

Union Calendar No. 537

114TH CONGRESS
2^D SESSION

H. R. 5912

[Report No. 114-693]

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

IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2016

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

A BILL

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

1 *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, 2017, and
7 for other purposes, namely:

8 TITLE I

9 DEPARTMENT OF STATE AND RELATED

10 AGENCY

11 DEPARTMENT OF STATE

12 ADMINISTRATION OF FOREIGN AFFAIRS

13 DIPLOMATIC AND CONSULAR PROGRAMS

14 For necessary expenses of the Department of State
15 and the Foreign Service not otherwise provided for,
16 \$6,093,181,000, of which up to \$629,055,000 may remain
17 available until September 30, 2018, and of which up to
18 \$1,899,479,000 may remain available until expended for
19 Worldwide Security Protection: *Provided*, That funds
20 made available under this heading shall be allocated in ac-
21 cordance with paragraphs (1) through (4) as follows:

22 (1) HUMAN RESOURCES.—For necessary ex-
23 penses for training, human resources management,
24 and salaries, including employment without regard
25 to civil service and classification laws of persons on

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 CAPITAL INVESTMENT FUND

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

11 OFFICE OF INSPECTOR GENERAL

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

18 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

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

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

16 REPRESENTATION EXPENSES

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

19 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

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

1 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

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

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

1 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
 2 SERVICE

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

11 REPATRIATION LOANS PROGRAM ACCOUNT

12 For the cost of direct loans, \$2,300,000, as author-
 13 ized: *Provided*, That such costs, including the cost of
 14 modifying such loans, shall be as defined in section 502
 15 of the Congressional Budget Act of 1974: *Provided fur-*
 16 *ther*, That such funds are available to subsidize gross obli-
 17 gations for the principal amount of direct loans not to ex-
 18 ceed \$4,305,000.

19 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

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

22 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
 23 DISABILITY FUND

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

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

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

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

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

6 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
7 ACTIVITIES

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

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

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

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

21 INTERNATIONAL COMMISSIONS

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

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

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

8 SALARIES AND EXPENSES

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

11 CONSTRUCTION

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

15 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

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

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

3 INTERNATIONAL FISHERIES COMMISSIONS

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

10 RELATED AGENCY

11 BROADCASTING BOARD OF GOVERNORS

12 INTERNATIONAL BROADCASTING OPERATIONS

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

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

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

8 BROADCASTING CAPITAL IMPROVEMENTS

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

18 RELATED PROGRAMS

19 THE ASIA FOUNDATION

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

23 UNITED STATES INSTITUTE OF PEACE

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

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

4 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE
5 TRUST FUND

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

13 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

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

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

3 ISRAELI ARAB SCHOLARSHIP PROGRAM

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

10 NATIONAL ENDOWMENT FOR DEMOCRACY

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

18 OTHER COMMISSIONS

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

21 SALARIES AND EXPENSES

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

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

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

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

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

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

1 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, 2018.

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 2018: *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 2017 and shall

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

3 TITLE II

4 UNITED STATES AGENCY FOR INTERNATIONAL
5 DEVELOPMENT

6 FUNDS APPROPRIATED TO THE PRESIDENT

7 OPERATING EXPENSES

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

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

12 CAPITAL INVESTMENT FUND

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

23 OFFICE OF INSPECTOR GENERAL

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

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

5 TITLE III

6 BILATERAL ECONOMIC ASSISTANCE

7 FUNDS APPROPRIATED TO THE PRESIDENT

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

11 GLOBAL HEALTH PROGRAMS

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

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

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

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

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

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

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

20 DEVELOPMENT ASSISTANCE

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

1 INTERNATIONAL DISASTER ASSISTANCE

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

7 TRANSITION INITIATIVES

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

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

9 DEVELOPMENT CREDIT AUTHORITY

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

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

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

8 ECONOMIC SUPPORT FUND

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

13 DEMOCRACY FUND

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

1 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

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

1 DEPARTMENT OF STATE

2 MIGRATION AND REFUGEE ASSISTANCE

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

20 INDEPENDENT AGENCIES

21 PEACE CORPS

22 (INCLUDING TRANSFER OF FUNDS)

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

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

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

3 MILLENNIUM CHALLENGE CORPORATION

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

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

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

6 INTER-AMERICAN FOUNDATION

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

14 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

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

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

21 DEPARTMENT OF THE TREASURY

22 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

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

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

3 TITLE IV

4 INTERNATIONAL SECURITY ASSISTANCE

5 DEPARTMENT OF STATE

6 INTERNATIONAL NARCOTICS CONTROL AND LAW

7 ENFORCEMENT

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

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

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

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

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

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

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

4 PEACEKEEPING OPERATIONS

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

19 FUNDS APPROPRIATED TO THE PRESIDENT

20 INTERNATIONAL MILITARY EDUCATION AND TRAINING

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

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

8 FOREIGN MILITARY FINANCING PROGRAM

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

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

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

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

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

19 TITLE V

20 MULTILATERAL ASSISTANCE

21 INTERNATIONAL FINANCIAL INSTITUTIONS

22 GLOBAL ENVIRONMENT FACILITY

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

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

3 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
4 ASSOCIATION

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

8 CONTRIBUTION TO THE INTERNATIONAL BANK FOR
9 RECONSTRUCTION AND DEVELOPMENT

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

15 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT
16 BANK

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

22 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

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

1 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

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

6 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

12 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

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

16 CONTRIBUTION TO THE INTERNATIONAL FUND FOR
17 AGRICULTURAL DEVELOPMENT

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

21 GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

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

1 CONTRIBUTION TO THE NORTH AMERICAN DEVELOPMENT
2 BANK

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

8 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

13 TITLE VI

14 EXPORT AND INVESTMENT ASSISTANCE

15 EXPORT-IMPORT BANK OF THE UNITED STATES

16 INSPECTOR GENERAL

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

21 PROGRAM ACCOUNT

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

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

14 ADMINISTRATIVE EXPENSES

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

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

17 RECEIPTS COLLECTED

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

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

6 OVERSEAS PRIVATE INVESTMENT CORPORATION

7 NONCREDIT ACCOUNT

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

PROGRAM ACCOUNT

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

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

7 TRADE AND DEVELOPMENT AGENCY

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

20 TITLE VII

21 GENERAL PROVISIONS

22 ALLOWANCES AND DIFFERENTIALS

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

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

5 UNOBLIGATED BALANCES REPORT

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

20 CONSULTING SERVICES

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

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

4 DIPLOMATIC FACILITIES

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

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

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

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

24 (e) REPORTS.—

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

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

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

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

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

15 (f) INTERIM AND TEMPORARY FACILITIES
16 ABROAD.—

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

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

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

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

1 7004(f)(3) of the Department of State, Foreign Op-
2 erations, and Related Programs Appropriations Act,
3 2016 (division K of Public Law 114–113).

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

20 PERSONNEL ACTIONS

21 SEC. 7005. Any costs incurred by a department or
22 agency funded under title I of this Act resulting from per-
23 sonnel actions taken in response to funding reductions in-
24 cluded in this Act shall be absorbed within the total budg-
25 etary resources available under title I to such department

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

10 LOCAL GUARD CONTRACTS

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

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

3 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
4 COUNTRIES

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

13 COUPS D’ÉTAT

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

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

7 TRANSFER AUTHORITY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 PROHIBITION ON FIRST-CLASS TRAVEL

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

1 AVAILABILITY OF FUNDS

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

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

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

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

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

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

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

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

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

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

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

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

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

1 PROHIBITION ON TAXATION OF UNITED STATES

2 ASSISTANCE

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

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

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

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

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

15 (e) DETERMINATIONS.—

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

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

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

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

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

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

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

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

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

1 include individual income taxes assessed to local
2 staff.

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

9 RESERVATIONS OF FUNDS

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

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

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

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

21 NOTIFICATION REQUIREMENTS

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

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

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

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

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

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

7 (2) relocates an existing office or employees;

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

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

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

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

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

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

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

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

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

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

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

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

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

11 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

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

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

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

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

19 PROHIBITION ON FUNDING FOR ABORTIONS AND
20 INVOLUNTARY STERILIZATION

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

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

18 ALLOCATIONS

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

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

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

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

22 REPRESENTATION AND ENTERTAINMENT EXPENSES

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

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

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

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

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

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

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

20 (1) alcoholic beverages; or

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

1 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

2 SUPPORTING INTERNATIONAL TERRORISM

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

4 PORTS.—

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

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

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

10 (b) BILATERAL ASSISTANCE.—

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

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

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

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

1 tion 219 of the Immigration and Nationality
2 Act.

