

AMENDMENT TO RULES COMMITTEE PRINT 119-

33

OFFERED BY MR. SHREVE OF INDIANA

At the end of subtitle B of title XVII, insert the following new section:

1 **SEC. 17__ . AMERICAN ASSISTANCE VISIBILITY.**

2 (a) REQUIREMENT TO DISPLAY UNITED STATES
3 FLAG ON FOREIGN ASSISTANCE.—The Foreign Assist-
4 ance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

5 (1) in section 641, by striking the second sen-
6 tence; and

7 (2) by adding after such section the following:

8 **“SEC. 641A. REQUIREMENT TO DISPLAY UNITED STATES**
9 **FLAG ON FOREIGN ASSISTANCE.**

10 “(a) IN GENERAL.—The United States flag shall be
11 displayed on foreign assistance.

12 “(b) ADDITIONAL BRANDING ELEMENTS.—In addi-
13 tion to the United State flag, the Secretary of State where
14 appropriate may authorize on a case-by-case basis any
15 other branding element to be displayed on foreign assist-
16 ance, provided that the United States flag remains the
17 most prominent branding element, under the following:

1 “(1) When required by an international agree-
2 ment or partnership where co-branding is a formal
3 condition of such agreement or partnership.

4 “(2) When necessary for the clear identification
5 of implementing partners.

6 “(3) Any other basis the Secretary of State de-
7 termines necessary.

8 “(c) EXCEPTIONS.—The Secretary of State may
9 grant an exception to any requirement under this section
10 when the Secretary determines such exception to be in the
11 national interest, including to ensure the safety or security
12 of personnel or beneficiaries.

13 “(d) PROHIBITION ON NAME OR LIKENESS OF CER-
14 TAIN INDIVIDUALS.—Foreign assistance may not display
15 the name or likeness of an individual who is a United
16 States Government official.

17 “(e) DIRECTED RULEMAKING.—The Secretary of
18 State shall issue regulations to establish clear and con-
19 sistent guidelines for—

20 “(1) displaying the United States flag on for-
21 eign assistance, which may include specifications
22 with respect to the United States flag regarding—

23 “(A) minimum size requirements;

24 “(B) color accuracy;

25 “(C) placement location; and

1 “(D) any other requirement the Secretary
2 of State determines necessary to ensure the
3 clear and prominent display of the United
4 States flag on foreign assistance in a prac-
5 ticable manner; and

6 “(2) compliance with this section by imple-
7 menting partners, which may include—

8 “(A) required adherence by sub-recipients
9 and sub-contractors; and

10 “(B) modifying existing contracts to tran-
11 sition to any new regulation issued pursuant to
12 this section.

13 “(f) FOREIGN ASSISTANCE DEFINED.—In this sec-
14 tion, the term ‘foreign assistance’ means each tangible and
15 intangible item provided by the United States Government
16 to a foreign country or international organization under
17 this or any other Act, including—

18 “(1) buildings, equipment, vehicles, project or
19 construction site signage, and any other physical
20 asset or infrastructure;

21 “(2) food aid, medical supplies, and any other
22 commodity or supplies; and

23 “(3) banners, posters, websites, social media ac-
24 counts or posts, and other public outreach or report
25 publications.”.

1 (b) APPLICABILITY AND TRANSITIONAL PERIOD.—

2 (1) APPLICABILITY.—Except as provided under
3 paragraph (1), this section, and the amendments
4 made by this section, shall apply with respect to for-
5 eign assistance provided on and after the date that
6 is 180 days after the date of the enactment of this
7 section.

8 (2) TRANSITIONAL PERIOD.—

9 (A) IN GENERAL.—Except as provided
10 under subparagraph (B), foreign assistance pro-
11 vided pursuant to a grant, cooperative agree-
12 ment, contract, or other award which was exe-
13 cuted before the date of the enactment of this
14 section shall comply with the branding require-
15 ments in effect at the time of such execution
16 until the earlier of the following:

17 (i) The date on which the period cov-
18 ered by such grant, cooperative agreement,
19 contract, or other award ends.

20 (ii) The date that is two years after
21 the date of the enactment of this section.

22 (B) EXTENSION.—The Secretary of State
23 may grant an extension to the transition period
24 described in subparagraph (A) on a case-by-

1 case basis to avoid unnecessary costs or oper-
2 ational disruption.

3 (C) GUIDANCE.—The Secretary of State
4 shall issue guidance for modifying a grant, co-
5 operative agreement, contract, or other award
6 to provide foreign assistance which was exe-
7 cuted before the date of the enactment of this
8 section to comply with the requirements of this
9 section, provided that—

10 (i) the modifications account for rea-
11 sonable implementation timelines and oper-
12 ational constraints; and

13 (ii) the modifications do not conflict
14 with any other legal obligation.

15 (3) FOREIGN ASSISTANCE DEFINED.—In this
16 section, the term “foreign assistance” has the mean-
17 ing given such term in section 641A of the Foreign
18 Assistance Act of 1961.

