

TITLE VIII

NITA M. LOWEY MIDDLE EAST PARTNERSHIP FOR PEACE
ACT OF 2020Nita M. Lowey
Middle East
Partnership
for Peace Act
of 2020.

SHORT TITLE

SEC. 8001. This title may be cited as the “Nita M. Lowey Middle East Partnership for Peace Act of 2020”. 22 USC 2346d note.

FINDINGS

SEC. 8002. Congress finds the following:

(1) Economic development in conflict settings has been shown to support stabilization by empowering entrepreneurs, growing the middle class, and mitigating unemployment.

(2) In 2018, unemployment in the Palestinian territories was 32.4 percent. Gross Domestic Product (GDP) growth in the Palestinian territories declined from 2017 to 2019, and it is projected to further decline in 2020.

(3) According to the World Bank Ad Hoc Liaison Committee’s April 2019 Economic Monitoring Report, “to achieve sustainable economic growth, in the Palestinian territories, growth and job creation going forward will need to be private sector driven”.

(4) According to the 2018 Joint Strategic Plan of the Department of State and the United States Agency for International Development, “assistance can help prevent new recruitment to terrorist organizations, reduce levels of violence, promote legitimate governance structures that strengthen inclusion, and reduce policies that marginalize communities”.

(5) Although economic development is an important tool for stabilizing conflict-prone settings and establishing connections between communities, economic development by itself will not lead to lasting peace. People-to-people peace-building programs further advance reconciliation efforts by promoting greater understanding, mutual trust, and cooperation between communities.

(6) While the United States and its international partners continue to support diplomatic and political negotiations between the representatives of the parties to the Israeli-Palestinian conflict, such efforts require broad popular support among the people on the ground to succeed.

(7) Achieving sustainable, high-level agreements for lasting peace in the Middle East must come through, and with the support of, the people who live there, and the United States and its international partners can help the people of the region build popular support for sustainable agreements for lasting peace.

SENSE OF CONGRESS

SEC. 8003. It is the sense of Congress that—

(1) building a viable Palestinian economy is central to the effort to preserve the possibility of a negotiated settlement leading to a sustainable two-state solution with the democratic,

Jewish state of Israel and a demilitarized, democratic Palestinian state living side-by-side in peace, security, and mutual recognition;

(2) United States and international support for grassroots, people-to-people efforts aimed at fostering tolerance, and building support for such solution, can help counter extremist propaganda and the growing issue of incitement;

(3) strengthening engagement between Palestinians and Israelis, including through people-to-people peace-building programs can increase the bonds of friendship and understanding;

(4) investing in the development of the Palestinian economy and in joint economic ventures can advance multiple sectors to the benefit of local, regional, and global parties; and

(5) Congress encourages cooperation between Palestinian, American, and Israeli business sectors in order to benefit the Palestinian, American, and Israeli peoples and economies.

PEOPLE-TO-PEOPLE PARTNERSHIP FOR PEACE FUND

SEC. 8004. Chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.) is amended by adding at the end the following:

22 USC 2346d.

Effective date.

“SEC. 535 PEOPLE-TO-PEOPLE PARTNERSHIP FOR PEACE FUND.

“(a) ESTABLISHMENT.—Beginning on the date that is one year after the date of enactment of this section, the Administrator of the United States Agency for International Development is authorized to establish a program to provide funding for projects to help build the foundation for peaceful co-existence between Israelis and Palestinians and for a sustainable two-state solution. The program established under this subsection shall be known as the ‘People-to-People Partnership for Peace Fund’ (referred to in this section as the ‘Fund’).

“(b) ELIGIBILITY FOR SUPPORT.—In providing funding for projects through the Fund, the Administrator may provide support for qualified organizations, prioritizing those organizations that seek to build better cooperation between Israelis and Palestinians, including Palestinian organizations, Israeli organizations, and international organizations that bring Israelis and Palestinians together.

“(c) ADDITIONAL ELIGIBILITY FOR SUPPORT.—In providing funding for projects through the Fund, the Administrator may additionally provide support to qualified organizations that further shared community building, peaceful co-existence, dialogue, and reconciliation between Arab and Jewish citizens of Israel.

“(d) CONTRIBUTIONS.—The Administrator—

“(1) is encouraged to work with foreign governments and international organizations to leverage the impact of United States resources and achieve the objectives of this section; and

“(2) is authorized to accept contributions for the purposes of the Fund, consistent with subsection (d) of section 635.

“(e) ADVISORY BOARD.—

“(1) ESTABLISHMENT.—The Administrator shall establish an advisory board to make recommendations to the Administrator regarding the types of projects that should be considered for funding through the Fund.

“(2) MEMBERSHIP.—

Recommendations.

Appointments.
Time period.

“(A) IN GENERAL.—Subject to subparagraph (B), the advisory board shall be composed of 13 members, none of whom may be Members of Congress, who shall be appointed for renewable periods of 3 years, as follows:

“(i) One member to serve as chair, appointed by the Administrator, in consultation with the Secretary of State. Consultation.