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

14 AUTHORIZATION REQUIREMENTS

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

1 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

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

16 (1) justified to Congress; or

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

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

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

16 COMMERCE, TRADE AND SURPLUS COMMODITIES

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

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

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

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

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

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

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

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

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

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

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

12 SEPARATE ACCOUNTS

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

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

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

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

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

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

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

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

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

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

24 (ii) debt and deficit financing; or

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

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

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

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

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

5 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

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

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

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

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

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

12 ELIGIBILITY FOR ASSISTANCE

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

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

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

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

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

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

1 country that violates internationally recognized
2 human rights.

3 LOCAL COMPETITION

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

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

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

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

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

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

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

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

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

11 INTERNATIONAL FINANCIAL INSTITUTIONS

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

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

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

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

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

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

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

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

25 (2) legal burdens of proof;

1 (3) statutes of limitation for reporting retaliation;
2

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

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

7 DEBT-FOR-DEVELOPMENT

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

20 FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 (6) DEBT SERVICE PAYMENT PROHIBITION.—

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

18 (b) NATIONAL BUDGET AND CONTRACT TRANS-
19 PARENCY.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 DEMOCRACY PROGRAMS

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

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

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

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

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

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

23 (f) PROGRAM DESIGN AND IMPLEMENTATION.—

24 (1) CONTINUATION OF CURRENT PRACTICES.—

25 USAID shall continue to implement civil society and

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

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

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

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

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

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

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

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

6 INTERNATIONAL RELIGIOUS FREEDOM

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

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

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

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

4 (b) ASSISTANCE.—

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

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

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

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

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

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

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

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

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

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

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

13 SPECIAL PROVISIONS

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

21 (b) LAW ENFORCEMENT AND SECURITY.—

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

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

7 (3) FORENSIC ASSISTANCE.—

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

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

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

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

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

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

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

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

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

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

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

20 (d) DIRECTIVES AND AUTHORITIES.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 (k) EXTENSION OF AUTHORITIES.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 (o) DEFINITIONS.—

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

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

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

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

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

15 ARAB LEAGUE BOYCOTT OF ISRAEL

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

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

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

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

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

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

19 PALESTINIAN STATEHOOD

20 SEC. 7036. (a) LIMITATION ON ASSISTANCE.—None
21 of the funds appropriated under titles III through VI of
22 this Act may be provided to support a Palestinian state
23 unless the Secretary of State determines and certifies to
24 the appropriate congressional committees that—

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

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

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

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

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

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

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

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

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

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

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

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

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

1 RESTRICTIONS CONCERNING THE PALESTINIAN
2 AUTHORITY

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

1 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN
2 BROADCASTING CORPORATION

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

8 ASSISTANCE FOR THE WEST BANK AND GAZA

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

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

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

14 (c) PROHIBITION.—

15 (1) RECOGNITION OF ACTS OF TERRORISM.—

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

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

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

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

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

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

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

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

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

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

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

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

3 LIMITATION ON ASSISTANCE FOR THE PALESTINIAN
4 AUTHORITY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 MIDDLE EAST AND NORTH AFRICA

10 SEC. 7041. (a) EGYPT.—

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

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

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

24 (2) REPORT ON GOVERNANCE.—

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

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

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

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

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

21 (3) ECONOMIC SUPPORT FUND.—

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

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

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

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

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

21 (b) IRAN.—

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

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

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

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

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

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

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

25 (3) REPORTS.—

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

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

25 (c) IRAQ.—

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

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

18 (3) KURDISTAN REGIONAL GOVERNMENT.—

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

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

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

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

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

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

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

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

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

3 (e) LEBANON.—

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

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

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

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

21 (f) LIBYA.—

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

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

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

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

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

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

12 (i) SYRIA.—

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

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

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

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

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

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

8 (F) promote economic development in
9 Syria;

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

14 (H) counter extremist ideologies;

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

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

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

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

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

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

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

4 (k) WEST BANK AND GAZA.—

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

12 (A) advance Middle East peace;

13 (B) improve security in the region;

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

16 (D) promote a private sector economy; or

17 (E) address urgent humanitarian needs.

18 (2) LIMITATIONS.—

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

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

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

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

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

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

1 tiated between Israel and the Palestinians;
2 and

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

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

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

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

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

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

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

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

10 AFRICA

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

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

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

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

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

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

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

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

23 (f) SOUTH SUDAN.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (A) humanitarian assistance;

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

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

8 (g) SUDAN.—

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

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

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

23 (A) humanitarian assistance;

24 (B) assistance for democracy programs;

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

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

11 (h) ZIMBABWE.—

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

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

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

9 EAST ASIA AND THE PACIFIC

10 SEC. 7043. (a) BURMA.—

11 (1) BILATERAL ECONOMIC ASSISTANCE.—

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

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

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

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

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

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

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

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

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

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

17 (2) INTERNATIONAL SECURITY ASSISTANCE.—

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

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

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

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

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

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

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

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

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

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

15 (b) NORTH KOREA.—

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

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

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

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

8 (c) PEOPLE’S REPUBLIC OF CHINA.—

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

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

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

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

16 (4) PROHIBITION.—

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

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

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

3 (d) TIBET.—

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

17 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

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

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

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

14 SOUTH AND CENTRAL ASIA

15 SEC. 7044. (a) AFGHANISTAN.—

16 (1) DIPLOMATIC OPERATIONS.—

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

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

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

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

5 (2) ASSISTANCE AND CONDITIONS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (4) AUTHORITIES.—

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

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

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

16 (b) PAKISTAN.—

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

1 Appropriations that the Government of Pakistan
2 is—

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

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

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

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

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

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

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

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

17 (3) ASSISTANCE.—

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

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

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

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

21 (5) REPORTS.—

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

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

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

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

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

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

9 (c) REGIONAL PROGRAMS.—

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

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

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

3 WESTERN HEMISPHERE

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

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

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

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

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

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

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

6 (C) improve border security;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 (5) PROGRAMS AND TRANSFER OF FUNDS.—

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

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

9 (b) COLOMBIA.—

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

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

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

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

25 (c) CUBA.—

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

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

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

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

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

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

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

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

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

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

15 (d) HAITI.—

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

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

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

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

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

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

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

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

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

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

6 UNITED NATIONS

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

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

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

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

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

7 (ii) legal burdens of proof;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 COMMUNITY-BASED POLICE ASSISTANCE

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

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

18 PROHIBITION ON PROMOTION OF TOBACCO

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

1 INTERNATIONAL CONFERENCES

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

16 AIRCRAFT TRANSFER AND COORDINATION

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

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

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

16 (c) AIRCRAFT COORDINATION.—

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

1 bursable basis, Federal and non-Federal personnel
2 supporting Department of State and USAID pro-
3 grams and activities: *Provided further*, That official
4 travel for other agencies for other purposes may be
5 supported on a reimbursable basis, or without reim-
6 bursement when traveling on a space available basis:
7 *Provided further*, That funds received by the Depart-
8 ment of State in connection with the use of aircraft
9 owned, leased, or chartered by the Department of
10 State may be credited to the Working Capital Fund
11 of the Department and shall be available for ex-
12 penses related to the purchase, lease, maintenance,
13 chartering, or operation of such aircraft.

14 (2) The requirement and authorities of this
15 subsection shall only apply to aircraft, the primary
16 purpose of which is the transportation of personnel.

17 PARKING FINES AND REAL PROPERTY TAXES OWED BY
18 FOREIGN GOVERNMENTS

19 SEC. 7053. The terms and conditions of section 7055
20 of the Department of State, Foreign Operations, and Re-
21 lated Programs Appropriations Act, 2011 (division F of
22 Public Law 111–117) shall apply to this Act: *Provided*,
23 That the date “September 30, 2009” in subsection
24 (f)(2)(B) of such section shall be deemed to be “Sep-
25 tember 30, 2016”.

1 LANDMINES AND CLUSTER MUNITIONS

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

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

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

1 (2) such assistance, license, sale, or transfer is
2 for the purpose of demilitarizing or permanently dis-
3 posing of such cluster munitions.

4 PROHIBITION ON PUBLICITY OR PROPAGANDA

5 SEC. 7055. No part of any appropriation contained
6 in this Act shall be used for publicity or propaganda pur-
7 poses within the United States not authorized before the
8 date of the enactment of this Act by Congress: *Provided*,
9 That not to exceed \$25,000 may be made available to
10 carry out the provisions of section 316 of the International
11 Security and Development Cooperation Act of 1980 (Pub-
12 lic Law 96-533).

13 LIMITATIONS ON FAMILY PLANNING/REPRODUCTIVE
14 HEALTH

15 SEC. 7056. (a) None of the funds appropriated or
16 otherwise made available by this Act may be made avail-
17 able for the United Nations Population Fund.

18 (b) None of the funds appropriated or otherwise
19 made available by this Act for population planning activi-
20 ties or other population assistance may be made available
21 to any foreign nongovernmental organization that pro-
22 motes or performs abortion, except in cases of rape or in-
23 cest or when the life of the mother would be endangered
24 if the fetus were carried to term.

