

Calendar No. 368

117TH CONGRESS
2D SESSION**H. R. 7691**

IN THE SENATE OF THE UNITED STATES

MAY 11 (legislative day, MAY 10), 2022

Received; read the first time

MAY 11, 2022

Read the second time and placed on the calendar

AN ACT

Making emergency supplemental appropriations for assistance for the situation in Ukraine for the fiscal year ending September 30, 2022, 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 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2022, and for other pur-
6 poses, namely:

1 TITLE I
2 DEPARTMENT OF JUSTICE
3 GENERAL ADMINISTRATION
4 SALARIES AND EXPENSES
5 (INCLUDING TRANSFER OF FUNDS)

6 For an additional amount for “Salaries and Ex-
7 penses”, \$67,000,000, to remain available until expended,
8 for expenses authorized by section 524(e) of title 28,
9 United States Code, to respond to the situation in Ukraine
10 and for related expenses: *Provided*, That amounts pro-
11 vided under this heading in this Act may not be used to
12 increase the number of permanent positions: *Provided fur-*
13 *ther*, That amounts provided under this heading in this
14 Act may be transferred to, and merged with, other appro-
15 priation accounts of the Department of Justice, to respond
16 to the situation in Ukraine and for related expenses: *Pro-*
17 *vided further*, That amounts provided under this heading
18 in this Act may be used to investigate, seize, detain, for-
19 feit, inventory, safeguard, maintain, advertise, sell, or dis-
20 pose of any property, real or personal, tangible or intan-
21 gible, related to Russian aggression, including Russian ag-
22 gression toward Ukraine, or for any other necessary ex-
23 pense incident to the seizure, detention, forfeiture, or dis-
24 posal of such property: *Provided further*, That the authori-

1 ties included in the preceding proviso are in addition to
2 any other authority provided by law.

3 TITLE II

4 DEPARTMENT OF DEFENSE

5 MILITARY PERSONNEL

6 MILITARY PERSONNEL, ARMY

7 For an additional amount for “Military Personnel,
8 Army”, \$12,750,000, to remain available until September
9 30, 2022, to respond to the situation in Ukraine and for
10 related expenses, including for hardship duty pay.

11 MILITARY PERSONNEL, NAVY

12 For an additional amount for “Military Personnel,
13 Navy”, \$37,500, to remain available until September 30,
14 2022, to respond to the situation in Ukraine and for re-
15 lated expenses, including for hardship duty pay.

16 MILITARY PERSONNEL, MARINE CORPS

17 For an additional amount for “Military Personnel,
18 Marine Corps”, \$675,000, to remain available until Sep-
19 tember 30, 2022, to respond to the situation in Ukraine
20 and for related expenses, including for hardship duty pay.

21 MILITARY PERSONNEL, AIR FORCE

22 For an additional amount for “Military Personnel,
23 Air Force”, \$1,590,000, to remain available until Sep-
24 tember 30, 2022, to respond to the situation in Ukraine
25 and for related expenses, including for hardship duty pay.

1 OPERATION AND MAINTENANCE

2 OPERATION AND MAINTENANCE, ARMY

3 For an additional amount for “Operation and Main-
4 tenance, Army”, \$1,493,532,000, to remain available until
5 September 30, 2022, to respond to the situation in
6 Ukraine and for related expenses.

7 OPERATION AND MAINTENANCE, NAVY

8 For an additional amount for “Operation and Main-
9 tenance, Navy”, \$939,779,000, to remain available until
10 September 30, 2022, to respond to the situation in
11 Ukraine and for related expenses.

12 OPERATION AND MAINTENANCE, AIR FORCE

13 For an additional amount for “Operation and Main-
14 tenance, Air Force”, \$195,262,000, to remain available
15 until September 30, 2022, to respond to the situation in
16 Ukraine and for related expenses.

17 OPERATION AND MAINTENANCE, SPACE FORCE

18 For an additional amount for “Operation and Main-
19 tenance, Space Force”, \$800,000, to remain available
20 until September 30, 2022, to respond to the situation in
21 Ukraine and for related expenses.

