

Calendar No. 144114TH CONGRESS
1ST SESSION**S. 1725****[Report No. 114–79]**

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2016, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 9, 2015

Mr. GRAHAM, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2016, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Department of State, foreign operations, and related pro-
6 grams for the fiscal year ending September 30, 2016, and
7 for other purposes, namely:

1 TITLE I
2 DEPARTMENT OF STATE AND RELATED
3 AGENCY
4 DEPARTMENT OF STATE
5 ADMINISTRATION OF FOREIGN AFFAIRS
6 DIPLOMATIC AND CONSULAR PROGRAMS

7 For necessary expenses of the Department of State
8 and the Foreign Service not otherwise provided for,
9 \$6,342,470,000, of which up to \$637,164,000 may remain
10 available until September 30, 2017, and of which up to
11 \$2,094,707,000 may remain available until expended for
12 Worldwide Security Protection: *Provided*, That funds
13 made available under this heading shall be allocated in ac-
14 cordance with paragraphs (1) through (4) as follows:

15 (1) HUMAN RESOURCES.—For necessary ex-
16 penses for training, human resources management,
17 and salaries, including employment without regard
18 to civil service and classification laws of persons on
19 a temporary basis (not to exceed \$700,000), as au-
20 thorized by section 801 of the United States Infor-
21 mation and Educational Exchange Act of 1948
22 (Public Law 80–402), \$2,238,853,000, of which up
23 to \$358,833,000 is for Worldwide Security Protec-
24 tion.

1 (2) OVERSEAS PROGRAMS.—For necessary ex-
2 penses for the regional bureaus of the Department
3 of State and overseas activities as authorized by law,
4 \$1,561,840,000.

5 (3) DIPLOMATIC POLICY AND SUPPORT.—For
6 necessary expenses for the functional bureaus of the
7 Department of State, including representation to
8 certain international organizations in which the
9 United States participates pursuant to treaties rati-
10 fied pursuant to the advice and consent of the Sen-
11 ate or specific Acts of Congress, general administra-
12 tion, and arms control, nonproliferation and disar-
13 mament activities as authorized, \$787,951,000.

14 (4) SECURITY PROGRAMS.—For necessary ex-
15 penses for security activities, \$1,753,826,000, of
16 which up to \$1,735,874,000 is for Worldwide Secu-
17 rity Protection.

18 (5) FEES AND PAYMENTS COLLECTED.—In ad-
19 dition to amounts otherwise made available under
20 this heading—

21 (A) not to exceed \$1,840,900 shall be de-
22 rived from fees collected from other executive
23 agencies for lease or use of facilities located at
24 the International Center in accordance with sec-
25 tion 4 of the International Center Act (Public

1 Law 97–186), and, in addition, as authorized
2 by section 5 of such Act, \$743,000, to be de-
3 rived from the reserve authorized by that sec-
4 tion, to be used for the purposes set out in that
5 section;

6 (B) as authorized by section 810 of Public
7 Law 80–402, not to exceed \$5,000,000, to re-
8 main available until expended, may be credited
9 to this appropriation from fees or other pay-
10 ments received from English teaching, library,
11 motion pictures, and publication programs and
12 from fees from educational advising and coun-
13 seling and exchange visitor programs; and

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

17 (6) TRANSFER, REPROGRAMMING, AND OTHER
18 MATTERS.—

19 (A) Notwithstanding any other provision of
20 this Act, funds may be reprogrammed within
21 and between paragraphs (1) through (4) under
22 this heading subject to section 7015 of this Act.

23 (B) Of the amount made available under
24 this heading, not to exceed \$10,000,000 may be
25 transferred to, and merged with, funds made

1 available by this Act under the heading “Emer-
2 gencies in the Diplomatic and Consular Serv-
3 ice”, to be available only for emergency evacu-
4 ations and rewards, as authorized.

5 (C) Funds appropriated under this heading
6 are available for acquisition by exchange or pur-
7 chase of passenger motor vehicles as authorized
8 by law and, pursuant to section 1108(g) of title
9 31, United States Code, for the field examina-
10 tion of programs and activities in the United
11 States funded from any account contained in
12 this title.

13 (D) Of the funds appropriated under this
14 heading, up to \$11,000,000, to remain available
15 until expended, shall be for Conflict Stabiliza-
16 tion Operations (CSO) and for related recon-
17 struction and stabilization assistance to prevent
18 or respond to conflict or civil strife in foreign
19 countries or regions, or to enable transition
20 from such strife: *Provided*, That additional
21 funds appropriated under this heading may be
22 made available, as necessary, only to fund the
23 salary and benefit costs for CSO staff employed
24 on the date of enactment of this Act: *Provided*
25 *further*, That funds appropriated under this

1 heading may be transferred to, and merged
2 with, funds previously made available under the
3 heading “Conflict Stabilization Operations” in
4 title I of prior acts making appropriations for
5 the Department of State, foreign operations,
6 and related programs.

7 CAPITAL INVESTMENT FUND

8 For necessary expenses of the Capital Investment
9 Fund, \$56,400,000, to remain available until expended,
10 as authorized.

11 OFFICE OF INSPECTOR GENERAL

12 For necessary expenses of the Office of Inspector
13 General, \$72,700,000, 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, \$10,905,000 may
17 remain available until September 30, 2017.

18 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

19 For expenses of educational and cultural exchange
20 programs, as authorized, \$590,900,000, to remain avail-
21 able until expended, of which not less than \$236,000,000
22 shall be for the Fulbright Program: *Provided*, That fees
23 or other payments received from, or in connection with,
24 English teaching, educational advising and counseling pro-
25 grams, and exchange visitor programs as authorized may

1 be credited to this account, to remain available until ex-
2 pended: *Provided further*, That a portion of the Fulbright
3 awards from the Eurasia and Central Asia regions shall
4 be designated as Edmund S. Muskie Fellowships, fol-
5 lowing consultation with the Committees on Appropria-
6 tions: *Provided further*, That notwithstanding section
7 62.32(h)(16) of title 22 of the Code of Federal Regula-
8 tions, the Secretary of State shall permit participants in
9 the Summer Work Travel program who are admitted
10 under section 101(a)(15)(J) of the Immigration and Na-
11 tionality Act (8 U.S.C. 1101(a)(15)(J)) to be employed
12 in seafood processing positions until September 30, 2016,
13 if such placements comply with all the requirements of
14 such program: *Provided further*, That any substantive
15 modifications from the prior fiscal year to programs fund-
16 ed by this Act under this heading shall be subject to prior
17 consultation with, and the regular notification procedures
18 of, the Committees on Appropriations.

19 REPRESENTATION EXPENSES

20 For representation expenses as authorized,
21 \$8,030,000.

22 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

23 For expenses, not otherwise provided, to enable the
24 Secretary of State to provide for extraordinary protective

1 services, as authorized, \$29,807,000, to remain available
2 until September 30, 2017.

3 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

4 For necessary expenses for carrying out the Foreign
5 Service Buildings Act of 1926 (22 U.S.C. 292 et seq.),
6 preserving, maintaining, repairing, and planning for build-
7 ings that are owned or directly leased by the Department
8 of State, renovating, in addition to funds otherwise avail-
9 able, the Harry S Truman Building, and carrying out the
10 Diplomatic Security Construction Program as authorized,
11 \$785,097,000, to remain available until expended as au-
12 thorized, of which not to exceed \$25,000 may be used for
13 domestic and overseas representation expenses as author-
14 ized: *Provided*, That none of the funds appropriated in this
15 paragraph shall be available for acquisition of furniture,
16 furnishings, or generators for other departments and
17 agencies.

18 In addition, for the costs of worldwide security up-
19 grades, acquisition, and construction as authorized,
20 \$1,300,000,000, to remain available until expended: *Pro-*
21 *vided*, That not later than 45 days after enactment of this
22 Act, the Secretary of State shall submit to the Committees
23 on Appropriations the proposed allocation of funds made
24 available under this heading and the actual and antici-
25 pated proceeds of sales for all projects in fiscal year 2016.

1 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
2 SERVICE

3 For necessary expenses to enable the Secretary of
4 State to meet unforeseen emergencies arising in the Diplo-
5 matic and Consular Service, \$7,900,000, to remain avail-
6 able until expended as authorized, of which not to exceed
7 \$1,000,000 may be transferred to, and merged with, funds
8 appropriated by this Act under the heading “Repatriation
9 Loans Program Account”, subject to the same terms and
10 conditions.

11 REPATRIATION LOANS PROGRAM ACCOUNT

12 For the cost of direct loans, \$1,300,000, as author-
13 ized: *Provided*, That such costs, including the cost of
14 modifying such loans, shall be as defined in section 502
15 of the Congressional Budget Act of 1974: *Provided fur-*
16 *ther*, That such funds are available to subsidize gross obli-
17 gations for the principal amount of direct loans not to ex-
18 ceed \$2,444,528.

19 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

20 For necessary expenses to carry out the Taiwan Rela-
21 tions Act (Public Law 96–8), \$30,000,000.

22 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
23 DISABILITY FUND

24 For payment to the Foreign Service Retirement and
25 Disability Fund, as authorized, \$158,900,000.

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, \$1,456,179,000: *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, 2016, and 30 days
19 after the end of fiscal year 2016, 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 2016 and fiscal year 2017 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, \$2,248,223,000, of which 15 percent shall re-
12 main available until September 30, 2017: *Provided*, That
13 none of the funds made available by this Act shall be obli-
14 gated or expended for any new or expanded United Na-
15 tions peacekeeping mission unless, at least 15 days in ad-
16 vance of voting for such mission in the United Nations
17 Security Council (or in an emergency as far in advance
18 as is practicable), the Committees on Appropriations are
19 notified: (1) of the estimated cost and duration of the mis-
20 sion, the objectives of the mission, the national interest
21 that will be served, and the exit strategy; and (2) the
22 source of funds that will be used to pay the cost of the
23 new or expanded mission, and the estimated cost in future
24 fiscal years: *Provided further*, That none of the funds ap-
25 propriated under this heading may be made available for

1 obligation unless the Secretary of State certifies and re-
2 ports to the Committees on Appropriations on a peace-
3 keeping mission-by-mission basis that the United Nations
4 is implementing effective policies and procedures to pre-
5 vent United Nations employees, contractor personnel, and
6 peacekeeping troops serving in such mission from traf-
7 ficking in persons, exploiting victims of trafficking, or
8 committing acts of illegal sexual exploitation or other vio-
9 lations of human rights, and to bring to justice individuals
10 who engage in such acts while participating in such mis-
11 sion, including prosecution in their home countries and
12 making information about such prosecutions publicly
13 available on the Web site of the United Nations: *Provided*
14 *further*, That funds shall be available for peacekeeping ex-
15 penses unless the Secretary of State determines that
16 American manufacturers and suppliers are not being given
17 opportunities to provide equipment, services, and material
18 for United Nations peacekeeping activities equal to those
19 being given to foreign manufacturers and suppliers: *Pro-*
20 *vided further*, That the Secretary of State shall work with
21 the United Nations and foreign governments contributing
22 peacekeeping troops to implement effective vetting proce-
23 dures to ensure that such troops have not violated human
24 rights, and shall submit a report to the Committees on
25 Appropriations not later than 90 days after enactment of

1 this Act assessing the effectiveness of such procedures:
2 *Provided further*, That none of the funds appropriated or
3 otherwise made available under this heading may be used
4 for any United Nations peacekeeping mission that will in-
5 volve United States Armed Forces under the command or
6 operational control of a foreign national, unless the Presi-
7 dent's military advisors have submitted to the President
8 a recommendation that such involvement is in the national
9 interest of the United States and the President has sub-
10 mitted to Congress such a recommendation: *Provided fur-*
11 *ther*, That not later than May 1, 2016, and 30 days after
12 the end of fiscal year 2016, the Secretary of State shall
13 report to the Committees on Appropriations any credits
14 available to the United States, including those resulting
15 from United Nations peacekeeping missions or the United
16 Nations Tax Equalization Fund, and provide updated fis-
17 cal year 2016 and fiscal year 2017 assessment costs in-
18 cluding offsets from available credits: *Provided further*,
19 That any such credits shall only be available for United
20 States assessed contributions to the United Nations, and
21 the Committees on Appropriations shall be notified when
22 such credits are applied to any assessed contribution, in-
23 cluding any payment of arrearages: *Provided further*, That
24 any notification regarding funds appropriated or otherwise
25 made available under this heading in this Act or prior Acts

1 making appropriations for the Department of State, for-
2 eign operations, and related programs submitted pursuant
3 to section 7015 of this Act, section 34 of the State Depart-
4 ment Basic Authorities Act of 1956 (22 U.S.C. 2706), or
5 any operating plan submitted pursuant to section 7076
6 of this Act, shall include an estimate of all known credits
7 currently available to the United States and provide up-
8 dated assessment costs including offsets from available
9 credits: *Provided further*, That notwithstanding any other
10 provision of law, funds appropriated or otherwise made
11 available under this heading may be made available for
12 United States assessed contributions up to the amount
13 specified in the Annex accompanying United Nations Gen-
14 eral Assembly document A/67/224/Add.1, if the Secretary
15 of State determines and reports to the appropriate con-
16 gressional committees that to do so is important to the
17 national interest of the United States.

18 INTERNATIONAL COMMISSIONS

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

22 INTERNATIONAL BOUNDARY AND WATER COMMISSION,
23 UNITED STATES AND MEXICO

24 For necessary expenses for the United States Section
25 of the International Boundary and Water Commission,

1 United States and Mexico, and to comply with laws appli-
2 cable to the United States Section, including not to exceed
3 \$6,000 for representation expenses; as follows:

4 SALARIES AND EXPENSES

5 For salaries and expenses, not otherwise provided for,
6 \$45,307,000.

7 CONSTRUCTION

8 For detailed plan preparation and construction of au-
9 thorized projects, \$28,400,000, to remain available until
10 expended, as authorized.

11 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

12 For necessary expenses, not otherwise provided, for
13 the International Joint Commission and the International
14 Boundary Commission, United States and Canada, as au-
15 thorized by treaties between the United States and Can-
16 ada or Great Britain, and the Border Environment Co-
17 operation Commission as authorized by the North Amer-
18 ican Free Trade Agreement Implementation Act,
19 \$12,330,000: *Provided*, That of the amount provided
20 under this heading for the International Joint Commis-
21 sion, up to \$500,000 may remain available until Sep-
22 tember 30, 2017, and \$9,000 may be made available for
23 representation expenses.

1 INTERNATIONAL FISHERIES COMMISSIONS

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

8 RELATED AGENCY

9 BROADCASTING BOARD OF GOVERNORS

10 INTERNATIONAL BROADCASTING OPERATIONS

11 For necessary expenses to enable the Broadcasting
12 Board of Governors (BBG), as authorized, to carry out
13 international communication activities, and to make and
14 supervise grants for radio and television broadcasting to
15 the Middle East, \$728,257,000: *Provided*, That in addi-
16 tion to amounts otherwise available for such purposes, up
17 to \$28,635,000 of the amount appropriated under this
18 heading may remain available until expended for satellite
19 transmissions and Internet freedom programs, of which
20 not less than \$12,500,000 shall be for Internet freedom
21 programs: *Provided further*, That of the total amount ap-
22 propriated under this heading, not to exceed \$35,000 may
23 be used for representation expenses, of which \$10,000
24 may be used for representation expenses within the United
25 States as authorized, and not to exceed \$30,000 may be

1 used for representation expenses of Radio Free Europe/
2 Radio Liberty: *Provided further*, That the authority pro-
3 vided by section 504(c) of the Foreign Relations Author-
4 ization Act, Fiscal Year 2003 (Public Law 107–228; 22
5 U.S.C. 6206 note) shall remain in effect through Sep-
6 tember 30, 2016: *Provided further*, That the BBG shall
7 notify the Committees on Appropriations within 15 days
8 of any determination by the Board that any of its broad-
9 cast entities, including its grantee organizations, provides
10 an open platform for international terrorists or those who
11 support international terrorism, or is in violation of the
12 principles and standards set forth in subsections (a) and
13 (b) of section 303 of the United States International
14 Broadcasting Act of 1994 (22 U.S.C. 6202) or the entity’s
15 journalistic code of ethics: *Provided further*, That signifi-
16 cant modifications to BBG broadcast hours previously jus-
17 tified to Congress, including changes to transmission plat-
18 forms (shortwave, medium wave, satellite, Internet, and
19 television), for all BBG language services shall be subject
20 to the regular notification procedures of the Committees
21 on Appropriations: *Provided further*, That in addition to
22 funds made available under this heading, and notwith-
23 standing any other provision of law, up to \$5,000,000 in
24 receipts from advertising and revenue from business ven-
25 tures, up to \$500,000 in receipts from cooperating inter-

1 national organizations, and up to \$1,000,000 in receipts
2 from privatization efforts of the Voice of America and the
3 International Broadcasting Bureau, shall remain available
4 until expended for carrying out authorized purposes.

5 BROADCASTING CAPITAL IMPROVEMENTS

6 For the purchase, rent, construction, repair, preser-
7 vation, and improvement of facilities for radio, television,
8 and digital transmission and reception; the purchase, rent,
9 and installation of necessary equipment for radio, tele-
10 vision, and digital transmission and reception, including
11 to Cuba, as authorized; and physical security worldwide,
12 in addition to amounts otherwise available for such pur-
13 poses, \$4,800,000, to remain available until expended, as
14 authorized.

15 RELATED PROGRAMS

16 THE ASIA FOUNDATION

17 For a grant to The Asia Foundation, as authorized
18 by The Asia Foundation Act (22 U.S.C. 4402),
19 \$17,000,000, to remain available until expended.

20 UNITED STATES INSTITUTE OF PEACE

21 For necessary expenses of the United States Institute
22 of Peace, as authorized by the United States Institute of
23 Peace Act (22 U.S.C. 4601 et seq.), \$35,300,000, to re-
24 main available until September 30, 2017, which shall not
25 be used for construction activities.

1 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE
2 TRUST FUND

3 For necessary expenses of the Center for Middle
4 Eastern-Western Dialogue Trust Fund, as authorized by
5 section 633 of the Departments of Commerce, Justice, and
6 State, the Judiciary, and Related Agencies Appropriations
7 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-
8 est and earnings accruing to such Fund on or before Sep-
9 tember 30, 2016, to remain available until expended.

10 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

11 For necessary expenses of Eisenhower Exchange Fel-
12 lowships, Incorporated, as authorized by sections 4 and
13 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
14 U.S.C. 5204–5205), all interest and earnings accruing to
15 the Eisenhower Exchange Fellowship Program Trust
16 Fund on or before September 30, 2016, to remain avail-
17 able until expended: *Provided*, That none of the funds ap-
18 propriated herein shall be used to pay any salary or other
19 compensation, or to enter into any contract providing for
20 the payment thereof, in excess of the rate authorized by
21 section 5376 of title 5, United States Code; or for pur-
22 poses which are not in accordance with section 200 of title
23 2 of the Code of Federal Regulations, including the re-
24 strictions on compensation for personal services.

1 ISRAELI ARAB SCHOLARSHIP PROGRAM

2 For necessary expenses of the Israeli Arab Scholar-
3 ship Program, as authorized by section 214 of the Foreign
4 Relations Authorization Act, Fiscal Years 1992 and 1993
5 (22 U.S.C. 2452), all interest and earnings accruing to
6 the Israeli Arab Scholarship Fund on or before September
7 30, 2016, to remain available until expended.

8 EAST-WEST CENTER

9 To enable the Secretary of State to provide for car-
10 rying out the provisions of the Center for Cultural and
11 Technical Interchange Between East and West Act of
12 1960, by grant to the Center for Cultural and Technical
13 Interchange Between East and West in the State of Ha-
14 waii, \$16,700,000.

15 NATIONAL ENDOWMENT FOR DEMOCRACY

16 For grants made by the Department of State to the
17 National Endowment for Democracy, as authorized by the
18 National Endowment for Democracy Act (22 U.S.C.
19 4412), \$170,000,000, to remain available until expended.

20 OTHER COMMISSIONS

21 COMMISSION FOR THE PRESERVATION OF AMERICA'S

22 HERITAGE ABROAD

23 SALARIES AND EXPENSES

24 For necessary expenses for the Commission for the
25 Preservation of America's Heritage Abroad, \$676,000, as

1 authorized by chapter 3123 of title 54, United States
 2 Code: *Provided*, That the Commission may procure tem-
 3 porary, intermittent, and other services notwithstanding
 4 paragraph (3) of section 312304(b) of such chapter: *Pro-*
 5 *vided further*, That such authority shall terminate on Oc-
 6 tober 1, 2016: *Provided further*, That the Commission
 7 shall consult with the Committees on Appropriations prior
 8 to exercising such authority.

9 UNITED STATES COMMISSION ON INTERNATIONAL
 10 RELIGIOUS FREEDOM
 11 SALARIES AND EXPENSES

12 For necessary expenses for the United States Com-
 13 mission on International Religious Freedom established in
 14 title II of the International Religious Freedom Act of 1998
 15 (22 U.S.C. 6431 et seq.), \$3,500,000, to remain available
 16 until September 30, 2017, including not more than \$4,000
 17 for representation expenses, subject to authorization.

18 COMMISSION ON SECURITY AND COOPERATION IN
 19 EUROPE
 20 SALARIES AND EXPENSES

21 For necessary expenses of the Commission on Secu-
 22 rity and Cooperation in Europe, as authorized by sections
 23 3001 et seq. of title 22, United States Code, \$2,579,000,
 24 including not more than \$4,000 for representation ex-
 25 penses, to remain available until September 30, 2017.

1 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE
2 PEOPLE’S REPUBLIC OF CHINA
3 SALARIES AND EXPENSES

4 For necessary expenses of the Congressional-Execu-
5 tive Commission on the People’s Republic of China, as au-
6 thorized by title III of the U.S.-China Relations Act of
7 2000 (22 U.S.C. 6911 et seq.), \$2,000,000, including not
8 more than \$3,000 for representation expenses, to remain
9 available until September 30, 2017.

10 UNITED STATES-CHINA ECONOMIC AND SECURITY
11 REVIEW COMMISSION
12 SALARIES AND EXPENSES

13 For necessary expenses of the United States-China
14 Economic and Security Review Commission, as authorized
15 by section 1238 of the Floyd D. Spence National Defense
16 Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),
17 \$3,500,000, including not more than \$4,000 for represen-
18 tation expenses, to remain available until September 30,
19 2017: *Provided*, That the authorities, requirements, limi-
20 tations, and conditions contained in the second through
21 sixth provisos under this heading in the Department of
22 State, Foreign Operations, and Related Programs Appro-
23 priations Act, 2010 (division F of Public Law 111–117)
24 shall continue in effect during fiscal year 2016 and shall

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 \$1,143,614,000, of which up to \$171,542,000 may remain
11 available until September 30, 2017: *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, \$168,300,000, 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 \$66,000,000, of which up to \$9,900,000 may remain
2 available until September 30, 2017, 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 \$2,798,000,000, to remain available until September 30,
17 2017, 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 and (7) family planning/reproductive health: *Provided fur-*
11 *ther*, That funds appropriated under this paragraph may
12 be made available for a United States contribution to
13 GAVI, the Vaccine Alliance: *Provided further*, That none
14 of the funds made available in this Act nor any unobli-
15 gated balances from prior appropriations Acts may be
16 made available to any organization or program which, as
17 determined by the President of the United States, sup-
18 ports or participates in the management of a program of
19 coercive abortion or involuntary sterilization: *Provided fur-*
20 *ther*, That any determination made under the previous
21 proviso must be made not later than 6 months after the
22 date of enactment of this Act, and must be accompanied
23 by the evidence and criteria utilized to make the deter-
24 mination: *Provided further*, That none of the funds made
25 available under this Act may be used to pay for the per-

1 formance of abortion as a method of family planning or
2 to motivate or coerce any person to practice abortions:
3 *Provided further*, That nothing in this paragraph shall be
4 construed to alter any existing statutory prohibitions
5 against abortion under section 104 of the Foreign Assist-
6 ance Act of 1961: *Provided further*, That none of the funds
7 made available under this Act may be used to lobby for
8 or against abortion: *Provided further*, That in order to re-
9 duce reliance on abortion in developing nations, funds
10 shall be available only to voluntary family planning
11 projects which offer, either directly or through referral to,
12 or information about access to, a broad range of family
13 planning methods and services, and that any such vol-
14 untary family planning project shall meet the following re-
15 quirements: (1) service providers or referral agents in the
16 project shall not implement or be subject to quotas, or
17 other numerical targets, of total number of births, number
18 of family planning acceptors, or acceptors of a particular
19 method of family planning (this provision shall not be con-
20 strued to include the use of quantitative estimates or indi-
21 cators for budgeting and planning purposes); (2) the
22 project shall not include payment of incentives, bribes,
23 gratuities, or financial reward to: (A) an individual in ex-
24 change for becoming a family planning acceptor; or (B)
25 program personnel for achieving a numerical target or

1 quota of total number of births, number of family planning
2 acceptors, or acceptors of a particular method of family
3 planning; (3) the project shall not deny any right or ben-
4 efit, including the right of access to participate in any pro-
5 gram of general welfare or the right of access to health
6 care, as a consequence of any individual's decision not to
7 accept family planning services; (4) the project shall pro-
8 vide family planning acceptors comprehensible information
9 on the health benefits and risks of the method chosen, in-
10 cluding those conditions that might render the use of the
11 method inadvisable and those adverse side effects known
12 to be consequent to the use of the method; and (5) the
13 project shall ensure that experimental contraceptive drugs
14 and devices and medical procedures are provided only in
15 the context of a scientific study in which participants are
16 advised of potential risks and benefits; and, not less than
17 60 days after the date on which the USAID Administrator
18 determines that there has been a violation of the require-
19 ments contained in paragraph (1), (2), (3), or (5) of this
20 proviso, or a pattern or practice of violations of the re-
21 quirements contained in paragraph (4) of this proviso, the
22 Administrator shall submit to the Committees on Appro-
23 priations a report containing a description of such viola-
24 tion and the corrective action taken by the Agency: *Pro-*
25 *vided further*, That in awarding grants for natural family

1 planning under section 104 of the Foreign Assistance Act
2 of 1961 no applicant shall be discriminated against be-
3 cause of such applicant's religious or conscientious com-
4 mitment to offer only natural family planning; and, addi-
5 tionally, all such applicants shall comply with the require-
6 ments of the previous proviso: *Provided further*, That for
7 purposes of this or any other Act authorizing or appro-
8 priating funds for the Department of State, foreign oper-
9 ations, and related programs, the term "motivate", as it
10 relates to family planning assistance, shall not be con-
11 strued to prohibit the provision, consistent with local law,
12 of information or counseling about all pregnancy options:
13 *Provided further*, That information provided about the use
14 of condoms as part of projects or activities that are funded
15 from amounts appropriated by this Act shall be medically
16 accurate and shall include the public health benefits and
17 failure rates of such use.

18 In addition, for necessary expenses to carry out the
19 provisions of the Foreign Assistance Act of 1961 for the
20 prevention, treatment, and control of, and research on,
21 HIV/AIDS, \$5,670,000,000, to remain available until
22 September 30, 2020, which shall be apportioned directly
23 to the Department of State: *Provided*, That funds appro-
24 priated under this paragraph may be made available, not-
25 withstanding any other provision of law, except for the

1 United States Leadership Against HIV/AIDS, Tuber-
2 culosis, and Malaria Act of 2003 (Public Law 108–25),
3 as amended, for a United States contribution to the Global
4 Fund to Fight AIDS, Tuberculosis and Malaria (Global
5 Fund), and shall be expended at the minimum rate nec-
6 essary to make timely payment for projects and activities:
7 *Provided further*, That the amount of such contribution
8 should be \$1,350,000,000: *Provided further*, That
9 amounts specified for such a contribution in this Act or
10 in the Department of State, Foreign Operations, and Re-
11 lated Programs Appropriations Act, 2015 (division J of
12 Public Law 113–235) may be made available notwith-
13 standing section 202(d)(4)(A)(i) of Public Law 108–25:
14 *Provided further*, That up to 5 percent of the aggregate
15 amount of funds made available to the Global Fund in
16 fiscal year 2016 may be made available to USAID for
17 technical assistance related to the activities of the Global
18 Fund: *Provided further*, That of the funds appropriated
19 under this paragraph, up to \$17,000,000 may be made
20 available, in addition to amounts otherwise available for
21 such purposes, for administrative expenses of the Office
22 of the United States Global AIDS Coordinator.

23 DEVELOPMENT ASSISTANCE

24 For necessary expenses to carry out the provisions
25 of sections 103, 105, 106, 214, and sections 251 through

1 255, and chapter 10 of part I of the Foreign Assistance
2 Act of 1961, \$2,637,854,000, to remain available until
3 September 30, 2017.

4 INTERNATIONAL DISASTER ASSISTANCE

5 For necessary expenses to carry out the provisions
6 of section 491 of the Foreign Assistance Act of 1961 for
7 international disaster relief, rehabilitation, and recon-
8 struction assistance, \$560,000,000, to remain available
9 until expended.

10 TRANSITION INITIATIVES

11 For necessary expenses for international disaster re-
12 habilitation and reconstruction assistance pursuant to sec-
13 tion 491 of the Foreign Assistance Act of 1961,
14 \$47,000,000, to remain available until expended, to sup-
15 port transition to democracy and long-term development
16 for countries in crisis: *Provided*, That such support may
17 include assistance to develop, strengthen, or preserve
18 democratic institutions and processes, revitalize basic in-
19 frastructure, and foster the peaceful resolution of conflict:
20 *Provided further*, That the USAID Administrator shall
21 submit a report to the Committees on Appropriations at
22 least 5 days prior to beginning a new program of assist-
23 ance: *Provided further*, That if the Secretary of State de-
24 termines that it is important to the national interest of
25 the United States to provide transition assistance in ex-

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

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COMPLEX CRISES FUND
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions
of the Foreign Assistance Act of 1961 to support pro-
grams and activities to prevent or respond to emerging
or unforeseen foreign challenges and complex crises over-
seas, \$30,000,000, to remain available until expended:
Provided, That funds appropriated under this heading
may be made available on such terms and conditions as
are appropriate and necessary for the purposes of pre-
venting or responding to such challenges and crises, except
that no funds shall be made available for lethal assistance
or to respond to natural disasters: *Provided further*, That
funds appropriated under this heading may be made avail-
able notwithstanding any other provision of law, except
sections 7007, 7008, and 7018 of this Act and section

1 620M of the Foreign Assistance Act of 1961: *Provided*
2 *further*, That funds appropriated under this heading may
3 be used for administrative expenses, in addition to funds
4 otherwise made available for such purposes, except that
5 such expenses may not exceed 5 percent of the funds ap-
6 propriated under this heading: *Provided further*, That
7 funds appropriated under this heading shall be subject to
8 the regular notification procedures of the Committees on
9 Appropriations, except that such notifications shall be
10 transmitted at least 5 days prior to the obligation of
11 funds.

12 DEVELOPMENT CREDIT AUTHORITY

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

1 of part I of such Act: *Provided further*, That such costs,
2 including the cost of modifying such direct and guaranteed
3 loans, shall be as defined in section 502 of the Congres-
4 sional Budget Act of 1974, as amended: *Provided further*,
5 That funds made available by this paragraph may be used
6 for the cost of modifying any such guaranteed loans under
7 this Act or prior Acts making appropriations for the De-
8 partment of State, foreign operations, and related pro-
9 grams, and funds used for such costs shall be subject to
10 the regular notification procedures of the Committees on
11 Appropriations: *Provided further*, That the provisions of
12 section 107A(d) (relating to general provisions applicable
13 to the Development Credit Authority) of the Foreign As-
14 sistance Act of 1961, as contained in section 306 of H.R.
15 1486 as reported by the House Committee on Inter-
16 national Relations on May 9, 1997, shall be applicable to
17 direct loans and loan guarantees provided under this head-
18 ing, except that the principal amount of loans made or
19 guaranteed under this heading with respect to any single
20 country shall not exceed \$300,000,000: *Provided further*,
21 That these funds are available to subsidize total loan prin-
22 cipal, any portion of which is to be guaranteed, of up to
23 \$1,500,000,000.

24 In addition, for administrative expenses to carry out
25 credit programs administered by USAID, \$8,120,000,

1 which may be transferred to, and merged with, funds
2 made available under the heading “Operating Expenses”
3 in title II of this Act: *Provided*, That funds made available
4 under this heading shall remain available until September
5 30, 2018.

6 ECONOMIC SUPPORT FUND

7 For necessary expenses to carry out the provisions
8 of chapter 4 of part II of the Foreign Assistance Act of
9 1961, \$1,991,070,000, to remain available until Sep-
10 tember 30, 2017.

11 DEMOCRACY FUND

12 For necessary expenses to carry out the provisions
13 of the Foreign Assistance Act of 1961 for the promotion
14 of democracy globally, \$140,500,000, to remain available
15 until September 30, 2017.

16 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

17 For necessary expenses to carry out the provisions
18 of the Foreign Assistance Act of 1961, the FREEDOM
19 Support Act (Public Law 102–511), and the Support for
20 Eastern European Democracy (SEED) Act of 1989 (Pub-
21 lic Law 101–179), \$443,061,000, to remain available until
22 September 30, 2017, which shall be available, notwith-
23 standing any other provision of law, except section 7070
24 of this Act, for assistance and related programs for coun-
25 tries identified in section 3 of Public Law 102–511 and

1 section 3(c) of Public Law 101–179, in addition to funds
2 otherwise available for such purposes: *Provided*, That
3 funds appropriated by this Act under the heading “Global
4 Health Programs” for assistance for such countries shall
5 be administered in accordance with the responsibilities of
6 the coordinator designated pursuant to section 102 of
7 Public Law 102–511 and section 601 of Public Law 101–
8 179: *Provided further*, That funds appropriated under this
9 heading shall be considered to be economic assistance
10 under the Foreign Assistance Act of 1961 for purposes
11 of making available the administrative authorities con-
12 tained in that Act for the use of economic assistance.

13 DEPARTMENT OF STATE

14 MIGRATION AND REFUGEE ASSISTANCE

15 For necessary expenses not otherwise provided for,
16 to enable the Secretary of State to carry out the provisions
17 of section 2(a) and (b) of the Migration and Refugee As-
18 sistance Act of 1962, and other activities to meet refugee
19 and migration needs; salaries and expenses of personnel
20 and dependents as authorized by the Foreign Service Act
21 of 1980; allowances as authorized by sections 5921
22 through 5925 of title 5, United States Code; purchase and
23 hire of passenger motor vehicles; and services as author-
24 ized by section 3109 of title 5, United States Code,
25 \$931,886,000, to remain available until expended, of

1 which not less than \$35,000,000 shall be made available
2 to respond to small-scale emergency humanitarian require-
3 ments, and \$10,000,000 shall be made available for refu-
4 gees resettling in Israel.

5 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
6 ASSISTANCE FUND

7 For necessary expenses to carry out the provisions
8 of section 2(c) of the Migration and Refugee Assistance
9 Act of 1962, as amended (22 U.S.C. 2601(c)),
10 \$50,000,000, to remain available until expended.

11 INDEPENDENT AGENCIES

12 PEACE CORPS

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses to carry out the provisions
15 of the Peace Corps Act (22 U.S.C. 2501 et seq.), including
16 the purchase of not to exceed five passenger motor vehicles
17 for administrative purposes for use outside of the United
18 States, \$379,500,000, of which \$5,150,000 is for the Of-
19 fice of Inspector General, to remain available until Sep-
20 tember 30, 2017: *Provided*, That the Director of the Peace
21 Corps may transfer to the Foreign Currency Fluctuations
22 Account, as authorized by section 16 of the Peace Corps
23 Act (22 U.S.C. 2515), an amount not to exceed
24 \$5,000,000: *Provided further*, That funds transferred pur-
25 suant to the previous proviso may not be derived from

1 amounts made available for Peace Corps overseas oper-
2 ations: *Provided further*, That of the funds appropriated
3 under this heading, not to exceed \$104,000 may be avail-
4 able for representation expenses, of which not to exceed
5 \$4,000 may be made available for entertainment expenses:
6 *Provided further*, That any decision to open, close, signifi-
7 cantly reduce, or suspend a domestic or overseas office or
8 country program shall be subject to prior consultation
9 with, and the regular notification procedures of, the Com-
10 mittees on Appropriations, except that prior consultation
11 and regular notification procedures may be waived when
12 there is a substantial security risk to volunteers or other
13 Peace Corps personnel, pursuant to section 7015(e) of this
14 Act: *Provided further*, That none of the funds appropriated
15 under this heading shall be used to pay for abortions: *Pro-*
16 *vided further*, That notwithstanding the previous proviso,
17 section 614 of division E of Public Law 113–76 shall
18 apply to funds appropriated under this heading.

