

## Union Calendar No. 537

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5912

[Report No. 114-693]

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2017, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2016

Ms. GRANGER, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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## A BILL

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2017, and for other purposes.



1 a temporary basis (not to exceed \$700,000), as au-  
2 thORIZED by section 801 of the United States Infor-  
3 mation and Educational Exchange Act of 1948,  
4 \$2,541,247,000, of which up to \$463,417,000 is for  
5 Worldwide Security Protection.

6 (2) OVERSEAS PROGRAMS.—For necessary ex-  
7 penses for the regional bureaus of the Department  
8 of State and overseas activities as authorized by law,  
9 \$1,344,199,000.

10 (3) DIPLOMATIC POLICY AND SUPPORT.—For  
11 necessary expenses for the functional bureaus of the  
12 Department of State, including representation to  
13 certain international organizations in which the  
14 United States participates pursuant to treaties rati-  
15 fied pursuant to the advice and consent of the Sen-  
16 ate or specific Acts of Congress, general administra-  
17 tion, and arms control, nonproliferation and disar-  
18 mament activities as authorized, \$749,428,000.

19 (4) SECURITY PROGRAMS.—For necessary ex-  
20 penses for security activities, \$1,458,307,000, of  
21 which up to \$1,436,062,000 is for Worldwide Secu-  
22 rity Protection.

23 (5) FEES AND PAYMENTS COLLECTED.—In ad-  
24 dition to amounts otherwise made available under  
25 this heading—

1 (A) not to exceed \$1,840,900 shall be de-  
2 rived from fees collected from other executive  
3 agencies for lease or use of facilities located at  
4 the International Center in accordance with sec-  
5 tion 4 of the International Center Act, and, in  
6 addition, as authorized by section 5 of such  
7 Act, \$1,320,000, to be derived from the reserve  
8 authorized by such section, to be used for the  
9 purposes set out in that section;

10 (B) as authorized by section 810 of the  
11 United States Information and Educational Ex-  
12 change Act, not to exceed \$5,000,000, to re-  
13 main available until expended, may be credited  
14 to this appropriation from fees or other pay-  
15 ments received from English teaching, library,  
16 motion pictures, and publication programs and  
17 from fees from educational advising and coun-  
18 seling and exchange visitor programs; and

19 (C) not to exceed \$15,000, which shall be  
20 derived from reimbursements, surcharges, and  
21 fees for use of Blair House facilities.

22 (6) TRANSFER, REPROGRAMMING, AND OTHER  
23 MATTERS.—

24 (A) Notwithstanding any other provision of  
25 this Act, funds may be reprogrammed within

1 and between paragraphs (1) through (4) under  
2 this heading subject to section 7015 of this Act.

3 (B) Of the amount made available under  
4 this heading, not to exceed \$14,000,000 may be  
5 transferred to, and merged with, funds made  
6 available by this Act under the heading “Emer-  
7 gencies in the Diplomatic and Consular Serv-  
8 ice”, to be available only for emergency evacu-  
9 ations and rewards, as authorized.

10 (C) Funds appropriated under this heading  
11 are available for acquisition by exchange or pur-  
12 chase of passenger motor vehicles as authorized  
13 by law and, pursuant to section 1108(g) of title  
14 31, United States Code, for the field examina-  
15 tion of programs and activities in the United  
16 States funded from any account contained in  
17 this title.

18 (D) Funds appropriated under this head-  
19 ing may be made available for Conflict Sta-  
20 bilization Operations and for related reconstruc-  
21 tion and stabilization assistance to prevent or  
22 respond to conflict or civil strife in foreign  
23 countries or regions, or to enable transition  
24 from such strife.

1           (E) Funds appropriated under this head-  
2           ing in this Act that are designated for World-  
3           wide Security Protection shall continue to be  
4           made available for support of security-related  
5           training at sites in existence prior to the enact-  
6           ment of this Act.

7                           CAPITAL INVESTMENT FUND

8           For necessary expenses of the Capital Investment  
9           Fund, \$12,600,000, to remain available until expended,  
10          as authorized.

11                           OFFICE OF INSPECTOR GENERAL

12          For necessary expenses of the Office of Inspector  
13          General, \$87,069,000, notwithstanding section 209(a)(1)  
14          of the Foreign Service Act of 1980 (Public Law 96–465),  
15          as it relates to post inspections: *Provided*, That of the  
16          funds appropriated under this heading, \$13,060,000 may  
17          remain available until September 30, 2018.

18                           EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

19          For expenses of educational and cultural exchange  
20          programs, as authorized, \$602,790,000, to remain avail-  
21          able until expended, of which not less than \$236,000,000  
22          shall be for the Fulbright Program and not less than  
23          \$112,000,000 shall be for Citizen Exchange Program, in-  
24          cluding \$4,125,000 for the Congress-Bundestag Youth  
25          Exchange: *Provided*, That fees or other payments received

1 from, or in connection with, English teaching, educational  
2 advising and counseling programs, and exchange visitor  
3 programs as authorized may be credited to this account,  
4 to remain available until expended: *Provided further*, That  
5 not later than 45 days after enactment of this Act, the  
6 Secretary of State shall submit a report to the Committees  
7 on Appropriations detailing modifications made to existing  
8 educational and cultural exchange programs since cal-  
9 endar year 2015, including for special academic and spe-  
10 cial professional and cultural exchanges: *Provided further*,  
11 That any substantive modifications from the prior fiscal  
12 year to programs funded by this Act under this heading  
13 shall be subject to prior consultation with, and the regular  
14 notification procedures of, the Committees on Appropria-  
15 tions.

16 REPRESENTATION EXPENSES

17 For representation expenses as authorized,  
18 \$8,030,000.

19 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

20 For expenses, not otherwise provided, to enable the  
21 Secretary of State to provide for extraordinary protective  
22 services, as authorized, \$30,036,000, to remain available  
23 until September 30, 2018.

1 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

2 For necessary expenses for carrying out the Foreign  
3 Service Buildings Act of 1926 (22 U.S.C. 292 et seq.),  
4 preserving, maintaining, repairing, and planning for build-  
5 ings that are owned or directly leased by the Department  
6 of State, renovating, in addition to funds otherwise avail-  
7 able, the Harry S Truman Building, and carrying out the  
8 Diplomatic Security Construction Program as authorized,  
9 \$759,161,000, to remain available until expended as au-  
10 thorized, of which not to exceed \$25,000 may be used for  
11 domestic and overseas representation expenses as author-  
12 ized: *Provided*, That none of the funds appropriated in this  
13 paragraph shall be available for acquisition of furniture,  
14 furnishings, or generators for other departments and  
15 agencies.

16 In addition, for the costs of worldwide security up-  
17 grades, acquisition, and construction as authorized,  
18 \$358,698,000, to remain available until expended: *Pro-*  
19 *vided*, That not later than 45 days after enactment of this  
20 Act, the Secretary of State shall submit to the Committees  
21 on Appropriations the proposed allocation of funds made  
22 available under this heading and the actual and antici-  
23 pated proceeds of sales for all projects in fiscal year 2017.





## INTERNATIONAL ORGANIZATIONS

## CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

1 For necessary expenses, not otherwise provided for,  
2 to meet annual obligations of membership in international  
3 multilateral organizations, pursuant to treaties ratified  
4 pursuant to the advice and consent of the Senate, conven-  
5 tions or specific Acts of Congress, \$1,279,384,000: *Pro-*  
6 *vided*, That the Secretary of State shall, at the time of  
7 the submission of the President's budget to Congress  
8 under section 1105(a) of title 31, United States Code,  
9 transmit to the Committees on Appropriations the most  
10 recent biennial budget prepared by the United Nations for  
11 the operations of the United Nations: *Provided further*,  
12 That the Secretary of State shall notify the Committees  
13 on Appropriations at least 15 days in advance (or in an  
14 emergency, as far in advance as is practicable) of any  
15 United Nations action to increase funding for any United  
16 Nations program without identifying an offsetting de-  
17 crease elsewhere in the United Nations budget: *Provided*  
18 *further*, That not later than May 1, 2017, and 30 days  
19 after the end of fiscal year 2017, the Secretary of State  
20 shall report to the Committees on Appropriations any  
21 credits available to the United States, including from the  
22 United Nations Tax Equalization Fund, and provide up-  
23 dated fiscal year 2017 and fiscal year 2018 assessment

1 costs including offsets from available credits and updated  
2 foreign currency exchange rates: *Provided further*, That  
3 any such credits shall only be available for United States  
4 assessed contributions to the United Nations and the  
5 Committees on Appropriations shall be notified when such  
6 credits are applied to any assessed contribution, including  
7 any payment of arrearages: *Provided further*, That any no-  
8 tification regarding funds appropriated or otherwise made  
9 available under this heading in this Act or prior Acts mak-  
10 ing appropriations for the Department of State, foreign  
11 operations, and related programs submitted pursuant to  
12 section 7015 of this Act, section 34 of the State Depart-  
13 ment Basic Authorities Act of 1956 (22 U.S.C. 2706), or  
14 any operating plan submitted pursuant to section 7076  
15 of this Act, shall include an estimate of all known credits  
16 currently available to the United States and provide up-  
17 dated assessment costs including offsets from available  
18 credits and updated foreign currency exchange rates: *Pro-*  
19 *vided further*, That any payment of arrearages under this  
20 heading shall be directed to activities that are mutually  
21 agreed upon by the United States and the respective inter-  
22 national organization and shall be subject to the regular  
23 notification procedures of the Committees on Appropria-  
24 tions: *Provided further*, That none of the funds appro-  
25 priated under this heading shall be available for a United

1 States contribution to an international organization for  
2 the United States share of interest costs made known to  
3 the United States Government by such organization for  
4 loans incurred on or after October 1, 1984, through exter-  
5 nal borrowings.

6 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING  
7 ACTIVITIES

8 For necessary expenses to pay assessed and other ex-  
9 penses of international peacekeeping activities directed to  
10 the maintenance or restoration of international peace and  
11 security, \$563,866,000, of which 15 percent shall remain  
12 available until September 30, 2018: *Provided*, That none  
13 of the funds made available by this Act shall be obligated  
14 or expended for any new or expanded United Nations  
15 peacekeeping mission unless, at least 15 days in advance  
16 of voting for such mission in the United Nations Security  
17 Council (or in an emergency as far in advance as is prac-  
18 ticable), the Committees on Appropriations are notified of:  
19 (1) the estimated cost and duration of the mission, the  
20 objectives of the mission, the national interest that will  
21 be served, and the exit strategy; and (2) the sources of  
22 funds, including any reprogrammings and transfers, that  
23 will be used to pay the cost of the new or expanded mis-  
24 sion, and the estimated cost in future fiscal years: *Pro-*  
25 *vided further*, That none of the funds appropriated under

1 this heading may be made available for obligation unless  
2 the Secretary of State certifies and reports to the Commit-  
3 tees on Appropriations on a peacekeeping mission-by-mis-  
4 sion basis that the United Nations is implementing effec-  
5 tive policies and procedures to prevent United Nations em-  
6 ployees, contractor personnel, and peacekeeping troops  
7 serving in such mission from trafficking in persons, ex-  
8 ploiting victims of trafficking, or committing acts of illegal  
9 sexual exploitation or other violations of human rights,  
10 and to bring to justice individuals who engage in such acts  
11 while participating in such mission, including prosecution  
12 in their home countries and making information about  
13 such prosecutions publicly available on the Web site of the  
14 United Nations: *Provided further*, That in making the re-  
15 quired certification and report in the previous proviso, the  
16 Secretary of State shall evaluate and report on whether  
17 each mission has established and is effectively imple-  
18 menting the policies and procedures described under this  
19 heading in the report accompanying this Act: *Provided*  
20 *further*, That funds shall be available for peacekeeping ex-  
21 penses unless the Secretary of State determines that  
22 American manufacturers and suppliers are not being given  
23 opportunities to provide equipment, services, and material  
24 for United Nations peacekeeping activities equal to those  
25 being given to foreign manufacturers and suppliers: *Pro-*

1 *vided further*, That the Secretary of State shall work with  
2 the United Nations and foreign governments contributing  
3 peacekeeping troops to implement effective vetting proce-  
4 dures to ensure that such troops have not violated human  
5 rights: *Provided further*, That none of the funds appro-  
6 priated or otherwise made available under this heading  
7 may be used for any United Nations peacekeeping mission  
8 that will involve United States Armed Forces under the  
9 command or operational control of a foreign national, un-  
10 less the President's military advisors have submitted to  
11 the President a recommendation that such involvement is  
12 in the national interest of the United States and the Presi-  
13 dent has submitted to Congress such a recommendation:  
14 *Provided further*, That not later than May 1, 2017, and  
15 30 days after the end of fiscal year 2017, the Secretary  
16 of State shall report to the Committees on Appropriations  
17 any credits available to the United States, including those  
18 resulting from United Nations peacekeeping missions or  
19 the United Nations Tax Equalization Fund, and provide  
20 updated fiscal year 2017 and fiscal year 2018 assessment  
21 costs including offsets from available credits: *Provided fur-*  
22 *ther*, That any such credits shall only be available for  
23 United States assessed contributions to the United Na-  
24 tions, and the Committees on Appropriations shall be noti-  
25 fied when such credits are applied to any assessed con-

1 tribution, including any payment of arrearages: *Provided*  
2 *further*, That any notification regarding funds appro-  
3 priated or otherwise made available under this heading in  
4 this Act or prior Acts making appropriations for the De-  
5 partment of State, foreign operations, and related pro-  
6 grams submitted pursuant to section 7015 of this Act, sec-  
7 tion 34 of the State Department Basic Authorities Act  
8 of 1956 (22 U.S.C. 2706), or any operating plan sub-  
9 mitted pursuant to section 7076 of this Act, shall include  
10 an estimate of all known credits currently available to the  
11 United States and provide updated assessment costs in-  
12 cluding offsets from available credits: *Provided further*,  
13 That any payment of arrearages with funds appropriated  
14 by this Act shall be subject to the regular notification pro-  
15 cedures of the Committees on Appropriations: *Provided*  
16 *further*, That the Secretary of State shall work with the  
17 United Nations and members of the United Nations Secu-  
18 rity Council to evaluate and prioritize peacekeeping mis-  
19 sions, and to consider a draw down when mission goals  
20 have been substantially achieved.

21 INTERNATIONAL COMMISSIONS

22 For necessary expenses, not otherwise provided for,  
23 to meet obligations of the United States arising under  
24 treaties, or specific Acts of Congress, as follows:

1 INTERNATIONAL BOUNDARY AND WATER COMMISSION,  
2 UNITED STATES AND MEXICO

3 For necessary expenses for the United States Section  
4 of the International Boundary and Water Commission,  
5 United States and Mexico, and to comply with laws appli-  
6 cable to the United States Section, including not to exceed  
7 \$6,000 for representation expenses; as follows:

8 SALARIES AND EXPENSES

9 For salaries and expenses, not otherwise provided for,  
10 \$45,307,000.

11 CONSTRUCTION

12 For detailed plan preparation and construction of au-  
13 thorized projects, \$29,400,000, to remain available until  
14 expended, as authorized.

15 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

16 For necessary expenses, not otherwise provided, for  
17 the International Joint Commission and the International  
18 Boundary Commission, United States and Canada, as au-  
19 thorized by treaties between the United States and Can-  
20 ada or Great Britain, and the Border Environment Co-  
21 operation Commission as authorized by the North Amer-  
22 ican Free Trade Agreement Implementation Act (Public  
23 Law 103-182), \$12,258,000: *Provided*, That of the  
24 amount provided under this heading for the International  
25 Joint Commission, up to \$500,000 may remain available



1 until September 30, 2018, and \$9,000 may be made avail-  
2 able for representation expenses.

3 INTERNATIONAL FISHERIES COMMISSIONS

4 For necessary expenses for international fisheries  
5 commissions, not otherwise provided for, as authorized by  
6 law, \$36,681,000: *Provided*, That the United States share  
7 of such expenses may be advanced to the respective com-  
8 missions pursuant to section 3324 of title 31, United  
9 States Code.

10 RELATED AGENCY

11 BROADCASTING BOARD OF GOVERNORS

12 INTERNATIONAL BROADCASTING OPERATIONS

13 For necessary expenses to enable the Broadcasting  
14 Board of Governors (BBG), as authorized, to carry out  
15 international communication activities, and to make and  
16 supervise grants for radio, Internet, and television broad-  
17 casting to the Middle East, \$758,267,000: *Provided*, That  
18 in addition to amounts otherwise available for such pur-  
19 poses, up to \$38,348,000 of the amount appropriated  
20 under this heading may remain available until expended  
21 for satellite transmissions and Internet freedom programs,  
22 of which not less than \$15,000,000 shall be for Internet  
23 freedom programs: *Provided further*, That of the total  
24 amount appropriated under this heading, not to exceed  
25 \$35,000 may be used for representation expenses, of

1 which \$10,000 may be used for such expenses within the  
2 United States as authorized, and not to exceed \$30,000  
3 may be used for representation expenses of Radio Free  
4 Europe/Radio Liberty: *Provided further*, That the author-  
5 ity provided by section 504(e) of the Foreign Relations  
6 Authorization Act, Fiscal Year 2003 (Public Law 107–  
7 228; 22 U.S.C. 6206 note) shall remain in effect through  
8 September 30, 2017: *Provided further*, That the BBG  
9 shall notify the Committees on Appropriations within 15  
10 days of any determination by the Board that any of its  
11 broadcast entities, including its grantee organizations,  
12 provides an open platform for international terrorists or  
13 those who support international terrorism, or is in viola-  
14 tion of the principles and standards set forth in sub-  
15 sections (a) and (b) of section 303 of the United States  
16 International Broadcasting Act of 1994 (22 U.S.C. 6202)  
17 or the entity’s journalistic code of ethics: *Provided further*,  
18 That significant modifications to BBG broadcast hours  
19 previously justified to Congress, including changes to  
20 transmission platforms (shortwave, medium wave, sat-  
21 ellite, Internet, and television), for all BBG language serv-  
22 ices shall be subject to the regular notification procedures  
23 of the Committees on Appropriations: *Provided further*,  
24 That in addition to funds made available under this head-  
25 ing, and notwithstanding any other provision of law, up

1 to \$5,000,000 in receipts from advertising and revenue  
2 from business ventures, up to \$500,000 in receipts from  
3 cooperating international organizations, and up to  
4 \$1,000,000 in receipts from privatization efforts of the  
5 Voice of America and the International Broadcasting Bu-  
6 reau, shall remain available until expended for carrying  
7 out authorized purposes.

8                   BROADCASTING CAPITAL IMPROVEMENTS

9           For the purchase, rent, construction, repair, preser-  
10 vation, and improvement of facilities for radio, television,  
11 and digital transmission and reception; the purchase, rent,  
12 and installation of necessary equipment for radio, tele-  
13 vision, and digital transmission and reception, including  
14 to Cuba, as authorized; and physical security worldwide,  
15 in addition to amounts otherwise available for such pur-  
16 poses, \$8,876,000, to remain available until expended, as  
17 authorized.

18                   RELATED PROGRAMS

19                   THE ASIA FOUNDATION

20           For a grant to The Asia Foundation, as authorized  
21 by The Asia Foundation Act (22 U.S.C. 4402),  
22 \$17,000,000, to remain available until expended.

23                   UNITED STATES INSTITUTE OF PEACE

24           For necessary expenses of the United States Institute  
25 of Peace, as authorized by the United States Institute of

1 Peace Act (22 U.S.C. 4601 et seq.), \$35,300,000, to re-  
2 main available until September 30, 2018, which shall not  
3 be used for construction activities.

4 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE  
5 TRUST FUND

6 For necessary expenses of the Center for Middle  
7 Eastern-Western Dialogue Trust Fund, as authorized by  
8 section 633 of the Departments of Commerce, Justice, and  
9 State, the Judiciary, and Related Agencies Appropriations  
10 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-  
11 est and earnings accruing to such Fund on or before Sep-  
12 tember 30, 2017, to remain available until expended.

13 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

14 For necessary expenses of Eisenhower Exchange Fel-  
15 lowships, Incorporated, as authorized by sections 4 and  
16 5 of the Eisenhower Exchange Fellowship Act of 1990 (20  
17 U.S.C. 5204–5205), all interest and earnings accruing to  
18 the Eisenhower Exchange Fellowship Program Trust  
19 Fund on or before September 30, 2017, to remain avail-  
20 able until expended: *Provided*, That none of the funds ap-  
21 propriated herein shall be used to pay any salary or other  
22 compensation, or to enter into any contract providing for  
23 the payment thereof, in excess of the rate authorized by  
24 section 5376 of title 5, United States Code; or for pur-  
25 poses which are not in accordance with section 200 of title

1 2 of the Code of Federal Regulations, including the re-  
2 strictions on compensation for personal services.

3 ISRAELI ARAB SCHOLARSHIP PROGRAM

4 For necessary expenses of the Israeli Arab Scholar-  
5 ship Program, as authorized by section 214 of the Foreign  
6 Relations Authorization Act, Fiscal Years 1992 and 1993  
7 (22 U.S.C. 2452), all interest and earnings accruing to  
8 the Israeli Arab Scholarship Fund on or before September  
9 30, 2017, to remain available until expended.

10 NATIONAL ENDOWMENT FOR DEMOCRACY

11 For grants made by the Department of State to the  
12 National Endowment for Democracy, as authorized by the  
13 National Endowment for Democracy Act (22 U.S.C.  
14 4412), \$170,000,000, to remain available until expended,  
15 of which \$117,500,000 shall be allocated in the traditional  
16 and customary manner, including for the core institutes,  
17 and \$52,500,000 shall be for democracy programs.

18 OTHER COMMISSIONS

19 COMMISSION FOR THE PRESERVATION OF AMERICA'S  
20 HERITAGE ABROAD

21 SALARIES AND EXPENSES

22 For necessary expenses for the Commission for the  
23 Preservation of America's Heritage Abroad, \$888,000, as  
24 authorized by chapter 3123 of title 54, United States  
25 Code: *Provided*, That the Commission may procure tem-

1 porary, intermittent, and other services notwithstanding  
2 paragraph (3) of section 312304(b) of such chapter: *Pro-*  
3 *vided further*, That such authority shall terminate on Oc-  
4 tober 1, 2017: *Provided further*, That the Commission  
5 shall notify the Committees on Appropriations prior to ex-  
6 ercising such authority.

7 UNITED STATES COMMISSION ON INTERNATIONAL  
8 RELIGIOUS FREEDOM  
9 SALARIES AND EXPENSES

10 For necessary expenses for the United States Com-  
11 mission on International Religious Freedom, as authorized  
12 by title II of the International Religious Freedom Act of  
13 1998 (22 U.S.C. 6431 et seq.), \$3,500,000, to remain  
14 available until September 30, 2018, including not more  
15 than \$4,000 for representation expenses.

16 COMMISSION ON SECURITY AND COOPERATION IN  
17 EUROPE  
18 SALARIES AND EXPENSES

19 For necessary expenses of the Commission on Secu-  
20 rity and Cooperation in Europe, as authorized by Public  
21 Law 94–304, \$2,579,000, including not more than \$4,000  
22 for representation expenses, to remain available until Sep-  
23 tember 30, 2018.



1 apply to funds appropriated under this heading as if in-  
2 cluded in this Act.

3 TITLE II

4 UNITED STATES AGENCY FOR INTERNATIONAL  
5 DEVELOPMENT

6 FUNDS APPROPRIATED TO THE PRESIDENT

7 OPERATING EXPENSES

8 For necessary expenses to carry out the provisions  
9 of section 667 of the Foreign Assistance Act of 1961,  
10 \$1,184,416,000, of which up to \$177,662,000 may remain  
11 available until September 30, 2018: *Provided*, That none  
12 of the funds appropriated under this heading and under  
13 the heading “Capital Investment Fund” in this title may  
14 be made available to finance the construction (including  
15 architect and engineering services), purchase, or long-term  
16 lease of offices for use by the United States Agency for  
17 International Development (USAID), unless the USAID  
18 Administrator has identified such proposed use of funds  
19 in a report submitted to the Committees on Appropria-  
20 tions at least 15 days prior to the obligation of funds for  
21 such purposes: *Provided further*, That contracts or agree-  
22 ments entered into with funds appropriated under this  
23 heading may entail commitments for the expenditure of  
24 such funds through the following fiscal year: *Provided fur-*  
25 *ther*, That the authority of sections 610 and 109 of the



1 Foreign Assistance Act of 1961 may be exercised by the  
2 Secretary of State to transfer funds appropriated to carry  
3 out chapter 1 of part I of such Act to “Operating Ex-  
4 penses” in accordance with the provisions of those sec-  
5 tions: *Provided further*, That of the funds appropriated or  
6 made available under this heading, not to exceed \$250,000  
7 may be available for representation and entertainment ex-  
8 penses, of which not to exceed \$5,000 may be available  
9 for entertainment expenses, and not to exceed \$100,500  
10 shall be for official residence expenses, for USAID during  
11 the current fiscal year.

12 CAPITAL INVESTMENT FUND

13 For necessary expenses for overseas construction and  
14 related costs, and for the procurement and enhancement  
15 of information technology and related capital investments,  
16 pursuant to section 667 of the Foreign Assistance Act of  
17 1961, \$199,985,000, to remain available until expended:  
18 *Provided*, That this amount is in addition to funds other-  
19 wise available for such purposes: *Provided further*, That  
20 funds appropriated under this heading shall be available  
21 subject to the regular notification procedures of the Com-  
22 mittees on Appropriations.

23 OFFICE OF INSPECTOR GENERAL

24 For necessary expenses to carry out the provisions  
25 of section 667 of the Foreign Assistance Act of 1961,

1 \$67,600,000, of which up to \$10,140,000 may remain  
2 available until September 30, 2018, for the Office of In-  
3 spector General of the United States Agency for Inter-  
4 national Development.

### 5 TITLE III

#### 6 BILATERAL ECONOMIC ASSISTANCE

#### 7 FUNDS APPROPRIATED TO THE PRESIDENT

8 For necessary expenses to enable the President to  
9 carry out the provisions of the Foreign Assistance Act of  
10 1961, and for other purposes, as follows:

#### 11 GLOBAL HEALTH PROGRAMS

12 For necessary expenses to carry out the provisions  
13 of chapters 1 and 10 of part I of the Foreign Assistance  
14 Act of 1961, for global health activities, in addition to  
15 funds otherwise available for such purposes,  
16 \$3,246,500,000, to remain available until September 30,  
17 2018, and which shall be apportioned directly to the  
18 United States Agency for International Development  
19 (USAID): *Provided*, That this amount shall be made avail-  
20 able for training, equipment, and technical assistance to  
21 build the capacity of public health institutions and organi-  
22 zations in developing countries, and for such activities as:  
23 (1) child survival and maternal health programs; (2) im-  
24 munization and oral rehydration programs; (3) other  
25 health, nutrition, water and sanitation programs which di-

1 rectly address the needs of mothers and children, and re-  
2 lated education programs; (4) assistance for children dis-  
3 placed or orphaned by causes other than AIDS; (5) pro-  
4 grams for the prevention, treatment, control of, and re-  
5 search on HIV/AIDS, tuberculosis, polio, malaria, and  
6 other infectious diseases including neglected tropical dis-  
7 eases, and for assistance to communities severely affected  
8 by HIV/AIDS, including children infected or affected by  
9 AIDS; (6) disaster preparedness training for health crises;  
10 (7) programs to promote global health security and ad-  
11 dress emerging health threats; and (8) family planning/  
12 reproductive health: *Provided further*, That funds appro-  
13 priated under this paragraph may be made available for  
14 a United States contribution to GAVI, the Vaccine Alli-  
15 ance, and the United Nations Children’s Fund: *Provided*  
16 *further*, That none of the funds made available in this Act  
17 nor any unobligated balances from prior appropriations  
18 Acts may be made available to any organization or pro-  
19 gram which, as determined by the President of the United  
20 States, supports or participates in the management of a  
21 program of coercive abortion or involuntary sterilization:  
22 *Provided further*, That any determination made under the  
23 previous proviso must be made not later than 6 months  
24 after the date of enactment of this Act, and must be ac-  
25 companied by the evidence and criteria utilized to make

1 the determination: *Provided further*, That none of the  
2 funds made available under this Act may be used to pay  
3 for the performance of abortion as a method of family  
4 planning or to motivate or coerce any person to practice  
5 abortions: *Provided further*, That nothing in this para-  
6 graph shall be construed to alter any existing statutory  
7 prohibitions against abortion under section 104 of the  
8 Foreign Assistance Act of 1961: *Provided further*, That  
9 none of the funds made available under this Act may be  
10 used to lobby for or against abortion: *Provided further*,  
11 That in order to reduce reliance on abortion in developing  
12 nations, funds shall be available only to voluntary family  
13 planning projects which offer, either directly or through  
14 referral to, or information about access to, a broad range  
15 of family planning methods and services, and that any  
16 such voluntary family planning project shall meet the fol-  
17 lowing requirements: (1) service providers or referral  
18 agents in the project shall not implement or be subject  
19 to quotas, or other numerical targets, of total number of  
20 births, number of family planning acceptors, or acceptors  
21 of a particular method of family planning (this provision  
22 shall not be construed to include the use of quantitative  
23 estimates or indicators for budgeting and planning pur-  
24 poses); (2) the project shall not include payment of incen-  
25 tives, bribes, gratuities, or financial reward to: (A) an indi-

1 vidual in exchange for becoming a family planning accep-  
2 tor; or (B) program personnel for achieving a numerical  
3 target or quota of total number of births, number of fam-  
4 ily planning acceptors, or acceptors of a particular method  
5 of family planning; (3) the project shall not deny any right  
6 or benefit, including the right of access to participate in  
7 any program of general welfare or the right of access to  
8 health care, as a consequence of any individual's decision  
9 not to accept family planning services; (4) the project shall  
10 provide family planning acceptors comprehensible infor-  
11 mation on the health benefits and risks of the method cho-  
12 sen, including those conditions that might render the use  
13 of the method inadvisable and those adverse side effects  
14 known to be consequent to the use of the method; and  
15 (5) the project shall ensure that experimental contracep-  
16 tive drugs and devices and medical procedures are pro-  
17 vided only in the context of a scientific study in which  
18 participants are advised of potential risks and benefits;  
19 and, not less than 60 days after the date on which the  
20 USAID Administrator determines that there has been a  
21 violation of the requirements contained in paragraph (1),  
22 (2), (3), or (5) of this proviso, or a pattern or practice  
23 of violations of the requirements contained in paragraph  
24 (4) of this proviso, the Administrator shall submit to the  
25 Committees on Appropriations a report containing a de-

1 description of such violation and the corrective action taken  
2 by the Agency: *Provided further*, That in awarding grants  
3 for natural family planning under section 104 of the For-  
4 eign Assistance Act of 1961 no applicant shall be discrimi-  
5 nated against because of such applicant’s religious or con-  
6 scientious commitment to offer only natural family plan-  
7 ning; and, additionally, all such applicants shall comply  
8 with the requirements of the previous proviso: *Provided*  
9 *further*, That for purposes of this or any other Act author-  
10 izing or appropriating funds for the Department of State,  
11 foreign operations, and related programs, the term “moti-  
12 vate”, as it relates to family planning assistance, shall not  
13 be construed to prohibit the provision, consistent with  
14 local law, of information or counseling about all pregnancy  
15 options: *Provided further*, That information provided  
16 about the use of condoms as part of projects or activities  
17 that are funded from amounts appropriated by this Act  
18 shall be medically accurate and shall include the public  
19 health benefits and failure rates of such use.

20 In addition, for necessary expenses to carry out the  
21 provisions of the Foreign Assistance Act of 1961 for the  
22 prevention, treatment, and control of, and research on,  
23 HIV/AIDS, \$5,670,000,000, to remain available until  
24 September 30, 2021, which shall be apportioned directly  
25 to the Department of State: *Provided*, That funds appro-

1 priated under this paragraph may be made available, not-  
2 withstanding any other provision of law, except for the  
3 United States Leadership Against HIV/AIDS, Tuber-  
4 culosis, and Malaria Act of 2003 (Public Law 108–25),  
5 as amended, for a United States contribution to the Global  
6 Fund to Fight AIDS, Tuberculosis and Malaria (Global  
7 Fund), and shall be expended at the minimum rate nec-  
8 essary to make timely payment for projects and activities:  
9 *Provided further*, That up to 5 percent of the aggregate  
10 amount of funds made available to the Global Fund in  
11 fiscal year 2017 may be made available to USAID for  
12 technical assistance related to the activities of the Global  
13 Fund, subject to the regular notification procedures of the  
14 Committees on Appropriations: *Provided further*, That of  
15 the funds appropriated under this paragraph, up to  
16 \$17,000,000 may be made available, in addition to  
17 amounts otherwise available for such purposes, for admin-  
18 istrative expenses of the Office of the United States Global  
19 AIDS Coordinator.

20 DEVELOPMENT ASSISTANCE

21 For necessary expenses to carry out the provisions  
22 of sections 103, 105, 106, 214, and sections 251 through  
23 255, and chapter 10 of part I of the Foreign Assistance  
24 Act of 1961, \$2,780,971,000, to remain available until  
25 September 30, 2018.

## 1 INTERNATIONAL DISASTER ASSISTANCE

2 For necessary expenses to carry out the provisions  
3 of section 491 of the Foreign Assistance Act of 1961 for  
4 international disaster relief, rehabilitation, and recon-  
5 struction assistance, \$909,057,000, to remain available  
6 until expended.

## 7 TRANSITION INITIATIVES

8 For necessary expenses for international disaster re-  
9 habilitation and reconstruction assistance administered by  
10 the Office of Transition Initiatives, United States Agency  
11 for International Development (USAID), pursuant to sec-  
12 tion 491 of the Foreign Assistance Act of 1961,  
13 \$40,600,000, to remain available until expended, to sup-  
14 port transition to democracy and long-term development  
15 of countries in crisis: *Provided*, That such support may  
16 include assistance to develop, strengthen, or preserve  
17 democratic institutions and processes, revitalize basic in-  
18 frastructure, and foster the peaceful resolution of conflict:  
19 *Provided further*, That the USAID Administrator shall  
20 submit a report to the Committees on Appropriations at  
21 least 5 days prior to beginning a new program of assist-  
22 ance: *Provided further*, That if the Secretary of State de-  
23 termines that it is important to the national interest of  
24 the United States to provide transition assistance in ex-  
25 cess of the amount appropriated under this heading, up



1 to \$15,000,000 of the funds appropriated by this Act to  
2 carry out the provisions of part I of the Foreign Assist-  
3 ance Act of 1961 may be used for purposes of this heading  
4 and under the authorities applicable to funds appropriated  
5 under this heading: *Provided further*, That funds made  
6 available pursuant to the previous proviso shall be made  
7 available subject to prior consultation with the Committees  
8 on Appropriations.

9 DEVELOPMENT CREDIT AUTHORITY

10 For the cost of direct loans and loan guarantees pro-  
11 vided by the United States Agency for International De-  
12 velopment (USAID), as authorized by sections 256 and  
13 635 of the Foreign Assistance Act of 1961, up to  
14 \$40,000,000 may be derived by transfer from funds ap-  
15 propriated by this Act to carry out part I of such Act and  
16 under the heading “Assistance for Europe, Eurasia and  
17 Central Asia”: *Provided*, That funds provided under this  
18 paragraph and funds provided as a gift that are used for  
19 purposes of this paragraph pursuant to section 635(d) of  
20 the Foreign Assistance Act of 1961 shall be made avail-  
21 able only for micro- and small enterprise programs, urban  
22 programs, and other programs which further the purposes  
23 of part I of such Act: *Provided further*, That funds pro-  
24 vided as a gift that are used for purposes of this para-  
25 graph shall be subject to prior consultation and the reg-

1 ular notification procedures of the Committees on Appro-  
2 priations: *Provided further*, That such costs, including the  
3 cost of modifying such direct and guaranteed loans, shall  
4 be as defined in section 502 of the Congressional Budget  
5 Act of 1974, as amended: *Provided further*, That funds  
6 made available by this paragraph may be used for the cost  
7 of modifying any such guaranteed loans under this Act  
8 or prior Acts making appropriations for the Department  
9 of State, foreign operations, and related programs, and  
10 funds used for such costs, including if the costs result in  
11 a negative subsidy, shall be subject to the regular notifica-  
12 tion procedures of the Committees on Appropriations: *Pro-*  
13 *vided further*, That the provisions of section 107A(d) (re-  
14 lating to general provisions applicable to the Development  
15 Credit Authority) of the Foreign Assistance Act of 1961,  
16 as contained in section 306 of H.R. 1486 as reported by  
17 the House Committee on International Relations on May  
18 9, 1997, shall be applicable to direct loans and loan guar-  
19 antees provided under this heading, except that the prin-  
20 cipal amount of loans made or guaranteed under this  
21 heading with respect to any single country shall not exceed  
22 \$300,000,000: *Provided further*, That these funds are  
23 available to subsidize total loan principal, any portion of  
24 which is to be guaranteed, of up to \$1,500,000,000.

1 In addition, for administrative expenses to carry out  
2 credit programs administered by USAID, \$8,120,000,  
3 which may be transferred to, and merged with, funds  
4 made available under the heading “Operating Expenses”  
5 in title II of this Act: *Provided*, That funds made available  
6 under this heading shall remain available until September  
7 30, 2019.

8 ECONOMIC SUPPORT FUND

9 For necessary expenses to carry out the provisions  
10 of chapter 4 of part II of the Foreign Assistance Act of  
11 1961, \$1,601,559,000, to remain available until Sep-  
12 tember 30, 2018.

13 DEMOCRACY FUND

14 For necessary expenses to carry out the provisions  
15 of the Foreign Assistance Act of 1961 for the promotion  
16 of democracy globally, \$150,500,000, to remain available  
17 until September 30, 2018, of which \$82,250,000 shall be  
18 made available for the Human Rights and Democracy  
19 Fund of the Bureau of Democracy, Human Rights and  
20 Labor, Department of State, and \$68,250,000 shall be  
21 made available for the Bureau for Democracy, Conflict,  
22 and Humanitarian Assistance, United States Agency for  
23 International Development.

