

**Calendar No. 541**114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 3117****[Report No. 114–290]**

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

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**IN THE SENATE OF THE UNITED STATES**

JUNE 29, 2016

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

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**A BILL**

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

1       *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:

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

7 For necessary expenses of the Department of State  
8 and the Foreign Service not otherwise provided for,  
9 \$6,006,296,000, of which up to \$660,231,000 may remain  
10 available until September 30, 2018, and of which up to  
11 \$1,604,755,000 may remain available until expended for  
12 Worldwide Security Protection: *Provided*, That funds  
13 made available under this heading shall be allocated in ac-  
14 cordance with paragraphs (1) through (4) as follows:

15 (1) HUMAN RESOURCES.—For necessary ex-  
16 penses for training, human resources management,  
17 and salaries, including employment without regard  
18 to civil service and classification laws of persons on  
19 a temporary basis (not to exceed \$700,000), as au-  
20 thorized by section 801 of the United States Infor-  
21 mation and Educational Exchange Act of 1948,  
22 \$2,606,152,000, of which up to \$463,417,000 is for  
23 Worldwide Security Protection.

24 (2) OVERSEAS PROGRAMS.—For necessary ex-  
25 penses for the regional bureaus of the Department

1 of State and overseas activities as authorized by law,  
2 \$1,477,436,000.

3 (3) DIPLOMATIC POLICY AND SUPPORT.—For  
4 necessary expenses for the functional bureaus of the  
5 Department of State, including representation to  
6 certain international organizations in which the  
7 United States participates pursuant to treaties rati-  
8 fied pursuant to the advice and consent of the Sen-  
9 ate or specific Acts of Congress, general administra-  
10 tion, and arms control, nonproliferation and disarm-  
11 ament activities as authorized, \$759,125,000.

12 (4) SECURITY PROGRAMS.—For necessary ex-  
13 penses for security activities, \$1,163,583,000, of  
14 which up to \$1,141,338,000 is for Worldwide Secu-  
15 rity Protection.

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

19 (A) as authorized by section 810 of the  
20 United States Information and Educational Ex-  
21 change Act, not to exceed \$5,000,000, to re-  
22 main available until expended, may be credited  
23 to this appropriation from fees or other pay-  
24 ments received from English teaching, library,  
25 motion pictures, and publication programs and

1 from fees from educational advising and coun-  
2 seling and exchange visitor programs; and

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

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

8 (A) Notwithstanding any other provision of  
9 this Act, funds may be reprogrammed within  
10 and between paragraphs (1) through (4) under  
11 this heading subject to section 7015 of this Act.

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

19 (C) Funds appropriated under this heading  
20 are available for acquisition by exchange or pur-  
21 chase of passenger motor vehicles as authorized  
22 by law and, pursuant to section 1108(g) of title  
23 31, United States Code, for the field examina-  
24 tion of programs and activities in the United

1 States funded from any account contained in  
2 this title.

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

10 CAPITAL INVESTMENT FUND

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

14 OFFICE OF INSPECTOR GENERAL

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

21 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

22 For expenses of educational and cultural exchange  
23 programs, as authorized, \$572,668,000, to remain avail-  
24 able until expended, of which not less than \$236,000,000  
25 shall be for the Fulbright Program and not less than

1 \$107,690,000 shall be for Citizen Exchange Program, in-  
2 cluding \$4,000,000 for the Congress-Bundestag Youth  
3 Exchange: *Provided*, That fees or other payments received  
4 from, or in connection with, English teaching, educational  
5 advising and counseling programs, and exchange visitor  
6 programs as authorized may be credited to this account,  
7 to remain available until expended: *Provided further*, That  
8 a portion of the Fulbright awards from the Eurasia and  
9 Central Asia regions shall be designated as Edmund S.  
10 Muskie Fellowships, following consultation with the Com-  
11 mittees on Appropriations: *Provided further*, That Depart-  
12 ment of State-designated sponsors may not issue a Form  
13 DS-2019 (Certificate of Eligibility for Exchange Visitor  
14 (J-1) Status) to place student participants in seafood  
15 product preparation or packaging positions in the Summer  
16 Work Travel program in fiscal year 2017 unless prior to  
17 issuing such Form the sponsor provides to the Secretary  
18 of State a description of such program and verifies in writ-  
19 ing to the Secretary that such program fully complies with  
20 part 62 of title 22 of the Code of Federal Regulations,  
21 notwithstanding subsection 62.32(h)(16) of such part, and  
22 with the requirements specified in the report accom-  
23 panying this Act: *Provided further*, That any substantive  
24 modifications from the prior fiscal year to programs fund-  
25 ed by this Act under this heading shall be subject to prior

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

3 REPRESENTATION EXPENSES

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

6 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

7 For expenses, not otherwise provided, to enable the  
8 Secretary of State to provide for extraordinary protective  
9 services, as authorized, \$30,344,000, to remain available  
10 until September 30, 2018.

11 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

12 For necessary expenses for carrying out the Foreign  
13 Service Buildings Act of 1926 (22 U.S.C. 292 et seq.),  
14 preserving, maintaining, repairing, and planning for build-  
15 ings that are owned or directly leased by the Department  
16 of State, renovating, in addition to funds otherwise avail-  
17 able, the Harry S Truman Building, and carrying out the  
18 Diplomatic Security Construction Program as authorized,  
19 \$759,161,000, to remain available until expended, of  
20 which not to exceed \$25,000 may be used for domestic  
21 and overseas representation expenses as authorized: *Pro-*  
22 *vided*, That none of the funds appropriated in this para-  
23 graph shall be available for acquisition of furniture, fur-  
24 nishings, or generators for other departments and agen-  
25 cies of the United States Government: *Provided further*,

1 That reimbursements received by the Department of State  
2 from other departments and agencies of the United States  
3 Government for improvement or construction costs of  
4 overseas facilities shall be credited to this account and  
5 shall remain available until expended.

6 In addition, for the costs of worldwide security up-  
7 grades, acquisition, and construction as authorized,  
8 \$358,698,000, to remain available until expended: *Pro-*  
9 *vided*, That not later than 45 days after enactment of this  
10 Act, the Secretary of State shall submit to the Committees  
11 on Appropriations the proposed allocation of funds made  
12 available under this heading and the actual and antici-  
13 pated proceeds of sales for all projects in fiscal year 2017.

14 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR  
15 SERVICE

16 For necessary expenses to enable the Secretary of  
17 State to meet unforeseen emergencies arising in the Diplo-  
18 matic and Consular Service, as authorized, \$7,900,000, to  
19 remain available until expended, of which not to exceed  
20 \$1,000,000 may be transferred to, and merged with, funds  
21 appropriated by this Act under the heading “Repatriation  
22 Loans Program Account”, subject to the same terms and  
23 conditions.





1 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND  
2 DISABILITY FUND

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

5 INTERNATIONAL ORGANIZATIONS

6 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

7 For necessary expenses, not otherwise provided for,  
8 to meet annual obligations of membership in international  
9 multilateral organizations, pursuant to treaties ratified  
10 pursuant to the advice and consent of the Senate, conven-  
11 tions or specific Acts of Congress, \$1,279,084,000: *Pro-*  
12 *vided*, That the Secretary of State shall, at the time of  
13 the submission of the President's budget to Congress  
14 under section 1105(a) of title 31, United States Code,  
15 transmit to the Committees on Appropriations the most  
16 recent biennial budget prepared by the United Nations for  
17 the operations of the United Nations: *Provided further*,  
18 That the Secretary of State shall notify the Committees  
19 on Appropriations at least 15 days in advance (or in an  
20 emergency, as far in advance as is practicable) of any  
21 United Nations action to increase funding for any United  
22 Nations program without identifying an offsetting de-  
23 crease elsewhere in the United Nations budget: *Provided*  
24 *further*, That not later than May 1, 2017, and 30 days  
25 after the end of fiscal year 2017, the Secretary of State

1 shall report to the Committees on Appropriations any  
2 credits available to the United States, including from the  
3 United Nations Tax Equalization Fund, and provide up-  
4 dated fiscal year 2017 and fiscal year 2018 assessment  
5 costs including offsets from available credits and updated  
6 foreign currency exchange rates: *Provided further*, That  
7 any such credits shall only be available for United States  
8 assessed contributions to the United Nations and the  
9 Committees on Appropriations shall be notified when such  
10 credits are applied to any assessed contribution, including  
11 any payment of arrearages: *Provided further*, That any no-  
12 tification regarding funds appropriated or otherwise made  
13 available under this heading in this Act or prior Acts mak-  
14 ing appropriations for the Department of State, foreign  
15 operations, and related programs submitted pursuant to  
16 section 7015 of this Act, section 34 of the State Depart-  
17 ment Basic Authorities Act of 1956 (22 U.S.C. 2706), or  
18 any operating plan submitted pursuant to section 7076  
19 of this Act, shall include an estimate of all known credits  
20 currently available to the United States and provide up-  
21 dated assessment costs including offsets from available  
22 credits and updated foreign currency exchange rates: *Pro-  
23 vided further*, That any payment of arrearages under this  
24 heading shall be directed to activities that are mutually  
25 agreed upon by the United States and the respective inter-

1 national organization and shall be subject to the regular  
2 notification procedures of the Committees on Appropria-  
3 tions: *Provided further*, That none of the funds appro-  
4 priated under this heading shall be available for a United  
5 States contribution to an international organization for  
6 the United States share of interest costs made known to  
7 the United States Government by such organization for  
8 loans incurred on or after October 1, 1984, through exter-  
9 nal borrowings.

10 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

11 ACTIVITIES

12 For necessary expenses to pay assessed and other ex-  
13 penses of international peacekeeping activities directed to  
14 the maintenance or restoration of international peace and  
15 security, \$781,930,000, of which 15 percent shall remain  
16 available until September 30, 2018: *Provided*, That none  
17 of the funds made available by this Act shall be obligated  
18 or expended for any new or expanded United Nations  
19 peacekeeping mission unless, at least 15 days in advance  
20 of voting for such mission in the United Nations Security  
21 Council (or in an emergency as far in advance as is prac-  
22 ticable), the Committees on Appropriations are notified of:  
23 (1) the estimated cost and duration of the mission, the  
24 objectives of the mission, the national interest that will  
25 be served, and the exit strategy; and (2) the sources of

1 funds, including any reprogrammings or transfers, that  
2 will be used to pay the cost of the new or expanded mis-  
3 sion, and the estimated cost in future fiscal years: *Pro-*  
4 *vided further*, That none of the funds appropriated under  
5 this heading may be made available for obligation unless  
6 the Secretary of State certifies and reports to the Commit-  
7 tees on Appropriations on a peacekeeping mission-by-mis-  
8 sion basis that the United Nations is implementing effec-  
9 tive policies and procedures to prevent United Nations em-  
10 ployees, contractor personnel, and peacekeeping troops  
11 serving in such mission from trafficking in persons, ex-  
12 ploiting victims of trafficking, or committing acts of sexual  
13 exploitation and abuse or other violations of human rights,  
14 and to bring to justice individuals who engage in such acts  
15 while participating in such mission, including prosecution  
16 in their home countries and making information about  
17 such prosecutions publicly available on the Web site of the  
18 United Nations: *Provided further*, That the Secretary of  
19 State shall work with the United Nations and foreign gov-  
20 ernments contributing peacekeeping troops to implement  
21 effective vetting procedures to ensure that such troops  
22 have not violated human rights: *Provided further*, That  
23 funds shall be available for peacekeeping expenses unless  
24 the Secretary of State determines that United States man-  
25 ufacturers and suppliers are not being given opportunities

1 to provide equipment, services, and material for United  
2 Nations peacekeeping activities equal to those being given  
3 to foreign manufacturers and suppliers: *Provided further,*  
4 That none of the funds appropriated or otherwise made  
5 available under this heading may be used for any United  
6 Nations peacekeeping mission that will involve United  
7 States Armed Forces under the command or operational  
8 control of a foreign national, unless the President's mili-  
9 tary advisors have submitted to the President a rec-  
10 ommendation that such involvement is in the national in-  
11 terest of the United States and the President has sub-  
12 mitted to Congress such a recommendation: *Provided fur-*  
13 *ther,* That not later than May 1, 2017, and 30 days after  
14 the end of fiscal year 2017, the Secretary of State shall  
15 report to the Committees on Appropriations any credits  
16 available to the United States, including those resulting  
17 from United Nations peacekeeping missions or the United  
18 Nations Tax Equalization Fund, and provide updated fis-  
19 cal year 2017 and fiscal year 2018 assessment costs in-  
20 cluding offsets from available credits: *Provided further,*  
21 That any such credits shall only be available for United  
22 States assessed contributions to the United Nations, and  
23 the Committees on Appropriations shall be notified when  
24 such credits are applied to any assessed contribution, in-  
25 cluding any payment of arrearages: *Provided further,* That

1 any notification regarding funds appropriated or otherwise  
2 made available under this heading in this Act or prior Acts  
3 making appropriations for the Department of State, for-  
4 eign operations, and related programs submitted pursuant  
5 to section 7015 of this Act, section 34 of the State Depart-  
6 ment Basic Authorities Act of 1956 (22 U.S.C. 2706), or  
7 any operating plan submitted pursuant to section 7076  
8 of this Act, shall include an estimate of all known credits  
9 currently available to the United States and provide up-  
10 dated assessment costs including offsets from available  
11 credits: *Provided further*, That any payment of arrearages  
12 with funds appropriated by this Act shall be subject to  
13 the regular notification procedures of the Committees on  
14 Appropriations: *Provided further*, That the Secretary of  
15 State shall work with the United Nations and members  
16 of the United Nations Security Council to evaluate and  
17 prioritize peacekeeping missions, and to consider a draw  
18 down when mission goals have been substantially achieved:  
19 *Provided further*, That notwithstanding any other provi-  
20 sion of law, funds appropriated or otherwise made avail-  
21 able under this heading may be available for United States  
22 assessed contributions up to the amount specified in the  
23 Annex accompanying United Nations General Assembly  
24 document A/70/331/Add.1.

## 1 INTERNATIONAL COMMISSIONS

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

5 INTERNATIONAL BOUNDARY AND WATER COMMISSION,  
6 UNITED STATES AND MEXICO

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

12 SALARIES AND EXPENSES

13 For salaries and expenses, not otherwise provided for,  
14 \$48,134,000.

15 CONSTRUCTION

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

19 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

20 For necessary expenses, not otherwise provided, for  
21 the International Joint Commission and the International  
22 Boundary Commission, United States and Canada, as au-  
23 thorized by treaties between the United States and Can-  
24 ada or Great Britain, and the Border Environment Co-  
25 operation Commission as authorized by the North Amer-



1 ican Free Trade Agreement Implementation Act (Public  
2 Law 103–182), \$12,258,000: *Provided*, That of the  
3 amount provided under this heading for the International  
4 Joint Commission, up to \$500,000 may remain available  
5 until September 30, 2018, and \$9,000 may be made avail-  
6 able for representation expenses.

7 INTERNATIONAL FISHERIES COMMISSIONS

8 For necessary expenses for international fisheries  
9 commissions, not otherwise provided for, as authorized by  
10 law, \$37,502,000: *Provided*, That the United States share  
11 of such expenses may be advanced to the respective com-  
12 missions pursuant to section 3324 of title 31, United  
13 States Code.

14 RELATED AGENCY

15 BROADCASTING BOARD OF GOVERNORS

16 INTERNATIONAL BROADCASTING OPERATIONS

17 For necessary expenses to enable the Broadcasting  
18 Board of Governors (BBG), as authorized, to carry out  
19 international communication activities, and to make and  
20 supervise grants for radio, Internet, and television broad-  
21 casting to the Middle East, \$762,993,000: *Provided*, That  
22 in addition to amounts otherwise available for such pur-  
23 poses, up to \$31,201,000 of the amount appropriated  
24 under this heading may remain available until expended  
25 for satellite transmissions and Internet freedom programs,

1 of which not less than \$12,500,000 shall be for Internet  
2 freedom programs: *Provided further*, That of the total  
3 amount appropriated under this heading, not to exceed  
4 \$35,000 may be used for representation expenses, of  
5 which \$10,000 may be used for such expenses within the  
6 United States as authorized, and not to exceed \$30,000  
7 may be used for representation expenses of Radio Free  
8 Europe/Radio Liberty: *Provided further*, That the author-  
9 ity provided by section 504(c) of the Foreign Relations  
10 Authorization Act, Fiscal Year 2003 (Public Law 107–  
11 228; 22 U.S.C. 6206 note) shall remain in effect through  
12 September 30, 2017: *Provided further*, That the BBG  
13 shall notify the Committees on Appropriations within 15  
14 days of any determination by the BBG Board that any  
15 of its broadcast entities, including its grantee organiza-  
16 tions, provides an open platform for international terror-  
17 ists or those who support international terrorism, or is in  
18 violation of the principles and standards set forth in sub-  
19 sections (a) and (b) of section 303 of the United States  
20 International Broadcasting Act of 1994 (22 U.S.C. 6202)  
21 or the entity’s journalistic code of ethics: *Provided further*,  
22 That significant modifications to BBG broadcast hours  
23 previously justified to Congress, including changes to  
24 transmission platforms (shortwave, medium wave, sat-  
25 ellite, Internet, and television), for all BBG language serv-

1 ices shall be subject to the regular notification procedures  
2 of the Committees on Appropriations: *Provided further*,  
3 That the BBG Board may delegate any of its authorities  
4 or duties, or those of the Director of the International  
5 Broadcasting Bureau, to a Chief Executive Officer, ap-  
6 pointed by the BBG Board, to whom all Agency employ-  
7 ees, except the BBG Board, shall report, and to whom  
8 such Board may require the head of an international  
9 broadcasting entity overseen by the BBG Board to report:  
10 *Provided further*, That in addition to funds made available  
11 under this heading, and notwithstanding any other provi-  
12 sion of law, up to \$5,000,000 in receipts from advertising  
13 and revenue from business ventures, up to \$500,000 in  
14 receipts from cooperating international organizations, and  
15 up to \$1,000,000 in receipts from privatization efforts of  
16 the Voice of America and the International Broadcasting  
17 Bureau, shall remain available until expended for carrying  
18 out authorized purposes.

19 BROADCASTING CAPITAL IMPROVEMENTS

20 For the purchase, rent, construction, repair, preser-  
21 vation, and improvement of facilities for radio, television,  
22 and digital transmission and reception; the purchase, rent,  
23 and installation of necessary equipment for radio, tele-  
24 vision, and digital transmission and reception, including  
25 to Cuba, as authorized; and physical security worldwide,

1 in addition to amounts otherwise available for such pur-  
2 poses, \$9,700,000, to remain available until expended, as  
3 authorized.

#### 4 RELATED PROGRAMS

##### 5 THE ASIA FOUNDATION

6 For a grant to The Asia Foundation, as authorized  
7 by The Asia Foundation Act (22 U.S.C. 4402),  
8 \$17,000,000, to remain available until expended.

##### 9 UNITED STATES INSTITUTE OF PEACE

10 For necessary expenses of the United States Institute  
11 of Peace, as authorized by the United States Institute of  
12 Peace Act (22 U.S.C. 4601 et seq.), \$37,884,000, to re-  
13 main available until September 30, 2018, which shall not  
14 be used for construction activities.

##### 15 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

##### 16 TRUST FUND

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

## 1       EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

2       For necessary expenses of Eisenhower Exchange Fel-  
3 lowships, Incorporated, as authorized by sections 4 and  
4 5 of the Eisenhower Exchange Fellowship Act of 1990 (20  
5 U.S.C. 5204–5205), all interest and earnings accruing to  
6 the Eisenhower Exchange Fellowship Program Trust  
7 Fund on or before September 30, 2017, to remain avail-  
8 able until expended: *Provided*, That none of the funds ap-  
9 propriated herein shall be used to pay any salary or other  
10 compensation, or to enter into any contract providing for  
11 the payment thereof, in excess of the rate authorized by  
12 section 5376 of title 5, United States Code; or for pur-  
13 poses which are not in accordance with section 200 of title  
14 2 of the Code of Federal Regulations, including the re-  
15 strictions on compensation for personal services.

## 16               ISRAELI ARAB SCHOLARSHIP PROGRAM

17       For necessary expenses of the Israeli Arab Scholar-  
18 ship Program, as authorized by section 214 of the Foreign  
19 Relations Authorization Act, Fiscal Years 1992 and 1993  
20 (22 U.S.C. 2452), all interest and earnings accruing to  
21 the Israeli Arab Scholarship Fund on or before September  
22 30, 2017, to remain available until expended.

## 23                       EAST-WEST CENTER

24       To enable the Secretary of State to provide for car-  
25 rying out the provisions of the Center for Cultural and

1 Technical Interchange Between East and West Act of  
 2 1960, by grant to the Center for Cultural and Technical  
 3 Interchange Between East and West in the State of Ha-  
 4 waii, \$16,700,000.

5 NATIONAL ENDOWMENT FOR DEMOCRACY

6 For grants made by the Department of State to the  
 7 National Endowment for Democracy, as authorized by the  
 8 National Endowment for Democracy Act (22 U.S.C.  
 9 4412), \$170,000,000, to remain available until expended,  
 10 of which \$117,500,000 shall be allocated in the traditional  
 11 and customary manner, including for the core institutes,  
 12 and \$52,500,000 shall be for democracy programs.

13 OTHER COMMISSIONS

14 COMMISSION FOR THE PRESERVATION OF AMERICA'S

15 HERITAGE ABROAD

16 SALARIES AND EXPENSES

17 For necessary expenses for the Commission for the  
 18 Preservation of America's Heritage Abroad, \$888,000, as  
 19 authorized by chapter 3123 of title 54, United States  
 20 Code: *Provided*, That the Commission may procure tem-  
 21 porary, intermittent, and other services notwithstanding  
 22 paragraph (3) of section 312304(b) of such chapter: *Pro-*  
 23 *vided further*, That such authority shall terminate on Oc-  
 24 tober 1, 2017: *Provided further*, That the Commission

1 shall notify the Committees on Appropriations prior to ex-  
 2 ercising such authority.

3 UNITED STATES COMMISSION ON INTERNATIONAL  
 4 RELIGIOUS FREEDOM  
 5 SALARIES AND EXPENSES

6 For necessary expenses for the United States Com-  
 7 mission on International Religious Freedom, as authorized  
 8 by title II of the International Religious Freedom Act of  
 9 1998 (22 U.S.C. 6431 et seq.), \$3,500,000, to remain  
 10 available until September 30, 2018, including not more  
 11 than \$4,000 for representation expenses.

12 COMMISSION ON SECURITY AND COOPERATION IN  
 13 EUROPE  
 14 SALARIES AND EXPENSES

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

20 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE  
 21 PEOPLE’S REPUBLIC OF CHINA  
 22 SALARIES AND EXPENSES

23 For necessary expenses of the Congressional-Execu-  
 24 tive Commission on the People’s Republic of China, as au-  
 25 thorized by title III of the U.S.-China Relations Act of

1 2000 (22 U.S.C. 6911 et seq.), \$2,000,000, including not  
2 more than \$3,000 for representation expenses, to remain  
3 available until September 30, 2018.

4 UNITED STATES-CHINA ECONOMIC AND SECURITY  
5 REVIEW COMMISSION  
6 SALARIES AND EXPENSES

7 For necessary expenses of the United States-China  
8 Economic and Security Review Commission, as authorized  
9 by section 1238 of the Floyd D. Spence National Defense  
10 Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),  
11 \$3,500,000, including not more than \$4,000 for represen-  
12 tation expenses, to remain available until September 30,  
13 2018: *Provided*, That the authorities, requirements, limi-  
14 tations, and conditions contained in the second through  
15 sixth provisos under this heading in the Department of  
16 State, Foreign Operations, and Related Programs Appro-  
17 priations Act, 2010 (division F of Public Law 111–117)  
18 shall continue in effect during fiscal year 2017 and shall  
19 apply to funds appropriated under this heading as if in-  
20 cluded in this Act.



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

6 For necessary expenses to carry out the provisions  
7 of section 667 of the Foreign Assistance Act of 1961,  
8 \$1,221,925,000, of which up to \$183,289,000 may remain  
9 available until September 30, 2018: *Provided*, That none  
10 of the funds appropriated under this heading and under  
11 the heading “Capital Investment Fund” in this title may  
12 be made available to finance the construction (including  
13 architect and engineering services), purchase, or long-term  
14 lease of offices for use by the United States Agency for  
15 International Development, unless the USAID Adminis-  
16 trator has identified such proposed use of funds in a re-  
17 port submitted to the Committees on Appropriations at  
18 least 15 days prior to the obligation of funds for such pur-  
19 poses: *Provided further*, That contracts or agreements en-  
20 tered into with funds appropriated under this heading may  
21 entail commitments for the expenditure of such funds  
22 through the following fiscal year: *Provided further*, That  
23 the authority of sections 610 and 109 of the Foreign As-  
24 sistance Act of 1961 may be exercised by the Secretary  
25 of State to transfer funds appropriated to carry out chap-

1 ter 1 of part I of such Act to “Operating Expenses” in  
2 accordance with the provisions of those sections: *Provided*  
3 *further*, That of the funds appropriated or made available  
4 under this heading, not to exceed \$250,000 may be avail-  
5 able for representation and entertainment expenses, of  
6 which not to exceed \$5,000 may be available for entertain-  
7 ment expenses, and not to exceed \$100,500 shall be for  
8 official residence expenses, for USAID during the current  
9 fiscal year.

10 CAPITAL INVESTMENT FUND

11 For necessary expenses for overseas construction and  
12 related costs, and for the procurement and enhancement  
13 of information technology and related capital investments,  
14 pursuant to section 667 of the Foreign Assistance Act of  
15 1961, \$66,145,000, to remain available until expended:  
16 *Provided*, That this amount is in addition to funds other-  
17 wise available for such purposes: *Provided further*, That  
18 funds appropriated under this heading shall be available  
19 subject to the regular notification procedures of the Com-  
20 mittees on Appropriations.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses to carry out the provisions  
23 of section 667 of the Foreign Assistance Act of 1961,  
24 \$67,600,000, of which up to \$10,140,000 may remain  
25 available until September 30, 2018, for the Office of In-

1 spector General of the United States Agency for Inter-  
2 national Development.

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

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

7 GLOBAL HEALTH PROGRAMS

8 For necessary expenses to carry out the provisions  
9 of chapters 1 and 10 of part I of the Foreign Assistance  
10 Act of 1961, for global health activities, in addition to  
11 funds otherwise available for such purposes,  
12 \$2,995,000,000, to remain available until September 30,  
13 2018, and which shall be apportioned directly to the  
14 United States Agency for International Development: *Pro-*  
15 *vided*, That this amount shall be made available for train-  
16 ing, equipment, and technical assistance to build the ca-  
17 pacity of public health institutions and organizations in  
18 developing countries, and for such activities as: (1) child  
19 survival and maternal health programs; (2) immunization  
20 and oral rehydration programs; (3) other health, nutrition,  
21 water and sanitation programs which directly address the  
22 needs of mothers and children, and related education pro-  
23 grams; (4) assistance for children displaced or orphaned  
24 by causes other than AIDS; (5) programs for the preven-  
25 tion, treatment, control of, and research on HIV/AIDS,

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

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

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

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

14       In addition, for necessary expenses to carry out the  
15 provisions of the Foreign Assistance Act of 1961 for the  
16 prevention, treatment, and control of, and research on,  
17 HIV/AIDS, \$5,670,000,000, to remain available until  
18 September 30, 2021, which shall be apportioned directly  
19 to the Department of State: *Provided*, That funds appro-  
20 priated under this paragraph may be made available, not-  
21 withstanding any other provision of law, except for the  
22 United States Leadership Against HIV/AIDS, Tubercu-  
23 losis, and Malaria Act of 2003 (Public Law 108–25),  
24 as amended, for a United States contribution to the Global  
25 Fund to Fight AIDS, Tuberculosis and Malaria (Global



1 Fund), and shall be expended at the minimum rate nec-  
2 essary to make timely payment for projects and activities:  
3 *Provided further*, That the amount of such contribution  
4 should be \$1,350,000,000: *Provided further*, That section  
5 202(d)(4)(A)(i) and (vi) of Public Law 108–25, as amend-  
6 ed, shall be applied with respect to such funds made avail-  
7 able for fiscal years 2015 through 2017 by substituting  
8 “2004” for “2009”: *Provided further*, That up to 5 per-  
9 cent of the aggregate amount of funds made available to  
10 the Global Fund in fiscal year 2017 may be made available  
11 to USAID for technical assistance related to the activities  
12 of the Global Fund, subject to the regular notification pro-  
13 cedures of the Committees on Appropriations: *Provided*  
14 *further*, That of the funds appropriated under this para-  
15 graph, up to \$17,000,000 may be made available, in addi-  
16 tion to amounts otherwise available for such purposes, for  
17 administrative expenses of the Office of the United States  
18 Global AIDS Coordinator.

19 DEVELOPMENT ASSISTANCE

20 For necessary expenses to carry out the provisions  
21 of sections 103, 105, 106, 214, and sections 251 through  
22 255, and chapter 10 of part I of the Foreign Assistance  
23 Act of 1961, \$2,959,573,000, to remain available until  
24 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, \$474,763,000, to remain available  
6 until expended.

## 7                   TRANSITION INITIATIVES

8           For necessary expenses for international disaster re-  
9 habilitation and reconstruction assistance, pursuant to  
10 section 491 of the Foreign Assistance Act of 1961,  
11 \$30,000,000, to remain available until expended, to sup-  
12 port transition to democracy and long-term development  
13 of countries in crisis: *Provided*, That such support may  
14 include assistance to develop, strengthen, or preserve  
15 democratic institutions and processes, revitalize basic in-  
16 frastructure, and foster the peaceful resolution of conflict:  
17 *Provided further*, That the Administrator of the United  
18 States Agency for International Development shall submit  
19 a report to the Committees on Appropriations at least 5  
20 days prior to beginning a new program of assistance: *Pro-*  
21 *vided further*, That if the Secretary of State determines  
22 that it is important to the national interest of the United  
23 States to provide transition assistance in excess of the  
24 amount appropriated under this heading, up to  
25 \$15,000,000 of the funds appropriated by this Act to

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

8 **COMPLEX CRISES FUND**

9 For necessary expenses to carry out the provisions  
10 of the Foreign Assistance Act of 1961 to support pro-  
11 grams and activities to prevent or respond to emerging  
12 or unforeseen foreign challenges and complex crises over-  
13 seas, \$10,000,000, to remain available until expended:  
14 *Provided*, That funds appropriated under this heading  
15 may be made available on such terms and conditions as  
16 are appropriate and necessary for the purposes of pre-  
17 venting or responding to such challenges and crises, except  
18 that no funds shall be made available for lethal assistance  
19 or to respond to natural disasters: *Provided further*, That  
20 funds appropriated under this heading may be made avail-  
21 able notwithstanding any other provision of law, except  
22 sections 7007, 7008, and 7018 of this Act and section  
23 620M of the Foreign Assistance Act of 1961: *Provided*  
24 *further*, That funds appropriated under this heading may  
25 be used for administrative expenses, in addition to funds

1 otherwise available for such purposes, except that such ex-  
2 penses may not exceed 5 percent of the funds appropriated  
3 under this heading: *Provided further*, That funds appro-  
4 priated under this heading shall be subject to the regular  
5 notification procedures of the Committees on Appropria-  
6 tions, except that such notifications shall be transmitted  
7 at least 5 days prior to the obligation of funds.

8 DEVELOPMENT CREDIT AUTHORITY

9 For the cost of direct loans and loan guarantees pro-  
10 vided by the United States Agency for International De-  
11 velopment, as authorized by sections 256 and 635 of the  
12 Foreign Assistance Act of 1961, up to \$60,000,000 may  
13 be derived by transfer from funds appropriated by this Act  
14 to carry out part I of such Act and under the heading  
15 “Assistance for Europe, Eurasia and Central Asia”: *Pro-*  
16 *vided*, That funds provided under this paragraph and  
17 funds provided as a gift that are used for purposes of this  
18 paragraph pursuant to section 635(d) of the Foreign As-  
19 sistance Act of 1961 shall be made available only for  
20 micro- and small enterprise programs, urban programs,  
21 and other programs which further the purposes of part  
22 I of such Act: *Provided further*, That such costs, including  
23 the cost of modifying such direct and guaranteed loans,  
24 shall be as defined in section 502 of the Congressional  
25 Budget Act of 1974, as amended: *Provided further*, That

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

20 In addition, for administrative expenses to carry out  
21 credit programs administered by USAID, \$10,000,000,  
22 which may be transferred to, and merged with, funds  
23 made available under the heading “Operating Expenses”  
24 in title II of this Act: *Provided*, That funds made available

1 under this heading shall remain available until September  
2 30, 2019.

3 ECONOMIC SUPPORT FUND

4 For necessary expenses to carry out the provisions  
5 of chapter 4 of part II of the Foreign Assistance Act of  
6 1961, \$1,576,361,000, to remain available until Sep-  
7 tember 30, 2018.

8 DEMOCRACY FUND

9 For necessary expenses to carry out the provisions  
10 of the Foreign Assistance Act of 1961 for the promotion  
11 of democracy globally, \$150,500,000, to remain available  
12 until September 30, 2018.

13 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

14 For necessary expenses to carry out the provisions  
15 of the Foreign Assistance Act of 1961, the FREEDOM  
16 Support Act (Public Law 102–511), and the Support for  
17 Eastern European Democracy (SEED) Act of 1989 (Pub-  
18 lic Law 101–179), \$291,420,000, to remain available until  
19 September 30, 2018, which shall be available, notwith-  
20 standing any other provision of law, except section 7070  
21 of this Act, for assistance and related programs for coun-  
22 tries identified in section 3 of Public Law 102–511 and  
23 section 3(c) of Public Law 101–179, in addition to funds  
24 otherwise available for such purposes: *Provided*, That  
25 funds appropriated by this Act under the heading “Global

1 Health Programs” that are made available for assistance  
2 for such countries shall be administered in accordance  
3 with the responsibilities of the coordinator designated pur-  
4 suant to section 102 of Public Law 102–511 and section  
5 601 of Public Law 101–179: *Provided further*, That the  
6 Secretary of State, following consultation with the Com-  
7 mittees on Appropriations, may assign responsibilities  
8 under section 102(a) of Public Law 102–511 to another  
9 senior Department of State official with regard to the  
10 Central Asian countries identified in section 3 of such Act:  
11 *Provided further*, That funds appropriated under this  
12 heading shall be considered to be economic assistance  
13 under the Foreign Assistance Act of 1961 for purposes  
14 of making available the administrative authorities con-  
15 tained in that Act for the use of economic assistance.

16 DEPARTMENT OF STATE

17 MIGRATION AND REFUGEE ASSISTANCE

18 For necessary expenses not otherwise provided for,  
19 to enable the Secretary of State to carry out the provisions  
20 of section 2(a) and (b) of the Migration and Refugee As-  
21 sistance Act of 1962, and other activities to meet refugee  
22 and migration needs; salaries and expenses of personnel  
23 and dependents as authorized by the Foreign Service Act  
24 of 1980; allowances as authorized by sections 5921  
25 through 5925 of title 5, United States Code; purchase and

1 hire of passenger motor vehicles; and services as author-  
2 ized by section 3109 of title 5, United States Code,  
3 \$931,886,000, to remain available until expended, of  
4 which not less than \$35,000,000 shall be made available  
5 to respond to small-scale emergency humanitarian require-  
6 ments, and \$7,500,000 shall be made available for refu-  
7 gees resettling in Israel.

8 UNITED STATES EMERGENCY REFUGEE AND MIGRATION  
9 ASSISTANCE FUND

10 For necessary expenses to carry out the provisions  
11 of section 2(c) of the Migration and Refugee Assistance  
12 Act of 1962, as amended (22 U.S.C. 2601(c)),  
13 \$10,000,000, to remain available until expended.