19 MILLENNIUM CHALLENGE CORPORATION

20 For necessary expenses to carry out the provisions
21 of the Millennium Challenge Act of 2003 (22 U.S.C. 7701
22 et seq.) (MCA), \$901,000,000, to remain available until
23 expended: *Provided*, That of the funds appropriated under
24 this heading, up to \$105,000,000 may be available for ad-
25 ministrative expenses of the Millennium Challenge Cor-

1 poration (the Corporation): *Provided further*, That up to
2 5 percent of the funds appropriated under this heading
3 may be made available to carry out the purposes of section
4 616 of the MCA for fiscal year 2016: *Provided further*,
5 That section 605(e) of the MCA shall apply to funds ap-
6 propriated under this heading: *Provided further*, That
7 funds appropriated under this heading may be made avail-
8 able for a Millennium Challenge Compact entered into
9 pursuant to section 609 of the MCA only if such Compact
10 obligates, or contains a commitment to obligate subject to
11 the availability of funds and the mutual agreement of the
12 parties to the Compact to proceed, the entire amount of
13 the United States Government funding anticipated for the
14 duration of the Compact: *Provided further*, That the Chief
15 Executive Officer of the Corporation shall notify the Com-
16 mittees on Appropriations not later than 15 days prior to
17 commencing negotiations for any country compact or
18 threshold country program; signing any such compact or
19 threshold program; or terminating or suspending any such
20 compact or threshold program: *Provided further*, That
21 funds appropriated under this heading by this Act and
22 prior Acts making appropriations for the Department of
23 State, foreign operations, and related programs that are
24 available to implement section 609(g) of the MCA shall
25 be subject to the regular notification procedures of the

1 Committees on Appropriations: *Provided further*, That no
2 country should be eligible for a threshold program after
3 such country has completed a country compact: *Provided*
4 *further*, That any funds that are deobligated from a Mil-
5 lennium Challenge Compact shall be subject to the regular
6 notification procedures of the Committees on Appropria-
7 tions prior to re-obligation: *Provided further*, That not-
8 withstanding section 606(a)(2) of the MCA, a country
9 shall be a candidate country for purposes of eligibility for
10 assistance for the fiscal year if the country has a per cap-
11 ita income equal to or below the World Bank's lower mid-
12 dle income country threshold for the fiscal year and is
13 among the 75 lowest per capita income countries as identi-
14 fied by the World Bank; and the country meets the re-
15 quirements of section 606(a)(1)(B) of the MCA: *Provided*
16 *further*, That notwithstanding section 606(b)(1) of the
17 MCA, in addition to countries described in the preceding
18 proviso, a country shall be a candidate country for pur-
19 poses of eligibility for assistance for the fiscal year if the
20 country has a per capita income equal to or below the
21 World Bank's lower middle income country threshold for
22 the fiscal year and is not among the 75 lowest per capita
23 income countries as identified by the World Bank; and the
24 country meets the requirements of section 606(a)(1)(B)
25 of the MCA: *Provided further*, That any Millennium Chal-

1 lence Corporation candidate country under section 606 of
2 the MCA with a per capita income that changes in the
3 fiscal year such that the country would be reclassified
4 from a low income country to a lower middle income coun-
5 try or from a lower middle income country to a low income
6 country shall retain its candidaey status in its former in-
7 come classification for the fiscal year and the 2 subsequent
8 fiscal years: *Provided further*, That in this fiscal year and
9 hereafter, publication in the Federal Register of a notice
10 of availability of a copy of a Compact on the Millennium
11 Challenge Corporation Web site shall be deemed to satisfy
12 the requirements of section 610(b)(2) of the MCA for such
13 Compact: *Provided further*, That none of the funds made
14 available by this Act or prior Acts making appropriations
15 for the Department of State, foreign operations, and re-
16 lated programs shall be available for a threshold program
17 in a country that is not currently a candidate country:
18 *Provided further*, That of the funds appropriated under
19 this heading, not to exceed \$100,000 may be available for
20 representation and entertainment expenses, of which not
21 to exceed \$5,000 may be available for entertainment ex-
22 penses.

23 INTER-AMERICAN FOUNDATION

24 For necessary expenses to carry out the functions of
25 the Inter-American Foundation in accordance with the

1 provisions of section 401 of the Foreign Assistance Act
2 of 1969, \$22,500,000, to remain available until September
3 30, 2017: *Provided*, That of the funds appropriated under
4 this heading, not to exceed \$2,000 may be available for
5 representation expenses.

6 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

7 For necessary expenses to carry out title V of the
8 International Security and Development Cooperation Act
9 of 1980 (Public Law 96–533), \$30,000,000, to remain
10 available until September 30, 2017, of which not to exceed
11 \$2,000 may be available for representation expenses: *Pro-*
12 *vided*, That funds made available to grantees may be in-
13 vested pending expenditure for project purposes when au-
14 thorized by the Board of Directors of the United States
15 African Development Foundation (USADF): *Provided fur-*
16 *ther*, That interest earned shall be used only for the pur-
17 poses for which the grant was made: *Provided further*,
18 That notwithstanding section 505(a)(2) of the African De-
19 velopment Foundation Act, in exceptional circumstances
20 the Board of Directors of the USADF may waive the
21 \$250,000 limitation contained in that section with respect
22 to a project and a project may exceed the limitation by
23 up to 10 percent if the increase is due solely to foreign
24 currency fluctuation: *Provided further*, That the USADF
25 shall submit a report to the Committees on Appropriations

1 after each time such waiver authority is exercised: *Pro-*
2 *vided further*, That the USADF may make rent or lease
3 payments in advance from appropriations available for
4 such purpose for offices, buildings, grounds, and quarters
5 in Africa as may be necessary to carry out its functions:
6 *Provided further*, That the USADF may maintain bank
7 accounts outside the United States Treasury and retain
8 any interest earned on such accounts, in furtherance of
9 the purposes of the African Foundation Development Act:
10 *Provided further*, That the USADF may not withdraw any
11 appropriation from the Treasury prior to the need of
12 spending such funds for program purposes.

13 DEPARTMENT OF THE TREASURY

14 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

15 For necessary expenses to carry out the provisions
16 of section 129 of the Foreign Assistance Act of 1961,
17 \$23,500,000, to remain available until September 30,
18 2018, which shall be available notwithstanding any other
19 provision of law.

1 TITLE IV
2 INTERNATIONAL SECURITY ASSISTANCE
3 DEPARTMENT OF STATE
4 INTERNATIONAL NARCOTICS CONTROL AND LAW
5 ENFORCEMENT

6 For necessary expenses to carry out section 481 of
7 the Foreign Assistance Act of 1961, \$735,701,000, to re-
8 main available until September 30, 2017: *Provided*, That
9 the provision of assistance by any other United States
10 Government department or agency which is comparable to
11 assistance that may be made available under this heading,
12 but which is provided under any other provision of law,
13 should be provided only with the concurrence of the Sec-
14 retary of State and in accordance with the provisions of
15 sections 481(b) and 622(c) of the Foreign Assistance Act
16 of 1961: *Provided further*, That the Department of State
17 may use the authority of section 608 of the Foreign As-
18 sistance Act of 1961, without regard to its restrictions,
19 to receive excess property from an agency of the United
20 States Government for the purpose of providing such
21 property to a foreign country or international organization
22 under chapter 8 of part I of that Act, subject to the reg-
23 ular notification procedures of the Committees on Appro-
24 priations: *Provided further*, That section 482(b) of the
25 Foreign Assistance Act of 1961 shall not apply to funds

1 appropriated under this heading, except that any funds
2 made available notwithstanding such section shall be sub-
3 ject to the regular notification procedures of the Commit-
4 tees on Appropriations.

5 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
6 RELATED PROGRAMS

7 For necessary expenses for nonproliferation, anti-ter-
8 rorism, demining and related programs and activities,
9 \$474,187,000, to remain available until September 30,
10 2017, to carry out the provisions of chapter 8 of part II
11 of the Foreign Assistance Act of 1961 for anti-terrorism
12 assistance, chapter 9 of part II of the Foreign Assistance
13 Act of 1961, section 504 of the FREEDOM Support Act,
14 section 23 of the Arms Export Control Act, or the Foreign
15 Assistance Act of 1961 for demining activities, the clear-
16 ance of unexploded ordnance, the destruction of small
17 arms, and related activities, notwithstanding any other
18 provision of law, including activities implemented through
19 nongovernmental and international organizations, and sec-
20 tion 301 of the Foreign Assistance Act of 1961 for a vol-
21 untary contribution to the International Atomic Energy
22 Agency (IAEA), and for a United States contribution to
23 the Comprehensive Nuclear Test Ban Treaty Preparatory
24 Commission: *Provided*, That for the clearance of
25 unexploded ordnance, the Secretary of State should

1 prioritize those areas where such ordnance was caused by
2 the United States: *Provided further*, That funds made
3 available under this heading for the Nonproliferation and
4 Disarmament Fund shall be available notwithstanding any
5 other provision of law and subject to prior consultation
6 with, and the regular notification procedures of, the Com-
7 mittees on Appropriations, to promote bilateral and multi-
8 lateral activities relating to nonproliferation, disar-
9 mament, and weapons destruction, and shall remain avail-
10 able until expended: *Provided further*, That such funds
11 may also be used for such countries other than the inde-
12 pendent states of the former Soviet Union and inter-
13 national organizations when it is in the national security
14 interest of the United States to do so: *Provided further*,
15 That funds appropriated under this heading may be made
16 available for the IAEA unless the Secretary of State deter-
17 mines that Israel is being denied its right to participate
18 in the activities of that Agency: *Provided further*, That
19 funds made available for conventional weapons destruction
20 programs, including demining and related activities, in ad-
21 dition to funds otherwise available for such purposes, may
22 be used for administrative expenses related to the oper-
23 ation and management of such programs and activities.

1 PEACEKEEPING OPERATIONS

2 For necessary expenses to carry out the provisions
3 of section 551 of the Foreign Assistance Act of 1961,
4 \$166,700,000: *Provided*, That funds appropriated under
5 this heading may be used, notwithstanding section 660 of
6 such Act, to provide assistance to enhance the capacity
7 of foreign civilian security forces, including gendarmes, to
8 participate in peacekeeping operations: *Provided further*,
9 That of the funds appropriated under this heading, not
10 less than \$35,000,000 shall be made available for a United
11 States contribution to the Multinational Force and Ob-
12 servers mission in the Sinai: *Provided further*, That none
13 of the funds appropriated under this heading shall be obli-
14 gated except as provided through the regular notification
15 procedures of the Committees on Appropriations.

16 FUNDS APPROPRIATED TO THE PRESIDENT

17 INTERNATIONAL MILITARY EDUCATION AND TRAINING

18 For necessary expenses to carry out the provisions
19 of section 541 of the Foreign Assistance Act of 1961,
20 \$107,587,000, of which up to \$4,000,000 may remain
21 available until September 30, 2017, and may only be pro-
22 vided through the regular notification procedures of the
23 Committees on Appropriations: *Provided*, That the civilian
24 personnel for whom military education and training may
25 be provided under this heading may include civilians who

1 are not members of a government whose participation
2 would contribute to improved civil-military relations, civil-
3 ian control of the military, or respect for human rights:
4 *Provided further*, That of the funds appropriated under
5 this heading, not to exceed \$55,000 may be available for
6 entertainment expenses.

7 FOREIGN MILITARY FINANCING PROGRAM

8 For necessary expenses for grants to enable the
9 President to carry out the provisions of section 23 of the
10 Arms Export Control Act, \$4,543,934,000: *Provided*,
11 That to expedite the provision of assistance to foreign
12 countries and international organizations, the Secretary of
13 State, following consultation with the Committees on Ap-
14 propriations and subject to the regular notification proce-
15 dures of such Committees, may use the funds appro-
16 priated under this heading to procure defense articles and
17 services to enhance the capacity of foreign security forces:
18 *Provided further*, That of the funds appropriated under
19 this heading, not less than \$3,100,000,000 shall be avail-
20 able for grants only for Israel, and funds are available for
21 assistance for Jordan and Egypt subject to section 7041
22 of this Act: *Provided further*, That the funds appropriated
23 under this heading for assistance for Israel shall be dis-
24 bursed within 30 days of enactment of this Act: *Provided*
25 *further*, That to the extent that the Government of Israel

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

23 None of the funds made available under this heading
24 shall be available to finance the procurement of defense
25 articles, defense services, or design and construction serv-

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

1 \$63,945,000 of the funds appropriated under this heading
2 may be obligated for necessary expenses, including the
3 purchase of passenger motor vehicles for replacement only
4 for use outside of the United States, for the general costs
5 of administering military assistance and sales, except that
6 this limitation may be exceeded only through the regular
7 notification procedures of the Committees on Appropria-
8 tions: *Provided further*, That of the funds made available
9 under this heading for general costs of administering mili-
10 tary assistance and sales, not to exceed \$4,000 may be
11 available for entertainment expenses and not to exceed
12 \$130,000 may be available for representation expenses:
13 *Provided further*, That not more than \$904,000,000 of
14 funds realized pursuant to section 21(e)(1)(A) of the Arms
15 Export Control Act may be obligated for expenses incurred
16 by the Department of Defense during fiscal year 2016
17 pursuant to section 43(b) of the Arms Export Control Act,
18 except that this limitation may be exceeded only through
19 the regular notification procedures of the Committees on
20 Appropriations.

1 TITLE V
2 MULTILATERAL ASSISTANCE
3 FUNDS APPROPRIATED TO THE PRESIDENT
4 INTERNATIONAL ORGANIZATIONS AND PROGRAMS
5 For necessary expenses to carry out the provisions
6 of section 301 of the Foreign Assistance Act of 1961, and
7 of section 2 of the United Nations Environment Program
8 Participation Act of 1973, \$339,000,000: *Provided*, That
9 section 307(a) of the Foreign Assistance Act of 1961 shall
10 not apply to contributions to the United Nations Democ-
11 racy Fund.

12 INTERNATIONAL FINANCIAL INSTITUTIONS
13 GLOBAL ENVIRONMENT FACILITY
14 For payment to the International Bank for Recon-
15 struction and Development as trustee for the Global Envi-
16 ronment Facility by the Secretary of the Treasury,
17 \$84,132,000, to remain available until expended.

18 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
19 ASSOCIATION
20 For payment to the International Development Asso-
21 ciation by the Secretary of the Treasury, \$645,300,000,
22 to remain available until expended.

1 CONTRIBUTION TO THE INTERNATIONAL BANK FOR
2 RECONSTRUCTION AND DEVELOPMENT

3 For payment to the International Bank for Recon-
4 struction and Development by the Secretary of the Treas-
5 ury for the United States share of the paid-in portion of
6 the increases in capital stock, \$96,460,000, to remain
7 available until expended.

8 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

9 The United States Governor of the International
10 Bank for Reconstruction and Development may subscribe
11 without fiscal year limitation to the callable capital portion
12 of the United States share of increases in capital stock
13 in an amount not to exceed \$2,928,990,899.

14 CONTRIBUTION TO THE CLEAN TECHNOLOGY FUND

15 For payment to the International Bank for Recon-
16 struction and Development as trustee for the Clean Tech-
17 nology Fund by the Secretary of the Treasury,
18 \$85,340,000, to remain available until expended.

19 CONTRIBUTION TO THE STRATEGIC CLIMATE FUND

20 For payment to the International Bank for Recon-
21 struction and Development as trustee for the Strategic
22 Climate Fund by the Secretary of the Treasury,
23 \$29,810,000, to remain available until expended.

1 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT
2 BANK

3 For payment to the Inter-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, \$51,010,000, to remain available until ex-
7 pended.

8 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

9 The United States Governor of the Inter-American
10 Development Bank may subscribe without fiscal year limi-
11 tation to the callable capital portion of the United States
12 share of such capital stock in an amount not to exceed
13 \$4,098,794,833.

14 CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

15 For payment to the Asian Development Bank by the
16 Secretary of the Treasury for the United States share of
17 the paid-in portion of increase in capital stock,
18 \$5,608,000, to remain available until expended.

19 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

20 For payment to the Asian Development Bank's Asian
21 Development Fund by the Secretary of the Treasury,
22 \$83,043,000, to remain available until expended.

23 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

24 For payment to the African Development Bank by
25 the Secretary of the Treasury for the United States share

1 of the paid-in portion of the increase in capital stock,
2 \$17,059,000, to remain available until expended.

3 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

9 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

10 For payment to the African Development Fund by
11 the Secretary of the Treasury, \$113,750,000, to remain
12 available until expended.

13 CONTRIBUTION TO THE INTERNATIONAL FUND FOR
14 AGRICULTURAL DEVELOPMENT

15 For payment to the International Fund for Agricul-
16 tural Development by the Secretary of the Treasury,
17 \$15,965,000, to remain available until expended.

18 GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

19 For payment to the Global Agriculture and Food Se-
20 curity Program by the Secretary of the Treasury,
21 \$21,500,000, to remain available until expended.

22 CONTRIBUTION TO THE NORTH AMERICAN DEVELOPMENT
23 BANK

24 For payment to the North American Development
25 Bank by the Secretary of the Treasury for the United

1 States share of the paid-in portion of the increase in cap-
2 ital stock, \$22,500,000, to remain available until ex-
3 pended.

4 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

5 The Secretary of the Treasury may subscribe without
6 fiscal year limitation to the callable capital portion of the
7 United States share of such capital stock in an amount
8 not to exceed \$255,000,000.

9 TITLE VI

10 EXPORT AND INVESTMENT ASSISTANCE

11 EXPORT-IMPORT BANK OF THE UNITED STATES

12 INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector
14 General in carrying out the provisions of the Inspector
15 General Act of 1978, as amended, \$6,000,000, to remain
16 available until September 30, 2017.

17 PROGRAM ACCOUNT

18 The Export-Import Bank (the Bank) of the United
19 States is authorized to make such expenditures within the
20 limits of funds and borrowing authority available to such
21 corporation, and in accordance with law, and to make such
22 contracts and commitments without regard to fiscal year
23 limitations, as provided by section 104 of the Government
24 Corporation Control Act, as may be necessary in carrying
25 out the program for the current fiscal year for such cor-

1 poration: *Provided*, That none of the funds available dur-
2 ing the current fiscal year may be used to make expendi-
3 tures, contracts, or commitments for the export of nuclear
4 equipment, fuel, or technology to any country, other than
5 a nuclear-weapon state as defined in Article IX of the
6 Treaty on the Non-Proliferation of Nuclear Weapons eligi-
7 ble to receive economic or military assistance under this
8 Act, that has detonated a nuclear explosive after the date
9 of the enactment of this Act: *Provided further*, That not
10 less than 20 percent of the aggregate loan, guarantee, and
11 insurance authority available to the Bank under this Act
12 should be used to finance exports directly by small busi-
13 ness concerns (as defined under section 3 of the Small
14 Business Act): *Provided further*, That not less than 10
15 percent of the aggregate loan, guarantee, and insurance
16 authority available to the Bank under this Act should be
17 used for renewable energy technologies or energy efficiency
18 technologies: *Provided further*, That notwithstanding sec-
19 tion 1(c) of Public Law 103–428, as amended, sections
20 1(a) and (b) of Public Law 103–428 shall remain in effect
21 through October 1, 2016.

22 ADMINISTRATIVE EXPENSES

23 For administrative expenses to carry out the direct
24 and guaranteed loan and insurance programs, including
25 hire of passenger motor vehicles and services as authorized

1 by section 3109 of title 5, United States Code, and not
2 to exceed \$30,000 for official reception and representation
3 expenses for members of the Board of Directors, not to
4 exceed \$106,250,000: *Provided*, That the Export-Import
5 Bank (the Bank) may accept, and use, payment or serv-
6 ices provided by transaction participants for legal, finan-
7 cial, or technical services in connection with any trans-
8 action for which an application for a loan, guarantee or
9 insurance commitment has been made: *Provided further*,
10 That notwithstanding subsection (b) of section 117 of the
11 Export Enhancement Act of 1992, subsection (a) thereof
12 shall remain in effect until September 30, 2016: *Provided*
13 *further*, That the Bank shall charge fees for necessary ex-
14 penses (including special services performed on a contract
15 or fee basis, but not including other personal services) in
16 connection with the collection of moneys owed the Bank,
17 repossession or sale of pledged collateral or other assets
18 acquired by the Bank in satisfaction of moneys owed the
19 Bank, or the investigation or appraisal of any property,
20 or the evaluation of the legal, financial, or technical as-
21 pects of any transaction for which an application for a
22 loan, guarantee, or insurance commitment has been made,
23 or systems infrastructure directly supporting transactions:
24 *Provided further*, That in addition to other funds appro-
25 priated for administrative expenses, such fees shall be

1 credited to this account for such purposes, to remain avail-
2 able until expended.

3 RECEIPTS COLLECTED

4 Receipts collected pursuant to the Export-Import
5 Bank Act of 1945, as amended, and the Federal Credit
6 Reform Act of 1990, as amended, in an amount not to
7 exceed the amount appropriated herein, shall be credited
8 as offsetting collections to this account: *Provided*, That the
9 sums herein appropriated from the General Fund shall be
10 reduced on a dollar-for-dollar basis by such offsetting col-
11 lections so as to result in a final fiscal year appropriation
12 from the General Fund estimated at \$0: *Provided further*,
13 That amounts collected in fiscal year 2016 in excess of
14 obligations, up to \$10,000,000 shall become available on
15 September 1, 2016, and shall remain available until Sep-
16 tember 30, 2019.

17 OVERSEAS PRIVATE INVESTMENT CORPORATION

18 NONCREDIT ACCOUNT

19 The Overseas Private Investment Corporation is au-
20 thorized to make, without regard to fiscal year limitations,
21 as provided by section 9104 of title 31, United States
22 Code, such expenditures and commitments within the lim-
23 its of funds available to it and in accordance with law as
24 may be necessary: *Provided*, That the amount available for
25 administrative expenses to carry out the credit and insur-

1 ance programs (including an amount for official reception
2 and representation expenses which shall not exceed
3 \$35,000) shall not exceed \$62,787,000: *Provided further,*
4 That project-specific transaction costs, including direct
5 and indirect costs incurred in claims settlements, and
6 other direct costs associated with services provided to spe-
7 cific investors or potential investors pursuant to section
8 234 of the Foreign Assistance Act of 1961, shall not be
9 considered administrative expenses for the purposes of this
10 heading.

11 PROGRAM ACCOUNT

12 For the cost of direct and guaranteed loans,
13 \$20,000,000, as authorized by section 234 of the Foreign
14 Assistance Act of 1961, to be derived by transfer from
15 the Overseas Private Investment Corporation Noncredit
16 Account: *Provided,* That such costs, including the cost of
17 modifying such loans, shall be as defined in section 502
18 of the Congressional Budget Act of 1974: *Provided fur-*
19 *ther,* That such sums shall be available for direct loan obli-
20 gations and loan guaranty commitments incurred or made
21 during fiscal years 2016, 2017, and 2018: *Provided fur-*
22 *ther,* That funds so obligated in fiscal year 2016 remain
23 available for disbursement through 2024; funds obligated
24 in fiscal year 2017 remain available for disbursement
25 through 2025; and funds obligated in fiscal year 2018 re-

1 main available for disbursement through 2026: *Provided*
2 *further*, That notwithstanding any other provision of law,
3 the Overseas Private Investment Corporation is authorized
4 to undertake any program authorized by title IV of chap-
5 ter 2 of part I of the Foreign Assistance Act of 1961 in
6 Iraq: *Provided further*, That funds made available pursu-
7 ant to the authority of the previous proviso shall be subject
8 to the regular notification procedures of the Committees
9 on Appropriations.

10 In addition, such sums as may be necessary for ad-
11 ministrative expenses to carry out the credit program may
12 be derived from amounts available for administrative ex-
13 penses to carry out the credit and insurance programs in
14 the Overseas Private Investment Corporation Noncredit
15 Account and merged with said account.

16 TRADE AND DEVELOPMENT AGENCY

17 For necessary expenses to carry out the provisions
18 of section 661 of the Foreign Assistance Act of 1961,
19 \$60,000,000, to remain available until September 30,
20 2017: *Provided*, That of the funds appropriated under this
21 heading, not more than \$5,000 may be available for rep-
22 resentation and entertainment expenses.

1 TITLE VII
2 GENERAL PROVISIONS
3 ALLOWANCES AND DIFFERENTIALS
4 SEC. 7001. Funds appropriated under title I of this
5 Act shall be available, except as otherwise provided, for
6 allowances and differentials as authorized by subchapter
7 59 of title 5, United States Code; for services as author-
8 ized by section 3109 of such title and for hire of passenger
9 transportation pursuant to section 1343(b) of title 31,
10 United States Code.

11 UNOBLIGATED BALANCES REPORT
12 SEC. 7002. Any department or agency of the United
13 States Government to which funds are appropriated or
14 otherwise made available by this Act shall provide to the
15 Committees on Appropriations a quarterly accounting of
16 cumulative unobligated balances and obligated, but unex-
17 pended, balances by program, project, and activity, and
18 Treasury Account Fund Symbol of all funds received by
19 such department or agency in fiscal year 2016 or any pre-
20 vious fiscal year, disaggregated by fiscal year: *Provided*,
21 That the report required by this section should specify by
22 account the amount of funds obligated pursuant to bilat-
23 eral agreements which have not been further sub-obli-
24 gated.

1 CONSULTING SERVICES

2 SEC. 7003. The expenditure of any appropriation
3 under title I of this Act for any consulting service through
4 procurement contract, pursuant to section 3109 of title
5 5, United States Code, shall be limited to those contracts
6 where such expenditures are a matter of public record and
7 available for public inspection, except where otherwise pro-
8 vided under existing law, or under existing Executive
9 Order issued pursuant to existing law.

10 DIPLOMATIC FACILITIES

11 SEC. 7004. (a) CAPITAL SECURITY COST SHAR-
12 ING.—Of funds provided under title I of this Act, except
13 as provided in subsection (b), a project to construct a dip-
14 lomatic facility of the United States may not include office
15 space or other accommodations for an employee of a Fed-
16 eral agency or department if the Secretary of State deter-
17 mines that such department or agency has not provided
18 to the Department of State the full amount of funding
19 required by subsection (e) of section 604 of the Secure
20 Embassy Construction and Counterterrorism Act of 1999
21 (as enacted into law by section 1000(a)(7) of Public Law
22 106–113 and contained in appendix G of that Act; 113
23 Stat. 1501A–453), as amended by section 629 of the De-
24 partments of Commerce, Justice, and State, the Judiciary,
25 and Related Agencies Appropriations Act, 2005.

1 (b) EXCEPTION.—Notwithstanding the prohibition in
2 subsection (a), a project to construct a diplomatic facility
3 of the United States may include office space or other ac-
4 commodations for members of the United States Marine
5 Corps.

6 (c) NEW DIPLOMATIC FACILITIES.—For the pur-
7 poses of calculating the fiscal year 2016 costs of providing
8 new United States diplomatic facilities in accordance with
9 section 604(e) of the Secure Embassy Construction and
10 Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the
11 Secretary of State, in consultation with the Director of
12 the Office of Management and Budget, shall determine the
13 annual program level and agency shares in a manner that
14 is proportional to the Department of State’s contribution
15 for this purpose.

16 (d) CONSULTATION AND NOTIFICATION REQUIRE-
17 MENTS.—Funds appropriated by this Act and prior Acts
18 making appropriations for the Department of State, for-
19 eign operations, and related programs, which may be made
20 available for the acquisition of property or award of con-
21 struction contracts for overseas diplomatic facilities during
22 fiscal year 2016, shall be subject to prior consultation
23 with, and the regular notification procedures of, the Com-
24 mittees on Appropriations: *Provided*, That any such notifi-
25 cation for a new diplomatic facility justified to the Com-

1 mittees on Appropriations in Appendix I of the Congres-
2 sional Budget Justification, Department of State, Diplo-
3 matic Engagement, Fiscal Year 2016, or not previously
4 justified to such Committees, shall include confirmation
5 that the Department of State has completed the requisite
6 value engineering studies required pursuant to OMB Cir-
7 cular A-131, Value Engineering December 31, 2013 and
8 the Bureau of Overseas Building Operations Policy and
9 Procedure Directive, P&PD, PE/DE 03; Value Engineer-
10 ing, May 26, 2004.

11 (e) EXPEDITIONARY, INTERIM, AND TEMPORARY FA-
12 CILITIES ABROAD.—

13 (1) Funds appropriated by this Act under the
14 heading “Embassy Security, Construction, and
15 Maintenance” may be made available to address se-
16 curity vulnerabilities at expeditionary, interim, and
17 temporary facilities abroad, including physical secu-
18 rity upgrades and local guard staffing, except that
19 the amount of funds made available for such pur-
20 poses from this Act and prior Acts making appro-
21 priations for the Department of State, foreign oper-
22 ations, and related programs shall be a minimum of
23 \$25,000,000: *Provided*, That the uses of such funds
24 should be the responsibility of the Assistant Sec-
25 retary of State for the Bureau of Diplomatic Secu-

1 rity and Foreign Missions, in consultation with the
2 Director of the Bureau of Overseas Buildings Oper-
3 ations: *Provided further*, That such funds shall be
4 subject to prior consultation with the Committees on
5 Appropriations.

6 (2) Notwithstanding any other provision of law,
7 the opening, closure, or any significant modification
8 to an expeditionary, interim, or temporary diplo-
9 matic facility shall be subject to prior consultation
10 with the appropriate congressional committees and
11 the regular notification procedures of the Commit-
12 tees on Appropriations, except that such consulta-
13 tion and notification may be waived if there is a se-
14 curity risk to personnel.

15 (3) Not later than 60 days after enactment of
16 this Act, the Department of State shall document
17 standard operating procedures and best practices as-
18 sociated with the delivery, construction, and protec-
19 tion of temporary structures in high threat and con-
20 flict environments: *Provided*, That the Secretary of
21 State shall notify the Committees on Appropriations
22 after completing such documentation.

23 (f) FOREIGN AFFAIRS SECURITY TRAINING CEN-
24 TER.—

1 (1) None of the funds made available by this
2 Act and prior Acts making appropriations for the
3 Department of State, foreign operations, and related
4 programs may be obligated for design, site prepara-
5 tion or construction of a Foreign Affairs Security
6 Training Center (FASTC) at Fort Pickett, Virginia,
7 until each of the following occurs:

8 (A) The Secretary of State submits to the
9 appropriate congressional committees, the
10 Comptroller General of the United States, and
11 the Director of the Office of Management and
12 Budget a comprehensive cost-benefit analysis of
13 the construction of FASTC at Fort Pickett,
14 Virginia that includes, at a minimum, the fol-
15 lowing: a life-cycle cost estimate of construction,
16 maintenance, and sustainment of FASTC; an
17 estimate of the effect of FASTC on the total
18 cost associated with conducting security train-
19 ing for Department of State personnel and de-
20 pendents, as appropriate; and a detailed anal-
21 ysis that quantifies the impact of FASTC on
22 the training capacity and operational effective-
23 ness of Bureau of Diplomatic Security, Depart-
24 ment of State;

1 (B) The Comptroller General submits an
2 assessment of the analysis required by subpara-
3 graph (A) to the appropriate congressional com-
4 mittees on the methodology, analysis and con-
5 clusions of the report submitted by the Sec-
6 retary of State; and

7 (C) The Secretary of State, in consultation
8 with the Director of the Office of Management
9 and Budget, reviews the report required under
10 subparagraph (A) and the assessment required
11 under subparagraph (B), and certifies to the
12 appropriate congressional committees that the
13 construction of FASTC at Fort Pickett, Vir-
14 ginia would provide efficiencies and increases in
15 the training capacity and operational effective-
16 ness of the Bureau of Diplomatic Security com-
17 mensurate with the estimated life-cycle costs of
18 constructing, maintaining, and sustaining
19 FASTC.

20 (2) Not later than 180 days after the enact-
21 ment of this Act, the Secretary of State shall submit
22 the report required subparagraph (A), and not later
23 than 180 days after receiving such report, the
24 Comptroller General shall submit the assessment re-
25 quired under subparagraph (B).

1 (g) COMPLIANCE WITH THE VIENNA CONVENTION
2 ON DIPLOMATIC RELATIONS BY THE PEOPLE'S REPUBLIC
3 OF CHINA.—Not later than 30 days after enactment of
4 this Act, the Secretary of State shall determine and report
5 to the appropriate congressional committees the extent to
6 which the Government of the People's Republic of China
7 (PRC) has taken action to interfere with the repair and
8 renovation of United States diplomatic facilities in the
9 PRC during the past calendar year, including any action
10 taken in contravention of the Vienna Convention on Diplo-
11 matic Relations, 1961.

12 (h) TRANSFER AUTHORITY.—Funds appropriated
13 under the heading “Diplomatic and Consular Programs”,
14 including for Worldwide Security Protection, and under
15 the heading “Embassy Security, Construction, and Main-
16 tenance” in titles I and VIII of this Act may be trans-
17 ferred to, and merged with, funds appropriated by such
18 titles under such headings if the Secretary of State deter-
19 mines and reports to the Committees on Appropriations
20 that to do so is necessary to implement the recommenda-
21 tions of the Benghazi Accountability Review Board, or to
22 prevent or respond to security situations and require-
23 ments, following consultation with, and subject to the reg-
24 ular notification procedures of, such Committees: *Pro-*
25 *vided*, That such transfer authority is in addition to any

1 transfer authority otherwise available under any other pro-
2 vision of law.

3 PERSONNEL ACTIONS

4 SEC. 7005. Any costs incurred by a department or
5 agency funded under title I of this Act resulting from per-
6 sonnel actions taken in response to funding reductions in-
7 cluded in this Act shall be absorbed within the total budg-
8 etary resources available under title I to such department
9 or agency: *Provided*, That the authority to transfer funds
10 between appropriations accounts as may be necessary to
11 carry out this section is provided in addition to authorities
12 included elsewhere in this Act: *Provided further*, That use
13 of funds to carry out this section shall be treated as a
14 reprogramming of funds under section 7015 of this Act
15 and shall not be available for obligation or expenditure ex-
16 cept in compliance with the procedures set forth in that
17 section.

18 LOCAL GUARD CONTRACTS

19 SEC. 7006. In evaluating proposals for local guard
20 contracts, the Secretary of State shall award contracts in
21 accordance with section 136 of the Foreign Relations Au-
22 thorization Act, Fiscal Years 1990 and 1991 (22 U.S.C.
23 4864), except that the Secretary may grant authorization
24 to award such contracts on the basis of best value as de-
25 termined by a cost-technical tradeoff analysis (as de-

1 scribed in Federal Acquisition Regulation part 15.101),
2 notwithstanding subsection (c)(3) of such section: *Pro-*
3 *vided*, That the authority in this section shall apply to any
4 options for renewal that may be exercised under such con-
5 tracts that are awarded during the current fiscal year.

6 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
7 COUNTRIES

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

16 COUPS D'ÉTAT

17 SEC. 7008. None of the funds appropriated or other-
18 wise made available pursuant to titles III through VI of
19 this Act shall be obligated or expended to finance directly
20 any assistance to the government of any country whose
21 duly elected head of government is deposed by military
22 coup d'état or decree or, after the date of enactment of
23 this Act, a coup d'état or decree in which the military
24 plays a decisive role: *Provided*, That assistance may be re-
25 sumed to such government if the Secretary of State cer-

1 tifies and reports to the appropriate congressional commit-
2 tees that subsequent to the termination of assistance a
3 democratically elected government has taken office: *Pro-*
4 *vided further*, That the provisions of this section shall not
5 apply to assistance to promote democratic elections or
6 public participation in democratic processes: *Provided fur-*
7 *ther*, That funds made available pursuant to the previous
8 provisos shall be subject to the regular notification proce-
9 dures of the Committees on Appropriations.

10

TRANSFER AUTHORITY

11

SEC. 7009. (a) DEPARTMENT OF STATE AND BROAD-

12

CASTING BOARD OF GOVERNORS.—

13

(1) Not to exceed 5 percent of any appropria-

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tion made available for the current fiscal year for

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the Department of State under title I of this Act

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may be transferred between, and merged with, such

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appropriations, but no such appropriation, except as

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otherwise specifically provided, shall be increased by

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more than 10 percent by any such transfers, and no

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such transfer may be made to increase the appro-

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priation under the heading “Representation Ex-

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penses”.

23

(2) Not to exceed 5 percent of any appropria-

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tion made available for the current fiscal year for

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the Broadcasting Board of Governors under title I

1 of this Act may be transferred between, and merged
2 with, such appropriations, but no such appropria-
3 tion, except as otherwise specifically provided, shall
4 be increased by more than 10 percent by any such
5 transfers.

6 (3) Any transfer pursuant to this section shall
7 be treated as a reprogramming of funds under sub-
8 sections (a) and (b) of section 7015 of this Act and
9 shall not be available for obligation or expenditure
10 except in compliance with the procedures set forth in
11 that section.

12 (b) EXPORT FINANCING TRANSFER AUTHORITIES.—
13 Not to exceed 5 percent of any appropriation other than
14 for administrative expenses made available for fiscal year
15 2016, for programs under title VI of this Act may be
16 transferred between such appropriations for use for any
17 of the purposes, programs, and activities for which the
18 funds in such receiving account may be used, but no such
19 appropriation, except as otherwise specifically provided,
20 shall be increased by more than 25 percent by any such
21 transfer: *Provided*, That the exercise of such authority
22 shall be subject to the regular notification procedures of
23 the Committees on Appropriations.

24 (c) LIMITATION ON TRANSFERS BETWEEN AGEN-
25 CIES.—

1 (1) None of the funds made available under ti-
2 tles II through V of this Act may be transferred to
3 any department, agency, or instrumentality of the
4 United States Government, except pursuant to a
5 transfer made by, or transfer authority provided in,
6 this Act or any other appropriations Act.

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

15 (3) Any agreement entered into by the United
16 States Agency for International Development
17 (USAID) or the Department of State with any de-
18 partment, agency, or instrumentality of the United
19 States Government pursuant to section 632(b) of the
20 Foreign Assistance Act of 1961 valued in excess of
21 \$1,000,000 and any agreement made pursuant to
22 section 632(a) of such Act, with funds appropriated
23 by this Act and prior Acts making appropriations
24 for the Department of State, foreign operations, and
25 related programs under the headings “Global Health

1 Programs”, “Development Assistance”, “Economic
2 Support Fund”, and “Assistance for Europe, Eur-
3 asia and Central Asia” shall be subject to the reg-
4 ular notification procedures of the Committees on
5 Appropriations: *Provided*, That the requirement in
6 the previous sentence shall not apply to agreements
7 entered into between USAID and the Department of
8 State.

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

18 (e) AUDIT OF INTER-AGENCY TRANSFERS.—Any
19 agreement for the transfer or allocation of funds appro-
20 priated by this Act, or prior Acts, entered into between
21 the Department of State or USAID and another agency
22 of the United States Government under the authority of
23 section 632(a) of the Foreign Assistance Act of 1961 or
24 any comparable provision of law, shall expressly provide
25 that the Inspector General (IG) for the agency receiving

1 the transfer or allocation of such funds, or other entity
2 with audit responsibility if the receiving agency does not
3 have an IG, shall perform periodic program and financial
4 audits of the use of such funds: *Provided*, That such au-
5 dits shall be transmitted to the Committees on Appropria-
6 tions: *Provided further*, That funds transferred under such
7 authority may be made available for the cost of such au-
8 dits.