1 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

2 For necessary expenses to carry out the provisions  
3 of the Foreign Assistance Act of 1961, the FREEDOM  
4 Support Act (Public Law 102–511), and the Support for  
5 Eastern European Democracy (SEED) Act of 1989 (Pub-  
6 lic Law 101–179), \$491,119,000, to remain available until  
7 September 30, 2018, which shall be available, notwith-  
8 standing any other provision of law, except section 7070  
9 of this Act, for assistance and related programs for coun-  
10 tries identified in section 3 of Public Law 102–511 and  
11 section 3(c) of Public Law 101–179, in addition to funds  
12 otherwise available for such purposes: *Provided*, That  
13 funds appropriated by this Act under the headings “Global  
14 Health Programs” and “Economic Support Fund” that  
15 are made available for assistance for such countries shall  
16 be administered in accordance with the responsibilities of  
17 the coordinator designated pursuant to section 102 of  
18 Public Law 102–511 and section 601 of Public Law 101–  
19 179: *Provided further*, That funds appropriated under this  
20 heading shall be considered to be economic assistance  
21 under the Foreign Assistance Act of 1961 for purposes  
22 of making available the administrative authorities con-  
23 tained in that Act for the use of economic assistance.

## 1 DEPARTMENT OF STATE

## 2 MIGRATION AND REFUGEE ASSISTANCE

3 For necessary expenses not otherwise provided for,  
4 to enable the Secretary of State to carry out the provisions  
5 of section 2(a) and (b) of the Migration and Refugee As-  
6 sistance Act of 1962, and other activities to meet refugee  
7 and migration needs; salaries and expenses of personnel  
8 and dependents as authorized by the Foreign Service Act  
9 of 1980; allowances as authorized by sections 5921  
10 through 5925 of title 5, United States Code; purchase and  
11 hire of passenger motor vehicles; and services as author-  
12 ized by section 3109 of title 5, United States Code,  
13 \$771,096,000, to remain available until expended, of  
14 which not less than \$35,000,000 shall be made available  
15 to respond to small-scale emergency humanitarian require-  
16 ments, \$7,500,000 shall be made available for refugees re-  
17 settling in Israel, and not more than \$394,254,000 shall  
18 be made available for the United States Refugee Admis-  
19 sions Program.

## 20 INDEPENDENT AGENCIES

## 21 PEACE CORPS

## 22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses to carry out the provisions  
24 of the Peace Corps Act (22 U.S.C. 2501 et seq.), including  
25 the purchase of not to exceed five passenger motor vehicles

1 for administrative purposes for use outside of the United  
2 States, \$410,000,000, of which \$5,150,000 is for the Of-  
3 fice of Inspector General, to remain available until Sep-  
4 tember 30, 2018: *Provided*, That the Director of the Peace  
5 Corps may transfer to the Foreign Currency Fluctuations  
6 Account, as authorized by section 16 of the Peace Corps  
7 Act (22 U.S.C. 2515), an amount not to exceed  
8 \$5,000,000: *Provided further*, That funds transferred pur-  
9 suant to the previous proviso may not be derived from  
10 amounts made available for Peace Corps overseas oper-  
11 ations: *Provided further*, That of the funds appropriated  
12 under this heading, not to exceed \$104,000 may be avail-  
13 able for representation expenses, of which not to exceed  
14 \$4,000 may be made available for entertainment expenses:  
15 *Provided further*, That any decision to open, close, signifi-  
16 cantly reduce, or suspend a domestic or overseas office or  
17 country program shall be subject to prior consultation  
18 with, and the regular notification procedures of, the Com-  
19 mittees on Appropriations, except that prior consultation  
20 and regular notification procedures may be waived when  
21 there is a substantial security risk to volunteers or other  
22 Peace Corps personnel, pursuant to section 7015(e) of this  
23 Act: *Provided further*, That none of the funds appropriated  
24 under this heading shall be used to pay for abortions: *Pro-*  
25 *vided further*, That notwithstanding the previous proviso,

1 section 614 of division E of Public Law 113–76 shall  
2 apply to funds appropriated under this heading.

3 MILLENNIUM CHALLENGE CORPORATION

4 For necessary expenses to carry out the provisions  
5 of the Millennium Challenge Act of 2003 (22 U.S.C. 7701  
6 et seq.) (MCA), \$901,000,000, to remain available until  
7 expended: *Provided*, That of the funds appropriated under  
8 this heading, up to \$105,000,000 may be available for ad-  
9 ministrative expenses of the Millennium Challenge Cor-  
10 poration (the Corporation): *Provided further*, That up to  
11 5 percent of the funds appropriated under this heading  
12 may be made available to carry out the purposes of section  
13 616 of the MCA for fiscal year 2017: *Provided further*,  
14 That section 605(e) of the MCA shall apply to funds ap-  
15 propriated under this heading: *Provided further*, That  
16 funds appropriated under this heading may be made avail-  
17 able for a Millennium Challenge Compact entered into  
18 pursuant to section 609 of the MCA only if such Compact  
19 obligates, or contains a commitment to obligate subject to  
20 the availability of funds and the mutual agreement of the  
21 parties to the Compact to proceed, the entire amount of  
22 the United States Government funding anticipated for the  
23 duration of the Compact: *Provided further*, That the Chief  
24 Executive Officer of the Corporation shall notify the Com-  
25 mittees on Appropriations not later than 15 days prior to

1 commencing negotiations for any country compact or  
2 threshold country program; signing any such compact or  
3 threshold program; or terminating or suspending any such  
4 compact or threshold program: *Provided further*, That  
5 funds appropriated under this heading by this Act and  
6 prior Acts making appropriations for the Department of  
7 State, foreign operations, and related programs that are  
8 available to implement section 609(g) of the MCA shall  
9 be subject to the regular notification procedures of the  
10 Committees on Appropriations: *Provided further*, That no  
11 country should be eligible for a threshold program after  
12 such country has completed a country compact: *Provided*  
13 *further*, That any funds that are deobligated from a Mil-  
14 lennium Challenge Compact shall be subject to the regular  
15 notification procedures of the Committees on Appropria-  
16 tions prior to re-obligation: *Provided further*, That publica-  
17 tion in the Federal Register of a notice of availability of  
18 a copy of a Compact on the Millennium Challenge Cor-  
19 poration Web site shall be deemed to satisfy the require-  
20 ments of section 610(b)(2) of the MCA for such Compact:  
21 *Provided further*, That none of the funds made available  
22 by this Act or prior Acts making appropriations for the  
23 Department of State, foreign operations, and related pro-  
24 grams shall be available for a threshold program in a  
25 country that is not currently a candidate country: *Pro-*



1 *vided further*, That of the funds appropriated under this  
2 heading, not to exceed \$100,000 may be available for rep-  
3 resentation and entertainment expenses, of which not to  
4 exceed \$5,000 may be available for entertainment ex-  
5 penses.

6 INTER-AMERICAN FOUNDATION

7 For necessary expenses to carry out the functions of  
8 the Inter-American Foundation in accordance with the  
9 provisions of section 401 of the Foreign Assistance Act  
10 of 1969, \$22,500,000, to remain available until September  
11 30, 2018: *Provided*, That of the funds appropriated under  
12 this heading, not to exceed \$2,000 may be available for  
13 representation expenses.

14 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

15 For necessary expenses to carry out title V of the  
16 International Security and Development Cooperation Act  
17 of 1980 (Public Law 96–533), \$30,000,000, to remain  
18 available until September 30, 2018, of which not to exceed  
19 \$2,000 may be available for representation expenses: *Pro-*  
20 *vided*, That funds made available to grantees may be in-  
21 vested pending expenditure for project purposes when au-  
22 thorized by the Board of Directors of the United States  
23 African Development Foundation (USADF): *Provided fur-*  
24 *ther*, That interest earned shall be used only for the pur-  
25 poses for which the grant was made: *Provided further*,

1 That notwithstanding section 505(a)(2) of the African De-  
2 velopment Foundation Act, in exceptional circumstances  
3 the Board of Directors of the USADF may waive the  
4 \$250,000 limitation contained in that section with respect  
5 to a project and a project may exceed the limitation by  
6 up to 10 percent if the increase is due solely to foreign  
7 currency fluctuation: *Provided further*, That the USADF  
8 shall submit a report to the Committees on Appropriations  
9 after each time such waiver authority is exercised: *Pro-*  
10 *vided further*, That the USADF may make rent or lease  
11 payments in advance from appropriations available for  
12 such purpose for offices, buildings, grounds, and quarters  
13 in Africa as may be necessary to carry out its functions:  
14 *Provided further*, That the USADF may maintain bank  
15 accounts outside the United States Treasury and retain  
16 any interest earned on such accounts, in furtherance of  
17 the purposes of the African Foundation Development Act:  
18 *Provided further*, That the USADF may not withdraw any  
19 appropriation from the Treasury prior to the need of  
20 spending such funds for program purposes.

21 DEPARTMENT OF THE TREASURY

22 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

23 For necessary expenses to carry out the provisions  
24 of section 129 of the Foreign Assistance Act of 1961,  
25 \$28,500,000, to remain available until September 30,

1 2019, which shall be available notwithstanding any other  
2 provision of law.

3 TITLE IV

4 INTERNATIONAL SECURITY ASSISTANCE

5 DEPARTMENT OF STATE

6 INTERNATIONAL NARCOTICS CONTROL AND LAW

7 ENFORCEMENT

8 For necessary expenses to carry out section 481 of  
9 the Foreign Assistance Act of 1961, \$1,003,570,000, to  
10 remain available until September 30, 2018: *Provided*,  
11 That the Department of State may use the authority of  
12 section 608 of the Foreign Assistance Act of 1961, with-  
13 out regard to its restrictions, to receive excess property  
14 from an agency of the United States Government for the  
15 purpose of providing such property to a foreign country  
16 or international organization under chapter 8 of part I of  
17 that Act, subject to the regular notification procedures of  
18 the Committees on Appropriations: *Provided further*, That  
19 section 482(b) of the Foreign Assistance Act of 1961 shall  
20 not apply to funds appropriated under this heading, except  
21 that any funds made available notwithstanding such sec-  
22 tion shall be subject to the regular notification procedures  
23 of the Committees on Appropriations: *Provided further*,  
24 That funds appropriated under this heading shall be made  
25 available to support training and technical assistance for

1 foreign law enforcement, corrections, and other judicial  
2 authorities, utilizing regional partners: *Provided further*,  
3 That funds made available under this heading that are  
4 transferred to another department, agency, or instrumen-  
5 tality of the United States Government pursuant to sec-  
6 tion 632(b) of the Foreign Assistance Act of 1961 valued  
7 in excess of \$5,000,000, and any agreement made pursu-  
8 ant to section 632(a) of such Act, shall be subject to the  
9 regular notification procedures of the Committees on Ap-  
10 propriations.

11 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND  
12 RELATED PROGRAMS

13 For necessary expenses for nonproliferation, anti-ter-  
14 rorism, demining and related programs and activities,  
15 \$506,381,000, to remain available until September 30,  
16 2018, to carry out the provisions of chapter 8 of part II  
17 of the Foreign Assistance Act of 1961 for anti-terrorism  
18 assistance, chapter 9 of part II of the Foreign Assistance  
19 Act of 1961, section 504 of the FREEDOM Support Act,  
20 section 23 of the Arms Export Control Act, or the Foreign  
21 Assistance Act of 1961 for demining activities, the clear-  
22 ance of unexploded ordnance, the destruction of small  
23 arms, and related activities, notwithstanding any other  
24 provision of law, including activities implemented through  
25 nongovernmental and international organizations, and sec-

1 tion 301 of the Foreign Assistance Act of 1961 for a  
2 United States contribution to the Comprehensive Nuclear  
3 Test Ban Treaty Preparatory Commission, and for a vol-  
4 untary contribution to the International Atomic Energy  
5 Agency (IAEA): *Provided*, That the Secretary of State  
6 shall inform the appropriate congressional committees of  
7 information regarding any separate arrangements relating  
8 to the “Road-map for the Clarification of Past and  
9 Present Outstanding Issues Regarding Iran’s Nuclear  
10 Program” between the IAEA and the Islamic Republic of  
11 Iran, in classified form if necessary, if such information  
12 becomes known to the Department of State: *Provided fur-*  
13 *ther*, That funds made available under this heading for  
14 the Nonproliferation and Disarmament Fund shall be  
15 available notwithstanding any other provision of law and  
16 subject to prior consultation with, and the regular notifica-  
17 tion procedures of, the Committees on Appropriations, to  
18 promote bilateral and multilateral activities relating to  
19 nonproliferation, disarmament, and weapons destruction,  
20 and shall remain available until expended: *Provided fur-*  
21 *ther*, That such funds may also be used for such countries  
22 other than the Independent States of the former Soviet  
23 Union and international organizations when it is in the  
24 national security interest of the United States to do so:  
25 *Provided further*, That funds appropriated under this

1 heading may be made available for the IAEA unless the  
2 Secretary of State determines that Israel is being denied  
3 its right to participate in the activities of that Agency:  
4 *Provided further*, That of the funds made available under  
5 this heading, \$175,000,000 shall be made available for the  
6 Counterterrorism Partnerships Fund and shall be subject  
7 to the regular notification procedures of the Committees  
8 on Appropriations, of which not less than \$95,000,000  
9 shall be made available for non-lethal assistance to the se-  
10 curity forces of the Kurdistan Regional Government: *Pro-*  
11 *vided further*, That funds made available pursuant to the  
12 previous proviso for assistance for the security forces of  
13 the Kurdistan Regional Government shall be administered  
14 by the Assistant Secretary for Near Eastern Affairs, De-  
15 partment of State, in consultation with the Assistant Sec-  
16 retary for Political-Military Affairs, Department of State  
17 and may be transferred to, and merged with, funds appro-  
18 priated under the heading “Peacekeeping Operations”:  
19 *Provided further*, That the transfer authority of the pre-  
20 vious proviso is in addition to any transfer authority other-  
21 wise available under any other provision of law: *Provided*  
22 *further*, That funds made available for conventional weap-  
23 ons destruction programs, including demining and related  
24 activities, in addition to funds otherwise available for such  
25 purposes, may be used for administrative expenses related

1 to the operation and management of such programs and  
2 activities, subject to the regular notification procedures of  
3 the Committees on Appropriations.

4 PEACEKEEPING OPERATIONS

5 For necessary expenses to carry out the provisions  
6 of section 551 of the Foreign Assistance Act of 1961,  
7 \$162,254,000: *Provided*, That funds appropriated under  
8 this heading may be used, notwithstanding section 660 of  
9 such Act, to provide assistance to enhance the capacity  
10 of foreign civilian security forces, including gendarmes, to  
11 participate in peacekeeping operations: *Provided further*,  
12 That of the funds appropriated under this heading, not  
13 less than \$44,500,000 shall be made available for a United  
14 States contribution to the Multinational Force and Ob-  
15 servers mission in the Sinai: *Provided further*, That none  
16 of the funds appropriated under this heading shall be obli-  
17 gated except as provided through the regular notification  
18 procedures of the Committees on Appropriations.

19 FUNDS APPROPRIATED TO THE PRESIDENT

20 INTERNATIONAL MILITARY EDUCATION AND TRAINING

21 For necessary expenses to carry out the provisions  
22 of section 541 of the Foreign Assistance Act of 1961,  
23 \$110,300,000, of which up to \$6,000,000 may remain  
24 available until September 30, 2018: *Provided*, That the  
25 civilian personnel for whom military education and train-

1 ing may be provided under this heading may include civil-  
2 ians who are not members of a government whose partici-  
3 pation would contribute to improved civil-military rela-  
4 tions, civilian control of the military, or respect for human  
5 rights: *Provided further*, That of the funds appropriated  
6 under this heading, not to exceed \$55,000 may be avail-  
7 able for entertainment expenses.

8 FOREIGN MILITARY FINANCING PROGRAM

9 For necessary expenses for grants to enable the  
10 President to carry out the provisions of section 23 of the  
11 Arms Export Control Act, \$4,795,612,000: *Provided*,  
12 That to expedite the provision of assistance to foreign  
13 countries and international organizations, the Secretary of  
14 State, following consultation with the Committees on Ap-  
15 propriations and subject to the regular notification proce-  
16 dures of such Committees, may use the funds appro-  
17 priated under this heading to procure defense articles and  
18 services to enhance the capacity of foreign security forces:  
19 *Provided further*, That of the funds appropriated under  
20 this heading, not less than \$3,100,000,000 shall be avail-  
21 able for grants only for Israel, and funds are available for  
22 assistance for Jordan and Egypt subject to section 7041  
23 of this Act: *Provided further*, That the funds appropriated  
24 under this heading for assistance for Israel shall be dis-  
25 bursed within 30 days of enactment of this Act: *Provided*



1 *further*, That to the extent that the Government of Israel  
2 requests that funds be used for such purposes, grants  
3 made available for Israel under this heading shall, as  
4 agreed by the United States and Israel, be available for  
5 advanced weapons systems, of which not less than  
6 \$815,300,000 shall be available for the procurement in  
7 Israel of defense articles and defense services, including  
8 research and development: *Provided further*, That none of  
9 the funds made available under this heading shall be made  
10 available to support or continue any program initially  
11 funded under the authority of section 1206 of the National  
12 Defense Authorization Act for Fiscal Year 2006 (Public  
13 Law 109–163; 119 Stat. 3456), or section 2282 of title  
14 10, United States Code, unless the Secretary of State, in  
15 coordination with the Secretary of Defense, has justified  
16 such program to the Committees on Appropriations: *Pro-*  
17 *vided further*, That funds appropriated or otherwise made  
18 available under this heading shall be nonrepayable not-  
19 withstanding any requirement in section 23 of the Arms  
20 Export Control Act: *Provided further*, That funds made  
21 available under this heading shall be obligated upon appor-  
22 tionment in accordance with paragraph (5)(c) of section  
23 1501(a) of title 31, United States Code.

24       None of the funds made available under this heading  
25 shall be available to finance the procurement of defense

1 articles, defense services, or design and construction serv-  
2 ices that are not sold by the United States Government  
3 under the Arms Export Control Act unless the foreign  
4 country proposing to make such procurement has first  
5 signed an agreement with the United States Government  
6 specifying the conditions under which such procurement  
7 may be financed with such funds: *Provided*, That all coun-  
8 try and funding level increases in allocations shall be sub-  
9 mitted through the regular notification procedures of sec-  
10 tion 7015 of this Act: *Provided further*, That funds made  
11 available under this heading may be used, notwithstanding  
12 any other provision of law, for demining, the clearance of  
13 unexploded ordnance, and related activities, and may in-  
14 clude activities implemented through nongovernmental  
15 and international organizations: *Provided further*, That  
16 only those countries for which assistance was justified for  
17 the “Foreign Military Sales Financing Program” in the  
18 fiscal year 1989 congressional presentation for security as-  
19 sistance programs may utilize funds made available under  
20 this heading for procurement of defense articles, defense  
21 services, or design and construction services that are not  
22 sold by the United States Government under the Arms  
23 Export Control Act: *Provided further*, That funds appro-  
24 priated under this heading shall be expended at the min-  
25 imum rate necessary to make timely payment for defense

1 articles and services: *Provided further*, That not less than  
2 \$80,000,000 of the funds appropriated under this heading  
3 shall be obligated for necessary expenses, including the  
4 purchase of passenger motor vehicles for replacement only  
5 for use outside of the United States, for the general costs  
6 of administering military assistance and sales: *Provided*  
7 *further*, That of the funds made available under this head-  
8 ing for general costs of administering military assistance  
9 and sales, not to exceed \$4,000 may be available for enter-  
10 tainment expenses and not to exceed \$130,000 may be  
11 available for representation expenses: *Provided further*,  
12 That not more than \$920,200,000 of funds realized pursu-  
13 ant to section 21(e)(1)(A) of the Arms Export Control Act  
14 may be obligated for expenses incurred by the Department  
15 of Defense during fiscal year 2017 pursuant to section  
16 43(b) of the Arms Export Control Act, except that this  
17 limitation may be exceeded through the regular notifica-  
18 tion procedures of the Committees on Appropriations.

## 19 TITLE V

### 20 MULTILATERAL ASSISTANCE

#### 21 INTERNATIONAL FINANCIAL INSTITUTIONS

#### 22 GLOBAL ENVIRONMENT FACILITY

23 For payment to the International Bank for Recon-  
24 struction and Development as trustee for the Global Envi-

1 ronment Facility by the Secretary of the Treasury,  
2 \$146,563,000, to remain available until expended.

3 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT  
4 ASSOCIATION

5 For payment to the International Development Asso-  
6 ciation by the Secretary of the Treasury, \$1,197,128,000,  
7 to remain available until expended.

8 CONTRIBUTION TO THE INTERNATIONAL BANK FOR  
9 RECONSTRUCTION AND DEVELOPMENT

10 For payment to the International Bank for Recon-  
11 struction and Development by the Secretary of the Treas-  
12 ury for the United States share of the paid-in portion of  
13 the increases in capital stock, \$5,963,000, to remain avail-  
14 able until expended.

15 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT  
16 BANK

17 For payment to the Inter-American Development  
18 Bank by the Secretary of the Treasury for the United  
19 States share of the paid-in portion of the increase in cap-  
20 ital stock, \$21,940,000, to remain available until ex-  
21 pended.

22 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

23 For payment to the Asian Development Bank's Asian  
24 Development Fund by the Secretary of the Treasury,  
25 \$99,233,000, to remain available until expended.

## 1 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

2 For payment to the African Development Bank by  
3 the Secretary of the Treasury for the United States share  
4 of the paid-in portion of the increase in capital stock,  
5 \$32,418,000, to remain available until expended.

## 6 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

7 The United States Governor of the African Develop-  
8 ment Bank may subscribe without fiscal year limitation  
9 to the callable capital portion of the United States share  
10 of such capital stock in an amount not to exceed  
11 \$507,860,808.

## 12 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

13 For payment to the African Development Fund by  
14 the Secretary of the Treasury, \$175,668,000, to remain  
15 available until expended.

16 CONTRIBUTION TO THE INTERNATIONAL FUND FOR  
17 AGRICULTURAL DEVELOPMENT

18 For payment to the International Fund for Agricul-  
19 tural Development by the Secretary of the Treasury,  
20 \$30,000,000, to remain available until expended.

## 21 GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

22 For payment to the Global Agriculture and Food Se-  
23 curity Program by the Secretary of the Treasury,  
24 \$23,000,000, to remain available until expended.

1 CONTRIBUTION TO THE NORTH AMERICAN DEVELOPMENT  
2 BANK

3 For payment to the North American Development  
4 Bank by the Secretary of the Treasury for the United  
5 States share of the paid-in portion of the increase in cap-  
6 ital stock, \$10,000,000, to remain available until ex-  
7 pended.

8 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

9 The Secretary of the Treasury may subscribe without  
10 fiscal year limitation to the callable capital portion of the  
11 United States share of such capital stock in an amount  
12 not to exceed \$255,000,000.

13 TITLE VI

14 EXPORT AND INVESTMENT ASSISTANCE

15 EXPORT-IMPORT BANK OF THE UNITED STATES

16 INSPECTOR GENERAL

17 For necessary expenses of the Office of Inspector  
18 General in carrying out the provisions of the Inspector  
19 General Act of 1978, as amended, \$6,000,000, to remain  
20 available until September 30, 2018.

21 PROGRAM ACCOUNT

22 The Export-Import Bank (the Bank) of the United  
23 States is authorized to make such expenditures within the  
24 limits of funds and borrowing authority available to such  
25 corporation, and in accordance with law, and to make such

1 contracts and commitments without regard to fiscal year  
2 limitations, as provided by section 104 of the Government  
3 Corporation Control Act, as may be necessary in carrying  
4 out the program for the current fiscal year for such cor-  
5 poration: *Provided*, That none of the funds available dur-  
6 ing the current fiscal year may be used to make expendi-  
7 tures, contracts, or commitments for the export of nuclear  
8 equipment, fuel, or technology to any country, other than  
9 a nuclear-weapon state as defined in Article IX of the  
10 Treaty on the Non-Proliferation of Nuclear Weapons eligi-  
11 ble to receive economic or military assistance under this  
12 Act, that has detonated a nuclear explosive after the date  
13 of the enactment of this Act.

14 ADMINISTRATIVE EXPENSES

15 For administrative expenses to carry out the direct  
16 and guaranteed loan and insurance programs, including  
17 hire of passenger motor vehicles and services as authorized  
18 by section 3109 of title 5, United States Code, and not  
19 to exceed \$30,000 for official reception and representation  
20 expenses for members of the Board of Directors, not to  
21 exceed \$106,250,000: *Provided*, That the Export-Import  
22 Bank (the Bank) may accept, and use, payment or serv-  
23 ices provided by transaction participants for legal, finan-  
24 cial, or technical services in connection with any trans-  
25 action for which an application for a loan, guarantee or

1 insurance commitment has been made: *Provided further,*  
2 That the Bank shall charge fees for necessary expenses  
3 (including special services performed on a contract or fee  
4 basis, but not including other personal services) in connec-  
5 tion with the collection of moneys owed the Bank, repos-  
6 session or sale of pledged collateral or other assets ac-  
7 quired by the Bank in satisfaction of moneys owed the  
8 Bank, or the investigation or appraisal of any property,  
9 or the evaluation of the legal, financial, or technical as-  
10 pects of any transaction for which an application for a  
11 loan, guarantee or insurance commitment has been made,  
12 or systems infrastructure directly supporting transactions:  
13 *Provided further,* That in addition to other funds appro-  
14 priated for administrative expenses, such fees shall be  
15 credited to this account for such purposes, to remain avail-  
16 able until expended.

17 RECEIPTS COLLECTED

18 Receipts collected pursuant to the Export-Import  
19 Bank Act of 1945, as amended, and the Federal Credit  
20 Reform Act of 1990, as amended, in an amount not to  
21 exceed the amount appropriated herein, shall be credited  
22 as offsetting collections to this account: *Provided,* That the  
23 sums herein appropriated from the General Fund shall be  
24 reduced on a dollar-for-dollar basis by such offsetting col-  
25 lections so as to result in a final fiscal year appropriation



1 from the General Fund estimated at \$0: *Provided further*,  
2 That amounts collected in fiscal year 2017 in excess of  
3 obligations, up to \$10,000,000 shall become available on  
4 September 1, 2017, and shall remain available until Sep-  
5 tember 30, 2020.

6 OVERSEAS PRIVATE INVESTMENT CORPORATION

7 NONCREDIT ACCOUNT

8 The Overseas Private Investment Corporation is au-  
9 thorized to make, without regard to fiscal year limitations,  
10 as provided by section 9104 of title 31, United States  
11 Code, such expenditures and commitments within the lim-  
12 its of funds available to it and in accordance with law as  
13 may be necessary: *Provided*, That the amount available for  
14 administrative expenses to carry out the credit and insur-  
15 ance programs (including an amount for official reception  
16 and representation expenses which shall not exceed  
17 \$35,000) shall not exceed \$62,787,000: *Provided further*,  
18 That project-specific transaction costs, including direct  
19 and indirect costs incurred in claims settlements, and  
20 other direct costs associated with services provided to spe-  
21 cific investors or potential investors pursuant to section  
22 234 of the Foreign Assistance Act of 1961, shall not be  
23 considered administrative expenses for the purposes of this  
24 heading.

## PROGRAM ACCOUNT

1  
2 For the cost of direct and guaranteed loans,  
3 \$20,000,000, as authorized by section 234 of the Foreign  
4 Assistance Act of 1961, to be derived by transfer from  
5 the Overseas Private Investment Corporation Noncredit  
6 Account: *Provided*, That such costs, including the cost of  
7 modifying such loans, shall be as defined in section 502  
8 of the Congressional Budget Act of 1974: *Provided fur-*  
9 *ther*, That such sums shall be available for direct loan obli-  
10 gations and loan guaranty commitments incurred or made  
11 during fiscal years 2017, 2018, and 2019: *Provided fur-*  
12 *ther*, That funds so obligated in fiscal year 2017 remain  
13 available for disbursement through 2025; funds obligated  
14 in fiscal year 2018 remain available for disbursement  
15 through 2026; and funds obligated in fiscal year 2019 re-  
16 main available for disbursement through 2027: *Provided*  
17 *further*, That notwithstanding any other provision of law,  
18 the Overseas Private Investment Corporation is authorized  
19 to undertake any program authorized by title IV of chap-  
20 ter 2 of part I of the Foreign Assistance Act of 1961 in  
21 Iraq: *Provided further*, That funds made available pursu-  
22 ant to the authority of the previous proviso shall be subject  
23 to the regular notification procedures of the Committees  
24 on Appropriations.

1       In addition, such sums as may be necessary for ad-  
2 ministrative expenses to carry out the credit program may  
3 be derived from amounts available for administrative ex-  
4 penses to carry out the credit and insurance programs in  
5 the Overseas Private Investment Corporation Noncredit  
6 Account and merged with said account.

7                   TRADE AND DEVELOPMENT AGENCY

8       For necessary expenses to carry out the provisions  
9 of section 661 of the Foreign Assistance Act of 1961,  
10 \$65,000,000, to remain available until September 30,  
11 2018: *Provided*, That of the amounts made available  
12 under this heading, up to \$2,500,000 may be made avail-  
13 able to provide comprehensive procurement advice to for-  
14 eign governments to support local procurements funded by  
15 the United States Agency for International Development,  
16 the Millennium Challenge Corporation, and the Depart-  
17 ment of State: *Provided further*, That of the funds appro-  
18 priated under this heading, not more than \$5,000 may be  
19 available for representation and entertainment expenses.

20                                   TITLE VII

21   GENERAL PROVISIONS

22   ALLOWANCES AND DIFFERENTIALS

23       SEC. 7001. Funds appropriated under title I of this  
24 Act shall be available, except as otherwise provided, for  
25 allowances and differentials as authorized by subchapter

1 59 of title 5, United States Code; for services as author-  
2 ized by section 3109 of such title and for hire of passenger  
3 transportation pursuant to section 1343(b) of title 31,  
4 United States Code.

5 UNOBLIGATED BALANCES REPORT

6 SEC. 7002. Any department or agency of the United  
7 States Government to which funds are appropriated or  
8 otherwise made available by this Act shall provide to the  
9 Committees on Appropriations a quarterly accounting of  
10 cumulative unobligated balances and obligated, but unex-  
11 pended, balances by program, project, and activity, and  
12 Treasury Account Fund Symbol of all funds received by  
13 such department or agency in fiscal year 2017 or any pre-  
14 vious fiscal year, disaggregated by fiscal year: *Provided*,  
15 That the report required by this section shall be submitted  
16 not later than 30 days after the end of each fiscal quarter  
17 and should specify by account the amount of funds obli-  
18 gated pursuant to bilateral agreements which have not  
19 been further sub-obligated.

20 CONSULTING SERVICES

21 SEC. 7003. The expenditure of any appropriation  
22 under title I of this Act for any consulting service through  
23 procurement contract, pursuant to section 3109 of title  
24 5, United States Code, shall be limited to those contracts  
25 where such expenditures are a matter of public record and

1 available for public inspection, except where otherwise pro-  
2 vided under existing law, or under existing Executive  
3 Order issued pursuant to existing law.

4 DIPLOMATIC FACILITIES

5 SEC. 7004. (a) CAPITAL SECURITY COST SHAR-  
6 ING.—Of funds provided under title I of this Act, except  
7 as provided in subsection (b), a project to construct a dip-  
8 lomatic facility of the United States may not include office  
9 space or other accommodations for an employee of a Fed-  
10 eral agency or department to the extent that the Secretary  
11 of State determines that such department or agency has  
12 not provided to the Department of State the full amount  
13 of funding required by subsection (e) of section 604 of  
14 the Secure Embassy Construction and Counterterrorism  
15 Act of 1999 (as enacted into law by section 1000(a)(7)  
16 of Public Law 106–113 and contained in appendix G of  
17 that Act; 113 Stat. 1501A–453), as amended by section  
18 629 of the Departments of Commerce, Justice, and State,  
19 the Judiciary, and Related Agencies Appropriations Act,  
20 2005.

21 (b) EXCEPTION.—Notwithstanding the prohibition in  
22 subsection (a), a project to construct a diplomatic facility  
23 of the United States may include office space or other ac-  
24 commodations for members of the United States Marine  
25 Corps.

1           (c) NEW DIPLOMATIC FACILITIES.—For the pur-  
2 poses of calculating the fiscal year 2017 costs of providing  
3 new United States diplomatic facilities in accordance with  
4 section 604(e) of the Secure Embassy Construction and  
5 Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the  
6 Secretary of State, in consultation with the Director of  
7 the Office of Management and Budget, shall determine the  
8 annual program level and agency shares in a manner that  
9 is proportional to the Department of State’s contribution  
10 for this purpose.

11           (d) CONSULTATION AND NOTIFICATION REQUIRE-  
12 MENTS.—Funds appropriated by this Act and prior Acts  
13 making appropriations for the Department of State, for-  
14 eign operations, and related programs, which may be made  
15 available for the acquisition of property or award of con-  
16 struction contracts for overseas diplomatic facilities during  
17 fiscal year 2017, shall be subject to prior consultation  
18 with, and the regular notification procedures of, the Com-  
19 mittees on Appropriations: *Provided*, That notifications  
20 pursuant to this subsection shall include the information  
21 enumerated under the heading “Embassy Security, Con-  
22 struction, and Maintenance” in the report accompanying  
23 this Act.

24           (e) REPORTS.—

1           (1) None of the funds appropriated under the  
2 heading “Embassy Security, Construction, and  
3 Maintenance” in this Act and prior Acts making ap-  
4 propriations for the Department of State, foreign  
5 operations, and related programs, made available  
6 through Federal agency Capital Security Cost Shar-  
7 ing contributions and reimbursements, or generated  
8 from the proceeds of real property sales, other than  
9 from real property sales located in London, United  
10 Kingdom, may be made available for site acquisition  
11 and mitigation, planning, design, or construction of  
12 the New London Embassy: *Provided*, That the re-  
13 porting requirement contained in section 7004(f)(2)  
14 of the Department of State, Foreign Operations, and  
15 Related Programs Appropriations Act, 2012 (divi-  
16 sion I of Public Law 112–74) shall remain in effect  
17 during fiscal year 2017.

18           (2) Within 45 days of enactment of this Act  
19 and every 4 months thereafter until September 30,  
20 2017, the Secretary of State shall submit to the  
21 Committees on Appropriations a report on the new  
22 Mexico City Embassy and Beirut Embassy projects:  
23 *Provided*, That such report shall include, for each of  
24 the projects—

1 (A) a detailed breakout of the project fac-  
2 tors that formed the basis of the initial cost es-  
3 timate used to justify such project to the Com-  
4 mittees on Appropriations, as described under  
5 the heading “Embassy Security Construction  
6 and Maintenance” in the report accompanying  
7 this Act;

8 (B) a comparison of the current project  
9 factors as compared to the project factors sub-  
10 mitted pursuant to subparagraph (A) of this  
11 subsection, and an explanation of any changes;  
12 and

13 (C) the impact of currency exchange rate  
14 fluctuations on project costs.

15 (f) INTERIM AND TEMPORARY FACILITIES

16 ABROAD.—

17 (1) Funds appropriated by this Act under the  
18 heading “Embassy Security, Construction, and  
19 Maintenance” may be made available to address se-  
20 curity vulnerabilities at interim and temporary facili-  
21 ties abroad, including physical security upgrades and  
22 local guard staffing, except that the amount of funds  
23 made available for such purposes from this Act and  
24 prior Acts making appropriations for the Depart-  
25 ment of State, foreign operations, and related pro-



1       grams shall be a minimum of \$25,000,000: *Pro-*  
2       *vided*, That the uses of such funds should be the re-  
3       sponsibility of the Assistant Secretary of State for  
4       the Bureau of Diplomatic Security and Foreign Mis-  
5       sions, in consultation with the Director of the Bu-  
6       reau of Overseas Buildings Operations: *Provided fur-*  
7       *ther*, That such funds shall be subject to prior con-  
8       sultation with the Committees on Appropriations.

9               (2) Notwithstanding any other provision of law,  
10       the opening, closure, or any significant modification  
11       to an interim or temporary diplomatic facility shall  
12       be subject to prior consultation with the appropriate  
13       congressional committees and the regular notifica-  
14       tion procedures of the Committees on Appropria-  
15       tions, except that such consultation and notification  
16       may be waived if there is a security risk to per-  
17       sonnel.

18               (3) Not later than 60 days after enactment of  
19       this Act, the Secretary of State shall report to the  
20       Committees on Appropriations on any changes made  
21       to the standard operating procedures and best prac-  
22       tices associated with the delivery, construction and  
23       protection of temporary structures in high threat  
24       and conflict environments subsequent to completion  
25       of the documentation requirement of section



1 or agency: *Provided*, That the authority to transfer funds  
2 between appropriations accounts as may be necessary to  
3 carry out this section is provided in addition to authorities  
4 included elsewhere in this Act: *Provided further*, That use  
5 of funds to carry out this section shall be treated as a  
6 reprogramming of funds under section 7015 of this Act  
7 and shall not be available for obligation or expenditure ex-  
8 cept in compliance with the procedures set forth in that  
9 section.

10 LOCAL GUARD CONTRACTS

11 SEC. 7006. In evaluating proposals for local guard  
12 contracts, the Secretary of State shall award contracts in  
13 accordance with section 136 of the Foreign Relations Au-  
14 thorization Act, Fiscal Years 1990 and 1991 (22 U.S.C.  
15 4864), except that the Secretary may grant authorization  
16 to award such contracts on the basis of best value as de-  
17 termined by a cost-technical tradeoff analysis (as de-  
18 scribed in Federal Acquisition Regulation part 15.101),  
19 notwithstanding subsection (c)(3) of such section: *Pro-*  
20 *vided*, That the authority in this section shall apply to any  
21 options for renewal that may be exercised under such con-  
22 tracts that are awarded during the current fiscal year:  
23 *Provided further*, That the Secretary shall notify the ap-  
24 propriate congressional committees at least 15 days prior  
25 to making an award pursuant to this section for a local

1 guard and protective service contract for a United States  
2 diplomatic facility not deemed “high-risk, high-threat”.

3 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN  
4 COUNTRIES

5 SEC. 7007. None of the funds appropriated or other-  
6 wise made available pursuant to titles III through VI of  
7 this Act shall be obligated or expended to finance directly  
8 any assistance or reparations for the governments of  
9 Cuba, North Korea, Iran, or Syria: *Provided*, That for  
10 purposes of this section, the prohibition on obligations or  
11 expenditures shall include direct loans, credits, insurance,  
12 and guarantees of the Export-Import Bank or its agents.

