

Union Calendar No. 184

115TH CONGRESS
1ST SESSION

H. R. 3362

[Report No. 115–253]

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

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2017

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

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Department of State, foreign operations, and related pro-
6 grams for the fiscal year ending September 30, 2018, and
7 for other purposes, namely:

8 TITLE I

9 DEPARTMENT OF STATE AND RELATED

10 AGENCY

11 DEPARTMENT OF STATE

12 ADMINISTRATION OF FOREIGN AFFAIRS

13 DIPLOMATIC AND CONSULAR PROGRAMS

14 For necessary expenses of the Department of State
15 and the Foreign Service not otherwise provided for,
16 \$5,449,289,000, of which up to \$610,000,000 may remain
17 available until September 30, 2019, and of which up to
18 \$1,380,752,000 may remain available until expended for
19 Worldwide Security Protection: *Provided*, That funds
20 made available under this heading shall be allocated in ac-
21 cordance with paragraphs (1) through (4) as follows:

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

1 a temporary basis (not to exceed \$700,000), as au-
2 thorized by section 801 of the United States Infor-
3 mation and Educational Exchange Act of 1948,
4 \$2,522,390,000, of which up to \$476,879,000 is for
5 Worldwide Security Protection.

6 (2) OVERSEAS PROGRAMS.—For necessary ex-
7 penses for the regional bureaus of the Department
8 of State and overseas activities as authorized by law,
9 \$1,260,517,000.

10 (3) DIPLOMATIC POLICY AND SUPPORT.—For
11 necessary expenses for the functional bureaus of the
12 Department of State, including representation to
13 certain international organizations in which the
14 United States participates pursuant to treaties rati-
15 fied pursuant to the advice and consent of the Sen-
16 ate or specific Acts of Congress, general administra-
17 tion, and arms control, nonproliferation and disar-
18 mament activities as authorized, \$740,052,000.

19 (4) SECURITY PROGRAMS.—For necessary ex-
20 penses for security activities, \$926,330,000, of which
21 up to \$903,873,000 is for Worldwide Security Pro-
22 tection.

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

1 (A) as authorized by section 810 of the
2 United States Information and Educational Ex-
3 change Act, not to exceed \$5,000,000, to re-
4 main available until expended, may be credited
5 to this appropriation from fees or other pay-
6 ments received from English teaching, library,
7 motion pictures, and publication programs and
8 from fees from educational advising and coun-
9 seling and exchange visitor programs; and

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

13 (6) TRANSFER, REPROGRAMMING, AND OTHER
14 MATTERS.—

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

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

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

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

16 (E) Funds appropriated under this head-
17 ing in this Act that are designated for World-
18 wide Security Protection shall continue to be
19 made available for support of security-related
20 training at sites in existence prior to the enact-
21 ment of this Act.

22 CAPITAL INVESTMENT FUND

23 For necessary expenses of the Capital Investment
24 Fund, as authorized, \$15,000,000, to remain available
25 until expended.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General, \$73,869,000, notwithstanding section 209(a)(1)
4 of the Foreign Service Act of 1980 (Public Law 96–465),
5 as it relates to post inspections: *Provided*, That of the
6 funds appropriated under this heading, \$13,060,000 may
7 remain available until September 30, 2019.

8 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

9 For expenses of educational and cultural exchange
10 programs, as authorized, \$590,900,000, to remain avail-
11 able until expended, of which not less than \$236,000,000
12 shall be for the Fulbright Program and not less than
13 \$111,360,000 shall be for Citizen Exchange Program, in-
14 cluding \$4,125,000 for the Congress-Bundestag Youth
15 Exchange: *Provided*, That fees or other payments received
16 from, or in connection with, English teaching, educational
17 advising and counseling programs, and exchange visitor
18 programs as authorized may be credited to this account,
19 to remain available until expended: *Provided further*, That
20 any substantive modifications from the prior fiscal year
21 to programs funded by this Act under this heading shall
22 be subject to prior consultation with, and the regular noti-
23 fication procedures of, the Committees on Appropriations.

1 REPRESENTATION EXPENSES

2 For representation expenses as authorized,
3 \$7,000,000.

4 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

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

9 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

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

24 In addition, for the costs of worldwide security up-
25 grades, acquisition, and construction as authorized,

1 \$1,488,237,000, to remain available until expended: *Pro-*
2 *vided*, That not later than 45 days after enactment of this
3 Act, the Secretary of State shall submit to the Committees
4 on Appropriations the proposed allocation of funds made
5 available under this heading and the actual and antici-
6 pated proceeds of sales for all projects in fiscal year 2018.

7 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
8 SERVICE

9 For necessary expenses to enable the Secretary of
10 State to meet unforeseen emergencies arising in the Diplo-
11 matic and Consular Service, as authorized, \$7,885,000, to
12 remain available until expended, of which not to exceed
13 \$1,000,000 may be transferred to, and merged with, funds
14 appropriated by this Act under the heading “Repatriation
15 Loans Program Account”, subject to the same terms and
16 conditions.

17 REPATRIATION LOANS PROGRAM ACCOUNT

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

4 INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF
5 COLUMBIA

14 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
15 DISABILITY FUND

18 INTERNATIONAL ORGANIZATIONS

For necessary expenses, not otherwise provided for,
to meet annual obligations of membership in international
multilateral organizations, pursuant to treaties ratified
pursuant to the advice and consent of the Senate, conven-
tions or specific Acts of Congress, \$1,074,645,000: *Pro-*
vided, That the Secretary of State shall, at the time of

1 the submission of the President's budget to Congress
2 under section 1105(a) of title 31, United States Code,
3 transmit to the Committees on Appropriations the most
4 recent biennial budget prepared by the United Nations for
5 the operations of the United Nations: *Provided further*,
6 That the Secretary of State shall notify the Committees
7 on Appropriations at least 15 days in advance (or in an
8 emergency, as far in advance as is practicable) of any
9 United Nations action to increase funding for any United
10 Nations program without identifying an offsetting de-
11 crease elsewhere in the United Nations budget: *Provided*
12 *further*, That not later than June 1, 2018, and 30 days
13 after the end of fiscal year 2018, the Secretary of State
14 shall report to the Committees on Appropriations any
15 credits attributable to the United States, including from
16 the United Nations Tax Equalization Fund, and provide
17 updated fiscal year 2018 and fiscal year 2019 assessment
18 costs including offsets from available credits and updated
19 foreign currency exchange rates: *Provided further*, That
20 any such credits shall only be available for United States
21 assessed contributions to the United Nations regular
22 budget, and the Committees on Appropriations shall be
23 notified when such credits are applied to any assessed con-
24 tribution, including any payment of arrearages: *Provided*
25 *further*, That any notification regarding funds appro-

1 priated or otherwise made available under this heading in
2 this Act or prior Acts making appropriations for the De-
3 partment of State, foreign operations, and related pro-
4 grams submitted pursuant to section 7015 of this Act, sec-
5 tion 34 of the State Department Basic Authorities Act
6 of 1956 (22 U.S.C. 2706), or any operating plan sub-
7 mitted pursuant to section 7076 of this Act, shall include
8 an estimate of all known credits currently attributable to
9 the United States and provide updated assessment costs,
10 including offsets from available credits and updated for-
11 eign currency exchange rates: *Provided further*, That any
12 payment of arrearages under this heading shall be directed
13 to activities that are mutually agreed upon by the United
14 States and the respective international organization and
15 shall be subject to the regular notification procedures of
16 the Committees on Appropriations: *Provided further*, That
17 none of the funds appropriated under this heading shall
18 be available for a United States contribution to an inter-
19 national organization for the United States share of inter-
20 est costs made known to the United States Government
21 by such organization for loans incurred on or after Octo-
22 ber 1, 1984, through external borrowings.

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1 ployees, contractor personnel, and peacekeeping troops
2 serving in such mission from trafficking in persons, ex-
3 ploiting victims of trafficking, or committing acts of sexual
4 exploitation and abuse or other violations of human rights,
5 and to bring to justice individuals who engage in such acts
6 while participating in such mission, including prosecution
7 in their home countries and making information about
8 such prosecutions publicly available on the Web site of the
9 United Nations: *Provided further*, That the Secretary of
10 State shall work with the United Nations and foreign gov-
11 ernments contributing peacekeeping troops to implement
12 effective vetting procedures to ensure that such troops
13 have not violated human rights: *Provided further*, That
14 funds shall be available for peacekeeping expenses unless
15 the Secretary of State determines that United States man-
16 ufacturers and suppliers are not being given opportunities
17 to provide equipment, services, and material for United
18 Nations peacekeeping activities equal to those being given
19 to foreign manufacturers and suppliers: *Provided further*,
20 That none of the funds appropriated or otherwise made
21 available under this heading may be used for any United
22 Nations peacekeeping mission that will involve United
23 States Armed Forces under the command or operational
24 control of a foreign national, unless the President's mili-
25 tary advisors have submitted to the President a rec-

1 ommendation that such involvement is in the national in-
2 terest of the United States and the President has sub-
3 mitted to Congress such a recommendation: *Provided fur-*
4 *ther*, That not later than June 1, 2018, and 30 days after
5 the end of fiscal year 2018, the Secretary of State shall
6 report to the Committees on Appropriations any credits
7 attributable to the United States, including those resulting
8 from United Nations peacekeeping missions or the United
9 Nations Tax Equalization Fund, and provide updated fis-
10 cal year 2018 and fiscal year 2019 assessment costs in-
11 cluding offsets from available credits: *Provided further*,
12 That any such credits shall only be available for United
13 States assessed contributions to United Nations peace-
14 keeping missions, and the Committees on Appropriations
15 shall be notified when such credits are applied to any as-
16 sessed contribution, including any payment of arrearages:
17 *Provided further*, That any notification regarding funds
18 appropriated or otherwise made available under this head-
19 ing in this Act or prior Acts making appropriations for
20 the Department of State, foreign operations, and related
21 programs submitted pursuant to section 7015 of this Act,
22 section 34 of the State Department Basic Authorities Act
23 of 1956 (22 U.S.C. 2706), or any operating plan sub-
24 mitted pursuant to section 7076 of this Act, shall include
25 an estimate of all known credits currently attributable to

1 the United States and provide updated assessment costs,
2 including offsets from available credits: *Provided further*,
3 That any payment of arrearages with funds appropriated
4 by this Act shall be subject to the regular notification pro-
5 cedures of the Committees on Appropriations: *Provided*
6 *further*, That the Secretary of State shall work with the
7 United Nations and members of the United Nations Secu-
8 rity Council to evaluate and prioritize peacekeeping mis-
9 sions, and to consider a draw down when mission goals
10 have been substantially achieved.

11 INTERNATIONAL COMMISSIONS

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

15 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

16 UNITED STATES AND MEXICO

17 For necessary expenses for the United States Section
18 of the International Boundary and Water Commission,
19 United States and Mexico, and to comply with laws appli-
20 cable to the United States Section, including not to exceed
21 \$6,000 for representation expenses; as follows:

22 SALARIES AND EXPENSES

23 For salaries and expenses, not otherwise provided for,
24 \$44,748,000.

1 CONSTRUCTION

2 For detailed plan preparation and construction of au-
3 thorized projects, \$27,900,000, to remain available until
4 expended, as authorized.

5 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

6 For necessary expenses, not otherwise provided, for
7 the International Joint Commission and the International
8 Boundary Commission, United States and Canada, as au-
9 thorized by treaties between the United States and Can-
10 ada or Great Britain, and the Border Environment Co-
11 operation Commission as authorized by the North Amer-
12 ican Free Trade Agreement Implementation Act (Public
13 Law 103–182), \$12,184,000: *Provided*, That of the
14 amount provided under this heading for the International
15 Joint Commission, up to \$500,000 may remain available
16 until September 30, 2019, and \$9,000 may be made avail-
17 able for representation expenses.

18 INTERNATIONAL FISHERIES COMMISSIONS

19 For necessary expenses for international fisheries
20 commissions, not otherwise provided for, as authorized by
21 law, \$34,176,000: *Provided*, That the United States share
22 of such expenses may be advanced to the respective com-
23 missions pursuant to section 3324 of title 31, United
24 States Code.

1 RELATED AGENCY
2 BROADCASTING BOARD OF GOVERNORS
3 INTERNATIONAL BROADCASTING OPERATIONS

4 For necessary expenses to enable the Broadcasting
5 Board of Governors (BBG), as authorized, to carry out
6 international communication activities, and to make and
7 supervise grants for radio, Internet, and television broad-
8 casting to the Middle East, \$764,936,000: *Provided*, That
9 in addition to amounts otherwise available for such pur-
10 poses, up to \$34,935,000 of the amount appropriated
11 under this heading may remain available until expended
12 for satellite transmissions and Internet freedom programs,
13 of which not less than \$13,800,000 shall be for Internet
14 freedom programs: *Provided further*, That of the total
15 amount appropriated under this heading, not to exceed
16 \$35,000 may be used for representation expenses, of
17 which \$10,000 may be used for such expenses within the
18 United States as authorized, and not to exceed \$30,000
19 may be used for representation expenses of Radio Free
20 Europe/Radio Liberty: *Provided further*, That the BBG
21 shall notify the Committees on Appropriations within 15
22 days of any determination by the BBG that any of its
23 broadcast entities, including its grantee organizations,
24 provides an open platform for international terrorists or
25 those who support international terrorism, or is in viola-

1 tion of the principles and standards set forth in sub-
 2 sections (a) and (b) of section 303 of the United States
 3 International Broadcasting Act of 1994 (22 U.S.C. 6202)
 4 or the entity's journalistic code of ethics: *Provided further*,
 5 That significant modifications to BBG broadcast hours
 6 previously justified to Congress, including changes to
 7 transmission platforms (shortwave, medium wave, sat-
 8 ellite, Internet, and television), for all BBG language serv-
 9 ices shall be subject to the regular notification procedures
 10 of the Committees on Appropriations: *Provided further*,
 11 That in addition to funds made available under this head-
 12 ing, and notwithstanding any other provision of law, up
 13 to \$5,000,000 in receipts from advertising and revenue
 14 from business ventures, up to \$500,000 in receipts from
 15 cooperating international organizations, and up to
 16 \$1,000,000 in receipts from privatization efforts of the
 17 Voice of America and the International Broadcasting Bu-
 18 reau, shall remain available until expended for carrying
 19 out authorized purposes.

20 BROADCASTING CAPITAL IMPROVEMENTS

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

1 to Cuba, as authorized; and physical security worldwide,
2 in addition to amounts otherwise available for such pur-
3 poses, \$4,791,000, to remain available until expended, as
4 authorized.

5 RELATED PROGRAMS

6 THE ASIA FOUNDATION

7 For a grant to The Asia Foundation, as authorized
8 by The Asia Foundation Act (22 U.S.C. 4402),
9 \$15,810,000, to remain available until expended.

10 UNITED STATES INSTITUTE OF PEACE

11 For necessary expenses of the United States Institute
12 of Peace, as authorized by the United States Institute of
13 Peace Act (22 U.S.C. 4601 et seq.), \$35,300,000, to re-
14 main available until September 30, 2019, which shall not
15 be used for construction activities.

16 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

17 TRUST FUND

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

23 NATIONAL ENDOWMENT FOR DEMOCRACY

24 For grants made by the Department of State to the
25 National Endowment for Democracy, as authorized by the

1 National Endowment for Democracy Act (22 U.S.C.
2 4412), \$170,000,000, to remain available until expended,
3 of which \$117,500,000 shall be allocated in the traditional
4 and customary manner, including for the core institutes,
5 and \$52,500,000 shall be for democracy programs.

6 OTHER COMMISSIONS

7 COMMISSION FOR THE PRESERVATION OF AMERICA'S

8 HERITAGE ABROAD

9 SALARIES AND EXPENSES

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

20 UNITED STATES COMMISSION ON INTERNATIONAL

21 RELIGIOUS FREEDOM

22 SALARIES AND EXPENSES

23 For necessary expenses for the United States Com-
24 mission on International Religious Freedom, as authorized
25 by title II of the International Religious Freedom Act of

1 1998 (22 U.S.C. 6431 et seq.), \$4,500,000, to remain
2 available until September 30, 2019, including not more
3 than \$4,000 for representation expenses.

4 COMMISSION ON SECURITY AND COOPERATION IN
5 EUROPE
6 SALARIES AND EXPENSES

7 For necessary expenses of the Commission on Secu-
8 rity and Cooperation in Europe, as authorized by Public
9 Law 94–304, \$2,579,000, including not more than \$4,000
10 for representation expenses, to remain available until Sep-
11 tember 30, 2019.

12 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE
13 PEOPLE’S REPUBLIC OF CHINA
14 SALARIES AND EXPENSES

15 For necessary expenses of the Congressional-Execu-
16 tive Commission on the People’s Republic of China, as au-
17 thorized by title III of the U.S.-China Relations Act of
18 2000 (22 U.S.C. 6911 et seq.), \$2,000,000, including not
19 more than \$3,000 for representation expenses, to remain
20 available until September 30, 2019.

21 UNITED STATES-CHINA ECONOMIC AND SECURITY
22 REVIEW COMMISSION
23 SALARIES AND EXPENSES

24 For necessary expenses of the United States-China
25 Economic and Security Review Commission, as authorized

1 by section 1238 of the Floyd D. Spence National Defense
2 Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),
3 \$3,500,000, including not more than \$4,000 for represen-
4 tation expenses, to remain available until September 30,
5 2019: *Provided*, That the authorities, requirements, limi-
6 tations, and conditions contained in the second through
7 sixth provisos under this heading in the Department of
8 State, Foreign Operations, and Related Programs Appro-
9 priations Act, 2010 (division F of Public Law 111–117)
10 shall continue in effect during fiscal year 2018 and shall
11 apply to funds appropriated under this heading as if in-
12 cluded in this Act.

13 TITLE II

14 UNITED STATES AGENCY FOR INTERNATIONAL 15 DEVELOPMENT

16 FUNDS APPROPRIATED TO THE PRESIDENT

17 OPERATING EXPENSES

18 For necessary expenses to carry out the provisions
19 of section 667 of the Foreign Assistance Act of 1961,
20 \$1,133,906,000, of which up to \$170,085,000 may remain
21 available until September 30, 2019: *Provided*, That none
22 of the funds appropriated under this heading and under
23 the heading “Capital Investment Fund” in this title may
24 be made available to finance the construction (including
25 architect and engineering services), purchase, or long-term

1 lease of offices for use by the United States Agency for
2 International Development, unless the USAID Adminis-
3 trator has identified such proposed use of funds in a re-
4 port submitted to the Committees on Appropriations at
5 least 15 days prior to the obligation of funds for such pur-
6 poses: *Provided further*, That contracts or agreements en-
7 tered into with funds appropriated under this heading may
8 entail commitments for the expenditure of such funds
9 through the following fiscal year: *Provided further*, That
10 the authority of sections 610 and 109 of the Foreign As-
11 sistance Act of 1961 may be exercised by the Secretary
12 of State to transfer funds appropriated to carry out chap-
13 ter 1 of part I of such Act to “Operating Expenses” in
14 accordance with the provisions of those sections: *Provided*
15 *further*, That of the funds appropriated or made available
16 under this heading, not to exceed \$250,000 may be avail-
17 able for representation and entertainment expenses, of
18 which not to exceed \$5,000 may be available for entertain-
19 ment expenses, and not to exceed \$100,500 shall be for
20 official residence expenses, for USAID during the current
21 fiscal year.

22 CAPITAL INVESTMENT FUND

23 For necessary expenses for overseas construction and
24 related costs, and for the procurement and enhancement
25 of information technology and related capital investments,

1 pursuant to section 667 of the Foreign Assistance Act of
2 1961, \$174,985,000, to remain available until expended:
3 *Provided*, That this amount is in addition to funds other-
4 wise available for such purposes: *Provided further*, That
5 funds appropriated under this heading shall be available
6 subject to the regular notification procedures of the Com-
7 mittees on Appropriations.