1 UNITED STATES AGENCY FOR INTERNATIONAL
2 DEVELOPMENT MANAGEMENT

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

13 (b) RESTRICTIONS.—

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

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

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

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

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

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

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

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

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

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

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

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

12 GLOBAL HEALTH ACTIVITIES

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

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

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

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

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

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

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

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

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

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

7 (B) legal burdens of proof;

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

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

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

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

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

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

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

9 GENDER EQUALITY

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

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

1 (c) GENDER-BASED VIOLENCE.—

2 (1)(A) Of the funds appropriated by titles III
3 and IV of this Act, not less than \$150,000,000 shall
4 be made available to implement a multi-year strat-
5 egy to prevent and respond to gender-based violence
6 in countries where it is common in conflict and non-
7 conflict settings.

8 (B) Funds appropriated by titles III and IV of
9 this Act that are available to train foreign police, ju-
10 dicial, and military personnel, including for inter-
11 national peacekeeping operations, shall address,
12 where appropriate, prevention and response to gen-
13 der-based violence and trafficking in persons, and
14 shall promote the integration of women into the po-
15 lice and other security forces.

16 (2) Department of State and United States
17 Agency for International Development gender pro-
18 grams shall incorporate coordinated efforts to com-
19 bat a variety of forms of gender-based violence, in-
20 cluding child marriage, rape, female genital cutting
21 and mutilation, and domestic violence, among other
22 forms of gender-based violence in conflict and non-
23 conflict settings.

24 (d) WOMEN, PEACE, AND SECURITY.—Funds appro-
25 priated by this Act under the headings “Development As-

1 sistance”, “Economic Support Fund”, and “International
2 Narcotics Control and Law Enforcement” should be made
3 available to support a multi-year strategy to expand, and
4 improve coordination of, United States Government ef-
5 forts to empower women as equal partners in conflict pre-
6 vention, peace building, transitional processes, and recon-
7 struction efforts in countries affected by conflict or in po-
8 litical transition, and to ensure the equitable provision of
9 relief and recovery assistance to women and girls.

10 **SECTOR ALLOCATIONS**

11 **SEC. 7060. (a) BASIC EDUCATION AND HIGHER**
12 **EDUCATION.—**

13 **(1) BASIC EDUCATION.—**

14 (A) Of the funds appropriated under title
15 III of this Act, not less than \$800,000,000
16 shall be made available for assistance for basic
17 education, and such funds may be made avail-
18 able notwithstanding any other provision of law
19 that restricts assistance to foreign countries.

20 (B) Not later than 30 days after enact-
21 ment of this Act, the United States Agency for
22 International Development (USAID) Adminis-
23 trator shall report to the Committees on Appro-
24 priations on the status of cumulative unobli-
25 gated balances and obligated, but unexpended,

1 balances in each country where USAID pro-
2 vides basic education assistance and such report
3 shall also include details on the types of con-
4 tracts and grants provided and the goals and
5 objectives of such assistance: *Provided*, That
6 the USAID Administrator shall update such re-
7 port on a monthly basis during fiscal year
8 2017.

9 (C) Of the funds appropriated under title
10 III of this Act for assistance for basic education
11 programs, not less than \$75,000,000 shall be
12 made available for a contribution to multilateral
13 partnerships that support education.

14 (2) HIGHER EDUCATION.—(A) Of the funds ap-
15 propriated under title III of this Act, not less than
16 \$235,000,000 shall be made available for assistance
17 for higher education.

18 (B) Of the funds made available in subpara-
19 graph (A)—

20 (i) not less than \$35,000,000 shall be
21 made available for new partnerships between
22 higher education institutions in the United
23 States and developing countries; and

24 (ii) not less than \$10,000,000 shall be
25 made available for programs in Malawi.

1 (b) CONSERVATION.—

2 (1) BIODIVERSITY.—Of the funds appropriated
3 under title III of this Act, not less than
4 \$265,000,000 shall be made available for biodiver-
5 sity conservation programs.

6 (2) WILDLIFE POACHING AND TRAFFICKING.—

7 (A) Not less than \$80,000,000 of the
8 funds appropriated under titles III and IV of
9 this Act shall be made available to combat the
10 transnational threat of wildlife poaching and
11 trafficking.

12 (B) None of the funds appropriated under
13 title IV of this Act may be made available for
14 training or other assistance for any military
15 unit or personnel that the Secretary of State
16 determines has been credibly alleged to have
17 participated in wildlife poaching or trafficking,
18 unless the Secretary reports to the Committees
19 on Appropriations that to do so is in the na-
20 tional security interests of the United States.

21 (c) DEVELOPMENT PROGRAMS.—Of the funds appro-
22 priated by this Act under the heading “Development As-
23 sistance”, not less than \$26,000,000 shall be made avail-
24 able for the American Schools and Hospitals Abroad pro-

1 gram, and not less than \$11,000,000 shall be made avail-
2 able for cooperative development programs of USAID.

3 (d) FOOD SECURITY AND AGRICULTURAL DEVELOP-
4 MENT.—Funds appropriated by title III of this Act should
5 be made available for food security and agricultural devel-
6 opment programs and may be made available notwith-
7 standing any other provision of law to prevent or address
8 food shortages: *Provided*, That not less than \$60,000,000
9 shall be made available for the Feed the Future Innova-
10 tion Labs.

11 (e) MICROENTERPRISE AND MICROFINANCE.—Of the
12 funds appropriated by this Act, not less than
13 \$265,000,000 should be made available for microenter-
14 prise and microfinance development programs for the
15 poor, especially women.

16 (f) PROGRAMS TO COMBAT TRAFFICKING IN PER-
17 SONS.—

18 (1) Of the funds appropriated by this Act under
19 the headings “Development Assistance”, “Economic
20 Support Fund”, “Assistance for Europe, Eurasia
21 and Central Asia”, and “International Narcotics
22 Control and Law Enforcement”, not less than
23 \$65,000,000 shall be made available for activities to
24 combat trafficking in persons internationally.

1 (2) Funds made available in the previous para-
2 graph shall be made available to support a multi-
3 faceted approach to combat human trafficking in
4 Guatemala: *Provided*, That the Secretary of State
5 shall consult with the Committees on Appropria-
6 tions, not later than 30 days after enactment of this
7 Act, on the use of such funds: *Provided further*, That
8 not later than 120 days after enactment of this Act,
9 the Secretary shall submit a report to the Commit-
10 tees on Appropriations on the requirements enumer-
11 ated under this section in the report accompanying
12 this Act.

13 (g) WATER AND SANITATION.—Of the funds appro-
14 priated by this Act, not less than \$400,000,000 shall be
15 made available for water supply and sanitation projects
16 pursuant to the Senator Paul Simon Water for the Poor
17 Act of 2005 (Public Law 109–121), of which not less than
18 \$145,000,000 shall be for programs in sub-Saharan Afri-
19 ca.

20 LIMITATION ON COMPUTER NETWORKS

21 SEC. 7061. (a) PROHIBITION.—None of the funds
22 made available in this Act may be used to maintain or
23 establish a computer network unless such network blocks
24 the viewing, downloading, and exchanging of pornography.

1 (b) EXCEPTION FOR LAW ENFORCEMENT.—Nothing
2 in subsection (a) shall limit the use of funds necessary
3 for any Federal, State, tribal, or local law enforcement
4 agency or any other entity carrying out criminal investiga-
5 tions, prosecution, or adjudication activities.

6 ARMS TRADE TREATY

7 SEC. 7062. None of the funds appropriated by this
8 Act may be obligated or expended to implement the Arms
9 Trade Treaty until the Senate approves a resolution of
10 ratification for the Treaty.

11 COUNTRIES IMPACTED BY SIGNIFICANT REFUGEE

12 POPULATIONS OR INTERNALLY DISPLACED PERSONS

13 SEC. 7063. Funds appropriated by this Act under the
14 headings “Development Assistance” and “Economic Sup-
15 port Fund” shall be made available for programs in coun-
16 tries affected by significant populations of internally dis-
17 placed persons or refugees to—

18 (1) expand and improve host government social
19 services and basic infrastructure to accommodate the
20 needs of such populations and persons;

21 (2) alleviate the social and economic strains
22 placed on host communities;

23 (3) improve coordination of such assistance in
24 a more effective and sustainable manner;

1 (4) leverage increased assistance from donors
2 other than the United States Government for central
3 governments and local communities in such coun-
4 tries; and

5 (5) promote livelihoods programming, vocational
6 training, and formal and informal education.