13 COUPS D’ÉTAT

14 SEC. 7008. None of the funds appropriated or other-  
15 wise made available pursuant to titles III through VI of  
16 this Act shall be obligated or expended to finance directly  
17 any assistance to the government of any country whose  
18 duly elected head of government is deposed by military  
19 coup d’état or decree or, after the date of enactment of  
20 this Act, a coup d’état or decree in which the military  
21 plays a decisive role: *Provided*, That assistance may be re-  
22 sumed to such government if the Secretary of State cer-  
23 tifies and reports to the appropriate congressional commit-  
24 tees that subsequent to the termination of assistance a  
25 democratically elected government has taken office: *Pro-*

1 *vided further*, That the provisions of this section shall not  
2 apply to assistance to promote democratic elections or  
3 public participation in democratic processes: *Provided fur-*  
4 *ther*, That funds made available pursuant to the previous  
5 provisos shall be subject to the regular notification proce-  
6 dures of the Committees on Appropriations.

7 TRANSFER AUTHORITY

8 SEC. 7009. (a) DEPARTMENT OF STATE AND BROAD-  
9 CASTING BOARD OF GOVERNORS.—

10 (1) Not to exceed 5 percent of any appropria-  
11 tion made available for the current fiscal year for  
12 the Department of State under title I of this Act  
13 may be transferred between, and merged with, such  
14 appropriations, but no such appropriation, except as  
15 otherwise specifically provided, shall be increased by  
16 more than 10 percent by any such transfers, and no  
17 such transfer may be made to increase the appro-  
18 priation under the heading “Representation Ex-  
19 penses”.

20 (2) Not to exceed 5 percent of any appropria-  
21 tion made available for the current fiscal year for  
22 the Broadcasting Board of Governors under title I  
23 of this Act may be transferred between, and merged  
24 with, such appropriations, but no such appropria-  
25 tion, except as otherwise specifically provided, shall

1 be increased by more than 10 percent by any such  
2 transfers.

3 (3) Any transfer pursuant to this subsection  
4 shall be treated as a reprogramming of funds under  
5 section 7015 of this Act and shall not be available  
6 for obligation or expenditure except in compliance  
7 with the procedures set forth in that section.

8 (b) TITLE VI TRANSFER AUTHORITIES.—Not to ex-  
9 ceed 5 percent of any appropriation other than for admin-  
10 istrative expenses made available for fiscal year 2017, for  
11 programs under title VI of this Act may be transferred  
12 between such appropriations for use for any of the pur-  
13 poses, programs, and activities for which the funds in such  
14 receiving account may be used, but no such appropriation,  
15 except as otherwise specifically provided, shall be increased  
16 by more than 25 percent by any such transfer: *Provided*,  
17 That the exercise of such authority shall be subject to the  
18 regular notification procedures of the Committees on Ap-  
19 propriations.

20 (c) LIMITATION ON TRANSFERS BETWEEN AGEN-  
21 CIES.—

22 (1) None of the funds made available under ti-  
23 tles II through V of this Act may be transferred to  
24 any department, agency, or instrumentality of the  
25 United States Government, except pursuant to a

1 transfer made by, or transfer authority provided in,  
2 this Act or any other appropriations Act.

3 (2) Notwithstanding paragraph (1), in addition  
4 to transfers made by, or authorized elsewhere in,  
5 this Act, funds appropriated by this Act to carry out  
6 the purposes of the Foreign Assistance Act of 1961  
7 may be allocated or transferred to agencies of the  
8 United States Government pursuant to the provi-  
9 sions of sections 109, 610, and 632 of the Foreign  
10 Assistance Act of 1961.

11 (3) Any agreement entered into by the United  
12 States Agency for International Development  
13 (USAID) or the Department of State with any de-  
14 partment, agency, or instrumentality of the United  
15 States Government pursuant to section 632(b) of the  
16 Foreign Assistance Act of 1961 valued in excess of  
17 \$1,000,000 and any agreement made pursuant to  
18 section 632(a) of such Act, with funds appropriated  
19 by this Act and prior Acts making appropriations  
20 for the Department of State, foreign operations, and  
21 related programs under the headings “Global Health  
22 Programs”, “Development Assistance”, “Economic  
23 Support Fund”, and “Assistance for Europe, Eur-  
24 asia and Central Asia” shall be subject to the reg-  
25 ular notification procedures of the Committees on

1       Appropriations: *Provided*, That the requirement in  
2       the previous sentence shall not apply to agreements  
3       entered into between USAID and the Department of  
4       State.

5       (d) TRANSFERS BETWEEN ACCOUNTS.—None of the  
6       funds made available under titles II through V of this Act  
7       may be obligated under an appropriation account to which  
8       such funds were not appropriated, except for transfers  
9       specifically provided for in this Act, unless the President,  
10      not less than 5 days prior to the exercise of any authority  
11      contained in the Foreign Assistance Act of 1961 to trans-  
12      fer funds, consults with and provides a written policy jus-  
13      tification to the Committees on Appropriations.

14      (e) AUDIT OF INTER-AGENCY TRANSFERS.—Any  
15      agreement for the transfer or allocation of funds appro-  
16      priated by this Act, or prior Acts, entered into between  
17      the Department of State or USAID and another agency  
18      of the United States Government under the authority of  
19      section 632(a) of the Foreign Assistance Act of 1961 or  
20      any comparable provision of law, shall expressly provide  
21      that the Inspector General (IG) for the agency receiving  
22      the transfer or allocation of such funds, or other entity  
23      with audit responsibility if the receiving agency does not  
24      have an IG, shall perform periodic program and financial  
25      audits of the use of such funds and report to the Depart-



1 ment of State or USAID, as appropriate, upon completion  
2 of such audits: *Provided*, That such audits shall be trans-  
3 mitted to the Committees on Appropriations by the De-  
4 partment of State or USAID, as appropriate: *Provided*  
5 *further*, That funds transferred under such authority may  
6 be made available for the cost of such audits.

7 (f) REPORT.—Not later than 90 days after enactment  
8 of this Act, the Secretary of State and the USAID Admin-  
9 istrator shall each submit a report to the Committees on  
10 Appropriations detailing all transfers to another agency  
11 of the United States Government made pursuant to sec-  
12 tions 632(a) and 632(b) of the Foreign Assistance Act of  
13 1961 with funds provided in the Department of State,  
14 Foreign Operations, and Related Programs Appropria-  
15 tions Act, 2016 (division K of Public Law 114–113) as  
16 of the date of enactment of this Act: *Provided*, That such  
17 reports shall include a list of each transfer made pursuant  
18 to such sections with the respective funding level, appro-  
19 priation account, and the receiving agency.

20 PROHIBITION ON FIRST-CLASS TRAVEL

21 SEC. 7010. None of the funds made available in this  
22 Act may be used for first-class travel by employees of  
23 agencies funded by this Act in contravention of sections  
24 301–10.122 through 301–10.124 of title 41, Code of Fed-  
25 eral Regulations.

## 1 AVAILABILITY OF FUNDS

2 SEC. 7011. (a) AVAILABILITY.—No part of any ap-  
3 propriation contained in this Act shall remain available for  
4 obligation after the expiration of the current fiscal year  
5 unless expressly so provided in this Act.

6 (b) AUTHORITY.—Funds appropriated for the pur-  
7 poses of chapters 1 and 8 of part I, section 661, chapters  
8 4, 5, 6, 8, and 9 of part II of the Foreign Assistance Act  
9 of 1961, section 23 of the Arms Export Control Act, and  
10 funds provided under the headings “Development Credit  
11 Authority” and “Assistance for Europe, Eurasia and Cen-  
12 tral Asia” shall remain available for an additional 4 years  
13 from the date on which the availability of such funds  
14 would otherwise have expired, if such funds are initially  
15 obligated before the expiration of their respective periods  
16 of availability contained in this Act: *Provided*, That not-  
17 withstanding any other provision of this Act, any funds  
18 made available for the purposes of chapter 1 of part I and  
19 chapter 4 of part II of the Foreign Assistance Act of 1961  
20 which are allocated or obligated for cash disbursements  
21 in order to address balance of payments or economic policy  
22 reform objectives, shall remain available for an additional  
23 4 years from the date on which the availability of such  
24 funds would otherwise have expired, if such funds are ini-  
25 tially allocated or obligated before the expiration of their

1 respective periods of availability contained in this Act:  
2 *Provided further*, That the Secretary of State shall provide  
3 a report to the Committees on Appropriations not later  
4 than October 30, 2017, detailing by account and source  
5 year, the use of this authority during the previous fiscal  
6 year.

7 (c) LIMITATION.—The authority in subsection (b)  
8 shall not apply unless the Secretary of State certifies and  
9 reports to the Committees on Appropriations that the De-  
10 partment of State has implemented—

11 (1) the recommendations of the Foreign Assist-  
12 ance Data Review, including—

13 (A) the development of a standard foreign  
14 assistance management business process;

15 (B) identification of changes to existing  
16 systems and new system requirements by bu-  
17 reau to meet the new business process; and

18 (C) development of an integrated system  
19 solution, including standards and governance,  
20 to meet all requirements of the new foreign as-  
21 sistance business process; and

22 (2) the recommendations contained in the Of-  
23 fice of Inspector General report entitled, “Depart-  
24 ment Financial Systems Are Insufficient to Track

1 and Report on Foreign Assistance Funds”, includ-  
2 ing—

3 (A) the development of a list of require-  
4 ments related to tracking and reporting foreign  
5 assistance funding by program, project, coun-  
6 try, region, and purpose (sector); and

7 (B) the development and implementation  
8 of a comprehensive plan with target completion  
9 dates to address foreign assistance funding  
10 tracking and reporting requirements.

11 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT  
12 SEC. 7012. No part of any appropriation provided  
13 under titles III through VI in this Act shall be used to  
14 furnish assistance to the government of any country which  
15 is in default during a period in excess of 1 calendar year  
16 in payment to the United States of principal or interest  
17 on any loan made to the government of such country by  
18 the United States pursuant to a program for which funds  
19 are appropriated under this Act unless the President de-  
20 termines, following consultations with the Committees on  
21 Appropriations, that assistance for such country is in the  
22 national interest of the United States.

1 PROHIBITION ON TAXATION OF UNITED STATES

2 ASSISTANCE

3 SEC. 7013. (a) PROHIBITION ON TAXATION.—None  
4 of the funds appropriated under titles III through VI of  
5 this Act may be made available to provide assistance for  
6 a foreign country under a new bilateral agreement gov-  
7 erning the terms and conditions under which such assist-  
8 ance is to be provided unless such agreement includes a  
9 provision stating that assistance provided by the United  
10 States shall be exempt from taxation, or reimbursed, by  
11 the foreign government, and the Secretary of State shall  
12 expeditiously seek to negotiate amendments to existing bi-  
13 lateral agreements, as necessary, to conform with this re-  
14 quirement.

15 (b) REIMBURSEMENT OF FOREIGN TAXES.—An  
16 amount equivalent to 200 percent of the total taxes as-  
17 sessed during fiscal year 2017 on funds appropriated by  
18 this Act by a foreign government or entity against United  
19 States assistance programs for which funds are appro-  
20 priated by this Act, either directly or through grantees,  
21 contractors, and subcontractors shall be withheld from ob-  
22 ligation from funds appropriated for assistance for fiscal  
23 year 2018 and allocated for the central government of  
24 such country and for the West Bank and Gaza program  
25 to the extent that the Secretary of State certifies and re-

1 ports in writing to the Committees on Appropriations, not  
2 later than September 30, 2018, that such taxes have not  
3 been reimbursed to the Government of the United States.

4 (c) DE MINIMIS EXCEPTION.—Foreign taxes of a de  
5 minimis nature shall not be subject to the provisions of  
6 subsection (b).

7 (d) REPROGRAMMING OF FUNDS.—Funds withheld  
8 from obligation for each country or entity pursuant to sub-  
9 section (b) shall be reprogrammed for assistance for coun-  
10 tries which do not assess taxes on United States assistance  
11 or which have an effective arrangement that is providing  
12 substantial reimbursement of such taxes, and that can  
13 reasonably accommodate such assistance in a program-  
14 matically responsible manner.

15 (e) DETERMINATIONS.—

16 (1) The provisions of this section shall not  
17 apply to any country or entity if the Secretary of  
18 State reports to the Committees on Appropriations  
19 that—

20 (A) such country or entity does not assess  
21 taxes on United States assistance or has an ef-  
22 fective arrangement that is providing substan-  
23 tial reimbursement of such taxes; or

24 (B) the foreign policy interests of the  
25 United States outweigh the purpose of this sec-

1           tion to ensure that United States assistance is  
2           not subject to taxation.

3           (2) The Secretary of State shall consult with  
4           the Committees on Appropriations at least 15 days  
5           prior to exercising the authority of this subsection  
6           with regard to any country or entity.

7           (f) IMPLEMENTATION.—The Secretary of State shall  
8           issue rules, regulations, or policy guidance, as appropriate,  
9           to implement the prohibition against the taxation of assist-  
10          ance contained in this section.

11          (g) DEFINITIONS.—As used in this section—

12           (1) the term “bilateral agreement” refers to a  
13           framework bilateral agreement between the Govern-  
14           ment of the United States and the government of  
15           the country receiving assistance that describes the  
16           privileges and immunities applicable to United  
17           States foreign assistance for such country generally,  
18           or an individual agreement between the Government  
19           of the United States and such government that de-  
20           scribes, among other things, the treatment for tax  
21           purposes that will be accorded the United States as-  
22           sistance provided under that agreement; and

23           (2) the term “taxes and taxation” shall include  
24           value added taxes and customs duties but shall not

1 include individual income taxes assessed to local  
2 staff.

3 (h) REPORT.—The Secretary of State, in consultation  
4 with the heads of other relevant departments or agencies,  
5 shall submit a report to the Committees on Appropria-  
6 tions, not later than 90 days after the enactment of this  
7 Act, detailing steps taken by such departments or agencies  
8 to comply with the requirements of this section.

9 RESERVATIONS OF FUNDS

10 SEC. 7014. (a) REPROGRAMMING.—Funds appro-  
11 priated under titles III through VI of this Act which are  
12 specifically designated may be reprogrammed for other  
13 programs within the same account notwithstanding the  
14 designation if compliance with the designation is made im-  
15 possible by operation of any provision of this or any other  
16 Act: *Provided*, That any such reprogramming shall be sub-  
17 ject to the regular notification procedures of the Commit-  
18 tees on Appropriations: *Provided further*, That assistance  
19 that is reprogrammed pursuant to this subsection shall be  
20 made available under the same terms and conditions as  
21 originally provided.

22 (b) EXTENSION OF AVAILABILITY.—In addition to  
23 the authority contained in subsection (a), the original pe-  
24 riod of availability of funds appropriated by this Act and  
25 administered by the Department of State or the United



1 States Agency for International Development (USAID)  
2 that are specifically designated for particular programs or  
3 activities by this or any other Act may be extended for  
4 an additional fiscal year if the Secretary of State or the  
5 USAID Administrator, as appropriate, determines and re-  
6 ports promptly to the Committees on Appropriations that  
7 the termination of assistance to a country or a significant  
8 change in circumstances makes it unlikely that such des-  
9 igned funds can be obligated during the original period  
10 of availability: *Provided*, That such designated funds that  
11 continue to be available for an additional fiscal year shall  
12 be obligated only for the purpose of such designation.

13 (c) OTHER ACTS.—Ceilings and specifically des-  
14 igned funding levels contained in this Act shall not be  
15 applicable to funds or authorities appropriated or other-  
16 wise made available by any subsequent Act unless such  
17 Act specifically so directs: *Provided*, That specifically des-  
18 igned funding levels or minimum funding requirements  
19 contained in any other Act shall not be applicable to funds  
20 appropriated by this Act.

21 NOTIFICATION REQUIREMENTS

22 SEC. 7015. (a) NOTIFICATION OF CHANGES IN PRO-  
23 GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds  
24 made available in titles I and II of this Act, or in prior  
25 appropriations Acts to the agencies and departments fund-

1 ed by this Act that remain available for obligation in fiscal  
2 year 2017, or provided from any accounts in the Treasury  
3 of the United States derived by the collection of fees or  
4 of currency reflows or other offsetting collections, or made  
5 available by transfer, to the agencies and departments  
6 funded by this Act, shall be available for obligation to—

- 7 (1) create new programs;
  - 8 (2) eliminate a program, project, or activity;
  - 9 (3) close, suspend, open, or reopen a mission or  
10 post;
  - 11 (4) create, close, reorganize, or rename bureaus,  
12 centers, or offices; or
  - 13 (5) contract out or privatize any functions or  
14 activities presently performed by Federal employees;
- 15 unless previously justified to the Committees on Appro-  
16 priations or such Committees are notified 15 days in ad-  
17 vance of such obligation.

18 (b) NOTIFICATION OF REPROGRAMMING OF  
19 FUNDS.—None of the funds provided under titles I and  
20 II of this Act, or provided under previous appropriations  
21 Acts to the agency or department funded under titles I  
22 and II of this Act that remain available for obligation in  
23 fiscal year 2017, or provided from any accounts in the  
24 Treasury of the United States derived by the collection  
25 of fees available to the agency or department funded under

1 title I of this Act, shall be available for obligation or ex-  
2 penditure for activities, programs, or projects through a  
3 reprogramming of funds in excess of \$1,000,000 or 10  
4 percent, whichever is less, that—

5 (1) augments or changes existing programs,  
6 projects, or activities;

7 (2) relocates an existing office or employees;

8 (3) reduces by 10 percent funding for any exist-  
9 ing program, project, or activity, or numbers of per-  
10 sonnel by 10 percent as approved by Congress; or

11 (4) results from any general savings, including  
12 savings from a reduction in personnel, which would  
13 result in a change in existing programs, activities, or  
14 projects as approved by Congress;

15 unless the Committees on Appropriations are notified 15  
16 days in advance of such reprogramming of funds.

17 (c) NOTIFICATION REQUIREMENT.—None of the  
18 funds made available by this Act under the headings  
19 “Global Health Programs”, “Development Assistance”,  
20 “Trade and Development Agency”, “International Nar-  
21 cotics Control and Law Enforcement”, “Economic Sup-  
22 port Fund”, “Democracy Fund”, “Assistance for Europe,  
23 Eurasia and Central Asia”, “Peacekeeping Operations”,  
24 “Nonproliferation, Anti-terrorism, Demining and Related  
25 Programs”, “Millennium Challenge Corporation”, “For-

1 eign Military Financing Program”, “International Mili-  
2 tary Education and Training”, and “Peace Corps”, shall  
3 be available for obligation for activities, programs,  
4 projects, type of materiel assistance, countries, or other  
5 operations not justified or in excess of the amount justi-  
6 fied to the Committees on Appropriations for obligation  
7 under any of these specific headings unless the Commit-  
8 tees on Appropriations are notified 15 days in advance:  
9 *Provided*, That the President shall not enter into any com-  
10 mitment of funds appropriated for the purposes of section  
11 23 of the Arms Export Control Act for the provision of  
12 major defense equipment, other than conventional ammu-  
13 nition, or other major defense items defined to be aircraft,  
14 ships, missiles, or combat vehicles, not previously justified  
15 to Congress or 20 percent in excess of the quantities justi-  
16 fied to Congress unless the Committees on Appropriations  
17 are notified 15 days in advance of such commitment: *Pro-*  
18 *vided further*, That requirements of this subsection or any  
19 similar provision of this or any other Act shall not apply  
20 to any reprogramming for an activity, program, or project  
21 for which funds are appropriated under titles III through  
22 VI of this Act of less than 10 percent of the amount pre-  
23 viously justified to Congress for obligation for such activ-  
24 ity, program, or project for the current fiscal year: *Pro-*  
25 *vided further*, That any notification submitted pursuant to

1 subsection (g) of this section shall include information (if  
2 known on the date of transmittal of such notification) on  
3 the use of notwithstanding authority: *Provided further*,  
4 That if subsequent to the notification of assistance it be-  
5 comes necessary to rely on notwithstanding authority, the  
6 Committees on Appropriations should be informed at the  
7 earliest opportunity and to the extent practicable.

8 (d) NOTIFICATION OF TRANSFER OF FUNDS.—Not-  
9 withstanding any other provision of law, with the excep-  
10 tion of funds transferred to, and merged with, funds ap-  
11 propriated under title I of this Act, funds transferred by  
12 the Department of Defense to the Department of State  
13 and the United States Agency for International Develop-  
14 ment for assistance for foreign countries and international  
15 organizations, and funds made available for programs pre-  
16 viously authorized under section 1206 of the National De-  
17 fense Authorization Act for Fiscal Year 2006 (Public Law  
18 109–163) or section 2282 of title 10, United States Code,  
19 shall be subject to the regular notification procedures of  
20 the Committees on Appropriations.

21 (e) WAIVER.—The requirements of this section or  
22 any similar provision of this Act or any other Act, includ-  
23 ing any prior Act requiring notification in accordance with  
24 the regular notification procedures of the Committees on  
25 Appropriations, may be waived if failure to do so would

1 pose a substantial risk to human health or welfare: *Pro-*  
2 *vided*, That in case of any such waiver, notification to the  
3 Committees on Appropriations shall be provided as early  
4 as practicable, but in no event later than 3 days after tak-  
5 ing the action to which such notification requirement was  
6 applicable, in the context of the circumstances necessi-  
7 tating such waiver: *Provided further*, That any notification  
8 provided pursuant to such a waiver shall contain an expla-  
9 nation of the emergency circumstances.

10 (f) TRUST FUNDS.—Funds appropriated or otherwise  
11 made available in title III of this Act and prior Acts mak-  
12 ing funds available for the Department of State, foreign  
13 operations, and related programs that are made available  
14 for a trust fund held by an international financial institu-  
15 tion as defined by section 7034(o)(3) of this Act shall be  
16 subject to the regular notification procedures of the Com-  
17 mittees on Appropriations: *Provided*, That such notifica-  
18 tion shall include the information specified under this sec-  
19 tion in the report accompanying this Act.

20 (g) COUNTRY NOTIFICATION REQUIREMENTS.—  
21 None of the funds appropriated under titles III through  
22 VI of this Act may be obligated or expended for assistance  
23 for Afghanistan, Bolivia, Burma, Cambodia, Colombia,  
24 Cuba, Ecuador, El Salvador, Ethiopia, Guatemala, Haiti,  
25 Honduras, Iran, Iraq, Lebanon, Libya, Pakistan, the Rus-

1 sian Federation, Somalia, South Sudan, Sri Lanka,  
2 Sudan, Syria, Uzbekistan, Venezuela, Yemen, and  
3 Zimbabwe except as provided through the regular notifica-  
4 tion procedures of the Committees on Appropriations.

5 (h) WITHHOLDING OF FUNDS.—Funds appropriated  
6 by this Act under titles III and IV that are withheld from  
7 obligation or otherwise not programmed as a result of ap-  
8 plication of a provision of law in this or any other Act  
9 shall, if reprogrammed, be subject to the regular notifica-  
10 tion procedures of the Committees on Appropriations.

11 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

12 SEC. 7016. Prior to providing excess Department of  
13 Defense articles in accordance with section 516(a) of the  
14 Foreign Assistance Act of 1961, the Department of De-  
15 fense shall notify the Committees on Appropriations to the  
16 same extent and under the same conditions as other com-  
17 mittees pursuant to subsection (f) of that section: *Pro-*  
18 *vided*, That before issuing a letter of offer to sell excess  
19 defense articles under the Arms Export Control Act, the  
20 Department of Defense shall notify the Committees on  
21 Appropriations in accordance with the regular notification  
22 procedures of such Committees if such defense articles are  
23 significant military equipment (as defined in section 47(9)  
24 of the Arms Export Control Act) or are valued (in terms  
25 of original acquisition cost) at \$7,000,000 or more, or if

1 notification is required elsewhere in this Act for the use  
2 of appropriated funds for specific countries that would re-  
3 ceive such excess defense articles: *Provided further*, That  
4 such Committees shall also be informed of the original ac-  
5 quisition cost of such defense articles.

6           LIMITATION ON AVAILABILITY OF FUNDS FOR  
7           INTERNATIONAL ORGANIZATIONS AND PROGRAMS

8           SEC. 7017. Subject to the regular notification proce-  
9 dures of the Committees on Appropriations, funds appro-  
10 priated under titles I and III through V of this Act, which  
11 are returned or not made available for organizations and  
12 programs because of the implementation of section 307(a)  
13 of the Foreign Assistance Act of 1961 or section 7048(a)  
14 of this Act, shall remain available for obligation until Sep-  
15 tember 30, 2018: *Provided*, That the requirement to with-  
16 hold funds for programs in Burma under section 307(a)  
17 of the Foreign Assistance Act of 1961 shall not apply to  
18 funds appropriated by this Act.

19           PROHIBITION ON FUNDING FOR ABORTIONS AND  
20           INVOLUNTARY STERILIZATION

21           SEC. 7018. None of the funds made available to carry  
22 out part I of the Foreign Assistance Act of 1961, as  
23 amended, may be used to pay for the performance of abor-  
24 tions as a method of family planning or to motivate or  
25 coerce any person to practice abortions. None of the funds



1 made available to carry out part I of the Foreign Assist-  
2 ance Act of 1961, as amended, may be used to pay for  
3 the performance of involuntary sterilization as a method  
4 of family planning or to coerce or provide any financial  
5 incentive to any person to undergo sterilizations. None of  
6 the funds made available to carry out part I of the Foreign  
7 Assistance Act of 1961, as amended, may be used to pay  
8 for any biomedical research which relates in whole or in  
9 part, to methods of, or the performance of, abortions or  
10 involuntary sterilization as a means of family planning.  
11 None of the funds made available to carry out part I of  
12 the Foreign Assistance Act of 1961, as amended, may be  
13 obligated or expended for any country or organization if  
14 the President certifies that the use of these funds by any  
15 such country or organization would violate any of the  
16 above provisions related to abortions and involuntary steri-  
17 lizations.

18 ALLOCATIONS

19 SEC. 7019. (a) ALLOCATION TABLES.—Subject to  
20 subsection (b), funds appropriated by this Act under titles  
21 III through V shall be made available in the amounts spe-  
22 cifically designated in the respective tables included in the  
23 report accompanying this Act: *Provided*, That such des-  
24 ignated amounts for foreign countries and international  
25 organizations shall serve as the amounts for such coun-

1 tries and international organizations transmitted to the  
2 Congress in the report required by section 653(a) of the  
3 Foreign Assistance Act of 1961 (FAA).

4 (b) AUTHORIZED DEVIATIONS.—Unless otherwise  
5 provided for by this Act, the Secretary of State and the  
6 Administrator of the United States Agency for Inter-  
7 national Development, as applicable, may only deviate up  
8 to 5 percent from the amounts specifically designated in  
9 the respective tables included in the report accompanying  
10 this Act: *Provided*, That such percentage may be exceeded  
11 only to respond to significant, exigent, or unforeseen  
12 events, or to address other exceptional circumstances di-  
13 rectly related to the national interest: *Provided further*,  
14 That deviations pursuant to the previous proviso shall be  
15 subject to prior consultation with, and the regular notifica-  
16 tion procedures of, the Committees on Appropriations.

17 (c) LIMITATION.—For specifically designated  
18 amounts that are included, pursuant to subsection (a), in  
19 the report required by section 653(a) of the FAA, no devi-  
20 ations authorized by subsection (b) may take place until  
21 submission of such report.

22 REPRESENTATION AND ENTERTAINMENT EXPENSES

23 SEC. 7020. (a) USES OF FUNDS.—Each Federal de-  
24 partment, agency, or entity funded in titles I or II of this  
25 Act, and the Department of the Treasury and independent

1 agencies funded in titles III or VI of this Act, shall take  
2 steps to ensure that domestic and overseas representation  
3 and entertainment expenses further official agency busi-  
4 ness and United States foreign policy interests—

5 (1) are primarily for fostering relations outside  
6 of the Executive Branch;

7 (2) are principally for meals and events of a  
8 protocol nature;

9 (3) are not for employee-only events; and

10 (4) do not include activities that are substan-  
11 tially of a recreational character.

12 (b) LIMITATIONS.—None of the funds appropriated  
13 or otherwise made available by this Act under the head-  
14 ings “International Military Education and Training” or  
15 “Foreign Military Financing Program” for Informational  
16 Program activities or under the headings “Global Health  
17 Programs”, “Development Assistance”, “Economic Sup-  
18 port Fund”, and “Assistance for Europe, Eurasia and  
19 Central Asia” may be obligated or expended to pay for—

20 (1) alcoholic beverages; or

21 (2) entertainment expenses for activities that  
22 are substantially of a recreational character, includ-  
23 ing but not limited to entrance fees at sporting  
24 events, theatrical and musical productions, and  
25 amusement parks.

## 1 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

## 2 SUPPORTING INTERNATIONAL TERRORISM

## 3 SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-

4 PORTS.—

5 (1) PROHIBITION.—None of the funds appro-  
6 priated or otherwise made available by titles III  
7 through VI of this Act may be made available to any  
8 foreign government which provides lethal military  
9 equipment to a country the government of which the  
10 Secretary of State has determined supports inter-  
11 national terrorism for purposes of section 6(j) of the  
12 Export Administration Act of 1979 as continued in  
13 effect pursuant to the International Emergency Eco-  
14 nomic Powers Act: *Provided*, That the prohibition  
15 under this section with respect to a foreign govern-  
16 ment shall terminate 12 months after that govern-  
17 ment ceases to provide such military equipment:  
18 *Provided further*, That this section applies with re-  
19 spect to lethal military equipment provided under a  
20 contract entered into after October 1, 1997.

21 (2) DETERMINATION.—Assistance restricted by  
22 paragraph (1) or any other similar provision of law,  
23 may be furnished if the President determines that to  
24 do so is important to the national interests of the  
25 United States.

1           (3) REPORT.—Whenever the President makes a  
2           determination pursuant to paragraph (2), the Presi-  
3           dent shall submit to the Committees on Appropria-  
4           tions a report with respect to the furnishing of such  
5           assistance, including a detailed explanation of the  
6           assistance to be provided, the estimated dollar  
7           amount of such assistance, and an explanation of  
8           how the assistance furthers United States national  
9           interests.

10          (b) BILATERAL ASSISTANCE.—

11           (1) LIMITATIONS.—Funds appropriated for bi-  
12           lateral assistance in titles III through VI of this Act  
13           and funds appropriated under any such title in prior  
14           Acts making appropriations for the Department of  
15           State, foreign operations, and related programs,  
16           shall not be made available to any foreign govern-  
17           ment which the President determines—

18                   (A) grants sanctuary from prosecution to  
19                   any individual or group which has committed  
20                   an act of international terrorism;

21                   (B) otherwise supports international ter-  
22                   rorism; or

23                   (C) is controlled by an organization des-  
24                   ignated as a terrorist organization under sec-

1           tion 219 of the Immigration and Nationality  
2           Act.

3           (2) WAIVER.—The President may waive the ap-  
4           plication of paragraph (1) to a government if the  
5           President determines that national security or hu-  
6           manitarian reasons justify such waiver: *Provided*,  
7           That the President shall publish each such waiver in  
8           the Federal Register and, at least 15 days before the  
9           waiver takes effect, shall notify the Committees on  
10          Appropriations of the waiver (including the justifica-  
11          tion for the waiver) in accordance with the regular  
12          notification procedures of the Committees on Appro-  
13          priations.

14                                   AUTHORIZATION REQUIREMENTS

15          SEC. 7022. Funds appropriated by this Act, except  
16          funds appropriated under the heading “Trade and Devel-  
17          opment Agency”, may be obligated and expended notwith-  
18          standing section 10 of Public Law 91–672 (22 U.S.C.  
19          2412), section 15 of the State Department Basic Authori-  
20          ties Act of 1956 (22 U.S.C. 2680), section 313 of the For-  
21          eign Relations Authorization Act, Fiscal Years 1994 and  
22          1995 (22 U.S.C. 6212), and section 504(a)(1) of the Na-  
23          tional Security Act of 1947 (50 U.S.C. 3094(a)(1)).

## 1        DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

2        SEC. 7023. For the purpose of titles II through VI  
3 of this Act “program, project, and activity” shall be de-  
4 fined at the appropriations Act account level and shall in-  
5 clude all appropriations and authorizations Acts funding  
6 directives, ceilings, and limitations with the exception that  
7 for the following accounts: “Economic Support Fund” and  
8 “Foreign Military Financing Program”, “program,  
9 project, and activity” shall also be considered to include  
10 country, regional, and central program level funding with-  
11 in each such account; and for the development assistance  
12 accounts of the United States Agency for International  
13 Development, “program, project, and activity” shall also  
14 be considered to include central, country, regional, and  
15 program level funding, either as—

16            (1) justified to Congress; or

17            (2) allocated by the Executive Branch in ac-  
18 cordance with a report, to be provided to the Com-  
19 mittees on Appropriations within 30 days of the en-  
20 actment of this Act, as required by section 653(a)  
21 of the Foreign Assistance Act of 1961.

1 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN  
2 FOUNDATION AND UNITED STATES AFRICAN DEVEL-  
3 OPMENT FOUNDATION

4 SEC. 7024. Unless expressly provided to the contrary,  
5 provisions of this or any other Act, including provisions  
6 contained in prior Acts authorizing or making appropria-  
7 tions for the Department of State, foreign operations, and  
8 related programs, shall not be construed to prohibit activi-  
9 ties authorized by or conducted under the Peace Corps  
10 Act, the Inter-American Foundation Act or the African  
11 Development Foundation Act: *Provided*, That prior to con-  
12 ducting activities in a country for which assistance is pro-  
13 hibited, the agency shall consult with the Committees on  
14 Appropriations and report to such Committees within 15  
15 days of taking such action.

16 COMMERCE, TRADE AND SURPLUS COMMODITIES

17 SEC. 7025. (a) WORLD MARKETS.—None of the  
18 funds appropriated or made available pursuant to titles  
19 III through VI of this Act for direct assistance and none  
20 of the funds otherwise made available to the Export-Im-  
21 port Bank and the Overseas Private Investment Corpora-  
22 tion shall be obligated or expended to finance any loan,  
23 any assistance, or any other financial commitments for es-  
24 tablishing or expanding production of any commodity for  
25 export by any country other than the United States, if



1 the commodity is likely to be in surplus on world markets  
2 at the time the resulting productive capacity is expected  
3 to become operative and if the assistance will cause sub-  
4 stantial injury to United States producers of the same,  
5 similar, or competing commodity: *Provided*, That such  
6 prohibition shall not apply to the Export-Import Bank if  
7 in the judgment of its Board of Directors the benefits to  
8 industry and employment in the United States are likely  
9 to outweigh the injury to United States producers of the  
10 same, similar, or competing commodity, and the Chairman  
11 of the Board so notifies the Committees on Appropria-  
12 tions: *Provided further*, That this subsection shall not pro-  
13 hibit—

14           (1) activities in a country that is eligible for as-  
15 sistance from the International Development Asso-  
16 ciation, is not eligible for assistance from the Inter-  
17 national Bank for Reconstruction and Development,  
18 and does not export on a consistent basis the agri-  
19 cultural commodity with respect to which assistance  
20 is furnished; or

21           (2) activities in a country the President deter-  
22 mines is recovering from widespread conflict, a hu-  
23 manitarian crisis, or a complex emergency.

24           (b) EXPORTS.—None of the funds appropriated by  
25 this or any other Act to carry out chapter 1 of part I

1 of the Foreign Assistance Act of 1961 shall be available  
2 for any testing or breeding feasibility study, variety im-  
3 provement or introduction, consultancy, publication, con-  
4 ference, or training in connection with the growth or pro-  
5 duction in a foreign country of an agricultural commodity  
6 for export which would compete with a similar commodity  
7 grown or produced in the United States: *Provided*, That  
8 this subsection shall not prohibit—

9           (1) activities designed to increase food security  
10       in developing countries where such activities will not  
11       have a significant impact on the export of agricul-  
12       tural commodities of the United States;

13           (2) research activities intended primarily to  
14       benefit United States producers;

15           (3) activities in a country that is eligible for as-  
16       sistance from the International Development Asso-  
17       ciation, is not eligible for assistance from the Inter-  
18       national Bank for Reconstruction and Development,  
19       and does not export on a consistent basis the agri-  
20       cultural commodity with respect to which assistance  
21       is furnished; or

22           (4) activities in a country the President deter-  
23       mines is recovering from widespread conflict, a hu-  
24       manitarian crisis, or a complex emergency.

1           (c) INTERNATIONAL FINANCIAL INSTITUTIONS.—  
2 The Secretary of the Treasury shall instruct the United  
3 States executive directors of the international financial in-  
4 stitutions, as defined in section 7034(o)(3) of this Act, to  
5 use the voice and vote of the United States to oppose any  
6 assistance by such institutions, using funds appropriated  
7 or made available by this Act, for the production or extrac-  
8 tion of any commodity or mineral for export, if it is in  
9 surplus on world markets and if the assistance will cause  
10 substantial injury to United States producers of the same,  
11 similar, or competing commodity.

12   SEPARATE ACCOUNTS

13           SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL  
14 CURRENCIES.—

15                   (1) AGREEMENTS.—If assistance is furnished to  
16 the government of a foreign country under chapters  
17 1 and 10 of part I or chapter 4 of part II of the  
18 Foreign Assistance Act of 1961 under agreements  
19 which result in the generation of local currencies of  
20 that country, the Administrator of the United States  
21 Agency for International Development (USAID)  
22 shall—

23                           (A) require that local currencies be depos-  
24 ited in a separate account established by that  
25 government;

1 (B) enter into an agreement with that gov-  
2 ernment which sets forth—

3 (i) the amount of the local currencies  
4 to be generated; and

5 (ii) the terms and conditions under  
6 which the currencies so deposited may be  
7 utilized, consistent with this section; and

8 (C) establish by agreement with that gov-  
9 ernment the responsibilities of USAID and that  
10 government to monitor and account for deposits  
11 into and disbursements from the separate ac-  
12 count.

13 (2) USES OF LOCAL CURRENCIES.—As may be  
14 agreed upon with the foreign government, local cur-  
15 rencies deposited in a separate account pursuant to  
16 subsection (a), or an equivalent amount of local cur-  
17 rencies, shall be used only—

18 (A) to carry out chapter 1 or 10 of part  
19 I or chapter 4 of part II of the Foreign Assist-  
20 ance Act of 1961 (as the case may be), for such  
21 purposes as—

22 (i) project and sector assistance activi-  
23 ties; or

24 (ii) debt and deficit financing; or

1 (B) for the administrative requirements of  
2 the United States Government.

3 (3) PROGRAMMING ACCOUNTABILITY.—USAID  
4 shall take all necessary steps to ensure that the  
5 equivalent of the local currencies disbursed pursuant  
6 to subsection (a)(2)(A) from the separate account  
7 established pursuant to subsection (a)(1) are used  
8 for the purposes agreed upon pursuant to subsection  
9 (a)(2).