8 OFFICE OF INSPECTOR GENERAL

9 For necessary expenses to carry out the provisions
10 of section 667 of the Foreign Assistance Act of 1961,
11 \$69,000,000, of which up to \$10,350,000 may remain
12 available until September 30, 2019, for the Office of In-
13 spector General of the United States Agency for Inter-
14 national Development.

15 TITLE III

16 BILATERAL ECONOMIC ASSISTANCE

17 FUNDS APPROPRIATED TO THE PRESIDENT

18 For necessary expenses to enable the President to
19 carry out the provisions of the Foreign Assistance Act of
20 1961, and for other purposes, as follows:

21 GLOBAL HEALTH PROGRAMS

22 For necessary expenses to carry out the provisions
23 of chapters 1 and 10 of part I of the Foreign Assistance
24 Act of 1961, for global health activities, in addition to
25 funds otherwise available for such purposes,

1 \$2,651,000,000, to remain available until September 30,
2 2019, and which shall be apportioned directly to the
3 United States Agency for International Development: *Pro-*
4 *vided*, That this amount shall be made available for train-
5 ing, equipment, and technical assistance to build the ca-
6 pacity of public health institutions and organizations in
7 developing countries, and for such activities as: (1) child
8 survival and maternal health programs; (2) immunization
9 and oral rehydration programs; (3) other health, nutrition,
10 water and sanitation programs which directly address the
11 needs of mothers and children, and related education pro-
12 grams; (4) assistance for children displaced or orphaned
13 by causes other than AIDS; (5) programs for the preven-
14 tion, treatment, control of, and research on HIV/AIDS,
15 tuberculosis, polio, malaria, and other infectious diseases
16 including neglected tropical diseases, and for assistance to
17 communities severely affected by HIV/AIDS, including
18 children infected or affected by AIDS; (6) disaster pre-
19 paredness training for health crises; (7) programs to pre-
20 vent, prepare for, and respond to, unanticipated and
21 emerging global health threats; and (8) family planning/
22 reproductive health: *Provided further*, That funds appro-
23 priated under this paragraph may be made available for
24 a United States contribution to the GAVI Alliance and
25 the United Nations Children's Fund: *Provided further*,

1 That none of the funds made available in this Act nor
2 any unobligated balances from prior appropriations Acts
3 may be made available to any organization or program
4 which, as determined by the President of the United
5 States, supports or participates in the management of a
6 program of coercive abortion or involuntary sterilization:
7 *Provided further*, That any determination made under the
8 previous proviso must be made not later than 6 months
9 after the date of enactment of this Act, and must be ac-
10 companied by the evidence and criteria utilized to make
11 the determination: *Provided further*, That none of the
12 funds made available under this Act may be used to pay
13 for the performance of abortion as a method of family
14 planning or to motivate or coerce any person to practice
15 abortions: *Provided further*, That nothing in this para-
16 graph shall be construed to alter any existing statutory
17 prohibitions against abortion under section 104 of the
18 Foreign Assistance Act of 1961: *Provided further*, That
19 none of the funds made available under this Act may be
20 used to lobby for or against abortion: *Provided further*,
21 That in order to reduce reliance on abortion in developing
22 nations, funds shall be available only to voluntary family
23 planning projects which offer, either directly or through
24 referral to, or information about access to, a broad range
25 of family planning methods and services, and that any

1 such voluntary family planning project shall meet the fol-
2 lowing requirements: (1) service providers or referral
3 agents in the project shall not implement or be subject
4 to quotas, or other numerical targets, of total number of
5 births, number of family planning acceptors, or acceptors
6 of a particular method of family planning (this provision
7 shall not be construed to include the use of quantitative
8 estimates or indicators for budgeting and planning pur-
9 poses); (2) the project shall not include payment of incen-
10 tives, bribes, gratuities, or financial reward to: (A) an indi-
11 vidual in exchange for becoming a family planning accep-
12 tor; or (B) program personnel for achieving a numerical
13 target or quota of total number of births, number of fam-
14 ily planning acceptors, or acceptors of a particular method
15 of family planning; (3) the project shall not deny any right
16 or benefit, including the right of access to participate in
17 any program of general welfare or the right of access to
18 health care, as a consequence of any individual's decision
19 not to accept family planning services; (4) the project shall
20 provide family planning acceptors comprehensible infor-
21 mation on the health benefits and risks of the method cho-
22 sen, including those conditions that might render the use
23 of the method inadvisable and those adverse side effects
24 known to be consequent to the use of the method; and
25 (5) the project shall ensure that experimental contracep-

1 tive drugs and devices and medical procedures are pro-
2 vided only in the context of a scientific study in which
3 participants are advised of potential risks and benefits;
4 and, not less than 60 days after the date on which the
5 USAID Administrator determines that there has been a
6 violation of the requirements contained in paragraph (1),
7 (2), (3), or (5) of this proviso, or a pattern or practice
8 of violations of the requirements contained in paragraph
9 (4) of this proviso, the Administrator shall submit to the
10 Committees on Appropriations a report containing a de-
11 scription of such violation and the corrective action taken
12 by the Agency: *Provided further*, That in awarding grants
13 for natural family planning under section 104 of the For-
14 eign Assistance Act of 1961 no applicant shall be discrimi-
15 nated against because of such applicant's religious or con-
16 scientious commitment to offer only natural family plan-
17 ning; and, additionally, all such applicants shall comply
18 with the requirements of the previous proviso: *Provided*
19 *further*, That for purposes of this or any other Act author-
20 izing or appropriating funds for the Department of State,
21 foreign operations, and related programs, the term "moti-
22 vate", as it relates to family planning assistance, shall not
23 be construed to prohibit the provision, consistent with
24 local law, of information or counseling about all pregnancy
25 options: *Provided further*, That information provided

1 about the use of condoms as part of projects or activities
2 that are funded from amounts appropriated by this Act
3 shall be medically accurate and shall include the public
4 health benefits and failure rates of such use.

5 In addition, for necessary expenses to carry out the
6 provisions of the Foreign Assistance Act of 1961 for the
7 prevention, treatment, and control of, and research on,
8 HIV/AIDS, \$5,670,000,000, to remain available until
9 September 30, 2022, which shall be apportioned directly
10 to the Department of State: *Provided*, That funds appro-
11 priated under this paragraph may be made available, not-
12 withstanding any other provision of law, except for the
13 United States Leadership Against HIV/AIDS, Tuber-
14 culosis, and Malaria Act of 2003 (Public Law 108–25),
15 as amended, for a United States contribution to the Global
16 Fund to Fight AIDS, Tuberculosis and Malaria (Global
17 Fund), and shall be expended at the minimum rate nec-
18 essary to make timely payment for projects and activities:
19 *Provided further*, That up to 5 percent of the aggregate
20 amount of funds made available to the Global Fund in
21 fiscal year 2018 may be made available to USAID for
22 technical assistance related to the activities of the Global
23 Fund, subject to the regular notification procedures of the
24 Committees on Appropriations: *Provided further*, That of
25 the funds appropriated under this paragraph, up to

1 \$17,000,000 may be made available, in addition to
2 amounts otherwise available for such purposes, for admin-
3 istrative expenses of the Office of the United States Global
4 AIDS Coordinator.

5 DEVELOPMENT ASSISTANCE

6 For necessary expenses to carry out the provisions
7 of sections 103, 105, 106, 214, and sections 251 through
8 255, and chapter 10 of part I of the Foreign Assistance
9 Act of 1961, \$2,780,971,000, to remain available until
10 September 30, 2019.

11 INTERNATIONAL DISASTER ASSISTANCE

12 For necessary expenses to carry out the provisions
13 of section 491 of the Foreign Assistance Act of 1961 for
14 international disaster relief, rehabilitation, and recon-
15 struction assistance, \$1,033,483,000, to remain available
16 until expended.

17 TRANSITION INITIATIVES

18 For necessary expenses for international disaster re-
19 habilitation and reconstruction assistance administered by
20 the Office of Transition Initiatives, United States Agency
21 for International Development, pursuant to section 491 of
22 the Foreign Assistance Act of 1961, \$30,000,000, to re-
23 main available until expended, to support transition to de-
24 mocracy and long-term development of countries in crisis:
25 *Provided*, That such support may include assistance to de-

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

18 DEVELOPMENT CREDIT AUTHORITY

19 For the cost of direct loans and loan guarantees pro-
 20 vided by the United States Agency for International De-
 21 velopment, as authorized by sections 256 and 635 of the
 22 Foreign Assistance Act of 1961, up to \$50,000,000 may
 23 be derived by transfer from funds appropriated by this Act
 24 to carry out part I of such Act and under the heading
 25 “Assistance for Europe, Eurasia and Central Asia”: *Pro-*

1 *vided*, That funds provided under this paragraph and
2 funds provided as a gift that are used for purposes of this
3 paragraph pursuant to section 635(d) of the Foreign As-
4 sistance Act of 1961 shall be made available only for
5 micro- and small enterprise programs, urban programs,
6 and other programs which further the purposes of part
7 I of such Act: *Provided further*, That funds provided as
8 a gift that are used for purposes of this paragraph shall
9 be subject to prior consultation with, and the regular noti-
10 fication procedures of, the Committees on Appropriations:
11 *Provided further*, That such costs, including the cost of
12 modifying such direct and guaranteed loans, shall be as
13 defined in section 502 of the Congressional Budget Act
14 of 1974, as amended: *Provided further*, That funds made
15 available by this paragraph may be used for the cost of
16 modifying any such guaranteed loans under this Act or
17 prior Acts making appropriations for the Department of
18 State, foreign operations, and related programs, and funds
19 used for such cost, including if the cost results in a nega-
20 tive subsidy, shall be subject to the regular notification
21 procedures of the Committees on Appropriations: *Provided*
22 *further*, That the provisions of section 107A(d) (relating
23 to general provisions applicable to the Development Credit
24 Authority) of the Foreign Assistance Act of 1961, as con-
25 tained in section 306 of H.R. 1486 as reported by the

1 House Committee on International Relations on May 9,
2 1997, shall be applicable to direct loans and loan guaran-
3 tees provided under this heading, except that the principal
4 amount of loans made or guaranteed under this heading
5 with respect to any single country shall not exceed
6 \$300,000,000: *Provided further*, That these funds are
7 available to subsidize total loan principal, any portion of
8 which is to be guaranteed, of up to \$1,750,000,000.

9 In addition, for administrative expenses to carry out
10 credit programs administered by USAID, \$9,120,000, of
11 which up to \$1,300,000 may remain available until Sep-
12 tember 30, 2019.

13 ECONOMIC SUPPORT FUND

14 For necessary expenses to carry out the provisions
15 of chapter 4 of part II of the Foreign Assistance Act of
16 1961, \$1,041,761,000, to remain available until Sep-
17 tember 30, 2019.

18 DEMOCRACY FUND

19 For necessary expenses to carry out the provisions
20 of the Foreign Assistance Act of 1961 for the promotion
21 of democracy globally, including to carry out the purposes
22 of section 502(b)(3) and (5) of Public Law 98–164 (22
23 U.S.C. 4411), \$145,375,000, to remain available until
24 September 30, 2019, which shall be made available for the
25 Human Rights and Democracy Fund of the Bureau of De-

1 mocracy, Human Rights, and Labor, Department of
2 State: *Provided*, That funds appropriated under this head-
3 ing that are made available to the National Endowment
4 for Democracy and its core institutes are in addition to
5 amounts otherwise available by this Act for such purposes:
6 *Provided further*, That the Assistant Secretary for Democ-
7 racy, Human Rights, and Labor, Department of State,
8 shall consult with the Committees on Appropriations prior
9 to the obligation of funds appropriated under this para-
10 graph.

11 For an additional amount for such purposes,
12 \$65,125,000, to remain available until September 30,
13 2019, which shall be made available for the Bureau for
14 Democracy, Conflict, and Humanitarian Assistance,
15 United States Agency for International Development.

16 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

17 For necessary expenses to carry out the provisions
18 of the Foreign Assistance Act of 1961, the FREEDOM
19 Support Act (Public Law 102–511), and the Support for
20 Eastern European Democracy (SEED) Act of 1989 (Pub-
21 lic Law 101–179), \$691,571,000, to remain available until
22 September 30, 2019, which shall be available, notwith-
23 standing any other provision of law, except section 7070
24 of this Act, for assistance and related programs for coun-
25 tries identified in section 3 of Public Law 102–511 and

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

14 DEPARTMENT OF STATE

15 MIGRATION AND REFUGEE ASSISTANCE

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

1 \$877,802,000, to remain available until expended, of
2 which not less than \$35,000,000 shall be made available
3 to respond to small-scale emergency humanitarian require-
4 ments, and \$7,500,000 shall be made available for refu-
5 gees resettling in Israel.

6 INDEPENDENT AGENCIES

7 PEACE CORPS

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses to carry out the provisions
10 of the Peace Corps Act (22 U.S.C. 2501 et seq.), including
11 the purchase of not to exceed five passenger motor vehicles
12 for administrative purposes for use outside of the United
13 States, \$398,221,000, of which \$5,500,000 is for the Of-
14 fice of Inspector General, to remain available until Sep-
15 tember 30, 2019: *Provided*, That the Director of the Peace
16 Corps may transfer to the Foreign Currency Fluctuations
17 Account, as authorized by section 16 of the Peace Corps
18 Act (22 U.S.C. 2515), an amount not to exceed
19 \$5,000,000: *Provided further*, That funds transferred pur-
20 suant to the previous proviso may not be derived from
21 amounts made available for Peace Corps overseas oper-
22 ations: *Provided further*, That of the funds appropriated
23 under this heading, not to exceed \$104,000 may be avail-
24 able for representation expenses, of which not to exceed
25 \$4,000 may be made available for entertainment expenses:

1 *Provided further*, That any decision to open, close, signifi-
 2 cantly reduce, or suspend a domestic or overseas office or
 3 country program shall be subject to prior consultation
 4 with, and the regular notification procedures of, the Com-
 5 mittees on Appropriations, except that prior consultation
 6 and regular notification procedures may be waived when
 7 there is a substantial security risk to volunteers or other
 8 Peace Corps personnel, pursuant to section 7015(e) of this
 9 Act: *Provided further*, That none of the funds appropriated
 10 under this heading shall be used to pay for abortions: *Pro-*
 11 *vided further*, That notwithstanding the previous proviso,
 12 section 614 of division E of Public Law 113–76 shall
 13 apply to funds appropriated under this heading.

14 MILLENNIUM CHALLENGE CORPORATION

15 For necessary expenses to carry out the provisions
 16 of the Millennium Challenge Act of 2003 (22 U.S.C. 7701
 17 et seq.) (MCA), \$697,600,000, to remain available until
 18 expended: *Provided*, That up to 5 percent of the funds
 19 appropriated under this heading may be made available
 20 to carry out the purposes of section 616 of the MCA for
 21 fiscal year 2018: *Provided further*, That section 605(e) of
 22 the MCA shall apply to funds appropriated under this
 23 heading: *Provided further*, That funds appropriated under
 24 this heading may be made available for a Millennium Chal-
 25 lenge Compact entered into pursuant to section 609 of the

1 MCA only if such Compact obligates, or contains a com-
2 mitment to obligate subject to the availability of funds and
3 the mutual agreement of the parties to the Compact to
4 proceed, the entire amount of the United States Govern-
5 ment funding anticipated for the duration of the Compact:
6 *Provided further*, That the Millennium Challenge Corpora-
7 tion (MCC) Chief Executive Officer shall notify the Com-
8 mittees on Appropriations not later than 15 days prior to
9 commencing negotiations for any country compact or
10 threshold country program; signing any such compact or
11 threshold program; or terminating or suspending any such
12 compact or threshold program: *Provided further*, That
13 funds appropriated under this heading by this Act and
14 prior Acts making appropriations for the Department of
15 State, foreign operations, and related programs that are
16 available to implement section 609(g) of the MCA shall
17 be subject to the regular notification procedures of the
18 Committees on Appropriations: *Provided further*, That no
19 country should be eligible for a threshold program after
20 such country has completed a country compact: *Provided*
21 *further*, That any funds that are deobligated from a Mil-
22 lennium Challenge Compact shall be subject to the regular
23 notification procedures of the Committees on Appropria-
24 tions prior to re-obligation: *Provided further*, That not-
25 withstanding section 606(a)(2) of the MCA, a country

1 shall be a candidate country for purposes of eligibility for
2 assistance for the fiscal year if the country has a per cap-
3 ita income equal to or below the World Bank's lower mid-
4 dle income country threshold for the fiscal year and is
5 among the 75 lowest per capita income countries as identi-
6 fied by the World Bank; and the country meets the re-
7 quirements of section 606(a)(1)(B) of the MCA: *Provided*
8 *further*, That notwithstanding section 606(b)(1) of the
9 MCA, in addition to countries described in the preceding
10 proviso, a country shall be a candidate country for pur-
11 poses of eligibility for assistance for the fiscal year if the
12 country has a per capita income equal to or below the
13 World Bank's lower middle income country threshold for
14 the fiscal year and is not among the 75 lowest per capita
15 income countries as identified by the World Bank; and the
16 country meets the requirements of section 606(a)(1)(B)
17 of the MCA: *Provided further*, That any MCC candidate
18 country under section 606 of the MCA with a per capita
19 income that changes in the fiscal year such that the coun-
20 try would be reclassified from a low income country to a
21 lower middle income country or from a lower middle in-
22 come country to a low income country shall retain its can-
23 didacy status in its former income classification for the
24 fiscal year and the 2 subsequent fiscal years: *Provided fur-*
25 *ther*, That publication in the Federal Register of a notice

1 of availability of a copy of a Compact on the MCC Web
2 site shall be deemed to satisfy the requirements of section
3 610(b)(2) of the MCA for such Compact: *Provided further*,
4 That none of the funds made available by this Act or prior
5 Acts making appropriations for the Department of State,
6 foreign operations, and related programs shall be available
7 for a threshold program in a country that is not currently
8 a candidate country.

9 In addition, for the administrative expenses of the
10 MCC, \$102,400,000, of which up to \$15,360,000 may re-
11 main available until September 30, 2019: *Provided*, That
12 of the funds appropriated under this paragraph, not to
13 exceed \$100,000 may be available for representation and
14 entertainment expenses, of which not to exceed \$5,000
15 may be available for entertainment expenses.

16 INTER-AMERICAN FOUNDATION

17 For necessary expenses to carry out the functions of
18 the Inter-American Foundation in accordance with the
19 provisions of section 401 of the Foreign Assistance Act
20 of 1969, \$11,250,000, to remain available until September
21 30, 2019: *Provided*, That of the funds appropriated under
22 this heading, not to exceed \$1,000 may be available for
23 representation expenses.

1 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

2 For necessary expenses to carry out title V of the
3 International Security and Development Cooperation Act
4 of 1980 (Public Law 96–533), \$15,000,000, to remain
5 available until September 30, 2019, of which not to exceed
6 \$1,000 may be available for representation expenses: *Pro-*
7 *vided*, That funds made available to grantees may be in-
8 vested pending expenditure for project purposes when au-
9 thorized by the Board of Directors of the United States
10 African Development Foundation (USADF): *Provided fur-*
11 *ther*, That interest earned shall be used only for the pur-
12 poses for which the grant was made: *Provided further*,
13 That notwithstanding section 505(a)(2) of the African De-
14 velopment Foundation Act (22 U.S.C. 290h–3(a)(2)), in
15 exceptional circumstances the Board of Directors of the
16 USADF may waive the \$250,000 limitation contained in
17 that section with respect to a project and a project may
18 exceed the limitation by up to 10 percent if the increase
19 is due solely to foreign currency fluctuation: *Provided fur-*
20 *ther*, That the USADF shall submit a report to the appro-
21 priate congressional committees after each time such waiv-
22 er authority is exercised: *Provided further*, That the
23 USADF may make rent or lease payments in advance
24 from appropriations available for such purpose for offices,
25 buildings, grounds, and quarters in Africa as may be nec-

1 essary to carry out its functions: *Provided further*, That
 2 the USADF may maintain bank accounts outside the
 3 United States Treasury and retain any interest earned on
 4 such accounts, in furtherance of the purposes of the Afri-
 5 can Development Foundation Act: *Provided further*, That
 6 the USADF may not withdraw any appropriation from the
 7 Treasury prior to the need of spending such funds for pro-
 8 gram purposes.