22 OPERATION AND MAINTENANCE, DEFENSE-WIDE

23 (INCLUDING TRANSFER OF FUNDS)

24 For an additional amount for “Operation and Main-
25 tenance, Defense-Wide”, \$15,256,824,000, to remain

1 available until September 30, 2022, to respond to the situ-
2 ation in Ukraine and for related expenses: *Provided*, That
3 of the total amount provided under this heading in this
4 Act, \$6,000,000,000, to remain available until September
5 30, 2023, shall be for the Ukraine Security Assistance Ini-
6 tiative: *Provided further*, That such funds for the Ukraine
7 Security Assistance Initiative shall be available to the Sec-
8 retary of Defense under the same terms and conditions
9 as are provided for in section 8139 of the Department of
10 Defense Appropriations Act, 2022 (division C of Public
11 Law 117–103): *Provided further*, That of the total amount
12 provided under this heading in this Act, up to
13 \$9,050,000,000, to remain available until September 30,
14 2023, may be transferred to accounts under the headings
15 “Operation and Maintenance” and “Procurement” for re-
16 placement of defense articles from the stocks of the De-
17 partment of Defense, and for reimbursement for defense
18 services of the Department of Defense and military edu-
19 cation and training, provided to the Government of
20 Ukraine or to foreign countries that have provided support
21 to Ukraine at the request of the United States: *Provided*
22 *further*, That funds transferred pursuant to the preceding
23 proviso shall be merged with and available for the same
24 purposes and for the same time period as the appropria-
25 tions to which the funds are transferred: *Provided further*,

1 That the Secretary of Defense shall notify the congres-
2 sional defense committees of the details of such transfers
3 not less than 15 days before any such transfer: *Provided*
4 *further*, That upon a determination that all or part of the
5 funds transferred from this appropriation are not nec-
6 essary for the purposes provided herein, such amounts
7 may be transferred back and merged with this appropria-
8 tion: *Provided further*, That the transfer authority pro-
9 vided herein is in addition to any other transfer authority
10 provided by law.

11 PROCUREMENT

12 MISSILE PROCUREMENT, ARMY

13 For an additional amount for “Missile Procurement,
14 Army”, \$350,970,000, to remain available until Sep-
15 tember 30, 2024, to respond to the situation in Ukraine
16 and for related expenses.

17 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

18 VEHICLES, ARMY

19 For an additional amount for “Procurement of Weap-
20 ons and Tracked Combat Vehicles, Army”, \$255,000, to
21 remain available until September 30, 2024, to respond to
22 the situation in Ukraine and for related expenses.

23 PROCUREMENT OF AMMUNITION, ARMY

24 For an additional amount for “Procurement of Am-
25 munition, Army”, \$45,000, to remain available until Sep-

1 tember 30, 2024, to respond to the situation in Ukraine
2 and for related expenses.

3 OTHER PROCUREMENT, ARMY

4 For an additional amount for “Other Procurement,
5 Army”, \$113,440,000, to remain available until Sep-
6 tember 30, 2024, to respond to the situation in Ukraine
7 and for related expenses.

8 OTHER PROCUREMENT, NAVY

9 For an additional amount for “Other Procurement,
10 Navy”, \$1,250,000, to remain available until September
11 30, 2024, to respond to the situation in Ukraine and for
12 related expenses.

13 AIRCRAFT PROCUREMENT, AIR FORCE

14 For an additional amount for “Aircraft Procurement,
15 Air Force”, \$28,500,000, to remain available until Sep-
16 tember 30, 2024, to respond to the situation in Ukraine
17 and for related expenses.

18 OTHER PROCUREMENT, AIR FORCE

19 For an additional amount for “Other Procurement,
20 Air Force”, \$155,382,000, to remain available until Sep-
21 tember 30, 2024, to respond to the situation in Ukraine
22 and for related expenses.

23 PROCUREMENT, DEFENSE-WIDE

24 For an additional amount for “Procurement, De-
25 fense-Wide”, \$24,218,000, to remain available until Sep-

1 tember 30, 2024, to respond to the situation in Ukraine
2 and for related expenses.

3 DEFENSE PRODUCTION ACT PURCHASES

4 For an additional amount for “Defense Production
5 Act Purchases”, \$600,000,000, to remain available until
6 expended, to respond to the situation in Ukraine and for
7 related expenses.

8 RESEARCH, DEVELOPMENT, TEST AND
9 EVALUATION

10 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
11 ARMY

12 For an additional amount for “Research, Develop-
13 ment, Test and Evaluation, Army”, \$128,700,000, to re-
14 main available until September 30, 2023, to respond to
15 the situation in Ukraine and for related expenses.

16 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
17 NAVY

18 For an additional amount for “Research, Develop-
19 ment, Test and Evaluation, Navy”, \$43,000,000, to re-
20 main available until September 30, 2023, to respond to
21 the situation in Ukraine and for related expenses.