10 (4) TERMINATION OF ASSISTANCE PRO-  
11 GRAMS.—Upon termination of assistance to a coun-  
12 try under chapter 1 or 10 of part I or chapter 4 of  
13 part II of the Foreign Assistance Act of 1961 (as  
14 the case may be), any unencumbered balances of  
15 funds which remain in a separate account estab-  
16 lished pursuant to subsection (a) shall be disposed of  
17 for such purposes as may be agreed to by the gov-  
18 ernment of that country and the United States Gov-  
19 ernment.

20 (5) REPORTING REQUIREMENT.—The USAID  
21 Administrator shall report as part of the congres-  
22 sional budget justification submitted to the Commit-  
23 tees on Appropriations on the use of local currencies  
24 for the administrative requirements of the United  
25 States Government as authorized in subsection

1 (a)(2)(B), and such report shall include the amount  
2 of local currency (and United States dollar equiva-  
3 lent) used or to be used for such purpose in each ap-  
4 plicable country.

5 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

6 (1) IN GENERAL.—If assistance is made avail-  
7 able to the government of a foreign country, under  
8 chapter 1 or 10 of part I or chapter 4 of part II of  
9 the Foreign Assistance Act of 1961, as cash transfer  
10 assistance or as nonproject sector assistance, that  
11 country shall be required to maintain such funds in  
12 a separate account and not commingle with any  
13 other funds.

14 (2) APPLICABILITY OF OTHER PROVISIONS OF  
15 LAW.—Such funds may be obligated and expended  
16 notwithstanding provisions of law which are incon-  
17 sistent with the nature of this assistance including  
18 provisions which are referenced in the Joint Explan-  
19 atory Statement of the Committee of Conference ac-  
20 companying House Joint Resolution 648 (House Re-  
21 port No. 98–1159).

22 (3) NOTIFICATION.—At least 15 days prior to  
23 obligating any such cash transfer or nonproject sec-  
24 tor assistance, the President shall submit a notifica-  
25 tion through the regular notification procedures of

1 the Committees on Appropriations, which shall in-  
2 clude a detailed description of how the funds pro-  
3 posed to be made available will be used, with a dis-  
4 cussion of the United States interests that will be  
5 served by such assistance (including, as appropriate,  
6 a description of the economic policy reforms that will  
7 be promoted by such assistance).

8 (4) EXEMPTION.—Nonproject sector assistance  
9 funds may be exempt from the requirements of para-  
10 graph (1) only through the regular notification pro-  
11 cedures of the Committees on Appropriations.

12 ELIGIBILITY FOR ASSISTANCE

13 SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERN-  
14 MENTAL ORGANIZATIONS.—Restrictions contained in this  
15 or any other Act with respect to assistance for a country  
16 shall not be construed to restrict assistance in support of  
17 programs of nongovernmental organizations from funds  
18 appropriated by this Act to carry out the provisions of  
19 chapters 1, 10, 11, and 12 of part I and chapter 4 of  
20 part II of the Foreign Assistance Act of 1961 and from  
21 funds appropriated under the heading “Assistance for Eu-  
22 rope, Eurasia and Central Asia”: *Provided*, That before  
23 using the authority of this subsection to furnish assistance  
24 in support of programs of nongovernmental organizations,  
25 the President shall notify the Committees on Appropria-

1 tions pursuant to the regular notification procedures, in-  
2 cluding a description of the program to be assisted, the  
3 assistance to be provided, and the reasons for furnishing  
4 such assistance: *Provided further*, That nothing in this  
5 subsection shall be construed to alter any existing statu-  
6 tory prohibitions against abortion or involuntary steriliza-  
7 tions contained in this or any other Act.

8 (b) PUBLIC LAW 480.—During fiscal year 2017, re-  
9 strictions contained in this or any other Act with respect  
10 to assistance for a country shall not be construed to re-  
11 strict assistance under the Food for Peace Act (Public  
12 Law 83–480): *Provided*, That none of the funds appro-  
13 priated to carry out title I of such Act and made available  
14 pursuant to this subsection may be obligated or expended  
15 except as provided through the regular notification proce-  
16 dures of the Committees on Appropriations.

17 (c) EXCEPTION.—This section shall not apply—

18 (1) with respect to section 620A of the Foreign  
19 Assistance Act of 1961 or any comparable provision  
20 of law prohibiting assistance to countries that sup-  
21 port international terrorism; or

22 (2) with respect to section 116 of the Foreign  
23 Assistance Act of 1961 or any comparable provision  
24 of law prohibiting assistance to the government of a



1 country that violates internationally recognized  
2 human rights.

3 LOCAL COMPETITION

4 SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO  
5 COMPETITION FOR LOCAL ENTITIES.—Funds appro-  
6 priated by this Act that are made available to the United  
7 States Agency for International Development (USAID)  
8 may only be made available for limited competitions  
9 through local entities if—

10 (1) prior to the determination to limit competi-  
11 tion to local entities, USAID has—

12 (A) assessed the level of local capacity to  
13 effectively implement, manage, and account for  
14 programs included in such competition; and

15 (B) documented the written results of the  
16 assessment and decisions made; and

17 (2) prior to making an award after limiting  
18 competition to local entities—

19 (A) each successful local entity has been  
20 determined to be responsible in accordance with  
21 USAID guidelines; and

22 (B) effective monitoring and evaluation  
23 systems are in place to ensure that award fund-  
24 ing is used for its intended purposes; and

25 (3) no level of acceptable fraud is assumed.

1 (b) REPORTING REQUIREMENT.—In addition to the  
2 requirements of subsection (a)(1), the USAID Adminis-  
3 trator shall report to the appropriate congressional com-  
4 mittees not later than 30 days after the end of fiscal year  
5 2017 on all awards subject to limited or no competition  
6 for local entities: *Provided*, That such report should be  
7 posted on the USAID Web site: *Provided further*, That  
8 the requirements of this subsection shall only apply to  
9 awards in excess of \$3,000,000 and sole source awards  
10 to local entities in excess of \$2,000,000.

11 INTERNATIONAL FINANCIAL INSTITUTIONS

12 SEC. 7029. (a) EVALUATIONS AND REPORT.—The  
13 Secretary of the Treasury shall instruct the United States  
14 executive director of each international financial institu-  
15 tion to seek to require that such institution adopts and  
16 implements a publicly available policy, including the stra-  
17 tegic use of peer reviews and external experts, to conduct  
18 independent, in-depth evaluations of the effectiveness of  
19 at least 25 percent of all loans, grants, programs, and sig-  
20 nificant analytical non-lending activities in advancing the  
21 institution's goals of reducing poverty and promoting equi-  
22 table economic growth, consistent with relevant safe-  
23 guards, to ensure that decisions to support such loans,  
24 grants, programs, and activities are based on accurate  
25 data and objective analysis: *Provided*, That not later than

1 180 days after enactment of this Act, the Secretary shall  
2 submit a report to the Committees on Appropriations on  
3 steps taken by the United States executive directors and  
4 the international financial institutions consistent with this  
5 subsection.

6 (b) COMPENSATION.—None of the funds appro-  
7 priated under title V of this Act may be made as payment  
8 to any international financial institution while the United  
9 States executive director to such institution is com-  
10 pensated by the institution at a rate which, together with  
11 whatever compensation such executive director receives  
12 from the United States, is in excess of the rate provided  
13 for an individual occupying a position at level IV of the  
14 Executive Schedule under section 5315 of title 5, United  
15 States Code, or while any alternate United States execu-  
16 tive director to such institution is compensated by the in-  
17 stitution at a rate in excess of the rate provided for an  
18 individual occupying a position at level V of the Executive  
19 Schedule under section 5316 of title 5, United States  
20 Code.

21 (c) HUMAN RIGHTS.—The Secretary of the Treasury  
22 shall instruct the United States executive director of each  
23 international financial institution to seek to require that  
24 such institution conducts rigorous human rights due dili-  
25 gence and risk management, as appropriate, in connection

1 with any loan, grant, policy, or strategy of such institu-  
2 tion: *Provided*, That prior to voting on any such loan,  
3 grant, policy, or strategy the executive director shall con-  
4 sult with the Assistant Secretary for Democracy, Human  
5 Rights, and Labor, Department of State, if the executive  
6 director has reason to believe that such loan, grant, policy,  
7 or strategy could result in forced displacement or other  
8 violation of human rights.

9 (d) FRAUD AND CORRUPTION.—The Secretary of the  
10 Treasury shall instruct the United States executive direc-  
11 tor of each international financial institution to promote  
12 in loan, grant, and other financing agreements improve-  
13 ments in borrowing countries' financial management and  
14 judicial capacity to investigate, prosecute, and punish  
15 fraud and corruption.

16 (e) WHISTLEBLOWER PROTECTIONS.—The Secretary  
17 of the Treasury shall instruct the United States executive  
18 director of each international financial institution to seek  
19 to require that each such institution is effectively imple-  
20 menting and enforcing policies and procedures which re-  
21 flect best practices for the protection of whistleblowers  
22 from retaliation, including best practices for—

23 (1) protection against retaliation for internal  
24 and lawful public disclosure;

25 (2) legal burdens of proof;



1           (A)(i) each implementing agency or min-  
2           istry to receive assistance has been assessed  
3           and is considered to have the systems required  
4           to manage such assistance and any identified  
5           vulnerabilities or weaknesses of such agency or  
6           ministry have been addressed;

7           (ii) the recipient agency or ministry em-  
8           ploys and utilizes staff with the necessary tech-  
9           nical, financial, and management capabilities;

10          (iii) the recipient agency or ministry has  
11          adopted competitive procurement policies and  
12          systems;

13          (iv) effective monitoring and evaluation  
14          systems are in place to ensure that such assist-  
15          ance is used for its intended purposes;

16          (v) no level of acceptable fraud is assumed;  
17          and

18          (vi) the government of the recipient coun-  
19          try is taking steps to publicly disclose on an an-  
20          nual basis its national budget, to include in-  
21          come and expenditures;

22          (B) the recipient government is in compli-  
23          ance with the principles set forth in section  
24          7013 of this Act;

1 (C) the recipient agency or ministry is not  
2 headed or controlled by an organization des-  
3 ignated as a foreign terrorist organization  
4 under section 219 of the Immigration and Na-  
5 tionality Act;

6 (D) the Government of the United States  
7 and the government of the recipient country  
8 have agreed, in writing, on clear and achievable  
9 objectives for the use of such assistance, which  
10 should be made available on a cost-reimbursable  
11 basis; and

12 (E) the recipient government is taking  
13 steps to protect the rights of civil society, in-  
14 cluding freedoms of expression, association, and  
15 assembly.

16 (2) CONSULTATION AND NOTIFICATION.—In  
17 addition to the requirements in paragraph (1), no  
18 funds may be made available for direct government-  
19 to-government assistance without prior consultation  
20 with, and notification of, the Committees on Appro-  
21 priations: *Provided*, That such notification shall con-  
22 tain an explanation of how the proposed activity  
23 meets the requirements of paragraph (1): *Provided*  
24 *further*, That the requirements of this paragraph  
25 shall only apply to direct government-to-government

1 assistance in excess of \$10,000,000 and all funds  
2 available for cash transfer, budget support, and cash  
3 payments to individuals.

4 (3) SUSPENSION OF ASSISTANCE.—The Admin-  
5 istrator of the United States Agency for Inter-  
6 national Development (USAID) or the Secretary of  
7 State, as appropriate, shall suspend any direct gov-  
8 ernment-to-government assistance if the Adminis-  
9 trator or the Secretary has credible information of  
10 material misuse of such assistance, unless the Ad-  
11 ministrator or the Secretary reports to the Commit-  
12 tees on Appropriations that it is in the national in-  
13 terest of the United States to continue such assist-  
14 ance, including a justification, or that such misuse  
15 has been appropriately addressed.

16 (4) SUBMISSION OF INFORMATION.—The Sec-  
17 retary of State shall submit to the Committees on  
18 Appropriations, concurrent with the fiscal year 2018  
19 congressional budget justification materials, amounts  
20 planned for assistance described in paragraph (1) by  
21 country, proposed funding amount, source of funds,  
22 and type of assistance.

23 (5) REPORT.—Not later than 90 days after the  
24 enactment of this Act and 6 months thereafter until  
25 September 30, 2017, the USAID Administrator



1 shall submit to the Committees on Appropriations a  
2 report that—

3 (A) details all assistance described in para-  
4 graph (1) provided during the previous 6-month  
5 period by country, funding amount, source of  
6 funds, and type of such assistance; and

7 (B) the type of procurement instrument or  
8 mechanism utilized and whether the assistance  
9 was provided on a reimbursable basis.

10 (6) DEBT SERVICE PAYMENT PROHIBITION.—

11 None of the funds made available by this Act may  
12 be used for any foreign country for debt service pay-  
13 ments owed by any country to any international fi-  
14 nancial institution: *Provided*, That for purposes of  
15 this paragraph, the term “international financial in-  
16 stitution” has the meaning given the term in section  
17 7034(o)(3) of this Act.

18 (b) NATIONAL BUDGET AND CONTRACT TRANS-

19 PARENCY.—

20 (1) MINIMUM REQUIREMENTS OF FISCAL  
21 TRANSPARENCY.—The Secretary of State shall con-  
22 tinue to update and strengthen the “minimum re-  
23 quirements of fiscal transparency” for each govern-  
24 ment receiving assistance appropriated by this Act,  
25 as identified in the report required by section

1 7031(b) of the Department of State, Foreign Oper-  
2 ations, and Related Programs Appropriations Act,  
3 2014 (division K of Public Law 113–76).

4 (2) DEFINITION.—For purposes of paragraph  
5 (1), “minimum requirements of fiscal transparency”  
6 are requirements consistent with those in subsection  
7 (a)(1), and the public disclosure of national budget  
8 documentation (to include receipts and expenditures  
9 by ministry) and government contracts and licenses  
10 for natural resource extraction (to include bidding  
11 and concession allocation practices).

12 (3) DETERMINATION AND REPORT.—For each  
13 government identified pursuant to paragraph (1),  
14 the Secretary of State, not later than 180 days after  
15 enactment of this Act, shall make or update any de-  
16 termination of “significant progress” or “no signifi-  
17 cant progress” in meeting the minimum require-  
18 ments of fiscal transparency, and make such deter-  
19 minations publicly available in an annual “Fiscal  
20 Transparency Report” to be posted on the Depart-  
21 ment of State Web site: *Provided*, That the Sec-  
22 retary shall identify the significant progress made by  
23 each such government to publicly disclose national  
24 budget documentation, contracts, and licenses which  
25 are additional to such information disclosed in pre-

1       vious fiscal years, and include specific recommenda-  
2       tions of short- and long-term steps such government  
3       should take to improve fiscal transparency: *Provided*  
4       *further*, That the annual report shall include a de-  
5       tailed description of how funds appropriated by this  
6       Act are being used to improve fiscal transparency,  
7       and identify benchmarks for measuring progress.

8               (4) ASSISTANCE.—Funds appropriated under  
9       title III of this Act shall be made available for pro-  
10      grams and activities to assist governments identified  
11      pursuant to paragraph (1) to improve budget trans-  
12      parency and to support civil society organizations in  
13      such countries that promote budget transparency:  
14      *Provided*, That such sums shall be in addition to  
15      funds otherwise made available for such purposes:  
16      *Provided further*, That a description of the uses of  
17      such funds shall be included in the annual “Fiscal  
18      Transparency Report” required by paragraph (3).

19      (c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—

20              (1)(A) INELIGIBILITY.—Officials of foreign gov-  
21      ernments and their immediate family members about  
22      whom the Secretary of State has credible informa-  
23      tion have been involved in significant corruption, in-  
24      cluding corruption related to the extraction of nat-

1        ural resources, or a gross violation of human rights  
2        shall be ineligible for entry into the United States.

3            (B) The Secretary may also publicly or pri-  
4        vately designate or identify officials of foreign gov-  
5        ernments and their immediate family members about  
6        whom the Secretary has such credible information  
7        without regard to whether the individual has applied  
8        for a visa.

9            (2) EXCEPTION.—Individuals shall not be ineli-  
10        gible if entry into the United States would further  
11        important United States law enforcement objectives  
12        or is necessary to permit the United States to fulfill  
13        its obligations under the United Nations Head-  
14        quarters Agreement: *Provided*, That nothing in  
15        paragraph (1) shall be construed to derogate from  
16        United States Government obligations under applica-  
17        ble international agreements.

18            (3) WAIVER.—The Secretary may waive the ap-  
19        plication of paragraph (1) if the Secretary deter-  
20        mines that the waiver would serve a compelling na-  
21        tional interest or that the circumstances which  
22        caused the individual to be ineligible have changed  
23        sufficiently.

24            (4) REPORT.—Not later than 6 months after  
25        enactment of this Act, the Secretary of State shall

1 submit a report, including a classified annex if nec-  
2 essary, to the Committees on Appropriations and the  
3 Committees on the Judiciary describing the informa-  
4 tion related to corruption or violation of human  
5 rights concerning each of the individuals found ineli-  
6 gible in the previous 12 months pursuant to para-  
7 graph (1)(A) as well as the individuals who the Sec-  
8 retary designated or identified pursuant to para-  
9 graph (1)(B), or who would be ineligible but for the  
10 application of paragraph (2), a list of any waivers  
11 provided under paragraph (3), and the justification  
12 for each waiver.

13 (5) POSTING OF REPORT.—Any unclassified  
14 portion of the report required under paragraph (4)  
15 shall be posted on the Department of State Web  
16 site.

17 (6) CLARIFICATION.—For purposes of para-  
18 graphs (1)(B), (4), and (5), the records of the De-  
19 partment of State and of diplomatic and consular of-  
20 fices of the United States pertaining to the issuance  
21 or refusal of visas or permits to enter the United  
22 States shall not be considered confidential.

23 (d) FOREIGN ASSISTANCE WEB SITE.—Funds appro-  
24 priated by this Act under titles I and II, and funds made  
25 available for any independent agency in title III, as appro-

1 priate, shall be made available to support the provision  
2 of additional information on United States Government  
3 foreign assistance on the Department of State foreign as-  
4 sistance Web site: *Provided*, That all Federal agencies  
5 funded under this Act shall provide such information on  
6 foreign assistance, upon request, to the Department of  
7 State.

8 DEMOCRACY PROGRAMS

9 SEC. 7032. (a) FUNDING.—Of the funds appro-  
10 priated by this Act, not less than \$2,308,517,000 shall  
11 be made available for democracy programs.

12 (b) AUTHORITY.—Funds made available by this Act  
13 for democracy programs may be made available notwith-  
14 standing any other provision of law, and with regard to  
15 the National Endowment for Democracy, any regulation.

16 (c) DEFINITION OF DEMOCRACY PROGRAMS.—For  
17 purposes of funds appropriated by this Act, the term “de-  
18 mocracy programs” means programs that support good  
19 governance, credible and competitive elections, freedom of  
20 expression, association, assembly, and religion, human  
21 rights, independent media, and the rule of law, and that  
22 otherwise strengthen the capacity of democratic political  
23 parties, governments, nongovernmental organizations and  
24 institutions, and citizens to support the development of

1 democratic states, and institutions that are responsive and  
2 accountable to citizens.

3 (d) PROGRAM PRIORITIZATION.—Funds made avail-  
4 able pursuant to this section that are made available for  
5 programs to strengthen government institutions shall be  
6 prioritized for those institutions that demonstrate a com-  
7 mitment to democracy and the rule of law, as determined  
8 by the Secretary of State or the Administrator of the  
9 United States Agency for International Development  
10 (USAID), as appropriate.

11 (e) RESTRICTION ON PRIOR APPROVAL.—With re-  
12 spect to the provision of assistance for democracy pro-  
13 grams in this Act, the organizations implementing such  
14 assistance, the specific nature of that assistance, and the  
15 participants in such programs shall not be subject to the  
16 prior approval by the government of any foreign country:  
17 *Provided*, That the Secretary of State, in coordination  
18 with the USAID Administrator, shall report to the Com-  
19 mittees on Appropriations, not later than 120 days after  
20 enactment of this Act, detailing steps taken by the Depart-  
21 ment of State and USAID to comply with the require-  
22 ments of this subsection.

23 (f) PROGRAM DESIGN AND IMPLEMENTATION.—

24 (1) CONTINUATION OF CURRENT PRACTICES.—

25 USAID shall continue to implement civil society and

1 political competition and consensus building pro-  
2 grams abroad with funds appropriated by this Act in  
3 a manner that recognizes the unique benefits of  
4 grants and cooperative agreements in implementing  
5 such programs: *Provided*, That nothing in this para-  
6 graph shall be construed to affect the ability of any  
7 entity, including United States contractors and small  
8 businesses, from competing for proposals for  
9 USAID-funded civil society and political competition  
10 and consensus building programs.

11 (2) REPORT.—Not later than September 30,  
12 2017, the Secretary of State and USAID Adminis-  
13 trator shall each submit to the Committees on Ap-  
14 propriations a report detailing the use of contracts,  
15 grants, and cooperative agreements in the conduct of  
16 democracy programs with funds made available by  
17 the Department of State, Foreign Operations, and  
18 Related Programs Act, 2016 (division K of Public  
19 Law 114–113), which shall include funding level, ac-  
20 count, program sector and subsector, and a brief  
21 summary of purpose.

22 (g) CONSULTATION AND COMMUNICATION REQUIRE-  
23 MENTS.—

24 (1) COUNTRY ALLOCATIONS.—The Deputy Sec-  
25 retary for Management and Resources, Department



1 of State, shall consult with the Under Secretary for  
2 Civilian Security, Democracy and Human Rights,  
3 Department of State, and the Assistant Adminis-  
4 trator for Democracy, Conflict, and Humanitarian  
5 Assistance, USAID, on the proposed funding levels  
6 for democracy programs by country in the report  
7 submitted to Congress pursuant to section 653(a) of  
8 the Foreign Assistance Act of 1961.

9 (2) INFORMING THE NATIONAL ENDOWMENT  
10 FOR DEMOCRACY.—The Assistant Secretary for De-  
11 mocracy, Human Rights, and Labor, Department of  
12 State, and the Assistant Administrator for Democ-  
13 racy, Conflict, and Humanitarian Assistance,  
14 USAID, shall regularly inform the National Endow-  
15 ment for Democracy of democracy programs that  
16 are planned and supported by funds made available  
17 by this Act and prior Acts making appropriations  
18 for the Department of State, foreign operations, and  
19 related programs.

20 (3) REPORT ON PROGRAM CHANGES.—The Sec-  
21 retary of State or the USAID Administrator, as ap-  
22 propriate, shall report to the Committees on Appro-  
23 priations within 30 days of a decision to significantly  
24 change the objectives or the content of a democracy  
25 program or to close such a program due to the in-

1       creasingly repressive nature of the host country gov-  
2       ernment: *Provided*, That the report shall also include  
3       a strategy for continuing support for democracy pro-  
4       motion, if such programming is feasible, and may be  
5       submitted in classified form, if necessary.

6                   INTERNATIONAL RELIGIOUS FREEDOM

7       SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREE-  
8       DOM OFFICE AND SPECIAL ENVOY TO PROMOTE RELI-  
9       GIOUS FREEDOM.—

10       (1) Funds appropriated by this Act under the head-  
11       ing “Diplomatic and Consular Programs” shall be made  
12       available for the Office of the Ambassador-at-Large for  
13       International Religious Freedom and the Special Envoy  
14       to Promote Religious Freedom of Religious Minorities in  
15       the Near East and South Central Asia, as authorized in  
16       the Near East and South Central Asia Religious Freedom  
17       Act of 2014 (Public Law 113–161), and including for sup-  
18       port staff, at not less than the amounts contained for such  
19       Office and Envoy in the table under such heading in the  
20       report accompanying this Act.

21       (2) Of the funds appropriated under the heading  
22       “Diplomatic and Consular Programs” and designated for  
23       the Office of International Religious Freedom, \$1,000,000  
24       shall be made available for the development and implemen-  
25       tation of an international religious freedom curriculum in

1 accordance with section 103 of H.R. 1150, the Frank R.  
2 Wolf International Religious Freedom Act, as passed by  
3 the House of Representatives on May 16, 2016.

4 (b) ASSISTANCE.—

5 (1) INTERNATIONAL RELIGIOUS FREEDOM PRO-  
6 GRAMS.—Of the funds appropriated by this Act  
7 under the heading “Democracy Fund” and available  
8 for the Human Rights and Democracy Fund  
9 (HRDF), not less than \$10,000,000 shall be made  
10 available for international religious freedom pro-  
11 grams: *Provided*, That the Ambassador-at-Large for  
12 International Religious Freedom shall consult with  
13 the Committees on Appropriations on the uses of  
14 such funds.

15 (2) PROTECTION AND INVESTIGATION PRO-  
16 GRAMS.—Funds appropriated by this Act under the  
17 heading “Economic Support Fund” shall be made  
18 available for programs to protect vulnerable and per-  
19 secuted religious minorities: *Provided*, That a por-  
20 tion of such funds shall be made available for pro-  
21 grams to investigate the persecution of such minori-  
22 ties by governments and non-state actors and for the  
23 public dissemination of information collected on such  
24 persecution, including on the Department of State  
25 Web site.

1           (3) HUMANITARIAN PROGRAMS.—Funds appro-  
2           priated by this Act under the headings “Inter-  
3           national Disaster Assistance” and “Migration and  
4           Refugee Assistance” shall be made available for hu-  
5           manitarian assistance for vulnerable and persecuted  
6           religious minorities, including victims of genocide  
7           designated by the Secretary of State and other  
8           groups that have suffered crimes against humanity  
9           and ethnic cleansing, to—

10                   (A) accelerate the implementation of an  
11                   immediate, coordinated, and sustained response  
12                   to provide humanitarian assistance;

13                   (B) enhance protection of conflict victims,  
14                   including those facing a dire humanitarian cri-  
15                   sis and severe persecution because of their faith  
16                   or ethnicity;

17                   (C) build resilience and help reestablish  
18                   livelihoods for displaced and persecuted persons  
19                   in their communities of origin; and

20                   (D) improve access to secure locations for  
21                   obtaining humanitarian and resettlement serv-  
22                   ices.

23           (4) RESPONSIBILITY OF FUNDS.—Funds made  
24           available by paragraphs (1) and (2) shall be the re-  
25           sponsibility of the Ambassador-at-Large for Inter-

1 national Religious Freedom, in consultation with  
2 other relevant United States Government officials.

3 (c) INTERNATIONAL BROADCASTING.—Funds appro-  
4 priated by this Act under the heading “Broadcasting  
5 Board of Governors, International Broadcasting Oper-  
6 ations” shall be made available for programs related to  
7 international religious freedom, including reporting on the  
8 condition of vulnerable and persecuted religious groups.

9 (d) ATROCITIES PREVENTION.—Funds appropriated  
10 by this Act under the heading “Diplomatic and Consular  
11 Programs” shall be made available for support of the  
12 Atrocities Prevention Board.

13 SPECIAL PROVISIONS

14 SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHIL-  
15 DREN, AND DISPLACED BURMESE.—Funds appropriated  
16 in titles III and VI of this Act that are made available  
17 for victims of war, displaced children, displaced Burmese,  
18 and to combat trafficking in persons and assist victims  
19 of such trafficking, may be made available notwith-  
20 standing any other provision of law.

21 (b) LAW ENFORCEMENT AND SECURITY.—

22 (1) CHILD SOLDIERS.—Funds appropriated by  
23 this Act should not be used to support any military  
24 training or operations that include child soldiers.

1           (2) DISARMAMENT, DEMOBILIZATION, AND RE-  
2           INTEGRATION.—Section 7034(d) of the Department  
3           of State, Foreign Operations, and Related Programs  
4           Appropriations Act, 2015 (division J of Public Law  
5           113–235) shall continue in effect during fiscal year  
6           2017 as if part of this Act.

7           (3) FORENSIC ASSISTANCE.—

8           (A) Of the funds appropriated by this Act  
9           under the heading “Economic Support Fund”,  
10           not less than \$4,000,000 shall be made avail-  
11           able for forensic anthropology assistance related  
12           to the exhumation of mass graves and the iden-  
13           tification of victims of war crimes, crimes  
14           against humanity, or genocide, of which not less  
15           than \$3,000,000 should be made available for  
16           such assistance in Guatemala, Peru, Colombia,  
17           Iraq, Syria, and Sri Lanka, which shall be ad-  
18           ministered by the Assistant Secretary for De-  
19           mocracy, Human Rights, and Labor, Depart-  
20           ment of State.

21           (B) Of the funds appropriated by this Act  
22           under the heading “International Narcotics  
23           Control and Law Enforcement”, not less than  
24           \$8,000,000 shall be made available for DNA fo-

1           rensic technology programs to combat human  
2           trafficking in Central America and Mexico.

3           (4) INTERNATIONAL PRISON CONDITIONS.—  
4           Section 7065 of the Department of State, Foreign  
5           Operations, and Related Programs Appropriations  
6           Act, 2015 (division J of Public Law 113–235) shall  
7           continue in effect during fiscal year 2017 as if part  
8           of this Act.

9           (5) RECONSTITUTING CIVILIAN POLICE AU-  
10          THORITY.—In providing assistance with funds ap-  
11          propriated by this Act under section 660(b)(6) of  
12          the Foreign Assistance Act of 1961, support for a  
13          nation emerging from instability may be deemed to  
14          mean support for regional, district, municipal, or  
15          other sub-national entity emerging from instability,  
16          as well as a nation emerging from instability.

17          (6) SECURITY ASSISTANCE REPORT.—Not later  
18          than 120 days after enactment of this Act, the Sec-  
19          retary of State shall submit to the Committees on  
20          Appropriations a report on funds obligated and ex-  
21          pended during fiscal year 2016, by country and pur-  
22          pose of assistance, under the headings “Peace-  
23          keeping Operations”, “International Military Edu-  
24          cation and Training”, and “Foreign Military Fi-  
25          nancing Program”.

1           (7) MODERNIZATION INITIATIVE, WITH-  
2 HOLDING, AND REPORTING REQUIREMENT.—

3           (A) MODERNIZATION INITIATIVE.—Of the  
4 funds appropriated by this Act under the head-  
5 ing “Foreign Military Financing Program” for  
6 the general costs of administering military as-  
7 sistance and sales, not less than \$5,000,000  
8 shall be made available to modernize sales pro-  
9 grams authorized by Chapter 2 of the Arms Ex-  
10 port Control Act, in accordance with the re-  
11 quirements described under the heading “For-  
12 eign Military Financing Program” in the report  
13 accompanying this Act.

14           (B) WITHHOLDING.—Of the funds made  
15 available in paragraph (3) under the heading  
16 “Diplomatic and Consular Programs” in title I  
17 of this Act and notified to the Committees on  
18 Appropriations for the Office of the Secretary  
19 in the operating plan required by section 7076  
20 of this Act, 10 percent shall be withheld from  
21 obligation until the Secretary of State reports  
22 to the Committees on Appropriations that the  
23 solicitation described under the heading “For-  
24 eign Military Financing Program” in the report  
25 accompanying this Act is posted.



1           (C) QUARTERLY REPORT.—Not later than  
2           March 31, 2017, and every 90 days thereafter  
3           until September 30, 2017, the Secretary of  
4           State, in consultation with the Secretary of De-  
5           fense, shall submit to the Committees on Ap-  
6           propriations a report on the status of pending  
7           sales made pursuant to Chapter 2 of the Arms  
8           Export Control Act in accordance with the re-  
9           quirements enumerated under the heading  
10          “Foreign Military Financing Program” in the  
11          report accompanying this Act.

12          (c) CONTRIBUTION.—Funds managed by the Bureau  
13          for Democracy, Conflict, and Humanitarian Assistance,  
14          United States Agency for International Development  
15          (USAID), from this or any other Act, may be made avail-  
16          able as a general contribution to the World Food Pro-  
17          gramme: *Provided*, That funds made available pursuant  
18          to the authority of this subsection shall be subject to sec-  
19          tion 7048 of this Act.

20          (d) DIRECTIVES AND AUTHORITIES.—

21                 (1) RESEARCH AND TRAINING.—Funds appro-  
22                 priated by this Act under the heading “Assistance  
23                 for Europe, Eurasia and Central Asia” shall be  
24                 made available to carry out the Program for Re-  
25                 search and Training on Eastern Europe and the

1 Independent States of the Former Soviet Union as  
2 authorized by the Soviet-Eastern European Research  
3 and Training Act of 1983 (22 U.S.C. 4501 et seq.).

4 (2) GENOCIDE VICTIMS MEMORIAL SITES.—  
5 Funds appropriated by this Act and prior Acts mak-  
6 ing appropriations for the Department of State, for-  
7 eign operations, and related programs under the  
8 headings “Economic Support Fund” and “Assist-  
9 ance for Europe, Eurasia and Central Asia” may be  
10 made available as contributions to establish and  
11 maintain memorial sites of genocide, subject to the  
12 regular notification procedures of the Committees on  
13 Appropriations.

14 (3) AUTHORITY.—The USAID Administrator  
15 may use funds appropriated by this Act under title  
16 III to make innovation incentive awards: *Provided*,  
17 That each individual award may not exceed  
18 \$100,000: *Provided further*, That no more than 10  
19 such awards may be made during fiscal year 2017:  
20 *Provided further*, That for purposes of this para-  
21 graph the term “innovation incentive award” means  
22 the provision of funding on a competitive basis  
23 that—

1 (A) encourages and rewards the develop-  
2 ment of solutions for a particular, well-defined  
3 problem related to the alleviation of poverty; or

4 (B) helps identify and promote a broad  
5 range of ideas and practices facilitating further  
6 development of an idea or practice by third par-  
7 ties.

8 (e) PARTNER VETTING.—Funds appropriated by this  
9 Act or in titles I through IV of prior Acts making appro-  
10 priations for the Department of State, foreign operations,  
11 and related programs shall be used by the Secretary of  
12 State and the USAID Administrator, as appropriate, to  
13 support the continued implementation of the Partner Vet-  
14 ting System (PVS) pilot program: *Provided*, That the Sec-  
15 retary of State and the USAID Administrator shall inform  
16 the Committees on Appropriations, at least 30 days prior  
17 to completion of the pilot program, on the criteria for eval-  
18 uating such program, including for possible expansion:  
19 *Provided further*, That not later than 180 days after com-  
20 pletion of the pilot program, the Secretary and USAID  
21 Administrator shall jointly submit a report to the Commit-  
22 tees on Appropriations, in classified form if necessary, de-  
23 tailing the findings, conclusions, and any recommenda-  
24 tions for expansion of such program: *Provided further*,  
25 That not less than 30 days prior to the implementation

1 of any recommendations for expanding the PVS pilot pro-  
2 gram the Secretary of State and USAID Administrator  
3 shall consult with the Committees on Appropriations and  
4 with representatives of agency implementing partners on  
5 the findings, conclusions, and recommendations in such  
6 report, as appropriate.

7 (f) CONTINGENCIES.—During fiscal year 2017, the  
8 President may use up to \$125,000,000 under the author-  
9 ity of section 451 of the Foreign Assistance Act of 1961,  
10 notwithstanding any other provision of law.

11 (g) INTERNATIONAL CHILD ABDUCTIONS.—The Sec-  
12 retary of State should withhold funds appropriated under  
13 title III of this Act for assistance for the central govern-  
14 ment of any country that is not taking appropriate steps  
15 to comply with the Convention on the Civil Aspects of  
16 International Child Abductions, done at the Hague on Oc-  
17 tober 25, 1980: *Provided*, That the Secretary shall report  
18 to the Committees on Appropriations within 15 days of  
19 withholding funds under this subsection.

20 (h) CULTURAL PRESERVATION PROJECT DETER-  
21 MINATION.—None of the funds appropriated in titles I and  
22 III of this Act may be used for the preservation of reli-  
23 gious sites unless the Secretary of State or the USAID  
24 Administrator, as appropriate, determines and reports to  
25 the Committees on Appropriations that such sites are his-

1 torically, artistically, or culturally significant, that the  
2 purpose of the project is neither to advance nor to inhibit  
3 the free exercise of religion, and that the project is in the  
4 national interest of the United States.

5 (i) TRANSFERS FOR EXTRAORDINARY PROTEC-  
6 TION.—The Secretary of State may transfer to, and merge  
7 with, funds under the heading “Protection of Foreign Mis-  
8 sions and Officials” unobligated balances of expired funds  
9 appropriated under the heading “Diplomatic and Consular  
10 Programs” for fiscal year 2017, except for funds des-  
11 ignated for Overseas Contingency Operations/Global War  
12 on Terrorism pursuant to section 251(b)(2)(A)(ii) of the  
13 Balanced Budget and Emergency Deficit Control Act of  
14 1985, at no later than the end of the fifth fiscal year after  
15 the last fiscal year for which such funds are available for  
16 the purposes for which appropriated: *Provided*, That not  
17 more than \$50,000,000 may be transferred.

18 (j) PROTECTIONS AND REMEDIES FOR EMPLOYEES  
19 OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANI-  
20 ZATIONS.—Section 7034(k) of the Department of State,  
21 Foreign Operations, and Related Programs Appropria-  
22 tions Act, 2015 (division J of Public Law 113–235) shall  
23 continue in effect during fiscal year 2017 as if part of  
24 this Act.

25 (k) EXTENSION OF AUTHORITIES.—

1           (1) INCENTIVES FOR CRITICAL POSTS.—The  
2 authority contained in section 1115(d) of the Sup-  
3 plemental Appropriations Act, 2009 (Public Law  
4 111–32) shall remain in effect through September  
5 30, 2017.

6           (2) FOREIGN SERVICE OFFICER ANNUITANT  
7 WAIVER.—Section 824(g) of the Foreign Service Act  
8 of 1980 (22 U.S.C. 4064(g)) shall be applied by  
9 substituting “September 30, 2017” for “October 1,  
10 2010” in paragraph (2).

11           (3) DEPARTMENT OF STATE CIVIL SERVICE AN-  
12 NUITANT WAIVER.—Section 61(a) of the State De-  
13 partment Basic Authorities Act of 1956 (22 U.S.C.  
14 2733(a)) shall be applied by substituting “Sep-  
15 tember 30, 2017” for “October 1, 2010” in para-  
16 graph (2).

17           (4) USAID CIVIL SERVICE ANNUITANT WAIV-  
18 ER.—Section 625(j)(1) of the Foreign Assistance  
19 Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied  
20 by substituting “September 30, 2017” for “October  
21 1, 2010” in subparagraph (B).