9 PROHIBITION ON FIRST-CLASS TRAVEL

10 SEC. 7010. None of the funds made available in this
11 Act may be used for first-class travel by employees of
12 agencies funded by this Act in contravention of sections
13 301–10.122 through 301–10.124 of title 41, Code of Fed-
14 eral Regulations.

15 AVAILABILITY OF FUNDS

16 SEC. 7011. No part of any appropriation contained
17 in this Act shall remain available for obligation after the
18 expiration of the current fiscal year unless expressly so
19 provided in this Act: *Provided*, That funds appropriated
20 for the purposes of chapters 1 and 8 of part I, section
21 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign
22 Assistance Act of 1961, section 23 of the Arms Export
23 Control Act, and funds provided under the headings “De-
24 velopment Credit Authority” and “Assistance for Europe,
25 Eurasia and Central Asia” shall remain available for an

1 additional 4 years from the date on which the availability
2 of such funds would otherwise have expired, if such funds
3 are initially obligated before the expiration of their respec-
4 tive periods of availability contained in this Act: *Provided*
5 *further*, That notwithstanding any other provision of this
6 Act, any funds made available for the purposes of chapter
7 1 of part I and chapter 4 of part II of the Foreign Assist-
8 ance Act of 1961 which are allocated or obligated for cash
9 disbursements in order to address balance of payments or
10 economic policy reform objectives, shall remain available
11 for an additional 4 years from the date on which the avail-
12 ability of such funds would otherwise have expired, if such
13 funds are initially allocated or obligated before the expira-
14 tion of their respective periods of availability contained in
15 this Act: *Provided further*, That the Secretary of State
16 shall provide a report to the Committees on Appropria-
17 tions at the beginning of each fiscal year, detailing by ac-
18 count and source year, the use of this authority during
19 the previous fiscal year.

20 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

21 SEC. 7012. No part of any appropriation provided
22 under titles III through VI in this Act shall be used to
23 furnish assistance to the government of any country which
24 is in default during a period in excess of 1 calendar year
25 in payment to the United States of principal or interest

1 on any loan made to the government of such country by
2 the United States pursuant to a program for which funds
3 are appropriated under this Act unless the President de-
4 termines, following consultations with the Committees on
5 Appropriations, that assistance for such country is in the
6 national interest of the United States.

7 PROHIBITION ON TAXATION OF UNITED STATES

8 ASSISTANCE

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

21 (b) REIMBURSEMENT OF FOREIGN TAXES.—An
22 amount equivalent to 200 percent of the total taxes as-
23 sessed during fiscal year 2016 on funds appropriated by
24 this Act by a foreign government or entity against United
25 States assistance programs for which funds are appro-

1 priated by this Act, either directly or through grantees,
2 contractors, and subcontractors shall be withheld from ob-
3 ligation from funds appropriated for assistance for fiscal
4 year 2017 and allocated for the central government of
5 such country and for the West Bank and Gaza program
6 to the extent that the Secretary of State certifies and re-
7 ports in writing to the Committees on Appropriations, not
8 later than September 30, 2017, that such taxes have not
9 been reimbursed to the Government of the United States.

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

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

21 (e) DETERMINATIONS.—

22 (1) The provisions of this section shall not
23 apply to any country or entity if the Secretary of
24 State reports to the Committees on Appropriations
25 that—

1 (A) such country or entity does not assess
2 taxes on United States assistance or has an ef-
3 fective arrangement that is providing substan-
4 tial reimbursement of such taxes; or

5 (B) the foreign policy interests of the
6 United States outweigh the purpose of this sec-
7 tion to ensure that United States assistance is
8 not subject to taxation.

9 (2) The Secretary of State shall consult with
10 the Committees on Appropriations at least 15 days
11 prior to exercising the authority of this subsection
12 with regard to any country or entity.

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

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

18 (1) the term “bilateral agreement” refers to a
19 framework bilateral agreement between the Govern-
20 ment of the United States and the government of
21 the country receiving assistance that describes the
22 privileges and immunities applicable to United
23 States foreign assistance for such country generally,
24 or an individual agreement between the Government
25 of the United States and such government that de-

1 scribes, among other things, the treatment for tax
2 purposes that will be accorded the United States as-
3 sistance provided under that agreement; and

4 (2) the term “taxes and taxation” shall include
5 value added taxes and customs duties but shall not
6 include individual income taxes assessed to local
7 staff.

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

14 RESERVATIONS OF FUNDS

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

1 made available under the same terms and conditions as
2 originally provided.

3 (b) EXTENSION OF AVAILABILITY.—In addition to
4 the authority contained in subsection (a), the original pe-
5 riod of availability of funds appropriated by this Act and
6 administered by the Department of State or the United
7 States Agency for International Development (USAID)
8 that are specifically designated for particular programs or
9 activities by this or any other Act may be extended for
10 an additional fiscal year if the Secretary of State or the
11 USAID Administrator, as appropriate, determines and re-
12 ports promptly to the Committees on Appropriations that
13 the termination of assistance to a country or a significant
14 change in circumstances makes it unlikely that such des-
15 ignated funds can be obligated during the original period
16 of availability: *Provided*, That such designated funds that
17 continue to be available for an additional fiscal year shall
18 be obligated only for the purpose of such designation.

19 (c) OTHER ACTS.—Ceilings and specifically des-
20 ignated funding levels contained in this Act shall not be
21 applicable to funds or authorities appropriated or other-
22 wise made available by any subsequent Act unless such
23 Act specifically so directs: *Provided*, That specifically des-
24 ignated funding levels or minimum funding requirements

1 contained in any other Act shall not be applicable to funds
2 appropriated by this Act.

3 NOTIFICATION REQUIREMENTS

4 SEC. 7015. (a) REPROGRAMMING OF FUNDS.—None
5 of the funds made available in titles I and II of this Act,
6 or in prior appropriations Acts to the agencies and depart-
7 ments funded by this Act that remain available for obliga-
8 tion or expenditure in fiscal year 2016, or provided from
9 any accounts in the Treasury of the United States derived
10 by the collection of fees or of currency reflows or other
11 offsetting collections, or made available by transfer, to the
12 agencies and departments funded by this Act, shall be
13 available for obligation or expenditure through a re-
14 programming of funds that—

- 15 (1) creates new programs;
- 16 (2) eliminates a program, project, or activity;
- 17 (3) increases funds or personnel by any means
18 for any project or activity for which funds have been
19 denied or restricted;
- 20 (4) relocates an office or employees;
- 21 (5) closes or opens a mission or post;
- 22 (6) creates, closes, reorganizes, or renames bu-
23 reaus, centers, or offices;
- 24 (7) reorganizes programs or activities; or

1 (8) contracts out or privatizes any functions or
2 activities presently performed by Federal employees;
3 unless the Committees on Appropriations are notified 15
4 days in advance of such reprogramming of funds: *Pro-*
5 *vided*, That unless previously justified to the Committees
6 on Appropriations, the requirements of this subsection
7 shall apply to all obligations of funds appropriated under
8 titles I and II of this Act for paragraphs (1), (2), (5),
9 and (6) of this subsection.

10 (b) LIMITATION.—None of the funds provided under
11 titles I and II of this Act, or provided under previous ap-
12 propriations Acts to the agency or department funded
13 under titles I and II of this Act that remain available for
14 obligation or expenditure in fiscal year 2016, or provided
15 from any accounts in the Treasury of the United States
16 derived by the collection of fees available to the agency
17 or department funded under title I of this Act, shall be
18 available for obligation or expenditure for activities, pro-
19 grams, or projects through a reprogramming of funds in
20 excess of \$1,000,000 or 10 percent, whichever is less,
21 that—

22 (1) augments existing programs, projects, or ac-
23 tivities;

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

4 (3) results from any general savings, including
5 savings from a reduction in personnel, which would
6 result in a change in existing programs, activities, or
7 projects as approved by Congress;

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

10 (c) NOTIFICATION REQUIREMENT.—None of the
11 funds made available by this Act under the headings
12 “Global Health Programs”, “Development Assistance”,
13 “International Organizations and Programs”, “Trade and
14 Development Agency”, “International Narcotics Control
15 and Law Enforcement”, “Economic Support Fund”, “De-
16 mocracy Fund”, “Assistance for Europe, Eurasia and
17 Central Asia”, “Peacekeeping Operations”, “Non-
18 proliferation, Anti-terrorism, Demining and Related Pro-
19 grams”, “Millennium Challenge Corporation”, “Foreign
20 Military Financing Program”, “International Military
21 Education and Training”, “Conflict Stabilization Oper-
22 ations”, and “Peace Corps”, shall be available for obliga-
23 tion for activities, programs, projects, type of materiel as-
24 sistance, countries, or other operations not justified or in
25 excess of the amount justified to the Committees on Ap-

1 appropriations for obligation under any of these specific
2 headings unless the Committees on Appropriations are no-
3 tified 15 days in advance: *Provided*, That the President
4 shall not enter into any commitment of funds appropriated
5 for the purposes of section 23 of the Arms Export Control
6 Act for the provision of major defense equipment, other
7 than conventional ammunition, or other major defense
8 items defined to be aircraft, ships, missiles, or combat ve-
9 hicles, not previously justified to Congress or 20 percent
10 in excess of the quantities justified to Congress unless the
11 Committees on Appropriations are notified 15 days in ad-
12 vance of such commitment: *Provided further*, That require-
13 ments of this subsection or any similar provision of this
14 or any other Act shall not apply to any reprogramming
15 for an activity, program, or project for which funds are
16 appropriated under titles III through VI of this Act of less
17 than 10 percent of the amount previously justified to Con-
18 gress for obligation for such activity, program, or project
19 for the current fiscal year.

20 (d) NOTIFICATION OF TRANSFER OF FUNDS.—Not-
21 withstanding any other provision of law, with the excep-
22 tion of funds transferred to, and merged with, funds ap-
23 propriated under title I of this Act, funds transferred by
24 the Department of Defense to the Department of State
25 and the United States Agency for International Develop-

1 ment for assistance for foreign countries and international
2 organizations, and funds made available for programs pre-
3 viously authorized under section 1206 of the National De-
4 fense Authorization Act for Fiscal Year 2006 (Public Law
5 109–163) or section 2282 of title 10, United States Code,
6 shall be subject to the regular notification procedures of
7 the Committees on Appropriations.

8 (e) WAIVER.—The requirements of this section or
9 any similar provision of this Act or any other Act, includ-
10 ing any prior Act requiring notification in accordance with
11 the regular notification procedures of the Committees on
12 Appropriations, may be waived if failure to do so would
13 pose a substantial risk to human health or welfare: *Pro-*
14 *vided*, That in case of any such waiver, notification to the
15 Committees on Appropriations shall be provided as early
16 as practicable, but in no event later than 3 days after tak-
17 ing the action to which such notification requirement was
18 applicable, in the context of the circumstances necessi-
19 tating such waiver: *Provided further*, That any notification
20 provided pursuant to such a waiver shall contain an expla-
21 nation of the emergency circumstances.

22 (f) COUNTRY NOTIFICATION REQUIREMENTS.—None
23 of the funds appropriated under titles III through VI of
24 this Act shall be obligated or expended for assistance for
25 Afghanistan, Bahrain, Bolivia, Burma, Cambodia, Cuba,

1 Ecuador, Egypt, Ethiopia, Guatemala, Haiti, Honduras,
2 Iran, Iraq, Lebanon, Libya, Pakistan, the Russian Fed-
3 eration, Rwanda, Serbia, Somalia, South Sudan, Sri
4 Lanka, Sudan, Syria, Uzbekistan, Venezuela, Yemen, and
5 Zimbabwe except as provided through the regular notifica-
6 tion procedures of the Committees on Appropriations.

7 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

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

1 such Committees shall also be informed of the original ac-
2 quisition cost of such defense articles.

3 LIMITATION ON AVAILABILITY OF FUNDS FOR
4 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

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

16 PROHIBITION ON FUNDING FOR ABORTIONS AND
17 INVOLUNTARY STERILIZATION

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

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

15 ALLOCATIONS

16 SEC. 7019. (a) REPORT TABLES.—Funds provided
17 by this Act shall be made available for programs and coun-
18 tries in the amounts specifically designated in the report
19 accompanying this Act, including such amounts in the re-
20 spective tables.

21 (b) LIMITED DEVIATION AUTHORITY.—For the pur-
22 poses of implementing this section and only with respect
23 to the amounts for programs and countries specifically
24 designated in the tables in the report accompanying this
25 Act, the Secretary of State, the Administrator of the

1 United States Agency for International Development, and
2 the Broadcasting Board of Governors, as appropriate, may
3 propose deviations to the amounts referenced in subsection
4 (a), subject to the regular notification procedures of the
5 Committees on Appropriations.

6 REPRESENTATION AND ENTERTAINMENT EXPENSES

7 SEC. 7020. (a) USES OF FUNDS.—Each Federal de-
8 partment, agency, or entity funded in titles I or II of this
9 Act, and the Department of the Treasury and independent
10 agencies funded in titles III or VI of this Act, shall take
11 steps to ensure that domestic and overseas representation
12 and entertainment expenses further official agency busi-
13 ness and United States foreign policy interests and are—

14 (1) primarily for fostering relations outside of
15 the Executive Branch;

16 (2) principally for meals and events of a pro-
17 tocol nature;

18 (3) not for employee-only events; and

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

21 (b) LIMITATIONS.—None of the funds appropriated
22 or otherwise made available by this Act under the head-
23 ings “International Military Education and Training” or
24 “Foreign Military Financing Program” for Informational
25 Program activities or under the headings “Global Health

1 Programs”, “Development Assistance”, “Economic Sup-
2 port Fund”, and “Assistance for Europe, Eurasia and
3 Central Asia” may be obligated or expended to pay for—

4 (1) alcoholic beverages; or

5 (2) entertainment expenses for activities that
6 are substantially of a recreational character, includ-
7 ing but not limited to entrance fees at sporting
8 events, theatrical and musical productions, and
9 amusement parks.

10 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

11 SUPPORTING INTERNATIONAL TERRORISM

12 SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-
13 PORTS.—

14 (1) PROHIBITION.—None of the funds appro-
15 priated or otherwise made available by titles III
16 through VI of this Act may be made available to any
17 foreign government which provides lethal military
18 equipment to a country the government of which the
19 Secretary of State determines and reports to the
20 Committees on Appropriations supports inter-
21 national terrorism for purposes of section 6(j) of the
22 Export Administration Act of 1979 as continued in
23 effect pursuant to the International Emergency Eco-
24 nomic Powers Act: *Provided*, That the prohibition
25 under this section with respect to a foreign govern-

1 ment shall terminate 12 months after the Secretary
2 determines and reports to such Committees that
3 such government ceases to provide such military
4 equipment: *Provided further*, That this section ap-
5 plies with respect to lethal military equipment pro-
6 vided under a contract entered into after October 1,
7 1997.

8 (2) DETERMINATION.—Assistance restricted by
9 paragraph (1) or any other similar provision of law,
10 may be furnished if the President determines that to
11 do so is important to the national interests of the
12 United States.

13 (3) REPORT.—Whenever the President makes a
14 determination pursuant to paragraph (2), the Presi-
15 dent shall submit to the Committees on Appropria-
16 tions a report with respect to the furnishing of such
17 assistance, including a detailed explanation of the
18 assistance to be provided, the estimated dollar
19 amount of such assistance, and an explanation of
20 how the assistance furthers United States national
21 interests.

22 (b) BILATERAL ASSISTANCE.—

23 (1) LIMITATIONS.—Funds appropriated for bi-
24 lateral assistance in titles III through VI of this Act
25 and funds appropriated under any such title in prior

1 Acts making appropriations for the Department of
2 State, foreign operations, and related programs,
3 shall not be made available to any foreign govern-
4 ment which the President determines—

5 (A) grants sanctuary from prosecution to
6 any individual or group which has committed
7 an act of international terrorism;

8 (B) otherwise supports international ter-
9 rorism; or

10 (C) is controlled by an organization des-
11 ignated as a terrorist organization under sec-
12 tion 219 of the Immigration and Nationality
13 Act.

14 (2) WAIVER.—The President may waive the ap-
15 plication of paragraph (1) to a government if the
16 President determines that national security or hu-
17 manitarian reasons justify such waiver: *Provided,*
18 That the President shall publish each such waiver in
19 the Federal Register and, at least 15 days before the
20 waiver takes effect, shall notify the Committees on
21 Appropriations of the waiver (including the justifica-
22 tion for the waiver) in accordance with the regular
23 notification procedures of the Committees on Appro-
24 priations.

1 AUTHORIZATION REQUIREMENTS

2 SEC. 7022. Funds appropriated by this Act, except
3 funds appropriated under the heading “Trade and Devel-
4 opment Agency”, may be obligated and expended notwith-
5 standing section 10 of Public Law 91–672, section 15 of
6 the State Department Basic Authorities Act of 1956, sec-
7 tion 313 of the Foreign Relations Authorization Act, Fis-
8 cal Years 1994 and 1995 (Public Law 103–236), and sec-
9 tion 504(a)(1) of the National Security Act of 1947 (50
10 U.S.C. 3094(a)(1)).

11 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

12 SEC. 7023. For the purpose of titles II through VI
13 of this Act “program, project, and activity” shall be de-
14 fined at the appropriations Act account level and shall in-
15 clude all appropriations and authorizations Acts funding
16 directives, ceilings, and limitations with the exception that
17 for the following accounts: “Economic Support Fund” and
18 “Foreign Military Financing Program”, “program,
19 project, and activity” shall also be considered to include
20 country, regional, and central program level funding with-
21 in each such account; and for the development assistance
22 accounts of the United States Agency for International
23 Development, “program, project, and activity” shall also
24 be considered to include central, country, regional, and
25 program level funding, either as—

- 1 (1) justified to Congress; or
- 2 (2) allocated by the Executive Branch in ac-
3 cordance with a report, to be provided to the Com-
4 mittees on Appropriations within 30 days of the en-
5 actment of this Act, as required by section 653(a)
6 of the Foreign Assistance Act of 1961.

7 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN
8 FOUNDATION AND UNITED STATES AFRICAN DEVEL-
9 OPMENT FOUNDATION

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

22 COMMERCE, TRADE AND SURPLUS COMMODITIES

23 SEC. 7025. (a) WORLD MARKETS.—None of the
24 funds appropriated or made available pursuant to titles
25 III through VI of this Act for direct assistance and none

1 of the funds otherwise made available to the Export-Im-
2 port Bank and the Overseas Private Investment Corpora-
3 tion shall be obligated or expended to finance any loan,
4 any assistance, or any other financial commitments for es-
5 tablishing or expanding production of any commodity for
6 export by any country other than the United States, if
7 the commodity is likely to be in surplus on world markets
8 at the time the resulting productive capacity is expected
9 to become operative and if the assistance will cause sub-
10 stantial injury to United States producers of the same,
11 similar, or competing commodity: *Provided*, That such
12 prohibition shall not apply to the Export-Import Bank if
13 in the judgment of its Board of Directors the benefits to
14 industry and employment in the United States are likely
15 to outweigh the injury to United States producers of the
16 same, similar, or competing commodity, and the Chairman
17 of the Board so notifies the Committees on Appropria-
18 tions: *Provided further*, That this subsection shall not pro-
19 hibit—

20 (1) activities in a country that is eligible for as-
21 sistance from the International Development Asso-
22 ciation, is not eligible for assistance from the Inter-
23 national Bank for Reconstruction and Development,
24 and does not export on a consistent basis the agri-

1 cultural commodity with respect to which assistance
2 is furnished; or

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

6 (b) EXPORTS.—None of the funds appropriated by
7 this or any other Act to carry out chapter 1 of part I
8 of the Foreign Assistance Act of 1961 shall be available
9 for any testing or breeding feasibility study, variety im-
10 provement or introduction, consultancy, publication, con-
11 ference, or training in connection with the growth or pro-
12 duction in a foreign country of an agricultural commodity
13 for export which would compete with a similar commodity
14 grown or produced in the United States: *Provided*, That
15 this subsection shall not prohibit—

16 (1) activities designed to increase food security
17 in developing countries where such activities will not
18 have a significant impact on the export of agricul-
19 tural commodities of the United States;

20 (2) research activities intended primarily to
21 benefit United States producers;

22 (3) activities in a country that is eligible for as-
23 sistance from the International Development Asso-
24 ciation, is not eligible for assistance from the Inter-
25 national Bank for Reconstruction and Development,

1 and does not export on a consistent basis the agri-
2 cultural commodity with respect to which assistance
3 is furnished; or

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

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

18 SEPARATE ACCOUNTS

19 SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL
20 CURRENCIES.—

21 (1) AGREEMENTS.—If assistance is furnished to
22 the government of a foreign country under chapters
23 1 and 10 of part I or chapter 4 of part II of the
24 Foreign Assistance Act of 1961 under agreements
25 which result in the generation of local currencies of

1 that country, the Administrator of the United States
2 Agency for International Development (USAID)
3 shall—

4 (A) require that local currencies be depos-
5 ited in a separate account established by that
6 government;

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

9 (i) the amount of the local currencies
10 to be generated; and

11 (ii) the terms and conditions under
12 which the currencies so deposited may be
13 utilized, consistent with this section; and

14 (C) establish by agreement with that gov-
15 ernment the responsibilities of USAID and that
16 government to monitor and account for deposits
17 into and disbursements from the separate ac-
18 count.

19 (2) USES OF LOCAL CURRENCIES.—As may be
20 agreed upon with the foreign government, local cur-
21 rencies deposited in a separate account pursuant to
22 subsection (a), or an equivalent amount of local cur-
23 rencies, shall be used only—

24 (A) to carry out chapter 1 or 10 of part
25 I or chapter 4 of part II of the Foreign Assist-

1 ance Act of 1961 (as the case may be), for such
2 purposes as—

3 (i) project and sector assistance activi-
4 ties; or

5 (ii) debt and deficit financing; or

6 (B) for the administrative requirements of
7 the United States Government.

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

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

1 (5) REPORTING REQUIREMENT.—The USAID
2 Administrator shall report on an annual basis as
3 part of the justification documents submitted to the
4 Committees on Appropriations on the use of local
5 currencies for the administrative requirements of the
6 United States Government as authorized in sub-
7 section (a)(2)(B), and such report shall include the
8 amount of local currency (and United States dollar
9 equivalent) used or to be used for such purpose in
10 each applicable country.

11 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

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

20 (2) APPLICABILITY OF OTHER PROVISIONS OF
21 LAW.—Such funds may be obligated and expended
22 notwithstanding provisions of law which are incon-
23 sistent with the nature of this assistance including
24 provisions which are referenced in the Joint Explan-
25 atory Statement of the Committee of Conference ac-

1 part II of the Foreign Assistance Act of 1961 and from
2 funds appropriated under the heading “Assistance for Eu-
3 rope, Eurasia and Central Asia”: *Provided*, That before
4 using the authority of this subsection to furnish assistance
5 in support of programs of nongovernmental organizations,
6 the President shall notify the Committees on Appropria-
7 tions pursuant to the regular notification procedures, in-
8 cluding a description of the program to be assisted, the
9 assistance to be provided, and the reasons for furnishing
10 such assistance: *Provided further*, That nothing in this
11 subsection shall be construed to alter any existing statu-
12 tory prohibitions against abortion or involuntary steriliza-
13 tions contained in this or any other Act.

14 (b) PUBLIC LAW 480.—During fiscal year 2016, re-
15 strictions contained in this or any other Act with respect
16 to assistance for a country shall not be construed to re-
17 strict assistance under the Food for Peace Act (Public
18 Law 83–480): *Provided*, That none of the funds appro-
19 priated to carry out title I of such Act and made available
20 pursuant to this subsection may be obligated or expended
21 except as provided through the regular notification proce-
22 dures of the Committees on Appropriations.

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

24 (1) with respect to section 620A of the Foreign
25 Assistance Act of 1961 or any comparable provision

1 of law prohibiting assistance to countries that sup-
2 port international terrorism; or

3 (2) with respect to section 116 of the Foreign
4 Assistance Act of 1961 or any comparable provision
5 of law prohibiting assistance to the government of a
6 country that violates internationally recognized
7 human rights.

8 LOCAL COMPETITION

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

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

17 (A) assessed the level of local capacity to
18 effectively implement, manage, and account for
19 programs included in such competition; and

20 (B) documented the written results of the
21 assessment and decisions made; and

22 (2) prior to making an award after limiting
23 competition to local entities—

1 (A) each successful local entity has been
2 determined to be responsible in accordance with
3 USAID guidelines; and

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

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

8 (b) REPORTING REQUIREMENT.—In addition to the
9 requirements of paragraph (1), the USAID Administrator
10 shall report, on an annual basis, to the appropriate con-
11 gressional committees on all awards subject to limited or
12 no competition for local entities: *Provided*, That such re-
13 port should be posted on the USAID Web site: *Provided*
14 *further*, That the requirements of this subsection shall only
15 apply to awards in excess of \$3,000,000 and sole source
16 awards to local entities in excess of \$2,000,000.

17 (c) EXTENSION OF PROCUREMENT AUTHORITY.—
18 Section 7077 of the Department of State, Foreign Oper-
19 ations, and Related Programs Appropriations Act, 2012
20 (division I of Public Law 112–74) shall continue in effect
21 during fiscal year 2016, as amended by the Department
22 of State, Foreign Operations, and Related Programs Ap-
23 propriations Act, 2014 (division K of Public Law 113–
24 76).

1 INTERNATIONAL FINANCIAL INSTITUTIONS

2 SEC. 7029. (a) EVALUATIONS AND REPORT.—The
3 Secretary of the Treasury shall instruct the United States
4 executive director of each international financial institu-
5 tion to seek to require that such institution adopts and
6 implements a publicly available policy, including the stra-
7 tegic use of peer reviews and external experts, to conduct
8 independent, in-depth evaluations of the effectiveness of
9 at least 25 percent of all loans, grants, programs, and sig-
10 nificant analytical non-lending activities in advancing the
11 institution’s goals of reducing poverty and promoting equi-
12 table economic growth, consistent with relevant safe-
13 guards, to ensure that decisions to support such loans,
14 grants, programs, and activities are based on accurate
15 data and objective analysis: *Provided*, That not later than
16 180 days after enactment of this Act, the Secretary shall
17 submit a report to the Committees on Appropriations on
18 steps taken by the United States executive directors and
19 the international financial institutions consistent with this
20 subsection.

21 (b) SAFEGUARDS.—The Secretary of the Treasury
22 shall instruct the United States Executive Director of the
23 International Bank for Reconstruction and Development
24 and the International Development Association to vote
25 against any loan, grant, policy, or strategy if such institu-

1 tion has adopted and is implementing any social or envi-
2 ronmental safeguard relevant to such loan, grant, policy,
3 or strategy that provides less protection than World Bank
4 safeguards in effect on September 30, 2015.

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

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

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

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

15 (f) BENEFICIAL OWNERSHIP INFORMATION.—The
16 Secretary of the Treasury shall instruct the United States
17 executive director of each international financial institu-
18 tion to seek to require that such institution collects,
19 verifies, and publishes, to the maximum extent practicable,
20 beneficial ownership information (excluding proprietary
21 information) for any corporation or limited liability com-
22 pany, other than a publicly listed company, that receives
23 funds appropriated by this Act that are provided as pay-
24 ment to such institution: *Provided*, That not later than
25 180 days after enactment of this Act, the Secretary shall

1 submit a report to the Committees on Appropriations on
2 steps taken by the United States executive directors and
3 the international financial institutions consistent with this
4 subsection.

5 (g) WHISTLEBLOWER PROTECTIONS.—The Secretary
6 of the Treasury shall instruct the United States executive
7 director of each international financial institution to seek
8 to require that each such institution is effectively imple-
9 menting and enforcing policies and procedures which re-
10 flect best practices for the protection of whistleblowers
11 from retaliation, including best practices for—

12 (1) protection against retaliation for internal
13 and lawful public disclosure;

14 (2) legal burdens of proof;

15 (3) statutes of limitation for reporting retalia-
16 tion;

17 (4) access to independent adjudicative bodies,
18 including external arbitration; and

19 (5) results that eliminate the effects of proven
20 retaliation.

21 DEBT-FOR-DEVELOPMENT

22 SEC. 7030. In order to enhance the continued partici-
23 pation of nongovernmental organizations in debt-for-devel-
24 opment and debt-for-nature exchanges, a nongovern-
25 mental organization which is a grantee or contractor of

1 the United States Agency for International Development
2 may place in interest bearing accounts local currencies
3 which accrue to that organization as a result of economic
4 assistance provided under title III of this Act and, subject
5 to the regular notification procedures of the Committees
6 on Appropriations, any interest earned on such investment
7 shall be used for the purpose for which the assistance was
8 provided to that organization.

9 FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

10 SEC. 7031. (a) LIMITATION ON DIRECT GOVERN-
11 MENT-TO-GOVERNMENT ASSISTANCE.—

12 (1) REQUIREMENTS.—Funds appropriated by
13 this Act may be made available for direct govern-
14 ment-to-government assistance only if—

15 (A)(i) each implementing agency or min-
16 istry to receive assistance has been assessed
17 and is considered to have the systems required
18 to manage such assistance and any identified
19 vulnerabilities or weaknesses of such agency or
20 ministry have been addressed;

21 (ii) the recipient agency or ministry em-
22 ploys and utilizes staff with the necessary tech-
23 nical, financial, and management capabilities;

1 (iii) the recipient agency or ministry has
2 adopted competitive procurement policies and
3 systems;

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

7 (v) no level of acceptable fraud is assumed;
8 and

9 (vi) the government of the recipient coun-
10 try is taking steps to publicly disclose on an an-
11 nual basis its national budget, to include in-
12 come and expenditures;

13 (B) the recipient government is in compli-
14 ance with the principles set forth in section
15 7013 of this Act;

16 (C) the recipient agency or ministry is not
17 headed or controlled by an organization des-
18 ignated as a foreign terrorist organization
19 under section 219 of the Immigration and Na-
20 tionality Act;

21 (D) the Government of the United States
22 and the government of the recipient country
23 have agreed, in writing, on clear and achievable
24 objectives for the use of such assistance, which

1 should be made available on a cost-reimbursable
2 basis; and

3 (E) the recipient government is taking
4 steps to protect the rights of civil society, in-
5 cluding freedoms of expression, association, and
6 assembly.

7 (2) CONSULTATION AND NOTIFICATION.—In
8 addition to the requirements in paragraph (1), no
9 funds may be made available for direct government-
10 to-government assistance without prior consultation
11 with, and notification of, the Committees on Appro-
12 priations: *Provided*, That such notification shall con-
13 tain an explanation of how the proposed activity
14 meets the requirements of paragraph (1): *Provided*
15 *further*, That the requirements of this paragraph
16 shall only apply to direct government-to-government
17 assistance in excess of \$10,000,000 and all funds
18 available for cash transfer, budget support, and cash
19 payments to individuals.

20 (3) SUSPENSION OF ASSISTANCE.—The Admin-
21 istrator of the United States Agency for Inter-
22 national Development (USAID) or the Secretary of
23 State, as appropriate, shall suspend any direct gov-
24 ernment-to-government assistance if the Adminis-
25 trator or the Secretary has credible information of

1 material misuse of such assistance, unless the Ad-
2 ministrator or the Secretary reports to the Commit-
3 tees on Appropriations that it is in the national in-
4 terest of the United States to continue such assist-
5 ance, including a justification, or that such misuse
6 has been appropriately addressed.

7 (4) SUBMISSION OF INFORMATION.—The Sec-
8 retary of State shall submit to the Committees on
9 Appropriations, concurrent with the fiscal year 2017
10 congressional budget justification materials, amounts
11 planned for assistance described in paragraph (1) by
12 country, proposed funding amount, source of funds,
13 and type of assistance.

14 (5) REPORT.—Not later than 90 days after the
15 enactment of this Act and 6 months thereafter until
16 September 30, 2016, the USAID Administrator
17 shall submit to the Committees on Appropriations a
18 report that—

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

23 (B) the type of procurement instrument or
24 mechanism utilized and whether the assistance
25 was provided on a reimbursable basis.

1 (6) DEBT SERVICE PAYMENT PROHIBITION.—

2 None of the funds made available by this Act may
3 be used for any foreign country for debt service pay-
4 ments owed by any country to any international fi-
5 nancial institution: *Provided*, That for purposes of
6 this paragraph, the term “international financial in-
7 stitution” has the meaning given the term in section
8 7034(r)(3) of this Act.

9 (b) NATIONAL BUDGET AND CONTRACT TRANS-
10 PARENCY.—

11 (1) MINIMUM REQUIREMENTS OF FISCAL
12 TRANSPARENCY.—The Secretary of State shall con-
13 tinue to update and strengthen the “minimum re-
14 quirements of fiscal transparency” for each govern-
15 ment receiving assistance appropriated by this Act,
16 as identified in the report required by section
17 7031(b) of the Department of State, Foreign Oper-
18 ations, and Related Programs Appropriations Act,
19 2014 (division K of Public Law 113–76).

20 (2) DEFINITION.—For purposes of paragraph
21 (1), “minimum requirements of fiscal transparency”
22 are requirements consistent with those in subsection
23 (a)(1), and the public disclosure of national budget
24 documentation (to include receipts and expenditures
25 by ministry) and government contracts and licenses

1 for natural resource extraction (to include bidding
2 and concession allocation practices).

3 (3) DETERMINATION AND REPORT.—For each
4 government identified pursuant to paragraph (1),
5 the Secretary of State, not later than 180 days after
6 enactment of this Act, shall make or update any de-
7 termination of “significant progress” or “no signifi-
8 cant progress” in meeting the minimum require-
9 ments of fiscal transparency, and make such deter-
10 minations publicly available in an annual “Fiscal
11 Transparency Report” to be posted on the Depart-
12 ment of State Web site: *Provided*, That the Sec-
13 retary shall identify the significant progress made by
14 each such government to publicly disclose national
15 budget documentation, contracts, and licenses which
16 are additional to such information disclosed in pre-
17 vious fiscal years, and include specific recommenda-
18 tions of short- and long-term steps such government
19 should take to improve fiscal transparency: *Provided*
20 *further*, That the annual report shall include a de-
21 tailed description of how funds appropriated by this
22 Act are being used to improve fiscal transparency,
23 and identify benchmarks for measuring progress.

24 (4) ASSISTANCE.—Funds appropriated under
25 title III of this Act shall be made available for pro-

1 grams and activities to assist governments identified
2 pursuant to paragraph (1) to improve budget trans-
3 parency and to support civil society organizations in
4 such countries that promote budget transparency:
5 *Provided*, That such sums shall be in addition to
6 funds otherwise made available for such purposes:
7 *Provided further*, That a description of the uses of
8 such funds shall be included in the annual “Fiscal
9 Transparency Report” required by paragraph (3).

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

11 (1)(A) INELIGIBILITY.—Officials of foreign gov-
12 ernments and their immediate family members about
13 whom the Secretary of State has credible informa-
14 tion have been involved in significant corruption, in-
15 cluding corruption related to the extraction of nat-
16 ural resources, or a gross violation of human rights
17 shall be ineligible for entry into the United States.

18 (B) The Secretary may also publicly or pri-
19 vately designate or identify officials of foreign gov-
20 ernments and their immediate family members about
21 whom the Secretary has such credible information
22 without regard to whether the individual has applied
23 for a visa.

24 (2) EXCEPTION.—Individuals shall not be ineli-
25 gible if entry into the United States would further

1 important United States law enforcement objectives
2 or is necessary to permit the United States to fulfill
3 its obligations under the United Nations Head-
4 quarters Agreement: *Provided*, That nothing in
5 paragraph (1) shall be construed to derogate from
6 United States Government obligations under applica-
7 ble international agreements.

8 (3) WAIVER.—The Secretary may waive the ap-
9 plication of paragraph (1) if the Secretary deter-
10 mines that the waiver would serve a compelling na-
11 tional interest or that the circumstances which
12 caused the individual to be ineligible have changed
13 sufficiently.

14 (4) REPORT.—Not later than 6 months after
15 enactment of this Act, the Secretary of State shall
16 submit a report, including a classified annex if nec-
17 essary, to the Committees on Appropriations and the
18 Committees on the Judiciary describing the informa-
19 tion related to corruption or violation of human
20 rights concerning each of the individuals found ineli-
21 gible in the previous 12 months pursuant to para-
22 graph (1)(A) as well as the individuals who the Sec-
23 retary designated or identified pursuant to para-
24 graph (1)(B), or who would be ineligible but for the
25 application of paragraph (2), a list of any waivers

1 provided under paragraph (3), and the justification
2 for each waiver.

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

7 (6) CLARIFICATION.—For purposes of para-
8 graphs (1)(B), (4), and (5), the records of the De-
9 partment of State and of diplomatic and consular of-
10 fices of the United States pertaining to the issuance
11 or refusal of visas or permits to enter the United
12 States shall not be considered confidential.

13 (d) EXTRACTION OF NATURAL RESOURCES.—

14 (1) ASSISTANCE.—Funds appropriated by this
15 Act shall be made available to promote and support
16 transparency and accountability of expenditures and
17 revenues related to the extraction of natural re-
18 sources, including by strengthening implementation
19 and monitoring of the Extractive Industries Trans-
20 parency Initiative, implementing and enforcing sec-
21 tion 8204 of the Food, Conservation, and Energy
22 Act of 2008 (Public Law 110–246; 122 Stat. 2052)
23 and to prevent the sale of conflict diamonds, and
24 provide technical assistance to promote independent

1 audit mechanisms and support civil society partici-
2 pation in natural resource management.