22 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
23 AIR FORCE

24 For an additional amount for “Research, Develop-
25 ment, Test and Evaluation, Air Force”, \$119,815,000, to

1 remain available until September 30, 2023, to respond to
2 the situation in Ukraine and for related expenses.

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
4 DEFENSE-WIDE

5 For an additional amount for “Research, Develop-
6 ment, Test and Evaluation, Defense-Wide”, \$72,103,000,
7 to remain available until September 30, 2023, to respond
8 to the situation in Ukraine and for related expenses.

9 REVOLVING AND MANAGEMENT FUNDS
10 DEFENSE WORKING CAPITAL FUNDS

11 For an additional amount for “Defense Working
12 Capital Funds”, \$965,000, to remain available until Sep-
13 tember 30, 2022, to respond to the situation in Ukraine
14 and for related expenses.

15 OTHER DEPARTMENT OF DEFENSE PROGRAMS
16 DEFENSE HEALTH PROGRAM

17 For an additional amount for “Defense Health Pro-
18 gram”, \$13,900,000, to remain available until September
19 30, 2022, which shall be for operation and maintenance
20 to respond to the situation in Ukraine and for related ex-
21 penses.

22 GENERAL PROVISIONS—THIS TITLE
23 (INCLUDING TRANSFERS OF FUNDS)

24 SEC. 201. In addition to any other funds made avail-
25 able for such purposes, \$500,000,000 is hereby appro-

1 priated for an additional amount for the Department of
2 Defense and made available for transfer to “Missile Pro-
3 curement, Army”, “Procurement of Ammunition, Navy
4 and Marine Corps”, “Weapons Procurement, Navy”,
5 “Missile Procurement, Air Force”, and “Procurement of
6 Ammunition, Air Force”, only for the procurement of crit-
7 ical munitions to increase stocks of the Department of De-
8 fense: *Provided*, That none of the funds provided under
9 this section in this Act may be obligated or expended until
10 60 days after the Secretary of Defense provides to the con-
11 gressional defense committees an execution plan: *Provided*
12 *further*, That not less than 30 days prior to any transfer
13 of funds, the Secretary of Defense shall notify the congres-
14 sional defense committees of the details of any such trans-
15 fer: *Provided further*, That upon transfer, the funds shall
16 be merged with and be available for the same purposes,
17 and for the same time period, as the appropriation to
18 which transferred: *Provided further*, That the transfer au-
19 thority provided under this section is in addition to any
20 other transfer authority provided by law.

21 SEC. 202. In addition to any other funds made avail-
22 able for such purposes, \$50,000,000 is hereby appro-
23 priated for an additional amount for the Department of
24 Defense and made available for transfer to “Research, De-
25 velopment, Test and Evaluation, Defense-Wide”, only to

1 develop program protection strategies for Department of
2 Defense systems identified for possible future export, to
3 design and incorporate exportability features into such
4 systems during the research and development phases of
5 such systems, and to integrate design features that en-
6 hance interoperability of such systems with those of
7 friendly foreign countries: *Provided*, That none of the
8 funds provided under this section in this Act may be obli-
9 gated or expended until 60 days after the Secretary of De-
10 fense provides to the congressional defense committees an
11 execution plan: *Provided further*, That not less than 30
12 days prior to any transfer of funds, the Secretary of De-
13 fense shall notify the congressional defense committees of
14 the details of any such transfer: *Provided further*, That
15 upon transfer, the funds shall be merged with and be
16 available for the same purposes, and for the same time
17 period, as the appropriation to which transferred: *Pro-*
18 *vided further*, That the transfer authority provided under
19 this section is in addition to any other transfer authority
20 provided by law.

21 SEC. 203. During fiscal year 2022, section 331(g)(1)
22 of title 10, United States Code, shall be applied by sub-
23 stituting “\$950,000,000” for “\$450,000,000”.

24 SEC. 204. The Inspector General of the Department
25 of Defense shall carry out reviews of the activities of the

1 Department of Defense to execute funds appropriated in
2 this title, including assistance provided to Ukraine: *Pro-*
3 *vided*, That the Inspector General shall provide to the con-
4 gressional defense committees a written report not later
5 than 120 days after the date of enactment of this Act.