7 REPORTING REQUIREMENTS CONCERNING INDIVIDUALS

8 DETAINED AT NAVAL STATION, GUANTÁNAMO BAY, CUBA

9 SEC. 7064. (a) AGREEMENTS.—Not later than 5 days
10 after the conclusion of an agreement with a country, in-
11 cluding a state with a compact of free association with
12 the United States, to receive by transfer or release individ-
13 uals detained at United States Naval Station,
14 Guantánamo Bay, Cuba, the Secretary of State shall no-
15 tify the Committees on Appropriations in writing of the
16 terms of the agreement, including whether funds appro-
17 priated by this Act or prior Acts making appropriations
18 for the Department of State, foreign operations, and re-
19 lated programs will be made available for assistance for
20 such country pursuant to such agreement.

21 (b) NEGOTIATIONS.—The Secretary of State shall re-
22 port to the Committees on Appropriations, not more than
23 45 days after enactment of this Act, and every 45 days
24 thereafter through fiscal year 2017, on negotiations over
25 the previous 45 days between Department of State per-

1 sonnel and officials of Foreign governments over the po-
2 tential transfer to such governments of an individual, or
3 individuals, detained at United States Naval Station,
4 Guantánamo Bay, Cuba: *Provided*, That such reports may
5 be provided in classified form if necessary.

6 MULTI-YEAR PLEDGES

7 SEC. 7065. None of the funds appropriated by this
8 Act may be used to make any pledge for future year fund-
9 ing for any multilateral or bilateral program funded in ti-
10 tles III through VI of this Act unless such pledge was—

11 (1) previously justified, including the projected
12 future year costs, in a congressional budget justifica-
13 tion;

14 (2) included in an Act making appropriations
15 for the Department of State, foreign operations, and
16 related programs or previously authorized by an Act
17 of Congress;

18 (3) notified in accordance with the regular noti-
19 fication procedures of the Committees on Appropria-
20 tions, including the projected future year costs; or

21 (4) the subject of prior consultation with the
22 Committees on Appropriations and such consultation
23 was conducted at least 7 days in advance of the
24 pledge.

1 PROHIBITION ON USE OF TORTURE

2 SEC. 7066. None of the funds made available in this
3 Act may be used to support or justify the use of torture,
4 cruel, or inhumane treatment by any official or contract
5 employee of the United States Government.

6 EXTRADITION

7 SEC. 7067. (a) LIMITATION.—None of the funds ap-
8 propriated in this Act may be used to provide assistance
9 (other than funds provided under the headings “Inter-
10 national Disaster Assistance”, “International Narcotics
11 Control and Law Enforcement”, “Migration and Refugee
12 Assistance”, “United States Emergency Refugee and Mi-
13 gration Assistance Fund”, and “Nonproliferation, Anti-
14 terrorism, Demining and Related Assistance”) for the cen-
15 tral government of a country which has notified the De-
16 partment of State of its refusal to extradite to the United
17 States any individual indicted for a criminal offense for
18 which the maximum penalty is life imprisonment without
19 the possibility of parole or for killing a law enforcement
20 officer, as specified in a United States extradition request.

21 (b) CLARIFICATION.—Subsection (a) shall only apply
22 to the central government of a country with which the
23 United States maintains diplomatic relations and with
24 which the United States has an extradition treaty and the

1 government of that country is in violation of the terms
2 and conditions of the treaty.

3 (c) WAIVER.—The Secretary of State may waive the
4 restriction in subsection (a) on a case-by-case basis if the
5 Secretary certifies to the Committees on Appropriations
6 that such waiver is important to the national interests of
7 the United States.

8 COMMERCIAL LEASING OF DEFENSE ARTICLES

9 SEC. 7068. Notwithstanding any other provision of
10 law, and subject to the regular notification procedures of
11 the Committees on Appropriations, the authority of sec-
12 tion 23(a) of the Arms Export Control Act may be used
13 to provide financing to Israel, Egypt, and the North Atlan-
14 tic Treaty Organization (NATO), and major non-NATO
15 allies for the procurement by leasing (including leasing
16 with an option to purchase) of defense articles from
17 United States commercial suppliers, not including Major
18 Defense Equipment (other than helicopters and other
19 types of aircraft having possible civilian application), if the
20 President determines that there are compelling foreign
21 policy or national security reasons for those defense arti-
22 cles being provided by commercial lease rather than by
23 government-to-government sale under such Act.

1 INDEPENDENT STATES OF THE FORMER SOVIET UNION
2 SEC. 7069. (a) ASSISTANCE FOR UKRAINE AND TO
3 COUNTER RUSSIAN AGGRESSION.—

4 (1) Of the funds appropriated by this Act, not less
5 than \$337,857,000 shall be made available for assistance
6 for Ukraine.

7 (2) In addition to amounts made available in para-
8 graph (1), up to \$325,608,000 shall be made available for
9 assistance for Ukraine, including for the cost of loan guar-
10 antees as authorized by section 7034(m) of this Act, in
11 the manner described under this section in the report ac-
12 companying this Act: *Provided*, That such funds shall be
13 made available after prior consultation with the appro-
14 priate congressional committees and subject to the regular
15 notification procedures of the Committees on Appropria-
16 tions.

17 (b) LIMITATION.—None of the funds appropriated by
18 this Act may be made available for assistance for a govern-
19 ment of an Independent State of the former Soviet Union
20 if that government directs any action in violation of the
21 territorial integrity or national sovereignty of any other
22 independent state of the former Soviet Union, such as
23 those violations included in the Helsinki Final Act: *Pro-*
24 *vided*, That except as otherwise provided in section
25 7070(a) of this Act, funds may be made available without

1 regard to the restriction in this subsection if the President
2 determines that to do so is in the national security interest
3 of the United States: *Provided further*, That prior to exe-
4 cuting the authority contained in this subsection the Sec-
5 retary of State shall consult with the Committees on Ap-
6 propriations on how such assistance supports the national
7 security interest of the United States.

8 (c) SECTION 907 OF THE FREEDOM SUPPORT
9 ACT.—Section 907 of the FREEDOM Support Act shall
10 not apply to—

11 (1) activities to support democracy or assist-
12 ance under title V of the FREEDOM Support Act
13 and section 1424 of the Defense Against Weapons
14 of Mass Destruction Act of 1996 (50 U.S.C. 2333)
15 or non-proliferation assistance;

16 (2) any assistance provided by the Trade and
17 Development Agency under section 661 of the For-
18 eign Assistance Act of 1961 (22 U.S.C. 2421);

19 (3) any activity carried out by a member of the
20 United States and Foreign Commercial Service while
21 acting within his or her official capacity;

22 (4) any insurance, reinsurance, guarantee, or
23 other assistance provided by the Overseas Private
24 Investment Corporation under title IV of chapter 2

1 of part I of the Foreign Assistance Act of 1961 (22
2 U.S.C. 2191 et seq.);

3 (5) any financing provided under the Export-
4 Import Bank Act of 1945; or

5 (6) humanitarian assistance.

6 RUSSIA

7 SEC. 7070. (a) LIMITATION.—None of the funds ap-
8 propriated by this Act may be made available for assist-
9 ance for the central Government of the Russian Federa-
10 tion.

11 (b) DETERMINATION AND CONDITIONS.—

12 (1) None of the funds appropriated by this Act
13 may be made available for assistance for the central
14 government of a country that the Secretary of State
15 determines and reports to the Committees on Appro-
16 priations has taken affirmative steps intended to
17 support or be supportive of the Russian Federation
18 annexation of Crimea: *Provided*, That except as oth-
19 erwise provided in subsection (a), the Secretary may
20 waive the restriction on assistance required by this
21 paragraph if the Secretary certifies to such Commit-
22 tees that to do so is in the national interest of the
23 United States, and includes a justification for such
24 interest.

1 (2) None of the funds appropriated by this Act
2 may be made available for—

3 (A) the implementation of any action or
4 policy that recognizes the sovereignty of the
5 Russian Federation over Crimea;

6 (B) the facilitation, financing, or guarantee
7 of United States Government investments in
8 Crimea, if such activity includes the participa-
9 tion of Russian Government officials, or other
10 Russian owned or controlled financial entities;

11 or

12 (C) assistance for Crimea, if such assist-
13 ance includes the participation of Russian Gov-
14 ernment officials, or other Russian owned or
15 controlled financial entities.

16 (3) The Secretary of the Treasury shall instruct
17 the United States executive directors of each inter-
18 national financial institution to vote against any as-
19 sistance by such institution (including but not lim-
20 ited to any loan, credit, or guarantee) for any pro-
21 gram that violates the sovereignty or territorial in-
22 tegrity of Ukraine.

23 (4) The requirements and limitations of this
24 subsection shall cease to be in effect if the Secretary
25 of State certifies and reports to the Committees on

1 Appropriations that the Government of Ukraine has
2 reestablished sovereignty over Crimea.

3 (c) ASSISTANCE TO REDUCE VULNERABILITY AND
4 PRESSURE.—Funds appropriated by this Act for assist-
5 ance for the Eastern Partnership countries shall be made
6 available to advance the implementation of Association
7 Agreements and trade agreements with the European
8 Union, and to reduce their vulnerability to external eco-
9 nomic and political pressure from the Russian Federation.