22           (5) CATEGORICAL ELIGIBILITY.—The Foreign  
23 Operations, Export Financing, and Related Pro-  
24 grams Appropriations Act, 1990 (Public Law 101–  
25 167) is amended—

1 (A) in section 599D (8 U.S.C. 1157  
2 note)—

3 (i) in subsection (b)(3), by striking  
4 “and 2016” and inserting “2016, and  
5 2017”; and

6 (ii) in subsection (e), by striking  
7 “2016” each place it appears and inserting  
8 “2017”; and

9 (B) in section 599E (8 U.S.C. 1255 note)  
10 in subsection (b)(2), by striking “2016” and in-  
11 serting “2017”.

12 (6) INSPECTOR GENERAL ANNUITANT WAIV-  
13 ER.—The authorities provided in section 1015(b) of  
14 the Supplemental Appropriations Act, 2010 (Public  
15 Law 111–212) shall remain in effect through Sep-  
16 tember 30, 2017.

17 (7) EXTENSION OF WAR RESERVES STOCKPILE  
18 AUTHORITY.—

19 (A) Section 12001(d) of the Department of  
20 Defense Appropriations Act, 2005 (Public Law  
21 108–287; 118 Stat. 1011) is amended by strik-  
22 ing “2017” and inserting “2018”.

23 (B) Section 514(b)(2)(A) of the Foreign  
24 Assistance Act of 1961 (22 U.S.C.

1           2321h(b)(2)(A)) is amended by striking “and  
2           2017” and inserting “2017, and 2018”.

3           (l) HIV/AIDS WORKING CAPITAL FUND.—Funds  
4 available in the HIV/AIDS Working Capital Fund estab-  
5 lished pursuant to section 525(b)(1) of the Foreign Oper-  
6 ations, Export Financing, and Related Programs Appro-  
7 priations Act, 2005 (Public Law 108–477) may be made  
8 available for pharmaceuticals and other products for child  
9 survival, malaria, and tuberculosis to the same extent as  
10 HIV/AIDS pharmaceuticals and other products, subject to  
11 the terms and conditions in such section: *Provided*, That  
12 the authority in section 525(b)(5) of the Foreign Oper-  
13 ations, Export Financing, and Related Programs Appro-  
14 priations Act, 2005 (Public Law 108–477) shall be exer-  
15 cised by the Assistant Administrator for Global Health,  
16 USAID, with respect to funds deposited for such non-  
17 HIV/AIDS pharmaceuticals and other products, and shall  
18 be subject to the regular notification procedures of the  
19 Committees on Appropriations: *Provided further*, That the  
20 Secretary of State shall include in the congressional budg-  
21 et justification an accounting of budgetary resources, dis-  
22 bursements, balances, and reimbursements related to such  
23 fund.

24           (m) LOAN GUARANTEES.—Funds appropriated  
25 under the headings “Economic Support Fund” and “As-



1 sistance for Europe, Eurasia and Central Asia” by this  
2 Act and prior Acts making appropriations for the Depart-  
3 ment of State, foreign operations, and related programs  
4 may be made available for the costs, as defined in section  
5 502 of the Congressional Budget Act of 1974, of loan  
6 guarantees for Jordan, Ukraine, Iraq, and Tunisia, which  
7 are authorized to be provided: *Provided*, That amounts  
8 made available under this subsection for the costs of such  
9 guarantees shall not be considered assistance for the pur-  
10 poses of provisions of law limiting assistance to a country:  
11 *Provided further*, That funds made available pursuant to  
12 this subsection shall be subject to prior consultation with,  
13 and the regular notification procedures of, the Committees  
14 on Appropriations: *Provided further*, That amounts made  
15 available pursuant to this subsection from prior Acts that  
16 were previously designated by the Congress for Overseas  
17 Contingency Operations/Global War on Terrorism pursu-  
18 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
19 and Emergency Deficit Control Act of 1985, are des-  
20 ignated by the Congress for Overseas Contingency Oper-  
21 ations/Global War on Terrorism pursuant to section  
22 251(b)(2)(A)(ii) of such Act and shall be available only  
23 if the President subsequently so designates all such  
24 amounts and transmits such designations to the Congress.

1       (n) GREEN CLIMATE FUND PROHIBITION.—None of  
2 the funds appropriated or otherwise made available by this  
3 Act or prior Acts making appropriations for the Depart-  
4 ment of State, foreign operations, and related programs  
5 may be made available as a contribution, grant, or any  
6 other payment to the Green Climate Fund.

7       (o) DEFINITIONS.—

8           (1) Unless otherwise defined in this Act, for  
9 purposes of this Act the term “appropriate congress-  
10 sional committees” shall mean the Committees on  
11 Appropriations and Foreign Relations of the Senate  
12 and the Committees on Appropriations and Foreign  
13 Affairs of the House of Representatives.

14           (2) Unless otherwise defined in this Act, for  
15 purposes of this Act the term “funds appropriated  
16 in this Act and prior Acts making appropriations for  
17 the Department of State, foreign operations, and re-  
18 lated programs” shall mean funds that remain avail-  
19 able for obligation, and have not expired.

20           (3) For the purposes of this Act “international  
21 financial institutions” shall mean the International  
22 Bank for Reconstruction and Development, the  
23 International Development Association, the Inter-  
24 national Finance Corporation, the Inter-American  
25 Development Bank, the International Monetary

1 Fund, the Asian Development Bank, the Asian De-  
2 velopment Fund, the Inter-American Investment  
3 Corporation, the North American Development  
4 Bank, the European Bank for Reconstruction and  
5 Development, the African Development Bank, the  
6 African Development Fund, and the Multilateral In-  
7 vestment Guarantee Agency.

8 (4) Any reference to Southern Kordofan in this  
9 or any other Act making appropriations for the De-  
10 partment of State, foreign operations, and related  
11 programs shall be deemed to include portions of  
12 Western Kordofan that were previously part of  
13 Southern Kordofan prior to the 2013 division of  
14 Southern Kordofan.

15 ARAB LEAGUE BOYCOTT OF ISRAEL

16 SEC. 7035. It is the sense of the Congress that—

17 (1) the Arab League boycott of Israel, and the  
18 secondary boycott of American firms that have com-  
19 mercial ties with Israel, is an impediment to peace  
20 in the region and to United States investment and  
21 trade in the Middle East and North Africa;

22 (2) the Arab League boycott, which was regret-  
23 tably reinstated in 1997, should be immediately and  
24 publicly terminated, and the Central Office for the  
25 Boycott of Israel immediately disbanded;



1           (1) the governing entity of a new Palestinian  
2 state—

3           (A) has demonstrated a firm commitment  
4 to peaceful co-existence with the State of Israel;  
5 and

6           (B) is taking appropriate measures to  
7 counter terrorism and terrorist financing in the  
8 West Bank and Gaza, including the dismantling  
9 of terrorist infrastructures, and is cooperating  
10 with appropriate Israeli and other appropriate  
11 security organizations; and

12           (2) the Palestinian Authority (or the governing  
13 entity of a new Palestinian state) is working with  
14 other countries in the region to vigorously pursue ef-  
15 forts to establish a just, lasting, and comprehensive  
16 peace in the Middle East that will enable Israel and  
17 an independent Palestinian state to exist within the  
18 context of full and normal relationships, which  
19 should include—

20           (A) termination of all claims or states of  
21 belligerency;

22           (B) respect for and acknowledgment of the  
23 sovereignty, territorial integrity, and political  
24 independence of every state in the area through

1 measures including the establishment of demili-  
2 tarized zones;

3 (C) their right to live in peace within se-  
4 cure and recognized boundaries free from  
5 threats or acts of force;

6 (D) freedom of navigation through inter-  
7 national waterways in the area; and

8 (E) a framework for achieving a just set-  
9 tlement of the refugee problem.

10 (b) SENSE OF CONGRESS.—It is the sense of Con-  
11 gress that the governing entity should enact a constitution  
12 assuring the rule of law, an independent judiciary, and  
13 respect for human rights for its citizens, and should enact  
14 other laws and regulations assuring transparent and ac-  
15 countable governance.

16 (c) WAIVER.—The President may waive subsection  
17 (a) if the President determines that it is important to the  
18 national security interest of the United States to do so.

19 (d) EXEMPTION.—The restriction in subsection (a)  
20 shall not apply to assistance intended to help reform the  
21 Palestinian Authority and affiliated institutions, or the  
22 governing entity, in order to help meet the requirements  
23 of subsection (a), consistent with the provisions of section  
24 7040 of this Act (“Limitation on Assistance for the Pales-  
25 tinian Authority”).

1           RESTRICTIONS CONCERNING THE PALESTINIAN  
2                                   AUTHORITY

3           SEC. 7037. None of the funds appropriated under ti-  
4 tles II through VI of this Act may be obligated or ex-  
5 pended to create in any part of Jerusalem a new office  
6 of any department or agency of the United States Govern-  
7 ment for the purpose of conducting official United States  
8 Government business with the Palestinian Authority over  
9 Gaza and Jericho or any successor Palestinian governing  
10 entity provided for in the Israel-PLO Declaration of Prin-  
11 ciples: *Provided*, That this restriction shall not apply to  
12 the acquisition of additional space for the existing Con-  
13 sulate General in Jerusalem: *Provided further*, That meet-  
14 ings between officers and employees of the United States  
15 and officials of the Palestinian Authority, or any successor  
16 Palestinian governing entity provided for in the Israel-  
17 PLO Declaration of Principles, for the purpose of con-  
18 ducting official United States Government business with  
19 such authority should continue to take place in locations  
20 other than Jerusalem: *Provided further*, That as has been  
21 true in the past, officers and employees of the United  
22 States Government may continue to meet in Jerusalem on  
23 other subjects with Palestinians (including those who now  
24 occupy positions in the Palestinian Authority), have social  
25 contacts, and have incidental discussions.

1 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN  
2 BROADCASTING CORPORATION

3 SEC. 7038. None of the funds appropriated or other-  
4 wise made available by this Act may be used to provide  
5 equipment, technical support, consulting services, or any  
6 other form of assistance to the Palestinian Broadcasting  
7 Corporation.

8 ASSISTANCE FOR THE WEST BANK AND GAZA

9 SEC. 7039. (a) OVERSIGHT.—For fiscal year 2017,  
10 30 days prior to the initial obligation of funds for the bi-  
11 lateral West Bank and Gaza Program, the Secretary of  
12 State shall certify to the Committees on Appropriations  
13 that procedures have been established to assure the Comp-  
14 troller General of the United States will have access to  
15 appropriate United States financial information in order  
16 to review the uses of United States assistance for the Pro-  
17 gram funded under the heading “Economic Support  
18 Fund” for the West Bank and Gaza.

19 (b) VETTING.—Prior to the obligation of funds ap-  
20 propriated by this Act under the heading “Economic Sup-  
21 port Fund” for assistance for the West Bank and Gaza,  
22 the Secretary of State shall take all appropriate steps to  
23 ensure that such assistance is not provided to or through  
24 any individual, private or government entity, or edu-  
25 cational institution that the Secretary knows or has reason



1 to believe advocates, plans, sponsors, engages in, or has  
2 engaged in, terrorist activity nor, with respect to private  
3 entities or educational institutions, those that have as a  
4 principal officer of the entity's governing board or gov-  
5 erning board of trustees any individual that has been de-  
6 termined to be involved in, or advocating terrorist activity  
7 or determined to be a member of a designated foreign ter-  
8 rorist organization: *Provided*, That the Secretary of State  
9 shall, as appropriate, establish procedures specifying the  
10 steps to be taken in carrying out this subsection and shall  
11 terminate assistance to any individual, entity, or edu-  
12 cational institution which the Secretary has determined to  
13 be involved in or advocating terrorist activity.

14 (c) PROHIBITION.—

15 (1) RECOGNITION OF ACTS OF TERRORISM.—

16 None of the funds appropriated under titles III  
17 through VI of this Act for assistance under the West  
18 Bank and Gaza Program may be made available for  
19 the purpose of recognizing or otherwise honoring in-  
20 dividuals who commit, or have committed acts of  
21 terrorism.

22 (2) SECURITY ASSISTANCE AND REPORTING RE-  
23 QUIREMENT.—Notwithstanding any other provision  
24 of law, none of the funds made available by this or  
25 prior appropriations Acts, including funds made

1 available by transfer, may be made available for obli-  
2 gation for security assistance for the West Bank and  
3 Gaza until the Secretary of State reports to the  
4 Committees on Appropriations on the benchmarks  
5 that have been established for security assistance for  
6 the West Bank and Gaza and reports on the extent  
7 of Palestinian compliance with such benchmarks.

8 (d) AUDITS BY THE UNITED STATES AGENCY FOR  
9 INTERNATIONAL DEVELOPMENT.—

10 (1) The Administrator of the United States  
11 Agency for International Development shall ensure  
12 that Federal or non-Federal audits of all contractors  
13 and grantees, and significant subcontractors and  
14 sub-grantees, under the West Bank and Gaza Pro-  
15 gram, are conducted at least on an annual basis to  
16 ensure, among other things, compliance with this  
17 section.

18 (2) Of the funds appropriated by this Act up to  
19 \$500,000 may be used by the Office of Inspector  
20 General of the United States Agency for Inter-  
21 national Development for audits, inspections, and  
22 other activities in furtherance of the requirements of  
23 this subsection: *Provided*, That such funds are in ad-  
24 dition to funds otherwise available for such pur-  
25 poses.

1 (e) COMPTROLLER GENERAL OF THE UNITED  
2 STATES AUDIT.—Subsequent to the certification specified  
3 in subsection (a), the Comptroller General of the United  
4 States shall conduct an audit and an investigation of the  
5 treatment, handling, and uses of all funds for the bilateral  
6 West Bank and Gaza Program, including any funds pro-  
7 vided as cash transfer assistance, in fiscal year 2017  
8 under the heading “Economic Support Fund”, and such  
9 audit shall address—

10 (1) the extent to which such Program complies  
11 with the requirements of subsections (b) and (c);  
12 and

13 (2) an examination of all programs, projects,  
14 and activities carried out under such Program, in-  
15 cluding both obligations and expenditures.

16 (f) NOTIFICATION PROCEDURES.—Funds made  
17 available in this Act for West Bank and Gaza shall be  
18 subject to the regular notification procedures of the Com-  
19 mittees on Appropriations.

20 (g) REPORT.—Not later than 180 days after enact-  
21 ment of this Act, the Secretary of State shall submit a  
22 report to the Committees on Appropriations updating the  
23 report contained in section 2106 of chapter 2 of title II  
24 of the Emergency Supplemental Appropriations Act for

1 Defense, the Global War on Terror, and Tsunami Relief,  
2 2005 (Public Law 109–13).

3       LIMITATION ON ASSISTANCE FOR THE PALESTINIAN  
4                                   AUTHORITY

5       SEC. 7040. (a) PROHIBITION OF FUNDS.—None of  
6 the funds appropriated by this Act to carry out the provi-  
7 sions of chapter 4 of part II of the Foreign Assistance  
8 Act of 1961 may be obligated or expended with respect  
9 to providing funds to the Palestinian Authority.

10       (b) WAIVER.—The prohibition included in subsection  
11 (a) shall not apply if the President certifies in writing to  
12 the Speaker of the House of Representatives, the Presi-  
13 dent pro tempore of the Senate, and the Committees on  
14 Appropriations that waiving such prohibition is important  
15 to the national security interest of the United States.

16       (c) PERIOD OF APPLICATION OF WAIVER.—Any  
17 waiver pursuant to subsection (b) shall be effective for no  
18 more than a period of 6 months at a time and shall not  
19 apply beyond 12 months after the enactment of this Act.

20       (d) REPORT.—Whenever the waiver authority pursu-  
21 ant to subsection (b) is exercised, the President shall sub-  
22 mit a report to the Committees on Appropriations detail-  
23 ing the justification for the waiver, the purposes for which  
24 the funds will be spent, and the accounting procedures in  
25 place to ensure that the funds are properly disbursed: *Pro-*

1 *vided*, That the report shall also detail the steps the Pales-  
2 tinian Authority has taken to arrest terrorists, confiscate  
3 weapons and dismantle the terrorist infrastructure.

4 (e) CERTIFICATION.—If the President exercises the  
5 waiver authority under subsection (b), the Secretary of  
6 State must certify and report to the Committees on Ap-  
7 propriations prior to the obligation of funds that the Pal-  
8 estinian Authority has established a single treasury ac-  
9 count for all Palestinian Authority financing and all fi-  
10 nancing mechanisms flow through this account, no parallel  
11 financing mechanisms exist outside of the Palestinian Au-  
12 thority treasury account, and there is a single comprehen-  
13 sive civil service roster and payroll, and the Palestinian  
14 Authority is acting to counter incitement of violence  
15 against Israelis and is supporting activities aimed at pro-  
16 moting peace, coexistence, and security cooperation with  
17 Israel.

18 (f) PROHIBITION TO HAMAS AND THE PALESTINE  
19 LIBERATION ORGANIZATION.—

20 (1) None of the funds appropriated in titles III  
21 through VI of this Act may be obligated for salaries  
22 of personnel of the Palestinian Authority located in  
23 Gaza or may be obligated or expended for assistance  
24 to Hamas or any entity effectively controlled by  
25 Hamas, any power-sharing government of which

1        Hamas is a member, or that results from an agree-  
2        ment with Hamas.

3            (2) Notwithstanding the limitation of paragraph  
4        (1), assistance may be provided to a power-sharing  
5        government only if the President certifies and re-  
6        ports to the Committees on Appropriations that such  
7        government, including all of its ministers or such  
8        equivalent, has publicly accepted and is complying  
9        with the principles contained in section 620K(b)(1)  
10       (A) and (B) of the Foreign Assistance Act of 1961,  
11       as amended.

12           (3) The President may exercise the authority in  
13       section 620K(e) of the Foreign Assistance Act of  
14       1961, as added by the Palestinian Anti-Terrorism  
15       Act of 2006 (Public Law 109–446) with respect to  
16       this subsection.

17           (4) Whenever the certification pursuant to  
18       paragraph (2) is exercised, the Secretary of State  
19       shall submit a report to the Committees on Appro-  
20       priations within 120 days of the certification and  
21       every quarter thereafter on whether such govern-  
22       ment, including all of its ministers or such equiva-  
23       lent are continuing to comply with the principles  
24       contained in section 620K(b)(1) (A) and (B) of the  
25       Foreign Assistance Act of 1961, as amended: *Pro-*

1        *vided*, That the report shall also detail the amount,  
2        purposes and delivery mechanisms for any assistance  
3        provided pursuant to the abovementioned certifi-  
4        cation and a full accounting of any direct support of  
5        such government.

6                (5) None of the funds appropriated under titles  
7        III through VI of this Act may be obligated for as-  
8        sistance for the Palestine Liberation Organization.

9                                MIDDLE EAST AND NORTH AFRICA

10        SEC. 7041. (a) EGYPT.—

11                (1) CERTIFICATION AND REPORT.—Funds ap-  
12        propriated by this Act that are available for assist-  
13        ance for Egypt may be made available notwith-  
14        standing any other provision of law restricting as-  
15        sistance for Egypt, except for this subsection, and  
16        may only be made available for assistance for the  
17        Government of Egypt if the Secretary of State cer-  
18        tifies and reports to the Committees on Appropria-  
19        tions that such government is—

20                                (A) sustaining the strategic relationship  
21        with the United States; and

22                                (B) meeting its obligations under the 1979  
23        Egypt-Israel Peace Treaty.

24                (2) REPORT ON GOVERNANCE.—

1 (A) Not later than 90 days after enact-  
2 ment of this Act and every 90 days thereafter  
3 until September 30, 2017, the Secretary of  
4 State shall report to the Committees on Appro-  
5 priations on steps taken by the Government of  
6 Egypt to—

7 (i) advance democracy and human  
8 rights in Egypt, including to govern demo-  
9 cratically and protect religious minorities  
10 and the rights of women;

11 (ii) implement reforms that protect  
12 freedoms of expression, association, and  
13 peaceful assembly, including the ability of  
14 civil society organizations and the media to  
15 function without interference; and

16 (iii) improve the transparency and ac-  
17 countability of security forces.

18 (B) The report required by subparagraph  
19 (A) may be provided in classified form if nec-  
20 essary.

21 (3) ECONOMIC SUPPORT FUND.—

22 (A) FUNDING.—Of the funds appropriated  
23 by this Act under the heading “Economic Sup-  
24 port Fund”, up to \$150,000,000 may be made  
25 available for assistance for Egypt, subject to



1 prior consultation with the appropriate congress-  
2 sional committees and the regular notification  
3 procedures of the Committees on Appropria-  
4 tions and section 634A of the Foreign Assist-  
5 ance Act of 1961: *Provided*, That such funds  
6 may be made available for democracy programs  
7 and for programs that support development and  
8 security in the Sinai: *Provided further*, That  
9 such funds may not be made available for cash  
10 transfer assistance or budget support unless the  
11 Secretary of State certifies and reports to the  
12 appropriate congressional committees that the  
13 Government of Egypt is taking consistent and  
14 effective steps to stabilize the economy and im-  
15 plement market-based economic reforms.

16 (B) WITHHOLDING.—The Secretary of  
17 State shall withhold from obligation funds ap-  
18 propriated by this Act under the heading “Eco-  
19 nomic Support Fund” for assistance for Egypt,  
20 an amount of such funds that the Secretary de-  
21 termines to be equivalent to that expended by  
22 the United States Government for bail, and by  
23 nongovernmental organizations for legal and  
24 court fees, associated with democracy-related  
25 trials in Egypt until the Secretary certifies and

1 reports to the Committees on Appropriations  
2 that the Government of Egypt has dismissed  
3 the convictions issued by the Cairo Criminal  
4 Court on June 4, 2013, in “Public Prosecution  
5 Case No. 1110 for the Year 2012”.

6 (4) FOREIGN MILITARY FINANCING PRO-  
7 GRAM.—Of the funds appropriated by this Act under  
8 the heading “Foreign Military Financing Program”,  
9 \$1,300,000,000, to remain available until September  
10 30, 2018, shall be made available for assistance for  
11 Egypt which may be transferred to an interest bear-  
12 ing account in the Federal Reserve Bank of New  
13 York, following consultation with the Committees on  
14 Appropriations: *Provided*, That not later than 90  
15 days after enactment of this Act, the Secretary of  
16 State shall report to the Committees on Appropria-  
17 tions on the impact of restructuring military assist-  
18 ance for Egypt: *Provided further*, That such report  
19 shall include the requirements contained under this  
20 section in the report accompanying this Act.

21 (b) IRAN.—

22 (1) FUNDING.—Funds appropriated by this Act  
23 under the headings “Diplomatic and Consular Pro-  
24 grams”, “Economic Support Fund”, and “Non-

1 proliferation, Anti-terrorism, Demining and Related  
2 Programs” shall be used by the Secretary of State—

3 (A) to support the United States policy to  
4 prevent Iran from achieving the capability to  
5 produce or otherwise obtain a nuclear weapon;

6 (B) to support an expeditious response to  
7 any violation of the Joint Comprehensive Plan  
8 of Action or United Nations Security Council  
9 Resolution 2231;

10 (C) to support the implementation and en-  
11 forcement of sanctions against Iran for support  
12 of terrorism, human rights abuses, and ballistic  
13 missile and weapons proliferation; and

14 (D) for democracy programs for Iran, to  
15 be administered by the Assistant Secretary for  
16 Near Eastern Affairs, Department of State, in  
17 consultation with the Assistant Secretary for  
18 Democracy, Human Rights, and Labor, Depart-  
19 ment of State.

20 (2) CONTINUATION OF PROHIBITION.—The  
21 terms and conditions of paragraph (2) of section  
22 7041(e) in division I of Public Law 112–74 shall  
23 continue in effect during fiscal year 2017 as if part  
24 of this Act.

25 (3) REPORTS.—

1 (A) The Secretary of State shall submit to  
2 the Committees on Appropriations the semi-an-  
3 nual report required by section 2 of the Iran  
4 Nuclear Agreement Review Act of 2015 (42  
5 U.S.C. 2160e(d)(4)).

6 (B) Not later than 180 days after the date  
7 of enactment of this Act, the Secretary of  
8 State, in consultation with the Secretary of the  
9 Treasury, shall submit to the appropriate con-  
10 gressional committees a report on the status of  
11 the implementation and enforcement of bilateral  
12 United States and multilateral sanctions  
13 against Iran and actions taken by the United  
14 States and the international community to en-  
15 force such sanctions against Iran: *Provided*,  
16 That the report shall also include any entities  
17 involved in the development of a ballistic missile  
18 by the Government of Iran after October 1,  
19 2015, including shipping and financing, and  
20 note whether such entities are currently under  
21 United States sanctions: *Provided further*, That  
22 such report shall be submitted in an unclassi-  
23 fied form, but may contain a classified annex if  
24 necessary.

25 (c) IRAQ.—

1           (1) PURPOSES.—Funds appropriated by this  
2 Act shall be made available for assistance for Iraq  
3 to promote governance, security, and internal and  
4 regional stability, including in Kurdistan and other  
5 areas impacted by the conflict in Syria, and among  
6 religious and ethnic minority populations in Iraq.

7           (2) LIMITATION.—None of the funds appro-  
8 priated by this Act may be made available for con-  
9 struction, rehabilitation, or other improvements to  
10 United States diplomatic facilities in Iraq on prop-  
11 erty for which no land-use agreement has been en-  
12 tered into by the Governments of the United States  
13 and Iraq: *Provided*, That the restrictions in this  
14 paragraph shall not apply if such funds are nec-  
15 essary to protect United States diplomatic facilities  
16 or the security, health, and welfare of United States  
17 personnel.

18           (3) KURDISTAN REGIONAL GOVERNMENT.—

19           (A) Funds appropriated by this Act under  
20 the heading “Economic Support Fund” that are  
21 made available for a loan guarantee for Iraq  
22 pursuant to section 7034(m) shall, after con-  
23 sultation with the Government of Iraq and as a  
24 condition of obligation, provide that not less  
25 than 17 percent of the proceeds of such financ-

1           ing be made available to the Kurdistan Re-  
2           gional Government.

3           (B) Funds appropriated by this Act under  
4           the headings “International Narcotics Control  
5           and Law Enforcement” and “Foreign Military  
6           Financing Program” that are available for as-  
7           sistance for Iraq shall be made available to en-  
8           hance the capacity of the security forces of the  
9           Kurdistan Regional Government and for secu-  
10          rity programs in Kurdistan to address require-  
11          ments arising from the violence in Syria and  
12          Iraq: *Provided*, That the Secretary of State  
13          shall consult with the Committees on Appro-  
14          priations prior to obligating such funds.

15          (4) IRAQ FOREIGN MILITARY FINANCING PRO-  
16          GRAM LOAN AUTHORITY.—During fiscal year 2017,  
17          direct loans under section 23 of the Arms Export  
18          Control Act may be made available for Iraq, gross  
19          obligations for the principal amounts of which shall  
20          not exceed \$2,700,000,000: *Provided*, That funds  
21          appropriated under the heading “Foreign Military  
22          Financing Program” in title VIII of this Act that  
23          are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant  
24          to section 251(b)(2)(A)(ii) of the Balanced Budget  
25

1 and Emergency Deficit Control Act of 1985, as  
2 amended, may be made available for the costs, as  
3 defined in section 502 of the Congressional Budget  
4 Act of 1974, of such loans, except that such funds  
5 may not be derived from amounts specifically des-  
6 ignated for countries other than Iraq: *Provided fur-*  
7 *ther*, That such costs, including the cost of modi-  
8 fying such loans, shall be as defined in section 502  
9 of the Congressional Budget Act of 1974, and may  
10 include the costs of selling, reducing, or cancelling  
11 any amounts owed to the United States or any agen-  
12 cy of the United States by Iraq: *Provided further*,  
13 That the Government of the United States may  
14 charge fees for such loans, which shall be collected  
15 from borrowers in accordance with section 502(7) of  
16 the Congressional Budget Act of 1974: *Provided fur-*  
17 *ther*, That no funds made available to Iraq by this  
18 Act or any other Act may be used for payment of  
19 any fees associated with these loans: *Provided fur-*  
20 *ther*, That applicable provisions of section 3 of the  
21 Arms Export Control Act relating to restrictions on  
22 transfers, re-transfers and end-use shall apply to de-  
23 fense articles and services purchased with such  
24 loans: *Provided further*, That, in consultation with  
25 the Government of Iraq, special emphasis shall be

1 placed on assistance to covered groups (as defined in  
2 section 1223(e)(2)(D) of the National Defense Au-  
3 thorization Act 2016 (Public Law 114–92)) with  
4 proceeds from the loans made available pursuant to  
5 this paragraph: *Provided further*, That with respect  
6 to the Kurdish Peshmerga, the term “special empha-  
7 sis” in the previous proviso shall mean providing not  
8 less than 17 percent of the proceeds of such financ-  
9 ing to such group: *Provided further*, That such loans  
10 shall be repaid in not more than 12 years, including  
11 a grace period of up to 1 year on repayment of prin-  
12 cipal: *Provided further*, That funds made available  
13 pursuant to this section shall be subject to prior con-  
14 sultation with, and the regular notification proce-  
15 dures of, the Committees on Appropriations.

16 (5) BASING RIGHTS AGREEMENT.—None of the  
17 funds appropriated or otherwise made available by  
18 this Act may be used by the Government of the  
19 United States to enter into a permanent basing  
20 rights agreement between the United States and  
21 Iraq.

22 (d) JORDAN.—Of the funds appropriated by this Act  
23 under titles III and IV, not less than \$1,275,000,000 shall  
24 be made available for assistance for Jordan, of which not



1 less than \$375,000,000 shall be for budget support for  
2 the Government of Jordan.

3 (e) LEBANON.—

4 (1) LIMITATION.—None of the funds appro-  
5 priated by this Act may be made available for the  
6 Lebanese Internal Security Forces (ISF) or the Leb-  
7 anese Armed Forces (LAF) if the ISF or the LAF  
8 is controlled by a foreign terrorist organization, as  
9 designated pursuant to section 219 of the Immigra-  
10 tion and Nationality Act.

11 (2) CONSULTATION REQUIREMENT.—Funds ap-  
12 propriated by this Act under the headings “Inter-  
13 national Narcotics Control and Law Enforcement”  
14 and “Foreign Military Financing Program” that are  
15 available for assistance for Lebanon may be made  
16 available for programs and equipment for the ISF  
17 and the LAF to address security and stability re-  
18 quirements in areas affected by the conflict in Syria,  
19 following consultation with the appropriate congres-  
20 sional committees.

21 (3) FOREIGN MILITARY FINANCING PRO-  
22 GRAM.—In addition to the activities described in  
23 paragraph (2), funds appropriated by this Act under  
24 the heading “Foreign Military Financing Program”  
25 for assistance for Lebanon may be made available

1 only to professionalize the LAF and to strengthen  
2 border security and combat terrorism, including  
3 training and equipping the LAF to secure Lebanon's  
4 borders, interdicting arms shipments, preventing the  
5 use of Lebanon as a safe haven for terrorist groups,  
6 and to implement United Nations Security Council  
7 Resolution 1701: *Provided*, That funds may not be  
8 obligated for assistance for the LAF until the Sec-  
9 retary of State submits to the Committees on Appro-  
10 priations a detailed spend plan, including actions to  
11 be taken to ensure equipment provided to the LAF  
12 is only used for the intended purposes, except such  
13 plan may not be considered as meeting the notifica-  
14 tion requirements under section 7015 of this Act or  
15 under section 634A of the Foreign Assistance Act of  
16 1961, and shall be submitted not later than Sep-  
17 tember 1, 2017: *Provided further*, That any notifica-  
18 tion submitted pursuant to such sections shall in-  
19 clude any funds specifically intended for lethal mili-  
20 tary equipment.

21 (f) LIBYA.—

22 (1) LIMITATION.—None of the funds appro-  
23 priated by this Act may be made available for assist-  
24 ance for the central Government of Libya unless the  
25 Secretary of State reports to the Committees on Ap-

1        appropriations that such government is cooperating  
2        with United States Government efforts to investigate  
3        and bring to justice those responsible for the attack  
4        on United States personnel and facilities in  
5        Benghazi, Libya in September 2012: *Provided*, That  
6        the limitation in this paragraph shall not apply to  
7        funds made available for the purpose of protecting  
8        United States Government personnel or facilities.

9            (2) CERTIFICATION REQUIREMENT.—Prior to  
10        the initial obligation of funds made available by this  
11        Act for assistance for Libya, the Secretary of State  
12        shall certify and report to the Committees on Appro-  
13        priations that all practicable steps have been taken  
14        to ensure that mechanisms are in place for moni-  
15        toring, oversight, and control of funds made avail-  
16        able by this subsection for assistance for Libya, in-  
17        cluding a description of the vetting procedures to be  
18        used for recipients of assistance made available  
19        under title IV of this Act.

20            (g) MOROCCO.—Funds appropriated under title III  
21        of this Act that are made available for assistance for Mo-  
22        rocco shall also be made available for assistance for any  
23        region or territory administered by Morocco, including for  
24        the Western Sahara: *Provided*, That not later than 45  
25        days after enactment of this Act and prior to the obliga-

1 tion of such funds the Secretary of State, in consultation  
2 with the Administrator of the United States Agency for  
3 International Development, shall consult with the Commit-  
4 tees on Appropriations on the proposed uses of such funds  
5 based on the requirements described under this section in  
6 the report accompanying this Act.

7 (h) REFUGEES IN NORTH AFRICA.—The Secretary of  
8 State shall take all practicable steps to secure the coopera-  
9 tion of the Government of Algeria for the United Nations  
10 High Commissioner for Refugees to conduct a census of  
11 the refugee camps near Tindouf, Algeria.

12 (i) SYRIA.—

13 (1) NON-LETHAL ASSISTANCE.—Funds appro-  
14 priated under title III of this Act shall be made  
15 available, notwithstanding any other provision of law  
16 except for this subsection, for non-lethal assistance  
17 for programs to address the needs of civilians af-  
18 fected by conflict in Syria, and for programs that  
19 seek to—

20 (A) establish governance in Syria that is  
21 representative, inclusive, and accountable;

22 (B) expand the role of women in negotia-  
23 tions to end the violence and in any political  
24 transition in Syria;

1 (C) develop and implement political proc-  
2 esses that are democratic, transparent, and ad-  
3 here to the rule of law;

4 (D) further the legitimacy of the Syrian  
5 opposition through cross-border programs;

6 (E) develop civil society and an inde-  
7 pendent media in Syria;

8 (F) promote economic development in  
9 Syria;

10 (G) document, investigate, and prosecute  
11 human rights violations in Syria, including  
12 through transitional justice programs and sup-  
13 port for nongovernmental organizations;

14 (H) counter extremist ideologies;

15 (I) assist Syrian refugees whose education  
16 has been interrupted by the ongoing conflict to  
17 complete higher education requirements at re-  
18 gional academic institutions; and

19 (J) assist vulnerable populations in Syria  
20 and in neighboring countries.

21 (2) STRATEGY UPDATE.—Funds appropriated  
22 by this Act that are made available for assistance for  
23 Syria pursuant to the authority of this subsection  
24 may only be made available after the Secretary of  
25 State, in consultation with the heads of relevant

1 United States Government agencies, submits, in  
2 classified form if necessary, an update to the com-  
3 prehensive strategy required in section 7041(i)(3) of  
4 Public Law 113–76.

5 (3) MONITORING AND OVERSIGHT.—Prior to  
6 the obligation of funds appropriated by this Act and  
7 made available for assistance for Syria, the Sec-  
8 retary of State shall take all practicable steps to en-  
9 sure that mechanisms are in place for monitoring,  
10 oversight, and control of such assistance inside  
11 Syria: *Provided*, That the Secretary shall promptly  
12 inform the appropriate congressional committees of  
13 each instance in which assistance provided pursuant  
14 to this subsection has been compromised, to include  
15 the type and amount of assistance affected, a de-  
16 scription of the incident and parties involved, and an  
17 explanation of the response of the Department of  
18 State.

19 (4) CONSULTATION AND NOTIFICATION.—  
20 Funds made available pursuant to this subsection  
21 may only be made available following consultation  
22 with the appropriate congressional committees, and  
23 shall be subject to the regular notification proce-  
24 dures of the Committees on Appropriations.

1 (j) TUNISIA.—Of the funds appropriated under titles  
2 III and IV of this Act, not less than \$160,400,000 shall  
3 be made available for assistance for Tunisia.

4 (k) WEST BANK AND GAZA.—

5 (1) REPORT ON ASSISTANCE.—Prior to the ini-  
6 tial obligation of funds made available by this Act  
7 under the heading “Economic Support Fund” for  
8 assistance for the West Bank and Gaza, the Sec-  
9 retary of State shall report to the Committees on  
10 Appropriations that the purpose of such assistance  
11 is to—

12 (A) advance Middle East peace;

13 (B) improve security in the region;

14 (C) continue support for transparent and  
15 accountable government institutions;

16 (D) promote a private sector economy; or

17 (E) address urgent humanitarian needs.

18 (2) LIMITATIONS.—

19 (A) None of the funds appropriated under  
20 the heading “Economic Support Fund” in this  
21 Act may be made available for assistance for  
22 the Palestinian Authority, if after the date of  
23 enactment of this Act—

24 (i) the Palestinians obtain the same  
25 standing as member states or full member-

1 ship as a state in the United Nations or  
2 any specialized agency thereof outside an  
3 agreement negotiated between Israel and  
4 the Palestinians; or

5 (ii) the Palestinians initiate an Inter-  
6 national Criminal Court (ICC) judicially  
7 authorized investigation, or actively sup-  
8 port such an investigation, that subjects  
9 Israeli nationals to an investigation for al-  
10 leged crimes against Palestinians.

11 (B)(i) The President may waive the provi-  
12 sions of section 1003 of the Foreign Relations  
13 Authorization Act, Fiscal Years 1988 and 1989  
14 (Public Law 100–204) if the President deter-  
15 mines and certifies in writing to the Speaker of  
16 the House of Representatives, the President pro  
17 tempore of the Senate, and the appropriate con-  
18 gressional committees that the Palestinians  
19 have not, after the date of enactment of this  
20 Act—

21 (I) obtained in the United Nations or  
22 any specialized agency thereof the same  
23 standing as member states or full member-  
24 ship as a state outside an agreement nego-



1            tiated between Israel and the Palestinians;  
2            and

3                    (II) initiated or actively supported an  
4            ICC investigation against Israeli nationals  
5            for alleged crimes against Palestinians.