6 SEC. 205. Not later than 45 days after the date of
7 enactment of this Act, the Secretary of Defense, in coordi-
8 nation with the Secretary of State, shall submit a report
9 to the Committees on Appropriations, Armed Services,
10 and Foreign Affairs of the House of Representatives and
11 the Committees on Appropriations, Armed Services, and
12 Foreign Relations of the Senate on measures being taken
13 to account for United States defense articles designated
14 for Ukraine since the February 24, 2022, Russian inva-
15 sion of Ukraine, particularly measures with regard to such
16 articles that require enhanced end-use monitoring; meas-
17 ures to ensure that such articles reach their intended re-
18 cipients and are used for their intended purposes; and any
19 other measures to promote accountability for the use of
20 such articles.

21 SEC. 206. Not later than 30 days after the date of
22 enactment of this Act, and every 30 days thereafter
23 through fiscal year 2023, the Secretary of Defense, in co-
24 ordination with the Secretary of State, shall provide a
25 written report to the Committees on Appropriations,

1 Armed Services, and Foreign Affairs of the House of Rep-
2 resentatives and the Committees on Appropriations,
3 Armed Services, and Foreign Relations of the Senate de-
4 scribing United States security assistance provided to
5 Ukraine since the February 24, 2022, Russian invasion
6 of Ukraine, including a comprehensive list of the defense
7 articles and services provided to Ukraine and the associ-
8 ated authority and funding used to provide such articles
9 and services: *Provided*, That such report shall be sub-
10 mitted in unclassified form, but may be accompanied by
11 a classified annex.

12 TITLE III

13 INDEPENDENT AGENCIES

14 NUCLEAR REGULATORY COMMISSION

15 SALARIES AND EXPENSES

16 For an additional amount for “Salaries and Ex-
17 penses”, \$2,000,000, to remain available until expended,
18 to provide regulatory and technical support related to the
19 situation in Ukraine: *Provided*, That, notwithstanding sec-
20 tion 102 of the Nuclear Energy Innovation and Mod-
21 ernization Act (42 U.S.C. 2215), such amount shall not
22 be derived from fee revenue.

1 TITLE IV
2 DEPARTMENT OF HEALTH AND HUMAN
3 SERVICES
4 CENTERS FOR DISEASE CONTROL AND PREVENTION
5 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT
6 For an additional amount for “CDC-Wide Activities
7 and Program Support”, \$54,000,000, to remain available
8 until September 30, 2023, for carrying out public health
9 and disease detection activities related to the situation in
10 Ukraine, and for medical support, screening, and other
11 public health activities related to populations displaced
12 from Ukraine, both domestically and internationally.

13 ADMINISTRATION FOR CHILDREN AND FAMILIES
14 REFUGEE AND ENTRANT ASSISTANCE
15 For an additional amount for “Refugee and Entrant
16 Assistance”, \$900,000,000, to remain available until Sep-
17 tember 30, 2023, for carrying out refugee and entrant as-
18 sistance activities in support of citizens or nationals of
19 Ukraine, or a person who last habitually resided in
20 Ukraine, for whom such refugee and entrant assistance
21 activities are authorized: *Provided*, That amounts made
22 available under this heading in this Act may be used for
23 grants or contracts with qualified organizations, including
24 nonprofit entities, to provide culturally and linguistically
25 appropriate services, including wrap-around services,

1 housing assistance, medical assistance, legal assistance,
2 and case management assistance: *Provided further*, That
3 amounts made available under this heading in this Act
4 may be used by the Director of the Office of Refugee Re-
5 settlement (Director) to issue awards or supplement
6 awards previously made by the Director: *Provided further*,
7 That the Director, in carrying out section 412(c)(1)(A)
8 of the Immigration and Nationality Act (8 U.S.C.
9 1522(c)(1)(A)) with amounts made available under this
10 heading in this Act, may allocate such amounts among the
11 States in a manner that accounts for the most current
12 data available.

13 GENERAL PROVISION—THIS TITLE

14 SEC. 401. (a) IN GENERAL.—Notwithstanding any
15 other provision of law, a citizen or national of Ukraine
16 (or a person who last habitually resided in Ukraine) shall
17 be eligible for the benefits described in subsection (b) if—

18 (1) such individual completed security and law
19 enforcement background checks to the satisfaction of
20 the Secretary of Homeland Security and was subse-
21 quently—

22 (A) paroled into the United States between
23 February 24, 2022 and September 30, 2023; or

24 (B) paroled into the United States after
25 September 30, 2023 and—

1 (i) is the spouse or child of an indi-
2 vidual described in subparagraph (A); or
3 (ii) is the parent, legal guardian, or
4 primary caregiver of an individual de-
5 scribed in subparagraph (A) who is deter-
6 mined to be an unaccompanied child under
7 section 462(g)(2) of the Homeland Secu-
8 rity Act of 2002 (6 U.S.C. 279(g)(2)) or
9 section 412(d)(2)(B) of the Immigration
10 and Nationality Act (8 U.S.C.
11 1522(d)(2)(B)); and

12 (2) such individual's parole has not been termi-
13 nated by the Secretary of Homeland Security.

14 (b) BENEFITS.—An individual described in sub-
15 section (a) shall be eligible for—

16 (1) resettlement assistance, entitlement pro-
17 grams, and other benefits available to refugees ad-
18 mitted under section 207 of the Immigration and
19 Nationality Act (8 U.S.C. 1157) to the same extent
20 as such refugees, but shall not be eligible for the
21 program of initial resettlement authorized by section
22 412(b)(1) of the Immigration and Nationality Act (8
23 U.S.C. 1522(b)(1)); and

24 (2) services described under section 412(d)(2)
25 of the Immigration and Nationality Act (8 U.S.C.

1 1522(d)(2)), subject to subparagraph (B) of such
2 section, if such individual is an unaccompanied alien
3 child as defined under section 462(g)(2) of the
4 Homeland Security Act of 2002 (6 U.S.C.
5 279(g)(2)).

6 (c) CLARIFICATIONS.—

7 (1) Nothing in this section shall be interpreted
8 to:

9 (A) preclude an individual described in
10 subsection (a) from applying for or receiving
11 any immigration benefits to which such indi-
12 vidual is otherwise eligible; or

13 (B) entitle a person described in subsection
14 (a) to lawful permanent resident status.

15 (2) Section 421(a) of the Personal Responsi-
16 bility and Work Opportunity Reconciliation Act of
17 1996 (Public Law 104–193) shall not apply with re-
18 spect to determining the eligibility and the amount
19 of benefits made available pursuant to subsection
20 (b).

21 (d) NON-APPLICATION OF THE PAPERWORK REDUC-
22 TION ACT.—Chapter 35 of title 44, United States Code
23 (commonly referred to as the Paperwork Reduction Act
24 of 1995), shall not apply to any action taken to implement

1 this section that involves translating a currently approved
2 collection of information into a new language.

3 TITLE V

4 DEPARTMENT OF STATE AND RELATED

5 AGENCY

6 DEPARTMENT OF STATE

7 ADMINISTRATION OF FOREIGN AFFAIRS

8 DIPLOMATIC PROGRAMS

9 For an additional amount for “Diplomatic Pro-
10 grams”, \$190,000,000, to remain available until Sep-
11 tember 30, 2024, to respond to the situation in Ukraine
12 and in countries impacted by the situation in Ukraine.

13 CAPITAL INVESTMENT FUND

14 For an additional amount for “Capital Investment
15 Fund”, \$10,000,000, to remain available until expended,
16 to respond to the situation in Ukraine and in countries
17 impacted by the situation in Ukraine.

18 OFFICE OF INSPECTOR GENERAL

19 For an additional amount for “Office of Inspector
20 General”, \$4,000,000, to remain available until September
21 30, 2024.

22 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

23 For an additional amount for “Embassy Security,
24 Construction, and Maintenance”, \$110,000,000, to re-
25 main available until expended, to respond to the situation

1 in Ukraine and in countries impacted by the situation in
2 Ukraine.

3 UNITED STATES AGENCY FOR INTERNATIONAL
4 DEVELOPMENT

5 FUNDS APPROPRIATED TO THE PRESIDENT
6 OPERATING EXPENSES

7 For an additional amount for “Operating Expenses”,
8 \$17,000,000, to remain available until September 30,
9 2024, to respond to the situation in Ukraine and in coun-
10 tries impacted by the situation in Ukraine.

11 OFFICE OF INSPECTOR GENERAL

12 For an additional amount for “Office of Inspector
13 General”, \$1,000,000, to remain available until September
14 30, 2024.

15 BILATERAL ECONOMIC ASSISTANCE

16 FUNDS APPROPRIATED TO THE PRESIDENT
17 INTERNATIONAL DISASTER ASSISTANCE

18 For an additional amount for “International Disaster
19 Assistance”, \$4,348,000,000, to remain available until ex-
20 pended, to respond to humanitarian needs in Ukraine and
21 in countries impacted by the situation in Ukraine, includ-
22 ing the provision of emergency food and shelter, and for
23 assistance for other vulnerable populations and commu-
24 nities, including through local and international non-
25 governmental organizations.