10 (d) DEMOCRACY PROGRAMS.—Funds appropriated
11 by this Act shall be made available to support the advance-
12 ment of democracy and the rule of law in the Russian Fed-
13 eration, including to promote Internet freedom.

14 (e) REPORTS.—Not later than 45 days after enact-
15 ment of this Act, the Secretary of State shall update the
16 reports required by section 7071(b)(2), (c), and (e) of the
17 Department of State, Foreign Operations, and Related
18 Programs Appropriations Act, 2014 (division K of Public
19 Law 113–76).

20 INTERNATIONAL MONETARY FUND

21 SEC. 7071. (a) EXTENSIONS.—The terms and condi-
22 tions of sections 7086(b) (1) and (2) and 7090(a) of the
23 Department of State, Foreign Operations, and Related
24 Programs Appropriations Act, 2010 (division F of Public
25 Law 111–117) shall apply to this Act.

1 (b) REPAYMENT.—The Secretary of the Treasury
2 shall instruct the United States Executive Director of the
3 International Monetary Fund (IMF) to seek to ensure
4 that any loan will be repaid to the IMF before other pri-
5 vate creditors.

6 SPECIAL DEFENSE ACQUISITION FUND

7 SEC. 7072. Not to exceed \$900,000,000 may be obli-
8 gated pursuant to section 51(c)(2) of the Arms Export
9 Control Act for the purposes of the Special Defense Acqui-
10 sition Fund (Fund), to remain available for obligation
11 until September 30, 2019: *Provided*, That the provision
12 of defense articles and defense services to foreign coun-
13 tries or international organizations from the Fund shall
14 be subject to the concurrence of the Secretary of State.

15 COUNTERING FOREIGN FIGHTERS AND VIOLENT

16 EXTREMIST ORGANIZATIONS

17 SEC. 7073. (a) COUNTERING FOREIGN FIGHTERS
18 AND VIOLENT EXTREMIST ORGANIZATIONS.—Funds ap-
19 propriated under titles III and IV of this Act shall be
20 made available for programs to—

21 (1) counter the flow of foreign fighters to coun-
22 tries in which violent extremists or violent extremist
23 organizations operate, including those entities des-
24 ignated as foreign terrorist organizations (FTOs)
25 pursuant to section 219 of the Immigration and Na-

1 tionality Act, including through programs with part-
2 ner governments and multilateral organizations to—

3 (A) counter recruitment campaigns by
4 such entities;

5 (B) detect and disrupt foreign fighter trav-
6 el, particularly at points of origin;

7 (C) implement antiterrorism programs;

8 (D) secure borders, including points of in-
9 filtration and exfiltration by such entities;

10 (E) implement and establish criminal laws
11 and policies to counter foreign fighters; and

12 (F) arrest, investigate, prosecute, and in-
13 carcerate terrorist suspects, facilitators, and
14 financiers; and

15 (2) counter violent extremists and violent ex-
16 tremist organizations, including FTOs, by sup-
17 porting security and governance programs in coun-
18 tries whose stability and legitimacy are directly
19 threatened by violence against state institutions by
20 such entities, including at the national and local lev-
21 els, and in fragile states bordering such countries.

22 (b) REQUIREMENTS.—

23 (1) The Secretary of State shall ensure that the
24 programs described in subsection (a) are coordinated
25 with and complement the efforts of other United

1 States Government agencies and international part-
2 ners, and that such programs are consistent with all
3 applicable laws, regulations, and policies regarding
4 the use of foreign assistance funds: *Provided*, That
5 the Secretary shall also ensure that information
6 gained through the conduct of programs is shared in
7 a timely manner with relevant United States Gov-
8 ernment agencies and other international partners,
9 as appropriate.

10 (2) Prior to the obligation of funds appro-
11 priated by this Act and made available for the pur-
12 poses of this section, the Secretary of State shall en-
13 sure that mechanisms are in place for appropriate
14 monitoring, oversight, vetting, and control of such
15 assistance: *Provided*, That the Secretary shall
16 promptly inform the appropriate congressional com-
17 mittees of each significant instance in which assist-
18 ance provided for such purposes has been com-
19 promised, including the amount and type of assist-
20 ance affected, a description of the incident and par-
21 ties involved, and an explanation of the response of
22 the Department of State.

23 (3) Funds appropriated by this Act that are
24 made available for programs described in subsection

1 (a) shall be subject to the regular notification proce-
2 dures of the Committees on Appropriations.

3 ENTERPRISE FUNDS

4 SEC. 7074. (a) NOTIFICATION REQUIREMENT.—

5 None of the funds made available under titles III through
6 VI of this Act may be made available for Enterprise Funds
7 unless the appropriate congressional committees are noti-
8 fied at least 15 days in advance.

9 (b) DISTRIBUTION OF ASSETS PLAN.—Prior to the
10 distribution of any assets resulting from any liquidation,
11 dissolution, or winding up of an Enterprise Fund, in whole
12 or in part, the President shall submit to the appropriate
13 congressional committees a plan for the distribution of the
14 assets of the Enterprise Fund.

15 (c) TRANSITION OR OPERATING PLAN.—Prior to a
16 transition to and operation of any private equity fund or
17 other parallel investment fund under an existing Enter-
18 prise Fund, the President shall submit such transition or
19 operating plan to the appropriate congressional commit-
20 tees.

21 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

22 SEC. 7075. If the President makes a determination
23 not to comply with any provision of this Act on constitu-
24 tional grounds, the head of the relevant Federal agency
25 shall notify the Committees on Appropriations in writing

1 within 5 days of such determination, the basis for such
2 determination and any resulting changes to program and
3 policy.

4 BUDGET DOCUMENTS

5 SEC. 7076. (a) OPERATING PLANS.—Not later than
6 45 days after the date of enactment of this Act, each de-
7 partment, agency, or organization funded in titles I, II,
8 and VI of this Act, and the Department of the Treasury
9 and Independent Agencies funded in title III of this Act,
10 including the Inter-American Foundation and the United
11 States African Development Foundation, shall submit to
12 the Committees on Appropriations an operating plan for
13 funds appropriated to such department, agency, or organi-
14 zation in such titles of this Act, or funds otherwise avail-
15 able for obligation in fiscal year 2017, that provides de-
16 tails of the uses of such funds at the program, project,
17 and activity level: *Provided*, That such plans shall include,
18 as applicable, a comparison between the most recent con-
19 gressional directives or approved funding levels and the
20 funding levels proposed by the department or agency; and
21 a clear, concise, and informative description/justification:
22 *Provided further*, That if such department, agency, or or-
23 ganization receives an additional amount under the same
24 heading in title VIII of this Act, operating plans required
25 by this subsection shall include consolidated information

1 on all such funds: *Provided further*, That operating plans
2 that include changes in levels of funding for programs,
3 projects, and activities specified in the congressional budg-
4 et justification, in this Act, or amounts specifically des-
5 igned in the respective tables included in the report ac-
6 companying this Act, as applicable, shall be subject to the
7 notification and reprogramming requirements of section
8 7015 of this Act.

9 (b) SPEND PLANS.—

10 (1) Prior to the initial obligation of funds, the
11 Secretary of State or Administrator of the United
12 States Agency for International Development
13 (USAID), as appropriate, shall submit to the Com-
14 mittees on Appropriations a detailed spend plan for
15 funds made available by this Act, for—

16 (A) assistance for Afghanistan, Iraq, Leb-
17 anon, Pakistan, and the West Bank and Gaza;

18 (B) Power Africa and the regional security
19 initiatives listed under this section in the report
20 accompanying this Act: *Provided*, That the
21 spend plan for such initiatives shall include the
22 amount of assistance planned for each country
23 by account, to the maximum extent practicable;
24 and

1 (C) democracy programs, programs to sup-
2 port section 7073(a) of this Act, and sectors
3 enumerated in subsections (a), (c), (d), (f), and
4 (g) of section 7060 of this Act.

5 (2) Not later than 45 days after enactment of
6 this Act, the Secretary of the Treasury shall submit
7 to the Committees on Appropriations a detailed
8 spend plan for funds made available by this Act
9 under the heading “Department of the Treasury,
10 International Affairs Technical Assistance” in title
11 III.

12 (c) SPENDING REPORT.—Not later than 45 days
13 after enactment of this Act, the USAID Administrator
14 shall submit to the Committees on Appropriations a de-
15 tailed report on spending of funds made available during
16 fiscal year 2016 under the heading “Development Credit
17 Authority”.

18 (d) NOTIFICATIONS.—The spend plans referenced in
19 subsection (b) shall not be considered as meeting the noti-
20 fication requirements in this Act or under section 634A
21 of the Foreign Assistance Act of 1961.