9 DEPARTMENT OF THE TREASURY

10 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

11 For necessary expenses to carry out the provisions
 12 of section 129 of the Foreign Assistance Act of 1961,
 13 \$25,455,000, of which \$3,182,000 may remain available
 14 until September 30, 2019.

15 TITLE IV

16 INTERNATIONAL SECURITY ASSISTANCE

17 DEPARTMENT OF STATE

18 INTERNATIONAL NARCOTICS CONTROL AND LAW

19 ENFORCEMENT

20 For necessary expenses to carry out section 481 of
 21 the Foreign Assistance Act of 1961, \$848,139,000, to re-
 22 main available until September 30, 2019: *Provided*, That
 23 the Department of State may use the authority of section
 24 608 of the Foreign Assistance Act of 1961, without regard
 25 to its restrictions, to receive excess property from an agen-

1 cy of the United States Government for the purpose of
2 providing such property to a foreign country or inter-
3 national organization under chapter 8 of part I of such
4 Act, subject to the regular notification procedures of the
5 Committees on Appropriations: *Provided further*, That sec-
6 tion 482(b) of the Foreign Assistance Act of 1961 shall
7 not apply to funds appropriated under this heading, except
8 that any funds made available notwithstanding such sec-
9 tion shall be subject to the regular notification procedures
10 of the Committees on Appropriations: *Provided further*,
11 That funds appropriated under this heading shall be made
12 available to support training and technical assistance for
13 foreign law enforcement, corrections, and other judicial
14 authorities, utilizing regional partners: *Provided further*,
15 That funds made available under this heading that are
16 transferred to another department, agency, or instrumen-
17 tality of the United States Government pursuant to sec-
18 tion 632(b) of the Foreign Assistance Act of 1961 valued
19 in excess of \$5,000,000, and any agreement made pursu-
20 ant to section 632(a) of such Act, shall be subject to the
21 regular notification procedures of the Committees on Ap-
22 propriations.

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 \$617,873,000, to remain available until September 30,
6 2019, 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 funds made available under this heading for
4 the Nonproliferation and Disarmament Fund shall be
5 made available, notwithstanding any other provision of law
6 and subject to prior consultation with, and the regular no-
7 tification procedures of, the Committees on Appropria-
8 tions, to promote bilateral and multilateral activities relat-
9 ing to nonproliferation, disarmament, and weapons de-
10 struction, and shall remain available until expended: *Pro-*
11 *vided further*, That such funds may also be used for such
12 countries other than the Independent States of the former
13 Soviet Union and international organizations when it is
14 in the national security interest of the United States to
15 do so: *Provided further*, That funds appropriated under
16 this heading may be made available for the IAEA unless
17 the Secretary of State determines that Israel is being de-
18 nied its right to participate in the activities of that Agen-
19 cy: *Provided further*, That funds made available for con-
20 ventional weapons destruction programs, including
21 demining and related activities, in addition to funds other-
22 wise available for such purposes, may be used for adminis-
23 trative expenses related to the operation and management
24 of such programs and activities, subject to the regular no-

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

3 PEACEKEEPING OPERATIONS

4 For necessary expenses to carry out the provisions
5 of section 551 of the Foreign Assistance Act of 1961,
6 \$135,041,000: *Provided*, That funds appropriated under
7 this heading may be used, notwithstanding section 660 of
8 such Act, to provide assistance to enhance the capacity
9 of foreign civilian security forces, including gendarmes, to
10 participate in peacekeeping operations: *Provided further*,
11 That of the funds appropriated under this heading, not
12 less than \$31,000,000 shall be made available for a United
13 States contribution to the Multinational Force and Ob-
14 servers mission in the Sinai: *Provided further*, That none
15 of the funds appropriated under this heading shall be obli-
16 gated except as provided through the regular notification
17 procedures of the Committees on Appropriations.

18 FUNDS APPROPRIATED TO THE PRESIDENT

19 INTERNATIONAL MILITARY EDUCATION AND TRAINING

20 For necessary expenses to carry out the provisions
21 of section 541 of the Foreign Assistance Act of 1961,
22 \$105,160,000, of which up to \$11,000,000 may remain
23 available until September 30, 2019: *Provided*, That the
24 civilian personnel for whom military education and train-
25 ing may be provided under this heading may include civil-

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

7 FOREIGN MILITARY FINANCING PROGRAM

8 For necessary expenses for grants to enable the
9 President to carry out the provisions of section 23 of the
10 Arms Export Control Act, \$5,625,863,000: *Provided*,
11 That to expedite the provision of assistance to foreign
12 countries and international organizations, the Secretary of
13 State, following consultation with the Committees on Ap-
14 propriations and subject to the regular notification proce-
15 dures of such Committees, may use the funds appro-
16 priated under this heading to procure defense articles and
17 services to enhance the capacity of foreign security forces:
18 *Provided further*, That of the funds appropriated under
19 this heading, not less than \$3,100,000,000 shall be avail-
20 able for grants only for Israel: *Provided further*, That
21 funds appropriated under this heading for grants only for
22 Israel shall be disbursed within 30 days of enactment of
23 this Act: *Provided further*, That to the extent that the Gov-
24 ernment of Israel requests that funds be used for such
25 purposes, grants made available for Israel under this

1 heading shall, as agreed by the United States and Israel,
2 be available for advanced weapons systems, of which not
3 less than \$815,300,000 shall be available for the procure-
4 ment in Israel of defense articles and defense services, in-
5 cluding research and development: *Provided further*, That
6 none of the funds made available under this heading shall
7 be made available to support or continue any program ini-
8 tially funded under the authority of section 1206 of the
9 National Defense Authorization Act for Fiscal Year 2006
10 (Public Law 109–163; 119 Stat. 3456), section 2282 of
11 title 10, United States Code, section 333 of title 10,
12 United States Code, as added by section 1241 of the Na-
13 tional Defense Authorization Act for Fiscal Year 2017
14 (Public Law 114–328; 130 Stat. 2497), or any successor
15 authorities, unless the Secretary of State, in coordination
16 with the Secretary of Defense, has justified such program
17 to the Committees on Appropriations: *Provided further*,
18 That funds appropriated or otherwise made available
19 under this heading shall be nonrepayable notwithstanding
20 any requirement in section 23 of the Arms Export Control
21 Act: *Provided further*, That funds made available under
22 this heading shall be obligated upon apportionment in ac-
23 cordance with paragraph (5)(C) of section 1501(a) of title
24 31, United States Code.

1 None of the funds made available under this heading
2 shall be available to finance the procurement of defense
3 articles, defense services, or design and construction serv-
4 ices that are not sold by the United States Government
5 under the Arms Export Control Act unless the foreign
6 country proposing to make such procurement has first
7 signed an agreement with the United States Government
8 specifying the conditions under which such procurement
9 may be financed with such funds: *Provided*, That all coun-
10 try and funding level increases in allocations shall be sub-
11 mitted through the regular notification procedures of sec-
12 tion 7015 of this Act: *Provided further*, That funds made
13 available under this heading may be used, notwithstanding
14 any other provision of law, for demining, the clearance of
15 unexploded ordnance, and related activities, and may in-
16 clude activities implemented through nongovernmental
17 and international organizations: *Provided further*, That
18 only those countries for which assistance was justified for
19 the “Foreign Military Sales Financing Program” in the
20 fiscal year 1989 congressional presentation for security as-
21 sistance programs may utilize funds made available under
22 this heading for procurement of defense articles, defense
23 services, or design and construction services that are not
24 sold by the United States Government under the Arms
25 Export Control Act: *Provided further*, That funds appro-

1 priated under this heading shall be expended at the min-
2 imum rate necessary to make timely payment for defense
3 articles and services: *Provided further*, That not more than
4 \$80,000,000 of the funds appropriated under this heading
5 may be obligated for necessary expenses, including the
6 purchase of passenger motor vehicles for replacement only
7 for use outside of the United States, for the general costs
8 of administering military assistance and sales, except that
9 this limitation may be exceeded only through the regular
10 notification procedures of the Committees on Appropria-
11 tions: *Provided further*, That of the funds made available
12 under this heading for general costs of administering mili-
13 tary assistance and sales, not to exceed \$4,000 may be
14 available for entertainment expenses and not to exceed
15 \$130,000 may be available for representation expenses:
16 *Provided further*, That not more than \$950,000,000 of
17 funds realized pursuant to section 21(e)(1)(A) of the Arms
18 Export Control Act may be obligated for expenses incurred
19 by the Department of Defense during fiscal year 2018
20 pursuant to section 43(b) of the Arms Export Control Act,
21 except that this limitation may be exceeded only through
22 the regular notification procedures of the Committees on
23 Appropriations.

1 TITLE V
2 MULTILATERAL ASSISTANCE
3 INTERNATIONAL FINANCIAL INSTITUTIONS
4 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
5 ASSOCIATION

6 For payment to the International Development Asso-
7 ciation by the Secretary of the Treasury, \$658,661,000,
8 to remain available until September 30, 2019.

9 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

10 For payment to the Asian Development Bank's Asian
11 Development Fund by the Secretary of the Treasury,
12 \$47,395,000, to remain available until September 30,
13 2019.

14 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

15 For payment to the African Development Bank by
16 the Secretary of the Treasury for the United States share
17 of the paid-in portion of the increase in capital stock,
18 \$32,418,000, to remain available until September 30,
19 2019.

20 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

21 The United States Governor of the African Develop-
22 ment Bank may subscribe without fiscal year limitation
23 to the callable capital portion of the United States share
24 of such capital stock in an amount not to exceed
25 \$507,860,808.

1 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

2 For payment to the African Development Fund by
3 the Secretary of the Treasury, \$109,387,000, to remain
4 available until September 30, 2019.

5 CONTRIBUTION TO THE INTERNATIONAL FUND FOR
6 AGRICULTURAL DEVELOPMENT

7 For payment to the International Fund for Agricul-
8 tural Development by the Secretary of the Treasury,
9 \$30,000,000, to remain available until September 30,
10 2019.

11 TITLE VI

12 EXPORT AND INVESTMENT ASSISTANCE

13 EXPORT-IMPORT BANK OF THE UNITED STATES

14 INSPECTOR GENERAL

15 For necessary expenses of the Office of Inspector
16 General in carrying out the provisions of the Inspector
17 General Act of 1978, as amended, \$5,700,000, of which
18 up to \$855,000 may remain available until September 30,
19 2019.

20 PROGRAM ACCOUNT

21 The Export-Import Bank of the United States is au-
22 thorized to make such expenditures within the limits of
23 funds and borrowing authority available to such corpora-
24 tion, and in accordance with law, and to make such con-
25 tracts and commitments without regard to fiscal year limi-

1 tations, as provided by section 104 of the Government
2 Corporation Control Act, as may be necessary in carrying
3 out the program for the current fiscal year for such cor-
4 poration: *Provided*, That none of the funds available dur-
5 ing the current fiscal year may be used to make expendi-
6 tures, contracts, or commitments for the export of nuclear
7 equipment, fuel, or technology to any country, other than
8 a nuclear-weapon state as defined in Article IX of the
9 Treaty on the Non-Proliferation of Nuclear Weapons eligi-
10 ble to receive economic or military assistance under this
11 Act, that has detonated a nuclear explosive after the date
12 of the enactment of this Act.

13 ADMINISTRATIVE EXPENSES

14 For administrative expenses to carry out the direct
15 and guaranteed loan and insurance programs, including
16 hire of passenger motor vehicles and services as authorized
17 by section 3109 of title 5, United States Code, and not
18 to exceed \$30,000 for official reception and representation
19 expenses for members of the Board of Directors, not to
20 exceed \$95,500,000, of which up to \$14,325,000 may re-
21 main available until September 30, 2019: *Provided*, That
22 the Export-Import Bank (the Bank) may accept, and use,
23 payment or services provided by transaction participants
24 for legal, financial, or technical services in connection with
25 any transaction for which an application for a loan, guar-

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

17 RECEIPTS COLLECTED

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

1 lections so as to result in a final fiscal year appropriation
2 from the General Fund estimated at \$0.

3 OVERSEAS PRIVATE INVESTMENT CORPORATION

4 NONCREDIT ACCOUNT

5 The Overseas Private Investment Corporation is au-
6 thorized to make, without regard to fiscal year limitations,
7 as provided by section 9104 of title 31, United States
8 Code, such expenditures and commitments within the lim-
9 its of funds available to it and in accordance with law as
10 may be necessary: *Provided*, That the amount available for
11 administrative expenses to carry out the credit and insur-
12 ance programs (including an amount for official reception
13 and representation expenses which shall not exceed
14 \$35,000) shall not exceed \$60,800,000: *Provided further*,
15 That project-specific transaction costs, including direct
16 and indirect costs incurred in claims settlements, and
17 other direct costs associated with services provided to spe-
18 cific investors or potential investors pursuant to section
19 234 of the Foreign Assistance Act of 1961, shall not be
20 considered administrative expenses for the purposes of this
21 heading.

22 PROGRAM ACCOUNT

23 For the cost of direct and guaranteed loans as au-
24 thorized by section 234 of the Foreign Assistance Act of
25 1961, \$10,000,000, to be derived by transfer from the

1 Overseas Private Investment Corporation Noncredit Ac-
2 count, to remain available until September 30, 2020:
3 *Provided*, That such costs, including the cost of modi-
4 fying such loans, shall be as defined in section 502 of the
5 Congressional Budget Act of 1974: *Provided further*,
6 That funds so obligated in fiscal year 2018 remain avail-
7 able for disbursement through 2026; funds obligated in
8 fiscal year 2019 remain available for disbursement
9 through 2027; and funds obligated in fiscal year 2020 re-
10 main available for disbursement through 2028: *Provided*
11 *further*, That notwithstanding any other provision of law,
12 the Overseas Private Investment Corporation is authorized
13 to undertake any program authorized by title IV of chap-
14 ter 2 of part I of the Foreign Assistance Act of 1961 in
15 Iraq: *Provided further*, That funds made available pursu-
16 ant to the authority of the previous proviso shall be subject
17 to the regular notification procedures of the Committees
18 on Appropriations.

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

1 TRADE AND DEVELOPMENT AGENCY

2 For necessary expenses to carry out the provisions
3 of section 661 of the Foreign Assistance Act of 1961,
4 \$70,500,000, to remain available until September 30,
5 2019: *Provided*, That of the funds appropriated under this
6 heading, not more than \$5,000 may be available for rep-
7 resentation and entertainment expenses.

8 TITLE VII

9 GENERAL PROVISIONS

10 ALLOWANCES AND DIFFERENTIALS

11 SEC. 7001. Funds appropriated under title I of this
12 Act shall be available, except as otherwise provided, for
13 allowances and differentials as authorized by subchapter
14 59 of title 5, United States Code; for services as author-
15 ized by section 3109 of such title and for hire of passenger
16 transportation pursuant to section 1343(b) of title 31,
17 United States Code.

18 UNOBLIGATED BALANCES REPORT

19 SEC. 7002. Any department or agency of the United
20 States Government to which funds are appropriated or
21 otherwise made available by this Act shall provide to the
22 Committees on Appropriations a quarterly accounting of
23 cumulative unobligated balances and obligated, but unex-
24 pended, balances by program, project, and activity, and
25 Treasury Account Fund Symbol of all funds received by

1 such department or agency in fiscal year 2018 or any pre-
2 vious fiscal year, disaggregated by fiscal year: *Provided*,
3 That the report required by this section shall be submitted
4 not later than 30 days after the end of each fiscal quarter
5 and should specify by account the amount of funds obli-
6 gated pursuant to bilateral agreements which have not
7 been further sub-obligated.

8 CONSULTING SERVICES

9 SEC. 7003. The expenditure of any appropriation
10 under title I of this Act for any consulting service through
11 procurement contract, pursuant to section 3109 of title
12 5, United States Code, shall be limited to those contracts
13 where such expenditures are a matter of public record and
14 available for public inspection, except where otherwise pro-
15 vided under existing law, or under existing Executive
16 Order issued pursuant to existing law.

17 DIPLOMATIC FACILITIES

18 SEC. 7004. (a) CAPITAL SECURITY COST SHARING
19 INFORMATION.—The Secretary of State shall promptly in-
20 form the Committees on Appropriations of each instance
21 in which a Federal department or agency is delinquent in
22 providing the full amount of funding required by section
23 604(e) of the Secure Embassy Construction and Counter-
24 terrorism Act of 1999 (22 U.S.C. 4865 note).

1 (b) EXCEPTION.—Notwithstanding paragraph (2) of
2 section 604(e) of the Secure Embassy Construction and
3 Counterterrorism Act of 1999 (as enacted into law by sec-
4 tion 1000(a)(7) of Public Law 106–113 and contained in
5 appendix G of that Act), as amended by section 111 of
6 the Department of State Authorities Act, Fiscal Year
7 2017 (Public Law 114–323), a project to construct a facil-
8 ity of the United States may include office space or other
9 accommodations for members of the United States Marine
10 Corps.

11 (c) NEW DIPLOMATIC FACILITIES.—For the pur-
12 poses of calculating the fiscal year 2018 costs of providing
13 new United States diplomatic facilities in accordance with
14 section 604(e) of the Secure Embassy Construction and
15 Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the
16 Secretary of State, in consultation with the Director of
17 the Office of Management and Budget, shall determine the
18 annual program level and agency shares in a manner that
19 is proportional to the contribution of the Department of
20 State for this purpose.

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

1 struction contracts for overseas United States diplomatic
2 facilities during fiscal year 2018, shall be subject to prior
3 consultation with, and the regular notification procedures
4 of, the Committees on Appropriations: *Provided*, That no-
5 tifications pursuant to this subsection shall include the in-
6 formation enumerated under the heading “Embassy Secu-
7 rity, Construction, and Maintenance” in the report accom-
8 panying this Act.

9 (e) INTERIM AND TEMPORARY FACILITIES
10 ABROAD.—

11 (1) Funds appropriated by this Act under the
12 heading “Embassy Security, Construction, and
13 Maintenance” shall be made available to address se-
14 curity vulnerabilities at interim and temporary
15 United States diplomatic facilities abroad, including
16 physical security upgrades and local guard staffing.

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

1 (f) TRANSFER OF FUNDS AUTHORITY.—Funds ap-
2 propriated under the heading “Diplomatic and Consular
3 Programs”, including for Worldwide Security Protection,
4 and under the heading “Embassy Security, Construction,
5 and Maintenance” in titles I and VIII of this Act may
6 be transferred to, and merged with, funds appropriated
7 by such titles under such headings if the Secretary of
8 State determines and reports to the Committees on Appro-
9 priations that to do so is necessary to implement the rec-
10 ommendations of the Benghazi Accountability Review
11 Board, or to prevent or respond to security situations and
12 requirements, following consultation with, and subject to
13 the regular notification procedures of, such Committees:
14 *Provided*, That such transfer authority is in addition to
15 any transfer authority otherwise available under any other
16 provision of law.

17 (g) SOFT TARGETS.—Funds appropriated by this Act
18 under the heading “Embassy Security, Construction, and
19 Maintenance” shall be made available for security en-
20 hancements for soft targets in accordance with section 29
21 of the State Department Basic Authorities Act of 1956
22 (22 U.S.C. 2701).

23 (h) REPORTS.—

24 (1) None of the funds appropriated under the
25 heading “Embassy Security, Construction, and

1 Maintenance” in this Act and prior Acts making ap-
2 propriations for the Department of State, foreign
3 operations, and related programs, made available
4 through Federal agency Capital Security Cost Shar-
5 ing contributions and reimbursements, or generated
6 from the proceeds of real property sales, other than
7 from real property sales located in London, United
8 Kingdom, may be made available for site acquisition
9 and mitigation, planning, design, or construction of
10 the New London Embassy: *Provided*, That the re-
11 porting requirement contained in section 7004(f)(2)
12 of the Department of State, Foreign Operations, and
13 Related Programs Appropriations Act, 2012 (divi-
14 sion I of Public Law 112–74) shall remain in effect
15 during fiscal year 2018.