14 INDEPENDENT AGENCIES

15 PEACE CORPS

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses to carry out the provisions  
18 of the Peace Corps Act (22 U.S.C. 2501 et seq.), including  
19 the purchase of not to exceed five passenger motor vehicles  
20 for administrative purposes for use outside of the United  
21 States, \$410,000,000, of which \$5,500,000 is for the Of-  
22 fice of Inspector General, to remain available until Sep-  
23 tember 30, 2018: *Provided*, That the Director of the Peace  
24 Corps may transfer to the Foreign Currency Fluctuations  
25 Account, as authorized by section 16 of the Peace Corps



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

22 MILLENNIUM CHALLENGE CORPORATION

23 For necessary expenses to carry out the provisions  
24 of the Millennium Challenge Act of 2003 (22 U.S.C. 7701  
25 et seq.) (MCA), \$905,000,000, to remain available until

1 expended: *Provided*, That of the funds appropriated under  
2 this heading, up to \$105,000,000 may be available for ad-  
3 ministrative expenses of the Millennium Challenge Cor-  
4 poration (MCC): *Provided further*, That up to 5 percent  
5 of the funds appropriated under this heading may be made  
6 available to carry out the purposes of section 616 of the  
7 MCA for fiscal year 2017: *Provided further*, That section  
8 605(e) of the MCA shall apply to funds appropriated  
9 under this heading: *Provided further*, That funds appro-  
10 priated under this heading may be made available for a  
11 Millennium Challenge Compact entered into pursuant to  
12 section 609 of the MCA only if such Compact obligates,  
13 or contains a commitment to obligate subject to the avail-  
14 ability of funds and the mutual agreement of the parties  
15 to the Compact to proceed, the entire amount of the  
16 United States Government funding anticipated for the du-  
17 ration of the Compact: *Provided further*, That the MCC  
18 Chief Executive Officer shall notify the Committees on Ap-  
19 propriations not later than 15 days prior to commencing  
20 negotiations for any country compact or threshold country  
21 program; signing any such compact or threshold program;  
22 or terminating or suspending any such compact or thresh-  
23 old program: *Provided further*, That funds appropriated  
24 under this heading by this Act and prior Acts making ap-  
25 propriations for the Department of State, foreign oper-

1 ations, and related programs that are available to imple-  
2 ment section 609(g) of the MCA shall be subject to the  
3 regular notification procedures of the Committees on Ap-  
4 propriations: *Provided further*, That no country should be  
5 eligible for a threshold program after such country has  
6 completed a country compact: *Provided further*, That any  
7 funds that are deobligated from a Millennium Challenge  
8 Compact shall be subject to the regular notification proce-  
9 dures of the Committees on Appropriations prior to re-  
10 obligation: *Provided further*, That notwithstanding section  
11 606(a)(2) of the MCA, a country shall be a candidate  
12 country for purposes of eligibility for assistance for the  
13 fiscal year if the country has a per capita income equal  
14 to or below the World Bank's lower middle income country  
15 threshold for the fiscal year and is among the 75 lowest  
16 per capita income countries as identified by the World  
17 Bank; and the country meets the requirements of section  
18 606(a)(1)(B) of the MCA: *Provided further*, That notwith-  
19 standing section 606(b)(1) of the MCA, in addition to  
20 countries described in the preceding proviso, a country  
21 shall be a candidate country for purposes of eligibility for  
22 assistance for the fiscal year if the country has a per cap-  
23 ita income equal to or below the World Bank's lower mid-  
24 dle income country threshold for the fiscal year and is not  
25 among the 75 lowest per capita income countries as identi-

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

## 1 INTER-AMERICAN FOUNDATION

2 For necessary expenses to carry out the functions of  
3 the Inter-American Foundation in accordance with the  
4 provisions of section 401 of the Foreign Assistance Act  
5 of 1969, \$22,500,000, to remain available until September  
6 30, 2018: *Provided*, That of the funds appropriated under  
7 this heading, not to exceed \$2,000 may be available for  
8 representation expenses.

## 9 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

10 For necessary expenses to carry out title V of the  
11 International Security and Development Cooperation Act  
12 of 1980 (Public Law 96-533), \$30,000,000, to remain  
13 available until September 30, 2018, of which not to exceed  
14 \$2,000 may be available for representation expenses: *Pro-*  
15 *vided*, That funds made available to grantees may be in-  
16 vested pending expenditure for project purposes when au-  
17 thorized by the Board of Directors of the United States  
18 African Development Foundation (USADF): *Provided fur-*  
19 *ther*, That interest earned shall be used only for the pur-  
20 poses for which the grant was made: *Provided further*,  
21 That notwithstanding section 505(a)(2) of the African De-  
22 velopment Foundation Act, in exceptional circumstances  
23 the Board of Directors of the USADF may waive the  
24 \$250,000 limitation contained in that section with respect  
25 to a project and a project may exceed the limitation by

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

16                   DEPARTMENT OF THE TREASURY  
17           INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE  
18           For necessary expenses to carry out the provisions  
19 of section 129 of the Foreign Assistance Act of 1961,  
20 \$30,103,000, to remain available until September 30,  
21 2019, which shall be available notwithstanding any other  
22 provision of law.

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

6 For necessary expenses to carry out section 481 of  
7 the Foreign Assistance Act of 1961, \$780,819,000, to re-  
8 main available until September 30, 2018: *Provided*, That  
9 the provision of assistance by any other department or  
10 agency of the United States Government which is com-  
11 parable to assistance that may be made available under  
12 this heading, but which is provided under any other provi-  
13 sion of law, shall be provided only with the concurrence  
14 of the Secretary of State and administered in accordance  
15 with the provisions of sections 481(b) and 622(c) of the  
16 Foreign Assistance Act of 1961: *Provided further*, That  
17 the Department of State may use the authority of section  
18 608 of the Foreign Assistance Act of 1961, without regard  
19 to its restrictions, to receive excess property from an agen-  
20 cy of the United States Government for the purpose of  
21 providing such property to a foreign country or inter-  
22 national organization under chapter 8 of part I of such  
23 Act, subject to the regular notification procedures of the  
24 Committees on Appropriations: *Provided further*, That sec-  
25 tion 482(b) of the Foreign Assistance Act of 1961 shall

1 not apply to funds appropriated under this heading, except  
2 that any funds made available notwithstanding such sec-  
3 tion shall be subject to the regular notification procedures  
4 of the Committees on Appropriations: *Provided further*,  
5 That funds appropriated under this heading may be made  
6 available to support training and technical assistance for  
7 foreign law enforcement, corrections, and other judicial  
8 authorities, utilizing regional partners: *Provided further*,  
9 That of the funds appropriated under this heading, not  
10 less than \$10,000,000 shall be made available, on a com-  
11 petitive basis, for rule of law programs for transitional and  
12 post-conflict states, and for activities to coordinate rule  
13 of law programs among foreign governments, international  
14 and nongovernmental organizations, and other United  
15 States Government agencies: *Provided further*, That funds  
16 made available under this heading that are transferred to  
17 another department, agency, or instrumentality of the  
18 United States Government pursuant to section 632(b) of  
19 the Foreign Assistance Act of 1961 valued in excess of  
20 \$5,000,000, and any agreement made pursuant to section  
21 632(a) of such Act, shall be subject to the regular notifica-  
22 tion procedures of the Committees on Appropriations.



1 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND  
2 RELATED PROGRAMS

3 For necessary expenses for nonproliferation, anti-ter-  
4 rorism, demining and related programs and activities,  
5 \$490,196,000, to remain available until September 30,  
6 2018, to carry out the provisions of chapter 8 of part II  
7 of the Foreign Assistance Act of 1961 for anti-terrorism  
8 assistance, chapter 9 of part II of the Foreign Assistance  
9 Act of 1961, section 504 of the FREEDOM Support Act,  
10 section 23 of the Arms Export Control Act, or the Foreign  
11 Assistance Act of 1961 for demining activities, the clear-  
12 ance of unexploded ordnance, the destruction of small  
13 arms, and related activities, notwithstanding any other  
14 provision of law, including activities implemented through  
15 nongovernmental and international organizations, and sec-  
16 tion 301 of the Foreign Assistance Act of 1961 for a  
17 United States contribution to the Comprehensive Nuclear  
18 Test Ban Treaty Preparatory Commission, and for a vol-  
19 untary contribution to the International Atomic Energy  
20 Agency (IAEA): *Provided*, That the Secretary of State  
21 shall inform the appropriate congressional committees of  
22 information regarding any separate arrangements relating  
23 to the “Road-map for the Clarification of Past and  
24 Present Outstanding Issues Regarding Iran’s Nuclear  
25 Program” between the IAEA and the Islamic Republic of

1 Iran, in classified form if necessary, if such information  
2 becomes known to the Department of State: *Provided fur-*  
3 *ther*, That for the clearance of unexploded ordnance, the  
4 Secretary of State should prioritize those areas where such  
5 ordnance was caused by the United States: *Provided fur-*  
6 *ther*, That funds made available under this heading for  
7 the Nonproliferation and Disarmament Fund shall be  
8 made available notwithstanding any other provision of law  
9 and subject to prior consultation with, and the regular no-  
10 tification procedures of, the Committees on Appropria-  
11 tions, to promote bilateral and multilateral activities relat-  
12 ing to nonproliferation, disarmament, and weapons de-  
13 struction, and shall remain available until expended: *Pro-*  
14 *vided further*, That such funds may also be used for such  
15 countries other than the Independent States of the former  
16 Soviet Union and international organizations when it is  
17 in the national security interest of the United States to  
18 do so: *Provided further*, That funds appropriated under  
19 this heading may be made available for the IAEA unless  
20 the Secretary of State determines that Israel is being de-  
21 nied its right to participate in the activities of that Agen-  
22 cy: *Provided further*, That funds made available for con-  
23 ventional weapons destruction programs, including  
24 demining and related activities, in addition to funds other-  
25 wise available for such purposes, may be used for adminis-

1 trative expenses related to the operation and management  
2 of such programs and activities, subject to the regular no-  
3 tification procedures of the Committees on Appropria-  
4 tions.

5 PEACEKEEPING OPERATIONS

6 For necessary expenses to carry out the provisions  
7 of section 551 of the Foreign Assistance Act of 1961,  
8 \$94,500,000: *Provided*, That funds appropriated under  
9 this heading may be used, notwithstanding section 660 of  
10 such Act, to provide assistance to enhance the capacity  
11 of foreign civilian security forces, including gendarmes, to  
12 participate in peacekeeping operations: *Provided further*,  
13 That of the funds appropriated under this heading, not  
14 less than \$44,500,000 shall be made available for a United  
15 States contribution to the Multinational Force and Ob-  
16 servers mission in the Sinai: *Provided further*, That none  
17 of the funds appropriated under this heading shall be obli-  
18 gated except as provided through the regular notification  
19 procedures of the Committees on Appropriations.

20 FUNDS APPROPRIATED TO THE PRESIDENT

21 INTERNATIONAL MILITARY EDUCATION AND TRAINING

22 For necessary expenses to carry out the provisions  
23 of section 541 of the Foreign Assistance Act of 1961,  
24 \$109,495,000, of which up to \$4,000,000 may remain  
25 available until September 30, 2018: *Provided*, That the

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

9 FOREIGN MILITARY FINANCING PROGRAM

10 For necessary expenses for grants to enable the  
11 President to carry out the provisions of section 23 of the  
12 Arms Export Control Act, \$4,988,365,000: *Provided*,  
13 That to expedite the provision of assistance to foreign  
14 countries and international organizations, the Secretary of  
15 State, following consultation with the Committees on Ap-  
16 propriations and subject to the regular notification proce-  
17 dures of such Committees, may use the funds appro-  
18 priated under this heading to procure defense articles and  
19 services to enhance the capacity of foreign security forces:  
20 *Provided further*, That of the funds appropriated under  
21 this heading, not less than \$3,400,000,000 shall be avail-  
22 able for grants only for Israel, which shall be disbursed  
23 within 30 days of enactment of this Act: *Provided further*,  
24 That to the extent that the Government of Israel requests  
25 that funds be used for such purposes, grants made avail-

1 able for Israel under this heading shall, as agreed by the  
2 United States and Israel, be available for advanced weap-  
3 ons systems, of which not less than \$815,300,000 shall  
4 be available for the procurement in Israel of defense arti-  
5 cles and defense services, including research and develop-  
6 ment: *Provided further*, That none of the funds made  
7 available under this heading shall be made available to  
8 support or continue any program initially funded under  
9 the authority of section 1206 of the National Defense Au-  
10 thorization Act for Fiscal Year 2006 (Public Law 109–  
11 163; 119 Stat. 3456), section 2282 of title 10, United  
12 States Code, or any successor authorities, unless the Sec-  
13 retary of State, in coordination with the Secretary of De-  
14 fense, has justified such program to the Committees on  
15 Appropriations: *Provided further*, That funds appropriated  
16 or otherwise made available under this heading shall be  
17 nonrepayable notwithstanding any requirement in section  
18 23 of the Arms Export Control Act: *Provided further*, That  
19 funds made available under this heading shall be obligated  
20 upon apportionment in accordance with paragraph (5)(C)  
21 of section 1501(a) of title 31, United States Code.

22       None of the funds made available under this heading  
23 shall be available to finance the procurement of defense  
24 articles, defense services, or design and construction serv-  
25 ices that are not sold by the United States Government

1 under the Arms Export Control Act unless the foreign  
2 country proposing to make such procurement has first  
3 signed an agreement with the United States Government  
4 specifying the conditions under which such procurement  
5 may be financed with such funds: *Provided*, That all coun-  
6 try and funding level increases in allocations shall be sub-  
7 mitted through the regular notification procedures of sec-  
8 tion 7015 of this Act: *Provided further*, That funds made  
9 available under this heading may be used, notwithstanding  
10 any other provision of law, for demining, the clearance of  
11 unexploded ordnance, and related activities, and may in-  
12 clude activities implemented through nongovernmental  
13 and international organizations: *Provided further*, That  
14 only those countries for which assistance was justified for  
15 the “Foreign Military Sales Financing Program” in the  
16 fiscal year 1989 congressional presentation for security as-  
17 sistance programs may utilize funds made available under  
18 this heading for procurement of defense articles, defense  
19 services, or design and construction services that are not  
20 sold by the United States Government under the Arms  
21 Export Control Act: *Provided further*, That funds appro-  
22 priated under this heading shall be expended at the min-  
23 imum rate necessary to make timely payment for defense  
24 articles and services: *Provided further*, That not more than  
25 \$70,000,000 of the funds appropriated under this heading

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

1 TITLE V  
2 MULTILATERAL ASSISTANCE  
3 FUNDS APPROPRIATED TO THE PRESIDENT  
4 INTERNATIONAL ORGANIZATIONS AND PROGRAMS  
5 For necessary expenses to carry out the provisions  
6 of section 301 of the Foreign Assistance Act of 1961, and  
7 of section 2 of the United Nations Environment Program  
8 Participation Act of 1973, \$347,950,000: *Provided*, That  
9 section 307(a) of the Foreign Assistance Act of 1961 shall  
10 not apply to contributions to the United Nations Democ-  
11 racy Fund.

12 INTERNATIONAL FINANCIAL INSTITUTIONS  
13 GLOBAL ENVIRONMENT FACILITY  
14 For payment to the International Bank for Recon-  
15 struction and Development as trustee for the Global Envi-  
16 ronment Facility by the Secretary of the Treasury,  
17 \$146,563,000, to remain available until expended.

18 CONTRIBUTION TO THE GREEN CLIMATE FUND  
19 For payment to the International Bank for Recon-  
20 struction and Development as trustee for the Green Cli-  
21 mate Fund by the Secretary of the Treasury,  
22 \$263,000,000, to remain available until expended.



1 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT  
2 ASSOCIATION

3 For payment to the International Development Asso-  
4 ciation by the Secretary of the Treasury, \$1,113,130,000,  
5 to remain available until expended.

6 CONTRIBUTION TO THE INTERNATIONAL BANK FOR  
7 RECONSTRUCTION AND DEVELOPMENT

8 For payment to the International Bank for Recon-  
9 struction and Development by the Secretary of the Treas-  
10 ury for the United States share of the paid-in portion of  
11 the increases in capital stock, \$5,963,421, to remain avail-  
12 able until expended.

13 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT  
14 BANK

15 For payment to the Inter-American Development  
16 Bank by the Secretary of the Treasury for the United  
17 States share of the paid-in portion of the increase in cap-  
18 ital stock, \$21,939,727, to remain available until ex-  
19 pended.

20 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

21 For payment to the Asian Development Bank's Asian  
22 Development Fund by the Secretary of the Treasury,  
23 \$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, \$214,332,000, 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, \$45,000,000, 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.

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

5 For necessary expenses of the Office of Inspector  
6 General in carrying out the provisions of the Inspector  
7 General Act of 1978, as amended, \$5,700,000, to remain  
8 available until September 30, 2018.

9 PROGRAM ACCOUNT

10 The Export-Import Bank of the United States is au-  
11 thorized to make such expenditures within the limits of  
12 funds and borrowing authority available to such corpora-  
13 tion, and in accordance with law, and to make such con-  
14 tracts and commitments without regard to fiscal year limi-  
15 tations, as provided by section 104 of the Government  
16 Corporation Control Act, as may be necessary in carrying  
17 out the program for the current fiscal year for such cor-  
18 poration: *Provided*, That none of the funds available dur-  
19 ing the current fiscal year may be used to make expendi-  
20 tures, contracts, or commitments for the export of nuclear  
21 equipment, fuel, or technology to any country, other than  
22 a nuclear-weapon state as defined in Article IX of the  
23 Treaty on the Non-Proliferation of Nuclear Weapons eligi-  
24 ble to receive economic or military assistance under this

1 Act, that has detonated a nuclear explosive after the date  
2 of the enactment of this Act.

3 ADMINISTRATIVE EXPENSES

4 For administrative expenses to carry out the direct  
5 and guaranteed loan and insurance programs, including  
6 hire of passenger motor vehicles and services as authorized  
7 by section 3109 of title 5, United States Code, and not  
8 to exceed \$30,000 for official reception and representation  
9 expenses for members of the Board of Directors, not to  
10 exceed \$110,000,000: *Provided*, That the Export-Import  
11 Bank (the Bank) may accept, and use, payment or serv-  
12 ices provided by transaction participants for legal, finan-  
13 cial, or technical services in connection with any trans-  
14 action for which an application for a loan, guarantee or  
15 insurance commitment has been made: *Provided further*,  
16 That notwithstanding subsection (b) of section 117 of the  
17 Export Enhancement Act of 1992, subsection (a) thereof  
18 shall remain in effect through September 30, 2017: *Pro-*  
19 *vided further*, That the Bank shall charge fees for nec-  
20 essary expenses (including special services performed on  
21 a contract or fee basis, but not including other personal  
22 services) in connection with the collection of moneys owed  
23 the Bank, repossession or sale of pledged collateral or  
24 other assets acquired by the Bank in satisfaction of mon-  
25 eys owed the Bank, or the investigation or appraisal of

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

9 RECEIPTS COLLECTED

10 Receipts collected pursuant to the Export-Import  
11 Bank Act of 1945, as amended, and the Federal Credit  
12 Reform Act of 1990, as amended, in an amount not to  
13 exceed the amount appropriated herein, shall be credited  
14 as offsetting collections to this account: *Provided*, That the  
15 sums herein appropriated from the General Fund shall be  
16 reduced on a dollar-for-dollar basis by such offsetting col-  
17 lections so as to result in a final fiscal year appropriation  
18 from the General Fund estimated at \$0: *Provided further*,  
19 That amounts collected in fiscal year 2017 in excess of  
20 obligations, up to \$10,000,000 shall become available on  
21 September 1, 2017, and shall remain available until Sep-  
22 tember 30, 2020.

1 OVERSEAS PRIVATE INVESTMENT CORPORATION  
2 NONCREDIT ACCOUNT

3 The Overseas Private Investment Corporation is au-  
4 thorized to make, without regard to fiscal year limitations,  
5 as provided by section 9104 of title 31, United States  
6 Code, such expenditures and commitments within the lim-  
7 its of funds available to it and in accordance with law as  
8 may be necessary: *Provided*, That the amount available for  
9 administrative expenses to carry out the credit and insur-  
10 ance programs (including an amount for official reception  
11 and representation expenses which shall not exceed  
12 \$35,000) shall not exceed \$77,000,000: *Provided further*,  
13 That project-specific transaction costs, including direct  
14 and indirect costs incurred in claims settlements, and  
15 other direct costs associated with services provided to spe-  
16 cific investors or potential investors pursuant to section  
17 234 of the Foreign Assistance Act of 1961, shall not be  
18 considered administrative expenses for the purposes of this  
19 heading.

20 PROGRAM ACCOUNT

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

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

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



1                   TRADE AND DEVELOPMENT AGENCY

2           For necessary expenses to carry out the provisions  
3 of section 661 of the Foreign Assistance Act of 1961,  
4 \$80,700,000, to remain available until September 30,  
5 2018: *Provided*, That of the funds appropriated under this  
6 heading, not more than \$5,000 may be available for rep-  
7 resentation and entertainment expenses.

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## TITLE VII

### GENERAL PROVISIONS

#### ALLOWANCES AND DIFFERENTIALS

SEC. 7001. Funds appropriated under title I of this Act shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by section 3109 of such title and for hire of passenger transportation pursuant to section 1343(b) of title 31, United States Code.

#### UNOBLIGATED BALANCES REPORT

SEC. 7002. Any department or agency of the United States Government to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting of cumulative unobligated balances and obligated, but unexpended, balances by program, project, and activity, and Treasury Account Fund Symbol of all funds received by such department or agency in fiscal year 2017 or any previous fiscal year, disaggregated by fiscal year: *Provided*, That the report required by this section should specify by account the amount of funds obligated pursuant to bilateral agreements which have not been further sub-obligated.

## 1 CONSULTING SERVICES

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

## 10 DIPLOMATIC FACILITIES

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

1 Related Agencies Appropriations Act, 2005: *Provided*,  
2 That the Secretary of State shall promptly inform such  
3 Committees of each instance in which a Federal depart-  
4 ment or agency is delinquent in providing the full amount  
5 of funding required by subsection (e) of section 604 of  
6 such Act during a fiscal year.

7 (b) EXCEPTION.—Notwithstanding the prohibition in  
8 subsection (a), a project to construct a United States dip-  
9 lomatic facility may include office space or other accom-  
10 modations for members of the United States Marine  
11 Corps.

12 (c) NEW DIPLOMATIC FACILITIES.—For the pur-  
13 poses of calculating the fiscal year 2017 costs of providing  
14 new United States diplomatic facilities in accordance with  
15 section 604(e) of the Secure Embassy Construction and  
16 Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the  
17 Secretary of State, in consultation with the Director of  
18 the Office of Management and Budget, shall determine the  
19 annual program level and agency shares in a manner that  
20 is proportional to the contribution of the Department of  
21 State for this purpose.

22 (d) CONSULTATION AND NOTIFICATION REQUIRE-  
23 MENTS.—Funds appropriated by this Act and prior Acts  
24 making appropriations for the Department of State, for-  
25 eign operations, and related programs, which may be made

1 available for the acquisition of property or award of con-  
2 struction contracts for overseas United States diplomatic  
3 facilities during fiscal year 2017, shall be subject to prior  
4 consultation with, and the regular notification procedures  
5 of, the Committees on Appropriations: *Provided*, That no-  
6 tifications pursuant to this subsection shall include the in-  
7 formation enumerated under the heading “Embassy Secu-  
8 rity, Construction, and Maintenance” in the report accom-  
9 panying this Act: *Provided further*, That any such notifica-  
10 tion for a new diplomatic facility justified to the Commit-  
11 tees on Appropriations in Appendix 1 of the Congressional  
12 Budget Justification, Department of State, Diplomatic  
13 Engagement, Fiscal Year 2017, or not previously justified  
14 to such Committees, shall also include confirmation that  
15 the Department of State has completed the requisite value  
16 engineering studies required pursuant to OMB Circular  
17 A–131, Value Engineering December 31, 2013 and the  
18 Bureau of Overseas Building Operations Policy and Pro-  
19 cedure Directive, P&PD, Cost 02: Value Engineering.

20 (e) INTERIM AND TEMPORARY FACILITIES  
21 ABROAD.—

22 (1) Funds appropriated by this Act under the  
23 heading “Embassy Security, Construction, and  
24 Maintenance” may be made available to address se-  
25 curity vulnerabilities at interim and temporary

1 United States diplomatic facilities abroad, including  
2 physical security upgrades and local guard staffing,  
3 except that the amount of funds made available for  
4 such purposes from this Act and prior Acts making  
5 appropriations for the Department of State, foreign  
6 operations, and related programs shall be a min-  
7 imum of \$25,000,000: *Provided*, That the uses of  
8 such funds should be the responsibility of the Assist-  
9 ant Secretary for Diplomatic Security and Foreign  
10 Missions, Department of State, in consultation with  
11 the Director of the Bureau of Overseas Buildings  
12 Operations, Department of State: *Provided further*,  
13 That such funds shall be subject to prior consulta-  
14 tion with the Committees on Appropriations.

15 (2) Notwithstanding any other provision of law,  
16 the opening, closure, or any significant modification  
17 to an interim or temporary United States diplomatic  
18 facility shall be subject to prior consultation with the  
19 appropriate congressional committees and the reg-  
20 ular notification procedures of the Committees on  
21 Appropriations, except that such consultation and  
22 notification may be waived if there is a security risk  
23 to personnel.

24 (f) TRANSFER OF FUNDS.—Funds appropriated  
25 under the heading “Diplomatic and Consular Programs”,

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

15 (g) SOFT TARGETS.—Funds appropriated by this Act  
16 and prior Acts making appropriations for the Department  
17 of State, foreign operations, and related programs under  
18 the heading “Embassy Security, Construction, and Main-  
19 tenance” and made available for salary and benefit costs  
20 for employees of the Bureau of Overseas Building Oper-  
21 ations, Department of State, that remain unobligated  
22 after the end of the fiscal year in which such funds were  
23 appropriated shall be transferred to the Worldwide Secu-  
24 rity Upgrades-Compound Security Program under such  
25 heading for physical security upgrades of soft targets: *Pro-*

1 *vided*, That such funds shall be in addition to funds other-  
2 wise available for physical security upgrades of soft tar-  
3 gets for fiscal years 2017 and 2018: *Provided further*,  
4 That amounts made available pursuant to this paragraph  
5 from prior Acts making appropriations for the Depart-  
6 ment of State, foreign operations, and related programs  
7 that were previously designated by the Congress for Over-  
8 seas Contingency Operations/Global War on Terrorism  
9 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
10 Budget and Emergency Deficit Control Act of 1985 are  
11 designated by the Congress for Overseas Contingency Op-  
12 erations/Global War on Terrorism pursuant to section  
13 251(b)(2)(A)(ii) of such Act.

14 PERSONNEL ACTIONS

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



## LOCAL GUARD PROGRAMS

1  
2 SEC. 7006. (a) CONTRACTS.—In evaluating proposals  
3 for local guard contracts, the Secretary of State shall  
4 award contracts in accordance with section 136 of the  
5 Foreign Relations Authorization Act, Fiscal Years 1990  
6 and 1991 (22 U.S.C. 4864), except that the Secretary  
7 may grant authorization to award such contracts on the  
8 basis of best value as determined by a cost-technical trade-  
9 off analysis (as described in Federal Acquisition Regula-  
10 tion part 15.101), notwithstanding subsection (c)(3) of  
11 such section: *Provided*, That the authority in this section  
12 shall apply to any options for renewal that may be exer-  
13 cised under such contracts that are awarded during the  
14 current fiscal year.

15 (b) STRENGTHENING OVERSIGHT.—Of the funds ap-  
16 propriated by this Act and prior Acts making appropria-  
17 tions for the Department of State, foreign operations, and  
18 related programs under the heading “Diplomatic and Con-  
19 sular Programs” for Worldwide Security Protection, not  
20 less than \$8,500,000 shall be made available to strengthen  
21 oversight of the local guard force at a critical post abroad  
22 through the use of United States Government employees  
23 or contractors, who are United States citizens: *Provided*,  
24 That such funds are in addition to funds available by the  
25 Act for such purposes: *Provided further*, That the annual

1 operating costs associated with sustaining such oversight  
2 in subsequent fiscal years shall be borne through the  
3 International Cooperative Administrative Support Services  
4 program: *Provided further*, That the Secretary of State  
5 shall consult with the Committees on Appropriations prior  
6 to the obligation of funds made available pursuant to this  
7 subsection: *Provided further*, That amounts made available  
8 pursuant to this paragraph from prior Acts making appro-  
9 priations for the Department of State, foreign operations,  
10 and related programs that were previously designated by  
11 the Congress for Overseas Contingency Operations/Global  
12 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
13 the Balanced Budget and Emergency Deficit Control Act  
14 of 1985 are designated by the Congress for Overseas Con-  
15 tingency Operations/Global War on Terrorism pursuant to  
16 section 251(b)(2)(A)(ii) of such Act.

17 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN  
18 COUNTRIES

19 SEC. 7007. None of the funds appropriated or other-  
20 wise made available pursuant to titles III through VI of  
21 this Act shall be obligated or expended to finance directly  
22 any assistance or reparations for the governments of  
23 Cuba, North Korea, Iran, or Syria: *Provided*, That for  
24 purposes of this section, the prohibition on obligations or

1 expenditures shall include direct loans, credits, insurance,  
2 and guarantees of the Export-Import Bank or its agents.

3 COUPS D'ÉTAT

4 SEC. 7008. None of the funds appropriated or other-  
5 wise made available pursuant to titles III through VI of  
6 this Act shall be obligated or expended to finance directly  
7 any assistance to the government of any country whose  
8 duly elected head of government is deposed by military  
9 coup d'état or decree or, after the date of enactment of  
10 this Act, a coup d'état or decree in which the military  
11 plays a decisive role: *Provided*, That assistance may be re-  
12 sumed to such government if the Secretary of State cer-  
13 tifies and reports to the appropriate congressional commit-  
14 tees that subsequent to the termination of assistance a  
15 democratically elected government has taken office: *Pro-*  
16 *vided further*, That the provisions of this section shall not  
17 apply to assistance to promote democratic elections or  
18 public participation in democratic processes: *Provided fur-*  
19 *ther*, That funds made available pursuant to the previous  
20 provisos shall be subject to the regular notification proce-  
21 dures of the Committees on Appropriations.

22 TRANSFER OF FUNDS

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

1           (1) Not to exceed 5 percent of any appropria-  
2           tion made available for the current fiscal year for  
3           the Department of State under title I of this Act  
4           may be transferred between, and merged with, such  
5           appropriations, but no such appropriation, except as  
6           otherwise specifically provided, shall be increased by  
7           more than 10 percent by any such transfers, and no  
8           such transfer may be made to increase the appro-  
9           priation under the heading “Representation Ex-  
10          penses”.

11          (2) Not to exceed 5 percent of any appropria-  
12          tion made available for the current fiscal year for  
13          the Broadcasting Board of Governors under title I  
14          of this Act may be transferred between, and merged  
15          with, such appropriations, but no such appropria-  
16          tion, except as otherwise specifically provided, shall  
17          be increased by more than 10 percent by any such  
18          transfers.

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

24          (b) TITLE VI TRANSFER OF FUNDS.—Not to exceed  
25          5 percent of any appropriation other than for administra-

1 tive expenses made available for fiscal year 2017, for pro-  
2 grams under title VI of this Act may be transferred be-  
3 tween such appropriations for use for any of the purposes,  
4 programs, and activities for which the funds in such re-  
5 ceiving account may be used, but no such appropriation,  
6 except as otherwise specifically provided, shall be increased  
7 by more than 25 percent by any such transfer: *Provided*,  
8 That the exercise of such authority shall be subject to the  
9 regular notification procedures of the Committees on Ap-  
10 propriations.

11 (c) LIMITATION ON TRANSFERS OF FUNDS BE-  
12 TWEEN AGENCIES.—

13 (1) None of the funds made available under ti-  
14 tles II through V of this Act may be transferred to  
15 any department, agency, or instrumentality of the  
16 United States Government, except pursuant to a  
17 transfer made by, or transfer authority provided in,  
18 this Act or any other appropriations Act.

19 (2) Notwithstanding paragraph (1), in addition  
20 to transfers made by, or authorized elsewhere in,  
21 this Act, funds appropriated by this Act to carry out  
22 the purposes of the Foreign Assistance Act of 1961  
23 may be allocated or transferred to agencies of the  
24 United States Government pursuant to the provi-

1 sions of sections 109, 610, and 632 of the Foreign  
2 Assistance Act of 1961.

3 (3) Any agreement entered into by the United  
4 States Agency for International Development or the  
5 Department of State with any department, agency,  
6 or instrumentality of the United States Government  
7 pursuant to section 632(b) of the Foreign Assistance  
8 Act of 1961 valued in excess of \$1,000,000 and any  
9 agreement made pursuant to section 632(a) of such  
10 Act, with funds appropriated by this Act or prior  
11 Acts making appropriations for the Department of  
12 State, foreign operations, and related programs  
13 under the headings “Global Health Programs”, “De-  
14 velopment Assistance”, “Economic Support Fund”,  
15 and “Assistance for Europe, Eurasia and Central  
16 Asia” shall be subject to the regular notification pro-  
17 cedures of the Committees on Appropriations: *Pro-*  
18 *vided*, That the requirement in the previous sentence  
19 shall not apply to agreements entered into between  
20 USAID and the Department of State.

21 (d) TRANSFER OF FUNDS.—None of the funds made  
22 available under titles II through V of this Act may be obli-  
23 gated under an appropriations account to which such  
24 funds were not appropriated, except for transfers specifi-  
25 cally provided for in this Act, unless the President, not

1 less than 5 days prior to the exercise of any authority con-  
2 tained in the Foreign Assistance Act of 1961 to transfer  
3 funds, consults with and provides a written policy jus-  
4 tification to the Committees on Appropriations.

5       (e) AUDIT OF INTER-AGENCY TRANSFERS OF  
6 FUNDS.—Any agreement for the transfer or allocation of  
7 funds appropriated by this Act or prior Acts making ap-  
8 propriations for the Department of State, foreign oper-  
9 ations and related programs, entered into between the De-  
10 partment of State or USAID and another agency of the  
11 United States Government under the authority of section  
12 632(a) of the Foreign Assistance Act of 1961 or any com-  
13 parable provision of law, shall expressly provide that the  
14 Inspector General (IG) for the agency receiving the trans-  
15 fer or allocation of such funds, or other entity with audit  
16 responsibility if the receiving agency does not have an IG,  
17 shall perform periodic program and financial audits of the  
18 use of such funds and report to the Department of State  
19 or USAID, as appropriate, upon completion of such au-  
20 dits: *Provided*, That such audits shall be transmitted to  
21 the Committees on Appropriations by the Department of  
22 State or USAID, as appropriate: *Provided further*, That  
23 funds transferred under such authority may be made  
24 available for the cost of such audits.

## 1 PROHIBITION ON FIRST-CLASS TRAVEL

2 SEC. 7010. None of the funds made available in this  
3 Act may be used for first-class travel by employees of de-  
4 partments and agencies funded by this Act in contraven-  
5 tion of sections 301–10.122 through 301–10.124 of title  
6 41, Code of Federal Regulations.

## 7 AVAILABILITY OF FUNDS

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



1 disbursements in order to address balance of payments or  
2 economic policy reform objectives, shall remain available  
3 for an additional 4 years from the date on which the avail-  
4 ability of such funds would otherwise have expired, if such  
5 funds are initially allocated or obligated before the expira-  
6 tion of their respective periods of availability contained in  
7 this Act: *Provided further*, That the Secretary of State  
8 shall provide a report to the Committees on Appropria-  
9 tions not later than October 30, 2017, detailing by ac-  
10 count and source year, the use of this authority during  
11 the previous fiscal year.

12 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

13 SEC. 7012. No part of any appropriation provided  
14 under titles III through VI in this Act shall be used to  
15 furnish assistance to the government of any country which  
16 is in default during a period in excess of 1 calendar year  
17 in payment to the United States of principal or interest  
18 on any loan made to the government of such country by  
19 the United States pursuant to a program for which funds  
20 are appropriated under this Act unless the President de-  
21 termines, following consultations with the Committees on  
22 Appropriations, that assistance for such country is in the  
23 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 and  
12 the Administrator of the United States Agency for Inter-  
13 national Development shall expeditiously seek to negotiate  
14 amendments to existing bilateral agreements, as nec-  
15 essary, to conform with this requirement.

16 (b) NOTIFICATION AND REIMBURSEMENT OF FOR-  
17 EIGN TAXES.—An amount equivalent to 200 percent of  
18 the total taxes assessed during fiscal year 2017 on funds  
19 appropriated by this Act and prior Acts making appropria-  
20 tions for the Department of State, foreign operations, and  
21 related programs by a foreign government or entity  
22 against United States assistance programs, either directly  
23 or through grantees, contractors, and subcontractors shall  
24 be withheld from obligation from funds appropriated for  
25 assistance for fiscal year 2018 and for prior fiscal years

1 and allocated for the central government of such country  
2 or for the West Bank and Gaza program if, not later than  
3 September 30, 2018, such taxes have not been reimbursed:  
4 *Provided*, That the Secretary of State shall report to the  
5 Committees on Appropriations by such date on the foreign  
6 governments and entities that have not reimbursed such  
7 taxes and the amount of funds withheld.

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

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

19 (e) DETERMINATIONS.—

20 (1) The provisions of this section shall not  
21 apply to any foreign government or entity that as-  
22 sesses such taxes if the Secretary of State reports to  
23 the Committees on Appropriations that—

1           (A) such foreign government or entity has  
2           an effective arrangement that is providing sub-  
3           stantial reimbursement of such taxes; or

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

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

12          (f) IMPLEMENTATION.—The Secretary of State shall  
13          issue rules, regulations, or policy guidance, as appropriate,  
14          to implement the prohibition against the taxation of assist-  
15          ance contained in this section, and provide such rules, reg-  
16          ulations, or policy guidance to the Committees on Appro-  
17          priations.

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

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

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

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

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

16 RESERVATIONS OF FUNDS

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

1 that is reprogrammed pursuant to this subsection shall be  
2 made available under the same terms and conditions as  
3 originally provided.

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

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

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

3 NOTIFICATION REQUIREMENTS

4 SEC. 7015. (a) NOTIFICATION OF CHANGES IN PRO-  
5 GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds  
6 made available in titles I and II of this Act or prior Acts  
7 making appropriations for the Department of State, for-  
8 eign operations, and related programs to the departments  
9 and agencies funded by this Act that remain available for  
10 obligation in fiscal year 2017, or provided from any ac-  
11 counts in the Treasury of the United States derived by  
12 the collection of fees or of currency reflows or other offset-  
13 ting collections, or made available by transfer, to the de-  
14 partments and agencies funded by this Act, shall be avail-  
15 able for obligation to—

- 16 (1) create new programs;
- 17 (2) eliminate a program, project, or activity;
- 18 (3) close, suspend, open, or reopen a mission or  
19 post;
- 20 (4) create, close, reorganize, or rename bureaus,  
21 centers, or offices; or
- 22 (5) contract out or privatize any functions or  
23 activities presently performed by Federal employees;

1 unless previously justified to the Committees on Appro-  
2 priations or such Committees are notified 15 days in ad-  
3 vance of such obligation.

