

carry out the purposes described in section 10602(b) of this title, shall have the usual powers of a corporation headquartered in Washington, DC, including the authority—

(1) to accept, receive, solicit, hold, administer, and use any gift, devise, or bequest, either absolutely or in trust, or real or personal property or any income derived from such gift or property, or other interest in such gift or property located in the United States;

(2) to acquire by donation, gift, devise, purchase, or exchange any real or personal property or interest in such property located in the United States;

(3) unless otherwise required by the instrument of transfer, to sell, donate, lease, invest, reinvest, retain, or otherwise dispose of any property or income derived from such property located in the United States;

(4) to complain and defend itself in any court of competent jurisdiction (except that the members of the Board shall not be personally liable, except for gross negligence);

(5) to enter into contracts or other arrangements with public agencies, private organizations, and persons and to make such payments as may be necessary to carry out the purposes of such contracts or arrangements; and

(6) to award grants for eligible projects, in accordance with section 10606 of this title.

**(c) Limitation of public liability**

The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation. The Federal Government shall be held harmless from any damages or awards ordered by a court against the Foundation.

(Pub. L. 118–159, div. E, title LI, §5104, Dec. 23, 2024, 138 Stat. 2416.)

**§ 10605. Safeguards and accountability**

**(a) Safeguards**

The Foundation shall develop, and incorporate into any agreement for support provided by the Foundation, appropriate safeguards, policies, and guidelines, consistent with United States law and best practices and standards for environmental and social safeguards.

**(b) Independent accountability mechanism**

**(1) In general**

The Secretary, or the Secretary’s designee, shall establish a transparent and independent accountability mechanism, consistent with best practices, which shall provide—

(A) a compliance review function that assesses whether Foundation-supported projects adhere to the requirements developed pursuant to subsection (a);

(B) a dispute resolution function for resolving and remedying concerns between complainants and project implementers regarding the impacts of specific Foundation-supported projects with respect to such standards; and

(C) an advisory function that reports to the Board on projects, policies, and practices.

**(2) Duties**

The accountability mechanism shall—

(A) report annually to the Board and the appropriate congressional committees regarding the Foundation’s compliance with best practices and standards in accordance with paragraph (1)(A) and the nature and resolution of any complaint;

(B)(i) have permanent staff, led by an independent accountability official, to conduct compliance reviews and dispute resolutions and perform advisory functions; and

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

(C) hold a public comment period lasting not fewer than 60 days regarding the initial design of the accountability mechanism.

**(c) Internal accountability**

The Foundation shall establish an ombudsman position at a senior level of executive staff as a confidential, neutral source of information and assistance to anyone affected by the activities of the Foundation.

**(d) Annual review**

The Secretary shall, periodically, but not less frequent than annually, review assistance provided by the Foundation for the purpose of implementing section 10602(b) of this title to ensure consistency with the provisions under section 2378d of this title.

(Pub. L. 118–159, div. E, title LI, §5105, Dec. 23, 2024, 138 Stat. 2417.)

**§ 10606. Projects and grants**

**(a) Project funding requirements**

**(1) In general**

The Foundation shall—

(A) provide grants to support eligible projects described in paragraph (3) that advance its mission to enable effective management of primarily protected and conserved areas and their contiguous buffer zones in eligible countries;

(B) advance effective landscape or seascape approaches to conservation that include buffer zones, wildlife dispersal and corridor areas, and other effective area-based conservation measures; and

(C) not purchase, own, or lease land, including conservation easements, in eligible countries.

**(2) Eligible entities**

Eligible entities shall include—

(A) not-for-profit organizations with demonstrated expertise in protected and conserved area management and economic development;

(B) governments of eligible partner countries, as determined by subsection (b), with the exception of governments and government entities that are prohibited from receiving grants from the Foundation pursuant to section 10607 of this title; and

(C) Indigenous and local communities in such eligible countries.

**(3) Eligible projects**

Eligible projects shall include projects that—

(A) focus on supporting—