16 (2) Within 45 days of enactment of this Act
17 and every 4 months thereafter until September 30,
18 2019, the Secretary of State shall submit to the
19 Committees on Appropriations a report on the new
20 Mexico City Embassy and Beirut Embassy projects:
21 *Provided*, That such report shall include, for each of
22 the projects—

23 (A) a detailed breakout of the project fac-
24 tors that formed the basis of the initial cost es-
25 timate used to justify such project to the Com-

mittees on Appropriations, as described under the heading “Embassy Security Construction and Maintenance” in the report accompanying this Act;

(B) a comparison of the current project factors as compared to the project factors submitted pursuant to subparagraph (A) of this subsection, and an explanation of any changes; and

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

PERSONNEL ACTIONS

SEC. 7005. Any costs incurred by a department or agency funded under title I of this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available under title I to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 7015 of this Act.

1 DEPARTMENT OF STATE MANAGEMENT

2 SEC. 7006. (a) FINANCIAL SYSTEMS IMPROVE-
3 MENT.—Funds appropriated by this Act for the operations
4 of the Department of State under the headings “Diplo-
5 matic and Consular Programs” and “Capital Investment
6 Fund” shall be made available to implement the rec-
7 ommendations contained in the Foreign Assistance Data
8 Review Findings Report (FADR) and the Office of Inspec-
9 tor General (OIG) report entitled “Department Financial
10 Systems Are Insufficient to Track and Report on Foreign
11 Assistance Funds”: *Provided*, That not later than 45 days
12 after enactment of this Act, the Secretary of State shall
13 submit to the Committees on Appropriations an update
14 to the plan required under section 7006 of the Department
15 of State, Foreign Operations, and Related Programs Ap-
16 propriations Act, 2017 (division J of Public Law 115-31)
17 for implementing the FADR and OIG recommendations:
18 *Provided further*, That such funds may not be obligated
19 for enhancements to, or expansions of, the Budget System
20 Modernization Financial System, Central Resource Man-
21 agement System, Joint Financial Management System, or
22 Foreign Assistance Coordination and Tracking System
23 until such updated plan is submitted to the Committees
24 on Appropriations: *Provided further*, That such funds may
25 not be obligated for new, or expansion of existing, ad hoc

1 electronic systems to track commitments, obligations or
2 expenditures of funds unless the Secretary of State, fol-
3 lowing consultation with the Chief Information Officer of
4 the Department of State, has reviewed and certified that
5 such new system or expansion is consistent with the
6 FADR and OIG recommendations.

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

1 provided by the procurement fee: *Provided further*, That
2 Federal agency components may only pay for Working
3 Capital Fund services that are consistent with the purpose
4 and authorities of such components: *Provided further*,
5 That the Working Capital Fund shall be paid in advance
6 or reimbursed at rates which will return the full cost of
7 each service.

8 (c) CERTIFICATION REQUIREMENT.—Prior to the ini-
9 tial obligation of funds appropriated under titles III and
10 IV of this Act that are made available to a Department
11 of State bureau or office with responsibility for the over-
12 sight or management of such funds, the Secretary of State
13 shall certify and report to the Committees on Appropria-
14 tions, on an individual bureau or office basis, that such
15 bureau or office is in compliance with Department and
16 Federal financial management policies, procedures and
17 regulations, as applicable: *Provided*, That if the Secretary
18 is unable to make such certification for an individual bu-
19 reau or office, the Secretary shall submit a plan and
20 timeline to such Committees detailing the steps to be
21 taken to ensure such compliance.

22 (d) REPORT ON SOLE SOURCE AWARDS.—Not later
23 than December 31, 2018, the Secretary of State shall sub-
24 mit a report to the appropriate congressional committees
25 detailing all sole-source awards made by the Department

1 of State during the previous fiscal year in excess of
 2 \$2,000,000: *Provided*, That such report should be posted
 3 on the Department of State Web site.

4 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
 5 COUNTRIES

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

14 COUPS D'ÉTAT

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

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

8 TRANSFER OF FUNDS AUTHORITY

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

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

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

1 tion, except as otherwise specifically provided, shall
2 be increased by more than 10 percent by any such
3 transfers.

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

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

21 (c) LIMITATION ON TRANSFERS OF FUNDS BE-
22 TWEEN AGENCIES.—

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

1 United States Government, except pursuant to a
2 transfer made by, or transfer authority provided in,
3 this Act or any other appropriations Act.

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

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

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

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

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

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

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

23 PROHIBITION ON CERTAIN OPERATIONAL EXPENSES

24 SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the
25 funds made available by this Act may be used for first-

1 class travel by employees of United States Government de-
2 partments and agencies funded by this Act in contraven-
3 tion of section 301–10.122 through 301–10.124 of title
4 41, Code of Federal Regulations.

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

18 (c) PROHIBITION ON PROMOTION OF TOBACCO.—
19 None of the funds made available by this Act should be
20 available to promote the sale or export of tobacco or to-
21 bacco products, or to seek the reduction or removal by any
22 foreign country of restrictions on the marketing of tobacco
23 or tobacco products, except for restrictions which are not
24 applied equally to all tobacco or tobacco products of the
25 same type.

1 AVAILABILITY OF FUNDS

2 SEC. 7011. No part of any appropriation contained
3 in this Act shall remain available for obligation after the
4 expiration of the current fiscal year unless expressly so
5 provided by this Act: *Provided*, That funds appropriated
6 for the purposes of chapters 1 and 8 of part I, section
7 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign
8 Assistance Act of 1961, section 23 of the Arms Export
9 Control Act, and funds provided under the headings “De-
10 velopment Credit Authority” and “Assistance for Europe,
11 Eurasia and Central Asia” shall remain available for an
12 additional 4 years from the date on which the availability
13 of such funds would otherwise have expired, if such funds
14 are initially obligated before the expiration of their respec-
15 tive periods of availability contained in this Act: *Provided*
16 *further*, That the availability of funds pursuant to the pre-
17 vious proviso shall not be applicable to such funds until
18 the Secretary of State submits the reports required under
19 section 7011 of the Department of State, Foreign Oper-
20 ations, and Related Programs Appropriations Act, 2016
21 (division K of Public Law 114-113) and under section
22 7011 of the Department of State, Foreign Operations, and
23 Related Programs Appropriations Act, 2017 (division J of
24 Public Law 115-31): *Provided further*, That the Secretary
25 of State shall provide a report to the Committees on Ap-

1 appropriations not later than October 30, 2018, detailing by
2 account and source year, the use of this authority during
3 the previous fiscal year.

4 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

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

16 PROHIBITION ON TAXATION OF UNITED STATES

17 ASSISTANCE

18 SEC. 7013. (a) PROHIBITION ON TAXATION.—None
19 of the funds appropriated under titles III through VI of
20 this Act may be made available to provide assistance for
21 a foreign country under a new bilateral agreement gov-
22 erning the terms and conditions under which such assist-
23 ance is to be provided unless such agreement includes a
24 provision stating that assistance provided by the United
25 States shall be exempt from taxation, or reimbursed, by

1 the foreign government, and the Secretary of State and
2 the Administrator of the United States Agency for Inter-
3 national Development shall expeditiously seek to negotiate
4 amendments to existing bilateral agreements, as nec-
5 essary, to conform with this requirement.

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

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

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

12 (e) DETERMINATIONS.—

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

17 (A) such foreign government or entity has
18 an effective arrangement that is providing sub-
19 stantial reimbursement of such taxes; or

20 (B) the foreign policy interests of the
21 United States outweigh the purpose of this sec-
22 tion to ensure that United States assistance is
23 not subject to taxation.

24 (2) The Secretary of State shall consult with
25 the Committees on Appropriations at least 15 days

1 prior to exercising the authority of this subsection
2 with regard to any foreign government or entity.

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

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

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

19 (2) the term “taxes and taxation” shall include
20 value added taxes and customs duties but shall not
21 include individual income taxes assessed to local
22 staff.

23 (h) REPORT.—The Secretary of State, in consultation
24 with the heads of other relevant departments or agencies
25 of the United States Government, shall submit an update

1 to the report required pursuant to section 7013(h) of the
2 Department of State, Foreign Operations, and Related
3 Programs Appropriations Act, 2017 (division J of Public
4 Law 115-31).

5 RESERVATIONS OF FUNDS

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

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

1 istrator, as appropriate, determines and reports promptly
2 to the Committees on Appropriations that the termination
3 of assistance to a country or a significant change in cir-
4 cumstances makes it unlikely that such designated funds
5 can be obligated during the original period of availability:
6 *Provided*, That such designated funds that continue to be
7 available for an additional fiscal year shall be obligated
8 only for the purpose of such designation.

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

17 NOTIFICATION REQUIREMENTS

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

1 the collection of fees or of currency reflows or other offset-
2 ting collections, or made available by transfer, to the de-
3 partments and agencies funded by this Act, shall be avail-
4 able for obligation to—

5 (1) create new programs;

6 (2) eliminate a program, project, or activity;

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

9 (4) create, close, reorganize, or rename bureaus,
10 centers, or offices; or

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

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

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

1 or expenditure for activities, programs, or projects
2 through a reprogramming of funds in excess of
3 \$1,000,000 or 10 percent, whichever is less, that—

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

6 (2) relocates an existing office or employees;

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

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

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

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

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

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

8 (d) NOTIFICATION OF TRANSFER OF FUNDS.—Not-
9 withstanding any other provision of law, with the excep-
10 tion of funds transferred to, and merged with, funds ap-
11 propriated under title I of this Act, funds transferred by
12 the Department of Defense to the Department of State
13 and the United States Agency for International Develop-
14 ment for assistance for foreign countries and international
15 organizations, and funds made available for programs pre-
16 viously authorized under section 1206 of the National De-
17 fense Authorization Act for Fiscal Year 2006 (Public Law
18 109–163; 119 Stat. 3456), section 2282 of title 10, United
19 States Code, section 333 of title 10, United States Code,
20 as added by section 1241 of the National Defense Author-
21 ization Act for Fiscal Year 2017 (Public Law 114–328),
22 or any successor authorities, shall be subject to the regular
23 notification procedures of the Committees on Appropria-
24 tions.

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

15 (f) COUNTRY NOTIFICATION REQUIREMENTS.—None
16 of the funds appropriated under titles III through VI of
17 this Act may be obligated or expended for assistance for
18 Afghanistan, Bolivia, Burma, Cambodia, Colombia, Cuba,
19 Ecuador, El Salvador, Ethiopia, Guatemala, Haiti, Hon-
20 duras, Iran, Iraq, Lebanon, Libya, Pakistan, Philippines,
21 the Russian Federation, Somalia, South Sudan, Sri
22 Lanka, Sudan, Syria, Uzbekistan, Venezuela, Yemen, and
23 Zimbabwe except as provided through the regular notifica-
24 tion procedures of the Committees on Appropriations.

1 (g) TRUST FUNDS.—Funds appropriated or other-
2 wise made available in title III of this Act and prior Acts
3 making funds available for the Department of State, for-
4 eign operations, and related programs that are made avail-
5 able for a trust fund held by an international financial
6 institution as defined by section 7034(o)(3) of this Act
7 shall be subject to the regular notification procedures of
8 the Committees on Appropriations: *Provided*, That such
9 notification shall include the information specified under
10 this section in the report accompanying this Act.

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

17 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

18 SEC. 7016. Prior to providing excess Department of
19 Defense articles in accordance with section 516(a) of the
20 Foreign Assistance Act of 1961, the Department of De-
21 fense shall notify the Committees on Appropriations to the
22 same extent and under the same conditions as other com-
23 mittees pursuant to subsection (f) of that section: *Pro-*
24 *vided*, That before issuing a letter of offer to sell excess
25 defense articles under the Arms Export Control Act, the

1 Department of Defense shall notify the Committees on
2 Appropriations in accordance with the regular notification
3 procedures of such Committees if such defense articles are
4 significant military equipment (as defined in section 47(9)
5 of the Arms Export Control Act) or are valued (in terms
6 of original acquisition cost) at \$7,000,000 or more, or if
7 notification is required elsewhere in this Act for the use
8 of appropriated funds for specific countries that would re-
9 ceive such excess defense articles: *Provided further*, That
10 such Committees shall also be informed of the original ac-
11 quisition cost of such defense articles.

12 LIMITATION ON AVAILABILITY OF FUNDS FOR

13 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

14 SEC. 7017. Subject to the regular notification proce-
15 dures of the Committees on Appropriations, funds appro-
16 priated under titles I and III through V of this Act, which
17 are returned or not made available for organizations and
18 programs because of the implementation of section 307(a)
19 of the Foreign Assistance Act of 1961, shall remain avail-
20 able for obligation until September 30, 2019: *Provided*,
21 That the requirement to withhold funds for programs in
22 Burma under section 307(a) of the Foreign Assistance Act
23 of 1961 shall not apply to funds appropriated by this Act.

1 PROHIBITION ON FUNDING FOR ABORTIONS AND
2 INVOLUNTARY STERILIZATION

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

1 ALLOCATIONS

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

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

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

6 (d) EXCEPTIONS.—Subsections (a) and (b) shall not
7 apply to—

8 (1) amounts designated for “International Mili-
9 tary Education and Training” in the respective ta-
10 bles included in the report accompanying this Act;
11 and

12 (2) funds for which the initial period of avail-
13 ability has expired.

14 REPRESENTATION AND ENTERTAINMENT EXPENSES

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

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

24 (2) are principally for meals and events of a
25 protocol nature;

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

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

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

12 (1) alcoholic beverages; or

13 (2) entertainment expenses for activities that
14 are substantially of a recreational character, includ-
15 ing but not limited to entrance fees at sporting
16 events, theatrical and musical productions, and
17 amusement parks.

18 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

19 SUPPORTING INTERNATIONAL TERRORISM

20 SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-
21 PORTS.—

22 (1) PROHIBITION.—None of the funds appro-
23 priated or otherwise made available by titles III
24 through VI of this Act may be made available to any
25 foreign government which provides lethal military

1 equipment to a country the government of which the
2 Secretary of State has determined supports inter-
3 national terrorism for purposes of section 6(j) of the
4 Export Administration Act of 1979 as continued in
5 effect pursuant to the International Emergency Eco-
6 nomic Powers Act: *Provided*, That the prohibition
7 under this section with respect to a foreign govern-
8 ment shall terminate 12 months after that govern-
9 ment ceases to provide such military equipment:
10 *Provided further*, That this section applies with re-
11 spect to lethal military equipment provided under a
12 contract entered into after October 1, 1997.

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

18 (3) REPORT.—Whenever the President makes a
19 determination pursuant to paragraph (2), the Presi-
20 dent shall submit to the Committees on Appropria-
21 tions a report with respect to the furnishing of such
22 assistance, including a detailed explanation of the
23 assistance to be provided, the estimated dollar
24 amount of such assistance, and an explanation of

1 how the assistance furthers United States national
2 interest.

3 (b) BILATERAL ASSISTANCE.—

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

11 (A) grants sanctuary from prosecution to
12 any individual or group which has committed
13 an act of international terrorism;

14 (B) otherwise supports international ter-
15 rorism; or

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

20 (2) WAIVER.—The President may waive the ap-
21 plication of paragraph (1) to a government if the
22 President determines that national security or hu-
23 manitarian reasons justify such waiver: *Provided*,
24 That the President shall publish each such waiver in
25 the Federal Register and, at least 15 days before the

1 waiver takes effect, shall notify the Committees on
2 Appropriations of the waiver (including the justifica-
3 tion for the waiver) in accordance with the regular
4 notification procedures of the Committees on Appro-
5 priations.

6 AUTHORIZATION REQUIREMENTS

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

16 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

17 SEC. 7023. For the purpose of titles II through VI
18 of this Act “program, project, and activity” shall be de-
19 fined at the appropriations Act account level and shall in-
20 clude all appropriations and authorizations Acts funding
21 directives, ceilings, and limitations with the exception that
22 for the following accounts: “Economic Support Fund”,
23 “Assistance for Europe, Eurasia and Central Asia”, and
24 “Foreign Military Financing Program”, “program,
25 project, and activity” shall also be considered to include

1 country, regional, and central program level funding with-
 2 in each such account; and for the development assistance
 3 accounts of the United States Agency for International
 4 Development, “program, project, and activity” shall also
 5 be considered to include central, country, regional, and
 6 program level funding, either as—

7 (1) justified to Congress; or

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

14 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN
 15 FOUNDATION AND UNITED STATES AFRICAN DEVEL-
 16 OPMENT FOUNDATION

17 SEC. 7024. Unless expressly provided to the contrary,
 18 provisions of this or any other Act, including provisions
 19 contained in prior Acts authorizing or making appropria-
 20 tions for the Department of State, foreign operations, and
 21 related programs, shall not be construed to prohibit activi-
 22 ties authorized by or conducted under the Peace Corps
 23 Act, the Inter-American Foundation Act or the African
 24 Development Foundation Act: *Provided*, That prior to con-
 25 ducting activities in a country for which assistance is pro-

hibited, the agency shall consult with the Committees on Appropriations and report to such Committees within 15 days of taking such action.

COMMERCE, TRADE AND SURPLUS COMMODITIES

SEC. 7025. (a) WORLD MARKETS.—None of the funds appropriated or made available pursuant to titles III through VI of this Act for direct assistance and none of the funds otherwise made available to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance, or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: *Provided*, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman 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(o)(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.

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

(A) require that local currencies be deposited in a separate account established by that government;

(i) the amount of the local currencies generated; and

(C) establish by agreement with that government the responsibilities of USAID and that government to monitor and account for deposits and disbursements from the separate account.

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 as part of the congres-
9 sional budget justification submitted to the Commit-
10 tees on Appropriations on the use of local currencies
11 for the administrative requirements of the United
12 States Government as authorized in subsection
13 (a)(2)(B), and such report shall include the amount
14 of local currency (and United States dollar equiva-
15 lent) used or to be used for such purpose in each ap-
16 plicable 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 such 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 2018, 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 to the appropriate congressional com-
18 mittees not later than 45 days after the end of fiscal year
19 2018 on all awards subject to limited or no competition
20 for local entities: *Provided*, That such report should be
21 posted on the USAID Web site: *Provided further*, That
22 the requirements of this subsection shall only apply to
23 awards in excess of \$3,000,000 and sole source awards
24 to local entities in excess of \$2,000,000.

INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 7029. (a) EVALUATIONS AND REPORT.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that such institution adopts and implements a publicly available policy, including the strategic use of peer reviews and external experts, to conduct independent, in-depth evaluations of the effectiveness of at least 25 percent of all loans, grants, programs, and significant analytical non-lending activities in advancing the institution's goals of reducing poverty and promoting equitable economic growth, consistent with relevant safeguards, to ensure that decisions to support such loans, grants, programs, and activities are based on accurate data and objective analysis: *Provided*, That not later than 45 days after enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations on steps taken by the United States executive directors and the international financial institutions consistent with this subsection.

(b) COMPENSATION.—None of the funds appropriated under title V of this Act may be made as payment to any international financial institution while the United States executive director to such institution is compensated by the institution at a rate which, together with

1 whatever compensation such executive director receives
2 from the United States, is in excess of the rate provided
3 for an individual occupying a position at level IV of the
4 Executive Schedule under section 5315 of title 5, United
5 States Code, or while any alternate United States execu-
6 tive director to such institution is compensated by the in-
7 stitution at a rate in excess of the rate provided for an
8 individual occupying a position at level V of the Executive
9 Schedule under section 5316 of title 5, United States
10 Code.

11 (c) HUMAN RIGHTS.—The Secretary of the Treasury
12 shall instruct the United States executive director of each
13 international financial institution to seek to require that
14 such institution conducts rigorous human rights due dili-
15 gence and risk management, as appropriate, in connection
16 with any loan, grant, policy, or strategy of such institu-
17 tion: *Provided*, That prior to voting on any such loan,
18 grant, policy, or strategy the executive director shall con-
19 sult with the Assistant Secretary for Democracy, Human
20 Rights, and Labor, Department of State, if the executive
21 director has reason to believe that such loan, grant, policy,
22 or strategy could result in forced displacement or other
23 violation of human rights.