1 ECONOMIC SUPPORT FUND

2 For an additional amount for “Economic Support
3 Fund”, \$8,766,000,000, to remain available until Sep-
4 tember 30, 2024, for assistance for Ukraine and countries
5 impacted by the situation in Ukraine, including for pro-
6 grams to combat human trafficking, of which up to
7 \$760,000,000 may be made available to prevent and re-
8 spond to food insecurity: *Provided*, That funds appro-
9 priated under this heading in this Act may be made avail-
10 able notwithstanding any other provision of law that re-
11 stricts assistance to foreign countries and may be made
12 available as contributions.

13 DEPARTMENT OF STATE

14 MIGRATION AND REFUGEE ASSISTANCE

15 For an additional amount for “Migration and Ref-
16 ugee Assistance”, \$350,000,000, to remain available until
17 expended, to address humanitarian needs in, and to assist
18 refugees from, Ukraine, and for additional support for
19 countries in the Eastern European region impacted by the
20 situation in Ukraine.

1 INTERNATIONAL SECURITY ASSISTANCE

2 DEPARTMENT OF STATE

3 INTERNATIONAL NARCOTICS CONTROL AND LAW

4 ENFORCEMENT

5 For an additional amount for “International Nar-
6 cotics Control and Law Enforcement”, \$400,000,000, to
7 remain available until September 30, 2024, for assistance
8 for Ukraine and countries impacted by the situation in
9 Ukraine, including for programs to combat human traf-
10 ficking and to document and collect evidence of war crimes
11 and crimes against humanity committed by the Govern-
12 ment of the Russian Federation in Ukraine.

13 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND

14 RELATED PROGRAMS

15 For an additional amount for “Nonproliferation,
16 Anti-terrorism, Demining and Related Programs”,
17 \$100,000,000, to remain available until September 30,
18 2024, for assistance for Ukraine and countries impacted
19 by the situation in Ukraine.

20 FUNDS APPROPRIATED TO THE PRESIDENT

21 FOREIGN MILITARY FINANCING PROGRAM

22 For an additional amount for “Foreign Military Fi-
23 nancing Program”, \$4,000,000,000, to remain available
24 until September 30, 2024, for assistance for Ukraine and
25 countries impacted by the situation in Ukraine.

1 MULTILATERAL ASSISTANCE
2 INTERNATIONAL FINANCIAL INSTITUTIONS
3 CONTRIBUTION TO THE EUROPEAN BANK FOR
4 RECONSTRUCTION AND DEVELOPMENT

5 For payment by the Secretary of the Treasury to the
6 European Bank for Reconstruction and Development and
7 its trust funds and facilities, \$500,000,000, to remain
8 available until expended, for assistance and related pro-
9 grams for Ukraine and countries impacted by the situation
10 in Ukraine: *Provided*, That such amount shall be subject
11 to the same authorities and conditions as if such amount
12 was made available by title V of the Department of State,
13 Foreign Operations, and Related Programs Appropria-
14 tions Act, 2022 (division K of Public Law 117–103).

15 GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

16 For an additional payment to the Global Agriculture
17 and Food Security Program by the Secretary of the Treas-
18 ury, \$150,000,000, to remain available until expended.

19 GENERAL PROVISIONS—THIS TITLE
20 (INCLUDING TRANSFERS OF FUNDS)

21 SEC. 501. During fiscal year 2022, section 506(a)(1)
22 of the Foreign Assistance Act of 1961 (22 U.S.C.
23 2318(a)(1)) shall be applied by substituting
24 “\$11,000,000,000” for “\$100,000,000”.

1 SEC. 502. During fiscal year 2022, section 614 of the
2 Foreign Assistance Act of 1961 (22 U.S.C. 2364) shall
3 be applied—

4 (1) in subsection (a)(4)(A)(ii), by substituting
5 “\$1,000,000,000” for “\$250,000,000”; and

6 (2) in subsection (a)(4)(C), by substituting
7 “\$200,000,000” for “\$50,000,000”,
8 “\$1,000,000,000” for “\$250,000,000”,
9 “\$1,000,000,000” for “\$500,000,000”, and
10 “\$1,750,000,000” for “\$1,000,000,000”.