22 (e) CONGRESSIONAL BUDGET JUSTIFICATION.—

23 (1) The congressional budget justification for
24 Department of State operations and foreign oper-
25 ations shall be provided to the Committees on Ap-

1 appropriations concurrent with the date of submission
2 of the President’s budget for fiscal year 2018: *Pro-*
3 *vided*, That the appendices for such justification
4 shall be provided to the Committees on Appropria-
5 tions not later than 10 calendar days thereafter.

6 (2) The Secretary of State and the USAID Ad-
7 ministrator shall include in the congressional budget
8 justification a detailed justification for multi-year
9 availability for any funds requested under the head-
10 ings “Diplomatic and Consular Programs” and “Op-
11 erating Expenses”.

12 REPORTS AND RECORDS MANAGEMENT

13 SEC. 7077. (a) PUBLIC POSTING OF REPORTS.—

14 (1) REQUIREMENT.—Any agency receiving
15 funds made available by this Act shall, subject to
16 paragraphs (2) and (3), post on the publicly avail-
17 able Web site of such agency any report required by
18 this Act to be submitted to the Committees on Ap-
19 propriations, upon a determination by the head of
20 such agency that to do so is in the national interest.

21 (2) EXCEPTIONS.—Paragraph (1) shall not
22 apply to a report if—

23 (A) the public posting of such report would
24 compromise national security, including the
25 conduct of diplomacy; or

1 (B) the report contains proprietary, privi-
2 leged, or sensitive information.

3 (3) TIMING AND INTENTION.—The head of the
4 agency posting such report shall, unless otherwise
5 provided for in this Act, do so only after such report
6 has been made available to the Committees on Ap-
7 propriations for not less than 45 days: *Provided*,
8 That any report required by this Act to be submitted
9 to the Committees on Appropriations shall include
10 information from the submitting agency on whether
11 such report will be publicly posted.

12 (b) REQUESTS FOR DOCUMENTS.—None of the funds
13 appropriated or made available pursuant to titles III
14 through VI of this Act shall be available to a nongovern-
15 mental organization, including any contractor, which fails
16 to provide upon timely request any document, file, or
17 record necessary to the auditing requirements of the De-
18 partment of State and the United States Agency for Inter-
19 national Development (USAID).

20 (c) RECORDS MANAGEMENT.—

21 (1) LIMITATION AND DIRECTIVES.—

22 (A) None of the funds appropriated by this
23 Act under the headings “Diplomatic and Con-
24 sular Programs” and “Capital Investment
25 Fund” in title I, and “Operating Expenses” in

1 title II that are made available to the Depart-
2 ment of State and USAID may be made avail-
3 able to support the use or establishment of
4 email accounts or email servers created outside
5 the .gov domain or not fitted for automated
6 records management as part of a Federal gov-
7 ernment records management program in con-
8 travention of the Presidential and Federal
9 Records Act Amendments of 2014 (Public Law
10 113–187).

11 (B) The Secretary of State and USAID
12 Administrator shall—

13 (i) update the policies, directives, and
14 oversight necessary to comply with Federal
15 statutes, regulations, and presidential exec-
16 utive orders and memoranda concerning
17 the preservation of all records made or re-
18 ceived in the conduct of official business,
19 including record emails, instant messaging,
20 and other online tools;

21 (ii) use funds appropriated or other-
22 wise made available by this Act under the
23 headings “Diplomatic and Consular Pro-
24 grams” and “Capital Investment Fund” in
25 title I, and “Operating Expenses” in title

1 II, as appropriate, to improve Federal
2 records management pursuant to the Fed-
3 eral Records Act (44 U.S.C. Chapters 21,
4 29, 31, and 33) and other applicable Fed-
5 eral records management statutes, regula-
6 tions, or policies for the Department of
7 State and USAID;

8 (iii) direct departing employees that
9 all Federal records generated by such em-
10 ployees, including senior officials, belong to
11 the Federal Government; and

12 (iv) measurably improve the response
13 time for identifying and retrieving Federal
14 records.

15 (2) REPORT.—Not later than 30 days after en-
16 actment of this Act, the Secretary of State and
17 USAID Administrator shall each submit a report to
18 the Committees on Appropriations and to the Na-
19 tional Archives and Records Administration detail-
20 ing, as appropriate and where applicable—

21 (A) any updates or modifications made to
22 the policy of each agency regarding the use or
23 the establishment of email accounts or email
24 servers created outside the .gov domain or not
25 fitted for automated records management as

1 part of a Federal government records manage-
2 ment program since the submission to the Com-
3 mittees on Appropriations on January 20,
4 2016, of the report required by section
5 7077(c)(2) of the Department of State, Foreign
6 Operations, and Related Programs Appropria-
7 tions Act, 2016 (division K of Public Law 114-
8 113);

9 (B) the extent to which each agency is in
10 compliance with applicable Federal records
11 management statutes, regulations, and policies,
12 including meeting Directive goal 1.2 of the
13 Managing Government Records Directive (M-
14 12-18) by December 31, 2016; and

15 (C) any updates or modifications made to
16 the steps required, including steps already
17 taken, since the submission of the report ref-
18 erenced in subparagraph (A) to—

19 (i) comply with paragraph (1)(B) of
20 this subsection;

21 (ii) ensure that all employees at every
22 level have been instructed in procedures
23 and processes to ensure that the docu-
24 mentation of their official duties is cap-
25 tured, preserved, managed, protected, and

1 accessible in official Government systems
2 of the Department of State and USAID;

3 (iii) implement the recommendations
4 made by the Office of Inspector General,
5 United States Department of State (OIG),
6 in the March 2015 Review of State Mes-
7 saging and Archive Retrieval Toolset and
8 Record Email (ISP-1-15-15) and the
9 January 2016 Evaluation of the Depart-
10 ment of State's FOIA Process for Re-
11 quests Involving the Office of the Secretary
12 (ESP-16-01), that are outstanding and
13 remain to be closed;

14 (iv) reduce the backlog of Freedom of
15 Information Act (FOIA) and Congressional
16 oversight requests, and measurably im-
17 prove the response time for answering such
18 requests; and

19 (v) strengthen cyber security meas-
20 ures to mitigate vulnerabilities, including
21 those resulting from the use of personal
22 email accounts or servers outside the .gov
23 domain and implement the recommenda-
24 tions of the OIG in the May 2016 Evalua-

1 tion of Email Records Management and
2 Cybersecurity Requirements (ESP–16–03).

3 (3) IMPLEMENTATION AND SPEND PLAN RE-
4 PORT.—Not later than 30 days after enactment of
5 this Act, the Secretary of State and USAID Admin-
6 istrator shall each submit to the Committees on Ap-
7 propriations a plan and timeline, which may be sub-
8 mitted concurrent with the report required by para-
9 graph (2) for—

10 (A) implementing the recommendations of
11 the OIG reports referenced in clauses (iii) and
12 (v);

13 (B) measurably reducing the FOIA and
14 Congressional oversight requests backlog; and

15 (C) a spend plan for meeting the objectives
16 of subparagraphs (A) and (B).

17 (4) REPORT ASSESSMENT.—Not later than 180
18 days after the submission of the reports required by
19 paragraph (2), the Comptroller General of the
20 United States, in consultation with National Ar-
21 chives and Records Administration, as appropriate,
22 shall conduct an assessment of such reports, and
23 shall consult with the Committees on Appropriations
24 on the scope and requirements of such assessment.

1 (5) FUNDING.—Of funds appropriated by this
2 Act under the heading “Capital Investment Fund”
3 in title I, \$10,000,000 shall be withheld from obliga-
4 tion until the Secretary submits the reports required
5 by paragraphs (2) and (3).

6 GLOBAL INTERNET FREEDOM

7 SEC. 7078. (a) FUNDING.—Of the funds available for
8 obligation during fiscal year 2017 under the headings
9 “International Broadcasting Operations”, “Economic
10 Support Fund”, “Democracy Fund”, and “Assistance for
11 Europe, Eurasia and Central Asia”, not less than
12 \$50,500,000 shall be made available for programs to pro-
13 mote Internet freedom globally: *Provided*, That such pro-
14 grams shall be prioritized for countries whose governments
15 restrict freedom of expression on the Internet, and that
16 are important to the national interests of the United
17 States: *Provided further*, That funds made available pursu-
18 ant to this section shall be matched, to the maximum ex-
19 tent practicable, by sources other than the United States
20 Government, including from the private sector.