24 (d) FRAUD AND CORRUPTION.—The Secretary of the
25 Treasury shall instruct the United States executive direc-

1 tor of each international financial institution to promote
2 in loan, grant, and other financing agreements improve-
3 ments in borrowing countries' financial management and
4 judicial capacity to investigate, prosecute, and punish
5 fraud and corruption.

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

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

15 (2) legal burdens of proof;

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

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

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

22 DEBT-FOR-DEVELOPMENT

23 SEC. 7030. In order to enhance the continued partici-
24 pation of nongovernmental organizations in debt-for-devel-
25 opment and debt-for-nature exchanges, a nongovern-

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

10 FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

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

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

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

22 (ii) the recipient agency or ministry em-
23 ploys and utilizes staff with the necessary tech-
24 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 2019
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, 2019, 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(o)(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) FOREIGN ASSISTANCE WEB SITE.—Funds appro-
14 priated by this Act under titles I and II, and funds made
15 available for any independent agency in title III, as appro-
16 priate, shall be made available to support the provision
17 of additional information on United States Government
18 foreign assistance on the Department of State foreign as-
19 sistance Web site: *Provided*, That all Federal agencies
20 funded under this Act shall provide such information on
21 foreign assistance, upon request, to the Department of
22 State.

1 DEMOCRACY PROGRAMS

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

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

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

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

1 United States Agency for International Development, as
2 appropriate.

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

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

1 (g) COMMUNICATION AND REPORTING REQUIRE-
2 MENTS.—

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

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

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

13 INTERNATIONAL RELIGIOUS FREEDOM

14 SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREE-
15 DOM OFFICE AND SPECIAL ENVOY TO PROMOTE RELI-
16 GIOUS FREEDOM.—

17 (1) Funds appropriated by this Act under the
18 heading “Diplomatic and Consular Programs” shall
19 be made available for the Office of International Re-
20 ligious Freedom, Bureau of Democracy, Human
21 Rights, and Labor, Department of State, the Office
22 of the Ambassador-at-Large for International Reli-
23 gious Freedom, and the Special Envoy to Promote
24 Religious Freedom of Religious Minorities in the
25 Near East and South Central Asia, as authorized in

1 the Near East and South Central Asia Religious
2 Freedom Act of 2014 (Public Law 113–161), includ-
3 ing for support staff at not less than the amounts
4 specified for such offices in the table under such
5 heading in the report accompanying this Act.

6 (2) Funds appropriated under the heading
7 “Diplomatic and Consular Programs” and des-
8 ignated for the Office of International Religious
9 Freedom shall be made available for the development
10 and implementation of an international religious
11 freedom curriculum in accordance with section
12 708(a)(2) of the Foreign Service Act of 1980 (22
13 U.S.C. 4028).

14 (b) ASSISTANCE.—

15 (1) INTERNATIONAL RELIGIOUS FREEDOM PRO-
16 GRAMS.—Of the funds appropriated by this Act
17 under the heading “Democracy Fund” and available
18 for the Human Rights and Democracy Fund
19 (HRDF), not less than \$10,000,000 shall be made
20 available for international religious freedom pro-
21 grams.

22 (2) PROTECTION AND INVESTIGATION PRO-
23 GRAMS.—Of the funds appropriated by this Act
24 under the heading “Economic Support Fund”, not
25 less than \$10,000,000 shall be made available for

1 programs to protect vulnerable and persecuted reli-
2 gious minorities, including for assistance authorized
3 by section 5 of H.R. 390, the Iraq and Syria Geno-
4 cide Emergency Relief and Accountability Act of
5 2017, as passed by the House of Representatives on
6 June 6, 2017.

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

16 (A) accelerate the implementation of an
17 immediate, coordinated, and sustained response
18 to provide humanitarian assistance;

19 (B) enhance protection of conflict victims,
20 including those facing a dire humanitarian cri-
21 sis and severe persecution because of their faith
22 or ethnicity; and

23 (C) improve access to secure locations for
24 obtaining humanitarian and resettlement serv-
25 ices.

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 SPECIAL PROVISIONS

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

15 (b) LAW ENFORCEMENT AND SECURITY.—

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

19 (2) DISARMAMENT, DEMOBILIZATION, AND RE-
 20 INTEGRATION.—Section 7034(d) of the Department
 21 of State, Foreign Operations, and Related Programs
 22 Appropriations Act, 2015 (division J of Public Law
 23 113–235) shall continue in effect during fiscal year
 24 2018.

25 (3) FORENSIC ASSISTANCE.—

1 (A) Of the funds appropriated by this Act
2 under the heading “Economic Support Fund”,
3 not less than \$6,500,000 shall be made avail-
4 able for forensic anthropology assistance related
5 to the exhumation of mass graves and the iden-
6 tification of victims of war crimes, genocide,
7 and crimes against humanity, including in Iraq,
8 Guatemala, Colombia, El Salvador, Syria, and
9 Sri Lanka, which shall be administered by the
10 Assistant Secretary for Democracy, Human
11 Rights, and Labor, Department of State.

12 (B) Of the funds appropriated by this Act
13 under the heading “International Narcotics
14 Control and Law Enforcement”, not less than
15 \$6,000,000 shall be made available for DNA fo-
16 rensic technology programs to combat human
17 trafficking in Central America and Mexico.

18 (4) INTERNATIONAL PRISON CONDITIONS.—
19 Section 7065 of the Department of State, Foreign
20 Operations, and Related Programs Appropriations
21 Act, 2015 (division J of Public Law 113–235) shall
22 continue in effect during fiscal year 2018.

23 (5) RECONSTITUTING CIVILIAN POLICE AU-
24 THORITY.—In providing assistance with funds ap-
25 propriated by this Act under section 660(b)(6) of

1 the Foreign Assistance Act of 1961, support for a
2 nation emerging from instability may be deemed to
3 mean support for regional, district, municipal, or
4 other sub-national entity emerging from instability,
5 as well as a nation emerging from instability.

6 (6) SECURITY ASSISTANCE REPORT.—Not later
7 than 120 days after enactment of this Act, the Sec-
8 retary of State shall submit to the Committees on
9 Appropriations a report on funds obligated and ex-
10 pended during fiscal year 2017, by country and pur-
11 pose of assistance, under the headings “Peace-
12 keeping Operations”, “International Military Edu-
13 cation and Training”, and “Foreign Military Fi-
14 nancing Program”.

15 (7) FOREIGN MILITARY SALES AND FOREIGN
16 MILITARY FINANCING PROGRAM.—

17 (A) AVAILABILITY.—Funds appropriated
18 by this Act under the heading “Foreign Mili-
19 tary Financing Program” for the general costs
20 of administering military assistance and sales
21 shall be made available to increase the effi-
22 ciency and effectiveness of programs authorized
23 by Chapter 2 of the Arms Export Control Act:
24 *Provided*, That prior to the obligation of funds

1 for such purposes, the Secretary of State shall
2 consult with the Committees on Appropriations.

3 (B) QUARTERLY STATUS REPORT.—Fol-
4 lowing the submission of the quarterly report
5 required by section 36 of Public Law 90–629
6 (22 U.S.C. 2776), the Secretary of State, in co-
7 ordination with the Secretary of Defense, shall
8 submit to the Committees on Appropriations a
9 status report that contains the information de-
10 scribed under the heading “Foreign Military Fi-
11 nancing Program” in the report accompanying
12 this Act.

13 (c) WORLD FOOD PROGRAMME.—Funds managed by
14 the Bureau for Democracy, Conflict, and Humanitarian
15 Assistance, United States Agency for International Devel-
16 opment, from this or any other Act, may be made available
17 as a general contribution to the World Food Programme.

18 (d) DIRECTIVES AND AUTHORITIES.—

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

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

3 (2) GENOCIDE VICTIMS MEMORIAL SITES AND
4 TRIBUNALS.—Funds appropriated by this Act and
5 prior Acts making appropriations for the Depart-
6 ment of State, foreign operations, and related pro-
7 grams under the headings “Economic Support
8 Fund” and “Assistance for Europe, Eurasia and
9 Central Asia” may be made available as contribu-
10 tions to establish and maintain memorial sites of
11 genocide, subject to the regular notification proce-
12 dures of the Committees on Appropriations.

13 (3) ADDITIONAL AUTHORITY.—Of the amount
14 made available under the heading “Diplomatic and
15 Consular Programs”, not to exceed \$1,000,000 may
16 be used to make grants to carry out the activities of
17 the Cultural Antiquities Task Force.

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

1 the provision of funding on a competitive basis
2 that—

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

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

10 (5) REPORT.—The report required by section
11 502(d) of the Intelligence Authorization Act for Fis-
12 cal Year 2017 (division N of Public Law 115–31)
13 shall be provided to the Committees on Appropria-
14 tions.

15 (e) PARTNER VETTING.—The Secretary of State and
16 USAID Administrator may initiate a partner vetting pro-
17 gram to mitigate the risk of diversion of foreign assist-
18 ance, or make significant modifications to any existing
19 partner vetting program, only following consultation with
20 the Committees on Appropriations: *Provided*, That the
21 Secretary and Administrator should provide a direct vet-
22 ting option for prime awardees in any partner vetting pro-
23 gram initiated after the date of the enactment of this Act.

24 (f) CONTINGENCIES.—During fiscal year 2018, the
25 President may use up to \$125,000,000 under the author-

1 ity of section 451 of the Foreign Assistance Act of 1961,
2 notwithstanding any other provision of law.

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

12 (h) CULTURAL PRESERVATION PROJECT DETER-
13 MINATION.—None of the funds appropriated in titles I and
14 III of this Act may be used for the preservation of reli-
15 gious sites unless the Secretary of State or the USAID
16 Administrator, as appropriate, determines and reports to
17 the Committees on Appropriations that such sites are his-
18 torically, artistically, or culturally significant, that the
19 purpose of the project is neither to advance nor to inhibit
20 the free exercise of religion, and that the project is in the
21 national interest of the United States.

22 (i) TRANSFER OF FUNDS FOR EXTRAORDINARY PRO-
23 TECTION.—The Secretary of State may transfer to, and
24 merge with, funds under the heading “Protection of For-
25 eign Missions and Officials” unobligated balances of ex-

1 pired funds appropriated under the heading “Diplomatic
2 and Consular Programs” for fiscal year 2018, except for
3 funds designated for Overseas Contingency Operations/
4 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, at no later than the end of
7 the fifth fiscal year after the last fiscal year for which such
8 funds are available for the purposes for which appro-
9 priated: *Provided*, That not more than \$50,000,000 may
10 be transferred.

11 (j) GREEN CLIMATE FUND PROHIBITION.—None of
12 the funds appropriated or otherwise made available by this
13 Act or prior Acts making appropriations for the Depart-
14 ment of State, foreign operations, and related programs
15 may be made available as a contribution, grant, or any
16 other payment to the Green Climate Fund.

17 (k) EXTENSION OF AUTHORITIES.—

18 (1) PASSPORT FEES.—Section 1(b)(2) of the
19 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))
20 shall be applied by substituting “September 30,
21 2018” for “September 30, 2010”.

22 (2) 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, 2018.

3 (3) USAID CIVIL SERVICE ANNUITANT WAIV-
4 ER.—Section 625(j)(1) of the Foreign Assistance
5 Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied
6 by substituting “September 30, 2018” for “October
7 1, 2010” in subparagraph (B).

8 (4) CATEGORICAL ELIGIBILITY.—The Foreign
9 Operations, Export Financing, and Related Pro-
10 grams Appropriations Act, 1990 (Public Law 101–
11 167) is amended—

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

14 (i) in subsection (b)(3), by striking
15 “and 2017” and inserting “2017, and
16 2018”; and

17 (ii) in subsection (e), by striking
18 “2017” each place it appears and inserting
19 “2018”; and

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

23 (5) INSPECTOR GENERAL ANNUITANT WAIV-
24 ER.—The authorities provided in section 1015(b) of
25 the Supplemental Appropriations Act, 2010 (Public

1 Law 111–212) shall remain in effect through Sep-
2 tember 30, 2018.

3 (6) EXTENSION OF WAR RESERVES STOCKPILE
4 AUTHORITY.—

5 (A) Section 12001(d) of the Department of
6 Defense Appropriations Act, 2005 (Public Law
7 108–287; 118 Stat. 1011) is amended by strik-
8 ing “2018” and inserting “2019”.

9 (B) Section 514(b)(2)(A) of the Foreign
10 Assistance Act of 1961 (22 U.S.C.
11 2321h(b)(2)(A)) is amended by striking “and
12 2018” and inserting “2018, and 2019”.

13 (l) DEPARTMENT OF STATE AND THE UNITED
14 STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—
15 Prior to implementing any reorganization of the Depart-
16 ment of State or USAID, including any action taken pur-
17 suant to the March 13, 2017 Executive Order 13781 on
18 a Comprehensive Plan for Reorganizing the Executive
19 Branch, the Secretary of State shall submit a report to
20 the appropriate congressional committees on such reorga-
21 nization: *Provided*, That such report shall include—

22 (1) a detailed justification and analysis for each
23 major element of such reorganization plans, includ-
24 ing any proposals to—

1 (A) eliminate or consolidate covered de-
2 partments, agencies, or organizations, including
3 bureaus and offices within such departments,
4 agencies, or organizations, with duplicative or
5 overlapping programs or missions;

6 (B) expand, reconfigure, eliminate, or con-
7 solidate the United States official presence
8 overseas, including through the disposal of ex-
9 cess property, at bilateral, regional, or multilat-
10 eral embassies and missions;

11 (C) reduce, modernize, or otherwise modify
12 the workforce of the Department of State and
13 USAID, including Civil Service and Foreign
14 Service, eligible family members, and locally
15 employed staff; and

16 (D) improve the efficiency, effectiveness,
17 performance, and accountability of the Depart-
18 ment of State and USAID, including through
19 modernizing information technology platforms
20 and streamlining administrative functions; and

21 (2) projections of cost savings and efficiencies
22 achieved through implementation of each element,
23 an analysis of the impact of any such change on the
24 ability to advance the national interests of the
25 United States through diplomacy and development

1 and to conduct adequate monitoring and oversight of
2 foreign assistance programs, and any legislative
3 change necessary to implement such proposals.

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

1 (n) LOAN GUARANTEES.—Funds appropriated under
2 the headings “Economic Support Fund” and “Assistance
3 for Europe, Eurasia and Central Asia” by this Act and
4 prior Acts making appropriations for the Department of
5 State, foreign operations, and related programs may be
6 made available for the costs, as defined in section 502 of
7 the Congressional Budget Act of 1974, of loan guarantees
8 for Jordan, Ukraine, Iraq, Egypt, and Tunisia, which are
9 authorized to be provided: *Provided*, That amounts made
10 available under this paragraph for the costs of such guar-
11 antees shall not be considered assistance for the purposes
12 of provisions of law limiting assistance to a country: *Pro-*
13 *vided further*, That funds made available pursuant to this
14 subsection shall be subject to prior consultation with the
15 appropriate congressional committees, and the regular no-
16 tification procedures of the Committees on Appropria-
17 tions: *Provided further*, That amounts made available pur-
18 suant to this subsection from prior Acts that were pre-
19 viously designated by the Congress for Overseas Contin-
20 gency Operations/Global War on Terrorism pursuant to
21 section 251(b)(2)(A)(ii) of the Balanced Budget and
22 Emergency Deficit Control Act of 1985, are designated
23 by the Congress for Overseas Contingency Operations/
24 Global War on Terrorism pursuant to section
25 251(b)(2)(A)(ii) of such Act and shall be available only

1 if the President subsequently so designates all such
2 amounts and transmits such designations to the Congress.

3 (o) DEFINITIONS.—

4 (1) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—Unless otherwise defined in this Act, for
6 purposes of this Act the term “appropriate congress-
7 sional committees” means the Committees on Appro-
8 priations and Foreign Relations of the Senate and
9 the Committees on Appropriations and Foreign Af-
10 fairs of the House of Representatives.

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

18 (3) INTERNATIONAL FINANCIAL INSTITU-
19 TIONS.—In this Act “international financial institu-
20 tions” means the International Bank for Recon-
21 struction and Development, the International Devel-
22 opment Association, the International Finance Cor-
23 poration, the Inter-American Development Bank, the
24 International Monetary Fund, the Asian Develop-
25 ment Bank, the Asian Development Fund, the Inter-

1 American Investment Corporation, the North Amer-
2 ican Development Bank, the European Bank for Re-
3 construction and Development, the African Develop-
4 ment Bank, the African Development Fund, and the
5 Multilateral Investment Guarantee Agency.

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

13 (5) USAID.—In this Act, the term “USAID”
14 means the United States Agency for International
15 Development.

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

1 (7) SPEND PLAN.—In this Act, the term
2 “spend plan” means a plan for the uses of funds ap-
3 propriated for a particular entity, country, program,
4 purpose, or account and which shall include, at a
5 minimum, a description of—

6 (A) realistic and sustainable goals and cri-
7 teria for measuring progress and a timeline for
8 achieving such goals; and

9 (B) amounts and sources of funds by ac-
10 count.

11 ARAB LEAGUE BOYCOTT OF ISRAEL

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

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

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

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

24 (4) the President and the Secretary of State
25 should continue to vigorously oppose the Arab

1 League boycott of Israel and find concrete steps to
2 demonstrate that opposition by, for example, taking
3 into consideration the participation of any recipient
4 country in the boycott when determining to sell
5 weapons to said country; and

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

15 PALESTINIAN STATEHOOD

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

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

23 (A) has demonstrated a firm commitment
24 to peaceful co-existence with the State of Israel;
25 and

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

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

15 (A) termination of all claims or states of
16 belligerency;

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

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

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

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

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

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

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

21 RESTRICTIONS CONCERNING THE PALESTINIAN

22 AUTHORITY

23 SEC. 7037. None of the funds appropriated under ti-
24 tles II through VI of this Act may be obligated or ex-
25 pended to create in any part of Jerusalem a new office

1 of any department or agency of the United States Govern-
2 ment for the purpose of conducting official United States
3 Government business with the Palestinian Authority over
4 Gaza and Jericho or any successor Palestinian governing
5 entity provided for in the Israel-PLO Declaration of Prin-
6 ciples: *Provided*, That this restriction shall not apply to
7 the acquisition of additional space for the existing Con-
8 sulate General in Jerusalem: *Provided further*, That meet-
9 ings between officers and employees of the United States
10 and officials of the Palestinian Authority, or any successor
11 Palestinian governing entity provided for in the Israel-
12 PLO Declaration of Principles, for the purpose of con-
13 ducting official United States Government business with
14 such authority should continue to take place in locations
15 other than Jerusalem: *Provided further*, That as has been
16 true in the past, officers and employees of the United
17 States Government may continue to meet in Jerusalem on
18 other subjects with Palestinians (including those who now
19 occupy positions in the Palestinian Authority), have social
20 contacts, and have incidental discussions.

21 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN

22 BROADCASTING CORPORATION

23 SEC. 7038. None of the funds appropriated or other-
24 wise made available by this Act may be used to provide
25 equipment, technical support, consulting services, or any

1 other form of assistance to the Palestinian Broadcasting
2 Corporation.

3 ASSISTANCE FOR THE WEST BANK AND GAZA

4 SEC. 7039. (a) OVERSIGHT.—For fiscal year 2018,
5 30 days prior to the initial obligation of funds for the bi-
6 lateral West Bank and Gaza Program, the Secretary of
7 State shall certify to the Committees on Appropriations
8 that procedures have been established to assure the Comp-
9 troller General of the United States will have access to
10 appropriate United States financial information in order
11 to review the uses of United States assistance for the Pro-
12 gram funded under the heading “Economic Support
13 Fund” for the West Bank and Gaza.