11 SEC. 503. During fiscal year 2022, section 552(c) of
12 the Foreign Assistance Act of 1961 (22 U.S.C. 2348a(c))
13 shall be applied by substituting “\$100,000,000” for
14 “\$25,000,000”.

15 SEC. 504. (a) Section 2606(a) of the Ukraine Supple-
16 mental Appropriations Act, 2022 (division N of Public
17 Law 117–103) is amended by striking “fiscal year 2022”
18 and inserting “fiscal years 2022 through 2024”: *Provided*,
19 That funds made available under the heading “Foreign
20 Military Financing Program” in this title shall be avail-
21 able for loans under such section.

22 (b) During fiscal years 2022 and 2023, funds made
23 available under the heading “Foreign Military Financing
24 Program” in this Act and prior Acts making appropria-
25 tions for the Department of State, foreign operations, and

1 related programs may be utilized by Ukraine for the pro-
2 curement of defense articles, defense services, or design
3 and construction services that are not sold by the United
4 States Government under the Arms Export Control Act
5 (22 U.S.C. 2751 et seq.): *Provided*, That such procure-
6 ments shall be subject to the applicable notification re-
7 quirements of section 38 of the Arms Export Control Act
8 (22 U.S.C. 2778).

9 SEC. 505. (a) Funds appropriated by this title under
10 the headings “Diplomatic Programs”, “Capital Invest-
11 ment Fund”, “Embassy Security, Construction, and
12 Maintenance”, and “Operating Expenses” may be trans-
13 ferred to, and merged with, funds available under such
14 headings and with funds available under the heading
15 “Educational and Cultural Exchange Programs” to re-
16 spond to the situation in Ukraine and countries impacted
17 by the situation in Ukraine.

18 (b) Funds appropriated by this title under the head-
19 ings “International Disaster Assistance” and “Migration
20 and Refugee Assistance” may be transferred to, and
21 merged with, funds appropriated by this title under such
22 headings.

23 (c) Funds appropriated by this title under the head-
24 ing “Economic Support Fund” may be transferred to, and
25 merged with, funds available under the heading “Assist-

1 ance for Europe, Eurasia and Central Asia” for assistance
2 and related programs for Ukraine and other countries
3 identified in section 3 of the FREEDOM Support Act (22
4 U.S.C. 5801) and section 3(c) of the Support for East
5 European Democracy (SEED) Act of 1989 (22 U.S.C.
6 5402(c)) and under the headings “Transition Initiatives”
7 and “Complex Crises Fund” to respond to the situation
8 in Ukraine and in countries impacted by the situation in
9 Ukraine.

10 (d) Funds appropriated by this title under the head-
11 ings “International Narcotics Control and Law Enforce-
12 ment”, “Nonproliferation, Anti-terrorism, Demining and
13 Related Programs”, and “Foreign Military Financing
14 Program” may be transferred to, and merged with, funds
15 appropriated by this title under such headings to respond
16 to the situation in Ukraine and in countries impacted by
17 the situation in Ukraine.

18 (e) The transfer authorities provided by this title are
19 in addition to any other transfer authority provided by
20 law.

21 (f) The exercise of the transfer authorities provided
22 by this title shall be subject to prior consultation with,
23 and the regular notification procedures of, the Committees
24 on Appropriations.

1 (g) Upon a determination that all or part of the funds
2 transferred pursuant to the authorities provided by this
3 title are not necessary for such purposes, such amounts
4 may be transferred back to such appropriations.

5 SEC. 506. Not later than 30 days after the date of
6 enactment of this Act, the Secretary of State and Admin-
7 istrator of the United States Agency for International De-
8 velopment shall jointly submit a report to the Committees
9 on Appropriations on the proposed uses of funds appro-
10 priated by this title, with the exception of funds appro-
11 priated under the heading “Multilateral Assistance”: *Pro-*
12 *vided*, That the Secretary of the Treasury shall submit a
13 separate report, not later than 30 days after the date of
14 enactment of this Act, for funds appropriated under the
15 heading “Multilateral Assistance”: *Provided further*, That
16 such reports shall be updated and submitted to the Com-
17 mittees on Appropriations every 60 days thereafter until
18 September 30, 2024, and every 120 days thereafter until
19 all funds have been expended.

20 SEC. 507. (a) Funds made available by this title
21 under the heading “Economic Support Fund” may be
22 made available for direct financial support for the Govern-
23 ment of Ukraine, and such funds shall be matched, to the
24 maximum extent practicable, by sources other than the
25 United States Government.