3 (2) UNITED STATES POLICY.—

4 (A) The Secretary of the Treasury shall in-
5 form the management of the international fi-
6 nancial institutions, and post on the Depart-
7 ment of the Treasury Web site, that it is the
8 policy of the United States to vote against any
9 assistance by such institutions (including any
10 loan, credit, grant, or guarantee) for the extrac-
11 tion and export of a natural resource if the gov-
12 ernment of the country has in place laws, regu-
13 lations, or procedures to prevent or limit the
14 public disclosure of company payments as re-
15 quired by section 1504 of the Dodd-Frank Wall
16 Street Reform and Consumer Protection Act
17 (Public Law 111–203; 124 Stat. 2220), and
18 unless such government has adopted laws, regu-
19 lations, or procedures in the sector in which as-
20 sistance is being considered for—

21 (i) accurately accounting for and pub-
22 lic disclosure of payments to the host gov-
23 ernment by companies involved in the ex-
24 traction and export of natural resources;

1 (ii) the independent auditing of ac-
2 counts receiving such payments and public
3 disclosure of the findings of such audits;
4 and

5 (iii) public disclosure of such docu-
6 ments as Host Government Agreements,
7 Concession Agreements, and bidding docu-
8 ments, allowing in any such dissemination
9 or disclosure for the redaction of, or excep-
10 tions for, information that is commercially
11 proprietary or that would create competi-
12 tive disadvantage.

13 (B) The requirements of subparagraph (A)
14 shall not apply to assistance for the purpose of
15 building the capacity of such government to
16 meet the requirements of this subparagraph.

17 (e) FOREIGN ASSISTANCE WEB SITE.—Funds appro-
18 priated by this Act under titles I and II, and funds made
19 available for any independent agency in title III, as appro-
20 priate, may be made available to support the provision of
21 additional information on United States Government for-
22 eign assistance on the Department of State foreign assist-
23 ance Web site: *Provided*, That all Federal agencies funded
24 under this Act shall provide such information on foreign
25 assistance, upon request, to the Department of State.

1 DEMOCRACY PROGRAMS

2 SEC. 7032. (a) FUNDING.—

3 (1) Of the funds appropriated by this Act in ti-
4 tles III, IV, and V, not less than \$2,308,517,000
5 shall be made available for democracy programs, of
6 which amounts shall be allocated as follows—

7 (A) not less than \$312,963,000 for Africa;

8 (B) not less than \$157,423,000 for the
9 East Asia and the Pacific region;

10 (C) not less than \$193,244,000 for Europe
11 and Eurasia;

12 (D) not less than \$409,316,000 for the
13 Near East region;

14 (E) not less than \$627,944,000 for South
15 and Central Asia; and

16 (F) not less than \$480,526,000 for the
17 Western Hemisphere.

18 (2) Of the funds appropriated by this Act not
19 less than \$25,000,000 shall be made available for
20 democracy programs in countries experiencing polit-
21 ical, ethnic, racial, religious, or other instability or
22 conflict, or emerging from conflict, including Sri
23 Lanka and Nepal, which shall be administered by
24 the United States chief of mission in such countries:
25 *Provided*, That the Secretary of State shall consult

1 with the Committees on Appropriations prior to obli-
2 gating funds for such purpose.

3 (b) AUTHORITY.—Funds made available by this Act
4 for democracy programs may be made available notwith-
5 standing any other provision of law, and with regard to
6 the National Endowment for Democracy (NED), any reg-
7 ulation.

8 (c) DEFINITION OF DEMOCRACY PROGRAMS.—For
9 purposes of funds appropriated by this Act, the term “de-
10 mocracy programs” means programs that support good
11 governance, credible and competitive elections, freedom of
12 expression, association, assembly, and religion, human
13 rights, labor rights, independent media, and the rule of
14 law, and that otherwise strengthen the capacity of demo-
15 cratic political parties, governments, nongovernmental or-
16 ganizations and institutions, and citizens to support the
17 development of democratic states, and institutions that are
18 responsive and accountable to citizens.

19 (d) RESTRICTION ON PRIOR APPROVAL.—With re-
20 spect to the provision of assistance for democracy pro-
21 grams in this Act, the organizations implementing such
22 assistance, the specific nature of that assistance, and the
23 participants in such programs shall not be subject to the
24 prior approval by the government of any foreign country:
25 *Provided*, That the Secretary of State, in coordination

1 with the Administrator of the United States Agency for
2 International Development (USAID), shall report to the
3 Committees on Appropriations, not later than 120 days
4 after enactment of this Act, detailing steps taken by the
5 Department of State and USAID to comply with the re-
6 quirements of this subsection.

7 (e) PRIORITIZATION OF FUNDING MECHANISMS.—
8 Democracy programs implemented by funds made avail-
9 able by this Act shall be designed to have grants and coop-
10 erative agreements as the primary delivery mechanisms
11 for such programs: *Provided*, That not later than 60 days
12 after enactment of this Act, the Secretary of State and
13 USAID Administrator shall each submit a report to the
14 Committees on Appropriations detailing the steps to be
15 taken by the Department of State and USAID to comply
16 with the requirements of this subsection: *Provided further*,
17 That for contracts to be used to implement such programs
18 with funds made available by this Act that exceed
19 \$1,000,000, the Secretary of State and USAID Adminis-
20 trator, as appropriate, shall submit to the Committees on
21 Appropriations a justification for the use of such mecha-
22 nisms on a case-by-case basis and before Requests for Pro-
23 posals are released.

24 (f) REPORTS.—

1 (1) POLICY IMPLEMENTATION.—The Secretary
2 of State and USAID Administrator shall develop
3 and establish revised guidelines on the uses of
4 grants and cooperative agreements for democracy
5 programs, in accordance with the objectives of pro-
6 moting resilient, open, and democratic societies in
7 the Quadrennial Diplomacy and Development Re-
8 view, 2015, and the foreign policy objectives in the
9 ADVANCE Democracy Act of 2007 (title XXI of
10 Public Law 110–53; 22 U.S.C. 8202): *Provided*,
11 That the Secretary and USAID Administrator shall
12 consult with democracy program implementers in es-
13 tablishing such guidelines, and shall each submit
14 such guidelines to the appropriate congressional
15 committees once established.

16 (2) TRAINING.—Not later than 90 days after
17 enactment of this Act, the Secretary of State shall
18 update and submit to the Committees on Appropria-
19 tions the report required by section 2141(c) of the
20 ADVANCE Democracy Act of 2007 (title XXI of
21 Public Law 110–53; 22 U.S.C. 8241): *Provided*,
22 That such report shall also include the total number
23 of democracy and human rights officers, including
24 Democracy Liaison Officers and other positions with
25 responsibility for democracy and human rights re-

1 lated issues and programs, at the Department of
2 State and USAID for calendar years 2013, 2014,
3 and 2015.

4 (g) NONDEMOCRATIC AND DEMOCRATIC
5 TRANSITIONING COUNTRIES.—

6 (1) DEMOCRACY STRATEGIC REVIEWS AND AS-
7 SESSMENTS.—Prior to the obligation of funds made
8 available for Department of State and USAID de-
9 mocracy programs in a nondemocratic or democratic
10 transitioning country, the Under Secretary for Civil-
11 ian Security, Democracy and Human Rights, De-
12 partment of State, in consultation with other rel-
13 evant officials at the Department of State and
14 USAID, including the Director of the Center of Ex-
15 cellence on Democracy, Human Rights, and Govern-
16 ance, USAID, shall review and assess the annual
17 country strategy required by section 2111(c)(1) of
18 the ADVANCE Democracy Act of 2007 (title XXI
19 of Public Law 110–53; 22 U.S.C. 8211), and submit
20 a report to the Committees on Appropriations de-
21 scribing—

22 (A) the goals and objectives of such pro-
23 gram, including a timeline for achieving results,
24 and any modification proposed as a result of
25 the review and assessment;

1 (B) the political and social conditions in
2 such country that may impact the promotion of
3 democracy;

4 (C) the assessed risks to intended bene-
5 ficiaries of such program;

6 (D) the assessed risks to implementers in
7 the conduct of such program, to be developed in
8 consultation with implementers and other
9 United States Government agencies, as appro-
10 priate; and

11 (E) the funding requirements of initiating
12 and sustaining such program in fiscal year
13 2016 and subsequent fiscal years.

14 (2) DEFINITION.—For the purposes of the sub-
15 section the term “nondemocratic or democratic
16 transitioning country” shall have the same meaning
17 as in section 2104(6) of the ADVANCE Democracy
18 Act of 2007 (title XXI of Public Law 110–53; 22
19 U.S.C. 8203).

20 (h) CONSULTATION AND COMMUNICATION REQUIRE-
21 MENTS.—

22 (1) CHANGE IN ALLOCATION OF FOREIGN AS-
23 SISTANCE.—The Deputy Secretary for Management
24 and Resources, Department of State, shall consult
25 with the Under Secretary for Civilian Security, De-

1 mocracy and Human Rights, Department of State,
2 and the Director of the Center of Excellence on De-
3 mocracy, Human Rights, and Governance, USAID,
4 on the proposed funding level for democracy pro-
5 grams submitted to Congress pursuant to section
6 653(a) of the Foreign Assistance Act of 1961.

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

18 INTERNATIONAL RELIGIOUS FREEDOM

19 SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREE-
20 DOM OFFICE AND SPECIAL ENVOY TO PROMOTE RELI-
21 GIOUS FREEDOM.—Of the funds appropriated by this Act
22 under the heading “Diplomatic and Consular Programs”,
23 not less than \$5,000,000 shall be made available for the
24 Office of the Ambassador-at-Large for International Reli-
25 gious Freedom, and not less than \$1,000,000 shall be

1 made available for the Special Envoy to Promote Religious
2 Freedom in the Near East and South Central Asia, includ-
3 ing for support staff.

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.—Of the funds appropriated by this Act
17 under the heading “Economic Support Fund”, not
18 less than \$10,000,000 shall be made available for
19 programs to protect vulnerable and persecuted reli-
20 gious minorities: *Provided*, That a portion of such
21 funds shall be made available for programs to inves-
22 tigate the persecution of such minorities by govern-
23 ments and non-state entities and for the public dis-
24 semination of information collected on such persecu-
25 tion, including on the Department of State Web site.

1 (3) HUMANITARIAN AND RELIEF PROGRAMS.—
2 Funds appropriated by this Act under the headings
3 “International Disaster Assistance” and “Migration
4 and Refugee Assistance” shall be made available for
5 humanitarian and relief assistance for vulnerable
6 and persecuted religious minorities.

7 (4) RESPONSIBILITY OF FUNDS.—Funds made
8 available by paragraphs (1) and (2) shall be the re-
9 sponsibility of the Ambassador-at-Large for Inter-
10 national Religious Freedom, in consultation with
11 other relevant United States Government officials.

12 (c) INTERNATIONAL BROADCASTING.—Funds appro-
13 priated by this Act under the heading “Broadcasting
14 Board of Governors, International Broadcasting Oper-
15 ations” shall be made available for programs related to
16 international religious freedom, including reporting on the
17 plight of vulnerable and persecuted religious groups.

18 (d) GENOCIDE DETERMINATION.—Not later than 90
19 days after enactment of this Act, the Secretary of State,
20 in consultation with the heads of other relevant United
21 States Government agencies and representatives from
22 United States civil society, shall submit to the appropriate
23 congressional committees determinations on whether the
24 ongoing violence against Christians in the Middle East by
25 Islamic extremists or against the Rohingya people in

1 Burma by Buddhist extremists constitutes genocide, as de-
2 fined in section 1091 of title 18, United States Code: *Pro-*
3 *vided*, That if the Secretary of State makes a determina-
4 tion that such violence constitutes genocide, the Secretary
5 shall concurrently submit to the appropriate congressional
6 committees a strategy for addressing such genocide.

7 (e) DESIGNATION OF NON-STATE ENTITIES.—The
8 President shall, concurrent with the annual review re-
9 quired by section 402(b)(1) of the International Religious
10 Freedom Act of 1998 (22 U.S.C. 6442(b)(1)), identify any
11 non-state entities that have engaged in significant viola-
12 tions of religious freedom, and designate each such entity
13 as a non-state entity of particular concern for religious
14 freedom: *Provided*, That whenever the President des-
15 ignates a non-state entity as a non-state entity of par-
16 ticular concern for religious freedom under this para-
17 graph, the President shall, as soon as practicable after the
18 designation is made, submit a report to the appropriate
19 congressional committees detailing the reasons for such
20 designation.

21 (f) REPORT.—Not later than September 30, 2016,
22 the Secretary of State, in consultation with the Broad-
23 casting Board of Governors and the Administrator of the
24 United States Agency for International Development, shall
25 submit a report to the appropriate congressional commit-

1 tees detailing, by account, agency, and on a country-by-
2 country basis, funds made available by this Act and prior
3 Acts making appropriations for the Department of State,
4 foreign operations, and related programs for the previous
5 5 fiscal years for international religious freedom pro-
6 grams; protection and investigation programs regarding
7 vulnerable and persecuted religious minorities; humani-
8 tarian and relief assistance for such minorities; and inter-
9 national broadcasting regarding religious freedom.

10

SPECIAL PROVISIONS

11

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

18

(b) LAW ENFORCEMENT AND SECURITY.—

19

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

22

(2) CROWD CONTROL ITEMS.—Funds appro-
23 priated by this Act should not be used for tear gas,
24 small arms, light weapons, ammunition, or other
25 items for crowd control purposes for foreign security

1 forces that use excessive force to repress peaceful ex-
2 pression, association, or assembly in countries un-
3 dergoing democratic transition.

4 (3) DISARMAMENT, DEMOBILIZATION, AND RE-
5 INTEGRATION.—Section 7034(d) of the Department
6 of State, Foreign Operations, and Related Programs
7 Appropriations Act, 2015 (division J of Public Law
8 113–235) shall continue in effect during fiscal year
9 2016 as if part of this Act.

10 (4) FORENSIC ASSISTANCE.—Of the funds ap-
11 propriated by this Act under the heading “Inter-
12 national Narcotics Control and Law Enforcement”,
13 not less than \$4,000,000 shall be made available for
14 forensic assistance relating to the exhumation of
15 mass graves and identification of victims of war
16 crimes and crimes against humanity, including in
17 Sri Lanka, Central America, Peru, Colombia, and
18 Africa, which shall be administered by the Assistant
19 Secretary for Democracy, Human Rights, and
20 Labor, Department of State.

21 (5) INTERNATIONAL PRISONS CONDITIONS.—
22 Section 7065 of the Department of State, Foreign
23 Operations, and Related Programs Appropriations
24 Act, 2015 (division J of Public Law 113–235) shall

1 continue in effect during fiscal year 2016 as if part
2 of this Act.

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

11 (7) SECURITY ASSISTANCE REPORT.—Not later
12 than 120 days after enactment of this Act, the Sec-
13 retary of State shall submit to the Committees on
14 Appropriations a report on funds obligated and ex-
15 pended during fiscal year 2015, by country and pur-
16 pose of assistance, under the headings “Non-
17 proliferation, Anti-terrorism, Demining and Related
18 Programs” (for Anti-terrorism Programs), “Peace-
19 keeping Operations”, “International Military Edu-
20 cation and Training”, and “Foreign Military Fi-
21 nancing Program”, as well as excess defense articles
22 provided.

23 (8) LEAHY VETTING REPORT.—(A) Not later
24 than 90 days after enactment of this Act, the Sec-
25 retary of State shall submit a report to the appro-

1 appropriate congressional committees on foreign assist-
2 ance cases submitted for vetting for purposes of sec-
3 tion 620M of the Foreign Assistance Act of 1961
4 during the preceding fiscal year, including:

5 (i) the total number of cases submitted,
6 approved, suspended, or rejected for human
7 rights reasons; and

8 (ii) for cases rejected for human rights
9 reasons, a description of the steps taken to en-
10 courage and assist a foreign government in
11 bringing such individuals responsible to justice,
12 in accordance with section 620M(c) of the For-
13 eign Assistance Act of 1961.

14 (B) The report required by this paragraph shall
15 be submitted in unclassified form, but may be ac-
16 companied by a classified annex.

17 (9) ANNUAL FOREIGN MILITARY TRAINING RE-
18 PORT.—For the purposes of implementing section
19 656 of the Foreign Assistance Act of 1961, the term
20 “military training provided to foreign military per-
21 sonnel by the Department of Defense and the De-
22 partment of State” shall be deemed to include all
23 military training provided by foreign governments
24 with funds appropriated to the Department of De-
25 fense or the Department of State, except for train-

1 ing provided by the government of a country des-
2 ignated by section 517(b) of such Act as a major
3 non-NATO ally, excluding Egypt.

4 (c) WORLD FOOD PROGRAMME.—Funds managed by
5 the Bureau for Democracy, Conflict, and Humanitarian
6 Assistance, United States Agency for International Devel-
7 opment (USAID), from this or any other Act, may be
8 made available as a general contribution to the World
9 Food Programme, notwithstanding any other provision of
10 law.

11 (d) DIRECTIVES AND AUTHORITIES.—

12 (1) RESEARCH AND TRAINING.—Funds appro-
13 priated by this Act under the heading “Assistance
14 for Europe, Eurasia and Central Asia” shall be
15 made available to carry out the Program for Re-
16 search and Training on Eastern Europe and the
17 Independent States of the Former Soviet Union as
18 authorized by the Soviet-Eastern European Research
19 and Training Act of 1983 (22 U.S.C. 4501 et seq.).

20 (2) GENOCIDE VICTIMS MEMORIAL SITES.—
21 Funds appropriated by this Act and prior Acts mak-
22 ing appropriations for the Department of State, for-
23 eign operations, and related programs under the
24 headings “Economic Support Fund” and “Assist-
25 ance for Europe, Eurasia and Central Asia” may be

1 made available as contributions to establish and
2 maintain memorial sites of genocide, subject to the
3 regular notification procedures of the Committees on
4 Appropriations.

5 (3) ADDITIONAL AUTHORITIES.—Of the
6 amounts made available by title I of this Act under
7 the heading “Diplomatic and Consular Programs”,
8 up to \$500,000 may be made available for grants
9 pursuant to section 504 of Public Law 95–426 (22
10 U.S.C. 2656d), including to facilitate collaboration
11 with indigenous communities, and up to \$1,000,000
12 may be made available for grants to carry out the
13 activities of the Cultural Antiquities Task Force.

14 (4) EXTENSION OF LEGAL PROTECTION.—Sec-
15 tion 7041(a)(2)(C)(ii) of the Department of State,
16 Foreign Operations, and Related Programs Appro-
17 priations Act, 2015 (division J of Public Law 113–
18 235) shall continue in effect during fiscal year 2016
19 and thereafter as if part of this Act.

20 (5) CONDITIONS ON AUTHORITY.—The authori-
21 ties provided for under the headings “Program Ac-
22 count”, “Administrative Expenses”, and “Receipts
23 Collected” for the Export-Import Bank of the
24 United States under title VI of this Act shall not be
25 construed or interpreted to extend the date specified

1 in section 7 of the Export-Import Bank Act of 1945
2 (Public Law 79–173).

3 (6) MODIFICATION OF LIFE INSURANCE SUP-
4 PLEMENTAL APPLICABLE TO THOSE KILLED IN TER-
5 RORIST ATTACKS.—

6 (A) Section 415(a) of the Foreign Service
7 Act of 1980 (22 U.S.C. 3975(a)) is amended by
8 striking “a payment from the United States in
9 an amount that, when added to the amount of
10 the employee’s employer-provided group life in-
11 surance policy coverage (if any), equals
12 \$400,000” and inserting “a special payment of
13 \$400,000, which shall be in addition to any em-
14 ployer provided life insurance policy coverage”.

15 (B) The insurance benefit under section
16 415 of the Foreign Service Act of 1980 (22
17 U.S.C. 3975), as amended by subparagraph
18 (A), shall be applicable to eligible employees
19 who die as a result of injuries sustained while
20 on duty abroad because of an act of terrorism,
21 as defined in section 140(d) of the Foreign Re-
22 lations Authorization Act, Fiscal Years 1998
23 and 1999 (22 U.S.C. 2656f(d)), anytime on or
24 after April 18, 1983.

1 (7) AUTHORITY.—Funds appropriated by this
2 Act may be made available in accordance with sec-
3 tion 24 of the Stevenson-Wydler Technology Innova-
4 tion Act of 1980, except that foreign citizens and
5 foreign private entities may be eligible notwith-
6 standing section 24(g)(3) of such Act.

7 (e) PARTNER VETTING.—Funds appropriated by this
8 Act or in titles I through IV of prior Acts making appro-
9 priations for the Department of State, foreign operations,
10 and related programs shall be used by the Secretary of
11 State and the USAID Administrator, as appropriate, to
12 support the continued implementation of the Partner Vet-
13 ting System (PVS) pilot program: *Provided*, That the Sec-
14 retary of State and the USAID Administrator shall jointly
15 submit a report to the Committees on Appropriations, not
16 later than 30 days after completion of the pilot program,
17 on the estimated timeline and criteria for evaluating the
18 PVS pilot program for possible expansion: *Provided fur-*
19 *ther*, That such report shall include the requirements spec-
20 ified in the report accompanying this Act: *Provided fur-*
21 *ther*, That after completion of the pilot program the De-
22 partment of State and USAID may not proceed with im-
23 plementation of a PVS program until the Secretary of
24 State and USAID Administrator, following the submission
25 of the report required by the previous proviso, consult with

1 the Committees on Appropriations on the results and find-
2 ings of the pilot program, and review such results and
3 findings with appropriate representatives from civil soci-
4 ety.

5 (f) CONTINGENCIES.—During fiscal year 2016, the
6 President may use up to \$150,000,000 under the author-
7 ity of section 451 of the Foreign Assistance Act of 1961,
8 notwithstanding any other provision of law.

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

18 (h) REPORTS REPEALED.—Section 10(b) of Public
19 Law 109–446; section 4 of Public Law 107–243; section
20 616(c) of Public Law 105–277; section 620C(c) of Public
21 Law 87–195; and section 303 of title 22, United States
22 Code, are hereby repealed.

23 (i) TRANSFERS FOR EXTRAORDINARY PROTEC-
24 TION.—The Secretary of State may transfer to, and merge
25 with, funds under the heading “Protection of Foreign Mis-

1 sions and Officials” unobligated balances of expired funds
2 appropriated under the heading “Diplomatic and Consular
3 Programs” for fiscal year 2016, except for funds des-
4 ignated for Overseas Contingency Operations/Global War
5 on Terrorism pursuant to section 251(b)(2)(A)(ii) of the
6 Balanced Budget and Emergency Deficit Control Act of
7 1985, at no later than the end of the fifth fiscal year after
8 the last fiscal year for which such funds are available for
9 the purposes for which appropriated: *Provided*, That not
10 more than \$50,000,000 may be transferred.

11 (j) PROTECTIONS AND REMEDIES FOR EMPLOYEES
12 OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANI-
13 ZATIONS.—Section 7034(k) of the Department of State,
14 Foreign Operations, and Related Programs Appropria-
15 tions Act, 2015 (division J of Public Law 113–235) shall
16 continue in effect during fiscal year 2016 as if part of
17 this Act.

18 (k) EXTENSION OF AUTHORITIES.—

19 (1) PASSPORT FEES.—Section 1(b)(2) of the
20 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))
21 shall be applied by substituting “September 30,
22 2016” for “September 30, 2010”.

23 (2) ACCOUNTABILITY REVIEW BOARDS.—The
24 authority provided by section 301(a)(3) of the Omni-
25 bus Diplomatic Security and Antiterrorism Act of

1 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect
2 for facilities in Afghanistan through September 30,
3 2016, except that the notification and reporting re-
4 quirements contained in such section shall include
5 the Committees on Appropriations.

6 (3) INCENTIVES FOR CRITICAL POSTS.—The
7 authority contained in section 1115(d) of the Sup-
8 plemental Appropriations Act, 2009 (Public Law
9 111–32) shall remain in effect through September
10 30, 2016.

11 (4) FOREIGN SERVICE OFFICER ANNUITANT
12 WAIVER.—Section 824(g) of the Foreign Service Act
13 of 1980 (22 U.S.C. 4064(g)) shall be applied by
14 substituting “September 30, 2016” for “October 1,
15 2010” in paragraph (2).

16 (5) DEPARTMENT OF STATE CIVIL SERVICE AN-
17 NUITANT WAIVER.—Section 61(a) of the State De-
18 partment Basic Authorities Act of 1956 (22 U.S.C.
19 2733(a)) shall be applied by substituting “Sep-
20 tember 30, 2016” for “October 1, 2010” in para-
21 graph (2).

22 (6) USAID CIVIL SERVICE ANNUITANT WAIV-
23 ER.—Section 625(j)(1) of the Foreign Assistance
24 Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied

1 by substituting “September 30, 2016” for “October
2 1, 2010” in subparagraph (B).

3 (7) OVERSEAS PAY COMPARABILITY AND LIM-
4 TATION.—(A) Subject to the limitation described in
5 subparagraph (B), the authority provided by section
6 1113 of the Supplemental Appropriations Act, 2009
7 (Public Law 111–32; 123 Stat. 1904) shall remain
8 in effect through September 30, 2016.

9 (B) The authority described in subparagraph
10 (A) may not be used to pay an eligible member of
11 the Foreign Service (as defined in section 1113(b) of
12 the Supplemental Appropriations Act, 2009) a local-
13 ity-based comparability payment (stated as a per-
14 centage) that exceeds two-thirds of the amount of
15 the locality-based comparability payment (stated as
16 a percentage) that would be payable to such member
17 under section 5304 of title 5, United States Code,
18 if such member’s official duty station were in the
19 District of Columbia.

20 (8) ALIEN STATUS.—The Foreign Operations,
21 Export Financing, and Related Programs Appro-
22 priations Act, 1990 (Public Law 101–167) is
23 amended—

24 (A) In section 599D (8 U.S.C. 1157
25 note)—

1 (i) in subsection (b)(3), by striking
2 “and 2015” and inserting “2015, and
3 2016”; and

4 (ii) in subsection (e), by striking
5 “2015” each place it appears and inserting
6 “2016”; and

7 (B) in section 599E (8 U.S.C. 1255 note)
8 in subsection (b)(2), by striking “2015” and in-
9 serting “2016”.

10 (9) INSPECTOR GENERAL ANNUITANT WAIV-
11 ER.—The authorities provided in section 1015(b) of
12 the Supplemental Appropriations Act, 2010 (Public
13 Law 111–212) shall remain in effect through Sep-
14 tember 30, 2016.

15 (I) DEPARTMENT OF STATE WORKING CAPITAL
16 FUND.—Funds appropriated by this Act or otherwise
17 made available to the Department of State for payments
18 to the Working Capital Fund may only be used for the
19 activities and in the amounts justified in the President’s
20 fiscal year 2016 budget: *Provided*, That Federal agency
21 components shall be charged only for their direct usage
22 of each Working Capital Fund service: *Provided further*,
23 That Federal agency components may only pay for Work-
24 ing Capital Fund services that are consistent with the
25 component’s purpose and authorities: *Provided further*,

1 That the Working Capital Fund shall be paid in advance
2 or reimbursed at rates which will return the full cost of
3 each service.

4 (m) HUMANITARIAN ASSISTANCE.—Funds appro-
5 priated by this Act that are available for monitoring and
6 evaluation of assistance under the headings “International
7 Disaster Assistance” and “Migration and Refugee Assist-
8 ance” shall, as appropriate, be made available for the reg-
9 ular collection of feedback obtained directly from bene-
10 ficiaries on the quality and relevance of such assistance:
11 *Provided*, That the Department of State and USAID shall
12 conduct regular oversight to ensure that such feedback is
13 collected and used by implementing partners to maximize
14 the cost-effectiveness and utility of such assistance, and
15 require such partners that receive funds under such head-
16 ings to establish procedures for collecting and responding
17 to such feedback.

18 (n) HIV/AIDS WORKING CAPITAL FUND.—Funds
19 available in the HIV/AIDS Working Capital Fund estab-
20 lished pursuant to section 525(b)(1) of the Foreign Oper-
21 ations, Export Financing, and Related Programs Appro-
22 priations Act, 2005 (Public Law 108–477) may be made
23 available for pharmaceuticals and other products for child
24 survival, malaria, and tuberculosis to the same extent as
25 HIV/AIDS pharmaceuticals and other products, subject to

1 the terms and conditions in such section: *Provided*, That
2 the authority in section 525(b)(5) of the Foreign Oper-
3 ations, Export Financing, and Related Programs Appro-
4 priations Act, 2005 (Public Law 108–477) shall be exer-
5 cised by the Assistant Administrator for Global Health,
6 USAID, with respect to funds deposited for such non-
7 HIV/AIDS pharmaceuticals and other products, and shall
8 be subject to the regular notification procedures of the
9 Committees on Appropriations: *Provided further*, That the
10 Secretary of State shall include in the congressional budg-
11 et justification an accounting of budgetary resources, dis-
12 bursements, balances, and reimbursements related to such
13 fund.

14 (o) LOAN GUARANTEES AND ENTERPRISE FUNDS.—

15 (1) LOAN GUARANTEES.—Funds appropriated
16 under the heading “Economic Support Fund” only
17 in title III of this Act and prior Acts making appro-
18 priations for the Department of State, foreign oper-
19 ations, and related programs may be made available
20 for the costs, as defined in section 502 of the Con-
21 gressional Budget Act of 1974, of loan guarantees
22 for Jordan, Ukraine, and Tunisia, which are author-
23 ized to be provided: *Provided*, That amounts made
24 available under this paragraph for the costs of such
25 guarantees shall not be considered assistance for the

1 purposes of provisions of law limiting assistance to
2 a country.

3 (2) ENTERPRISE FUNDS.—Funds appropriated
4 under the heading “Economic Support Fund” in
5 this Act may be made available to establish and op-
6 erate one or more enterprise funds for Egypt and
7 Tunisia, notwithstanding any other provision of law,
8 and following consultation with the Committees on
9 Appropriations: *Provided*, That the first, third and
10 fifth provisos under section 7041(b) of the Depart-
11 ment of State, Foreign Operations, and Related Pro-
12 grams Appropriations Act, 2012 (division I of Public
13 Law 112–74) shall apply to funds appropriated by
14 this Act under the heading “Economic Support
15 Fund” for an enterprise fund or funds to the same
16 extent and in the same manner as such provision of
17 law applied to funds made available under such sec-
18 tion (except that the clause excluding subsection
19 (d)(3) of section 201 of the SEED Act shall not
20 apply): *Provided further*, That the authority of any
21 such enterprise fund or funds to provide assistance
22 shall cease to be effective on December 31, 2026.

23 (3) CONSULTATION AND NOTIFICATION.—
24 Funds made available by this subsection shall be
25 subject to prior consultation with, and the regular

1 notification procedures of, the Committees on Ap-
2 propriations.

3 (p) ASSESSMENT OF INDIRECT COSTS.—Not later
4 than 90 days after enactment of this Act and following
5 consultation with the Committees on Appropriations, the
6 Secretary of State and the Administrator of the United
7 States Agency for International Development (USAID)
8 shall submit to such Committees an assessment of the ef-
9 fectiveness of current policies and procedures in ensuring
10 that payments for indirect costs, including for negotiated
11 indirect cost rate agreements (NICRA), are reasonable
12 and comply with the Federal Acquisition Regulations
13 (FAR), as applicable, and title 2, part 200 of the Code
14 of Federal Regulations (CFR); an assessment of potential
15 benefits of setting a cap on such indirect costs to ensure
16 the cost-effective use of appropriated funds; a plan to re-
17 vise such policies and procedures to comply with the FAR
18 and CFR and ensure that indirect costs are reasonable;
19 and a timeline for implementing such plan.

20 (q) SMALL GRANTS AND ENTITIES.—(1) Of the
21 funds appropriated by this Act under the headings “Devel-
22 opment Assistance” and “Economic Support Fund”, not
23 less than \$45,000,000 shall be made available to conduct,
24 and pursuant to the authorities of, the Small Grants Pro-
25 gram established by section 7080 of the Department of

1 State, Foreign Operations, and Related Programs Appro-
2 priations Act, 2015 (division J of Public Law 113–235),
3 which may remain available until September 30, 2020.

4 (2) Not later than 45 days after enactment of this
5 Act, the Administrator of the United States Agency for
6 International Development (USAID) shall post on the
7 USAID Web site detailed information describing the proc-
8 ess by which small nongovernmental organizations, edu-
9 cational institutions, and other small entities seeking
10 funding from USAID for unsolicited proposals through
11 grants, cooperative agreements, and other assistance
12 mechanism and agreements, can apply for such funding:
13 *Provided*, That the USAID Administrator should ensure
14 that each bureau, office, and overseas mission has author-
15 ity to approve, and sufficient funds to implement, such
16 grants or other agreements that meet appropriate criteria
17 for unsolicited proposals.

18 (3) Section 7080 of Public Law 113–235 is amended
19 as follows:

20 (A) in subsections (b) and (c), strike “Grants”,
21 and insert “Awards”;

22 (B) in subsection (c)(1), delete “or” after “pro-
23 posals;”;

24 (C) in subsection (c)(2) delete the period after
25 “process”, and insert “; or”;

1 (D) after subsection (c)(2), insert “(3) as other-
2 wise allowable under Federal Acquisition Regula-
3 tions and USAID procurement policies.”; and

4 (E) in subsection (e)(3), strike “12”, and insert
5 “20”, and strike “administrative and oversight ex-
6 penses associated with managing” and insert “ad-
7 ministrative expenses, and other necessary support
8 associated with managing and strengthening”.

9 (4) For the purposes of section 7080 of Public Law
10 113–235, “eligible entities” shall be defined as small local,
11 international, and United States-based nongovernmental
12 organizations, educational institutions, and other small en-
13 tities that have received less than a total of \$5,000,000
14 in USAID funding over the previous five years: *Provided*,
15 That departments or centers of such educational institu-
16 tions may be considered individually in determining such
17 eligibility.

18 (r) DEFINITIONS.—

19 (1) Unless otherwise defined in this Act, for
20 purposes of this Act the term “appropriate congress-
21 sional committees” shall mean the Committees on
22 Appropriations and Foreign Relations of the Senate
23 and the Committees on Appropriations and Foreign
24 Affairs of the House of Representatives.

1 (2) Unless otherwise defined in this Act, for
2 purposes of this Act the term “funds appropriated
3 in this Act and prior Acts making appropriations for
4 the Department of State, foreign operations, and re-
5 lated programs” shall mean funds that remain avail-
6 able for obligation, and have not expired.

7 (3) For the purposes of this Act “international
8 financial institutions” shall mean the International
9 Bank for Reconstruction and Development, the
10 International Development Association, the Inter-
11 national Finance Corporation, the Inter-American
12 Development Bank, the International Monetary
13 Fund, the Asian Development Bank, the Asian De-
14 velopment Fund, the Inter-American Investment
15 Corporation, the North American Development
16 Bank, the European Bank for Reconstruction and
17 Development, the African Development Bank, the
18 African Development Fund, and the Multilateral In-
19 vestment Guarantee Agency.

20 (4) For purposes of this Act, the term “coun-
21 tering violent extremism” shall be defined as non-co-
22 ercive interventions aimed directly at reducing public
23 support for non-state entities that engage in ter-
24 rorist activities.

1 (5) For purposes of this Act, the term “best
2 practices” for the protection of whistleblowers means
3 practices that are implemented consistent with terms
4 specified in international conventions or adopted by
5 international organizations such as the Organization
6 of Economic Cooperation and Development and the
7 Organization of American States.

8 (6) 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 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 2016,
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 all funds pro-
7 vided as cash transfer assistance, in fiscal year 2016
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 and over which Hamas exercises
3 undue influence.

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

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

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

1 Foreign Assistance Act of 1961, as amended: *Pro-*
2 *vided*, That the report shall also detail the amount,
3 purposes and delivery mechanisms for any assistance
4 provided pursuant to the abovementioned certifi-
5 cation and a full accounting of any direct support of
6 such government.

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

10 MIDDLE EAST AND NORTH AFRICA

11 SEC. 7041. (a) EGYPT.—

12 (1) CERTIFICATION AND REPORT.—Funds ap-
13 propriated by this Act that are available for assist-
14 ance for the Government of Egypt may only be made
15 available if the Secretary of State certifies and re-
16 ports to the Committees on Appropriations that such
17 government is—

18 (A) sustaining the strategic relationship
19 with the United States; and

20 (B) meeting its obligations under the 1979
21 Egypt-Israel Peace Treaty.

22 (2) ECONOMIC SUPPORT FUND.—

23 (A) FUNDING AND LIMITATION.—Of the
24 funds appropriated by this Act under the head-
25 ing “Economic Support Fund”, up to

1 \$150,000,000 may be made available for assist-
2 ance for Egypt, of which not less than
3 \$35,000,000 should be made available for high-
4 er education programs including not less than
5 \$10,000,000 for scholarships at not-for-profit
6 institutions for Egyptian students with high fi-
7 nancial needs: *Provided*, That such funds may
8 be made available for education and economic
9 growth programs notwithstanding any provision
10 of law restricting assistance for Egypt, and fol-
11 lowing prior consultation with the Committees
12 on Appropriations: *Provided further*, That such
13 funds may not be made available for cash
14 transfer assistance or budget support unless the
15 Secretary of State certifies and reports to the
16 appropriate congressional committees that the
17 Government of Egypt is taking consistent and
18 effective steps to stabilize the economy and im-
19 plement market-based economic reforms.

20 (B) WITHHOLDING.—The Secretary of
21 State shall withhold from obligation an amount
22 of such funds that the Secretary determines to
23 be equivalent to that expended by the United
24 States Government for bail, and by nongovern-
25 mental organizations for legal and court fees,

1 associated with democracy-related trials in
2 Egypt until the Secretary certifies and reports
3 to the Committees on Appropriations that the
4 Government of Egypt has dismissed the convic-
5 tions issued by the Cairo Criminal Court on
6 June 4, 2013, in “Public Prosecution Case No.
7 1110 for the Year 2012.”