14 (b) VETTING.—Prior to the obligation of funds ap-
15 propriated by this Act under the heading “Economic Sup-
16 port Fund” for assistance for the West Bank and Gaza,
17 the Secretary of State shall take all appropriate steps to
18 ensure that such assistance is not provided to or through
19 any individual, private or government entity, or edu-
20 cational institution that the Secretary knows or has reason
21 to believe advocates, plans, sponsors, engages in, or has
22 engaged in, terrorist activity nor, with respect to private
23 entities or educational institutions, those that have as a
24 principal officer of the entity’s governing board or gov-
25 erning board of trustees any individual that has been de-

1 terminated to be involved in, or advocating terrorist activity
2 or determined to be a member of a designated foreign ter-
3 rorist organization: *Provided*, That the Secretary of State
4 shall, as appropriate, establish procedures specifying the
5 steps to be taken in carrying out this subsection and shall
6 terminate assistance to any individual, entity, or edu-
7 cational institution which the Secretary has determined to
8 be involved in or advocating terrorist activity.

9 (c) PROHIBITION.—

10 (1) RECOGNITION OF ACTS OF TERRORISM.—

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

17 (2) SECURITY ASSISTANCE AND REPORTING RE-

18 QUIREMENT.—Notwithstanding any other provision
19 of law, none of the funds made available by this or
20 prior appropriations Acts, including funds made
21 available by transfer, may be made available for obli-
22 gation for security assistance for the West Bank and
23 Gaza until the Secretary of State reports to the
24 Committees on Appropriations on the benchmarks
25 that have been established for security assistance for

1 the West Bank and Gaza and reports on the extent
2 of Palestinian compliance with such benchmarks.

3 (d) AUDITS BY THE UNITED STATES AGENCY FOR
4 INTERNATIONAL DEVELOPMENT.—

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

13 (2) Of the funds appropriated by this Act up to
14 \$500,000 may be used by the Office of Inspector
15 General of the United States Agency for Inter-
16 national Development for audits, inspections, and
17 other activities in furtherance of the requirements of
18 this subsection: *Provided*, That such funds are in ad-
19 dition to funds otherwise available for such pur-
20 poses.

21 (e) COMPTROLLER GENERAL OF THE UNITED
22 STATES AUDIT.—Subsequent to the certification specified
23 in subsection (a), the Comptroller General of the United
24 States shall conduct an audit and an investigation of the
25 treatment, handling, and uses of all funds for the bilateral

1 West Bank and Gaza Program, including any funds pro-
2 vided as cash transfer assistance, in fiscal year 2018
3 under the heading “Economic Support Fund”, and such
4 audit shall address—

5 (1) the extent to which such Program complies
6 with the requirements of subsections (b) and (c);
7 and

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

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

15 (g) REPORT.—Not later than 180 days after enact-
16 ment of this Act, the Secretary of State shall submit a
17 report to the Committees on Appropriations updating the
18 report contained in section 2106 of chapter 2 of title II
19 of the Emergency Supplemental Appropriations Act for
20 Defense, the Global War on Terror, and Tsunami Relief,
21 2005 (Public Law 109–13).

22 LIMITATION ON ASSISTANCE FOR THE PALESTINIAN
23 AUTHORITY

24 SEC. 7040. (a) PROHIBITION OF FUNDS.—None of
25 the funds appropriated by this Act to carry out the provi-

1 sions of chapter 4 of part II of the Foreign Assistance
2 Act of 1961 may be obligated or expended with respect
3 to providing funds to the Palestinian Authority.

4 (b) WAIVER.—The prohibition included in subsection
5 (a) shall not apply if the President certifies in writing to
6 the Speaker of the House of Representatives, the Presi-
7 dent pro tempore of the Senate, and the Committees on
8 Appropriations that waiving such prohibition is important
9 to the national security interest of the United States.

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

14 (d) REPORT.—Whenever the waiver authority pursu-
15 ant to subsection (b) is exercised, the President shall sub-
16 mit a report to the Committees on Appropriations detail-
17 ing the justification for the waiver, the purposes for which
18 the funds will be spent, and the accounting procedures in
19 place to ensure that the funds are properly disbursed: *Pro-*
20 *vided*, That the report shall also detail the steps the Pales-
21 tinian Authority has taken to arrest terrorists, confiscate
22 weapons and dismantle the terrorist infrastructure.

23 (e) CERTIFICATION.—If the President exercises the
24 waiver authority under subsection (b), the Secretary of
25 State must certify and report to the Committees on Ap-

1 appropriations prior to the obligation of funds that the Pal-
2 estinian Authority has established a single treasury ac-
3 count for all Palestinian Authority financing and all fi-
4 nancing mechanisms flow through this account, no parallel
5 financing mechanisms exist outside of the Palestinian Au-
6 thority treasury account, and there is a single comprehen-
7 sive civil service roster and payroll, and the Palestinian
8 Authority is acting to counter incitement of violence
9 against Israelis and is supporting activities aimed at pro-
10 moting peace, coexistence, and security cooperation with
11 Israel.

12 (f) PROHIBITION TO HAMAS AND THE PALESTINE
13 LIBERATION ORGANIZATION.—

14 (1) None of the funds appropriated in titles III
15 through VI of this Act may be obligated for salaries
16 of personnel of the Palestinian Authority located in
17 Gaza or may be obligated or expended for assistance
18 to Hamas or any entity effectively controlled by
19 Hamas, any power-sharing government of which
20 Hamas is a member, or that results from an agree-
21 ment with Hamas.

22 (2) Notwithstanding the limitation of paragraph
23 (1), assistance may be provided to a power-sharing
24 government only if the President certifies and re-
25 ports to the Committees on Appropriations that such

1 government, including all of its ministers or such
2 equivalent, has publicly accepted and is complying
3 with the principles contained in section 620K(b)(1)
4 (A) and (B) of the Foreign Assistance Act of 1961,
5 as amended.

6 (3) The President may exercise the authority in
7 section 620K(e) of the Foreign Assistance Act of
8 1961, as added by the Palestinian Anti-Terrorism
9 Act of 2006 (Public Law 109–446) with respect to
10 this subsection.

11 (4) Whenever the certification pursuant to
12 paragraph (2) is exercised, the Secretary of State
13 shall submit a report to the Committees on Appro-
14 priations within 120 days of the certification and
15 every quarter thereafter on whether such govern-
16 ment, including all of its ministers or such equiva-
17 lent are continuing to comply with the principles
18 contained in section 620K(b)(1) (A) and (B) of the
19 Foreign Assistance Act of 1961, as amended: *Pro-*
20 *vided*, That the report shall also detail the amount,
21 purposes and delivery mechanisms for any assistance
22 provided pursuant to the abovementioned certifi-
23 cation and a full accounting of any direct support of
24 such government.

(5) None of the funds appropriated under titles III through VI of this Act may be obligated for assistance for the Palestine Liberation Organization.

MIDDLE EAST AND NORTH AFRICA

SEC. 7041. (a) EGYPT.—

(1) CERTIFICATION AND REPORT.—Funds appropriated by this Act that are available for assistance for Egypt may be made available notwithstanding any other provision of law restricting assistance for Egypt, except for this subsection and section 620M of the Foreign Assistance Act of 1961, and may only be made available for assistance for the Government of Egypt if the Secretary of State certifies and reports to the Committees on Appropriations that such government is—

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

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

(2) REPORT ON GOVERNANCE.—

(A) Not later than 90 days after enactment of this Act and every 90 days thereafter until September 30, 2018, the Secretary of State shall report to the appropriate congress-

1 sional committees on steps taken by the Gov-
2 ernment of Egypt to—

3 (i) advance democracy and human
4 rights in Egypt, including to govern demo-
5 cratically and protect the rights of reli-
6 gious minorities and women;

7 (ii) implement reforms that protect
8 freedoms of expression, association, and
9 peaceful assembly, including the ability of
10 civil society organizations and the media to
11 function without interference; and

12 (iii) improve the transparency and ac-
13 countability of security forces.

14 (B) The report required by subparagraph
15 (A) may be provided in classified form if nec-
16 essary.

17 (3) ECONOMIC SUPPORT FUND.—

18 (A) FUNDING.—Of the funds appropriated
19 by this Act under the heading “Economic Sup-
20 port Fund”, not less than \$150,000,000 shall
21 be made available for assistance for Egypt, sub-
22 ject to prior consultation with the appropriate
23 congressional committees and the regular notifi-
24 cation procedures of the Committees on Appro-
25 priations and section 634A of the Foreign As-

1 sistance Act of 1961: *Provided*, That such
2 funds may be made available for democracy
3 programs and for development programs in the
4 Sinai: *Provided further*, That such funds may
5 not be made available for cash transfer assist-
6 ance or budget support unless the Secretary of
7 State certifies and reports to the appropriate
8 congressional committees that the Government
9 of Egypt is taking consistent and effective steps
10 to stabilize the economy and implement market-
11 based economic reforms.

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

1 Court on June 4, 2013, in “Public Prosecution
2 Case No. 1110 for the Year 2012”.

3 (4) FOREIGN MILITARY FINANCING PRO-
4 GRAM.—Of the funds appropriated by this Act under
5 the heading “Foreign Military Financing Program”,
6 \$1,300,000,000, to remain available until September
7 30, 2019, shall be made available for assistance for
8 Egypt, which may be transferred to an interest bear-
9 ing account in the Federal Reserve Bank of New
10 York, following consultation with the Committees on
11 Appropriations.

12 (5) CONSULTATION REQUIREMENTS.—Not later
13 than 90 days after enactment of this Act, the Sec-
14 retary of State shall consult with the Committees on
15 Appropriations on any plan to restructure military
16 assistance for Egypt.

17 (b) IRAN.—

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

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

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

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

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

15 (2) CONTINUATION OF PROHIBITION.—The
16 terms and conditions of paragraph (2) of section
17 7041(c) in division I of Public Law 112–74 shall
18 continue in effect during fiscal year 2018.

19 (3) REPORTS.—

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

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

20 (c) IRAQ.—

21 (1) PURPOSES.—Funds appropriated by this
22 Act shall be made available for assistance for Iraq
23 to promote governance, security, and internal and
24 regional stability, including in the Kurdistan Region
25 of Iraq and other areas impacted by the conflict in

1 Syria, and among religious and ethnic minority pop-
2 ulations in Iraq.

3 (2) EXPLOSIVE ORDNANCE DISPOSAL PRO-
4 GRAMS.—Funds appropriated by this Act under the
5 heading “Nonproliferation, Anti-terrorism, Demining
6 and Related Programs” shall be made available for
7 explosive ordnance disposal programs in areas liber-
8 ated from extremist organizations in Iraq.

9 (3) KURDISTAN REGION.—

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

22 (B) Funds appropriated by this Act under
23 the headings “International Disaster Assist-
24 ance” and “Migration and Refugee Assistance”
25 should be made available for assistance for the

1 Kurdistan Region of Iraq to address the needs
2 of internally displaced persons (IDPs) and refu-
3 gees: *Provided*, That funds appropriated by this
4 Act under the heading “Economic Support
5 Fund” shall be made available for programs to
6 mitigate the impact of such IDPs and refugees
7 in such Region, including for assistance for
8 communities hosting such persons.

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

15 (d) JORDAN.—Of the funds appropriated by this Act
16 under titles III and IV, not less than \$1,280,000,000 shall
17 be made available for assistance for Jordan, of which not
18 less than \$475,000,000 shall be for budget support for
19 the Government of Jordan.

20 (e) LEBANON.—

21 (1) LIMITATION.—None of the funds appro-
22 priated by this Act may be made available for the
23 Lebanese Internal Security Forces (ISF) or the Leb-
24 anese Armed Forces (LAF) if the ISF or the LAF
25 is controlled by a foreign terrorist organization, as

1 designated pursuant to section 219 of the Immigra-
2 tion and Nationality Act (8 U.S.C. 1189).

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

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

1 retary of State submits to the Committees on Appro-
2 priations a spend plan, including actions to be taken
3 to ensure equipment provided to the LAF is only
4 used for the intended purposes, except such plan
5 may not be considered as meeting the notification
6 requirements under section 7015 of this Act or
7 under section 634A of the Foreign Assistance Act of
8 1961, and shall be submitted not later than Sep-
9 tember 1, 2018: *Provided further*, That any notifica-
10 tion submitted pursuant to such sections shall in-
11 clude any funds specifically intended for lethal mili-
12 tary equipment.

13 (f) LIBYA.—

14 (1) LIMITATION.—None of the funds appro-
15 priated by this Act may be made available for assist-
16 ance for the central Government of Libya unless the
17 Secretary of State certifies and reports to the Com-
18 mittees on Appropriations that such government is
19 cooperating with United States Government efforts
20 to investigate and bring to justice those responsible
21 for the attack on United States personnel and facili-
22 ties in Benghazi, Libya in September 2012: *Pro-*
23 *vided*, That the limitation in this paragraph shall
24 not apply to funds made available for the purpose of

1 protecting United States Government personnel or
2 facilities.

3 (2) CERTIFICATION REQUIREMENT.—Prior to
4 the initial obligation of funds made available by this
5 Act for assistance for Libya, the Secretary of State
6 shall certify and report to the Committees on Appro-
7 priations that all practicable steps have been taken
8 to ensure that mechanisms are in place for moni-
9 toring, oversight, and control of funds made avail-
10 able by this subsection for assistance for Libya.

11 (3) REPORTING REQUIREMENT.—The Secretary
12 of State shall promptly inform the appropriate con-
13 gressional committees of each instance in which as-
14 sistance provided pursuant to this subsection has
15 been diverted or destroyed, to include the type and
16 amount of assistance, a description of the incident
17 and parties involved, and an explanation of the re-
18 sponse of the Department of State.

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

1 the Administrator of the United States Agency for Inter-
2 national Development, shall consult with the Committees
3 on Appropriations on the proposed uses of such funds
4 based on the requirements described under this section in
5 the report accompanying this Act.

6 (h) REFUGEE ASSISTANCE IN NORTH AFRICA.—The
7 Secretary of State, in consultation with the United Na-
8 tions High Commissioner for Refugees and the Executive
9 Director of the World Food Programme, shall take all
10 practicable steps to strengthen monitoring of the delivery
11 of humanitarian assistance provided for refugees in North
12 Africa, including the establishment of registration systems
13 where they do not exist and any other efforts to ensure
14 that all vulnerable refugees are receiving such assistance.

15 (i) STRATEGY REQUIREMENT.—Not later than 60
16 days after enactment of this Act, the Secretary of State,
17 in consultation with the Secretary of Defense, shall submit
18 to the appropriate congressional committees a strategy for
19 United States engagement in North Africa, which shall in-
20 clude detailed information on how diplomatic engagement
21 and assistance will be prioritized for such region, including
22 to address economic and security needs.

23 (j) SYRIA.—

24 (1) NON-LETHAL ASSISTANCE.—Funds appro-
25 priated under title III of this Act shall be made

1 available, to the extent practicable and notwith-
2 standing any other provision of law, for non-lethal
3 assistance for programs to address the needs of civil-
4 ians affected by conflict in Syria, and for programs
5 that seek to—

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

8 (B) empower women through political and
9 economic programs, and address the psycho-
10 social needs of women and their families in
11 Syria and neighboring countries;

12 (C) develop and implement political proc-
13 esses that are democratic, transparent, and
14 strengthen the rule of law;

15 (D) further the legitimacy and viability of
16 the Syrian opposition through cross-border pro-
17 grams;

18 (E) develop and sustain civil society and
19 independent media in Syria;

20 (F) promote stability and economic devel-
21 opment in Syria;

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

1 (H) expand the role of women in negotia-
2 tions to end the violence and in any political
3 transition in Syria;

4 (I) assist Syrian refugees whose education
5 has been interrupted by the ongoing conflict to
6 complete higher education requirements at uni-
7 versities and other academic institutions in the
8 region, and through distance learning;

9 (J) assist vulnerable populations in Syria
10 and in neighboring countries;

11 (K) protect and preserve the cultural iden-
12 tity of the people of Syria as a counterbalance
13 to extremism, particularly those living in neigh-
14 boring countries and among youth;

15 (L) protect and preserve cultural heritage
16 sites in Syria, particularly those damaged and
17 destroyed by extremists; and

18 (M) counter extremism in Syria.

19 (2) STRATEGY UPDATE.—Funds appropriated
20 by this Act that are made available for assistance for
21 Syria pursuant to the authority of this subsection
22 may only be made available after the Secretary of
23 State, in consultation with the heads of relevant
24 United States Government agencies, submits, in
25 classified form if necessary, an update to the com-

1 prehensive strategy required in section 7041(i)(3) of
2 Public Law 113–76.

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

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

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

1 (l) WEST BANK AND GAZA.—

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

9 (A) advance Middle East peace;

10 (B) improve security in the region;

11 (C) continue support for transparent and
12 accountable government institutions;

13 (D) promote a private sector economy; or

14 (E) address urgent humanitarian needs.

15 (2) LIMITATIONS.—

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

21 (i) the Palestinians obtain the same
22 standing as member states or full member-
23 ship as a state in the United Nations or
24 any specialized agency thereof outside an

1 agreement negotiated between Israel and
2 the Palestinians; or

3 (ii) the Palestinians initiate an Inter-
4 national Criminal Court (ICC) judicially au-
5 thorized investigation, or actively support such
6 an investigation, that subjects Israeli nationals
7 to an investigation for alleged crimes against
8 Palestinians.

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

19 (I) obtained in the United Nations or
20 any specialized agency thereof the same
21 standing as member states or full member-
22 ship as a state outside an agreement nego-
23 tiated between Israel and the Palestinians;
24 and

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

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

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

1 (3) REDUCTION.—The Secretary of State shall
2 reduce the amount of assistance made available by
3 this Act under the heading “Economic Support
4 Fund” for the Palestinian Authority by an amount
5 the Secretary determines is equivalent to the amount
6 expended by the Palestinian Authority, the Palestine
7 Liberation Organization, and any successor or affili-
8 ated organizations with such entities for payments
9 to individuals and the families of such individuals
10 who are imprisoned for acts of terrorism or who died
11 committing such acts during the previous calendar
12 year: *Provided*, That the Secretary shall report to
13 the appropriate congressional committees on the
14 amount reduced for fiscal year 2018 prior to the ob-
15 ligation of funds for the Palestinian Authority: *Pro-*
16 *vided further*, That the report required by the pre-
17 vious proviso shall also include steps taken to pre-
18 vent any such payments.

19 (4) SECURITY REPORT.—The reporting require-
20 ments contained in section 1404 of the Supple-
21 mental Appropriations Act, 2008 (Public Law 110–
22 252) shall apply to funds made available by this Act,
23 including a description of modifications, if any, to
24 the security strategy of the Palestinian Authority.

9 SEC. 7042. (a) AFRICAN GREAT LAKES REGION AS-
10 SISTANCE RESTRICTION.—Funds appropriated by this Act
11 under the heading “International Military Education and
12 Training” for the central government of a country in the
13 African Great Lakes region may be made available only
14 for Expanded International Military Education and Train-
15 ing and professional military education until the Secretary
16 of State determines and reports to the Committees on Ap-
17 propriations that such government is not facilitating or
18 otherwise participating in destabilizing activities in a
19 neighboring country, including aiding and abetting armed
20 groups.

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

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1 organization Boko Haram, consistent with the provi-
2 sions of section 7059 of this Act, and for individuals
3 displaced by Boko Haram violence; and

4 (2) may be made available for counterterrorism
5 programs to combat Boko Haram.

6 (c) CENTRAL AFRICAN REPUBLIC.—Funds made
7 available by this Act for assistance for the Central African
8 Republic shall be made available for reconciliation and
9 peacebuilding programs, including activities to promote
10 inter-faith dialogue at the national and local levels, and
11 for programs to prevent crimes against humanity.

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

22 (e) MALAWI.—Of the funds appropriated by this Act
23 under the heading “Development Assistance”, not less
24 than \$56,000,000 shall be made available for assistance

1 for Malawi, of which \$10,000,000 shall be made available
2 for higher education programs.

