

118TH CONGRESS  
1ST SESSION

# S. 1240

To modify the requirements for candidate countries under the Millennium Challenge Act of 2003, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

APRIL 20, 2023

Mr. RISCH (for himself and Mr. MENENDEZ) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

---

## A BILL

To modify the requirements for candidate countries under the Millennium Challenge Act of 2003, 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 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Millennium Challenge  
5 Corporation Candidate Country Reform Act”.

6 **SEC. 2. MODIFICATIONS OF REQUIREMENTS TO BECOME A**  
7 **CANDIDATE COUNTRY.**

8 Section 606 of the Millennium Challenge Act of 2003  
9 (22 U.S.C. 7705) is amended to read as follows:

1 **“SEC. 606. CANDIDATE COUNTRIES.**

2 “(a) IN GENERAL.—A country shall be a candidate  
3 country for purposes of eligibility to receive assistance  
4 under section 605 if—

5 “(1) the per capita income of the country in a  
6 fiscal year is equal to or less than the World Bank  
7 threshold for initiating the International Bank for  
8 Reconstruction and Development graduation process  
9 for the fiscal year; and

10 “(2) subject to subsection (b), the country is  
11 not ineligible to receive United States economic as-  
12 sistance under part I of the Foreign Assistance Act  
13 of 1961 (22 U.S.C. 2151 et seq.) by reason of the  
14 application of any provision of the Foreign Assist-  
15 ance Act of 1961 or any other provision of law.

16 “(b) RULE OF CONSTRUCTION.—For the purposes of  
17 determining whether a country is eligible, pursuant to sub-  
18 section (a)(2), to receive assistance under section 605, the  
19 exercise by the President, the Secretary of State, or any  
20 other officer or employee of the United States Government  
21 of any waiver or suspension of any provision of law re-  
22 ferred to in subsection (a)(2), and notification to the ap-  
23 propriate congressional committees in accordance with  
24 such provision of law, shall be construed as satisfying the  
25 requirements under subsection (a).

1       “(c) DETERMINATION BY THE BOARD.—The Board  
2 shall determine whether a country is a candidate country  
3 for purposes of this section.”.

4 **SEC. 3. CONFORMING AMENDMENTS.**

5       (a) AMENDMENT TO REPORT IDENTIFYING CAN-  
6 DIDATE COUNTRIES.—Section 608(a)(1) of the Millen-  
7 nium Challenge Act of 2003 (22 U.S.C. 7707(a)(1)) is  
8 amended by striking “section 606(a)(1)(B)” and inserting  
9 “section 606(a)(2)”.

10       (b) AMENDMENT TO MILLENNIUM CHALLENGE COM-  
11 PACT AUTHORITY.—Section 609(b)(2) of such Act (22  
12 U.S.C. 7708(b)(2)) is amended—

13             (1) by amending the paragraph heading to read  
14 as follows: “COUNTRY CONTRIBUTIONS”; and

15             (2) by striking “with respect to a lower middle  
16 income country described in section 606(b),”.

17       (c) AMENDMENT TO AUTHORIZATION TO PROVIDE  
18 ASSISTANCE FOR CANDIDATE COUNTRIES.—Section  
19 616(b)(1) of such Act (22 U.S.C. 7715(b)(1)) is amended  
20 by striking “subsection (a) or (b) of section 606” and in-  
21 serting “section 606(a)”.

22 **SEC. 4. MODIFICATION TO FACTORS IN DETERMINING ELI-**  
23 **GIBILITY.**

24       Section 607(c)(2) of the Millennium Challenge Act of  
25 2003 (22 U.S.C. 7706(c)(2)) is amended in the matter

- 1 preceding subparagraph (A) by striking “consider” and
- 2 inserting “prioritize need and impact by considering”.

○