6            (ii) Not less than 90 days after the Presi-  
7            dent is unable to make the certification pursu-  
8            ant to clause (i) of this subparagraph, the  
9            President may waive section 1003 of Public  
10           Law 100–204 if the President determines and  
11           certifies in writing to the Speaker of the House  
12           of Representatives, the President pro tempore  
13           of the Senate, and the Committees on Appro-  
14           priations that the Palestinians have entered  
15           into direct and meaningful negotiations with  
16           Israel: *Provided*, That any waiver of the provi-  
17           sions of section 1003 of Public Law 100–204  
18           under clause (i) of this subparagraph or under  
19           previous provisions of law must expire before  
20           the waiver under the preceding sentence may be  
21           exercised.

22           (iii) Any waiver pursuant to this subpara-  
23           graph shall be effective for no more than a pe-  
24           riod of 6 months at a time and shall not apply

1           beyond 12 months after the enactment of this  
2           Act.

3           (3) REDUCTION.—If the requirements for as-  
4           sistance in sections 7039 and 7040 of this Act are  
5           met, the Secretary of State shall reduce the amount  
6           of assistance made available by this Act under the  
7           heading “Economic Support Fund” for the Pales-  
8           tinian Authority by an amount the Secretary deter-  
9           mines is equivalent to the amount expended by the  
10          Palestinian Authority or the Palestine Liberation  
11          Organization in payments to individuals and the  
12          families of such individuals that are imprisoned for  
13          acts of terrorism or who died committing such acts  
14          during the previous calendar year: *Provided*, That  
15          the Secretary shall report to the Committees on Ap-  
16          propriations on the amount reduced for fiscal year  
17          2017 prior to the obligation of funds for the Pales-  
18          tinian Authority: *Provided further*, That the report  
19          in the previous proviso shall also include steps taken  
20          to prevent any such payments.

21          (4) SECURITY REPORT.—The reporting require-  
22          ments contained in section 1404 of the Supple-  
23          mental Appropriations Act, 2008 (Public Law 110–  
24          252) shall apply to funds made available by this Act,

1 including a description of modifications, if any, to  
2 the security strategy of the Palestinian Authority.

3 (5) INCITEMENT REPORT.—Not later than 90  
4 days after enactment of this Act, the Secretary of  
5 State shall submit a report to the Committees on  
6 Appropriations detailing steps taken by the Pales-  
7 tinian Authority to counter incitement of violence  
8 against Israelis and to promote peace and coexist-  
9 ence with Israel.

10 AFRICA

11 SEC. 7042. (a) BOKO HARAM.—Funds appropriated  
12 by this Act that are made available for assistance for Cam-  
13 eroon, Chad, Niger, and Nigeria—

14 (1) shall be made available for assistance for  
15 women and girls who are targeted by the terrorist  
16 organization Boko Haram, consistent with the provi-  
17 sions of section 7059 of this Act and for individuals  
18 displaced by Boko Haram violence; and

19 (2) may be made available for counterterrorism  
20 programs to combat Boko Haram.

21 (b) CENTRAL AFRICAN REPUBLIC.—Funds made  
22 available by this Act for assistance for the Central African  
23 Republic shall be made available for reconciliation and  
24 peacebuilding programs, including activities to promote

1 inter-faith dialogue at the national and local levels, and  
2 for programs to prevent crimes against humanity.

3 (c) COUNTERTERRORISM PROGRAMS.—Of the funds  
4 appropriated by this Act, not less than \$69,821,000  
5 should be made available for the Trans-Sahara Counter-  
6 terrorism Partnership program, and not less than  
7 \$24,150,000 should be made available for the Partnership  
8 for Regional East Africa Counterterrorism program.

9 (d) LORD’S RESISTANCE ARMY.—Funds appro-  
10 priated by this Act shall be made available for programs  
11 and activities in areas affected by the Lord’s Resistance  
12 Army (LRA) consistent with the goals of the Lord’s Re-  
13 sistance Army Disarmament and Northern Uganda Recov-  
14 ery Act (Public Law 111–172), including to improve phys-  
15 ical access, telecommunications infrastructure, and early-  
16 warning mechanisms and to support the disarmament, de-  
17 mobilization, and reintegration of former LRA combat-  
18 ants, especially child soldiers.

19 (e) POWER AFRICA INITIATIVE.—Funds appro-  
20 priated by this Act that are made available for the Power  
21 Africa initiative shall be subject to the regular notification  
22 procedures of the Committees on Appropriations.

23 (f) SOUTH SUDAN.—

1           (1) Funds appropriated by this Act that are  
2           made available for assistance for South Sudan  
3           should—

4                   (A) be prioritized for programs that re-  
5                   spond to humanitarian needs and the delivery  
6                   of basic services and to mitigate conflict and  
7                   promote stability, including to address protec-  
8                   tion needs and prevent and respond to gender-  
9                   based violence;

10                   (B) support programs that build resilience  
11                   of communities to address food insecurity,  
12                   maintain educational opportunities, and en-  
13                   hance local governance;

14                   (C) be used to advance democracy, includ-  
15                   ing support for civil society, independent media,  
16                   and other means to strengthen the rule of law;

17                   (D) support the transparent and sustain-  
18                   able management of natural resources by assist-  
19                   ing the Government of South Sudan in con-  
20                   ducting regular audits of financial accounts, in-  
21                   cluding revenues from oil and gas, and the  
22                   timely public disclosure of such audits; and

23                   (E) support the professionalization of secu-  
24                   rity forces, including human rights and ac-  
25                   countability to civilian authorities.

1           (2) None of the funds appropriated by this Act  
2 that are available for assistance for the central Gov-  
3 ernment of South Sudan may be made available  
4 until the Secretary of State certifies and reports to  
5 the Committees on Appropriations that such govern-  
6 ment is taking effective steps to—

7           (A) end hostilities and pursue good faith  
8 negotiations for a political settlement of the in-  
9 ternal conflict;

10           (B) provide access for humanitarian orga-  
11 nizations;

12           (C) end the recruitment and use of child  
13 soldiers;

14           (D) protect freedoms of expression, asso-  
15 ciation, and assembly;

16           (E) reduce corruption related to the ex-  
17 traction and sale of oil and gas; and

18           (F) establish democratic institutions, in-  
19 cluding accountable military and police forces  
20 under civilian authority.

21           (3) The limitation of paragraph (2) shall not  
22 apply to—

23           (A) humanitarian assistance;

1 (B) assistance to support South Sudan  
2 peace negotiations or to advance or implement  
3 a peace agreement; and

4 (C) assistance to support implementation  
5 of outstanding issues of the Comprehensive  
6 Peace Agreement (CPA) and mutual arrange-  
7 ments related to the CPA.

8 (g) SUDAN.—

9 (1) Notwithstanding any other provision of law,  
10 none of the funds appropriated by this Act may be  
11 made available for assistance for the Government of  
12 Sudan.

13 (2) None of the funds appropriated by this Act  
14 may be made available for the cost, as defined in  
15 section 502 of the Congressional Budget Act of  
16 1974, of modifying loans and loan guarantees held  
17 by the Government of Sudan, including the cost of  
18 selling, reducing, or canceling amounts owed to the  
19 United States, and modifying concessional loans,  
20 guarantees, and credit agreements.

21 (3) The limitations of paragraphs (1) and (2)  
22 shall not apply to—

23 (A) humanitarian assistance;

24 (B) assistance for democracy programs;

1           (C) assistance for the Darfur region,  
2           Southern Kordofan State, Blue Nile State,  
3           other marginalized areas and populations in  
4           Sudan, and Abyei; and

5           (D) assistance to support implementation  
6           of outstanding issues of the Comprehensive  
7           Peace Agreement (CPA), mutual arrangements  
8           related to post-referendum issues associated  
9           with the CPA, or any other internationally rec-  
10          ognized viable peace agreement in Sudan.

11         (h) ZIMBABWE.—

12           (1) The Secretary of the Treasury shall instruct  
13           the United States executive director of each inter-  
14           national financial institution to vote against any ex-  
15           tension by the respective institution of any loan or  
16           grant to the Government of Zimbabwe, except to  
17           meet basic human needs or to promote democracy,  
18           unless the Secretary of State certifies and reports to  
19           the Committees on Appropriations that the rule of  
20           law has been restored, including respect for owner-  
21           ship and title to property, and freedoms of expres-  
22           sion, association, and assembly.

23           (2) None of the funds appropriated by this Act  
24           shall be made available for assistance for the central  
25           Government of Zimbabwe, except for health and



1 education, unless the Secretary of State certifies and  
2 reports as required in paragraph (1), and funds may  
3 be made available for macroeconomic growth assist-  
4 ance if the Secretary reports to the Committees on  
5 Appropriations that such government is imple-  
6 menting transparent fiscal policies, including public  
7 disclosure of revenues from the extraction of natural  
8 resources.

9 EAST ASIA AND THE PACIFIC

10 SEC. 7043. (a) BURMA.—

11 (1) BILATERAL ECONOMIC ASSISTANCE.—

12 (A) Funds appropriated by this Act under  
13 the heading “Economic Support Fund” for as-  
14 sistance for Burma may be made available not-  
15 withstanding any other provision of law, except  
16 for this subsection, and following consultation  
17 with the appropriate congressional committees.

18 (B) Funds appropriated under title III of  
19 this Act for assistance for Burma—

20 (i) may not be made available for  
21 budget support for the Government of  
22 Burma;

23 (ii) shall be made available to  
24 strengthen civil society organizations in

1 Burma, including as core support for such  
2 organizations;

3 (iii) shall be made available for com-  
4 munity-based organizations operating in  
5 Thailand to provide humanitarian assist-  
6 ance to internally displaced persons in  
7 eastern Burma, in addition to assistance  
8 for Burmese refugees from funds appro-  
9 priated by this Act under the heading “Mi-  
10 gration and Refugee Assistance”;

11 (iv) shall be made available for pro-  
12 grams to promote ethnic and religious tol-  
13 erance, including in Rakhine and Kachin  
14 states;

15 (v) may not be made available to any  
16 successor or affiliated organization of the  
17 State Peace and Development Council  
18 (SPDC) controlled by former SPDC mem-  
19 bers that promotes the repressive policies  
20 of the SPDC, or to any individual or orga-  
21 nization credibly alleged to have committed  
22 gross violations of human rights, including  
23 against Rohingya and other minority  
24 groups;

1 (vi) may be made available for pro-  
2 grams administered by the Office of Tran-  
3 sition Initiatives, United States Agency for  
4 International Development (USAID), for  
5 ethnic groups and civil society in Burma to  
6 help sustain ceasefire agreements and fur-  
7 ther prospects for reconciliation and peace,  
8 which may include support to representa-  
9 tives of ethnic armed groups for this pur-  
10 pose; and

11 (vii) may not be made available to any  
12 organization or individual the Secretary of  
13 State determines and reports to the appro-  
14 priate congressional committees advocates  
15 violence against ethnic or religious groups  
16 and individuals in Burma.

17 (2) INTERNATIONAL SECURITY ASSISTANCE.—

18 None of the funds appropriated by this Act under  
19 the headings “International Military Education and  
20 Training” and “Foreign Military Financing Pro-  
21 gram” may be made available for assistance for  
22 Burma: *Provided*, That the Department of State  
23 may continue consultations with the armed forces of  
24 Burma only on human rights and disaster response  
25 in a manner consistent with the prior fiscal year,

1 and following consultation with the appropriate con-  
2 gressional committees.

3 (3) MULTILATERAL ASSISTANCE.—The Sec-  
4 retary of the Treasury should instruct the United  
5 States executive director of each international finan-  
6 cial institution to use the voice and vote of the  
7 United States to support projects in Burma only if  
8 such projects—

9 (A) promote accountability and trans-  
10 parency, including on-site monitoring through-  
11 out the life of the project;

12 (B) are developed and carried out in ac-  
13 cordance with best practices regarding environ-  
14 mental conservation; social and cultural protec-  
15 tion and empowerment of local populations,  
16 particularly ethnic nationalities; and extraction  
17 of resources;

18 (C) do not promote the displacement of  
19 local populations without appropriate consulta-  
20 tion, harm mitigation and compensation, and do  
21 not provide incentives for, or facilitate, the  
22 forced migration of indigenous communities;  
23 and

1 (D) do not partner with or otherwise in-  
2 volve military-owned enterprises or state-owned  
3 enterprises associated with the military.

4 (4) PROGRAMS, POSITION, AND RESPONSIBIL-  
5 ITIES.—

6 (A) Any new program or activity in Burma  
7 initiated in fiscal year 2017 shall be subject to  
8 prior consultation with the appropriate congress-  
9 sional committees.

10 (B) Section 7043(b)(7) of the Department  
11 of State, Foreign Operations, and Related Pro-  
12 grams Appropriations Act, 2015 (division J of  
13 Public Law 113–235) shall continue in effect  
14 during fiscal year 2017 as if part of this Act.

15 (b) NORTH KOREA.—

16 (1) BROADCASTS.—Funds appropriated by this  
17 Act under the heading “International Broadcasting  
18 Operations” shall be made available to maintain  
19 broadcasts into North Korea at levels consistent  
20 with the prior fiscal year.

21 (2) REFUGEES.—Funds appropriated by this  
22 Act under the heading “Migration and Refugee As-  
23 sistance” shall be made available for assistance for  
24 refugees from North Korea, including protection ac-

1        activities in the People’s Republic of China and other  
2        countries in the Asia region.

3            (3) LIMITATION ON USE OF FUNDS.—None of  
4        the funds made available by this Act under the  
5        heading “Economic Support Fund” may be made  
6        available for assistance for the Government of North  
7        Korea.

8        (c) PEOPLE’S REPUBLIC OF CHINA.—

9            (1) LIMITATION ON USE OF FUNDS.—None of  
10       the funds appropriated under the heading “Diplo-  
11       matic and Consular Programs” in this Act may be  
12       obligated or expended for processing licenses for the  
13       export of satellites of United States origin (including  
14       commercial satellites and satellite components) to  
15       the People’s Republic of China (PRC) unless, at  
16       least 15 days in advance, the Committees on Appro-  
17       priations are notified of such proposed action.

18            (2) PEOPLE’S LIBERATION ARMY.—The terms  
19       and requirements of section 620(h) of the Foreign  
20       Assistance Act of 1961 shall apply to foreign assist-  
21       ance projects or activities of the People’s Liberation  
22       Army (PLA) of the PRC, to include such projects or  
23       activities by any entity that is owned or controlled  
24       by, or an affiliate of, the PLA: *Provided*, That none  
25       of the funds appropriated or otherwise made avail-

1       able pursuant to this Act may be used to finance  
2       any grant, contract, or cooperative agreement with  
3       the PLA, or any entity that the Secretary of State  
4       has reason to believe is owned or controlled by, or  
5       an affiliate of, the PLA.

6               (3) COUNTER INFLUENCE PROGRAMS.—Funds  
7       appropriated by this Act for public diplomacy under  
8       title I and for assistance under titles III and IV  
9       shall be made available to counter the influence of  
10      the PRC, in accordance with the strategy required  
11      by section 7043(e)(3) of the Department of State,  
12      Foreign Operations, and Related Programs Appro-  
13      priations Act, 2014 (division K of Public Law 113–  
14      76), following consultation with the Committees on  
15      Appropriations.

16              (4) PROHIBITION.—

17                   (A) None of the funds appropriated by this  
18                   Act under the headings “Global Health Pro-  
19                   grams”, “Development Assistance”, and “Eco-  
20                   nomic Support Fund” may be made available  
21                   for assistance for the government of the Peo-  
22                   ple’s Republic of China.

23                   (B) The limitation of subparagraph (A)  
24                   shall not apply to assistance described in para-  
25                   graph (2) of subsection (d) of this section and

1           for programs to detect, prevent, and treat infec-  
2           tious disease.

3       (d) TIBET.—

4           (1) FINANCING OF PROJECTS IN TIBET.—The  
5       Secretary of the Treasury should instruct the United  
6       States executive director of each international finan-  
7       cial institution to use the voice and vote of the  
8       United States to support financing of projects in  
9       Tibet if such projects do not provide incentives for  
10      the migration and settlement of non-Tibetans into  
11      Tibet or facilitate the transfer of ownership of Ti-  
12      betan land and natural resources to non-Tibetans,  
13      are based on a thorough needs-assessment, foster  
14      self-sufficiency of the Tibetan people and respect Ti-  
15      betan culture and traditions, and are subject to ef-  
16      fective monitoring.

17           (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

18           (A) Notwithstanding any other provision of  
19      law, funds appropriated by this Act under the  
20      heading “Economic Support Fund” shall be  
21      made available to nongovernmental organiza-  
22      tions to support activities which preserve cul-  
23      tural traditions and promote sustainable devel-  
24      opment, education, and environmental conserva-  
25      tion in Tibetan communities in the Tibetan Au-



1            autonomous Region and in other Tibetan commu-  
2            nities in China.

3            (B) Funds appropriated by this Act under  
4            the heading “Economic Support Fund” shall be  
5            made available for programs to promote and  
6            preserve Tibetan culture, development, and the  
7            resilience of Tibetan communities in India and  
8            Nepal, and to assist in the education and devel-  
9            opment of the next generation of Tibetan lead-  
10           ers from such communities: *Provided*, That  
11           such funds are in addition to amounts made  
12           available in subparagraph (A) for programs in-  
13           side Tibet.

14                                   SOUTH AND CENTRAL ASIA

15           SEC. 7044. (a) AFGHANISTAN.—

16                                   (1) DIPLOMATIC OPERATIONS.—

17                                   (A) FACILITIES.—Funds appropriated by  
18           this Act under the headings “Diplomatic and  
19           Consular Programs”, “Embassy Security, Con-  
20           struction, and Maintenance”, and “Operating  
21           Expenses” that are available for construction  
22           and renovation of United States Government  
23           facilities in Afghanistan may not be made avail-  
24           able if the purpose is to accommodate Federal  
25           employee positions or to expand aviation facili-

1 ties or assets above those notified by the De-  
2 partment of State and the United States Agen-  
3 cy for International Development (USAID) to  
4 the Committees on Appropriations, or contrac-  
5 tors in addition to those in place on the date of  
6 enactment of this Act: *Provided*, That the limi-  
7 tations in this paragraph shall not apply if  
8 funds are necessary to implement plans for ac-  
9 commodating other United States Government  
10 agencies under Chief of Mission authority per  
11 section 3927 of title 22, United States Code, or  
12 to protect such facilities or the security, health,  
13 and welfare of United States Government per-  
14 sonnel.

15 (B) PERSONNEL REPORT.—Not later than  
16 30 days after enactment of this Act and every  
17 120 days thereafter until September 30, 2017,  
18 the Secretary of State shall submit a report, in  
19 classified form if necessary, to the appropriate  
20 congressional committees detailing by agency  
21 the number of personnel present in Afghanistan  
22 under Chief of Mission authority per section  
23 3927 of title 22, United States Code, at the end  
24 of the 120 day period preceding the submission  
25 of such report: *Provided*, That such report shall

1 also include the number of locally employed  
2 staff and contractors supporting United States  
3 Embassy operations in Afghanistan during the  
4 reporting period.

5 (2) ASSISTANCE AND CONDITIONS.—

6 (A) FUNDING AND LIMITATIONS.—Funds  
7 appropriated by this Act under the headings  
8 “Economic Support Fund” and “International  
9 Narcotics Control and Law Enforcement” may  
10 be made available for assistance for Afghani-  
11 stan: *Provided*, That such funds may not be ob-  
12 ligated for any project or activity that—

13 (i) includes the participation of any  
14 Afghan individual or organization that the  
15 Secretary of State determines to be in-  
16 volved in corrupt practices or a violation of  
17 human rights;

18 (ii) cannot be sustained, as appro-  
19 priate, by the Government of Afghanistan  
20 or another Afghan entity;

21 (iii) is inaccessible for the purposes of  
22 conducting regular oversight in accordance  
23 with applicable Federal statutes and regu-  
24 lations; or

1 (iv) initiates any new, major infra-  
2 structure development.

3 (B) CERTIFICATION AND REPORT.—Prior  
4 to the initial obligation of funds made available  
5 by this Act under the headings “Economic Sup-  
6 port Fund” and “International Narcotics Con-  
7 trol and Law Enforcement” for assistance for  
8 the central Government of Afghanistan, the  
9 Secretary of State shall certify and report to  
10 the Committees on Appropriations, after con-  
11 sultation with the Government of Afghanistan,  
12 that—

13 (i) goals and benchmarks for the spe-  
14 cific uses of such funds have been estab-  
15 lished by the Governments of the United  
16 States and Afghanistan;

17 (ii) conditions are in place that in-  
18 crease the transparency and accountability  
19 of the Government of Afghanistan for  
20 funds obligated under the New Develop-  
21 ment Partnership;

22 (iii) the Government of Afghanistan is  
23 continuing to implement laws and policies  
24 to govern democratically and protect the  
25 rights of individuals and civil society, in-

1 cluding taking consistent steps to protect  
2 and advance the rights of women and girls  
3 in Afghanistan;

4 (iv) the Government of Afghanistan is  
5 reducing corruption and prosecuting indi-  
6 viduals alleged to be involved in illegal ac-  
7 tivities in Afghanistan;

8 (v) monitoring and oversight frame-  
9 works for programs implemented with such  
10 funds are in accordance with all applicable  
11 audit policies of the Department of State  
12 and USAID;

13 (vi) the necessary policies and proce-  
14 dures are in place to ensure Government of  
15 Afghanistan compliance with section 7013  
16 of this Act, “Prohibition on Taxation of  
17 United States Assistance”; and

18 (vii) the Government of Afghanistan  
19 has established processes for the public re-  
20 porting of its national budget, including  
21 revenues and expenditures.

22 (C) PROGRAMS TO SUPPORT WOMEN AND  
23 GIRLS.—Funds appropriated by this Act that  
24 are made available for assistance for Afghani-  
25 stan—

1 (i) shall be prioritized for programs  
2 that protect and strengthen the rights of  
3 women and girls and promote the political  
4 and economic empowerment of women, in-  
5 cluding their meaningful inclusion in polit-  
6 ical processes; and

7 (ii) may be made available for an en-  
8 dowment to empower women and girls.

9 (3) GOALS AND BENCHMARKS.—Not later than  
10 90 days after enactment of this Act, the Secretary  
11 of State shall submit to the appropriate congres-  
12 sional committees a report describing the goals and  
13 benchmarks required in clause (2)(B)(i): *Provided*,  
14 That not later than 6 months after the submission  
15 of such report and every 6 months thereafter until  
16 September 30, 2018, the Secretary of State shall  
17 submit a report to such committees on the status of  
18 achieving such goals and benchmarks: *Provided fur-*  
19 *ther*, That the Secretary of State should suspend as-  
20 sistance for the Government of Afghanistan if any  
21 report required by this paragraph indicates that  
22 such government is failing to make measurable  
23 progress in meeting such goals and benchmarks.

24 (4) AUTHORITIES.—

1 (A) Funds appropriated by this Act under  
2 titles III through VI that are made available for  
3 assistance for Afghanistan may be made avail-  
4 able notwithstanding section 7012 of this Act  
5 or any similar provision of law and section 660  
6 of the Foreign Assistance Act of 1961;

7 (B) Subparagraphs (A) and (B)(ii) of sec-  
8 tion 7046(a)(2) of division I of Public Law  
9 112–74 shall apply to funds appropriated by  
10 this Act for assistance for Afghanistan.

11 (5) BASING RIGHTS AGREEMENT.—None of the  
12 funds made available by this Act may be used by the  
13 United States Government to enter into a perma-  
14 nent basing rights agreement between the United  
15 States and Afghanistan.

16 (b) PAKISTAN.—

17 (1) CERTIFICATION REQUIREMENT.—None of  
18 the funds appropriated or otherwise made available  
19 by this Act under the headings “Economic Support  
20 Fund”, “International Narcotics Control and Law  
21 Enforcement”, and “Foreign Military Financing  
22 Program” for assistance for the Government of  
23 Pakistan may be made available unless the Secretary  
24 of State certifies and reports to the Committees on

1 Appropriations that the Government of Pakistan  
2 is—

3 (A) cooperating with the United States in  
4 counterterrorism efforts against the Haqqani  
5 Network, the Quetta Shura Taliban, Lashkar e-  
6 Tayyiba, Jaish-e-Mohammed, Al-Qaeda, and  
7 other domestic and foreign terrorist organiza-  
8 tions, including taking effective steps to end  
9 support for such groups and prevent them from  
10 basing and operating in Pakistan and carrying  
11 out cross border attacks into neighboring coun-  
12 tries;

13 (B) not supporting terrorist activities  
14 against United States or coalition forces in Af-  
15 ghanistan, and Pakistan's military and intel-  
16 ligence agencies are not intervening extra-judi-  
17 cially into political and judicial processes in  
18 Pakistan;

19 (C) dismantling improvised explosive device  
20 (IED) networks and interdicting precursor  
21 chemicals used in the manufacture of IEDs;

22 (D) preventing the proliferation of nuclear-  
23 related material and expertise;

24 (E) issuing visas in a timely manner for  
25 United States visitors engaged in counterter-



1 terrorism efforts and assistance programs in Paki-  
2 stan; and

3 (F) providing humanitarian organizations  
4 access to detainees, internally displaced per-  
5 sons, and other Pakistani civilians affected by  
6 the conflict.

7 (2) WAIVER.—The Secretary of State, after  
8 consultation with the Secretary of Defense, may  
9 waive the certification requirement of paragraph (1)  
10 if the Secretary of State determines that to do so is  
11 important to the national security interest of the  
12 United States and the Secretary submits a report to  
13 the Committees on Appropriations, in classified form  
14 if necessary, on the justification for the waiver and  
15 the reasons why any part of the certification require-  
16 ment of paragraph (1) has not been met.

17 (3) ASSISTANCE.—

18 (A) Funds appropriated by this Act under  
19 the heading “Foreign Military Financing Pro-  
20 gram” for assistance for Pakistan may be made  
21 available only to support counterterrorism and  
22 counterinsurgency capabilities in Pakistan.

23 (B) Funds appropriated by this Act under  
24 the headings “Economic Support Fund” and  
25 “Nonproliferation, Anti-terrorism, Demining

1 and Related Programs” that are available for  
2 assistance for Pakistan shall be made available  
3 to interdict precursor materials from Pakistan  
4 to Afghanistan that are used to manufacture  
5 IEDs, including calcium ammonium nitrate; to  
6 support programs to train border and customs  
7 officials in Pakistan and Afghanistan; and for  
8 agricultural extension programs that encourage  
9 alternative fertilizer use among Pakistani farm-  
10 ers.

11 (4) SCHOLARSHIPS FOR WOMEN.—The author-  
12 ity and directives of section 7044(d)(4) of the De-  
13 partment of State, Foreign Operations, and Related  
14 Programs Appropriations Act, 2015 (division J of  
15 Public Law 113–235) shall apply to funds appro-  
16 priated by this Act that are made available for as-  
17 sistance for Pakistan: *Provided*, That prior to the  
18 obligation of funds for such purposes, the USAID  
19 Administrator shall consult with the Committees on  
20 Appropriations.

21 (5) REPORTS.—

22 (A)(i) The spend plan required by section  
23 7076 of this Act for assistance for Pakistan  
24 shall include achievable and sustainable goals,  
25 benchmarks for measuring progress, and ex-

1           pected results regarding combating poverty and  
2           furthering development in Pakistan, countering  
3           terrorism and extremism, and establishing con-  
4           ditions conducive to the rule of law and trans-  
5           parent and accountable governance: *Provided*,  
6           That such benchmarks may incorporate those  
7           required in title III of the Enhanced Partner-  
8           ship with Pakistan Act of 2009 (22 U.S.C.  
9           8441 et seq.), as appropriate: *Provided further*,  
10          That not later than 6 months after submission  
11          of such spend plan, and each 6 months there-  
12          after until September 30, 2018, the Secretary  
13          of State shall submit a report to the Commit-  
14          tees on Appropriations on the status of achiev-  
15          ing the goals and benchmarks in such plan.

16                 (ii) The Secretary of State should suspend  
17                 assistance for the Government of Pakistan if  
18                 any report required by clause (i) indicates that  
19                 Pakistan is failing to make measurable progress  
20                 in meeting such goals or benchmarks.

21                 (B) Not later than 90 days after enact-  
22                 ment of this Act, the Secretary of State shall  
23                 submit a report to the Committees on Appro-  
24                 priations detailing the costs and objectives asso-  
25                 ciated with significant infrastructure projects

1 supported by the United States in Pakistan,  
2 and an assessment of the extent to which such  
3 projects achieve such objectives.

4 (6) OVERSIGHT.—The Secretary of State shall  
5 take all practicable steps to ensure that mechanisms  
6 are in place for monitoring, oversight, and control of  
7 funds made available by this subsection for assist-  
8 ance for Pakistan.

9 (c) REGIONAL PROGRAMS.—

10 (1) Funds appropriated by this Act under the  
11 heading “Economic Support Fund” for assistance  
12 for Afghanistan and Pakistan may be provided, not-  
13 withstanding any other provision of law that re-  
14 stricts assistance to foreign countries, for cross bor-  
15 der stabilization and development programs between  
16 Afghanistan and Pakistan, or between either country  
17 and the Central Asian countries.

18 (2) Funds appropriated by this Act under the  
19 headings “Economic Support Fund”, “International  
20 Narcotics Control and Law Enforcement”, and “As-  
21 sistance for Europe, Eurasia and Central Asia” that  
22 are available for assistance for countries in South  
23 and Central Asia shall be made available to enhance  
24 the recruitment, retention, and professionalism of

1 women in the judiciary, police, and other security  
2 forces.

3 WESTERN HEMISPHERE

4 SEC. 7045. (a) UNITED STATES ENGAGEMENT IN  
5 CENTRAL AMERICA.—

6 (1) FUNDING.—Subject to the requirements of  
7 this subsection, of the funds appropriated under ti-  
8 tles III and IV of this Act, up to \$750,000,000 may  
9 be made available for assistance for countries in  
10 Central America to implement the United States  
11 Strategy for Engagement in Central America (the  
12 Strategy) in support of the Plan of the Alliance for  
13 Prosperity in the Northern Triangle of Central  
14 America (the Plan): *Provided*, That the Secretary of  
15 State and Administrator of the United States Agen-  
16 cy for International Development (USAID) shall  
17 prioritize such assistance to address the key factors  
18 in such countries contributing to the migration of  
19 unaccompanied, undocumented minors to the United  
20 States: *Provided further*, That such funds shall be  
21 made available only on a cost-matching basis.

22 (2) PRE-OBLIGATION REQUIREMENTS.—Prior  
23 to the initial obligation of funds made available to  
24 implement the Strategy pursuant to paragraph (1),  
25 the Secretary of State shall submit to the Commit-

1       tees on Appropriations an updated multi-year spend  
2       plan describing in detail the proposed uses of such  
3       funds in each country and the objectives, indicators  
4       to measure progress, and a timeline to implement  
5       the Strategy, and the amounts made available from  
6       prior Acts making appropriations for the Depart-  
7       ment of State, foreign operations, and related pro-  
8       grams to support such Strategy: *Provided*, That  
9       such spend plan shall also include a description of  
10      how such assistance differs from, complements, and  
11      leverages funds allocated by each government and  
12      other donors, including international financial insti-  
13      tutions.

14               (3) ASSISTANCE FOR THE CENTRAL GOVERN-  
15      MENTS OF EL SALVADOR, GUATEMALA, AND HON-  
16      DURAS.—Funds made available pursuant to para-  
17      graph (1) that are available for assistance for each  
18      of the central governments of El Salvador, Guate-  
19      mala, and Honduras shall be withheld from obliga-  
20      tion and may only be made available after the Sec-  
21      retary of State certifies and reports to the appro-  
22      priate congressional committees that such govern-  
23      ment is taking effective steps to—

1 (A) inform its citizens of the dangers of  
2 the journey to the southwest border of the  
3 United States;

4 (B) combat human smuggling and traf-  
5 ficking;

6 (C) improve border security;

7 (D) cooperate with United States Govern-  
8 ment agencies and other governments in the re-  
9 gion to facilitate the return, repatriation, and  
10 reintegration of illegal migrants arriving at the  
11 southwest border of the United States;

12 (E) work cooperatively with an autono-  
13 mous, publicly accountable entity to provide  
14 oversight of the Plan;

15 (F) combat corruption, including inves-  
16 tigating and prosecuting government officials  
17 credibly alleged to be corrupt;

18 (G) implement reforms, policies, and pro-  
19 grams to improve transparency and strengthen  
20 public institutions, including increasing the ca-  
21 pacity and independence of the judiciary and  
22 the Office of the Attorney General;

23 (H) implement a policy to ensure that local  
24 communities, civil society organizations (includ-  
25 ing indigenous and other marginalized groups),

1 and local governments are consulted in the de-  
2 sign, and participate in the implementation and  
3 evaluation, of activities of the Plan that affect  
4 such communities, organizations, and govern-  
5 ments;

6 (I) counter the activities of criminal gangs,  
7 drug traffickers, and organized crime;

8 (J) investigate and prosecute in the civilian  
9 justice system members of military and police  
10 forces who are credibly alleged to have violated  
11 human rights, and ensure that the military and  
12 police are cooperating in such cases;

13 (K) cooperate with commissions against  
14 corruption and impunity, as appropriate, and  
15 with regional human rights entities;

16 (L) support programs to reduce poverty,  
17 create jobs, and promote equitable economic  
18 growth in areas contributing to large numbers  
19 of migrants;

20 (M) professionalize and improve the ac-  
21 countability of civilian police forces and curtail  
22 the role of the military in internal policing;

23 (N) protect the right of political opposition  
24 parties, journalists, trade unionists, human



1 rights defenders, and other civil society activists  
2 to operate without interference;

3 (O) increase government revenues, includ-  
4 ing by implementing tax reforms and strength-  
5 ening customs agencies; and

6 (P) resolve commercial disputes, including  
7 the confiscation of real property, between  
8 United States entities and such government.

9 (4) SUSPENSION OF ASSISTANCE AND PERIODIC  
10 REVIEW.—

11 (A) The Secretary of State shall periodi-  
12 cally review the progress of each of the central  
13 governments of El Salvador, Guatemala, and  
14 Honduras in meeting the requirements of para-  
15 graph (3) and shall, not later than September  
16 30, 2017, submit to the appropriate congress-  
17 sional committees a report assessing such  
18 progress: *Provided*, That if the Secretary deter-  
19 mines that sufficient progress has not been  
20 made by a central government, the Secretary  
21 shall suspend, in whole or in part, assistance  
22 for such government for programs supporting  
23 such requirement, and shall notify such com-  
24 mittees in writing of such action: *Provided fur-*  
25 *ther*, That the Secretary may resume funding

1 for such programs only after the Secretary cer-  
2 tifies to such committees that corrective meas-  
3 ures have been taken.

4 (B) The Secretary of State shall, following  
5 a change of national government in El Sal-  
6 vador, Guatemala, or Honduras, determine and  
7 report to the appropriate congressional commit-  
8 tees that any new government has committed to  
9 take the steps to meet the requirements of  
10 paragraph (3): *Provided*, That if the Secretary  
11 is unable to make such a determination in a  
12 timely manner, assistance made available under  
13 this subsection for such central government  
14 shall be suspended, in whole or in part, until  
15 such time as such determination and report can  
16 be made.

17 (5) PROGRAMS AND TRANSFER OF FUNDS.—

18 (A) Funds appropriated by this Act for the  
19 Central America Regional Security Initiative  
20 may be made available, following consultation  
21 with, and subject to the regular notification  
22 procedures of, the Committees on Appropria-  
23 tions, to support international commissions  
24 against corruption and impunity.

1           (B) The Secretary of State and USAID  
2 Administrator may, following consultation with  
3 the Committees on Appropriations, transfer  
4 funds made available by this Act under the  
5 heading “Development Assistance” to the Inter-  
6 American Development Bank and the Inter-  
7 American Foundation in support of the Strat-  
8 egy.

9 (b) COLOMBIA.—

10           (1) FUNDING.—Of the funds appropriated by  
11 this Act, not less than \$300,095,000 shall be made  
12 available for assistance for Colombia.

13           (2) ASSISTANCE.—Funds appropriated by this  
14 Act and made available to the Department of State  
15 for assistance for the Government of Colombia may  
16 be used to support a unified campaign against nar-  
17 cotics trafficking, organizations designated as For-  
18 eign Terrorist Organizations, and other criminal or  
19 illegal armed groups, and to take actions to protect  
20 human health and welfare in emergency cir-  
21 cumstances, including undertaking rescue oper-  
22 ations: *Provided*, That the first through fifth pro-  
23 visos of paragraph (1), and paragraph (3) of section  
24 7045(a) of the Department of State, Foreign Oper-  
25 ations, and Related Programs Appropriations Act,

1 2012 (division I of Public Law 112–74) shall con-  
2 tinue in effect during fiscal year 2017 and shall  
3 apply to funds appropriated by this Act and made  
4 available for assistance for Colombia as if included  
5 in this Act: *Provided further*, That funds appro-  
6 priated by this Act under the heading “Economic  
7 Support Fund” for assistance for Colombia shall be  
8 apportioned directly to USAID.

9 (3) FINAL PEACE ACCORD.—In addition to  
10 amounts made available in paragraph (1),  
11 \$191,130,000 shall be made available for assistance  
12 for Colombia if a final peace accord between the  
13 Government of Colombia and the Revolutionary  
14 Armed Forces of Colombia is reached, and the Sec-  
15 retary of State certifies and reports to the Commit-  
16 tees on Appropriations that is in the national inter-  
17 est of the United States to support the implementa-  
18 tion of such an accord: *Provided*, That in making  
19 such certification, the Secretary of State shall con-  
20 sider the factors described under this section in the  
21 report accompanying this Act: *Provided further*,  
22 That such funds shall be subject to prior consulta-  
23 tion with, and the regular notification procedures of,  
24 the Committees on Appropriations.

25 (c) CUBA.—

1           (1) DIPLOMATIC FACILITIES.—(A) None of the  
2 funds appropriated or otherwise made available by  
3 this Act and prior acts making appropriations for  
4 the Department of State, foreign operations, and re-  
5 lated programs may be obligated or expended for—

6                   (i) the establishment or operation of a  
7 United States diplomatic presence, includ-  
8 ing an embassy, consulate, or liaison office,  
9 in Cuba beyond that which was in exist-  
10 ence prior to December 17, 2014, includ-  
11 ing the hiring of additional staff, unless  
12 such staff are necessary for protecting the  
13 health, safety, or security of diplomatic  
14 personnel or facilities in Cuba;

15                   (ii) the facilitation of the establish-  
16 ment or operation of a diplomatic mission  
17 of Cuba, including an embassy, consulate,  
18 or liaison office, in the United States be-  
19 yond that which was in existence prior to  
20 December 17, 2014; and

21                   (iii) the support of Locally Employed  
22 Staff in contravention of section 512 of the  
23 Intelligence Authorization Act for Fiscal  
24 Year 2016 (division M of Public Law 114–  
25 113).