4 (b) NOTIFICATION OF REPROGRAMMING OF  
5 FUNDS.—None of the funds provided under titles I and  
6 II of this Act or prior Acts making appropriations for the  
7 Department of State, foreign operations, and related pro-  
8 grams, to the departments and agencies funded under ti-  
9 tles I and II of this Act that remain available for obliga-  
10 tion in fiscal year 2017, or provided from any accounts  
11 in the Treasury of the United States derived by the collec-  
12 tion of fees available to the department and agency funded  
13 under title I of this Act, shall be available for obligation  
14 or expenditure for activities, programs, or projects  
15 through a reprogramming of funds in excess of  
16 \$1,000,000 or 10 percent, whichever is less, that—

17 (1) augments or changes existing programs,  
18 projects, or activities;

19 (2) relocates an existing office or employees;

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

23 (4) results from any general savings, including  
24 savings from a reduction in personnel, which would



1 result in a change in existing programs, activities, or  
2 projects as approved by Congress;  
3 unless the Committees on Appropriations are notified 15  
4 days in advance of such reprogramming of funds.

5 (c) NOTIFICATION REQUIREMENT.—None of the  
6 funds made available by this Act under the headings  
7 “Global Health Programs”, “Development Assistance”,  
8 “International Organizations and Programs”, “Trade and  
9 Development Agency”, “International Narcotics Control  
10 and Law Enforcement”, “Economic Support Fund”, “De-  
11 mocracy Fund”, “Assistance for Europe, Eurasia and  
12 Central Asia”, “Peacekeeping Operations”, “Non-  
13 proliferation, Anti-terrorism, Demining and Related Pro-  
14 grams”, “Millennium Challenge Corporation”, “Foreign  
15 Military Financing Program”, “International Military  
16 Education and Training”, and “Peace Corps”, shall be  
17 available for obligation for activities, programs, projects,  
18 type of materiel assistance, countries, or other operations  
19 not justified or in excess of the amount justified to the  
20 Committees on Appropriations for obligation under any of  
21 these specific headings unless the Committees on Appro-  
22 priations are notified 15 days in advance: *Provided*, That  
23 the President shall not enter into any commitment of  
24 funds appropriated for the purposes of section 23 of the  
25 Arms Export Control Act for the provision of major de-

1 fense equipment, other than conventional ammunition, or  
2 other major defense items defined to be aircraft, ships,  
3 missiles, or combat vehicles, not previously justified to  
4 Congress or 20 percent in excess of the quantities justified  
5 to Congress unless the Committees on Appropriations are  
6 notified 15 days in advance of such commitment: *Provided*  
7 *further*, That requirements of this subsection or any simi-  
8 lar provision of this or any other Act shall not apply to  
9 any reprogramming for an activity, program, or project  
10 for which funds are appropriated under titles III through  
11 VI of this Act of less than 10 percent of the amount pre-  
12 viously justified to Congress for obligation for such activ-  
13 ity, program, or project for the current fiscal year.

14 (d) NOTIFICATION OF TRANSFER OF FUNDS.—Not-  
15 withstanding any other provision of law, with the excep-  
16 tion of funds transferred to, and merged with, funds ap-  
17 propriated under title I of this Act, funds transferred by  
18 the Department of Defense to the Department of State  
19 and the United States Agency for International Develop-  
20 ment for assistance for foreign countries and international  
21 organizations, and funds made available for programs pre-  
22 viously authorized under section 1206 of the National De-  
23 fense Authorization Act for Fiscal Year 2006 (Public Law  
24 109–163) section 2282 of title 10, United States Code,  
25 or any successor authorities, shall be subject to the regular

1 notification procedures of the Committees on Appropria-  
2 tions.

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

17 (f) COUNTRY NOTIFICATION REQUIREMENTS.—None  
18 of the funds appropriated under titles III through VI of  
19 this Act may be obligated or expended for assistance for  
20 Afghanistan, Bahrain, Bolivia, Burma, Cambodia, Colom-  
21 bia, Cuba, Ecuador, Egypt, El Salvador, Ethiopia, Guate-  
22 mala, Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mex-  
23 ico, Pakistan, the Russian Federation, Somalia, South  
24 Sudan, Sri Lanka, Sudan, Syria, Uzbekistan, Venezuela,  
25 Yemen, and Zimbabwe except as provided through the reg-

1 ular notification procedures of the Committees on Appro-  
2 priations.

3 (g) PROGRAM NOTIFICATION REQUIREMENTS.—  
4 Funds appropriated by this Act that are made available  
5 for the Counterterrorism Partnerships Fund and the  
6 Power Africa initiative shall be subject to the regular noti-  
7 fication procedures of the Committees on Appropriations.

8 (h) PILOT PROGRAM NOTIFICATION REQUIRE-  
9 MENT.—Funds appropriated under Title I of this Act  
10 under the heading “Diplomatic and Consular Programs”  
11 that are made available for a pilot program for lateral  
12 entry into the Foreign Service, if authorized, shall be sub-  
13 ject to prior consultation with, and the regular notification  
14 procedures of, the Committees on Appropriations.

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

21 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

22 SEC. 7016. Prior to providing excess Department of  
23 Defense articles in accordance with section 516(a) of the  
24 Foreign Assistance Act of 1961, the Department of De-  
25 fense shall notify the Committees on Appropriations to the

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

16           LIMITATION ON AVAILABILITY OF FUNDS FOR  
17           INTERNATIONAL ORGANIZATIONS AND PROGRAMS

18           SEC. 7017. Subject to the regular notification proce-  
19 dures of the Committees on Appropriations, funds appro-  
20 priated under titles I and III through V of this Act, which  
21 are returned or not made available for organizations and  
22 programs because of the implementation of section 307(a)  
23 of the Foreign Assistance Act of 1961 or section 7048(a)  
24 of this Act, shall remain available for obligation until Sep-  
25 tember 30, 2019: *Provided*, That the requirement to with-

1 hold funds for programs in Burma under section 307(a)  
2 of the Foreign Assistance Act of 1961 shall not apply to  
3 funds appropriated by this Act.

4 PROHIBITION ON FUNDING FOR ABORTIONS AND  
5 INVOLUNTARY STERILIZATION

6 SEC. 7018. None of the funds made available to carry  
7 out part I of the Foreign Assistance Act of 1961, as  
8 amended, may be used to pay for the performance of abor-  
9 tions as a method of family planning or to motivate or  
10 coerce any person to practice abortions. None of the funds  
11 made available to carry out part I of the Foreign Assist-  
12 ance Act of 1961, as amended, may be used to pay for  
13 the performance of involuntary sterilization as a method  
14 of family planning or to coerce or provide any financial  
15 incentive to any person to undergo sterilizations. None of  
16 the funds made available to carry out part I of the Foreign  
17 Assistance Act of 1961, as amended, may be used to pay  
18 for any biomedical research which relates in whole or in  
19 part, to methods of, or the performance of, abortions or  
20 involuntary sterilization as a means of family planning.  
21 None of the funds made available to carry out part I of  
22 the Foreign Assistance Act of 1961, as amended, may be  
23 obligated or expended for any country or organization if  
24 the President certifies that the use of these funds by any  
25 such country or organization would violate any of the

1 above provisions related to abortions and involuntary steri-  
2 lizations.

3 ALLOCATIONS

4 SEC. 7019. (a) ALLOCATION TABLES.—Subject to  
5 subsection (b), funds appropriated by this Act under titles  
6 III through V shall be made available in the amounts spe-  
7 cifically designated in the respective tables included in the  
8 report accompanying this Act: *Provided*, That such des-  
9 ignated amounts for foreign countries and international  
10 organizations shall serve as the amounts for such coun-  
11 tries and international organizations transmitted to Con-  
12 gress in the report required by section 653(a) of the For-  
13 eign Assistance Act of 1961.

14 (b) AUTHORIZED DEVIATIONS.—Unless otherwise  
15 provided for by this Act, the Secretary of State and the  
16 Administrator of the United States Agency for Inter-  
17 national Development, as applicable, may only deviate up  
18 to 10 percent from the amounts specifically designated in  
19 the respective tables included in the report accompanying  
20 this Act: *Provided*, That such percentage may be exceeded  
21 only to respond to significant, exigent, or unforeseen  
22 events, or to address other exceptional circumstances di-  
23 rectly related to the national interest: *Provided further*,  
24 That deviations pursuant to the previous proviso shall be

1 subject to prior consultation with, and the regular notifica-  
2 tion procedures of, the Committees on Appropriations.

3 (c) LIMITATION.—For specifically designated  
4 amounts that are included, pursuant to subsection (a), in  
5 the report required by section 653(a) of the Foreign As-  
6 sistance Act of 1961, no deviations authorized by sub-  
7 section (b) may take place until submission of such report.

8 REPRESENTATION AND ENTERTAINMENT EXPENSES

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

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

18 (2) are principally for meals and events of a  
19 protocol nature;

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

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

23 (b) LIMITATIONS.—None of the funds appropriated  
24 or otherwise made available by this Act under the head-  
25 ings “International Military Education and Training” or



1 “Foreign Military Financing Program” for Informational  
2 Program activities or under the headings “Global Health  
3 Programs”, “Development Assistance”, “Economic Sup-  
4 port Fund”, and “Assistance for Europe, Eurasia and  
5 Central Asia” may be obligated or expended to pay for—

6 (1) alcoholic beverages; or

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

12 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

13 SUPPORTING INTERNATIONAL TERRORISM

14 SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-  
15 PORTS.—

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

1 under this section with respect to a foreign govern-  
2 ment shall terminate 12 months after that govern-  
3 ment ceases to provide such military equipment:  
4 *Provided further*, That this section applies with re-  
5 spect to lethal military equipment provided under a  
6 contract entered into after October 1, 1997.

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

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

21 (b) BILATERAL ASSISTANCE.—

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

1 State, foreign operations, and related programs,  
2 shall not be made available to any foreign govern-  
3 ment which the President determines—

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

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

9 (C) is controlled by an organization des-  
10 ignated as a terrorist organization under sec-  
11 tion 219 of the Immigration and Nationality  
12 Act (8 U.S.C. 1189).

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

## 1 AUTHORIZATION REQUIREMENTS

2 SEC. 7022. Funds appropriated by this Act, except  
3 funds appropriated under the heading “Trade and Devel-  
4 opment Agency”, may be obligated and expended notwith-  
5 standing section 10 of Public Law 91-672 (22 U.S.C.  
6 2412), section 15 of the State Department Basic Authori-  
7 ties Act of 1956, section 313 of the Foreign Relations Au-  
8 thorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.  
9 6212), and section 504(a)(1) of the National Security Act  
10 of 1947 (50 U.S.C. 3094(a)(1)).

## 11 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

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

1 be considered to include central, country, regional, and  
2 program level funding, either as—

3 (1) justified to Congress; or

4 (2) allocated by the Executive Branch in ac-  
5 cordance with a report, to be provided to the Com-  
6 mittees on Appropriations within 30 days of the en-  
7 actment of this Act, as required by section 653(a)  
8 of the Foreign Assistance Act of 1961 or as modi-  
9 fied pursuant to section 7019 of this Act.

10 NEAR EAST AND AFRICA RELIEF AND RECOVERY FUND

11 SEC. 7024. (a) APPROPRIATION.—Of the funds ap-  
12 propriated by this Act under the heading “Economic Sup-  
13 port Fund”, not less than \$25,000,000 shall be made  
14 available for assistance for areas liberated from, or under  
15 the influence of, extremist organizations in and around the  
16 Near East and Africa regions: *Provided*, That such funds  
17 are in addition to amounts otherwise available for such  
18 purposes: *Provided further*, That such funds shall be con-  
19 sidered to be the “Near East and Africa Relief and Recov-  
20 ery Fund”.

21 (b) AVAILABILITY.—Funds made available pursuant  
22 to subsection (a) may be made available notwithstanding  
23 any other provision of law, except section 7018 of this Act  
24 and section 620M of the Foreign Assistance Act of 1961:  
25 *Provided*, That such funds shall be made available, to the

1 maximum extent practicable, on a cost-matching basis  
2 from sources other than the United States Government,  
3 except that no such funds may be made available for the  
4 costs of significant infrastructure projects: *Provided fur-*  
5 *ther*, That such funds made available for assistance for  
6 Iraq may only be made available with the concurrence of  
7 the Chief of Mission in Iraq.

8 (c) PURPOSES.—Funds made available pursuant to  
9 subsection (a) shall be made available for programs that  
10 address basic needs in the Near East and Africa regions,  
11 including—

12 (1) food, water and sanitation;

13 (2) rule of law and governance, including for  
14 countering extremism, transitional justice, and rec-  
15 onciliation programs;

16 (3) relief efforts related to refugees, internally  
17 displaced persons, and other vulnerable individuals;

18 (4) electricity;

19 (5) healthcare;

20 (6) economic and agricultural development;

21 (7) education, including vocational training; and

22 (8) transportation.

23 (d) TRANSFER OF FUNDS.—Funds made available  
24 pursuant to subsection (a) may be transferred to, and  
25 merged with, with funds appropriated by this Act under

1 the headings “International Narcotics Control and Law  
2 Enforcement”, “Nonproliferation, Anti-terrorism,  
3 Demining and Related Programs”, “Peacekeeping Oper-  
4 ations”, and “Foreign Military Financing Program” for  
5 assistance for countries in the Near East and Africa re-  
6 gions, following consultation with, and subject to the reg-  
7 ular notification procedures of, the Committees on Appro-  
8 priations.

9 (e) SPEND PLAN AND OVERSIGHT REQUIRE-  
10 MENTS.—Prior to the obligation of funds made available  
11 pursuant to subsection (a), the Secretary of State shall—

12 (1) submit a spend plan to the Committees on  
13 Appropriations; and

14 (2) take all practicable steps to ensure that  
15 mechanisms are in place for monitoring, oversight,  
16 and control of such funds: *Provided*, That the Sec-  
17 retary shall promptly inform the appropriate con-  
18 gressional committees of each instance in which a  
19 significant amount of assistance provided pursuant  
20 to this subsection has been misappropriated, to in-  
21 clude the type and amount of assistance, a descrip-  
22 tion of the incident and parties involved, and an ex-  
23 planation of the response of the Department of  
24 State.

1 (f) NOTIFICATION REQUIREMENT.—Funds made  
2 available pursuant to subsection (a) shall be subject to the  
3 regular notification procedures of the Committees on Ap-  
4 propriations.

5 COMMERCE, TRADE AND SURPLUS COMMODITIES

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



1 tions: *Provided further*, That this subsection shall not pro-  
2 hibit—

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

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

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

23           (1) activities designed to increase food security  
24 in developing countries where such activities will not

1 have a significant impact on the export of agricul-  
2 tural commodities of the United States;

3 (2) research activities intended primarily to  
4 benefit United States producers;

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

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

15 (c) INTERNATIONAL FINANCIAL INSTITUTIONS.—

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

## 1 SEPARATE ACCOUNTS

2 SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL  
3 CURRENCIES.—

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

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

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

16 (i) the amount of the local currencies  
17 to be generated; and

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

21 (C) establish by agreement with that gov-  
22 ernment the responsibilities of USAID and that  
23 government to monitor and account for deposits  
24 into and disbursements from the separate ac-  
25 count.

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

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

10                   (i) project and sector assistance activi-  
11           ties; or

12                   (ii) debt and deficit financing; or

13                   (B) for the administrative requirements of  
14           the United States Government.

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

22           (4) TERMINATION OF ASSISTANCE PRO-  
23           GRAMS.—Upon termination of assistance to a coun-  
24           try under chapter 1 or 10 of part I or chapter 4 of  
25           part II of the Foreign Assistance Act of 1961 (as

1 the case may be), any unencumbered balances of  
2 funds which remain in a separate account estab-  
3 lished pursuant to subsection (a) shall be disposed of  
4 for such purposes as may be agreed to by the gov-  
5 ernment of that country and the United States Gov-  
6 ernment.

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

17 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

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

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

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

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

## 1 ELIGIBILITY FOR ASSISTANCE

2 SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERN-  
3 MENTAL ORGANIZATIONS.—Restrictions contained in this  
4 or any other Act with respect to assistance for a country  
5 shall not be construed to restrict assistance in support of  
6 programs of nongovernmental organizations from funds  
7 appropriated by this Act to carry out the provisions of  
8 chapters 1, 10, 11, and 12 of part I and chapter 4 of  
9 part II of the Foreign Assistance Act of 1961 and from  
10 funds appropriated under the heading “Assistance for Eu-  
11 rope, Eurasia and Central Asia”: *Provided*, That before  
12 using the authority of this subsection to furnish assistance  
13 in support of programs of nongovernmental organizations,  
14 the President shall notify the Committees on Appropria-  
15 tions pursuant to the regular notification procedures, in-  
16 cluding a description of the program to be assisted, the  
17 assistance to be provided, and the reasons for furnishing  
18 such assistance: *Provided further*, That nothing in this  
19 subsection shall be construed to alter any existing statu-  
20 tory prohibitions against abortion or involuntary steriliza-  
21 tions contained in this or any other Act.

22 (b) PUBLIC LAW 480.—During fiscal year 2017, re-  
23 strictions contained in this or any other Act with respect  
24 to assistance for a country shall not be construed to re-  
25 strict assistance under the Food for Peace Act (Public

1 Law 83–480): *Provided*, That none of the funds appro-  
2 priated to carry out title I of such Act and made available  
3 pursuant to this subsection may be obligated or expended  
4 except as provided through the regular notification proce-  
5 dures of the Committees on Appropriations.

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

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

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

16 LOCAL COMPETITION

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

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



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

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

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

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

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

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

15 (b) REPORTING REQUIREMENT.—In addition to the  
16 requirements of subsection (a)(1), the USAID Adminis-  
17 trator shall report, on an annual basis, to the appropriate  
18 congressional committees on all awards subject to limited  
19 or no competition for local entities: *Provided*, That such  
20 report should be posted on the USAID Web site: *Provided*  
21 *further*, That the requirements of this subsection shall only  
22 apply to awards in excess of \$3,000,000 and sole source  
23 awards to local entities in excess of \$2,000,000.

24 (c) EXTENSION OF PROCUREMENT AUTHORITY.—  
25 Section 7077 of the Department of State, Foreign Oper-

1 ations, and Related Programs Appropriations Act, 2012  
2 (division I of Public Law 112–74), as amended, shall con-  
3 tinue in effect during fiscal year 2017.

4 INTERNATIONAL FINANCIAL INSTITUTIONS

5 SEC. 7029. (a) EVALUATIONS AND REPORT.—The  
6 Secretary of the Treasury shall instruct the United States  
7 executive director of each international financial institu-  
8 tion to seek to require that such institution adopts and  
9 implements a publicly available policy, including the stra-  
10 tegic use of peer reviews and external experts, to conduct  
11 independent, in-depth evaluations of the effectiveness of  
12 at least 35 percent of all loans, grants, programs, and sig-  
13 nificant analytical non-lending activities in advancing the  
14 institution’s goals of reducing poverty and promoting equi-  
15 table economic growth, consistent with relevant safe-  
16 guards, to ensure that decisions to support such loans,  
17 grants, programs, and activities are based on accurate  
18 data and objective analysis: *Provided*, That not later than  
19 45 days after enactment of this Act, the Secretary shall  
20 submit a report to the Committees on Appropriations on  
21 steps taken by the United States executive directors and  
22 the international financial institutions consistent with this  
23 subsection.

24 (b) SAFEGUARDS.—

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

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

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

21                (B) will be developed and carried out in ac-  
22                cordance with best practices regarding environ-  
23                mental conservation; cultural protection; and  
24                empowerment of local populations, including

1 free, prior and informed consent of affected in-  
2 digenous communities;

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

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

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

23 (d) HUMAN RIGHTS.—The Secretary of the Treasury  
24 shall instruct the United States executive director of each  
25 international financial institution to seek to require that

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

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

18 (f) BENEFICIAL OWNERSHIP INFORMATION.—The  
19 Secretary of the Treasury shall instruct the United States  
20 executive director of each international financial institu-  
21 tion to seek to require that such institution collects,  
22 verifies, and publishes, to the maximum extent practicable,  
23 beneficial ownership information (excluding proprietary  
24 information) for any corporation or limited liability com-  
25 pany, other than a publicly listed company, that receives

1 funds from any such financial institution: *Provided*, That  
2 not later than 45 days after enactment of this Act, the  
3 Secretary shall submit a report to the Committees on Ap-  
4 propriations on steps taken by the United States executive  
5 directors and the international financial institutions con-  
6 sistent with this subsection.

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

14 (1) protection against retaliation for internal  
15 and lawful public disclosure;

16 (2) legal burdens of proof;

17 (3) statutes of limitation for reporting retalia-  
18 tion;

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

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

23 DEBT-FOR-DEVELOPMENT

24 SEC. 7030. In order to enhance the continued partici-  
25 pation of nongovernmental organizations in debt-for-devel-

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

11 FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

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

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

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

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

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

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

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

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

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

16 (C) the recipient agency or ministry is not  
17 headed or controlled by an organization des-  
18 ignated as a foreign terrorist organization  
19 under section 219 of the Immigration and Na-  
20 tionality Act (8 U.S.C. 1189);

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



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

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

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

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

1 use of such assistance, unless the Administrator or  
2 the Secretary reports to the Committees on Appro-  
3 priations that it is in the national interest of the  
4 United States to continue such assistance, including  
5 a justification, or that such misuse has been appro-  
6 priately addressed.

7 (4) SUBMISSION OF INFORMATION.—The Sec-  
8 retary of State shall submit to the Committees on  
9 Appropriations, concurrent with the fiscal year 2018  
10 congressional budget justification materials, amounts  
11 planned for assistance described in paragraph (1) by  
12 country, proposed funding amount, source of funds,  
13 and type of assistance.

14 (5) REPORT.—Not later than 90 days after the  
15 enactment of this Act and 6 months thereafter until  
16 September 30, 2017, the USAID Administrator  
17 shall submit to the Committees on Appropriations a  
18 report that—

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

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

1 (6) DEBT SERVICE PAYMENT PROHIBITION.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 (d) NETWORKS OF CORRUPTION.—If the Secretary  
14 of State has credible information of networks of corruption  
15 involving the direct or indirect participation of, or support  
16 from, a foreign official in a country that receives assist-  
17 ance funded by this Act or prior Acts making appropria-  
18 tions for the Department of State, foreign operations, and  
19 related programs, the Secretary shall submit a report to  
20 the appropriate congressional committees describing such  
21 networks, which shall include the information required  
22 under the “Economic Support Fund” heading in the re-  
23 port accompanying this Act.

24 (e) EXTRACTION OF NATURAL RESOURCES.—

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

14           (2) UNITED STATES POLICY.—

15           (A) The Secretary of the Treasury shall in-  
16 form the management of the international fi-  
17 nancial institutions, and post on the Depart-  
18 ment of the Treasury Web site, that it is the  
19 policy of the United States to vote against any  
20 assistance by such institutions (including any  
21 loan, credit, grant, or guarantee) to any coun-  
22 try for the extraction and export of a natural  
23 resource if the government of such country has  
24 in place laws, regulations, or procedures to pre-  
25 vent or limit the public disclosure of company



1 payments as required by United States law, and  
2 unless such government has adopted laws, regu-  
3 lations, or procedures in the sector in which as-  
4 sistance is being considered for—

5 (i) accurately accounting for and pub-  
6 lic disclosure of payments to the host gov-  
7 ernment by companies involved in the ex-  
8 traction and export of natural resources;

9 (ii) the independent auditing of ac-  
10 counts receiving such payments and public  
11 disclosure of the findings of such audits;  
12 and

13 (iii) public disclosure of such docu-  
14 ments as Host Government Agreements,  
15 Concession Agreements, and bidding docu-  
16 ments, allowing in any such dissemination  
17 or disclosure for the redaction of, or excep-  
18 tions for, information that is commercially  
19 proprietary or that would create competi-  
20 tive disadvantage.

21 (B) The requirements of subparagraph (A)  
22 shall not apply to assistance for the purpose of  
23 building the capacity of such government to  
24 meet the requirements of this subparagraph.

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

11 DEMOCRACY PROGRAMS

12 SEC. 7032. (a) FUNDING.—Of the funds appro-  
13 priated by this Act under the headings “Development As-  
14 sistance”, “Economic Support Fund”, “Assistance for Eu-  
15 rope, Eurasia and Central Asia”, and “International Nar-  
16 cotics Control and Law Enforcement”, not less than  
17 \$2,576,000,000 shall be made available for democracy  
18 programs, of which amounts shall be allocated as fol-  
19 lows—

20 (1) not less than \$339,325,000 for Africa, of  
21 which not less than \$33,000,000 shall be made  
22 available for democracy programs for Cameroon,  
23 Chad, Niger, and Nigeria, following consultation  
24 with the Committees on Appropriations;

1           (2) not less than \$148,808,000 for the East  
2 Asia and Pacific region;

3           (3) not less than \$232,292,000 for Europe and  
4 Eurasia;

5           (4) not less than \$429,515,000 for the Near  
6 East region, of which not less than \$32,000,000  
7 shall be made available for the Near East Regional  
8 Democracy program and not less than \$55,000,000  
9 shall be made available for democracy programs for  
10 Iraq under the heading “Economic Support Fund”;

11           (5) not less than \$777,443,000 for South and  
12 Central Asia;

13           (6) not less than \$577,545,000 for the Western  
14 Hemisphere; and

15           (7) not less than \$71,072,000 for global pro-  
16 grams.

17 (b) AUTHORITIES.—

18           (1) Funds made available by this Act for de-  
19 mocracy programs may be made available notwith-  
20 standing any other provision of law, and with regard  
21 to the National Endowment for Democracy (NED),  
22 any regulation.

23           (2) Funds appropriated by this Act under the  
24 heading “Democracy Fund” may be made available  
25 notwithstanding section 7015 of this Act for rapid

1 response assistance if the Secretary of State or  
2 USAID Administrator, as appropriate, submits a re-  
3 port to the Committees on Appropriations at least 5  
4 days in advance of the obligation of such funds de-  
5 tailing the circumstances requiring such a response.

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

17 (d) RESTRICTION ON PRIOR APPROVAL.—With re-  
18 spect to the provision of assistance for democracy pro-  
19 grams in this Act, the organizations implementing such  
20 assistance, the specific nature of that assistance, and the  
21 participants in such programs shall not be subject to the  
22 prior approval by the government of any foreign country:  
23 *Provided*, That the Secretary of State, in coordination  
24 with the USAID Administrator, shall report to the Com-  
25 mittees on Appropriations, not later than 120 days after

1 enactment of this Act, detailing steps taken by the Depart-  
2 ment of State and USAID to comply with the require-  
3 ments of this subsection.

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

15 (f) COUNTRY STRATEGY STRATEGIC REVIEWS.—  
16 Prior to the obligation of funds made available by this Act  
17 for Department of State and USAID democracy programs  
18 for a nondemocratic or democratic transitioning country  
19 for which a country strategy has been concluded after the  
20 date of enactment of this Act, as required by section  
21 2111(c)(1) of the ADVANCE Democracy Act of 2007  
22 (title XXI of Public Law 110–53; 22 U.S.C. 8211) or  
23 similar provision of law or regulation, the Under Secretary  
24 for Civilian Security, Democracy and Human Rights, De-  
25 partment of State, in consultation with the Assistant Sec-

1 retary for Democracy, Human Rights, and Labor, Depart-  
2 ment of State, and the Assistant Administrator for De-  
3 mocracy, Conflict, and Humanitarian Assistance, USAID,  
4 shall review such strategy to ensure that it includes—

5 (1) specific goals and objectives for such pro-  
6 gram, including a specific plan and timeline to meas-  
7 ure impacts;

8 (2) an assessment of the risks associated with  
9 the conduct of such program to intended bene-  
10 ficiaries and implementers, including steps to sup-  
11 port and protect such individuals; and

12 (3) the funding requirements to initiate and  
13 sustain such program in fiscal year 2017 and subse-  
14 quent fiscal years, as appropriate:

15 *Provided*, That for the purposes of this paragraph, the  
16 term “nondemocratic or democratic transitioning country”  
17 shall have the same meaning as in section 2104(6) of Pub-  
18 lic Law 110–53.

19 (g) CONSULTATION AND COMMUNICATION REQUIRE-  
20 MENTS.—

21 (1) COUNTRY ALLOCATIONS.—The Deputy Sec-  
22 retary for Management and Resources, Department  
23 of State, shall consult with the Under Secretary for  
24 Civilian Security, Democracy and Human Rights,  
25 Department of State, and the Assistant Adminis-

1 trator for Democracy, Conflict, and Humanitarian  
2 Assistance, USAID, on the proposed funding levels  
3 for democracy programs by country in the report  
4 submitted to Congress pursuant to section 653(a) of  
5 the Foreign Assistance Act of 1961.

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

17 (h) TRANSPARENCY.—The USAID Administrator  
18 shall publish on the USAID Web site the justification for  
19 the choice of instrument for each democracy, human  
20 rights, and governance program funded by this Act: *Pro-*  
21 *vided*, That the requirement of this paragraph shall only  
22 apply to an award exceeding \$1,000,000.

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

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

15       (b) ASSISTANCE.—

16           (1) INTERNATIONAL RELIGIOUS FREEDOM PRO-  
17       GRAMS.—Of the funds appropriated by this Act  
18       under the heading “Democracy Fund” and available  
19       for the Human Rights and Democracy Fund  
20       (HRDF), not less than \$10,000,000 shall be made  
21       available for international religious freedom pro-  
22       grams: *Provided*, That the Ambassador-at-Large for  
23       International Religious Freedom shall consult with  
24       the Committees on Appropriations on the uses of  
25       such funds.



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

12          (3) TRANSITIONAL JUSTICE, RECONCILIATION,  
13          AND REINTEGRATION PROGRAMS IN THE MIDDLE  
14          EAST AND NORTH AFRICA REGIONS.—

15                (A) Not later than 90 days after enact-  
16                ment of this Act and after consultation with rel-  
17                evant central governments in the Middle East  
18                and North Africa regions, the Secretary of  
19                State shall submit to the Committees on Appro-  
20                priations a plan for transitional justice, rec-  
21                onciliation, and reintegration programs for vul-  
22                nerable and persecuted religious minorities in  
23                such regions: *Provided*, That such plan shall in-  
24                clude a description of actions to be taken by  
25                such governments to safeguard and promote the

1 political and economic rights of such minorities,  
2 including the return, rehabilitation, and protec-  
3 tion of property in areas of conflict.

4 (B) Of the funds appropriated by this Act  
5 under the heading “Economic Support Fund”  
6 that are made available for assistance for Iraq  
7 and Syria, not less than \$5,000,000 shall be  
8 made available to support the implementation  
9 of the plan required by subparagraph (A): *Pro-*  
10 *vided*, That such funds shall be matched, to the  
11 maximum extent practicable, from sources other  
12 than the United States Government.

13 (4) HUMANITARIAN PROGRAMS.—Funds appro-  
14 priated by this Act under the headings “Inter-  
15 national Disaster Assistance” and “Migration and  
16 Refugee Assistance” shall be made available for hu-  
17 manitarian assistance for vulnerable and persecuted  
18 religious minorities who have been impacted by a  
19 man-made or natural disaster, including conflict  
20 caused by extremist organizations.

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

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

7           (d) ATROCITIES PREVENTION FUND.—Of the funds  
8           appropriated by this Act under the headings “Economic  
9           Support Fund” and “International Narcotics Control and  
10          Law Enforcement”, not less than \$25,000,000 shall be  
11          made available for programs to prevent atrocities and to  
12          implement the recommendations of the Atrocities Preven-  
13          tion Board, including with respect to the evaluation re-  
14          quired by section 7033(d) of the Department of State,  
15          Foreign Operations, and Related Programs Appropria-  
16          tions Act, 2016 (division K of Public Law 113–114): *Pro-*  
17          *vided*, That the uses of such funds shall be the responsi-  
18          bility of the Under Secretary for Civilian Security, Democ-  
19          racy, and Human Rights, Department of State: *Provided*  
20          *further*, That such funds shall be subject to the regular  
21          notification procedures of the Committees on Appropria-  
22          tions.

23          (e) DESIGNATION OF NON-STATE ACTORS.—The  
24          President shall, concurrent with the annual foreign coun-  
25          try review required by section 402(b)(1) of the Inter-

1 national Religious Freedom Act of 1998 (22 U.S.C.  
2 6442(b)(1)), review and identify any non-state actors in  
3 such countries that have engaged in particularly severe  
4 violations of religious freedom, and designate, in a manner  
5 consistent with such Act, each such group as a non-state  
6 actor of particular concern for religious freedom operating  
7 in such reviewed country or surrounding region: *Provided*,  
8 That whenever the President designates such a non-state  
9 actor under this subsection, the President shall, as soon  
10 as practicable after the designation is made, submit a re-  
11 port to the appropriate congressional committees detailing  
12 the reasons for such designation.

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

8           (3) DISARMAMENT, DEMOBILIZATION, AND RE-  
9           INTEGRATION.—Section 7034(d) of the Department  
10          of State, Foreign Operations, and Related Programs  
11          Appropriations Act, 2015 (division J of Public Law  
12          113–235) shall continue in effect during fiscal year  
13          2017.

14          (4) FORENSIC ASSISTANCE.—Of the funds ap-  
15          propriated by this Act under the heading “Economic  
16          Support Fund”, not less than \$9,000,000 shall be  
17          made available for forensic anthropology assistance  
18          related to the exhumation of mass graves and the  
19          identification of victims of war crimes and crimes  
20          against humanity, including in Iraq, Guatemala, and  
21          Sri Lanka, which shall be administered by the As-  
22          sistant Secretary for Democracy, Human Rights,  
23          and Labor, Department of State.

24          (5) WOMEN’S PARTICIPATION IN MILITARY  
25          TRAINING AND EDUCATION.—The Secretary of State

1 shall instruct the Chief of Mission in each country  
2 for which funds appropriated by this Act under the  
3 heading “International Military Education and  
4 Training” are made available to work with the gov-  
5 ernment of such country to increase the participa-  
6 tion of women in programs supported with such  
7 funds, with the goal of doubling female participation  
8 in such programs globally by September 30, 2019.

9 (6) INTERNATIONAL PRISON CONDITIONS.—  
10 Section 7065 of the Department of State, Foreign  
11 Operations, and Related Programs Appropriations  
12 Act, 2015 (division J of Public Law 113–235) shall  
13 continue in effect during fiscal year 2017.

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

22 (8) SECURITY ASSISTANCE REPORT.—Not later  
23 than 120 days after enactment of this Act, the Sec-  
24 retary of State shall submit to the Committees on  
25 Appropriations a report on funds obligated and ex-

1        depended during fiscal year 2016, by country and pur-  
2        pose of assistance, under the headings “Peace-  
3        keeping Operations”, “International Military Edu-  
4        cation and Training”, and “Foreign Military Fi-  
5        nancing Program”.

6            (9) VETTING REPORT.—

7            (A) Not later than 90 days after enact-  
8            ment of this Act, the Secretary of State shall  
9            submit a report to the appropriate congress-  
10          sional committees on foreign assistance cases  
11          submitted for vetting for purposes of section  
12          620M of the Foreign Assistance Act of 1961  
13          during the preceding fiscal year, including—

14            (i) the total number of cases sub-  
15            mitted, approved, suspended, or rejected  
16            for human rights reasons; and

17            (ii) for cases rejected, a description of  
18            the steps taken to assist the foreign gov-  
19            ernment in taking effective measures to  
20            bring the responsible members of the secu-  
21            rity forces to justice, in accordance with  
22            section 620M(c) of the Foreign Assistance  
23            Act of 1961.

1           (B) The report required by this paragraph  
2           shall be submitted in unclassified form, but may  
3           be accompanied by a classified annex.

4           (10) ANNUAL FOREIGN MILITARY TRAINING RE-  
5           PORT.—For the purposes of implementing section  
6           656 of the Foreign Assistance Act of 1961, the term  
7           “military training provided to foreign military per-  
8           sonnel by the Department of Defense and the De-  
9           partment of State” shall be deemed to include all  
10          military training provided by foreign governments  
11          with funds appropriated to the Department of De-  
12          fense or the Department of State, except for train-  
13          ing provided by the government of a country des-  
14          ignated by section 517(b) of such Act as a major  
15          non-NATO ally.

16          (11) PROLIFERATION SECURITY INITIATIVE.—  
17          Funds appropriated by this Act under the heading  
18          “Foreign Military Financing Program” may only be  
19          made available to countries that have demonstrated  
20          a commitment to stop the proliferation of weapons  
21          of mass destruction through participating in the  
22          Proliferation Security Initiative (PSI) and endorsing  
23          the PSI Statement of Interdiction Principles: *Pro-*  
24          *vided*, That the Secretary of State may waive the re-  
25          quirement of this paragraph on a country-by-country



1 basis if the Secretary determines and reports to the  
2 Committees on Appropriations that to do so is in the  
3 national interest, and submits a justification to such  
4 Committees for each such waiver on such basis.

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

11 (d) DIRECTIVES AND AUTHORITIES.—

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

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

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

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

14 (4) 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 (5) AUTHORITIES FOR THE PEACE CORPS,  
9 INTER-AMERICAN FOUNDATION AND UNITED STATES  
10 AFRICAN DEVELOPMENT FOUNDATION.—Unless ex-  
11 pressly provided to the contrary, provisions of this or  
12 any other Act, including provisions contained in  
13 prior Acts authorizing or making appropriations for  
14 the Department of State, foreign operations, and re-  
15 lated programs, shall not be construed to prohibit  
16 activities authorized by or conducted under the  
17 Peace Corps Act, the Inter-American Foundation  
18 Act or the African Development Foundation Act:  
19 *Provided*, That prior to conducting activities in a  
20 country for which assistance is prohibited, the agen-  
21 cy shall consult with the Committees on Appropria-  
22 tions and report to such Committees within 15 days  
23 of taking such action.

24 (e) PARTNER VETTING.—Funds appropriated by this  
25 Act or in titles I through IV of prior Acts making appro-

1 priations for the Department of State, foreign operations,  
2 and related programs may be used by the Secretary of  
3 State and the USAID Administrator, as appropriate, to  
4 support the continued implementation of the Partner Vet-  
5 ting System (PVS) pilot program: *Provided*, That the Sec-  
6 retary of State and USAID Administrator may initiate a  
7 partner vetting program to meet unanticipated security re-  
8 quirements, or to make significant modifications to any  
9 such existing program, only following consultation with  
10 the Committees on Appropriations: *Provided further*, That  
11 the first through the third provisos of section 7034(e) of  
12 the Department of State, Foreign Operations, and Related  
13 Programs Appropriations Act, 2016 (division K of Public  
14 Law 114–113) shall continue in effect during fiscal year  
15 2017: *Provided further*, That the Secretary of State and  
16 the USAID Administrator shall continue to provide a di-  
17 rect vetting option for prime awardees.

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

22 (g) INTERNATIONAL CHILD ABDUCTIONS.—The Sec-  
23 retary of State should withhold funds appropriated under  
24 title III of this Act for assistance for the central govern-  
25 ment of any country that is not taking appropriate steps

1 to comply with the Convention on the Civil Aspects of  
2 International Child Abductions, done at the Hague on Oc-  
3 tober 25, 1980: *Provided*, That the Secretary shall report  
4 to the Committees on Appropriations within 15 days of  
5 withholding funds under this subsection.

6 (h) REPORTS REPEALED.—

7 (1) ANNUAL REPORT ON THE ISRAELI-PALES-  
8 TINIAN PEACE, RECONCILIATION AND DEMOCRACY  
9 FUND.—Section 10 of the Palestinian Anti-Ter-  
10 rorism Act of 2006 (Public Law 109–446; 22 U.S.C.  
11 2378b note) is amended—

12 (A) by striking subsection (b); and

13 (B) by redesignating subsection (c) as sub-  
14 section (b).

15 (2) ANNUAL REPORT ON ASSISTANCE PROVIDED  
16 FOR INTERDICTION ACTIONS OF FOREIGN COUN-  
17 TRIES.—Section 1012 of the National Defense Au-  
18 thorization Act for Fiscal Year 1995 (22 U.S.C.  
19 2291–4) is amended—

20 (A) by striking subsection (c); and

21 (B) by redesignating subsection (d) as sub-  
22 section (c).

23 (3) REPORTS RELATING TO SUDAN.—The  
24 Sudan Peace Act (Public Law 107–245; 50 U.S.C.  
25 1701 note) is amended—

1 (A) by striking section 8; and

2 (B) in section 11, by striking subsection

3 (b).

4 (4) ANNUAL REPORT ON OUTSTANDING EXPRO-  
5 PRIATION CLAIMS.—Section 527 of the Foreign Re-  
6 lations Authorization Act, Fiscal Years 1994 and  
7 1995 (Public Law 103–236; 22 U.S.C. 2370a) is  
8 amended—

9 (A) by striking subsection (f); and

10 (B) by redesignating subsections (g), (h),  
11 and (i) as subsections (f), (g), and (h), respec-  
12 tively.

13 (i) TRANSFER OF FUNDS FOR EXTRAORDINARY PRO-  
14 TECTION.—The Secretary of State may transfer to, and  
15 merge with, funds under the heading “Protection of For-  
16 eign Missions and Officials” unobligated balances of ex-  
17 pired funds appropriated under the heading “Diplomatic  
18 and Consular Programs” for fiscal year 2017, except for  
19 funds designated for Overseas Contingency Operations/  
20 Global War on Terrorism pursuant to section  
21 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
22 Deficit Control Act of 1985, at no later than the end of  
23 the fifth fiscal year after the last fiscal year for which such  
24 funds are available for the purposes for which appro-

1 priated: *Provided*, That not more than \$50,000,000 may  
2 be transferred.

3 (j) PROTECTIONS AND REMEDIES FOR EMPLOYEES  
4 OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANI-  
5 ZATIONS.—Section 7034(k) of the Department of State,  
6 Foreign Operations, and Related Programs Appropria-  
7 tions Act, 2015 (division J of Public Law 113–235) shall  
8 continue in effect during fiscal year 2017.

9 (k) ADDITIONAL AUTHORITIES.—

10 (1) PASSPORT FEES.—Section 1(b)(2) of the  
11 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))  
12 shall be applied by substituting “September 30,  
13 2017” for “September 30, 2010”.

14 (2) ACCOUNTABILITY REVIEW BOARDS.—The  
15 authority provided by section 301(a)(3) of the Omni-  
16 bus Diplomatic Security and Antiterrorism Act of  
17 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect  
18 for facilities in Afghanistan through September 30,  
19 2017, except that the notification and reporting re-  
20 quirements contained in such section shall include  
21 the Committees on Appropriations.

22 (3) INCENTIVES FOR CRITICAL POSTS.—The  
23 authority contained in section 1115(d) of the Sup-  
24 plemental Appropriations Act, 2009 (Public Law

1 111–32) shall remain in effect through September  
2 30, 2017.

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

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

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

19 (7) OVERSEAS PAY COMPARABILITY AND LIMI-  
20 TATION.—

21 (A) Subject to the limitation described in  
22 subparagraph (B), the authority provided by  
23 section 1113 of the Supplemental Appropria-  
24 tions Act, 2009 (Public Law 111–32; 123 Stat.



1           1904) shall remain in effect through September  
2           30, 2017.

3           (B) The authority described in subpara-  
4           graph (A) may not be used to pay an eligible  
5           member of the Foreign Service (as defined in  
6           section 1113(b) of the Supplemental Appropria-  
7           tions Act, 2009) a locality-based comparability  
8           payment (stated as a percentage) that exceeds  
9           two-thirds of the amount of the locality-based  
10          comparability payment (stated as a percentage)  
11          that would be payable to such member under  
12          section 5304 of title 5, United States Code, if  
13          such member's official duty station were in the  
14          District of Columbia.

15          (8) CATEGORICAL ELIGIBILITY.—The Foreign  
16          Operations, Export Financing, and Related Pro-  
17          grams Appropriations Act, 1990 (Public Law 101–  
18          167) is amended—

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

21                         (i) in subsection (b)(3), by striking  
22                         “and 2016” and inserting “2016, and  
23                         2017”;

1 (ii) in subsection (e), by striking  
2 “2016” each place it appears and inserting  
3 “2017”; and

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

7 (9) INSPECTOR GENERAL ANNUITANT WAIV-  
8 ER.—The authorities provided in section 1015(b) of  
9 the Supplemental Appropriations Act, 2010 (Public  
10 Law 111–212) shall remain in effect through Sep-  
11 tember 30, 2017.

12 (10) CODIFICATION OF CONSULAR IMMUNITY.—  
13 Section 4 of Public Law 95–393 is amended by in-  
14 serting “(a)” at the beginning and inserting the text  
15 from section 7056 of the Department of State, For-  
16 eign Operations, and Related Programs Appropria-  
17 tions Act, 2016 (division K of Public Law 114–113)  
18 as subsection (b).

19 (11) UNITED STATES ADVISORY COMMISSION  
20 ON PUBLIC DIPLOMACY.—Section 1334 of the For-  
21 eign Affairs Reform and Restructuring Act of 1998  
22 (22 U.S.C. 6553) shall be applied by substituting  
23 “September 30, 2017” for “October 1, 2015”.

24 (12) AFGHAN ALLIES PROTECTION ACT.—Sec-  
25 tion 602(b)(3)(F) of the Afghan Allies Protection

1 Act, 2009 (division F of Public Law 111–8), as  
2 amended, is further amended by—

3 (A) substituting “11,000” for “7,000” in  
4 the matter preceding clause (i); and

5 (B) substituting “December 31, 2017” for  
6 “December 31, 2016” in clauses (i) and (ii).

7 (13) INTERNATIONAL EXPOSITIONS.—Notwith-  
8 standing section 204 of the Admiral James W.  
9 Nance and Meg Donovan Foreign Relations Author-  
10 ization Act, Fiscal Years 2000 and 2001 (appendix  
11 G of Public Law 106–113), funds made available  
12 under the heading “Diplomatic and Consular Pro-  
13 grams” in this Act and prior Acts making appro-  
14 priations for the Department of State, foreign oper-  
15 ations, and related programs or otherwise available  
16 to the Department of State may be made available  
17 for United States participation in international fairs  
18 and expositions abroad occurring prior to September  
19 30, 2017: *Provided*, That the authority made avail-  
20 able pursuant to this subparagraph shall be subject  
21 to the regular notification procedures of the Com-  
22 mittees on Appropriations.

23 (14) EXTENSION OF WAR RESERVES STOCKPILE  
24 AUTHORITY.—

1 (A) Section 12001(d) of the Department of  
2 Defense Appropriations Act, 2005 (Public Law  
3 108–287; 118 Stat. 1011) is amended by strik-  
4 ing “2017” and inserting “2018”.

5 (B) Section 514(b)(2)(A) of the Foreign  
6 Assistance Act of 1961 (22 U.S.C.  
7 2321h(b)(2)(A)) is amended by striking “and  
8 2017” and inserting “2017, and 2018”.

9 (15) QUORUM REQUIREMENT.—Section 1 of  
10 Public Law 106–46 (12 U.S.C. 635a note) is  
11 amended by striking “July 21, 1999, and ends on  
12 December 2, 1999” and inserting “October 1, 2016,  
13 and ends on September 30, 2019”: *Provided*, That  
14 the amendment made pursuant to this subparagraph  
15 to such law shall take effect upon enactment of this  
16 Act.

17 (16) MODIFICATION OF LIFE INSURANCE SUP-  
18 PLEMENT.—Section 415(a)(1) of the Foreign Serv-  
19 ice Act of 1980 (22 U.S.C. 3975(a)(1)) is amended  
20 by adding—“The group life insurance supplement  
21 employee benefit paid or scheduled to be paid pursu-  
22 ant to this section should not be used to reduce any  
23 other payment to which a recipient is otherwise eligi-  
24 ble under Federal law.”.

1           (l) DEPARTMENT OF STATE WORKING CAPITAL  
2 FUND.—Funds appropriated by this Act or otherwise  
3 made available to the Department of State for payments  
4 to the Working Capital Fund may only be used for the  
5 service centers included in Appendix 1 of the Congres-  
6 sional Budget Justification, Department of State, Diplo-  
7 matic Engagement, Fiscal Year 2017: *Provided*, That the  
8 amounts for such service centers shall be the amounts in-  
9 cluded in such budget except as provided in section  
10 7015(b) of this Act: *Provided further*, That Federal agency  
11 components shall be charged only for their direct usage  
12 of each Working Capital Fund service: *Provided further*,  
13 That Federal agency components may only pay for Work-  
14 ing Capital Fund services that are consistent with the  
15 component’s purpose and authorities: *Provided further*,  
16 That the Working Capital Fund shall be paid in advance  
17 or reimbursed at rates which will return the full cost of  
18 each service.

19           (m) HUMANITARIAN ASSISTANCE.—Funds appro-  
20 priated by this Act that are available for monitoring and  
21 evaluation of assistance under the headings “International  
22 Disaster Assistance” and “Migration and Refugee Assist-  
23 ance” shall, as appropriate, be made available for the reg-  
24 ular collection of feedback obtained directly from bene-  
25 ficiaries on the quality and relevance of such assistance:

1 *Provided*, That the Department of State and USAID shall  
2 conduct regular oversight to ensure that such feedback is  
3 collected and used by implementing partners to maximize  
4 the cost-effectiveness and utility of such assistance, and  
5 require such partners that receive funds under such head-  
6 ings to establish procedures for collecting and responding  
7 to such feedback and inform the Department of State or  
8 USAID, as appropriate, of such procedures.

9       (n) HIV/AIDS WORKING CAPITAL FUND.—Funds  
10 available in the HIV/AIDS Working Capital Fund estab-  
11 lished pursuant to section 525(b)(1) of the Foreign Oper-  
12 ations, Export Financing, and Related Programs Appro-  
13 priations Act, 2005 (Public Law 108–477) may be made  
14 available for pharmaceuticals and other products for other  
15 global health and child survival activities to the same ex-  
16 tent as HIV/AIDS pharmaceuticals and other products,  
17 subject to the terms and conditions in such section: *Pro-*  
18 *vided*, That the authority in section 525(b)(5) of the For-  
19 eign Operations, Export Financing, and Related Programs  
20 Appropriation Act, 2005 (Public Law 108–477) shall be  
21 exercised by the Assistant Administrator for Global  
22 Health, USAID, with respect to funds deposited for such  
23 non-HIV/AIDS pharmaceuticals and other products, and  
24 shall be subject to the regular notification procedures of  
25 the Committees on Appropriations: *Provided further*, That

1 the Secretary of State shall include in the congressional  
2 budget justification an accounting of budgetary resources,  
3 disbursements, balances, and reimbursements related to  
4 such fund.

5 (o) LOANS AND ENTERPRISE FUNDS.—

6 (1) LOAN GUARANTEES.—Funds appropriated  
7 under the headings “Economic Support Fund” and  
8 “Assistance for Europe, Eurasia and Central Asia”  
9 by this Act and prior Acts making appropriations  
10 for the Department of State, foreign operations, and  
11 related programs may be made available for the  
12 costs, as defined in section 502 of the Congressional  
13 Budget Act of 1974, of loan guarantees for Jordan,  
14 Ukraine, Iraq, and Tunisia, which are authorized to  
15 be provided: *Provided*, That amounts made available  
16 under this paragraph for the costs of such guaran-  
17 tees shall not be considered assistance for the pur-  
18 poses of provisions of law limiting assistance to a  
19 country.

20 (2) DIRECT LOANS.—During fiscal year 2017,  
21 direct loans under section 23 of the Arms Export  
22 Control Act may be made available for Iraq, gross  
23 obligations for the principal amounts of which shall  
24 not exceed \$2,700,000,000: *Provided*, That funds  
25 appropriated under the heading “Foreign Military

1 Financing Program” in title VIII of this Act and  
2 title VIII of prior Acts making appropriations for  
3 the Department of State, foreign operations, and re-  
4 lated programs that are designated by the Congress  
5 for Overseas Contingency Operations/Global War on  
6 Terrorism pursuant to section 251(b)(2)(A)(ii) of  
7 the Balanced Budget and Emergency Deficit Control  
8 Act of 1985, may be made available for the costs,  
9 as defined in section 502 of the Congressional Budg-  
10 et Act of 1974, of direct loans, except that such  
11 funds may not be derived from amounts specifically  
12 designated for countries other than Iraq: *Provided*  
13 *further*, That such costs, including the cost of modi-  
14 fying such loans, shall be as defined in section 502  
15 of the Congressional Budget Act of 1974, and may  
16 include the costs of selling, reducing, or cancelling  
17 any amounts owed to the United States or any agen-  
18 cy of the United States by Iraq: *Provided further*,  
19 That the Government of the United States may  
20 charge fees for such loans, which shall be collected  
21 from borrowers in accordance with section 502(7) of  
22 the Congressional Budget Act of 1974: *Provided fur-*  
23 *ther*, That no funds made available for assistance for  
24 Iraq under this or any other Act may be used for  
25 payment of any fees associated with such loans: *Pro-*



1 *vided further*, That applicable provisions of section 3  
2 of the Arms Export Control Act relating to restric-  
3 tions on transfers, re-transfers and end-use shall  
4 apply to defense articles and services purchased with  
5 such loans: *Provided further*, That in consultation  
6 with the Government of Iraq, special emphasis shall  
7 be placed on assistance to covered groups (as de-  
8 fined in section 1223(e)(2)(D) of the National De-  
9 fense Authorization Act for Fiscal Year 2016 (Pub-  
10 lic Law 114–92)) with loans made available pursu-  
11 ant to this paragraph: *Provided further*, That such  
12 loans shall be repaid in not more than 12 years, in-  
13 cluding a grace period of up to 1 year on repayment  
14 of principal.

15 (3) ENTERPRISE FUNDS.—Funds appropriated  
16 under the heading “Economic Support Fund” in  
17 this Act may be made available to establish and op-  
18 erate one or more enterprise funds for Egypt and  
19 Tunisia: *Provided*, That the first, third and fifth  
20 provisos under section 7041(b) of the Department of  
21 State, Foreign Operations, and Related Programs  
22 Appropriations Act, 2012 (division I of Public Law  
23 112–74) shall apply to funds appropriated by this  
24 Act under the heading “Economic Support Fund”  
25 for an enterprise fund or funds to the same extent

1 and in the same manner as such provision of law ap-  
2 plied to funds made available under such section (ex-  
3 cept that the clause excluding subsection (d)(3) of  
4 section 201 of the SEED Act shall not apply): *Pro-*  
5 *vided further*, That in addition to the previous pro-  
6 viso, the authorities in the matter preceding the first  
7 proviso of such section may apply to any such enter-  
8 prise fund or funds: *Provided further*, That the au-  
9 thority of any such enterprise fund or funds to pro-  
10 vide assistance shall cease to be effective on Decem-  
11 ber 31, 2027.

12 (4) DESIGNATION REQUIREMENT.—Funds  
13 made available pursuant to paragraphs (1) and (2)  
14 from prior Acts making appropriations for the De-  
15 partment of State, foreign operations, and related  
16 programs that were previously designated by the  
17 Congress for Overseas Contingency Operations/Glob-  
18 al War on Terrorism pursuant to section  
19 251(b)(2)(A)(ii) of the Balanced Budget and Emer-  
20 gency Deficit Control Act of 1985 are designated by  
21 the Congress for Overseas Contingency Operations/  
22 Global War on Terrorism pursuant to section  
23 251(b)(2)(A)(ii) of such Act.

24 (5) CONSULTATION AND NOTIFICATION.—  
25 Funds made available pursuant to the authorities of

1 this subsection shall be subject to prior consultation  
2 with the appropriate congressional committees, and  
3 subject to the regular notification procedures of the  
4 Committees on Appropriations.

5 (p) SMALL GRANTS AND ENTITIES.—

6 (1) Of the funds appropriated by this Act under  
7 the headings “Development Assistance”, “Economic  
8 Support Fund”, and “Assistance for Europe, Eur-  
9 asia and Central Asia”, not less than \$50,000,000  
10 shall be made available for the Small Grants Pro-  
11 gram pursuant to section 7080 of the Department of  
12 State, Foreign Operations, and Related Programs  
13 Appropriations Act, 2015 (division J of Public Law  
14 113–235), as amended, which may remain available  
15 until September 30, 2021.

16 (2) For the purposes of section 7080 of division  
17 J of Public Law 113–235, “eligible entities” shall be  
18 defined, in this fiscal year and each fiscal year here-  
19 after, as small local, international, and United  
20 States-based nongovernmental organizations, edu-  
21 cational institutions, and other small entities that  
22 have received less than a total of \$5,000,000 from  
23 USAID over the previous 5 fiscal years: *Provided*,  
24 That departments or centers of such educational in-

1       stitutions may be considered individually in deter-  
2       mining such eligibility.

3       (q) PILOT PROJECT.—The USAID Administrator,  
4       following consultation with the Committees on Appropria-  
5       tions, shall implement a pilot project with funds appro-  
6       priated by this Act under the heading “Global Health Pro-  
7       grams” to leverage public and private capital to expand  
8       delivery of interventions for maternal and child health.

9       (r) DEFINITIONS.—

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

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

24           (3) INTERNATIONAL FINANCIAL INSTITU-  
25       TIONS.—In this Act “international financial institu-

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

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

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

22 (6) EXTREMIST ORGANIZATIONS AND EXTRE-  
23 MISM.—In this Act—

24 (A) the term “extremist organization”  
25 means the Islamic State of Iraq and the Levant

1 (ISIL); organizations affiliated with ISIL; a  
2 foreign organization that is determined to be  
3 engaged in terrorist activity, as defined in sec-  
4 tion 212(a)(3)(B) of the Immigration and Na-  
5 tionality Act (8 U.S.C. 1182); and other enti-  
6 ties designated as foreign terrorist organiza-  
7 tions pursuant to section 219 of the Immigra-  
8 tion and Nationality Act (8 U.S.C. 1189);

9 (B) the term “extremist” means an indi-  
10 vidual affiliated with an extremist organization,  
11 as defined in subparagraph (A); and

12 (C) the term “extremism” means the advo-  
13 cacy or use of violence by such organizations or  
14 individuals to achieve political or religious goals.

15 (7) CLARIFICATION.—Unless otherwise provided  
16 for in this Act, for the purposes of this Act the  
17 terms “under this heading”, “under the heading”, or  
18 “under the headings” means funds appropriated or  
19 otherwise made available under such heading or  
20 headings in all titles of this Act: *Provided*, That the  
21 term “under the heading in this title” means funds  
22 appropriated or otherwise made available only in  
23 such title.

24 (8) SPEND PLAN.—In this Act, the term  
25 “spend plan” means a plan for the utilization of

1 funds appropriated for a particular entity, country,  
2 program, purpose, or account and which shall in-  
3 clude, as appropriate, a description of—

4 (A) how such funds will be used, including  
5 by category such as personnel, training, tech-  
6 nical, infrastructure, and commodities, to  
7 achieve realistic and sustainable goals, and a  
8 timeline for achieving such goals;

9 (B) implementing partners, including by  
10 category such as government ministries, non-  
11 governmental organizations, and contractors, to  
12 the extent known;

13 (C) amounts and sources of funds by ac-  
14 count;

15 (D) criteria for measuring progress in  
16 achieving such goals; and

17 (E) how such funds will complement other  
18 ongoing or planned programs.

19 (s) CONCURRENT MILLENNIUM CHALLENGE COR-  
20 PORATION COMPACTS.—

21 (1) Section 609 of the Millennium Challenge  
22 Act of 2003 (22 U.S.C. 7708) is amended—

23 (A) in subsection (k) by striking the first  
24 sentence; and

1 (B) by adding after subsection (k) the fol-  
2 lowing new subsection:

3 “(l) CONCURRENT COMPACTS.—An eligible country  
4 and the United States that have entered into and have  
5 in effect a Compact under this section may enter into and  
6 have in effect at the same time not more than one addi-  
7 tional Compact in accordance with the requirements of  
8 this title if—

9 “(1) one or both of the Compacts are or will be  
10 for the purposes of economic integration, increased  
11 regional trade, or cross-border collaborations; and

12 “(2) the Board determines that the country is  
13 making considerable and demonstrable progress in  
14 implementing the terms of any existing Compacts  
15 and supplementary agreements thereto, and has sus-  
16 tained performance against the eligibility criteria in  
17 section 7706(b) of this title since being selected for  
18 such existing Compact.”.

19 (2) The amendments made by paragraph (1)  
20 shall apply with respect to Compacts entered into  
21 under the Millennium Challenge Act of 2003 (22  
22 U.S.C. 7701 et seq.) before, on, or after the date of  
23 enactment of this Act.

24 (3) Section 613(b)(2)(A) of the Millennium  
25 Challenge Act of 2003 (22 U.S.C. 7712(b)(2)(A)) is



1 amended by striking “the” before “Compact” and  
2 inserting “any”.

3 (4) Section 607 of the Millennium Challenge  
4 Act of 2003 (22 U.S.C. 7706) is amended:

5 (A) in subsection (a) by adding after the  
6 second sentence the following new sentence:

7 “In determining whether such country is eligi-  
8 ble for a subsequent, non-concurrent Millennium  
9 Challenge Compact, such determination shall also be  
10 based on significantly improved performance across  
11 the eligibility criteria in subsection (b), compared to  
12 such country’s performance against such eligibility  
13 criteria when selected for a preceding compact, to be  
14 defined pursuant to section 7707(b) of this title.”;

15 (B) in subsection (b)(1)(D), by striking  
16 “and”;

17 (C) in subsection (b)(1)(E), by inserting  
18 “and” after the semicolon, and adding the fol-  
19 lowing new subparagraph:

20 “(F) the quality of the civil society ena-  
21 bling environment;”;

22 (D) by redesignating subsections (d) and  
23 (e) as subsections (e) and (f), respectively; and

24 (E) by inserting after subsection (c) the  
25 following new subsection:

1       “(d) REPORTING ON TREATMENT OF CIVIL SOCIETY.—Before the Board selects an eligible country for a  
2 Compact under section 607(c), the Corporation shall provide to the Board information on the country’s treatment  
3 of civil society. The information shall include an assessment and analysis of—  
4  
5

6               “(1) any relevant laws governing the establishment, legal status, or activities of a civil society organization, including laws intended to limit the activities of civil society organizations; and  
7  
8  
9  
10

11               “(2) laws regulating freedom of expression and peaceful assembly, including usage of the Internet.”.  
12

13                               ARAB LEAGUE BOYCOTT OF ISRAEL

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

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

19               (2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;  
20  
21  
22  
23

24               (3) all Arab League states should normalize relations with their neighbor Israel;  
25



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

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

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

18 (A) termination of all claims or states of  
19 belligerency;

20 (B) respect for and acknowledgment of the  
21 sovereignty, territorial integrity, and political  
22 independence of every state in the area through  
23 measures including the establishment of demili-  
24 tarized zones;

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

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

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

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

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

17          (d) EXEMPTION.—The restriction in subsection (a)  
18          shall not apply to assistance intended to help reform the  
19          Palestinian Authority and affiliated institutions, or the  
20          governing entity, in order to help meet the requirements  
21          of subsection (a), consistent with the provisions of section  
22          7040 of this Act (“Limitation on Assistance for the Pales-  
23          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 all 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 and over which Hamas exercises  
3        undue influence.

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

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

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

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

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

10 MIDDLE EAST AND NORTH AFRICA

11 SEC. 7041. (a) EGYPT.—

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

22 (A) sustaining the strategic relationship  
23 with the United States; and

24 (B) meeting its obligations under the 1979  
25 Egypt-Israel Peace Treaty.

1 (2) ECONOMIC SUPPORT FUND.—

2 (A) FUNDING.—Of the funds appropriated  
3 by this Act under the heading “Economic Sup-  
4 port Fund”, up to \$75,000,000 may be made  
5 available for assistance for Egypt, of which not  
6 less than \$35,000,000 should be made available  
7 for higher education programs including not  
8 less than \$10,000,000 for scholarships for  
9 Egyptian students with high financial need to  
10 attend not-for-profit institutions of higher edu-  
11 cation that meet standards equivalent to those  
12 required for United States institutional accredi-  
13 tation by a regional accrediting agency recog-  
14 nized by the United States Department of Edu-  
15 cation: *Provided*, That such funds may be made  
16 available for democracy programs and for devel-  
17 opment programs in the Sinai: *Provided further*,  
18 That such funds may not be made available for  
19 cash transfer assistance or budget support un-  
20 less the Secretary of State certifies and reports  
21 to the appropriate congressional committees  
22 that the Government of Egypt is taking con-  
23 sistent and effective steps to stabilize the econ-  
24 omy and implement market-based economic re-  
25 forms.

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

16          (3) COOPERATION DETERMINATION.—Notwith-  
17          standing section 7019 of this Act or specifically des-  
18          ignated funding levels for assistance for Egypt in  
19          prior Acts making appropriations for the Depart-  
20          ment of State, foreign operations, and related pro-  
21          grams, funds appropriated by such Acts under the  
22          heading “Economic Support Fund” that remain  
23          available for assistance for Egypt may be repro-  
24          grammed for programs outside of Egypt if the Sec-  
25          retary of State determines and reports to the Com-



1 mittees on Appropriations that the Government of  
2 Egypt is prohibiting, or otherwise interfering with,  
3 the conduct or operations of programs supported by  
4 such funds: *Provided*, That the Secretary of State  
5 shall consult with the Committees on Appropriations  
6 prior to exercising such authority.

7 (4) FOREIGN MILITARY FINANCING PRO-  
8 GRAM.—

9 (A) CERTIFICATION.—Of the funds appro-  
10 priated by this Act under the heading “Foreign  
11 Military Financing Program”, \$1,300,000,000,  
12 to remain available until September 30, 2018,  
13 may be made available for assistance for Egypt:  
14 *Provided*, That 15 percent of such funds shall  
15 be withheld from obligation until the Secretary  
16 of State certifies and reports to the Committees  
17 on Appropriations that the Government of  
18 Egypt is taking effective steps to—

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

1 (ii) implement reforms that protect  
2 freedoms of expression, association, and  
3 peaceful assembly, including the ability of  
4 civil society organizations, human rights  
5 defenders, and the media to function with-  
6 out interference;

7 (iii) release political prisoners and  
8 provide detainees with due process of law;

9 (iv) hold Egyptian security forces ac-  
10 countable, including officers credibly al-  
11 leged to have violated human rights;

12 (v) investigate and prosecute cases of  
13 extrajudicial killings and forced disappear-  
14 ances, including the torture and murder of  
15 Giulio Regeni, a University of Cambridge  
16 doctoral student; and

17 (vi) provide regular access for United  
18 States officials to monitor such assistance  
19 in areas where the assistance is used:

20 *Provided further*, That such funds may be  
21 transferred to an interest bearing account in  
22 the Federal Reserve Bank of New York, fol-  
23 lowing consultation with the Committees on Ap-  
24 propriations: *Provided further*, That the certifi-  
25 cation requirement of this paragraph shall not

1 apply to funds appropriated by this Act under  
2 such heading for counterterrorism, border secu-  
3 rity, and nonproliferation programs for Egypt.

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

14 (5) OVERSIGHT AND CONSULTATION REQUIRE-  
15 MENTS.—

16 (A) The Secretary of State shall take all  
17 practicable steps to ensure that mechanisms are  
18 in place for monitoring, oversight, and control  
19 of funds made available by this subsection for  
20 assistance for Egypt.

21 (B) Not later than 90 days after enact-  
22 ment of this Act, the Secretary shall consult  
23 with the Committees on Appropriations on any  
24 plan to restructure military assistance for  
25 Egypt.

1 (b) IRAN.—

2 (1) FUNDING.—Funds appropriated by this Act  
3 under the headings “Diplomatic and Consular Pro-  
4 grams”, “Economic Support Fund”, and “Non-  
5 proliferation, Anti-terrorism, Demining and Related  
6 Programs” shall be used by the Secretary of State—

7 (A) to support the United States policy to  
8 prevent Iran from achieving the capability to  
9 produce or otherwise obtain a nuclear weapon;

10 (B) to support an expeditious response to  
11 any violation of the Joint Comprehensive Plan  
12 of Action or United Nations Security Council  
13 Resolution 2231;

14 (C) to support the implementation and en-  
15 forcement of sanctions against Iran for support  
16 of terrorism, human rights abuses, and ballistic  
17 missile and weapons proliferation; and

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

24 (2) CONTINUATION OF PROHIBITION.—The  
25 terms and conditions of paragraph (2) of section

1 7041(e) in division I of Public Law 112–74 shall  
2 continue in effect during fiscal year 2017.

3 (3) REPORTS.—

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

9 (B) Not later than 180 days after the date  
10 of enactment of this Act, the Secretary of  
11 State, in consultation with the Secretary of the  
12 Treasury, shall submit to the appropriate con-  
13 gressional committees a report on the status of  
14 the implementation and enforcement of bilateral  
15 United States and multilateral sanctions  
16 against Iran and actions taken by the United  
17 States and the international community to en-  
18 force such sanctions against Iran: *Provided*,  
19 That the report shall also include any entities  
20 involved in providing significant support for the  
21 development of a ballistic missile by the Govern-  
22 ment of Iran after October 1, 2015, and note  
23 whether such entities are currently under  
24 United States sanctions: *Provided further*, That  
25 such report shall be submitted in an unclassi-

1           fied form, but may contain a classified annex if  
2           necessary.

3           (C) Not later than 30 days after the date  
4           of enactment of this Act, the Secretary of  
5           State, in consultation with the Secretary of the  
6           Treasury, shall submit to Congress a report  
7           that includes, with respect to a transfer to Iran  
8           of \$1,700,000,000 that was overseen by the De-  
9           partment of the Treasury and announced on  
10          January 17, 2016—

11                   (i) a description of the means of  
12                   transfer of the funds;

13                   (ii) the name and location of each fi-  
14                   nancial institution the funds passed  
15                   through or were withdrawn from;

16                   (iii) a description of the currency de-  
17                   nominations used in the transfer and the  
18                   method of transfer, including third-party  
19                   and third-country facilitators;

20                   (iv) the name and location of each fi-  
21                   nancial institution holding the funds as of  
22                   the date of the report;

23                   (v) the date on which the Department  
24                   of the Treasury was granted the authority  
25                   to process the transfer;

1 (vi) an assessment and determination  
2 of whether the \$1,300,000,000 paid in in-  
3 terest, which is in addition to the  
4 \$400,000,000 amount initially in dispute,  
5 is a normal amount for an arbitration  
6 panel to award; and

7 (vii) a determination of whether the  
8 Department of the Treasury was involved  
9 in the international arbitration relating to  
10 the release of any United States citizens  
11 formerly held prisoner in Iran:

12 *Provided*, That such report shall be submitted  
13 in unclassified form, but may include a classi-  
14 fied annex.

15 (c) IRAQ.—

16 (1) PURPOSES.—Funds appropriated by this  
17 Act shall be made available for assistance for Iraq  
18 to promote governance, security, and internal and  
19 regional stability, including in the Kurdistan Region  
20 of Iraq and other areas impacted by the conflict in  
21 Syria, and among religious and ethnic minority pop-  
22 ulations in Iraq.

23 (2) EXPLOSIVE ORDNANCE DISPOSAL PRO-  
24 GRAMS.—Funds appropriated by this Act under the  
25 heading “Nonproliferation, Anti-terrorism, Demining

1 and Related Programs” shall be made available for  
2 explosive ordnance disposal programs in areas liber-  
3 ated from extremist organizations in Iraq: *Provided*,  
4 That such programs should utilize local organiza-  
5 tions and individuals to the maximum extent prac-  
6 ticable.

7 (3) KURDISTAN REGIONAL GOVERNMENT.—

8 (A) Funds appropriated by this Act under  
9 the headings “International Narcotics Control  
10 and Law Enforcement” and “Foreign Military  
11 Financing Program” that are available for as-  
12 sistance for Iraq shall be made available to en-  
13 hance the capacity of Kurdistan Regional Gov-  
14 ernment security services and for security pro-  
15 grams in the Kurdistan Region of Iraq to ad-  
16 dress requirements arising from the violence in  
17 Syria and Iraq: *Provided*, That the Secretary of  
18 State shall consult with the Committees on Ap-  
19 propriations prior to obligating such funds.

20 (B) Funds appropriated by this Act under  
21 the headings “International Disaster Assist-  
22 ance” and “Migration and Refugee Assistance”  
23 should be made available for assistance for the  
24 Kurdistan Region of Iraq to address the needs  
25 of internally displaced persons (IDPs) and refu-



1           gees: *Provided*, That funds appropriated by this  
2           Act under the heading “Economic Support  
3           Fund” shall be made available for programs to  
4           mitigate the impact of such IDPs and refugees  
5           in such Region, including for assistance for  
6           communities hosting such persons.

7           (4) WAR VICTIMS.—Of the funds appropriated  
8           by this Act under the heading “Economic Support  
9           Fund”, not less than \$7,500,000 shall be made  
10          available for the Marla Ruzicka Iraqi War Victims  
11          Fund.

12          (d) JORDAN.—

13           (1) FUNDING LEVELS.—Of the funds appro-  
14          priated by this Act under titles III and IV, not less  
15          than \$1,000,000,000 shall be made available for as-  
16          sistance for Jordan.

17           (2) RESPONSE TO THE SYRIAN CRISIS.—Funds  
18          appropriated by this Act shall be made available for  
19          programs to implement the Jordan Compact Action  
20          Plan and the Jordan Response Plan for the Syria  
21          Crisis 2016–2018, including assistance for host com-  
22          munities in Jordan: *Provided*, That such funds are  
23          in addition to amounts otherwise available for such  
24          purposes.

25          (e) LEBANON.—

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

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

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

1           (4) FOREIGN MILITARY FINANCING PRO-  
2           GRAM.—In addition to the activities described in  
3           paragraph (2), funds appropriated by this Act under  
4           the heading “Foreign Military Financing Program”  
5           for assistance for Lebanon may be made available  
6           only to professionalize the LAF and to strengthen  
7           border security and combat terrorism, including  
8           training and equipping the LAF to secure Lebanon’s  
9           borders, interdicting arms shipments, preventing the  
10          use of Lebanon as a safe haven for terrorist groups,  
11          and to implement United Nations Security Council  
12          Resolution 1701: *Provided*, That funds may not be  
13          obligated for assistance for the LAF until the Sec-  
14          retary of State submits to the Committees on Appro-  
15          priations a spend plan, including actions to be taken  
16          to ensure equipment provided to the LAF is only  
17          used for the intended purposes, except such plan  
18          may not be considered as meeting the notification  
19          requirements under section 7015 of this Act or  
20          under section 634A of the Foreign Assistance Act of  
21          1961, and shall be submitted not later than Sep-  
22          tember 1, 2017: *Provided further*, That any notifica-  
23          tion submitted pursuant to such sections shall in-  
24          clude any funds specifically intended for lethal mili-  
25          tary equipment.

1 (f) LIBYA.—

2 (1) FUNDING.—

3 (A) Of the funds appropriated by titles III  
4 and IV of this Act, not less than \$20,500,000  
5 shall be made available for assistance for Libya  
6 for programs to strengthen governing institu-  
7 tions and civil society, improve border security,  
8 and promote democracy and stability in Libya,  
9 and for activities to address the humanitarian  
10 needs of the people of Libya.