21 (b) REQUIREMENTS.—Funds made available pursu-
22 ant to subsection (a) shall be—

23 (1) coordinated with other democracy, govern-
24 ance, and broadcasting programs funded by this Act
25 under the headings “International Broadcasting Op-

1 erations”, “Economic Support Fund”, “Democracy
2 Fund”, and “Assistance for Europe, Eurasia and
3 Central Asia”, and shall be incorporated into coun-
4 try assistance, democracy promotion, and broad-
5 casting strategies, as appropriate;

6 (2) made available to the Bureau of Democracy,
7 Human Rights, and Labor, Department of State for
8 programs to implement the May 2011, International
9 Strategy for Cyberspace and the comprehensive
10 strategy to promote Internet freedom and access to
11 information in Iran, as required by section 414 of
12 the Iran Threat Reduction and Syria Human Rights
13 Act of 2012 (22 U.S.C. 8754);

14 (3) made available to the Broadcasting Board
15 of Governors (BBG) to provide tools and techniques
16 to access the Web sites of BBG broadcasters that
17 are censored, and to work with such broadcasters to
18 promote and distribute such tools and techniques,
19 including digital security techniques;

20 (4) made available for programs that support
21 the efforts of civil society to counter the development
22 of repressive Internet-related laws and regulations,
23 including countering threats to Internet freedom at
24 international organizations; to combat violence
25 against bloggers and other users; and to enhance

1 digital security training and capacity building for de-
2 mocracy activists; and

3 (5) made available for research of key threats
4 to Internet freedom; the continued development of
5 technologies that provide or enhance access to the
6 Internet, including circumvention tools that bypass
7 Internet blocking, filtering, and other censorship
8 techniques used by authoritarian governments; and
9 maintenance of the technological advantage of the
10 United States Government over such censorship
11 techniques: *Provided*, That the Secretary of State, in
12 consultation with the BBG Chairman, shall coordi-
13 nate any such research and development programs
14 with other relevant United States Government de-
15 partments and agencies in order to share informa-
16 tion, technologies, and best practices, and to assess
17 the effectiveness of such technologies.

18 (c) COORDINATION AND SPEND PLANS.—After con-
19 sultation among the relevant agency heads to coordinate
20 and de-conflict planned activities, but not later than 90
21 days after enactment of this Act, the Secretary of State
22 and the BBG Chairman shall submit to the Committees
23 on Appropriations spend plans for funds made available
24 by this Act for programs to promote Internet freedom
25 globally, which shall include a description of safeguards

1 established by relevant agencies to ensure that such pro-
2 grams are not used for illicit purposes: *Provided*, That the
3 Department of State spend plan shall include funding for
4 all such programs for all relevant Department of State
5 and USAID offices and bureaus: *Provided further*, That
6 prior to the obligation of such funds, such offices and bu-
7 reaus shall consult with the Assistant Secretary for De-
8 mocracy, Human Rights, and Labor, Department of
9 State, to ensure that such programs support the Depart-
10 ment of State Internet freedom strategy.

11 IMPACT ON JOBS IN THE UNITED STATES

12 SEC. 7079. None of the funds appropriated or other-
13 wise made available under titles III through VI of this
14 Act or any other Act making appropriations for the De-
15 partment of State, foreign operations, and related pro-
16 grams, may be obligated or expended to provide—

17 (1) for fiscal year 2017, any financial incentive
18 to a business enterprise currently located in the
19 United States for the purpose of inducing such an
20 enterprise to relocate outside the United States if
21 such incentive or inducement is likely to reduce the
22 number of employees of such business enterprise in
23 the United States because United States production
24 is being replaced by such enterprise outside the
25 United States;

1 (2) for fiscal year 2017, assistance for any pro-
2 gram, project, or activity that contributes to the vio-
3 lation of internationally recognized workers' rights,
4 as defined in section 507(4) of the Trade Act of
5 1974, of workers in the recipient country, including
6 any designated zone or area in that country: *Pro-*
7 *vided*, That the application of section 507(4)(D) and
8 (E) of such Act should be commensurate with the
9 level of development of the recipient country and
10 sector, and shall not preclude assistance for the in-
11 formal sector in such country, micro and small-scale
12 enterprise, and smallholder agriculture;

13 (3) for fiscal year 2017, any assistance to an
14 entity outside the United States if such assistance is
15 for the purpose of directly relocating or transferring
16 jobs from the United States to other countries and
17 adversely impacts the labor force in the United
18 States; or

19 (4) for fiscal year 2017, or any fiscal year
20 thereafter, for the enforcement of any rule, regula-
21 tion, policy, or guidelines implemented pursuant
22 to—

23 (A) the third proviso of subsection 7079(b)
24 of the Consolidated Appropriations Act, 2010;

1 (B) the modification proposed by the Over-
2 seas Private Investment Corporation in Novem-
3 ber 2013 to the Corporation’s Environmental
4 and Social Policy Statement relating to coal;

5 (C) the Supplemental Guidelines for High
6 Carbon Intensity Projects approved by the Ex-
7 port-Import Bank of the United States on De-
8 cember 12, 2013; or

9 (D) the World Bank Group’s Directions
10 for the World Bank Group’s Energy Sector re-
11 leased on July 16, 2013,

12 when enforcement of such rule, regulation, policy, or
13 guidelines would prohibit, or have the effect of pro-
14 hibiting, any coal-fired or other power-generation
15 project the purpose of which is to increase exports
16 of goods and services from the United States or pre-
17 vent the loss of jobs in the United States.

18 QUORUM REQUIREMENT

19 SEC. 7080. Section 1 of Public Law 106–46 (12
20 U.S.C. 635a note) is amended by striking “July 21, 1999,
21 and ends on December 2, 1999” and inserting “October
22 1, 2016, and ends on September 30, 2019”: *Provided*,
23 That the amendment made pursuant to this subparagraph
24 to such law shall take effect upon enactment of this Act.

1 TITLE VIII
2 OVERSEAS CONTINGENCY OPERATIONS/GLOBAL
3 WAR ON TERRORISM
4 DEPARTMENT OF STATE
5 ADMINISTRATION OF FOREIGN AFFAIRS
6 DIPLOMATIC AND CONSULAR PROGRAMS
7 (INCLUDING TRANSFER OF FUNDS)

8 For an additional amount for “Diplomatic and Con-
9 sular Programs”, \$2,410,386,000, to remain available
10 until September 30, 2018, of which \$1,815,210,000 is for
11 Worldwide Security Protection and shall remain available
12 until expended: *Provided*, That the Secretary of State may
13 transfer up to \$5,000,000 of the total funds made avail-
14 able under this heading to any other appropriation of any
15 department or agency of the United States, upon the con-
16 currence of the head of such department or agency, to sup-
17 port operations in and assistance for Afghanistan and to
18 carry out the provisions of the Foreign Assistance Act of
19 1961: *Provided further*, That any such transfer shall be
20 subject to the regular notification procedures of the Com-
21 mittees on Appropriations: *Provided further*, That up to
22 \$15,000,000 of the funds appropriated under this heading
23 in this title may be made available for Conflict Stabiliza-
24 tion Operations and for related reconstruction and sta-
25 bilization assistance to prevent or respond to conflict or

1 civil strife in foreign countries or regions, or to enable
2 transition from such strife: *Provided further*, That such
3 amount is designated by the Congress for Overseas Con-
4 tingency Operations/Global War on Terrorism pursuant to
5 section 251(b)(2)(A)(ii) of the Balanced Budget and
6 Emergency Deficit Control Act of 1985.

7 OFFICE OF INSPECTOR GENERAL

8 For an additional amount for “Office of Inspector
9 General”, \$54,900,000, to remain available until Sep-
10 tember 30, 2018, which shall be for the Special Inspector
11 General for Afghanistan Reconstruction (SIGAR) for re-
12 construction oversight: *Provided*, That printing and repro-
13 duction costs shall not exceed amounts for such costs dur-
14 ing fiscal year 2016: *Provided further*, That notwith-
15 standing any other provision of law, any employee of
16 SIGAR who completes at least 12 months of continuous
17 service after the date of enactment of this Act or who is
18 employed on the date on which SIGAR terminates, which-
19 ever occurs first, shall acquire competitive status for ap-
20 pointment to any position in the competitive service for
21 which the employee possesses the required qualifications:
22 *Provided further*, That such amount is designated by the
23 Congress for Overseas Contingency Operations/Global
24 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

1 the Balanced Budget and Emergency Deficit Control Act
2 of 1985.

3 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

4 For an additional amount for “Embassy Security,
5 Construction, and Maintenance”, \$1,238,800,000, to re-
6 main available until expended, of which \$1,228,000,000
7 shall be for Worldwide Security Upgrades, acquisition, and
8 construction as authorized: *Provided*, That such amount
9 is designated by the Congress for Overseas Contingency
10 Operations/Global War on Terrorism pursuant to section
11 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
12 Deficit Control Act of 1985.

13 INTERNATIONAL ORGANIZATIONS

14 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

15 For an additional amount for “Contributions to
16 International Organizations”, \$66,614,000: *Provided*,
17 That such amount is designated by the Congress for Over-
18 seas Contingency Operations/Global War on Terrorism
19 pursuant to section 251(b)(2)(A)(ii) of the Balanced
20 Budget and Emergency Deficit Control Act of 1985.