1 (B) The limitation on the use of funds  
2 under subparagraph (A) shall not apply—

3 (i) with respect to assistance or sup-  
4 port in furtherance of democracy-building  
5 efforts for Cuba described in section 109  
6 of the Cuban Liberty and Democratic Soli-  
7 darity (LIBERTAD) Act of 1996 (22  
8 U.S.C. 6039); and

9 (ii) if the President determines and  
10 reports to the appropriate congressional  
11 committees that the government in Cuba  
12 has met the requirements and factors spec-  
13 ified in section 205 of the LIBERTAD Act  
14 of 1996 (22 U.S.C. 6065).

15 (2) OFFICE OF CUBA BROADCASTING.—None of  
16 the funds appropriated or otherwise made available  
17 by this Act under the heading “International Broad-  
18 casting Operations” may be used to establish an  
19 independent grantee organization, as a private non-  
20 profit organization, to carry out any and all broad-  
21 casting and related programs to the Latin America  
22 and Caribbean region, including Cuba, or otherwise  
23 substantively alter the structure of the Office of  
24 Cuba Broadcasting unless specifically authorized by  
25 a subsequent Act of Congress: *Provided*, That the

1 prohibition of this paragraph shall be construed to  
2 include the merger of the Office of Cuba Broad-  
3 casting and the Voice of America Latin America Di-  
4 vision.

5 (3) DEMOCRACY PROMOTION.—Of the funds ap-  
6 propriated by this Act under the heading “Economic  
7 Support Fund”, \$30,000,000 shall be made avail-  
8 able to promote democracy and strengthen civil soci-  
9 ety in Cuba: *Provided*, That no funds shall be obli-  
10 gated for business promotion, economic reform, en-  
11 trepreneurship, or any other assistance that is not  
12 democracy-building as expressly authorized in the  
13 Cuban Liberty and Solidarity (LIBERTAD) Act of  
14 1996 and the Cuban Democracy Act of 1992.

15 (d) HAITI.—

16 (1) GOVERNANCE CERTIFICATION.—None of  
17 the funds appropriated or otherwise made available  
18 by this Act may be made available for assistance for  
19 the central Government of Haiti unless the Sec-  
20 retary of State certifies and reports to the Commit-  
21 tees on Appropriations that the Government of Haiti  
22 has installed a democratically elected president and  
23 seated newly elected members of parliament, and the  
24 Government of Haiti is taking effective steps to—

1 (A) strengthen the rule of law in Haiti, in-  
2 cluding by—

3 (i) selecting and vetting judges in a  
4 transparent manner;

5 (ii) respecting the independence of the  
6 judiciary; and

7 (iii) improving governance by imple-  
8 menting reforms to increase transparency  
9 and accountability and advancing the pas-  
10 sage of draft penal and criminal codes;

11 (B) combat corruption, including by imple-  
12 menting the anti-corruption law enacted in  
13 2014 and prosecuting corrupt officials; and

14 (C) increase government revenues, includ-  
15 ing by implementing tax reforms, and increase  
16 expenditures on public services.

17 (2) HAITIAN COAST GUARD.—The Government  
18 of Haiti shall be eligible to purchase defense articles  
19 and services under the Arms Export Control Act (22  
20 U.S.C. 2751 et seq.) for the Coast Guard.

21 (e) AIRCRAFT OPERATIONS AND MAINTENANCE.—To  
22 the maximum extent practicable, the costs of operations  
23 and maintenance, including fuel, of aircraft funded by this  
24 Act should be borne by the recipient country.





1 tion required under this section shall be in lieu of any de-  
2 terminations otherwise required under section 552(c): *Pro-*  
3 *vided further*, That funds made available pursuant to this  
4 section shall be made available subject to the regular noti-  
5 fication procedures of the Committees on Appropriations.

6 UNITED NATIONS

7 SEC. 7048. (a) TRANSPARENCY AND ACCOUNT-  
8 ABILITY.—

9 (1) Of the funds appropriated under title I of  
10 this Act that are available for contributions to the  
11 United Nations (including the Department of Peace-  
12 keeping Operations), any United Nations agency, or  
13 the Organization of American States, 15 percent  
14 may not be obligated for such organization, depart-  
15 ment, or agency until the Secretary of State reports  
16 to the Committees on Appropriations that the orga-  
17 nization, department, or agency is—

18 (A) posting on a publicly available Web  
19 site, consistent with privacy regulations and due  
20 process, regular financial and programmatic au-  
21 dits of such organization, department, or agen-  
22 cy, and providing the United States Govern-  
23 ment with necessary access to such financial  
24 and performance audits; and

1 (B) effectively implementing and enforcing  
2 policies and procedures which reflect best prac-  
3 tices for the protection of whistleblowers from  
4 retaliation, including best practices for—

5 (i) protection against retaliation for  
6 internal and lawful public disclosures;

7 (ii) legal burdens of proof;

8 (iii) statutes of limitation for report-  
9 ing retaliation;

10 (iv) access to independent adjudicative  
11 bodies, including external arbitration; and

12 (v) results that eliminate the effects of  
13 proven retaliation.

14 (2) The restrictions imposed by or pursuant to  
15 paragraph (1) may be waived on a case-by-case basis  
16 if the Secretary of State determines and reports to  
17 the Committees on Appropriations that such waiver  
18 is necessary to avert or respond to a humanitarian  
19 crisis.

20 (b) RESTRICTIONS ON UNITED NATIONS DELEGA-  
21 TIONS AND ORGANIZATIONS.—

22 (1) None of the funds made available by this  
23 Act may be used to pay expenses for any United  
24 States delegation to any specialized agency, body, or  
25 commission of the United Nations if such agency,

1 body, or commission is chaired or presided over by  
2 a country, the government of which the Secretary of  
3 State has determined, for purposes of section 6(j)(1)  
4 of the Export Administration Act of 1979 as contin-  
5 ued in effect pursuant to the International Emer-  
6 gency Economic Powers Act (50 U.S.C. App.  
7 2405(j)(1)), supports international terrorism.

8 (2) None of the funds made available by this  
9 Act may be used by the Secretary of State as a con-  
10 tribution to any organization, agency, commission,  
11 or program within the United Nations system if  
12 such organization, agency, commission, or program  
13 is chaired or presided over by a country the govern-  
14 ment of which the Secretary of State has deter-  
15 mined, for purposes of section 620A of the Foreign  
16 Assistance Act of 1961, section 40 of the Arms Ex-  
17 port Control Act, section 6(j)(1) of the Export Ad-  
18 ministration Act of 1979, or any other provision of  
19 law, is a government that has repeatedly provided  
20 support for acts of international terrorism.

21 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—  
22 None of the funds appropriated by this Act may be made  
23 available in support of the United Nations Human Rights  
24 Council unless the Secretary of State determines and re-  
25 ports to the Committees on Appropriations that participa-

1 tion in the Council is in the national security interest of  
2 the United States and that the Council is taking signifi-  
3 cant steps to remove Israel as a permanent agenda item:  
4 *Provided*, That such report shall include a description of  
5 the national security interest served and the steps taken  
6 to remove Israel as a permanent agenda item: *Provided*  
7 *further*, That the Secretary of State shall report to the  
8 Committees on Appropriations not later than September  
9 30, 2017, on the resolutions considered in the United Na-  
10 tions Human Rights Council during the previous 12  
11 months, and on steps taken to remove Israel as a perma-  
12 nent agenda item.

13 (d) UNITED NATIONS RELIEF AND WORKS AGEN-  
14 CY.—None of the funds made available by this Act under  
15 the heading “Migration and Refugee Assistance” may be  
16 made available as a contribution to the United Nations  
17 Relief and Works Agency (UNRWA) until the Secretary  
18 of State certifies and reports to the Committees on Appro-  
19 priations, in writing, that UNRWA is—

20 (1) utilizing Operations Support Officers in the  
21 West Bank, Gaza, and other fields of operation to  
22 inspect UNRWA installations and reporting any in-  
23 appropriate use;

24 (2) acting promptly to address any staff or ben-  
25 eficiary violation of its own policies (including the

1 policies on neutrality and impartiality of employees)  
2 and the legal requirements under section 301(c) of  
3 the Foreign Assistance Act of 1961;

4 (3) implementing procedures to maintain the  
5 neutrality of its facilities, including implementing a  
6 no-weapons policy, and conducting regular inspec-  
7 tions of its installations, to ensure they are only  
8 used for humanitarian or other appropriate pur-  
9 poses;

10 (4) taking necessary and appropriate measures  
11 to ensure it is operating in compliance with the con-  
12 ditions of section 301(c) of the Foreign Assistance  
13 Act of 1961 and continuing regular reporting to the  
14 Department of State on actions it has taken to en-  
15 sure conformance with such conditions;

16 (5) taking steps to ensure the content of all  
17 educational materials currently taught in UNRWA-  
18 administered schools and summer camps is con-  
19 sistent with the values of human rights, dignity, and  
20 tolerance and does not induce incitement;

21 (6) not engaging in operations with financial in-  
22 stitutions or related entities in violation of relevant  
23 United States law, and is taking steps to improve  
24 the financial transparency of the organization; and

1           (7) in compliance with the United Nations  
2           Board of Auditors' biennial audit requirements and  
3           is implementing in a timely fashion the Board's rec-  
4           ommendations.

5           (e) UNITED NATIONS CAPITAL PROJECTS.—None of  
6           the funds appropriated by this Act or prior Acts making  
7           appropriations for the Department of State, foreign oper-  
8           ations, and related programs may be used for major cap-  
9           ital projects for the United Nations, including for the de-  
10          sign, renovation, or construction of the United Nations  
11          Headquarters in New York.

12          (f) WAIVER.—The restrictions imposed by or pursu-  
13          ant to subsection (d) may be waived on a case-by-case  
14          basis by the Secretary of State if the Secretary determines  
15          and reports to the Committees on Appropriations that  
16          such waiver is necessary to avert or respond to a humani-  
17          tarian crisis.

18          (g) WITHHOLDING REPORT.—Not later than 45 days  
19          after enactment of this Act, the Secretary of State shall  
20          submit a report to the Committees on Appropriations de-  
21          tailing the amount of funds available for obligation or ex-  
22          penditure in fiscal year 2017 for contributions to any or-  
23          ganization, department, agency, or program within the  
24          United Nations system or any international program that  
25          are withheld from obligation or expenditure due to any

1 provision of law: *Provided*, That the Secretary of State  
2 shall update such report each time additional funds are  
3 withheld by operation of any provision of law: *Provided*  
4 *further*, That the reprogramming of any withheld funds  
5 identified in such report, including updates thereof, shall  
6 be subject to prior consultation with, and the regular noti-  
7 fication procedures of, the Committees on Appropriations.

8 (h) COMPLIANCE WITH REPORTING REQUIRE-  
9 MENTS.—Of the funds made available in paragraph (3)  
10 under the heading “Diplomatic and Consular Programs”  
11 in title I of this Act for the Bureau of International Orga-  
12 nizations, 10 percent shall be withheld from obligation  
13 until the Secretary of State complies with the reporting  
14 requirements contained under the headings “Contribu-  
15 tions to International Organizations” and “Contributions  
16 for International Peacekeeping Activities” and section  
17 7048 in the Department of State, Foreign Operations, and  
18 Related Programs Appropriations Act, 2015 (division J of  
19 Public Law 113–235) and the Department of State, For-  
20 eign Operations, and Related Programs Appropriations  
21 Act, 2016 (division K of Public Law 114–113) and associ-  
22 ated explanatory statements and Committee reports ac-  
23 companying such Acts.



## 1                   COMMUNITY-BASED POLICE ASSISTANCE

2           SEC. 7049. (a) AUTHORITY.—Funds made available  
3 by titles III and IV of this Act to carry out the provisions  
4 of chapter 1 of part I and chapters 4 and 6 of part II  
5 of the Foreign Assistance Act of 1961, may be used, not-  
6 withstanding section 660 of that Act, to enhance the effec-  
7 tiveness and accountability of civilian police authority  
8 through training and technical assistance in human rights,  
9 the rule of law, anti-corruption, strategic planning, and  
10 through assistance to foster civilian police roles that sup-  
11 port democratic governance, including assistance for pro-  
12 grams to prevent conflict, respond to disasters, address  
13 gender-based violence, and foster improved police relations  
14 with the communities they serve.

15           (b) NOTIFICATION.—Assistance provided under sub-  
16 section (a) shall be subject to the regular notification pro-  
17 cedures of the Committees on Appropriations.

## 18                   PROHIBITION ON PROMOTION OF TOBACCO

19           SEC. 7050. None of the funds provided by this Act  
20 shall be available to promote the sale or export of tobacco  
21 or tobacco products, or to seek the reduction or removal  
22 by any foreign country of restrictions on the marketing  
23 of tobacco or tobacco products, except for restrictions  
24 which are not applied equally to all tobacco or tobacco  
25 products of the same type.

## 1 INTERNATIONAL CONFERENCES

2 SEC. 7051. None of the funds made available in this  
3 Act may be used to send or otherwise pay for the attend-  
4 ance of more than 50 employees of agencies or depart-  
5 ments of the United States Government who are stationed  
6 in the United States, at any single international con-  
7 ference occurring outside the United States, unless the  
8 Secretary of State reports to the Committees on Appro-  
9 priations at least 5 days in advance that such attendance  
10 is important to the national interest: *Provided*, That for  
11 purposes of this section the term “international con-  
12 ference” shall mean a conference attended by representa-  
13 tives of the United States Government and of foreign gov-  
14 ernments, international organizations, or nongovern-  
15 mental organizations.

## 16 AIRCRAFT TRANSFER AND COORDINATION

17 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-  
18 standing any other provision of law or regulation, aircraft  
19 procured with funds appropriated by this Act and prior  
20 Acts making appropriations for the Department of State,  
21 foreign operations, and related programs under the head-  
22 ings “Diplomatic and Consular Programs”, “International  
23 Narcotics Control and Law Enforcement”, “Andean  
24 Counterdrug Initiative”, and “Andean Counterdrug Pro-  
25 grams” may be used for any other program and in any

1 region, including for the transportation of active and  
2 standby Civilian Response Corps personnel and equipment  
3 during a deployment: *Provided*, That the responsibility for  
4 policy decisions and justification for the use of such trans-  
5 fer authority shall be the responsibility of the Secretary  
6 of State and the Deputy Secretary of State and this re-  
7 sponsibility shall not be delegated.

8 (b) PROPERTY DISPOSAL.—The authority provided  
9 in subsection (a) shall apply only after the Secretary of  
10 State determines and reports to the Committees on Appro-  
11 priations that the equipment is no longer required to meet  
12 programmatic purposes in the designated country or re-  
13 gion: *Provided*, That any such transfer shall be subject  
14 to prior consultation with, and the regular notification  
15 procedures of, the Committees on Appropriations.

16 (c) AIRCRAFT COORDINATION.—

17 (1) The uses of aircraft purchased or leased by  
18 the Department of State and the United States  
19 Agency for International Development (USAID)  
20 with funds made available in this Act or prior Acts  
21 making appropriations for the Department of State,  
22 foreign operations, and related programs shall be co-  
23 ordinated under the authority of the appropriate  
24 Chief of Mission: *Provided*, That such aircraft may  
25 be used to transport, on a reimbursable or non-reim-



## 1 LANDMINES AND CLUSTER MUNITIONS

2 SEC. 7054. (a) LANDMINES.—Notwithstanding any  
3 other provision of law, demining equipment available to  
4 the United States Agency for International Development  
5 and the Department of State and used in support of the  
6 clearance of landmines and unexploded ordnance for hu-  
7 manitarian purposes may be disposed of on a grant basis  
8 in foreign countries, subject to such terms and conditions  
9 as the Secretary of State may prescribe.

10 (b) CLUSTER MUNITIONS.—No military assistance  
11 shall be furnished for cluster munitions, no defense export  
12 license for cluster munitions may be issued, and no cluster  
13 munitions or cluster munitions technology shall be sold or  
14 transferred, unless—

15 (1) the submunitions of the cluster munitions,  
16 after arming, do not result in more than 1 percent  
17 unexploded ordnance across the range of intended  
18 operational environments, and the agreement appli-  
19 cable to the assistance, transfer, or sale of such clus-  
20 ter munitions or cluster munitions technology speci-  
21 fies that the cluster munitions will only be used  
22 against clearly defined military targets and will not  
23 be used where civilians are known to be present or  
24 in areas normally inhabited by civilians; or



1 UNITED STATES AGENCY FOR INTERNATIONAL  
2 DEVELOPMENT MANAGEMENT

3 SEC. 7057. (a) AUTHORITY.—Up to \$93,000,000 of  
4 the funds made available in title III of this Act pursuant  
5 to or to carry out the provisions of part I of the Foreign  
6 Assistance Act of 1961, including funds appropriated  
7 under the heading “Assistance for Europe, Eurasia and  
8 Central Asia”, may be used by the United States Agency  
9 for International Development (USAID) to hire and em-  
10 ploy individuals in the United States and overseas on a  
11 limited appointment basis pursuant to the authority of  
12 sections 308 and 309 of the Foreign Service Act of 1980.

13 (b) RESTRICTIONS.—

14 (1) The number of individuals hired in any fis-  
15 cal year pursuant to the authority contained in sub-  
16 section (a) may not exceed 175.

17 (2) The authority to hire individuals contained  
18 in subsection (a) shall expire on September 30,  
19 2018.

20 (c) CONDITIONS.—The authority of subsection (a)  
21 should only be used to the extent that an equivalent num-  
22 ber of positions that are filled by personal services contrac-  
23 tors or other non-direct hire employees of USAID, who  
24 are compensated with funds appropriated to carry out part  
25 I of the Foreign Assistance Act of 1961, including funds

1 appropriated under the heading “Assistance for Europe,  
2 Eurasia and Central Asia”, are eliminated.

3 (d) PROGRAM ACCOUNT CHARGED.—The account  
4 charged for the cost of an individual hired and employed  
5 under the authority of this section shall be the account  
6 to which the responsibilities of such individual primarily  
7 relate: *Provided*, That funds made available to carry out  
8 this section may be transferred to, and merged with, funds  
9 appropriated by this Act in title II under the heading “Op-  
10 erating Expenses”.

11 (e) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-  
12 viduals hired and employed by USAID, with funds made  
13 available in this Act or prior Acts making appropriations  
14 for the Department of State, foreign operations, and re-  
15 lated programs, pursuant to the authority of section 309  
16 of the Foreign Service Act of 1980, may be extended for  
17 a period of up to 4 years notwithstanding the limitation  
18 set forth in such section.

19 (f) DISASTER SURGE CAPACITY.—Funds appro-  
20 priated under title III of this Act to carry out part I of  
21 the Foreign Assistance Act of 1961, including funds ap-  
22 propriated under the heading “Assistance for Europe,  
23 Eurasia and Central Asia”, may be used, in addition to  
24 funds otherwise available for such purposes, for the cost  
25 (including the support costs) of individuals detailed to or



1 employed by USAID whose primary responsibility is to  
2 carry out programs in response to natural disasters, or  
3 man-made disasters subject to the regular notification  
4 procedures of the Committees on Appropriations.

5 (g) PERSONAL SERVICES CONTRACTORS.—Funds ap-  
6 propriated by this Act to carry out chapter 1 of part I,  
7 chapter 4 of part II, and section 667 of the Foreign As-  
8 sistance Act of 1961, and title II of the Food for Peace  
9 Act (Public Law 83–480), may be used by USAID to em-  
10 ploy up to 40 personal services contractors in the United  
11 States, notwithstanding any other provision of law, for the  
12 purpose of providing direct, interim support for new or  
13 expanded overseas programs and activities managed by  
14 the agency until permanent direct hire personnel are hired  
15 and trained: *Provided*, That not more than 15 of such con-  
16 tractors shall be assigned to any bureau or office: *Provided*  
17 *further*, That such funds appropriated to carry out title  
18 II of the Food for Peace Act (Public Law 83–480), may  
19 be made available only for personal services contractors  
20 assigned to the Office of Food for Peace.

21 (h) SMALL BUSINESS.—In entering into multiple  
22 award indefinite-quantity contracts with funds appro-  
23 priated by this Act, USAID may provide an exception to  
24 the fair opportunity process for placing task orders under

1 such contracts when the order is placed with any category  
2 of small or small disadvantaged business.

3 (i) SENIOR FOREIGN SERVICE LIMITED APPOINT-  
4 MENTS.—Individuals hired pursuant to the authority pro-  
5 vided by section 7059(o) of the Department of State, For-  
6 eign Operations, and Related Programs Appropriations  
7 Act, 2011 (division F of Public Law 111–117) may be  
8 assigned to or support programs in Afghanistan or Paki-  
9 stan with funds made available in this Act and prior Acts  
10 making appropriations for the Department of State, for-  
11 eign operations, and related programs.

12 GLOBAL HEALTH ACTIVITIES

13 SEC. 7058. (a) IN GENERAL.—Funds appropriated  
14 by titles III and IV of this Act that are made available  
15 for bilateral assistance for child survival activities or dis-  
16 ease programs including activities relating to research on,  
17 and the prevention, treatment and control of, HIV/AIDS  
18 may be made available notwithstanding any other provi-  
19 sion of law except for provisions under the heading “Glob-  
20 al Health Programs” and the United States Leadership  
21 Against HIV/AIDS, Tuberculosis, and Malaria Act of  
22 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amend-  
23 ed.

1 (b) Of the funds appropriated by this Act, not more  
2 than \$461,000,000 may be made available for family plan-  
3 ning/reproductive health.

4 (c) GLOBAL FUND.—Of the funds appropriated by  
5 this Act that are available for a contribution to the Global  
6 Fund to Fight AIDS, Tuberculosis and Malaria (Global  
7 Fund), 10 percent should be withheld from obligation until  
8 the Secretary of State determines and reports to the Com-  
9 mittees on Appropriations that the Global Fund is—

10 (1) maintaining and implementing a policy of  
11 transparency, including the authority of the Global  
12 Fund Office of the Inspector General (OIG) to pub-  
13 lish OIG reports on a public Web site;

14 (2) providing sufficient resources to maintain  
15 an independent OIG that—

16 (A) reports directly to the Board of the  
17 Global Fund;

18 (B) maintains a mandate to conduct thor-  
19 ough investigations and programmatic audits,  
20 free from undue interference; and

21 (C) compiles regular, publicly published  
22 audits and investigations of financial, pro-  
23 grammatic, and reporting aspects of the Global  
24 Fund, its grantees, recipients, sub-recipients,  
25 and Local Fund Agents;

1           (3) effectively implementing and enforcing poli-  
2           cies and procedures which reflect best practices for  
3           the protection of whistleblowers from retaliation, in-  
4           cluding best practices for—

5                   (A) protection against retaliation for inter-  
6                   nal and lawful public disclosures;

7                   (B) legal burdens of proof;

8                   (C) statutes of limitation for reporting re-  
9                   taliation;

10                  (D) access to independent adjudicative  
11                  bodies, including external arbitration; and

12                  (E) results that eliminate the effects of  
13                  proven retaliation; and

14           (4) implementing the recommendations con-  
15           tained in the Consolidated Transformation Plan ap-  
16           proved by the Board of the Global Fund on Novem-  
17           ber 21, 2011:

18 *Provided*, That such withholding shall not be in addition  
19 to funds that are withheld from the Global Fund in fiscal  
20 year 2017 pursuant to the application of any other provi-  
21 sion contained in this or any other Act.

22           (d) GLOBAL HEALTH EMERGENCIES.—If the Sec-  
23 retary of State determines and reports to the Committees  
24 on Appropriations that an international infectious disease  
25 outbreak is sustained, severe, and is spreading inter-

1 nationally, or that it is in the national interest to respond  
2 to a Public Health Emergency of International Concern,  
3 funds made available under title III of this Act may be  
4 made available to combat such infectious disease or public  
5 health emergency: *Provided*, That funds made available  
6 pursuant to the authority of this subsection shall be sub-  
7 ject to prior consultation with, and the regular notification  
8 procedures of, the Committees on Appropriations.

9 GENDER EQUALITY

10 SEC. 7059. (a) GENDER EQUALITY.—Funds appro-  
11 priated by this Act shall be made available to promote gen-  
12 der equality in United States Government diplomatic and  
13 development efforts by raising the status, increasing the  
14 participation, and protecting the rights of women and girls  
15 worldwide.

16 (b) WOMEN'S LEADERSHIP.—Of the funds appro-  
17 priated by title III of this Act, not less than \$50,000,000  
18 shall be made available to increase leadership opportuni-  
19 ties for women in countries where women and girls suffer  
20 discrimination due to law, policy, or practice, by strength-  
21 ening protections for women's political status, expanding  
22 women's participation in political parties and elections,  
23 and increasing women's opportunities for leadership posi-  
24 tions in the public and private sectors at the local, provin-  
25 cial, and national levels.

1 (c) GENDER-BASED VIOLENCE.—

2 (1)(A) Of the funds appropriated by titles III  
3 and IV of this Act, not less than \$150,000,000 shall  
4 be made available to implement a multi-year strat-  
5 egy to prevent and respond to gender-based violence  
6 in countries where it is common in conflict and non-  
7 conflict settings.

8 (B) Funds appropriated by titles III and IV of  
9 this Act that are available to train foreign police, ju-  
10 dicial, and military personnel, including for inter-  
11 national peacekeeping operations, shall address,  
12 where appropriate, prevention and response to gen-  
13 der-based violence and trafficking in persons, and  
14 shall promote the integration of women into the po-  
15 lice and other security forces.

16 (2) Department of State and United States  
17 Agency for International Development gender pro-  
18 grams shall incorporate coordinated efforts to com-  
19 bat a variety of forms of gender-based violence, in-  
20 cluding child marriage, rape, female genital cutting  
21 and mutilation, and domestic violence, among other  
22 forms of gender-based violence in conflict and non-  
23 conflict settings.

24 (d) WOMEN, PEACE, AND SECURITY.—Funds appro-  
25 priated by this Act under the headings “Development As-



1 balances in each country where USAID pro-  
2 vides basic education assistance and such report  
3 shall also include details on the types of con-  
4 tracts and grants provided and the goals and  
5 objectives of such assistance: *Provided*, That  
6 the USAID Administrator shall update such re-  
7 port on a monthly basis during fiscal year  
8 2017.

9 (C) Of the funds appropriated under title  
10 III of this Act for assistance for basic education  
11 programs, not less than \$75,000,000 shall be  
12 made available for a contribution to multilateral  
13 partnerships that support education.

14 (2) HIGHER EDUCATION.—(A) Of the funds ap-  
15 propriated under title III of this Act, not less than  
16 \$235,000,000 shall be made available for assistance  
17 for higher education.

18 (B) Of the funds made available in subpara-  
19 graph (A)—

20 (i) not less than \$35,000,000 shall be  
21 made available for new partnerships between  
22 higher education institutions in the United  
23 States and developing countries; and

24 (ii) not less than \$10,000,000 shall be  
25 made available for programs in Malawi.



1 (b) CONSERVATION.—

2 (1) BIODIVERSITY.—Of the funds appropriated  
3 under title III of this Act, not less than  
4 \$265,000,000 shall be made available for biodiver-  
5 sity conservation programs.

6 (2) WILDLIFE POACHING AND TRAFFICKING.—

7 (A) Not less than \$80,000,000 of the  
8 funds appropriated under titles III and IV of  
9 this Act shall be made available to combat the  
10 transnational threat of wildlife poaching and  
11 trafficking.

12 (B) None of the funds appropriated under  
13 title IV of this Act may be made available for  
14 training or other assistance for any military  
15 unit or personnel that the Secretary of State  
16 determines has been credibly alleged to have  
17 participated in wildlife poaching or trafficking,  
18 unless the Secretary reports to the Committees  
19 on Appropriations that to do so is in the na-  
20 tional security interests of the United States.

21 (c) DEVELOPMENT PROGRAMS.—Of the funds appro-  
22 priated by this Act under the heading “Development As-  
23 sistance”, not less than \$26,000,000 shall be made avail-  
24 able for the American Schools and Hospitals Abroad pro-

1 gram, and not less than \$11,000,000 shall be made avail-  
2 able for cooperative development programs of USAID.

3 (d) FOOD SECURITY AND AGRICULTURAL DEVELOP-  
4 MENT.—Funds appropriated by title III of this Act should  
5 be made available for food security and agricultural devel-  
6 opment programs and may be made available notwith-  
7 standing any other provision of law to prevent or address  
8 food shortages: *Provided*, That not less than \$60,000,000  
9 shall be made available for the Feed the Future Innova-  
10 tion Labs.

11 (e) MICROENTERPRISE AND MICROFINANCE.—Of the  
12 funds appropriated by this Act, not less than  
13 \$265,000,000 should be made available for microenter-  
14 prise and microfinance development programs for the  
15 poor, especially women.

16 (f) PROGRAMS TO COMBAT TRAFFICKING IN PER-  
17 SONS.—

18 (1) Of the funds appropriated by this Act under  
19 the headings “Development Assistance”, “Economic  
20 Support Fund”, “Assistance for Europe, Eurasia  
21 and Central Asia”, and “International Narcotics  
22 Control and Law Enforcement”, not less than  
23 \$65,000,000 shall be made available for activities to  
24 combat trafficking in persons internationally.

1           (2) Funds made available in the previous para-  
2           graph shall be made available to support a multi-  
3           faceted approach to combat human trafficking in  
4           Guatemala: *Provided*, That the Secretary of State  
5           shall consult with the Committees on Appropria-  
6           tions, not later than 30 days after enactment of this  
7           Act, on the use of such funds: *Provided further*, That  
8           not later than 120 days after enactment of this Act,  
9           the Secretary shall submit a report to the Commit-  
10          tees on Appropriations on the requirements enumer-  
11          ated under this section in the report accompanying  
12          this Act.

13          (g) WATER AND SANITATION.—Of the funds appro-  
14          priated by this Act, not less than \$400,000,000 shall be  
15          made available for water supply and sanitation projects  
16          pursuant to the Senator Paul Simon Water for the Poor  
17          Act of 2005 (Public Law 109–121), of which not less than  
18          \$145,000,000 shall be for programs in sub-Saharan Afri-  
19          ca.

20                                   LIMITATION ON COMPUTER NETWORKS

21          SEC. 7061. (a) PROHIBITION.—None of the funds  
22          made available in this Act may be used to maintain or  
23          establish a computer network unless such network blocks  
24          the viewing, downloading, and exchanging of pornography.

1 (b) EXCEPTION FOR LAW ENFORCEMENT.—Nothing  
2 in subsection (a) shall limit the use of funds necessary  
3 for any Federal, State, tribal, or local law enforcement  
4 agency or any other entity carrying out criminal investiga-  
5 tions, prosecution, or adjudication activities.

6 ARMS TRADE TREATY

7 SEC. 7062. None of the funds appropriated by this  
8 Act may be obligated or expended to implement the Arms  
9 Trade Treaty until the Senate approves a resolution of  
10 ratification for the Treaty.

11 COUNTRIES IMPACTED BY SIGNIFICANT REFUGEE

12 POPULATIONS OR INTERNALLY DISPLACED PERSONS

13 SEC. 7063. Funds appropriated by this Act under the  
14 headings “Development Assistance” and “Economic Sup-  
15 port Fund” shall be made available for programs in coun-  
16 tries affected by significant populations of internally dis-  
17 placed persons or refugees to—

18 (1) expand and improve host government social  
19 services and basic infrastructure to accommodate the  
20 needs of such populations and persons;

21 (2) alleviate the social and economic strains  
22 placed on host communities;

23 (3) improve coordination of such assistance in  
24 a more effective and sustainable manner;

1           (4) leverage increased assistance from donors  
2           other than the United States Government for central  
3           governments and local communities in such coun-  
4           tries; and

5           (5) promote livelihoods programming, vocational  
6           training, and formal and informal education.

7       REPORTING REQUIREMENTS CONCERNING INDIVIDUALS

8       DETAINED AT NAVAL STATION, GUANTÁNAMO BAY, CUBA

9       SEC. 7064. (a) AGREEMENTS.—Not later than 5 days  
10       after the conclusion of an agreement with a country, in-  
11       cluding a state with a compact of free association with  
12       the United States, to receive by transfer or release individ-  
13       uals detained at United States Naval Station,  
14       Guantánamo Bay, Cuba, the Secretary of State shall no-  
15       tify the Committees on Appropriations in writing of the  
16       terms of the agreement, including whether funds appro-  
17       priated by this Act or prior Acts making appropriations  
18       for the Department of State, foreign operations, and re-  
19       lated programs will be made available for assistance for  
20       such country pursuant to such agreement.

21       (b) NEGOTIATIONS.—The Secretary of State shall re-  
22       port to the Committees on Appropriations, not more than  
23       45 days after enactment of this Act, and every 45 days  
24       thereafter through fiscal year 2017, on negotiations over  
25       the previous 45 days between Department of State per-

1 sonnel and officials of Foreign governments over the po-  
2 tential transfer to such governments of an individual, or  
3 individuals, detained at United States Naval Station,  
4 Guantánamo Bay, Cuba: *Provided*, That such reports may  
5 be provided in classified form if necessary.

6 MULTI-YEAR PLEDGES

7 SEC. 7065. None of the funds appropriated by this  
8 Act may be used to make any pledge for future year fund-  
9 ing for any multilateral or bilateral program funded in ti-  
10 tles III through VI of this Act unless such pledge was—

11 (1) previously justified, including the projected  
12 future year costs, in a congressional budget justifica-  
13 tion;

14 (2) included in an Act making appropriations  
15 for the Department of State, foreign operations, and  
16 related programs or previously authorized by an Act  
17 of Congress;

18 (3) notified in accordance with the regular noti-  
19 fication procedures of the Committees on Appropria-  
20 tions, including the projected future year costs; or

21 (4) the subject of prior consultation with the  
22 Committees on Appropriations and such consultation  
23 was conducted at least 7 days in advance of the  
24 pledge.

## 1 PROHIBITION ON USE OF TORTURE

2 SEC. 7066. None of the funds made available in this  
3 Act may be used to support or justify the use of torture,  
4 cruel, or inhumane treatment by any official or contract  
5 employee of the United States Government.

## 6 EXTRADITION

7 SEC. 7067. (a) LIMITATION.—None of the funds ap-  
8 propriated in this Act may be used to provide assistance  
9 (other than funds provided under the headings “Inter-  
10 national Disaster Assistance”, “International Narcotics  
11 Control and Law Enforcement”, “Migration and Refugee  
12 Assistance”, “United States Emergency Refugee and Mi-  
13 gration Assistance Fund”, and “Nonproliferation, Anti-  
14 terrorism, Demining and Related Assistance”) for the cen-  
15 tral government of a country which has notified the De-  
16 partment of State of its refusal to extradite to the United  
17 States any individual indicted for a criminal offense for  
18 which the maximum penalty is life imprisonment without  
19 the possibility of parole or for killing a law enforcement  
20 officer, as specified in a United States extradition request.

21 (b) CLARIFICATION.—Subsection (a) shall only apply  
22 to the central government of a country with which the  
23 United States maintains diplomatic relations and with  
24 which the United States has an extradition treaty and the

1 government of that country is in violation of the terms  
2 and conditions of the treaty.

3 (c) WAIVER.—The Secretary of State may waive the  
4 restriction in subsection (a) on a case-by-case basis if the  
5 Secretary certifies to the Committees on Appropriations  
6 that such waiver is important to the national interests of  
7 the United States.

8 COMMERCIAL LEASING OF DEFENSE ARTICLES

9 SEC. 7068. Notwithstanding any other provision of  
10 law, and subject to the regular notification procedures of  
11 the Committees on Appropriations, the authority of sec-  
12 tion 23(a) of the Arms Export Control Act may be used  
13 to provide financing to Israel, Egypt, and the North Atlan-  
14 tic Treaty Organization (NATO), and major non-NATO  
15 allies for the procurement by leasing (including leasing  
16 with an option to purchase) of defense articles from  
17 United States commercial suppliers, not including Major  
18 Defense Equipment (other than helicopters and other  
19 types of aircraft having possible civilian application), if the  
20 President determines that there are compelling foreign  
21 policy or national security reasons for those defense arti-  
22 cles being provided by commercial lease rather than by  
23 government-to-government sale under such Act.



1 INDEPENDENT STATES OF THE FORMER SOVIET UNION  
2 SEC. 7069. (a) ASSISTANCE FOR UKRAINE AND TO  
3 COUNTER RUSSIAN AGGRESSION.—

4 (1) Of the funds appropriated by this Act, not less  
5 than \$337,857,000 shall be made available for assistance  
6 for Ukraine.

7 (2) In addition to amounts made available in para-  
8 graph (1), up to \$325,608,000 shall be made available for  
9 assistance for Ukraine, including for the cost of loan guar-  
10 antees as authorized by section 7034(m) of this Act, in  
11 the manner described under this section in the report ac-  
12 companying this Act: *Provided*, That such funds shall be  
13 made available after prior consultation with the appro-  
14 priate congressional committees and subject to the regular  
15 notification procedures of the Committees on Appropria-  
16 tions.

17 (b) LIMITATION.—None of the funds appropriated by  
18 this Act may be made available for assistance for a govern-  
19 ment of an Independent State of the former Soviet Union  
20 if that government directs any action in violation of the  
21 territorial integrity or national sovereignty of any other  
22 independent state of the former Soviet Union, such as  
23 those violations included in the Helsinki Final Act: *Pro-*  
24 *vided*, That except as otherwise provided in section  
25 7070(a) of this Act, funds may be made available without

1 regard to the restriction in this subsection if the President  
2 determines that to do so is in the national security interest  
3 of the United States: *Provided further*, That prior to exe-  
4 cuting the authority contained in this subsection the Sec-  
5 retary of State shall consult with the Committees on Ap-  
6 propriations on how such assistance supports the national  
7 security interest of the United States.