11 (B) Funds appropriated by this Act under  
12 the heading “Nonproliferation, Anti-terrorism,  
13 Demining and Related Programs” shall be  
14 made available for explosive ordnance disposal  
15 programs in areas liberated from extremist or-  
16 ganizations in Libya: *Provided*, That such pro-  
17 grams should utilize local organizations and in-  
18 dividuals to the maximum extent practicable.

19 (C) Funds appropriated under title IV of  
20 this Act and prior Acts making appropriations  
21 for the Department of State, foreign operations,  
22 and related programs that are made available  
23 for lethal assistance for Libya may only be  
24 made available following consultation with the  
25 Committees on Appropriations.

1 (D) The Secretary of State shall promptly  
2 inform the appropriate congressional commit-  
3 tees of each instance in which a significant  
4 amount of assistance provided pursuant to this  
5 subsection has been misappropriated, to include  
6 the type and amount of assistance, a descrip-  
7 tion of the incident and parties involved, and an  
8 explanation of the response of the Department  
9 of State.

10 (2) LIMITATIONS.—

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

1 of protecting United States Government per-  
2 sonnel or facilities.

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

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

22 (g) MOROCCO.—Funds appropriated by this Act  
23 under the heading “Foreign Military Financing Program”  
24 that are available for assistance for Morocco may only be  
25 used for the purposes requested in the Congressional

1 Budget Justification, Foreign Operations, Fiscal Year  
2 2017.

3 (h) SYRIA.—

4 (1) NON-LETHAL ASSISTANCE.—Funds appro-  
5 priated by this Act under the headings “Economic  
6 Support Fund”, “International Narcotics Control  
7 and Law Enforcement”, and “Peacekeeping Oper-  
8 ations” shall be made available, notwithstanding any  
9 other provision of law, for non-lethal assistance for  
10 programs to address the needs of civilians affected  
11 by conflict in Syria, and for programs that seek to—

12 (A) establish governance in Syria that is  
13 representative, inclusive, and accountable;

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

18 (C) develop and implement political proc-  
19 esses that are democratic, transparent, and  
20 strengthen the rule of law;

21 (D) further the legitimacy and viability of  
22 the Syrian opposition through cross-border pro-  
23 grams;

24 (E) develop and sustain civil society and  
25 an independent media in Syria;

1 (F) promote stability and economic devel-  
2 opment in Syria, including in areas liberated  
3 from extremists;

4 (G) document, investigate, and prosecute  
5 human rights violations in Syria, including  
6 through transitional justice programs and sup-  
7 port for nongovernmental organizations;

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

11 (I) assist Syrian refugees whose education  
12 has been interrupted by the ongoing conflict to  
13 complete higher education requirements at uni-  
14 versities, regional academic institutions, and  
15 through distance learning;

16 (J) assist vulnerable populations in Syria  
17 and in neighboring countries;

18 (K) protect and preserve the cultural iden-  
19 tity of the people of Syria, particularly those  
20 living in neighboring countries and among the  
21 youth, and promote the use of traditional art,  
22 music, and literature as a counterbalance to ex-  
23 tremism;



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

4           (M) counter extremism in Syria.

5           (2) EXPLOSIVE ORDNANCE DISPOSAL PRO-  
6 GRAMS.—Funds appropriated by this Act under the  
7 heading “Nonproliferation, Anti-terrorism, Demining  
8 and Related Programs” shall be made available for  
9 explosive ordnance disposal programs in areas liber-  
10 ated from extremist organizations in Syria: *Pro-*  
11 *vided*, That such programs should utilize local orga-  
12 nizations and individuals to the maximum extent  
13 practicable.

14           (3) SYRIAN ORGANIZATIONS.—Funds appro-  
15 priated by this Act that are made available for as-  
16 sistance for Syria pursuant to the authority of this  
17 subsection shall be made available, on an open and  
18 competitive basis, to continue a program to strength-  
19 en the capability of Syrian civil society organiza-  
20 tions, including through the provision of core sup-  
21 port, to address the immediate and long-term needs  
22 of the Syrian people inside Syria in a manner that  
23 supports the sustainability of such organizations in  
24 implementing Syrian-led humanitarian and develop-  
25 ment programs and the comprehensive strategy re-

1       quired in section 7041(i)(3) of the Department of  
2       State, Foreign Operations, and Related Programs  
3       Appropriations Act, 2014 (division K of Public Law  
4       113–76).

5           (4) STRATEGY UPDATE.—Funds appropriated  
6       by this Act that are made available for assistance for  
7       Syria pursuant to the authority of this subsection  
8       may only be made available after the Secretary of  
9       State, in consultation with the heads of relevant  
10      United States Government agencies, submits, in  
11      classified form if necessary, an update to the com-  
12      prehensive strategy required in section 7041(i)(3) of  
13      Public Law 113–76.

14          (5) MONITORING AND OVERSIGHT.—Prior to  
15      the obligation of funds appropriated by this Act and  
16      made available for assistance for Syria, the Sec-  
17      retary of State shall take all practicable steps to en-  
18      sure that mechanisms are in place for monitoring,  
19      oversight, and control of such assistance inside  
20      Syria, and shall provide the Committees on Appro-  
21      priations with a description of the vetting procedures  
22      to be used for recipients of assistance made available  
23      under title IV of this Act: *Provided*, That the Sec-  
24      retary shall promptly inform the appropriate con-  
25      gressional committees of each instance in which a

1 significant amount of assistance provided pursuant  
2 to this subsection has been misappropriated, to in-  
3 clude the type and amount of assistance, a descrip-  
4 tion of the incident and parties involved, and an ex-  
5 planation of the response of the Department of  
6 State.

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

13 (i) TUNISIA.—Of the funds appropriated under titles  
14 III and IV of this Act, not less than \$145,400,000 shall  
15 be made available for assistance for Tunisia: *Provided*,  
16 That of funds appropriated by this Act under the heading  
17 “Economic Support Fund” that are made available for as-  
18 sistance for Tunisia, not less than \$28,300,000 shall be  
19 made available for democracy programs, of which not less  
20 than \$5,000,000 shall be for programs that seek to—

21 (1) engage Tunisian youth in political proc-  
22 esses, including through participation in political  
23 parties and civil society; and

24 (2) empower regional and local governing coun-  
25 cils through training focused on budgeting, fiscal

1 policy, decision-making processes, and engagement  
2 with local civil society organizations:

3 *Provided further*, That the Department of State and  
4 USAID, as appropriate, shall consult on the uses of funds  
5 appropriated by this Act for democracy programs for Tu-  
6 nisia prior to the obligation of such funds.

7 (j) WEST BANK AND GAZA.—

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

15 (A) advance Middle East peace;

16 (B) improve security in the region;

17 (C) continue support for transparent and  
18 accountable government institutions;

19 (D) promote a private sector economy; or

20 (E) address urgent humanitarian needs.

21 (2) LIMITATIONS.—

22 (A)(i) None of the funds appropriated  
23 under the heading “Economic Support Fund”  
24 in this Act may be made available for assistance

1 for the Palestinian Authority, if after the date  
2 of enactment of this Act—

3 (I) the Palestinians obtain the same  
4 standing as member states or full member-  
5 ship as a state in the United Nations or  
6 any specialized agency thereof outside an  
7 agreement negotiated between Israel and  
8 the Palestinians; or

9 (II) the Palestinians initiate an Inter-  
10 national Criminal Court (ICC) judicially  
11 authorized investigation, or actively sup-  
12 port such an investigation, that subjects  
13 Israeli nationals to an investigation for al-  
14 leged crimes against Palestinians.

15 (ii) The Secretary of State may waive the  
16 restriction in clause (i) of this subparagraph re-  
17 sulting from the application of subclause (I) of  
18 such clause if the Secretary certifies to the  
19 Committees on Appropriations that to do so is  
20 in the national security interest of the United  
21 States, and submits a report to such Commit-  
22 tees detailing how the waiver and the continu-  
23 ation of assistance would assist in furthering  
24 Middle East peace.

1           (B)(i) The President may waive the provi-  
2           sions of section 1003 of the Foreign Relations  
3           Authorization Act, Fiscal Years 1988 and 1989  
4           (Public Law 100–204) if the President deter-  
5           mines and certifies in writing to the Speaker of  
6           the House of Representatives, the President pro  
7           tempore of the Senate, and the appropriate con-  
8           gressional committees that the Palestinians  
9           have not, after the date of enactment of this  
10          Act—

11                   (I) obtained in the United Nations or  
12                   any specialized agency thereof the same  
13                   standing as member states or full member-  
14                   ship as a state outside an agreement nego-  
15                   tiated between Israel and the Palestinians;  
16                   and

17                   (II) taken any action with respect to  
18                   the ICC that is intended to influence a de-  
19                   termination by the ICC to initiate a judi-  
20                   cially authorized investigation, or to ac-  
21                   tively support such an investigation, that  
22                   subjects Israeli nationals to an investiga-  
23                   tion for alleged crimes against Palestin-  
24                   ians.

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

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

22          (3) REDUCTION.—The Secretary of State shall  
23          reduce the amount of assistance made available by  
24          this Act under the heading “Economic Support  
25          Fund” for the Palestinian Authority by an amount

1 the Secretary determines is equivalent to the amount  
2 expended by the Palestinian Authority, the Palestine  
3 Liberation Organization, and any successor or affili-  
4 ated organizations with such entities as payments  
5 for acts of terrorism by individuals who are impris-  
6 oned after being fairly tried and convicted for acts  
7 of terrorism and by individuals who died committing  
8 acts of terrorism during the previous calendar year:  
9 *Provided*, That the Secretary shall report to the  
10 Committees on Appropriations on the amount re-  
11 duced for fiscal year 2017 prior to the obligation of  
12 funds for the Palestinian Authority.

13 (4) SECURITY REPORT.—The reporting require-  
14 ments contained in section 1404 of the Supple-  
15 mental Appropriations Act, 2008 (Public Law 110–  
16 252) shall apply to funds made available by this Act,  
17 including a description of modifications, if any, to  
18 the security strategy of the Palestinian Authority.

19 (5) TRANSFER OF FUNDS.—Of the funds ap-  
20 propriated by this Act under the heading “Economic  
21 Support Fund” that are made available for assist-  
22 ance for the West Bank, up to \$35,000,000 may be  
23 transferred to, and merged with, funds appropriated  
24 by this Act under the heading “International Nar-  
25 cotics Control and Law Enforcement” for Pales-





1 Education and Training” may be made available for as-  
2 sistance for the central government of a country in the  
3 African Great Lakes region until the Secretary of State  
4 determines and reports to the Committees on Appropria-  
5 tions that such government is not facilitating or otherwise  
6 participating in destabilizing activities in a neighboring  
7 country, including aiding and abetting armed groups.

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

11 (1) shall be made available for assistance for  
12 women and girls who are targeted by the terrorist  
13 organization Boko Haram, consistent with the provi-  
14 sions of section 7059 of this Act; and

15 (2) may be made available for counterterrorism  
16 programs to combat Boko Haram.

17 (c) ETHIOPIA.—

18 (1) FORCED EVICTIONS.—

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

22 (B) The Secretary of the Treasury should  
23 instruct the United States executive director of  
24 each international financial institution to use  
25 the voice and vote of the United States to sup-

1 port projects in Ethiopia only if such projects  
2 are developed and carried out in accordance  
3 with the requirements of section 7029(b)(2) of  
4 this Act.

5 (2) CONSULTATION REQUIREMENT.—Programs  
6 and activities to improve livelihoods shall include  
7 prior consultation with, and the participation of, af-  
8 fected communities, including in the South Omo and  
9 Gambella regions.

10 (3) FOREIGN MILITARY FINANCING PRO-  
11 GRAM.—Funds appropriated by this Act under the  
12 heading “Foreign Military Financing Program” for  
13 assistance for Ethiopia may only be made available  
14 for border security and counterterrorism programs,  
15 support for international peacekeeping efforts, and  
16 assistance for the Ethiopian Defense Command and  
17 Staff College.

18 (d) LAKE CHAD BASIN COUNTRIES.—Funds appro-  
19 priated by this Act for democracy programs for Cameroon,  
20 Chad, Niger, and Nigeria should be made available to pro-  
21 tect freedoms of expression, association and religion, in-  
22 cluding support for journalists, civil society, and opposi-  
23 tion political parties, and should be used to assist the gov-  
24 ernments of such countries to strengthen accountability  
25 and the rule of law, including within the security forces.

1 (e) LORD’S RESISTANCE ARMY.—Of the funds appro-  
2 priated by this Act under the heading “Economic Support  
3 Fund”, not less than \$10,000,000 shall be made available  
4 for programs and activities in areas affected by the Lord’s  
5 Resistance Army (LRA) consistent with the goals of the  
6 Lord’s Resistance Army Disarmament and Northern  
7 Uganda Recovery Act (Public Law 111–172), including to  
8 improve physical access, telecommunications infrastruc-  
9 ture, and early-warning mechanisms and to support the  
10 disarmament, demobilization, and reintegration of former  
11 LRA combatants, especially child soldiers.

12 (f) SOUTH SUDAN.—

13 (1) ASSISTANCE.—Funds appropriated by this  
14 Act that are made available for assistance for South  
15 Sudan should—

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

22 (B) support programs that build resilience  
23 of communities to address food insecurity,  
24 maintain educational opportunities, and en-  
25 hance local governance;

1           (C) be used to advance democracy and ac-  
2           countability for war crimes, including support  
3           for civil society, independent media, and other  
4           means to strengthen the rule of law;

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

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

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

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

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

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

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

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

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

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

12 (A) humanitarian assistance;

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

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

20 (g) SUDAN.—

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

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

10          (3) EXCLUSIONS.—The limitations of para-  
11          graphs (1) and (2) shall not apply to—

12                 (A) humanitarian assistance;

13                 (B) assistance for democracy programs;

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

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

24          (h) ZIMBABWE.—

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

12          (2) LIMITATIONS.—None of the funds appro-  
13          priated by this Act shall be made available for as-  
14          sistance for the central Government of Zimbabwe,  
15          except for health and education, unless the Secretary  
16          of State certifies and reports as required in para-  
17          graph (1), and funds may be made available for  
18          macroeconomic growth assistance if the Secretary  
19          reports to the Committees on Appropriations that  
20          such government is implementing transparent fiscal  
21          policies, including public disclosure of revenues from  
22          the extraction of natural resources.

23                                   EAST ASIA AND THE PACIFIC

24          SEC. 7043. (a) ASIA REBALANCING INITIATIVE.—  
25          Except for paragraphs (1)(C), (4), (5)(B) and (C), and



1 6(B), section 7043(a) of the Department of State, Foreign  
2 Operations, and Related Programs Appropriations Act,  
3 2015 (division J of Public Law 113–235) shall continue  
4 in effect during fiscal year 2017: *Provided*, That section  
5 7043(a)(8) of such Act shall be applied to funds appro-  
6 priated by this Act by adding “East Asia,” before “South-  
7 east Asia”.

8 (b) BURMA.—

9 (1) BILATERAL ECONOMIC ASSISTANCE.—

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

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

18 (i) shall be made available to  
19 strengthen civil society organizations in  
20 Burma, including as core support for such  
21 organizations;

22 (ii) shall be made available for the im-  
23 plementation of the democracy and human  
24 rights strategy required by section  
25 7043(b)(3)(A) of the Department of State,

1 Foreign Operations, and Related Programs  
2 Appropriations Act, 2014 (division K of  
3 Public Law 113–76);

4 (iii) shall be made available for com-  
5 munity-based organizations operating in  
6 Thailand to provide food, medical, and  
7 other humanitarian assistance to internally  
8 displaced persons in eastern Burma, in ad-  
9 dition to assistance for Burmese refugees  
10 from funds appropriated by this Act under  
11 the heading “Migration and Refugee As-  
12 sistance”;

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

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

1           against Rohingya and other minority  
2           groups;

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

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

19           (2) INTERNATIONAL SECURITY ASSISTANCE.—

20          None of the funds appropriated by this Act under  
21          the headings “International Military Education and  
22          Training” and “Foreign Military Financing Pro-  
23          gram” may be made available for assistance for  
24          Burma: *Provided*, That the Department of State  
25          may continue consultations with the armed forces of

1 Burma only on human rights and disaster response  
2 in a manner consistent with the prior fiscal year,  
3 and following consultation with the appropriate con-  
4 gressional committees.

5 (3) MULTILATERAL ASSISTANCE.—The Sec-  
6 retary of the Treasury should instruct the United  
7 States executive director of each international finan-  
8 cial institution to use the voice and vote of the  
9 United States to support projects in Burma only if  
10 such projects are developed and carried out in ac-  
11 cordance with the requirements of section  
12 7029(b)(2) of this Act.

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

15 (A) Any new program or activity in Burma  
16 initiated in fiscal year 2017 shall be subject to  
17 prior consultation with the appropriate congres-  
18 sional committees.

19 (B) Section 7043(b)(7) of the Department  
20 of State, Foreign Operations, and Related Pro-  
21 grams Appropriations Act, 2015 (division J of  
22 Public Law 113–235) shall continue in effect  
23 during fiscal year 2017.

24 (c) CAMBODIA.—

1           (1) DETERMINATION.—None of the funds ap-  
2           propriated by this Act may be made available for as-  
3           sistance for Cambodia unless the Secretary of State  
4           determines and reports to the appropriate congress-  
5           sional committees that the Government of Cambodia  
6           has ceased violence and harassment against civil so-  
7           ciety in Cambodia, including the political opposition.

8           (2) KHMER ROUGE TRIBUNAL.—Funds appro-  
9           priated by this Act that are made available for as-  
10          sistance for Cambodia may only be made available  
11          for a contribution to the Extraordinary Chambers in  
12          the Court of Cambodia (ECCC) if the Secretary of  
13          State certifies and reports to the Committees on Ap-  
14          propriations that the ECCC will consider Case 003:  
15          *Provided*, That such funds shall be subject to prior  
16          consultation with, and the regular notification proce-  
17          dures of, such Committees: *Provided further*, That  
18          the Secretary of State shall seek reimbursements  
19          from the Principal Donors Group for the Docu-  
20          mentation Center of Cambodia for costs incurred in  
21          support of the ECCC.

22          (3) RESEARCH AND EDUCATION.—Funds made  
23          available by this Act for democracy programs in  
24          Cambodia shall be made available for research and

1 education programs associated with the Khmer  
2 Rouge genocide in Cambodia.

3 (d) NORTH KOREA.—

4 (1) BROADCASTS.—Funds appropriated by this  
5 Act under the heading “International Broadcasting  
6 Operations” shall be made available to maintain  
7 broadcasting hours into North Korea at levels con-  
8 sistent with the prior fiscal year.

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

15 (3) DATABASE AND REPORT.—Funds appro-  
16 priated by this Act under title III shall be made  
17 available to maintain a database of prisons and  
18 gulags in North Korea, in accordance with section  
19 7032(i) of the Department of State, Foreign Oper-  
20 ations, and Related Programs Appropriations Act,  
21 2014 (division K of Public Law 113–76).

22 (4) LIMITATION ON USE OF FUNDS.—None of  
23 the funds made available by this Act under the  
24 heading “Economic Support Fund” may be made

1 available for assistance for the Government of North  
2 Korea.

3 (5) FAMILY REUNIONS.—

4 (A) AVAILABILITY OF FUNDS.—Funds ap-  
5 propriated by this Act under the heading “Dip-  
6 lomatic and Consular Programs” may be made  
7 available for the consultations described in S.  
8 2657 (as introduced in the Senate on March 9,  
9 2016) regarding family reunions between Ko-  
10 rean Americans and North Koreans who were  
11 separated following the signing of the Korean  
12 War Armistice Agreement.

13 (B) REPORTING REQUIREMENT.—The Sec-  
14 retary of State shall include as part of the re-  
15 port required under section 107(d) of the North  
16 Korean Human Rights Act of 2004 (22 U.S.C.  
17 7817) a description of the consultations de-  
18 scribed under subparagraph (A) conducted dur-  
19 ing the year preceding the submission of such  
20 report: *Provided*, That such report may include  
21 a classified annex.

22 (e) PEOPLE’S REPUBLIC OF CHINA.—

23 (1) LIMITATION ON USE OF FUNDS.—None of  
24 the funds appropriated under the heading “Diplo-  
25 matic and Consular Programs” in this Act may be

1 obligated or expended for processing licenses for the  
2 export of satellites of United States origin (including  
3 commercial satellites and satellite components) to  
4 the People's Republic of China (PRC) unless, at  
5 least 15 days in advance, the Committees on Appro-  
6 priations are notified of such proposed action.

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

20 (3) COUNTER INFLUENCE PROGRAMS.—Funds  
21 appropriated by this Act for public diplomacy under  
22 title I and for assistance under titles III and IV  
23 shall be made available to counter the influence of  
24 the PRC, in accordance with the strategy required  
25 by section 7043(e)(3) of the Department of State,



1 Foreign Operations, and Related Programs Appro-  
2 priations Act, 2014 (division K of Public Law 113-  
3 76), following consultation with the Committees on  
4 Appropriations.

5 (f) THAILAND.—Of the funds appropriated by this  
6 Act under the heading “Economic Support Fund”, not  
7 less than \$4,000,000 shall be made available for democ-  
8 racy and conflict resolution programs in Thailand.

9 (g) TIBET.—

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

23 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

24 (A) Notwithstanding any other provision of  
25 law, of the funds appropriated by this Act

1 under the heading “Economic Support Fund”,  
2 not less than \$8,000,000 shall be made avail-  
3 able to nongovernmental organizations to sup-  
4 port activities which preserve cultural traditions  
5 and promote sustainable development, edu-  
6 cation, and environmental conservation in Ti-  
7 betan communities in the Tibetan Autonomous  
8 Region and in other Tibetan communities in the  
9 People’s Republic of China.

10 (B) Of the funds appropriated by this Act  
11 under the heading “Economic Support Fund”,  
12 not less than \$6,000,000 shall be made avail-  
13 able for programs to promote and preserve Ti-  
14 betan culture, development, and the resilience  
15 of Tibetan communities in India and Nepal,  
16 and to assist in the education and development  
17 of the next generation of Tibetan leaders from  
18 such communities: *Provided*, That such funds  
19 are in addition to amounts made available in  
20 subparagraph (A) for programs inside Tibet.

21 (h) VIETNAM.—

22 (1) DIOXIN REMEDIATION.—Notwithstanding  
23 any other provision of law, of the funds appropriated  
24 by this Act under the heading “Economic Support  
25 Fund”, not less than \$20,000,000 shall be made

1 available for activities related to the remediation of  
2 dioxin contaminated sites in Vietnam and may be  
3 made available for assistance for the Government of  
4 Vietnam, including the military, for such purposes.

5 (2) HEALTH AND DISABILITY PROGRAMS.—Of  
6 the funds appropriated by this Act under the head-  
7 ing “Development Assistance”, not less than  
8 \$10,000,000 shall be made available for health and  
9 disability programs in areas sprayed with Agent Or-  
10 ange and otherwise contaminated with dioxin, to as-  
11 sist individuals with severe upper or lower body mo-  
12 bility impairment and/or cognitive or developmental  
13 disabilities.

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 to the Com-  
4           mittees on Appropriations, or contractors in ad-  
5           dition to those in place on the date of enact-  
6           ment of this Act: *Provided*, That the limitations  
7           in this paragraph shall not apply if funds are  
8           necessary to implement plans for accommo-  
9           dating other United States Government agen-  
10          cies under Chief of Mission authority per sec-  
11          tion 3927 of title 22, United States Code, or to  
12          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, includ-  
15 ing government entity, that the Secretary  
16 of State determines to be involved in cor-  
17 rupt practices, illicit narcotics production  
18 or trafficking, or a violation of human  
19 rights;

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

23 (iii) is inaccessible or not regularly ac-  
24 cessible for the purposes of conducting ef-

1           fective oversight in accordance with appli-  
2           cable Federal statutes and regulations; or

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

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

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

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

24           (iii) the Government of Afghanistan is  
25           implementing laws and policies to govern

1 democratically and protect the rights of in-  
2 dividuals, civil society, and the media, in-  
3 cluding the Law on Mass Media and the  
4 Access to Information Act;

5 (iv) the Government of Afghanistan is  
6 taking consistent steps to protect and ad-  
7 vance the rights of women and girls in Af-  
8 ghanistan;

9 (v) the Government of Afghanistan is  
10 reducing corruption and prosecuting indi-  
11 viduals alleged to be involved in illegal ac-  
12 tivities in Afghanistan;

13 (vi) monitoring and oversight frame-  
14 works for programs implemented with such  
15 funds are in accordance with all applicable  
16 audit policies of the Department of State  
17 and USAID;

18 (vii) the necessary policies and proce-  
19 dures are in place to ensure Government of  
20 Afghanistan compliance with section 7013  
21 of this Act; and

22 (viii) the Government of Afghanistan  
23 is publicly reporting its national budget,  
24 including revenues and expenditures.

1           (C) WAIVER.—The Secretary of State may  
2 waive the certification requirement of subpara-  
3 graph (B) if the Secretary determines that to  
4 do so is important to the national security in-  
5 terest of the United States and the Secretary  
6 submits a report to the Committees on Appro-  
7 priations, in classified form if necessary, on the  
8 justification for the waiver and the reasons why  
9 any of the requirements of subparagraph (B)  
10 cannot be met.

11           (D) PROGRAMS.—Funds appropriated by  
12 this Act that are made available for assistance  
13 for Afghanistan shall be made available in the  
14 following manner—

15           (i) not less than \$50,000,000 shall be  
16 made available for rule of law programs,  
17 the decisions for which shall be the respon-  
18 sibility of the Chief of Mission, in consulta-  
19 tion with other appropriate United States  
20 Government officials in Afghanistan;

21           (ii) for programs that protect the  
22 rights of women and girls and promote the  
23 political and economic empowerment of  
24 women, including their meaningful inclu-  
25 sion in political processes: *Provided*, That



1           such assistance to promote economic em-  
2           powerment of women shall be made avail-  
3           able as grants to Afghan and international  
4           organizations, to the maximum extent  
5           practicable;

6           (iii) for programs in South and Cen-  
7           tral Asia to expand linkages between Af-  
8           ghanistan and countries in the region, sub-  
9           ject to the regular notification procedures  
10          of the Committees on Appropriations;

11          (iv) to assist the Government of Af-  
12          ghanistan to increase revenue collection  
13          and expenditure; and

14          (v) not less than \$10,000,000 should  
15          be made available for the Afghan Civilian  
16          Assistance Program.

17          (E) TAXATION.—None of the funds appro-  
18          priated by this Act and prior Acts making Ap-  
19          propriations for the Department of State, for-  
20          eign operations, and related programs for as-  
21          sistance for Afghanistan may be made available  
22          for direct government-to-government assistance  
23          unless the Secretary of State certifies and re-  
24          ports to the Committees on Appropriations that  
25          United States companies and organizations that

1           are implementing United States foreign assist-  
2           ance programs in Afghanistan in a manner con-  
3           sistent with United States laws and regulations  
4           are not subjected by such government to taxes  
5           or other fees in contravention of diplomatic and  
6           other international agreements, or to retaliation  
7           for the nonpayment of taxes or fees imposed in  
8           the past: *Provided*, That not later than 90 days  
9           after enactment of this Act, the Secretary of  
10          State shall submit to the appropriate congres-  
11          sional committees an assessment of the dollar  
12          value of improper taxes or fees levied by such  
13          government against such companies and organi-  
14          zations in fiscal years 2014, 2015, and 2016.

15          (3) GOALS AND BENCHMARKS.—Not later than  
16          90 days after enactment of this Act, the Secretary  
17          of State shall submit to the appropriate congres-  
18          sional committees a report describing the goals and  
19          benchmarks required in paragraph (2)(B)(i): *Pro-*  
20          *vided*, That not later than 6 months after the sub-  
21          mission of such report and every 6 months there-  
22          after until September 30, 2018, the Secretary of  
23          State shall submit a report to such committees on  
24          the status of achieving such goals and benchmarks:  
25          *Provided further*, That the Secretary of State should

1 suspend assistance for the Government of Afghani-  
2 stan if any report required by this paragraph indi-  
3 cates that such government is failing to make meas-  
4 urable progress in meeting such goals and bench-  
5 marks.

6 (4) AUTHORITIES.—

7 (A) Funds appropriated by this Act under  
8 title III through VI that are made available for  
9 assistance for Afghanistan may be made avail-  
10 able—

11 (i) notwithstanding section 7012 of  
12 this Act or any similar provision of law  
13 and section 660 of the Foreign Assistance  
14 Act of 1961;

15 (ii) for reconciliation programs and  
16 disarmament, demobilization, and re-  
17 integration activities for former combat-  
18 ants who have renounced violence against  
19 the Government of Afghanistan, in accord-  
20 ance with section 7046(a)(2)(B)(ii) of the  
21 Department of State, Foreign Operations,  
22 and Related Programs Appropriations Act,  
23 2012 (division I of Public Law 112–74);  
24 and

1 (iii) for an endowment to empower  
2 women and girls.

3 (B) Section 7046(a)(2)(A) of division I of  
4 Public Law 112–74 shall apply to funds appro-  
5 priated by this Act for assistance for Afghani-  
6 stan.

7 (C) Section 1102(c) of the Supplemental  
8 Appropriations Act, 2009 (title XI of Public  
9 Law 111–32) shall continue in effect during fis-  
10 cal year 2017.

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) NEPAL.—

17 (1) BILATERAL ECONOMIC ASSISTANCE.—Not  
18 less than \$50,000,000 of the funds appropriated by  
19 this Act under the heading “Development Assist-  
20 ance” shall be made available for assistance for  
21 Nepal for earthquake recovery and reconstruction  
22 programs, which should—

23 (A) target affected communities on an eq-  
24 uitable basis; and

1           (B) include sufficient oversight mecha-  
2           nisms, to include the participation of civil soci-  
3           ety organizations.

4           (2) FOREIGN MILITARY FINANCING PRO-  
5           GRAM.—Funds appropriated by this Act under the  
6           heading “Foreign Military Financing Program”  
7           shall only be made available for humanitarian and  
8           disaster relief and reconstruction activities in Nepal,  
9           and in support of international peacekeeping oper-  
10          ations: *Provided*, That such funds may only be made  
11          available for any additional uses if the Secretary of  
12          State certifies and reports to the Committees on Ap-  
13          propriations that the Government of Nepal is inves-  
14          tigating and prosecuting violations of human rights  
15          and the laws of war, and the Nepal Army is cooper-  
16          ating fully with civilian judicial authorities in such  
17          cases.

18          (c) PAKISTAN.—

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

1 of State certifies and reports to the Committees on  
2 Appropriations that the Government of Pakistan  
3 is—

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

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

20 (C) not financing or otherwise supporting  
21 schools supported by, affiliated with, or run by  
22 the Taliban or any designated foreign terrorist  
23 organization;

1 (D) dismantling improvised explosive de-  
2 vice (IED) networks and interdicting precursor  
3 chemicals used in the manufacture of IEDs;

4 (E) preventing the proliferation of nuclear-  
5 related material and expertise;

6 (F) issuing visas in a timely manner for  
7 United States visitors engaged in counterter-  
8 rorism efforts and assistance programs in Paki-  
9 stan; and

10 (G) providing humanitarian organizations  
11 access to detainees, internally displaced per-  
12 sons, and other Pakistani civilians affected by  
13 the conflict.

14 (2) WAIVER AND REPORTS.—

15 (A) The Secretary of State may waive the  
16 certification requirement of paragraph (1) with  
17 respect to funds appropriated or otherwise  
18 made available by this Act under the headings  
19 “Economic Support Fund” and “International  
20 Narcotics Control and Law Enforcement” for  
21 assistance for the Government of Pakistan if  
22 the Secretary determines that to do so is impor-  
23 tant to the national security interest of the  
24 United States.

1           (B) The Secretary of State may waive the  
2 certification requirement of paragraph (1) with  
3 respect to 85 percent of the funds appropriated  
4 or otherwise made available by this Act under  
5 the heading “Foreign Military Financing Pro-  
6 gram” for assistance for the Government of  
7 Pakistan if the Secretary determines that to do  
8 so is important to the national security interest  
9 of the United States: *Provided*, That funds  
10 withheld by application of this subparagraph  
11 shall be withheld from obligation until the Sec-  
12 retary submits to the Committees on Appro-  
13 priations the certification required by para-  
14 graph (1).

15           (C) In exercising the authority of this  
16 paragraph, the Secretary of State shall submit  
17 a report to the Committees on Appropriations,  
18 in classified form if necessary, on the justifica-  
19 tion for any waivers in subparagraphs (A) and  
20 (B) and the reasons why any of the require-  
21 ments of paragraph (1) cannot be met.

22           (3) ASSISTANCE.—

23           (A) Funds appropriated by this Act under  
24 the heading “Foreign Military Financing Pro-  
25 gram” for assistance for Pakistan may be made



1 available only to support counterterrorism and  
2 counterinsurgency capabilities in Pakistan.

3 (B) Funds appropriated by this Act under  
4 the headings “Economic Support Fund” and  
5 “Nonproliferation, Anti-terrorism, Demining  
6 and Related Programs” that are available for  
7 assistance for Pakistan shall be made available  
8 to interdict precursor materials from Pakistan  
9 to Afghanistan that are used to manufacture  
10 IEDs, including calcium ammonium nitrate; to  
11 support programs to train border and customs  
12 officials in Pakistan and Afghanistan; and for  
13 agricultural extension programs that encourage  
14 alternative fertilizer use among Pakistani farm-  
15 ers.

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

22 (D) Funds appropriated by this Act under  
23 titles III and IV for assistance for Pakistan  
24 may be made available notwithstanding any

1 other provision of law, except for section 620M  
2 of the Foreign Assistance Act of 1961.

3 (E) Of the funds appropriated under titles  
4 III and IV of this Act that are made available  
5 for assistance for Pakistan, \$33,000,000 shall  
6 be withheld from obligation until the Secretary  
7 of State reports to the Committees on Appro-  
8 priations that Dr. Shakil Afridi has been re-  
9 leased from prison and cleared of all charges re-  
10 lating to the assistance provided to the United  
11 States in locating Osama bin Laden.

12 (4) SCHOLARSHIPS FOR WOMEN.—The author-  
13 ity and directives of section 7044(d)(4) of the De-  
14 partment of State, Foreign Operations, and Related  
15 Programs Appropriations Act, 2015 (division J of  
16 Public Law 113–235) shall apply to funds appro-  
17 priated by this Act that are made available for as-  
18 sistance for Pakistan.

19 (5) REPORTS.—

20 (A)(i) Not later than 6 months after sub-  
21 mission of the spend plan required by section  
22 7076 of this Act for assistance for Pakistan,  
23 and each 6 months thereafter until September  
24 30, 2018, the Secretary of State shall submit a  
25 report to the Committees on Appropriations on

1 the status of achieving the goals and bench-  
2 marks in such plan.

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

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

17 (6) OVERSIGHT.—The Secretary of State shall  
18 take all practicable steps to ensure that mechanisms  
19 are in place for monitoring, oversight, and control of  
20 funds made available by this subsection for assist-  
21 ance for Pakistan, and shall provide the Committees  
22 on Appropriations with a description of the vetting  
23 procedures to be used for recipients of assistance  
24 made available under title IV of this Act.

25 (d) SRI LANKA.—

1           (1) BILATERAL ECONOMIC ASSISTANCE.—  
2 Funds appropriated by this Act under the heading  
3 “Economic Support Fund” shall be made available  
4 for assistance for Sri Lanka for democracy and eco-  
5 nomic development programs, particularly in areas  
6 recovering from ethnic and religious conflict: *Pro-*  
7 *vided*, That such funds shall be made available for  
8 programs to assist in the identification and resolu-  
9 tion of cases of missing persons.

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

16           (A) taking steps to repeal the Prevention  
17 of Terrorism Act (PTA), including releasing or  
18 charging all individuals detained pursuant to  
19 the PTA;

20           (B) increasing accountability and trans-  
21 parency in governance; and

22           (C) supporting a credible justice mecha-  
23 nism in compliance with United Nations  
24 Human Rights Council Resolution (A/HCR/30/  
25 L.29) of October, 2015.

1           (3) INTERNATIONAL SECURITY ASSISTANCE.—  
2 Funds appropriated under title IV of this Act that  
3 are available for assistance for Sri Lanka shall be  
4 subject to the following conditions—

5           (A) funds under the heading “Foreign  
6 Military Financing Program” may only be  
7 made available for programs to redeploy, re-  
8 structure, and reduce the size of the Sri  
9 Lankan armed forces (to include support for  
10 international peacekeeping) and shall not ex-  
11 ceed \$400,000;

12           (B) funds under the heading “Inter-  
13 national Military Education and Training” may  
14 only be made available for training related to  
15 international peacekeeping operations and Ex-  
16 panded International Military Education and  
17 Training; and

18           (C) funds under the heading “Peace-  
19 keeping Operations” may only be made avail-  
20 able for training related to international peace-  
21 keeping operations.

22 (e) REGIONAL PROGRAMS.—

23           (1) CROSS BORDER PROGRAMS.—Funds appro-  
24 priated by this Act under the heading “Economic  
25 Support Fund” for assistance for Afghanistan and

1 Pakistan may be provided, notwithstanding any  
2 other provision of law that restricts assistance to  
3 foreign countries, for cross border stabilization and  
4 development programs between Afghanistan and  
5 Pakistan, or between either country and the Central  
6 Asian countries.

7 (2) SECURITY AND JUSTICE PROGRAMS.—  
8 Funds appropriated by this Act under the headings  
9 “Economic Support Fund”, “International Narcotics  
10 Control and Law Enforcement”, and “Assistance for  
11 Europe, Eurasia and Central Asia” that are avail-  
12 able for assistance for countries in South and Cen-  
13 tral Asia shall be made available to enhance the re-  
14 cruitment, retention, and professionalism of women  
15 in the judiciary, police, and other security forces.

16 LATIN AMERICA AND THE CARIBBEAN

17 SEC. 7045. (a) UNITED STATES ENGAGEMENT IN  
18 CENTRAL AMERICA.—

19 (1) FUNDING.—Subject to the requirements of  
20 this subsection, of the funds appropriated under ti-  
21 tles III and IV of this Act, up to \$650,575,000 may  
22 be made available for assistance for countries in  
23 Central America to implement the United States  
24 Strategy for Engagement in Central America (the  
25 Strategy) in support of the Plan of the Alliance for

1 Prosperity in the Northern Triangle of Central  
2 America (the Plan): *Provided*, That the Secretary of  
3 State and Administrator of the United States Agen-  
4 cy for International Development shall prioritize  
5 such assistance to address the key factors in such  
6 countries contributing to the migration of unaccom-  
7 panied, undocumented minors to the United States:  
8 *Provided further*, That such funds shall be made  
9 available to the maximum extent practicable on a  
10 cost-matching basis.

11 (2) PRE-OBLIGATION REQUIREMENTS.—Prior  
12 to the obligation of funds made available pursuant  
13 to paragraph (1), the Secretary of State shall submit  
14 to the Committees on Appropriations a multi-year  
15 spend plan updated from fiscal year 2016: *Provided*,  
16 That such updated spend plan shall also include a  
17 description of how such assistance will differ from,  
18 complement, and leverage funds allocated by each  
19 government and other donors, including inter-  
20 national financial institutions.

21 (3) ASSISTANCE FOR THE CENTRAL GOVERN-  
22 MENTS OF EL SALVADOR, GUATEMALA, AND HON-  
23 DURAS.—Of the funds made available pursuant to  
24 paragraph (1) that are available for assistance for  
25 each of the central governments of El Salvador,

1 Guatemala, and Honduras, the following amounts  
2 shall be withheld from obligation and may only be  
3 made available as follows:

4 (A) 25 percent may only be obligated after  
5 the Secretary of State certifies and reports to  
6 the appropriate congressional committees that  
7 such government is taking effective steps, which  
8 are in addition to steps taken during the pre-  
9 vious calendar year, to—

10 (i) inform its citizens of the dangers  
11 of the journey to the southwest border of  
12 the United States;

13 (ii) combat human smuggling and  
14 trafficking;

15 (iii) improve border security, including  
16 to prevent trafficking in person, illicit  
17 drugs, and other contraband; and

18 (iv) cooperate with United States Gov-  
19 ernment agencies and other governments  
20 in the region to facilitate the return, repa-  
21 triation, and reintegration of illegal mi-  
22 grants arriving at the southwest border of  
23 the United States who do not qualify as  
24 refugees, consistent with international law.



1 (B) An additional 50 percent may only be  
2 obligated after the Secretary of State consults  
3 with, and subsequently certifies and reports to,  
4 the appropriate congressional committees that  
5 such government is taking effective steps, which  
6 are in addition to steps taken during the pre-  
7 vious calendar year, to—

8 (i) establish an autonomous, publicly  
9 accountable entity to provide oversight of  
10 the Plan;

11 (ii) combat corruption, including in-  
12 vestigating and prosecuting government of-  
13 ficials credibly alleged to be corrupt;

14 (iii) implement reforms, policies, and  
15 programs to improve transparency and  
16 strengthen public institutions, including in-  
17 creasing the capacity and independence of  
18 the judiciary and the Office of the Attor-  
19 ney General;

20 (iv) implement a policy that local com-  
21 munities, civil society organizations (in-  
22 cluding indigenous and other marginalized  
23 groups), and local governments are con-  
24 sulted in the design, and participate in the  
25 implementation and evaluation of, activi-

1 ties of the Plan that affect such commu-  
2 nities, organizations, and governments;

3 (v) counter the activities of criminal  
4 gangs, drug traffickers, and organized  
5 crime;

6 (vi) investigate and prosecute in the  
7 civilian justice system military and police  
8 personnel who are credibly alleged to have  
9 violated human rights, and ensure that the  
10 military and police are cooperating in such  
11 cases;

12 (vii) cooperate fully with commissions  
13 against impunity, as appropriate, and with  
14 regional human rights entities;

15 (viii) support programs to reduce pov-  
16 erty, expand education and vocational  
17 training for at-risk youth, create jobs, and  
18 promote equitable economic growth par-  
19 ticularly in areas contributing to large  
20 numbers of migrants;

21 (ix) establish and implement a plan,  
22 with benchmarks and timetables, to create  
23 a professional, accountable civilian police  
24 force and end the role of the military in in-  
25 ternal policing;

1 (x) protect the right of political oppo-  
2 sition parties, journalists, trade unionists,  
3 human rights defenders, and other civil so-  
4 ciety activists to operate without inter-  
5 ference;

6 (xi) increase government revenues, in-  
7 cluding by implementing tax reforms and  
8 strengthening customs agencies; and

9 (xii) resolve commercial disputes, in-  
10 cluding the confiscation of real property,  
11 between United States entities and such  
12 government.

13 (4) SUSPENSION OF ASSISTANCE AND PERIODIC  
14 REVIEW.—

15 (A) The Secretary of State shall periodi-  
16 cally review the progress of each of the central  
17 governments of El Salvador, Guatemala, and  
18 Honduras in meeting the requirements of para-  
19 graphs (3)(A) and (3)(B) and shall, not later  
20 than September 30, 2017, submit to the appro-  
21 priate congressional committees a report assess-  
22 ing such progress: *Provided*, That if the Sec-  
23 retary determines that sufficient progress has  
24 not been made by a central government, the  
25 Secretary shall suspend, in whole or in part, as-

1           sistance for such government for programs sup-  
2           porting such requirement, and shall notify such  
3           committees in writing of such action: *Provided*  
4           *further*, That the Secretary may resume funding  
5           for such programs only after the Secretary cer-  
6           tifies to such committees that corrective meas-  
7           ures have been taken.

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

21          (5) PROGRAMS AND TRANSFER OF FUNDS.—

22                (A) Funds appropriated by this Act for the  
23          Central America Regional Security Initiative  
24          may be made available, after consultation with,  
25          and subject to the regular notification proce-

1           dures of, the Committees on Appropriations, to  
2           support international commissions against im-  
3           punity in Honduras and El Salvador, if such  
4           commissions are established.

5           (B) The Department of State and USAID  
6           may, following consultation with the Commit-  
7           tees on Appropriations, transfer funds made  
8           available by this Act under the heading “Devel-  
9           opment Assistance” to the Inter-American De-  
10          velopment Bank and the Inter-American Foun-  
11          dation for technical assistance in support of the  
12          Strategy.

13          (C) Of the funds appropriated by this Act  
14          under the heading “Economic Support Fund”  
15          that are made available for State Western  
16          Hemisphere Regional programs, not less than  
17          \$7,000,000 shall be transferred to, and merged  
18          with, funds appropriated by this Act under the  
19          heading “International Organizations and Pro-  
20          grams” for the Inter-American Commission on  
21          Human Rights, Organization of American  
22          States.

23          (b) COLOMBIA.—

24                 (1) ASSISTANCE.—Of the funds appropriated by  
25          this Act under titles III and IV, not less than

1       \$391,253,000 shall be made available for assistance  
2       for Colombia, including to support the efforts of the  
3       Government of Colombia to—

4               (A) conduct a unified campaign against  
5       narcotics trafficking, organizations designated  
6       as foreign terrorist organizations pursuant to  
7       section 219 of the Immigration and Nationality  
8       Act (8 U.S.C. 1189), and other criminal or ille-  
9       gal armed groups: *Provided*, That aircraft sup-  
10      ported by funds made available by this Act and  
11      prior Acts making appropriations for the De-  
12      partment of State, foreign operations, and re-  
13      lated programs may be used to transport per-  
14      sonnel and supplies involved in drug eradication  
15      and interdiction, including security for such ac-  
16      tivities, and to provide transport in support of  
17      alternative development programs and inves-  
18      tigations by civilian judicial authorities;

19              (B) enhance security and improve access to  
20      justice;

21              (C) promote economic and social develop-  
22      ment; and

23              (D) implement a peace agreement between  
24      the Government of Colombia and illegal armed  
25      groups, in accordance with constitutional and

1           legal requirements in Colombia, and that has  
2           the support of the people of Colombia:

3       *Provided*, That such funds shall be subject to prior  
4       consultation with, and the regular notification proce-  
5       dures of, the Committees on Appropriations.

6           (2) PRE-OBLIGATION REQUIREMENTS.—Prior  
7       to the obligation of funds made available pursuant  
8       to paragraph (1), the Secretary of State, in con-  
9       sultation with the USAID Administrator, shall sub-  
10      mit to the Committees on Appropriations—

11           (A) a multi-year spend plan; and

12           (B) with respect to any such funds made  
13      available for assistance to support the efforts of  
14      the Government of Colombia to implement a  
15      peace agreement, a spend plan that includes—

16           (i) a detailed estimate of the funding  
17      requirements by fiscal year and appropria-  
18      tions account of all United States assist-  
19      ance required to support the successful im-  
20      plementation of such agreement, including  
21      in areas most affected by conflict, in fiscal  
22      year 2017 and the subsequent four fiscal  
23      years;

24           (ii) a detailed estimate by fiscal year  
25      of the commitments and expenditures re-

1           required by the Government of Colombia to  
2           implement such agreement in fiscal year  
3           2017 and the subsequent four fiscal years;  
4           and

5           (iii) a description of how such assist-  
6           ance will differ from, complement, and le-  
7           verage funds allocated by the Government  
8           of Colombia and other donors, including  
9           international financial institutions.

10           (3) REFUGEES AND HUMAN RIGHTS.—Of the  
11           funds made available pursuant to paragraph (1)  
12           under the heading “Economic Support Fund”—

13           (A) not less than \$7,000,000 shall be  
14           transferred to, and merged with, funds appro-  
15           priated by this Act under the heading “Migra-  
16           tion and Refugee Assistance” for assistance for  
17           Colombian refugees in neighboring countries;  
18           and

19           (B) not less than \$9,000,000 shall be  
20           made available for programs to protect human  
21           rights, of which not less than \$1,000,000 shall  
22           be made available for the Office of the United  
23           Nations High Commissioner for Human Rights  
24           in Colombia.



1           (4) Of the funds appropriated by this Act under  
2           the heading “Foreign Military Financing Program”  
3           for assistance for Colombia, 20 percent may be obli-  
4           gated only if the Secretary of State certifies and re-  
5           ports to the Committees on Appropriations that—

6                   (A) the Peace Tribunal and other judicial  
7                   bodies within the special jurisdiction for peace  
8                   are independent and have authority to docu-  
9                   ment truth declarations from perpetrators of  
10                  gross violations of human rights and to sen-  
11                  tence such perpetrators to meaningful sanc-  
12                  tions, including victims’ reparations, guarantee  
13                  of non-repetition, and deprivation of liberty;

14                  (B) military personnel responsible for or-  
15                  dering, committing, or covering up cases of  
16                  false positives, including those in command au-  
17                  thority, are being investigated, prosecuted, and  
18                  appropriately sanctioned, and military officers  
19                  credibly alleged to have committed such crimes  
20                  are removed from positions of command author-  
21                  ity until the completion of judicial proceedings;  
22                  and

23                  (C) the Government of Colombia is con-  
24                  tinuing to dismantle illegal armed groups, tak-  
25                  ing effective steps to protect the rights of

1 human rights defenders, journalists, trade  
2 unionists, and other social activities, and pro-  
3 tecting the rights and territory of indigenous  
4 and Afro-Colombian communities:

5 *Provided*, That the limitations of this paragraph  
6 shall not apply to funds made available under such  
7 heading for aviation instruction and maintenance,  
8 and maritime and riverine security programs.

9 (c) CUBA.—

10 (1) Of the funds appropriated by this Act under  
11 the heading “Economic Support Fund”, not more  
12 than \$15,000,000 shall be made available for democ-  
13 racy programs for Cuba.

14 (2) Of the funds made available under para-  
15 graph (1), not less than \$3,000,000 shall be made  
16 available to the United States Agency for Inter-  
17 national Development to support—

18 (A) free enterprise and private business or-  
19 ganizations; and

20 (B) people-to-people educational and cul-  
21 tural activities.

22 (3) For purposes of paragraph (2), activities  
23 described in such paragraph shall be considered de-  
24 mocracy programs pursuant to section 7032(c) of  
25 this Act, except that none of the funds made avail-

1       able under such paragraph may be used for assist-  
2       ance for the Government of Cuba.

3           (4) Funds appropriated under title I of this Act  
4       may be made available for—

5           (A) the operation of, and infrastructure  
6       and security improvements to, United States  
7       diplomatic facilities in Cuba; and

8           (B) costs associated with additional United  
9       States diplomatic personnel in Cuba.

10       (5) Notwithstanding any other provision of law  
11      enacted prior to this Act, United States payments to  
12      the Inter-American Development Bank (“IDB”)  
13      shall not be withheld if IDB awards grants for the  
14      purpose of hiring consultants and the payment of  
15      other costs related to technical assistance to facili-  
16      tate transparency, private sector development, and  
17      other structural reforms of the Cuban economy: *Pro-*  
18      *vided*, That assistance under this paragraph may not  
19      exceed \$2,500,000 during fiscal year 2017.

20      (d) HAITI.—

21           (1) FUNDING.—Of the funds appropriated by  
22      this Act, not more than \$183,168,000 may be made  
23      available for assistance for Haiti.

24           (2) CERTIFICATION.—Funds made available in  
25      paragraph (1) may not be made available for assist-

1       ance for the central Government of Haiti unless the  
2       Secretary of State certifies and reports to the Com-  
3       mittees on Appropriations that such government is  
4       taking effective steps, which are in addition to steps  
5       taken during the previous calendar year, to—

6               (A) hold new, inclusive, transparent and  
7               credible parliamentary and presidential elections  
8               and seat a new Haitian Parliament and Presi-  
9               dent;

10              (B) strengthen the rule of law in Haiti, in-  
11              cluding by reducing pre-trial detention and se-  
12              lecting judges in a transparent manner; respect  
13              the independence of the judiciary; and improve  
14              governance by implementing reforms to increase  
15              transparency and accountability;

16              (C) combat corruption, including by imple-  
17              menting the anti-corruption law enacted in  
18              2014 and prosecuting corrupt officials; and

19              (D) increase government revenues, includ-  
20              ing by implementing tax reforms, and increase  
21              expenditures on public services.

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

## EUROPE

1

2 SEC. 7046. (a) ASSISTANCE FOR UKRAINE.—Of the  
3 funds appropriated by this Act under titles III through  
4 VI, not less than \$294,857,000 shall be made available  
5 for assistance for Ukraine.

6 (b) LIMITATION.—None of the funds appropriated by  
7 this Act may be made available for assistance for a govern-  
8 ment of an Independent State of the former Soviet Union  
9 if such government directs any action in violation of the  
10 territorial integrity or national sovereignty of any other  
11 Independent State of the former Soviet Union, such as  
12 those violations included in the Helsinki Final Act: *Pro-*  
13 *vided*, That except as otherwise provided in section  
14 7070(a) of this Act, funds may be made available without  
15 regard to the restriction in this subsection if the President  
16 determines that to do so is in the national security interest  
17 of the United States: *Provided further*, That prior to exe-  
18 cuting the authority contained in the previous proviso the  
19 Secretary of State shall consult with the Committees on  
20 Appropriations on how such assistance supports the na-  
21 tional security interest of the United States.

22 (c) SECTION 907 OF THE FREEDOM SUPPORT  
23 ACT.—Section 907 of the FREEDOM Support Act shall  
24 not apply to—

1           (1) activities to support democracy or assist-  
2           ance under title V of the FREEDOM Support Act  
3           and section 1424 of the Defense Against Weapons  
4           of Mass Destruction Act of 1996 (50 U.S.C. 2333)  
5           or non-proliferation assistance;

6           (2) any assistance provided by the Trade and  
7           Development Agency under section 661 of the For-  
8           eign Assistance Act of 1961 (22 U.S.C. 2421);

9           (3) any activity carried out by a member of the  
10          United States and Foreign Commercial Service while  
11          acting within his or her official capacity;

12          (4) any insurance, reinsurance, guarantee, or  
13          other assistance provided by the Overseas Private  
14          Investment Corporation under title IV of chapter 2  
15          of part I of the Foreign Assistance Act of 1961 (22  
16          U.S.C. 2191 et seq.);

17          (5) any financing provided under the Export-  
18          Import Bank Act of 1945; or

19          (6) humanitarian assistance.

20   WAR CRIMES TRIBUNALS

21          SEC. 7047. (a) If the President determines that doing  
22          so will contribute to a just resolution of charges regarding  
23          genocide or other violations of international humanitarian  
24          law, the President may direct a drawdown pursuant to sec-  
25          tion 552(c) of the Foreign Assistance Act of 1961 of up

1 to \$30,000,000 of commodities and services for the United  
2 Nations War Crimes Tribunal established with regard to  
3 the former Yugoslavia by the United Nations Security  
4 Council or such other tribunals or commissions as the  
5 Council may establish or authorize to deal with such viola-  
6 tions, without regard to the ceiling limitation contained  
7 in paragraph (2) thereof: *Provided*, That the determina-  
8 tion required under this section shall be in lieu of any de-  
9 terminations otherwise required under section 552(c): *Pro-*  
10 *vided further*, That funds made available pursuant to this  
11 section shall be made available subject to the regular noti-  
12 fication procedures of the Committees on Appropriations.

13 (b) None of the funds appropriated by this Act may  
14 be made available for a United States contribution to the  
15 International Criminal Court: *Provided*, That notwith-  
16 standing section 705(b) of the Admiral James W. Nance  
17 and Meg Donovan Foreign Relations Authorization Act,  
18 Fiscal Years 2000 and 2001 (division A of Public Law  
19 106–113) and consistent with section 2015 of the Amer-  
20 ican Service-Members Protection Act, 2002, as amended,  
21 funds may be made available for technical assistance,  
22 training, assistance for victims, protection of witnesses,  
23 and law enforcement support related to international in-  
24 vestigations, apprehensions, prosecutions, and adjudica-  
25 tions of genocide, crimes against humanity, and war

1 crimes: *Provided further*, That the previous proviso shall  
2 not apply to American service members and other United  
3 States citizens or nationals, or to nationals of the North  
4 Atlantic Treaty Organization (NATO) or major non-  
5 NATO allies initially designated pursuant to section  
6 517(b) of the Foreign Assistance Act of 1961.

7 UNITED NATIONS

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

10 (1) Of the funds appropriated under title I and  
11 under the heading “International Organizations and  
12 Programs” in title V of this Act that are available  
13 for contributions to the United Nations (including  
14 the Department of Peacekeeping Operations), any  
15 United Nations agency, or the Organization of  
16 American States, 15 percent may not be obligated  
17 for such organization, department, or agency until  
18 the Secretary of State reports to the Committees on  
19 Appropriations that the organization, department, or  
20 agency is—

21 (A) posting on a publicly available Web  
22 site, consistent with privacy regulations and due  
23 process, regular financial and programmatic au-  
24 dits of such organization, department, or agen-  
25 cy, and providing the United States Govern-



1           ment with necessary access to such financial  
2           and performance audits; and

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

7                   (i) protection against retaliation for  
8                   internal and lawful public disclosures;

9                   (ii) legal burdens of proof;

10                   (iii) statutes of limitation for report-  
11                   ing retaliation;

12                   (iv) access to independent adjudicative  
13                   bodies, including external arbitration; and

14                   (v) results that eliminate the effects of  
15                   proven retaliation.

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

22           (b) RESTRICTIONS ON UNITED NATIONS DELEGA-  
23           TIONS AND ORGANIZATIONS.—

24           (1) None of the funds made available under  
25           title I of this Act may be used to pay expenses for

1 any United States delegation to any specialized  
2 agency, body, or commission of the United Nations  
3 if such agency, body, or commission is chaired or  
4 presided over by a country, the government of which  
5 the Secretary of State has determined, for purposes  
6 of section 6(j)(1) of the Export Administration Act  
7 of 1979 as continued in effect pursuant to the Inter-  
8 national Emergency Economic Powers Act (50  
9 U.S.C. App. 2405(j)(1)), supports international ter-  
10 rorism.

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

24 (3) The Secretary of State may waive the re-  
25 striction in this subsection if the Secretary reports

1 to the Committees on Appropriations that to do so  
2 is in the national interest of the United States.

3 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—

4 None of the funds appropriated by this Act may be made  
5 available in support of the United Nations Human Rights  
6 Council unless the Secretary of State determines and re-  
7 ports to the Committees on Appropriations that participa-  
8 tion in the Council is important to the national interest  
9 of the United States and that the Council is taking steps  
10 to remove Israel as a permanent agenda item: *Provided*,  
11 That such report shall include a description of the national  
12 interest served and the steps taken to remove Israel as  
13 a permanent agenda item: *Provided further*, That the Sec-  
14 retary of State shall report to the Committees on Appro-  
15 priations not later than September 30, 2017, on the reso-  
16 lutions considered in the United Nations Human Rights  
17 Council during the previous 12 months, and on steps  
18 taken to remove Israel as a permanent agenda item.

19 (d) UNITED NATIONS RELIEF AND WORKS AGEN-  
20 CY.—Not later than 45 days after enactment of this Act,  
21 the Secretary of State shall submit a report in writing to  
22 the Committees on Appropriations on whether the United  
23 Nations Relief and Works Agency (UNRWA) is—

24 (1) utilizing Operations Support Officers in the  
25 West Bank, Gaza, and other fields of operation to

1 inspect UNRWA installations and reporting any in-  
2 appropriate use;

3 (2) acting promptly to address any staff or ben-  
4 efitary violation of its own policies (including the  
5 policies on neutrality and impartiality of employees)  
6 and the legal requirements under section 301(c) of  
7 the Foreign Assistance Act of 1961;

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

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

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

1           (6) not engaging in operations with financial in-  
2           stitutions or related entities in violation of relevant  
3           United States law, and is taking steps to improve  
4           the financial transparency of the organization; and

5           (7) in compliance with the United Nations  
6           Board of Auditors' biennial audit requirements and  
7           is implementing in a timely fashion the Board's rec-  
8           ommendations.

9           (e) PROHIBITION OF PAYMENTS TO UNITED NA-  
10          TIONS MEMBERS.—None of the funds appropriated or  
11          made available pursuant to titles III through VI of this  
12          Act for carrying out the Foreign Assistance Act of 1961,  
13          may be used to pay in whole or in part any assessments,  
14          arrearages, or dues of any member of the United Nations  
15          or, from funds appropriated by this Act to carry out chap-  
16          ter 1 of part I of the Foreign Assistance Act of 1961,  
17          the costs for participation of another country's delegation  
18          at international conferences held under the auspices of  
19          multilateral or international organizations.

20          (f) UNITED NATIONS CAPITAL MASTER PLAN.—  
21          None of the funds made available in this Act may be used  
22          for the design, renovation, or construction of the United  
23          Nations Headquarters in New York.

24          (g) WITHHOLDING REPORT.—Not later than 45 days  
25          after enactment of this Act, the Secretary of State shall

1 submit a report to the Committees on Appropriations de-  
2 tailing the amount of funds available for obligation or ex-  
3 penditure in fiscal year 2017 for contributions to any or-  
4 ganization, department, agency, or program within the  
5 United Nations system or any international program that  
6 are withheld from obligation or expenditure due to any  
7 provision of law: *Provided*, That the Secretary of State  
8 shall update such report each time additional funds are  
9 withheld by operation of any provision of law: *Provided*  
10 *further*, That the reprogramming of any withheld funds  
11 identified in such report, including updates thereof, shall  
12 be subject to prior consultation with, and the regular noti-  
13 fication procedures of, the Committees on Appropriations.

14 SEXUAL EXPLOITATION AND ABUSE IN PEACEKEEPING  
15 MISSIONS

16 SEC. 7049. (a) CONSEQUENCES.—Funds appro-  
17 priated by this Act shall be made available for Department  
18 of State activities to reform the model memorandum of  
19 understanding (United Nations A/C.5/66/8) between the  
20 United Nations and any government of a country contrib-  
21 uting personnel to United Nations peacekeeping missions,  
22 to include the following consequences if the United Na-  
23 tions Secretary-General has reason to believe that any  
24 such government is unwilling or unable to exercise the  
25 criminal or disciplinary jurisdiction assured by such gov-

1 ernment in paragraphs 7.22 and 7.23 of chapter 9 of such  
2 memorandum of understanding against personnel who are  
3 accused of violating such paragraphs—

4 (1) the mandatory repatriation of any peace-  
5 keeping personnel of such country from the peace-  
6 keeping operation where the allegation or allegations  
7 arose; and

8 (2) the prohibition of participation by such  
9 country in future peacekeeping missions until the  
10 government of such country takes appropriate inves-  
11 tigative and punitive actions against such personnel:

12 *Provided*, That the Secretary of State shall submit a re-  
13 port to the appropriate congressional committees not later  
14 than 180 days after enactment of this Act on the re-  
15 sponses of members of the United Nations General Assem-  
16 bly to such reform efforts.

17 (b) WITHHOLDING OF ASSISTANCE.—The Secretary  
18 of State shall withhold assistance to any unit of the secu-  
19 rity forces of a foreign country if the Secretary has cred-  
20 ible evidence that such unit has engaged in acts of sexual  
21 exploitation or abuse, including while serving in a United  
22 Nations peacekeeping mission, until the Secretary deter-  
23 mines that the government of such country is taking effec-  
24 tive steps to bring the responsible members of the security  
25 forces to justice and to prevent future incidents: *Provided*,

1 That the Secretary of State shall promptly notify the gov-  
2 ernment of each country subject to any withholding of as-  
3 sistance pursuant to this subsection, and shall notify the  
4 appropriate congressional committees of such withholding  
5 not later than 10 days after a determination to withhold  
6 such assistance is made: *Provided further*, That the Sec-  
7 retary shall, to the maximum extent practicable, assist  
8 such government to bring the responsible members of the  
9 security forces to justice: *Provided further*, That for pur-  
10 poses of this paragraph, the word “assistance” shall mean  
11 assistance appropriated under the headings “Peacekeeping  
12 Operations”, “International Military Education and  
13 Training”, and “Foreign Military Financing Program” in  
14 this Act, and assistance authorized pursuant to section  
15 516 and 524 of the Foreign Assistance Act of 1961 (22  
16 U.S.C. 2321j and 2344) and section 23 of the Arms Ex-  
17 port Control Act (22 U.S.C. 2763).

18 (c) WAIVER.—The Secretary of State may waive the  
19 requirements of subsection (b), if the Secretary determines  
20 and reports to the Committees on Appropriations that it  
21 is important to the national security interest of the United  
22 States to do so, and includes a justification for such waiv-  
23 er.



## 1 PROHIBITION ON PROMOTION OF TOBACCO

2 SEC. 7050. None of the funds provided by this Act  
3 shall be available to promote the sale or export of tobacco  
4 or tobacco products, or to seek the reduction or removal  
5 by any foreign country of restrictions on the marketing  
6 of tobacco or tobacco products, except for restrictions  
7 which are not applied equally to all tobacco or tobacco  
8 products of the same type.

## 9 INTERNATIONAL CONFERENCES

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

1 AIRCRAFT TRANSFER, COORDINATION, AND USE

2 SEC. 7052. (a) TRANSFER.—Notwithstanding any  
3 other provision of law or regulation, aircraft procured with  
4 funds appropriated by this Act and prior Acts making ap-  
5 propriations for the Department of State, foreign oper-  
6 ations, and related programs under the headings “Diplo-  
7 matic and Consular Programs”, “International Narcotics  
8 Control and Law Enforcement”, “Andean Counterdrug  
9 Initiative”, and “Andean Counterdrug Programs” may be  
10 used for any other program and in any region, including  
11 for the transportation of active and standby Civilian Re-  
12 sponse Corps personnel and equipment during a deploy-  
13 ment: *Provided*, That the responsibility for policy decisions  
14 and justification for the use of such transfer authority  
15 shall be the responsibility of the Secretary of State and  
16 the Deputy Secretary of State and this responsibility shall  
17 not be delegated.

18 (b) PROPERTY DISPOSAL.—The authority provided  
19 in subsection (a) shall apply only after the Secretary of  
20 State determines and reports to the Committees on Appro-  
21 priations that the equipment is no longer required to meet  
22 programmatic purposes in the designated country or re-  
23 gion: *Provided*, That any such transfer shall be subject  
24 to prior consultation with, and the regular notification  
25 procedures of, the Committees on Appropriations.

1 (c) AIRCRAFT COORDINATION.—

2 (1) The uses of aircraft purchased or leased by  
3 the Department of State and the United States  
4 Agency for International Development with funds  
5 made available in this Act or prior Acts making ap-  
6 propriations for the Department of State, foreign  
7 operations, and related programs shall be coordi-  
8 nated under the authority of the appropriate Chief  
9 of Mission: *Provided*, That such aircraft may be  
10 used to transport, on a reimbursable or non-reim-  
11 bursable basis, Federal and non-Federal personnel  
12 supporting Department of State and USAID pro-  
13 grams and activities: *Provided further*, That official  
14 travel for other agencies for other purposes may be  
15 supported on a reimbursable basis, or without reim-  
16 bursement when traveling on a space available basis:  
17 *Provided further*, That funds received by the Depart-  
18 ment of State for the use of aircraft owned, leased,  
19 or chartered by the Department of State may be  
20 credited to the Working Capital Fund of the Depart-  
21 ment and shall be available for expenses related to  
22 the purchase, lease, maintenance, chartering, or op-  
23 eration of such aircraft.



1 (b) CLUSTER MUNITIONS.—No military assistance  
2 shall be furnished for cluster munitions, no defense export  
3 license for cluster munitions may be issued, and no cluster  
4 munitions or cluster munitions technology shall be sold or  
5 transferred, unless—

6 (1) the submunitions of the cluster munitions,  
7 after arming, do not result in more than 1 percent  
8 unexploded ordnance across the range of intended  
9 operational environments, and the agreement appli-  
10 cable to the assistance, transfer, or sale of such clus-  
11 ter munitions or cluster munitions technology speci-  
12 fies that the cluster munitions will only be used  
13 against clearly defined military targets and will not  
14 be used where civilians are known to be present or  
15 in areas normally inhabited by civilians; or

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

19 PROHIBITION ON PUBLICITY OR PROPAGANDA

20 SEC. 7055. No part of any appropriation contained  
21 in this Act shall be used for publicity or propaganda pur-  
22 poses within the United States not authorized before the  
23 date of the enactment of this Act by Congress: *Provided,*  
24 That not to exceed \$25,000 may be made available to  
25 carry out the provisions of section 316 of the International

1 Security and Development Cooperation Act of 1980 (Pub-  
2 lic Law 96-533).

3 CONTINUOUS SUPERVISION AND GENERAL DIRECTION OF  
4 ECONOMIC AND MILITARY ASSISTANCE

5 SEC. 7056. Under the direction of the President, the  
6 Secretary of State shall be responsible for the continuous  
7 supervision and general direction of economic assistance,  
8 law enforcement and justice sector assistance, military as-  
9 sistance, and military education and training programs,  
10 including but not limited to determining whether there  
11 shall be a military assistance (including civic action) or  
12 a military education and training program for a country  
13 and the value thereof, to the end that such programs are  
14 effectively integrated both at home and abroad and the  
15 foreign policy of the United States is best served thereby.

16 UNITED STATES AGENCY FOR INTERNATIONAL  
17 DEVELOPMENT MANAGEMENT

18 SEC. 7057. (a) AUTHORITY.—Up to \$93,000,000 of  
19 the funds made available in title III of this Act pursuant  
20 to or to carry out the provisions of part I of the Foreign  
21 Assistance Act of 1961, including funds appropriated  
22 under the heading “Assistance for Europe, Eurasia and  
23 Central Asia”, may be used by the United States Agency  
24 for International Development to hire and employ individ-  
25 uals in the United States and overseas on a limited ap-

1 pointment basis pursuant to the authority of sections 308  
2 and 309 of the Foreign Service Act of 1980.

3 (b) RESTRICTIONS.—

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

7 (2) The authority to hire individuals contained  
8 in subsection (a) shall expire on September 30,  
9 2018.

10 (c) CONDITIONS.—The authority of subsection (a)  
11 should only be used to the extent that an equivalent num-  
12 ber of positions that are filled by personal services contrac-  
13 tors or other non-direct hire employees of USAID, who  
14 are compensated with funds appropriated to carry out part  
15 I of the Foreign Assistance Act of 1961, including funds  
16 appropriated under the heading “Assistance for Europe,  
17 Eurasia and Central Asia”, are eliminated.

18 (d) PROGRAM ACCOUNT CHARGED.—The account  
19 charged for the cost of an individual hired and employed  
20 under the authority of this section shall be the account  
21 to which the responsibilities of such individual primarily  
22 relate: *Provided*, That funds made available to carry out  
23 this section may be transferred to, and merged with, funds  
24 appropriated by this Act in title II under the heading “Op-  
25 erating Expenses”.

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

9           (f) DISASTER SURGE CAPACITY.—Funds appro-  
10          priated under title III of this Act to carry out part I of  
11          the Foreign Assistance Act of 1961, including funds ap-  
12          propriated under the heading “Assistance for Europe,  
13          Eurasia and Central Asia”, may be used, in addition to  
14          funds otherwise available for such purposes, for the cost  
15          (including the support costs) of individuals detailed to or  
16          employed by USAID whose primary responsibility is to  
17          carry out programs in response to natural disasters, or  
18          man-made disasters subject to the regular notification  
19          procedures of the Committees on Appropriations.

20          (g) PERSONAL SERVICES CONTRACTORS.—Funds ap-  
21          propriated by this Act to carry out chapter 1 of part I,  
22          chapter 4 of part II, and section 667 of the Foreign As-  
23          sistance Act of 1961, and title II of the Food for Peace  
24          Act (Public Law 83–480), may be used by USAID to em-  
25          ploy up to 40 personal services contractors in the United



1 States, notwithstanding any other provision of law, for the  
2 purpose of providing direct, interim support for new or  
3 expanded overseas programs and activities managed by  
4 the agency until permanent direct hire personnel are hired  
5 and trained: *Provided*, That not more than 15 of such con-  
6 tractors shall be assigned to any bureau or office: *Provided*  
7 *further*, That such funds appropriated to carry out title  
8 II of the Food for Peace Act (Public Law 83–480), may  
9 be made available only for personal services contractors  
10 assigned to the Office of Food for Peace.

11 (h) SMALL BUSINESS.—In entering into multiple  
12 award indefinite-quantity contracts with funds appro-  
13 priated by this Act, USAID may provide an exception to  
14 the fair opportunity process for placing task orders under  
15 such contracts when the order is placed with any category  
16 of small or small disadvantaged business.

17 (i) SENIOR FOREIGN SERVICE LIMITED APPOINT-  
18 MENTS.—Individuals hired pursuant to the authority pro-  
19 vided by section 7059(o) of the Department of State, For-  
20 eign Operations, and Related Programs Appropriations  
21 Act, 2011 (division F of Public Law 111–117) may be  
22 assigned to or support programs in Afghanistan or Paki-  
23 stan with funds made available in this Act and prior Acts  
24 making appropriations for the Department of State, for-  
25 eign operations, and related programs.

## 1 GLOBAL HEALTH ACTIVITIES

2 SEC. 7058. (a) IN GENERAL.—Funds appropriated  
3 by titles III and IV of this Act that are made available  
4 for global health programs including activities relating to  
5 research on, and the prevention, treatment and control of,  
6 HIV/AIDS may be made available notwithstanding any  
7 other provision of law except for provisions under the  
8 heading “Global Health Programs” and the United States  
9 Leadership Against HIV/AIDS, Tuberculosis, and Malaria  
10 Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as  
11 amended: *Provided*, That of the funds appropriated under  
12 title III of this Act, not less than \$585,000,000 shall be  
13 made available for family planning/reproductive health, in-  
14 cluding in areas where population growth threatens bio-  
15 diversity or endangered species.

16 (b) GLOBAL FUND.—Of the funds appropriated by  
17 this Act that are available for a contribution to the Global  
18 Fund to Fight AIDS, Tuberculosis and Malaria (Global  
19 Fund), 10 percent should be withheld from obligation until  
20 the Secretary of State determines and reports to the Com-  
21 mittees on Appropriations that the Global Fund is—

22 (1) maintaining and implementing a policy of  
23 transparency, including the authority of the Global  
24 Fund Office of the Inspector General (OIG) to pub-  
25 lish OIG reports on a public Web site;

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

3           (A) reports directly to the Board of the  
4 Global Fund;

5           (B) maintains a mandate to conduct thor-  
6 ough investigations and programmatic audits,  
7 free from undue interference; and

8           (C) compiles regular, publicly published  
9 audits and investigations of financial, pro-  
10 grammatic, and reporting aspects of the Global  
11 Fund, its grantees, recipients, sub-recipients,  
12 and Local Fund Agents;

13          (3) effectively implementing and enforcing poli-  
14 cies and procedures which reflect best practices for  
15 the protection of whistleblowers from retaliation, in-  
16 cluding best practices for—

17           (A) protection against retaliation for inter-  
18 nal and lawful public disclosures;

19           (B) legal burdens of proof;

20           (C) statutes of limitation for reporting re-  
21 taliation;

22           (D) access to independent adjudicative  
23 bodies, including external arbitration; and

24           (E) results that eliminate the effects of  
25 proven retaliation; and

1           (4) implementing the recommendations con-  
2           tained in the Consolidated Transformation Plan ap-  
3           proved by the Board of the Global Fund on Novem-  
4           ber 21, 2011:

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

9           (c) CONTAGIOUS INFECTIONOUS DISEASE OUT-  
10   BREAKS.—If the Secretary of State determines and re-  
11   ports to the Committees on Appropriations that an inter-  
12   national infectious disease outbreak is sustained, severe,  
13   and is spreading internationally, or that it is in the na-  
14   tional interest to respond to a Public Health Emergency  
15   of International Concern, funds appropriated by this Act  
16   under the headings “Global Health Programs”, “Develop-  
17   ment Assistance”, “International Disaster Assistance”,  
18   “Complex Crises Fund”, “Economic Support Fund”,  
19   “Democracy Fund”, “Assistance for Europe, Eurasia and  
20   Central Asia”, and “Migration and Refugee Assistance”  
21   may be made available to combat such infectious disease  
22   or public health emergency: *Provided*, That funds made  
23   available pursuant to the authority of this subsection shall  
24   be subject to prior consultation with, and the regular noti-  
25   fication procedures of, the Committees on Appropriations.

## 1 GENDER EQUALITY

2 SEC. 7059. (a) GENDER EQUALITY.—Funds appro-  
3 priated by this Act shall be made available to promote gen-  
4 der equality in United States Government diplomatic and  
5 development efforts by raising the status, increasing the  
6 participation, and protecting the rights of women and girls  
7 worldwide.

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

18 (c) GENDER-BASED VIOLENCE.—

19 (1)(A) Of the funds appropriated by titles III  
20 and IV of this Act, not less than \$157,270,000 shall  
21 be made available to implement a multi-year strat-  
22 egy to prevent and respond to gender-based violence  
23 in countries where it is common in conflict and non-  
24 conflict settings: *Provided*, That of the funds appro-  
25 priated by this Act under the heading “Economic

1 Support Fund”, not less than \$1,500,000 shall be  
2 transferred to, and merged with, funds made avail-  
3 able by this Act under the heading “International  
4 Organization and Programs” for the United Nations  
5 Office of the Special Representative of the Sec-  
6 retary-General for Sexual Violence in Conflict.

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

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

23 (3) Of the funds appropriated under title III of  
24 this Act and prior Acts making appropriations for  
25 the Department of State, foreign operations, and re-



1 made available for assistance for basic edu-  
2 cation, and such funds may be made available  
3 notwithstanding any provision of law that re-  
4 stricts assistance to foreign countries: *Provided*,  
5 That such funds may only be made available for  
6 each country at a funding level for basic edu-  
7 cation that does not exceed that contained in  
8 the Congressional Budget Justification, Foreign  
9 Operations, Summary Tables, Fiscal Year  
10 2017: *Provided further*, That such funds should  
11 only be used to implement the stated objectives  
12 of basic education programs for each Country  
13 Development Cooperation Strategy or similar  
14 strategy regarding basic education established  
15 by the United States Agency for International  
16 Development: *Provided further*, That the  
17 USAID Administrator, following consultation  
18 with the Committees on Appropriations, may  
19 reprogram funds between countries, except that  
20 no such reprogramming may result in an overall  
21 funding level for basic education exceeding the  
22 total amount justified for fiscal year 2017: *Pro-*  
23 *vided further*, That for the purposes of funds  
24 made available for basic education by this Act  
25 and prior Acts making appropriations for the



1 Department of State, foreign operations, and  
2 related programs, the term “basic education”  
3 shall also include secondary education.

4 (B) Not later than 30 days after enact-  
5 ment of this Act, the USAID Administrator  
6 shall report to the Committees on Appropria-  
7 tions on the status of cumulative unobligated  
8 balances and obligated, but unexpended, bal-  
9 ances in each country where USAID provides  
10 basic education assistance and such report shall  
11 also include details on the types of contracts  
12 and grants provided and the goals and objec-  
13 tives of such assistance: *Provided*, That the  
14 USAID Administrator shall update such report  
15 on a quarterly basis during fiscal year 2017:  
16 *Provided further*, That if the USAID Adminis-  
17 trator determines that any unobligated balances  
18 of funds specifically designated for assistance  
19 for basic education in prior Acts making appro-  
20 priations for the Department of State, foreign  
21 operations, and related programs are in excess  
22 of the absorptive capacity of recipient countries,  
23 such funds may be made available for other  
24 programs authorized under chapter 1 of part I  
25 of the Foreign Assistance Act of 1961, notwith-

1 standing such funding designation: *Provided*  
2 *further*, That the authority of the previous pro-  
3 viso shall be subject to prior consultation with,  
4 and the regular notification procedures of, the  
5 Committees on Appropriations.

6 (C) Of the funds appropriated under title  
7 III of this Act for assistance for basic education  
8 programs, not less than \$70,000,000 shall be  
9 made available for a contribution to multilateral  
10 partnerships that support education.

11 (2) HIGHER EDUCATION.—Of the funds appro-  
12 priated by title III of this Act, not less than  
13 \$226,352,000 shall be made available for assistance  
14 for higher education, including not less than  
15 \$35,000,000 for new partnerships between higher  
16 education institutions in the United States and de-  
17 veloping countries, including in sub-Saharan Africa:  
18 *Provided*, That such funds may be made available  
19 notwithstanding any other provision of law that re-  
20 stricts assistance to foreign countries, and shall be  
21 subject to the regular notification procedures of the  
22 Committees on Appropriations.

23 (b) DEVELOPMENT PROGRAMS.—Of the funds appro-  
24 priated by this Act under the heading “Development As-  
25 sistance”, not less than \$26,000,000 shall be made avail-

1 able for the American Schools and Hospitals Abroad pro-  
2 gram, and not less than \$12,000,000 shall be made avail-  
3 able for cooperative development programs of USAID.

4 (c) ENVIRONMENT PROGRAMS.—

5 (1) AUTHORITY.—

6 (A) Funds appropriated by this Act to  
7 carry out the provisions of sections 103 through  
8 106, and chapter 4 of part II, of the Foreign  
9 Assistance Act of 1961 that are made available  
10 to support environment programs may be made  
11 available notwithstanding any other provision of  
12 law, except for paragraph (B).

13 (B) Of the funds appropriated by this Act  
14 and prior Acts making appropriations for the  
15 Department of State, foreign operations, and  
16 related programs under the heading “Economic  
17 Support Fund”, \$237,000,000 shall be made  
18 available as a contribution to the Green Climate  
19 Fund: *Provided*, That such funds shall not in-  
20 clude funds designated for Overseas Contin-  
21 gency Operations/Global War on Terrorism pur-  
22 suant to section 251(b)(2)(A)(ii) of the Bal-  
23 anced Budget and Emergency Deficit Control  
24 Act of 1985.

1           (2) CONSERVATION PROGRAMS AND LIMITA-  
2           TIONS.—

3           (A) Of the funds appropriated under title  
4           III of this Act, not less than \$250,000,000  
5           shall be made available for biodiversity con-  
6           servation programs.

7           (B) Not less than \$55,000,000 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          (C) 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          (D) Funds appropriated by this Act for  
22          biodiversity programs shall not be used to sup-  
23          port the expansion of industrial scale logging or  
24          any other industrial scale extractive activity  
25          into areas that were primary/intact tropical for-

1           ests as of December 30, 2013, and the Sec-  
2           retary of the Treasury shall instruct the United  
3           States executive directors of each international  
4           financial institutions (IFI) to vote against any  
5           financing of any such activity.

6           (3) LARGE DAMS.—The Secretary of the Treas-  
7           ury shall instruct the United States executive direc-  
8           tor of each IFI that it is the policy of the United  
9           States to vote in relation to any loan, grant, strat-  
10          egy, or policy of such institution to support the con-  
11          struction of any large dam consistent with the cri-  
12          teria set forth in Senate Report 114–79, while also  
13          considering whether the project involves important  
14          foreign policy objectives.

15          (4) SUSTAINABLE LANDSCAPES.—Of the funds  
16          appropriated under title III of this Act, not less than  
17          \$123,500,000 shall be made available for sustainable  
18          landscapes programs.

19          (d) FOOD SECURITY AND AGRICULTURAL DEVELOP-  
20          MENT.—

21               (1) Of the funds appropriated by title III of  
22               this Act, not less than \$1,053,000,000 should be  
23               made available for food security and agricultural de-  
24               velopment programs, of which not less than  
25               \$32,000,000 shall be made available for the Feed

1 the Future Innovation Labs: *Provided*, That such  
2 funds may be made available notwithstanding any  
3 other provision of law to prevent or address food  
4 shortages, and for a United States contribution to  
5 the endowment of the Global Crop Diversity Trust.

6 (2) Funds appropriated under title III of this  
7 Act may be made available as a contribution to the  
8 Global Agriculture and Food Security Program if  
9 such contribution will not cause the United States to  
10 exceed 33 percent of the total amount of funds con-  
11 tributed to such Program.

12 (e) MICROENTERPRISE AND MICROFINANCE.—Of the  
13 funds appropriated by this Act, not less than  
14 \$265,000,000 should be made available for microenter-  
15 prise and microfinance development programs for the  
16 poor, especially women.

17 (f) PROGRAMS TO COMBAT TRAFFICKING IN PER-  
18 SONS AND MODERN SLAVERY.—

19 (1) TRAFFICKING IN PERSONS.—Of the funds  
20 appropriated by this Act under the headings “Devel-  
21 opment Assistance”, “Economic Support Fund”,  
22 “Assistance for Europe, Eurasia and Central Asia”,  
23 and “International Narcotics Control and Law En-  
24 forcement”, not less than \$60,000,000 shall be made

1 available for activities to combat trafficking in per-  
2 sons internationally.

3 (2) MODERN SLAVERY.—Of the funds appro-  
4 priated by this Act under the headings “Develop-  
5 ment Assistance” and “International Narcotics Con-  
6 trol and Law Enforcement”, in addition to funds  
7 made available pursuant to paragraph (1),  
8 \$25,000,000 shall be made available for a grant or  
9 grants, to be awarded on an open and competitive  
10 basis, to reduce the prevalence of modern slavery  
11 globally: *Provided*, That such funds may only be  
12 made available in fiscal year 2017 to carry out the  
13 End Modern Slavery Initiative Act of 2015 (S. 553,  
14 114th Congress), as reported to the Senate, if such  
15 bill is enacted into law: *Provided further*, That if  
16 such bill is not enacted into law by the end of the  
17 114th Congress, funds made available pursuant to  
18 this subsection shall be made available for other pro-  
19 grams to combat trafficking in persons and modern  
20 slavery, following consultation with the appropriate  
21 congressional committees.

22 (3) PROGRAM COORDINATION.—The Secretary  
23 of State and USAID Administrator, as appropriate,  
24 shall establish and implement guidelines to ensure  
25 that programs funded by paragraphs (1) and (2) to

1        combat trafficking in persons and modern slavery  
2        are coordinated and complementary, and not dupli-  
3        cative.

4        (g) RECONCILIATION PROGRAMS.—Of the funds ap-  
5        propriated by this Act under the headings “Economic  
6        Support Fund”, “Assistance for Europe, Eurasia and  
7        Central Asia”, and “Development Assistance”, not less  
8        than \$26,000,000 shall be made available to support peo-  
9        ple-to-people reconciliation programs which bring together  
10       individuals of different ethnic, religious, and political  
11       backgrounds from areas of civil strife and war: *Provided*,  
12       That the USAID Administrator shall consult with the  
13       Committees on Appropriations, prior to the initial obliga-  
14       tion of funds, on the uses of such funds, and such funds  
15       shall be subject to the regular notification procedures of  
16       the Committees on Appropriations: *Provided further*, That  
17       to the maximum extent practicable, such funds shall be  
18       matched by sources other than the United States Govern-  
19       ment.

20       (h) WATER AND SANITATION.—Of the funds appro-  
21       priated by this Act, not less than \$400,000,000 shall be  
22       made available for water supply and sanitation projects  
23       pursuant to the Senator Paul Simon Water for the Poor  
24       Act of 2005 (Public Law 109–121), of which not less than  
25       \$145,000,000 shall be for programs in sub-Saharan Afri-



1 ca, and of which not less than \$14,000,000 shall be made  
2 available for programs to design and build safe, public la-  
3 trines in Africa and Asia.

4 OVERSEAS PRIVATE INVESTMENT CORPORATION

5 SEC. 7061. (a) TRANSFER OF FUNDS.—Whenever  
6 the President determines that it is in furtherance of the  
7 purposes of the Foreign Assistance Act of 1961, up to a  
8 total of \$20,000,000 of the funds appropriated under title  
9 III of this Act may be transferred to, and merged with,  
10 funds appropriated by this Act for the Overseas Private  
11 Investment Corporation Program Account, to be subject  
12 to the terms and conditions of that account: *Provided*,  
13 That such funds shall not be available for administrative  
14 expenses of the Overseas Private Investment Corporation:  
15 *Provided further*, That designated funding levels in this  
16 Act shall not be transferred pursuant to this section: *Pro-*  
17 *vided further*, That the exercise of such authority shall be  
18 subject to the regular notification procedures of the Com-  
19 mittees on Appropriations.

20 (b) AUTHORITY.—Notwithstanding section 235(a)(2)  
21 of the Foreign Assistance Act of 1961, the authority of  
22 subsections (a) through (c) of section 234 of such Act  
23 shall remain in effect until September 30, 2017.

## 1 ARMS TRADE TREATY

2 SEC. 7062. None of the funds appropriated by this  
3 Act may be obligated or expended to implement the Arms  
4 Trade Treaty until the Senate approves a resolution of  
5 ratification for the Treaty.

## 6 INSPECTORS GENERAL

7 SEC. 7063. (a) PROHIBITION ON USE OF FUNDS.—  
8 None of the funds appropriated by this Act may be used  
9 to deny an Inspector General funded under this Act timely  
10 access to any records, documents, or other materials avail-  
11 able to the department or agency of the United States  
12 Government over which such Inspector General has re-  
13 sponsibilities under the Inspector General Act of 1978 (5  
14 U.S.C. App.), or to prevent or impede the access of such  
15 Inspector General to such records, documents, or other  
16 materials, under any provision of law, except a provision  
17 of law that expressly refers to such Inspector General and  
18 expressly limits the right of access of such Inspector Gen-  
19 eral.

20 (b) TIMELY ACCESS.—A department or agency of the  
21 United States Government covered by this section shall  
22 provide its Inspector General access to all records, docu-  
23 ments, and other materials in a timely manner.

24 (c) COMPLIANCE.—Each Inspector General covered  
25 by this section shall ensure compliance with statutory limi-

1 tations on disclosure relevant to the information provided  
2 by the department or agency over which that Inspector  
3 General has responsibilities under the Inspector General  
4 Act of 1978 (5 U.S.C. App.).

5 (d) REPORT REQUIREMENT.—Each Inspector Gen-  
6 eral covered by this section shall report to the Committees  
7 on Appropriations within 5 calendar days of any failures  
8 by any department or agency of the United States Govern-  
9 ment to provide its Inspector General access to all re-  
10 quested records, documents, and other materials.

11 REPORTING REQUIREMENTS CONCERNING INDIVIDUALS  
12 DETAINED AT NAVAL STATION, GUANTÁNAMO BAY, CUBA  
13 SEC. 7064. Not later than 5 days after the conclusion  
14 of an agreement with a country, including a state with  
15 a compact of free association with the United States, to  
16 receive by transfer or release individuals detained at  
17 United States Naval Station, Guantánamo Bay, Cuba, the  
18 Secretary of State shall notify the Committees on Appro-  
19 priations in writing of the terms of the agreement, includ-  
20 ing whether funds appropriated by this Act or prior Acts  
21 making appropriations for the Department of State, for-  
22 eign operations, and related programs will be made avail-  
23 able for assistance for such country pursuant to such  
24 agreement.

1 NORTH AMERICAN DEVELOPMENT BANK

2 SEC. 7065. Part 2 of subtitle D of title V of Public  
3 Law 103–182, as amended (22 U.S.C. 290m et seq.), is  
4 further amended by adding at the end thereof the fol-  
5 lowing new section:

6 **“SEC. 547. FIRST CAPITAL INCREASE.**

7 “(a) SUBSCRIPTION AUTHORIZED.—

8 “(1) The Secretary of the Treasury may sub-  
9 scribe on behalf of the United States to 150,000 ad-  
10 ditional shares of the capital stock of the Bank.

11 “(2) Any subscription by the United States to  
12 the capital stock of the Bank shall be effective only  
13 to such extent and in such amounts as are provided  
14 in advance in appropriations Acts.

15 “(b) LIMITATIONS ON AUTHORIZATION OF APPRO-  
16 PRIATIONS.—

17 “(1) In order to pay for the increase in the  
18 United States subscription to the Bank under sub-  
19 section (a), there are authorized to be appropriated,  
20 without fiscal year limitation, \$1,500,000,000 for  
21 payment by the Secretary of the Treasury.

22 “(2) Of the amount authorized to be appro-  
23 priated under paragraph (1)—

24 “(A) \$225,000,000 shall be for paid in  
25 shares of the Bank; and

1                   “(B) \$1,275,000,000 shall be callable  
2                   shares of the Bank.”.

3                   PROHIBITION ON USE OF TORTURE

4           SEC. 7066. (a) LIMITATION.—None of the funds  
5           made available in this Act may be used to support or jus-  
6           tify the use of torture, cruel, or inhumane treatment by  
7           any official or contract employee of the United States Gov-  
8           ernment.

9           (b) ASSISTANCE TO ELIMINATE TORTURE.—Funds  
10           appropriated under titles III and IV of this Act shall be  
11           made available, notwithstanding section 660 of the For-  
12           eign Assistance Act of 1961 and following consultation  
13           with the Committees on Appropriations, for assistance to  
14           eliminate torture by foreign police, military or other secu-  
15           rity forces in countries receiving assistance from funds ap-  
16           propriated by this Act.

17                                   EXTRADITION

18           SEC. 7067. (a) LIMITATION.—None of the funds ap-  
19           propriated in this Act may be used to provide assistance  
20           (other than funds provided under the headings “Inter-  
21           national Disaster Assistance”, “Complex Crises Fund”,  
22           “International Narcotics Control and Law Enforcement”,  
23           “Migration and Refugee Assistance”, “United States  
24           Emergency Refugee and Migration Assistance Fund”, and  
25           “Nonproliferation, Anti-terrorism, Demining and Related

1 Assistance”) for the central government of a country  
2 which has notified the Department of State of its refusal  
3 to extradite to the United States any individual indicted  
4 for a criminal offense for which the maximum penalty is  
5 life imprisonment without the possibility of parole or for  
6 killing a law enforcement officer, as specified in a United  
7 States extradition request.

8 (b) CLARIFICATION.—Subsection (a) shall only apply  
9 to the central government of a country with which the  
10 United States maintains diplomatic relations and with  
11 which the United States has an extradition treaty and the  
12 government of that country is in violation of the terms  
13 and conditions of the treaty.

14 (c) WAIVER.—The Secretary of State may waive the  
15 restriction in subsection (a) on a case-by-case basis if the  
16 Secretary certifies to the Committees on Appropriations  
17 that such waiver is important to the national interests of  
18 the United States.

19 COMMERCIAL LEASING OF DEFENSE ARTICLES

20 SEC. 7068. Notwithstanding any other provision of  
21 law, and subject to the regular notification procedures of  
22 the Committees on Appropriations, the authority of sec-  
23 tion 23(a) of the Arms Export Control Act may be used  
24 to provide financing to Israel, Egypt, and the North Atlan-  
25 tic Treaty Organization (NATO), and major non-NATO

1 allies for the procurement by leasing (including leasing  
2 with an option to purchase) of defense articles from  
3 United States commercial suppliers, not including Major  
4 Defense Equipment (other than helicopters and other  
5 types of aircraft having possible civilian application), if the  
6 President determines that there are compelling foreign  
7 policy or national security reasons for those defense arti-  
8 cles being provided by commercial lease rather than by  
9 government-to-government sale under such Act.

10                   COMMUNITY-BASED POLICE ASSISTANCE

11           SEC. 7069. (a) AUTHORITY.—Funds made available  
12 by titles III and IV of this Act to carry out the provisions  
13 of chapter 1 of part I and chapters 4 and 6 of part II  
14 of the Foreign Assistance Act of 1961, may be used, not-  
15 withstanding section 660 of that Act, to enhance the effec-  
16 tiveness and accountability of civilian police authority  
17 through training and technical assistance in human rights,  
18 the rule of law, anti-corruption, strategic planning, and  
19 through assistance to foster civilian police roles that sup-  
20 port democratic governance, including assistance for pro-  
21 grams to prevent conflict, respond to disasters, address  
22 gender-based violence, and foster improved police relations  
23 with the communities they serve.

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

4 RUSSIAN AGGRESSION

5 SEC. 7070. (a) LIMITATION.—None of the funds ap-  
6 propriated by this Act may be made available for assist-  
7 ance for the central Government of the Russian Federa-  
8 tion.

9 (b) ANNEXATION OF CRIMEA.—

10 (1) None of the funds appropriated by this Act  
11 may be made available for assistance for the central  
12 government of a country that the Secretary of State  
13 determines and reports to the Committees on Appro-  
14 priations has taken affirmative steps intended to  
15 support or be supportive of the Russian Federation  
16 annexation of Crimea: *Provided*, That except as oth-  
17 erwise provided in subsection (a), the Secretary may  
18 waive the restriction on assistance required by this  
19 paragraph if the Secretary certifies to such Commit-  
20 tees that to do so is in the national interest of the  
21 United States, and includes a justification for such  
22 interest.

23 (2) None of the funds appropriated by this Act  
24 may be made available for—



1 (A) the implementation of any action or  
2 policy that recognizes the sovereignty of the  
3 Russian Federation over Crimea;

4 (B) the facilitation, financing, or guarantee  
5 of United States Government investments in  
6 Crimea, if such activity includes the participa-  
7 tion of Russian Government officials, or other  
8 Russian owned or controlled financial entities;  
9 or

10 (C) assistance for Crimea, if such assist-  
11 ance includes the participation of Russian Gov-  
12 ernment officials, or other Russian owned or  
13 controlled financial entities.

14 (3) The Secretary of the Treasury shall instruct  
15 the United States executive directors of each inter-  
16 national financial institution to vote against any as-  
17 sistance by such institution (including but not lim-  
18 ited to any loan, credit, or guarantee) for any pro-  
19 gram that violates the sovereignty or territorial in-  
20 tegrity of Ukraine.

21 (4) The requirements and limitations of this  
22 subsection shall cease to be in effect if the Secretary  
23 of State certifies and reports to the Committees on  
24 Appropriations that the Government of Ukraine has  
25 reestablished sovereignty over Crimea.

1 (c) OCCUPATION OF THE GEORGIAN TERRITORIES OF  
2 ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

3 (1) None of the funds appropriated by this Act  
4 may be made available for assistance for the central  
5 government of a country that the Secretary of State  
6 determines and reports to the Committees on Appro-  
7 priations has recognized the independence of, or has  
8 established diplomatic relations with, the Russian oc-  
9 cupied Georgian territories of Abkhazia and  
10 Tskhinvali Region/South Ossetia: *Provided*, That the  
11 Secretary shall publish on the Department of State  
12 Web site a list of any such central governments in  
13 a timely manner: *Provided further*, That the Sec-  
14 retary may waive the restriction on assistance re-  
15 quired by this paragraph if the Secretary certifies to  
16 the Committees on Appropriations that to do so is  
17 in the national interest of the United States, and in-  
18 cludes a justification for such interest.

19 (2) None of the funds appropriated by this Act  
20 may be made available to support the Russian occu-  
21 pation of the Georgian territories of Abkhazia and  
22 Tskhinvali Region/South Ossetia: *Provided*, That the  
23 Secretary of the Treasury shall instruct the United  
24 States executive directors of each international fi-  
25 nancial institution to vote against any assistance by

1 such institution for any program that violates the  
2 sovereignty and territorial integrity of Georgia.

3 (3) Not later than 90 days after enactment of  
4 this Act, the Secretary of State shall submit to the  
5 appropriate congressional committees a report on ac-  
6 tions taken by the Russian Federation to further  
7 consolidate the occupation of the Georgian terri-  
8 tories of Abkhazia and Tskhinvali Region/South  
9 Ossetia, including the estimated annual costs of oc-  
10 cupation.

11 (d) ASSISTANCE TO REDUCE VULNERABILITY AND  
12 PRESSURE.—Funds appropriated by this Act and made  
13 available for assistance for the Eastern Partnership coun-  
14 tries shall be made available to advance the implementa-  
15 tion of Association Agreements and trade agreements with  
16 the European Union, and to reduce their vulnerability to  
17 external economic and political pressure from the Russian  
18 Federation.

19 (e) DEMOCRACY PROGRAMS.—Funds appropriated by  
20 this Act shall be made available to support democracy pro-  
21 grams in the Russian Federation, including to promote  
22 Internet freedom, and shall also be made available to sup-  
23 port the democracy and rule of law strategy required by  
24 section 7071(d) of the Department of State, Foreign Op-

1 erations, and Related Programs Appropriations Act, 2014  
2 (division K of Public Law 113–76).

3 (f) REPORTS.—Not later than 45 days after enact-  
4 ment of this Act, the Secretary of State shall update the  
5 reports required by section 7071(b)(2), (c), and (e) of the  
6 Department of State, Foreign Operations, and Related  
7 Programs Appropriations Act, 2014 (division K of Public  
8 Law 113–76).

9 INTERNATIONAL MONETARY FUND

10 SEC. 7071. (a) EXTENSIONS.—The terms and condi-  
11 tions of sections 7086(b) (1) and (2) and 7090(a) of the  
12 Department of State, Foreign Operations, and Related  
13 Programs Appropriations Act, 2010 (division F of Public  
14 Law 111–117) shall apply to this Act.

15 (b) REPAYMENT.—The Secretary of the Treasury  
16 shall instruct the United States Executive Director of the  
17 International Monetary Fund (IMF) to seek to ensure  
18 that any loan will be repaid to the IMF before other pri-  
19 vate creditors.

20 SPECIAL DEFENSE ACQUISITION FUND

21 SEC. 7072. Not to exceed \$900,000,000 may be obli-  
22 gated pursuant to section 51(c)(2) of the Arms Export  
23 Control Act for the purposes of the Special Defense Acqui-  
24 sition Fund (the Fund), to remain available for obligation  
25 until September 30, 2019: *Provided*, That the provision

1 of defense articles and defense services to foreign coun-  
2 tries or international organizations from the Fund shall  
3 be subject to the concurrence of the Secretary of State.

4 STABILITY AND DEVELOPMENT IN REGIONS IMPACTED BY  
5 EXTREMISM

6 SEC. 7073. (a) COUNTERING FOREIGN FIGHTERS  
7 AND EXTREMIST ORGANIZATIONS, AND STRENGTHENING  
8 THE STATE SYSTEM.—

9 (1) Funds appropriated under titles III and IV  
10 of this Act shall be made available to implement the  
11 Department of State and USAID Joint Strategy on  
12 Countering Violent Extremism, May 2016 (the Joint  
13 Strategy) submitted to the Committees on Appro-  
14 priations pursuant to section 7073 of the Depart-  
15 ment of State, Foreign Operations, and Related Pro-  
16 grams Appropriations Act, 2016 (division K of Pub-  
17 lic Law 114–113), and for programs to strengthen  
18 governance and protection of human rights in coun-  
19 tries impacted by extremism: *Provided*, That the  
20 Secretary of State shall ensure that programs imple-  
21 mented pursuant to this paragraph are coordinated  
22 with and complement the efforts of other United  
23 States Government agencies and international part-  
24 ners: *Provided further*, That the Secretary shall also  
25 ensure that information gained through the conduct

1 of such programs is shared in a timely manner with  
2 relevant United States Government agencies and  
3 other international partners, as appropriate: *Pro-*  
4 *vided further*, That not later than September 30,  
5 2018, the Secretary of State shall submit a report  
6 to the Committees on Appropriations detailing the  
7 programs, on a country-by-country basis, conducted,  
8 or intended to be conducted, under the strategic ob-  
9 jectives for countering foreign terrorist fighters and  
10 extremism contained in the Joint Strategy.

11 (2) Funds appropriated under titles III and IV  
12 of this Act shall be made available for security and  
13 democracy programs in countries whose stability and  
14 legitimacy are directly threatened by violence against  
15 state institutions by extremists, including at the na-  
16 tional and local levels, and in fragile states bordering  
17 such countries.

18 (3) Funds made available pursuant to this sub-  
19 section are subject to the regular notification proce-  
20 dures of the Committees on Appropriations.

21 (b) COUNTRIES IMPACTED BY SIGNIFICANT REF-  
22 UGEE POPULATIONS OR INTERNALLY DISPLACED PER-  
23 SONS.—Funds appropriated by this Act under the head-  
24 ings “Development Assistance” and “Economic Support  
25 Fund” shall be made available for programs in countries

1 affected by significant populations of internally displaced  
2 persons or refugees to—

3 (1) expand and improve host government social  
4 services and basic infrastructure to accommodate the  
5 needs of such populations and persons;

6 (2) alleviate the social and economic strains  
7 placed on host communities;

8 (3) improve coordination of such assistance in  
9 a more effective and sustainable manner; and

10 (4) leverage increased assistance from donors  
11 other than the United States Government for central  
12 governments and local communities in such coun-  
13 tries:

14 *Provided*, That the Secretary of State shall periodically in-  
15 form the Committees on Appropriations of the amount  
16 and specific uses of funds made available for the purposes  
17 of this subsection.

18 (c) WOMEN AND GIRLS AT RISK FROM EXTRE-  
19 MISM.—

20 (1) ASSISTANCE.—Of the funds appropriated by  
21 this Act under the heading “Economic Support  
22 Fund”, not less than \$28,000,000 shall be made  
23 available only for grants and cooperative agreements  
24 to support women and girls in predominantly Mus-  
25 lim countries and other countries who are at risk

1 from extremism and conflict, including for activities  
2 to—

3 (A) empower women and girls to counter  
4 extremism, including family-oriented activities  
5 and through culturally appropriate programs to  
6 promote tolerance and pluralism and the devel-  
7 opment and dissemination of early warning and  
8 response systems;

9 (B) address the needs of women and girls  
10 adversely impacted by extremism and conflict,  
11 including through comprehensive programs that  
12 provide immediate and sustained livelihood sup-  
13 port, psychosocial services, including for family  
14 members, and the establishment of safe houses  
15 and other centers dedicated to the empower-  
16 ment and protection of women and girls;

17 (C) document crimes committed by extrem-  
18 ists against women and girls in predominantly  
19 Muslim countries and other countries, and sup-  
20 port investigations and prosecutions of such  
21 crimes, as appropriate, including forensic assist-  
22 ance and exhumation of mass graves;

23 (D) increase the participation and influ-  
24 ence of women in formal and informal political  
25 processes and institutions at the local level and



1 within traditional governing structures, includ-  
2 ing through the use of social media and train-  
3 ing programs;

4 (E) support reconciliation programs be-  
5 tween impacted minority, religious, and ethnic  
6 groups and the broader community;

7 (F) support the establishment and imple-  
8 mentation of legal reforms and protections for  
9 women and girls at the national and local gov-  
10 ernment levels; and

11 (G) create and sustain networks for women  
12 and girls to collectively safeguard their rights  
13 on a regional basis.

14 (2) RESPONSIBILITY OF FUNDS.—The Amba-  
15 sador-at-Large for Global Women’s Issues, Depart-  
16 ment of State, and the Under Secretary for Civilian  
17 Security, Democracy, and Human Rights, Depart-  
18 ment of State, in consultation with the Adminis-  
19 trator of the United States Agency for International  
20 Development, shall be responsible for the uses of  
21 such funds.

22 (3) INTER-AGENCY STRATEGY, REPORT, AND  
23 NOTIFICATION REQUIREMENT.—

24 (A) Not later than 90 days after enact-  
25 ment of this Act, the Secretary of State, in con-

1 sultation with the USAID Administrator, shall  
2 submit to the appropriate congressional com-  
3 mittees an inter-agency strategy to support  
4 women and girls in predominantly Muslim  
5 countries and other countries who are at risk  
6 from extremism and conflict, including esti-  
7 mated funding requirements for programs and  
8 activities through fiscal year 2020 and a de-  
9 scription of the monitoring and evaluation pro-  
10 tocols for such programs: *Provided*, That such  
11 strategy shall be coordinated with, and com-  
12 plement, the policies and objectives in the  
13 United States National Plan on Women, Peace,  
14 and Security, December 2011; the United  
15 States Strategy to Prevent and Respond to  
16 Gender-Based Violence Globally, 2012; and  
17 USAID’s Gender Equality and Female Em-  
18 powerment Policy, March 2012.

19 (B) Not later than 180 days after enact-  
20 ment of this Act, the Secretary of State, in con-  
21 sultation with the USAID Administrator, shall  
22 submit a report to the appropriate congress-  
23 sional committees detailing all gender programs  
24 supported during the past two fiscal years with  
25 funds made available by prior Acts making ap-

1           appropriations for the Department of State, for-  
2           foreign operations, and related programs: *Pro-*  
3           *vided*, That such report shall include programs  
4           that—

5                     (i) address women’s economic and po-  
6                     litical participation and empowerment;

7                     (ii) support women in peace and secu-  
8                     rity; and

9                     (iii) prevent and respond to gender-  
10                    based violence.

11           (C) Funds made available pursuant to  
12           paragraph (1) shall be in addition to amounts  
13           available by this Act for such purposes, and  
14           shall be subject to the regular notification pro-  
15           cedures of the Committees on Appropriations.

16           (d) COMPREHENSIVE PLAN TO PREVENT AND AD-  
17           DRESS EXTREMISM.—

18                     (1) Funds appropriated by this Act under the  
19           heading “Economic Support Fund” that are made  
20           available for the Near East and Africa Relief and  
21           Recovery Fund shall be made available for the  
22           United States Institute of Peace to develop a com-  
23           prehensive plan (the Plan) to prevent and address  
24           the underlying causes of extremism in the Sahel,  
25           Horn of Africa, and Near East regions.

1           (2) The United States Institute of Peace shall  
2 consult with the Committees on Appropriations prior  
3 to developing the Plan: *Provided*, That the Plan  
4 shall include—

5           (A) a whole-of-government strategy to pre-  
6 vent and address the underlying causes of ex-  
7 tremism in the Sahel, Horn of Africa, and Near  
8 East regions, including identification of contrib-  
9 uting factors to such extremism and specific ac-  
10 tions to mitigate such factors: *Provided*, That  
11 such strategy and actions shall be developed in  
12 consultation with relevant United States Gov-  
13 ernment agencies, foreign governments, founda-  
14 tions, the private sector, and local and inter-  
15 national civil society organizations, as appro-  
16 priate;

17           (B) a multi-year estimate of the costs asso-  
18 ciated with the implementation of the Plan, in-  
19 cluding consideration of funding made available  
20 for the Plan from relevant United States Gov-  
21 ernment agencies, other international donors,  
22 foundations, the public sector, and respective  
23 foreign governments in the Sahel, Horn of Afri-  
24 ca, and Near East regions;

1 (C) a description of appropriate inter-agency  
2 coordinating options for the Plan, and identification  
3 of impediments in policy, law, or regulation  
4 in countries in the Sahel, Horn of Africa,  
5 and Near East regions that might impede implementation  
6 of the Plan;

7 (D) consideration of specific conditions on  
8 assistance for countries included in the Plan,  
9 including cost-matching requirements by foreign  
10 governments, as appropriate;

11 (E) an assessment of the ability and willingness  
12 of each government in the Sahel, Horn  
13 of Africa, and Near East regions to support implementation  
14 of the Plan;

15 (F) detailed protocols for monitoring the  
16 implementation of the Plan and assessing results; and  
17

18 (G) a proposed pilot program designed for  
19 a country or countries in the Sahel, Horn of Africa,  
20 and Near East regions that applies the  
21 strategy and actions developed under the Plan.

22 (3) The Department of State and USAID, in  
23 coordination with other relevant United States Government  
24 agencies, shall jointly review the proposed  
25 pilot program required under subparagraph (G) and

1       implement a new pilot program based on such pro-  
2       posed pilot program beginning in fiscal year 2018.

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 congressional  
19 budget justification funding levels, the most recent con-  
20 gressional directives or approved funding levels, and the  
21 funding levels proposed by the department or agency; and  
22 a clear, concise, and informative description/justification:  
23 *Provided further*, That if such department, agency, or or-  
24 ganization receives an additional amount under the same  
25 heading in title VIII of this Act, operating plans required

1 by this subsection shall include consolidated information  
2 on all such funds: *Provided further*, That operating plans  
3 that include changes in levels of funding for programs,  
4 projects, and activities specified in the congressional budg-  
5 et justification, in this Act, or amounts specifically des-  
6 ignated in the respective tables included in the report ac-  
7 companying this Act, as applicable, shall be subject to the  
8 notification and reprogramming requirements of section  
9 7015 of this Act.

10 (b) SPEND PLANS.—

11 (1) Prior to the initial obligation of funds, the  
12 Secretary of State or Administrator of the United  
13 States Agency for International Development, as ap-  
14 propriate, shall submit to the Committees on Appro-  
15 priations a spend plan for funds made available by  
16 this Act, for—

17 (A) the regional security initiatives listed  
18 under the heading “Reports, Notifications, and  
19 Spend Plans” in the report accompanying this  
20 Act; and

21 (B) democracy programs and sectors enu-  
22 merated in subsections (a), (c)(2), (d)(1), (f),  
23 and (h) of section 7060 of this Act.

24 (2) Not later than 45 days after enactment of  
25 this Act, the Secretary of the Treasury shall submit



1 to the Committees on Appropriations a detailed  
2 spend plan for funds made available by this Act  
3 under the heading “Department of the Treasury,  
4 International Affairs Technical Assistance” in title  
5 III.

6 (c) SPENDING REPORT.—Not later than 45 days  
7 after enactment of this Act, the USAID Administrator  
8 shall submit to the Committees on Appropriations a de-  
9 tailed report on spending of funds made available during  
10 fiscal year 2016 under the heading “Development Credit  
11 Authority”.

12 (d) NOTIFICATION.—The spend plan referenced in  
13 subsection (b) shall not be considered as meeting the noti-  
14 fication requirements in this Act or under section 634A  
15 of the Foreign Assistance Act of 1961.

16 REPORTS AND RECORDS MANAGEMENT

17 SEC. 7077. (a) PUBLIC POSTING OF REPORTS.—

18 (1) REQUIREMENT.—Any agency receiving  
19 funds made available by this Act shall, subject to  
20 paragraphs (2) and (3), post on the publicly avail-  
21 able Web site of such agency any report required by  
22 this Act to be submitted to the Committees on Ap-  
23 propriations, upon a determination by the head of  
24 such agency that to do so is in the national interest.

1           (2) EXCEPTIONS.—Paragraph (1) shall not  
2           apply to a report if—

3                   (A) the public posting of such report would  
4                   compromise national security, including the  
5                   conduct of diplomacy; or

6                   (B) the report contains proprietary, privi-  
7                   leged, or sensitive information.

8           (3) TIMING AND INTENTION.—The head of the  
9           agency posting such report shall, unless otherwise  
10           provided for in this Act, do so only after such report  
11           has been made available to the Committees on Ap-  
12           propriations for not less than 45 days: *Provided*,  
13           That any report required by this Act to be submitted  
14           to the Committees on Appropriations shall include  
15           information from the submitting agency on whether  
16           such report will be publicly posted.

17           (b) REQUESTS FOR DOCUMENTS.—None of the funds  
18           appropriated or made available pursuant to titles III  
19           through VI of this Act shall be available to a nongovern-  
20           mental organization, including any contractor, which fails  
21           to provide upon timely request any document, file, or  
22           record necessary to the auditing requirements of the De-  
23           partment of State and the United States Agency for Inter-  
24           national Development.

25           (c) RECORDS MANAGEMENT.—

1           (1) LIMITATION.—None of the funds appro-  
2           priated by this Act under the headings “Diplomatic  
3           and Consular Programs” and “Capital Investment  
4           Fund” in title I, and “Operating Expenses” and  
5           “Capital Investment Fund” in title II that are made  
6           available to the Department of State and USAID  
7           may be made available to support the use or estab-  
8           lishment of email accounts or email servers created  
9           outside the .gov domain or not fitted for automated  
10          records management as part of a Federal govern-  
11          ment records management program in contravention  
12          of the Presidential and Federal Records Act Amend-  
13          ments of 2014 (Public Law 113–187).

14          (2) DIRECTIVES.—The Secretary of State and  
15          USAID Administrator shall—

16                (A) use funds appropriated by this Act  
17                under the headings “Diplomatic and Consular  
18                Programs” and “Capital Investment Fund” in  
19                title I, and “Operating Expenses” and “Capital  
20                Investment Fund” in title II, as appropriate, to  
21                improve Federal records management pursuant  
22                to the Federal Records Act (44 U.S.C. Chap-  
23                ters 21, 29, 31, and 33) and other applicable  
24                Federal records management statutes, regula-

1           tions, or policies for the Department of State  
2           and USAID;

3                   (B) direct departing employees that all  
4           Federal records generated by such employees,  
5           including senior officials, belong to the Federal  
6           Government; and

7                   (C) significantly improve the response time  
8           for identifying and retrieving Federal records,  
9           including requests made pursuant to the Free-  
10          dom of Information Act.

11           (3) REPORT.—Not later than 30 days after en-  
12          actment of this Act, the Secretary of State and  
13          USAID Administrator shall each submit a report to  
14          the Committees on Appropriations and to the Na-  
15          tional Archives and Records Administration detailing  
16          the extent to which each agency is in compliance  
17          with applicable Federal records management stat-  
18          utes, regulations, and policies, and steps taken to  
19          strengthen cybersecurity.

20                                   GLOBAL INTERNET FREEDOM

21          SEC. 7078. (a) FUNDING.—Of the funds available for  
22          obligation during fiscal year 2017 under the headings  
23          “International Broadcasting Operations”, “Economic  
24          Support Fund”, “Democracy Fund”, and “Assistance for  
25          Europe, Eurasia and Central Asia”, not less than

1 \$50,500,000 shall be made available for programs to pro-  
2 mote Internet freedom globally: *Provided*, That such pro-  
3 grams shall be prioritized for countries whose governments  
4 restrict freedom of expression on the Internet, and that  
5 are important to the national interests of the United  
6 States: *Provided further*, That funds made available pursu-  
7 ant to this section shall be matched, to the maximum ex-  
8 tent practicable, by sources other than the United States  
9 Government, including from the private sector.

10 (b) REQUIREMENTS.—

11 (1) Funds appropriated by this Act under the  
12 headings “Economic Support Fund”, “Democracy  
13 Fund”, and “Assistance for Europe, Eurasia and  
14 Central Asia” that are made available pursuant to  
15 subsection (a) shall be—

16 (A) coordinated with other democracy pro-  
17 grams funded by this Act under such headings,  
18 and shall be incorporated into country assist-  
19 ance and democracy promotion strategies, as  
20 appropriate;

21 (B) made available to the Bureau of De-  
22 mocracy, Human Rights, and Labor, Depart-  
23 ment of State, for programs to implement the  
24 May 2011, International Strategy for Cyber-  
25 space; the Department of State International

1           Cyberspace Policy Strategy required by section  
2           402 of the Cybersecurity Act of 2015 (division  
3           N of Public Law 114–113); and the comprehen-  
4           sive strategy to promote Internet freedom and  
5           access to information in Iran, as required by  
6           section 414 of the Iran Threat Reduction and  
7           Syria Human Rights Act of 2012 (22 U.S.C.  
8           8754);

9           (C) made available for programs that sup-  
10          port the efforts of civil society to counter the  
11          development of repressive Internet-related laws  
12          and regulations, including countering threats to  
13          Internet freedom at international organizations;  
14          to combat violence against bloggers and other  
15          users; and to enhance digital security training  
16          and capacity building for democracy activists;

17          (D) made available for research of key  
18          threats to Internet freedom; the continued de-  
19          velopment of technologies that provide or en-  
20          hance access to the Internet, including cir-  
21          cumvention tools that bypass Internet blocking,  
22          filtering, and other censorship techniques used  
23          by authoritarian governments; and maintenance  
24          of the technological advantage of the United  
25          States Government over such censorship tech-

1           niques: *Provided*, That the Secretary of State,  
2           in consultation with the Chief Executive Officer  
3           (CEO) of the Broadcasting Board of Governors  
4           (BBG), shall coordinate any such research and  
5           development programs with other relevant  
6           United States Government departments and  
7           agencies in order to share information, tech-  
8           nologies, and best practices, and to assess the  
9           effectiveness of such technologies; and

10                   (E) coordinated by the Assistant Secretary  
11           for Democracy, Human Rights, and Labor, De-  
12           partment of State.

13           (2) Funds appropriated by this Act under the  
14           heading “International Broadcasting Operations”  
15           that are made available pursuant to subsection (a)  
16           shall be—

17                   (A) made available to the BBG only to  
18           provide tools and techniques to access BBG dig-  
19           ital content on Web sites that are censored, and  
20           to work with such broadcasters to promote and  
21           distribute such tools and techniques, including  
22           digital security techniques;

23                   (B) coordinated with programs funded by  
24           this Act under the heading “International  
25           Broadcasting Operations”, and shall be incor-

1           porated into country broadcasting strategies, as  
2           appropriate;

3           (C) coordinated by the BBG CEO to pro-  
4           vide Internet circumvention tools and tech-  
5           niques for audiences in countries that are stra-  
6           tegic priorities for the BBG and in a manner  
7           consistent with the BBG Internet freedom  
8           strategy; and

9           (D) made available for the research and  
10          development of new tools or techniques author-  
11          ized in paragraph (A) only after the BBG CEO,  
12          in consultation with the Secretary of State and  
13          other relevant United States Government de-  
14          partments and agencies, evaluates the risks and  
15          benefits of such new tools or techniques, and  
16          establishes safeguards to minimize the use of  
17          such new tools or techniques for illicit purposes.

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 CEO shall submit to the Committees on Ap-  
23          propriations spend plans for funds made available by this  
24          Act for programs to promote Internet freedom globally,  
25          which shall include a description of safeguards established



1 by relevant agencies to ensure that such programs are not  
2 used for illicit purposes: *Provided*, That the Department  
3 of State spend plan shall include funding for all such pro-  
4 grams for all relevant Department of State and USAID  
5 offices and bureaus: *Provided further*, That prior to the  
6 obligation of such funds, such offices and bureaus shall  
7 consult with the Assistant Secretary for Democracy,  
8 Human Rights, and Labor, Department of State, to en-  
9 sure that such programs support the Department of State  
10 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 may be obligated or expended to provide—

15 (1) any financial incentive to a business enter-  
16 prise currently located in the United States for the  
17 purpose of inducing such an enterprise to relocate  
18 outside the United States if such incentive or in-  
19 ducement is likely to reduce the number of employ-  
20 ees of such business enterprise in the United States  
21 because United States production is being replaced  
22 by such enterprise outside the United States;

23 (2) assistance for any program, project, or ac-  
24 tivity that contributes to the violation of internation-  
25 ally recognized workers' rights, as defined in section

1 507(4) of the Trade Act of 1974, of workers in the  
2 recipient country, including any designated zone or  
3 area in that country: *Provided*, That the application  
4 of section 507(4)(D) and (E) of such Act should be  
5 commensurate with the level of development of the  
6 recipient country and sector, and shall not preclude  
7 assistance for the informal sector in such country,  
8 micro and small-scale enterprise, and smallholder  
9 agriculture;

10 (3) any assistance to an entity outside the  
11 United States if such assistance is for the purpose  
12 of directly relocating or transferring jobs from the  
13 United States to other countries and adversely im-  
14 pacts the labor force in the United States; or

15 (4) for the enforcement of any rule, regulation,  
16 policy, or guidelines implemented pursuant to—

17 (A) the third proviso of subsection 7079(b)  
18 of the Consolidated Appropriations Act, 2010;

19 (B) the modification proposed by the Over-  
20 seas Private Investment Corporation in Novem-  
21 ber 2013 to the Corporation's Environmental  
22 and Social Policy Statement relating to coal; or

23 (C) the Supplemental Guidelines for High  
24 Carbon Intensity Projects approved by the Ex-

1 port-Import Bank of the United States on De-  
2 cember 12, 2013,  
3 when enforcement of such rule, regulation, policy, or  
4 guidelines would prohibit, or have the effect of pro-  
5 hibiting, any coal-fired or other power-generation  
6 project the purpose of which is to: (i) provide afford-  
7 able electricity in International Development Asso-  
8 ciation (IDA)-eligible countries and IDA-blend coun-  
9 tries; and (ii) increase exports of goods and services  
10 from the United States or prevent the loss of jobs  
11 from the United States.

12 DISABILITY PROGRAMS

13 SEC. 7080. (a) ASSISTANCE.—Funds appropriated by  
14 this Act under the heading “Economic Support Fund”  
15 shall be made available for programs and activities admin-  
16 istered by the United States Agency for International De-  
17 velopment to address the needs and protect and promote  
18 the rights of people with disabilities in developing coun-  
19 tries, including initiatives that focus on independent living,  
20 economic self-sufficiency, advocacy, education, employ-  
21 ment, transportation, sports, and integration of individ-  
22 uals with disabilities, including for the cost of translation.

23 (b) MANAGEMENT, OVERSIGHT, AND TECHNICAL  
24 SUPPORT.—Of the funds made available pursuant to this

1 section, 5 percent may be used for USAID for manage-  
2 ment, oversight, and technical support.

3 COUNTRY TRANSITION PLAN

4 SEC. 7081. Any bilateral country assistance strategy  
5 developed after the date of enactment of this Act for the  
6 provision of assistance for a foreign country in this fiscal  
7 year and each fiscal year hereafter shall include a transi-  
8 tion plan identifying end goals and options for winding  
9 down, within a targeted period of years, such bilateral as-  
10 sistance: *Provided*, That such transition plan shall be de-  
11 veloped by the Secretary of State, in consultation with the  
12 Administrator of the United States Agency for Inter-  
13 national Development, the heads of other relevant Federal  
14 agencies, and officials of such foreign government and rep-  
15 resentatives of civil society, as appropriate.

16 CONSULAR AND BORDER SECURITY PROGRAMS

17 SEC. 7082. (a) SEPARATE FUND.—There is estab-  
18 lished in the Treasury a separate fund to be known as  
19 the “Consular and Border Security Programs” account  
20 into which the following fees shall be deposited for the pur-  
21 poses of the consular and border security programs.

22 (b) MACHINE-READABLE VISA FEE.—Section 103(d)  
23 of Public Law 107–173 (8 U.S.C. 1713) is amended by  
24 striking “credited as an offsetting collection to any appro-  
25 priation for the Department of State” and inserting “de-

1 posited in the Consular and Border Security Programs ac-  
2 count”.

3 (c) PASSPORT AND IMMIGRANT VISA SECURITY SUR-  
4 CHARGES.—

5 (1) The fourth paragraph under the heading  
6 “Diplomatic and Consular Programs” in title IV of  
7 division B of Public Law 108–447 (8 U.S.C. 1714)  
8 is amended—

9 (A) by inserting “and the consular protec-  
10 tion of U.S. citizens and their interests over-  
11 seas” after “in support of enhanced border se-  
12 curity”; and

13 (B) by striking “credited to this account”  
14 and inserting “deposited in the Consular and  
15 Border Security Programs account”.

16 (2) Section 6 of Public Law 109–472 (8 U.S.C.  
17 1714 note) is amended by inserting “and the con-  
18 sular protection of U.S. citizens and their interests  
19 overseas” after “in support of enhanced border secu-  
20 rity” each place it appears.

21 (d) DIVERSITY IMMIGRANT LOTTERY FEE.—Section  
22 636 of title VI, division C of Public Law 104–208 (8  
23 U.S.C. 1153 note) is amended by striking “as an offset-  
24 ting collection to any Department of State appropriation”

1 and inserting “in the Consular and Border Security Pro-  
2 grams account”.

3 (e) AFFIDAVIT OF SUPPORT FEE.—Section 232(c) of  
4 title II of division A of H.R. 3427 (106th Congress) (in-  
5 corporated by reference by section 1000(a)(7) of division  
6 B of Public Law 106–113, as amended (8 U.S.C. 1183a  
7 note), is further amended by striking “as an offsetting col-  
8 lection to any Department of State appropriation” and in-  
9 serting “in the Consular and Border Security Programs  
10 account”.

11 (f) WESTERN HEMISPHERE TRAVEL INITIATIVE  
12 SURCHARGE.—Subsection (b)(1) of section 1 of the Pass-  
13 port Act of June 4, 1920 (22 U.S.C. 214(b)(1)) is amend-  
14 ed by striking “as an offsetting collection to the appro-  
15 priate Department of State appropriation” and inserting  
16 “in the Consular and Border Security Programs account”.

17 (g) EXPEDITED PASSPORT FEE.—The first proviso  
18 under the heading “Diplomatic and Consular Programs”  
19 in title V of Public Law 103–317 (22 U.S.C. 214 note)  
20 is amended by inserting “or in the Consular and Border  
21 Security Programs account” after “offsetting collection”.

22 (h) TRANSFER OF FUNDS.—

23 (1) The unobligated balances of amounts avail-  
24 able from fees referenced under this section may be

1 transferred to the Consular and Border Security  
2 Programs account.

3 (2) Funds deposited in or transferred to the  
4 Consular and Border Security Programs account  
5 may be transferred between funds appropriated  
6 under the heading “Administration of Foreign Af-  
7 fairs”.

8 (3) The transfer authorities in this section shall  
9 be in addition to any other transfer authority avail-  
10 able to the Department of State.

11 (i) EFFECTIVE DATE.—The amendments made by  
12 this section shall take effect no later than October 1,  
13 2017, and shall be implemented in a manner that ensures  
14 the fees collected, transferred, and used in fiscal year 2017  
15 can be readily tracked.

16 BORDER CROSSING CARD FEE FOR MINORS

17 SEC. 7083. Section 410(a)(1)(A) of the Department  
18 of State and Related Agencies Appropriations Act, 1999  
19 (Public Law 105–277) is amended by striking “a fee of  
20 \$13” and inserting “a fee equal to one half the fee that  
21 would otherwise apply for processing a machine readable  
22 combined border crossing identification card and non-im-  
23 migrant visa”.

1 INTERNATIONAL FAMILY PLANNING AND REPRODUCTIVE  
2 HEALTH

3 SEC. 7084. (a) UNITED NATIONS POPULATION  
4 FUND.—

5 (1) CONTRIBUTION.—Of the funds made avail-  
6 able under the heading “International Organizations  
7 and Programs” in this Act for fiscal year 2017,  
8 \$37,500,000 shall be made available for the United  
9 Nations Population Fund (referred to in this section  
10 as “UNFPA”).

11 (2) AVAILABILITY OF FUNDS.—Funds appro-  
12 priated under this Act for UNFPA that are not  
13 made available for UNFPA because of the operation  
14 of any provision of law shall be transferred to the  
15 “Global Health Programs” account and shall be  
16 made available for family planning, maternal, and  
17 reproductive health activities, subject to the regular  
18 notification procedures of the Committees on Appro-  
19 priations.

20 (3) PROHIBITION ON USE OF FUNDS IN  
21 CHINA.—None of the funds made available under  
22 this Act may be used by UNFPA for a country pro-  
23 gram in the People’s Republic of China.



1           (4) CONDITIONS ON AVAILABILITY OF  
2 FUNDS.—Funds made available under this Act for  
3 UNFPA may not be made available unless—

4           (A) UNFPA maintains such funds in an  
5 account that is separate from other UNFPA ac-  
6 counts and does not commingle such funds with  
7 other funds; and

8           (B) UNFPA does not fund abortions.

9           (b) ASSISTANCE FOR FOREIGN NONGOVERNMENTAL  
10 ORGANIZATIONS.—The Foreign Assistance Act of 1961  
11 (22 U.S.C. 2151 et seq.) is amended by inserting after  
12 section 104C the following:

13 **“SEC. 104D. ELIGIBILITY FOR ASSISTANCE.**

14           “Notwithstanding any other provision of law, regula-  
15 tion, or policy, in determining eligibility for assistance  
16 under sections 104, 104A, 104B, and 104C, a foreign non-  
17 governmental organization—

18           “(1) shall not be ineligible for such assistance  
19 solely on the basis of health or medical services, in-  
20 cluding counseling and referral services, provided by  
21 such organization with non-United States Govern-  
22 ment funds if such services—

23           “(A) are permitted in the country in which  
24 they are being provided; and

1                   “(B) would not violate United States law if  
2                   provided in the United States; and

3                   “(2) shall not be subject to requirements relat-  
4                   ing to the use of non-United States Government  
5                   funds for advocacy and lobbying activities other than  
6                   those that apply to United States nongovernmental  
7                   organizations receiving assistance under this part.”.

1 TITLE VIII  
2 OVERSEAS CONTINGENCY OPERATIONS  
3 DEPARTMENT OF STATE  
4 ADMINISTRATION OF FOREIGN AFFAIRS  
5 DIPLOMATIC AND CONSULAR PROGRAMS  
6 (INCLUDING TRANSFER OF FUNDS)

7 For an additional amount for “Diplomatic and Con-  
8 sular Programs”, \$2,654,798,000, to remain available  
9 until September 30, 2018, of which \$2,109,934,000 is for  
10 Worldwide Security Protection and shall remain available  
11 until expended: *Provided*, That the Secretary of State may  
12 transfer up to \$5,000,000 of the total funds made avail-  
13 able under this heading to any other appropriation of any  
14 department or agency of the United States, upon the con-  
15 currence of the head of such department or agency, to sup-  
16 port operations in and assistance for Afghanistan and to  
17 carry out the provisions of the Foreign Assistance Act of  
18 1961: *Provided further*, That any such transfer shall be  
19 treated as a reprogramming of funds under subsections  
20 (a) and (b) of section 7015 of this Act and shall not be  
21 available for obligation or expenditure except in compli-  
22 ance with the procedures set forth in that section: *Pro-*  
23 *vided further*, That such amount is designated by the Con-  
24 gress for Overseas Contingency Operations/Global War on

1 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
2 anced Budget and Emergency Deficit Control Act of 1985.

3 OFFICE OF INSPECTOR GENERAL

4 For an additional amount for “Office of Inspector  
5 General”, \$54,900,000, to remain available until Sep-  
6 tember 30, 2018, for the Special Inspector General for Af-  
7 ghanistan Reconstruction (SIGAR) for reconstruction  
8 oversight: *Provided*, That printing and reproduction costs  
9 shall not exceed amounts for such costs during fiscal year  
10 2016: *Provided further*, That notwithstanding any other  
11 provision of law, any employee of SIGAR who completes  
12 at least 12 months of continuous service after the date  
13 of enactment of this Act or who is employed on the date  
14 on which SIGAR terminates, whichever occurs first, shall  
15 acquire competitive status for appointment to any position  
16 in the competitive service for which the employee possesses  
17 the required qualifications: *Provided further*, That such  
18 amount is designated by the Congress for Overseas Con-  
19 tingency Operations/Global War on Terrorism pursuant to  
20 section 251(b)(2)(A)(ii) of the Balanced Budget and  
21 Emergency Deficit Control Act of 1985.

22 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

23 For an additional amount for “Embassy Security,  
24 Construction, and Maintenance”, \$1,238,800,000, to re-  
25 main available until expended, of which \$1,228,000,000

1 shall be for Worldwide Security Upgrades, acquisition, and  
2 construction as authorized: *Provided*, That such amount  
3 is designated by the Congress for Overseas Contingency  
4 Operations/Global War on Terrorism pursuant to section  
5 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
6 Deficit Control Act of 1985.

7 INTERNATIONAL ORGANIZATIONS

8 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

9 For an additional amount for “Contributions to  
10 International Organizations”, \$96,240,000: *Provided*,  
11 That such amount is designated by the Congress for Over-  
12 seas Contingency Operations/Global War on Terrorism  
13 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
14 Budget and Emergency Deficit Control Act of 1985.

15 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

16 ACTIVITIES

17 For an additional amount for “Contributions for  
18 International Peacekeeping Activities”, \$1,588,000,000,  
19 to remain available until September 30, 2018: *Provided*,  
20 That such amount is designated by the Congress for Over-  
21 seas Contingency Operations/Global War on Terrorism  
22 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
23 Budget and Emergency Deficit Control Act of 1985.

1 UNITED STATES AGENCY FOR INTERNATIONAL  
2 DEVELOPMENT

3 FUNDS APPROPRIATED TO THE PRESIDENT

4 OPERATING EXPENSES

5 For an additional amount for “Operating Expenses”,  
6 \$152,875,000, to remain available until September 30,  
7 2018: *Provided*, That such amount is designated by the  
8 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.

12 CAPITAL INVESTMENT FUND

13 For an additional amount for “Capital Investment  
14 Fund”, \$133,840,000, to remain available until expended:  
15 *Provided*, That such amount is designated by the Congress  
16 for Overseas Contingency Operations/Global War on Ter-  
17 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
18 anced Budget and Emergency Deficit Control Act of 1985.

19 BILATERAL ECONOMIC ASSISTANCE

20 FUNDS APPROPRIATED TO THE PRESIDENT

21 INTERNATIONAL DISASTER ASSISTANCE

22 For an additional amount for “International Disaster  
23 Assistance”, \$1,919,421,000, to remain available until ex-  
24 pended: *Provided*, That such amount is designated by the  
25 Congress for Overseas Contingency Operations/Global

1 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
2 the Balanced Budget and Emergency Deficit Control Act  
3 of 1985.

4 TRANSITION INITIATIVES

5 For an additional amount for “Transition Initia-  
6 tives”, \$37,000,000, to remain available until expended:  
7 *Provided*, That such amount is designated by the Congress  
8 for Overseas Contingency Operations/Global War on Ter-  
9 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
10 anced Budget and Emergency Deficit Control Act of 1985.

11 COMPLEX CRISES FUND

12 For an additional amount for “Complex Crises  
13 Fund”, \$20,000,000, 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”, \$2,735,008,000, 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”, \$404,606,000, 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” to respond to refugee crises, including  
13 in Africa, the Near East, South and Central Asia, and  
14 Europe and Eurasia, \$2,127,114,000, to remain available  
15 until expended, except that such funds shall not be made  
16 available for the resettlement costs of refugees in the  
17 United States: *Provided*, That such amount is designated  
18 by the Congress for Overseas Contingency Operations/  
19 Global War on Terrorism pursuant to section  
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
21 Deficit Control Act of 1985.

22 UNITED STATES EMERGENCY REFUGEE AND MIGRATION

23 ASSISTANCE FUND

24 For an additional amount for “United States Emer-  
25 gency Refugee and Migration Assistance Fund”,



1 \$40,000,000, to remain available until expended: *Pro-*  
2 *vided*, That such amount is designated by the Congress  
3 for Overseas Contingency Operations/Global War on Ter-  
4 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
5 anced Budget and Emergency Deficit Control Act of 1985.

6 INTERNATIONAL SECURITY ASSISTANCE

7 DEPARTMENT OF STATE

8 INTERNATIONAL NARCOTICS CONTROL AND LAW

9 ENFORCEMENT

10 For an additional amount for “International Nar-  
11 cotics Control and Law Enforcement”, \$304,650,000, to  
12 remain available until September 30, 2018: *Provided*,  
13 That such amount is designated by the Congress for Over-  
14 seas Contingency Operations/Global War on Terrorism  
15 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
16 Budget and Emergency Deficit Control Act of 1985.

17 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND

18 RELATED PROGRAMS

19 For an additional amount for “Nonproliferation,  
20 Anti-terrorism, Demining and Related Programs”,  
21 \$214,254,000, to remain available until September 30,  
22 2018: *Provided*, 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 PEACEKEEPING OPERATIONS

4 For an additional amount for “Peacekeeping Oper-  
5 ations”, \$293,941,000, to remain available until Sep-  
6 tember 30, 2018: *Provided*, That such amount is des-  
7 ignated by the Congress for Overseas Contingency Oper-  
8 ations/Global War on Terrorism pursuant to section  
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
10 Deficit Control Act of 1985.

11 FUNDS APPROPRIATED TO THE PRESIDENT

12 FOREIGN MILITARY FINANCING PROGRAM

13 For an additional amount for “Foreign Military Fi-  
14 nancing Program”, \$1,044,553,000, to remain available  
15 until September 30, 2018: *Provided*, That such amount  
16 is designated by the Congress for Overseas Contingency  
17 Operations/Global War on Terrorism pursuant to section  
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
19 Deficit Control Act of 1985.

20 GENERAL PROVISIONS

21 ADDITIONAL APPROPRIATIONS

22 SEC. 8001. Notwithstanding any other provision of  
23 law, funds appropriated in this title and designated for  
24 Overseas Contingency Operations/Global War on Ter-  
25 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-

1 anced Budget and Emergency Deficit Control Act of 1985  
2 are in addition to amounts appropriated or otherwise  
3 made available in this Act for fiscal year 2017.

4 EXTENSION OF AUTHORITIES AND CONDITIONS

5 SEC. 8002. Unless otherwise provided for in this Act,  
6 the additional amounts appropriated by this title, and des-  
7 ignated for Overseas Contingency Operations/Global War  
8 on Terrorism pursuant to section 251(b)(2)(A)(ii) of the  
9 Balanced Budget and Emergency Deficit Control Act of  
10 1985, to appropriations accounts in this Act shall be avail-  
11 able under the authorities and conditions applicable to  
12 such appropriations accounts.

13 TRANSFER OF FUNDS

14 SEC. 8003. (a)(1) Funds appropriated by this title  
15 in this Act under the headings “Transition Initiatives”,  
16 “Complex Crises Fund”, “Economic Support Fund”, and  
17 “Assistance for Europe, Eurasia and Central Asia” may  
18 be transferred to, and merged with, funds appropriated  
19 by this title under such headings.

20 (2) Funds appropriated by this title in this Act under  
21 the headings “International Narcotics Control and Law  
22 Enforcement”, “Nonproliferation, Anti-terrorism,  
23 Demining and Related Programs”, “Peacekeeping Oper-  
24 ations”, and “Foreign Military Financing Program” may

1 be transferred to, and merged with, funds appropriated  
2 by this title under such headings.

3 (3) Of the funds appropriated by this title in this Act  
4 under the heading “Economic Support Fund”, up to  
5 \$400,000,000 may transferred to, and merged with, funds  
6 appropriated by this title under the heading “Inter-  
7 national Disaster Assistance”.

8 (b) Notwithstanding any other provision of this sec-  
9 tion, not to exceed \$25,000,000 from funds appropriated  
10 under the headings “International Narcotics Control and  
11 Law Enforcement”, “Peacekeeping Operations”, and  
12 “Foreign Military Financing Program” by this title in this  
13 Act may be transferred to, and merged with, funds pre-  
14 viously made available under the heading “Global Security  
15 Contingency Fund”.

16 (c) The transfer authority provided in subsection (a)  
17 may only be exercised to address contingencies.

18 (d) The transfer authority provided in subsections (a)  
19 and (b) shall be subject to prior consultation with, and  
20 the regular notification procedures of, the Committees on  
21 Appropriations: *Provided*, That such transfer authority is  
22 in addition to any transfer authority otherwise available  
23 under any other provision of law, including section 610  
24 of the Foreign Assistance Act of 1961 which may be exer-

1 cised by the Secretary of State for the purposes of this  
2 title.

3 DESIGNATION REQUIREMENT

4 SEC. 8004. Each amount designated in this Act by  
5 the 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 shall be available only if the President subse-  
9 quently so designates all such amounts and transmits such  
10 designations to the Congress.

11 RESCISSION OF FUNDS

12 SEC. 8005. Of the funds appropriated in prior Acts  
13 making appropriations for the Department of State, for-  
14 eign operations, and related programs under the heading  
15 “Bilateral Economic Assistance, Funds Appropriated to  
16 the President, Economic Support Fund”, \$165,000,000  
17 are rescinded: *Provided*, That such amounts are 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.

1     **TITLE IX—MATTERS RELATING**  
2                                   **TO ISRAEL**

3     **SEC. 9001. SHORT TITLE.**

4             This title may be cited as the “Combating BDS Act  
5 of 2016”.

6     **SEC. 9002. AUTHORITY OF STATE AND LOCAL GOVERN-**  
7                                   **MENTS TO DIVEST FROM ENTITIES THAT EN-**  
8                                   **GAGE IN CERTAIN BOYCOTT, DIVESTMENT,**  
9                                   **OR SANCTIONS ACTIVITIES TARGETING**  
10                                  **ISRAEL.**

11            (a) **AUTHORITY TO DIVEST.**—Notwithstanding any  
12 other provision of law, a State or local government may  
13 adopt and enforce measures that meet the requirements  
14 of subsection (b) to divest the assets of the State or local  
15 government from, or prohibit investment of the assets of  
16 the State or local government in—

17                    (1) an entity that the State or local government  
18 determines, using credible information available to  
19 the public, knowingly engages in a commerce-related  
20 or investment-related boycott, divestment, or sanc-  
21 tions activity targeting Israel;

22                    (2) a successor entity or subunit of an entity  
23 described in paragraph (1); or

1           (3) an entity that owns or controls, is owned or  
2           controlled by, or is under common ownership or con-  
3           trol with, an entity described in paragraph (1).

4           (b) REQUIREMENTS.—A State or local government  
5           that seeks to adopt or enforce a measure under subsection  
6           (a) shall meet the following requirements:

7           (1) NOTICE.—The State or local government  
8           shall provide written notice to each entity to which  
9           a measure under subsection (a) is to be applied.

10          (2) TIMING.—The measure shall apply to an  
11          entity not earlier than the date that is 90 days after  
12          the date on which written notice is provided to the  
13          entity under paragraph (1).

14          (3) OPPORTUNITY FOR HEARING.—The State  
15          or local government shall provide an opportunity to  
16          comment in writing to each entity to which a meas-  
17          ure is to be applied. If the entity demonstrates to  
18          the State or local government that the entity has not  
19          engaged in a commerce-related or investment-related  
20          boycott, divestment, or sanctions activity targeting  
21          Israel, the measure shall not apply to the entity.

22          (4) SENSE OF CONGRESS ON AVOIDING ERRO-  
23          NEOUS TARGETING.—It is the sense of Congress  
24          that a State or local government should not adopt  
25          a measure under subsection (a) with respect to an

1       entity unless the State or local government has  
2       made every effort to avoid erroneously targeting the  
3       entity and has verified that the entity engages in a  
4       commerce-related or investment-related boycott, di-  
5       vestment, or sanctions activity targeting Israel.

6       (c) NOTICE TO DEPARTMENT OF JUSTICE.—Not  
7       later than 30 days after adopting a measure pursuant to  
8       subsection (a), a State or local government shall submit  
9       written notice to the Attorney General describing the  
10      measure.

11      (d) NONPREEMPTION.—A measure of a State or local  
12      government authorized under subsection (a) is not pre-  
13      empted by any Federal law.

14      (e) EFFECTIVE DATE.—This section applies to any  
15      measure adopted by a State or local government before,  
16      on, or after the date of the enactment of this Act.

17      (f) RULE OF CONSTRUCTION.—

18          (1) AUTHORITY OF STATES.—Nothing in this  
19      section shall be construed to abridge the authority of  
20      a State to issue and enforce rules governing the  
21      safety, soundness, and solvency of a financial insti-  
22      tution subject to its jurisdiction or the business of  
23      insurance pursuant to the Act of March 9, 1945 (59  
24      Stat. 33, chapter 20; 15 U.S.C. 1011 et seq.) (com-  
25      monly known as the “McCarran-Ferguson Act”).



1           (2) POLICY OF THE UNITED STATES.—Nothing  
2           in this section shall be construed to alter the estab-  
3           lished policy of the United States concerning final  
4           status issues associated with the Arab-Israeli con-  
5           flict, including border delineation, that can only be  
6           resolved through direct negotiations between the  
7           parties.

8           (g) DEFINITIONS.—In this section:

9           (1) ASSETS.—

10           (A) IN GENERAL.—Except as provided in  
11           subparagraph (B), the term “assets” means  
12           any pension, retirement, annuity, or endowment  
13           fund, or similar instrument, that is controlled  
14           by a State or local government.

15           (B) EXCEPTION.—The term “assets” does  
16           not include employee benefit plans covered by  
17           title I of the Employee Retirement Income Se-  
18           curity Act of 1974 (29 U.S.C. 1001 et seq.).

19           (2) BOYCOTT, DIVESTMENT, OR SANCTIONS AC-  
20           TIVITY TARGETING ISRAEL.—The term “boycott, di-  
21           vestment, or sanctions activity targeting Israel”  
22           means any activity that is intended to penalize, in-  
23           flict economic harm on, or otherwise limit commer-  
24           cial relations with Israel or persons doing business  
25           in Israel or in Israeli-controlled territories for pur-

1 poses of coercing political action by, or imposing poli-  
2 icy positions on, the Government of Israel.

3 (3) ENTITY.—The term “entity” includes—

4 (A) any corporation, company, business as-  
5 sociation, partnership, or trust; and

6 (B) any governmental entity or instrumen-  
7 tality of a government, including a multilateral  
8 development institution (as defined in section  
9 1701(c)(3) of the International Financial Insti-  
10 tutions Act (22 U.S.C. 262r(c)(3))).

11 (4) INVESTMENT.—The term “investment” in-  
12 cludes—

13 (A) a commitment or contribution of funds  
14 or property;

15 (B) a loan or other extension of credit; and

16 (C) the entry into or renewal of a contract  
17 for goods or services.

18 (5) STATE.—The term “State” means each of  
19 the several States, the District of Columbia, the  
20 Commonwealth of Puerto Rico, the Commonwealth  
21 of the Northern Mariana Islands, American Samoa,  
22 Guam, the United States Virgin Islands, and any  
23 other territory or possession of the United States.

24 (6) STATE OR LOCAL GOVERNMENT.—The term  
25 “State or local government” includes—

1 (A) any State and any agency or instru-  
2 mentality thereof;

3 (B) any local government within a State  
4 and any agency or instrumentality thereof; and

5 (C) any other governmental instrumen-  
6 tality of a State or locality.

7 **SEC. 9003. SAFE HARBOR FOR CHANGES OF INVESTMENT**  
8 **POLICIES BY ASSET MANAGERS.**

9 Section 13(c)(1) of the Investment Company Act of  
10 1940 (15 U.S.C. 80a–13(c)(1)) is amended—

11 (1) in subparagraph (A), by striking “; or” and  
12 inserting a semicolon;

13 (2) in subparagraph (B), by striking the period  
14 at the end and inserting “; or”; and

15 (3) by adding at the end the following:

16 “(C) engage in any boycott, divestment, or  
17 sanctions activity targeting Israel described in  
18 section 9002 of the Combating BDS Act of  
19 2016.”.

20 This Act may be cited as the “Department of State,  
21 Foreign Operations, and Related Programs Appropria-  
22 tions Act, 2017”.

Calendar No. 541

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

**S. 3117**

[Report No. 114-290]

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## **A BILL**

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

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JUNE 29, 2016

Read twice and placed on the calendar