21 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

22 ACTIVITIES

23 For an additional amount for “Contributions for
24 International Peacekeeping Activities”, \$1,385,670,000,
25 to remain available until September 30, 2018: *Provided*,

1 That such amount is designated by the Congress for Over-
2 seas Contingency Operations/Global War on Terrorism
3 pursuant to section 251(b)(2)(A)(ii) of the Balanced
4 Budget and Emergency Deficit Control Act of 1985.

5 RELATED AGENCY

6 BROADCASTING BOARD OF GOVERNORS

7 INTERNATIONAL BROADCASTING OPERATIONS

8 For an additional amount for “International Broad-
9 casting Operations”, \$10,700,000, to remain available
10 until September 30, 2018: *Provided*, That such amount
11 is designated by the Congress for Overseas Contingency
12 Operations/Global War on Terrorism pursuant to section
13 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985.

15 UNITED STATES AGENCY FOR INTERNATIONAL

16 DEVELOPMENT

17 FUNDS APPROPRIATED TO THE PRESIDENT

18 OPERATING EXPENSES

19 For an additional amount for “Operating Expenses”,
20 \$98,460,000, to remain available until September 30,
21 2018: *Provided*, That such amount is designated by the
22 Congress for Overseas Contingency Operations/Global
23 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
24 the Balanced Budget and Emergency Deficit Control Act
25 of 1985.

1 BILATERAL ECONOMIC ASSISTANCE
2 FUNDS APPROPRIATED TO THE PRESIDENT
3 INTERNATIONAL DISASTER ASSISTANCE

4 For an additional amount for “International Disaster
5 Assistance”, \$1,885,127,000, to remain available until ex-
6 pended: *Provided*, That such amount is designated by the
7 Congress for Overseas Contingency Operations/Global
8 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
9 the Balanced Budget and Emergency Deficit Control Act
10 of 1985.

11 TRANSITION INITIATIVES

12 For an additional amount for “Transition Initia-
13 tives”, \$37,000,000, to remain available until expended:
14 *Provided*, That such amount is designated by the Congress
15 for Overseas Contingency Operations/Global War on Ter-
16 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
17 anced Budget and Emergency Deficit Control Act of 1985.

18 ECONOMIC SUPPORT FUND

19 For an additional amount for “Economic Support
20 Fund”, \$2,422,673,000, to remain available until Sep-
21 tember 30, 2018: *Provided*, That such amount is des-
22 ignated by the Congress for Overseas Contingency Oper-
23 ations/Global War on Terrorism pursuant to section
24 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985.

1 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

2 For an additional amount for “Assistance for Eu-
3 rope, Eurasia and Central Asia”, \$438,569,000, to remain
4 available until September 30, 2018: *Provided*, That such
5 amount is designated by the Congress for Overseas Con-
6 tingency Operations/Global War on Terrorism pursuant to
7 section 251(b)(2)(A)(ii) of the Balanced Budget and
8 Emergency Deficit Control Act of 1985.

9 DEPARTMENT OF STATE

10 MIGRATION AND REFUGEE ASSISTANCE

11 For an additional amount for “Migration and Ref-
12 ugee Assistance” for overseas assistance to respond to ref-
13 ugee crises in Africa, the Near East, South and Central
14 Asia, and Europe and Eurasia, \$2,287,904,000, to remain
15 available until expended, except that such funds shall not
16 be made available for the resettlement costs of refugees
17 in the United States: *Provided*, That such amount is des-
18 ignated by the Congress for Overseas Contingency Oper-
19 ations/Global War on Terrorism pursuant to section
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985.

22 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
23 ASSISTANCE FUND

24 For necessary expenses to carry out the provisions
25 of section 2(c) of the Migration and Refugee Assistance

1 Act of 1962, as amended (22 U.S.C. 2601(e)), for over-
2 seas assistance to respond to unexpected emergency mi-
3 gration needs, \$50,000,000, to remain available until ex-
4 pended: *Provided*, That such amount is designated by the
5 Congress for Overseas Contingency Operations/Global
6 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
7 the Balanced Budget and Emergency Deficit Control Act
8 of 1985.

9 INTERNATIONAL SECURITY ASSISTANCE

10 DEPARTMENT OF STATE

11 INTERNATIONAL NARCOTICS CONTROL AND LAW

12 ENFORCEMENT

13 For an additional amount for “International Nar-
14 cotics Control and Law Enforcement”, \$371,661,000, to
15 remain available until September 30, 2018: *Provided*,
16 That such amount is designated by the Congress for Over-
17 seas Contingency Operations/Global War on Terrorism
18 pursuant to section 251(b)(2)(A)(ii) of the Balanced
19 Budget and Emergency Deficit Control Act of 1985.

20 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND

21 RELATED PROGRAMS

22 For an additional amount for “Nonproliferation,
23 Anti-terrorism, Demining and Related Programs”,
24 \$379,091,000, to remain available until September 30,
25 2018: *Provided*, That such amount is designated by the

1 Congress for Overseas Contingency Operations/Global
2 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
3 the Balanced Budget and Emergency Deficit Control Act
4 of 1985.

5 PEACEKEEPING OPERATIONS

6 For an additional amount for “Peacekeeping Oper-
7 ations”, \$469,269,000, to remain available until Sep-
8 tember 30, 2018: *Provided*, That such amount is des-
9 ignated by the Congress for Overseas Contingency Oper-
10 ations/Global War on Terrorism pursuant to section
11 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
12 Deficit Control Act of 1985: *Provided further*, That funds
13 available for obligation under this heading in this Act may
14 be used to pay assessed expenses of international peace-
15 keeping activities in Somalia, subject to the regular notifi-
16 cation procedures of the Committees on Appropriations,
17 except that such expenses shall not exceed the level de-
18 scribed in the final proviso under the heading “Contribu-
19 tions for International Peacekeeping Activities” in title I
20 of this Act.

21 FUNDS APPROPRIATED TO THE PRESIDENT

22 FOREIGN MILITARY FINANCING PROGRAM

23 For an additional amount for “Foreign Military Fi-
24 nancing Program”, \$1,288,176,000, to remain available
25 until September 30, 2018: *Provided*, That such amount

1 is designated by the Congress for Overseas Contingency
2 Operations/Global War on Terrorism pursuant to section
3 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
4 Deficit Control Act of 1985.

5 GENERAL PROVISIONS

6 ADDITIONAL APPROPRIATIONS

7 SEC. 8001. Notwithstanding any other provision of
8 law, funds appropriated in this title are in addition to
9 amounts appropriated or otherwise made available in this
10 Act for fiscal year 2017.

11 EXTENSION OF AUTHORITIES AND CONDITIONS

12 SEC. 8002. Unless otherwise provided for in this Act,
13 the additional amounts appropriated by this title to appro-
14 priations accounts in this Act shall be available under the
15 authorities and conditions applicable to such appropria-
16 tions accounts.

17 TRANSFER AUTHORITY

18 SEC. 8003. Funds appropriated by this title under
19 the heading “Assistance for Europe, Eurasia and Central
20 Asia”, may be transferred to, and merged with, funds ap-
21 propriated by this title in this Act under the headings
22 “International Disaster Assistance”, “International Nar-
23 cotics Control and Law Enforcement”, and “Foreign Mili-
24 tary Financing Program” for assistance for countries
25 funded under the heading “Assistance for Europe, Eur-

1 asia and Central Asia’’: *Provided*, That the transfer au-
2 thority of this section is in addition to any other transfer
3 authority provided by this or any other Act, and shall be
4 subject to the regular notification procedures of the Com-
5 mittees on Appropriations.

6 DESIGNATION

7 SEC. 8004. Each amount designated in this Act by
8 the Congress for Overseas Contingency Operations/Global
9 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
10 the Balanced Budget and Emergency Deficit Control Act
11 of 1985 shall be available (or rescinded, if applicable) only
12 if the President subsequently so designates all such
13 amounts and transmits such designations to the Congress.

14 TITLE IX

15 ADDITIONAL GENERAL PROVISION

16 SPENDING REDUCTION ACCOUNT

17 The amount by which the applicable allocation of new
18 budget authority made by the Committee on Appropria-
19 tions of the House of Representatives under section
20 302(b) of the Congressional Budget Act of 1974 exceeds
21 the amount of proposed new budget authority is \$0.

22 This Act may be cited as the “Department of State,
23 Foreign Operations, and Related Programs Appropria-
24 tions Act, 2017”.

Union Calendar No. 537

114TH CONGRESS
2^D SESSION

H. R. 5912

[Report No. 114-693]

A BILL

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2017, and for other purposes.

JULY 15, 2016

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed