

(C) strive to generate a partnership mentality among all participants, including public and private funders, host governments, local protected areas authorities, and private and nongovernmental organization partners;

(D) prioritize investments in communities with low levels of economic development to the greatest extent practicable and appropriate; and

(E) consider the eligible partner country's planned and dedicated resources to the proposed project and the eligible entity's ability to successfully implement the project.

**(2) Grant criteria**

Foundation grants—

(A) shall fund eligible projects that enhance the management of well-defined primarily protected or conserved areas and the systems of such conservation areas in eligible countries;

(B) should support adequate baseline funding for eligible projects in eligible countries to be sustained for not less than 10 years;

(C) should, during the grant period, demonstrate progress in achieving clearly defined key performance indicators (as defined in the grant agreement), which may include—

(i) the protection of biological diversity;

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

(iii) community-based economic growth indicators, such as improved land tenure, increases in beneficiaries participating in related economic growth activities, and sufficient income from conservation activities being directed to communities in project areas;

(iv) improved management of the primarily protected or conserved area covered by the project, as documented through the submission of strategic plans or annual reports to the Foundation; and

(v) the identification of additional revenue sources or sustainable financing mechanisms to meet the recurring costs of management of the primarily protected or conserved areas; and

(D) shall be terminated if the Board determines that the project is not—

(i) meeting applicable requirements under this chapter; or

(ii) making progress in achieving the key performance indicators defined in the grant agreement.

(Pub. L. 118-159, div. E, title LI, §5106, Dec. 23, 2024, 138 Stat. 2417.)

**Editorial Notes**

REFERENCES IN TEXT

This chapter, referred to in subsecs. (b)(2) and (c)(2)(D)(i), was in the original “this title” and was translated as reading “this subtitle”, meaning subtitle A (§§5101-5109) of title LI of div. E of Pub. L. 118-159, Dec. 23, 2024, 138 Stat. 2410, known as the United States Foundation for International Conservation Act of 2024, which is classified generally to this chapter.

**§ 10607. Prohibition of support for certain governments**

**(a) In general**

The Foundation may not provide support for any government, or any entity owned or controlled by a government, if the Secretary has determined that such government—

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

(A) section 4813(c)(1)(A)(i) of title 50;

(B) section 2371(a) of this title;

(C) section 2780(d) of this title; or

(D) any other relevant provision of law;

(2) has been identified pursuant to section 2151n(a) or 2304(a)(2) of this title or any other relevant provision of law; or

(3) has failed the “control of corruption” indicator, as determined by the Millennium Challenge Corporation, within any of the preceding 3 years of the intended grant.

**(b) Prohibition of support for sanctioned persons**

The Foundation may not engage in any dealing prohibited under United States sanctions laws or regulations, including dealings with persons on the list of specially designated persons and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury, except to the extent otherwise authorized by the Secretary or by the Secretary of the Treasury.

**(c) Prohibition of support for activities subject to sanctions**

The Foundation shall require any person receiving support to certify that such person, and any entity owned or controlled by such person, is in compliance with all United States sanctions laws and regulations.

(Pub. L. 118-159, div. E, title LI, §5107, Dec. 23, 2024, 138 Stat. 2421.)

**§ 10608. Annual report**

Not later than 360 days after December 23, 2024, and annually thereafter while the Foundation continues to operate, the Executive Director of the Foundation shall submit a report to the appropriate congressional committees that describes—

(1) the goals of the Foundation;

(2) the programs, projects, and activities supported by the Foundation;

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

(4) the standardized criteria utilized to determine the programs and activities supported by the Foundation, including baselines, targets, desired outcomes, measurable goals, and extent to which those goals are being achieved for each project.

(Pub. L. 118-159, div. E, title LI, §5108, Dec. 23, 2024, 138 Stat. 2421.)

**§ 10609. Authorization of appropriations**

**(a) Authorization**

In addition to amounts authorized to be appropriated to carry out international conservation

and biodiversity programs under part I and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.; 22 U.S.C. 2346 et seq.), and subject to the limitations set forth in subsections (b) and (c), there is authorized to be appropriated to the Foundation to carry out the purposes of this chapter—

- (1) \$1,000,000 for fiscal year 2025; and
- (2) not more than \$100,000,000 for each of the fiscal years 2026 through 2034.

**(b) Cost matching requirement**

Amounts appropriated pursuant to subsection (a) may only be made available to grantees to the extent the Foundation or such grantees secure funding for an eligible project from sources other than the United States Government in an amount that is not less than twice the amount received in grants for such project pursuant to section 10606 of this title.

**(c) Administrative costs**

The administrative costs of the Foundation shall come from sources other than the United States Government.

**(d) Prohibition on use of grant amounts for lobbying expenses**

Amounts provided as a grant by the Foundation pursuant to section 10606 of this title may

not be used for any activity intended to influence legislation pending before the Congress of the United States.

(Pub. L. 118–159, div. E, title LI, §5109, Dec. 23, 2024, 138 Stat. 2421.)

**Editorial Notes**

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (a), is Pub. L. 87–195, Sept. 4, 1961, 75 Stat. 424. Part I of the Act is classified generally to subchapter I (§2151 et seq.) of chapter 32 of this title. Chapter 4 of part II of the Act is classified generally to part IV (§2346 et seq.) of subchapter II of chapter 32 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

This chapter, referred to in subsec. (a), was in the original “this title” and was translated as reading “this subtitle”, meaning subtitle A (§§ 5101–5109) of title LI of div. E of Pub. L. 118–159, Dec. 23, 2024, 138 Stat. 2410, known as the United States Foundation for International Conservation Act of 2024, which is classified generally to this chapter.