8 (3) FOREIGN MILITARY FINANCING PRO-
9 GRAM.—

10 (A) DEMOCRACY AND HUMAN RIGHTS CER-
11 TIFICATION.—Of the funds appropriated by this
12 Act under the heading “Foreign Military Fi-
13 nancing Program”, up to \$1,300,000,000, to
14 remain available until September 30, 2017, may
15 be made available for assistance for Egypt if
16 the Secretary of State certifies and reports to
17 the Committees on Appropriations that the
18 Government of Egypt—

19 (i) is taking effective steps to advance
20 democracy and human rights in Egypt, in-
21 cluding to govern democratically and pro-
22 tect religious minorities and the rights of
23 women, which are in addition to steps
24 taken during the previous calendar year
25 for such purposes;

1 (ii) is implementing reforms that pro-
2 tect freedoms of expression, association,
3 and peaceful assembly, including the abil-
4 ity of civil society organizations and the
5 media to function without interference;

6 (iii) has released all political prisoners
7 and is providing detainees with due process
8 of law; and

9 (iv) is conducting credible investiga-
10 tions and prosecutions of the use of exces-
11 sive force by security forces:

12 *Provided*, That such funds may be transferred
13 to an interest bearing account in the Federal
14 Reserve Bank of New York, following consulta-
15 tion with the Committees on Appropriations:

16 *Provided further*, That the certification require-
17 ment of this paragraph shall not apply to funds
18 appropriated by this Act under such heading
19 for counterterrorism, border security, and non-
20 proliferation programs for Egypt, and for devel-
21 opment programs in the Sinai, which may be
22 made available notwithstanding any provision of
23 law restricting assistance for Egypt.

24 (B) WAIVER.—The Secretary of State may
25 waive the certification requirement in subpara-

1 graph (A) or any provision of law restricting as-
2 sistance for Egypt if the Secretary of State de-
3 termines and reports to the Committees on Ap-
4 propriations that to do so is important to the
5 national security interest of the United States,
6 and submits a report to such Committees con-
7 taining a detailed justification for the use of
8 such waiver and the reasons why any of the re-
9 quirements of subparagraph (A) cannot be met.

10 (4) OVERSIGHT AND CLARIFICATION.—

11 (A) The Secretary of State shall take all
12 practicable steps to ensure that mechanisms are
13 in place for monitoring, oversight, and control
14 of funds made available by this subsection for
15 assistance for Egypt.

16 (B) Notwithstanding any provision of this
17 subsection, section 620M of the Foreign Assist-
18 ance Act of 1961 shall apply to funds made
19 available by this subsection for assistance for
20 Egypt.

21 (b) IRAN.—

22 (1) NUCLEAR WEAPONS AND HUMAN RIGHTS.—

23 (A) The terms and conditions of para-
24 graphs (1) and (2) of section 7041(c) of the
25 Department of State, Foreign Operations, and

1 Related Programs Appropriations Act, 2012
2 (division I of Public Law 112–74) shall con-
3 tinue in effect during fiscal year 2016 as if part
4 of this Act.

5 (B) Of the funds appropriated by this Act
6 under the heading “Economic Support Fund”,
7 not less than \$32,000,000 shall be made avail-
8 able for democracy programs for Iran: *Pro-*
9 *vided*, That such funds shall be the responsi-
10 bility of the Assistant Secretary for Near East-
11 ern Affairs, Department of State, in consulta-
12 tion with the Assistant Secretary for Democ-
13 racy, Human Rights, and Labor, Department of
14 State.

15 (2) REPORTS.—

16 (A) The reporting requirements in section
17 7043(c) of the Department of State, Foreign
18 Operations, and Related Programs Appropria-
19 tions Act, 2010 (division F of Public Law 111–
20 117) shall continue in effect during fiscal year
21 2016 as if part of this Act: *Provided*, That the
22 date in subsection (c)(1) shall be deemed to be
23 “September 30, 2016”.

24 (B) The Secretary of State shall submit to
25 the appropriate congressional committees, not

1 later than 30 days after enactment of this Act
2 and at the end of each 30-day period thereafter
3 until September 30, 2016, a report on the im-
4 plementation of the Joint Plan of Action be-
5 tween the P5+1 and the Government of Iran
6 concluded on November 24, 2013, and any ex-
7 tension of or successor to that agreement,
8 which may be submitted in classified form if
9 necessary.

10 (c) IRAQ.—

11 (1) PURPOSES.—Funds appropriated by this
12 Act may be made available for assistance for Iraq to
13 promote governance, security, and internal and re-
14 gional stability, including in Kurdistan and other
15 areas impacted by the conflict in Syria, and among
16 Iraq’s religious and ethnic minority populations.

17 (2) LIMITATION.—None of the funds appro-
18 priated by this Act may be made available for con-
19 struction, rehabilitation, or other improvements to
20 United States diplomatic facilities in Iraq on prop-
21 erty for which no land-use agreement has been en-
22 tered into by the Governments of the United States
23 and Iraq: *Provided*, That the restrictions in this
24 paragraph shall not apply if such funds are nec-
25 essary to protect United States diplomatic facilities

1 or the security, health, and welfare of United States
2 personnel.

3 (3) KURDISTAN REGIONAL GOVERNMENTS SE-
4 CURITY SERVICES.—Funds appropriated by this Act
5 under the headings “International Narcotics Control
6 and Law Enforcement” and “Foreign Military Fi-
7 nancing Program” that are available for assistance
8 for Iraq should be made available to enhance the ca-
9 pacity of Kurdistan Regional Government security
10 services and for security programs in Kurdistan to
11 address requirements arising from the violence in
12 Syria and Iraq: *Provided*, That the Secretary of
13 State shall consult with the Committees on Appro-
14 priations prior to obligating such funds.

15 (d) JORDAN.—

16 (1) MEMORANDUM OF UNDERSTANDING ON
17 STRATEGIC PARTNERSHIP.—Of the funds appro-
18 priated by this Act under the headings “Economic
19 Support Fund” and “Foreign Military Financing
20 Program”, not less than \$1,000,000,000 shall be
21 made available for assistance for Jordan, consistent
22 with the Memorandum of Understanding on Stra-
23 tegic Partnership between the Hashemite Kingdom
24 of Jordan and the United States, signed on March
25 2, 2015.

1 (2) ADDITIONAL ASSISTANCE.—

2 (A) RESPONSE TO THE SYRIAN CRISIS.—In
3 addition to amounts made available in para-
4 graph (1), funds appropriated by this Act shall
5 be made available for programs to implement
6 the Jordan Response Plan 2015 for the Syria
7 Crisis, including assistance for host commu-
8 nities in Jordan: *Provided*, That not later than
9 180 days after enactment of this Act, the Sec-
10 retary of State shall submit a report to the
11 Committees on Appropriations describing the
12 United States and other donor contributions to
13 such Plan.

14 (B) BUDGET SUPPORT.—In addition to
15 amounts made available in paragraphs (1),
16 2(A), and 2(C), of the funds appropriated by
17 this Act under the heading “Economic Support
18 Fund”, not less than \$75,000,000 shall be
19 made available for budget support for the Gov-
20 ernment of Jordan: *Provided*, That of the funds
21 appropriated by this Act for assistance for Jor-
22 dan, not less than \$204,000,000 shall be made
23 available for budget support for the Govern-
24 ment of Jordan.

1 (C) WATER SECTOR SUPPORT.—In addi-
2 tion to amounts made available in paragraphs
3 (1), (2)(A), and (2)(B), of the funds appro-
4 priated by this Act, \$100,000,000 shall be
5 made available for water sector support for Jor-
6 dan: *Provided*, That the Secretary of State shall
7 consult with the Committees on Appropriations
8 prior to obligating such funds.

9 (e) LEBANON.—

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

17 (2) CONSULTATION REQUIREMENT.—Funds ap-
18 propriated by this Act under the headings “Inter-
19 national Narcotics Control and Law Enforcement”
20 and “Foreign Military Financing Program” that are
21 available for assistance for Lebanon may be made
22 available for programs and equipment for the ISF
23 and the LAF to address security and stability re-
24 quirements in areas affected by the conflict in Syria,

1 following consultation with the appropriate congress-
2 sional committees.

3 (3) ECONOMIC SUPPORT FUND.—Funds appro-
4 priated by this Act under the heading “Economic
5 Support Fund” that are available for assistance for
6 Lebanon may be made available notwithstanding
7 section 1224 of the Foreign Relations Authorization
8 Act, Fiscal Year 2003 (Public Law 107–228; 22
9 U.S.C. 2346 note).

10 (4) FOREIGN MILITARY FINANCING PRO-
11 GRAM.—In addition to the activities described in
12 paragraph (2), funds appropriated by this Act under
13 the heading “Foreign Military Financing Program”
14 for assistance for Lebanon may be made available
15 only to professionalize the LAF and to strengthen
16 border security and combat terrorism, including
17 training and equipping the LAF to secure Lebanon’s
18 borders, interdicting arms shipments, preventing the
19 use of Lebanon as a safe haven for terrorist groups,
20 and to implement United Nations Security Council
21 Resolution 1701: *Provided*, That funds may not be
22 obligated for assistance for the LAF until the Sec-
23 retary of State submits to the Committees on Appro-
24 priations a detailed spend plan, including actions to
25 be taken to ensure equipment provided to the LAF

1 is only used for the intended purposes, except such
2 plan may not be considered as meeting the notifica-
3 tion requirements under section 7015 of this Act or
4 under section 634A of the Foreign Assistance Act of
5 1961, and shall be submitted not later than Sep-
6 tember 1, 2016: *Provided further*, That any notifica-
7 tion submitted pursuant to such sections shall in-
8 clude any funds specifically intended for lethal mili-
9 tary equipment.

10 (f) LIBYA.—

11 (1) FUNDING.—Of the funds appropriated by
12 titles III and IV of this Act, not less than
13 \$20,000,000 shall be made available for assistance
14 for Libya for programs to strengthen governing in-
15 stitutions, improve border security, and promote de-
16 mocracy and stability in Libya, and for activities to
17 address the humanitarian needs of the people of
18 Libya.

19 (2) LIMITATIONS.—

20 (A) COOPERATION ON THE SEPTEMBER
21 2012 ATTACK ON UNITED STATES PERSONNEL
22 AND FACILITIES.—None of the funds appro-
23 priated by this Act may be made available for
24 assistance for the central Government of Libya
25 unless the Secretary of State reports to the

1 Committees on Appropriations that such gov-
2 ernment is cooperating with United States Gov-
3 ernment efforts to investigate and bring to jus-
4 tice those responsible for the attack on United
5 States personnel and facilities in Benghazi,
6 Libya in September 2012: *Provided*, That the
7 limitation in this paragraph shall not apply to
8 funds made available for the purpose of pro-
9 tecting United States Government personnel or
10 facilities.

11 (B) INFRASTRUCTURE PROJECTS.—The
12 limitation on the uses of funds in section
13 7041(f)(2) of the Department of State, Foreign
14 Operations, and Related Programs Appropria-
15 tions Act, 2014 (division K of Public Law 113–
16 76) shall apply to funds appropriated by this
17 Act that are made available for assistance for
18 Libya.

19 (3) CERTIFICATION REQUIREMENT.—Prior to
20 the initial obligation of funds made available by this
21 Act for assistance for Libya, the Secretary of State
22 shall certify and report to the Committees on Appro-
23 priations that all practicable steps have been taken
24 to ensure that mechanisms are in place for moni-

1 toring, oversight, and control of funds made avail-
2 able by this subsection for assistance for Libya.

3 (g) MOROCCO.—

4 (1) AVAILABILITY AND CONSULTATION RE-
5 QUIREMENT.—Funds appropriated under title III of
6 this Act shall be made available for assistance for
7 the Western Sahara: *Provided*, That not later than
8 90 days after enactment of this Act and prior to the
9 obligation of such funds the Secretary of State, in
10 consultation with the Administrator of the United
11 States Agency for International Development, shall
12 consult with the Committees on Appropriations on
13 the proposed uses of such funds.

14 (2) FOREIGN MILITARY FINANCING PRO-
15 GRAM.—Funds appropriated by this Act under the
16 heading “Foreign Military Financing Program” that
17 are available for assistance for Morocco may only be
18 used for the purposes requested in the Congressional
19 Budget Justification, Foreign Operations, Fiscal
20 Year 2016.

21 (h) SYRIA.—

22 (1) NON-LETHAL ASSISTANCE.—Of the funds
23 appropriated by this Act under the headings “Eco-
24 nomic Support Fund”, “International Narcotics
25 Control and Law Enforcement”, and “Peacekeeping

1 Operations”, not less than \$175,000,000 shall be
2 made available, notwithstanding any other provision
3 of law, for non-lethal assistance for programs to ad-
4 dress the needs of civilians affected by conflict in
5 Syria, and for programs that seek to—

6 (A) establish governance in Syria that is
7 representative, inclusive, and accountable;

8 (B) expand the role of women in negotia-
9 tions to end the violence and in any political
10 transition in Syria;

11 (C) develop and implement political proc-
12 esses that are democratic, transparent, and ad-
13 here to the rule of law;

14 (D) further the legitimacy of the Syrian
15 opposition through cross-border programs;

16 (E) develop civil society and an inde-
17 pendent media in Syria;

18 (F) promote economic development in
19 Syria;

20 (G) document, investigate, and prosecute
21 human rights violations in Syria, including
22 through transitional justice programs and sup-
23 port for nongovernmental organizations;

24 (H) counter extremist ideologies;

1 (I) assist Syrian refugees whose education
2 has been interrupted by the ongoing conflict to
3 complete higher education requirements at re-
4 gional academic institutions; and

5 (J) assist vulnerable populations in Syria
6 and in neighboring countries.

7 (2) SYRIAN ORGANIZATIONS AND STRATEGY UP-
8 DATE.—Funds appropriated by this Act that are
9 made available for assistance for Syria pursuant to
10 the authority of this subsection shall be made avail-
11 able for a program to strengthen the capability of
12 Syrian diaspora-led organizations and local Syrian
13 civil society organizations to address the immediate
14 and long-term needs of the Syrian people inside
15 Syria in a manner that supports the sustainability of
16 such organizations in implementing Syrian-led hu-
17 manitarian and development programs and the com-
18 prehensive strategy required in section 7041(i)(3) of
19 the Department of State, Foreign Operations, and
20 Related Programs Appropriations Act, 2014 (divi-
21 sion K of Public Law 113–76): *Provided further*,
22 That not later than 30 days after enactment of this
23 Act, and prior to the initial obligation of funds, the
24 Secretary of State shall submit an update to such

1 strategy to the Committees on Appropriations, in
2 classified form if necessary.

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

17 (4) CONSULTATION.—Funds made available
18 pursuant to this subsection may only be made avail-
19 able following consultation with the appropriate con-
20 gressional committees.

21 (i) WEST BANK AND GAZA.—

22 (1) REPORT ON ASSISTANCE.—Prior to the ini-
23 tial obligation of funds made available by this Act
24 under the heading “Economic Support Fund” for
25 assistance for the West Bank and Gaza, the Sec-

1 retary of State shall report to the Committees on
2 Appropriations that the purpose of such assistance
3 is to—

4 (A) advance Middle East peace;

5 (B) improve security in the region;

6 (C) continue support for transparent and
7 accountable government institutions;

8 (D) promote a private sector economy; or

9 (E) address urgent humanitarian needs.

10 (2) LIMITATIONS.—

11 (A)(i) None of the funds appropriated
12 under the heading “Economic Support Fund”
13 in this Act may be made available for assistance
14 for the Palestinian Authority, if after the date
15 of enactment of this Act—

16 (I) the Palestinians obtain the same
17 standing as member states or full member-
18 ship as a state in the United Nations or
19 any specialized agency thereof outside an
20 agreement negotiated between Israel and
21 the Palestinians; or

22 (II) the Palestinians initiate an Inter-
23 national Criminal Court (ICC) judicially
24 authorized investigation, or actively sup-
25 port such an investigation, that subjects

1 Israeli nationals to an investigation for al-
2 leged crimes against Palestinians.

3 (ii) The Secretary of State may waive the
4 restriction in clause (i) of this subparagraph re-
5 sulting from the application of subclause (I) of
6 such clause if the Secretary certifies to the
7 Committees on Appropriations that to do so is
8 in the national security interest of the United
9 States, and submits a report to such Commit-
10 tees detailing how the waiver and the continu-
11 ation of assistance would assist in furthering
12 Middle East peace.

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

23 (I) obtained in the United Nations or
24 any specialized agency thereof the same
25 standing as member states or full member-

1 ship as a state outside an agreement nego-
2 tiated between Israel and the Palestinians;
3 and

4 (II) taken any action with respect to
5 the ICC that is intended to influence a de-
6 termination by the ICC to initiate a judi-
7 cially authorized investigation, or to ac-
8 tively support such an investigation, that
9 subjects Israeli nationals to an investiga-
10 tion for alleged crimes against Palestin-
11 ians.

12 (ii) Not less than 90 days after the Presi-
13 dent is unable to make the certification and re-
14 port pursuant to clause (i) of this subpara-
15 graph, the President may waive section 1003 of
16 Public Law 100–204 if the President deter-
17 mines and certifies in writing to the Speaker of
18 the House of Representatives, the President pro
19 tempore of the Senate, and the Committees on
20 Appropriations that the Palestinians have en-
21 tered into direct and meaningful negotiations
22 with Israel: *Provided*, That any waiver of the
23 provisions of section 1003 of Public Law 100–
24 204 under clause (i) of this subparagraph or
25 under previous provisions of law must expire

1 before the waiver under the preceding sentence
2 may be exercised.

3 (iii) Any waiver pursuant to this subpara-
4 graph shall be effective for no more than a pe-
5 riod of 6 months at a time and shall not apply
6 beyond 12 months after the enactment of this
7 Act.

8 (3) REDUCTION.—The Secretary of State shall
9 reduce the amount of assistance made available by
10 this Act under the heading “Economic Support
11 Fund” for the Palestinian Authority by an amount
12 the Secretary determines is equivalent to the amount
13 expended by the Palestinian Authority as payments
14 for acts of terrorism by individuals who are impris-
15 oned after being fairly tried and convicted for acts
16 of terrorism and by individuals who died committing
17 acts of terrorism during the previous calendar year:
18 *Provided*, That the Secretary shall report to the
19 Committees on Appropriations on the amount re-
20 duced for fiscal year 2016 prior to the obligation of
21 funds for the Palestinian Authority.

22 (4) SECURITY REPORT.—The reporting require-
23 ments contained in section 1404 of the Supple-
24 mental Appropriations Act, 2008 (Public Law 110–
25 252) 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 AFRICA

4 SEC. 7042. (a) ETHIOPIA.—

5 (1) FORCED EVICTIONS.—

6 (A) Funds appropriated by this Act for as-
7 sistance for Ethiopia may not be made available
8 for any activity that involves forced evictions.

9 (B) The Secretary of the Treasury shall
10 instruct the United States executive director of
11 each international financial institution to vote
12 against financing for any activity that involves
13 forced evictions.

14 (2) CONSULTATION REQUIREMENT.—Programs
15 and activities to improve livelihoods shall include
16 prior consultation with, and the participation of, af-
17 fected communities, including in the South Omo and
18 Gambella regions.

19 (3) FOREIGN MILITARY FINANCING PRO-
20 GRAM.—Funds appropriated by this Act under the
21 heading “Foreign Military Financing Program” for
22 assistance for Ethiopia may only be made available
23 for border security and counter terrorism programs,
24 support for international peacekeeping efforts, and

1 assistance for the Ethiopian Defense Command and
2 Staff College.

3 (b) LAKE CHAD BASIN COUNTRIES.—Funds appro-
4 priated by this Act shall be made available for democracy
5 programs in Cameroon, Chad, Niger, and Nigeria, con-
6 sistent with the requirements of section 7073 of this Act
7 and following consultation with the Committees on Appro-
8 priations: *Provided*, That such programs should protect
9 freedoms of expression, association and religion, including
10 for journalists, civil society, and opposition political par-
11 ties, and should be used to assist the governments of such
12 countries to strengthen accountability and the rule of law,
13 including within the security forces.

14 (c) PROGRAMS IN AFRICA.—

15 (1) Of the funds appropriated by this Act under
16 the headings “Global Health Programs” and “Eco-
17 nomic Support Fund”, not less than \$7,000,000
18 shall be made available for the purposes of section
19 7042(g)(1) of the Department of State, Foreign Op-
20 erations, and Related Programs Appropriations Act,
21 2014 (division K of Public Law 113–76).

22 (2) Of the funds appropriated by this Act under
23 the headings “Economic Support Fund” and “Inter-
24 national Narcotics Control and Law Enforcement”,
25 not less than \$8,000,000 shall be made available for

1 the purposes of section 7042(g)(2) of the Depart-
2 ment of State, Foreign Operations, and Related Pro-
3 grams Appropriations Act, 2014 (division K of Pub-
4 lic Law 113–76).

5 (3) Funds made available under paragraphs (1)
6 and (2) shall be programmed in a manner that
7 leverages a United States Government-wide ap-
8 proach to addressing shared challenges and mutually
9 beneficial opportunities, and shall be the responsi-
10 bility of United States Chiefs of Mission in countries
11 in Africa seeking enhanced partnerships with the
12 United States in areas of trade, investment, develop-
13 ment, health, and security.

14 (d) SOUTH SUDAN.—

15 (1) Funds appropriated by this Act that are
16 made available for assistance for South Sudan
17 should—

18 (A) be prioritized for programs that re-
19 spond to humanitarian needs and the delivery
20 of basic services and to mitigate conflict and
21 promote stability, including to address protec-
22 tion needs and prevent and respond to gender-
23 based violence;

24 (B) support programs that build resilience
25 of communities to address food insecurity,

1 maintain educational opportunities, and en-
2 hance local governance;

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

6 (D) support the transparent and sustain-
7 able management of natural resources by assist-
8 ing the Government of South Sudan in con-
9 ducting regular audits of financial accounts, in-
10 cluding revenues from oil and gas, and the
11 timely public disclosure of such audits; and

12 (E) support the professionalization of secu-
13 rity forces, including human rights and ac-
14 countability to civilian authorities.

15 (2) None of the funds appropriated by this Act
16 that are available for assistance for the central Gov-
17 ernment of South Sudan may be made available
18 until the Secretary of State certifies and reports to
19 the Committees on Appropriations that such govern-
20 ment is taking effective steps to—

21 (A) end hostilities and pursue good faith
22 negotiations for a political settlement of the in-
23 ternal conflict;

24 (B) provide access for humanitarian orga-
25 nizations;

1 (C) end the recruitment and use of child
2 soldiers;

3 (D) protect freedoms of expression, asso-
4 ciation, and assembly;

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

7 (F) establish democratic institutions, in-
8 cluding accountable military and police forces
9 under civilian authority.

10 (3) The limitation of paragraph (2) shall not
11 apply to—

12 (A) humanitarian assistance;

13 (B) assistance to support South Sudan
14 peace negotiations or to advance or implement
15 a peace agreement; and

16 (C) assistance to support implementation
17 of outstanding issues of the Comprehensive
18 Peace Agreement (CPA) and mutual arrange-
19 ments related to the CPA.

20 (e) SUDAN.—

21 (1) Notwithstanding any other provision of law,
22 none of the funds appropriated by this Act may be
23 made available for assistance for the Government of
24 Sudan.

1 (2) None of the funds appropriated by this Act
2 may be made available for the cost, as defined in
3 section 502 of the Congressional Budget Act of
4 1974, of modifying loans and loan guarantees held
5 by the Government of Sudan, including the cost of
6 selling, reducing, or canceling amounts owed to the
7 United States, and modifying concessional loans,
8 guarantees, and credit agreements.

9 (3) The limitations of paragraphs (1) and (2)
10 shall not apply to—

11 (A) humanitarian assistance;

12 (B) assistance for democracy programs;

13 (C) assistance for the Darfur region,
14 Southern Kordofan State, Blue Nile State,
15 other marginalized areas and populations in
16 Sudan, and Abyei; and

17 (D) assistance to support implementation
18 of outstanding issues of the Comprehensive
19 Peace Agreement (CPA), mutual arrangements
20 related to post-referendum issues associated
21 with the CPA, or any other internationally rec-
22 ognized viable peace agreement in Sudan.

23 (f) VICTIMS OF VIOLENCE AND VIOLENT EXTREMIST
24 GROUPS.—

1 (1) Funds appropriated by this Act that are
2 made available for assistance for Cameroon, Chad,
3 Niger, and Nigeria shall be made available for as-
4 sistance for women and girls who are targeted by
5 the terrorist organization Boko Haram, consistent
6 with the provisions of section 7059 of this Act, and
7 in consultation with the governments of such coun-
8 tries.

9 (2) Of the funds appropriated by this Act under
10 the heading “Economic Support Fund”, not less
11 than \$10,000,000 shall be made available for pro-
12 grams and activities in areas affected by the Lord’s
13 Resistance Army (LRA) consistent with the goals of
14 the Lord’s Resistance Army and Disarmament and
15 Northern Uganda Recovery Act (Public Law 111–
16 172), including to improve physical access, tele-
17 communications infrastructure, and early-warning
18 mechanisms and to support the disarmament, demo-
19 bilization, and reintegration of former LRA combat-
20 ants, especially child soldiers.

21 (3) Funds made available by this Act for assist-
22 ance for the Central African Republic shall be made
23 available for reconciliation and peacebuilding pro-
24 grams, including activities to promote inter-faith

1 dialogue at the national and local levels, and for pro-
2 grams to prevent crimes against humanity.

3 (g) ZIMBABWE.—

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

15 (2) None of the funds appropriated by this Act
16 shall be made available for assistance for the central
17 Government of Zimbabwe, except for health and
18 education, unless the Secretary of State certifies and
19 reports as required in paragraph (1), and funds may
20 be made available for macroeconomic growth assist-
21 ance if the Secretary reports to the Committees on
22 Appropriations that such government is imple-
23 menting transparent fiscal policies, including public
24 disclosure of revenues from the extraction of natural
25 resources.

EAST ASIA AND THE PACIFIC

SEC. 7043. (a) ASIA REBALANCING INITIATIVE.—

Except for paragraphs (1)(C), (4), (5)(B) and (C), and 6(B), section 7043(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall continue in effect during fiscal year 2016 as if part of this Act.

(b) BURMA.—

(1) FREE AND FAIR NATIONAL ELECTIONS.—

Notwithstanding any provision of this subsection, of the funds appropriated by this Act under the headings “Economic Support Fund” and “International Narcotics Control and Law Enforcement” for assistance for Burma, \$15,000,000 shall be withheld from obligation until the Secretary of State certifies and reports to the appropriate congressional committees that the Government of Burma, including the armed forces, is—

(A) furthering democratic reforms in an inclusive and transparent manner that includes the participation of civil society, opposition political parties, and parliament;

(B) taking effective steps to hold free and fair elections consistent with internationally recognized standards for democratic elections, in-

1 including those identified by the National League
2 for Democracy in its January 13, 2015 state-
3 ment on elections;

4 (C) supporting the independence of the
5 Union Election Commission, and refraining
6 from using official resources for electioneering;

7 (D) promoting and protecting human
8 rights, particularly for Rohingya, Kachin, and
9 other religious and ethnic groups;

10 (E) releasing all political prisoners; and

11 (F) fulfilling international commitments
12 and reform pledges outlined in Myanmar Presi-
13 dent Office Press Release No. 2/2012.

14 (2) BILATERAL ECONOMIC ASSISTANCE.—(A)
15 Funds appropriated by this Act under the heading
16 “Economic Support Fund” for assistance for Burma
17 may be made available notwithstanding any other
18 provision of law, except for this subsection, and fol-
19 lowing consultation with the appropriate congress-
20 sional committees.

21 (B) Funds appropriated under title III of this
22 Act for assistance for Burma—

23 (i) may not be made available for budget
24 support for the Government of Burma;

1 (ii) shall be provided to strengthen civil so-
2 ciety organizations in Burma, including as core
3 support for such organizations;

4 (iii) shall be made available for the imple-
5 mentation of the democracy and human rights
6 strategy required by section 7043(b)(3)(A) of
7 the Department of State, Foreign Operations,
8 and Related Programs Appropriations Act,
9 2014 (division K of Public Law 113–76);

10 (iv) shall be made available for community-
11 based organizations operating in Thailand to
12 provide food, medical, and other humanitarian
13 assistance to internally displaced persons in
14 eastern Burma, in addition to assistance for
15 Burmese refugees from funds appropriated by
16 this Act under the heading “Migration and Ref-
17 ugee Assistance”;

18 (v) shall be made available for programs to
19 promote ethnic and religious tolerance, includ-
20 ing in Rakhine and Kachin states;

21 (vi) may not be made available to any suc-
22 cessor or affiliated organization of the State
23 Peace and Development Council (SPDC) con-
24 trolled by former SPDC members that pro-
25 motes the repressive policies of the SPDC, or to

1 any individual or organization credibly alleged
2 to have committed gross violations or human
3 rights, including against Rohingya and other
4 minority groups; and

5 (vii) may be made available for programs
6 administrated by the Office of Transition Initia-
7 tives, United States Agency for International
8 Development (USAID), or ethnic groups and
9 civil society in Burma to help sustain ceasefire
10 agreements and further prospects for reconcili-
11 ation and peace, which may include support to
12 representatives of ethnic armed groups for this
13 purpose.

14 (3) INTERNATIONAL SECURITY ASSISTANCE.—

15 None of the funds appropriated by this Act under
16 the headings “International Military Education and
17 Training” and “Foreign Military Financing Pro-
18 gram” may be made available for assistance for
19 Burma: *Provided*, That if the Secretary of State
20 makes the certification and report required in para-
21 graph (1), the Department of State may continue
22 consultations with the armed forces of Burma only
23 on human rights and disaster response in a manner
24 consistent with the prior fiscal year, and following

1 consultation with the appropriate congressional com-
2 mittees.

3 (4) 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 (5) ASSESSMENT.—Not later than 180 days
5 after enactment of this Act, the Comptroller General
6 of the United States shall initiate an assessment of
7 democracy programs in Burma conducted by the De-
8 partment of State and USAID, including the strat-
9 egy for such programs, and programmatic imple-
10 mentation and results: *Provided*, That of the funds
11 appropriated by this Act for assistance for Burma,
12 up to \$100,000 shall be made available to the Comp-
13 troller for such assessment.

14 (6) PROGRAMS, POSITION, AND RESPONSIBIL-
15 ITIES.—

16 (A) Any new program or activity in Burma
17 initiated in fiscal year 2016 shall be subject to
18 prior consultation with the appropriate congres-
19 sional committees.

20 (B) Section 7043(b)(7) of the Department
21 of State, Foreign Operations, and Related Pro-
22 grams Appropriations Act, 2015 (division J of
23 Public Law 113–235) shall continue in effect
24 during fiscal year 2016 as if part of this Act.

1 (C) The United States Chief of Mission in
2 Burma, in consultation with the Assistant Sec-
3 retary for the Bureau of Democracy, Human
4 Rights, and Labor, Department of State, shall
5 be responsible for democracy programs in
6 Burma.

7 (c) CAMBODIA.—

8 (1) DEMOCRACY PROGRAMS.—Of the funds ap-
9 propriated under title III of this Act, not less than
10 \$19,750,000 shall be made available for democracy
11 programs in Cambodia, including to promote Inter-
12 net freedom: *Provided*, That the decisions on the
13 uses of such funds shall be the responsibility of the
14 Assistant Secretary for Democracy, Human Rights,
15 and Labor, Department of State, in consultation
16 with the United States Chief of Mission in Cam-
17 bodia.

18 (2) KHMER ROUGE RESEARCH AND EDUCATION
19 PROGRAMS.—None of the funds appropriated by this
20 Act may be made available for a United States con-
21 tribution to the Extraordinary Chambers in the
22 Court of Cambodia (ECCC): *Provided*, That funds
23 made available by this Act for democracy programs
24 in Cambodia shall be made available for research
25 and education programs associated with the Khmer

1 Rouge genocide in Cambodia: *Provided further*, That
2 the Secretary of State shall continue to consult with
3 the Principal Donors Group on reimbursements to
4 the Documentation Center of Cambodia for costs in-
5 curred in support of the ECCC.

6 (d) NORTH KOREA.—

7 (1) BROADCASTS.—Funds appropriated by this
8 Act under the heading “International Broadcasting
9 Operations” shall be made available to maintain
10 broadcasts into North Korea at levels consistent
11 with the prior fiscal year.

12 (2) REFUGEES.—Funds appropriated by this
13 Act under the heading “Migration and Refugee As-
14 sistance” shall be made available for assistance for
15 refugees from North Korea, including protection ac-
16 tivities in the People’s Republic of China and other
17 countries in the Asia region.

18 (3) DATABASE AND REPORT.—Funds appro-
19 priated by this Act under the heading “Democracy
20 Fund” that are made available to the Bureau of De-
21 mocracy, Human Rights, and Labor, Department of
22 State, shall be made available to maintain a data-
23 base of prisons and gulags in North Korea, in ac-
24 cordance with section 7032(i) of the Department of
25 State, Foreign Operations, and Related Programs

1 Appropriations Act, 2014 (division K of Public Law
2 113–76): *Provided*, That not later than 30 days
3 after enactment of this Act, the Secretary of State
4 shall submit a report to the Committees on Appro-
5 priations describing the sources of information and
6 format of such database.

7 (4) LIMITATION ON USE OF FUNDS.—None of
8 the funds appropriated by this Act under the head-
9 ing “Economic Support Fund” may be made avail-
10 able for assistance for the Government of North
11 Korea.

12 (e) PEOPLE’S REPUBLIC OF CHINA.—

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

22 (2) PEOPLE’S LIBERATION ARMY.—The terms
23 and requirements of section 620(h) of the Foreign
24 Assistance Act of 1961 shall apply to foreign assist-
25 ance projects or activities of the People’s Liberation

1 Army (PLA) of the PRC, to include such projects or
2 activities by any entity that is owned or controlled
3 by, or an affiliate of, the PLA: *Provided*, That none
4 of the funds appropriated or otherwise made avail-
5 able pursuant to this Act may be used to finance
6 any grant, contract, or cooperative agreement with
7 the PLA, or any entity that the Secretary of State
8 has reason to believe is owned or controlled by, or
9 an affiliate of, the PLA.

10 (3) PROGRAMS TO PROMOTE AND STRENGTHEN
11 TRANSPARENCY, ACCOUNTABILITY, AND CIVIC ADVOCACY.—Of the funds appropriated by this Act under
12 the heading “Economic Support Fund”, not less
13 than \$15,000,000 shall be made available for democ-
14 racy and environment programs for the PRC: *Pro-*
15 *vided*, That the strategic objective of such programs
16 shall be to promote and strengthen transparency, ac-
17 countability, and civic advocacy at the grassroots
18 and national levels in the PRC: *Provided further*,
19 That none of such funds may be made available for
20 assistance for the Government of the PRC.

22 (4) COUNTER INFLUENCE PROGRAMS.—Funds
23 appropriated by this Act for public diplomacy under
24 title I and for assistance under titles III and IV
25 shall be made available to counter the influence of

1 the PRC, in accordance with the strategy required
2 by section 7043(e)(3) of the Department of State,
3 Foreign Operations, and Related Programs Approp-
4 riations Act, 2014 (division K of Public Law 113–
5 76), following consultation with the Committees on
6 Appropriations.

7 (5) COST-MATCHING REQUIREMENT.—Section
8 7032(f) of the Department of State, Foreign Oper-
9 ations, and Related Programs Appropriations Act,
10 2015 (division J of Public Law 113–235) shall con-
11 tinue in effect during fiscal year 2016 as if part of
12 this Act.

13 (6) HONG KONG REPORT.—Not later than 90
14 days after the enactment of this Act, the Secretary
15 of State shall submit to the appropriate congress-
16 sional committees the report required under section
17 301 of the United States-Hong Kong Policy Act of
18 1992 (22 U.S.C. 5731): *Provided*, That such report
19 shall be made publicly available on the Department
20 of State Web site.

21 (f) TIBET.—

22 (1) FINANCING OF PROJECTS IN TIBET.—The
23 Secretary of the Treasury should instruct the United
24 States executive director of each international finan-
25 cial institution to use the voice and vote of the

1 United States to support financing of projects in
2 Tibet if such projects do not provide incentives for
3 the migration and settlement of non-Tibetans into
4 Tibet or facilitate the transfer of ownership of Ti-
5 betan land and natural resources to non-Tibetans,
6 are based on a thorough needs-assessment, foster
7 self-sufficiency of the Tibetan people and respect Ti-
8 betan culture and traditions, and are subject to ef-
9 fective monitoring.

10 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

11 Notwithstanding any other provision of law, of the
12 funds appropriated by this Act under the heading
13 “Economic Support Fund” \$8,000,000 shall be made
14 available to nongovernmental organizations to sup-
15 port activities which preserve cultural traditions and
16 promote sustainable development, education, and en-
17 vironmental conservation in Tibetan communities in
18 the Tibetan Autonomous Region and in other Ti-
19 betan communities in China.

20 (3) Of the funds appropriated by this Act under
21 the heading, “Economic Support Fund” not less
22 than \$6,000,000 shall be made available for pro-
23 grams to promote and preserve Tibetan culture, de-
24 velopment, and the resilience of Tibetan commu-
25 nities in India and Nepal, and to assist in the edu-

1 cation and development of the next generation of Ti-
2 betan leaders from such communities: *Provided*,
3 That such funds are in addition to amounts made
4 available in paragraph (2) for programs inside Tibet.

5 (g) VIETNAM.—

6 (1) DIOXIN REMEDIATION.—Of the funds ap-
7 propriated by this Act under the heading “Economic
8 Support Fund”, not less than \$25,000,000 shall be
9 made available for remediation of dioxin contami-
10 nated sites in Vietnam and may be made available
11 for assistance for the Government of Vietnam, in-
12 cluding the military, for such purposes.

13 (2) HEALTH AND DISABILITY PROGRAMS.—Of
14 the funds appropriated by this Act under the head-
15 ing “Development Assistance”, not less than
16 \$7,000,000 shall be made available for health and
17 disability programs in areas sprayed with Agent Or-
18 ange and otherwise contaminated with dioxin, to as-
19 sist individuals with severe upper or lower body mo-
20 bility impairment and/or cognitive or developmental
21 disabilities.

