

117TH CONGRESS  
2D SESSION

# H. R. 8463

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IN THE SENATE OF THE UNITED STATES

OCTOBER 11, 2022

Received; read twice and referred to the Committee on Foreign Relations

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## AN ACT

To modify the requirements under the Millennium Challenge Act of 2003 for candidate countries, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Millennium Challenge  
3 Corporation Eligibility Expansion Act”.

4 **SEC. 2. MODIFICATIONS OF REQUIREMENTS TO BECOME A**  
5 **CANDIDATE COUNTRY.**

6 Section 606 of the Millennium Challenge Act of 2003  
7 (22 U.S.C. 7705) is amended to read as follows:

8 **“SEC. 606. CANDIDATE COUNTRIES.**

9 “(a) IN GENERAL.—A country shall be a candidate  
10 country for purposes of eligibility for receiving assistance  
11 under section 605 if—

12 “(1) the per capita income of the country is  
13 equal to or less than the gross national income per  
14 capita of the 125th poorest country as identified by  
15 the World Bank for the fiscal year; and

16 “(2) subject to subsection (b), the country is  
17 not ineligible to receive United States economic as-  
18 sistance under part I of the Foreign Assistance Act  
19 of 1961 by reason of the application of any provision  
20 of the Foreign Assistance Act of 1961 or any other  
21 provision of law.

22 “(b) RULE OF CONSTRUCTION.—For the purposes of  
23 determining whether a country is eligible for receiving as-  
24 sistance under section 605 pursuant to subsection (a)(2),  
25 the exercise by the President, the Secretary of State, or  
26 any other officer or employee of the United States of any

1 waiver or suspension of any provision of law referred to  
 2 in such paragraph, and notification to the appropriate  
 3 congressional committees in accordance with such provi-  
 4 sion of law, shall be construed as satisfying the require-  
 5 ments of such subsection.

6 “(c) IDENTIFICATION BY THE BOARD.—The Board  
 7 shall identify whether a country is a candidate country for  
 8 purposes of this section.”.

9 **SEC. 3. CONFORMING AMENDMENTS.**

10 (a) AMENDMENT TO MILLENNIUM CHALLENGE COM-  
 11 PACT AUTHORITY.—Section 609(b)(2) of the Millennium  
 12 Challenge Act of 2003 (22 U.S.C. 7708(b)(2)) is amend-  
 13 ed—

14 (1) by striking the heading and inserting  
 15 “COUNTRY CONTRIBUTIONS”; and

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

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

23 (c) AMENDMENT TO AUTHORIZATION TO PROVIDE  
 24 ASSISTANCE FOR CANDIDATE COUNTRIES.—Section  
 25 616(b)(1) of the Millennium Challenge Act of 2003 (22

1 U.S.C. 7715(b)(1)) is amended by striking “subsection (a)  
2 or (b) of section 606” and inserting “section 606(a)”.

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

5 Section 607(c)(2) of the Millennium Challenge Act of  
6 2003 (22 U.S.C. 7706(c)(2)) is amended in the matter  
7 preceding subparagraph (A) by striking “consider” and  
8 inserting “prioritize need and impact by considering”.

Passed the House of Representatives September 29,  
2022.

Attest: CHERYL L. JOHNSON,  
*Clerk.*