“(ii) One member appointed by the chair, and one member appointed by the ranking member, of the Committee on Foreign Relations of the Senate.

“(iii) One member appointed by the chair, and one member appointed by the ranking member, of the Committee on Foreign Affairs of the House of Representatives.

“(iv) One member appointed by the chair, and one member appointed by the ranking member, of the Committee on Appropriations of the Senate.

“(v) One member appointed by the chair, and one member appointed by the ranking member, of the Committee on Appropriations of the House of Representatives.

“(vi) One member appointed by the majority leader, and one member appointed by the minority leader, of the Senate.

“(vii) One member appointed by the Speaker, and one member appointed by the minority leader, of the House of Representatives.

“(B) INTERNATIONAL PARTICIPATION.—The Administrator may appoint up to two additional members to the advisory board who are representatives of foreign governments or international organizations for renewable periods of 3 years.

“(C) QUALIFICATIONS.—Members of the advisory board shall have demonstrated regional expertise and experience and expertise in conflict mitigation and people-to-people programs, and shall not receive compensation on account of their service on the advisory board.

“(f) USAID MISSION RECOMMENDATIONS.—The Administrator shall consider the input and recommendations from missions of the United States Agency for International Development in the region and mission directors regarding projects that should be considered for funding through the Fund.

“(g) COORDINATION.—The Administrator shall coordinate with the Secretary of State in carrying out the provisions of this section.”.

JOINT INVESTMENT FOR PEACE INITIATIVE

SEC. 8005. (a) ESTABLISHMENT.—Beginning on the date that is 180 days after the date of the enactment of this Act, the Chief Executive Officer of the United States International Development Finance Corporation (referred to in this section as the “Chief Executive Officer” and the “Corporation”, respectively) is authorized to establish a program to provide investments in, and support to, entities that carry out projects that contribute to the development of the Palestinian private sector economy in the West Bank and Gaza. The program established under this subsection shall be known as the “Joint Investment for Peace Initiative” (referred to

Effective date.

in this section as the “Initiative”) and shall be subject to all existing terms, conditions, restrictions, oversight requirements, and applicable provisions of law, including the Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. 9611 et seq), including through strict adherence to the less-developed country focus under section 1412(c) of such Act.

(b) PARTICIPATION REQUIREMENT.—In carrying out the Initiative, the Chief Executive Officer shall ensure participation by small and medium-sized enterprises owned by Palestinians, which may include the technology sector, the agriculture sector, and other high value-added or emerging industries.

(c) PRIORITY.—In carrying out the Initiative, the Chief Executive Officer shall prioritize support to projects that increase economic cooperation between Israelis and Palestinians.

(d) USE OF EXISTING AUTHORITIES.—In carrying out the Initiative, the Chief Executive Officer shall utilize the authorities under section 1421 of the Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. 9621), including to—

- (1) select a manager of the Initiative;
- (2) oversee and direct the operation of the Initiative consistent with such Act and other provisions of law;
- (3) provide the Initiative with loans, guaranties, equity, and insurance, as appropriate, to enable the Initiative to attract private investment;
- (4) support the private sector in entering into joint ventures between Palestinian and Israeli entities; and
- (5) carry out the purposes of the Initiative consistent with the provisions of this section and other applicable provisions of law.

(e) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than December 31, 2021, and each December 31 thereafter until December 31, 2031, the Chief Executive Officer shall submit to the appropriate congressional committees a report that describes the following:

(A) The extent to which the Initiative has contributed to promoting and supporting Palestinian economic development.

(B) The extent to which the Initiative has contributed to greater integration of the Palestinian economy into the international rules-based business system.

(C) The extent to which projects that increase economic cooperation between Palestinians and Israelis and between Palestinians and Americans have been prioritized, including through support to the private sector to enter into joint ventures.

(D) Information on the following:

(i) Investments received and provided through the Initiative.

(ii) The mechanisms established for transparency and accountability of investments provided through the Initiative.

(E) The extent to which entities supported by the Initiative have impacted the efficacy of people-to-people programs.

(F) To the extent practicable, an assessment of the sustainability of commercial endeavors that receive support from the Initiative.

Termination
date.

Assessment.

(G) A description of the process for vetting and oversight of entities eligible for support from the Initiative to ensure compliance with the requirements of section 8006(b) of this Act.

(2) FORM.—The reports required under this subsection shall be submitted in unclassified form, without the designation “For Official Use Only” or any related or successor designation, but may be accompanied by a classified annex.

(f) TERMINATION.—

(1) IN GENERAL.—The Initiative shall terminate at the end of the fiscal year that is 10 years after the date on which the Chief Executive Officer makes the first investment under the Initiative.

(2) EXCEPTION.—The Chief Executive Officer is authorized to continue to manage investments made under the Initiative on and after the date specified in paragraph (1).

(g) COORDINATION.—The Chief Executive Officer shall coordinate with the Secretary of State and the Administrator of the United States Agency for International Development in carrying out the provisions of this section.