22 SOUTH AND CENTRAL ASIA

23 SEC. 7044. (a) AFGHANISTAN.—

24 (1) DIPLOMATIC OPERATIONS.—

1 (A) FACILITIES.—Funds appropriated by
2 this Act under the headings “Diplomatic and
3 Consular Programs”, “Embassy Security, Con-
4 struction, and Maintenance”, and “Operating
5 Expenses” that are available for construction
6 and renovation of United States Government
7 facilities in Afghanistan may not be made avail-
8 able if the purpose is to accommodate Federal
9 employee positions or to expand aviation facili-
10 ties or assets above those notified by the De-
11 partment of State and the United States Agen-
12 cy for International Development (USAID) to
13 the Committees on Appropriations, or contrac-
14 tors in addition to those in place on the date of
15 enactment of this Act: *Provided*, That the limi-
16 tations in this paragraph shall not apply if
17 funds are necessary to implement plans for ac-
18 commodating other United States Government
19 agencies under Chief of Mission authority per
20 section 3927 of title 22, United States Code, or
21 to protect such facilities or the security, health,
22 and welfare of United States Government per-
23 sonnel.

24 (B) PERSONNEL AND OFFICES REPORTS.—

1 (i) Not later than 30 days after enact-
2 ment of this Act and every 120 days there-
3 after until September 30, 2016, the Sec-
4 retary of State shall submit a report, in
5 classified form if necessary, to the appro-
6 priate congressional committees detailing
7 by agency the number of personnel present
8 in Afghanistan under Chief of Mission au-
9 thority per section 3927 of title 22, United
10 States Code, at the end of the 120 day pe-
11 riod preceding the submission of such re-
12 port: *Provided*, That such report shall also
13 include the number of locally employed
14 staff and contractors supporting United
15 States Embassy operations in Afghanistan
16 during the reporting period.

17 (ii) Not later than 90 days after en-
18 actment of this Act, the Secretary of State
19 and the USAID Administrator shall each
20 submit to the appropriate congressional
21 committees transition plans for the Office
22 of the Special Representative for Afghani-
23 stan and Pakistan, Department of State,
24 and the Office of Afghanistan and Paki-
25 stan Affairs, USAID, respectively: *Pro-*

1 *vided*, That such plans shall include a
2 timeline, estimated costs, and the per-
3 sonnel requirements for the merger of such
4 offices into the relevant bureaus and of-
5 fices of the Department of State and
6 USAID.

7 (2) ASSISTANCE AND CONDITIONS.—

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

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

21 (ii) cannot be sustained, as appro-
22 priate, by the Government of Afghanistan
23 or other Afghan entity;

24 (iii) is inaccessible for the purposes of
25 conducting regular oversight in accordance

1 with applicable Federal statutes and regu-
2 lations; and

3 (iv) initiates any new, major infra-
4 structure development.

5 (B) CERTIFICATION AND REPORT.—Prior
6 to the initial obligation of funds made available
7 by this Act under the headings “Economic Sup-
8 port Fund” and “International Narcotics Con-
9 trol and Law Enforcement” for assistance for
10 the Government of Afghanistan, the Secretary
11 of State shall certify and report to the Commit-
12 tees on Appropriations that the Government of
13 the United States, after consultation with the
14 Government of Afghanistan, has established—

15 (i) goals and benchmarks for the spe-
16 cific uses of such funds;

17 (ii) conditions that increase the trans-
18 parency and accountability of the Govern-
19 ment of Afghanistan for funds obligated
20 under the New Development Partnership;

21 (iii) monitoring and oversight frame-
22 works in accordance with all applicable
23 audit policies of the Department of State
24 and USAID; and

1 (iv) processes for the public reporting
2 of the Government of Afghanistan's na-
3 tional budget, including revenues and ex-
4 penditures.

5 (C) WAIVER.—The Secretary of State,
6 after consultation with the Secretary of De-
7 fense, may waive the certification requirement
8 of subparagraph (B) if the Secretary deter-
9 mines that to do so is important to the national
10 security interest of the United States and the
11 Secretary submits a report to the Committees
12 on Appropriations, in classified form if nec-
13 essary, on the justification for the waiver and
14 the reasons why any part of the certification re-
15 quirement of subparagraph (B) has not been
16 met.

17 (D) PROGRAMS.—Funds appropriated by
18 this Act that are made available for assistance
19 for Afghanistan shall be made available in the
20 following manner—

21 (i) not less than \$50,000,000 shall be
22 made available for rule of law programs,
23 the decisions for which shall be the respon-
24 sibility of the Chief of Mission, in consulta-

1 tion with other appropriate United States
2 Government officials in Afghanistan;

3 (ii) funds may be made available for
4 an endowment to empower women and
5 girls, and shall be made available for pro-
6 grams that protect the rights of women
7 and promote the political and economic
8 empowerment of women, including their
9 meaningful inclusion in political processes:
10 *Provided*, That such assistance to promote
11 economic empowerment of women shall
12 made available as grants to Afghan and
13 international organizations, to the max-
14 imum extent practicable;

15 (iii) funds shall be made available for
16 programs in Central and South Asia to ex-
17 pand linkages between Afghanistan and
18 countries in the region, subject to the reg-
19 ular notification procedures of the Commit-
20 tees on Appropriations; and

21 (iv) funds may be made available to
22 assist the Government of Afghanistan to
23 increase revenue collection and expendi-
24 ture.

25 (3) REPORTING REQUIREMENTS.—

1 (A) GOALS AND BENCHMARKS.—Not later
2 than 90 days after enactment of this Act, the
3 Secretary of State shall submit to the appro-
4 priate congressional committees a report de-
5 scribing the goals and benchmarks required in
6 clause (2)(B)(i): *Provided*, That not later than
7 6 months after the submission of such report
8 and every 6 months thereafter until September
9 30, 2017, the Secretary of State shall submit a
10 report to such committees on the status of
11 achieving such goals and benchmarks: *Provided*
12 *further*, That the Secretary of State should sus-
13 pend assistance for the Government of Afghani-
14 stan if any report required by this paragraph
15 indicates that Afghanistan is failing to make
16 measurable progress in meeting such goals and
17 benchmarks.

18 (B) CORRUPTION AND CRIMINAL PROSECU-
19 TIONS.—Not later than 180 days after enact-
20 ment of this Act, the Secretary of State shall
21 submit to the appropriate congressional com-
22 mittees a report detailing steps taken by the
23 Government of Afghanistan to combat corrup-
24 tion and prosecute individuals alleged to be in-
25 volved in illegal activities in Afghanistan.

1 (4) AUTHORITIES.—

2 (A) Funds appropriated by this Act under
3 title III through VI that are made available for
4 assistance for Afghanistan may be made avail-
5 able—

6 (i) notwithstanding section 7012 of
7 this Act or any similar provision of law
8 and section 660 of the Foreign Assistance
9 Act of 1961; and

10 (ii) for reconciliation programs and
11 disarmament, demobilization, and re-
12 integration activities for former combat-
13 ants who have renounced violence against
14 the Government of Afghanistan, including
15 as a United States contribution to the Af-
16 ghanistan Reconstruction Trust Fund and
17 an internationally managed fund for such
18 purposes, subject to the regular notifica-
19 tion procedures of the Committees on Ap-
20 propriations.

21 (B) Section 7046(a)(2)(A) of the Depart-
22 ment of State, Foreign Operations, and Related
23 Programs Appropriations Act, 2012, (division I
24 of Public Law 112–74) shall apply to funds ap-

1 appropriated by this Act for assistance for Af-
2 ghanistan.

3 (C) Section 1102(c) of the Supplemental
4 Appropriations Act, 2009 (title XI of Public
5 Law 111–32) shall continue in effect during fis-
6 cal year 2016 as if part of this Act.

7 (b) BANGLADESH.—Funds appropriated by this Act
8 under the heading “Development Assistance” that are
9 made available for assistance for Bangladesh shall be
10 made available for programs to improve labor conditions
11 by strengthening the capacity of independent workers’ or-
12 ganizations in Bangladesh’s readymade garment, shrimp,
13 and fish export sectors.

14 (c) NEPAL.—

15 (1) BILATERAL ECONOMIC ASSISTANCE.—Of
16 the funds appropriated by this Act under titles III
17 and IX, not less than \$150,000,000 shall be made
18 available for assistance for Nepal for earthquake re-
19 lief, recovery, and reconstruction programs: *Pro-*
20 *vided*, That such amounts shall be in addition to
21 funds made available by this Act for development
22 and democracy programs in Nepal: *Provided further*,
23 That funds made available for earthquake relief, re-
24 covery, and reconstruction programs should—

1 (A) target affected communities on an eq-
2 uitable basis;

3 (B) promote political reforms, as appro-
4 priate, including to strengthen institutions and
5 constitutional processes; and

6 (C) include sufficient oversight mecha-
7 nisms, to include the participation of civil soci-
8 ety organizations.

9 (2) FOREIGN MILITARY FINANCING PRO-
10 GRAM.—

11 (A) Funds appropriated by this Act under
12 the heading “Foreign Military Financing Pro-
13 gram” shall only be made available for humani-
14 tarian and disaster relief and reconstruction ac-
15 tivities in Nepal, and in support of international
16 peacekeeping operations: *Provided*, That any
17 additional uses of such funds may only be made
18 available if the Secretary of State certifies and
19 reports to the Committees on Appropriations
20 that the Government of Nepal is investigating
21 and prosecuting violations of human rights and
22 the law of war, and the Nepal army is cooper-
23 ating fully with civilian judicial authorities on
24 such efforts.

1 (B) Of the funds appropriated under titles
2 IV and VIII of this Act and prior Acts making
3 appropriations for the Department of State,
4 foreign operations, and related programs under
5 the heading “Foreign Military Financing Pro-
6 gram” for assistance for Pakistan, up to
7 \$36,000,000 may be made available for the
8 purchase and operation of aircraft for the Gov-
9 ernment of Nepal for the purposes of disaster
10 response and preparedness: *Provided*, That such
11 funds shall be subject to prior consultation with
12 the Committees on Appropriations.

13 (d) PAKISTAN.—

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

24 (A) cooperating with the United States in
25 counterterrorism efforts against the Haqqani

1 Network, the Quetta Shura Taliban, Lashkar e-
2 Tayyiba, Jaish-e-Mohammed, Al-Qaeda, and
3 other domestic and foreign terrorist organiza-
4 tions, including taking effective steps to end
5 support for such groups and prevent them from
6 basing and operating in Pakistan and carrying
7 out cross border attacks into neighboring coun-
8 tries;

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

15 (C) dismantling improvised explosive device
16 (IED) networks and interdicting precursor
17 chemicals used in the manufacture of IEDs;

18 (D) preventing the proliferation of nuclear-
19 related material and expertise;

20 (E) issuing visas in a timely manner for
21 United States visitors engaged in counterter-
22 rorism efforts and assistance programs in Paki-
23 stan; and

24 (F) providing humanitarian organizations
25 access to detainees, internally displaced per-

1 sons, and other Pakistani civilians affected by
2 the conflict.

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

13 (3) ASSISTANCE.—

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

19 (B) Funds appropriated by this Act under
20 the headings “Economic Support Fund” and
21 “Nonproliferation, Anti-terrorism, Demining
22 and Related Programs” that are available for
23 assistance for Pakistan shall be made available
24 to interdict precursor materials from Pakistan
25 to Afghanistan that are used to manufacture

1 IEDs, including calcium ammonium nitrate; to
2 support programs to train border and customs
3 officials in Pakistan and Afghanistan; and for
4 agricultural extension programs that encourage
5 alternative fertilizer use among Pakistani farm-
6 ers.

7 (C) Funds appropriated by this Act under
8 the heading “Economic Support Fund” that are
9 made available for assistance for infrastructure
10 projects in Pakistan shall be implemented in a
11 manner consistent with section 507(6) of the
12 Trade Act of 1974 (19 U.S.C. 2467(6)).

13 (D) Funds appropriated by this Act under
14 titles III and IV for assistance for Pakistan
15 may be made available notwithstanding any
16 other provision of law, except for this sub-
17 section and section 620M of the Foreign Assist-
18 ance Act of 1961.

19 (E) Of the funds appropriated under titles
20 III and IV of this Act that are made available
21 for assistance for Pakistan, \$33,000,000 shall
22 be withheld from obligation until the Secretary
23 of State reports to the Committees on Appro-
24 priations that Dr. Shakil Afridi has been re-
25 leased from prison and cleared of all charges re-

1 lating to the assistance provided to the United
2 States in locating Osama bin Laden.

3 (4) SCHOLARSHIPS FOR WOMEN.—Funds ap-
4 propriated by this Act under the heading “Economic
5 Support Fund” that are made available for assist-
6 ance for Pakistan shall be made available to increase
7 the number of scholarships for women under the
8 Merit and Needs-Based Scholarship Program during
9 fiscal year 2016: *Provided*, That not less than 50
10 percent of the scholarships available under such Pro-
11 gram should be awarded to Pakistani women.

12 (5) REPORTS.—

13 (A)(i) The spend plan required by section
14 7076 of this Act for assistance for Pakistan
15 shall include achievable and sustainable goals,
16 benchmarks for measuring progress, and ex-
17 pected results regarding combating poverty and
18 furthering development in Pakistan, countering
19 extremism, and establishing conditions condu-
20 cive to the rule of law and transparent and ac-
21 countable governance: *Provided*, That such
22 benchmarks may incorporate those required in
23 title III of the Enhanced Partnership with
24 Pakistan Act of 2009 (22 U.S.C. 8441 et seq.),
25 as appropriate: *Provided further*, That not later

1 than 6 months after submission of such spend
2 plan, and each 6 months thereafter until Sep-
3 tember 30, 2017, the Secretary of State shall
4 submit a report to the Committees on Appro-
5 priations on the status of achieving the goals
6 and benchmarks in such plan.

7 (ii) The Secretary of State should suspend
8 assistance for the Government of Pakistan if
9 any report required by clause (i) indicates that
10 Pakistan is failing to make measurable progress
11 in meeting such goals or benchmarks.

12 (B) Not later than 90 days after enact-
13 ment of this Act, the Secretary of State shall
14 submit a report to the Committees on Appro-
15 priations detailing the costs and objectives asso-
16 ciated with significant infrastructure projects
17 supported by the United States in Pakistan,
18 and an assessment of the extent to which such
19 projects achieve such objectives.

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

25 (e) SRI LANKA.—

1 (1) BILATERAL ECONOMIC ASSISTANCE.—Of
2 the funds appropriated by this Act under the head-
3 ings “Development Assistance” and “Economic Sup-
4 port Fund”, not less than \$40,417,000 shall be
5 made available for assistance for Sri Lanka for de-
6 mocracy and economic development programs, par-
7 ticularly in areas recovering from ethnic and reli-
8 gious conflict: *Provided*, That such funds shall be
9 made available for programs to assist in the identi-
10 fication and resolution of cases of missing persons.

11 (2) CERTIFICATION.—Funds appropriated by
12 this Act for assistance for the central Government of
13 Sri Lanka may be made available only if the Sec-
14 retary of State certifies and reports to the Commit-
15 tees on Appropriations that the Government of Sri
16 Lanka is—

17 (A) addressing the underlying causes of
18 conflict in Sri Lanka; and

19 (B) increasing accountability and trans-
20 parency in governance.

21 (3) INTERNATIONAL SECURITY ASSISTANCE.—
22 None of the funds appropriated by this Act under
23 the heading “Foreign Military Financing Program”
24 may be made available for assistance for Sri Lanka:
25 *Provided*, That funds appropriated by this Act under

1 the heading “International Military Education and
2 Training” may only be made available for training
3 related to international peacekeeping operations and
4 expanded IMET: *Provided further*, That funds ap-
5 propriated by this Act under the heading “Peace-
6 keeping Operations” may only be made available for
7 training related to international peacekeeping oper-
8 ations.

9 (f) 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 “International Narcotics Control and Law
20 Enforcement” and “Assistance for Europe, Eurasia
21 and Central Asia” that are available for assistance
22 for countries in South and Central Asia shall be
23 made available to enhance the recruitment, reten-
24 tion, and professionalism of women in the judiciary,
25 police, and other security forces, of which

1 (C) up to \$138,500,000 may be made
2 available under the heading “Economic Support
3 Fund;

4 (D) up to \$155,000,000 may be made
5 available under the heading “International Nar-
6 cotics Control and Law Enforcement”, includ-
7 ing for the Central America Regional Security
8 Initiative;

9 (E) up to \$500,000 may be made available
10 under the heading “Nonproliferation, Anti-ter-
11 rorism, Demining and Related Programs” for
12 assistance for Panama;

13 (F) up to \$3,907,000 may be made avail-
14 able under the heading “International Military
15 Education and Training”, including for assist-
16 ance for Belize, Costa Rica, and Panama;

17 (G) up to \$15,225,000 may be made avail-
18 able under the heading “Foreign Military Fi-
19 nancing Program”, including for assistance for
20 Belize, Costa Rica, and Panama; and

21 (H) up to \$2,000,000 may be made avail-
22 able under the heading “Overseas Private In-
23 vestment Corporation” for regional programs.

24 (2) PRE-OBLIGATION CONDITIONS.—

1 (A) Prior to the obligation of funds made
2 available pursuant to subparagraph (1), the
3 Secretary of State shall submit to the Commit-
4 tees on Appropriations a multi-year spend plan
5 specifying the proposed uses of such funds in
6 each country and the objectives, indicators, and
7 a timeline to measure progress in implementing
8 the Strategy, which shall include programs to
9 empower local communities and civil society or-
10 ganizations (including indigenous and other
11 marginalized groups) to address the causes of
12 poverty and violence, and the amount made
13 available from prior Acts making appropriations
14 for the Department of State, foreign operations,
15 and related programs for projects and activities
16 related to the Strategy: *Provided*, That such
17 spend plan shall also include a description of
18 how such assistance will complement and lever-
19 age funds allocated by each government, the
20 Inter-American Development Bank, and other
21 donors to implement the Plan.

22 (B) Prior to the obligation of 75 percent of
23 such funds for assistance for the central gov-
24 ernments of El Salvador, Guatemala, and Hon-
25 duras, the Secretary shall certify and report to

1 the appropriate congressional committees that
2 such government is taking effective steps to—

3 (i) support transparency and combat
4 corruption in coordination with relevant
5 international entities, including reforming
6 bank secrecy laws and strengthening anti-
7 money laundering laws, and with respect to
8 the Government of Guatemala, such steps
9 shall include the approval by the Congress
10 of reforms to the Electoral and Political
11 Parties Law proposed by the Supreme
12 Electoral Tribunal, and the investigation
13 and prosecution by the Public Ministry,
14 the Supreme Court, and the Constitutional
15 Court of government employees and high
16 ranking political appointees credibly al-
17 leged to be involved in corruption;

18 (ii) establish and implement specific
19 institutional and legal reforms, policies,
20 and programs addressing the causes of
21 poverty, violence, and corruption in such
22 country;

23 (iii) create a professional, accountable
24 civilian police force and end the role of the
25 military in internal policing;

1 (iv) protect the rights of political op-
2 position parties, journalists, trade union-
3 ists, and human rights defenders to oper-
4 ate without interference;

5 (v) prosecute and punish in civilian
6 courts members of security forces who vio-
7 late human rights;

8 (vi) protect and promote democracy,
9 including implementing reforms to protect
10 the independence and improve the profes-
11 sionalism of the judiciary, and cooperating
12 with the Inter-American Commission on
13 Human Rights, the Inter-American Court
14 on Human Rights, and international com-
15 missions against impunity, as appropriate;

16 (vii) reform tax laws and enforce tax
17 collection, strengthen customs agencies,
18 and match, on at least a dollar-for-dollar
19 basis, the amounts to be expended for the
20 projects and activities funded by this Act
21 in support of the Strategy;

22 (viii) resolve commercial disputes in a
23 timely manner, including the confiscation
24 of real property, between United States en-

1 tities and the governments of such coun-
2 tries;

3 (ix) establish an autonomous public
4 accountable entity to oversee, manage, and
5 implement the Plan, similar to manage-
6 ment entities established to support Millen-
7 nium Challenge Corporation Compacts;
8 and

9 (x) provide access to all available
10 sources of energy, especially for individuals
11 who lack affordable and reliable electricity.

12 (C) Concurrent with the submission of the
13 certification required in paragraph (B), the Sec-
14 retary of State shall certify and report to the
15 appropriate congressional committees that rep-
16 resentatives of local communities and civil soci-
17 ety organizations (including indigenous and
18 other marginalized groups) in the respective
19 country are consulted in the design, and partici-
20 pate in the implementation and evaluation of,
21 projects and activities in support of the Strat-
22 egy that affect them.

23 (3) PERIODIC REVIEW AND SUSPENSION OF AS-
24 SISTANCE.—Not later than 120 days after enact-
25 ment of this Act, and every 120 days thereafter until

1 September 30, 2017, the Secretary of State shall re-
2 view the progress of such governments in meeting
3 the objectives and indicators required in paragraph
4 (2)(B) and shall submit to the appropriate congress-
5 sional committees a report assessing such progress:
6 *Provided*, That if the Secretary of State is unable to
7 determine that sufficient progress has been made in
8 meeting the requirements of an objective or indi-
9 cator, the Secretary shall suspend assistance for pro-
10 grams supporting such objective or indicator, and
11 shall notify such committees in writing of such ac-
12 tion: *Provided further*, That the Secretary may re-
13 sume funding for such programs only after the Sec-
14 retary certifies to such committees that corrective
15 measures have been identified and implemented.

16 (4) COMMERCIAL DISPUTES REPORT.—Not
17 later than 90 days after enactment of this Act, the
18 Secretary of State shall submit to the appropriate
19 congressional committees a report detailing the eco-
20 nomic investment conditions in El Salvador, Guate-
21 mala, and Honduras, and an assessment of out-
22 standing commercial disputes, including the confis-
23 cation of real property, between United States enti-
24 ties and the governments of such countries.

1 (5) CHANGE OF GOVERNMENT.—The Secretary
2 of State shall, following a change of government in
3 El Salvador, Guatemala, or Honduras, certify and
4 report to the appropriate congressional committees
5 that any new government has committed to taking
6 the effective steps enumerated in the pre-obligation
7 requirements in paragraph (2): *Provided*, That if the
8 Secretary is unable to make such a certification in
9 a timely manner, assistance made available under
10 this subsection shall be suspended until such time as
11 the certification can be made.

12 (6) PROGRAMS AND TRANSFER OF FUNDS.—

13 (A) Of the funds appropriated by this Act
14 under the heading “International Narcotics
15 Control and Law Enforcement” for the Central
16 America Regional Security Initiative, not less
17 than \$2,000,000 shall be made available, after
18 consultation with the Committees on Appropria-
19 tions, for a United States contribution to an
20 international commission against impunity in
21 Honduras, if such a commission is established.

22 (B) The Department of State and the
23 United States Agency for International Devel-
24 opment (USAID) may, following consultation
25 with the appropriate congressional committees,

1 transfer funds made available by this Act under
2 the heading “Development Assistance” to the
3 Inter-American Development Bank and the
4 Inter-American Foundation for technical and
5 other assistance in support of programs carried
6 out in El Salvador, Guatemala, and Honduras
7 under the Plan.

8 (b) COLOMBIA.—

9 (1) Funds appropriated by this Act and made
10 available to the Department of State for assistance
11 for the Government of Colombia may be used to sup-
12 port a unified campaign against narcotics traf-
13 ficking, organizations designated as Foreign Ter-
14 rorist Organizations, and other criminal or illegal
15 armed groups, and to take actions to protect human
16 health and welfare in emergency circumstances, in-
17 cluding undertaking rescue operations: *Provided*,
18 That the first through fifth provisos of paragraph
19 (1), and paragraph (3) of section 7045(a) of the De-
20 partment of State, Foreign Operations, and Related
21 Programs Appropriations Act, 2012 (division I of
22 Public Law 112–74) shall continue in effect during
23 fiscal year 2016 and shall apply to funds appro-
24 priated by this Act and made available for assistance
25 for Colombia as if included in this Act: *Provided fur-*

1 *ther*, That of the funds appropriated by this Act
2 under the heading “Economic Support Fund”, not
3 less than \$133,000,000 shall be apportioned directly
4 to USAID.

5 (2)(A) Of the funds appropriated by this Act
6 under the heading “Foreign Military Financing Pro-
7 gram” for assistance for Colombia, 19 percent shall
8 be withheld from obligation unless the Secretary of
9 State certifies and reports to the Committees on Ap-
10 propriations that—

11 (i) cases involving members of the Colom-
12 bian military who have been credibly alleged to
13 have violated human rights, including through
14 command responsibility, are subject only to ci-
15 vilian jurisdiction, and that the Colombian mili-
16 tary is cooperating with civilian authorities in
17 such cases, and no such military officers hold
18 senior positions in the chain of command;

19 (ii) the Government of Colombia is uphold-
20 ing its international obligations by prosecuting
21 persons responsible for crimes against human-
22 ity, war crimes, and other gross violations of
23 human rights, and is not offering amnesty to
24 such persons; and

1 (iii) the Government of Colombia is dis-
2 mantling illegal armed groups; taking effective
3 steps to protect the rights of human rights de-
4 fenders, journalists, trade unionists, and other
5 social activists; and respecting the rights and
6 territory of indigenous and Afro-Colombian
7 communities.

8 (B) The limitations of this paragraph shall not
9 apply to funds made available under such heading
10 for aviation instruction and maintenance, and mari-
11 time security programs.

12 (3) The Secretary of State shall consult with
13 the appropriation congressional committees on the
14 uses of assistance for Colombia made available by
15 this Act under such heading for programs that sup-
16 port and further peace talks.

17 (c) CUBA.—

18 (1) DEMOCRACY PROGRAMS AND TRANSFER AU-
19 THORITY.—Of the funds appropriated by this Act
20 under the heading “Economic Support Fund”,
21 \$15,000,000 shall be made available for democracy
22 programs for Cuba: *Provided*, That a portion of such
23 funds may be transferred to, and merged with, funds
24 made available by this Act under the heading “Na-
25 tional Endowment for Democracy”, following con-

1 sultation with the appropriate congressional commit-
2 tees.

3 (2) PRIVATE ENTREPRENEUR PROGRAMS AND
4 LIMITATION.—Of the funds appropriated by this Act
5 under the heading “Economic Support Fund”,
6 \$5,000,000 shall be made available for programs to
7 support private Cuban entrepreneurs, notwith-
8 standing any other provision of law, except that no
9 such assistance may be provided for the Government
10 of Cuba: *Provided*, That such funds shall be made
11 available following consultation with the appropriate
12 congressional committees.

13 (d) HAITI.—

14 (1) FUNDING.—Of the funds appropriated by
15 this Act, not more than \$181,413,000 may be made
16 available for assistance for Haiti, as follows—

17 (A) up to \$129,213,000 under the heading
18 “Global Health Programs”;

19 (B) up to \$45,000,000 under the heading
20 “Economic Support Fund”;

21 (C) up to \$6,000,000 under the heading
22 “International Narcotics Control and Law En-
23 forcement”; and

24 (D) up to \$1,200,000 under the heading
25 “Foreign Military Financing Program”.

1 (2) GOVERNANCE CERTIFICATION.—Funds
2 made available in paragraph (1) may not be made
3 available for the central Government of Haiti unless
4 the Secretary of State certifies and reports to the
5 Committees on Appropriations that the Government
6 of Haiti is—

7 (A) holding free and fair parliamentary
8 elections and taking effective steps to seat a
9 new Haitian Parliament;

10 (B) strengthening the rule of law in Haiti,
11 including by selecting judges in a transparent
12 manner; respecting the independence of the ju-
13 diciary; and improving governance through im-
14 plementation of reforms to increase trans-
15 parency and accountability;

16 (C) combating corruption, including by im-
17 plementing the anti-corruption law enacted in
18 2014 and prosecuting corrupt officials; and

19 (D) increasing government revenues, in-
20 cluding by implementing tax reforms and
21 through credible tax collection efforts, and in-
22 creasing expenditures on health care.

23 (3) SECURITY CERTIFICATION.—Prior to the
24 initial obligation of funds made available in para-
25 graph (1) under the headings “International Nar-

1 cotics Control and Law Enforcement” and “Foreign
2 Military Financing Program”, the Secretary of State
3 shall certify and report to the Committees on Appro-
4 priations that the Haitian National Police and other
5 intended recipients of such funds that are part of
6 the Government of Haiti are not controlled by, or
7 otherwise under the influence of, any private organi-
8 zation or individual.

9 (4) HAITIAN COAST GUARD.—The Government
10 of Haiti shall be eligible to purchase defense articles
11 and services under the Arms Export Control Act (22
12 U.S.C. 2751 et seq.) for the Coast Guard.

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

17 PROHIBITION OF PAYMENTS TO UNITED NATIONS

18 MEMBERS

19 SEC. 7046. None of the funds appropriated or made
20 available pursuant to titles III through VI of this Act for
21 carrying out the Foreign Assistance Act of 1961, may be
22 used to pay in whole or in part any assessments, arrear-
23 ages, or dues of any member of the United Nations or,
24 from funds appropriated by this Act to carry out chapter
25 1 of part I of the Foreign Assistance Act of 1961, the

1 costs for participation of another country's delegation at
2 international conferences held under the auspices of multi-
3 lateral or international organizations.

4 WAR CRIMES TRIBUNALS

5 SEC. 7047. (a) If the President determines that doing
6 so will contribute to a just resolution of charges regarding
7 genocide or other violations of international humanitarian
8 law, the President may direct a drawdown pursuant to sec-
9 tion 552(c) of the Foreign Assistance Act of 1961 of up
10 to \$30,000,000 of commodities and services for the United
11 Nations War Crimes Tribunal established with regard to
12 the former Yugoslavia by the United Nations Security
13 Council or such other tribunals or commissions as the
14 Council may establish or authorize to deal with such viola-
15 tions, without regard to the ceiling limitation contained
16 in paragraph (2) thereof: *Provided*, That the determina-
17 tion required under this section shall be in lieu of any de-
18 terminations otherwise required under section 552(c): *Pro-*
19 *vided further*, That funds made available pursuant to this
20 section shall be made available subject to the regular noti-
21 fication procedures of the Committees on Appropriations.

22 (b) Notwithstanding any other provision of law, funds
23 appropriated by this Act may be made available for train-
24 ing, technical assistance, support for victims, law enforce-
25 ment activity and cooperation, witness protection, and pro-

1 fessional services in support of international judicial inves-
2 tigations, apprehensions, prosecutions, and adjudications
3 of genocide, crimes against humanity, and war crimes con-
4 sistent with section 2015 of the American
5 Servicemembers' Protection Act, 2002, as amended: *Pro-*
6 *vided*, That this subsection shall not apply to nationals
7 of the North Atlantic Treaty Organization (NATO) and
8 major non-NATO allies initially designated pursuant to
9 section 517(b) of the Foreign Assistance Act of 1961.

10

UNITED NATIONS

11

SEC. 7048. (a) TRANSPARENCY AND ACCOUNT-

12

ABILITY.—

13

(1) Of the funds appropriated under title I and

14

under the heading “International Organizations and

15

Programs” in title V of this Act that are available

16

for contributions to the United Nations (including

17

the Department of Peacekeeping Operations), any

18

United Nations agency, or the Organization of

19

American States, 15 percent may not be obligated

20

for such organization, department, or agency until

21

the Secretary of State reports to the Committees on

22

Appropriations that the organization, department, or

23

agency is—

24

(A) posting on a publicly available Web

25

site, consistent with privacy regulations and due

1 process, regular financial and programmatic au-
2 dits of such organization, department, or agen-
3 cy, and providing the United States Govern-
4 ment with necessary access to such financial
5 and performance audits; and

6 (B) effectively implementing and enforcing
7 policies and procedures which reflect best prac-
8 tices for the protection of whistleblowers from
9 retaliation, including best practices for—

10 (i) protection against retaliation for
11 internal and lawful public disclosures;

12 (ii) legal burdens of proof;

13 (iii) statutes of limitation for report-
14 ing retaliation;

15 (iv) access to independent adjudicative
16 bodies, including external arbitration; and

17 (v) results that eliminate the effects of
18 proven retaliation.

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

1 (b) RESTRICTIONS ON UNITED NATIONS DELEGA-
2 TIONS AND ORGANIZATIONS.—

3 (1) None of the funds made available under
4 title I of this Act may be used to pay expenses for
5 any United States delegation to any specialized
6 agency, body, or commission of the United Nations
7 if such agency, body, or commission is chaired or
8 presided over by a country, the government of which
9 the Secretary of State has determined, for purposes
10 of section 6(j)(1) of the Export Administration Act
11 of 1979 as continued in effect pursuant to the Inter-
12 national Emergency Economic Powers Act (50
13 U.S.C. App. 2405(j)(1)), supports international ter-
14 rorism.

15 (2) None of the funds made available under
16 title I of this Act may be used by the Secretary of
17 State as a contribution to any organization, agency,
18 commission, or program within the United Nations
19 system if such organization, agency, commission, or
20 program is chaired or presided over by a country the
21 government of which the Secretary of State has de-
22 termined, for purposes of section 620A of the For-
23 eign Assistance Act of 1961, section 40 of the Arms
24 Export Control Act, section 6(j)(1) of the Export
25 Administration Act of 1979, or any other provision

1 of law, is a government that has repeatedly provided
2 support for acts of international terrorism.

3 (3) The Secretary of State may waive the re-
4 striction in this subsection if the Secretary reports
5 to the Committees on Appropriations that to do so
6 is in the national interest of the United States.

7 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—
8 Funds appropriated by this Act may be made available
9 to support the United Nations Human Rights Council only
10 if the Secretary of State determines and reports to the
11 Committees on Appropriations that participation in the
12 Council is in the national interest of the United States
13 and that the Council is taking credible steps to remove
14 Israel as a permanent agenda item: *Provided*, That such
15 report shall include a description of the national interest
16 served and a description of steps taken to remove Israel
17 as a permanent agenda item: *Provided further*, That the
18 Secretary of State shall report to the Committees on Ap-
19 propriations not later than September 30, 2016, on the
20 resolutions considered in the United Nations Human
21 Rights Council during the previous 12 months, and on
22 steps taken to remove Israel as a permanent agenda item.

23 (d) UNITED NATIONS RELIEF AND WORKS AGEN-
24 CY.—The Secretary of State shall submit a report in writ-
25 ing to the Committees on Appropriations not less than 45

1 days after enactment of this Act on whether the United
2 Nations Relief and Works Agency (UNRWA) is—

3 (1) utilizing Operations Support Officers in the
4 West Bank, Gaza, and other fields of operation to
5 inspect UNRWA installations and reporting any in-
6 appropriate use;

7 (2) acting promptly to address any staff or ben-
8 eficiary violation of its own policies (including the
9 policies on neutrality and impartiality of employees)
10 and the legal requirements under section 301(e) of
11 the Foreign Assistance Act of 1961;

12 (3) implementing procedures to maintain the
13 neutrality of its facilities, including implementing a
14 no-weapons policy, and conducting regular inspec-
15 tions of its installations, to ensure they are only
16 used for humanitarian or other appropriate pur-
17 poses;

18 (4) taking necessary and appropriate measures
19 to ensure it is operating in compliance with the con-
20 ditions of section 301(e) of the Foreign Assistance
21 Act of 1961 and continuing regular reporting to the
22 Department of State on actions it has taken to en-
23 sure conformance with such conditions;

24 (5) taking steps to ensure the content of all
25 educational materials currently taught in UNRWA-

1 administered schools and summer camps is con-
2 sistent with the values of human rights, dignity, and
3 tolerance and does not induce incitement;

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

8 (7) in compliance with the United Nations
9 Board of Auditors' biennial audit requirements and
10 is implementing in a timely fashion the Board's rec-
11 ommendations.

12 (e) UNITED NATIONS CAPITAL MASTER PLAN.—
13 None of the funds made available in this Act may be used
14 for the design, renovation, or construction of the United
15 Nations Headquarters in New York.

16 (f) WITHHOLDING REPORT.—Not later than 45 days
17 after enactment of this Act, the Secretary of State shall
18 submit a report to the Committees on Appropriations de-
19 tailing the amount of funds available for obligation or ex-
20 penditure in fiscal year 2016 for contributions to any or-
21 ganization, department, agency, or program within the
22 United Nations system or any international program that
23 are withheld from obligation or expenditure due to any
24 provision of law: *Provided*, That the Secretary of State
25 shall update such report each time additional funds are

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

6 COMMUNITY-BASED POLICE ASSISTANCE

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

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

23 PROHIBITION ON PROMOTION OF TOBACCO

24 SEC. 7050. None of the funds provided by this Act
25 shall be available to promote the sale or export of tobacco

1 or tobacco products, or to seek the reduction or removal
2 by any foreign country of restrictions on the marketing
3 of tobacco or tobacco products, except for restrictions
4 which are not applied equally to all tobacco or tobacco
5 products of the same type.

6 INTERNATIONAL CONFERENCES

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

21 AIRCRAFT TRANSFER AND COORDINATION

22 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-
23 standing any other provision of law or regulation, aircraft
24 procured with funds appropriated by this Act and prior
25 Acts making appropriations for the Department of State,

1 foreign operations, and related programs under the head-
2 ings “Diplomatic and Consular Programs”, “International
3 Narcotics Control and Law Enforcement”, “Andean
4 Counterdrug Initiative”, and “Andean Counterdrug Pro-
5 grams” may be used for any other program and in any
6 region, including for the transportation of active and
7 standby Civilian Response Corps personnel and equipment
8 during a deployment: *Provided*, That the responsibility for
9 policy decisions and justification for the use of such trans-
10 fer authority shall be the responsibility of the Secretary
11 of State and the Deputy Secretary of State and this re-
12 sponsibility shall not be delegated.