3 (f) SOUTH SUDAN.—

4 (1) STRATEGY UPDATE.—Not later than 60
5 days after enactment of this Act the Secretary of
6 State, in consultation with the Administrator of the
7 United States Agency for International Develop-
8 ment, shall submit an update to the strategy re-
9 quired in section 7042(i) of the Department of
10 State, Foreign Operations, and Related Programs
11 Appropriations Act, 2017 (division J of Public Law
12 115-31).

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

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

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

24 (C) end the recruitment and use of child
25 soldiers;

1 (D) protect freedoms of expression, asso-
2 ciation, and assembly;

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

5 (F) establish democratic institutions;

6 (G) establish accountable military and po-
7 lice forces under civilian authority; and

8 (H) investigate and prosecute individuals
9 credibly alleged to have committed gross viola-
10 tions of human rights, including at the Terrain
11 compound in Juba, South Sudan on July 11,
12 2016.

13 (3) EXCLUSIONS.—The limitation of paragraph
14 (2) shall not apply to—

15 (A) humanitarian assistance;

16 (B) assistance to support South Sudan
17 peace negotiations or to advance or implement
18 a peace agreement; and

19 (C) assistance to support implementation
20 of outstanding issues of the Comprehensive
21 Peace Agreement and mutual arrangements re-
22 lated to such Agreement.

23 (4) CONSULTATION.—Prior to the initial obliga-
24 tion of funds made available for the central Govern-
25 ment of South Sudan pursuant to paragraphs (3)(B)

1 and (C), the Secretary of State shall consult with
2 the Committees on Appropriations on the intended
3 uses of such funds, steps taken by such government
4 to advance or implement a peace agreement, and
5 progress made by the Government of South Sudan
6 in meeting the requirements in paragraph (2).

7 (g) SUDAN.—

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

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

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

23 (A) humanitarian assistance;

24 (B) assistance for democracy programs;

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

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

11 (h) ZIMBABWE.—

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

23 (2) LIMITATIONS.—None of the funds appro-
24 priated by this Act shall be made available for as-
25 sistance for the central Government of Zimbabwe,

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

9 EAST ASIA AND THE PACIFIC

10 SEC. 7043.

11 (a) BURMA.—

12 (1) BILATERAL ECONOMIC ASSISTANCE.—

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

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

21 (i) shall be made available to
22 strengthen civil society organizations in
23 Burma and for programs to strengthen
24 independent media;

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

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

14 (iv) shall be made available to pro-
15 mote rural economic development in
16 Burma, including through microfinance
17 and sustainable power generation pro-
18 grams;

19 (v) shall be made available to increase
20 opportunities for foreign direct investment
21 by strengthening the rule of law, trans-
22 parency, and accountability;

23 (vi) may not be made available to any
24 individual or organization if the Secretary
25 of State has credible information that such

1 individual or organization has committed a
2 gross violation of human rights, including
3 against Rohingya and other minority
4 groups, or that advocates violence against
5 ethnic or religious groups and individuals
6 in Burma;

7 (vii) may not be made available to any
8 organization or entity controlled by the
9 military of Burma; and

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

20 (2) INTERNATIONAL SECURITY ASSISTANCE.—

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

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

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

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

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

17 (b) CAMBODIA.—

18 (1) CONDITIONS ON ASSISTANCE.—Of the funds
19 appropriated in title IV of this Act that are made
20 available for assistance for the central Government
21 of Cambodia, 25 percent shall be withheld from obli-
22 gation until the Secretary of State certifies and re-
23 ports to the Committees on Appropriations that such
24 government—

1 (A) is taking effective steps to strengthen
2 regional security and stability, particularly re-
3 garding territorial disputes in the South China
4 Sea;

5 (B) has ceased efforts to intimidate civil
6 society and the political opposition in Cam-
7 bodia, is credibly investigating the murder of
8 social and political activists, and is taking ac-
9 tions to address the concerns detailed in the
10 September 14, 2016 United Nations Human
11 Rights Situation in Cambodia—Joint State-
12 ment; and

13 (C) is supporting the conduct of free and
14 fair elections in Cambodia through a non-par-
15 tisan election commission; fair election proc-
16 esses; credible post-election dispute resolution
17 mechanisms; open and inclusive participation,
18 to include the return of exiled former opposition
19 leaders; and respect for freedoms of assembly
20 and speech.

21 (2) KHMER ROUGE TRIBUNAL.—Funds appro-
22 priated by this Act that are made available for as-
23 sistance for Cambodia may only be made available
24 for a contribution to the Extraordinary Chambers in
25 the Court of Cambodia if the Secretary of State cer-

1 tifies and reports to the appropriate congressional
2 committees that such contribution is in the national
3 interest of the United States and will support the
4 prosecution and punishment of individuals respon-
5 sible for genocide in Cambodia in a credible manner.

6 (c) NORTH KOREA.—

7 (1) BROADCASTS.—Funds appropriated by this
8 Act under the heading “International Broadcasting
9 Operations” shall be made available to maintain
10 broadcasting hours into North Korea at levels not
11 less than the prior fiscal year.

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

18 (3) LIMITATION ON USE OF FUNDS.—None of
19 the funds made available by this Act under the
20 heading “Economic Support Fund” may be made
21 available for assistance for the Government of North
22 Korea.

23 (d) PEOPLE’S REPUBLIC OF CHINA.—

24 (1) LIMITATION ON USE OF FUNDS.—None of
25 the funds appropriated under the heading “Diplo-

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

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

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

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

6 (4) PROHIBITION.—

7 (A) None of the funds appropriated by this
8 Act under the headings “Global Health Pro-
9 grams”, “Development Assistance”, and “Eco-
10 nomic Support Fund” may be made available
11 for assistance for the Government of the Peo-
12 ple’s Republic of China.

13 (B) The limitation of subparagraph (A)
14 shall not apply to assistance described in para-
15 graph (2) of subsection (f) of this section and
16 for programs to detect, prevent, and treat infec-
17 tious disease.

18 (e) PHILIPPINES.—Prior to the initial obligation of
19 funds appropriated by this Act for assistance for the Phil-
20 ippines, but not later than 180 days after enactment of
21 this Act, the Secretary of State shall submit a report to
22 the Committees on Appropriations, which shall include the
23 information required under this section in the report ac-
24 companying this Act.

25 (f) TIBET.—

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

14 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

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

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

12 SOUTH AND CENTRAL ASIA

13 SEC. 7044. (a) AFGHANISTAN.—

14 (1) PERSONNEL REPORT.—Not later than 30
15 days after enactment of this Act and every 120 days
16 thereafter until September 30, 2019, the Secretary
17 of State shall submit a report, in classified form if
18 necessary, to the appropriate congressional commit-
19 tees detailing by agency the number of personnel
20 present in Afghanistan under Chief of Mission au-
21 thority per section 3927 of title 22, United States
22 Code, at the end of the 120 day period preceding the
23 submission of such report: *Provided*, That such re-
24 port shall also include the number of locally em-
25 ployed staff and contractors supporting United

1 States Embassy operations in Afghanistan during
2 the reporting period.

3 (2) ASSISTANCE AND CONDITIONS.—

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

11 (i) includes the participation of any
12 Afghan individual or organization, includ-
13 ing government entity, that the Secretary
14 of State determines to be involved in cor-
15 rupt practices, illicit narcotics production
16 or trafficking, or a violation of human
17 rights;

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

21 (iii) is not regularly accessible for the
22 purposes of conducting effective oversight
23 in accordance with applicable Federal stat-
24 utes and regulations;

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

3 (v) legitimizes the Taliban or other
4 extremist organizations in areas not under
5 the control of the Government of Afghani-
6 stan.

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

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

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

1 ment Partnership or other incentive-based
2 programs;

3 (iii) the Government of Afghanistan is
4 implementing laws and policies to govern
5 democratically and protect the rights of in-
6 dividuals, civil society, and the media;

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

11 (v) the Government of Afghanistan is
12 effectively implementing a whole-of-govern-
13 ment, anti-corruption strategy that has
14 been endorsed by the High Council on
15 Rule of Law and Anti-Corruption, as
16 agreed to at the Brussels Conference on
17 Afghanistan in October 2016, and is pros-
18 ecuting individuals alleged to be involved in
19 corrupt or illegal activities in Afghanistan;

20 (vi) monitoring and oversight frame-
21 works for programs implemented with such
22 funds are in accordance with all applicable
23 audit policies of the Department of State
24 and the United States Agency for Inter-
25 national Development, including in areas

1 under the control of the Taliban or other
2 extremist organizations;

3 (vii) the necessary policies and proce-
4 dures are in place to ensure Government of
5 Afghanistan compliance with section 7013
6 of this Act, “Prohibition on Taxation of
7 United States Assistance”; and

8 (viii) the Government of Afghanistan
9 is publicly reporting its national budget,
10 including revenues and expenditures.

11 (C) WAIVER.—The Secretary of State may
12 waive the certification requirement of subpara-
13 graph (B) if the Secretary determines that to
14 do so is important to the national security in-
15 terest of the United States and the Secretary
16 submits a report to the Committees on Appro-
17 priations, in classified form if necessary, on the
18 justification for the waiver and the reasons why
19 any of the requirements of subparagraph (B)
20 cannot be met.

21 (D) PROGRAMS.—Funds appropriated by
22 this Act that are made available for assistance
23 for Afghanistan shall be made available in the
24 following manner—

1 (i) for programs that protect and
2 strengthen the rights of women and girls
3 and promote the political and economic
4 empowerment of women, including their
5 meaningful inclusion in political processes;

6 (ii) for programs in South and Cen-
7 tral Asia to expand linkages between Af-
8 ghanistan and countries in the region; and

9 (iii) to assist the Government of Af-
10 ghanistan in developing and executing a
11 transparent and consistently applied sys-
12 tem of legitimate revenue generation and
13 expenditures.

14 (E) TAXATION.—None of the funds appro-
15 priated by this Act for assistance for Afghani-
16 stan may be made available for direct govern-
17 ment-to-government assistance unless the Sec-
18 retary of State certifies and reports to the Com-
19 mittees on Appropriations that United States
20 companies and organizations that are imple-
21 menting United States foreign assistance pro-
22 grams in Afghanistan in a manner consistent
23 with United States laws and regulations are not
24 subjected by such government to taxes or other
25 fees in contravention of diplomatic and other

1 agreements between the Governments of the
2 United States and Afghanistan, or to retaliation
3 for the nonpayment of taxes or fees imposed in
4 the past: *Provided*, That not later than 90 days
5 after enactment of this Act, the Secretary of
6 State shall submit to the Committees on Appro-
7 priations an assessment of the dollar value of
8 improper taxes or fees levied by such govern-
9 ment against such companies and organizations
10 in fiscal years 2015, 2016, and 2017.

11 (3) GOALS AND BENCHMARKS.—Not later than
12 90 days after enactment of this Act, the Secretary
13 of State shall submit to the appropriate congres-
14 sional committees a report describing the goals and
15 benchmarks required in paragraph (2)(B)(i): *Pro-*
16 *vided*, That not later than 6 months after the sub-
17 mission of such report and every 6 months there-
18 after until September 30, 2019, the Secretary of
19 State shall submit a report to such committees on
20 the status of achieving such goals and benchmarks:
21 *Provided further*, That the Secretary of State should
22 suspend assistance for the Government of Afghani-
23 stan if any report required by this paragraph indi-
24 cates that such government is failing to make meas-

1 urable progress in meeting such goals and bench-
2 marks.

3 (4) AUTHORITIES.—

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

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

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

22 (iii) for an endowment to empower
23 women and girls.

24 (B) Section 7046(a)(2)(A) of division I of
25 Public Law 112–74 shall apply to funds appro-

1 priated by this Act for assistance for Afghani-
2 stan.

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

8 (b) PAKISTAN.—

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

19 (A) cooperating with the United States in
20 counterterrorism efforts against the Haqqani
21 Network, the Quetta Shura Taliban, Lashkar e-
22 Tayyiba, Jaish-e-Mohammed, Al-Qaeda, and
23 other domestic and foreign terrorist organiza-
24 tions, including taking effective steps to end
25 support for such groups and prevent them from

1 basing and operating in Pakistan and carrying
2 out cross border attacks into neighboring coun-
3 tries;

4 (B) not supporting terrorist activities
5 against United States or coalition forces in Af-
6 ghanistan, and Pakistan's military and intel-
7 ligence agencies are not intervening extra-judi-
8 cially into political and judicial processes in
9 Pakistan;

10 (C) not financing or otherwise supporting
11 schools supported by, affiliated with, or run by
12 the Taliban or any designated foreign terrorist
13 organization;

14 (D) dismantling improvised explosive de-
15 vice (IED) networks and interdicting precursor
16 chemicals used in the manufacture of IEDs;

17 (E) preventing the proliferation of nuclear-
18 related material and expertise;

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

23 (G) providing humanitarian organizations
24 access to detainees, internally displaced per-

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

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

13 (3) ASSISTANCE.—

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

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

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

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

17 (5) REPORTS.—

18 (A)(i) The spend plan required by section
19 7076 of this Act for assistance for Pakistan
20 shall include achievable and sustainable goals,
21 benchmarks for measuring progress, and ex-
22 pected results regarding combating poverty and
23 furthering development in Pakistan, countering
24 terrorism and extremism, and establishing con-
25 ditions conducive to the rule of law and trans-

1 parent and accountable governance: *Provided*,
2 That not later than 6 months after submission
3 of such spend plan, and each 6 months there-
4 after until September 30, 2019, the Secretary
5 of State shall submit a report to the Commit-
6 tees on Appropriations on the status of achiev-
7 ing the goals and benchmarks in such plan.

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

13 (B) Not later than 90 days after enact-
14 ment of this Act, the Secretary of State shall
15 submit a report to the appropriate congres-
16 sional committees detailing the costs and objec-
17 tives associated with significant infrastructure
18 projects supported by the United States in
19 Pakistan, and an assessment of the extent to
20 which such projects achieve such objectives.

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

1 (c) SRI LANKA.—

2 (1) BILATERAL ECONOMIC ASSISTANCE.—

3 Funds appropriated by this Act under the heading
4 “Economic Support Fund” shall be made available
5 for assistance for Sri Lanka for democracy and eco-
6 nomic development programs, particularly in areas
7 recovering from ethnic and religious conflict: *Pro-*
8 *vided*, That such funds shall be made available for
9 programs to assist in the identification and resolu-
10 tion of cases of missing persons.

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

17 (A) address the underlying causes of con-
18 flict in Sri Lanka;

19 (B) increase accountability and trans-
20 parency in governance; and

21 (C) fulfill commitments with respect to
22 transitional justice and the restoration of civil
23 and human rights.

24 (3) INTERNATIONAL SECURITY ASSISTANCE.—

25 Funds appropriated under title IV of this Act that

1 are available for assistance for Sri Lanka shall be
2 subject to the following conditions—

3 (A) not to exceed \$400,000 under the
4 heading “Foreign Military Financing Program”
5 may only be made available for programs to
6 support humanitarian and disaster response ef-
7 forts; to redeploy out of former conflict zones;
8 and to restructure and reduce the size of the
9 Sri Lankan armed forces; and

10 (B) funds under the heading “Peace-
11 keeping Operations” may only be made avail-
12 able for training and equipment related to
13 international peacekeeping operations.

14 (d) REGIONAL PROGRAMS.—

15 (1) CROSS BORDER PROGRAMS.—Funds appro-
16 priated by this Act under the heading “Economic
17 Support Fund” for assistance for Afghanistan and
18 Pakistan may be provided, notwithstanding any
19 other provision of law that restricts assistance to
20 foreign countries, for cross border stabilization and
21 development programs between Afghanistan and
22 Pakistan, or between either country and the Central
23 Asian countries.

24 (2) SECURITY AND JUSTICE PROGRAMS.—

25 Funds appropriated by this Act under the headings

1 “Economic Support Fund”, “International Narcotics
2 Control and Law Enforcement”, and “Assistance for
3 Europe, Eurasia and Central Asia” that are avail-
4 able for assistance for countries in South and Cen-
5 tral Asia shall be made available to enhance the re-
6 cruitment, retention, and professionalism of women
7 in the judiciary, police, and other security forces.

8 LATIN AMERICA AND THE CARIBBEAN

9 SEC. 7045. (a) CENTRAL AMERICA.—

10 (1) FUNDING.—Subject to the requirements of
11 this subsection, of the funds appropriated under ti-
12 tles III and IV of this Act, \$615,000,000 should be
13 made available for assistance for countries in Cen-
14 tral America to implement the updated United
15 States Strategy for Engagement in Central America:
16 *Provided*, That such funds shall be made available to
17 the maximum extent practicable on a cost-matching
18 basis.

19 (2) PRE-OBLIGATION REQUIREMENTS.—Prior
20 to the obligation of funds made available pursuant
21 to paragraph (1), the Secretary of State shall submit
22 to the Committees on Appropriations a multi-year
23 spend plan as described under this section in the re-
24 port accompanying this Act, including a description
25 of how such funds shall prioritize addressing the key

1 factors in countries in Central America that con-
2 tribute to the migration of undocumented Central
3 Americans to the United States.

4 (3) ASSISTANCE FOR THE CENTRAL GOVERN-
5 MENTS OF EL SALVADOR, GUATEMALA, AND HON-
6 DURAS.—Of the funds made available pursuant to
7 paragraph (1) that are available for assistance for
8 each of the central governments of El Salvador,
9 Guatemala, and Honduras, the following amounts
10 shall be withheld from obligation and may only be
11 made available as follows:

12 (A) 25 percent may only be obligated after
13 the Secretary of State certifies and reports to
14 the appropriate congressional committees that
15 such government is taking effective steps, which
16 are in addition to those steps taken since the
17 certification and report submitted during the
18 prior year, if applicable, to—

19 (i) inform its citizens of the dangers
20 of the journey to the southwest border of
21 the United States;

22 (ii) combat human smuggling and
23 trafficking;

24 (iii) improve border security, including
25 to prevent illegal migration, human smug-

1 gling and trafficking, and trafficking of il-
2 licit drugs and other contraband; and

3 (iv) cooperate with United States Gov-
4 ernment agencies and other governments
5 in the region to facilitate the return, repa-
6 triation, and reintegration of illegal mi-
7 grants arriving at the southwest border of
8 the United States who do not qualify for
9 asylum, consistent with international law.

10 (B) An additional 50 percent may only be
11 obligated after the Secretary of State certifies
12 and reports to the appropriate congressional
13 committees that such government is taking ef-
14 fective steps, which are in addition to those
15 steps taken since the certification and report
16 submitted during the prior year, if applicable,
17 to—

18 (i) work cooperatively with an autono-
19 mous, publicly accountable entity to pro-
20 vide oversight of the Plan of the Alliance
21 for Prosperity in the Northern Triangle in
22 Central America (the Plan);

23 (ii) combat corruption, including in-
24 vestigating and prosecuting current and

1 former government officials credibly al-
2 leged to be corrupt;

3 (iii) implement reforms, policies, and
4 programs to improve transparency and
5 strengthen public institutions, including in-
6 creasing the capacity and independence of
7 the judiciary and the Office of the Attor-
8 ney General;

9 (iv) implement a policy to ensure that
10 local communities, civil society organiza-
11 tions (including indigenous and other
12 marginalized groups), and local govern-
13 ments are consulted in the design, and
14 participate in the implementation and eval-
15 uation of, activities of the Plan that affect
16 such communities, organizations, and gov-
17 ernments;

18 (v) counter the activities of criminal
19 gangs, drug traffickers, and organized
20 crime;

21 (vi) investigate and prosecute in the
22 civilian justice system government per-
23 sonnel, including military and police per-
24 sonnel, who are credibly alleged to have
25 violated human rights, and ensure that

1 such personnel are cooperating in such
2 cases;

3 (vii) cooperate with commissions
4 against corruption and impunity and with
5 regional human rights entities;

6 (viii) support programs to reduce pov-
7 erty, expand education and vocational
8 training for at-risk youth, create jobs, and
9 promote equitable economic growth par-
10 ticularly in areas contributing to large
11 numbers of migrants;

12 (ix) implement a plan that includes
13 goals, benchmarks and timelines to create
14 a professional, accountable civilian police
15 force and end the role of the military in in-
16 ternal policing, and make such plan avail-
17 able to the Department of State;

18 (x) protect the right of political oppo-
19 sition parties, journalists, trade unionists,
20 human rights defenders, and other civil so-
21 ciety activists to operate without inter-
22 ference;

23 (xi) increase government revenues, in-
24 cluding by implementing tax reforms and
25 strengthening customs agencies; and

1 (xii) resolve commercial disputes, in-
2 cluding the confiscation of real property,
3 between United States entities and such
4 government.