LIMITATIONS, VETTING, COORDINATION, AND OVERSIGHT

SEC. 8006. (a) LIMITATIONS.—None of the funds made available to carry out this title, or any amendment made by this title, may be used to provide—

(1) financial assistance to the national government of any foreign country;

(2) assistance for—

(A) any individual or group the Secretary of State determines to be involved in, or advocating, terrorist activity; or

(B) any individual who is a member of a foreign terrorist organization (as designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189)); or

(3) assistance for the Palestinian Authority or the Palestine Liberation Organization.

(b) APPLICABLE REGULATIONS.—Assistance made available under this title, and any amendment made by this title, shall adhere to the mission directives and vetting practices for assistance for the West Bank and Gaza, as set forth by the United States Agency for International Development.

(c) COORDINATION.—

(1) The Chief Executive Officer of the United States International Development Finance Corporation, acting through the Chief Development Officer of such Corporation, shall coordinate with the Administrator of the United States Agency for International Development and the Secretary of State to ensure that all expenditures from the Joint Investment for Peace Initiative comply with this section.

(2) To the extent practicable, the Administrator of the United States Agency for International Development and the Chief Executive Officer of the United States International Development Finance Corporation should coordinate and share information in advance of providing resources through the

Terrorism.
Determination.

Compliance.

People-to-People Partnership for Peace Fund and the Joint Investment for Peace Initiative.

(d) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the end of the first fiscal year in which both the People-to-People Partnership for Peace Fund and the Joint Investment for Peace Initiative are in effect, and annually thereafter, the Administrator of the United States Agency for International Development and the Chief Executive Officer of the United States International Development Finance Corporation shall, in coordination with the Secretary of State, jointly submit to the appropriate congressional committees a report in writing that describes—

(A)(i) lessons learned and best practices developed from funding for projects under the People-to-People Partnership for Peace Fund during the prior fiscal year; and

(ii) the extent to which such projects have contributed to the purposes of the People-to-People Partnership for Peace Fund;

(B)(i) lessons learned and best practices developed from investments provided under the Joint Investment for Peace Initiative during the prior fiscal year; and

(ii) the extent to which such investments have contributed to the purposes of the Joint Investment for Peace Initiative; and

(C) how the United States International Development Finance Corporation and the United States Agency for International Development coordinate and share information with respect to the People-to-People Partnership for Peace Fund and the Joint Investment for Peace Initiative.

(2) CONSULTATION.—The Administrator of the United States Agency for International Development, in consultation with the Secretary of State, shall consult with the advisory board established by subsection (e) of section 535 of the Foreign Assistance Act of 1961 (as added by section 8004 of this Act) to inform the reports required by paragraph (1).

APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED

SEC. 8007. In this title, the term “appropriate congressional committees” has the meaning given that term in section 1402 of the Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. 9601).

AUTHORIZATION OF APPROPRIATIONS

SEC. 8008. (a) IN GENERAL.—There is authorized to be appropriated to carry out this title, and the amendments made by this title, \$50,000,000 for each of the first 5 fiscal years beginning after the date of the enactment of this Act.

(b) CONSULTATION REQUIREMENT.—Not later than 90 days after enactment of this Act, and prior to the obligation of funds made available to implement this title, the Administrator of the United States Agency for International Development and the Chief Executive Officer of the United States International Development Finance Corporation, in coordination with the Secretary of State, shall consult with the Committees on Appropriations on the proposed uses of funds.

Deadline.
Coordination.

(c) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of amounts authorized to be appropriated by subsection (a) for a fiscal year should be made available for administrative expenses to carry out section 535 of the Foreign Assistance Act of 1961 (as added by section 8004 of this Act).

(d) AVAILABILITY.—Amounts authorized to be appropriated by subsection (a) for a fiscal year are authorized to remain available for such fiscal year and the subsequent 4 fiscal years.

Time period.

TITLE IX

EMERGENCY FUNDING AND OTHER MATTERS

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

CONSULAR AND BORDER SECURITY PROGRAMS

For an additional amount for “Consular and Border Security Programs”, \$300,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, which shall be for offsetting losses resulting from the coronavirus pandemic of fees and surcharges collected and deposited into the account pursuant to section 7081 of division J of Public Law 115–31: *Provided*, That funds made available under this heading in this Act shall be in addition to any other funds made available for this purpose: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SUDAN CLAIMS

For necessary expenses to carry out section 7 of the Sudan Claims Resolution Act, notwithstanding any other provision of law, \$150,000,000, to remain available until expended: *Provided*, That any unexpended balances remaining following the distributions described in section 7(b)(1) of the Sudan Claims Resolution Act that are determined by the Secretary of State, not later than September 30, 2030, and at the close of each fiscal year thereafter, to be excess to the needs of such distributions, shall be returned to the general fund of the Treasury: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Determination.
Deadline.
28 USC 1605A
note.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH PROGRAMS

For an additional amount for “Global Health Programs”, \$4,000,000,000, to remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus, including for vaccine procurement and delivery: *Provided*, That such funds shall be administered by the Administrator of the United States Agency