1 (b) Funds made available to the Government of
2 Ukraine as a cash transfer under subsection (a) shall be
3 subject to a memorandum of understanding that describes
4 how the funds proposed to be made available will be used
5 and includes appropriate safeguards for transparency and
6 accountability: *Provided*, That such assistance shall be
7 maintained in a separate, auditable account and may not
8 be comingled with any other funds.

9 (c) At least 15 days prior to the initial obligation of
10 funds made available for the purposes of subsection (a),
11 the Secretary of State or the Administrator of the United
12 States Agency for International Development, as appro-
13 priate, shall submit to the appropriate congressional com-
14 mittees a report detailing procedures and processes to en-
15 sure such funds are used by the Government of Ukraine
16 in the manner agreed to by such Government, including
17 details on the memorandum of understanding and appro-
18 priate safeguards for transparency and accountability re-
19 quired by subsection (b), if applicable: *Provided*, That
20 such report shall be updated every six months following
21 the submission of the first report and shall be submitted
22 until funds made available for such direct financial sup-
23 port are expended.

24 (d) The Secretary of State or the Administrator of
25 the United States Agency for International Development,

1 as appropriate, shall report to the appropriate congres-
2 sional committees on the uses of any funds provided for
3 direct financial support to the Government of Ukraine
4 pursuant to subsection (a) and the results achieved, not
5 later than 90 days after the date of enactment of this Act
6 and every 90 days thereafter until September 30, 2025:
7 *Provided*, That such report shall also include the metrics
8 established to measure such results.

9 (e) Funds made available for the purposes of sub-
10 section (a) by this title shall be subject to the regular noti-
11 fication procedures of the Committees on Appropriations.

12 TITLE VI

13 GENERAL PROVISIONS—THIS ACT

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 601. There is hereby appropriated to the Sec-
16 retary of Agriculture \$20,000,000, to remain available
17 until expended, to carry out the Bill Emerson Human-
18 itarian Trust, as authorized by the Bill Emerson Human-
19 itarian Trust Act (7 U.S.C. 1736f–1).

20 SEC. 602. In addition to the amounts otherwise avail-
21 able to the Department of the Treasury, \$52,000,000, to
22 remain available until September 30, 2023, to respond to
23 the situation in Ukraine and for related expenses: *Pro-*
24 *vided*, That funds appropriated in this section in this Act
25 may be transferred to other appropriation accounts of the

1 Department of the Treasury, to respond to the situation
2 in Ukraine and for related expenses: *Provided further*,
3 That such transfer authority is in addition to any other
4 transfer authority provided by law.

5 SEC. 603. For payment to Anne Garland Walton,
6 beneficiary of Don Young, late a Representative from the
7 State of Alaska, \$174,000.

8 SEC. 604. Funds appropriated by this Act for intel-
9 ligence or intelligence related activities are deemed to be
10 specifically authorized by the Congress for purposes of sec-
11 tion 504(a)(1) of the National Security Act of 1947 (50
12 U.S.C. 3094(a)(1)).

13 SEC. 605. Each amount appropriated or made avail-
14 able by this Act is in addition to amounts otherwise appro-
15 priated for the fiscal year involved.

16 SEC. 606. No part of any appropriation contained in
17 this Act shall remain available for obligation beyond the
18 current fiscal year unless expressly so provided herein.

19 SEC. 607. Unless otherwise provided for by this Act,
20 the additional amounts appropriated by this Act to appro-
21 priations accounts shall be available under the authorities
22 and conditions applicable to such appropriations accounts
23 for fiscal year 2022.

24 SEC. 608. Each amount provided by this Act is des-
25 ignated by the Congress as being for an emergency re-

1 quirement pursuant to section 4001(a)(1) and section
2 4001(b) of S. Con. Res. 14 (117th Congress), the concur-
3 rent resolution on the budget for fiscal year 2022.

4 This Act may be cited as the “Additional Ukraine
5 Supplemental Appropriations Act, 2022”.

Passed the House of Representatives May 10, 2022.

Attest:

Clerk.

Calendar No. 368

117TH CONGRESS
2^D SESSION

H. R. 7691

AN ACT

Making emergency supplemental appropriations for assistance for the situation in Ukraine for the fiscal year ending September 30, 2022, and for other purposes.

MAY 11, 2022

Read the second time and placed on the calendar