

14 (2) GRANT CRITERIA.—Foundation grants—

15 (A) shall fund the management of well-de-
16 fined protected or conserved areas and the sys-
17 tems of such conservation areas in eligible
18 countries;

19 (B) should provide adequate baseline fund-
20 ing for at least 10 years, indexed for inflation,
21 without replacing or duplicating existing base-
22 line funding, for each protected and conserved
23 area and the system that supports that area in
24 an amount sufficient to maintain the effective
25 management of the area over the long term;

1 (C) should, during the grant period, dem-
2 onstrate progress in achieving clearly identified
3 key performance indicators (as defined in the
4 grant agreement), which may include—

5 (i) the protection of biological diver-
6 sity;

7 (ii) the protection of native flora and
8 habitats, such as trees, forests, wetlands,
9 grasslands, mangroves, coral reefs, and sea
10 grass;

11 (iii) community-based economic
12 growth indicators, such as improved land
13 tenure, increases in beneficiaries partici-
14 pating in economic growth activities, and
15 sufficient income from conservation activi-
16 ties being directed to communities in
17 project areas;

18 (iv) improved management of the pro-
19 tected or conserved area covered by the
20 project, as documented through the sub-
21 mission of strategic plans or annual re-
22 ports to the Foundation; and

23 (v) the identification of additional rev-
24 enue sources or sustainable financing
25 mechanisms to meet the recurring costs of

1 management of the protected or conserved
2 areas; and

3 (D) may be terminated if the Board deter-
4 mines that the project is not meeting applicable
5 requirements under this Act or making progress
6 in achieving the key performance indicators de-
7 fined in the grant agreement.

8 **SEC. 8. PROHIBITION OF SUPPORT IN COUNTRIES THAT**
9 **SUPPORT TERRORISM OR VIOLATE HUMAN**
10 **RIGHTS AND OF SUPPORT FOR SANCTIONED**
11 **PERSONS.**

12 (a) IN GENERAL.—The Foundation may not provide
13 support for any government, or any entity owned or con-
14 trolled by a government, if the Secretary has determined
15 that such government—

16 (1) has repeatedly provided support for acts of
17 international terrorism, as determined under—

18 (A) section 1754(c)(1)(A)(i) of the Export
19 Control Reform Act of 2018 (22 U.S.C.
20 4813(c)(1)(A)(i));

21 (B) section 620A(a) of the Foreign Assist-
22 ance Act of 1961 (22 U.S.C. 2371(a));

23 (C) section 40(d) of the Arms Export Con-
24 trol Act (22 U.S.C. 2780(d)); or

25 (D) any other relevant provision of law; or

1 (2) has engaged in a consistent pattern of gross
2 violations of internationally recognized human
3 rights, as determined under section 116(a) or
4 502B(a)(2) of the Foreign Assistance Act of 1961
5 (22 U.S.C. 2151n(a) and 2304(a)(2)) or any other
6 relevant provision of law.

7 (b) PROHIBITION OF SUPPORT FOR SANCTIONED
8 PERSONS.—The Foundation may not engage in any deal-
9 ing prohibited under United States sanctions laws or regu-
10 lations, including dealings with persons on the list of spe-
11 cially designated persons and blocked persons maintained
12 by the Office of Foreign Assets Control of the Department
13 of the Treasury, except to the extent otherwise authorized
14 by the Secretary or by the Secretary of the Treasury.

15 (c) PROHIBITION OF SUPPORT FOR ACTIVITIES SUB-
16 JECT TO SANCTIONS.—The Foundation shall require any
17 person receiving support to certify that such person, and
18 any entity owned or controlled by such person, is in com-
19 pliance with all United States sanctions laws and regula-
20 tions.

21 **SEC. 9. ANNUAL REPORT.**

22 Not later than 360 days after the date of the enact-
23 ment of this Act, and annually thereafter while the Foun-
24 dation continues to operate, the Executive Director of the

1 Foundation shall submit a report to the appropriate con-
2 gressional committees that describes—

3 (1) the goals of the Foundation;

4 (2) the programs, projects, and activities sup-
5 ported by the Foundation;

6 (3) private and governmental contributions to
7 the Foundation; and

8 (4) the standardized criteria utilized to deter-
9 mine the programs and activities supported by the
10 Foundation, including baselines, targets, desired out-
11 comes, measurable goals, and extent to which those
12 goals are being achieved for each project.

13 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) **IN GENERAL.**—There are authorized to be appro-
15 priated to the Foundation \$1,000,000 for fiscal year 2024
16 and \$100,000,000 for each of the fiscal years 2025
17 through 2035 to carry out the purposes of this Act.

18 (b) **COST MATCHING REQUIREMENT.**—Amounts ap-
19 propriated pursuant to subsection (a) may only be made
20 available to grantees to the extent the Foundation or such
21 grantees secure funding for an eligible project from
22 sources other than the United States Government in an
23 amount that is not less than twice the amount received
24 in grants for such project pursuant to section 7.

1 (c) PROHIBITION ON USE OF GRANT AMOUNTS FOR
2 LOBBYING EXPENSES.—Amounts provided as a grant by
3 the Foundation shall not be used for any activity the pur-
4 pose of which is to influence legislation pending before the
5 United States Congress.

○