8 (c) SECTION 907 OF THE FREEDOM SUPPORT  
9 ACT.—Section 907 of the FREEDOM Support Act shall  
10 not apply to—

11 (1) activities to support democracy or assist-  
12 ance under title V of the FREEDOM Support Act  
13 and section 1424 of the Defense Against Weapons  
14 of Mass Destruction Act of 1996 (50 U.S.C. 2333)  
15 or non-proliferation assistance;

16 (2) any assistance provided by the Trade and  
17 Development Agency under section 661 of the For-  
18 eign Assistance Act of 1961 (22 U.S.C. 2421);

19 (3) any activity carried out by a member of the  
20 United States and Foreign Commercial Service while  
21 acting within his or her official capacity;

22 (4) any insurance, reinsurance, guarantee, or  
23 other assistance provided by the Overseas Private  
24 Investment Corporation under title IV of chapter 2

1 of part I of the Foreign Assistance Act of 1961 (22  
2 U.S.C. 2191 et seq.);

3 (5) any financing provided under the Export-  
4 Import Bank Act of 1945; or

5 (6) humanitarian assistance.

6 RUSSIA

7 SEC. 7070. (a) LIMITATION.—None of the funds ap-  
8 propriated by this Act may be made available for assist-  
9 ance for the central Government of the Russian Federa-  
10 tion.

11 (b) DETERMINATION AND CONDITIONS.—

12 (1) None of the funds appropriated by this Act  
13 may be made available for assistance for the central  
14 government of a country that the Secretary of State  
15 determines and reports to the Committees on Appro-  
16 priations has taken affirmative steps intended to  
17 support or be supportive of the Russian Federation  
18 annexation of Crimea: *Provided*, That except as oth-  
19 erwise provided in subsection (a), the Secretary may  
20 waive the restriction on assistance required by this  
21 paragraph if the Secretary certifies to such Commit-  
22 tees that to do so is in the national interest of the  
23 United States, and includes a justification for such  
24 interest.

1           (2) None of the funds appropriated by this Act  
2 may be made available for—

3           (A) the implementation of any action or  
4 policy that recognizes the sovereignty of the  
5 Russian Federation over Crimea;

6           (B) the facilitation, financing, or guarantee  
7 of United States Government investments in  
8 Crimea, if such activity includes the participa-  
9 tion of Russian Government officials, or other  
10 Russian owned or controlled financial entities;

11 or

12           (C) assistance for Crimea, if such assist-  
13 ance includes the participation of Russian Gov-  
14 ernment officials, or other Russian owned or  
15 controlled financial entities.

16           (3) The Secretary of the Treasury shall instruct  
17 the United States executive directors of each inter-  
18 national financial institution to vote against any as-  
19 sistance by such institution (including but not lim-  
20 ited to any loan, credit, or guarantee) for any pro-  
21 gram that violates the sovereignty or territorial in-  
22 tegrity of Ukraine.

23           (4) The requirements and limitations of this  
24 subsection shall cease to be in effect if the Secretary  
25 of State certifies and reports to the Committees on

1 Appropriations that the Government of Ukraine has  
2 reestablished sovereignty over Crimea.

3 (c) ASSISTANCE TO REDUCE VULNERABILITY AND  
4 PRESSURE.—Funds appropriated by this Act for assist-  
5 ance for the Eastern Partnership countries shall be made  
6 available to advance the implementation of Association  
7 Agreements and trade agreements with the European  
8 Union, and to reduce their vulnerability to external eco-  
9 nomic and political pressure from the Russian Federation.

10 (d) DEMOCRACY PROGRAMS.—Funds appropriated  
11 by this Act shall be made available to support the advance-  
12 ment of democracy and the rule of law in the Russian Fed-  
13 eration, including to promote Internet freedom.

14 (e) REPORTS.—Not later than 45 days after enact-  
15 ment of this Act, the Secretary of State shall update the  
16 reports required by section 7071(b)(2), (c), and (e) of the  
17 Department of State, Foreign Operations, and Related  
18 Programs Appropriations Act, 2014 (division K of Public  
19 Law 113–76).

20 INTERNATIONAL MONETARY FUND

21 SEC. 7071. (a) EXTENSIONS.—The terms and condi-  
22 tions of sections 7086(b) (1) and (2) and 7090(a) of the  
23 Department of State, Foreign Operations, and Related  
24 Programs Appropriations Act, 2010 (division F of Public  
25 Law 111–117) shall apply to this Act.

1 (b) REPAYMENT.—The Secretary of the Treasury  
2 shall instruct the United States Executive Director of the  
3 International Monetary Fund (IMF) to seek to ensure  
4 that any loan will be repaid to the IMF before other pri-  
5 vate creditors.

6 SPECIAL DEFENSE ACQUISITION FUND

7 SEC. 7072. Not to exceed \$900,000,000 may be obli-  
8 gated pursuant to section 51(c)(2) of the Arms Export  
9 Control Act for the purposes of the Special Defense Acqui-  
10 sition Fund (Fund), to remain available for obligation  
11 until September 30, 2019: *Provided*, That the provision  
12 of defense articles and defense services to foreign coun-  
13 tries or international organizations from the Fund shall  
14 be subject to the concurrence of the Secretary of State.

15 COUNTERING FOREIGN FIGHTERS AND VIOLENT

16 EXTREMIST ORGANIZATIONS

17 SEC. 7073. (a) COUNTERING FOREIGN FIGHTERS  
18 AND VIOLENT EXTREMIST ORGANIZATIONS.—Funds ap-  
19 propriated under titles III and IV of this Act shall be  
20 made available for programs to—

21 (1) counter the flow of foreign fighters to coun-  
22 tries in which violent extremists or violent extremist  
23 organizations operate, including those entities des-  
24 ignated as foreign terrorist organizations (FTOs)  
25 pursuant to section 219 of the Immigration and Na-

1 tionality Act, including through programs with part-  
2 ner governments and multilateral organizations to—

3 (A) counter recruitment campaigns by  
4 such entities;

5 (B) detect and disrupt foreign fighter trav-  
6 el, particularly at points of origin;

7 (C) implement antiterrorism programs;

8 (D) secure borders, including points of in-  
9 filtration and exfiltration by such entities;

10 (E) implement and establish criminal laws  
11 and policies to counter foreign fighters; and

12 (F) arrest, investigate, prosecute, and in-  
13 carcerate terrorist suspects, facilitators, and  
14 financiers; and

15 (2) counter violent extremists and violent ex-  
16 tremist organizations, including FTOs, by sup-  
17 porting security and governance programs in coun-  
18 tries whose stability and legitimacy are directly  
19 threatened by violence against state institutions by  
20 such entities, including at the national and local lev-  
21 els, and in fragile states bordering such countries.

22 (b) REQUIREMENTS.—

23 (1) The Secretary of State shall ensure that the  
24 programs described in subsection (a) are coordinated  
25 with and complement the efforts of other United

1 States Government agencies and international part-  
2 ners, and that such programs are consistent with all  
3 applicable laws, regulations, and policies regarding  
4 the use of foreign assistance funds: *Provided*, That  
5 the Secretary shall also ensure that information  
6 gained through the conduct of programs is shared in  
7 a timely manner with relevant United States Gov-  
8 ernment agencies and other international partners,  
9 as appropriate.

10 (2) Prior to the obligation of funds appro-  
11 priated by this Act and made available for the pur-  
12 poses of this section, the Secretary of State shall en-  
13 sure that mechanisms are in place for appropriate  
14 monitoring, oversight, vetting, and control of such  
15 assistance: *Provided*, That the Secretary shall  
16 promptly inform the appropriate congressional com-  
17 mittees of each significant instance in which assist-  
18 ance provided for such purposes has been com-  
19 promised, including the amount and type of assist-  
20 ance affected, a description of the incident and par-  
21 ties involved, and an explanation of the response of  
22 the Department of State.

23 (3) Funds appropriated by this Act that are  
24 made available for programs described in subsection



1 (a) shall be subject to the regular notification proce-  
2 dures of the Committees on Appropriations.

3 ENTERPRISE FUNDS

4 SEC. 7074. (a) NOTIFICATION REQUIREMENT.—

5 None of the funds made available under titles III through  
6 VI of this Act may be made available for Enterprise Funds  
7 unless the appropriate congressional committees are noti-  
8 fied at least 15 days in advance.

9 (b) DISTRIBUTION OF ASSETS PLAN.—Prior to the  
10 distribution of any assets resulting from any liquidation,  
11 dissolution, or winding up of an Enterprise Fund, in whole  
12 or in part, the President shall submit to the appropriate  
13 congressional committees a plan for the distribution of the  
14 assets of the Enterprise Fund.

15 (c) TRANSITION OR OPERATING PLAN.—Prior to a  
16 transition to and operation of any private equity fund or  
17 other parallel investment fund under an existing Enter-  
18 prise Fund, the President shall submit such transition or  
19 operating plan to the appropriate congressional commit-  
20 tees.

21 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

22 SEC. 7075. If the President makes a determination  
23 not to comply with any provision of this Act on constitu-  
24 tional grounds, the head of the relevant Federal agency  
25 shall notify the Committees on Appropriations in writing

1 within 5 days of such determination, the basis for such  
2 determination and any resulting changes to program and  
3 policy.

4 BUDGET DOCUMENTS

5 SEC. 7076. (a) OPERATING PLANS.—Not later than  
6 45 days after the date of enactment of this Act, each de-  
7 partment, agency, or organization funded in titles I, II,  
8 and VI of this Act, and the Department of the Treasury  
9 and Independent Agencies funded in title III of this Act,  
10 including the Inter-American Foundation and the United  
11 States African Development Foundation, shall submit to  
12 the Committees on Appropriations an operating plan for  
13 funds appropriated to such department, agency, or organi-  
14 zation in such titles of this Act, or funds otherwise avail-  
15 able for obligation in fiscal year 2017, that provides de-  
16 tails of the uses of such funds at the program, project,  
17 and activity level: *Provided*, That such plans shall include,  
18 as applicable, a comparison between the most recent con-  
19 gressional directives or approved funding levels and the  
20 funding levels proposed by the department or agency; and  
21 a clear, concise, and informative description/justification:  
22 *Provided further*, That if such department, agency, or or-  
23 ganization receives an additional amount under the same  
24 heading in title VIII of this Act, operating plans required  
25 by this subsection shall include consolidated information

1 on all such funds: *Provided further*, That operating plans  
2 that include changes in levels of funding for programs,  
3 projects, and activities specified in the congressional budg-  
4 et justification, in this Act, or amounts specifically des-  
5 igned in the respective tables included in the report ac-  
6 companying this Act, as applicable, shall be subject to the  
7 notification and reprogramming requirements of section  
8 7015 of this Act.

9 (b) SPEND PLANS.—

10 (1) Prior to the initial obligation of funds, the  
11 Secretary of State or Administrator of the United  
12 States Agency for International Development  
13 (USAID), as appropriate, shall submit to the Com-  
14 mittees on Appropriations a detailed spend plan for  
15 funds made available by this Act, for—

16 (A) assistance for Afghanistan, Iraq, Leb-  
17 anon, Pakistan, and the West Bank and Gaza;

18 (B) Power Africa and the regional security  
19 initiatives listed under this section in the report  
20 accompanying this Act: *Provided*, That the  
21 spend plan for such initiatives shall include the  
22 amount of assistance planned for each country  
23 by account, to the maximum extent practicable;  
24 and

1 (C) democracy programs, programs to sup-  
2 port section 7073(a) of this Act, and sectors  
3 enumerated in subsections (a), (c), (d), (f), and  
4 (g) of section 7060 of this Act.

5 (2) Not later than 45 days after enactment of  
6 this Act, the Secretary of the Treasury shall submit  
7 to the Committees on Appropriations a detailed  
8 spend plan for funds made available by this Act  
9 under the heading “Department of the Treasury,  
10 International Affairs Technical Assistance” in title  
11 III.

12 (c) SPENDING REPORT.—Not later than 45 days  
13 after enactment of this Act, the USAID Administrator  
14 shall submit to the Committees on Appropriations a de-  
15 tailed report on spending of funds made available during  
16 fiscal year 2016 under the heading “Development Credit  
17 Authority”.

18 (d) NOTIFICATIONS.—The spend plans referenced in  
19 subsection (b) shall not be considered as meeting the noti-  
20 fication requirements in this Act or under section 634A  
21 of the Foreign Assistance Act of 1961.

22 (e) CONGRESSIONAL BUDGET JUSTIFICATION.—

23 (1) The congressional budget justification for  
24 Department of State operations and foreign oper-  
25 ations shall be provided to the Committees on Ap-

1        appropriations concurrent with the date of submission  
2        of the President’s budget for fiscal year 2018: *Pro-*  
3        *vided*, That the appendices for such justification  
4        shall be provided to the Committees on Appropria-  
5        tions not later than 10 calendar days thereafter.

6                (2) The Secretary of State and the USAID Ad-  
7        ministrator shall include in the congressional budget  
8        justification a detailed justification for multi-year  
9        availability for any funds requested under the head-  
10        ings “Diplomatic and Consular Programs” and “Op-  
11        erating Expenses”.

12                        REPORTS AND RECORDS MANAGEMENT

13        SEC. 7077. (a) PUBLIC POSTING OF REPORTS.—

14                (1) REQUIREMENT.—Any agency receiving  
15        funds made available by this Act shall, subject to  
16        paragraphs (2) and (3), post on the publicly avail-  
17        able Web site of such agency any report required by  
18        this Act to be submitted to the Committees on Ap-  
19        propriations, upon a determination by the head of  
20        such agency that to do so is in the national interest.

21                (2) EXCEPTIONS.—Paragraph (1) shall not  
22        apply to a report if—

23                        (A) the public posting of such report would  
24        compromise national security, including the  
25        conduct of diplomacy; or

1 (B) the report contains proprietary, privi-  
2 leged, or sensitive information.

3 (3) TIMING AND INTENTION.—The head of the  
4 agency posting such report shall, unless otherwise  
5 provided for in this Act, do so only after such report  
6 has been made available to the Committees on Ap-  
7 propriations for not less than 45 days: *Provided*,  
8 That any report required by this Act to be submitted  
9 to the Committees on Appropriations shall include  
10 information from the submitting agency on whether  
11 such report will be publicly posted.

12 (b) REQUESTS FOR DOCUMENTS.—None of the funds  
13 appropriated or made available pursuant to titles III  
14 through VI of this Act shall be available to a nongovern-  
15 mental organization, including any contractor, which fails  
16 to provide upon timely request any document, file, or  
17 record necessary to the auditing requirements of the De-  
18 partment of State and the United States Agency for Inter-  
19 national Development (USAID).

20 (c) RECORDS MANAGEMENT.—

21 (1) LIMITATION AND DIRECTIVES.—

22 (A) None of the funds appropriated by this  
23 Act under the headings “Diplomatic and Con-  
24 sular Programs” and “Capital Investment  
25 Fund” in title I, and “Operating Expenses” in

1 title II that are made available to the Depart-  
2 ment of State and USAID may be made avail-  
3 able to support the use or establishment of  
4 email accounts or email servers created outside  
5 the .gov domain or not fitted for automated  
6 records management as part of a Federal gov-  
7 ernment records management program in con-  
8 travention of the Presidential and Federal  
9 Records Act Amendments of 2014 (Public Law  
10 113–187).

11 (B) The Secretary of State and USAID  
12 Administrator shall—

13 (i) update the policies, directives, and  
14 oversight necessary to comply with Federal  
15 statutes, regulations, and presidential exec-  
16 utive orders and memoranda concerning  
17 the preservation of all records made or re-  
18 ceived in the conduct of official business,  
19 including record emails, instant messaging,  
20 and other online tools;

21 (ii) use funds appropriated or other-  
22 wise made available by this Act under the  
23 headings “Diplomatic and Consular Pro-  
24 grams” and “Capital Investment Fund” in  
25 title I, and “Operating Expenses” in title

1           II, as appropriate, to improve Federal  
2 records management pursuant to the Fed-  
3 eral Records Act (44 U.S.C. Chapters 21,  
4 29, 31, and 33) and other applicable Fed-  
5 eral records management statutes, regula-  
6 tions, or policies for the Department of  
7 State and USAID;

8           (iii) direct departing employees that  
9 all Federal records generated by such em-  
10 ployees, including senior officials, belong to  
11 the Federal Government; and

12           (iv) measurably improve the response  
13 time for identifying and retrieving Federal  
14 records.

15           (2) REPORT.—Not later than 30 days after en-  
16 actment of this Act, the Secretary of State and  
17 USAID Administrator shall each submit a report to  
18 the Committees on Appropriations and to the Na-  
19 tional Archives and Records Administration detail-  
20 ing, as appropriate and where applicable—

21           (A) any updates or modifications made to  
22 the policy of each agency regarding the use or  
23 the establishment of email accounts or email  
24 servers created outside the .gov domain or not  
25 fitted for automated records management as



1 part of a Federal government records manage-  
2 ment program since the submission to the Com-  
3 mittees on Appropriations on January 20,  
4 2016, of the report required by section  
5 7077(c)(2) of the Department of State, Foreign  
6 Operations, and Related Programs Appropria-  
7 tions Act, 2016 (division K of Public Law 114-  
8 113);

9 (B) the extent to which each agency is in  
10 compliance with applicable Federal records  
11 management statutes, regulations, and policies,  
12 including meeting Directive goal 1.2 of the  
13 Managing Government Records Directive (M-  
14 12-18) by December 31, 2016; and

15 (C) any updates or modifications made to  
16 the steps required, including steps already  
17 taken, since the submission of the report ref-  
18 erenced in subparagraph (A) to—

19 (i) comply with paragraph (1)(B) of  
20 this subsection;

21 (ii) ensure that all employees at every  
22 level have been instructed in procedures  
23 and processes to ensure that the docu-  
24 mentation of their official duties is cap-  
25 tured, preserved, managed, protected, and

1 accessible in official Government systems  
2 of the Department of State and USAID;

3 (iii) implement the recommendations  
4 made by the Office of Inspector General,  
5 United States Department of State (OIG),  
6 in the March 2015 Review of State Mes-  
7 saging and Archive Retrieval Toolset and  
8 Record Email (ISP-1-15-15) and the  
9 January 2016 Evaluation of the Depart-  
10 ment of State's FOIA Process for Re-  
11 quests Involving the Office of the Secretary  
12 (ESP-16-01), that are outstanding and  
13 remain to be closed;

14 (iv) reduce the backlog of Freedom of  
15 Information Act (FOIA) and Congressional  
16 oversight requests, and measurably im-  
17 prove the response time for answering such  
18 requests; and

19 (v) strengthen cyber security meas-  
20 ures to mitigate vulnerabilities, including  
21 those resulting from the use of personal  
22 email accounts or servers outside the .gov  
23 domain and implement the recommenda-  
24 tions of the OIG in the May 2016 Evalua-

1           tion of Email Records Management and  
2           Cybersecurity Requirements (ESP-16-03).

3           (3) IMPLEMENTATION AND SPEND PLAN RE-  
4           PORT.—Not later than 30 days after enactment of  
5           this Act, the Secretary of State and USAID Admin-  
6           istrator shall each submit to the Committees on Ap-  
7           propriations a plan and timeline, which may be sub-  
8           mitted concurrent with the report required by para-  
9           graph (2) for—

10           (A) implementing the recommendations of  
11           the OIG reports referenced in clauses (iii) and  
12           (v);

13           (B) measurably reducing the FOIA and  
14           Congressional oversight requests backlog; and

15           (C) a spend plan for meeting the objectives  
16           of subparagraphs (A) and (B).

17           (4) REPORT ASSESSMENT.—Not later than 180  
18           days after the submission of the reports required by  
19           paragraph (2), the Comptroller General of the  
20           United States, in consultation with National Ar-  
21           chives and Records Administration, as appropriate,  
22           shall conduct an assessment of such reports, and  
23           shall consult with the Committees on Appropriations  
24           on the scope and requirements of such assessment.

1           (5) FUNDING.—Of funds appropriated by this  
2       Act under the heading “Capital Investment Fund”  
3       in title I, \$10,000,000 shall be withheld from obliga-  
4       tion until the Secretary submits the reports required  
5       by paragraphs (2) and (3).

6                                   GLOBAL INTERNET FREEDOM

7       SEC. 7078. (a) FUNDING.—Of the funds available for  
8       obligation during fiscal year 2017 under the headings  
9       “International Broadcasting Operations”, “Economic  
10      Support Fund”, “Democracy Fund”, and “Assistance for  
11      Europe, Eurasia and Central Asia”, not less than  
12      \$50,500,000 shall be made available for programs to pro-  
13      mote Internet freedom globally: *Provided*, That such pro-  
14      grams shall be prioritized for countries whose governments  
15      restrict freedom of expression on the Internet, and that  
16      are important to the national interests of the United  
17      States: *Provided further*, That funds made available pursu-  
18      ant to this section shall be matched, to the maximum ex-  
19      tent practicable, by sources other than the United States  
20      Government, including from the private sector.

21      (b) REQUIREMENTS.—Funds made available pursu-  
22      ant to subsection (a) shall be—

23           (1) coordinated with other democracy, govern-  
24      ance, and broadcasting programs funded by this Act  
25      under the headings “International Broadcasting Op-

1 erations”, “Economic Support Fund”, “Democracy  
2 Fund”, and “Assistance for Europe, Eurasia and  
3 Central Asia”, and shall be incorporated into coun-  
4 try assistance, democracy promotion, and broad-  
5 casting strategies, as appropriate;

6 (2) made available to the Bureau of Democracy,  
7 Human Rights, and Labor, Department of State for  
8 programs to implement the May 2011, International  
9 Strategy for Cyberspace and the comprehensive  
10 strategy to promote Internet freedom and access to  
11 information in Iran, as required by section 414 of  
12 the Iran Threat Reduction and Syria Human Rights  
13 Act of 2012 (22 U.S.C. 8754);

14 (3) made available to the Broadcasting Board  
15 of Governors (BBG) to provide tools and techniques  
16 to access the Web sites of BBG broadcasters that  
17 are censored, and to work with such broadcasters to  
18 promote and distribute such tools and techniques,  
19 including digital security techniques;

20 (4) made available for programs that support  
21 the efforts of civil society to counter the development  
22 of repressive Internet-related laws and regulations,  
23 including countering threats to Internet freedom at  
24 international organizations; to combat violence  
25 against bloggers and other users; and to enhance

1 digital security training and capacity building for de-  
2 mocracy activists; and

3 (5) made available for research of key threats  
4 to Internet freedom; the continued development of  
5 technologies that provide or enhance access to the  
6 Internet, including circumvention tools that bypass  
7 Internet blocking, filtering, and other censorship  
8 techniques used by authoritarian governments; and  
9 maintenance of the technological advantage of the  
10 United States Government over such censorship  
11 techniques: *Provided*, That the Secretary of State, in  
12 consultation with the BBG Chairman, shall coordi-  
13 nate any such research and development programs  
14 with other relevant United States Government de-  
15 partments and agencies in order to share informa-  
16 tion, technologies, and best practices, and to assess  
17 the effectiveness of such technologies.

18 (c) COORDINATION AND SPEND PLANS.—After con-  
19 sultation among the relevant agency heads to coordinate  
20 and de-conflict planned activities, but not later than 90  
21 days after enactment of this Act, the Secretary of State  
22 and the BBG Chairman shall submit to the Committees  
23 on Appropriations spend plans for funds made available  
24 by this Act for programs to promote Internet freedom  
25 globally, which shall include a description of safeguards

1 established by relevant agencies to ensure that such pro-  
2 grams are not used for illicit purposes: *Provided*, That the  
3 Department of State spend plan shall include funding for  
4 all such programs for all relevant Department of State  
5 and USAID offices and bureaus: *Provided further*, That  
6 prior to the obligation of such funds, such offices and bu-  
7 reaus shall consult with the Assistant Secretary for De-  
8 mocracy, Human Rights, and Labor, Department of  
9 State, to ensure that such programs support the Depart-  
10 ment of State Internet freedom strategy.

11           IMPACT ON JOBS IN THE UNITED STATES

12       SEC. 7079. None of the funds appropriated or other-  
13 wise made available under titles III through VI of this  
14 Act or any other Act making appropriations for the De-  
15 partment of State, foreign operations, and related pro-  
16 grams, may be obligated or expended to provide—

17           (1) for fiscal year 2017, any financial incentive  
18       to a business enterprise currently located in the  
19       United States for the purpose of inducing such an  
20       enterprise to relocate outside the United States if  
21       such incentive or inducement is likely to reduce the  
22       number of employees of such business enterprise in  
23       the United States because United States production  
24       is being replaced by such enterprise outside the  
25       United States;

1           (2) for fiscal year 2017, assistance for any pro-  
2           gram, project, or activity that contributes to the vio-  
3           lation of internationally recognized workers' rights,  
4           as defined in section 507(4) of the Trade Act of  
5           1974, of workers in the recipient country, including  
6           any designated zone or area in that country: *Pro-*  
7           *vided*, That the application of section 507(4)(D) and  
8           (E) of such Act should be commensurate with the  
9           level of development of the recipient country and  
10          sector, and shall not preclude assistance for the in-  
11          formal sector in such country, micro and small-scale  
12          enterprise, and smallholder agriculture;

13          (3) for fiscal year 2017, any assistance to an  
14          entity outside the United States if such assistance is  
15          for the purpose of directly relocating or transferring  
16          jobs from the United States to other countries and  
17          adversely impacts the labor force in the United  
18          States; or

19          (4) for fiscal year 2017, or any fiscal year  
20          thereafter, for the enforcement of any rule, regula-  
21          tion, policy, or guidelines implemented pursuant  
22          to—

23                  (A) the third proviso of subsection 7079(b)  
24                  of the Consolidated Appropriations Act, 2010;



1 (B) the modification proposed by the Over-  
2 seas Private Investment Corporation in Novem-  
3 ber 2013 to the Corporation’s Environmental  
4 and Social Policy Statement relating to coal;

5 (C) the Supplemental Guidelines for High  
6 Carbon Intensity Projects approved by the Ex-  
7 port-Import Bank of the United States on De-  
8 cember 12, 2013; or

9 (D) the World Bank Group’s Directions  
10 for the World Bank Group’s Energy Sector re-  
11 leased on July 16, 2013,

12 when enforcement of such rule, regulation, policy, or  
13 guidelines would prohibit, or have the effect of pro-  
14 hibiting, any coal-fired or other power-generation  
15 project the purpose of which is to increase exports  
16 of goods and services from the United States or pre-  
17 vent the loss of jobs in the United States.

18 QUORUM REQUIREMENT

19 SEC. 7080. Section 1 of Public Law 106–46 (12  
20 U.S.C. 635a note) is amended by striking “July 21, 1999,  
21 and ends on December 2, 1999” and inserting “October  
22 1, 2016, and ends on September 30, 2019”: *Provided*,  
23 That the amendment made pursuant to this subparagraph  
24 to such law shall take effect upon enactment of this Act.

1 TITLE VIII  
2 OVERSEAS CONTINGENCY OPERATIONS/GLOBAL  
3 WAR ON TERRORISM  
4 DEPARTMENT OF STATE  
5 ADMINISTRATION OF FOREIGN AFFAIRS  
6 DIPLOMATIC AND CONSULAR PROGRAMS  
7 (INCLUDING TRANSFER OF FUNDS)

8 For an additional amount for “Diplomatic and Con-  
9 sular Programs”, \$2,410,386,000, to remain available  
10 until September 30, 2018, of which \$1,815,210,000 is for  
11 Worldwide Security Protection and shall remain available  
12 until expended: *Provided*, That the Secretary of State may  
13 transfer up to \$5,000,000 of the total funds made avail-  
14 able under this heading to any other appropriation of any  
15 department or agency of the United States, upon the con-  
16 currence of the head of such department or agency, to sup-  
17 port operations in and assistance for Afghanistan and to  
18 carry out the provisions of the Foreign Assistance Act of  
19 1961: *Provided further*, That any such transfer shall be  
20 subject to the regular notification procedures of the Com-  
21 mittees on Appropriations: *Provided further*, That up to  
22 \$15,000,000 of the funds appropriated under this heading  
23 in this title may be made available for Conflict Stabiliza-  
24 tion Operations and for related reconstruction and sta-  
25 bilization assistance to prevent or respond to conflict or

1 civil strife in foreign countries or regions, or to enable  
2 transition from such strife: *Provided further*, That such  
3 amount is designated by the Congress for Overseas Con-  
4 tingency Operations/Global War on Terrorism pursuant to  
5 section 251(b)(2)(A)(ii) of the Balanced Budget and  
6 Emergency Deficit Control Act of 1985.

7 OFFICE OF INSPECTOR GENERAL

8 For an additional amount for “Office of Inspector  
9 General”, \$54,900,000, to remain available until Sep-  
10 tember 30, 2018, which shall be for the Special Inspector  
11 General for Afghanistan Reconstruction (SIGAR) for re-  
12 construction oversight: *Provided*, That printing and repro-  
13 duction costs shall not exceed amounts for such costs dur-  
14 ing fiscal year 2016: *Provided further*, That notwith-  
15 standing any other provision of law, any employee of  
16 SIGAR who completes at least 12 months of continuous  
17 service after the date of enactment of this Act or who is  
18 employed on the date on which SIGAR terminates, which-  
19 ever occurs first, shall acquire competitive status for ap-  
20 pointment to any position in the competitive service for  
21 which the employee possesses the required qualifications:  
22 *Provided further*, That such amount is designated by the  
23 Congress for Overseas Contingency Operations/Global  
24 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

1 the Balanced Budget and Emergency Deficit Control Act  
2 of 1985.

3 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

4 For an additional amount for “Embassy Security,  
5 Construction, and Maintenance”, \$1,238,800,000, to re-  
6 main available until expended, of which \$1,228,000,000  
7 shall be for Worldwide Security Upgrades, acquisition, and  
8 construction as authorized: *Provided*, That such amount  
9 is designated by the Congress for Overseas Contingency  
10 Operations/Global War on Terrorism pursuant to section  
11 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
12 Deficit Control Act of 1985.

13 INTERNATIONAL ORGANIZATIONS

14 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

15 For an additional amount for “Contributions to  
16 International Organizations”, \$66,614,000: *Provided*,  
17 That such amount is designated by the Congress for Over-  
18 seas Contingency Operations/Global War on Terrorism  
19 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
20 Budget and Emergency Deficit Control Act of 1985.

21 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

22 ACTIVITIES

23 For an additional amount for “Contributions for  
24 International Peacekeeping Activities”, \$1,385,670,000,  
25 to remain available until September 30, 2018: *Provided*,

1 That such amount is designated by the Congress for Over-  
2 seas Contingency Operations/Global War on Terrorism  
3 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
4 Budget and Emergency Deficit Control Act of 1985.

5 RELATED AGENCY

6 BROADCASTING BOARD OF GOVERNORS

7 INTERNATIONAL BROADCASTING OPERATIONS

8 For an additional amount for “International Broad-  
9 casting Operations”, \$10,700,000, to remain available  
10 until September 30, 2018: *Provided*, That such amount  
11 is designated by the Congress for Overseas Contingency  
12 Operations/Global War on Terrorism pursuant to section  
13 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
14 Deficit Control Act of 1985.

15 UNITED STATES AGENCY FOR INTERNATIONAL

16 DEVELOPMENT

17 FUNDS APPROPRIATED TO THE PRESIDENT

18 OPERATING EXPENSES

19 For an additional amount for “Operating Expenses”,  
20 \$98,460,000, to remain available until September 30,  
21 2018: *Provided*, That such amount is designated by the  
22 Congress for Overseas Contingency Operations/Global  
23 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
24 the Balanced Budget and Emergency Deficit Control Act  
25 of 1985.

1           BILATERAL ECONOMIC ASSISTANCE  
2           FUNDS APPROPRIATED TO THE PRESIDENT  
3           INTERNATIONAL DISASTER ASSISTANCE

4           For an additional amount for “International Disaster  
5 Assistance”, \$1,885,127,000, to remain available until ex-  
6 pended: *Provided*, That such amount is designated by the  
7 Congress for Overseas Contingency Operations/Global  
8 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
9 the Balanced Budget and Emergency Deficit Control Act  
10 of 1985.

11   TRANSITION INITIATIVES

12           For an additional amount for “Transition Initia-  
13 tives”, \$37,000,000, to remain available until expended:  
14 *Provided*, That such amount is designated by the Congress  
15 for Overseas Contingency Operations/Global War on Ter-  
16 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
17 anced Budget and Emergency Deficit Control Act of 1985.

18   ECONOMIC SUPPORT FUND

19           For an additional amount for “Economic Support  
20 Fund”, \$2,422,673,000, to remain available until Sep-  
21 tember 30, 2018: *Provided*, That such amount is des-  
22 ignated by the Congress for Overseas Contingency Oper-  
23 ations/Global War on Terrorism pursuant to section  
24 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
25 Deficit Control Act of 1985.

1 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

2 For an additional amount for “Assistance for Eu-  
3 rope, Eurasia and Central Asia”, \$438,569,000, to remain  
4 available until September 30, 2018: *Provided*, That such  
5 amount is designated by the Congress for Overseas Con-  
6 tingency Operations/Global War on Terrorism pursuant to  
7 section 251(b)(2)(A)(ii) of the Balanced Budget and  
8 Emergency Deficit Control Act of 1985.

9 DEPARTMENT OF STATE

10 MIGRATION AND REFUGEE ASSISTANCE

11 For an additional amount for “Migration and Ref-  
12 ugee Assistance” for overseas assistance to respond to ref-  
13 ugee crises in Africa, the Near East, South and Central  
14 Asia, and Europe and Eurasia, \$2,287,904,000, to remain  
15 available until expended, except that such funds shall not  
16 be made available for the resettlement costs of refugees  
17 in the United States: *Provided*, That such amount is des-  
18 ignated by the Congress for Overseas Contingency Oper-  
19 ations/Global War on Terrorism pursuant to section  
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
21 Deficit Control Act of 1985.

22 UNITED STATES EMERGENCY REFUGEE AND MIGRATION

23 ASSISTANCE FUND

24 For necessary expenses to carry out the provisions  
25 of section 2(c) of the Migration and Refugee Assistance

1 Act of 1962, as amended (22 U.S.C. 2601(e)), for over-  
2 seas assistance to respond to unexpected emergency mi-  
3 gration needs, \$50,000,000, to remain available until ex-  
4 pended: *Provided*, That such amount is designated by the  
5 Congress for Overseas Contingency Operations/Global  
6 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
7 the Balanced Budget and Emergency Deficit Control Act  
8 of 1985.

9 INTERNATIONAL SECURITY ASSISTANCE

10 DEPARTMENT OF STATE

11 INTERNATIONAL NARCOTICS CONTROL AND LAW

12 ENFORCEMENT

13 For an additional amount for “International Nar-  
14 cotics Control and Law Enforcement”, \$371,661,000, to  
15 remain available until September 30, 2018: *Provided*,  
16 That such amount is designated by the Congress for Over-  
17 seas Contingency Operations/Global War on Terrorism  
18 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
19 Budget and Emergency Deficit Control Act of 1985.

20 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND

21 RELATED PROGRAMS

22 For an additional amount for “Nonproliferation,  
23 Anti-terrorism, Demining and Related Programs”,  
24 \$379,091,000, to remain available until September 30,  
25 2018: *Provided*, That such amount is designated by the



1 Congress for Overseas Contingency Operations/Global  
2 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
3 the Balanced Budget and Emergency Deficit Control Act  
4 of 1985.

5 PEACEKEEPING OPERATIONS

6 For an additional amount for “Peacekeeping Oper-  
7 ations”, \$469,269,000, to remain available until Sep-  
8 tember 30, 2018: *Provided*, That such amount is des-  
9 ignated by the Congress for Overseas Contingency Oper-  
10 ations/Global War on Terrorism pursuant to section  
11 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
12 Deficit Control Act of 1985: *Provided further*, That funds  
13 available for obligation under this heading in this Act may  
14 be used to pay assessed expenses of international peace-  
15 keeping activities in Somalia, subject to the regular notifi-  
16 cation procedures of the Committees on Appropriations,  
17 except that such expenses shall not exceed the level de-  
18 scribed in the final proviso under the heading “Contribu-  
19 tions for International Peacekeeping Activities” in title I  
20 of this Act.

21 FUNDS APPROPRIATED TO THE PRESIDENT

22 FOREIGN MILITARY FINANCING PROGRAM

23 For an additional amount for “Foreign Military Fi-  
24 nancing Program”, \$1,288,176,000, to remain available  
25 until September 30, 2018: *Provided*, That such amount

1 is designated by the Congress for Overseas Contingency  
2 Operations/Global War on Terrorism pursuant to section  
3 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
4 Deficit Control Act of 1985.

## 5 GENERAL PROVISIONS

### 6 ADDITIONAL APPROPRIATIONS

7 SEC. 8001. Notwithstanding any other provision of  
8 law, funds appropriated in this title are in addition to  
9 amounts appropriated or otherwise made available in this  
10 Act for fiscal year 2017.

### 11 EXTENSION OF AUTHORITIES AND CONDITIONS

12 SEC. 8002. Unless otherwise provided for in this Act,  
13 the additional amounts appropriated by this title to appro-  
14 priations accounts in this Act shall be available under the  
15 authorities and conditions applicable to such appropria-  
16 tions accounts.

### 17 TRANSFER AUTHORITY

18 SEC. 8003. Funds appropriated by this title under  
19 the heading “Assistance for Europe, Eurasia and Central  
20 Asia”, may be transferred to, and merged with, funds ap-  
21 propriated by this title in this Act under the headings  
22 “International Disaster Assistance”, “International Nar-  
23 cotics Control and Law Enforcement”, and “Foreign Mili-  
24 tary Financing Program” for assistance for countries  
25 funded under the heading “Assistance for Europe, Eur-

1 asia and Central Asia’’: *Provided*, That the transfer au-  
2 thority of this section is in addition to any other transfer  
3 authority provided by this or any other Act, and shall be  
4 subject to the regular notification procedures of the Com-  
5 mittees on Appropriations.

6 DESIGNATION

7 SEC. 8004. Each amount designated in this Act by  
8 the Congress for Overseas Contingency Operations/Global  
9 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
10 the Balanced Budget and Emergency Deficit Control Act  
11 of 1985 shall be available (or rescinded, if applicable) only  
12 if the President subsequently so designates all such  
13 amounts and transmits such designations to the Congress.

14 TITLE IX

15 ADDITIONAL GENERAL PROVISION

16 SPENDING REDUCTION ACCOUNT

17 The amount by which the applicable allocation of new  
18 budget authority made by the Committee on Appropria-  
19 tions of the House of Representatives under section  
20 302(b) of the Congressional Budget Act of 1974 exceeds  
21 the amount of proposed new budget authority is \$0.

22 This Act may be cited as the ‘‘Department of State,  
23 Foreign Operations, and Related Programs Appropria-  
24 tions Act, 2017’’.

Union Calendar No. 537

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 5912**

[Report No. 114-693]

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**A BILL**

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2017, and for other purposes.

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JULY 15, 2016

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed