

Calendar No. 216115TH CONGRESS
1ST SESSION**S. 1780****[Report No. 115–152]**

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2018, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 7, 2017

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, 2018, 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, 2018, 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 \$8,580,698,000, of which: \$2,975,971,000 is designated
10 by the Congress for Overseas Contingency Operations/
11 Global War on Terrorism pursuant to section
12 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
13 Deficit Control Act of 1985; up to \$1,233,445,000 may
14 remain available until September 30, 2019; and up to
15 \$3,756,874,000 may remain available until expended for
16 Worldwide Security Protection: *Provided*, That funds
17 made available under this heading shall be allocated in ac-
18 cordance with paragraphs (1) through (4) as follows:

19 (1) HUMAN RESOURCES.—For necessary ex-
20 penses for training, human resources management,
21 and salaries, including employment without regard
22 to civil service and classification laws of persons on
23 a temporary basis (not to exceed \$700,000), as au-
24 thorized by section 801 of the United States Infor-
25 mation and Educational Exchange Act of 1948,

1 \$2,679,633,000, of which up to \$476,879,000 is for
2 Worldwide Security Protection.

3 (2) OVERSEAS PROGRAMS.—For necessary ex-
4 penses for the regional bureaus of the Department
5 of State and overseas activities as authorized by law,
6 \$1,823,656,000.

7 (3) DIPLOMATIC POLICY AND SUPPORT.—For
8 necessary expenses for the functional bureaus of the
9 Department of State, including representation to
10 certain international organizations in which the
11 United States participates pursuant to treaties rati-
12 fied pursuant to the advice and consent of the Sen-
13 ate or specific Acts of Congress, general administra-
14 tion, and arms control, nonproliferation and disarm-
15 ament activities as authorized, \$774,957,000.

16 (4) SECURITY PROGRAMS.—For necessary ex-
17 penses for security activities, \$3,302,452,000, of
18 which up to \$3,279,995,000 is for Worldwide Secu-
19 rity Protection.

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

23 (A) as authorized by section 810 of the
24 United States Information and Educational Ex-
25 change Act, not to exceed \$5,000,000, to re-

1 main available until expended, may be credited
2 to this appropriation from fees or other pay-
3 ments received from English teaching, library,
4 motion pictures, and publication programs and
5 from fees from educational advising and coun-
6 seling and exchange visitor programs; and

7 (B) not to exceed \$15,000, which shall be
8 derived from reimbursements, surcharges, and
9 fees for use of Blair House facilities.

10 (6) TRANSFER OF FUNDS, REPROGRAMMING,
11 AND OTHER MATTERS.—

12 (A) Notwithstanding any other provision of
13 this Act, funds may be reprogrammed within
14 and between paragraphs (1) through (4) under
15 this heading subject to section 7015 of this Act.

16 (B) Of the amount made available under
17 this heading, not to exceed \$10,000,000 may be
18 transferred to, and merged with, funds made
19 available by this Act under the heading “Emer-
20 gencies in the Diplomatic and Consular Serv-
21 ice”, to be available only for emergency evacu-
22 ations and rewards, as authorized.

23 (C) Funds appropriated under this heading
24 are available for acquisition by exchange or pur-
25 chase of passenger motor vehicles as authorized

1 by law and, pursuant to section 1108(g) of title
2 31, United States Code, for the field examina-
3 tion of programs and activities in the United
4 States funded from any account contained in
5 this title.

6 (D) Funds appropriated under this head-
7 ing may be made available for Conflict Sta-
8 bilization Operations and for related reconstruc-
9 tion and stabilization assistance to prevent or
10 respond to conflict or civil strife in foreign
11 countries or regions, or to enable transition
12 from such strife.

13 (E) Funds appropriated under this head-
14 ing that are designated for Worldwide Security
15 Protection shall continue to be made available
16 for support of security-related training at sites
17 in existence prior to the enactment of this Act.

18 (F) Of the funds appropriated under this
19 heading, up to \$5,000,000 may be transferred
20 to any other appropriation of any department
21 or agency of the United States Government,
22 upon the concurrence of the head of such de-
23 partment or agency, to support operations in,
24 and assistance for, Afghanistan and to carry
25 out the provisions of the Foreign Assistance Act

1 of 1961: *Provided*, That any such transfer shall
 2 be subject to the regular notification procedures
 3 of the Committees on Appropriations.

4 CAPITAL INVESTMENT FUND

5 For necessary expenses of the Capital Investment
 6 Fund, as authorized, \$15,000,000, to remain available
 7 until expended.

8 OFFICE OF INSPECTOR GENERAL

9 For necessary expenses of the Office of Inspector
 10 General, \$145,729,000, of which: \$68,100,000 is des-
 11 ignated by the 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; and \$79,744,000 may remain
 15 available until September 30, 2019: *Provided*, That funds
 16 appropriated under this heading that are made available
 17 for the printing and reproduction costs of the Special In-
 18 spector General for Afghanistan Reconstruction (SIGAR)
 19 shall not exceed amounts for such costs during fiscal year
 20 2017: *Provided further*, That notwithstanding any other
 21 provision of law, any employee of SIGAR who completes
 22 at least 12 months of continuous service after the date
 23 of enactment of this Act or who is employed on the date
 24 on which SIGAR terminates, whichever occurs first, shall
 25 acquire competitive status for appointment to any position

1 in the competitive service for which the employee possesses
 2 the required qualifications: *Provided further*, That funds
 3 appropriated under this heading are made available not-
 4 withstanding section 209(a)(1) of the Foreign Service Act
 5 of 1980 (22 U.S.C. 3928(a)(1)), as it relates to post in-
 6 spections.

7 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

8 For expenses of educational and cultural exchange
 9 programs, as authorized, \$634,143,000, to remain avail-
 10 able until expended, of which not less than \$240,000,000
 11 shall be for the Fulbright Program and not less than
 12 \$111,360,000 shall be for Citizen Exchange Program, in-
 13 cluding \$4,125,000 for the Congress-Bundestag Youth
 14 Exchange: *Provided*, That fees or other payments received
 15 from, or in connection with, English teaching, educational
 16 advising and counseling programs, and exchange visitor
 17 programs as authorized may be credited to this account,
 18 to remain available until expended: *Provided further*, That
 19 a portion of the Fulbright awards from the Eurasia and
 20 Central Asia regions shall be designated as Edmund S.
 21 Muskie Fellowships, following consultation with the Com-
 22 mittees on Appropriations: *Provided further*, That any
 23 substantive modifications from the prior fiscal year to pro-
 24 grams funded by this Act under this heading shall be sub-

1 ject to prior consultation with, and the regular notification
 2 procedures of, the Committees on Appropriations.

3 REPRESENTATION EXPENSES

4 For representation expenses as authorized,
 5 \$8,030,000.

6 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

7 For expenses, not otherwise provided, to enable the
 8 Secretary of State to provide for extraordinary protective
 9 services, as authorized, \$30,890,000, to remain available
 10 until September 30, 2019.

11 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

12 For necessary expenses for carrying out the Foreign
 13 Service Buildings Act of 1926 (22 U.S.C. 292 et seq.),
 14 preserving, maintaining, repairing, and planning for build-
 15 ings that are owned or directly leased by the Department
 16 of State, renovating, in addition to funds otherwise avail-
 17 able, the Harry S Truman Building, and carrying out the
 18 Diplomatic Security Construction Program as authorized,
 19 \$754,459,000, to remain available until expended, of
 20 which not to exceed \$25,000 may be used for domestic
 21 and overseas representation expenses as authorized: *Pro-*
 22 *vided*, That none of the funds appropriated in this para-
 23 graph shall be available for acquisition of furniture, fur-
 24 nishings, or generators for other departments and agen-
 25 cies of the United States Government.

14 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
15 SERVICE

1 REPATRIATION LOANS PROGRAM ACCOUNT

2 For the cost of direct loans, \$1,300,000, as author-
3 ized: *Provided*, That such costs, including the cost of
4 modifying such loans, shall be as defined in section 502
5 of the Congressional Budget Act of 1974: *Provided fur-*
6 *ther*, That such funds are available to subsidize gross obli-
7 gations for the principal amount of direct loans not to ex-
8 ceed \$2,440,856.

9 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

10 For necessary expenses to carry out the Taiwan Rela-
11 tions Act (Public Law 96–8), \$31,963,000.

12 INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF
13 COLUMBIA

14 Not to exceed \$1,806,600 shall be derived from fees
15 collected from other executive agencies for lease or use of
16 facilities at the International Center in accordance with
17 section 4 of the International Center Act (Public Law 90–
18 553), and, in addition, as authorized by section 5 of such
19 Act, \$743,000, to be derived from the reserve authorized
20 by such section, to be used for the purposes set out in
21 that section.

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.

1 INTERNATIONAL ORGANIZATIONS

2 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

3 For necessary expenses, not otherwise provided for,
4 to meet annual obligations of membership in international
5 multilateral organizations, pursuant to treaties ratified
6 pursuant to the advice and consent of the Senate, conven-
7 tions, or specific Acts of Congress, \$1,449,000,000, of
8 which \$96,240,000 is designated by the Congress for
9 Overseas Contingency Operations/Global War on Ter-
10 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985:
12 *Provided*, That the Secretary of State shall, at the time
13 of the submission of the President's budget to Congress
14 under section 1105(a) of title 31, United States Code,
15 transmit to the Committees on Appropriations the most
16 recent biennial budget prepared by the United Nations for
17 the operations of the United Nations: *Provided further*,
18 That the Secretary of State shall notify the Committees
19 on Appropriations at least 15 days in advance (or in an
20 emergency, as far in advance as is practicable) of any
21 United Nations action to increase funding for any United
22 Nations program without identifying an offsetting de-
23 crease elsewhere in the United Nations budget: *Provided*
24 *further*, That not later than June 1, 2018, and 30 days
25 after the end of fiscal year 2018, the Secretary of State

1 shall report to the Committees on Appropriations any
2 credits attributable to the United States, including from
3 the United Nations Tax Equalization Fund, and provide
4 updated fiscal year 2018 and fiscal year 2019 assessment
5 costs including offsets from available credits and updated
6 foreign currency exchange rates: *Provided further*, That
7 any such credits shall only be available for United States
8 assessed contributions to the United Nations regular
9 budget, and the Committees on Appropriations shall be
10 notified when such credits are applied to any assessed con-
11 tribution, including any payment of arrearages: *Provided*
12 *further*, That any notification regarding funds appro-
13 priated or otherwise made available under this heading in
14 this Act or prior Acts making appropriations for the De-
15 partment of State, foreign operations, and related pro-
16 grams submitted pursuant to section 7015 of this Act, sec-
17 tion 34 of the State Department Basic Authorities Act
18 of 1956 (22 U.S.C. 2706), or any operating plan sub-
19 mitted pursuant to section 7076 of this Act, shall include
20 an estimate of all known credits currently attributable to
21 the United States and provide updated assessment costs
22 including offsets from available credits and updated for-
23 eign currency exchange rates: *Provided further*, That any
24 payment of arrearages under this heading shall be directed
25 to activities that are mutually agreed upon by the United

1 States and the respective international organization and
 2 shall be subject to the regular notification procedures of
 3 the Committees on Appropriations: *Provided further*, That
 4 none of the funds appropriated under this heading shall
 5 be available for a United States contribution to an inter-
 6 national organization for the United States share of inter-
 7 est costs made known to the United States Government
 8 by such organization for loans incurred on or after Octo-
 9 ber 1, 1984, through external borrowings.

10 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

11 ACTIVITIES

12 For necessary expenses to pay assessed and other ex-
 13 penses of international peacekeeping activities directed to
 14 the maintenance or restoration of international peace and
 15 security, \$1,382,100,000, of which: \$602,339,000 is des-
 16 ignated by the 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; and \$719,303,000 shall re-
 20 main available until September 30, 2019: *Provided*, That
 21 none of the funds made available by this Act shall be obli-
 22 gated or expended for any new or expanded United Na-
 23 tions peacekeeping mission unless, at least 15 days in ad-
 24 vance of voting for such mission in the United Nations
 25 Security Council (or in an emergency as far in advance

1 as is practicable), the Committees on Appropriations are
2 notified of: (1) the estimated cost and duration of the mis-
3 sion, the objectives of the mission, the national interest
4 that will be served, and the exit strategy; and (2) the
5 sources of funds, including any reprogrammings or trans-
6 fers, that will be used to pay the cost of the new or ex-
7 panded mission, and the estimated cost in future fiscal
8 years: *Provided further*, That none of the funds appro-
9 priated under this heading may be made available for obli-
10 gation unless the Secretary of State certifies and reports
11 to the Committees on Appropriations on a peacekeeping
12 mission-by-mission basis that the United Nations is imple-
13 menting effective policies and procedures to prevent
14 United Nations employees, contractor personnel, and
15 peacekeeping troops serving in such mission from traf-
16 ficking in persons, exploiting victims of trafficking, or
17 committing acts of sexual exploitation and abuse or other
18 violations of human rights, and to bring to justice individ-
19 uals who engage in such acts while participating in such
20 mission, including prosecution in their home countries and
21 making information about such prosecutions publicly
22 available on the Web site of the United Nations: *Provided*
23 *further*, That the Secretary of State shall work with the
24 United Nations and foreign governments contributing
25 peacekeeping troops to implement effective vetting proce-

1 dures to ensure that such troops have not violated human
2 rights: *Provided further*, That funds shall be available for
3 peacekeeping expenses unless the Secretary of State deter-
4 mines that United States manufacturers and suppliers are
5 not being given opportunities to provide equipment, serv-
6 ices, and material for United Nations peacekeeping activi-
7 ties equal to those being given to foreign manufacturers
8 and suppliers: *Provided further*, That none of the funds
9 appropriated or otherwise made available under this head-
10 ing may be used for any United Nations peacekeeping mis-
11 sion that will involve United States Armed Forces under
12 the command or operational control of a foreign national,
13 unless the President's military advisors have submitted to
14 the President a recommendation that such involvement is
15 in the national interest of the United States and the Presi-
16 dent has submitted to Congress such a recommendation:
17 *Provided further*, That not later than June 1, 2018, and
18 30 days after the end of fiscal year 2018, the Secretary
19 of State shall report to the Committees on Appropriations
20 any credits attributable to the United States, including
21 those resulting from United Nations peacekeeping mis-
22 sions or the United Nations Tax Equalization Fund, and
23 provide updated fiscal year 2018 and fiscal year 2019 as-
24 sessment costs including offsets from available credits:
25 *Provided further*, That any such credits shall only be avail-

1 able for United States assessed contributions to United
2 Nations peacekeeping missions, and the Committees on
3 Appropriations shall be notified when such credits are ap-
4 plied to any assessed contribution, including any payment
5 of arrearages: *Provided further*, That notwithstanding the
6 previous proviso, \$11,750,000 in credits attributable to
7 the United States may be made available to assist those
8 affected by cholera resulting from the United Nations Sta-
9 bilization Mission in Haiti: *Provided further*, That any no-
10 tification regarding funds appropriated or otherwise made
11 available under this heading in this Act or prior Acts mak-
12 ing appropriations for the Department of State, foreign
13 operations, and related programs submitted pursuant to
14 section 7015 of this Act, section 34 of the State Depart-
15 ment Basic Authorities Act of 1956 (22 U.S.C. 2706), or
16 any operating plan submitted pursuant to section 7076
17 of this Act, shall include an estimate of all known credits
18 currently attributable to the United States and provide
19 updated assessment costs including offsets from available
20 credits: *Provided further*, That any payment of arrearages
21 with funds appropriated by this Act shall be subject to
22 the regular notification procedures of the Committees on
23 Appropriations: *Provided further*, That the Secretary of
24 State shall work with the United Nations and members
25 of the United Nations Security Council to evaluate and

1 prioritize peacekeeping missions, and to consider a draw
2 down when mission goals have been substantially achieved.

3 INTERNATIONAL COMMISSIONS

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

7 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

8 UNITED STATES AND MEXICO

9 For necessary expenses for the United States Section
10 of the International Boundary and Water Commission,
11 United States and Mexico, and to comply with laws appli-
12 cable to the United States Section, including not to exceed
13 \$6,000 for representation expenses; as follows:

14 SALARIES AND EXPENSES

15 For salaries and expenses, not otherwise provided for,
16 \$48,134,000.

17 CONSTRUCTION

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

21 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

22 For necessary expenses, not otherwise provided, for
23 the International Joint Commission and the International
24 Boundary Commission, United States and Canada, as au-
25 thorized by treaties between the United States and Can-

1 ada or Great Britain, and the Border Environment Co-
 2 operation Commission as authorized by the North Amer-
 3 ican Free Trade Agreement Implementation Act (Public
 4 Law 103–182), \$13,258,000: *Provided*, That of the
 5 amount provided under this heading for the International
 6 Joint Commission, up to \$500,000 may remain available
 7 until September 30, 2019, and \$9,000 may be made avail-
 8 able for representation expenses.

9 INTERNATIONAL FISHERIES COMMISSIONS

10 For necessary expenses for international fisheries
 11 commissions, not otherwise provided for, as authorized by
 12 law, \$44,997,000: *Provided*, That the United States share
 13 of such expenses may be advanced to the respective com-
 14 missions pursuant to section 3324 of title 31, United
 15 States Code.

16 RELATED AGENCY

17 BROADCASTING BOARD OF GOVERNORS

18 INTERNATIONAL BROADCASTING OPERATIONS

19 For necessary expenses to enable the Broadcasting
 20 Board of Governors (BBG), as authorized, to carry out
 21 international communication activities, and to make and
 22 supervise grants for radio, Internet, and television broad-
 23 casting to the Middle East, \$788,153,000, of which
 24 \$4,800,000 is designated by the 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: *Provided*,
3 That in addition to amounts otherwise available for such
4 purposes, up to \$34,508,000 of the amount appropriated
5 under this heading may remain available until expended
6 for satellite transmissions and Internet freedom programs,
7 of which not less than \$13,800,000 shall be for Internet
8 freedom programs: *Provided further*, That of the total
9 amount appropriated under this heading, not to exceed
10 \$35,000 may be used for representation expenses, of
11 which \$10,000 may be used for such expenses within the
12 United States as authorized, and not to exceed \$30,000
13 may be used for representation expenses of Radio Free
14 Europe/Radio Liberty: *Provided further*, That the BBG
15 shall notify the Committees on Appropriations within 15
16 days of any determination by the BBG that any of its
17 broadcast entities, including its grantee organizations,
18 provides an open platform for international terrorists or
19 those who support international terrorism, or is in viola-
20 tion of the principles and standards set forth in sub-
21 sections (a) and (b) of section 303 of the United States
22 International Broadcasting Act of 1994 (22 U.S.C. 6202)
23 or the entity's journalistic code of ethics: *Provided further*,
24 That significant modifications to BBG broadcast hours
25 previously justified to Congress, including changes to

1 transmission platforms (shortwave, medium wave, sat-
 2 ellite, Internet, and television), for all BBG language serv-
 3 ices shall be subject to the regular notification procedures
 4 of the Committees on Appropriations: *Provided further*,
 5 That in addition to funds made available under this head-
 6 ing, and notwithstanding any other provision of law, up
 7 to \$5,000,000 in receipts from advertising and revenue
 8 from business ventures, up to \$500,000 in receipts from
 9 cooperating international organizations, and up to
 10 \$1,000,000 in receipts from privatization efforts of the
 11 Voice of America and the International Broadcasting Bu-
 12 reau, shall remain available until expended for carrying
 13 out authorized purposes.

14 BROADCASTING CAPITAL IMPROVEMENTS

15 For the purchase, rent, construction, repair, preser-
 16 vation, and improvement of facilities for radio, television,
 17 and digital transmission and reception; the purchase, rent,
 18 and installation of necessary equipment for radio, tele-
 19 vision, and digital transmission and reception, including
 20 to Cuba, as authorized; and physical security worldwide,
 21 in addition to amounts otherwise available for such pur-
 22 poses, \$9,700,000, to remain available until expended, as
 23 authorized.

1 RELATED PROGRAMS

2 THE ASIA FOUNDATION

3 For a grant to The Asia Foundation, as authorized
4 by The Asia Foundation Act (22 U.S.C. 4402),
5 \$17,000,000, to remain available until expended.

6 UNITED STATES INSTITUTE OF PEACE

7 For necessary expenses of the United States Institute
8 of Peace, as authorized by the United States Institute of
9 Peace Act (22 U.S.C. 4601 et seq.), \$37,884,000, to re-
10 main available until September 30, 2019, which shall not
11 be used for construction activities.

12 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

13 TRUST FUND

14 For necessary expenses of the Center for Middle
15 Eastern-Western Dialogue Trust Fund, as authorized by
16 section 633 of the Departments of Commerce, Justice, and
17 State, the Judiciary, and Related Agencies Appropriations
18 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-
19 est and earnings accruing to such Fund on or before Sep-
20 tember 30, 2018, to remain available until expended.

21 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

22 For necessary expenses of Eisenhower Exchange Fel-
23 lowships, Incorporated, as authorized by sections 4 and
24 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
25 U.S.C. 5204–5205), all interest and earnings accruing to

1 the Eisenhower Exchange Fellowship Program Trust
 2 Fund on or before September 30, 2018, to remain avail-
 3 able until expended: *Provided*, That none of the funds ap-
 4 propriated herein shall be used to pay any salary or other
 5 compensation, or to enter into any contract providing for
 6 the payment thereof, in excess of the rate authorized by
 7 section 5376 of title 5, United States Code; or for pur-
 8 poses which are not in accordance with section 200 of title
 9 2 of the Code of Federal Regulations, including the re-
 10 strictions on compensation for personal services.

11 ISRAELI ARAB SCHOLARSHIP PROGRAM

12 For necessary expenses of the Israeli Arab Scholar-
 13 ship Program, as authorized by section 214 of the Foreign
 14 Relations Authorization Act, Fiscal Years 1992 and 1993
 15 (22 U.S.C. 2452 note), all interest and earnings accruing
 16 to the Israeli Arab Scholarship Fund on or before Sep-
 17 tember 30, 2018, to remain available until expended.

18 EAST-WEST CENTER

19 To enable the Secretary of State to provide for car-
 20 rying out the provisions of the Center for Cultural and
 21 Technical Interchange Between East and West Act of
 22 1960, by grant to the Center for Cultural and Technical
 23 Interchange Between East and West in the State of Ha-
 24 waii, \$16,700,000.

1 NATIONAL ENDOWMENT FOR DEMOCRACY

2 For grants made by the Department of State to the
 3 National Endowment for Democracy, as authorized by the
 4 National Endowment for Democracy Act (22 U.S.C.
 5 4412), \$170,000,000, to remain available until expended,
 6 of which \$117,500,000 shall be allocated in the traditional
 7 and customary manner, including for the core institutes,
 8 and \$52,500,000 shall be for democracy programs.

9 OTHER COMMISSIONS

10 COMMISSION FOR THE PRESERVATION OF AMERICA'S

11 HERITAGE ABROAD

12 SALARIES AND EXPENSES

13 For necessary expenses for the Commission for the
 14 Preservation of America's Heritage Abroad, \$675,000, as
 15 authorized by chapter 3123 of title 54, United States
 16 Code: *Provided*, That the Commission may procure tem-
 17 porary, intermittent, and other services notwithstanding
 18 paragraph (3) of section 312304(b) of such chapter: *Pro-*
 19 *vided further*, That such authority shall terminate on Oc-
 20 tober 1, 2018: *Provided further*, That the Commission
 21 shall notify the Committees on Appropriations prior to ex-
 22 ercising such authority.

1 UNITED STATES COMMISSION ON INTERNATIONAL
2 RELIGIOUS FREEDOM
3 SALARIES AND EXPENSES

4 For necessary expenses for the United States Com-
5 mission on International Religious Freedom (USCIRF),
6 as authorized by title II of the International Religious
7 Freedom Act of 1998 (22 U.S.C. 6431 et seq.),
8 \$4,500,000, to remain available until September 30, 2019,
9 including not more than \$4,000 for representation ex-
10 penses: *Provided*, That \$1,000,000 of such funds may not
11 be obligated or expended until the Commission fully imple-
12 ments the recommendations of the Independent Review of
13 USCIRF Mission Effectiveness that was conducted pursu-
14 ant to the United States Commission on International Re-
15 ligious Freedom Reauthorization Act of 2015 (Public Law
16 114–71).

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

20 For necessary expenses of the Commission on Secu-
21 rity and Cooperation in Europe, as authorized by Public
22 Law 94–304 (22 U.S.C. 3001 et seq.), \$2,579,000, includ-
23 ing not more than \$4,000 for representation expenses, to
24 remain available until September 30, 2019.

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, 2019.

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 2019: *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 2018 and shall

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

1 TITLE II
2 UNITED STATES AGENCY FOR INTERNATIONAL
3 DEVELOPMENT
4 FUNDS APPROPRIATED TO THE PRESIDENT
5 OPERATING EXPENSES

6 For necessary expenses to carry out the provisions
7 of section 667 of the Foreign Assistance Act of 1961,
8 \$1,347,676,000, of which: \$158,067,000 is designated by
9 the Congress for Overseas Contingency Operations/Global
10 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
11 the Balanced Budget and Emergency Deficit Control Act
12 of 1985; and up to \$360,218,000 may remain available
13 until September 30, 2019: *Provided*, That none of the
14 funds appropriated under this heading and under the
15 heading “Capital Investment Fund” in this title may be
16 made available to finance the construction (including ar-
17 chitect and engineering services), purchase, or long-term
18 lease of offices for use by the United States Agency for
19 International Development, unless the USAID Adminis-
20 trator has identified such proposed use of funds in a re-
21 port submitted to the Committees on Appropriations at
22 least 15 days prior to the obligation of funds for such pur-
23 poses: *Provided further*, That contracts or agreements en-
24 tered into with funds appropriated under this heading may
25 entail commitments for the expenditure of such funds

1 through the following fiscal year: *Provided further*, That
 2 the authority of sections 610 and 109 of the Foreign As-
 3 sistance Act of 1961 may be exercised by the Secretary
 4 of State to transfer funds appropriated to carry out chap-
 5 ter 1 of part I of such Act to “Operating Expenses” in
 6 accordance with the provisions of those sections: *Provided*
 7 *further*, That of the funds appropriated under this head-
 8 ing, not less than \$33,000,000 shall be made available for
 9 the Bureau for Democracy, Conflict, and Humanitarian
 10 Assistance, and not less than \$15,900,000 shall be for the
 11 Regional Development Mission for Asia: *Provided further*,
 12 That of the funds appropriated or made available under
 13 this heading, not to exceed \$250,000 may be available for
 14 representation and entertainment expenses, of which not
 15 to exceed \$5,000 may be available for entertainment ex-
 16 penses, and not to exceed \$100,500 shall be for official
 17 residence expenses, for USAID during the current fiscal
 18 year.

19 CAPITAL INVESTMENT FUND

20 For necessary expenses for overseas construction and
 21 related costs, and for the procurement and enhancement
 22 of information technology and related capital investments,
 23 pursuant to section 667 of the Foreign Assistance Act of
 24 1961, \$183,380,000, to remain available until expended:
 25 *Provided*, That this amount is in addition to funds other-

1 wise available for such purposes: *Provided further*, That
2 funds appropriated under this heading shall be available
3 subject to the regular notification procedures of the Com-
4 mittees on Appropriations.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses to carry out the provisions
7 of section 667 of the Foreign Assistance Act of 1961,
8 \$71,500,000, of which \$2,500,000 is designated by the
9 Congress for Overseas Contingency Operations/Global
10 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
11 the Balanced Budget and Emergency Deficit Control Act
12 of 1985 and up to \$13,225,000 may remain available until
13 September 30, 2019, for the Office of Inspector General
14 of the United States Agency for International Develop-
15 ment.

1 TITLE III
2 BILATERAL ECONOMIC ASSISTANCE
3 FUNDS APPROPRIATED TO THE PRESIDENT

4 For necessary expenses to enable the President to
5 carry out the provisions of the Foreign Assistance Act of
6 1961, and for other purposes, as follows:

7 GLOBAL HEALTH PROGRAMS

8 For necessary expenses to carry out the provisions
9 of chapters 1 and 10 of part I of the Foreign Assistance
10 Act of 1961, for global health activities, in addition to
11 funds otherwise available for such purposes,
12 \$2,920,000,000, to remain available until September 30,
13 2019, and which shall be apportioned directly to the
14 United States Agency for International Development: *Pro-*
15 *vided*, That this amount shall be made available for train-
16 ing, equipment, and technical assistance to build the ca-
17 pacity of public health institutions and organizations in
18 developing countries, and for such activities as: (1) child
19 survival and maternal health programs; (2) immunization
20 and oral rehydration programs; (3) other health, nutrition,
21 water and sanitation programs which directly address the
22 needs of mothers and children, and related education pro-
23 grams; (4) assistance for children displaced or orphaned
24 by causes other than AIDS; (5) programs for the preven-
25 tion, treatment, control of, and research on HIV/AIDS,

1 tuberculosis, polio, malaria, and other infectious diseases
 2 including neglected tropical diseases, and for assistance to
 3 communities severely affected by HIV/AIDS, including
 4 children infected or affected by AIDS; (6) disaster pre-
 5 paredness training for health crises; (7) programs to pre-
 6 vent, prepare for, and respond to, unanticipated and
 7 emerging global health threats; and (8) family planning/
 8 reproductive health: *Provided further*, That funds appro-
 9 priated under this paragraph may be made available for
 10 a United States contribution to the GAVI Alliance: *Pro-*
 11 *vided further*, That none of the funds made available in
 12 this Act nor any unobligated balances from prior appro-
 13 priations Acts may be made available to any organization
 14 or program which, as determined by the President of the
 15 United States, supports or participates in the manage-
 16 ment of a program of coercive abortion or involuntary
 17 sterilization: *Provided further*, That any determination
 18 made under the previous proviso must be made not later
 19 than 6 months after the date of enactment of this Act,
 20 and must be accompanied by the evidence and criteria uti-
 21 lized to make the determination: *Provided further*, That
 22 none of the funds made available under this Act may be
 23 used to pay for the performance of abortion as a method
 24 of family planning or to motivate or coerce any person
 25 to practice abortions: *Provided further*, That nothing in

1 this paragraph shall be construed to alter any existing
2 statutory prohibitions against abortion under section 104
3 of the Foreign Assistance Act of 1961: *Provided further*,
4 That none of the funds made available under this Act may
5 be used to lobby for or against abortion: *Provided further*,
6 That in order to reduce reliance on abortion in developing
7 nations, funds shall be available only to voluntary family
8 planning projects which offer, either directly or through
9 referral to, or information about access to, a broad range
10 of family planning methods and services, and that any
11 such voluntary family planning project shall meet the fol-
12 lowing requirements: (1) service providers or referral
13 agents in the project shall not implement or be subject
14 to quotas, or other numerical targets, of total number of
15 births, number of family planning acceptors, or acceptors
16 of a particular method of family planning (this provision
17 shall not be construed to include the use of quantitative
18 estimates or indicators for budgeting and planning pur-
19 poses); (2) the project shall not include payment of incen-
20 tives, bribes, gratuities, or financial reward to: (A) an indi-
21 vidual in exchange for becoming a family planning accep-
22 tor; or (B) program personnel for achieving a numerical
23 target or quota of total number of births, number of fam-
24 ily planning acceptors, or acceptors of a particular method
25 of family planning; (3) the project shall not deny any right

1 or benefit, including the right of access to participate in
2 any program of general welfare or the right of access to
3 health care, as a consequence of any individual's decision
4 not to accept family planning services; (4) the project shall
5 provide family planning acceptors comprehensible infor-
6 mation on the health benefits and risks of the method cho-
7 sen, including those conditions that might render the use
8 of the method inadvisable and those adverse side effects
9 known to be consequent to the use of the method; and
10 (5) the project shall ensure that experimental contracep-
11 tive drugs and devices and medical procedures are pro-
12 vided only in the context of a scientific study in which
13 participants are advised of potential risks and benefits;
14 and, not less than 60 days after the date on which the
15 USAID Administrator determines that there has been a
16 violation of the requirements contained in paragraph (1),
17 (2), (3), or (5) of this proviso, or a pattern or practice
18 of violations of the requirements contained in paragraph
19 (4) of this proviso, the Administrator shall submit to the
20 Committees on Appropriations a report containing a de-
21 scription of such violation and the corrective action taken
22 by the Agency: *Provided further*, That in awarding grants
23 for natural family planning under section 104 of the For-
24 eign Assistance Act of 1961 no applicant shall be discrimi-
25 nated against because of such applicant's religious or con-

1 scientific commitment to offer only natural family plan-
 2 ning; and, additionally, all such applicants shall comply
 3 with the requirements of the previous proviso: *Provided*
 4 *further*, That for purposes of this or any other Act author-
 5 izing or appropriating funds for the Department of State,
 6 foreign operations, and related programs, the term “moti-
 7 vate”, as it relates to family planning assistance, shall not
 8 be construed to prohibit the provision, consistent with
 9 local law, of information or counseling about all pregnancy
 10 options: *Provided further*, That information provided
 11 about the use of condoms as part of projects or activities
 12 that are funded from amounts appropriated by this Act
 13 shall be medically accurate and shall include the public
 14 health benefits and failure rates of such use.

15 In addition, for necessary expenses to carry out the
 16 provisions of the Foreign Assistance Act of 1961 for the
 17 prevention, treatment, and control of, and research on,
 18 HIV/AIDS, \$5,670,000,000, to remain available until
 19 September 30, 2022, which shall be apportioned directly
 20 to the Department of State: *Provided*, That funds appro-
 21 priated under this paragraph may be made available, not-
 22 withstanding any other provision of law, except for the
 23 United States Leadership Against HIV/AIDS, Tuber-
 24 culosis, and Malaria Act of 2003 (Public Law 108–25),
 25 for a United States contribution to the Global Fund to

1 Fight AIDS, Tuberculosis and Malaria (Global Fund),
 2 and shall be expended at the minimum rate necessary to
 3 make timely payment for projects and activities: *Provided*
 4 *further*, That the amount of such contribution should be
 5 \$1,350,000,000: *Provided further*, That clauses (i) and
 6 (vi) of section 202(d)(4)(A) of the United States Leader-
 7 ship Against HIV/AIDS, Tuberculosis, and Malaria Act
 8 of 2003 (22 U.S.C. 7622) shall be applied with respect
 9 to such funds made available for fiscal years 2015 through
 10 2018 by substituting “2004” for “2009”: *Provided fur-*
 11 *ther*, That up to 5 percent of the aggregate amount of
 12 funds made available to the Global Fund in fiscal year
 13 2018 may be made available to USAID for technical as-
 14 sistance related to the activities of the Global Fund, sub-
 15 ject to the regular notification procedures of the Commit-
 16 tees on Appropriations: *Provided further*, That of the
 17 funds appropriated under this paragraph, up to
 18 \$17,000,000 may be made available, in addition to
 19 amounts otherwise available for such purposes, for admin-
 20 istrative expenses of the Office of the United States Global
 21 AIDS Coordinator.

22 DEVELOPMENT ASSISTANCE

23 For necessary expenses to carry out the provisions
 24 of sections 103, 105, 106, 214, and sections 251 through
 25 255, and chapter 10 of part I of the Foreign Assistance

1 Act of 1961, \$2,890,000,000, to remain available until
 2 September 30, 2019.

3 INTERNATIONAL DISASTER ASSISTANCE

4 For necessary expenses to carry out the provisions
 5 of section 491 of the Foreign Assistance Act of 1961 for
 6 international disaster relief, rehabilitation, and recon-
 7 struction assistance, \$3,133,210,000, to remain available
 8 until expended, which is designated by the Congress for
 9 Overseas Contingency Operations/Global War on Ter-
 10 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
 11 anced Budget and Emergency Deficit Control Act of 1985.

12 TRANSITION INITIATIVES

13 For necessary expenses for international disaster re-
 14 habilitation and reconstruction assistance administered by
 15 the Office of Transition Initiatives, United States Agency
 16 for International Development, pursuant to section 491 of
 17 the Foreign Assistance Act of 1961, and to support transi-
 18 tion to democracy and long-term development of countries
 19 in crisis, \$67,000,000, to remain available until expended,
 20 of which \$37,000,000 is designated by the Congress for
 21 Overseas Contingency Operations/Global War on Ter-
 22 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
 23 anced Budget and Emergency Deficit Control Act of 1985:
 24 *Provided*, That such support may include assistance to de-
 25 velop, strengthen, or preserve democratic institutions and

1 processes, revitalize basic infrastructure, and foster the
 2 peaceful resolution of conflict: *Provided further*, That the
 3 USAID Administrator shall submit a report to the Com-
 4 mittees on Appropriations at least 5 days prior to begin-
 5 ning a new program of assistance: *Provided further*, That
 6 if the Secretary of State determines that it is important
 7 to the national interest of the United States to provide
 8 transition assistance in excess of the amount appropriated
 9 under this heading, up to \$15,000,000 of the funds appro-
 10 priated by this Act to carry out the provisions of part I
 11 of the Foreign Assistance Act of 1961 may be used for
 12 purposes of this heading and under the authorities appli-
 13 cable to funds appropriated under this heading: *Provided*
 14 *further*, That funds made available pursuant to the pre-
 15 vious proviso shall be made available subject to prior con-
 16 sultation with the Committees on Appropriations.

17 COMPLEX CRISES FUND

18 For necessary expenses to carry out the provisions
 19 of the Foreign Assistance Act of 1961 to support pro-
 20 grams and activities to prevent or respond to emerging
 21 or unforeseen foreign challenges and complex crises over-
 22 seas, \$30,000,000, to remain available until expended, of
 23 which \$20,000,000 is designated by the Congress for
 24 Overseas Contingency Operations/Global War on Ter-
 25 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-

1 anced Budget and Emergency Deficit Control Act of 1985:
 2 *Provided*, That funds appropriated under this heading
 3 may be made available on such terms and conditions as
 4 are appropriate and necessary for the purposes of pre-
 5 venting or responding to such challenges and crises, except
 6 that no funds shall be made available for lethal assistance
 7 or to respond to natural disasters: *Provided further*, That
 8 funds appropriated under this heading may be made avail-
 9 able notwithstanding any other provision of law, except
 10 sections 7007, 7008, and 7018 of this Act and section
 11 620M of the Foreign Assistance Act of 1961: *Provided*
 12 *further*, That funds appropriated under this heading may
 13 be used for administrative expenses, in addition to funds
 14 otherwise available for such purposes, except that such ex-
 15 penses may not exceed 5 percent of the funds appropriated
 16 under this heading: *Provided further*, That funds appro-
 17 priated under this heading shall be subject to the regular
 18 notification procedures of the Committees on Appropria-
 19 tions, except that such notifications shall be transmitted
 20 at least 5 days prior to the obligation of funds.

21 DEVELOPMENT CREDIT AUTHORITY

22 For the cost of direct loans and loan guarantees pro-
 23 vided by the United States Agency for International De-
 24 velopment, as authorized by sections 256 and 635 of the
 25 Foreign Assistance Act of 1961, up to \$60,000,000 may

1 be derived by transfer from funds appropriated by this Act
2 to carry out part I of such Act and under the heading
3 “Assistance for Europe, Eurasia and Central Asia”: *Pro-*
4 *vided*, That funds provided under this paragraph and
5 funds provided as a gift that are used for purposes of this
6 paragraph pursuant to section 635(d) of the Foreign As-
7 sistance Act of 1961 shall be made available only for
8 micro- and small enterprise programs, urban programs,
9 and other programs which further the purposes of part
10 I of such Act: *Provided further*, That funds provided as
11 a gift that are used for purposes of this paragraph shall
12 be subject to prior consultation with, and the regular noti-
13 fication procedures of, the Committees on Appropriations:
14 *Provided further*, That such costs, including the cost of
15 modifying such direct and guaranteed loans, shall be as
16 defined in section 502 of the Congressional Budget Act
17 of 1974, as amended: *Provided further*, That funds made
18 available by this paragraph may be used for the cost of
19 modifying any such guaranteed loans under this Act or
20 prior Acts making appropriations for the Department of
21 State, foreign operations, and related programs, and funds
22 used for such cost, including if the cost results in a nega-
23 tive subsidy, shall be subject to the regular notification
24 procedures of the Committees on Appropriations: *Provided*
25 *further*, That the provisions of section 107A(d) (relating

1 to general provisions applicable to the Development Credit
 2 Authority) of the Foreign Assistance Act of 1961, as con-
 3 tained in section 306 of H.R. 1486 as reported by the
 4 House Committee on International Relations on May 9,
 5 1997, shall be applicable to direct loans and loan guaran-
 6 tees provided under this heading, except that the principal
 7 amount of loans made or guaranteed under this heading
 8 with respect to any single country shall not exceed
 9 \$300,000,000: *Provided further*, That these funds are
 10 available to subsidize total loan principal, any portion of
 11 which is to be guaranteed, of up to \$2,000,000,000.

12 In addition, for administrative expenses to carry out
 13 credit programs administered by USAID, \$10,000,000,
 14 which may be transferred to, and merged with, funds
 15 made available under the heading “Operating Expenses”
 16 in title II of this Act: *Provided*, That funds made available
 17 under this heading shall remain available until September
 18 30, 2020.

19 ECONOMIC SUPPORT FUND

20 For necessary expenses to carry out the provisions
 21 of chapter 4 of part II of the Foreign Assistance Act of
 22 1961, \$3,959,696,000, to remain available until Sep-
 23 tember 30, 2019, of which \$3,047,119,000 is designated
 24 by the Congress for Overseas Contingency Operations/
 25 Global War on Terrorism pursuant to section

1 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985.

3 DEMOCRACY FUND

4 For necessary expenses to carry out the provisions
5 of the Foreign Assistance Act of 1961 for the promotion
6 of democracy globally, including to carry out the purposes
7 of section 502(b)(3) and (5) of Public Law 98–164 (22
8 U.S.C. 4411), \$145,375,000, to remain available until
9 September 30, 2019, which shall be made available for the
10 Human Rights and Democracy Fund of the Bureau of De-
11 mocracy, Human Rights, and Labor, Department of
12 State: *Provided*, That funds appropriated under this head-
13 ing that are made available to the National Endowment
14 for Democracy and its core institutes are in addition to
15 amounts otherwise available by this Act for such purposes:
16 *Provided further*, That the Assistant Secretary for Democ-
17 racy, Human Rights, and Labor, Department of State,
18 shall consult with the Committees on Appropriations prior
19 to the obligation of funds appropriated under this para-
20 graph.

21 For an additional amount for such purposes,
22 \$65,125,000, to remain available until September 30,
23 2019, which shall be made available for the Bureau for
24 Democracy, Conflict, and Humanitarian Assistance,
25 United States Agency for International Development.

1 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

2 For necessary expenses to carry out the provisions
3 of the Foreign Assistance Act of 1961, the FREEDOM
4 Support Act (Public Law 102–511), and the Support for
5 Eastern European Democracy (SEED) Act of 1989 (Pub-
6 lic Law 101–179), \$750,334,000, to remain available until
7 September 30, 2019, of which \$480,922,000 is designated
8 by the Congress for Overseas Contingency Operations/
9 Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985: *Provided*, That funds appro-
12 priated under this heading shall be available, notwith-
13 standing any other provision of law, except section 7070
14 of this Act, for assistance and related programs for coun-
15 tries in Europe, Eurasia, and Central Asia, in addition
16 to funds otherwise available for such purposes: *Provided*
17 *further*, That funds appropriated by this Act under the
18 headings “Global Health Programs”, “Economic Support
19 Fund”, and “International Narcotics Control and Law
20 Enforcement” that are made available for assistance for
21 such countries shall be administered in accordance with
22 the responsibilities of the coordinator designated pursuant
23 to section 102 of Public Law 102–511 and section 601
24 of Public Law 101–179: *Provided further*, That funds ap-
25 propriated under this heading shall be considered to be

1 economic assistance under the Foreign Assistance Act of
2 1961 for purposes of making available the administrative
3 authorities contained in that Act for the use of economic
4 assistance.

5 DEPARTMENT OF STATE

6 MIGRATION AND REFUGEE ASSISTANCE

7 For necessary expenses not otherwise provided for,
8 to enable the Secretary of State to carry out the provisions
9 of section 2(a) and (b) of the Migration and Refugee As-
10 sistance Act of 1962, and other activities to meet refugee
11 and migration needs; salaries and expenses of personnel
12 and dependents as authorized by the Foreign Service Act
13 of 1980; allowances as authorized by sections 5921
14 through 5925 of title 5, United States Code; purchase and
15 hire of passenger motor vehicles; and services as author-
16 ized by section 3109 of title 5, United States Code,
17 \$3,110,287,000, to remain available until expended, of
18 which: \$1,667,007,000 is designated by the Congress for
19 Overseas Contingency Operations/Global War on Ter-
20 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
21 anced Budget and Emergency Deficit Control Act of 1985,
22 except that such funds shall not be made available for re-
23 settlement costs of refugees in the United States; not less
24 than \$35,000,000 shall be made available to respond to
25 small-scale emergency humanitarian requirements; and

1 \$7,500,000 shall be made available for refugees resettling
 2 in Israel: *Provided*, That funds appropriated under this
 3 heading shall be administered by the Assistant Secretary
 4 for Population, Refugees, and Migration, Department of
 5 State.

6 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
 7 ASSISTANCE FUND

8 For necessary expenses to carry out the provisions
 9 of section 2(c) of the Migration and Refugee Assistance
 10 Act of 1962, as amended (22 U.S.C. 2601(c)),
 11 \$50,000,000, to remain available until expended, of which
 12 \$40,000,000 is designated by the Congress for Overseas
 13 Contingency Operations/Global War on Terrorism pursu-
 14 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
 15 and Emergency Deficit Control Act of 1985.

16 INDEPENDENT AGENCIES

17 PEACE CORPS

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses to carry out the provisions
 20 of the Peace Corps Act (22 U.S.C. 2501 et seq.), including
 21 the purchase of not to exceed five passenger motor vehicles
 22 for administrative purposes for use outside of the United
 23 States, \$410,000,000, of which \$5,500,000 is for the Of-
 24 fice of Inspector General, to remain available until Sep-
 25 tember 30, 2019: *Provided*, That the Director of the Peace

1 Corps may transfer to the Foreign Currency Fluctuations
2 Account, as authorized by section 16 of the Peace Corps
3 Act (22 U.S.C. 2515), an amount not to exceed
4 \$5,000,000: *Provided further*, That funds transferred pur-
5 suant to the previous proviso may not be derived from
6 amounts made available for Peace Corps overseas oper-
7 ations: *Provided further*, That of the funds appropriated
8 under this heading, not to exceed \$104,000 may be avail-
9 able for representation expenses, of which not to exceed
10 \$4,000 may be made available for entertainment expenses:
11 *Provided further*, That any decision to open, close, signifi-
12 cantly reduce, or suspend a domestic or overseas office or
13 country program shall be subject to prior consultation
14 with, and the regular notification procedures of, the Com-
15 mittees on Appropriations, except that prior consultation
16 and regular notification procedures may be waived when
17 there is a substantial security risk to volunteers or other
18 Peace Corps personnel, pursuant to section 7015(e) of this
19 Act: *Provided further*, That none of the funds appropriated
20 under this heading shall be used to pay for abortions: *Pro-*
21 *vided further*, That notwithstanding the previous proviso,
22 section 614 of division E of Public Law 113–76 shall
23 apply to funds appropriated under this heading.

1 MILLENNIUM CHALLENGE CORPORATION

2 For necessary expenses to carry out the provisions
3 of the Millennium Challenge Act of 2003 (22 U.S.C. 7701
4 et seq.) (MCA), \$905,000,000, to remain available until
5 expended: *Provided*, That of the funds appropriated under
6 this heading, up to \$105,000,000 may be available for ad-
7 ministrative expenses of the Millennium Challenge Cor-
8 poration (MCC): *Provided further*, That up to 5 percent
9 of the funds appropriated under this heading may be made
10 available to carry out the purposes of section 616 of the
11 MCA for fiscal year 2018: *Provided further*, That section
12 605(e) of the MCA shall apply to funds appropriated
13 under this heading: *Provided further*, That funds appro-
14 priated under this heading may be made available for a
15 Millennium Challenge Compact entered into pursuant to
16 section 609 of the MCA only if such Compact obligates,
17 or contains a commitment to obligate subject to the avail-
18 ability of funds and the mutual agreement of the parties
19 to the Compact to proceed, the entire amount of the
20 United States Government funding anticipated for the du-
21 ration of the Compact: *Provided further*, That the MCC
22 Chief Executive Officer shall notify the Committees on Ap-
23 propriations not later than 15 days prior to commencing
24 negotiations for any country compact or threshold country
25 program; signing any such compact or threshold program;

1 or terminating or suspending any such compact or thresh-
 2 old program: *Provided further*, That funds appropriated
 3 under this heading by this Act and prior Acts making ap-
 4 propriations for the Department of State, foreign oper-
 5 ations, and related programs that are available to imple-
 6 ment section 609(g) of the MCA shall be subject to the
 7 regular notification procedures of the Committees on Ap-
 8 propriations: *Provided further*, That no country should be
 9 eligible for a threshold program after such country has
 10 completed a country compact: *Provided further*, That any
 11 funds that are deobligated from a Millennium Challenge
 12 Compact shall be subject to the regular notification proce-
 13 dures of the Committees on Appropriations prior to re-
 14 obligation: *Provided further*, That notwithstanding section
 15 606(a)(2) of the MCA, a country shall be a candidate
 16 country for purposes of eligibility for assistance for the
 17 fiscal year if the country has a per capita income equal
 18 to or below the World Bank's lower middle income country
 19 threshold for the fiscal year and is among the 75 lowest
 20 per capita income countries as identified by the World
 21 Bank; and the country meets the requirements of section
 22 606(a)(1)(B) of the MCA: *Provided further*, That notwith-
 23 standing section 606(b)(1) of the MCA, in addition to
 24 countries described in the preceding proviso, a country
 25 shall be a candidate country for purposes of eligibility for

1 assistance for the fiscal year if the country has a per cap-
 2 ita income equal to or below the World Bank's lower mid-
 3 dle income country threshold for the fiscal year and is not
 4 among the 75 lowest per capita income countries as identi-
 5 fied by the World Bank; and the country meets the re-
 6 quirements of section 606(a)(1)(B) of the MCA: *Provided*
 7 *further*, That any MCC candidate country under section
 8 606 of the MCA with a per capita income that changes
 9 in the fiscal year such that the country would be reclassi-
 10 fied from a low income country to a lower middle income
 11 country or from a lower middle income country to a low
 12 income country shall retain its candidacy status in its
 13 former income classification for the fiscal year and the 2
 14 subsequent fiscal years: *Provided further*, That publication
 15 in the Federal Register of a notice of availability of a copy
 16 of a Compact on the MCC Web site shall be deemed to
 17 satisfy the requirements of section 610(b)(2) of the MCA
 18 for such Compact: *Provided further*, That none of the
 19 funds made available by this Act or prior Acts making
 20 appropriations for the Department of State, foreign oper-
 21 ations, and related programs shall be available for a
 22 threshold program in a country that is not currently a can-
 23 didate country: *Provided further*, That of the funds appro-
 24 priated under this heading, not to exceed \$100,000 may
 25 be available for representation and entertainment ex-

1 penses, of which not to exceed \$5,000 may be available
 2 for entertainment expenses.

3 INTER-AMERICAN FOUNDATION

4 For necessary expenses to carry out the functions of
 5 the Inter-American Foundation in accordance with the
 6 provisions of section 401 of the Foreign Assistance Act
 7 of 1969, \$22,500,000, to remain available until September
 8 30, 2019: *Provided*, That of the funds appropriated under
 9 this heading, not to exceed \$2,000 may be available for
 10 representation expenses.

11 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

12 For necessary expenses to carry out the African De-
 13 velopment Foundation Act (title V of Public Law 96–533;
 14 22 U.S.C. 290h et seq.), \$30,000,000, to remain available
 15 until September 30, 2019, of which not to exceed \$2,000
 16 may be available for representation expenses: *Provided*,
 17 That funds made available to grantees may be invested
 18 pending expenditure for project purposes when authorized
 19 by the Board of Directors of the United States African
 20 Development Foundation (USADF): *Provided further*,
 21 That interest earned shall be used only for the purposes
 22 for which the grant was made: *Provided further*, That not-
 23 withstanding section 505(a)(2) of the African Develop-
 24 ment Foundation Act (22 U.S.C. 290h–3(a)(2)), in excep-
 25 tional circumstances the Board of Directors of the

1 USADF may waive the \$250,000 limitation contained in
 2 that section with respect to a project and a project may
 3 exceed the limitation by up to 10 percent if the increase
 4 is due solely to foreign currency fluctuation: *Provided fur-*
 5 *ther*, That the USADF shall submit a report to the appro-
 6 priate congressional committees after each time such waiv-
 7 er authority is exercised: *Provided further*, That the
 8 USADF may make rent or lease payments in advance
 9 from appropriations available for such purpose for offices,
 10 buildings, grounds, and quarters in Africa as may be nec-
 11 essary to carry out its functions: *Provided further*, That
 12 the USADF may maintain bank accounts outside the
 13 United States Treasury and retain any interest earned on
 14 such accounts, in furtherance of the purposes of the Afri-
 15 can Development Foundation Act: *Provided further*, That
 16 the USADF may not withdraw any appropriation from the
 17 Treasury prior to the need of spending such funds for pro-
 18 gram purposes.

19 DEPARTMENT OF THE TREASURY

20 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

21 For necessary expenses to carry out the provisions
 22 of section 129 of the Foreign Assistance Act of 1961,
 23 \$30,000,000, to remain available until September 30,
 24 2020, which shall be available notwithstanding any other
 25 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, \$1,275,094,000, to
8 remain available until September 30, 2019, which is des-
9 ignated by the Congress for Overseas Contingency Oper-
10 ations/Global War on Terrorism pursuant to section
11 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
12 Deficit Control Act of 1985: *Provided*, That the Depart-
13 ment of State may use the authority of section 608 of the
14 Foreign Assistance Act of 1961, without regard to its re-
15 strictions, to receive excess property from an agency of
16 the United States Government for the purpose of pro-
17 viding such property to a foreign country or international
18 organization under chapter 8 of part I of such Act, subject
19 to the regular notification procedures of the Committees
20 on Appropriations: *Provided further*, That section 482(b)
21 of the Foreign Assistance Act of 1961 shall not apply to
22 funds appropriated under this heading, except that any
23 funds made available notwithstanding such section shall
24 be subject to the regular notification procedures of the
25 Committees on Appropriations: *Provided further*, That

1 funds made available under this heading that are trans-
 2 ferred to another department, agency, or instrumentality
 3 of the United States Government pursuant to section
 4 632(b) of the Foreign Assistance Act of 1961 valued in
 5 excess of \$5,000,000, and any agreement made pursuant
 6 to section 632(a) of such Act, shall be subject to the reg-
 7 ular notification procedures of the Committees on Appro-
 8 priations.

9 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
 10 RELATED PROGRAMS

11 For necessary expenses for nonproliferation, anti-ter-
 12 rorism, demining and related programs and activities, and
 13 to carry out the provisions of chapter 8 of part II of the
 14 Foreign Assistance Act of 1961 for anti-terrorism assist-
 15 ance, chapter 9 of part II of the Foreign Assistance Act
 16 of 1961, section 504 of the FREEDOM Support Act, sec-
 17 tion 23 of the Arms Export Control Act, or the Foreign
 18 Assistance Act of 1961 for demining activities, the clear-
 19 ance of unexploded ordnance, the destruction of small
 20 arms, and related activities, notwithstanding any other
 21 provision of law, including activities implemented through
 22 nongovernmental and international organizations, and sec-
 23 tion 301 of the Foreign Assistance Act of 1961 for a
 24 United States contribution to the Comprehensive Nuclear
 25 Test Ban Treaty Preparatory Commission, and for a vol-

1 untary contribution to the International Atomic Energy
2 Agency (IAEA), \$789,950,000, to remain available until
3 September 30, 2019, which is designated by the Congress
4 for Overseas Contingency Operations/Global War on Ter-
5 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
6 anced Budget and Emergency Deficit Control Act of 1985:
7 *Provided*, That the Secretary of State shall inform the ap-
8 propriate congressional committees of information regard-
9 ing any separate arrangements relating to the “Road-map
10 for the Clarification of Past and Present Outstanding
11 Issues Regarding Iran’s Nuclear Program” between the
12 IAEA and the Islamic Republic of Iran, in classified form
13 if necessary, if such information becomes known to the
14 Department of State: *Provided further*, That funds made
15 available under this heading for the Nonproliferation and
16 Disarmament Fund shall be made available, notwith-
17 standing any other provision of law and subject to prior
18 consultation with, and the regular notification procedures
19 of, the Committees on Appropriations, to promote bilateral
20 and multilateral activities relating to nonproliferation, dis-
21 armament, and weapons destruction, and shall remain
22 available until expended: *Provided further*, That such
23 funds may also be used for such countries other than the
24 Independent States of the former Soviet Union and inter-
25 national organizations when it is in the national security

1 interest of the United States to do so: *Provided further*,
 2 That funds appropriated under this heading may be made
 3 available for the IAEA unless the Secretary of State deter-
 4 mines that Israel is being denied its right to participate
 5 in the activities of that Agency: *Provided further*, That
 6 funds made available for conventional weapons destruction
 7 programs, including demining and related activities, in ad-
 8 dition to funds otherwise available for such purposes, may
 9 be used for administrative expenses related to the oper-
 10 ation and management of such programs and activities,
 11 subject to the regular notification procedures of the Com-
 12 mittees on Appropriations.

13 PEACEKEEPING OPERATIONS

14 For necessary expenses to carry out the provisions
 15 of section 551 of the Foreign Assistance Act of 1961,
 16 \$497,350,000, to remain available until September 30,
 17 2019, which is designated by the Congress for Overseas
 18 Contingency Operations/Global War on Terrorism pursu-
 19 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
 20 and Emergency Deficit Control Act of 1985: *Provided*,
 21 That funds appropriated under this heading may be used,
 22 notwithstanding section 660 of the Foreign Assistance Act
 23 of 1961, to provide assistance to enhance the capacity of
 24 foreign civilian security forces, including gendarmes, to
 25 participate in peacekeeping operations: *Provided further*,

1 That of the funds appropriated under this heading, not
 2 less than \$31,000,000 shall be made available for a United
 3 States contribution to the Multinational Force and Ob-
 4 servers mission in the Sinai: *Provided further*, That funds
 5 appropriated under this heading may be used to pay as-
 6 sessed expenses of international peacekeeping activities in
 7 Somalia.

8 FUNDS APPROPRIATED TO THE PRESIDENT

9 INTERNATIONAL MILITARY EDUCATION AND TRAINING

10 For necessary expenses to carry out the provisions
 11 of section 541 of the Foreign Assistance Act of 1961,
 12 \$110,300,000, to remain available until September 30,
 13 2019, which is designated by the Congress for Overseas
 14 Contingency Operations/Global War on Terrorism pursu-
 15 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
 16 and Emergency Deficit Control Act of 1985: *Provided*,
 17 That the civilian personnel for whom military education
 18 and training may be provided under this heading may in-
 19 clude civilians who are not members of a government
 20 whose participation would contribute to improved civil-
 21 military relations, civilian control of the military, or re-
 22 spect for human rights: *Provided further*, That of the
 23 funds appropriated under this heading, not to exceed
 24 \$55,000 may be available for entertainment expenses.

FOREIGN MILITARY FINANCING PROGRAM

For necessary expenses for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, \$5,620,213,000, to remain available until September 30, 2019, which is designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided*, That to expedite the provision of assistance to foreign countries and international organizations, the Secretary of State, following consultation with the Committees on Appropriations and subject to the regular notification procedures of such Committees, may use the funds appropriated under this heading to procure defense articles and services to enhance the capacity of foreign security forces: *Provided further*, That of the funds appropriated under this heading, not less than \$3,100,000,000 shall be available for grants only for Israel which shall be disbursed within 30 days of enactment of this Act: *Provided further*, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel under this heading shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which not less than \$815,300,000 shall be available for the procure-

1 ment in Israel of defense articles and defense services, in-
2 cluding research and development: *Provided further*, That
3 funds appropriated or otherwise made available under this
4 heading shall be nonrepayable notwithstanding any re-
5 quirement in section 23 of the Arms Export Control Act:
6 *Provided further*, That funds made available under this
7 heading shall be obligated upon apportionment in accord-
8 ance with paragraph (5)(C) of section 1501(a) of title 31,
9 United States Code.

10 None of the funds made available under this heading
11 shall be available to finance the procurement of defense
12 articles, defense services, or design and construction serv-
13 ices that are not sold by the United States Government
14 under the Arms Export Control Act unless the foreign
15 country proposing to make such procurement has first
16 signed an agreement with the United States Government
17 specifying the conditions under which such procurement
18 may be financed with such funds: *Provided*, That all coun-
19 try and funding level increases in allocations shall be sub-
20 mitted through the regular notification procedures of sec-
21 tion 7015 of this Act: *Provided further*, That funds made
22 available under this heading may be used, notwithstanding
23 any other provision of law, for demining, the clearance of
24 unexploded ordnance, and related activities, and may in-
25 clude activities implemented through nongovernmental

1 and international organizations: *Provided further*, That
2 only those countries for which assistance was justified for
3 the “Foreign Military Sales Financing Program” in the
4 fiscal year 1989 congressional presentation for security as-
5 sistance programs may utilize funds made available under
6 this heading for procurement of defense articles, defense
7 services, or design and construction services that are not
8 sold by the United States Government under the Arms
9 Export Control Act: *Provided further*, That funds appro-
10 priated under this heading shall be expended at the min-
11 imum rate necessary to make timely payment for defense
12 articles and services: *Provided further*, That not more than
13 \$67,500,000 of the funds appropriated under this heading
14 may be obligated for necessary expenses, including the
15 purchase of passenger motor vehicles for replacement only
16 for use outside of the United States, for the general costs
17 of administering military assistance and sales, except that
18 this limitation may be exceeded only through the regular
19 notification procedures of the Committees on Appropria-
20 tions: *Provided further*, That of the funds made available
21 under this heading for general costs of administering mili-
22 tary assistance and sales, not to exceed \$4,000 may be
23 available for entertainment expenses and not to exceed
24 \$130,000 may be available for representation expenses:
25 *Provided further*, That not more than \$920,200,000 of

1 funds realized pursuant to section 21(e)(1)(A) of the Arms
2 Export Control Act may be obligated for expenses incurred
3 by the Department of Defense during fiscal year 2018
4 pursuant to section 43(b) of the Arms Export Control Act,
5 except that this limitation may be exceeded only through
6 the regular notification procedures of the Committees on
7 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 (Public Law 93–188; 87 Stat.
9 713), \$363,000,000: *Provided*, That section 307(a) of the
10 Foreign Assistance Act of 1961 shall not apply to con-
11 tributions to the United Nations Democracy 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 \$136,563,000, 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, \$1,097,010,000,
22 to remain available until expended.

1 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

2 For payment to the Asian Development Bank's Asian
3 Development Fund by the Secretary of the Treasury,
4 \$47,395,000, to remain available until expended.

5 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

6 For payment to the African Development Bank by
7 the Secretary of the Treasury for the United States share
8 of the paid-in portion of the increase in capital stock,
9 \$32,418,000, to remain available until expended.

10 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

11 The United States Governor of the African Develop-
12 ment Bank may subscribe without fiscal year limitation
13 to the callable capital portion of the United States share
14 of such capital stock in an amount not to exceed
15 \$507,860,808.

16 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

17 For payment to the African Development Fund by
18 the Secretary of the Treasury, \$171,300,000, to remain
19 available until expended.

20 CONTRIBUTION TO THE INTERNATIONAL FUND FOR

21 AGRICULTURAL DEVELOPMENT

22 For payment to the International Fund for Agricul-
23 tural Development by the Secretary of the Treasury,
24 \$30,000,000, to remain available until expended.

1 TITLE VI
2 EXPORT AND INVESTMENT ASSISTANCE
3 EXPORT-IMPORT BANK OF THE UNITED STATES
4 INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, as amended, \$5,700,000, to remain
8 available until September 30, 2019.

9 PROGRAM ACCOUNT

10 The Export-Import Bank of the United States is au-
11 thorized to make such expenditures within the limits of
12 funds and borrowing authority available to such corpora-
13 tion, and in accordance with law, and to make such con-
14 tracts and commitments without regard to fiscal year limi-
15 tations, as provided by section 9104 of title 31, United
16 States Code, as may be necessary in carrying out the pro-
17 gram for the current fiscal year for such corporation: *Pro-*
18 *vided*, That none of the funds available during the current
19 fiscal year may be used to make expenditures, contracts,
20 or commitments for the export of nuclear equipment, fuel,
21 or technology to any country, other than a nuclear-weapon
22 state as defined in Article IX of the Treaty on the Non-
23 Proliferation of Nuclear Weapons eligible to receive eco-
24 nomic or military assistance under this Act, that has deto-

1 nated a nuclear explosive after the date of the enactment
 2 of this Act.

3 ADMINISTRATIVE EXPENSES

4 For administrative expenses to carry out the direct
 5 and guaranteed loan and insurance programs, including
 6 hire of passenger motor vehicles and services as authorized
 7 by section 3109 of title 5, United States Code, and not
 8 to exceed \$30,000 for official reception and representation
 9 expenses for members of the Board of Directors, not to
 10 exceed \$110,000,000, of which up to \$16,500,000 may re-
 11 main available until September 30, 2019: *Provided*, That
 12 the Export-Import Bank (the Bank) may accept, and use,
 13 payment or services provided by transaction participants
 14 for legal, financial, or technical services in connection with
 15 any transaction for which an application for a loan, guar-
 16 antee or insurance commitment has been made: *Provided*
 17 *further*, That notwithstanding subsection (b) of section
 18 117 of the Export Enhancement Act of 1992, subsection
 19 (a) thereof shall remain in effect until September 30,
 20 2018: *Provided further*, That the Bank shall charge fees
 21 for necessary expenses (including special services per-
 22 formed on a contract or fee basis, but not including other
 23 personal services) in connection with the collection of mon-
 24 eys owed the Bank, repossession or sale of pledged collat-
 25 eral or other assets acquired by the Bank in satisfaction

1 of moneys owed the Bank, or the investigation or appraisal
 2 of any property, or the evaluation of the legal, financial,
 3 or technical aspects of any transaction for which an appli-
 4 cation for a loan, guarantee or insurance commitment has
 5 been made, or systems infrastructure directly supporting
 6 transactions: *Provided further*, That in addition to other
 7 funds appropriated for administrative expenses, such fees
 8 shall be credited to this account for such purposes, to re-
 9 main available until expended.

10 RECEIPTS COLLECTED

11 Receipts collected pursuant to the Export-Import
 12 Bank Act of 1945 (Public Law 79–173) and the Federal
 13 Credit Reform Act of 1990, in an amount not to exceed
 14 the amount appropriated herein, shall be credited as off-
 15 setting collections to this account: *Provided*, That the
 16 sums herein appropriated from the General Fund shall be
 17 reduced on a dollar-for-dollar basis by such offsetting col-
 18 lections so as to result in a final fiscal year appropriation
 19 from the General Fund estimated at \$0: *Provided further*,
 20 That amounts collected in fiscal year 2018 in excess of
 21 obligations, up to \$10,000,000 shall become available on
 22 September 1, 2018, and shall remain available until Sep-
 23 tember 30, 2021.

1 OVERSEAS PRIVATE INVESTMENT CORPORATION
2 NONCREDIT ACCOUNT

3 The Overseas Private Investment Corporation is au-
4 thorized to make, without regard to fiscal year limitations,
5 as provided by section 9104 of title 31, United States
6 Code, such expenditures and commitments within the lim-
7 its of funds available to it and in accordance with law as
8 may be necessary: *Provided*, That the amount available for
9 administrative expenses to carry out the credit and insur-
10 ance programs (including an amount for official reception
11 and representation expenses which shall not exceed
12 \$35,000) shall not exceed \$79,200,000: *Provided further*,
13 That project-specific transaction costs, including direct
14 and indirect costs incurred in claims settlements, and
15 other direct costs associated with services provided to spe-
16 cific investors or potential investors pursuant to section
17 234 of the Foreign Assistance Act of 1961, shall not be
18 considered administrative expenses for the purposes of this
19 heading.

20 PROGRAM ACCOUNT

21 For the cost of direct and guaranteed loans as au-
22 thorized by section 234 of the Foreign Assistance Act of
23 1961, \$20,000,000, to be derived by transfer from the
24 Overseas Private Investment Corporation Noncredit Ac-
25 count: *Provided*, That such costs, including the cost of

1 modifying such loans, shall be as defined in section 502
2 of the Congressional Budget Act of 1974: *Provided fur-*
3 *ther*, That such sums shall be available for direct loan obli-
4 gations and loan guaranty commitments incurred or made
5 during fiscal years 2018, 2019, and 2020: *Provided fur-*
6 *ther*, That funds so obligated in fiscal year 2018 remain
7 available for disbursement through 2026; funds obligated
8 in fiscal year 2019 remain available for disbursement
9 through 2027; and funds obligated in fiscal year 2020 re-
10 main available for disbursement through 2028: *Provided*
11 *further*, That notwithstanding any other provision of law,
12 the Overseas Private Investment Corporation is authorized
13 to undertake any program authorized by title IV of chap-
14 ter 2 of part I of the Foreign Assistance Act of 1961 in
15 Iraq: *Provided further*, That funds made available pursu-
16 ant to the authority of the previous proviso shall be subject
17 to the regular notification procedures of the Committees
18 on Appropriations.

19 In addition, such sums as may be necessary for ad-
20 ministrative expenses to carry out the credit program may
21 be derived from amounts available for administrative ex-
22 penses to carry out the credit and insurance programs in
23 the Overseas Private Investment Corporation Noncredit
24 Account and merged with said account.

1 TRADE AND DEVELOPMENT AGENCY

2 For necessary expenses to carry out the provisions
3 of section 661 of the Foreign Assistance Act of 1961,
4 \$79,500,000, to remain available until September 30,
5 2019: *Provided*, That of the funds appropriated under this
6 heading, not more than \$5,000 may be available for rep-
7 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 2018 or any pre-
20 vious fiscal year, disaggregated by fiscal year: *Provided*,
21 That the report required by this section shall be submitted
22 not later than 30 days after the end of each fiscal quarter
23 and should specify by account the amount of funds obli-
24 gated pursuant to bilateral agreements which have not
25 been further sub-obligated.

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 SHARING
12 INFORMATION.—The Secretary of State shall promptly in-
13 form the Committees on Appropriations of each instance
14 in which a Federal department or agency is delinquent in
15 providing the full amount of funding required by section
16 604(e) of the Secure Embassy Construction and Counter-
17 terrorism Act of 1999 (22 U.S.C. 4865 note).

18 (b) EXCEPTION.—Notwithstanding paragraph (2) of
19 section 604(e) of the Secure Embassy Construction and
20 Counterterrorism Act of 1999 (title VI of division A of
21 H.R. 3427, as enacted into law by section 1000(a)(7) of
22 Public Law 106–113 and contained in appendix G of that
23 Act), as amended by section 111 of the Department of
24 State Authorities Act, Fiscal Year 2017 (Public Law 114–
25 323), a project to construct a facility of the United States

1 may include office space or other accommodations for
2 members of the United States Marine Corps.

3 (c) NEW DIPLOMATIC FACILITIES.—For the pur-
4 poses of calculating the fiscal year 2018 costs of providing
5 new United States diplomatic facilities in accordance with
6 section 604(e) of the Secure Embassy Construction and
7 Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the
8 Secretary of State, in consultation with the Director of
9 the Office of Management and Budget, shall determine the
10 annual program level and agency shares in a manner that
11 is proportional to the contribution of the Department of
12 State for this purpose: *Provided*, That funds appropriated
13 by this Act and prior Acts making appropriations for the
14 Department of State, foreign operations, and related pro-
15 grams that are made available for departments and agen-
16 cies of the United States Government shall be made avail-
17 able for the Capital Security Cost Sharing Program and
18 the Maintenance Cost Sharing Program at levels not less
19 than the prior fiscal year.

20 (d) CONSULTATION AND NOTIFICATION.—Funds ap-
21 propriated by this Act and prior Acts making appropria-
22 tions for the Department of State, foreign operations, and
23 related programs, which may be made available for the
24 acquisition of property or award of construction contracts
25 for overseas United States diplomatic facilities during fis-

cal year 2018, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided*, That any such notification for a new diplomatic facility justified to the Committees on Appropriations in the Congressional Budget Justification, Department of State, Foreign Operations, and Related Programs, Fiscal Year 2018, or not previously justified to such Committees, shall also include confirmation that the Department of State has completed the requisite value engineering studies required pursuant to OMB Circular A–131, Value Engineering December 31, 2013 and the Bureau of Overseas Building Operations Policy and Procedure Directive, P&PD, Cost 02: Value Engineering.

(e) INTERIM AND TEMPORARY FACILITIES ABROAD.—

(1) SECURITY VULNERABILITIES.—Funds appropriated by this Act under the heading “Embassy Security, Construction, and Maintenance” may be made available, following consultation with the Committees on Appropriations, to address security vulnerabilities at interim and temporary United States diplomatic facilities abroad, including physical security upgrades and local guard staffing, except that the amount of funds made available for such purposes from this Act and prior Acts making ap-

1 appropriations for the Department of State, foreign
2 operations, and related programs shall be a min-
3 imum of \$25,000,000.

4 (2) CONSULTATION.—Notwithstanding any
5 other provision of law, the opening, closure, or any
6 significant modification to an interim or temporary
7 United States diplomatic facility shall be subject to
8 prior consultation with the appropriate congressional
9 committees and the regular notification procedures
10 of the Committees on Appropriations, except that
11 such consultation and notification may be waived if
12 there is a security risk to personnel.

13 (f) TRANSFER OF FUNDS AUTHORITY.—Funds ap-
14 propriated under the heading “Diplomatic and Consular
15 Programs”, including for Worldwide Security Protection,
16 and under the heading “Embassy Security, Construction,
17 and Maintenance” in this Act may be transferred to, and
18 merged with, funds appropriated by such titles under such
19 headings if the Secretary of State determines and reports
20 to the Committees on Appropriations that to do so is nec-
21 essary to implement the recommendations of the Benghazi
22 Accountability Review Board, or to prevent or respond to
23 security situations and requirements, following consulta-
24 tion with, and subject to the regular notification proce-
25 dures of, such Committees: *Provided*, That such transfer

1 authority is in addition to any transfer authority otherwise
2 available under any other provision of law.

3 (g) SOFT TARGETS.—Funds appropriated by this Act
4 under the heading “Embassy Security, Construction, and
5 Maintenance” may be made available for security up-
6 grades to soft targets, including schools, recreational fa-
7 cilities, and residences used by United States diplomatic
8 personnel and their dependents, except that the amount
9 made available for such purposes shall be a minimum of
10 \$10,000,000.

11 (h) SECURE RESUPPLY AND MAINTENANCE.—The
12 Secretary of State may not grant final approval for the
13 construction of a new facility or substantial construction
14 to improve or expand an existing facility in the United
15 States by or for the Government of the People’s Republic
16 of China until the Secretary certifies and reports to the
17 appropriate congressional committees that an agreement
18 has been concluded between the Governments of the
19 United States and the People’s Republic of China that
20 permits secure resupply and maintenance of United States
21 Government facilities in the People’s Republic of China.

22 (i) NEW EMBASSY COMPOUND KINSHASA.—Funds
23 appropriated by this Act and prior Acts making appropria-
24 tions for the Department of State, foreign operations, and
25 related programs under the heading “Peacekeeping Oper-

1 ations” that are made available for the central Govern-
 2 ment of the Democratic Republic of the Congo may only
 3 be made available if the Secretary of State certifies and
 4 reports to the Committees on Appropriations that such
 5 Government has fully vacated the property purchased by
 6 the United States in Kinshasa for the construction of a
 7 New Embassy Compound.

8 PERSONNEL ACTIONS

9 SEC. 7005. Any costs incurred by a department or
 10 agency funded under title I of this Act resulting from per-
 11 sonnel actions taken in response to funding reductions in-
 12 cluded in this Act shall be absorbed within the total budg-
 13 etary resources available under title I to such department
 14 or agency: *Provided*, That the authority to transfer funds
 15 between appropriations accounts as may be necessary to
 16 carry out this section is provided in addition to authorities
 17 included elsewhere in this Act: *Provided further*, That use
 18 of funds to carry out this section shall be treated as a
 19 reprogramming of funds under section 7015 of this Act.

20 DEPARTMENT OF STATE MANAGEMENT

21 SEC. 7006. (a) FINANCIAL SYSTEMS IMPROVE-
 22 MENT.—Funds appropriated by this Act for the operations
 23 of the Department of State under the headings “Diplo-
 24 matic and Consular Programs” and “Capital Investment
 25 Fund” shall be made available to implement the rec-

ommendations contained in the Foreign Assistance Data Review Findings Report (FADR) and the Office of Inspector General (OIG) report entitled “Department Financial Systems Are Insufficient to Track and Report on Foreign Assistance Funds”: *Provided*, That not later than 45 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations an update to the plan required under section 7006 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31) for implementing the FADR and OIG recommendations: *Provided further*, That such funds may not be obligated for enhancements to, or expansions of, the Budget System Modernization Financial System, Central Resource Management System, Joint Financial Management System, or Foreign Assistance Coordination and Tracking System until such updated plan is submitted to the Committees on Appropriations: *Provided further*, That such funds may not be obligated for new, or expansion of existing, ad hoc electronic systems to track commitments, obligations, or expenditures of funds unless the Secretary of State, following consultation with the Chief Information Officer of the Department of State, has reviewed and certified that such new system or expansion is consistent with the FADR and OIG recommendations.

1 (b) WORKING CAPITAL FUND.—Funds appropriated
2 by this Act or otherwise made available to the Department
3 of State for payments to the Working Capital Fund may
4 only be used for the service centers included in the Con-
5 gressional Budget Justification, Department of State,
6 Foreign Operations, and Related Programs, Fiscal Year
7 2018: *Provided*, That the amounts for such service centers
8 shall be the amounts included in such budget justification,
9 except as provided in section 7015(b) of this Act: *Provided*
10 *further*, That Federal agency components shall be charged
11 only for their direct usage of each Working Capital Fund
12 service: *Provided further*, That prior to increasing the per-
13 centage charged to Department of State bureaus and of-
14 fices for procurement-related activities, the Secretary of
15 State shall include the proposed increase in the Depart-
16 ment of State budget justification or, at least 60 days
17 prior to the increase, provide the Committees on Appro-
18 priations a justification for such increase, including a de-
19 tailed assessment of the cost and benefit of the services
20 provided by the procurement fee: *Provided further*, That
21 Federal agency components may only pay for Working
22 Capital Fund services that are consistent with the purpose
23 and authorities of such components: *Provided further*,
24 That the Working Capital Fund shall be paid in advance

1 or reimbursed at rates which will return the full cost of
2 each service.

3 (c) CERTIFICATION.—Prior to the initial obligation of
4 funds appropriated under titles III and IV of this Act that
5 are made available to a Department of State bureau or
6 office with responsibility for the oversight or management
7 of such funds, the Secretary of State shall certify and re-
8 port to the Committees on Appropriations, on an indi-
9 vidual bureau or office basis, that such bureau or office
10 is in compliance with Department and Federal financial
11 management policies, procedures and regulations, as ap-
12 propriate: *Provided*, That if the Secretary is unable to
13 make such certification for an individual bureau or office,
14 the Secretary shall submit a plan and timeline to such
15 Committees detailing the steps to be taken to ensure such
16 compliance.

17 (d) REPORT.—Not later than December 31, 2018,
18 the Secretary of State shall submit a report to the appro-
19 priate congressional committees detailing all sole-source
20 awards made by the Department of State during the pre-
21 vious fiscal year in excess of \$2,000,000: *Provided*, That
22 such report should be posted on the Department of State
23 Web site.

24 (e) INFORMATION TECHNOLOGY PLATFORM.—

1 (1) None of the funds appropriated by this Act
2 may be made available to replace or change the
3 scope of a major information technology system of
4 the Department of State until the Secretary of State
5 submits a report to the Committees on Appropria-
6 tions detailing the conclusions and recommendations
7 from the Information Technology (IT) Platform
8 Planning workstream of the Department of State re-
9 design initiative.

10 (2) The Secretary of State shall ensure that
11 any contract to replace or change such major infor-
12 mation technology system—

13 (A) is fully consistent with the published
14 IT strategy of the Department of State;

15 (B) maintains consolidated control over en-
16 terprise IT functions and maintains or improves
17 operational performance;

18 (C) improves Department of State resil-
19 iency to a cyber-attack;

20 (D) reduces Department of State IT costs,
21 and requires the same number or fewer per-
22 sonnel to monitor and administer; and

23 (E) is bid through an open and competitive
24 process.

1 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
 2 COUNTRIES

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

11 COUPS D'ÉTAT

12 SEC. 7008. None of the funds appropriated or other-
 13 wise made available pursuant to titles III through VI of
 14 this Act shall be obligated or expended to finance directly
 15 any assistance to the government of any country whose
 16 duly elected head of government is deposed by military
 17 coup d'état or decree or, after the date of enactment of
 18 this Act, a coup d'état or decree in which the military
 19 plays a decisive role: *Provided*, That assistance may be re-
 20 sumed to such government if the Secretary of State cer-
 21 tifies and reports to the appropriate congressional commit-
 22 tees that subsequent to the termination of assistance a
 23 democratically elected government has taken office: *Pro-*
 24 *vided further*, That the provisions of this section shall not
 25 apply to assistance to promote democratic elections or

1 public participation in democratic processes: *Provided fur-*
 2 *ther*, That funds made available pursuant to the previous
 3 provisos shall be subject to the regular notification proce-
 4 dures of the Committees on Appropriations.

5 TRANSFER OF FUNDS AUTHORITY

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

8 (1) DEPARTMENT OF STATE.—Not to exceed 5
 9 percent of any appropriation made available for the
 10 current fiscal year for the Department of State
 11 under title I of this Act may be transferred between,
 12 and merged with, such appropriations, but no such
 13 appropriation, except as otherwise specifically pro-
 14 vided, shall be increased by more than 10 percent by
 15 any such transfers, and no such transfer may be
 16 made to increase the appropriation under the head-
 17 ing “Representation Expenses”.

18 (2) BROADCASTING BOARD OF GOVERNORS.—
 19 Not to exceed 5 percent of any appropriation made
 20 available for the current fiscal year for the Broad-
 21 casting Board of Governors under title I of this Act
 22 may be transferred between, and merged with, such
 23 appropriations, but no such appropriation, except as
 24 otherwise specifically provided, shall be increased by
 25 more than 10 percent by any such transfers.

1 (3) TREATMENT AS REPROGRAMMING.—Any
2 transfer pursuant to this subsection shall be treated
3 as a reprogramming of funds under section 7015 of
4 this Act and shall not be available for obligation or
5 expenditure except in compliance with the proce-
6 dures set forth in that section.

7 (b) TITLE VI AGENCIES.—Not to exceed 5 percent
8 of any appropriation, other than for administrative ex-
9 penses made available for fiscal year 2018, for programs
10 under title VI of this Act may be transferred between such
11 appropriations for use for any of the purposes, programs,
12 and activities for which the funds in such receiving ac-
13 count may be used, but no such appropriation, except as
14 otherwise specifically provided, shall be increased by more
15 than 25 percent by any such transfer: *Provided*, That the
16 exercise of such authority shall be subject to the regular
17 notification procedures of the Committees on Appropria-
18 tions.

19 (c) LIMITATION ON TRANSFERS OF FUNDS BE-
20 TWEEN AGENCIES.—

21 (1) IN GENERAL.—None of the funds made
22 available under titles II through V of this Act may
23 be transferred to any department, agency, or instru-
24 mentality of the United States Government, except
25 pursuant to a transfer made by, or transfer author-

1 ity provided in, this Act or any other appropriations
2 Act.

3 (2) ALLOCATION AND TRANSFERS.—Notwith-
4 standing paragraph (1), in addition to transfers
5 made by, or authorized elsewhere in, this Act, funds
6 appropriated by this Act to carry out the purposes
7 of the Foreign Assistance Act of 1961 may be allo-
8 cated or transferred to agencies of the United States
9 Government pursuant to the provisions of sections
10 109, 610, and 632 of the Foreign Assistance Act of
11 1961.

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

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

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

16 (e) AUDIT OF INTER-AGENCY TRANSFERS OF
17 FUNDS.—Any agreement for the transfer or allocation of
18 funds appropriated by this Act or prior Acts making ap-
19 propriations for the Department of State, foreign oper-
20 ations and related programs, entered into between the De-
21 partment of State or USAID and another agency of the
22 United States Government under the authority of section
23 632(a) of the Foreign Assistance Act of 1961 or any com-
24 parable provision of law, shall expressly provide that the
25 Inspector General (IG) for the agency receiving the trans-

1 fer or allocation of such funds, or other entity with audit
2 responsibility if the receiving agency does not have an IG,
3 shall perform periodic program and financial audits of the
4 use of such funds and report to the Department of State
5 or USAID, as appropriate, upon completion of such au-
6 dits: *Provided*, That such audits shall be transmitted to
7 the Committees on Appropriations by the Department of
8 State or USAID, as appropriate: *Provided further*, That
9 funds transferred under such authority may be made
10 available for the cost of such audits.

11 (f) REPORT.—Not later than 90 days after enactment
12 of this Act, the Secretary of State and the USAID Admin-
13 istrator shall each submit a report to the Committees on
14 Appropriations detailing all transfers to another agency
15 of the United States Government made pursuant to sec-
16 tions 632(a) and 632(b) of the Foreign Assistance Act of
17 1961 with funds provided in the Department of State,
18 Foreign Operations, and Related Programs Appropria-
19 tions Act, 2017 (division J of Public Law 115–31) as of
20 the date of enactment of this Act: *Provided*, That such
21 reports shall include a list of each transfer made pursuant
22 to such sections with the respective funding level, appro-
23 priation account, and the receiving agency.

1 PROHIBITION ON CERTAIN OPERATIONAL EXPENSES

2 SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the
3 funds made available by this Act may be used for first-
4 class travel by employees of United States Government de-
5 partments and agencies funded by this Act in contraven-
6 tion of section 301–10.122 through 301–10.124 of title
7 41, Code of Federal Regulations.

8 (b) COMPUTER NETWORKS.—None of the funds
9 made available by this Act for the operating expenses of
10 any United States Government department or agency may
11 be used to establish or maintain a computer network for
12 use by such department or agency unless such network
13 has filters designed to block access to sexually explicit Web
14 sites: *Provided*, That nothing in this subsection shall limit
15 the use of funds necessary for any Federal, State, tribal,
16 or local law enforcement agency, or any other entity car-
17 rying out the following activities: criminal investigations,
18 prosecutions, and adjudications; administrative discipline;
19 and the monitoring of such Web sites undertaken as part
20 of official business.

21 (c) PROHIBITION ON PROMOTION OF TOBACCO.—
22 None of the funds made available by this Act shall be
23 available to promote the sale or export of tobacco or to-
24 bacco products, or to seek the reduction or removal by any
25 foreign country of restrictions on the marketing of tobacco

1 or tobacco products, except for restrictions which are not
 2 applied equally to all tobacco or tobacco products of the
 3 same type.

4 AVAILABILITY OF FUNDS

5 SEC. 7011. No part of any appropriation contained
 6 in this Act shall remain available for obligation after the
 7 expiration of the current fiscal year unless expressly so
 8 provided by this Act: *Provided*, That funds appropriated
 9 for the purposes of chapters 1 and 8 of part I, section
 10 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign
 11 Assistance Act of 1961, section 23 of the Arms Export
 12 Control Act, and funds provided under the headings “De-
 13 velopment Credit Authority” and “Assistance for Europe,
 14 Eurasia and Central Asia” shall remain available for an
 15 additional 4 years from the date on which the availability
 16 of such funds would otherwise have expired, if such funds
 17 are initially obligated before the expiration of their respec-
 18 tive periods of availability contained in this Act: *Provided*
 19 *further*, That notwithstanding any other provision of this
 20 Act, any funds made available for the purposes of chapter
 21 1 of part I and chapter 4 of part II of the Foreign Assist-
 22 ance Act of 1961 which are allocated or obligated for cash
 23 disbursements in order to address balance of payments or
 24 economic policy reform objectives, shall remain available
 25 for an additional 4 years from the date on which the avail-

1 ability of such funds would otherwise have expired, if such
 2 funds are initially allocated or obligated before the expira-
 3 tion of their respective periods of availability contained in
 4 this Act: *Provided further*, That the Secretary of State
 5 shall provide a report to the Committees on Appropria-
 6 tions not later than October 30, 2018, detailing by ac-
 7 count and source year, the use of this authority during
 8 the previous fiscal year.

9 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

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

21 PROHIBITION ON TAXATION OF UNITED STATES

22 ASSISTANCE

23 SEC. 7013. (a) PROHIBITION ON TAXATION.—None
 24 of the funds appropriated under titles III through VI of
 25 this Act may be made available to provide assistance for

1 a foreign country under a new bilateral agreement gov-
2 erning the terms and conditions under which such assist-
3 ance is to be provided unless such agreement includes a
4 provision stating that assistance provided by the United
5 States shall be exempt from taxation, or reimbursed, by
6 the foreign government, and the Secretary of State and
7 the Administrator of the United States Agency for Inter-
8 national Development shall expeditiously seek to negotiate
9 amendments to existing bilateral agreements, as nec-
10 essary, to conform with this requirement.

11 (b) NOTIFICATION AND REIMBURSEMENT OF FOR-
12 EIGN TAXES.—An amount equivalent to 200 percent of
13 the total taxes assessed during fiscal year 2018 on funds
14 appropriated by this Act and prior Acts making appropria-
15 tions for the Department of State, foreign operations, and
16 related programs by a foreign government or entity
17 against United States assistance programs, either directly
18 or through grantees, contractors, and subcontractors, shall
19 be withheld from obligation from funds appropriated for
20 assistance for fiscal year 2019 and for prior fiscal years
21 and allocated for the central government of such country
22 or for the West Bank and Gaza program, as applicable,
23 if, not later than September 30, 2019, such taxes have
24 not been reimbursed: *Provided*, That the Secretary of
25 State shall report to the Committees on Appropriations

1 by such date on the foreign governments and entities that
2 have not reimbursed such taxes, including any amount of
3 funds withheld pursuant to this subsection.

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

7 (d) REPROGRAMMING OF FUNDS.—Funds withheld
8 from obligation for each foreign government or entity pur-
9 suant to subsection (b) shall be reprogrammed for assist-
10 ance for countries which do not assess taxes on United
11 States assistance or which have an effective arrangement
12 that is providing substantial reimbursement of such taxes,
13 and that can reasonably accommodate such assistance in
14 a programmatically responsible manner.

15 (e) DETERMINATIONS.—

16 (1) IN GENERAL.—The provisions of this sec-
17 tion shall not apply to any foreign government or en-
18 tity that assesses such taxes if the Secretary of
19 State reports to the Committees on Appropriations
20 that—

21 (A) such foreign government or entity has
22 an effective arrangement that is providing sub-
23 stantial reimbursement of such taxes; or

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

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

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

8 (f) IMPLEMENTATION.—The Secretary of State shall
9 issue and update rules, regulations, or policy guidance, as
10 appropriate, to implement the prohibition against the tax-
11 ation of assistance contained in this section.

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

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

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

1 include individual income taxes assessed to local
2 staff.

3 RESERVATIONS OF FUNDS

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

16 (b) EXTENSION OF AVAILABILITY.—In addition to
17 the authority contained in subsection (a), the original pe-
18 riod of availability of funds appropriated by this Act and
19 administered by the Department of State or the United
20 States Agency for International Development that are spe-
21 cifically designated for particular programs or activities by
22 this or any other Act may be extended for an additional
23 fiscal year if the Secretary of State or the USAID Admin-
24 istrator, as appropriate, determines and reports promptly
25 to the Committees on Appropriations that the termination

1 of assistance to a country or a significant change in cir-
 2 cumstances makes it unlikely that such designated funds
 3 can be obligated during the original period of availability:
 4 *Provided*, That such designated funds that continue to be
 5 available for an additional fiscal year shall be obligated
 6 only for the purpose of such designation.

7 (c) OTHER ACTS.—Ceilings and specifically des-
 8 ignated funding levels contained in this Act shall not be
 9 applicable to funds or authorities appropriated or other-
 10 wise made available by any subsequent Act unless such
 11 Act specifically so directs: *Provided*, That specifically des-
 12 ignated funding levels or minimum funding requirements
 13 contained in any other Act shall not be applicable to funds
 14 appropriated by this Act.

15 NOTIFICATION REQUIREMENTS

16 SEC. 7015. (a) NOTIFICATION OF CHANGES IN PRO-
 17 GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds
 18 made available in titles I and II of this Act or prior Acts
 19 making appropriations for the Department of State, for-
 20 eign operations, and related programs to the departments
 21 and agencies funded by this Act that remain available for
 22 obligation in fiscal year 2018, or provided from any ac-
 23 counts in the Treasury of the United States derived by
 24 the collection of fees or of currency reflows or other offset-
 25 ting collections, or made available by transfer, to the de-

1 departments and agencies funded by this Act, shall be avail-
2 able for obligation to—

3 (1) create new programs;

4 (2) suspend or eliminate a program, project, or
5 activity;

6 (3) close, suspend, open, or reopen a mission or
7 post;

8 (4) create, close, reorganize, downsize, or re-
9 name bureaus, centers, or offices; or

10 (5) contract out or privatize any functions or
11 activities presently performed by Federal employees;

12 unless previously justified to the Committees on Appro-
13 priations or such Committees are notified 15 days in ad-
14 vance of such obligation.

15 (b) NOTIFICATION OF REPROGRAMMING OF
16 FUNDS.—None of the funds provided under titles I and
17 II of this Act or prior Acts making appropriations for the
18 Department of State, foreign operations, and related pro-
19 grams, to the departments and agencies funded under ti-
20 tles I and II of this Act that remain available for obliga-
21 tion in fiscal year 2018, or provided from any accounts
22 in the Treasury of the United States derived by the collec-
23 tion of fees available to the department and agency funded
24 under title I of this Act, shall be available for obligation
25 or expenditure for activities, programs, or projects

1 through a reprogramming of funds in excess of
2 \$1,000,000 or 10 percent, whichever is less, that—

3 (1) augments or changes existing programs,
4 projects, or activities;

5 (2) relocates an existing office or employees;

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

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

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

15 (c) NOTIFICATION REQUIREMENT.—None of the
16 funds made available by this Act under the headings
17 “Global Health Programs”, “Development Assistance”,
18 “International Organizations and Programs”, “Trade and
19 Development Agency”, “International Narcotics Control
20 and Law Enforcement”, “Economic Support Fund”, “De-
21 mocracy Fund”, “Assistance for Europe, Eurasia and
22 Central Asia”, “Peacekeeping Operations”, “Non-
23 proliferation, Anti-terrorism, Demining and Related Pro-
24 grams”, “Millennium Challenge Corporation”, “Foreign
25 Military Financing Program”, “International Military

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

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

7 (d) DEPARTMENT OF DEFENSE PROGRAMS AND
 8 FUNDING NOTIFICATIONS.—

9 (1) PROGRAMS.—Notwithstanding any other
 10 provision of law, none of the funds appropriated by
 11 this Act or prior Acts making appropriations for the
 12 Department of State, foreign operations, and related
 13 programs may be made available to support or con-
 14 tinue any program initially funded under any au-
 15 thority of title 10, United States Code, or any Act
 16 making or authorizing appropriations for the De-
 17 partment of Defense, unless the Secretary of State,
 18 in consultation with the Secretary of Defense, sub-
 19 mits to the Committees on Appropriations a detailed
 20 justification to support or continue any such pro-
 21 gram: *Provided*, That such justification shall include
 22 a description of such program and the estimated
 23 costs associated with support or continuation: *Pro-*
 24 *vided further*, That funds appropriated by this Act
 25 that are made available to support or continue any

1 such program shall be subject to the regular notifi-
2 cation procedures of the Committees on Appropria-
3 tions.

4 (2) FUNDING.—Notwithstanding any other pro-
5 vision of law, with the exception of funds transferred
6 to, and merged with, funds appropriated under title
7 I of this Act, funds transferred by the Department
8 of Defense to the Department of State and the
9 United States Agency for International Development
10 for assistance for foreign countries and international
11 organizations shall be subject to the regular notifica-
12 tion procedures of the Committees on Appropria-
13 tions.

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

1 provided pursuant to such a waiver shall contain an expla-
2 nation of the emergency circumstances.

3 (f) COUNTRY NOTIFICATION REQUIREMENTS.—None
4 of the funds appropriated under titles III through VI of
5 this Act may be obligated or expended for assistance for
6 Afghanistan, Bahrain, Bolivia, Burma, Cambodia, Cam-
7 eroon, Colombia, Cuba, Ecuador, Egypt, El Salvador,
8 Ethiopia, Guatemala, Haiti, Honduras, Iran, Iraq, Kenya,
9 Lebanon, Libya, Mexico, Pakistan, Philippines, the Rus-
10 sian Federation, Somalia, South Sudan, Sri Lanka,
11 Sudan, Syria, Uzbekistan, Venezuela, Yemen, and
12 Zimbabwe except as provided through the regular notifica-
13 tion procedures of the Committees on Appropriations.

14 (g) TRUST FUNDS.—Funds appropriated or other-
15 wise made available in title III of this Act and prior Acts
16 making funds available for the Department of State, for-
17 eign operations, and related programs that are made avail-
18 able for a trust fund held by an international financial
19 institution as defined by section 7034(r)(3) of this Act
20 shall be subject to the regular notification procedures of
21 the Committees on Appropriations.

22 (h) OTHER PROGRAM NOTIFICATION REQUIRE-
23 MENT.—

24 (1) DIPLOMATIC AND CONSULAR PROGRAMS.—
25 Funds appropriated under Title I of this Act under

1 the heading “Diplomatic and Consular Programs”
2 that are made available for a pilot program for lat-
3 eral entry into the Foreign Service shall be subject
4 to prior consultation with, and the regular notifica-
5 tion procedures of, the Committees on Appropria-
6 tions.

7 (2) OTHER PROGRAMS.—Funds appropriated by
8 this Act that are made available for the following
9 programs and activities shall be subject to the reg-
10 ular notification procedures of the Committees on
11 Appropriations:

12 (A) The Global Engagement Center, except
13 that the Secretary of State shall consult with
14 the appropriate congressional committees prior
15 to submitting such notification.

16 (B) The Power Africa initiative.

17 (C) Community-based police assistance
18 conducted pursuant to the authority of section
19 7049 of this Act.

20 (D) Programs to counter foreign fighters
21 and extremist organizations, pursuant to sec-
22 tion 7073(a) of this Act.

23 (E) The Relief and Recovery Fund.

24 (F) The Women Entrepreneurs Financing
25 Initiative, except that funds made available for

1 such initiative in prior Acts making appropria-
2 tions for the Department of State, foreign oper-
3 ations, and related programs shall be subject to
4 the regular notification procedures of the Com-
5 mittees on Appropriations.

6 (G) The Global Security Contingency
7 Fund.

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

14 (j) REQUIREMENT TO INFORM AND COORDINATE.—
15 The Secretary of State shall promptly inform the appro-
16 priate congressional committees of each instance in which
17 funds appropriated by this Act for assistance for Iraq,
18 Libya, Somalia, and Syria, the Counterterrorism Partner-
19 ship Fund, the Relief and Recovery Fund, and to counter
20 extremism and foreign fighters abroad, have been diverted
21 or destroyed, to include the type and amount of assistance,
22 a description of the incident and parties involved, and an
23 explanation of the response of the Department of State
24 or USAID, as appropriate: *Provided*, That the Secretary
25 shall ensure such funds are coordinated with, and com-

1 plement, the programs of other United States Government
2 departments and agencies and international partners in
3 such countries and on such activities.

4 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

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

1 LIMITATION ON AVAILABILITY OF FUNDS FOR
2 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

3 SEC. 7017. Subject to the regular notification proce-
4 dures of the Committees on Appropriations, funds appro-
5 priated under titles I and III through V of this Act, which
6 are returned or not made available for organizations and
7 programs because of the implementation of section 307(a)
8 of the Foreign Assistance Act of 1961, shall remain avail-
9 able for obligation until September 30, 2020: *Provided*,
10 That the requirement to withhold funds for programs in
11 Burma under section 307(a) of the Foreign Assistance Act
12 of 1961 shall not apply to funds appropriated by this Act.

13 PROHIBITION ON FUNDING FOR ABORTIONS AND
14 INVOLUNTARY STERILIZATION

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

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

12 ALLOCATIONS AND REPORTS

13 SEC. 7019. (a) ALLOCATIONS.—Unless otherwise
 14 specified by this Act, funds appropriated by this Act under
 15 the headings “Diplomatic and Consular Programs” and
 16 “Operating Expenses” and under titles III through V shall
 17 be made available in the amounts specifically designated
 18 in the respective tables included in the report accom-
 19 panying this Act, except for amounts designated in such
 20 tables for “International Military Education and Train-
 21 ing”, “Relief and Recovery Fund”, and funds for which
 22 the initial period of availability has expired: *Provided*,
 23 That such designated amounts for foreign countries and
 24 international organizations shall serve as the amounts for
 25 such countries and international organizations transmitted

1 to Congress in the report required by section 653(a) of
2 the Foreign Assistance Act of 1961.

3 (b) REPORTS.—The Secretary of State and the Ad-
4 ministrator of the United States Agency for International
5 Development, as appropriate, shall submit the reports re-
6 quired in the report accompanying this Act in the manner
7 described.

8 (c) WITHHOLDING OF FUNDS.—Of the funds appro-
9 priated by this Act under the heading “International Mili-
10 tary Education and Training”, 15 percent shall be with-
11 held from obligation until the Secretary of State submits
12 to the appropriate congressional committees the report re-
13 quired under this heading in the Joint Explanatory State-
14 ment accompanying the Department of State, Foreign Op-
15 erations, and Related Programs Appropriations Act, 2017
16 (division J of Public Law 115–31), as described.

17 REPRESENTATION AND ENTERTAINMENT EXPENSES

18 SEC. 7020. (a) USES OF FUNDS.—Each Federal de-
19 partment, agency, or entity funded in titles I or II of this
20 Act, and the Department of the Treasury and independent
21 agencies funded in titles III or VI of this Act, shall take
22 steps to ensure that domestic and overseas representation
23 and entertainment expenses further official agency busi-
24 ness and United States foreign policy interests, and—

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

3 (2) are principally for meals and events of a
4 protocol nature;

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

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

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

16 (1) alcoholic beverages; or

17 (2) entertainment expenses for activities that
18 are substantially of a recreational character, includ-
19 ing entrance fees at sporting events, theatrical and
20 musical productions, and amusement parks.

21 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

22 SUPPORTING INTERNATIONAL TERRORISM

23 SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-
24 PORTS.—

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

17 (2) DETERMINATION.—Assistance restricted by
18 paragraph (1) or any other similar provision of law,
19 may be furnished if the President determines that to
20 do so is important to the national interest of the
21 United States.

22 (3) REPORT.—Whenever the President makes a
23 determination pursuant to paragraph (2), the Presi-
24 dent shall submit to the Committees on Appropria-
25 tions a report with respect to the furnishing of such

1 assistance, including a detailed explanation of the
2 assistance to be provided, the estimated dollar
3 amount of such assistance, and an explanation of
4 how the assistance furthers United States national
5 interest.

6 (b) BILATERAL ASSISTANCE.—

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

14 (A) grants sanctuary from prosecution to
15 any individual or group which has committed
16 an act of international terrorism;

17 (B) otherwise supports international ter-
18 rorism; or

19 (C) is controlled by an organization des-
20 ignated as a terrorist organization under sec-
21 tion 219 of the Immigration and Nationality
22 Act (8 U.S.C. 1189).

23 (2) WAIVER.—The President may waive the ap-
24 plication of paragraph (1) to a government if the
25 President determines that national security or hu-

1 humanitarian reasons justify such waiver: *Provided*,
 2 That the President shall publish each such waiver in
 3 the Federal Register and, at least 15 days before the
 4 waiver takes effect, shall notify the Committees on
 5 Appropriations of the waiver (including the justifica-
 6 tion for the waiver) in accordance with the regular
 7 notification procedures of the Committees on Appro-
 8 priations.

9 AUTHORIZATION REQUIREMENTS

10 SEC. 7022. Funds appropriated by this Act, except
 11 funds appropriated under the heading “Trade and Devel-
 12 opment Agency”, may be obligated and expended notwith-
 13 standing section 10 of Public Law 91–672 (22 U.S.C.
 14 2412), section 15 of the State Department Basic Authori-
 15 ties Act of 1956 (22 U.S.C. 2680), section 313 of the For-
 16 eign Relations Authorization Act, Fiscal Years 1994 and
 17 1995 (22 U.S.C. 6212), and section 504(a)(1) of the Na-
 18 tional Security Act of 1947 (50 U.S.C. 3094(a)(1)).

19 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

20 SEC. 7023. For the purpose of titles II through VI
 21 of this Act “program, project, and activity” shall be de-
 22 fined at the appropriations Act account level and shall in-
 23 clude all appropriations and authorizations Acts funding
 24 directives, ceilings, and limitations with the exception that
 25 for the following accounts: “Economic Support Fund”,

1 “Assistance for Europe, Eurasia and Central Asia”, and
 2 “Foreign Military Financing Program”, “program,
 3 project, and activity” shall also be considered to include
 4 country, regional, and central program level funding with-
 5 in each such account; and for the development assistance
 6 accounts of the United States Agency for International
 7 Development, “program, project, and activity” shall also
 8 be considered to include central, country, regional, and
 9 program level funding, either as—

10 (1) justified to Congress; or

11 (2) allocated by the Executive Branch in ac-
 12 cordance with a report, to be provided to the Com-
 13 mittees on Appropriations within 30 days after the
 14 enactment of this Act, as required by section 653(a)
 15 of the Foreign Assistance Act of 1961 or as modi-
 16 fied pursuant to section 7019 of this Act.

17 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN
 18 FOUNDATION AND UNITED STATES AFRICAN DEVEL-
 19 OPMENT FOUNDATION

20 SEC. 7024. Unless expressly provided to the contrary,
 21 provisions of this or any other Act, including provisions
 22 contained in prior Acts authorizing or making appropria-
 23 tions for the Department of State, foreign operations, and
 24 related programs, shall not be construed to prohibit activi-
 25 ties authorized by or conducted under the Peace Corps

1 Act, the Inter-American Foundation Act or the African
2 Development Foundation Act: *Provided*, That prior to con-
3 ducting activities in a country for which assistance is pro-
4 hibited, the agency shall consult with the Committees on
5 Appropriations and report to such Committees within 15
6 days of taking such action.

7 COMMERCE, TRADE AND SURPLUS COMMODITIES

8 SEC. 7025. (a) WORLD MARKETS.—None of the
9 funds appropriated or made available pursuant to titles
10 III through VI of this Act for direct assistance and none
11 of the funds otherwise made available to the Export-Im-
12 port Bank and the Overseas Private Investment Corpora-
13 tion shall be obligated or expended to finance any loan,
14 any assistance, or any other financial commitments for es-
15 tablishing or expanding production of any commodity for
16 export by any country other than the United States, if
17 the commodity is likely to be in surplus on world markets
18 at the time the resulting productive capacity is expected
19 to become operative and if the assistance will cause sub-
20 stantial injury to United States producers of the same,
21 similar, or competing commodity: *Provided*, That such
22 prohibition shall not apply to the Export-Import Bank if
23 in the judgment of its Board of Directors the benefits to
24 industry and employment in the United States are likely
25 to outweigh the injury to United States producers of the

1 same, similar, or competing commodity, and the Chairman
 2 of the Board so notifies the Committees on Appropria-
 3 tions: *Provided further*, That this subsection shall not pro-
 4 hibit—

5 (1) activities in a country that is eligible for as-
 6 sistance from the International Development Asso-
 7 ciation, is not eligible for assistance from the Inter-
 8 national Bank for Reconstruction and Development,
 9 and does not export on a consistent basis the agri-
 10 cultural commodity with respect to which assistance
 11 is furnished; or

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

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

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

5 (2) research activities intended primarily to
6 benefit United States producers;

7 (3) activities in a country that is eligible for as-
8 sistance from the International Development Asso-
9 ciation, is not eligible for assistance from the Inter-
10 national Bank for Reconstruction and Development,
11 and does not export on a consistent basis the agri-
12 cultural commodity with respect to which assistance
13 is furnished; or

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

17 (c) INTERNATIONAL FINANCIAL INSTITUTIONS.—

18 The Secretary of the Treasury shall instruct the United
19 States executive directors of the international financial in-
20 stitutions, as defined in section 7034(r)(3) of this Act, to
21 use the voice and vote of the United States to oppose any
22 assistance by such institutions, using funds appropriated
23 or made available by this Act, for the production or extrac-
24 tion of any commodity or mineral for export, if it is in
25 surplus on world markets and if the assistance will cause

1 substantial injury to United States producers of the same,
 2 similar, or competing commodity.

3 SEPARATE ACCOUNTS

4 SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL
 5 CURRENCIES.—

6 (1) AGREEMENTS.—If assistance is furnished to
 7 the government of a foreign country under chapters
 8 1 and 10 of part I or chapter 4 of part II of the
 9 Foreign Assistance Act of 1961 under agreements
 10 which result in the generation of local currencies of
 11 that country, the Administrator of the United States
 12 Agency for International Development shall—

13 (A) require that local currencies be depos-
 14 ited in a separate account established by that
 15 government;

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

18 (i) the amount of the local currencies
 19 to be generated; and

20 (ii) the terms and conditions under
 21 which the currencies so deposited may be
 22 utilized, consistent with this section; and

23 (C) establish by agreement with that gov-
 24 ernment the responsibilities of USAID and that
 25 government to monitor and account for deposits

1 into and disbursements from the separate ac-
2 count.

3 (2) USES OF LOCAL CURRENCIES.—As may be
4 agreed upon with the foreign government, local cur-
5 rencies deposited in a separate account pursuant to
6 subsection (a), or an equivalent amount of local cur-
7 rencies, shall be used only—

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

12 (i) project and sector assistance activi-
13 ties; or

14 (ii) debt and deficit financing; or

15 (B) for the administrative requirements of
16 the United States Government.

17 (3) PROGRAMMING ACCOUNTABILITY.—USAID
18 shall take all necessary steps to ensure that the
19 equivalent of the local currencies disbursed pursuant
20 to subsection (a)(2)(A) from the separate account
21 established pursuant to subsection (a)(1) are used
22 for the purposes agreed upon pursuant to subsection
23 (a)(2).

24 (4) TERMINATION OF ASSISTANCE PRO-
25 GRAMS.—Upon termination of assistance to a coun-

1 try under chapter 1 or 10 of part I or chapter 4 of
2 part II of the Foreign Assistance Act of 1961 (as
3 the case may be), any unencumbered balances of
4 funds which remain in a separate account estab-
5 lished pursuant to subsection (a) shall be disposed of
6 for such purposes as may be agreed to by the gov-
7 ernment of that country and the United States Gov-
8 ernment.

9 (5) REPORT.—The USAID Administrator shall
10 report as part of the congressional budget justifica-
11 tion submitted to the Committees on Appropriations
12 on the use of local currencies for the administrative
13 requirements of the United States Government as
14 authorized in subsection (a)(2)(B), and such report
15 shall include the amount of local currency (and
16 United States dollar equivalent) used or to be used
17 for such purpose in each applicable country.

18 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

19 (1) IN GENERAL.—If assistance is made avail-
20 able to the government of a foreign country, under
21 chapter 1 or 10 of part I or chapter 4 of part II of
22 the Foreign Assistance Act of 1961, as cash transfer
23 assistance or as nonproject sector assistance, that
24 country shall be required to maintain such funds in

1 a separate account and not commingle with any
2 other funds.

3 (2) APPLICABILITY OF OTHER PROVISIONS OF
4 LAW.—Such funds may be obligated and expended
5 notwithstanding provisions of law which are incon-
6 sistent with the nature of this assistance including
7 provisions which are referenced in the Joint Explan-
8 atory Statement of the Committee of Conference ac-
9 companying House Joint Resolution 648 (House Re-
10 port No. 98–1159).

11 (3) NOTIFICATION.—At least 15 days prior to
12 obligating any such cash transfer or nonproject sec-
13 tor assistance, the President shall submit a notifica-
14 tion through the regular notification procedures of
15 the Committees on Appropriations, which shall in-
16 clude a detailed description of how the funds pro-
17 posed to be made available will be used, with a dis-
18 cussion of the United States interests that will be
19 served by such assistance (including, as appropriate,
20 a description of the economic policy reforms that will
21 be promoted by such assistance).

22 (4) EXEMPTION.—Nonproject sector assistance
23 funds may be exempt from the requirements of para-
24 graph (1) only through the regular notification pro-
25 cedures of the Committees on Appropriations.

SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERN-

MENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 and from funds appropriated under the heading “Assistance for Europe, Eurasia and Central Asia”: *Provided*, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations pursuant to the regular notification procedures, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: *Provided further*, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2018, re-

tions contained in this or any other Act with respect

ssistance for a country shall not be construed to re-

t assistance under the Food for Peace Act (Public

1 Law 83–480; 7 U.S.C. 1721 et seq.): *Provided*, That none
 2 of the funds appropriated to carry out title I of such Act
 3 and made available pursuant to this subsection may be
 4 obligated or expended except as provided through the reg-
 5 ular notification procedures of the Committees on Appro-
 6 priations.

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

8 (1) with respect to section 620A of the Foreign
 9 Assistance Act of 1961 or any comparable provision
 10 of law prohibiting assistance to countries that sup-
 11 port international terrorism; or

12 (2) with respect to section 116 of the Foreign
 13 Assistance Act of 1961 or any comparable provision
 14 of law prohibiting assistance to the government of a
 15 country that violates internationally recognized
 16 human rights.

17 LOCAL COMPETITION

18 SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO
 19 COMPETITION FOR LOCAL ENTITIES.—Funds appro-
 20 priated by this Act that are made available to the United
 21 States Agency for International Development may only be
 22 made available for limited competitions through local enti-
 23 ties if—

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

1 (A) assessed the level of local capacity to
2 effectively implement, manage, and account for
3 programs included in such competition; and

4 (B) documented the written results of the
5 assessment and decisions made; and

6 (2) prior to making an award after limiting
7 competition to local entities—

8 (A) each successful local entity has been
9 determined to be responsible in accordance with
10 USAID guidelines; and

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

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

15 (b) REPORT.—In addition to the requirements of sub-
16 section (a)(1), the USAID Administrator shall report to
17 the appropriate congressional committees not later than
18 45 days after the end of fiscal year 2018 on all awards
19 subject to limited or no competition for local entities: *Pro-*
20 *vided*, That such report shall be posted on the USAID
21 Web site: *Provided further*, That the requirements of this
22 subsection shall only apply to awards in excess of
23 \$3,000,000 and sole source awards to local entities in ex-
24 cess of \$2,000,000.

1 (c) EXTENSION OF PROCUREMENT AUTHORITY.—
2 Section 7077 of the Department of State, Foreign Oper-
3 ations, and Related Programs Appropriations Act, 2012
4 (division I of Public Law 112–74) shall continue in effect
5 during fiscal year 2018.

6 INTERNATIONAL FINANCIAL INSTITUTIONS

7 SEC. 7029. (a) EVALUATIONS AND REPORT.—The
8 Secretary of the Treasury shall instruct the United States
9 executive director of each international financial institu-
10 tion to seek to require that such institution adopts and
11 implements a publicly available policy, including the stra-
12 tegic use of peer reviews and external experts, to conduct
13 independent, in-depth evaluations of the effectiveness of
14 at least 25 percent of all loans, grants, programs, and sig-
15 nificant analytical non-lending activities in advancing the
16 institution’s goals of reducing poverty and promoting equi-
17 table economic growth, consistent with relevant safe-
18 guards, to ensure that decisions to support such loans,
19 grants, programs, and activities are based on accurate
20 data and objective analysis: *Provided*, That not later than
21 45 days after enactment of this Act, the Secretary shall
22 submit a report to the Committees on Appropriations on
23 steps taken in fiscal year 2017 by the United States execu-
24 tive directors and the international financial institutions

1 consistent with this subsection compared to the previous
2 fiscal year.

3 (b) SAFEGUARDS.—

4 (1) The Secretary of the Treasury shall instruct
5 the United States Executive Director of the Inter-
6 national Bank for Reconstruction and Development
7 and the International Development Association to
8 vote against any loan, grant, policy, or strategy if
9 such institution has adopted and is implementing
10 any social or environmental safeguard relevant to
11 such loan, grant, policy, or strategy that provides
12 less protection than World Bank safeguards in effect
13 on September 30, 2015.

14 (2) The Secretary of the Treasury should in-
15 struct the United States executive director of each
16 international financial institution to vote against
17 loans or other financing for projects unless such
18 projects—

19 (A) provide for accountability and trans-
20 parency, including the collection, verification
21 and publication of beneficial ownership informa-
22 tion related to extractive industries and on-site
23 monitoring during the life of the project;

24 (B) will be developed and carried out in ac-
25 cordance with best practices regarding environ-

1 mental conservation; cultural protection; and
2 empowerment of local populations, including
3 free, prior and informed consent of affected in-
4 digenous communities;

5 (C) do not provide incentives for, or facili-
6 tate, forced displacement; and

7 (D) do not partner with or otherwise in-
8 volve enterprises owned or controlled by the
9 armed forces.

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

1 (d) HUMAN RIGHTS.—The Secretary of the Treasury
2 shall instruct the United States executive director of each
3 international financial institution to seek to require that
4 such institution conducts rigorous human rights due dili-
5 gence and risk management, as appropriate, in connection
6 with any loan, grant, policy, or strategy of such institu-
7 tion: *Provided*, That prior to voting on any such loan,
8 grant, policy, or strategy the executive director shall con-
9 sult with the Assistant Secretary for Democracy, Human
10 Rights, and Labor, Department of State, if the executive
11 director has reason to believe that such loan, grant, policy,
12 or strategy could result in forced displacement or other
13 violation of human rights.

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

21 (f) BENEFICIAL OWNERSHIP INFORMATION.—The
22 Secretary of the Treasury shall instruct the United States
23 executive director of each international financial institu-
24 tion to seek to require that such institution collects,
25 verifies, and publishes, to the maximum extent practicable,

1 beneficial ownership information (excluding proprietary
 2 information) for any corporation or limited liability com-
 3 pany, other than a publicly listed company, that receives
 4 funds from any such financial institution: *Provided*, That
 5 not later than 45 days after enactment of this Act, the
 6 Secretary shall submit a report to the Committees on Ap-
 7 propriations on steps taken in fiscal year 2017 by the
 8 United States executive directors and the international fi-
 9 nancial institutions consistent with this subsection com-
 10 pared to the previous fiscal year.

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

- 18 (1) protection against retaliation for internal
- 19 and lawful public disclosure;
- 20 (2) legal burdens of proof;
- 21 (3) statutes of limitation for reporting retalia-
- 22 tion;
- 23 (4) access to independent adjudicative bodies,
- 24 including external arbitration; and

1 (5) results that eliminate the effects of proven
2 retaliation.

3 DEBT-FOR-DEVELOPMENT

4 SEC. 7030. In order to enhance the continued partici-
5 pation of nongovernmental organizations in debt-for-devel-
6 opment and debt-for-nature exchanges, a nongovern-
7 mental organization which is a grantee or contractor of
8 the United States Agency for International Development
9 may place in interest bearing accounts local currencies
10 which accrue to that organization as a result of economic
11 assistance provided under title III of this Act and, subject
12 to the regular notification procedures of the Committees
13 on Appropriations, any interest earned on such investment
14 shall be used for the purpose for which the assistance was
15 provided to that organization.

16 FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

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

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

22 (A)(i) each implementing agency or min-
23 istry to receive assistance has been assessed
24 and is considered to have the systems required
25 to manage such assistance and any identified

1 vulnerabilities or weaknesses of such agency or
2 ministry have been addressed;

3 (ii) the recipient agency or ministry em-
4 ploys and utilizes staff with the necessary tech-
5 nical, financial, and management capabilities;

6 (iii) the recipient agency or ministry has
7 adopted competitive procurement policies and
8 systems;

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

12 (v) no level of acceptable fraud is assumed;
13 and

14 (vi) the government of the recipient coun-
15 try is taking steps to publicly disclose on an an-
16 nual basis its national budget, to include in-
17 come and expenditures;

18 (B) the recipient government is in compli-
19 ance with the principles set forth in section
20 7013 of this Act;

21 (C) the recipient agency or ministry is not
22 headed or controlled by an organization des-
23 ignated as a foreign terrorist organization
24 under section 219 of the Immigration and Na-
25 tionality Act (8 U.S.C. 1189);

1 (D) the Government of the United States
2 and the government of the recipient country
3 have agreed, in writing, on clear and achievable
4 objectives for the use of such assistance, which
5 should be made available on a cost-reimbursable
6 basis; and

7 (E) the recipient government is taking
8 steps to protect the rights of civil society, in-
9 cluding freedoms of expression, association, and
10 assembly.

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

24 (3) SUSPENSION OF ASSISTANCE.—The Admin-
25 istrator of the United States Agency for Inter-

1 national Development or the Secretary of State, as
2 appropriate, shall suspend any direct government-to-
3 government assistance if the Administrator or the
4 Secretary has credible information of material mis-
5 use of such assistance, unless the Administrator or
6 the Secretary reports to the Committees on Appro-
7 priations that it is in the national interest of the
8 United States to continue such assistance, including
9 a justification, or that such misuse has been appro-
10 priately addressed.

11 (4) SUBMISSION OF INFORMATION.—The Sec-
12 retary of State shall submit to the Committees on
13 Appropriations, concurrent with the fiscal year 2019
14 congressional budget justification materials, amounts
15 planned for assistance described in paragraph (1) by
16 country, proposed funding amount, source of funds,
17 and type of assistance.

18 (5) REPORT.—Not later than 90 days after the
19 enactment of this Act and every 6 months thereafter
20 until September 30, 2019, the USAID Adminis-
21 trator shall submit to the Committees on Appropria-
22 tions a report that—

23 (A) details all assistance described in para-
24 graph (1) provided during the previous 6-month

1 period by country, funding amount, source of
2 funds, and type of such assistance; and

3 (B) the type of procurement instrument or
4 mechanism utilized and whether the assistance
5 was provided on a reimbursable basis.

6 (6) DEBT SERVICE PAYMENT PROHIBITION.—

7 None of the funds made available by this Act may
8 be used by the government of any foreign country
9 for debt service payments owed by any country to
10 any international financial institution: *Provided*,
11 That for purposes of this paragraph, the term
12 “international financial institution” has the meaning
13 given the term in section 7034(r)(3) of this Act.

14 (b) NATIONAL BUDGET AND CONTRACT TRANS-
15 PARENCY.—

16 (1) MINIMUM REQUIREMENTS OF FISCAL
17 TRANSPARENCY.—The Secretary of State shall con-
18 tinue to update and strengthen the “minimum re-
19 quirements of fiscal transparency” for each govern-
20 ment receiving assistance appropriated by this Act,
21 as identified in the report required by section
22 7031(b) of the Department of State, Foreign Oper-
23 ations, and Related Programs Appropriations Act,
24 2014 (division K of Public Law 113–76; 128 Stat.
25 510).

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

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

1 *further*, That the annual report shall include a de-
 2 tailed description of how funds appropriated by this
 3 Act are being used to improve fiscal transparency,
 4 and identify benchmarks for measuring progress.

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

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

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

24 (B) The Secretary shall also publicly or pri-
 25 vately designate or identify officials of foreign gov-

ernments and their immediate family members about whom the Secretary has such credible information without regard to whether the individual has applied for a visa.

(2) EXCEPTION.—Individuals shall not be ineligible if entry into the United States would further important United States law enforcement objectives or is necessary to permit the United States to fulfill its obligations under the United Nations Headquarters Agreement: *Provided*, That nothing in paragraph (1) shall be construed to derogate from United States Government obligations under applicable international agreements.

(3) WAIVER.—The Secretary may waive the application of paragraph (1) with respect to an individual if the Secretary determines that the waiver would serve a compelling national interest or that the circumstances which caused the individual to be ineligible have changed sufficiently.

(4) REPORT.—Not later than 6 months after enactment of this Act, the Secretary of State shall submit a report, including a classified annex if necessary, to the Committees on Appropriations and the Committees on the Judiciary describing the information related to corruption or violation of human

1 rights concerning each of the individuals found ineli-
2 gible in the previous 12 months pursuant to para-
3 graph (1)(A) as well as the individuals who the Sec-
4 retary designated or identified pursuant to para-
5 graph (1)(B), or who would be ineligible but for the
6 application of paragraph (2), a list of any waivers
7 provided under paragraph (3), and the justification
8 for each waiver.

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

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

19 (d) NETWORKS OF CORRUPTION.—If the Secretary
20 of State has credible information of networks of corruption
21 involving the participation of, or support from, a senior
22 official in a country that receives assistance funded by this
23 Act under titles III or IV, the Secretary shall update the
24 report on such networks required by section 7031(d) of
25 the Department of State, Foreign Operations, and Related

1 Programs Appropriations Act, 2017 (division J of Public
2 Law 115–31), which shall also include the information re-
3 quired under this section in the report accompanying this
4 Act.

5 (e) EXTRACTION OF NATURAL RESOURCES.—

6 (1) ASSISTANCE.—Funds appropriated by this
7 Act shall be made available to promote and support
8 transparency and accountability of expenditures and
9 revenues related to the extraction of natural re-
10 sources, including by strengthening implementation
11 and monitoring of the Extractive Industries Trans-
12 parency Initiative, implementing and enforcing sec-
13 tion 8204 of the Food, Conservation, and Energy
14 Act of 2008 (Public Law 110–246; 122 Stat. 2052)
15 and the amendments made by such section, and to
16 prevent the sale of conflict diamonds, and provide
17 technical assistance to promote independent audit
18 mechanisms and support civil society participation in
19 natural resource management.

20 (2) UNITED STATES POLICY.—

21 (A) The Secretary of the Treasury shall in-
22 form the management of the international fi-
23 nancial institutions, and post on the Depart-
24 ment of the Treasury Web site, that it is the
25 policy of the United States to vote against any

1 assistance by such institutions (including any
2 loan, credit, grant, or guarantee) to any coun-
3 try for the extraction and export of a natural
4 resource if the government of such country has
5 in place laws, regulations, or procedures to pre-
6 vent or limit the public disclosure of company
7 payments as required by United States law, and
8 unless such government has adopted laws, regu-
9 lations, or procedures in the sector in which as-
10 sistance is being considered for—

11 (i) accurately accounting for and pub-
12 lic disclosure of payments to the host gov-
13 ernment by companies involved in the ex-
14 traction and export of natural resources;

15 (ii) the independent auditing of ac-
16 counts receiving such payments and public
17 disclosure of the findings of such audits;
18 and

19 (iii) public disclosure of such docu-
20 ments as Host Government Agreements,
21 Concession Agreements, and bidding docu-
22 ments, allowing in any such dissemination
23 or disclosure for the redaction of, or excep-
24 tions for, information that is commercially

1 proprietary or that would create competi-
 2 tive disadvantage.

3 (B) The requirements of subparagraph (A)
 4 shall not apply to assistance for the purpose of
 5 building the capacity of such government to
 6 meet the requirements of this subparagraph.

7 (f) FOREIGN ASSISTANCE WEB SITE.—Funds appro-
 8 priated by this Act under titles I and II, and funds made
 9 available for any independent agency in title III, as appro-
 10 priate, shall be made available to support the provision
 11 of additional information on United States Government
 12 foreign assistance on the Department of State foreign as-
 13 sistance Web site: *Provided*, That all Federal departments
 14 and agencies funded under this Act shall provide such in-
 15 formation on foreign assistance, upon request, to the De-
 16 partment of State.

17 DEMOCRACY PROGRAMS

18 SEC. 7032. (a) FUNDING.—Of the funds appro-
 19 priated by this Act under the headings “Development As-
 20 sistance”, “Economic Support Fund”, “Democracy
 21 Fund”, “Assistance for Europe, Eurasia and Central
 22 Asia”, and “International Narcotics Control and Law En-
 23 forcement”, not less than \$2,308,517,000 shall be made
 24 available for democracy programs.

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

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

17 (d) PROGRAM PRIORITIZATION.—Funds made avail-
18 able pursuant to this section that are made available for
19 programs to strengthen government institutions shall be
20 prioritized for those institutions that demonstrate a com-
21 mitment to democracy and the rule of law, as determined
22 by the Secretary of State or the USAID Administrator,
23 as appropriate.

24 (e) RESTRICTION ON PRIOR APPROVAL.—With re-
25 spect to the provision of assistance for democracy pro-

1 grams in this Act, the organizations implementing such
2 assistance, the specific nature of that assistance, and the
3 participants in such programs shall not be subject to the
4 prior approval by the government of any foreign country:
5 *Provided*, That the Secretary of State, in coordination
6 with the USAID Administrator, shall report to the Com-
7 mittees on Appropriations, not later than 120 days after
8 enactment of this Act, detailing steps taken by the Depart-
9 ment of State and USAID to comply with the require-
10 ments of this subsection.

11 (f) CONTINUATION OF CURRENT PRACTICES.—
12 USAID shall continue to implement civil society and polit-
13 ical competition and consensus building programs abroad
14 with funds appropriated by this Act in a manner that rec-
15 ognizes the unique benefits of grants and cooperative
16 agreements in implementing such programs: *Provided*,
17 That nothing in this paragraph shall be construed to af-
18 fect the ability of any entity, including United States small
19 businesses, from competing for proposals for USAID-
20 funded civil society and political competition and con-
21 sensus building programs.

22 (g) COUNTRY STRATEGY STRATEGIC REVIEWS.—
23 Prior to the obligation of funds made available by this Act
24 for Department of State and USAID democracy programs
25 for a nondemocratic or democratic transitioning country

1 for which a country strategy has been concluded after the
2 date of enactment of this Act, as required by section
3 2111(c)(1) of the ADVANCE Democracy Act of 2007
4 (title XXI of Public Law 110–53; 22 U.S.C. 8211) or
5 similar provision of law or regulation, the Under Secretary
6 for Civilian Security, Democracy and Human Rights, De-
7 partment of State, in consultation with the Assistant Sec-
8 retary for Democracy, Human Rights, and Labor, Depart-
9 ment of State, and the Assistant Administrator for De-
10 mocracy, Conflict, and Humanitarian Assistance, USAID,
11 shall review such strategy to ensure that it includes—

12 (1) specific goals and objectives for such pro-
13 gram, including a specific plan and timeline to meas-
14 ure impacts;

15 (2) an assessment of the risks associated with
16 the conduct of such program to intended bene-
17 ficiaries and implementers, including steps to sup-
18 port and protect such individuals; and

19 (3) the funding requirements to initiate and
20 sustain such program in fiscal year 2018 and subse-
21 quent fiscal years, as appropriate:

22 *Provided*, That for the purposes of this subsection, the
23 term “nondemocratic or democratic transitioning country”
24 shall have the same meaning as in section 2104(6) of the
25 ADVANCE Democracy Act of 2007.

1 (h) COMMUNICATION AND REPORT.—

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

13 (2) REPORTS.—

14 (A) FUNDING INSTRUMENTS.—Not later
15 than September 30, 2018, the Secretary of
16 State and USAID Administrator shall each
17 submit to the Committees on Appropriations a
18 report detailing the use of contracts, grants,
19 and cooperative agreements in the conduct of
20 democracy programs with funds made available
21 by the Department of State, Foreign Oper-
22 ations, and Related Programs Act, 2017 (divi-
23 sion J of Public Law 115–31), which shall in-
24 clude funding level, account, program sector
25 and subsector, and a brief summary of purpose.

1 (B) PROGRAM CHANGES.—The Secretary
2 of State or the USAID Administrator, as ap-
3 propriate, shall report to the appropriate con-
4 gressional committees within 30 days of a deci-
5 sion to significantly change the objectives or the
6 content of a democracy program or to close
7 such a program due to the increasingly repres-
8 sive nature of the host country government:
9 *Provided*, That the report shall also include a
10 strategy for continuing support for democracy
11 promotion, if such programming is feasible, and
12 may be submitted in classified form, if nec-
13 essary.

14 (i) TRANSPARENCY.—The USAID Administrator
15 shall publish on the USAID Web site the justification for
16 the choice of instrument for each democracy program
17 funded by this Act that exceeds \$2,000,000.

18 (j) PROTECTION OF CIVIL SOCIETY ACTIVISTS.—

19 (1) IN GENERAL.—Of the funds appropriated
20 by this Act under the headings “Economic Support
21 Fund” and “International Narcotics Control and
22 Law Enforcement”, not less than \$15,000,000 shall
23 be made available to implement a United States
24 inter-agency strategy to support and protect civil so-
25 ciety activists, including human rights and environ-

1 mental defenders and independent journalists, in
2 countries where such activists have been threatened
3 and killed for peacefully exercising their rights of
4 free expression, association, and assembly.

5 (2) RESPONSIBILITY.—The inter-agency strat-
6 egy described in paragraph (1) shall be developed
7 and implemented by the Assistant Secretary for De-
8 mocracy, Human Rights, and Labor (DRL), Depart-
9 ment of State, in coordination with the relevant bu-
10 reaus and offices of the Department of State and
11 USAID.

12 (3) GUIDANCE AND CONSULTATION.—Funds
13 made available pursuant to paragraph (1) shall be
14 made available in accordance with the guidance
15 under this section in the report accompanying the
16 Act, and following consultation with the Committees
17 on Appropriations.

18 (4) CLARIFICATION.—Funds made available
19 pursuant to paragraph (1) shall be administered by
20 DRL and are in addition to amounts otherwise made
21 available for such purposes.

22 INTERNATIONAL RELIGIOUS FREEDOM

23 SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREE-
24 DOM OFFICE AND SPECIAL ENVOY TO PROMOTE RELI-
25 GIOUS FREEDOM.—

1 (1) OPERATIONS.—Of the funds appropriated
2 by this Act under the heading “Diplomatic and Con-
3 sular Programs”, not less than \$8,000,000 shall be
4 made available for the Office of International Reli-
5 gious Freedom, Bureau of Democracy, Human
6 Rights, and Labor, Department of State, of which
7 not less than \$6,000,000 shall be made available for
8 the Office of the Ambassador-at-Large for Inter-
9 national Religious Freedom, and not less than
10 \$2,000,000 shall be made available for the Special
11 Envoy to Promote Religious Freedom of Religious
12 Minorities in the Near East and South Central Asia,
13 as authorized in the Near East and South Central
14 Asia Religious Freedom Act of 2014 (Public Law
15 113–161), including for support staff.

16 (2) CURRICULUM.—Funds appropriated under
17 the heading “Diplomatic and Consular Programs”
18 and designated for the Office of International Reli-
19 gious Freedom shall be made available for the devel-
20 opment and implementation of an international reli-
21 gious freedom curriculum in accordance with section
22 708(a)(2) of the Foreign Service Act of 1980 (22
23 U.S.C. 4028(a)(2)).

24 (b) ASSISTANCE.—

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

10 (2) PROTECTION AND INVESTIGATION PRO-
11 GRAMS.—Of the funds appropriated by this Act
12 under the heading “Economic Support Fund”, not
13 less than \$10,000,000 shall be made available for
14 programs to protect vulnerable and persecuted reli-
15 gious minorities: *Provided*, That a portion of such
16 funds shall be made available for programs to inves-
17 tigate the persecution of such minorities by govern-
18 ments and non-state actors and for the public dis-
19 semination of information collected on such persecu-
20 tion, including on the Department of State Web site.

21 (3) HUMANITARIAN PROGRAMS.—Funds appro-
22 priated by this Act under the headings “Inter-
23 national Disaster Assistance” and “Migration and
24 Refugee Assistance” shall be made available for hu-
25 manitarian assistance for vulnerable and persecuted

1 religious minorities, including victims of genocide
2 designated by the Secretary of State and other
3 groups that have suffered crimes against humanity
4 and ethnic cleansing, to—

5 (A) facilitate the implementation of an im-
6 mediate, coordinated, and sustained response to
7 provide humanitarian assistance;

8 (B) enhance protection of conflict victims,
9 including those facing a dire humanitarian cri-
10 sis and severe persecution because of their faith
11 or ethnicity; and

12 (C) improve access to secure locations for
13 obtaining humanitarian and resettlement serv-
14 ices.

15 (4) TRANSITIONAL JUSTICE, RECONCILIATION,
16 AND REINTEGRATION PROGRAMS.—Of the funds ap-
17 propriated by this Act under the heading “Inter-
18 national Narcotics Control and Law Enforcement”
19 that are made available for the Relief and Recovery
20 Fund, not less than \$5,000,000 shall be made avail-
21 able to support transitional justice, reconciliation,
22 and reintegration programs for vulnerable and per-
23 secuted religious minorities, including in the Middle
24 East and North Africa regions: *Provided*, That such
25 funds shall be matched, to the maximum extent

1 practicable, from sources other than the United
2 States Government.

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

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

14 (d) ATROCITIES PREVENTION.—Of the funds appro-
15 priated by this Act under the headings “Economic Sup-
16 port Fund” and “International Narcotics Control and
17 Law Enforcement”, not less than \$5,000,000 shall be
18 made available for programs to prevent atrocities and to
19 implement the recommendations of the Atrocities Preven-
20 tion Board, including with respect to the evaluation re-
21 quired by section 7033(d) of the Department of State,
22 Foreign Operations, and Related Programs Appropria-
23 tions Act, 2016 (division K of Public Law 114–113): *Pro-*
24 *vided*, That the Under Secretary for Civilian Security, De-
25 mocracy, and Human Rights, Department of State, shall

1 be responsible for providing the strategic policy direction
2 for, and policy oversight of, funds made available pursuant
3 to this subsection to the Bureaus of International Nar-
4 cotics Control and Law Enforcement and Democracy,
5 Human Rights, and Labor, Department of State: *Provided*
6 *further*, That such funds shall be subject to the regular
7 notification procedures of the Committees on Appropria-
8 tions.

9 (e) DESIGNATION OF NON-STATE ACTORS.—The
10 President shall, concurrent with the annual foreign coun-
11 try review required by section 402(b)(1) of the Inter-
12 national Religious Freedom Act of 1998 (22 U.S.C.
13 6442(b)(1)), review and identify any non-state actors in
14 such countries that have engaged in particularly severe
15 violations of religious freedom, and designate, in a manner
16 consistent with such Act, each such group as a non-state
17 actor of particular concern for religious freedom operating
18 in such reviewed country or surrounding region: *Provided*,
19 That whenever the President designates such a non-state
20 actor under this subsection, the President shall, as soon
21 as practicable after the designation is made, submit a re-
22 port to the appropriate congressional committees detailing
23 the reasons for such designation.

1 (f) FUNDING CLARIFICATION.—Funds made avail-
2 able pursuant to subsections (b) and (d) are in addition
3 to amounts otherwise made available for such purposes.

4 SPECIAL PROVISIONS

5 SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHIL-
6 DREN, AND DISPLACED BURMESE.—Funds appropriated
7 in titles III and VI of this Act that are made available
8 for victims of war, displaced children, displaced Burmese,
9 and to combat trafficking in persons and assist victims
10 of such trafficking, may be made available notwith-
11 standing any other provision of law.

12 (b) LAW ENFORCEMENT AND SECURITY.—

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

16 (2) CROWD CONTROL ITEMS.—Funds appro-
17 priated by this Act should not be used for tear gas,
18 small arms, light weapons, ammunition, or other
19 items for crowd control purposes for foreign security
20 forces that use excessive force to repress peaceful ex-
21 pression, association, or assembly in countries un-
22 dergoing democratic transition.

23 (3) DISARMAMENT, DEMOBILIZATION, AND RE-
24 INTEGRATION.—Section 7034(d) of the Department
25 of State, Foreign Operations, and Related Programs

1 Appropriations Act, 2015 (division J of Public Law
2 113–235) shall continue in effect during fiscal year
3 2018.

4 (4) FORENSIC ASSISTANCE.—

5 (A) Of the funds appropriated by this Act
6 under the heading “Economic Support Fund”,
7 not less than \$10,000,000, in addition to other
8 funds in this Act and prior Acts making appro-
9 priations for the Department of State, foreign
10 operations, and related programs that are avail-
11 able for assistance for countries, shall be made
12 available for forensic anthropology assistance
13 related to the exhumation of mass graves and
14 the identification of victims of war crimes,
15 genocide, and crimes against humanity, which
16 shall be administered by the Assistant Secretary
17 for Democracy, Human Rights, and Labor, De-
18 partment of State.

19 (B) Of the funds appropriated by this Act
20 under the heading “International Narcotics
21 Control and Law Enforcement”, up to
22 \$1,000,000 may be made available for DNA as-
23 sistance to combat human trafficking in Central
24 America and Mexico.

1 (5) INTERNATIONAL PRISON CONDITIONS.—

2 Section 7065 of the Department of State, Foreign
3 Operations, and Related Programs Appropriations
4 Act, 2015 (division J of Public Law 113–235) shall
5 continue in effect during fiscal year 2018.

6 (6) RECONSTITUTING CIVILIAN POLICE AU-

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

14 (7) SECURITY ASSISTANCE REPORT.—Not later

15 than 120 days after enactment of this Act, the Sec-
16 retary of State shall submit to the Committees on
17 Appropriations a report on funds obligated and ex-
18 pended during fiscal year 2017, by country and pur-
19 pose of assistance, under the headings “Peace-
20 keeping Operations”, “International Military Edu-
21 cation and Training”, and “Foreign Military Fi-
22 nancing Program”.

23 (8) VETTING REPORT.—

24 (A) IN GENERAL.—Not later than 90 days
25 after enactment of this Act, the Secretary of

1 State shall submit a report to the appropriate
2 congressional committees on foreign assistance
3 cases submitted for vetting for purposes of sec-
4 tion 620M of the Foreign Assistance Act of
5 1961 during the preceding fiscal year, includ-
6 ing—

7 (i) the total number of cases sub-
8 mitted, approved, suspended, or rejected
9 for human rights reasons; and

10 (ii) for cases rejected, a description of
11 the steps taken to assist the foreign gov-
12 ernment in taking effective measures to
13 bring the responsible members of the secu-
14 rity forces to justice, in accordance with
15 section 620M(c) of the Foreign Assistance
16 Act of 1961.

17 (B) FORM.—The report required by this
18 paragraph shall be submitted in unclassified
19 form, but may be accompanied by a classified
20 annex.

21 (9) ANNUAL FOREIGN MILITARY TRAINING RE-
22 PORT.—For the purposes of implementing section
23 656 of the Foreign Assistance Act of 1961, the term
24 “military training provided to foreign military per-
25 sonnel by the Department of Defense and the De-

1 partment of State” shall be deemed to include all
2 military training provided by foreign governments
3 with funds appropriated to the Department of De-
4 fense or the Department of State, except for train-
5 ing provided by the government of a country des-
6 ignated by section 517(b) of such Act as a major
7 non-NATO ally.

8 (10) ASSISTANCE TO ELIMINATE TORTURE.—
9 Funds appropriated under titles III and IV of this
10 Act shall be made available, notwithstanding section
11 660 of the Foreign Assistance Act of 1961 and fol-
12 lowing consultation with the Committees on Appro-
13 priations, for assistance to eliminate torture by for-
14 eign police, military or other security forces in coun-
15 tries receiving assistance from funds appropriated by
16 this Act.

17 (11) COMBAT CASUALTY CARE.—Funds appro-
18 priated by this Act under the headings “Peace-
19 keeping Operations” and “Foreign Military Financ-
20 ing Program” that are made available for lethal as-
21 sistance, including to combat extremism, shall also
22 be made available for combat casualty care training
23 and equipment, except that such training and equip-
24 ment shall meet the standards set forth by the
25 United States military.

1 (12) GLOBAL SECURITY CONTINGENCY FUND.—

2 Of the funds appropriated by this Act under the
3 headings “International Narcotics Control and Law
4 Enforcement”, “Peacekeeping Operations”, and
5 “Foreign Military Financing Program”, up to
6 \$10,000,000 may be transferred to, and merged
7 with, funds previously made available under the
8 heading “Global Security Contingency Fund”.

9 (13) WITHHOLDING OF ASSISTANCE.—The Sec-
10 retary of State shall withhold funds appropriated by
11 this Act and prior Acts making appropriations for
12 the Department of State, foreign operations, and re-
13 lated programs that are made available for assist-
14 ance for the central government of a country if the
15 Secretary determines and reports to the Committees
16 on Appropriations that such government has en-
17 gaged in, planned, or facilitated unconventional at-
18 tacks against United States Government personnel
19 stationed or traveling abroad, including through the
20 use of acoustic technology.

21 (c) WORLD FOOD PROGRAMME.—

22 (1) CONTRIBUTION.—Funds managed by the
23 Bureau for Democracy, Conflict, and Humanitarian
24 Assistance, United States Agency for International
25 Development, from this or any other Act, may be

1 made available as a general contribution to the
 2 World Food Programme, notwithstanding any other
 3 provision of law.

4 (2) PROGRAM TO LEVERAGE ADDITIONAL CON-
 5 TRIBUTIONS.—Funds appropriated by this Act shall
 6 be made available to leverage additional contribu-
 7 tions for the World Food Programme from sources
 8 other than the United States Government: *Provided*,
 9 That the Secretary of State shall consult with the
 10 Committees on Appropriations prior to obligating
 11 funds for such purpose.

12 (d) DIRECTIVES AND AUTHORITIES.—

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

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

1 ance for Europe, Eurasia and Central Asia” may be
2 made available as contributions to establish and
3 maintain memorial sites of genocide, subject to the
4 regular notification procedures of the Committees on
5 Appropriations.

6 (3) ADDITIONAL AUTHORITIES.—Of the
7 amounts made available by title I of this Act under
8 the heading “Diplomatic and Consular Programs”,
9 up to \$500,000 may be made available for grants
10 pursuant to section 504 of the Foreign Relations
11 Authorization Act, Fiscal Year 1979 (22 U.S.C.
12 2656d), including to facilitate collaboration with in-
13 digenous communities, and up to \$1,000,000 may be
14 made available for grants to carry out the activities
15 of the Cultural Antiquities Task Force.

16 (4) INNOVATION.—The USAID Administrator
17 may use funds appropriated by this Act under title
18 III to make innovation incentive awards: *Provided*,
19 That each individual award may not exceed
20 \$100,000: *Provided further*, That no more than 10
21 such awards may be made during fiscal year 2018:
22 *Provided further*, That for purposes of this para-
23 graph the term “innovation incentive award” means
24 the provision of funding on a competitive basis
25 that—

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

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

8 (5) EXCHANGE VISITOR PROGRAM.—None of
9 the funds made available by this Act may be used
10 to modify the Exchange Visitor Program adminis-
11 tered by the Department of State to implement the
12 Mutual Educational and Cultural Exchange Act of
13 1961, as amended, (Public Law 87–256; 22 U.S.C.
14 2451 et seq.), except through the formal rulemaking
15 process pursuant to the Administrative Procedures
16 Act and notwithstanding the exceptions to such rule-
17 making process in such Act: *Provided*, That funds
18 made available for such purpose shall only be made
19 available after consultation with, and subject to the
20 regular notification procedures of, the Committees
21 on Appropriations, regarding how any proposed
22 modification would affect the public diplomacy goals
23 of, and the estimated economic impact on, the
24 United States.

1 (e) PARTNER VETTING.—The Secretary of State and
2 USAID Administrator may initiate a partner vetting pro-
3 gram to mitigate the risk of diversion of foreign assist-
4 ance, or make significant modifications to any existing
5 partner vetting program, only following consultation with
6 the Committees on Appropriations: *Provided*, That the
7 Secretary and Administrator should provide a direct vet-
8 ting option for prime awardees in any partner vetting pro-
9 gram initiated after the date of the enactment of this Act.

10 (f) CONTINGENCIES.—During fiscal year 2018, the
11 President may use up to \$125,000,000 under the author-
12 ity of section 451 of the Foreign Assistance Act of 1961,
13 notwithstanding any other provision of law.

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

23 (h) CULTURAL PRESERVATION PROJECT DETER-
24 MINATION.—None of the funds appropriated in titles I and
25 III of this Act may be used for the preservation of reli-

1 gious sites unless the Secretary of State or the USAID
2 Administrator, as appropriate, determines and reports to
3 the Committees on Appropriations that such sites are his-
4 torically, artistically, or culturally significant, that the
5 purpose of the project is neither to advance nor to inhibit
6 the free exercise of religion, and that the project is in the
7 national interest of the United States.

8 (i) TRANSFER OF FUNDS FOR EXTRAORDINARY PRO-
9 TECTION.—The Secretary of State may transfer to, and
10 merge with, funds under the heading “Protection of For-
11 eign Missions and Officials” unobligated balances of ex-
12 pired funds appropriated under the heading “Diplomatic
13 and Consular Programs” for fiscal year 2018, except for
14 funds designated for Overseas Contingency Operations/
15 Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985, at no later than the end of
18 the fifth fiscal year after the last fiscal year for which such
19 funds are available for the purposes for which appro-
20 priated: *Provided*, That not more than \$50,000,000 may
21 be transferred.

22 (j) AUTHORITY TO COUNTER EXTREMISM.—Funds
23 made available by this Act under the heading “Economic
24 Support Fund” to counter extremism may be made avail-
25 able notwithstanding any other provision of law restricting

1 assistance to foreign countries, except sections 502B and
 2 620A of the Foreign Assistance Act of 1961: *Provided*,
 3 That the Secretary of State, or the USAID Administrator,
 4 as appropriate, shall consult with the Committees on Ap-
 5 propriations prior to exercising the authority of this sub-
 6 section.

7 (k) PROTECTIONS AND REMEDIES FOR EMPLOYEES
 8 OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANI-
 9 ZATIONS.—Section 7034(k) of the Department of State,
 10 Foreign Operations, and Related Programs Appropria-
 11 tions Act, 2015 (division J of Public Law 113–235) shall
 12 continue in effect during fiscal year 2018.

13 (l) EXTENSION OF AUTHORITIES.—

14 (1) PASSPORT FEES.—Section 1(b)(2) of the
 15 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))
 16 shall be applied by substituting “September 30,
 17 2018” for “September 30, 2010”.

18 (2) INCENTIVES FOR CRITICAL POSTS.—The
 19 authority contained in section 1115(d) of the Sup-
 20 plemental Appropriations Act, 2009 (Public Law
 21 111–32; 123 Stat. 1906) shall remain in effect
 22 through September 30, 2018.

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

1 by substituting “September 30, 2018” for “October
2 1, 2010” in subparagraph (B).

3 (4) OVERSEAS PAY COMPARABILITY AND LIM-
4 TATION.—

5 (A) Subject to the limitation described in
6 subparagraph (B), the authority provided by
7 section 1113 of the Supplemental Appropria-
8 tions Act, 2009 (Public Law 111–32; 123 Stat.
9 1904) shall remain in effect through September
10 30, 2018.

11 (B) The authority described in subpara-
12 graph (A) may not be used to pay an eligible
13 member of the Foreign Service (as defined in
14 section 1113(b) of the Supplemental Appropria-
15 tions Act, 2009 (Public Law 111–32; 123 Stat.
16 1905)) a locality-based comparability payment
17 (stated as a percentage) that exceeds two-thirds
18 of the amount of the locality-based com-
19 parability payment (stated as a percentage)
20 that would be payable to such member under
21 section 5304 of title 5, United States Code, if
22 such member’s official duty station were in the
23 District of Columbia.

24 (5) CATEGORICAL ELIGIBILITY.—The Foreign
25 Operations, Export Financing, and Related Pro-

grams Appropriations Act, 1990 (Public Law 101–167) is amended—

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

(i) in subsection (b)(3), by striking “and 2017” and inserting “2017, and 2018”; and

(ii) in subsection (e), by striking “2017” each place it appears and inserting “2018”; and

(B) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking “2017” and inserting “2018”.

(6) INSPECTOR GENERAL ANNUITANT WAIVER.—The authorities provided in section 1015(b) of the Supplemental Appropriations Act, 2010 (Public Law 111–212; 124 Stat. 2332) shall remain in effect through September 30, 2018.

(7) EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.—

(A) Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011) is amended by striking “2018” and inserting “2019”.

1 (B) Section 514(b)(2)(A) of the Foreign
2 Assistance Act of 1961 (22 U.S.C.
3 2321h(b)(2)(A)) is amended by striking “and
4 2018” and inserting “2018, and 2019”.

5 (m) MONITORING AND EVALUATION.—Funds appro-
6 priated by this Act that are available for monitoring and
7 evaluation of assistance under the headings “Development
8 Assistance”, “International Disaster Assistance” and
9 “Migration and Refugee Assistance” shall, as appropriate,
10 be made available for the regular collection of feedback
11 obtained directly from beneficiaries on the quality and rel-
12 evance of such assistance: *Provided*, That the Department
13 of State and USAID shall, as appropriate, require imple-
14 menting partners that receive funds under such headings
15 to establish procedures for regularly collecting and re-
16 sponding to such feedback, inform the Department of
17 State and USAID of such procedures, and report to the
18 Department of State and USAID on actions taken in re-
19 sponse to the feedback received: *Provided further*, That the
20 Department of State and USAID shall conduct regular
21 oversight to ensure that such feedback is collected and
22 used by implementing partners to maximize the cost-effec-
23 tiveness and utility of such assistance.

24 (n) HIV/AIDS WORKING CAPITAL FUND.—Funds
25 available in the HIV/AIDS Working Capital Fund estab-

1 lished pursuant to section 525(b)(1) of the Foreign Oper-
2 ations, Export Financing, and Related Programs Appro-
3 priations Act, 2005 (Public Law 108–447) may be made
4 available for pharmaceuticals and other products for other
5 global health and child survival activities to the same ex-
6 tent as HIV/AIDS pharmaceuticals and other products,
7 subject to the terms and conditions in such section: *Pro-*
8 *vided*, That the authority in section 525(b)(5) of the For-
9 eign Operations, Export Financing, and Related Programs
10 Appropriation Act, 2005 (Public Law 108–447) shall be
11 exercised by the Assistant Administrator for Global
12 Health, USAID, with respect to funds deposited for such
13 non-HIV/AIDS pharmaceuticals and other products, and
14 shall be subject to the regular notification procedures of
15 the Committees on Appropriations: *Provided further*, That
16 the Secretary of State shall include in the congressional
17 budget justification an accounting of budgetary resources,
18 disbursements, balances, and reimbursements related to
19 such fund.

20 (o) LOANS AND ENTERPRISE FUNDS.—

21 (1) LOAN GUARANTEES.—Funds appropriated
22 under the headings “Economic Support Fund” and
23 “Assistance for Europe, Eurasia and Central Asia”
24 by this Act and prior Acts making appropriations
25 for the Department of State, foreign operations, and

1 related programs may be made available for the
2 costs, as defined in section 502 of the Congressional
3 Budget Act of 1974, of loan guarantees for Egypt,
4 Jordan, Iraq, Tunisia, and Ukraine, which are au-
5 thorized to be provided: *Provided*, That amounts
6 made available under this paragraph for the costs of
7 such guarantees shall not be considered assistance
8 for the purposes of provisions of law limiting assist-
9 ance to a country.

10 (2) ENTERPRISE FUNDS.—Funds appropriated
11 under the heading “Economic Support Fund” in
12 this Act may be made available to establish and op-
13 erate one or more enterprise funds for Egypt and
14 Tunisia: *Provided*, That the first, third and fifth
15 provisos under section 7041(b) of the Department of
16 State, Foreign Operations, and Related Programs
17 Appropriations Act, 2012 (division I of Public Law
18 112–74; 125 Stat. 1223) shall apply to funds appro-
19 priated by this Act under the heading “Economic
20 Support Fund” for an enterprise fund or funds to
21 the same extent and in the same manner as such
22 provision of law applied to funds made available
23 under such section (except that the clause excluding
24 subsection (d)(3) of section 201 of the SEED Act
25 shall not apply): *Provided further*, That in addition

1 to the previous proviso, the authorities in the matter
2 preceding the first proviso of such section may apply
3 to any such enterprise fund or funds: *Provided fur-*
4 *ther*, That the authority of any such enterprise fund
5 or funds to provide assistance shall cease to be effec-
6 tive on December 31, 2028.

7 (3) DESIGNATION REQUIREMENT.—Funds
8 made available pursuant to paragraph (1) from prior
9 Acts making appropriations for the Department of
10 State, foreign operations, and related programs that
11 were previously designated by the Congress for Over-
12 seas Contingency Operations/Global War on Ter-
13 rorism pursuant to section 251(b)(2)(A)(ii) of the
14 Balanced Budget and Emergency Deficit Control
15 Act of 1985 are designated by the Congress for
16 Overseas Contingency Operations/Global War on
17 Terrorism pursuant to section 251(b)(2)(A)(ii) of
18 such Act.

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

25 (p) LOCAL SUSTAINABILITY AWARDS PROGRAM.—

1 (1) Of the funds appropriated by this Act under
2 the headings “Development Assistance”, “Economic
3 Support Fund”, and “Assistance for Europe, Eur-
4 asia and Central Asia”, not less than \$47,000,000
5 shall be made available for the Local Sustainability
6 Awards Program pursuant to section 7080 of the
7 Department of State, Foreign Operations, and Re-
8 lated Programs Appropriations Act, 2015 (22
9 U.S.C. 2151i), which may remain available until
10 September 30, 2022.

11 (2) For the purposes of section 7080 of the De-
12 partment of State, Foreign Operations, and Related
13 Programs Appropriations Act 2015 (22 U.S.C.
14 2151i), “eligible entities” shall be defined as small
15 local, international, and United States-based non-
16 governmental organizations, educational institutions,
17 and other small entities that have received less than
18 a total of \$5,000,000 from USAID over the previous
19 5 fiscal years: *Provided*, That departments or cen-
20 ters of such educational institutions may be consid-
21 ered individually in determining such eligibility.

22 (3) The “Small Grants Program” established
23 pursuant to section 7080 of the Department of
24 State, Foreign Operations, and Related Programs
25 Appropriations Act, 2015 (22 U.S.C. 2151i) shall

1 hereafter be referred to as the “Local Sustainability
2 Awards Program”.

3 (q) DEPARTMENT OF STATE INSPECTOR GENERAL
4 WAIVER AUTHORITY.—Section 209 of the Foreign Service
5 Act of 1980 (22 U.S.C. 3929) is amended by adding at
6 the end the following new subsection:

7 “(h) WAIVER OF ANNUITY LIMITATIONS FOR CER-
8 TAIN REHIRED FOREIGN SERVICE ANNUITANTS.—

9 “(1) The Inspector General shall have the au-
10 thority to waive the provisions of subsections (a)
11 through (d) of section 824(a) (22 U.S.C. 4064(a))
12 on a case-by-case basis for an annuitant reemployed
13 by the Inspector General on a temporary basis—

14 “(A) if, and for so long as, such waiver is
15 necessary due to an emergency involving a di-
16 rect threat to life or property or other unusual
17 circumstances; or

18 “(B) if the annuitant is employed in a po-
19 sition for which there is exceptional difficulty in
20 recruiting or retaining a qualified employee.

21 “(2) The Inspector General should prescribe
22 procedures for the exercise of any authority under
23 paragraph (1)(B), including criteria for any exercise
24 of authority and procedures for a delegation of au-
25 thority.

1 “(3) A reemployed annuitant as to whom a
2 waiver under this subsection is in effect shall not be
3 considered a participant for the purposes of sub-
4 chapter I or II of chapter 8 of the Foreign Service
5 Act of 1980 (22 U.S.C. 4041 et seq., 4071 et seq.),
6 or an employee for purposes of chapter 83 or 84 of
7 title 5.”.

8 (r) DEFINITIONS.—

9 (1) APPROPRIATE CONGRESSIONAL COMMIT-
10 TEES.—Unless otherwise defined in this Act, for
11 purposes of this Act the term “appropriate congres-
12 sional committees” means the Committees on Appro-
13 priations and Foreign Relations of the Senate and
14 the Committees on Appropriations and Foreign Af-
15 fairs of the House of Representatives.

16 (2) FUNDS APPROPRIATED BY THIS ACT AND
17 PRIOR ACTS.—Unless otherwise defined in this Act,
18 for purposes of this Act the term “funds appro-
19 priated by this Act and prior Acts making appro-
20 priations for the Department of State, foreign oper-
21 ations, and related programs” means funds that re-
22 main available for obligation, and have not expired.

23 (3) INTERNATIONAL FINANCIAL INSTITU-
24 TIONS.—In this Act “international financial institu-
25 tions” means the International Bank for Recon-

1 construction and Development, the International Devel-
2 opment Association, the International Finance Cor-
3 poration, the Inter-American Development Bank, the
4 International Monetary Fund, the Asian Develop-
5 ment Bank, the Asian Development Fund, the Inter-
6 American Investment Corporation, the North Amer-
7 ican Development Bank, the European Bank for Re-
8 construction and Development, the African Develop-
9 ment Bank, the African Development Fund, and the
10 Multilateral Investment Guarantee Agency.

11 (4) SOUTHERN KORDOFAN REFERENCE.—Any
12 reference to Southern Kordofan in this or any other
13 Act making appropriations for the Department of
14 State, foreign operations, and related programs shall
15 be deemed to include portions of Western Kordofan
16 that were previously part of Southern Kordofan
17 prior to the 2013 division of Southern Kordofan.

18 (5) USAID.—In this Act, the term “USAID”
19 means the United States Agency for International
20 Development.

21 (6) SPEND PLAN.—In this Act, the term
22 “spend plan” means a plan for the uses of funds ap-
23 propriated for a particular entity, country, program,
24 purpose, or account and which shall include, at a
25 minimum, a description of—

1 (A) realistic and sustainable goals, criteria
 2 for measuring progress, and a timeline for
 3 achieving such goals;

4 (B) amounts and sources of funds by ac-
 5 count;

6 (C) how such funds will complement other
 7 ongoing or planned programs; and

8 (D) implementing partners, to the max-
 9 imum extent practicable.

10 (7) CLARIFICATION.—In this Act, the terms
 11 “Assistant Secretary” and “Under Secretary” shall
 12 include individuals appointed by the President and
 13 confirmed by the Senate to serve in such designated
 14 positions, as well as individuals serving in acting ca-
 15 pacities or performing functions pursuant to alter
 16 ego delegations with such designated “Assistant Sec-
 17 retary” and “Under Secretary” positions.

18 ARAB LEAGUE BOYCOTT OF ISRAEL

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

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

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

5 (3) all Arab League states should normalize re-
 6 lations with their neighbor Israel;

7 (4) the President and the Secretary of State
 8 should continue to vigorously oppose the Arab
 9 League boycott of Israel and find concrete steps to
 10 demonstrate that opposition by, for example, taking
 11 into consideration the participation of any recipient
 12 country in the boycott when determining to sell
 13 weapons to said country; and

14 (5) the President should report to Congress an-
 15 nually on specific steps being taken by the United
 16 States to encourage Arab League states to normalize
 17 their relations with Israel to bring about the termi-
 18 nation of the Arab League boycott of Israel, includ-
 19 ing those to encourage allies and trading partners of
 20 the United States to enact laws prohibiting busi-
 21 nesses from complying with the boycott and penal-
 22 izing businesses that do comply.

23 PALESTINIAN STATEHOOD

24 SEC. 7036. (a) LIMITATION ON ASSISTANCE.—None
 25 of the funds appropriated under titles III through VI of

1 this Act may be provided to support a Palestinian state
2 unless the Secretary of State determines and certifies to
3 the appropriate congressional committees that—

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

6 (A) has demonstrated a firm commitment
7 to peaceful co-existence with the State of Israel;
8 and

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

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

23 (A) termination of all claims or states of
24 belligerency;

1 (B) respect for and acknowledgment of the
2 sovereignty, territorial integrity, and political
3 independence of every state in the area through
4 measures including the establishment of demili-
5 tarized zones;

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

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

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

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

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

22 (d) EXEMPTION.—The restriction in subsection (a)
23 shall not apply to assistance intended to help reform the
24 Palestinian Authority and affiliated institutions, or the
25 governing entity, in order to help meet the requirements

1 of subsection (a), consistent with the provisions of section
 2 7040 of this Act (“Limitation on Assistance for the Pales-
 3 tinian Authority”).

4 RESTRICTIONS CONCERNING THE PALESTINIAN
 5 AUTHORITY

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

1 other subjects with Palestinians (including those who now
 2 occupy positions in the Palestinian Authority), have social
 3 contacts, and have incidental discussions.

4 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN
 5 BROADCASTING CORPORATION

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

11 ASSISTANCE FOR THE WEST BANK AND GAZA

12 SEC. 7039. (a) OVERSIGHT.—For fiscal year 2018,
 13 30 days prior to the initial obligation of funds for the bi-
 14 lateral West Bank and Gaza Program, the Secretary of
 15 State shall certify to the Committees on Appropriations
 16 that procedures have been established to assure the Comp-
 17 troller General of the United States will have access to
 18 appropriate United States financial information in order
 19 to review the uses of United States assistance for the Pro-
 20 gram funded under the heading “Economic Support
 21 Fund” for the West Bank and Gaza.

22 (b) VETTING.—Prior to the obligation of funds ap-
 23 propriated by this Act under the heading “Economic Sup-
 24 port Fund” for assistance for the West Bank and Gaza,
 25 the Secretary of State shall take all appropriate steps to

1 ensure that such assistance is not provided to or through
2 any individual, private or government entity, or edu-
3 cational institution that the Secretary knows or has reason
4 to believe advocates, plans, sponsors, engages in, or has
5 engaged in, terrorist activity nor, with respect to private
6 entities or educational institutions, those that have as a
7 principal officer of the entity's governing board or gov-
8 erning board of trustees any individual that has been de-
9 termined to be involved in, or advocating terrorist activity
10 or determined to be a member of a designated foreign ter-
11 rorist organization: *Provided*, That the Secretary of State
12 shall, as appropriate, establish procedures specifying the
13 steps to be taken in carrying out this subsection and shall
14 terminate assistance to any individual, entity, or edu-
15 cational institution which the Secretary has determined to
16 be involved in or advocating terrorist activity.

17 (c) PROHIBITION.—

18 (1) RECOGNITION OF ACTS OF TERRORISM.—

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

1 (2) SECURITY ASSISTANCE AND REPORTING RE-
2 QUIREMENT.—Notwithstanding any other provision
3 of law, none of the funds made available by this or
4 prior appropriations Acts, including funds made
5 available by transfer, may be made available for obli-
6 gation for security assistance for the West Bank and
7 Gaza until the Secretary of State reports to the
8 Committees on Appropriations on the benchmarks
9 that have been established for security assistance for
10 the West Bank and Gaza and reports on the extent
11 of Palestinian compliance with such benchmarks.

12 (d) AUDITS BY THE UNITED STATES AGENCY FOR
13 INTERNATIONAL DEVELOPMENT.—

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

22 (2) Of the funds appropriated by this Act, up
23 to \$500,000 may be used by the Office of Inspector
24 General of the United States Agency for Inter-
25 national Development for audits, inspections, and

1 other activities in furtherance of the requirements of
2 this subsection: *Provided*, That such funds are in ad-
3 dition to funds otherwise available for such pur-
4 poses.

5 (e) COMPTROLLER GENERAL OF THE UNITED
6 STATES AUDIT.—Subsequent to the certification specified
7 in subsection (a), the Comptroller General of the United
8 States shall conduct an audit and an investigation of the
9 treatment, handling, and uses of all funds for the bilateral
10 West Bank and Gaza Program, including all funds pro-
11 vided as cash transfer assistance, in fiscal year 2018
12 under the heading “Economic Support Fund”, and such
13 audit shall address—

14 (1) the extent to which such Program complies
15 with the requirements of subsections (b) and (c);
16 and

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

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

24 (g) REPORT.—Not later than 180 days after enact-
25 ment of this Act, the Secretary of State shall submit a

1 report to the Committees on Appropriations updating the
2 report contained in section 2106 of chapter 2 of title II
3 of the Emergency Supplemental Appropriations Act for
4 Defense, the Global War on Terror, and Tsunami Relief,
5 2005 (Public Law 109–13).

6 LIMITATION ON ASSISTANCE FOR THE PALESTINIAN
7 AUTHORITY

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

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

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

23 (d) REPORT.—Whenever the waiver authority pursu-
24 ant to subsection (b) is exercised, the President shall sub-
25 mit a report to the Committees on Appropriations detail-

1 ing the justification for the waiver, the purposes for which
2 the funds will be spent, and the accounting procedures in
3 place to ensure that the funds are properly disbursed: *Pro-*
4 *vided*, That the report shall also detail the steps the Pales-
5 tinian Authority has taken to arrest terrorists, confiscate
6 weapons and dismantle the terrorist infrastructure.

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

21 (f) PROHIBITION TO HAMAS AND THE PALESTINE
22 LIBERATION ORGANIZATION.—

23 (1) None of the funds appropriated in titles III
24 through VI of this Act may be obligated for salaries
25 of personnel of the Palestinian Authority located in

1 Gaza or may be obligated or expended for assistance
2 to Hamas or any entity effectively controlled by
3 Hamas, any power-sharing government of which
4 Hamas is a member, or that results from an agree-
5 ment with Hamas and over which Hamas exercises
6 undue influence.

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

16 (3) The President may exercise the authority in
17 section 620K(e) of the Foreign Assistance Act of
18 1961, as added by the Palestinian Anti-Terrorism
19 Act of 2006 (Public Law 109–446) with respect to
20 this subsection.

21 (4) Whenever the certification pursuant to
22 paragraph (2) is exercised, the Secretary of State
23 shall submit a report to the Committees on Appro-
24 priations within 120 days of the certification and
25 every quarter thereafter on whether such govern-

1 ment, including all of its ministers or such equiva-
 2 lent are continuing to comply with the principles
 3 contained in section 620K(b)(1) (A) and (B) of the
 4 Foreign Assistance Act of 1961, as amended: *Pro-*
 5 *vided*, That the report shall also detail the amount,
 6 purposes and delivery mechanisms for any assistance
 7 provided pursuant to the abovementioned certifi-
 8 cation and a full accounting of any direct support of
 9 such government.

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

13 MIDDLE EAST AND NORTH AFRICA

14 SEC. 7041. (a) EGYPT.—

15 (1) CERTIFICATION AND REPORT.—Funds ap-
 16 propriated by this Act that are available for assist-
 17 ance for Egypt may be made available notwith-
 18 standing any other provision of law restricting as-
 19 sistance for Egypt, except for this subsection and
 20 section 620M of the Foreign Assistance Act of 1961,
 21 and may only be made available for assistance for
 22 the Government of Egypt if the Secretary of State
 23 certifies and reports to the Committees on Appro-
 24 priations that such government is—

1 (A) sustaining the strategic relationship
2 with the United States; and

3 (B) meeting its obligations under the 1979
4 Egypt-Israel Peace Treaty.

5 (2) ECONOMIC SUPPORT FUND.—

6 (A) FUNDING.—Of the funds appropriated
7 by this Act under the heading “Economic Sup-
8 port Fund”, up to \$75,000,000 may be made
9 available for assistance for Egypt, of which not
10 less than \$35,000,000 should be made available
11 for higher education programs including not
12 less than \$10,000,000 for scholarships for
13 Egyptian students with high financial need to
14 attend not-for-profit institutions of higher edu-
15 cation: *Provided*, That such funds shall be made
16 available for democracy programs, and for de-
17 velopment programs in the Sinai: *Provided fur-*
18 *ther*, That such funds shall not be made avail-
19 able for cash transfer assistance or budget sup-
20 port unless the Secretary of State certifies and
21 reports to the appropriate congressional com-
22 mittees that the Government of Egypt is taking
23 consistent and effective steps to stabilize the
24 economy and implement market-based economic
25 reforms.

1 (B) WITHHOLDING.—The Secretary of
2 State shall withhold from obligation funds ap-
3 propriated by this Act under the heading “Eco-
4 nomic Support Fund” for assistance for Egypt,
5 an amount of such funds that the Secretary de-
6 termines to be equivalent to that expended by
7 the United States Government for bail, and by
8 nongovernmental organizations for legal and
9 court fees, associated with democracy-related
10 trials in Egypt until the Secretary certifies and
11 reports to the Committees on Appropriations
12 that the Government of Egypt has dismissed
13 the convictions issued by the Cairo Criminal
14 Court on June 4, 2013, in “Public Prosecution
15 Case No. 1110 for the Year 2012”.

16 (C) LIMITATION.—None of the funds ap-
17 propriated by this Act and prior Acts making
18 appropriations for the Department of State,
19 foreign operations, and related programs under
20 the heading “Economic Support Fund” may be
21 made available for a contribution, voluntary or
22 otherwise, to the “Civil Associations and Foun-
23 dations Support Fund”, or any similar fund, es-
24 tablished pursuant to Law 70 on Associations
25 and Other Foundations Working in the Field of

1 Civil Work published in the Official Gazette of
2 Egypt on May 29, 2017.

3 (3) FOREIGN MILITARY FINANCING PRO-
4 GRAM.—

5 (A) CERTIFICATION.—Of the funds appro-
6 priated by this Act under the heading “Foreign
7 Military Financing Program”, \$1,000,000,000,
8 to remain available until September 30, 2019,
9 may be made available for assistance for Egypt:
10 *Provided*, That 25 percent of such funds shall
11 be withheld from obligation until the Secretary
12 of State certifies and reports to the Committees
13 on Appropriations that the Government of
14 Egypt is taking effective steps to—

15 (i) advance democracy and human
16 rights in Egypt, including to govern demo-
17 cratically and protect religious minorities
18 and the rights of women, which are in ad-
19 dition to steps taken during the previous
20 calendar year for such purposes;

21 (ii) implement reforms that protect
22 freedoms of expression, association, and
23 peaceful assembly, including the ability of
24 civil society organizations, human rights

1 defenders, and the media to function with-
2 out interference;

3 (iii) release political prisoners and
4 provide detainees with due process of law;

5 (iv) hold Egyptian security forces ac-
6 countable, including officers credibly al-
7 leged to have violated human rights;

8 (v) investigate and prosecute cases of
9 extrajudicial killings and forced disappear-
10 ances, including the torture and murder
11 Giulio Regeni, a University of Cambridge
12 doctoral student; and

13 (vi) provide regular access for United
14 States officials to monitor such assistance
15 in areas where the assistance is used:

16 *Provided further,* That such funds may be
17 transferred to an interest bearing account in
18 the Federal Reserve Bank of New York, fol-
19 lowing consultation with the Committees on Ap-
20 propriations: *Provided further,* That the certifi-
21 cation requirement of this paragraph shall not
22 apply to funds appropriated by this Act under
23 such heading for counterterrorism, border secu-
24 rity, and nonproliferation programs for Egypt.

1 (B) WAIVER.—The Secretary of State may
2 waive the certification requirement in subpara-
3 graph (A) if the Secretary determines and re-
4 ports to the Committees on Appropriations that
5 to do so is important to the national security
6 interest of the United States, and submits a re-
7 port to such Committees containing a detailed
8 justification for the use of such waiver and the
9 reasons why any of the requirements of sub-
10 paragraph (A) cannot be met.

11 (4) OVERSIGHT REQUIREMENTS.—The Sec-
12 retary of State shall take all practicable steps to en-
13 sure that mechanisms are in place for monitoring,
14 oversight, and control of funds made available by
15 this subsection for assistance for Egypt.

16 (b) IRAN.—

17 (1) FUNDING.—Funds appropriated by this Act
18 under the headings “Diplomatic and Consular Pro-
19 grams”, “Economic Support Fund”, and “Non-
20 proliferation, Anti-terrorism, Demining and Related
21 Programs” shall be used by the Secretary of State—

22 (A) to support the United States policy to
23 prevent Iran from achieving the capability to
24 produce or otherwise obtain a nuclear weapon;

1 (B) to support an expeditious response to
2 any violation of the Joint Comprehensive Plan
3 of Action or United Nations Security Council
4 Resolution 2231;

5 (C) to support the implementation and en-
6 forcement of sanctions against Iran for support
7 of terrorism, human rights abuses, and ballistic
8 missile and weapons proliferation; and

9 (D) for democracy programs for Iran, to
10 be administered by the Assistant Secretary for
11 Near Eastern Affairs, Department of State, in
12 consultation with the Assistant Secretary for
13 Democracy, Human Rights, and Labor, Depart-
14 ment of State.

15 (2) CONTINUATION OF PROHIBITION.—The
16 terms and conditions of section 7041(c)(2) of the
17 Department of State, Foreign Operations, and Re-
18 lated Programs Appropriations Act, 2012 (division I
19 of Public Law 112–74; 125 Stat. 1224) shall con-
20 tinue in effect during fiscal year 2018.

21 (3) REPORTS.—

22 (A) SEMI-ANNUAL REPORT.—The Sec-
23 retary of State shall submit to the Committees
24 on Appropriations the semi-annual report re-
25 quired by section 135 of the Atomic Energy Act

1 of 1954 (42 U.S.C. 2160e(d)(4)), as added by
2 section 2 of the Iran Nuclear Agreement Re-
3 view Act of 2015 (Public Law 114–17; 129
4 Stat. 201).

5 (B) SANCTIONS REPORT.—Not later than
6 180 days after the date of enactment of this
7 Act, the Secretary of State, in consultation with
8 the Secretary of the Treasury, shall submit to
9 the appropriate congressional committees a re-
10 port on the status of the implementation and
11 enforcement of bilateral United States and mul-
12 tilateral sanctions against Iran and actions
13 taken by the United States and the inter-
14 national community to enforce such sanctions
15 against Iran: *Provided*, That the report shall
16 also include any entities involved in providing
17 significant support for the development of a
18 ballistic missile by the Government of Iran after
19 October 1, 2015, including shipping and financ-
20 ing, and note whether such entities are cur-
21 rently under United States sanctions: *Provided*
22 *further*, That such report shall be submitted in
23 an unclassified form, but may contain a classi-
24 fied annex if necessary.

25 (c) IRAQ.—

1 (1) PURPOSES.—Funds appropriated by this
2 Act shall be made available for assistance for Iraq
3 to promote governance, security, and internal and
4 regional stability, including in the Kurdistan Region
5 of Iraq and other areas impacted by the conflict in
6 Syria, and among religious and ethnic minority pop-
7 ulations in Iraq: *Provided*, That the Secretary of
8 State shall consult with the Committees on Appro-
9 priations prior to obligating funds made available for
10 the Kurdistan Region of Iraq.

11 (2) BASING RIGHTS AGREEMENT.—None of the
12 funds appropriated or otherwise made available by
13 this Act may be used by the Government of the
14 United States to enter into a permanent basing
15 rights agreement between the United States and
16 Iraq.

17 (d) JORDAN.—Of the funds appropriated by this Act
18 under titles III and IV, not less than \$1,500,000,000 shall
19 be made available for assistance for Jordan, of which not
20 less than: \$1,082,400,000 shall be made available under
21 the heading “Economic Support Fund”; \$400,000,000
22 shall be made available under the heading “Foreign Mili-
23 tary Financing Program”; and \$745,100,000 shall be
24 made available for budget support for the Government of
25 Jordan.

1 (e) LEBANON.—

2 (1) LIMITATION.—None of the funds appro-
3 priated by this Act may be made available for the
4 Lebanese Internal Security Forces (ISF) or the Leb-
5 anese Armed Forces (LAF) if the ISF or the LAF
6 is controlled by a foreign terrorist organization, as
7 designated pursuant to section 219 of the Immigra-
8 tion and Nationality Act (8 U.S.C. 1189).

9 (2) CONSULTATION.—Funds appropriated by
10 this Act under the headings “International Narcotics
11 Control and Law Enforcement” and “Foreign Mili-
12 tary Financing Program” that are available for as-
13 sistance for Lebanon may be made available for pro-
14 grams and equipment for the ISF and the LAF to
15 address security and stability requirements in areas
16 affected by the conflict in Syria, following consulta-
17 tion with the appropriate congressional committees.

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

1 (4) FOREIGN MILITARY FINANCING PRO-
2 GRAM.—In addition to the activities described in
3 paragraph (2), funds appropriated by this Act under
4 the heading “Foreign Military Financing Program”
5 for assistance for Lebanon may be made available
6 only to professionalize the LAF and to strengthen
7 border security and combat terrorism, including
8 training and equipping the LAF to secure Lebanon’s
9 borders, interdicting arms shipments, preventing the
10 use of Lebanon as a safe haven for terrorist groups,
11 and to implement United Nations Security Council
12 Resolution 1701: *Provided*, That funds may not be
13 obligated for assistance for the LAF until the Sec-
14 retary of State submits to the Committees on Appro-
15 priations a spend plan, including actions to be taken
16 to ensure equipment provided to the LAF is only
17 used for the intended purposes, except such plan
18 may not be considered as meeting the notification
19 requirements under section 7015 of this Act or
20 under section 634A of the Foreign Assistance Act of
21 1961, and shall be submitted not later than Sep-
22 tember 1, 2018: *Provided further*, That any notifica-
23 tion submitted pursuant to such sections shall in-
24 clude any funds specifically intended for lethal mili-
25 tary equipment.

1 (f) LIBYA.—

2 (1) FUNDING.—Funds appropriated by titles
3 III and IV of this Act shall be made available for
4 assistance for Libya for programs to strengthen gov-
5 erning institutions and civil society, improve border
6 security, and promote stability in Libya, and for ac-
7 tivities to address the humanitarian needs of the
8 people of Libya.

9 (2) LIMITATIONS.—

10 (A) COOPERATION ON THE SEPTEMBER
11 2012 ATTACK ON UNITED STATES PERSONNEL
12 AND FACILITIES.—None of the funds appro-
13 priated by this Act may be made available for
14 assistance for the central Government of Libya
15 unless the Secretary of State certifies and re-
16 ports to the Committees on Appropriations that
17 such government is cooperating with United
18 States Government efforts to investigate and
19 bring to justice those responsible for the attack
20 on United States personnel and facilities in
21 Benghazi, Libya in September 2012: *Provided*,
22 That the limitation in this paragraph shall not
23 apply to funds made available for the purpose
24 of protecting United States Government per-
25 sonnel or facilities.

1 (B) INFRASTRUCTURE PROJECTS.—The
2 limitation on the uses of funds in section
3 7041(f)(2) of the Department of State, Foreign
4 Operations, and Related Programs Appropria-
5 tions Act, 2014 (division K of Public Law 113–
6 76; 128 Stat. 525) shall apply to funds appro-
7 priated by this Act that are made available for
8 assistance for Libya.

9 (3) CERTIFICATION.—Prior to the initial obliga-
10 tion of funds made available by this Act for assist-
11 ance for Libya, the Secretary of State shall certify
12 and report to the Committees on Appropriations
13 that all practicable steps have been taken to ensure
14 that mechanisms are in place for monitoring, over-
15 sight, and control of funds made available by this
16 subsection for assistance for Libya.

17 (g) MOROCCO.—Funds appropriated by this Act
18 under the heading “Foreign Military Financing Program”
19 that are available for assistance for Morocco may only be
20 used for the purposes described in section 7041(h)(2) of
21 the Department of State, Foreign Operations, and Related
22 Programs Appropriations Act, 2017 (division J of Public
23 Law 115–31).

24 (h) RELIEF AND RECOVERY FUND.—

1 (1) IN GENERAL.—Of the funds appropriated
2 by this Act under the headings “Development As-
3 sistance”, “Economic Support Fund”, “Inter-
4 national Narcotics Control and Law Enforcement”,
5 “Nonproliferation, Anti-terrorism, Demining and
6 Related Programs”, “Peacekeeping Operations”,
7 and “Foreign Military Financing Program”, not less
8 than \$500,000,000 shall be made available for the
9 Relief and Recovery Fund for assistance for areas
10 liberated or at risk from, or under the control of, the
11 Islamic State of Iraq and Syria, other terrorist orga-
12 nizations, or violent extremist organizations in and
13 around the Near East and Africa: *Provided*, That
14 such funds are in addition to amounts otherwise
15 made available for such purposes and to amounts
16 specifically designated in this Act or in the report
17 accompanying this Act for assistance for countries.

18 (2) CONCURRENCE.—Funds made available
19 pursuant to paragraph (1) may only be made avail-
20 able with the concurrence of the Chief of Mission in
21 a country where such areas are present, or the Spe-
22 cial Envoy for Syria, as appropriate.

23 (3) TRANSFER AUTHORITY.—Funds appro-
24 priated under the headings pursuant to paragraph
25 (1) may be transferred to, and merged with, funds

1 appropriated under such headings: *Provided*, That
2 such transfer authority is in addition to any other
3 transfer authority provided by this Act or any other
4 Act, and is subject to the regular notification proce-
5 dures of the Committees on Appropriations.

6 (4) TRANSITIONAL JUSTICE.—Of the funds ap-
7 propriated by this Act under the heading “Inter-
8 national Narcotics Control and Law Enforcement”
9 that are made available for the Relief and Recovery
10 Fund, not less than \$5,000,000 shall be made avail-
11 able for programs to promote accountability in Iraq
12 and Syria for genocide, crimes against humanity,
13 and war crimes, which shall be in addition to any
14 other funds made available by this Act for such pur-
15 poses: *Provided*, That such programs shall include
16 components to develop local investigative and judi-
17 cial skills, and to collect and preserve evidence and
18 maintain the chain of custody of evidence, including
19 for use in prosecutions: *Provided further*, That such
20 funds shall be administered by the Special Coordi-
21 nator for the Office of Global Criminal Justice, De-
22 partment of State.

23 (5) COST-MATCHING BASIS.—Funds appro-
24 priated pursuant to paragraph (1) shall be made
25 available to the maximum extent practicable on a

1 cost-matching basis from sources other than the
2 United States Government.

3 (i) SYRIA.—

4 (1) NON-LETHAL ASSISTANCE.—Funds appro-
5 priated by this Act under the headings “Economic
6 Support Fund”, “International Narcotics Control
7 and Law Enforcement”, “Nonproliferation, Anti-ter-
8 rorism, Demining and Related Programs”, and
9 “Peacekeeping Operations” shall be made available,
10 to the extent practicable and notwithstanding any
11 other provision of law, for non-lethal assistance, in-
12 cluding for the armed opposition in Syria, programs
13 to address the needs of civilians affected by conflict
14 in Syria, and programs that seek to—

15 (A) establish local governance in Syria that
16 is representative, inclusive, and accountable;

17 (B) empower women through political and
18 economic programs, and address the psycho-
19 social needs of women and their families in
20 Syria and neighboring countries;

21 (C) develop and implement political proc-
22 esses that are democratic, transparent, and
23 strengthen the rule of law;

1 (D) further the legitimacy and viability of
2 the Syrian opposition and local government
3 structures in Syria;

4 (E) develop and sustain civil society and
5 independent media in Syria;

6 (F) promote stability and economic devel-
7 opment in Syria;

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

12 (H) expand the role of women in negotia-
13 tions to end the violence and in any political
14 transition in Syria;

15 (I) assist Syrian refugees whose education
16 has been interrupted by the ongoing conflict to
17 complete higher education requirements at uni-
18 versities and other academic institutions in the
19 region, and through distance learning;

20 (J) assist vulnerable populations in Syria
21 and in neighboring countries;

22 (K) protect and preserve the cultural iden-
23 tity of the people of Syria as a counterbalance
24 to extremism, particularly those living in neigh-
25 boring countries and among youth;

1 (L) protect and preserve cultural heritage
2 sites in Syria, particularly those damaged and
3 destroyed by extremists;

4 (M) counter extremism in Syria; and

5 (N) facilitate the return of displaced per-
6 sons to liberated areas in Syria, including
7 through demining and unexploded ordnance
8 clearance programs.

9 (2) SYRIAN ORGANIZATIONS.—Funds appro-
10 priated by this Act that are made available for as-
11 sistance for Syria pursuant to the authority of this
12 subsection shall be made available, on an open and
13 competitive basis, to continue a program to strength-
14 en the capability of Syrian civil society organizations
15 to address the immediate and long-term needs of the
16 Syrian people in Syria in a manner that supports
17 the sustainability of such organizations in imple-
18 menting Syrian-led humanitarian and development
19 programs and the comprehensive strategy required
20 in section 7041(i)(3) of the Department of State,
21 Foreign Operations, and Related Programs Appro-
22 priations Act, 2014 (division K of Public Law 113–
23 76; 128 Stat. 527), which shall be updated as appro-
24 priate: *Provided*, That funds made available by this
25 paragraph shall be administered by the Bureau for

1 Democracy, Human Rights, and Labor, Department
2 of State.

3 (3) LIMITATION.—None of the funds appro-
4 priated by this Act for assistance for Syria may be
5 made available for a project or activity that supports
6 or otherwise legitimizes the Government of Iran, for-
7 eign terrorist organizations (as designated pursuant
8 to section 219 of the Immigration and Nationality
9 Act (8 U.S.C. 1189)), or a proxy of Iran in Syria.

10 (4) CONSULTATION AND NOTIFICATION.—
11 Funds made available pursuant to this subsection
12 may only be made available following consultation
13 with the appropriate congressional committees, and
14 shall be subject to the regular notification proce-
15 dures of the Committees on Appropriations.

16 (j) TUNISIA.—Of the funds appropriated under titles
17 III and IV of this Act, not less than \$165,400,000 shall
18 be made available for assistance for Tunisia.

19 (k) WEST BANK AND GAZA.—

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

1 Appropriations that the purpose of such assistance
2 is to—

3 (A) advance Middle East peace;

4 (B) improve security in the region;

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

7 (D) promote a private sector economy; or

8 (E) address urgent humanitarian needs.

9 (2) LIMITATIONS.—

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

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

21 (II) the Palestinians initiate an Inter-
22 national Criminal Court (ICC) judicially
23 authorized investigation, or actively sup-
24 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 pursu-
14 ant to clause (i) of this subparagraph, the
15 President may waive section 1003 of Public
16 Law 100–204 if the President determines and
17 certifies in writing to the Speaker of the House
18 of Representatives, the President pro tempore
19 of the Senate, and the Committees on Appro-
20 priations that the Palestinians have entered
21 into direct and meaningful negotiations with
22 Israel: *Provided*, That any waiver of the provi-
23 sions of section 1003 of Public Law 100–204
24 under clause (i) of this subparagraph or under
25 previous provisions of law must expire before

1 the waiver under the preceding sentence may be
2 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) PAYMENTS FOR ACTS OF TERRORISM.—

9 (A) LIMITATION.—

10 (i) IN GENERAL.—Funds appropriated
11 by this Act under the heading “Economic
12 Support Fund” that are made available for
13 assistance for the West Bank and Gaza
14 that directly benefit the Palestinian Au-
15 thority may only be made available if the
16 Secretary of State certifies and reports to
17 the appropriate congressional committees
18 that the Palestinian Authority—

19 (I) is taking credible steps to end
20 acts of violence against Israeli citizens
21 and United States citizens that are
22 perpetrated by individuals under its
23 jurisdictional control, such as the
24 March 2016 attack that killed former
25 United States Army officer Taylor

1 Force, a veteran of the wars in Iraq
2 and Afghanistan;

3 (II) has terminated payments for
4 acts of terrorism against Israeli citi-
5 zens and United States citizens to any
6 individual, after being fairly tried,
7 who has been imprisoned for such acts
8 of terrorism and to any individual who
9 died committing such acts of ter-
10 rorism, including to a family member
11 of such individuals;

12 (III) has revoked any law, decree,
13 regulation, or document authorizing
14 or implementing a system of com-
15 pensation for imprisoned individuals
16 that uses the sentence or period of in-
17 carceration of an individual to deter-
18 mine the level of compensation paid;
19 and

20 (IV) is publicly condemning such
21 acts of violence and is taking steps to
22 investigate or is cooperating in inves-
23 tigation of such acts of terrorism to
24 bring the perpetrators to justice.

1 (ii) EXCEPTION.—The limitation of
2 this paragraph shall not apply to funds
3 made available to the East Jerusalem Hos-
4 pital Network.

5 (iii) RULE OF CONSTRUCTION.—
6 Amounts withheld pursuant to this para-
7 graph shall be deemed to satisfy any simi-
8 lar withholding or reduction required under
9 any other provision of law.

10 (B) AVAILABILITY.—Funds appropriated
11 by this Act under the heading “Economic Sup-
12 port Fund” that are made available for assist-
13 ance for the West Bank and Gaza that directly
14 benefit the Palestinian Authority may only be
15 made available for such purpose if, not later
16 than 180 days after the date of the enactment
17 of this Act, and every 180 days thereafter, the
18 Secretary of States certifies and reports to the
19 appropriate congressional committees that the
20 Palestinian Authority is taking credible and
21 verifiable steps to end acts of violence against
22 Israeli citizens and United States citizens that
23 are perpetrated by individuals under its juris-
24 dictional control.

1 (C) PALESTINIAN AUTHORITY ACCOUNT-
2 ABILITY FUND.—

3 (i) ESTABLISHMENT.—There is estab-
4 lished in the Treasury a fund to be known
5 as the “Palestinian Authority Account-
6 ability Fund” (PAAF), which shall consists
7 of funds withheld pursuant to subpara-
8 graphs (A) and (B).

9 (ii) USE OF FUNDS.—Funds from the
10 PAAF may be made available upon a cer-
11 tification by the Secretary of State to the
12 appropriate congressional committees that
13 the Palestinian Authority has met the con-
14 ditions set forth in subparagraph (A).

15 (iii) DISPOSITION OF UNUSED
16 FUNDS.—On the date that is one year
17 after the date of the enactment of this Act,
18 and annually thereafter, all funds that are
19 in the PAAF shall be withdrawn and made
20 available to the Department of State for
21 the purposes of assistance other than that
22 deemed benefitting the Palestinian Author-
23 ity.

24 (D) REPORTING REQUIREMENT.—Not
25 later than 180 days after enactment of this Act,

1 the Secretary of State shall submit to the ap-
2 propriate congressional committees a report,
3 which shall be submitted in unclassified form
4 but may include a classified annex, including at
5 a minimum—

6 (i) an estimate of the amount ex-
7 pended by the Palestinian Authority dur-
8 ing the previous calendar year as payments
9 for acts of terrorism by individuals who are
10 imprisoned for such acts;

11 (ii) an estimate of the amount ex-
12 pended by the Palestinian Authority dur-
13 ing the previous calendar year as payments
14 to the families of deceased individuals who
15 committed an act of terrorism;

16 (iii) an overview of Palestinian laws,
17 decrees, regulations, or documents in effect
18 during the previous calendar year that au-
19 thorize or implement any payments re-
20 ported under clauses (i) and (ii);

21 (iv) a description of United States
22 Government policy, efforts, and engage-
23 ment with the Palestinian Authority in
24 order to confirm the revocation of any law,
25 decree, regulation, or document in effect

1 the previous calendar year that authorizes
2 or implements any payments reported
3 under clauses (i) and (ii); and

4 (v) a description of United States
5 Government policy, efforts, and engage-
6 ment with other governments, and the
7 United Nations, to highlight the issue of
8 Palestinian payments for acts of terrorism
9 and to urge other nations to join the
10 United States in calling on the Palestinian
11 Authority to end this system immediately.

12 (4) REPORTS.—

13 (A) SECURITY STRATEGY.—The reporting
14 requirements in section 1404 of the Supple-
15 mental Appropriations Act, 2008 (Public Law
16 110–252; 122 Stat. 2336) shall apply to funds
17 made available by this Act, including a descrip-
18 tion of modifications, if any, to the security
19 strategy of the Palestinian Authority.

20 (B) COUNTER INCITEMENT.—Not later
21 than 90 days after enactment of this Act, the
22 Secretary of State shall submit a report to the
23 appropriate congressional committees detailing
24 steps taken by the Palestinian Authority to
25 counter incitement of violence against Israelis

(1) ASSISTANCE AND CONSULTATION.—Funds appropriated under title III of this Act may be made available for assistance for the people of Western Sahara following consultation with the Committees on Appropriations and with representatives of the United Nations Mission for the Referendum in the Western Sahara.

16 AFRICA

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1 otherwise participating in destabilizing activities in a
2 neighboring country, including aiding and abetting armed
3 groups.

4 (b) BOKO HARAM.—Funds appropriated by this Act
5 that are made available for assistance for Cameroon,
6 Chad, Niger, and Nigeria—

7 (1) shall be made available for assistance for
8 women and girls who are targeted by the terrorist
9 organization Boko Haram, consistent with the provi-
10 sions of section 7059 of this Act, and for individuals
11 displaced by Boko Haram violence; and

12 (2) may be made available for counterterrorism
13 programs to combat Boko Haram.

14 (c) CENTRAL AFRICAN REPUBLIC.—Funds made
15 available by this Act for assistance for the Central African
16 Republic shall be made available for reconciliation and
17 peacebuilding programs, including activities to promote
18 inter-faith dialogue at the national and local levels, and
19 for programs to prevent crimes against humanity.

20 (d) ETHIOPIA.—

21 (1) FORCED EVICTIONS.—

22 (A) Funds appropriated by this Act for as-
23 sistance for Ethiopia may not be made available
24 for any activity that supports forced evictions.

1 (B) The Secretary of the Treasury shall
2 instruct the United States executive director of
3 each international financial institution to use
4 the voice and vote of the United States to sup-
5 port projects in Ethiopia only if such projects
6 are developed and carried out in accordance
7 with the requirements of section 7029(b)(2) of
8 this Act.

9 (2) CONSULTATION.—Programs and activities
10 to improve livelihoods shall include prior consulta-
11 tion with, and the participation of, affected commu-
12 nities, including in the South Omo and Gambella re-
13 gions.

14 (3) REPORT.—Of the funds appropriated by
15 this Act that are available for assistance for Ethi-
16 opia, 25 percent may only be made available after
17 the Secretary of State submits the report required
18 under this heading in the report accompanying this
19 Act: *Provided*, That such withholding of funds shall
20 not apply to funds made available under the heading
21 “Foreign Military Financing Program”.

22 (e) LAKE CHAD BASIN COUNTRIES.—Funds appro-
23 priated by this Act shall be made available for Cameroon,
24 Chad, Niger, and Nigeria, following consultation with the
25 Committees on Appropriations, for—

1 (1) democracy programs, including to protect
2 freedom of expression, association, assembly, and re-
3 ligion, including support for independent journalists,
4 civil society, and democratic political parties; and

5 (2) assistance for governments of such coun-
6 tries to strengthen accountability and the rule of
7 law, including within the security forces.

8 (f) LORD’S RESISTANCE ARMY.—Of the funds appro-
9 priated by this Act under the heading “Economic Support
10 Fund”, not less than \$10,000,000 shall be made available
11 for programs and activities in areas affected by the Lord’s
12 Resistance Army (LRA) consistent with the goals of the
13 Lord’s Resistance Army Disarmament and Northern
14 Uganda Recovery Act of 2009 (Public Law 111–172), in-
15 cluding to improve physical access, telecommunications in-
16 frastructure, and early-warning mechanisms and to sup-
17 port the disarmament, demobilization, and reintegration
18 of former LRA combatants, especially child soldiers.

19 (g) MALAWI.—Of the funds appropriated by this Act
20 under the heading “Development Assistance”, not less
21 than \$56,000,000 shall be made available for assistance
22 for Malawi, of which up to \$10,000,000 shall be made
23 available for higher education programs.

24 (h) SOUTH SUDAN.—

1 (1) STRATEGY UPDATE.—Not later than 60
2 days after enactment of this Act, the Secretary of
3 State, in consultation with the USAID Adminis-
4 trator, shall submit an update to the strategy re-
5 quired in section 7042(i) of the Department of
6 State, Foreign Operations, and Related Programs
7 Appropriations Act, 2017 (division J of Public Law
8 115–31).

9 (2) CERTIFICATION.—None of the funds appro-
10 priated by this Act that are available for assistance
11 for the central Government of South Sudan may be
12 made available until the Secretary of State certifies
13 and reports to the Committees on Appropriations
14 that such government is taking effective steps to—

15 (A) end hostilities and pursue good faith
16 negotiations for a political settlement of the
17 conflict;

18 (B) provide access for humanitarian orga-
19 nizations;

20 (C) end the recruitment and use of child
21 soldiers;

22 (D) protect freedoms of expression, asso-
23 ciation, and assembly;

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

1 (F) establish democratic institutions;

2 (G) establish accountable military and po-
3 lice forces under civilian authority; and

4 (H) investigate and prosecute individuals
5 credibly alleged to have committed gross viola-
6 tions of human rights, including at the Terrain
7 compound in Juba, South Sudan on July 11,
8 2016.

9 (3) EXCLUSIONS.—The limitation of paragraph
10 (2) shall not apply to—

11 (A) humanitarian assistance;

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

15 (C) assistance to support implementation
16 of outstanding issues of the Comprehensive
17 Peace Agreement and mutual arrangements re-
18 lated to such Agreement.

19 (4) CONSULTATION.—Prior to the initial obliga-
20 tion of funds made available for the central Govern-
21 ment of South Sudan pursuant to paragraphs (3)(B)
22 and (C), the Secretary of State shall consult with
23 the Committees on Appropriations on the intended
24 uses of such funds, steps taken by such government
25 to advance or implement a peace agreement, and

1 progress made by the Government of South Sudan
2 in meeting the requirements in paragraph (2).

3 (i) SUDAN.—

4 (1) LIMITATIONS.—

5 (A) ASSISTANCE.—Notwithstanding any
6 other provision of law, none of the funds appro-
7 priated by this Act may be made available for
8 assistance for the Government of Sudan.

9 (B) LOANS.—None of the funds appro-
10 priated by this Act may be made available for
11 the cost, as defined in section 502 of the Con-
12 gressional Budget Act of 1974, of modifying
13 loans and loan guarantees held by the Govern-
14 ment of Sudan, including the cost of selling, re-
15 ducing, or canceling amounts owed to the
16 United States, and modifying concessional
17 loans, guarantees, and credit agreements.

18 (2) EXCLUSIONS.—The limitations of para-
19 graph (1) shall not apply to—

20 (A) humanitarian assistance;

21 (B) assistance for democracy programs;

22 (C) assistance for the Darfur region,
23 Southern Kordofan State, Blue Nile State,
24 other marginalized areas and populations in
25 Sudan, and Abyei; and

1 (D) assistance to support implementation
2 of outstanding issues of the Comprehensive
3 Peace Agreement, mutual arrangements related
4 to post-referendum issues associated with such
5 Agreement, or any other internationally recog-
6 nized viable peace agreement in Sudan.

7 (j) ZIMBABWE.—

8 (1) INSTRUCTION.—The Secretary of the Treas-
9 ury shall instruct the United States executive direc-
10 tor of each international financial institution to vote
11 against any extension by the respective institution of
12 any loan or grant to the Government of Zimbabwe,
13 except to meet basic human needs or to promote de-
14 mocracy, unless the Secretary of State certifies and
15 reports to the Committees on Appropriations that
16 the rule of law has been restored, including respect
17 for ownership and title to property, and freedoms of
18 expression, association, and assembly.

19 (2) LIMITATION.—None of the funds appro-
20 priated by this Act shall be made available for as-
21 sistance for the central Government of Zimbabwe,
22 except for health and education, unless the Secretary
23 of State certifies and reports as required in para-
24 graph (1), and funds may be made available for
25 macroeconomic growth assistance if the Secretary

1 reports to the Committees on Appropriations that
2 such government is implementing transparent fiscal
3 policies, including public disclosure of revenues from
4 the extraction of natural resources.

5 EAST ASIA AND THE PACIFIC

6 SEC. 7043. (a) BURMA.—

7 (1) BILATERAL ECONOMIC ASSISTANCE.—

8 (A) ECONOMIC SUPPORT FUND.—Funds
9 appropriated by this Act under the heading
10 “Economic Support Fund” for assistance for
11 Burma may be made available notwithstanding
12 any other provision of law, except for this sub-
13 section, and following consultation with the ap-
14 propriate congressional committees.

15 (B) USES.—Funds appropriated under
16 title III of this Act for assistance for Burma—

17 (i) shall be made available to
18 strengthen civil society organizations in
19 Burma and for programs to strengthen
20 independent media;

21 (ii) shall be made available for com-
22 munity-based organizations operating in
23 Thailand to provide food, medical, and
24 other humanitarian assistance to internally
25 displaced persons in eastern Burma, in ad-

1 dition to assistance for Burmese refugees
2 from funds appropriated by this Act under
3 the heading “Migration and Refugee As-
4 sistance”;

5 (iii) shall be made available for pro-
6 grams to promote ethnic and religious tol-
7 erance, including in Rakhine and Kachin
8 states;

9 (iv) shall be made available to pro-
10 mote rural economic development in
11 Burma, including through microfinance
12 and sustainable power generation pro-
13 grams;

14 (v) shall be made available to increase
15 opportunities for foreign direct investment
16 by strengthening the rule of law, trans-
17 parency, and accountability;

18 (vi) may not be made available to any
19 individual or organization if the Secretary
20 of State has credible information that such
21 individual or organization has committed a
22 gross violation of human rights, including
23 against Rohingya and other minority
24 groups, or that advocates violence against

1 ethnic or religious groups or individuals in
2 Burma;

3 (vii) may not be made available to any
4 organization or entity controlled by the
5 armed forces of Burma; and

6 (viii) may be made available for pro-
7 grams administered by the Office of Tran-
8 sition Initiatives, United States Agency for
9 International Development, for ethnic
10 groups and civil society in Burma to help
11 sustain ceasefire agreements and further
12 prospects for reconciliation and peace,
13 which may include support to representa-
14 tives of ethnic armed groups for this pur-
15 pose.

16 (2) INTERNATIONAL SECURITY ASSISTANCE.—

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

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

3 (3) MULTILATERAL ASSISTANCE.—The Sec-
4 retary of the Treasury shall 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 are developed and carried out in ac-
9 cordance with the requirements of section
10 7029(b)(2) of this Act.

11 (4) CERTIFICATION.—Notwithstanding any pro-
12 vision of this subsection, of the funds appropriated
13 by this Act under the heading “Economic Support
14 Fund” that are made available for assistance for
15 Burma, 15 percent may not be obligated until the
16 Secretary of State certifies and reports to the Com-
17 mittees on Appropriations that the Government of
18 Burma—

19 (A) has terminated military cooperation
20 with North Korea;

21 (B) is respecting human rights and the
22 rule of law, particularly regarding the arrest
23 and prosecution of three journalists in Shan
24 state in June, 2017 and two Kachin pastors in
25 December, 2016;

1 (C) is revising and updating colonial-era
2 laws that are used in such prosecutions; and

3 (D) is credibly investigating the murder of
4 U Ko Ni, and is taking steps to protect and de-
5 fend the security and safety of other activists.

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

8 (A) Any new program or activity in Burma
9 initiated in fiscal year 2018 shall be subject to
10 prior consultation with the appropriate congres-
11 sional committees.

12 (B) Section 7043(b)(7) of the Department
13 of State, Foreign Operations, and Related Pro-
14 grams Appropriations Act, 2015 (division J of
15 Public Law 113–235) shall continue in effect
16 during fiscal year 2018.

17 (C) The United States Chief of Mission in
18 Burma, in consultation with the Assistant Sec-
19 retary for Democracy, Human Rights, and
20 Labor, Department of State, shall be respon-
21 sible for democracy and human rights programs
22 in Burma.

23 (b) CAMBODIA.—

24 (1) CONDITIONS ON ASSISTANCE.—None of the
25 funds appropriated by this Act that are made avail-

1 able for assistance for the central Government of
2 Cambodia may be obligated or expended unless the
3 Secretary of State certifies and reports to the Com-
4 mittees on Appropriations that such government—

5 (A) is taking effective steps to strengthen
6 regional security and stability, particularly re-
7 garding territorial disputes in the South China
8 Sea;

9 (B) has ceased efforts to intimidate civil
10 society and the political opposition in Cam-
11 bodia, is credibly investigating the murder of
12 social and political activists, and is taking steps
13 to address the concerns detailed in the Sep-
14 tember 14, 2016 United Nations Human Rights
15 Situation in Cambodia—Joint Statement; and

16 (C) is supporting the conduct of free and
17 fair elections in Cambodia through a non-par-
18 tisan election commission; fair election proc-
19 esses; open and inclusive participation, to in-
20 clude the return of exiled former opposition
21 leaders and the release of jailed opposition lead-
22 ers and civil society activists; respect for free-
23 doms of assembly, speech, and the press; and
24 credible post-election dispute resolution mecha-
25 nisms.

1 (2) INADMISSABILITY OF CAMBODIAN OFFI-
2 CIALS WHO UNDERMINE DEMOCRACY IN CAM-
3 BODIA.—For purposes of administering clause (i) of
4 section 212(a)(3)(C) of the Immigration and Nation-
5 ality Act (8 U.S.C. 1182(a)(3)(C)) with funds made
6 available by this Act, the Secretary of State shall
7 consider as having “potentially serious adverse for-
8 eign policy consequences” any efforts to undermine
9 democracy and human rights in Cambodia by offi-
10 cials of the Government of Cambodia: *Provided*,
11 That the exception of clause (ii) of such section shall
12 not apply to this subsection.

13 (c) NORTH KOREA.—

14 (1) WITHHOLDING OF FUNDS.—

15 (A) CAPABILITIES.—None of the funds ap-
16 propriated by this Act and prior Acts making
17 appropriations for the Department of State,
18 foreign operations, and related programs may
19 be made available for assistance for the central
20 government of a country the Secretary of State
21 determines and reports to the appropriate con-
22 gressional committees is knowingly contrib-
23 uting, directly or indirectly, to the nuclear, bal-
24 listic missile, or malicious cyber-intrusion capa-
25 bilities of the Government of North Korea.

1 (B) REVIEW.—The Secretary of State
2 shall review sanctions applied pursuant to the
3 North Korea Sanctions and Policy Enhance-
4 ment Act of 2016 (Public Law 114–122) and
5 the Countering America’s Adversaries Through
6 Sanctions Act (Public Law 115–44), as well as
7 any other relevant provision of law imposing
8 sanctions for nuclear, ballistic missile, and
9 cyber misconduct, to determine whether the re-
10 striction of subparagraph (A) shall apply to the
11 central government of any country whose agen-
12 cies or instrumentalities are so sanctioned.

13 (C) WAIVER.—The Secretary of State may
14 waive the application of the restriction in sub-
15 paragraph (A) if the Secretary determines and
16 reports to the appropriate congressional com-
17 mittees that to do so is important to the na-
18 tional security interest of the United States, in-
19 cluding a description of the national security in-
20 terest served.

21 (2) BROADCASTS.—Funds appropriated by this
22 Act under the heading “International Broadcasting
23 Operations” shall be made available to maintain
24 broadcasting hours into North Korea at levels not
25 less than the prior fiscal year.

1 (3) REFUGEES.—Funds appropriated by this
2 Act under the heading “Migration and Refugee As-
3 sistance” should be made available for assistance for
4 refugees from North Korea, including protection ac-
5 tivities in the People’s Republic of China and other
6 countries in Asia.

7 (4) DATABASE AND REPORT.—Funds appro-
8 priated by this Act under title III shall be made
9 available to maintain a database of prisons and
10 gulags in North Korea, in accordance with section
11 7032(i) of the Department of State, Foreign Oper-
12 ations, and Related Programs Appropriations Act,
13 2014 (division K of Public Law 113–76; 128 Stat.
14 513).

15 (5) HUMAN RIGHTS PROMOTION AND LIMITA-
16 TION ON USE OF FUNDS.—

17 (A) HUMAN RIGHTS PROMOTION.—Of the
18 funds appropriated by this Act under the head-
19 ing “Economic Support Fund”, not less than
20 \$8,000,000 shall be made available for the pro-
21 motion of human rights in North Korea: *Pro-*
22 *vided*, That the authority of section 7032(b) of
23 this Act shall apply to such funds.

24 (B) LIMITATION.—None of the funds made
25 available by this Act under the heading “Eco-

1 nomic Support Fund” may be made available
2 for assistance for the Government of North
3 Korea.

4 (d) PEOPLE’S REPUBLIC OF CHINA.—

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

14 (2) PEOPLE’S LIBERATION ARMY.—The terms
15 and requirements of section 620(h) of the Foreign
16 Assistance Act of 1961 shall apply to foreign assist-
17 ance projects or activities of the People’s Liberation
18 Army (PLA) of the PRC, to include such projects or
19 activities by any entity that is owned or controlled
20 by, or an affiliate of, the PLA: *Provided*, That none
21 of the funds appropriated or otherwise made avail-
22 able pursuant to this Act may be used to finance
23 any grant, contract, or cooperative agreement with
24 the PLA, or any entity that the Secretary of State

1 has reason to believe is owned or controlled by, or
2 an affiliate of, the PLA.

3 (3) COUNTER INFLUENCE PROGRAMS.—Funds
4 appropriated by this Act for public diplomacy under
5 title I and for assistance under titles III and IV
6 shall be made available to counter the influence of
7 the PRC, in accordance with the strategy required
8 by section 7043(e)(3) of the Department of State,
9 Foreign Operations, and Related Programs Approp-
10 riations Act, 2014 (division K of Public Law 113–
11 76; 128 Stat. 536), following consultation with the
12 Committees on Appropriations.

13 (4) AUTHORITY AND NOTIFICATION REQUIRE-
14 MENT.—

15 (A) AUTHORITY.—The uses of funds made
16 available by this Act for the promotion of de-
17 mocracy in the PRC, except for funds made
18 available under subsection (f), shall be the re-
19 sponsibility of the Assistant Secretary for De-
20 mocracy, Human Rights, and Labor, Depart-
21 ment of State.

22 (B) NOTIFICATION.—Funds appropriated
23 by this Act that are made available for trilateral
24 programs conducted with the PRC shall be sub-

1 ject to the regular notification procedures of the
2 Committees on Appropriations.

3 (e) PHILIPPINES.—

4 (1) INTERNATIONAL NARCOTICS CONTROL AND
5 LAW ENFORCEMENT.—Funds appropriated by this
6 Act under the heading “International Narcotics Con-
7 trol and Law Enforcement” may be made available
8 for counternarcotics assistance for the Philippine
9 National Police only if the Secretary of State cer-
10 tifies and reports to the Committees on Appropria-
11 tions that the Government of the Philippines has
12 adopted and is implementing a counternarcotics
13 strategy that is in accordance with international
14 norms of due process, and is investigating and pros-
15 ecuting individuals who are credibly alleged to have
16 ordered, committed, or covered up extrajudicial
17 killings and other gross violations of human rights
18 in the conduct of counternarcotics operations in the
19 Philippines: *Provided*, That the limitation of this
20 paragraph shall not apply to funds made available
21 for maritime programs.

22 (2) NATIONAL DRUG TREATMENT AND DEMAND
23 REDUCTION PROGRAM.—Funds appropriated by this
24 Act that are made available for assistance for the
25 Philippines may be made available for the Philippine

1 Department of Health and local entities to support
 2 the implementation of a national drug treatment and
 3 demand reduction program only if the Secretary of
 4 State, in consultation with the USAID Adminis-
 5 trator, certifies and reports to the appropriate con-
 6 gressional committees that the Government of the
 7 Philippines is effectively implementing a national
 8 strategy to support drug treatment and the preven-
 9 tion of illicit drug use in a manner that is consistent
 10 with best practices: *Provided*, That such funds shall
 11 be made available only on a cost-matching basis:
 12 *Provided further*, That the Secretary of State and
 13 USAID Administrator, as appropriate, shall consult
 14 with the appropriate congressional committees prior
 15 to the obligations of such funds.

16 (f) TIBET.—

17 (1) FINANCING OF PROJECTS IN TIBET.—The
 18 Secretary of the Treasury shall instruct the United
 19 States executive director of each international finan-
 20 cial institution to use the voice and vote of the
 21 United States to support financing of projects in
 22 Tibet if such projects do not provide incentives for
 23 the migration and settlement of non-Tibetans into
 24 Tibet or facilitate the transfer of ownership of Ti-
 25 betan land and natural resources to non-Tibetans,

1 are based on a thorough needs-assessment, foster
2 self-sufficiency of the Tibetan people and respect Ti-
3 betan culture and traditions, and are subject to ef-
4 fective monitoring.

5 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

6 (A) TIBETAN AUTONOMOUS REGION.—Not-
7 withstanding any other provision of law, of the
8 funds appropriated by this Act under the head-
9 ing “Economic Support Fund”, not less than
10 \$8,000,000 shall be made available to non-
11 governmental organizations to support activities
12 which preserve cultural traditions and promote
13 sustainable development, education, and envi-
14 ronmental conservation in Tibetan communities
15 in the Tibetan Autonomous Region and in other
16 Tibetan communities in China.

17 (B) INDIA AND NEPAL.—Of the funds ap-
18 propriated by this Act under the heading “Eco-
19 nomic Support Fund”, not less than
20 \$6,000,000 shall be made available for pro-
21 grams to promote and preserve Tibetan culture,
22 development, and the resilience of Tibetan com-
23 munities in India and Nepal, and to assist in
24 the education and development of the next gen-
25 eration of Tibetan leaders from such commu-

1 nities: *Provided*, That such funds are in addi-
2 tion to amounts made available in subpara-
3 graph (A) for programs inside Tibet.

4 (C) TIBETAN GOVERNANCE.—Of the funds
5 appropriated by this Act under the heading
6 “Economic Support Fund”, not less than
7 \$3,000,000 shall be made available for pro-
8 grams to strengthen the capacity of Tibetan in-
9 stitutions and governance.

10 (g) VIETNAM.—

11 (1) DIOXIN REMEDIATION.—Notwithstanding
12 any other provision of law, of the funds appropriated
13 by this Act under the heading “Economic Support
14 Fund”, not less than \$20,000,000 shall be made
15 available for activities related to the remediation of
16 dioxin contaminated sites in Vietnam and may be
17 made available for assistance for the Government of
18 Vietnam, including the military, for such purposes.

19 (2) HEALTH AND DISABILITY PROGRAMS.—Of
20 the funds appropriated by this Act under the head-
21 ing “Development Assistance”, not less than
22 \$10,000,000 shall be made available for health and
23 disability programs in areas sprayed with Agent Or-
24 ange and otherwise contaminated with dioxin, to as-
25 sist individuals with severe upper or lower body mo-

bility impairment or cognitive or developmental disabilities.

SOUTH AND CENTRAL ASIA

SEC. 7044. (a) AFGHANISTAN.—

(1) ASSISTANCE AND CONDITIONS.—

(A) FUNDING AND LIMITATIONS.—Funds appropriated by this Act under the headings “Economic Support Fund” and “International Narcotics Control and Law Enforcement” may be made available for assistance for Afghanistan: *Provided*, That such funds may not be obligated for any project or activity that—

(i) includes the participation of any Afghan individual or organization, including government entity, if the Secretary of State has credible information that such individual, organization, or entity is involved in corrupt practices, illicit narcotics production or trafficking, or a violation of human rights;

(ii) cannot be sustained, as appropriate, by the Government of Afghanistan or another Afghan entity;

(iii) is not regularly accessible for the purposes of conducting effective oversight

1 in accordance with applicable Federal stat-
2 utes and regulations; or

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

5 (v) is conducted in areas not under
6 the control of the Government of Afghani-
7 stan and where project and resource dis-
8 bursement monitoring cannot be per-
9 formed, unless the Secretary of State, in
10 consultation with the Administrator of the
11 United States Agency for International
12 Development, certifies to the Committees
13 on Appropriations that to do so is in the
14 national security interest of the United
15 States, and submits a report to such Com-
16 mittees describing such interest, including
17 how such project or activity does not legiti-
18 mize the Taliban.

19 (B) CERTIFICATION AND REPORT.—Prior
20 to the initial obligation of funds made available
21 by this Act under the headings “Economic Sup-
22 port Fund” and “International Narcotics Con-
23 trol and Law Enforcement” for assistance for
24 the central Government of Afghanistan, the
25 Secretary of State shall certify and report to

1 the Committees on Appropriations, after con-
2 sultation with the Government of Afghanistan,
3 that—

4 (i) goals and benchmarks for the spe-
5 cific uses of such funds have been estab-
6 lished by the Governments of the United
7 States and Afghanistan;

8 (ii) conditions are in place that in-
9 crease the transparency and accountability
10 of the Government of Afghanistan for
11 funds obligated under the New Develop-
12 ment Partnership or other incentive-based
13 programs;

14 (iii) the Government of Afghanistan is
15 implementing laws and policies to govern
16 democratically and protect the rights of in-
17 dividuals, civil society, and the media;

18 (iv) the Government of Afghanistan is
19 taking effective steps, that are in addition
20 to steps taken during the previous calendar
21 year, to protect and advance the rights of
22 women and girls in Afghanistan;

23 (v) the Government of Afghanistan is
24 effectively implementing a whole-of-govern-
25 ment, anti-corruption strategy that has

1 been endorsed by the High Council on
2 Rule of Law and Anti-Corruption, as
3 agreed to at the Brussels Conference on
4 Afghanistan in October 2016, and is pros-
5 ecuting individuals alleged to be involved in
6 corrupt or illegal activities in Afghanistan;

7 (vi) monitoring and oversight frame-
8 works for programs implemented with such
9 funds are in accordance with all applicable
10 audit policies of the Department of State
11 and USAID, including in areas under the
12 control of the Taliban or other extremist
13 organizations;

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

19 (viii) the Government of Afghanistan
20 is publicly reporting its national budget,
21 including revenues and expenditures.

22 (C) WAIVER.—The Secretary of State may
23 waive the certification requirement of subpara-
24 graph (B) if the Secretary determines that to
25 do so is important to the national security in-

1 terest of the United States and the Secretary
2 submits a report to the Committees on Appro-
3 priations, in classified form if necessary, on the
4 justification for the waiver and the reasons why
5 any of the requirements of subparagraph (B)
6 cannot be met.

7 (D) PROGRAMS.—Funds appropriated by
8 this Act that are made available for assistance
9 for Afghanistan shall be made available—

10 (i) for programs that protect and
11 strengthen the rights of women and girls
12 and promote the political and economic
13 empowerment of women, including their
14 meaningful inclusion in political processes:
15 *Provided*, That such assistance to promote
16 economic empowerment of women shall be
17 made available as grants to Afghan and
18 international organizations, to the max-
19 imum extent practicable;

20 (ii) for programs in South and Cen-
21 tral Asia to expand linkages between Af-
22 ghanistan and countries in the region; and

23 (iii) to assist the Government of Af-
24 ghanistan to develop and implement more

1 effective systems of revenue generation and
2 transparent budgetary processes.

3 (E) CERTIFICATION.—None of the funds
4 appropriated by this Act for assistance for Af-
5 ghanistan may be made available for direct gov-
6 ernment-to-government assistance unless the
7 Secretary of State certifies and reports to the
8 Committees on Appropriations that United
9 States companies and organizations that are
10 implementing United States foreign assistance
11 programs in Afghanistan in a manner con-
12 sistent with United States laws and regulations
13 are not subjected by such government to taxes
14 or other fees in contravention of diplomatic and
15 other agreements between the Governments of
16 the United States and Afghanistan, or to retal-
17 iation for the nonpayment of taxes or fees im-
18 posed in the past: *Provided*, That not later than
19 90 days after enactment of this Act, the Sec-
20 retary of State shall submit to the Committees
21 on Appropriations an assessment of the dollar
22 value of improper taxes or fees levied by such
23 government against such companies and organi-
24 zations in fiscal year 2017.

1 (2) GOALS AND BENCHMARKS.—Not later than
2 90 days after enactment of this Act, the Secretary
3 of State shall submit to the appropriate congressional
4 committees a report describing the goals and
5 benchmarks required in paragraph (1)(B)(i): *Pro-*
6 *vided*, That not later than 6 months after the sub-
7 mission of such report and every 6 months there-
8 after until September 30, 2019, the Secretary of
9 State shall submit a report to such committees on
10 the status of achieving such goals and benchmarks:
11 *Provided further*, That the Secretary of State should
12 suspend assistance for the Government of Afghani-
13 stan if any report required by this paragraph indi-
14 cates that such government is failing to make meas-
15 urable progress in meeting such goals and bench-
16 marks.

17 (3) AUTHORITIES.—

18 (A) Funds appropriated by this Act under
19 title III through VI that are made available for
20 assistance for Afghanistan may be made avail-
21 able—

22 (i) notwithstanding section 7012 of
23 this Act or any similar provision of law
24 and section 660 of the Foreign Assistance
25 Act of 1961;

1 (ii) for reconciliation programs and
2 disarmament, demobilization, and re-
3 integration activities for former combat-
4 ants who have renounced violence against
5 the Government of Afghanistan, in accord-
6 ance with section 7046(a)(2)(B)(ii) of the
7 Department of State, Foreign Operations,
8 and Related Programs Appropriations Act,
9 2012 (division I of Public Law 112–74;
10 125 Stat. 1235); and

11 (iii) for an endowment to empower
12 women and girls.

13 (B) Section 7046(a)(2)(A) of the Depart-
14 ment of State, Foreign Operations, and Related
15 Programs Appropriations Act, 2012 (division I
16 of Public Law 112–74; 125 Stat. 1235) shall
17 apply to funds appropriated by this Act for as-
18 sistance for Afghanistan.

19 (C) Section 1102(c) of the Supplemental
20 Appropriations Act, 2009 (title XI of Public
21 Law 111–32; 123 Stat. 1896) shall continue in
22 effect during fiscal year 2018.

23 (4) BASING RIGHTS AGREEMENT.—None of the
24 funds made available by this Act may be used by the
25 United States Government to enter into a perma-

1 nent basing rights agreement between the United
2 States and Afghanistan.

3 (b) NEPAL.—

4 (1) ASSISTANCE.—Not less than \$121,480,000
5 of the funds appropriated by this Act under the
6 headings “Global Health Programs”, “Economic
7 Support Fund”, “International Narcotics Control
8 and Law Enforcement”, and “Nonproliferation,
9 Anti-terrorism, Demining and Related Programs”
10 shall be made available for assistance for Nepal, in-
11 cluding for earthquake recovery and reconstruction
12 programs.

13 (2) FOREIGN MILITARY FINANCING PRO-
14 GRAM.—Funds appropriated by this Act under the
15 heading “Foreign Military Financing Program”
16 shall only be made available for humanitarian and
17 disaster relief and reconstruction activities in Nepal,
18 and in support of international peacekeeping oper-
19 ations: *Provided*, That such funds may only be made
20 available for any additional uses if the Secretary of
21 State certifies and reports to the Committees on Ap-
22 propriations that the Government of Nepal is inves-
23 tigating and prosecuting violations of human rights
24 and the laws of war, and the Nepal Army is cooper-

1 ating fully with civilian judicial authorities in such
2 cases.

3 (c) PAKISTAN.—

4 (1) CERTIFICATION.—None of the funds appro-
5 priated or otherwise made available by this Act
6 under the headings “Economic Support Fund”,
7 “International Narcotics Control and Law Enforce-
8 ment”, and “Foreign Military Financing Program”
9 for assistance for the Government of Pakistan may
10 be made available unless the Secretary of State cer-
11 tifies and reports to the Committees on Appropria-
12 tions that the Government of Pakistan is—

13 (A) cooperating with the United States in
14 counterterrorism efforts against the Haqqani
15 Network, the Quetta Shura Taliban, Lashkar e-
16 Tayyiba, Jaish-e-Mohammed, Al-Qaeda, and
17 other domestic and foreign terrorist organiza-
18 tions, including taking effective steps to end
19 support for such groups and prevent them from
20 basing and operating in Pakistan and carrying
21 out cross border attacks into neighboring coun-
22 tries;

23 (B) not supporting terrorist activities
24 against United States or coalition forces in Af-
25 ghanistan, and Pakistan’s military and intel-

1 ligence agencies are not intervening extra-judi-
2 cially into political and judicial processes in
3 Pakistan;

4 (C) not financing or otherwise supporting
5 schools supported by, affiliated with, or run by
6 the Taliban or any designated foreign terrorist
7 organization;

8 (D) dismantling improvised explosive de-
9 vice (IED) networks and interdicting precursor
10 chemicals used in the manufacture of IEDs;

11 (E) preventing the proliferation of nuclear-
12 related material and expertise;

13 (F) issuing visas in a timely manner for
14 United States visitors engaged in counterter-
15 rorism efforts and assistance programs in Paki-
16 stan; and

17 (G) providing humanitarian organizations
18 access to detainees, internally displaced per-
19 sons, and other Pakistani civilians affected by
20 the conflict.

21 (2) WAIVER AND REPORTS.—

22 (A) The Secretary of State may waive the
23 certification requirement of paragraph (1) with
24 respect to funds appropriated or otherwise
25 made available by this Act under the headings

1 “Economic Support Fund” and “International
2 Narcotics Control and Law Enforcement” for
3 assistance for the Government of Pakistan if
4 the Secretary determines that to do so is impor-
5 tant to the national security interest of the
6 United States.

7 (B) The Secretary of State may waive the
8 certification requirement of paragraph (1) with
9 respect to 75 percent of the funds appropriated
10 or otherwise made available by this Act under
11 the heading “Foreign Military Financing Pro-
12 gram” for assistance for the Government of
13 Pakistan if the Secretary determines that to do
14 so is important to the national security interest
15 of the United States: *Provided*, That funds
16 withheld by application of this subparagraph
17 shall be withheld from obligation until the Sec-
18 retary submits to the Committees on Appro-
19 priations the certification required by para-
20 graph (1).

21 (C) In exercising the authority of this
22 paragraph, the Secretary of State shall submit
23 a report to the Committees on Appropriations,
24 in classified form if necessary, on the justifica-
25 tion for any waivers in subparagraphs (A) and

(B) and the reasons why any of the requirements of paragraph (1) cannot be met.

(3) ASSISTANCE.—

(A) Funds appropriated by this Act under the heading “Foreign Military Financing Program” for assistance for Pakistan may be made available only to support counterterrorism and counterinsurgency capabilities in Pakistan.

(B) Funds appropriated by this Act under the headings “Economic Support Fund” and “Nonproliferation, Anti-terrorism, Demining and Related Programs” that are available for assistance for Pakistan shall be made available to interdict precursor materials from Pakistan to Afghanistan that are used to manufacture IEDs, including calcium ammonium nitrate; to support programs to train border and customs officials in Pakistan and Afghanistan; and for agricultural extension programs that encourage alternative fertilizer use among Pakistani farmers.

(C) Funds appropriated by this Act under the heading “Economic Support Fund” that are made available for assistance for infrastructure projects in Pakistan shall be implemented in a

1 manner that does not exploit child labor, as de-
2 scribed in section 507(6) of the Trade Act of
3 1974 (19 U.S.C. 2467(6)).

4 (D) Funds appropriated by this Act under
5 titles III and IV for assistance for Pakistan
6 may be made available notwithstanding any
7 other provision of law, except for section 620M
8 of the Foreign Assistance Act of 1961.

9 (E) Of the funds appropriated under titles
10 III and IV of this Act that are made available
11 for assistance for Pakistan, \$33,000,000 shall
12 be withheld from obligation until the Secretary
13 of State reports to the Committees on Appro-
14 priations that Dr. Shakil Afridi has been re-
15 leased from prison and cleared of all charges re-
16 lating to the assistance provided to the United
17 States in locating Osama bin Laden.

18 (4) SCHOLARSHIPS FOR WOMEN.—The author-
19 ity and directives of section 7044(d)(4) of the De-
20 partment of State, Foreign Operations, and Related
21 Programs Appropriations Act, 2015 (division J of
22 Public Law 113–235; 128 Stat. 2654) shall apply to
23 funds appropriated by this Act that are made avail-
24 able for assistance for Pakistan: *Provided*, That
25 prior to the obligation of funds for such purposes,

1 the USAID Administrator shall consult with the
2 Committees on Appropriations.

3 (5) REPORTS.—

4 (A) GOALS AND BENCHMARKS.—

5 (i) IN GENERAL.—The spend plan re-
6 quired by section 7076 of this Act for as-
7 sistance for Pakistan shall include realistic
8 and sustainable goals, benchmarks for
9 measuring progress, and expected results
10 regarding combating poverty and fur-
11 ther development in Pakistan, coun-
12 tering terrorism and extremism, and estab-
13 lishing conditions conducive to the rule of
14 law and transparent and accountable gov-
15 ernance: *Provided*, That not later than 6
16 months after submission of such spend
17 plan, and each 6 months thereafter until
18 September 30, 2019, the Secretary of
19 State shall submit a report to the Commit-
20 tees on Appropriations on the status of
21 achieving the goals and benchmarks in
22 such plan.

23 (ii) SUSPENSION OF ASSISTANCE.—

24 The Secretary of State should suspend as-
25 sistance for the Government of Pakistan if

1 any report required by clause (i) indicates
2 that Pakistan is failing to make measur-
3 able progress in meeting such goals or
4 benchmarks.

5 (B) SIGNIFICANT INFRASTRUCTURE
6 PROJECTS.—Not later than 90 days after enact-
7 ment of this Act, the Secretary of State shall
8 submit a report to the appropriate congres-
9 sional committees detailing the costs and objec-
10 tives associated with significant infrastructure
11 projects supported by the United States in
12 Pakistan, and an assessment of the extent to
13 which such projects achieve such objectives:
14 *Provided*, That such report shall be posted on
15 the Department of State and USAID Web sites.

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

21 (d) SRI LANKA.—

22 (1) BILATERAL ECONOMIC ASSISTANCE.—Of
23 the funds appropriated by this Act under the head-
24 ing “Economic Support Fund”, not less than
25 \$35,000,000 shall be made available for assistance

1 for Sri Lanka for economic development and democ-
2 racy programs, particularly in areas recovering from
3 ethnic and religious conflict: *Provided*, That such
4 funds shall be made available for programs to assist
5 in the identification and resolution of cases of miss-
6 ing persons.

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

13 (A) repealing laws that do not comply with
14 international standards for arrest and deten-
15 tion, and ensuring that any successor legislation
16 meets such standards;

17 (B) increasing accountability and trans-
18 parency in governance;

19 (C) supporting a credible justice mecha-
20 nism in compliance with United Nations
21 Human Rights Council Resolution (A/HCR/30/
22 L.29) of October, 2015;

23 (D) returning land in former conflict zones
24 to former owners or compensating those whose
25 land was confiscated without due process, which

1 is in addition to steps taken during the previous
2 calendar year;

3 (E) establishing a functioning office of
4 missing persons and publishing lists of all per-
5 sons who surrendered to such Government at
6 the end of the war; and

7 (F) redeploying the armed forces out of
8 former conflict zones and restructuring and re-
9 ducing the size of the armed forces.

10 (3) INTERNATIONAL SECURITY ASSISTANCE.—
11 Funds appropriated under title IV of this Act that
12 are available for assistance for Sri Lanka shall be
13 subject to the following conditions—

14 (A) not to exceed \$500,000 under the
15 heading “Foreign Military Financing Program”
16 may only be made available for programs to
17 support humanitarian and disaster response ef-
18 forts; to redeploy out of former conflict zones;
19 and to restructure and reduce the size of the
20 Sri Lankan armed forces; and

21 (B) funds under the heading “Peace-
22 keeping Operations” may only be made avail-
23 able for training and equipment related to
24 international peacekeeping operations.

25 (e) REGIONAL PROGRAMS.—

1 (1) CROSS BORDER PROGRAMS.—Funds appro-
2 priated by this Act under the heading “Economic
3 Support Fund” for assistance for Afghanistan and
4 Pakistan may be provided, notwithstanding any
5 other provision of law that restricts assistance to
6 foreign countries, for cross border stabilization and
7 development programs between Afghanistan and
8 Pakistan, or between either country and the Central
9 Asian countries.

10 (2) SECURITY AND JUSTICE PROGRAMS.—
11 Funds appropriated by this Act that are made avail-
12 able for assistance for Afghanistan and other coun-
13 tries in South and Central Asia shall be made avail-
14 able to accelerate the recruitment and enhance the
15 retention and professionalism of women in the judi-
16 ciary, police, and other security forces.

17 LATIN AMERICA AND THE CARIBBEAN

18 SEC. 7045. (a) CENTRAL AMERICA.—

19 (1) FUNDING.—Subject to the requirements of
20 this subsection, of the funds appropriated under ti-
21 tles III and IV of this Act, \$600,000,000 should be
22 made available for assistance for countries in Cen-
23 tral America to implement the United States Strat-
24 egy for Engagement in Central America: *Provided,*

1 That such funds shall be made available to the max-
2 imum extent practicable on a cost-matching basis.

3 (2) PRE-OBLIGATION REQUIREMENTS.—Prior
4 to the obligation of funds made available pursuant
5 to paragraph (1), the Secretary of State shall submit
6 to the Committees on Appropriations an updated
7 multi-year spend plan as described under this sec-
8 tion in the report accompanying this Act.

9 (3) ASSISTANCE FOR THE CENTRAL GOVERN-
10 MENTS OF EL SALVADOR, GUATEMALA, AND HON-
11 DURAS.—Of the funds made available pursuant to
12 paragraph (1) that are available for assistance for
13 each of the central governments of El Salvador,
14 Guatemala, and Honduras, the following amounts
15 shall be withheld from obligation and may only be
16 made available as follows:

17 (A) 25 percent may only be obligated after
18 the Secretary of State certifies and reports to
19 the appropriate congressional committees that
20 such government is—

21 (i) informing its citizens of the dan-
22 gers of the journey to the southwest border
23 of the United States;

24 (ii) combating human smuggling and
25 trafficking;

1 (iii) improving border security, includ-
2 ing preventing illegal migration, human
3 smuggling and trafficking, and trafficking
4 of illicit drugs and other contraband; and

5 (iv) cooperating with United States
6 Government agencies and other govern-
7 ments in the region to facilitate the return,
8 repatriation, and reintegration of illegal
9 migrants arriving at the southwest border
10 of the United States who do not qualify for
11 asylum, consistent with international law.

12 (B) An additional 50 percent may only be
13 obligated after the Secretary of State certifies
14 and reports to the appropriate congressional
15 committees that such government is—

16 (i) working cooperatively with an au-
17 tonomous, publicly accountable entity to
18 provide oversight of the Plan of the Alli-
19 ance for Prosperity in the Northern Tri-
20 angle in Central America (the Plan);

21 (ii) combating corruption, including
22 investigating and prosecuting current and
23 former government officials credibly al-
24 leged to be corrupt;

1 (iii) implementing reforms, policies,
2 and programs to improve transparency and
3 strengthen public institutions, including in-
4 creasing the capacity and independence of
5 the judiciary and the Office of the Attor-
6 ney General;

7 (iv) implementing a policy to ensure
8 that local communities, civil society organi-
9 zations (including indigenous and other
10 marginalized groups), and local govern-
11 ments are consulted in the design, and
12 participate in the implementation and eval-
13 uation of, activities of the Plan that affect
14 such communities, organizations, and gov-
15 ernments;

16 (v) countering the activities of crimi-
17 nal gangs, drug traffickers, and organized
18 crime, including by enacting and imple-
19 menting effective plea bargaining laws;

20 (vi) investigating and prosecuting in
21 the civilian justice system government per-
22 sonnel, including military and police per-
23 sonnel, who are credibly alleged to have
24 violated human rights, and ensuring that

1 such personnel are cooperating in such
2 cases;

3 (vii) cooperating with commissions
4 against corruption and impunity and with
5 regional human rights entities;

6 (viii) supporting programs to reduce
7 poverty, expand education and vocational
8 training for at-risk youth, create jobs, and
9 promote equitable economic growth par-
10 ticularly in areas contributing to large
11 numbers of migrants;

12 (ix) implementing a plan that includes
13 goals, benchmarks, and timelines to create
14 a professional, accountable civilian police
15 force and end the role of the military in in-
16 ternal policing, and make such plan avail-
17 able to the Department of State;

18 (x) protecting the right of political op-
19 position parties, journalists, trade union-
20 ists, human rights defenders, and other
21 civil society activists to operate without in-
22 terference;

23 (xi) increasing government revenues,
24 including by implementing tax reforms and
25 strengthening customs agencies; and

1 (xii) resolving commercial disputes, in-
2 cluding the confiscation of real property,
3 between United States entities and such
4 government.

5 (4) EXEMPTION.—The conditions specified in
6 subparagraph (3)(B) shall not apply to funds made
7 available for the International Commission against
8 Impunity in Guatemala or the Mission to Support
9 the Fight against Corruption and Impunity in Hon-
10 duras.

11 (5) PERIODIC REVIEW AND REPORT.—

12 (A) PERIODIC REVIEW AND SUSPENSION
13 OF ASSISTANCE.—The Secretary of State shall
14 periodically review the progress of each of the
15 central governments of El Salvador, Guatemala,
16 and Honduras in meeting the requirements of
17 paragraphs (3)(A) and (3)(B): *Provided*, That
18 if the Secretary determines that sufficient
19 progress has not been made by a central gov-
20 ernment, the Secretary shall suspend, in whole
21 or in part, assistance for such government for
22 programs supporting such requirement, and
23 shall notify the appropriate congressional com-
24 mittees in writing of such action: *Provided fur-*
25 *ther*, That the Secretary may resume funding

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

4 (B) REPORT.—The Secretary of State
5 shall, following a change of national government
6 in El Salvador, Guatemala, or Honduras, deter-
7 mine and report to the appropriate congres-
8 sional committees that any new government has
9 committed to take the steps to meet the re-
10 quirements of paragraphs (3)(A) and (3)(B):
11 *Provided*, That if the Secretary is unable to
12 make such a determination in a timely manner,
13 assistance made available under this subsection
14 for such central government shall be suspended,
15 in whole or in part, until such time as such de-
16 termination and report can be made.

17 (6) TRANSFER OF FUNDS.—The Department of
18 State and USAID shall, following consultation with
19 the Committees on Appropriations, transfer funds
20 made available by this Act under the heading “De-
21 velopment Assistance” to the Inter-American Devel-
22 opment Bank and the Inter-American Foundation to
23 support the Strategy.

24 (7) LIMITATION.—None of the funds made
25 available by this subsection for assistance for coun-

1 tries in Central America may be made available for
2 direct government-to-government assistance or for
3 major infrastructure projects.

4 (b) COLOMBIA.—

5 (1) ASSISTANCE.—Of the funds appropriated by
6 this Act under titles III and IV, not less than
7 \$391,253,000 shall be made available for assistance
8 for Colombia, including to support the efforts of the
9 Government of Colombia to—

10 (A) conduct a unified campaign against
11 narcotics trafficking, organizations designated
12 as foreign terrorist organizations pursuant to
13 section 219 of the Immigration and Nationality
14 Act (8 U.S.C. 1189), and other criminal or ille-
15 gal armed groups: *Provided*, That aircraft sup-
16 ported by funds made available by this Act and
17 prior Acts making appropriations for the De-
18 partment of State, foreign operations, and re-
19 lated programs may be used to transport per-
20 sonnel and supplies involved in drug eradication
21 and interdiction, including security for such ac-
22 tivities, and to provide transport in support of
23 alternative development programs and inves-
24 tigations by civilian judicial authorities;

1 (B) enhance security and stability in Co-
2 lombia and the region;

3 (C) strengthen and expand governance, the
4 rule of law, and access to justice throughout
5 Colombia;

6 (D) promote economic and social develop-
7 ment, including by improving access to areas
8 impacted by conflict through demining pro-
9 grams; and

10 (E) implement a peace agreement between
11 the Government of Colombia and illegal armed
12 groups, in accordance with constitutional and
13 legal requirements in Colombia:

14 *Provided*, That such funds shall be subject to prior
15 consultation with, and the regular notification proce-
16 dures of, the Committees on Appropriations.

17 (2) LIMITATION.—None of the funds appro-
18 priated by this Act or prior Acts making appropria-
19 tions for the Department of State, foreign oper-
20 ations, and related programs that are made available
21 for assistance for Colombia may be made available
22 for payment of reparations to conflict victims or
23 compensation to demobilized combatants associated
24 with a peace agreement between the Government of
25 Colombia and illegal armed groups.

1 (3) PRE-OBLIGATION REQUIREMENTS.—Prior
2 to the initial obligation of funds made available pur-
3 suant to paragraph (1), the Secretary of State, in
4 consultation with the USAID Administrator, shall
5 submit to the Committees on Appropriations an up-
6 dated multi-year spend plan as described under sec-
7 tion 7045 in the report accompanying this Act.

8 (4) REFUGEES.—Funds made available by this
9 Act under the heading “Economic Support Fund”
10 for assistance for Colombia shall be apportioned di-
11 rectly to USAID, except that not less than
12 \$7,000,000 of such funds shall be transferred to,
13 and merged with, funds appropriated by this Act
14 under the heading “Migration and Refugee Assist-
15 ance” for assistance for Colombian refugees in
16 neighboring countries.

17 (5) COUNTERNARCOTICS.—Of the funds made
18 available by this Act under the heading “Inter-
19 national Narcotics Control and Law Enforcement”
20 for assistance for Colombia, 20 percent may be obli-
21 gated only in accordance with the conditions set
22 forth under section 7045 in the report accompanying
23 this Act.

24 (6) HUMAN RIGHTS.—Of the funds made avail-
25 able by this Act under the heading “Foreign Mili-

1 tary Financing Program” for assistance for Colom-
2 bia, 20 percent may be obligated only in accordance
3 with the conditions set forth under section 7045 in
4 the report accompanying this Act.

5 (7) EXCEPTIONS.—The limitations of para-
6 graphs (5) and (6) shall not apply to funds made
7 available for aviation instruction and maintenance,
8 and maritime and riverine security programs.

9 (c) CUBA.—

10 (1) Of the funds appropriated by this Act under
11 the heading “Economic Support Fund”,
12 \$15,000,000 shall be made available for democracy
13 programs for Cuba.

14 (2) Of the funds made available under para-
15 graph (1), not less than \$3,000,000 shall be made
16 available to the United States Agency for Inter-
17 national Development to support—

18 (A) free enterprise and private business or-
19 ganizations in Cuba; and

20 (B) people-to-people educational and cul-
21 tural activities.

22 (3) For the purposes of paragraph (2), activi-
23 ties described in such paragraph shall be considered
24 to be democracy programs pursuant to section
25 7032(b) of this Act, except that none of the funds

1 made available under such paragraph may be used
2 for assistance for the Government of Cuba.

3 (4) Funds appropriated under title I of this Act
4 may be made available for—

5 (A) the operation of, and infrastructure
6 and security improvements to, United States
7 diplomatic facilities in Cuba; and

8 (B) costs associated with United States
9 diplomatic personnel in Cuba.

10 (5) Notwithstanding any other provision of law
11 enacted prior to this Act, United States payments to
12 the Inter-American Development Bank (IDB) shall
13 not be withheld if the IDB awards grants for the
14 purpose of hiring consultants and the payment of
15 other costs related to technical assistance to facili-
16 tate transparency, private sector development, and
17 other structural reforms of the Cuban economy: *Pro-*
18 *vided*, That assistance under this paragraph may not
19 exceed \$2,500,000 during fiscal year 2018.

20 (d) HAITI.—

21 (1) CERTIFICATION.—Funds appropriated by
22 this Act under the headings “Development Assist-
23 ance” and “Economic Support Fund” that are made
24 available for assistance for Haiti may not be made
25 available for assistance for the central Government

1 of Haiti unless the Secretary of State certifies and
2 reports to the Committees on Appropriations that
3 such government is—

4 (A) strengthening the rule of law in Haiti,
5 including by—

6 (i) selecting judges in a transparent
7 manner based on merit;

8 (ii) reducing pre-trial detention;

9 (iii) respecting the independence of
10 the judiciary; and

11 (iv) improving governance by imple-
12 menting reforms to increase transparency
13 and accountability, including through the
14 penal and criminal codes;

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

18 (C) increasing government revenues, in-
19 cluding by implementing tax reforms, and in-
20 creasing expenditures on public services; and

21 (D) resolving commercial disputes between
22 United States entities and the Government of
23 Haiti.

24 (2) HAITIAN COAST GUARD.—The Government
25 of Haiti shall be eligible to purchase defense articles

1 and services under the Arms Export Control Act (22
2 U.S.C. 2751 et seq.) for the Coast Guard.

3 (e) VENEZUELA.—Of the funds appropriated by this
4 Act under the heading “Economic Support Fund”, not
5 less than \$15,000,000 shall be made available for pro-
6 grams to promote democracy and the rule of law in Ven-
7 ezuela: *Provided*, That the Bureau of Democracy, Human
8 Rights, and Labor, Department of State, shall administer
9 such funds.

10 EUROPE AND EURASIA

11 SEC. 7046. (a) ASSISTANCE.—

12 (1) GEORGIA.—Of the funds appropriated by
13 this Act under titles III and IV, not less than
14 \$105,325,000 shall be made available for assistance
15 for Georgia.

16 (2) UKRAINE.—Of the funds appropriated by
17 this Act under titles III and IV, not less than
18 \$420,780,000 shall be made available for assistance
19 for Ukraine.

20 (b) LIMITATION.—None of the funds appropriated by
21 this Act may be made available for assistance for a govern-
22 ment of an Independent State of the former Soviet Union
23 if such government directs any action in violation of the
24 territorial integrity or national sovereignty of any other
25 Independent State of the former Soviet Union, such as

1 those violations included in the Helsinki Final Act: *Pro-*
 2 *vided*, That except as otherwise provided in section
 3 7070(a) of this Act, funds may be made available without
 4 regard to the restriction in this subsection if the President
 5 determines that to do so is in the national security interest
 6 of the United States: *Provided further*, That prior to exe-
 7 cuting the authority contained in the previous proviso, the
 8 Secretary of State shall consult with the Committees on
 9 Appropriations on how such assistance supports the na-
 10 tional security interest of the United States.

11 (c) SECTION 907 OF THE FREEDOM SUPPORT
 12 ACT.—Section 907 of the FREEDOM Support Act (22
 13 U.S.C. 5812 note) shall not apply to—

14 (1) activities to support democracy or assist-
 15 ance under title V of the FREEDOM Support Act
 16 (22 U.S.C. 5851 et seq.) and section 1424 of the
 17 Defense Against Weapons of Mass Destruction Act
 18 of 1996 (50 U.S.C. 2333) or non-proliferation as-
 19 sistance;

20 (2) any assistance provided by the Trade and
 21 Development Agency under section 661 of the For-
 22 eign Assistance Act of 1961 (22 U.S.C. 2421);

23 (3) any activity carried out by a member of the
 24 United States and Foreign Commercial Service while
 25 acting within his or her official capacity;

1 (4) any insurance, reinsurance, guarantee, or
2 other assistance provided by the Overseas Private
3 Investment Corporation under title IV of chapter 2
4 of part I of the Foreign Assistance Act of 1961 (22
5 U.S.C. 2191 et seq.);

6 (5) any financing provided under the Export-
7 Import Bank Act of 1945 (Public Law 79–173); or

8 (6) humanitarian assistance.

9 (d) TURKEY.—

10 (1) None of the funds appropriated or otherwise
11 made available under this Act may be used to facili-
12 tate or support the sale of defense articles or serv-
13 ices to the Turkish Presidential Protection Direc-
14 torate under section 4 of the Arms Export Control
15 Act (22 U.S.C. 2754), unless the Secretary of State
16 certifies and reports to the appropriate congressional
17 committees that the Government of Turkey is taking
18 steps to—

19 (A) govern democratically and protect the
20 rights of minorities and women;

21 (B) implement reforms that protect free-
22 doms of expression, association, and assembly,
23 including the ability of civil society organiza-
24 tions, political opposition parties, and the media
25 to function without interference; and

1 (C) release political prisoners and provide
2 detainees with due process of law.

3 (2) Nothing in this subsection shall be con-
4 strued to prevent or limit the use of funds appro-
5 priated or otherwise made available under this Act
6 for border security purposes, or for NATO or coal-
7 ition operations.

8 (e) RESTRICTION ON ENTRY INTO THE UNITED
9 STATES BY TURKISH OFFICIALS.—

10 (1) The Secretary of State shall deny entry into
11 the United States to any senior official of the Gov-
12 ernment of Turkey about whom the Secretary has
13 credible information is knowingly responsible for the
14 wrongful or unlawful prolonged detention of citizens
15 or nationals of the United States.

16 (2) The Secretary shall also identify officials of
17 the Government of Turkey about whom the Sec-
18 retary has such credible information without regard
19 to whether the individual has applied for a visa.

20 (3) Individuals shall not be subject to para-
21 graph (1) if their entry into the United States would
22 further important United States national security or
23 law enforcement objectives or is necessary to permit
24 the United States to fulfill its obligations under the
25 United Nations Headquarters Agreement or other

1 international obligations: *Provided*, That nothing in
2 paragraph (1) may be construed to derogate from
3 United States Government international obligations.

4 (4) The Secretary may waive the application of
5 paragraph (1) if the Secretary determines that the
6 waiver would serve a United States national interest
7 or that the circumstances which caused the indi-
8 vidual to be denied entry have changed sufficiently.

9 (5) Not later than 6 months after the date of
10 the enactment of this Act, the Secretary shall submit
11 a report, including a classified annex if necessary, to
12 the Committees on Appropriations describing the in-
13 formation related to the prolonged detention of
14 United States citizens or nationals described in
15 paragraph (1) and the individuals identified by the
16 Secretary pursuant to paragraph (2), or who would
17 be subject to paragraph (1) but for the application
18 of paragraph (3), and containing a list of any waiv-
19 ers provided under paragraph (4) and the justifica-
20 tion for each waiver.

21 (6) Any unclassified portion of the report re-
22 quired under paragraph (5) shall be posted on the
23 Department of State website.

24 (f) RESTRICTION ON ENTRY INTO THE UNITED
25 STATES BY AZERBAIJANI OFFICIALS.—Section 7031(c) of

1 this Act shall be applied to officials of the Government
 2 of Azerbaijan about whom the Secretary of State has cred-
 3 ible information have been involved in the wrongful impris-
 4 onment of Mehman Aliyev, the director of Turan, Azer-
 5 baijan’s last remaining independent news outlet.

6 (g) MAGNITSKY ACT CONGRESSIONAL REVIEW RE-
 7 QUIREMENT.—Section 216(a)(2)(B)(i) of the Russia
 8 Sanctions Review Act of 2017 (part 1 of subtitle A of title
 9 II of Public Law 115–44) is amended—

10 (1) in subclause (III), by striking “; and” and
 11 inserting a semicolon; and

12 (2) by adding at the end the following new sub-
 13 clause:

14 “(IV) the Sergei Magnitsky Rule
 15 of Law Accountability Act of 2012
 16 (title IV of Public Law 112–208; 22
 17 U.S.C. 5811 note); and”.

18 WAR CRIMES TRIBUNALS

19 SEC. 7047. (a) If the President determines that doing
 20 so will contribute to a just resolution of charges regarding
 21 genocide or other violations of international humanitarian
 22 law, the President may direct a drawdown pursuant to sec-
 23 tion 552(c) of the Foreign Assistance Act of 1961 of up
 24 to \$30,000,000 of commodities and services for the United
 25 Nations War Crimes Tribunal established with regard to

1 the former Yugoslavia by the United Nations Security
2 Council or such other tribunals or commissions as the
3 Council may establish or authorize to deal with such viola-
4 tions, without regard to the ceiling limitation contained
5 in paragraph (2) thereof: *Provided*, That the determina-
6 tion required under this section shall be in lieu of any de-
7 terminations otherwise required under section 552(c): *Pro-*
8 *vided further*, That funds made available pursuant to this
9 section shall be made available subject to the regular noti-
10 fication procedures of the Committees on Appropriations.

11 (b) None of the funds appropriated by this Act may
12 be made available for a United States contribution to the
13 International Criminal Court: *Provided*, That notwith-
14 standing section 705(b) of the Admiral James W. Nance
15 and Meg Donovan Foreign Relations Authorization Act,
16 Fiscal Years 2000 and 2001 (division A of Public Law
17 106–113) and consistent with section 2015 of the Amer-
18 ican Service-Members Protection Act, 2002, as amended,
19 funds may be made available for technical assistance,
20 training, assistance for victims, protection of witnesses,
21 and law enforcement support related to international in-
22 vestigations, apprehensions, prosecutions, and adjudica-
23 tions of genocide, crimes against humanity, and war
24 crimes: *Provided further*, That the previous proviso shall
25 not apply to American service members and other United

1 States citizens or nationals, or to nationals of the North
2 Atlantic Treaty Organization (NATO) or major non-
3 NATO allies initially designated pursuant to section
4 517(b) of the Foreign Assistance Act of 1961.

5 UNITED NATIONS

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

8 (1) RESTRICTIONS.—Of the funds appropriated
9 under title I and under the heading “International
10 Organizations and Programs” in title V of this Act
11 that are available for contributions to the United
12 Nations (including the Department of Peacekeeping
13 Operations), any United Nations agency, or the Or-
14 ganization of American States, 15 percent may not
15 be obligated for such organization, department, or
16 agency until the Secretary of State reports to the
17 Committees on Appropriations that the organization,
18 department, or agency is—

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

(B) effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for—

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

(ii) legal burdens of proof;

(iii) statutes of limitation for reporting retaliation;

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

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

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

(b) RESTRICTIONS ON UNITED NATIONS DELEGATIONS AND ORGANIZATIONS.—

(1) RESTRICTIONS ON UNITED STATES DELEGATIONS.—None of the funds made available by this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or

1 commission of the United Nations if such agency,
2 body, or commission is chaired or presided over by
3 a country, the government of which the Secretary of
4 State has determined, for purposes of section 6(j)(1)
5 of the Export Administration Act of 1979 as contin-
6 ued in effect pursuant to the International Emer-
7 gency Economic Powers Act (50 U.S.C. App.
8 2405(j)(1)), supports international terrorism.

9 (2) RESTRICTIONS ON CONTRIBUTIONS.—None
10 of the funds made available by this Act may be used
11 by the Secretary of State as a contribution to any
12 organization, agency, commission, or program within
13 the United Nations system if such organization,
14 agency, commission, or program is chaired or pre-
15 sided over by a country the government of which the
16 Secretary of State has determined, for purposes of
17 section 620A of the Foreign Assistance Act of 1961,
18 section 40 of the Arms Export Control Act, section
19 6(j)(1) of the Export Administration Act of 1979, or
20 any other provision of law, is a government that has
21 repeatedly provided support for acts of international
22 terrorism.

23 (3) WAIVER.—The Secretary of State may
24 waive the restriction in this subsection if the Sec-
25 retary determines and reports to the Committees on

1 Appropriations that to do so is in the national inter-
2 est of the United States, including a description of
3 the national interest served.

4 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—
5 None of the funds appropriated by this Act may be made
6 available in support of the United Nations Human Rights
7 Council unless the Secretary of State determines and re-
8 ports to the Committees on Appropriations that participa-
9 tion in the Council is important to the national interest
10 of the United States and that the Council is taking signifi-
11 cant steps to remove Israel as a permanent agenda item:
12 *Provided*, That such report shall include a description of
13 the national interest served and the steps taken to remove
14 Israel as a permanent agenda item: *Provided further*, That
15 the Secretary of State shall report to the Committees on
16 Appropriations not later than September 30, 2018, on the
17 resolutions considered in the United Nations Human
18 Rights Council during the previous 12 months, and on
19 steps taken to remove Israel as a permanent agenda item.

20 (d) UNITED NATIONS RELIEF AND WORKS AGEN-
21 CY.—Not later than 45 days after enactment of this Act,
22 the Secretary of State shall submit a report in writing to
23 the Committees on Appropriations on whether the United
24 Nations Relief and Works Agency (UNRWA) is—

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

5 (2) acting promptly to address any staff or ben-
6 eficiary violation of its own policies (including the
7 policies on neutrality and impartiality of employees)
8 and the legal requirements under section 301(c) of
9 the Foreign Assistance Act of 1961;

10 (3) implementing procedures to maintain the
11 neutrality of its facilities, including implementing a
12 no-weapons policy, and conducting regular inspec-
13 tions of its installations, to ensure they are only
14 used for humanitarian or other appropriate pur-
15 poses;

16 (4) taking necessary and appropriate measures
17 to ensure it is operating in compliance with the con-
18 ditions of section 301(c) of the Foreign Assistance
19 Act of 1961 and continuing regular reporting to the
20 Department of State on actions it has taken to en-
21 sure conformance with such conditions;

22 (5) taking steps to ensure the content of all
23 educational materials currently taught in UNRWA-
24 administered schools and summer camps is con-

1 sistent with the values of human rights, dignity, and
2 tolerance and does not induce incitement;

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

7 (7) in compliance with the United Nations
8 Board of Auditors' biennial audit requirements and
9 is implementing in a timely fashion the Board's rec-
10 ommendations.

11 (e) PROHIBITION OF PAYMENTS TO UNITED NA-
12 TIONS MEMBERS.—None of the funds appropriated or
13 made available pursuant to titles III through VI of this
14 Act for carrying out the Foreign Assistance Act of 1961,
15 may be used to pay in whole or in part any assessments,
16 arrearages, or dues of any member of the United Nations
17 or, from funds appropriated by this Act to carry out chap-
18 ter 1 of part I of the Foreign Assistance Act of 1961,
19 the costs for participation of another country's delegation
20 at international conferences held under the auspices of
21 multilateral or international organizations.

22 (f) CAPITAL PROJECTS.—None of the funds made
23 available by this Act may be used for the design, renova-
24 tion, or construction of the United Nations Headquarters
25 in New York.

1 (g) REPORT.—Not later than 45 days after enact-
2 ment of this Act, the Secretary of State shall submit a
3 report to the Committees on Appropriations detailing the
4 amount of funds available for obligation or expenditure in
5 fiscal year 2018 for contributions to any organization, de-
6 partment, agency, or program within the United Nations
7 system or any international program that are withheld
8 from obligation or expenditure due to any provision of law:
9 *Provided*, That the Secretary of State shall update such
10 report each time additional funds are withheld by oper-
11 ation of any provision of law: *Provided further*, That the
12 reprogramming of any withheld funds identified in such
13 report, including updates thereof, shall be subject to prior
14 consultation with, and the regular notification procedures
15 of, the Committees on Appropriations.

16 (h) SEXUAL EXPLOITATION AND ABUSE IN PEACE-
17 KEEPING OPERATIONS.—

18 (1) IN GENERAL.—Funds appropriated by this
19 Act shall be made available to implement section
20 301 of the Department of State Authorities Act,
21 Fiscal Year 2017 (Public Law 114–323).

22 (2) WITHHOLDING OF FUNDS.—The Secretary
23 of State shall withhold assistance to any unit of the
24 security forces of a foreign country if the Secretary
25 has credible information that such unit has engaged

1 in sexual exploitation or abuse, including while serv-
2 ing in a United Nations peacekeeping operation,
3 until the Secretary determines that the government
4 of such country is taking effective steps to bring the
5 responsible members of such unit to justice and to
6 prevent future incidents: *Provided*, That the Sec-
7 retary shall promptly notify the government of each
8 country subject to any withholding of assistance pur-
9 suant to this paragraph, and shall notify the appro-
10 priate congressional committees of such withholding
11 not later than 10 days after a determination to with-
12 hold such assistance is made: *Provided further*, That
13 the Secretary shall, to the maximum extent prac-
14 ticable, assist such government in bringing the re-
15 sponsible members of such unit to justice.

16 (3) The Secretary of State may waive the re-
17 quirements of paragraph (2), if the Secretary deter-
18 mines and reports to the Committees on Appropria-
19 tions that it is important to the national security in-
20 terest of the United States to do so, and includes a
21 justification for such a waiver.

22 (i) ADDITIONAL AVAILABILITY.—Funds appropriated
23 under title I of this Act which are returned or not made
24 available due to the implementation of subsection (a) or
25 the second proviso under the heading “Contributions for

1 International Peacekeeping Activities” of such title shall
2 remain available for obligation until September 30, 2019.

3 (j) NATIONAL SECURITY INTEREST WITH-
4 HOLDING.—

5 (1) WITHHOLDING.—The Secretary of State
6 shall withhold 5 percent of the funds appropriated
7 by this Act under the heading “Contributions to
8 International Organizations” for a specialized agen-
9 cy or other entity of the United Nations if the Sec-
10 retary, in consultation with the United States Am-
11 bassador to the United Nations, determines and re-
12 ports to the Committees on Appropriations that such
13 agency or entity has taken an official action that is
14 against the national security interest of the United
15 States or an ally of the United States, including
16 Israel.

17 (2) RELEASE OF FUNDS.—The Secretary of
18 State, in consultation with the United States Am-
19 bassador to the United Nations, may release funds
20 withheld pursuant to paragraph (1) if the Secretary
21 determines and reports to the Committees on Appro-
22 priations that such agency or entity is taking steps
23 to address the action that resulted in the with-
24 holding of such funds.

1 (3) REPROGRAMMING.—Should the Secretary of
2 State be unable to make a determination pursuant
3 to paragraph (2) regarding the release of withheld
4 funds, such funds may be reprogrammed for other
5 purposes under the heading “Contributions to Inter-
6 national Organizations”.

7 COMMUNITY-BASED POLICE ASSISTANCE

8 SEC. 7049. Funds made available by titles III and
9 IV of this Act to carry out the provisions of chapter 1
10 of part I and chapters 4 and 6 of part II of the Foreign
11 Assistance Act of 1961, may be used, notwithstanding sec-
12 tion 660 of that Act, to enhance the effectiveness and ac-
13 countability of civilian police authority through training
14 and technical assistance in human rights, the rule of law,
15 anti-corruption, strategic planning, and through assist-
16 ance to foster civilian police roles that support democratic
17 governance, including assistance for programs to prevent
18 conflict, respond to disasters, address gender-based vio-
19 lence, and foster improved police relations with the com-
20 munities they serve.

21 PROHIBITION ON PUBLICITY OR PROPAGANDA

22 SEC. 7050. No part of any appropriation contained
23 in this Act shall be used for publicity or propaganda pur-
24 poses within the United States not authorized before the
25 date of the enactment of this Act by Congress: *Provided,*

1 That not to exceed \$25,000 may be made available to
 2 carry out the provisions of section 316 of the International
 3 Security and Development Cooperation Act of 1980 (Pub-
 4 lic Law 96–533; 22 U.S.C. 2151a note).

5 INTERNATIONAL CONFERENCES

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

20 AIRCRAFT TRANSFER, COORDINATION, AND USE

21 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-
 22 standing any other provision of law or regulation, aircraft
 23 procured with funds appropriated by this Act and prior
 24 Acts making appropriations for the Department of State,
 25 foreign operations, and related programs under the head-

ings “Diplomatic and Consular Programs”, “International Narcotics Control and Law Enforcement”, “Andean Counterdrug Initiative”, and “Andean Counterdrug Programs” may be used for any other program and in any region: *Provided*, That the responsibility for policy decisions and justification for the use of such transfer authority shall be the responsibility of the Secretary of State and the Deputy Secretary of State and this responsibility shall not be delegated.

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

(c) AIRCRAFT COORDINATION.—

(1) AUTHORITY.—The uses of aircraft purchased or leased by the Department of State and the United States Agency for International Development with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be coordinated under the authority of the appropriate

1 Chief of Mission: *Provided*, That such aircraft may
2 be used to transport, on a reimbursable or non-reim-
3 bursable basis, Federal and non-Federal personnel
4 supporting Department of State and USAID pro-
5 grams and activities: *Provided further*, That official
6 travel for other agencies for other purposes may be
7 supported on a reimbursable basis, or without reim-
8 bursement when traveling on a space available basis:
9 *Provided further*, That funds received by the Depart-
10 ment of State in connection with the use of aircraft
11 owned, leased, or chartered by the Department of
12 State may be credited to the Working Capital Fund
13 of the Department and shall be available for ex-
14 penses related to the purchase, lease, maintenance,
15 chartering, or operation of such aircraft.

16 (2) SCOPE.—The requirement and authorities
17 of this subsection shall only apply to aircraft, the
18 primary purpose of which is the transportation of
19 personnel.

20 (d) AIRCRAFT OPERATIONS AND MAINTENANCE.—
21 To the maximum extent practicable, the costs of oper-
22 ations and maintenance, including fuel, of aircraft funded
23 by this Act shall be borne by the recipient country.

10 LANDMINES AND CLUSTER MUNITIONS

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

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1 unexploded ordnance across the range of intended
2 operational environments, and the agreement appli-
3 cable to the assistance, transfer, or sale of such clus-
4 ter munitions or cluster munitions technology speci-
5 fies that the cluster munitions will only be used
6 against clearly defined military targets and will not
7 be used where civilians are known to be present or
8 in areas normally inhabited by civilians; or

9 (2) such assistance, license, sale, or transfer is
10 for the purpose of demilitarizing or permanently dis-
11 posing of such cluster munitions.

12 CONTINUOUS SUPERVISION AND GENERAL DIRECTION OF
13 ECONOMIC AND MILITARY ASSISTANCE

14 SEC. 7055. (a) Under the direction of the President,
15 the Secretary of State shall be responsible for the contin-
16 uous supervision and general direction of economic assist-
17 ance, law enforcement and justice sector assistance, mili-
18 tary assistance, and military education and training pro-
19 grams, including determining whether there shall be a
20 military assistance (including civic action) or a military
21 education and training program for a country and the
22 value thereof, to the end that such programs are effec-
23 tively integrated both at home and abroad and the foreign
24 policy of the United States is best served thereby.

1 (b) Consistent with section 481(b) of the Foreign As-
 2 sistance Act of 1961, the Secretary of State shall be re-
 3 sponsible for coordinating all assistance provided by the
 4 United States Government to support international efforts
 5 to combat illicit narcotics production or trafficking: *Pro-*
 6 *vided*, That the provision of assistance by the Department
 7 of Defense which is comparable to assistance that may be
 8 made available by this Act under the heading “Inter-
 9 national Narcotics Control and Law Enforcement” shall
 10 be provided in a manner consistent with the requirements
 11 of section 333(b) of title 10, United States Code, as added
 12 by section 1241 of the National Defense Authorization Act
 13 for Fiscal Year 2017 (Public Law 114–328).

14 INTERNATIONAL FAMILY PLANNING AND REPRODUCTIVE
 15 HEALTH

16 SEC. 7056. (a) ASSISTANCE FOR FOREIGN NON-
 17 GOVERNMENTAL ORGANIZATIONS.—The Foreign Assist-
 18 ance Act of 1961 (22 U.S.C. 2151 et seq.) is amended
 19 by inserting after section 104C the following:

20 **“SEC. 104D. ELIGIBILITY FOR ASSISTANCE.**

21 “Notwithstanding any other provision of law, regula-
 22 tion, or policy, in determining eligibility for assistance au-
 23 thorized under sections 104, 104A, 104B, and 104C, a
 24 foreign nongovernmental organization—

1 “(1) shall not be ineligible for such assistance
2 solely on the basis of health or medical services, in-
3 cluding counseling and referral services, provided by
4 such organization with non-United States Govern-
5 ment funds if such services—

6 “(A) are permitted in the country in which
7 they are being provided; and

8 “(B) would not violate United States law if
9 provided in the United States; and

10 “(2) shall not be subject to requirements relat-
11 ing to the use of non-United States Government
12 funds for advocacy and lobbying activities other than
13 those that apply to United States nongovernmental
14 organizations receiving assistance under this part.”.

15 (b) UNITED NATIONS POPULATION FUND.—

16 (1) CONTRIBUTION.—Of the funds appropriated
17 by this Act under the heading “International Orga-
18 nizations and Programs”, not less than \$37,500,000
19 shall be made available for the United Nations Pop-
20 ulation Fund (referred to in this subsection as
21 “UNFPA”).

22 (2) AVAILABILITY OF FUNDS.—Funds appro-
23 priated for UNFPA under this Act that are not
24 made available for UNFPA because of the operation
25 of any provision of law—

1 (A) shall be transferred to, and merged
 2 with, funds appropriated under the heading
 3 “Global Health Programs”; and

4 (B) shall be made available for family
 5 planning, maternal, and reproductive health ac-
 6 tivities, subject to the regular notification pro-
 7 cedures of the Committees on Appropriations.

8 (3) PROHIBITION ON USE OF FUNDS IN
 9 CHINA.—None of the funds made available under
 10 this Act may be used by UNFPA for a country pro-
 11 gram in the People’s Republic of China.

12 (4) CONDITIONS ON AVAILABILITY OF
 13 FUNDS.—Funds made available under this Act for
 14 UNFPA may not be made available unless—

15 (A) UNFPA maintains funds received
 16 under this Act in an account separate from
 17 other UNFPA accounts and does not com-
 18 mingle such funds with other funds; and

19 (B) UNFPA does not fund abortions.

20 UNITED STATES AGENCY FOR INTERNATIONAL
 21 DEVELOPMENT MANAGEMENT

22 SEC. 7057. (a) AUTHORITY.—Up to \$93,000,000 of
 23 the funds made available in title III of this Act pursuant
 24 to or to carry out the provisions of part I of the Foreign
 25 Assistance Act of 1961, including funds appropriated

1 under the heading “Assistance for Europe, Eurasia and
2 Central Asia”, may be used by the United States Agency
3 for International Development to hire and employ individ-
4 uals in the United States and overseas on a limited ap-
5 pointment basis pursuant to the authority of sections 308
6 and 309 of the Foreign Service Act of 1980 (22 U.S.C.
7 3948 and 3949).

8 (b) RESTRICTIONS.—

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

12 (2) The authority to hire individuals contained
13 in subsection (a) shall expire on September 30,
14 2019.

15 (c) CONDITIONS.—The authority of subsection (a)
16 should only be used to the extent that an equivalent num-
17 ber of positions that are filled by personal services contrac-
18 tors or other non-direct hire employees of USAID, who
19 are compensated with funds appropriated to carry out part
20 I of the Foreign Assistance Act of 1961, including funds
21 appropriated under the heading “Assistance for Europe,
22 Eurasia and Central Asia”, are eliminated.

23 (d) PROGRAM ACCOUNT CHARGED.—The account
24 charged for the cost of an individual hired and employed
25 under the authority of this section shall be the account

1 to which the responsibilities of such individual primarily
2 relate: *Provided*, That funds made available to carry out
3 this section may be transferred to, and merged with, funds
4 appropriated by this Act in title II under the heading “Op-
5 erating Expenses”.

6 (e) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-
7 viduals hired and employed by USAID, with funds made
8 available in this Act or prior Acts making appropriations
9 for the Department of State, foreign operations, and re-
10 lated programs, pursuant to the authority of section 309
11 of the Foreign Service Act of 1980 (22 U.S.C. 3948), may
12 be extended for a period of up to 4 years notwithstanding
13 the limitation set forth in such section.

14 (f) DISASTER SURGE CAPACITY.—Funds appro-
15 priated under title III of this Act to carry out part I of
16 the Foreign Assistance Act of 1961, including funds ap-
17 propriated under the heading “Assistance for Europe,
18 Eurasia and Central Asia”, may be used, in addition to
19 funds otherwise available for such purposes, for the cost
20 (including the support costs) of individuals detailed to or
21 employed by USAID whose primary responsibility is to
22 carry out programs in response to natural disasters, or
23 man-made disasters subject to the regular notification
24 procedures of the Committees on Appropriations.

1 (g) PERSONAL SERVICES CONTRACTORS.—Funds ap-
2 propriated by this Act to carry out chapter 1 of part I,
3 chapter 4 of part II, and section 667 of the Foreign As-
4 sistance Act of 1961, and title II of the Food for Peace
5 Act (7 U.S.C. 1721 et seq.), may be used by USAID to
6 employ up to 40 personal services contractors in the
7 United States, notwithstanding any other provision of law,
8 for the purpose of providing direct, interim support for
9 new or expanded overseas programs and activities man-
10 aged by the agency until permanent direct hire personnel
11 are hired and trained: *Provided*, That not more than 15
12 of such contractors shall be assigned to any bureau or of-
13 fice: *Provided further*, That such funds appropriated to
14 carry out title II of the Food for Peace Act (7 U.S.C.
15 1721 et seq.), may be made available only for personal
16 services contractors assigned to the Office of Food for
17 Peace.

18 (h) SMALL BUSINESS.—In entering into multiple
19 award indefinite-quantity contracts with funds appro-
20 priated by this Act, USAID may provide an exception to
21 the fair opportunity process for placing task orders under
22 such contracts when the order is placed with any category
23 of small or small disadvantaged business.

24 (i) SENIOR FOREIGN SERVICE LIMITED APPOINT-
25 MENTS.—Individuals hired pursuant to the authority pro-

1 vided by section 7059(o) of the Department of State, For-
 2 eign Operations, and Related Programs Appropriations
 3 Act, 2011 (division F of Public Law 111–117; 123 Stat.
 4 3382) may be assigned to or support programs in Afghani-
 5 stan or Pakistan with funds made available in this Act
 6 and prior Acts making appropriations for the Department
 7 of State, foreign operations, and related programs.

8 GLOBAL HEALTH ACTIVITIES

9 SEC. 7058. (a) IN GENERAL.—Funds appropriated
 10 by titles III and IV of this Act that are made available
 11 for global health programs including activities relating to
 12 research on, and the prevention, treatment and control of,
 13 HIV/AIDS may be made available notwithstanding any
 14 other provision of law except for provisions under the
 15 heading “Global Health Programs” and the United States
 16 Leadership Against HIV/AIDS, Tuberculosis, and Malaria
 17 Act of 2003 (22 U.S.C. 7601 et seq.): *Provided*, That of
 18 the funds appropriated under title III of this Act, not less
 19 than \$585,000,000 shall be made available for family
 20 planning and reproductive health activities, including in
 21 areas where population growth threatens biodiversity and
 22 endangered species.

23 (b) GLOBAL FUND.—Of the funds appropriated by
 24 this Act that are available for a contribution to the Global
 25 Fund to Fight AIDS, Tuberculosis and Malaria (Global

1 Fund), 10 percent should be withheld from obligation until
2 the Secretary of State determines and reports to the Com-
3 mittees on Appropriations that the Global Fund is—

4 (1) maintaining and implementing a policy of
5 transparency, including the authority of the Global
6 Fund Office of the Inspector General (OIG) to pub-
7 lish OIG reports on a public Web site;

8 (2) providing sufficient resources to maintain
9 an independent OIG that—

10 (A) reports directly to the Board of the
11 Global Fund;

12 (B) maintains a mandate to conduct thor-
13 ough investigations and programmatic audits,
14 free from undue interference; and

15 (C) compiles regular, publicly published
16 audits and investigations of financial, pro-
17 grammatic, and reporting aspects of the Global
18 Fund, its grantees, recipients, sub-recipients,
19 and Local Fund Agents;

20 (3) effectively implementing and enforcing poli-
21 cies and procedures which reflect best practices for
22 the protection of whistleblowers from retaliation, in-
23 cluding best practices for—

24 (A) protection against retaliation for inter-
25 nal and lawful public disclosures;

1 (B) legal burdens of proof;

2 (C) statutes of limitation for reporting re-
3 tiation;

4 (D) access to independent adjudicative
5 bodies, including external arbitration; and

6 (E) results that eliminate the effects of
7 proven retaliation; and

8 (4) implementing the recommendations con-
9 tained in the Consolidated Transformation Plan ap-
10 proved by the Board of the Global Fund on Novem-
11 ber 21, 2011:

12 *Provided*, That such withholding shall not be in addition
13 to funds that are withheld from the Global Fund in fiscal
14 year 2018 pursuant to the application of any other provi-
15 sion contained in this or any other Act.

16 (c) CONTAGIOUS INFECTIOUS DISEASE OUT-
17 BREAKS.—

18 (1) UNANTICIPATED AND EMERGING HEALTH
19 THREATS.—Of the unobligated balances available
20 under the heading “Bilateral Economic Assistance”
21 in title IX of the Department of State, Foreign Op-
22 erations, and Related Programs Appropriations Act,
23 2015 (division J of Public Law 113–235; 128 Stat.
24 2584)—

1 (A) \$130,000,000 shall be available for
2 programs to prevent, prepare for, and respond
3 to unanticipated and emerging health threats
4 only if the Secretary of State determines and
5 reports to the Committees on Appropriations
6 that it is in the national interest to respond to
7 such threats;

8 (B) \$100,000,000 shall be available for
9 programs to combat malaria; and

10 (C) \$20,000,000 shall be available for pro-
11 grams to combat tuberculosis:

12 *Provided*, That amounts repurposed under this para-
13 graph are designated by the Congress as an emer-
14 gency requirement pursuant to section
15 251(b)(2)(A)(i) of the Balanced Budget and Emer-
16 gency Deficit Control Act of 1985 and shall be avail-
17 able only if the President subsequently so designates
18 all such amounts and transmits such designations to
19 the Congress.

20 (2) EXTRAORDINARY MEASURES.—If the Sec-
21 retary of State determines and reports to the Com-
22 mittees on Appropriations that an international in-
23 fectionous disease outbreak is sustained, severe, and is
24 spreading internationally, or that it is in the na-
25 tional interest to respond to a Public Health Emer-

1 agency of International Concern, funds appropriated
 2 by this Act under the headings “Global Health Pro-
 3 grams”, “Development Assistance”, “International
 4 Disaster Assistance”, “Complex Crises Fund”,
 5 “Economic Support Fund”, “Democracy Fund”,
 6 “Assistance for Europe, Eurasia and Central Asia”,
 7 “Migration and Refugee Assistance”, and “Millen-
 8 nium Challenge Corporation” may be made available
 9 to combat such infectious disease or public health
 10 emergency, and may be transferred to, and merged
 11 with, funds appropriated under such headings for
 12 the purposes of this paragraph.

13 (3) CONSULTATION AND NOTIFICATION.—
 14 Funds made available by this subsection shall be
 15 subject to prior consultation with, and the regular
 16 notification procedures of, the Committees on Ap-
 17 propriations.

18 GENDER EQUALITY

19 SEC. 7059. (a) GENDER EQUALITY.—Funds appro-
 20 priated by this Act shall be made available to promote gen-
 21 der equality in United States Government diplomatic and
 22 development efforts by raising the status, increasing the
 23 participation, and protecting the rights of women and girls
 24 worldwide.

1 (b) WOMEN’S LEADERSHIP.—Of the funds appro-
2 priated by title III of this Act, not less than \$50,000,000
3 shall be made available to increase leadership opportuni-
4 ties for women in countries where women and girls suffer
5 discrimination due to law, policy, or practice, by strength-
6 ening protections for women’s political status, expanding
7 women’s participation in political parties and elections,
8 and increasing women’s opportunities for leadership posi-
9 tions in the public and private sectors at the local, provin-
10 cial, and national levels.

11 (c) GENDER-BASED VIOLENCE.—

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

18 (B) Funds appropriated by titles III and IV of
19 this Act that are available to train foreign police, ju-
20 dicial, and military personnel, including for inter-
21 national peacekeeping operations, shall address,
22 where appropriate, prevention and response to gen-
23 der-based violence and trafficking in persons, and
24 shall promote the integration of women into the po-
25 lice and other security forces.

1 (2) Department of State and United States
2 Agency for International Development gender pro-
3 grams shall incorporate coordinated efforts to com-
4 bat a variety of forms of gender-based violence, in-
5 cluding child marriage, rape, female genital cutting
6 and mutilation, and domestic violence, among other
7 forms of gender-based violence in conflict and non-
8 conflict settings.

9 (d) WOMEN, PEACE, AND SECURITY.—Funds appro-
10 priated by this Act under the headings “Development As-
11 sistance”, “Economic Support Fund”, “Assistance for Eu-
12 rope, Eurasia and Central Asia”, and “International Nar-
13 cotics Control and Law Enforcement” should be made
14 available to support a multi-year strategy to expand, and
15 improve coordination of, United States Government ef-
16 forts to empower women as equal partners in conflict pre-
17 vention, peace building, transitional processes, and recon-
18 struction efforts in countries affected by conflict or in po-
19 litical transition, and to ensure the equitable provision of
20 relief and recovery assistance to women and girls.

21 (e) WOMEN AND GIRLS AT RISK FROM EXTRE-
22 MISM.—

23 (1) ASSISTANCE.—Of the funds appropriated by
24 this Act under the heading “Economic Support
25 Fund”, not less than \$19,000,000 shall be made

1 available to support women and girls who are at risk
2 from extremism and conflict, and for activities to—

3 (A) empower women and girls to counter
4 extremism;

5 (B) address the needs of women and girls
6 adversely impacted by extremism and conflict;

7 (C) document crimes committed by extrem-
8 ists against women and girls, and support in-
9 vestigations and prosecutions of such crimes, as
10 appropriate;

11 (D) increase the participation and influ-
12 ence of women in formal and informal political
13 processes and institutions at the local level and
14 within traditional governing structures;

15 (E) support reconciliation programs be-
16 tween impacted minority, religious, and ethnic
17 groups and the broader community;

18 (F) develop and implement legal reforms
19 and protections for women and girls at the na-
20 tional and local government levels; and

21 (G) create and sustain networks for women
22 and girls to collectively safeguard their rights
23 on a regional basis.

24 (2) CLARIFICATION AND NOTIFICATION.—

25 Funds made available pursuant to paragraph (1)—

1 (A) are in addition to amounts otherwise
2 available by this Act for such purposes; and

3 (B) shall be made available following con-
4 sultation with, and subject to the regular notifi-
5 cation procedures of, the Committees on Appro-
6 priations.

7 (f) COORDINATION.—Funds made available for the
8 purposes of this section shall be administered in coordina-
9 tion with the Ambassador-at-Large for Global Women’s
10 Issues, Department of State, and the Senior Coordinator
11 for Gender Equality and Women’s Empowerment,
12 USAID.

13 SECTOR ALLOCATIONS

14 SEC. 7060. (a) BASIC EDUCATION AND HIGHER
15 EDUCATION.—

16 (1) BASIC EDUCATION.—

17 (A) Of the funds appropriated under title
18 III of this Act, up to \$500,000,000 may be
19 made available for assistance for basic edu-
20 cation, notwithstanding any other provision of
21 law that restricts assistance to foreign coun-
22 tries: *Provided*, That such funds may also be
23 used for secondary education activities: *Pro-*
24 *vided further*, That the USAID Administrator,
25 following consultation with the Committees on

1 Appropriations, may reprogram such funds be-
2 tween countries.

3 (B) If the USAID Administrator deter-
4 mines that any unobligated balances of funds
5 specifically designated for assistance for basic
6 education in prior Acts making appropriations
7 for the Department of State, foreign operations,
8 and related programs are in excess of the ab-
9 sorptive capacity of recipient countries, such
10 funds may be made available for other pro-
11 grams authorized under chapter 1 of part I of
12 the Foreign Assistance Act of 1961, notwith-
13 standing such funding designation: *Provided*,
14 That the authority of the previous proviso shall
15 be subject to prior consultation with, and the
16 regular notification procedures of, the Commit-
17 tees on Appropriations.

18 (C) Of the funds appropriated under title
19 III of this Act for assistance for basic education
20 programs, not less than \$75,000,000 should be
21 made available for a contribution to multilateral
22 partnerships that support education.

23 (2) HIGHER EDUCATION.—Of the funds appro-
24 priated by title III of this Act, not less than
25 \$235,000,000 shall be made available for assistance

1 for higher education, including not less than
2 \$35,000,000 for new and ongoing partnerships for
3 human and institutional capacity building between
4 higher education institutions in the United States
5 and developing countries: *Provided*, That such funds
6 may be made available notwithstanding any other
7 provision of law that restricts assistance to foreign
8 countries, and shall be subject to the regular notifi-
9 cation procedures of the Committees on Appropria-
10 tions.

11 (b) DEVELOPMENT PROGRAMS.—Of the funds appro-
12 priated by this Act under the heading “Development As-
13 sistance”, not less than \$26,000,000 shall be made avail-
14 able for the American Schools and Hospitals Abroad pro-
15 gram, and not less than \$12,000,000 shall be made avail-
16 able for cooperative development programs of USAID.

17 (c) ENVIRONMENT PROGRAMS.—

18 (1) AUTHORITY AND NOTIFICATION.—

19 (A) Funds appropriated by this Act to
20 carry out the provisions of sections 103 through
21 106, and chapter 4 of part II, of the Foreign
22 Assistance Act of 1961 may be used, notwith-
23 standing any other provision of law, except for
24 the provisions of this subsection, to support en-
25 vironment programs.

1 (B) Funds made available pursuant to this
2 subsection shall be subject to the regular notifi-
3 cation procedures of the Committees on Appro-
4 priations.

5 (2) CONSERVATION PROGRAMS AND LIMITA-
6 TIONS.—

7 (A) Of the funds appropriated under title
8 III of this Act, not less than \$269,000,000
9 shall be made available for biodiversity con-
10 servation programs.

11 (B) Not less than \$90,664,000 of the
12 funds appropriated under titles III and IV of
13 this Act shall be made available to combat the
14 transnational threat of wildlife poaching and
15 trafficking.

16 (C) None of the funds appropriated under
17 title IV of this Act may be made available for
18 training or other assistance for any military
19 unit or personnel that the Secretary of State
20 determines has been credibly alleged to have
21 participated in wildlife poaching or trafficking,
22 unless the Secretary reports to the Committees
23 on Appropriations that to do so is in the na-
24 tional security interest of the United States.

1 (D) Funds appropriated by this Act for
2 biodiversity programs shall not be used to sup-
3 port the expansion of industrial scale logging or
4 any other industrial scale extractive activity
5 into areas that were primary/intact tropical for-
6 ests as of December 30, 2013, and the Sec-
7 retary of the Treasury shall instruct the United
8 States executive directors of each international
9 financial institutions (IFI) to vote against any
10 financing of any such activity.

11 (3) LARGE DAMS.—The Secretary of the Treas-
12 ury shall instruct the United States executive direc-
13 tor of each IFI that it is the policy of the United
14 States to vote in relation to any loan, grant, strat-
15 egy, or policy of such institution to support the con-
16 struction of any large dam consistent with the cri-
17 teria set forth in Senate Report 114–79, while also
18 considering whether the project involves important
19 foreign policy objectives.

20 (4) SUSTAINABLE LANDSCAPES.—Of the funds
21 appropriated under title III of this Act, not less than
22 \$123,500,000 shall be made available for sustainable
23 landscapes programs.

24 (d) FOOD SECURITY AND AGRICULTURAL DEVELOP-
25 MENT.—Of the funds appropriated by title III of this Act,

1 not less than \$1,000,600,000 shall be made available to
2 carry out the provisions of the Global Food Security Act
3 of 2016 (Public Law 114–195), of which: not less than
4 \$315,960,000 shall be made available for the Bureau for
5 Food Security, USAID, including not less than
6 \$80,000,000 for the Community Development Fund; and
7 not less than \$50,000,000 shall be made available for the
8 Feed the Future Innovation Labs: *Provided*, That funds
9 may be made available for a contribution as authorized
10 by section 3202 of the Food, Conservation, and Energy
11 Act of 2008 (Public Law 110–246), as amended by section
12 3206 of the Agricultural Act of 2014 (Public Law 113–
13 79).

14 (e) MICROENTERPRISE AND MICROFINANCE.—Of the
15 funds appropriated by this Act, not less than
16 \$265,000,000 should be made available for microenter-
17 prise and microfinance development programs for the
18 poor, especially women.

19 (f) PROGRAMS TO COMBAT TRAFFICKING IN PER-
20 SONS.—Of the funds appropriated by this Act under the
21 headings “Development Assistance”, “Economic Support
22 Fund”, “Assistance for Europe, Eurasia and Central
23 Asia”, and “International Narcotics Control and Law En-
24 forcement”, not less than \$65,000,000 shall be made
25 available for activities to combat trafficking in persons

1 internationally, of which not less than \$40,000,000 shall
2 be from funds made available under the heading “Inter-
3 national Narcotics Control and Law Enforcement”: *Pro-*
4 *vided*, That not later than 120 days after enactment of
5 this Act, the Secretary of State shall submit an update
6 to the report required pursuant to section 7060(f)(1) of
7 the Department of State, Foreign Operations, and Related
8 Programs Appropriations Act, 2017 (division J of Public
9 Law 115–31).

10 (g) RECONCILIATION PROGRAMS.—Of the funds ap-
11 propriated by this Act under the headings “Economic
12 Support Fund”, “Assistance for Europe, Eurasia and
13 Central Asia”, and “Development Assistance”, not less
14 than \$26,000,000 shall be made available to support peo-
15 ple-to-people reconciliation programs which bring together
16 individuals of different ethnic, religious, and political
17 backgrounds from areas of civil strife and war: *Provided*,
18 That the USAID Administrator shall consult with the
19 Committees on Appropriations, prior to the initial obliga-
20 tion of funds, on the uses of such funds, and such funds
21 shall be subject to the regular notification procedures of
22 the Committees on Appropriations: *Provided further*, That
23 to the maximum extent practicable, such funds shall be
24 matched by sources other than the United States Govern-
25 ment: *Provided further*, That such funds shall be adminis-

1 tered by the Office of Conflict Management and Mitigation,
2 USAID.

3 (h) WATER AND SANITATION.—Of the funds appro-
4 priated by this Act, not less than \$400,000,000 shall be
5 made available for water supply and sanitation projects
6 pursuant to the Senator Paul Simon Water for the Poor
7 Act of 2005 (Public Law 109–121), of which not less than
8 \$145,000,000 shall be for programs in sub-Saharan Afri-
9 ca, and of which not less than \$15,000,000 shall be made
10 available to support initiatives by local communities in Af-
11 rica and Asia to build and maintain safe, public latrines,
12 which shall be in addition to any other funds made avail-
13 able by this Act for such purpose.

14 OVERSEAS PRIVATE INVESTMENT CORPORATION

15 SEC. 7061. (a) TRANSFER OF FUNDS.—Whenever
16 the President determines that it is in furtherance of the
17 purposes of the Foreign Assistance Act of 1961, up to a
18 total of \$20,000,000 of the funds appropriated under title
19 III of this Act may be transferred to, and merged with,
20 funds appropriated by this Act for the Overseas Private
21 Investment Corporation Program Account, to be subject
22 to the terms and conditions of that account: *Provided*,
23 That such funds shall not be available for administrative
24 expenses of the Overseas Private Investment Corporation:
25 *Provided further*, That designated funding levels in this

1 Act shall not be transferred pursuant to this section: *Pro-*
 2 *vided further*, That the exercise of such authority shall be
 3 subject to the regular notification procedures of the Com-
 4 mittees on Appropriations.

5 (b) AUTHORITY.—Notwithstanding section 235(a)(2)
 6 of the Foreign Assistance Act of 1961, the authority of
 7 subsections (a) through (c) of section 234 of such Act
 8 shall remain in effect until September 30, 2018.

9 ARMS TRADE TREATY

10 SEC. 7062. None of the funds appropriated by this
 11 Act may be obligated or expended to implement the Arms
 12 Trade Treaty until the Senate approves a resolution of
 13 ratification for the Treaty.

14 INSPECTORS GENERAL

15 SEC. 7063. (a) PROHIBITION ON USE OF FUNDS.—
 16 None of the funds appropriated by this Act may be used
 17 to deny an Inspector General funded under this Act timely
 18 access to any records, documents, or other materials avail-
 19 able to the department or agency of the United States
 20 Government over which such Inspector General has re-
 21 sponsibilities under the Inspector General Act of 1978 (5
 22 U.S.C. App.), or to prevent or impede the access of such
 23 Inspector General to such records, documents, or other
 24 materials, under any provision of law, except a provision
 25 of law that expressly refers to such Inspector General and

1 expressly limits the right of access of such Inspector Gen-
2 eral.

3 (b) TIMELY ACCESS.—A department or agency of the
4 United States Government covered by this section shall
5 provide its Inspector General access to all records, docu-
6 ments, and other materials in a timely manner.

7 (c) COMPLIANCE.—Each Inspector General covered
8 by this section shall ensure compliance with statutory limi-
9 tations on disclosure relevant to the information provided
10 by the department or agency over which that Inspector
11 General has responsibilities under the Inspector General
12 Act of 1978 (5 U.S.C. App.).

13 (d) REPORT.—Each Inspector General covered by
14 this section shall report to the Committees on Appropria-
15 tions within 5 calendar days of any failure by any depart-
16 ment or agency of the United States Government to pro-
17 vide its Inspector General access to all requested records,
18 documents, and other materials.

19 REPORTING REQUIREMENTS CONCERNING INDIVIDUALS
20 DETAINED AT NAVAL STATION, GUANTÁNAMO BAY, CUBA

21 SEC. 7064. Not later than 5 days after the conclusion
22 of an agreement with a country, including a state with
23 a compact of free association with the United States, to
24 receive by transfer or release individuals detained at
25 United States Naval Station, Guantánamo Bay, Cuba, the

1 Secretary of State shall notify the Committees on Appro-
2 priations in writing of the terms of the agreement, includ-
3 ing whether funds appropriated by this Act or prior Acts
4 making appropriations for the Department of State, for-
5 eign operations, and related programs will be made avail-
6 able for assistance for such country pursuant to such
7 agreement.

8 MULTI-YEAR PLEDGES

9 SEC. 7065. None of the funds appropriated by this
10 Act may be used to make any pledge for future year fund-
11 ing for any multilateral or bilateral program funded in ti-
12 tles III through VI of this Act unless such pledge was—

13 (1) previously justified, including the projected
14 future year costs, in a congressional budget justifica-
15 tion;

16 (2) included in an Act making appropriations
17 for the Department of State, foreign operations, and
18 related programs or previously authorized by an Act
19 of Congress;

20 (3) notified in accordance with the regular noti-
21 fication procedures of the Committees on Appropria-
22 tions, including the projected future year costs; or

23 (4) the subject of prior consultation with the
24 Committees on Appropriations and such consultation

1 was conducted at least 7 days in advance of the
2 pledge.

3 PROHIBITION ON USE OF TORTURE

4 SEC. 7066. None of the funds made available in this
5 Act may be used to support or justify the use of torture,
6 cruel, or inhumane treatment by any official or contract
7 employee of the United States Government.

8 EXTRADITION

9 SEC. 7067. (a) LIMITATION.—None of the funds ap-
10 propriated in this Act may be used to provide assistance
11 (other than funds provided under the headings “Inter-
12 national Disaster Assistance”, “Complex Crises Fund”,
13 “International Narcotics Control and Law Enforcement”,
14 “Migration and Refugee Assistance”, “United States
15 Emergency Refugee and Migration Assistance Fund”, and
16 “Nonproliferation, Anti-terrorism, Demining and Related
17 Assistance”) for the central government of a country
18 which has notified the Department of State of its refusal
19 to extradite to the United States any individual indicted
20 for a criminal offense for which the maximum penalty is
21 life imprisonment without the possibility of parole or for
22 killing a law enforcement officer, as specified in a United
23 States extradition request.

24 (b) CLARIFICATION.—Subsection (a) shall only apply
25 to the central government of a country with which the

1 United States maintains diplomatic relations and with
2 which the United States has an extradition treaty and the
3 government of that country is in violation of the terms
4 and conditions of the treaty.

5 (c) WAIVER.—The Secretary of State may waive the
6 restriction in subsection (a) on a case-by-case basis if the
7 Secretary certifies to the Committees on Appropriations
8 that such waiver is important to the national interest of
9 the United States.

10 COMMERCIAL LEASING OF DEFENSE ARTICLES

11 SEC. 7068. Notwithstanding any other provision of
12 law, and subject to the regular notification procedures of
13 the Committees on Appropriations, the authority of sec-
14 tion 23(a) of the Arms Export Control Act may be used
15 to provide financing to Israel, Egypt, and the North Atlan-
16 tic Treaty Organization (NATO), and major non-NATO
17 allies for the procurement by leasing (including leasing
18 with an option to purchase) of defense articles from
19 United States commercial suppliers, not including Major
20 Defense Equipment (other than helicopters and other
21 types of aircraft having possible civilian application), if the
22 President determines that there are compelling foreign
23 policy or national security reasons for those defense arti-
24 cles being provided by commercial lease rather than by
25 government-to-government sale under such Act.

1 STRATEGY, REVIEW AND COUNTRY TRANSITION PLAN

2 SEC. 7069. (a) NATIONAL DIPLOMACY AND DEVEL-
3 OPMENT STRATEGY.—

4 (1) Of the funds appropriated by this Act under
5 the heading “Diplomatic and Consular Programs”,
6 \$10,000,000 shall be withheld from obligation until
7 the Secretary of State submits the strategy required
8 by paragraph (2).

9 (2) The Secretary of State, in consultation with
10 the Administrator of the United States Agency for
11 International Development and the heads of other
12 relevant department and agencies, shall submit to
13 the appropriate congressional committees a National
14 Diplomacy and Development Strategy (NDDS) of
15 the United States: *Provided*, That the NDDS shall
16 be coordinated with, and support, the most recent
17 national security strategy report submitted pursuant
18 to section 108 of the National Security Act of 1947
19 (50 U.S.C. 3043), and be integrated and coordi-
20 nated with the strategic plans of other relevant Fed-
21 eral departments and agencies, including the current
22 National Defense Strategy required by section 941
23 of the National Defense Authorization Act for Fiscal
24 Year 2017 (Public Law 114–328): *Provided further*,
25 That the NDDS shall include the information speci-

1 fied under this section in the report accompanying
2 this Act.

3 (3) Beginning in the year after the initial
4 NDDS is submitted under paragraph (2), the Sec-
5 retary of State, in consultation with the USAID Ad-
6 ministrator and the heads of other relevant depart-
7 ments and agencies of the United States Govern-
8 ment, shall thereafter submit to the appropriate con-
9 gressional committees a NDDS—

10 (A) in any year in which a new President
11 is inaugurated, not later than October 1 of such
12 year; and

13 (B) in any other year, not later than 90
14 days after a new national security strategy is
15 transmitted to the Congress pursuant to section
16 108 of the National Security Act of 1947 (50
17 U.S.C. 3043):

18 *Provided*, That for the purposes of meeting the re-
19 quirements of paragraphs (2) and (3), the agency
20 strategic plans required by section 306 of title 5
21 United States Code, may be used to inform the de-
22 velopment of the NDDS.

23 (b) QUADRENNIAL DIPLOMACY AND DEVELOPMENT
24 REVIEW.—Not later than January 31, 2019, the Sec-
25 retary of State shall submit to the appropriate congres-

1 sional committees an update to the Quadrennial Diplo-
2 macy and Development Review, 2015.

3 (c) COUNTRY TRANSITION PLAN.—Any bilateral
4 country assistance strategy developed after the date of en-
5 actment of this Act for the provision of assistance for a
6 foreign country in this fiscal year shall include a transition
7 plan identifying end goals and options for winding down,
8 within a targeted period of years, such bilateral assistance:
9 *Provided*, That such transition plan shall be developed by
10 the Secretary of State, in consultation with the USAID
11 Administrator, the heads of other relevant departments
12 and agencies of the United States Government, and offi-
13 cials of such foreign government and representatives of
14 civil society, as appropriate.

15 COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

16 SEC. 7070. (a) LIMITATION.—None of the funds ap-
17 propriated by this Act may be made available for assist-
18 ance for the central Government of the Russian Federa-
19 tion.

20 (b) ANNEXATION OF CRIMEA.—

21 (1) None of the funds appropriated by this Act
22 may be made available for assistance for the central
23 government of a country that the Secretary of State
24 determines and reports to the Committees on Appro-
25 priations has taken affirmative steps intended to

1 support or be supportive of the Russian Federation
2 annexation of Crimea or other territory in Ukraine:
3 *Provided*, That except as otherwise provided in sub-
4 section (a), the Secretary may waive the restriction
5 on assistance required by this paragraph if the Sec-
6 retary determines and reports to such Committees
7 that to do so is in the national interest of the United
8 States, and includes a justification for such interest.

9 (2) None of the funds appropriated by this Act
10 may be made available for—

11 (A) the implementation of any action or
12 policy that recognizes the sovereignty of the
13 Russian Federation over Crimea or other terri-
14 tory in Ukraine;

15 (B) the facilitation, financing, or guarantee
16 of United States Government investments in
17 Crimea or other territory in Ukraine under the
18 control of Russian-backed separatists, if such
19 activity includes the participation of Russian
20 Government officials, or other Russian owned
21 or controlled financial entities; or

22 (C) assistance for Crimea or other terri-
23 tory in Ukraine under the control of Russian-
24 backed separatists, if such assistance includes
25 the participation of Russian Government offi-

1 cials, or other Russian owned or controlled fi-
2 nancial 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 any loan,
7 credit, or guarantee) for any program that violates
8 the sovereignty or territorial integrity of Ukraine.

9 (4) The requirements and limitations of this
10 subsection shall cease to be in effect if the Secretary
11 of State determines and reports to the Committees
12 on Appropriations that the Government of Ukraine
13 has reestablished sovereignty over Crimea and other
14 territory in Ukraine under the control of Russian-
15 backed separatists.

16 (c) OCCUPATION OF THE GEORGIAN TERRITORIES OF
17 ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

18 (1) None of the funds appropriated by this Act
19 may be made available for assistance for the central
20 government of a country that the Secretary of State
21 determines and reports to the Committees on Appro-
22 priations has recognized the independence of, or has
23 established diplomatic relations with, the Russian oc-
24 cupied Georgian territories of Abkhazia and
25 Tskhinvali Region/South Ossetia: *Provided*, That the

1 Secretary shall publish on the Department of State
2 Web site a list of any such central governments in
3 a timely manner: *Provided further*, That the Sec-
4 retary may waive the restriction on assistance re-
5 quired by this paragraph if the Secretary determines
6 and reports to the Committees on Appropriations
7 that to do so is in the national interest of the United
8 States, and includes a justification for such interest.

9 (2) None of the funds appropriated by this Act
10 may be made available to support the Russian occu-
11 pation of the Georgian territories of Abkhazia and
12 Tskhinvali Region/South Ossetia.

13 (3) The Secretary of the Treasury shall instruct
14 the United States executive directors of each inter-
15 national financial institution to vote against any as-
16 sistance by such institution (including any loan,
17 credit, or guarantee) for any program that violates
18 the sovereignty and territorial integrity of Georgia.

19 (d) ASSISTANCE TO COUNTER INFLUENCE AND AG-
20 GRESSION.—

21 (1) Of the funds appropriated by this Act under
22 the headings “Assistance for Europe, Eurasia and
23 Central Asia”, “International Narcotics Control and
24 Law Enforcement”, and “Foreign Military Financ-
25 ing Program”, not less than \$120,000,000 shall be

1 made available for assistance to counter Russian in-
2 fluence and aggression in countries in Europe and
3 Eurasia through the Countering Russian Influence
4 Fund (the Fund), as described in section 7070(d) of
5 the Department of State, Foreign Operations, and
6 Related Programs Appropriations Act, 2017 (divi-
7 sion J of Public Law 115–31): *Provided*, That such
8 funds shall be in addition to amounts made available
9 for bilateral assistance for such countries: *Provided*
10 *further*, That not less than \$15,000,000 of such
11 funds shall be transferred to, and merged with,
12 funds appropriated by this Act under the heading
13 “Educational and Cultural Exchange Programs” for
14 purposes consistent with this subsection.

15 (2) Funds appropriated by this Act and made
16 available for assistance for the Eastern Partnership
17 countries shall be made available to advance the im-
18 plementation of Association Agreements and trade
19 agreements with the European Union, and to reduce
20 their vulnerability to external economic and political
21 pressure from the Russian Federation.

22 (e) DEMOCRACY PROGRAMS.—Funds appropriated by
23 this Act shall be made available to support democracy pro-
24 grams in the Russian Federation, including to promote
25 Internet freedom, and shall also be made available to sup-

1 port the democracy and rule of law strategy required by
 2 section 7071(d) of the Department of State, Foreign Op-
 3 erations, and Related Programs Appropriations Act, 2014
 4 (division K of Public Law 113–76; 128 Stat. 560).

5 INTERNATIONAL MONETARY FUND

6 SEC. 7071. (a) EXTENSIONS.—The terms and condi-
 7 tions of sections 7086(b) (1) and (2) and 7090(a) of the
 8 Department of State, Foreign Operations, and Related
 9 Programs Appropriations Act, 2010 (division F of Public
 10 Law 111–117) shall apply to this Act.

11 (b) REPAYMENT.—The Secretary of the Treasury
 12 shall instruct the United States Executive Director of the
 13 International Monetary Fund (IMF) to seek to ensure
 14 that any loan will be repaid to the IMF before other pri-
 15 vate creditors.

16 SPECIAL DEFENSE ACQUISITION FUND

17 SEC. 7072. Not to exceed \$900,000,000 may be obli-
 18 gated pursuant to section 51(c)(2) of the Arms Export
 19 Control Act for the purposes of the Special Defense Acqui-
 20 sition Fund (the Fund), to remain available for obligation
 21 until September 30, 2020: *Provided*, That the provision
 22 of defense articles and defense services to foreign coun-
 23 tries or international organizations from the Fund shall
 24 be subject to the concurrence of the Secretary of State.

1 STABILITY AND DEVELOPMENT IN REGIONS IMPACTED BY
2 EXTREMISM AND CONFLICT

3 SEC. 7073. (a) COUNTERING FOREIGN FIGHTERS
4 AND EXTREMIST ORGANIZATIONS.—Funds appropriated
5 under titles III and IV of this Act shall be made available
6 for programs and activities to counter and defeat violent
7 extremism and foreign fighters abroad, consistent with the
8 strategy required by section 7073(a)(1) of the Department
9 of State, Foreign Operations, and Related Programs Ap-
10 propriations Act, 2017 (division J of Public Law 115–31):
11 *Provided*, That the Secretary of State shall ensure such
12 programs are coordinated with and complement the efforts
13 of other United States Government agencies and inter-
14 national partners, and that information gained through
15 the conduct of such programs is shared in a timely manner
16 with relevant departments and agencies of the United
17 States Government and other international partners, as
18 appropriate.

19 (b) COUNTRIES IMPACTED BY SIGNIFICANT REF-
20 UGEE POPULATIONS OR INTERNALLY DISPLACED PER-
21 SONS.—

22 (1) USES OF FUNDS.—Funds appropriated by
23 this Act under the headings “Development Assist-
24 ance” and “Economic Support Fund” shall be made
25 available for programs in countries affected by sig-

1 nificant populations of internally displaced persons
2 or refugees to—

3 (A) expand and improve host government
4 social services and basic infrastructure to ac-
5 commodate the needs of such populations and
6 persons;

7 (B) alleviate the social and economic
8 strains placed on host communities, including
9 through programs to promote livelihoods, voca-
10 tional training, and formal and informal edu-
11 cation;

12 (C) improve coordination of such assist-
13 ance in a more effective and sustainable man-
14 ner; and

15 (D) leverage increased assistance from do-
16 nors other than the United States Government
17 for central governments and local communities
18 in such countries:

19 *Provided*, That the Secretary of State shall periodically in-
20 form the Committees on Appropriations of the amount
21 and specific uses of funds made available for the purposes
22 of this subsection.

23 (2) GLOBAL CRISIS RESPONSE PLATFORM.—
24 Funds appropriated by this Act under the heading
25 “Economic Support Fund” shall be made available

15 ENTERPRISE FUNDS

(b) DISTRIBUTION OF ASSETS PLAN.—Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the appropriate

1 congressional committees a plan for the distribution of the
2 assets of the Enterprise Fund.

3 (c) TRANSITION OR OPERATING PLAN.—Prior to a
4 transition to and operation of any private equity fund or
5 other parallel investment fund under an existing Enter-
6 prise Fund, the President shall submit such transition or
7 operating plan to the appropriate congressional commit-
8 tees.

9 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

10 SEC. 7075. If the President makes a determination
11 not to comply with any provision of this Act on constitu-
12 tional grounds, the head of the relevant Federal depart-
13 ment or agency shall notify the Committees on Appropria-
14 tions in writing within 5 days of such determination, the
15 justification for such determination, and any resulting
16 changes to program and policy.

17 BUDGET DOCUMENTS

18 SEC. 7076. (a) OPERATING AND REORGANIZATION
19 PLANS.—

20 (1) Not later than 45 days after the date of en-
21 actment of this Act, each department, agency, or or-
22 ganization funded in titles I, II, and VI of this Act,
23 and the Department of the Treasury and Inde-
24 pendent Agencies funded in title III of this Act, in-
25 cluding the Inter-American Foundation and the

1 United States African Development Foundation,
2 shall submit to the Committees on Appropriations
3 an operating plan for funds appropriated to such de-
4 partment, agency, or organization in such titles of
5 this Act, or funds otherwise available for obligation
6 in fiscal year 2018, that provides details of the uses
7 of such funds at the program, project, and activity
8 level: *Provided*, That such plans shall include, as ap-
9 plicable, a comparison between the congressional
10 budget justification funding levels, the most recent
11 congressional directives or approved funding levels,
12 and the funding levels proposed by the department
13 or agency; and a clear, concise, and informative de-
14 scription/justification: *Provided further*, That oper-
15 ating plans that include changes in levels of funding
16 for programs, projects, and activities specified in the
17 congressional budget justification, in this Act, or
18 amounts specifically designated in the respective ta-
19 bles included in the report accompanying this Act,
20 as applicable, shall be subject to the notification and
21 reprogramming requirements of section 7015 of this
22 Act.

23 (2) Concurrent with the submission of an oper-
24 ating plan pursuant to paragraph (1), each covered
25 department, agency, or organization shall submit to

1 the Committees on Appropriations a report detailing
2 any planned reorganization of such department,
3 agency, or organization, including any action
4 planned pursuant to the March 31, 2017 Executive
5 Order 13781 on a Comprehensive Plan for Reorga-
6 nizing the Executive Branch, including—

7 (A) a detailed organization chart, including
8 a brief description of each operating unit;

9 (B) the number of employees for each op-
10 erating unit;

11 (C) the current policy for supporting the
12 operations of the National Security Council
13 (NSC) through the detail of agency staff, in-
14 cluding staff projected to be detailed to the
15 NSC during fiscal year 2019, if applicable;

16 (D) a detailed explanation of the plan, in-
17 cluding any policies and procedures currently or
18 expected to be used to comply with Executive
19 Order 13781; and

20 (E) an assessment of how national security
21 interests will be served by any proposed reorga-
22 nizations.

23 (b) SPEND PLANS.—

24 (1) Prior to the initial obligation of funds, the
25 Secretary of State or Administrator of the United

1 States Agency for International Development, as ap-
2 propriate, shall submit to the Committees on Appro-
3 priations a spend plan for funds made available by
4 this Act, for—

5 (A) assistance for Afghanistan, Iraq, Leb-
6 anon, Pakistan, and the West Bank and Gaza;

7 (B) assistance made available pursuant to
8 section 7070(d) of this Act to counter Russian
9 influence and aggression, except that such plan
10 shall be on a country-by-country basis;

11 (C) Power Africa and the regional security
12 initiatives listed under this section in the report
13 accompanying this Act: *Provided*, That the
14 spend plan for such initiatives shall include the
15 amount of assistance planned for each country
16 by account, to the maximum extent practicable;
17 and

18 (D) democracy programs, programs to sup-
19 port section 7073(a) of this Act, and sectors
20 enumerated in subsections (a), (c), (d), (e), (f),
21 (g), and (h) of section 7060 of this Act.

22 (2) Not later than 45 days after enactment of
23 this Act, the Secretary of the Treasury shall submit
24 to the Committees on Appropriations a detailed
25 spend plan for funds made available by this Act

1 under the heading “Department of the Treasury,
2 International Affairs Technical Assistance” in title
3 III.

4 (c) SPENDING REPORT.—Not later than 45 days
5 after enactment of this Act, the USAID Administrator
6 shall submit to the Committees on Appropriations a de-
7 tailed report on spending of funds made available during
8 fiscal year 2017 under the heading “Development Credit
9 Authority”.

10 (d) NOTIFICATION CLARIFICATION.—The spend
11 plans referenced in subsection (b) shall not be considered
12 as meeting the notification requirements in this Act or
13 under section 634A of the Foreign Assistance Act of 1961.

14 (e) CONGRESSIONAL BUDGET JUSTIFICATION.—

15 (1) The congressional budget justification for
16 Department of State operations and foreign oper-
17 ations shall be provided to the Committees on Ap-
18 propriations concurrent with the date of submission
19 of the President’s budget for fiscal year 2019: *Pro-*
20 *vided*, That the appendices for such justification
21 shall be provided to the Committees on Appropria-
22 tions not later than 10 calendar days thereafter.

23 (2) The Secretary of State and the USAID Ad-
24 ministrator shall include in the congressional budget
25 justification a detailed justification for multi-year

1 availability for any funds requested under the head-
2 ings “Diplomatic and Consular Programs” and “Op-
3 erating Expenses”.

4 REPORTS AND RECORDS MANAGEMENT

5 SEC. 7077. (a) PUBLIC POSTING OF REPORTS.—

6 (1) REQUIREMENT.—Any agency receiving
7 funds made available by this Act shall, subject to
8 paragraphs (2) and (3), post on the publicly avail-
9 able Web site of such agency any report required by
10 this Act to be submitted to the Committees on Ap-
11 propriations.

12 (2) EXCEPTIONS.—Paragraph (1) shall not
13 apply to a report if—

14 (A) the public posting of such report would
15 compromise national security, including the
16 conduct of diplomacy;

17 (B) the report contains proprietary, privi-
18 leged, or sensitive information; or

19 (C) the head of such agency determines
20 that the posting of such report is not in the na-
21 tional interest.

22 (3) TIMING AND INTENTION.—The head of the
23 agency posting such report shall, unless otherwise
24 provided for in this Act, do so only after such report
25 has been made available to the Committees on Ap-

1 appropriations for not less than 45 days: *Provided*,
2 That any report required by this Act to be submitted
3 to the Committees on Appropriations shall include
4 information from the submitting agency on whether
5 such report will be publicly posted.

6 (b) REQUESTS FOR DOCUMENTS.—None of the funds
7 appropriated or made available pursuant to titles III
8 through VI of this Act shall be available to a nongovern-
9 mental organization, including any contractor, which fails
10 to provide upon timely request any document, file, or
11 record necessary to the auditing requirements of the De-
12 partment of State and the United States Agency for Inter-
13 national Development.

14 (c) RECORDS MANAGEMENT.—

15 (1) LIMITATION.—None of the funds appro-
16 priated by this Act under the headings “Diplomatic
17 and Consular Programs” and “Capital Investment
18 Fund” in title I, and “Operating Expenses” and
19 “Capital Investment Fund” in title II that are made
20 available to the Department of State and USAID
21 may be made available to support the use or estab-
22 lishment of email accounts or email servers created
23 outside the .gov domain or not fitted for automated
24 records management as part of a Federal govern-
25 ment records management program in contravention

1 of the Presidential and Federal Records Act Amend-
2 ments of 2014 (Public Law 113–187).

3 (2) DIRECTIVES.—The Secretary of State and
4 USAID Administrator shall—

5 (A) update the policies, directives, and
6 oversight necessary to comply with Federal
7 statutes, regulations, and presidential executive
8 orders and memoranda concerning the preserva-
9 tion of all records made or received in the con-
10 duct of official business, including record
11 emails, instant messaging, and other online
12 tools;

13 (B) use funds appropriated by this Act
14 under the headings “Diplomatic and Consular
15 Programs” and “Capital Investment Fund” in
16 title I, and “Operating Expenses” and “Capital
17 Investment Fund” in title II, as appropriate, to
18 improve Federal records management pursuant
19 to the Federal Records Act (44 U.S.C. Chap-
20 ters 21, 29, 31, and 33) and other applicable
21 Federal records management statutes, regula-
22 tions, or policies for the Department of State
23 and USAID;

24 (C) direct departing employees that all
25 Federal records generated by such employees,

1 including senior officials, belong to the Federal
2 Government; and

3 (D) significantly improve the response time
4 for identifying and retrieving Federal records,
5 including requests made pursuant to section
6 552 of title 5, United States Code (commonly
7 known as the “Freedom of Information Act”).

8 (3) REPORT.—Not later than 45 days after en-
9 actment of this Act, the Secretary of State and
10 USAID Administrator shall each submit a report to
11 the Committees on Appropriations and to the Na-
12 tional Archives and Records Administration detail-
13 ing, as appropriate and where applicable—

14 (A) any updates or modifications made to
15 the policy of each agency regarding the use or
16 the establishment of email accounts or email
17 servers created outside the .gov domain or not
18 fitted for automated records management as
19 part of a Federal government records manage-
20 ment program since the submission to the Com-
21 mittees on Appropriations of the report re-
22 quired by section 7077(c)(3) of the Department
23 of State, Foreign Operations, and Related Pro-
24 grams Appropriations Act, 2017 (division J of
25 Public Law 115–31);

1 (B) the extent to which each agency is in
2 compliance with applicable Federal records
3 management statutes, regulations, and policies,
4 including meeting Directive goal 1.2 of the
5 Managing Government Records Directive (M-
6 12-18) by December 31, 2016; and

7 (C) any steps taken since the submission
8 of the report referenced in subparagraph (A)
9 to—

10 (i) comply with paragraph (1)(B) of
11 this subsection;

12 (ii) ensure that all employees at every
13 level have been instructed in procedures
14 and processes to ensure that the docu-
15 mentation of their official duties is cap-
16 tured, preserved, managed, protected, and
17 accessible in official Government systems
18 of the Department of State and USAID;

19 (iii) implement recommendation 1
20 made by the Office of Inspector General
21 (OIG), Department of State, in the Janu-
22 ary 2016 Evaluation of the Department of
23 State's FOIA Process for Requests Involv-
24 ing the Office of the Secretary (ESP-16-
25 01);

1 (iv) reduce the backlog of Freedom of
2 Information Act (FOIA) and Congressional
3 oversight requests, and measurably im-
4 prove the response time for answering such
5 requests; and

6 (v) strengthen cyber security meas-
7 ures to mitigate vulnerabilities, including
8 those resulting from the use of personal
9 email accounts or servers outside the .gov
10 domain, improve the process to identify
11 and remove inactive user accounts, update
12 and enforce guidance related to the control
13 of national security information, and im-
14 plement the recommendations contained in
15 relevant reports issued by the OIG.

16 (4) OPERATING PLANS.—The operating plans
17 required by section 7076(a) of this Act for funds ap-
18 propriated under the headings listed in paragraph
19 (1) shall include funds planned for—

20 (A) implementing the recommendations of
21 the OIG reports referenced in clauses (iii) and
22 (v); and

23 (B) measurably reducing the FOIA and
24 Congressional oversight requests backlog.

GLOBAL INTERNET FREEDOM

1
2 SEC. 7078. (a) FUNDING.—Of the funds available for
3 obligation during fiscal year 2018 under the headings
4 “International Broadcasting Operations”, “Economic
5 Support Fund”, “Democracy Fund”, and “Assistance for
6 Europe, Eurasia and Central Asia”, not less than
7 \$50,500,000 shall be made available for programs to pro-
8 mote Internet freedom globally: *Provided*, That such pro-
9 grams shall be prioritized for countries whose governments
10 restrict freedom of expression on the Internet, and that
11 are important to the national interest of the United
12 States: *Provided further*, That funds made available pursu-
13 ant to this section shall be matched, to the maximum ex-
14 tent practicable, by sources other than the United States
15 Government, including from the private sector.

16 (b) REQUIREMENTS.—

17 (1) Funds appropriated by this Act under the
18 headings “Economic Support Fund”, “Democracy
19 Fund”, and “Assistance for Europe, Eurasia and
20 Central Asia” that are made available pursuant to
21 subsection (a) shall be—

22 (A) coordinated with other democracy pro-
23 grams funded by this Act under such headings,
24 and shall be incorporated into country assist-

1 ance and democracy promotion strategies, as
2 appropriate;

3 (B) made available to the Bureau of De-
4 mocracy, Human Rights, and Labor, Depart-
5 ment of State, for programs to implement the
6 May 2011, International Strategy for Cyber-
7 space; the Department of State International
8 Cyberspace Policy Strategy required by section
9 402 of the Cybersecurity Act of 2015 (division
10 N of Public Law 114–113); and the comprehen-
11 sive strategy to promote Internet freedom and
12 access to information in Iran, as required by
13 section 414 of the Iran Threat Reduction and
14 Syria Human Rights Act of 2012 (22 U.S.C.
15 8754);

16 (C) made available for programs that sup-
17 port the efforts of civil society to counter the
18 development of repressive Internet-related laws
19 and regulations, including countering threats to
20 Internet freedom at international organizations;
21 to combat violence against bloggers and other
22 users; and to enhance digital security training
23 and capacity building for democracy activists;

24 (D) made available for research of key
25 threats to Internet freedom; the continued de-

1 velopment of technologies that provide or en-
 2 hance access to the Internet, including cir-
 3 cumvention tools that bypass Internet blocking,
 4 filtering, and other censorship techniques used
 5 by authoritarian governments; and maintenance
 6 of the technological advantage of the United
 7 States Government over such censorship tech-
 8 niques: *Provided*, That the Secretary of State,
 9 in consultation with the Chief Executive Officer
 10 (CEO) of the Broadcasting Board of Governors
 11 (BBG), shall coordinate any such research and
 12 development programs with other relevant
 13 United States Government departments and
 14 agencies in order to share information, tech-
 15 nologies, and best practices, and to assess the
 16 effectiveness of such technologies; and

17 (E) administered by the Assistant Sec-
 18 retary for Democracy, Human Rights, and
 19 Labor, Department of State.

20 (2) Funds appropriated by this Act under the
 21 heading “International Broadcasting Operations”
 22 that are made available pursuant to subsection (a)
 23 shall be—

24 (A) made available only for tools and tech-
 25 niques to securely develop and distribute BBG

1 digital content; facilitate audience access to
2 such content on Web sites that are censored;
3 coordinate the distribution of BBG digital con-
4 tent to targeted regional audiences; and to pro-
5 mote and distribute such tools and techniques,
6 including digital security techniques;

7 (B) coordinated with programs funded by
8 this Act under the heading “International
9 Broadcasting Operations”, and shall be incor-
10 porated into country broadcasting strategies, as
11 appropriate;

12 (C) coordinated by the BBG CEO to pro-
13 vide Internet circumvention tools and tech-
14 niques for audiences in countries that are stra-
15 tegic priorities for the BBG and in a manner
16 consistent with the BBG Internet freedom
17 strategy; and

18 (D) made available for the research and
19 development of new tools or techniques author-
20 ized in paragraph (A) only after the BBG CEO,
21 in consultation with the Secretary of State and
22 other relevant United States Government de-
23 partments and agencies, evaluates the risks and
24 benefits of such new tools or techniques, and

1 establishes safeguards to minimize the use of
2 such new tools or techniques for illicit purposes.

3 (c) COORDINATION AND SPEND PLANS.—After con-
4 sultation among the relevant agency heads to coordinate
5 and de-conflict planned activities, but not later than 90
6 days after enactment of this Act, the Secretary of State
7 and the BBG CEO shall submit to the Committees on Ap-
8 propriations spend plans for funds made available by this
9 Act for programs to promote Internet freedom globally,
10 which shall include a description of safeguards established
11 by relevant agencies to ensure that such programs are not
12 used for illicit purposes: *Provided*, That the Department
13 of State spend plan shall include funding for all such pro-
14 grams for all relevant Department of State and USAID
15 offices and bureaus.

16 IMPACT ON JOBS IN THE UNITED STATES

17 SEC. 7079. None of the funds appropriated or other-
18 wise made available under titles III through VI of this
19 Act may be obligated or expended to provide—

20 (1) any financial incentive to a business enter-
21 prise currently located in the United States for the
22 purpose of inducing such an enterprise to relocate
23 outside the United States if such incentive or in-
24 ducement is likely to reduce the number of employ-
25 ees of such business enterprise in the United States

1 because United States production is being replaced
2 by such enterprise outside the United States;

3 (2) assistance for any program, project, or ac-
4 tivity that contributes to the violation of internation-
5 ally recognized workers' rights, as defined in section
6 507(4) of the Trade Act of 1974, of workers in the
7 recipient country, including any designated zone or
8 area in that country: *Provided*, That the application
9 of section 507(4)(D) and (E) of such Act should be
10 commensurate with the level of development of the
11 recipient country and sector, and shall not preclude
12 assistance for the informal sector in such country,
13 micro and small-scale enterprise, and smallholder
14 agriculture;

15 (3) any assistance to an entity outside the
16 United States if such assistance is for the purpose
17 of directly relocating or transferring jobs from the
18 United States to other countries and adversely im-
19 pacts the labor force in the United States; or

20 (4) for the enforcement of any rule, regulation,
21 policy, or guidelines implemented pursuant to—

22 (A) the third proviso of subsection 7079(b)
23 of the Department of State, Foreign Oper-
24 ations, and Related Programs Appropriations

1 Act, 2010 (division F of Public Law 111–117;
2 123 Stat. 3396);

3 (B) the modification proposed by the Over-
4 seas Private Investment Corporation in Novem-
5 ber 2013 to the Corporation’s Environmental
6 and Social Policy Statement relating to coal; or

7 (C) the Supplemental Guidelines for High
8 Carbon Intensity Projects approved by the Ex-
9 port-Import Bank of the United States on De-
10 cember 12, 2013,

11 when enforcement of such rule, regulation, policy, or
12 guidelines would prohibit, or have the effect of pro-
13 hibiting, any coal-fired or other power-generation
14 project the purpose of which is to: (i) provide afford-
15 able electricity in International Development Asso-
16 ciation (IDA)-eligible countries and IDA-blend coun-
17 tries; and (ii) increase exports of goods and services
18 from the United States or prevent the loss of jobs
19 from the United States.

20 QUORUM REQUIREMENT

21 SEC. 7080. Section 1 of Public Law 106–46 (12
22 U.S.C. 635a note) is amended by striking “July 21, 1999,
23 and ends on December 2, 1999” and inserting “October
24 1, 2017, and ends on September 30, 2019”: *Provided,*

1 That the amendment made pursuant to this section to
2 such law shall take effect upon enactment of this Act.

3 DISABILITY PROGRAMS

4 SEC. 7081. (a) ASSISTANCE.—Funds appropriated by
5 this Act under the heading “Economic Support Fund”
6 shall be made available for programs and activities admin-
7 istered by the United States Agency for International De-
8 velopment to address the needs and protect and promote
9 the rights of people with disabilities in developing coun-
10 tries, including initiatives that focus on independent living,
11 economic self-sufficiency, advocacy, education, employ-
12 ment, transportation, sports, and integration of individ-
13 uals with disabilities, including for the cost of translation.

14 (b) MANAGEMENT, OVERSIGHT, AND TECHNICAL
15 SUPPORT.—Of the funds made available pursuant to this
16 section, 5 percent may be used for USAID for manage-
17 ment, oversight, and technical support.

18 ASSISTANCE FOR UNITED STATES CITIZENS AND NATION-
19 ALS UNLAWFULLY OR WRONGFULLY DETAINED
20 ABROAD

21 SEC. 7082. (a) REVIEW.—The Secretary of State
22 shall review the cases of citizens and nationals of the
23 United States detained abroad to determine if there is
24 credible information that they are being detained unlaw-

1 fully or wrongfully, based on international criteria includ-
2 ing whether—

3 (1) the detained individual has presented cred-
4 ible information of factual innocence to United
5 States officials;

6 (2) information exists that the individual is de-
7 tained solely or substantially because he or she is a
8 citizen or national of the United States;

9 (3) information exists that the individual is
10 being detained in violation of internationally pro-
11 tected rights and freedoms, such as freedoms of ex-
12 pression, association, assembly, and religion;

13 (4) the individual is being detained in violation
14 of the laws of the detaining country;

15 (5) independent nongovernmental organizations
16 or journalists have raised legitimate questions about
17 the innocence of the detained individual;

18 (6) the United States embassy in the country
19 where the individual is detained has received credible
20 reports that the detention is a pretext;

21 (7) police reports show evidence of a credible
22 investigation;

23 (8) the individual is detained in a country
24 where the Department of State has determined in its
25 annual human rights reports that the judicial system

1 is not independent or impartial, is susceptible to cor-
2 ruption, or is incapable of rendering just verdicts;

3 (9) the individual is detained in inhumane con-
4 ditions; and

5 (10) the international right to due process of
6 law has been sufficiently impaired so as to render
7 the detention arbitrary.

8 (b) REPORT.—With respect to individuals for whom
9 the Secretary determines there is such credible informa-
10 tion, the Secretary shall submit a biannual report, which
11 may be in classified form, to the appropriate congressional
12 committees which shall include relevant information relat-
13 ing to each case, including—

14 (1) the name of the detained individual;

15 (2) basic facts about the case;

16 (3) a summary of the information that such in-
17 dividual may be detained unlawfully or wrongfully;

18 (4) a description of specific efforts, legal and
19 diplomatic, taken by the Department of State on be-
20 half of the individual since the last reporting period,
21 including accomplishments and setbacks; and

22 (5) a description of intended next steps.

23 (c) POSTING ON THE DEPARTMENT OF STATE WEB
24 SITE.—The information described in subsection (b)(1)–
25 (3) shall be posted on the Department of State Web site

1 not later than 30 days after its submission to the appro-
2 priate congressional committees, unless—

3 (1) the public posting of such information
4 would compromise national security, including the
5 conduct of diplomacy;

6 (2) such information contains proprietary or
7 other privileged information;

8 (3) the detained individual does not consent to
9 a waiver of the Privacy Act allowing for public post-
10 ing; or

11 (4) the public posting of the information could
12 jeopardize efforts to obtain the release of the de-
13 tained individual.

14 (d) RESOURCE MANUAL.—Not later than 180 days
15 after enactment of this Act and after consulting with rel-
16 evant organizations that advocate on behalf of United
17 States citizens and nationals detained abroad, the Sec-
18 retary shall publish a resource manual for United States
19 Government officials and families of unjustly or wrong-
20 fully detained individuals detailing suggested actions de-
21 signed to obtain their release, including acting through
22 traditional diplomatic and consular channels to ensure
23 prompt and regular access for the detained individual to
24 legal counsel, family members, humane treatment, and
25 other services, and sanctions tools including withholding

1 assistance to the foreign government and denying or re-
 2 voking visas and freezing assets of foreign officials; sub-
 3 mitting public and private letters; and consulting with rel-
 4 evant legal and human rights organizations.

5 (e) SPECIAL PRESIDENTIAL ENVOY FOR HOSTAGE
 6 AFFAIRS.—The responsibilities under this section may be
 7 carried out by the Special Presidential Envoy for Hostage
 8 Affairs, created by “Presidential Policy Directive—Hos-
 9 tage Recovery Activities, PPD-30,” unless the Secretary
 10 designates another official to do so.

11 REORGANIZATION OR REDESIGN OF THE DEPARTMENT
 12 OF STATE AND THE UNITED STATES AGENCY FOR
 13 INTERNATIONAL DEVELOPMENT

14 SEC. 7083. (a) LIMITATIONS.—

15 (1) None of the funds appropriated by this Act,
 16 prior Acts making appropriations for the Depart-
 17 ment of State, foreign operations, and related pro-
 18 grams, or any other Act may be used to downsize,
 19 downgrade, consolidate, close, move, or relocate to
 20 another United States Government agency—

21 (A) the Bureau of Population, Refugees,
 22 and Migration, Department of State;

23 (B) the Bureau of Consular Affairs, De-
 24 partment of State;

1 (C) the Bureau of Democracy, Human
2 Rights, and Labor, Department of State;

3 (D) the Office of the Special Presidential
4 Envoy for Hostage Affairs, Department of
5 State;

6 (E) the Office of the Special Coordinator
7 for Global Criminal Justice Issues, Department
8 of State;

9 (F) the Coordinator for Cyber Issues, De-
10 partment of State;

11 (G) the Special Advisor for Religious Mi-
12 norities in the Near East and South Central
13 Asia, Department of State;

14 (H) the Coordinator for Sanctions Policy,
15 Department of State;

16 (I) the Bureau of Educational and Cul-
17 tural Affairs, Department of State;

18 (J) the Office of Weapons Removal and
19 Abatement, Department of State;

20 (K) the Special Envoy for Holocaust
21 Issues, Department of State;

22 (L) the Bureau of Oceans and Inter-
23 national Environmental and Scientific Affairs,
24 Department of State;

1 (M) the Bureau for Democracy, Conflict,
2 and Humanitarian Assistance, USAID;

3 (N) the Bureau for Economic Growth,
4 Education and Environment, USAID;

5 (O) the Bureau for Food Security,
6 USAID; or

7 (P) the USAID Advisor for Indigenous
8 Peoples Issues;

9 (Q) the Office of Global Women's Issues,
10 Department of State;

11 (R) the Special Envoy for the Human
12 Rights of LGBTI Persons, Department of
13 State;

14 (S) the Special Advisor for International
15 Disability Rights, Department of State; or

16 (T) the Office of Gender Equality and
17 Women's Empowerment, USAID:

18 *Provided*, That the limitations of this subsection
19 shall include the transfer to other agencies of the
20 authorities and responsibilities of such bureaus and
21 offices: *Provided further*, That the Secretary of State
22 shall promptly name a qualified individual of appro-
23 priate rank to head the Office of Special Envoy for
24 Hostage Affairs.

1 (2) None of the funds appropriated by this Act,
2 prior Acts making appropriations for the Depart-
3 ment of State, foreign operations, and related pro-
4 grams, or any other Act may be used to close, move,
5 or otherwise incorporate the United States Agency
6 for International Development into the Department
7 of State: *Provided*, That such limitation shall include
8 any USAID bureau or office, including the Office of
9 Inspector General, or authorities of such bureaus
10 and offices.

11 (b) NOTIFICATION, REPORT, AND REVIEW.—

12 (1) NOTIFICATION AND REPORT.—Notwith-
13 standing any provision of this Act, prior to imple-
14 menting any reorganization or redesign of the De-
15 partment of State, USAID, or any other Federal de-
16 partment, agency, or organization funded by this
17 Act, including any intended, significant modification
18 of bureaus, offices, or number of personnel, and any
19 action taken pursuant to the March 31, 2017, Exec-
20 utive Order 13781 on a Comprehensive Plan for Re-
21 organizing the Executive Branch, the head of the
22 relevant department, agency, or organization shall
23 consult with the Committees on Appropriations: *Pro-*
24 *vided*, That any such proposed reorganization or re-
25 design shall be subject to the regular notification

1 procedures of the Committees on Appropriations, ex-
2 cept that such notification shall be accompanied by
3 a detailed report that includes a justification and
4 analysis of—

5 (A) the impact on personnel, both foreign
6 service and civil service;

7 (B) the impact on programs and on the
8 ability of the department, agency, or organiza-
9 tion to conduct effective monitoring and over-
10 sight of such programs;

11 (C) the projected cost savings or increased
12 costs;

13 (D) the process used to identify the in-
14 tended reorganization or redesign of any oper-
15 ating unit or diplomatic post, including the
16 process used to assess the impact of such action
17 on programs, projects, and activities funded by
18 this Act;

19 (E) the impact any such reorganization or
20 redesign would have on the effectiveness of
21 United States diplomacy and the ability to con-
22 duct adequate monitoring and oversight of for-
23 eign assistance programs; and

24 (F) the national security interest served by
25 any such reorganization or redesign, including a

1 determination that such action will not result in
2 expanding the influence of any adversary or
3 competitor of the United States, including for-
4 eign terrorist organizations.

5 (2) REVIEW.—Not later than 30 days prior to
6 the submission of any notification required pursuant
7 to paragraph (1), the head of the relevant depart-
8 ment, agency, or organization shall submit the pro-
9 posed reorganization or redesign plan to the Comp-
10 troller General of the United States for review: *Pro-*
11 *vided*, That following such review, the Comptroller
12 General shall submit a report to the Committees on
13 Appropriations assessing the justification, feasibility,
14 cost effectiveness, and impact of such plan on diplo-
15 macy, development, and the national security of the
16 United States.

17 (c) OFFICE OF POLICY PLANNING.—None of the
18 funds appropriated or otherwise made available by this
19 Act may be used to increase the number of personnel in
20 the Office of Policy Planning, Department of State, above
21 the number of personnel in such office on September 30,
22 2017, until the hiring freeze imposed on the Department
23 of State has been lifted.

1 NORTH AMERICAN DEVELOPMENT BANK

2 SEC. 7084. Part 2 of subtitle D of title V of the
3 North America Free Trade Agreement Implementation
4 Act (22 U.S.C. 290m et seq.), is further amended by add-
5 ing at the end the following 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 Acts.

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 MULTILATERAL DEVELOPMENT BANK REPLENISHMENTS

4 SEC. 7085. (a) The Asian Development Bank Act (22
5 U.S.C. 285 et seq.) is amended by adding at the end the
6 following new section:

7 **“SEC. 36. ELEVENTH REPLENISHMENT.**

8 “(a) The United States Governor of the Bank is au-
9 thorized to contribute, on behalf of the United States,
10 \$189,580,000 to the eleventh replenishment of the re-
11 sources of the Fund, subject to obtaining the necessary
12 appropriations.

13 “(b) In order to pay for the United States contribu-
14 tion provided for in subsection (a), there are authorized
15 to be appropriated, without fiscal year limitation,
16 \$189,580,000 for payment by the Secretary of the Treas-
17 ury.”.

18 (b) The International Development Association Act
19 (22 U.S.C. 284 et seq.) is amended by adding at the end
20 the following new section:

21 **“SEC. 30. EIGHTEENTH REPLENISHMENT.**

22 “(a) The United States Governor of the International
23 Development Association is authorized to contribute on
24 behalf of the united states \$3,291,030,000 to the eight-

1 eenth replenishment of the resources of the association,
 2 subject to obtaining the necessary appropriations.

3 “(b) In order to pay for the United States contribu-
 4 tion provided for in subsection (a), there are authorized
 5 to be appropriated, without fiscal year limitation,
 6 \$3,291,030,000 for payment by the Secretary of the
 7 Treasury.”.

8 (c) The African Development Fund Act (22 U.S.C.
 9 290g et seq.) is amended by adding at the end the fol-
 10 lowing new section:

11 **“SEC. 225. FOURTEENTH REPLENISHMENT.**

12 “(a) The United States Governor of the Fund is au-
 13 thorized to contribute on behalf of the United States
 14 \$513,900,000 to the fourteenth replenishment of the re-
 15 sources of the Fund, subject to obtaining the necessary
 16 appropriations.

17 “(b) In order to pay for the United States contribu-
 18 tion provided for in subsection (a), there are authorized
 19 to be appropriated, without fiscal year limitation,
 20 \$513,900,000 for payment by the Secretary of the Treas-
 21 ury.”.

22 **DESIGNATION REQUIREMENT**

23 SEC. 7086. Each amount designated in this Act by
 24 the 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 shall be available only if the President subse-
 3 quently so designates all such amounts and transmits such
 4 designations to the Congress: *Provided*, That such funds
 5 shall be made available without regard to geographic limi-
 6 tation.

7 STRENGTHENING DIPLOMACY AND DEVELOPMENT

8 SEC. 7087. (a) ASSISTANT SECRETARY FOR POPU-
 9 LATION, REFUGEES, AND MIGRATION, DEPARTMENT OF
 10 STATE.—Section 1(c) of the State Department Basic Au-
 11 thorities Act of 1956 (22 U.S.C. 2651a(c)) is amended—

12 (1) by redesignating paragraph (3) as para-
 13 graph (4); and

14 (2) by inserting after paragraph (2) the fol-
 15 lowing:

16 “(3) ASSISTANT SECRETARY OF STATE FOR
 17 POPULATION, REFUGEES, AND MIGRATION.—

18 “(A) There shall be in the Department of
 19 State an Assistant Secretary of State for the
 20 Bureau of Population, Refugees, and Migration
 21 (PRM) who shall be responsible to the Sec-
 22 retary of State for matters pertaining to popu-
 23 lation, refugees, and migration in the conduct
 24 of foreign policy and such other related duties

1 as the Secretary may from time to time des-
2 ignate.

3 “(B) The Assistant Secretary for Popu-
4 lation, Refugees, and Migration shall maintain
5 responsibility and continuous observation and
6 review of all matters pertaining to population,
7 refugees, and migration in the conduct of for-
8 eign policy, including the following:

9 “(i) Directing the Department of
10 State’s population, refugee, and migration
11 policy development.

12 “(ii) Providing protection, easing suf-
13 fering, and resolving the plight of per-
14 secuted and uprooted people around the
15 world by providing life-sustaining assist-
16 ance, working through multilateral systems
17 to build global partnerships, promoting
18 best practices in humanitarian response,
19 and ensuring that humanitarian principles
20 are thoroughly integrated into United
21 States foreign and national security policy.

22 “(iii) Determining the level of United
23 States contributions to international orga-
24 nizations for humanitarian assistance and
25 protection-related programs and partici-

1 pating in governing bodies of international
2 organizations to ensure effective use of
3 United States funds.

4 “(iv) Working through multilateral
5 systems to build global partnerships pro-
6 moting best practices in humanitarian re-
7 sponse, and ensuring that humanitarian
8 principles are thoroughly integrated into
9 United States policies toward refugees,
10 asylum seekers, internally displaced per-
11 sons, stateless persons, and other forced
12 migrants.

13 “(v) Seeking and promoting durable
14 solutions for refugees, including—

15 “(I) voluntary repatriation in
16 safety and dignity for people who no
17 longer face a well-founded fear of per-
18 secution on account of their religion,
19 race, political opinion, or social or eth-
20 nic group;

21 “(II) local integration of refugees
22 in countries of first asylum; and

23 “(III) voluntary resettlement of
24 refugees in a third country.

1 “(vi) Developing and implementing
2 refugee resettlement policies for the United
3 States and to promote durable solutions
4 for, and the protection of, refugees.

5 “(vii) Recommending to the President
6 the number of refugees to be admitted an-
7 nually to the United States and directing
8 programs for selection, processing, and
9 transportation of refugees to be admitted
10 to the United States.

11 “(viii) Overseeing efforts to encourage
12 greater participation in refugee assistance
13 and resettlement on the part of foreign
14 governments.

15 “(ix) Promoting healthy and educated
16 populations.

17 “(x) Guiding the activities of refugee
18 assistance offices at United States diplo-
19 matic missions and of United States mis-
20 sions to international organizations con-
21 cerned with refugee assistance, protection,
22 and resettlement.

23 “(xi) Using humanitarian diplomacy
24 to increase access and assistance to those
25 in need in the absence of political solu-

1 tions, highlighting the humanitarian im-
2 pact of military and political action, and
3 working with partners to ensure transition
4 from relief to development.

5 “(xii) Promoting humane and effective
6 migration policies and multilateral migra-
7 tion efforts that advance United States
8 foreign policy.”.

9 (b) OFFICE OF GLOBAL WOMEN’S ISSUES.—

10 (1) IN GENERAL.—The Secretary of State shall
11 establish an Office of Global Women’s Issues (re-
12 ferred to in this subsection as the “Office”) within
13 the Department of State.

14 (2) PURPOSE.—The Office shall coordinate ef-
15 forts of the United States Government, as directed
16 by the Secretary of State, regarding gender equality
17 and advancing the status of women and girls in
18 United States foreign policy.

19 (3) DUTIES.—The Office—

20 (A) shall serve as the principal advisor to
21 the Secretary of State regarding gender equal-
22 ity, women’s empowerment, and violence
23 against women and girls as a foreign policy
24 matter;

1 (B) shall represent the United States in
2 diplomatic and multilateral fora on matters rel-
3 evant to the status of women and girls;

4 (C) shall advise the Secretary and provide
5 input on all activities, policies, programs, and
6 funding relating to gender equality and the ad-
7 vancement of women and girls internationally
8 for all bureaus and offices of the Department of
9 State and in the international programs of all
10 other Federal departments and agencies;

11 (D) shall work to ensure that efforts to ad-
12 vance gender equality and women's empower-
13 ment are fully integrated into the programs,
14 structures, processes, and capacities of all bu-
15 reaus and offices of the Department of State
16 and in the international programs of other Fed-
17 eral departments and agencies;

18 (E) shall direct, as appropriate, United
19 States resources to respond to needs for gender
20 equality and empowerment of women in United
21 States foreign policies and international pro-
22 grams;

23 (F) may design, support, and implement
24 activities regarding empowerment of women
25 internationally; and

1 (G) shall conduct regular consultation with
2 civil society organizations working to advance
3 gender equality and empower women and girls
4 internationally.

5 (4) SUPERVISION.—The Office shall be headed
6 by an Ambassador-at-Large for Global Women’s
7 Issues who—

8 (A) exercises significant authority;

9 (B) reports to the President or to the Sec-
10 retary of State; and

11 (C) is appointed by the President or by the
12 Secretary of State, with the advice and consent
13 of the Senate.

14 (5) REPORT.—Not later than 180 days after
15 the date of the enactment of this Act, the Secretary
16 of State shall submit a report to the appropriate
17 congressional committees describing the steps taken
18 to fulfill the duties of the Office set forth in para-
19 graph (3).

20 CONSULAR NOTIFICATION COMPLIANCE

21 SEC. 7088. (a) PETITION FOR REVIEW.—

22 (1) JURISDICTION.—Notwithstanding any other
23 provision of law, a Federal court shall have jurisdic-
24 tion to review the merits of a petition claiming viola-
25 tion of Article 36(1)(b) or (c) of the Vienna Conven-

1 tion on Consular Relations, done at Vienna April 24,
2 1963, or a comparable provision of a bilateral inter-
3 national agreement addressing consular notification
4 and access, filed by an individual convicted and sen-
5 tenced to death by any Federal or State court before
6 the date of enactment of this Act.

7 (2) STANDARD.—To obtain relief, an individual
8 described in paragraph (1) must make a showing of
9 actual prejudice to the criminal conviction or sen-
10 tence as a result of the violation. The court may
11 conduct an evidentiary hearing if necessary to sup-
12 plement the record and, upon a finding of actual
13 prejudice, shall order a new trial or sentencing pro-
14 ceeding.

15 (3) LIMITATIONS.—

16 (A) INITIAL SHOWING.—To qualify for re-
17 view under this subsection, a petition must
18 make an initial showing that—

19 (i) a violation of Article 36(1)(b) or
20 (c) of the Vienna Convention on Consular
21 Relations, done at Vienna April 24, 1963,
22 or a comparable provision of a bilateral
23 international agreement addressing con-
24 sular notification and access, occurred with

1 respect to the individual described in para-
2 graph (1); and

3 (ii) if such violation had not occurred,
4 the consulate would have provided assist-
5 ance to the individual.

6 (B) EFFECT OF PRIOR ADJUDICATION.—A
7 petition for review under this subsection shall
8 not be granted if the claimed violation described
9 in paragraph (1) has previously been adju-
10 dicated on the merits by a Federal or State
11 court of competent jurisdiction in a proceeding
12 in which no Federal or State procedural bars
13 were raised with respect to such violation and
14 in which the court provided review equivalent to
15 the review provided in this subsection, unless
16 the adjudication of the claim resulted in a deci-
17 sion that was based on an unreasonable deter-
18 mination of the facts in light of the evidence
19 presented in the prior Federal or State court
20 proceeding.

21 (C) FILING DEADLINE.—A petition for re-
22 view under this subsection shall be filed within
23 1 year of the later of—

24 (i) the date of enactment of this Act;

1 (ii) the date on which the Federal or
2 State court judgment against the indi-
3 vidual described in paragraph (1) became
4 final by the conclusion of direct review or
5 the expiration of the time for seeking such
6 review; or

7 (iii) the date on which the impediment
8 to filing a petition created by Federal or
9 State action in violation of the Constitu-
10 tion or laws of the United States is re-
11 moved, if the individual described in para-
12 graph (1) was prevented from filing by
13 such Federal or State action.

14 (D) TOLLING.—The time during which a
15 properly filed application for State post-convic-
16 tion or other collateral review with respect to
17 the pertinent judgment or claim is pending
18 shall not be counted toward the 1-year period of
19 limitation.

20 (E) TIME LIMIT FOR REVIEW.—A Federal
21 court shall give priority to a petition for review
22 filed under this subsection over all noncapital
23 matters. With respect to a petition for review
24 filed under this subsection and claiming only a
25 violation described in paragraph (1), a Federal

1 court shall render a final determination and
2 enter a final judgment not later than one year
3 after the date on which the petition is filed.

4 (4) HABEAS PETITION.—A petition for review
5 under this subsection shall be part of the first Fed-
6 eral habeas corpus application or motion for Federal
7 collateral relief under chapter 153 of title 28, United
8 States Code, filed by an individual, except that if an
9 individual filed a Federal habeas corpus application
10 or motion for Federal collateral relief before the date
11 of enactment of this Act or if such application is re-
12 quired to be filed before the date that is 1 year after
13 the date of enactment of this Act, such petition for
14 review under this subsection shall be filed not later
15 than 1 year after the enactment date or within the
16 period prescribed by paragraph (3)(C)(iii), whichever
17 is later. No petition filed in conformity with the re-
18 quirements of the preceding sentence shall be consid-
19 ered a second or successive habeas corpus applica-
20 tion or subjected to any bars to relief based on
21 preenactment proceedings other than as specified in
22 paragraph (2).

23 (5) REFERRAL TO MAGISTRATE.—A Federal
24 court acting under this subsection may refer the pe-
25 tition for review to a Federal magistrate for pro-

posed findings and recommendations pursuant to section 636(b)(1)(B) of title 28, United States Code.

(6) APPEAL.—

(A) IN GENERAL.—A final order on a petition for review under paragraph (1) shall be subject to review on appeal by the court of appeals for the circuit in which the proceeding is held.

(B) APPEAL BY PETITIONER.—An individual described in paragraph (1) may appeal a final order on a petition for review under paragraph (1) only if a district or circuit judge issues a certificate of appealability. A district or circuit court judge shall issue or deny a certificate of appealability not later than 30 days after an application for a certificate of appealability is filed. A district judge or circuit judge may issue a certificate of appealability under this subparagraph if the individual has made a substantial showing of actual prejudice to the criminal conviction or sentence of the individual as a result of a violation described in paragraph (1).

(b) VIOLATION.—

1 (1) IN GENERAL.—An individual not covered by
2 subsection (a) who is arrested, detained, or held for
3 trial on a charge that would expose the individual to
4 a capital sentence if convicted may raise a claim of
5 a violation of Article 36(1)(b) or (c) of the Vienna
6 Convention on Consular Relations, done at Vienna
7 April 24, 1963, or of a comparable provision of a bi-
8 lateral international agreement addressing consular
9 notification and access, at a reasonable time after
10 the individual becomes aware of the violation, before
11 the court with jurisdiction over the charge. Upon a
12 finding of such a violation—

13 (A) the consulate of the foreign state of
14 which the individual is a national shall be noti-
15 fied immediately by the detaining authority,
16 and consular access to the individual shall be
17 afforded in accordance with the provisions of
18 the Vienna Convention on Consular Relations,
19 done at Vienna April 24, 1963, or the com-
20 parable provisions of a bilateral international
21 agreement addressing consular notification and
22 access; and

23 (B) the court—

24 (i) shall postpone any proceedings to
25 the extent the court determines necessary

1 to allow for adequate opportunity for con-
2 sular access and assistance; and

3 (ii) may enter necessary orders to fa-
4 cilitate consular access and assistance.

5 (2) EVIDENTIARY HEARINGS.—The court may
6 conduct evidentiary hearings if necessary to resolve
7 factual issues.

8 (3) RULE OF CONSTRUCTION.—Nothing in this
9 subsection shall be construed to create any addi-
10 tional remedy.

11 (c) DEFINITIONS.—In this section the term “State”
12 means any State of the United States, the District of Co-
13 lumbia, the Commonwealth of Puerto Rico, and any terri-
14 tory or possession of the United States.

15 (d) APPLICABILITY.—The provisions of this section
16 shall apply during the current fiscal year and hereafter.

17 This Act may be cited as the “Department of State,
18 Foreign Operations, and Related Programs Appropria-
19 tions Act, 2018”.

Calendar No. 216

115TH CONGRESS
1ST Session

S. 1780

[Report No. 115–152]

A BILL

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2018, and for other purposes.

SEPTEMBER 7, 2017

Read twice and placed on the calendar