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

21 (c) AIRCRAFT COORDINATION.—

22 (1) The uses of aircraft purchased or leased by
23 the Department of State and the United States
24 Agency for International Development (USAID)
25 with funds made available in this Act or prior Acts

1 making appropriations for the Department of State,
2 foreign operations, and related programs shall be co-
3 ordinated under the authority of the appropriate
4 Chief of Mission: *Provided*, That such aircraft may
5 be used to transport, on a reimbursable or non-reim-
6 bursable basis, Federal and non-Federal personnel
7 supporting Department of State and USAID pro-
8 grams and activities: *Provided further*, That official
9 travel for other agencies for other purposes may be
10 supported on a reimbursable basis, or without reim-
11 bursement when traveling on a space available basis:
12 *Provided further*, That funds received by the Depart-
13 ment of State for the use of aircraft owned, leased,
14 or chartered by the Department of State may be
15 credited to the Department Working Capital Fund
16 and shall be available for expenses related to the
17 purchase, lease, maintenance, chartering, or oper-
18 ation of such aircraft.

19 (2) The requirement and authorities of this
20 subsection shall only apply to aircraft, the primary
21 purpose of which is the transportation of personnel.

22 PARKING FINES AND REAL PROPERTY TAXES OWED BY
23 FOREIGN GOVERNMENTS

24 SEC. 7053. The terms and conditions of section 7055
25 of the Department of State, Foreign Operations, and Re-

1 lated Programs Appropriations Act, 2011 (division F of
2 Public Law 111–117) shall apply to this Act: *Provided*,
3 That the date “September 30, 2009” in subsection
4 (f)(2)(B) of such section shall be deemed to be “Sep-
5 tember 30, 2015”.

6 LANDMINES AND CLUSTER MUNITIONS

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

15 (b) CLUSTER MUNITIONS.—No military assistance
16 shall be furnished for cluster munitions, no defense export
17 license for cluster munitions may be issued, and no cluster
18 munitions or cluster munitions technology shall be sold or
19 transferred, unless—

20 (1) the submunitions of the cluster munitions,
21 after arming, do not result in more than 1 percent
22 unexploded ordnance across the range of intended
23 operational environments, and the agreement appli-
24 cable to the assistance, transfer, or sale of such clus-
25 ter munitions or cluster munitions technology speci-

1 fies that the cluster munitions will only be used
2 against clearly defined military targets and will not
3 be used where civilians are known to be present or
4 in areas normally inhabited by civilians; or

5 (2) such assistance, license, sale, or transfer is
6 for the purpose of demilitarizing or permanently dis-
7 posing of such cluster munitions.

8 PROHIBITION ON PUBLICITY OR PROPAGANDA

9 SEC. 7055. No part of any appropriation contained
10 in this Act shall be used for publicity or propaganda pur-
11 poses within the United States not authorized before the
12 date of the enactment of this Act by Congress: *Provided*,
13 That not to exceed \$25,000 may be made available to
14 carry out the provisions of section 316 of the International
15 Security and Development Cooperation Act of 1980 (Pub-
16 lic Law 96–533).

17 CONSULAR IMMUNITY

18 SEC. 7056. The Secretary of State, in consultation
19 with the Attorney General, may, on the basis of reciprocity
20 and under such terms and conditions as the Secretary may
21 determine, specify privileges and immunities for a consular
22 post, the members of a consular post and their families
23 which result in more favorable or less favorable treatment
24 than is provided in the Vienna Convention on Consular

1 Relations, of April 24, 1963 (T.I.A.S. 6820), entered into
2 force for the United States December 24, 1969.

3 UNITED STATES AGENCY FOR INTERNATIONAL
4 DEVELOPMENT MANAGEMENT
5 (INCLUDING TRANSFER OF FUNDS)

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

16 (b) RESTRICTIONS.—

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

20 (2) The authority to hire individuals contained
21 in subsection (a) shall expire on September 30,
22 2017.

23 (c) CONDITIONS.—The authority of subsection (a)
24 should only be used to the extent that an equivalent num-
25 ber of positions that are filled by personal services contrac-

1 tors or other non-direct hire employees of USAID, who
2 are compensated with funds appropriated to carry out part
3 I of the Foreign Assistance Act of 1961, including funds
4 appropriated under the heading “Assistance for Europe,
5 Eurasia and Central Asia”, are eliminated.

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

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

22 (f) DISASTER SURGE CAPACITY.—Funds appro-
23 priated under title III of this Act to carry out part I of
24 the Foreign Assistance Act of 1961, including funds ap-
25 propriated under the heading “Assistance for Europe,

1 Eurasia and Central Asia”, may be used, in addition to
2 funds otherwise available for such purposes, for the cost
3 (including the support costs) of individuals detailed to or
4 employed by USAID whose primary responsibility is to
5 carry out programs in response to natural disasters, or
6 man-made disasters subject to the regular notification
7 procedures of the Committees on Appropriations.

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

24 (h) SMALL BUSINESS.—In entering into multiple
25 award indefinite-quantity contracts with funds appro-

1 priated by this Act, USAID may provide an exception to
2 the fair opportunity process for placing task orders under
3 such contracts when the order is placed with any category
4 of small or small disadvantaged business.

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

14 GLOBAL HEALTH ACTIVITIES

15 SEC. 7058. (a) IN GENERAL.—Funds appropriated
16 by titles III and IV of this Act that are made available
17 for bilateral assistance for child survival activities or dis-
18 ease programs including activities relating to research on,
19 and the prevention, treatment and control of, HIV/AIDS
20 may be made available notwithstanding any other provi-
21 sion of law except for provisions under the heading “Glob-
22 al Health Programs” and the United States Leadership
23 Against HIV/AIDS, Tuberculosis, and Malaria Act of
24 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amend-
25 ed: *Provided*, That of the funds appropriated under title

1 III of this Act, not less than \$577,600,000 shall be made
2 available for family planning/reproductive health, includ-
3 ing in areas where population growth threatens biodiver-
4 sity or endangered species.

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

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

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

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

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

22 (C) compiles regular, publicly published
23 audits and investigations of financial, pro-
24 grammatic, and reporting aspects of the Global

1 Fund, its grantees, recipients, sub-recipients,
2 and Local Fund Agents;

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

7 (A) protection against retaliation for inter-
8 nal and lawful public disclosures;

9 (B) legal burdens of proof;

10 (C) statutes of limitation for reporting re-
11 taliation;

12 (D) access to independent adjudicative
13 bodies, including external arbitration; and

14 (E) results that eliminate the effects of
15 proven retaliation; and

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

20 *Provided*, That such withholding shall not be in addition
21 to funds that are withheld from the Global Fund in fiscal
22 year 2016 pursuant to the application of any other provi-
23 sion contained in this or any other Act.

24 (c) CONTAGIOUS INFECTIOUS DISEASE OUT-
25 BREAKS.—If the Secretary of State determines and re-

1 ports to the Committees on Appropriations that an inter-
2 national infectious disease outbreak is sustained, severe,
3 and is spreading internationally, or that it is in the na-
4 tional interest to respond to a Public Health Emergency
5 of International Concern, funds made available under title
6 III of this Act may be made available to combat such in-
7 fectious disease or public health emergency: *Provided*,
8 That funds made available pursuant to the authority of
9 this subsection shall be subject to prior consultation with,
10 and the regular notification procedures of, the Committees
11 on Appropriations.

12 GENDER EQUALITY

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

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

1 and increasing women's opportunities for leadership posi-
2 tions in the public and private sectors at the local, provin-
3 cial, and national levels.

4 (c) GENDER-BASED VIOLENCE.—

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

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

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

1 forms of gender-based violence in conflict and non-
2 conflict settings.

3 (d) WOMEN, PEACE, AND SECURITY.—Funds appro-
4 priated by this Act under the headings “Development As-
5 sistance”, “Economic Support Fund”, and “International
6 Narcotics Control and Law Enforcement” shall be made
7 available to support a multi-year strategy to expand, and
8 improve coordination of, United States Government ef-
9 forts to empower women as equal partners in conflict pre-
10 vention, peace building, transitional processes, and recon-
11 struction efforts in countries affected by conflict or in po-
12 litical transition, and to ensure the equitable provision of
13 relief and recovery assistance to women and girls.

14 SECTOR ALLOCATIONS

15 SEC. 7060. (a) EDUCATION.—

16 (1) BASIC EDUCATION.—

17 (A) Funds appropriated by this Act that
18 are made available for assistance for basic edu-
19 cation may only be made available for each
20 country at a funding level for basic education
21 that does not exceed that contained in the Con-
22 gressional Budget Justification, Foreign Oper-
23 ations, Summary Tables, Fiscal Year 2016:
24 *Provided*, That such funds may only be used to
25 implement the stated objectives of each Country

1 Development Cooperation Strategy or similar
2 strategy: *Provided further*, That the Adminis-
3 trator of the United States Agency for Inter-
4 national Development (USAID), following con-
5 sultation with the Committees on Appropria-
6 tions, may reprogram funds between countries,
7 except that no such reprogramming may result
8 in an overall funding level for basic education
9 exceeding the total amount justified for fiscal
10 year 2016.

11 (B) If the USAID Administrator deter-
12 mines that any unobligated balances of funds
13 specifically designated for basic education in
14 prior Acts making appropriations for foreign
15 operations, export financing, and related pro-
16 grams are in excess of the absorptive capacity
17 of recipient countries, such funds may be made
18 available for other programs authorized under
19 chapter 1 of part I of the Foreign Assistance
20 Act of 1961, notwithstanding such funding des-
21 ignation: *Provided*, That the authority of this
22 paragraph shall be subject to prior consultation
23 with, and the regular notification procedures of,
24 the Committees on Appropriations.

1 (2) HIGHER EDUCATION.—Of the funds appro-
2 priated by title III of this Act, not less than
3 \$225,000,000 shall be made available for assistance
4 for higher education, of which not less than
5 \$35,000,000 should be to support new partnerships
6 between higher education institutions in the United
7 States and developing countries.

8 (3) DEFINITION.—For purposes of funds ap-
9 propriated under title III of this Act, the term “de-
10 mocracy programs” in section 7032(c) of this Act
11 shall also include programs to rescue scholars, and
12 fellowships, scholarships, and exchanges in the Mid-
13 dle East and North Africa for academic profes-
14 sionals and university students from countries in
15 such region, subject to the regular notification pro-
16 cedures of the Committees on Appropriations.

17 (b) DEVELOPMENT ASSISTANCE.—Of the funds ap-
18 propriated by this Act under the heading “Development
19 Assistance”, not less than \$26,000,000 shall be made
20 available for the American Schools and Hospitals Abroad
21 program, and not less than \$12,000,000 shall be made
22 available for cooperative development programs of the
23 United States Agency for International Development
24 (USAID).

25 (c) ENVIRONMENT PROGRAMS.—

1 (1) AUTHORITIES.—

2 (A) Notwithstanding any other provision of
3 law, funds appropriated by this Act or prior
4 Acts making appropriations for the Department
5 of State, foreign operations, and related pro-
6 grams may be made available for the Green Cli-
7 mate Fund, including as a contribution: *Pro-*
8 *vided*, That any such funds made available for
9 such purpose shall be subject to the regular no-
10 tification procedures of the Committees on Ap-
11 propriations.

12 (B) Funds appropriated by this Act may
13 be made available for United States contribu-
14 tions to the Clean Technology Fund and the
15 Strategic Climate Fund.

16 (C) Funds appropriated by this Act to
17 carry out the provisions of section 103 to 106,
18 and chapter 4 of part II, of the Foreign Assist-
19 ance Act of 1961 may be used to support envi-
20 ronment programs, notwithstanding any other
21 provision of law except for the provisions of this
22 subsection: *Provided*, That such funds are sub-
23 ject to the regular notification procedures of the
24 Committees on Appropriations.

1 (2) CONSERVATION PROGRAMS AND LIMITA-
2 TION.—

3 (A) Of the funds appropriated under title
4 III of this Act, \$250,000,000 shall be made
5 available for biodiversity conservation programs.

6 (B) Not less than \$55,000,000 of the
7 funds appropriated under title III and IV of
8 this Act shall be made available to combat the
9 transnational threat of wildlife poaching and
10 trafficking: *Provided*, That none of the funds
11 appropriated under title IV of this Act may be
12 made available for training or other assistance
13 for any military unit or personnel that the Sec-
14 retary of State determines has been credibly al-
15 leged to have participated in wildlife poaching
16 or trafficking, unless the Secretary reports to
17 the Committees on Appropriations that to do so
18 is in the national security interest of the United
19 States.

20 (C) LIMITATION.—Funds appropriated by
21 this Act for biodiversity programs shall not be
22 used to support the expansion of industrial
23 scale logging or any other industrial scale ex-
24 tractive activity into areas that were primary/
25 intact tropical forests as of December 30, 2013,

1 and the Secretary of the Treasury shall instruct
2 the United States executive directors of each
3 international financial institutions (IFI) to vote
4 against any financing of any such activity.

5 (3) LARGE DAMS.—The Secretary of the Treas-
6 ury shall instruct the United States executive direc-
7 tor of each IFI that it is the policy of the United
8 States to vote in relation to any loan, grant, strat-
9 egy, or policy of such institution to support the con-
10 struction of any large dam consistent with the cri-
11 teria set forth in the report accompanying this Act,
12 while also considering whether the project involves
13 important foreign policy objectives.

14 (4) SUSTAINABLE LANDSCAPES.—Of the funds
15 appropriated under title III of this Act,
16 \$123,500,000 shall be made available for sustainable
17 landscape programs.

18 (d) FOOD SECURITY AND AGRICULTURAL DEVELOP-
19 MENT.—

20 (1) Of the funds appropriated by title III of
21 this Act, not less than \$1,000,600,000 should be
22 made available for food security and agricultural de-
23 velopment programs, of which \$32,000,000 shall be
24 made available for the Feed the Future Collabora-
25 tive Research Innovation Lab: *Provided*, That such

1 funds may be made available notwithstanding any
2 other provision of law to prevent or address food
3 shortages, and for a United States contribution to
4 the endowment of the Global Crop Diversity Trust.

5 (2) Funds appropriated under title III of this
6 Act may be made available as a contribution to the
7 Global Agriculture and Food Security Program if
8 such contribution will not cause the United States to
9 exceed 33 percent of the total amount of funds con-
10 tributed to such Program.

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) POWER AFRICA INITIATIVE.—Of the funds appro-
17 priated by this Act, \$76,700,000 shall be made available
18 for the Power Africa initiative, subject to the regular noti-
19 fication procedures of the Committees on Appropriations.

20 (g) PROGRAMS TO COMBAT TRAFFICKING IN PER-
21 SONS AND END MODERN SLAVERY.—

22 (1) TRAFFICKING IN PERSONS.—Of the funds
23 appropriated by this Act under the headings “Devel-
24 opment Assistance”, “Economic Support Fund”,
25 and “International Narcotics Control and Law En-

1 forcement”, not less than \$52,500,000 shall be made
2 available for activities to combat trafficking in per-
3 sons internationally.

4 (2) END MODERN SLAVERY.—Of the funds ap-
5 propriated by this Act under the heading “Develop-
6 ment Assistance”, in addition to funds made avail-
7 able pursuant to paragraph (1), \$25,000,000, to re-
8 main available until expended, shall be made avail-
9 able on a competitive basis for a grant or grants to
10 support innovative strategies, on a cost-matching
11 basis, that reduce the prevalence of modern slavery
12 in targeted populations within partner countries (or
13 jurisdictions thereof) with a high prevalence of mod-
14 ern slavery: *Provided*, That for the purposes of this
15 paragraph the terms “modern slavery” and “partner
16 countries” shall have the same meaning as provided
17 for in section 9 of the End Modern Slavery Initiative
18 Act of 2015 (S. 553), as reported by the Senate
19 Committee on Foreign Relations on February 26,
20 2015: *Provided further*, That the requirements of
21 section 7631(d) of title 22, United States Code,
22 shall apply to such funds.

23 (h) RECONCILIATION PROGRAMS.—Of the funds ap-
24 propriated by this Act under the headings “Economic
25 Support Fund” and “Development Assistance”, not less

1 than \$26,000,000 shall be made available to support peo-
2 ple-to-people reconciliation programs which bring together
3 individuals of different ethnic, religious, and political
4 backgrounds from areas of civil strife and war: *Provided*,
5 That the USAID Administrator shall consult with the
6 Committees on Appropriations, prior to the initial obliga-
7 tion of funds, on the uses of such funds: *Provided further*,
8 That to the maximum extent practicable, such funds shall
9 be matched by sources other than the United States Gov-
10 ernment.

11 (i) WATER AND SANITATION.—Of the funds appro-
12 priated by this Act, not less than \$400,000,000 shall be
13 made available for water supply and sanitation projects
14 pursuant to the Senator Paul Simon Water for the Poor
15 Act of 2005 (Public Law 109–121), of which not less than
16 \$145,000,000 should be for programs in sub-Saharan Af-
17 rica, and of which not less than \$14,000,000 shall be
18 made available for programs to design and build safe, pub-
19 lic latrines in Africa and Asia.

20 (j) NOTIFICATION REQUIREMENTS.—Authorized de-
21 viations from funding levels contained in this section shall
22 be subject to the regular notification procedures of the
23 Committees on Appropriations.

1 OVERSEAS PRIVATE INVESTMENT CORPORATION

2 SEC. 7061. (a) TRANSFER.—Whenever the President
3 determines that it is in furtherance of the purposes of the
4 Foreign Assistance Act of 1961, up to a total of
5 \$20,000,000 of the funds appropriated under title III of
6 this Act may be transferred to, and merged with, funds
7 appropriated by this Act for the Overseas Private Invest-
8 ment Corporation Program Account, to be subject to the
9 terms and conditions of that account: *Provided*, That such
10 funds shall not be available for administrative expenses
11 of the Overseas Private Investment Corporation: *Provided*
12 *further*, That designated funding levels in this Act shall
13 not be transferred pursuant to this section: *Provided fur-*
14 *ther*, That the exercise of such authority shall be subject
15 to the regular notification procedures of the Committees
16 on Appropriations.

17 (b) AUTHORITY.—Notwithstanding section 235(a)(2)
18 of the Foreign Assistance Act of 1961, the authority of
19 subsections (a) through (c) of section 234 of such Act
20 shall remain in effect until September 30, 2016.

21 ARMS TRADE TREATY

22 SEC. 7062. None of the funds appropriated by this
23 Act may be obligated or expended to implement the Arms
24 Trade Treaty until the Senate approves a resolution of
25 ratification for the Treaty.

1 INTERNATIONAL FAMILY PLANNING AND REPRODUCTIVE
2 HEALTH

3 SEC. 7063. (a) UNITED NATIONS POPULATION
4 FUND.—

5 (1) CONTRIBUTION.—Of the amounts made
6 available under the heading “International Organiza-
7 tions and Programs” in this Act for fiscal year
8 2016, \$35,000,000 shall be made available for the
9 United Nations Population Fund (referred to in this
10 section as “UNFPA”).

11 (2) AVAILABILITY OF FUNDS.—Amounts appro-
12 priated by this Act for UNFPA that are not made
13 available for UNFPA because of the operation of
14 any provision of law shall be transferred to the
15 “Global Health Programs” account and shall be
16 made available for family planning, maternal, and
17 reproductive health activities, subject to the regular
18 notification procedures of the Committees on Appro-
19 priations.

20 (3) PROHIBITION ON USE OF FUNDS IN
21 CHINA.—None of the amounts made available under
22 this Act may be used by UNFPA for a country pro-
23 gram in the People’s Republic of China.

1 (4) CONDITIONS ON AVAILABILITY OF
2 FUNDS.—Amounts made available by this Act for
3 UNFPA may not be made available unless—

4 (A) UNFPA maintains such amounts in
5 an account that is separate from other UNFPA
6 accounts and does not commingle such funds
7 with other funds; and

8 (B) UNFPA does not fund abortions.

9 (b) ASSISTANCE FOR FOREIGN NONGOVERNMENTAL
10 ORGANIZATIONS.—The Foreign Assistance Act of 1961 is
11 amended by inserting after section 104C the following:

12 **“SEC. 104D. ELIGIBILITY FOR ASSISTANCE.**

13 “Notwithstanding any other provision of law, regula-
14 tion, or policy, in determining eligibility for assistance
15 under sections 104, 104A, 104B, and 104C, a foreign non-
16 governmental organization—

17 “(1) shall not be ineligible for such assistance
18 solely on the basis of health or medical services, in-
19 cluding counseling and referral services, provided by
20 such organization with non-United States Govern-
21 ment funds if such services—

22 “(A) are permitted in the country in which
23 they are being provided; and

24 “(B) would not violate United States law if
25 provided in the United States; and

1 “(2) shall not be subject to requirements relat-
2 ing to the use of non-United States Government
3 funds for advocacy and lobbying activities other than
4 those that apply to United States nongovernmental
5 organizations receiving assistance under this part.”.

6 REPORTING REQUIREMENTS CONCERNING INDIVIDUALS

7 DETAINED AT NAVAL STATION, GUANTÁNAMO BAY, CUBA

8 SEC. 7064. Not later than 5 days after the conclusion
9 of an agreement with a country, including a state with
10 a compact of free association with the United States, to
11 receive by transfer or release individuals detained at
12 United States Naval Station, Guantánamo Bay, Cuba, the
13 Secretary of State shall notify the Committees on Appro-
14 priations in writing of the terms of the agreement, includ-
15 ing whether funds appropriated by this Act or prior Acts
16 making appropriations for the Department of State, for-
17 eign operations, and related programs will be made avail-
18 able for assistance for such country pursuant to such
19 agreement.

20 CONSULAR AND BORDER SECURITY PROGRAMS

21 SEC. 7065. (a) There is established in the Treasury
22 a separate fund to be known as the “Consular and Border
23 Security Programs” account into which the following fees
24 shall be deposited for the purposes of the consular and
25 border security programs.

1 (b) MACHINE-READABLE VISA FEE.—Section 103(d)
2 of Public Law 107–173 (8 U.S.C. 1713) is amended by
3 striking “credited as an offsetting collection to any appro-
4 priation for the Department of State” and inserting “de-
5 posited in the Consular and Border Security Programs ac-
6 count”.

7 (c) PASSPORT AND IMMIGRANT VISA SECURITY SUR-
8 CHARGES.—

9 (1) The fourth paragraph under the heading
10 “Diplomatic and Consular Programs” in title IV of
11 division B of Public Law 108–447 (8 U.S.C. 1714)
12 is amended—

13 (A) by inserting “and the consular protec-
14 tion of U.S. citizens and their interests over-
15 seas” after “in support of enhanced border se-
16 curity”; and

17 (B) by striking “credited to this account”
18 and inserting “deposited in the Consular and
19 Border Security Programs account”.

20 (2) Section 6 of Public Law 109–472 (8 U.S.C.
21 1714 note) is amended by inserting “and the con-
22 sular protection of U.S. citizens and their interests
23 overseas” after “in support of enhanced border secu-
24 rity” each place it appears.

1 (d) DIVERSITY IMMIGRANT LOTTERY FEE.—Section
2 636 of title VI, division C of Public Law 104–208 (8
3 U.S.C. 1153 note) is amended by striking “as an offset-
4 ting collection to any Department of State appropriation”
5 and inserting “in the Consular and Border Security Pro-
6 grams account”.

7 (e) AFFIDAVIT OF SUPPORT FEE.—Section 232(c) of
8 title II of division A of H.R. 3427 (106th Congress) (in-
9 corporated by reference by section 1000(a)(7) of division
10 B of Public 106–113, as amended (8 U.S.C. 1183a note),
11 is further amended by striking “as an offsetting collection
12 to any Department of State appropriation” and inserting
13 “in the Consular and Border Security Programs account”.

14 (f) WESTERN HEMISPHERE TRAVEL INITIATIVE
15 SURCHARGE.—Subsection (b)(1) of section 1 of the Pass-
16 port Act of June 4, 1920 (22 U.S.C. 214(b)(1)) is amend-
17 ed by striking “as an offsetting collection to the appro-
18 priate Department of State appropriation” and inserting
19 “in the Consular and Border Security Programs account”.

20 (g) EXPEDITED PASSPORT FEE.—The first proviso
21 under the heading “Diplomatic and Consular Programs”
22 in title V of Public Law 103–317 (22 U.S.C. 214 note)
23 is amended by inserting “or in the Consular and Border
24 Security Programs account” after “offsetting collection”.

1 (h) TRANSFER OF BALANCES.—The unobligated bal-
2 ances of amounts available from fees referenced under this
3 section may be transferred to the Consular and Border
4 Security Programs account.

5 (i) Funds deposited in or transferred to the Consular
6 and Border Security Programs account may be trans-
7 ferred between funds appropriated under the heading “Ad-
8 ministration of Foreign Affairs”.

9 (j) The transfer authorities in this section shall be
10 in addition to any other transfer authority available to the
11 Department of State.

12 (k) The amendments made by this section shall take
13 effect not later than October 1, 2016, and shall be imple-
14 mented in a manner that ensures the fees collected, trans-
15 ferred, and used in fiscal year 2016 can be readily tracked.

16 PROHIBITION ON USE OF TORTURE

17 SEC. 7066. (a) LIMITATION.—None of the funds
18 made available in this Act may be used to support or jus-
19 tify the use of torture, cruel, or inhumane treatment by
20 any official or contract employee of the United States Gov-
21 ernment.

22 (b) ASSISTANCE TO ELIMINATE TORTURE.—Funds
23 appropriated under titles III and IV of this Act shall be
24 made available, notwithstanding section 660 of the For-
25 eign Assistance Act of 1961 and following consultation

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) LIMITATION.—None of the funds ap-
3 propriated by this Act may be made available for assist-
4 ance for a government of an independent state of the
5 former Soviet Union if that government directs any action
6 in violation of the territorial integrity or national sov-
7 ereignty of any other independent state of the former So-
8 viet Union, such as those violations included in the Hel-
9 sinki Final Act: *Provided*, That except as otherwise pro-
10 vided in section 7070(a) of this Act, funds may be made
11 available without regard to the restriction in this sub-
12 section if the President determines that to do so is in the
13 national security interest of the United States: *Provided*
14 *further*, That prior to executing the authority contained
15 in this subsection the Department of State shall consult
16 with the Committees on Appropriations on how such as-
17 sistance supports the national interest of the United
18 States.

19 (b) SECTION 907 OF THE FREEDOM SUPPORT
20 ACT.—Section 907 of the FREEDOM Support Act shall
21 not apply to—

22 (1) activities to support democracy or assist-
23 ance under title V of the FREEDOM Support Act
24 and section 1424 of the Defense Against Weapons

1 of Mass Destruction Act of 1996 (50 U.S.C. 2333)
2 or non-proliferation assistance;

3 (2) any assistance provided by the Trade and
4 Development Agency under section 661 of the For-
5 eign Assistance Act of 1961 (22 U.S.C. 2421);

6 (3) any activity carried out by a member of the
7 United States and Foreign Commercial Service while
8 acting within his or her official capacity;

9 (4) any insurance, reinsurance, guarantee, or
10 other assistance provided by the Overseas Private
11 Investment Corporation under title IV of chapter 2
12 of part I of the Foreign Assistance Act of 1961 (22
13 U.S.C. 2191 et seq.);

14 (5) any financing provided under the Export-
15 Import Bank Act of 1945; or

16 (6) humanitarian assistance.

17 RUSSIA

18 SEC. 7070. (a) LIMITATION.—None of the funds ap-
19 propriated by this Act may be made available for assist-
20 ance for the central Government of the Russian Federa-
21 tion.

22 (b) DETERMINATION AND CONDITIONS.—

23 (1) None of the funds appropriated by this Act
24 may be made available for assistance for the central
25 government of a country that the Secretary of State

1 determines and reports to the Committees on Appro-
2 priations has taken affirmative steps intended to
3 support or be supportive of the Russian Federation
4 annexation of Crimea: *Provided*, That except as oth-
5 erwise provided in subsection (a), the Secretary may
6 waive the restriction on assistance required by this
7 paragraph if the Secretary certifies to such Commit-
8 tees that to do so is in the national interest of the
9 United States, and includes a justification for such
10 interest.

11 (2) None of the funds appropriated by this Act
12 may be made available for—

13 (A) the implementation of any action or
14 policy that recognizes the sovereignty of the
15 Russian Federation over Crimea;

16 (B) the facilitation, financing, or guarantee
17 of United States Government investments in
18 Crimea, if such activity includes the participa-
19 tion of Russian Government officials, and Rus-
20 sian owned and controlled banks, or other Rus-
21 sian Government owned and controlled financial
22 entities; or

23 (C) assistance for Crimea, if such assist-
24 ance includes the participation of Russian Gov-
25 ernment officials, and Russian owned and con-

1 trolled banks, and other Russian Government
2 owned and controlled financial entities.

3 (3) The Secretary of the Treasury shall instruct
4 the United States executive directors of each inter-
5 national financial institution to vote against any as-
6 sistance by such institution (including but not lim-
7 ited to any loan, credit, or guarantee) for any pro-
8 gram that violates the sovereignty or territorial in-
9 tegrity of Ukraine.

10 (4) The requirements and limitations of sub-
11 section (b) shall cease to be in effect if the Secretary
12 of State certifies and reports to the Committees on
13 Appropriations that the Government of Ukraine has
14 reestablished sovereignty over Crimea.

15 (c) ASSISTANCE TO REDUCE VULNERABILITY AND
16 PRESSURE.—Funds appropriated by this Act for assist-
17 ance for the Eastern Partnership countries shall be made
18 available to advance the implementation of Association
19 Agreements, trade agreements, and visa liberalization
20 agreements with the European Union, and to reduce their
21 vulnerability to external economic and political pressure
22 from the Russian Federation.

23 (d) DEMOCRACY PROGRAMS.—Funds appropriated
24 by this Act shall be made available to support the advance-
25 ment of democracy and the rule of law in the Russian Fed-

1 eration, including to promote Internet freedom, and shall
2 also be made available to support the democracy and rule
3 of law strategy required by section 7071(d) of the Depart-
4 ment of State, Foreign Operations, and Related Programs
5 Appropriations Act, 2014 (division K of Public Law 113–
6 76).

7 (e) REPORTS.—Not later than 45 days after enact-
8 ment of this Act, the Secretary of State shall update the
9 reports required by section 7071(b)(2), (c), and (e) of the
10 Department of State, Foreign Operations, and Related
11 Programs Appropriations Act, 2014 (division K of Public
12 Law 113–76).

13 INTERNATIONAL MONETARY FUND

14 SEC. 7071. (a) TRANSPARENCY AND ACCOUNT-
15 ABILITY.—The terms and conditions of sections 7086(b)
16 (1) and (2) and 7090(a) of the Department of State, For-
17 eign Operations, and Related Programs Appropriations
18 Act, 2010 (division F of Public Law 111–117) shall apply
19 to this Act.

20 (b) REPAYMENT.—The Secretary of the Treasury
21 shall instruct the United States Executive Director of the
22 International Monetary Fund (IMF) to seek to ensure
23 that any loan will be repaid to the IMF before other pri-
24 vate creditors.

1 SPECIAL DEFENSE ACQUISITION FUND

2 SEC. 7072. Not to exceed \$900,000,000 may be obli-
3 gated pursuant to section 51(c)(2) of the Arms Export
4 Control Act for the purposes of the Special Defense Acqui-
5 sition Fund (Fund), to remain available for obligation
6 until September 30, 2018: *Provided*, That the provision
7 of defense articles and defense services to foreign coun-
8 tries or international organizations from the Fund shall
9 be subject to the concurrence of the Secretary of State.

10 COUNTERING VIOLENT EXTREMISM

11 SEC. 7073. (a) STRENGTHENING THE STATE SYS-
12 TEM.—Funds appropriated by this Act for counterter-
13 rorism programs shall include programs to strengthen
14 governance in states whose stability and legitimacy are
15 threatened by Islamic or other extremist groups.

16 (b) COUNTERING FOREIGN TERRORIST FIGHTERS.—
17 Funds appropriated by this Act shall be made available
18 for programs to counter the flow of foreign terrorist fight-
19 ers to countries in which Islamic or other extremist groups
20 operate.

21 (c) COUNTERING VIOLENT EXTREMISM.—Funds ap-
22 propriated by this Act shall be made available for pro-
23 grams to reduce support for non-state entities that engage
24 in terrorist activities through messaging campaigns to
25 damage their appeal; programs to engage communities

1 and populations at risk of violent extremist radicalization
2 and recruitment; counter radicalization, rehabilitation,
3 and reintegration programs for potential and former vio-
4 lent extremists, including in prisons; law enforcement
5 training programs; and capacity building for civil society
6 organizations to combat radicalization in local commu-
7 nities.

8 (d) ASSISTANCE FOR FRAGILE STATES.—Funds ap-
9 propriated by this Act shall be made available for pro-
10 grams that strengthen governance and security in fragile
11 states bordering countries whose stability and legitimacy
12 are threatened by Islamic or other extremists, as deter-
13 mined by the Secretary of State.

14 (e) COORDINATOR AND REPORT.—

15 (1) The Secretary of State shall designate,
16 within the Bureau of Counterterrorism, Department
17 of State, a Countering Violent Extremism Assistance
18 Coordinator (the Coordinator) who shall be respon-
19 sible, consistent with the requirements of this sec-
20 tion, for—

21 (A) designing an overall assistance and co-
22 operation strategy for countering violent extre-
23 mism, including strengthening governance;

24 (B) ensuring program and policy coordina-
25 tion among bureaus of the Department and

1 other agencies of the United States Government
2 in countering extremism, implementing security
3 sector and governance reform programs, and in-
4 tegrating all security sector and civilian assist-
5 ance authorities and initiatives to counter vio-
6 lent extremism;

7 (C) pursuing coordination with other coun-
8 tries and international organizations with re-
9 spect to assistance for countering extremism;

10 (D) ensuring United States assistance pro-
11 grams for countering violent extremism funded
12 by this Act and prior Acts making appropria-
13 tions for the Department of State, foreign oper-
14 ations, and related programs are consistent
15 with all applicable laws, regulations and policies
16 regarding the use of foreign assistance;

17 (E) ensuring proper management, imple-
18 mentation, and oversight by agencies respon-
19 sible for assistance programs for countering vio-
20 lent extremism, including consistent policy
21 standards and metrics; and

22 (F) coordinating the uses of funds made
23 available pursuant to subsections (a) through
24 (d) under titles III and IV of this Act and prior
25 Acts making appropriations for the Department

1 of State, foreign operations, and related pro-
2 grams:

3 *Provided*, That the Secretary of State, in consulta-
4 tion with the Administrator of the United States
5 Agency for International Development (USAID),
6 shall designate a deputy coordinator, from within
7 USAID, to assist such coordinator.

8 (2) The Coordinator shall report to the Coordi-
9 nator for Counterterrorism, Department of State:
10 *Provided*, That the Coordinator for Counterterrorism
11 shall be deemed to be the equivalent rank of Assist-
12 ant Secretary of State.

13 (3) Not later than September 30, 2016, the
14 Secretary of State shall submit a report to the ap-
15 propriate congressional committees detailing coordi-
16 nation mechanisms for programs to counter ter-
17 rorism and violent extremism abroad across United
18 States Government agencies, and a list of all such
19 programs conducted by such agencies, which may be
20 submitted in classified form, if necessary.

21 (f) COMPONENTS OF THE STRATEGY.—The strategy
22 required by subsection (e)(1)(A) shall include the coherent
23 integration of counterterrorism, governance and security
24 sector reform programs proposed to be implemented from
25 funds appropriated by this Act under titles III and IV,

1 including programs to counter violent extremism in coun-
2 tries in which state systems are threatened by Islamic and
3 other extremists groups, programs to support states bor-
4 dering such countries, programs to strengthen governance
5 in such states, and programs to counter the radicalization
6 and flow of foreign terrorist fighters: *Provided*, That such
7 strategy shall include details on funding by country, ac-
8 count, and amount for each program: *Provided further*,
9 That such strategy shall also include a description of
10 counterterrorism training and equipment proposed to be
11 provided: *Provided further*, That the Secretary of State
12 shall submit such strategy, in classified form if necessary,
13 to the appropriate congressional committees not later than
14 180 days after enactment of this Act, and shall include
15 appropriate funding detail on programs supporting such
16 strategy in the report required by section 653(a) of the
17 Foreign Assistance Act of 1961.

18 (g) MONITORING AND OVERSIGHT.—(1) Prior to the
19 obligation of funds appropriated by this Act to implement
20 such strategy, the Secretary of State shall take all prac-
21 ticable steps to ensure that mechanisms are in place for
22 monitoring, oversight, and control of such assistance: *Pro-*
23 *vided*, That the Secretary of State shall inform the appro-
24 priate congressional committee of each significant instance
25 in which assistance provided pursuant to this subsection

1 has been compromised, to include the amount and type
2 of assistance affected, a description of the incident and
3 parties involved, and an explanation of the response of the
4 Department of Department.

5 (2) Not later than 90 days after the Secretary
6 of State designates the Coordinator, the Coordinator
7 shall submit a report to the Committees on Appro-
8 priations detailing procedures and mechanism for
9 end-use monitoring, vetting procedures, and over-
10 sight of security sector and civilian assistance made
11 available to implement the requirements of this sec-
12 tion: *Provided*, That such report shall include a de-
13 scription of the limitations of United States Govern-
14 ment personnel to areas in which assistance is pro-
15 vided, and the oversight procedures for such assist-
16 ance in areas where access by such personnel is lim-
17 ited.

18 ENTERPRISE FUNDS

19 SEC. 7074. (a) NOTIFICATION REQUIREMENT.—
20 None of the funds made available under titles III through
21 VI of this Act may be made available for Enterprise Funds
22 unless the appropriate congressional committees are noti-
23 fied at least 15 days in advance.

24 (b) DISTRIBUTION OF ASSETS PLAN.—Prior to the
25 distribution of any assets resulting from any liquidation,

1 dissolution, or winding up of an Enterprise Fund, in whole
2 or in part, the President shall submit to the appropriate
3 congressional committees a plan for the distribution of the
4 assets of the Enterprise Fund.

5 (c) TRANSITION OR OPERATING PLAN.—Prior to a
6 transition to and operation of any private equity fund or
7 other parallel investment fund under an existing Enter-
8 prise Fund, the President shall submit such transition or
9 operating plan to the appropriate congressional commit-
10 tees.

11 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

12 SEC. 7075. If the President makes a determination
13 not to comply with any provision of this Act on constitu-
14 tional grounds, the head of the relevant Federal agency
15 shall notify the Committees on Appropriations in writing
16 within 5 days of such determination, the basis for such
17 determination and any resulting changes to program and
18 policy.

19 BUDGET DOCUMENTS

20 SEC. 7076. (a) OPERATING PLANS.—Not later than
21 45 days after the date of enactment of this Act, each de-
22 partment, agency, or organization funded in titles I, II,
23 and VI of this Act, and the Department of the Treasury
24 and Independent Agencies funded in title III of this Act,
25 including the Inter-American Foundation and the United

1 States African Development Foundation, shall submit to
2 the Committees on Appropriations an operating plan for
3 funds appropriated to such department, agency, or organi-
4 zation in such titles of this Act, or funds otherwise avail-
5 able for obligation in fiscal year 2016, that provides de-
6 tails of the uses of such funds at the program, project,
7 and activity level: *Provided*, That such plans shall include,
8 as applicable, a comparison between the most recent con-
9 gressional directives or approved funding levels and the
10 funding levels proposed by the department or agency; and
11 a clear, concise, and informative description/justification:
12 *Provided further*, That operating plans for funds for such
13 department, agency, or organization in titles I, II, or III
14 and title VIII, shall simultaneously submit the operating
15 plans for, and integrated information on, enduring and
16 Overseas Contingency Operations funds: *Provided further*,
17 That operating plans that include changes in levels of
18 funding specified in this Act or in the report accom-
19 panying this Act shall be subject to the regular notifica-
20 tion procedures of the Committees on Appropriations.

21 (b) SPEND PLANS.—

22 (1) Prior to the initial obligation of funds, the
23 Secretary of State or Administrator of the United
24 States Agency for International Development
25 (USAID), as appropriate, shall submit to the Com-

1 mittees on Appropriations a detailed spend plan for
2 funds made available by this Act, for—

3 (A) assistance for Afghanistan, Colombia,
4 Egypt, Haiti, Iraq, Lebanon, Libya, Mexico,
5 Pakistan, the West Bank and Gaza, and
6 Yemen;

7 (B) the Caribbean Basin Security Initia-
8 tive; the Central America Regional Security Ini-
9 tiative; the Trans-Sahara Counterterrorism
10 Partnership; the Partnership for Regional East
11 Africa Counterterrorism; the West Africa Re-
12 gional Security Initiative; the Global Peace Op-
13 erations Initiative, including Africa Contingency
14 Operations Training and Assistance; the Afri-
15 can Peacekeeping Rapid Response Partnership;
16 the Africa Conflict Stabilization and Border Se-
17 curity program; the African Military Education
18 Program; the Africa Maritime Security Initia-
19 tive; the Security Governance Initiative; the Af-
20 rica Regional Counter-Terrorism Fund; the
21 Counterterrorism Partnerships Fund; the Re-
22 gional Security Initiative; the Africa Capacity
23 for Immediate Crisis Response program; and
24 the Southeast Asia Maritime Security Law En-
25 forcement Initiative: *Provided*, That the spend

1 plan for such programs shall include the
2 amount of assistance planned for each country
3 by account; and

4 (C) democracy programs and each sector
5 enumerated in section 7060 of this Act.

6 (2) Not later than 45 days after enactment of
7 this Act, the Secretary of the Treasury shall submit
8 to the Committees on Appropriations a detailed
9 spend plan for funds made available by this Act
10 under the headings “Department of the Treasury”
11 in title III and “International Financial Institu-
12 tions” in title V.

13 (c) SPENDING REPORT.—Not later than 45 days
14 after enactment of this Act, the USAID Administrator
15 shall submit to the Committees on Appropriations a de-
16 tailed report on spending of funds made available during
17 fiscal year 2015 under the heading “Development Credit
18 Authority”.

19 (d) NOTIFICATIONS.—The spend plans referenced in
20 subsection (b) shall not be considered as meeting the noti-
21 fication requirements in this Act or under section 634A
22 of the Foreign Assistance Act of 1961.

23 (e) CONGRESSIONAL BUDGET JUSTIFICATION.—The
24 Secretary of State and the USAID Administrator shall in-
25 clude in the congressional budget justification a detailed

1 justification for multi-year availability for any funds re-
2 quested under the headings “Diplomatic and Consular
3 Programs” and “Operating Expenses”.

4 RECORDS MANAGEMENT, REQUESTS, AND REPORTS

5 SEC. 7077. (a)(1) RECORDS MANAGEMENT.—Funds
6 appropriated by this Act under the headings “Diplomatic
7 and Consular Programs” and “Operating Expenses” shall
8 be made available for purposes of Federal records manage-
9 ment pursuant to the Federal Records Act (44 U.S.C.
10 Chapters 21, 29, 31, and 33) and other applicable Federal
11 records management statutes, regulations, or policies for
12 the Department of State and the United States Agency
13 for International Development (USAID): *Provided*, That
14 no such funds may be made available to such agencies to
15 support the use or establishment of email accounts or
16 email servers created outside the .gov domain or not fitted
17 for automated records management as part of a Federal
18 government records management program.

19 (2)(A) REPORTS.—Not later than 90 days after en-
20 actment of this Act, the Secretary of State and USAID
21 Administrator shall each submit a report to the appro-
22 priate congressional committees and to the National Ar-
23 chives and Records Administration (NARA) detailing—

24 (i) the policy of each agency regarding the
25 use or establishment of email accounts or email

1 servers created outside the .gov domain or not
2 fitted for automated records management as
3 part of a Federal government records manage-
4 ment program;

5 (ii) the extent to which each agency is in
6 compliance with applicable Federal records
7 management statutes, regulations, or policies;
8 and

9 (iii) a description of existing cyber security
10 measures to mitigate vulnerabilities resulting
11 from the use of email accounts or email servers
12 outside the .gov domain.

13 (B) REPORTS ASSESSMENT.—Not later than
14 120 days after the submission of the reports re-
15 quired in subparagraph (A), the Comptroller General
16 of the United States, in consultation with NARA, as
17 appropriate, shall conduct an assessment of such re-
18 ports, and shall consult with the Committees on Ap-
19 propriations on the scope and requirements of such
20 assessment.

21 (b) REQUESTS FOR DOCUMENTS.—None of the funds
22 appropriated or made available pursuant to title III
23 through VI of this Act shall be available to a nongovern-
24 mental organization, including any contractor, which fails
25 to provide upon timely request any document, file, or

1 record necessary to the auditing requirements of the De-
2 partment of State and USAID.

3 (c) PUBLIC POSTING OF REPORTS.—

4 (1) REQUIREMENT.—Any agency receiving
5 funds made available by this Act shall, subject to
6 paragraphs (2) and (3), post on the publicly avail-
7 able Web site of such agency any report required by
8 this Act to be submitted to the Committees on Ap-
9 propriations, upon a determination by the head of
10 such agency that to do so is in the national interest.

11 (2) EXCEPTIONS.—Paragraph (1) shall not
12 apply to a report if—

13 (A) the public posting of such report would
14 compromise national security, including the
15 conduct of diplomacy; or

16 (B) the report contains proprietary, privi-
17 leged, or sensitive information.

18 (3) TIMING AND INTENTION.—The head of the
19 agency posting such report shall, unless otherwise
20 provided for in this Act, do so only after such report
21 has been made available to the Committees on Ap-
22 propriations for not less than 45 days: *Provided*,
23 That any report required by this Act to be submitted
24 to the Committees on Appropriations shall include

1 information from the submitting agency on whether
2 such report will be publicly posted.

3 (d) SUNSET OF REPORTS.—

4 (1) Effective September 30, 2017, each report
5 described in paragraph (2) that is still required to
6 be submitted to Congress as of such effective date
7 shall no longer be required to be submitted to Con-
8 gress upon notification of the Committees on Appro-
9 priations, unless otherwise directed by a subsequent
10 Act.

11 (2) A report described in this subsection is a re-
12 port that is required to be submitted at regular peri-
13 odic intervals to Congress by any prior Act making
14 appropriations for the Department of State, foreign
15 operations, and related programs and that is pre-
16 pared primarily by the Department of State,
17 USAID, or by any officer, official, component, or
18 element of the Department or USAID, by a provi-
19 sion of statute (including title 22, United States
20 Code, and any annual appropriations or authoriza-
21 tion Act) as of April 1, 2015.

22 (3) This subsection shall not apply to reports
23 required to be submitted by the Department of State
24 or USAID Office of the Inspector General.

1 GLOBAL INTERNET FREEDOM

2 SEC. 7078. (a) FUNDING.—Of the funds available for
3 obligation during fiscal year 2016 under the headings
4 “International Broadcasting Operations”, “Economic
5 Support Fund”, and “Democracy Fund”, not less than
6 \$50,500,000 shall be made available for programs to pro-
7 mote Internet freedom globally: *Provided*, That such pro-
8 grams shall be prioritized for countries whose governments
9 restrict freedom of expression on the Internet, and that
10 are important to the national interests of the United
11 States: *Provided further*, That funds made available pursu-
12 ant to this section shall be matched, to the maximum ex-
13 tent practicable, by sources other than the United States
14 Government, including from the private sector.

15 (b) REQUIREMENTS.—Funds made available pursu-
16 ant to subsection (a) shall be—

17 (1) coordinated with other democracy, govern-
18 ance, and broadcasting programs funded by this Act
19 under the headings “International Broadcasting Op-
20 erations”, “Economic Support Fund”, “Democracy
21 Fund”, “Complex Crises Fund”, and “Assistance
22 for Europe, Eurasia and Central Asia”, and shall be
23 incorporated into country assistance, democracy pro-
24 motion, and broadcasting strategies, as appropriate;

1 (2) made available to the Bureau of Democracy,
2 Human Rights, and Labor, Department of State for
3 programs to implement the May 2011, International
4 Strategy for Cyberspace and the comprehensive
5 strategy to promote Internet freedom and access to
6 information in Iran, as required by section 414 of
7 the Iran Threat Reduction and Syria Human Rights
8 Act of 2012 (22 U.S.C. 8754);

9 (3) made available to the Broadcasting Board
10 of Governors (BBG) to provide tools and techniques
11 to access the Web sites of BBG broadcasters that
12 are censored, and to work with such broadcasters to
13 promote and distribute such tools and techniques,
14 including digital security techniques;

15 (4) made available for programs that support
16 the efforts of civil society to counter the development
17 of repressive Internet-related laws and regulations,
18 including countering threats to Internet freedom at
19 international organizations; to combat violence
20 against bloggers and other users; and to enhance
21 digital security training and capacity building for de-
22 mocracy activists; and

23 (5) made available for research of key threats
24 to Internet freedom; the continued development of
25 technologies that provide or enhance access to the

1 Internet, including circumvention tools that bypass
2 Internet blocking, filtering, and other censorship
3 techniques used by authoritarian governments; and
4 maintenance of the United States Government tech-
5 nological advantage over such censorship techniques:
6 *Provided*, That the Secretary of State, in consulta-
7 tion with the BBG, shall coordinate any such re-
8 search and development programs with other rel-
9 evant United States Government departments and
10 agencies in order to share information, technologies,
11 and best practices, and to assess the effectiveness of
12 such technologies.

13 (c) COORDINATION AND SPEND PLANS.—After con-
14 sultation among the relevant agency heads to coordinate
15 and de-conflict planned activities, but not later than 90
16 days after enactment of this Act, the Secretary of State
17 and the BBG Chairman shall submit to the Committees
18 on Appropriations spend plans for funds made available
19 by this Act for programs to promote Internet freedom
20 globally, which shall include a description of safeguards
21 established by relevant agencies to ensure that such pro-
22 grams are not used for illicit purposes.

23 DISABILITY PROGRAMS

24 SEC. 7079. (a) ASSISTANCE.—Funds appropriated by
25 this Act under the heading “Economic Support Fund”

1 shall be made available for programs and activities admin-
2 istered by the United States Agency for International De-
3 velopment (USAID) to address the needs and protect and
4 promote the rights of people with disabilities in developing
5 countries, including initiatives that focus on independent
6 living, economic self-sufficiency, advocacy, education, em-
7 ployment, transportation, sports, and integration of indi-
8 viduals with disabilities, including for the cost of trans-
9 lation.

10 (b) MANAGEMENT, OVERSIGHT, AND TECHNICAL
11 SUPPORT.—Of the funds made available pursuant to this
12 section, 5 percent may be used for USAID for manage-
13 ment, oversight, and technical support.

14 IMPACT ON JOBS IN THE UNITED STATES

15 SEC. 7080. None of the funds appropriated or other-
16 wise made available under titles III through VI of this
17 Act or any other Act making appropriations for the De-
18 partment of State, foreign operations, and related pro-
19 grams may be obligated or expended to provide—

20 (1) for fiscal year 2016, any financial incentive
21 to a business enterprise currently located in the
22 United States for the purpose of inducing such an
23 enterprise to relocate outside the United States if
24 such incentive or inducement is likely to reduce the
25 number of employees of such business enterprise in

1 the United States because United States production
2 is being replaced by such enterprise outside the
3 United States;

4 (2) for fiscal year 2016, assistance for any pro-
5 gram, project, or activity that contributes to the vio-
6 lation of internationally recognized workers rights,
7 as defined in section 507(4) of the Trade Act of
8 1974, of workers in the recipient country, including
9 any designated zone or area in that country: *Pro-*
10 *vided*, That the application of section 507(4)(D) and
11 (E) of such Act should be commensurate with the
12 level of development of the recipient country and
13 sector, and shall not preclude assistance for the in-
14 formal sector in such country, micro and small-scale
15 enterprise, and smallholder agriculture;

16 (3) for fiscal year 2016, any assistance to an
17 entity outside the United States if such assistance is
18 for the purpose of directly relocating or transferring
19 jobs from the United States to other countries and
20 adversely impacts the labor force in the United
21 States; or

22 (4) for fiscal year 2016, for the enforcement of
23 any rule, regulation, or policy, or guidelines imple-
24 mented pursuant to—

1 (A) the third proviso of subsection 7079(b)
2 of the Department of State, Foreign Oper-
3 ations, and Related Programs Appropriations
4 Act, 2010 (division F of Public Law 111–117);

5 (B) the modification proposed by the Over-
6 seas Private Investment Corporation in Novem-
7 ber 2013 to the Corporation’s Environmental
8 and Social Policy Statement relating to coal;

9 (C) the Supplemental Guidelines for High
10 Carbon Intensity Projects approved by the Ex-
11 port-Import Bank of the United States on De-
12 cember 12, 2013; or

13 (D) the World Bank Group’s Directions
14 for the World Bank Group’s Energy Sector re-
15 leased on July 16, 2013,

16 when enforcement of such rule, regulation, policy, or
17 guidelines would prohibit, or have the effect of pro-
18 hibiting, any coal-fired or other power-generation
19 project the purpose of which is to increase exports
20 of goods and services from the United States and
21 provide affordable electricity to people who lack ac-
22 cess to electricity, or prevent the loss of jobs in the
23 United States.

1 COUNTRIES IMPACTED BY SIGNIFICANT REFUGEE
2 POPULATIONS OR INTERNALLY DISPLACED PERSONS

3 SEC. 7081. (a) PROGRAMS.—Funds appropriated by
4 this Act under the headings “Development Assistance”
5 and “Economic Support Fund” shall be made available
6 for programs to assist significant populations of internally
7 displaced persons or refugees in countries in conflict: *Pro-*
8 *vided*, That such funds shall be made available for pro-
9 grams to leverage increased assistance from donors other
10 than the United States Government for central govern-
11 ments and local communities in such countries: *Provided*
12 *further*, That the purposes of such assistance shall include
13 activities to—

14 (1) expand and improve host government social
15 services and basic infrastructure to accommodate the
16 needs of such populations and persons;

17 (2) alleviate the social and economic strains
18 placed on host communities; and

19 (3) improve coordination of such assistance in
20 a more effective and sustainable manner.

21 (b) REPORT ON EXPANDING ACCESS TO FINANCING
22 FOR CERTAIN MIDDLE INCOME COUNTRIES.—Not later
23 than 90 days after enactment of this Act, the Secretary
24 of State, in consultation with the Secretary of the Treas-
25 ury, the Administrator of the United States Agency for

1 International Development, and the Chief Executive Offi-
2 cer of the Millennium Challenge Corporation (MCC), shall
3 submit a report to the Committees on Appropriations on
4 the economic and developmental impact of significant ref-
5 ugee populations or internally displaced persons on host
6 communities and national economies in affected countries:

7 *Provided*, That such report shall include—

8 (1) specific recommendations for expanding ac-
9 cess for middle income countries to grants and
10 concessional financing on favorable terms from inter-
11 national financial institutions to mitigate such im-
12 pacts;

13 (2) an assessment of hybrid financial models
14 that combine international financial institution lend-
15 ing programs with bilateral grant resources to accel-
16 erate development-led solutions to such impacts; and

17 (3) an assessment of the implications for the
18 MCC of modifying MCC eligibility requirements for
19 new and ongoing projects that mutually benefit ref-
20 ugee populations and host communities in such
21 countries:

22 *Provided further*, That following the submission of the re-
23 port, the Secretary of State shall regularly update the ap-
24 propriate congressional committees on implementation of
25 the recommendations in paragraph (1).

1 NORTH AMERICAN DEVELOPMENT BANK

2 SEC. 7082. Part 2 of Subtitle D of title V of Public
3 Law 103–182, as amended (22 U.S.C. 290m et seq.), is
4 further amended by adding at the end thereof the fol-
5 lowing new section:

6 **“SEC. 547. FIRST CAPITAL INCREASE.**

7 “(a) SUBSCRIPTION AUTHORIZED.—

8 “(1) The Secretary of the Treasury may sub-
9 scribe on behalf of the United States to 150,000 ad-
10 ditional shares of the capital stock of the Bank.

11 “(2) Any subscription by the United States to
12 the capital stock of the Bank shall be effective only
13 to such extent and in such amounts as are provided
14 in advance in appropriations Act.

15 “(b) LIMITATIONS ON AUTHORIZATION OF APPRO-
16 PRIATIONS.—

17 “(1) In order to pay for the increase in the
18 United States subscription to the Bank under sub-
19 section (a), there are authorized to be appropriated,
20 without fiscal year limitation, \$1,500,000,000 for
21 payment by the Secretary of the Treasury.

22 “(2) Of the amount authorized to be appro-
23 priated under paragraph (1)—

24 “(A) \$225,000,000 shall be for paid in
25 shares of the Bank; and

1 “(B) \$1,275,000,000 shall be callable
2 shares of the Bank.”.

3 COUNTRY FOCUS AND SELECTIVITY

4 SEC. 7083. (a) TRANSITION PLAN REQUIREMENT.—

5 Any country assistance strategy developed after the date
6 of enactment of this Act for the provision of assistance
7 for a foreign country shall include a transition plan for
8 such assistance to be provided through other international
9 donor support and budget support by the respective for-
10 eign government: *Provided*, That such transition plan shall
11 be developed by the Department of State and United
12 States Agency for International Development (USAID), in
13 consultation with such foreign government and local civil
14 society, as appropriate.

15 (b) PILOT PROGRAM.—Not later than 180 days after
16 enactment of this Act, the Secretary of State, in consulta-
17 tion with the USAID Administrator and the appropriate
18 congressional committees, shall develop and implement a
19 pilot program to gradually decrease assistance for at least
20 two countries receiving assistance under this Act and prior
21 Acts making appropriations for the Department of State,
22 foreign operations, and related programs that—

23 (1) are historical or long-time recipients of such
24 assistance;

1 (c) LIMITATION.—None of the amounts in this sec-
2 tion may be rescinded from amounts that were designated
3 by Congress as an emergency requirement or for Overseas
4 Contingency Operations/Global War on Terrorism pursu-
5 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
6 and Emergency Deficit Control Act of 1985.

7 TITLE VIII

8 OVERSEAS CONTINGENCY OPERATIONS

9 DEPARTMENT OF STATE

10 ADMINISTRATION OF FOREIGN AFFAIRS

11 DIPLOMATIC AND CONSULAR PROGRAMS

12 (INCLUDING TRANSFER OF FUNDS)

13 For an additional amount for “Diplomatic and Con-
14 sular Programs”, \$1,884,569,000, to remain available
15 until September 30, 2017, of which \$1,300,393,000 is for
16 Worldwide Security Protection and shall remain available
17 until expended: *Provided*, That the Secretary of State may
18 transfer up to \$10,000,000 of the total funds made avail-
19 able under this heading to any other appropriation of any
20 department or agency of the United States, upon the con-
21 currence of the head of such department or agency, to sup-
22 port operations in and assistance for Afghanistan and to
23 carry out the provisions of the Foreign Assistance Act of
24 1961: *Provided further*, That any such transfer shall be
25 treated as a reprogramming of funds under subsections

1 (a) and (b) of section 7015 of this Act and shall not be
2 available for obligation or expenditure except in compli-
3 ance with the procedures set forth in that section: *Pro-*
4 *vided further*, That such amount is designated by Congress
5 for Overseas Contingency Operations/Global War on Ter-
6 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
7 anced Budget and Emergency Deficit Control Act of 1985.

8 CONFLICT STABILIZATION OPERATIONS

9 For an additional amount for “Conflict Stabilization
10 Operations”, \$10,000,000, to remain available until ex-
11 pended: *Provided*, That such amount is designated by
12 Congress for Overseas Contingency Operations/Global
13 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
14 the Balanced Budget and Emergency Deficit Control Act
15 of 1985.

16 OFFICE OF INSPECTOR GENERAL

17 For an additional amount for “Office of Inspector
18 General”, \$66,600,000, to remain available until Sep-
19 tember 30, 2017, of which \$56,900,000 shall be for the
20 Special Inspector General for Afghanistan Reconstruction
21 (SIGAR) for reconstruction oversight: *Provided*, That
22 printing and reproduction costs shall not exceed amounts
23 for such costs during fiscal year 2015: *Provided further*,
24 That notwithstanding any other provision of law, any em-
25 ployee of SIGAR who completes at least 12 months of con-

1 tinuous service after the date of enactment of this Act or
2 who is employed on the date on which SIGAR terminates,
3 whichever occurs first, shall acquire competitive status for
4 appointment to any position in the competitive service for
5 which the employee possesses the required qualifications:
6 *Provided further*, That such amount is designated by Con-
7 gress for Overseas Contingency Operations/Global War on
8 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
9 anced Budget and Emergency Deficit Control Act of 1985.

10 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

11 For an additional amount for “Embassy Security,
12 Construction, and Maintenance”, \$134,800,000, to re-
13 main available until expended, of which \$124,000,000
14 shall be for Worldwide Security Upgrades, acquisition, and
15 construction as authorized: *Provided*, That such amount
16 is designated by Congress for Overseas Contingency Oper-
17 ations/Global War on Terrorism pursuant to section
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

20 INTERNATIONAL ORGANIZATIONS

21 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

22 For an additional amount for “Contributions to
23 International Organizations”, \$52,100,000: *Provided*,
24 That such amount is designated by Congress for Overseas
25 Contingency Operations/Global War on Terrorism pursu-

1 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
2 and Emergency Deficit Control Act of 1985.

3 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
4 ACTIVITIES

5 For an additional amount for “Contributions for
6 International Peacekeeping Activities”, \$505,000,000, to
7 remain available until September 30, 2017: *Provided*,
8 That such amount is designated by Congress for Overseas
9 Contingency Operations/Global War on Terrorism pursu-
10 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
11 and Emergency Deficit Control Act of 1985.

12 RELATED AGENCY

13 BROADCASTING BOARD OF GOVERNORS

14 INTERNATIONAL BROADCASTING OPERATIONS

15 For an additional amount for “International Broad-
16 casting Operations”, \$6,300,000, to remain available until
17 September 30, 2017: *Provided*, That such amount is des-
18 ignated by Congress for Overseas Contingency Operations/
19 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.

1 UNITED STATES AGENCY FOR INTERNATIONAL
2 DEVELOPMENT

3 FUNDS APPROPRIATED TO THE PRESIDENT

4 OPERATING EXPENSES

5 For an additional amount for “Operating Expenses”,
6 \$139,262,000, to remain available until September 30,
7 2017: *Provided*, That such amount is designated by Con-
8 gress for Overseas Contingency Operations/Global War on
9 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
10 anced Budget and Emergency Deficit Control Act of 1985.

11 BILATERAL ECONOMIC ASSISTANCE

12 FUNDS APPROPRIATED TO THE PRESIDENT

13 INTERNATIONAL DISASTER ASSISTANCE

14 For an additional amount for “International Disaster
15 Assistance”, \$1,037,000,000, to remain available until ex-
16 pended: *Provided*, That such amount is designated by
17 Congress for Overseas Contingency Operations/Global
18 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
19 the Balanced Budget and Emergency Deficit Control Act
20 of 1985.

21 TRANSITION INITIATIVES

22 For an additional amount for “Transition Initia-
23 tives”, \$20,000,000, to remain available until expended:
24 *Provided*, That such amount is designated by Congress for
25 Overseas Contingency Operations/Global War on Ter-

1 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
2 anced Budget and Emergency Deficit Control Act of 1985.

3 ECONOMIC SUPPORT FUND

4 For an additional amount for “Economic Support
5 Fund”, \$2,019,034,000, to remain available until Sep-
6 tember 30, 2017: *Provided*, That such amount is des-
7 ignated by Congress for Overseas Contingency Operations/
8 Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

12 For an additional amount for “Assistance for Eu-
13 rope, Eurasia and Central Asia”, \$410,869,000, to remain
14 available until September 30, 2017: *Provided*, That such
15 amount is designated by Congress for Overseas Contin-
16 gency Operations/Global War on Terrorism pursuant to
17 section 251(b)(2)(A)(ii) of the Balanced Budget and
18 Emergency Deficit Control Act of 1985.

19 DEPARTMENT OF STATE

20 MIGRATION AND REFUGEE ASSISTANCE

21 For an additional amount for “Migration and Ref-
22 ugee Assistance”, \$1,251,114,000, to remain available
23 until expended: *Provided*, That such amount is designated
24 by Congress for Overseas Contingency Operations/Global
25 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 INTERNATIONAL SECURITY ASSISTANCE

4 DEPARTMENT OF STATE

5 INTERNATIONAL NARCOTICS CONTROL AND LAW

6 ENFORCEMENT

7 For an additional amount for “International Nar-
8 cotics Control and Law Enforcement”, \$284,000,000, to
9 remain available until September 30, 2017: *Provided*,
10 That such amount is designated by Congress for Overseas
11 Contingency Operations/Global War on Terrorism pursu-
12 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
13 and Emergency Deficit Control Act of 1985.

14 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND

15 RELATED PROGRAMS

16 For an additional amount for “Nonproliferation,
17 Anti-terrorism, Demining and Related Programs”,
18 \$262,521,000, to remain available until September 30,
19 2017: *Provided*, That such amount is designated by Con-
20 gress for Overseas Contingency Operations/Global War on
21 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
22 anced Budget and Emergency Deficit Control Act of 1985.

23 PEACEKEEPING OPERATIONS

24 For an additional amount for “Peacekeeping Oper-
25 ations”, \$210,000,000, to remain available until Sep-

1 tember 30, 2017: *Provided*, That such amount is des-
2 ignated by Congress for Overseas Contingency Operations/
3 Global War on Terrorism pursuant to section
4 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
5 Deficit Control Act of 1985.

6 FUNDS APPROPRIATED TO THE PRESIDENT

7 FOREIGN MILITARY FINANCING PROGRAM

8 For an additional amount for “Foreign Military Fi-
9 nancing Program”, \$1,186,868,000, to remain available
10 until September 30, 2017: *Provided*, That such amount
11 is designated by Congress for Overseas Contingency Oper-
12 ations/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 GENERAL PROVISIONS

16 ADDITIONAL APPROPRIATIONS

17 SEC. 8001. Notwithstanding any other provision of
18 law, funds appropriated in this title are in addition to
19 amounts appropriated or otherwise made available in this
20 Act for fiscal year 2016.

21 EXTENSION OF AUTHORITIES AND CONDITIONS

22 SEC. 8002. Unless otherwise provided for in this Act,
23 the additional amounts appropriated by this title to appro-
24 priations accounts in this Act shall be available under the

1 authorities and conditions applicable to such appropria-
2 tions accounts.

3 TRANSFER AND ADDITIONAL AUTHORITY

4 SEC. 8003. (a) Funds appropriated by this title in
5 this Act under the headings “Transition Initiatives”,
6 “Economic Support Fund”, “Assistance for Europe, Eur-
7 asia and Central Asia”, “International Narcotics Control
8 and Law Enforcement”, “Nonproliferation, Anti-ter-
9 rorism, Demining and Related Programs”, “Peacekeeping
10 Operations”, and “Foreign Military Financing Program”
11 may be transferred to, and merged with—

12 (1) funds appropriated by this title under such
13 headings; and

14 (2) funds appropriated by this title under the
15 headings “International Disaster Assistance” and
16 “Migration and Refugee Assistance”.

17 (b) Notwithstanding any other provision of this sec-
18 tion, not to exceed \$15,000,000 from funds appropriated
19 under the headings “International Narcotics Control and
20 Law Enforcement”, “Peacekeeping Operations”, and
21 “Foreign Military Financing Program” by this title in this
22 Act may be transferred to, and merged with, funds pre-
23 viously made available under the heading “Global Security
24 Contingency Fund”: *Provided*, That not later than 15
25 days prior to making any such transfer, the Secretary of

1 State shall notify the Committees on Appropriations on
2 a country basis, including the implementation plan and
3 timeline for each proposed use of such funds.

4 (c) The transfer authority provided in subsections (a)
5 and (b) may only be exercised to address contingencies.

6 (d) The transfer authority provided in subsections (a)
7 and (b) shall be subject to prior consultation with, and
8 the regular notification procedures of, the Committees on
9 Appropriations: *Provided*, That such transfer authority is
10 in addition to any transfer authority otherwise available
11 under any other provision of law, including section 610
12 of the Foreign Assistance Act of 1961 which may be exer-
13 cised by the Secretary of State for the purposes of this
14 title.

15 DESIGNATION REQUIREMENT

16 SEC. 8004. Each amount designated in this title of
17 this Act by Congress for Overseas Contingency Oper-
18 ations/Global War on Terrorism pursuant to section
19 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985 shall be available (or re-
21 scinded, if applicable) only if the President subsequently
22 so designates all such amounts and transmits such des-
23 ignations to Congress.

RESCISSION OF FUNDS

1
2 SEC. 8005. (a) BILATERAL ECONOMIC ASSIST-
3 ANCE.—Of the funds appropriated in prior Acts making
4 appropriations for the Department of State, foreign oper-
5 ations, and related programs under the heading “Bilateral
6 Economic Assistance, Funds Appropriated to the Presi-
7 dent, Economic Support Fund” and designated by Con-
8 gress for Overseas Contingency Operations/Global War on
9 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
10 anced Budget and Emergency Deficit Control Act of 1985,
11 \$194,540,000 are rescinded.

12 (b) INTERNATIONAL SECURITY ASSISTANCE.—Of the
13 funds appropriated in prior Acts making appropriations
14 for the Department of State, foreign operations, and re-
15 lated programs under the heading “International Security
16 Assistance, Department of State, International Narcotics
17 Control and Law Enforcement” and designated by Con-
18 gress for Overseas Contingency Operations/Global War on
19 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
20 anced Budget and Emergency Deficit Control Act of 1985,
21 \$27,497,000 are rescinded.

1 TITLE IX
2 HUMANITARIAN EMERGENCY RESPONSE
3 BILATERAL ECONOMIC ASSISTANCE
4 FUNDS APPROPRIATED TO THE PRESIDENT
5 INTERNATIONAL DISASTER ASSISTANCE

6 For an additional amount for “International Disaster
7 Assistance”, \$298,000,000, to remain available until ex-
8 pended, for necessary expenses to address humanitarian
9 crises globally: *Provided*, That of the funds appropriated
10 under this heading, up to \$150,000,000 may be made
11 available for assistance for Nepal for earthquake relief, re-
12 covery, and reconstruction: *Provided further*, That such
13 amount is designated by Congress as an emergency re-
14 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
15 anced Budget and Emergency Deficit Control Act of 1985.

16 MIGRATION AND REFUGEE ASSISTANCE

17 For an additional amount for “Migration and Ref-
18 ugee Assistance”, \$461,000,000, to remain available until
19 expended, for necessary expenses to address humanitarian
20 crises globally: *Provided*, That such amount is designated
21 by Congress as an emergency requirement pursuant to
22 section 251(b)(2)(A)(i) of the Balanced Budget and
23 Emergency Deficit Control Act of 1985.

1 DESIGNATION REQUIREMENT

2 SEC. 9005. Each amount designated in this title of
3 this Act by Congress as an emergency requirement pursu-
4 ant to section 251(b)(2)(A)(i) of the Balanced Budget and
5 Emergency Deficit Control Act of 1985 shall be available
6 only if the President subsequently so designates all such
7 amounts and transmits such designations to Congress.

8 TITLE X

9 OTHER MATTERS

10 MULTILATERAL ASSISTANCE

11 INTERNATIONAL MONETARY PROGRAMS

12 UNITED STATES QUOTA, INTERNATIONAL MONETARY

13 FUND DIRECT LOAN PROGRAM ACCOUNT

14 For an increase in the United States quota in the
15 International Monetary Fund, the dollar equivalent of
16 40,871,800,000 Special Drawing Rights, to remain avail-
17 able until expended: *Provided*, That notwithstanding the
18 provisos under the heading “International Assistance Pro-
19 grams—International Monetary Programs—United
20 States Quota, International Monetary Fund” in the Sup-
21 plemental Appropriations Act, 2009 (Public Law 111–32),
22 the costs of the amounts provided under this heading in
23 this Act and in Public Law 111–32 shall be estimated on
24 a present value basis, excluding administrative costs and
25 any incidental effects on governmental receipts or outlays:

1 *Provided further*, That for purposes of the previous pro-
 2 viso, the discount rate for purposes of the present value
 3 calculation shall be the appropriate interest rate on mar-
 4 ketable Treasury securities: *Provided further*, That section
 5 251(b)(2)(A) of the Balanced Budget and Emergency
 6 Deficit Control Act of 1985, as amended, shall not apply
 7 to amounts under this heading.

8 LOANS TO THE INTERNATIONAL MONETARY FUND
 9 DIRECT LOAN PROGRAM ACCOUNT
 10 (INCLUDING RESCISSION OF FUNDS)

11 Of the amounts provided under the heading “Inter-
 12 national Assistance Programs—International Monetary
 13 Programs—Loans to International Monetary Fund” in
 14 the Supplemental Appropriations Act, 2009 (Public Law
 15 111–32), the dollar equivalent of 40,871,800,000 Special
 16 Drawing Rights is hereby permanently cancelled as of the
 17 date when the rollback of the United States credit ar-
 18 rangement in the New Arrangements to Borrow of the
 19 International Monetary Fund is effective, but no earlier
 20 than when the increase of the United States quota author-
 21 ized in section 72 of the Bretton Woods Agreements Act
 22 (22 U.S.C. 286 et seq.) becomes effective: *Provided*, That
 23 notwithstanding the second through fourth provisos under
 24 the heading “International Assistance Programs—Inter-
 25 national Monetary Programs—Loans to International

1 Monetary Fund” in Public Law 111–32, the costs of the
2 amounts under this heading in this Act and in Public Law
3 111–32 shall be estimated on a present value basis, ex-
4 cluding administrative costs and any incidental effects on
5 governmental receipts or outlays: *Provided further*, That
6 for purposes of the previous proviso, the discount rate for
7 purposes of the present value calculation shall be the ap-
8 propriate interest rate on marketable Treasury securities:
9 *Provided further*, That section 251(b)(2)(A) of the Bal-
10 anced Budget and Emergency Deficit Control Act of 1985,
11 as amended, shall not apply to amounts under this head-
12 ing.

13 GENERAL PROVISIONS

14 AMENDMENTS TO THE BRETTON WOODS

15 AGREEMENTS ACT

16 SEC. 10001. (a) Section 17 of the Bretton Woods
17 Agreements Act (22 U.S.C. 286e–2) is amended in sub-
18 sections (b)(1) and (b)(2) by adding at the end in both
19 subsections, after “Fund”, “only to the extent that such
20 amounts are not subject to cancellation”.

21 (b) The Bretton Woods Agreements Act (22 U.S.C.
22 286 et seq.) is amended by adding at the end the fol-
23 lowing:

1 **“SEC. 71. ACCEPTANCE OF AMENDMENTS TO THE ARTI-**
2 **CLES OF AGREEMENT OF THE FUND.**

3 “The United States Governor of the Fund may ac-
4 cept the amendments to the Articles of Agreement of the
5 Fund as proposed in resolution 66–2 of the Board of Gov-
6 ernors of the Fund.

7 **“SEC. 72. QUOTA INCREASE.**

8 “(a) IN GENERAL.—The United States Governor of
9 the Fund may consent to an increase in the quota of the
10 United States in the Fund equivalent to 40,871,800,000
11 Special Drawing Rights.

12 “(b) SUBJECT TO APPROPRIATIONS.—The authority
13 provided by subsection (a) shall be effective only to such
14 extent or in such amounts as are provided in advance in
15 appropriations Acts.”.

16 This Act may be cited as the “Department of State,
17 Foreign Operations, and Related Programs Appropria-
18 tions Act, 2016”.

Calendar No. 144

114TH CONGRESS
1ST Session

S. 1725

[Report No. 114-79]

A BILL

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2016, and for other purposes.

JULY 9, 2015

Read twice and placed on the calendar