5 (4) NORTHERN TRIANGLE INCENTIVE
6 AWARD.—Amounts designated as “Northern Tri-
7 angle Incentive Award” in the table under this sec-
8 tion in the report accompanying this Act may be
9 made available to El Salvador, Guatemala, or Hon-
10 duras, only if the Secretary of State determines and
11 reports to the appropriate congressional committees
12 that the country has made extraordinary progress in
13 meeting two or more of the conditions enumerated
14 in paragraph (3): *Provided*, That such award shall
15 be made in accordance with the requirements de-
16 scribed under this section in the report accom-
17 panying this Act.

18 (5) SUSPENSION OF ASSISTANCE AND PERIODIC
19 REVIEW.—

20 (A) The Secretary of State shall periodi-
21 cally review the progress of each of the central
22 governments of El Salvador, Guatemala, and
23 Honduras in meeting the requirements of para-
24 graphs (3)(A) and (3)(B): *Provided*, That if the
25 Secretary determines that sufficient progress

1 has not been made by a central government, the
2 Secretary shall suspend, in whole or in part, as-
3 sistance for such government for programs sup-
4 porting such requirement, and shall notify the
5 appropriate congressional committees in writing
6 of such action: *Provided further*, That the Sec-
7 retary may resume funding for such programs
8 only after the Secretary certifies to such com-
9 mittees that corrective measures have been
10 taken.

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

24 (6) TRANSFER OF FUNDS.—The Department of
25 State and USAID may, following consultation with

1 the Committees on Appropriations, transfer funds
2 made available by this Act under the heading “De-
3 velopment Assistance” to the Inter-American Devel-
4 opment Bank and the Inter-American Foundation to
5 support the Strategy.

6 (b) COLOMBIA.—

7 (1) ASSISTANCE.—Of the funds appropriated by
8 this Act under titles III and IV, not less than
9 \$335,925,000 shall be made available for assistance
10 for Colombia, including to support the efforts of the
11 Government of Colombia to—

12 (A) conduct a unified campaign against
13 narcotics trafficking, organizations designated
14 as foreign terrorist organizations pursuant to
15 section 219 of the Immigration and Nationality
16 Act (8 U.S.C. 1189), and other criminal or ille-
17 gal armed groups: *Provided*, That aircraft sup-
18 ported by funds made available by this Act and
19 prior Acts making appropriations for the De-
20 partment of State, foreign operations, and re-
21 lated programs may be used to transport per-
22 sonnel and supplies involved in drug eradication
23 and interdiction, including security for such ac-
24 tivities, and to provide transport in support of

1 alternative development programs and inves-
2 tigations by civilian judicial authorities;

3 (B) enhance security and stability in Co-
4 lombia and the region;

5 (C) strengthen and expand governance, the
6 rule of law, and access to justice throughout
7 Colombia;

8 (D) promote economic and social develop-
9 ment, including by improving access to areas
10 impacted by conflict through demining pro-
11 grams; and

12 (E) implement a peace agreement between
13 the Government of Colombia and illegal armed
14 groups, in accordance with constitutional and
15 legal requirements in Colombia:

16 *Provided*, That such funds shall be subject to prior
17 consultation with, and the regular notification proce-
18 dures of, the Committees on Appropriations.

19 (2) LIMITATION.—None of the funds appro-
20 priated by this Act or prior Acts making appropria-
21 tions for the Department of State, foreign oper-
22 ations, and related programs that are made available
23 for assistance for Colombia may be made available
24 for payment of reparations to conflict victims or
25 compensation to demobilized combatants associated

1 with a peace agreement between the Government of
2 Colombia and illegal armed groups.

3 (3) PRE-OBLIGATION REQUIREMENTS.—Prior
4 to the initial obligation of funds made available pur-
5 suant to paragraph (1), the Secretary of State, in
6 consultation with the USAID Administrator, shall
7 submit to the Committees on Appropriations a
8 multi-year spend plan as described under this sec-
9 tion in the report accompanying this Act.

10 (4) COUNTERNARCOTICS.—Of the funds made
11 available by this Act under the headings “Economic
12 Support Fund” and “International Narcotics Con-
13 trol and Law Enforcement” for assistance for Co-
14 lombia, 30 percent may be obligated only in accord-
15 ance with the conditions set forth under this section
16 in the report accompanying this Act.

17 (5) EXCEPTIONS.—The limitation of paragraph
18 (4) shall not apply to funds made available for hu-
19 manitarian assistance, aviation instruction and
20 maintenance, and maritime and riverine security
21 programs.

22 (c) CUBA.—

23 (1) DIPLOMATIC FACILITIES.—

24 (A) None of the funds appropriated or oth-
25 erwise made available by this Act and prior acts

1 making appropriations for the Department of
2 State, foreign operations, and related programs
3 may be obligated or expended for—

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

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

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

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

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

7 (ii) if the President determines and
8 reports to the appropriate congressional
9 committees that the government in Cuba
10 has met the requirements and factors spec-
11 ified in section 205 of the Cuban Liberty
12 and Democratic Solidarity (LIBERTAD)
13 Act of 1996 (22 U.S.C. 6065), including
14 the extent to which such government has
15 extradited or otherwise rendered to the
16 United States all persons sought by the
17 United States Department of Justice for
18 crimes committed in the United States.

19 (2) DEMOCRACY PROMOTION.—Of the funds ap-
20 propriated by this Act under the heading “Economic
21 Support Fund”, \$30,000,000 shall be made avail-
22 able to promote democracy and strengthen civil soci-
23 ety in Cuba: *Provided*, That no funds shall be obli-
24 gated for business promotion, economic reform, en-
25 trepreneurship, or any other assistance that is not

1 democracy-building as expressly authorized in the
2 Cuban Liberty and Democratic Solidarity
3 (LIBERTAD) Act of 1996 and the Cuban Democ-
4 racy Act of 1992.

5 (d) HAITI.—

6 (1) CERTIFICATION.—Funds appropriated by
7 this Act under the headings “Development Assist-
8 ance” and “Economic Support Fund” that are made
9 available for assistance for Haiti may not be made
10 available for assistance for the central Government
11 of Haiti unless the Secretary of State certifies and
12 reports to the Committees on Appropriations that
13 such government is taking effective steps, which are
14 in addition to steps taken since the certification and
15 report submitted during the prior year, if applicable,
16 to—

17 (A) strengthen the rule of law in Haiti, in-
18 cluding by—

19 (i) selecting judges in a transparent
20 manner based on merit;

21 (ii) reducing pre-trial detention; and

22 (iii) respecting the independence of
23 the judiciary.

1 (B) combat corruption, including by imple-
2 menting the anti-corruption law enacted in
3 2014 and prosecuting corrupt officials; and

4 (C) increase government revenues, includ-
5 ing by implementing tax reforms, and increase
6 expenditures on public services.

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

11 EUROPE AND EURASIA

12 SEC. 7046. (a) ASSISTANCE FOR UKRAINE.—Of the
13 funds appropriated by this Act under titles III and IV,
14 not less than \$410,465,000 shall be made available for
15 assistance for Ukraine.

16 (b) LIMITATION.—None of the funds appropriated by
17 this Act may be made available for assistance for a govern-
18 ment of an Independent State of the former Soviet Union
19 if such government directs any action in violation of the
20 territorial integrity or national sovereignty of any other
21 Independent State of the former Soviet Union, such as
22 those violations included in the Helsinki Final Act: *Pro-*
23 *vided*, That except as otherwise provided in section
24 7070(a) of this Act, funds may be made available without
25 regard to the restriction in this subsection if the President

1 determines that to do so is in the national security interest
2 of the United States: *Provided further*, That prior to exe-
3 cuting the authority contained in the previous proviso the
4 Secretary of State shall consult with the Committees on
5 Appropriations on how such assistance supports the na-
6 tional security interest of the United States.

7 (c) SECTION 907 OF THE FREEDOM SUPPORT
8 ACT.—Section 907 of the FREEDOM Support Act shall
9 not apply to—

10 (1) activities to support democracy or assist-
11 ance under title V of the FREEDOM Support Act
12 and section 1424 of the Defense Against Weapons
13 of Mass Destruction Act of 1996 (50 U.S.C. 2333)
14 or non-proliferation assistance;

15 (2) any assistance provided by the Trade and
16 Development Agency under section 661 of the For-
17 eign Assistance Act of 1961 (22 U.S.C. 2421);

18 (3) any activity carried out by a member of the
19 United States and Foreign Commercial Service while
20 acting within his or her official capacity;

21 (4) any insurance, reinsurance, guarantee, or
22 other assistance provided by the Overseas Private
23 Investment Corporation under title IV of chapter 2
24 of part I of the Foreign Assistance Act of 1961 (22
25 U.S.C. 2191 et seq.);

- 1 (5) any financing provided under the Export-
2 Import Bank Act of 1945; or
3 (6) humanitarian assistance.

4 WAR CRIMES TRIBUNALS

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

22 UNITED NATIONS

23 SEC. 7048. (a) TRANSPARENCY AND ACCOUNT-
24 ABILITY.—

1 (1) Of the funds appropriated under title I of
2 this Act that are available for contributions to the
3 United Nations (including the Department of Peace-
4 keeping Operations), any United Nations agency, or
5 the Organization of American States, 15 percent
6 may not be obligated for such organization, depart-
7 ment, or agency until the Secretary of State deter-
8 mines and reports to the Committees on Appropria-
9 tions that the organization, department, or agency
10 is—

11 (A) posting on a publicly available Web
12 site, consistent with privacy regulations and due
13 process, regular financial and programmatic au-
14 dits of such organization, department, or agen-
15 cy, and providing the United States Govern-
16 ment with necessary access to such financial
17 and performance audits;

18 (B) effectively implementing and enforcing
19 policies and procedures which reflect best prac-
20 tices for the protection of whistleblowers from
21 retaliation, including best practices for—

22 (i) protection against retaliation for
23 internal and lawful public disclosures;

24 (ii) legal burdens of proof;

1 (iii) statutes of limitation for report-
2 ing retaliation;

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

5 (v) results that eliminate the effects of
6 proven retaliation; and

7 (C) effectively implementing and enforcing
8 policies and procedures regarding travel, includ-
9 ing a prohibition on first class travel.

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

16 (b) RESTRICTIONS ON UNITED NATIONS DELEGA-
17 TIONS AND ORGANIZATIONS.—

18 (1) None of the funds made available by this
19 Act may be used to pay expenses for any United
20 States delegation to any specialized agency, body, or
21 commission of the United Nations if such agency,
22 body, or commission is chaired or presided over by
23 a country, the government of which the Secretary of
24 State has determined, for purposes of section 6(j)(1)
25 of the Export Administration Act of 1979 as contin-

1 ued in effect pursuant to the International Emer-
2 gency Economic Powers Act (50 U.S.C. App.
3 2405(j)(1)), supports international terrorism.

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

17 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—
18 None of the funds appropriated by this Act may be made
19 available in support of the United Nations Human Rights
20 Council unless the Secretary of State determines and re-
21 ports to the Committees on Appropriations that participa-
22 tion in the Council is in the national security interest of
23 the United States and that such Council is taking signifi-
24 cant steps to remove Israel as a permanent agenda item
25 and increase transparency in the election of members to

1 such Council: *Provided*, That such report shall include a
2 description of the national security interest served and the
3 steps taken to remove Israel as a permanent agenda item
4 and increase transparency in the election of members to
5 such Council: *Provided further*, That the Secretary of
6 State shall report to the Committees on Appropriations
7 not later than September 30, 2018, on the resolutions con-
8 sidered in the United Nations Human Rights Council dur-
9 ing the previous 12 months, and on steps taken to remove
10 Israel as a permanent agenda item and increase trans-
11 parency in the election of members to such Council.

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

- 19 (1) utilizing Operations Support Officers in the
20 West Bank, Gaza, and other fields of operation to
21 inspect UNRWA installations and reporting any in-
22 appropriate use;
- 23 (2) acting promptly to address any staff or ben-
24 eficiary violation of its own policies (including the
25 policies on neutrality and impartiality of employees)

1 and the legal requirements under section 301(c) of
2 the Foreign Assistance Act of 1961;

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

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

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

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

24 (7) in compliance with the United Nations
25 Board of Auditors' biennial audit requirements and

1 is implementing in a timely fashion the Board's rec-
2 ommendations.

3 (e) PROHIBITION OF PAYMENTS TO UNITED NA-
4 TIONS MEMBERS.—None of the funds appropriated or
5 made available pursuant to titles III through VI of this
6 Act for carrying out the Foreign Assistance Act of 1961,
7 may be used to pay in whole or in part any assessments,
8 arrearages, or dues of any member of the United Nations
9 or, from funds appropriated by this Act to carry out chap-
10 ter 1 of part I of the Foreign Assistance Act of 1961,
11 the costs for participation of another country's delegation
12 at international conferences held under the auspices of
13 multilateral or international organizations.

14 (f) CAPITAL PROJECTS.—None of the funds made
15 available by this Act may be used for the design, renova-
16 tion, or construction of the United Nations Headquarters
17 in New York: *Provided*, That any operating plan sub-
18 mitted pursuant to this Act for funds made available
19 under the heading "Contributions to International Organi-
20 zations" shall include information on capital projects, as
21 described under such heading in the report accompanying
22 this Act.

23 (g) WITHHOLDING REPORT.—Not later than 45 days
24 after enactment of this Act, the Secretary of State shall
25 submit a report to the Committees on Appropriations de-

1 tailing the amount of funds available for obligation or ex-
2 penditure in fiscal year 2018 for contributions to any or-
3 ganization, department, agency, or program within the
4 United Nations system or any international program that
5 are withheld from obligation or expenditure due to any
6 provision of law: *Provided*, That the Secretary of State
7 shall update such report each time additional funds are
8 withheld by operation of any provision of law: *Provided*
9 *further*, That the reprogramming of any withheld funds
10 identified in such report, including updates thereof, shall
11 be subject to prior consultation with, and the regular noti-
12 fication procedures of, the Committees on Appropriations.

13 (h) SEXUAL EXPLOITATION AND ABUSE IN PEACE-
14 KEEPING OPERATIONS.—Funds appropriated by this Act
15 shall be made available to implement section 301 of the
16 Department of State Authorities Act, Fiscal Year 2017
17 (Public Law 114–323).

18 (i) ADDITIONAL AVAILABILITY.—Funds appropriated
19 under title I of this Act which are returned or not made
20 available due to the implementation of subsection (a) or
21 the second proviso under the heading “Contributions for
22 International Peacekeeping Activities” of such title shall
23 remain available for obligation until September 30, 2019.

24 (j) WAIVER.—The restrictions imposed by or pursu-
25 ant to subsection (d) may be waived on a case-by-case

1 basis by the Secretary of State if the Secretary determines
2 and reports to the Committees on Appropriations that
3 such waiver is necessary to avert or respond to a humani-
4 tarian crisis.

5 COMMUNITY-BASED POLICE ASSISTANCE

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

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

22 PROHIBITION ON PUBLICITY OR PROPAGANDA

23 SEC. 7050. No part of any appropriation contained
24 in this Act shall be used for publicity or propaganda pur-
25 poses within the United States not authorized before the

1 date of the enactment of this Act by Congress: *Provided*,
2 That not to exceed \$25,000 may be made available to
3 carry out the provisions of section 316 of the International
4 Security and Development Cooperation Act of 1980 (Pub-
5 lic Law 96–533).

6 INTERNATIONAL CONFERENCES

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

21 AIRCRAFT TRANSFER, COORDINATION, AND USE

22 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-
23 standing any other provision of law or regulation, aircraft
24 procured with funds appropriated by this Act and prior
25 Acts making appropriations for the Department of State,

1 foreign operations, and related programs under the head-
2 ings “Diplomatic and Consular Programs”, “International
3 Narcotics Control and Law Enforcement”, “Andean
4 Counterdrug Initiative”, and “Andean Counterdrug Pro-
5 grams” may be used for any other program and in any
6 region.

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

15 (c) AIRCRAFT COORDINATION.—

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

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

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

16 (d) AIRCRAFT OPERATIONS AND MAINTENANCE.—
17 To the maximum extent practicable, the costs of oper-
18 ations and maintenance, including fuel, of aircraft funded
19 by this Act shall be borne by the recipient country.

20 PARKING FINES AND REAL PROPERTY TAXES OWED BY
21 FOREIGN GOVERNMENTS

22 SEC. 7053. The terms and conditions of section 7055
23 of the Department of State, Foreign Operations, and Re-
24 lated Programs Appropriations Act, 2011 (division F of
25 Public Law 111–117) shall apply to this Act: *Provided*,

1 That the date “September 30, 2009” in subsection
2 (f)(2)(B) of such section shall be deemed to be “Sep-
3 tember 30, 2017”.

4 LANDMINES AND CLUSTER MUNITIONS

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

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

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

1 be used where civilians are known to be present or
2 in areas normally inhabited by civilians; or

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

6 CONTINUOUS SUPERVISION AND GENERAL DIRECTION OF
7 ECONOMIC AND MILITARY ASSISTANCE

8 SEC. 7055. (a) Under the direction of the President,
9 the Secretary of State should be responsible for the contin-
10 uous supervision and general direction of economic assist-
11 ance, law enforcement and justice sector assistance, mili-
12 tary assistance, and military education and training pro-
13 grams, including but not limited to determining whether
14 there shall be a military assistance (including civic action)
15 or a military education and training program for a country
16 and the value thereof, to the end that such programs are
17 effectively integrated both at home and abroad and the
18 foreign policy of the United States is best served thereby.

19 (b) Consistent with section 481(b) of the Foreign As-
20 sistance Act of 1961, the Secretary of State shall be re-
21 sponsible for coordinating all assistance provided by the
22 United States Government to support international efforts
23 to combat illicit narcotics production or trafficking: *Pro-*
24 *vided*, That the provision of assistance by the Department
25 of Defense which is comparable to assistance that may be

1 made available by this Act under the heading “Inter-
2 national Narcotics Control and Law Enforcement” should
3 be provided in a manner consistent with the requirements
4 of section 333(b) of title 10, United States Code, as added
5 by section 1241 of the National Defense Authorization Act
6 for Fiscal Year 2017 (Public Law 114–328).

7 LIMITATIONS RELATED TO FAMILY PLANNING AND
8 REPRODUCTIVE HEALTH

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

12 (b) None of the funds appropriated or otherwise
13 made available by this Act for global health assistance
14 may be made available to any foreign nongovernmental or-
15 ganization that promotes or performs abortion, except in
16 cases of rape or incest or when the life of the mother
17 would be endangered if the fetus were carried to term.

18 UNITED STATES AGENCY FOR INTERNATIONAL
19 DEVELOPMENT MANAGEMENT

20 SEC. 7057. (a) AUTHORITY.—Up to \$93,000,000 of
21 the funds made available in title III of this Act pursuant
22 to or to carry out the provisions of part I of the Foreign
23 Assistance Act of 1961, including funds appropriated
24 under the heading “Assistance for Europe, Eurasia and
25 Central Asia”, may be used by the United States Agency

1 for International Development to hire and employ individ-
2 uals in the United States and overseas on a limited ap-
3 pointment basis pursuant to the authority of sections 308
4 and 309 of the Foreign Service Act of 1980.

5 (b) RESTRICTIONS.—

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

9 (2) The authority to hire individuals contained
10 in subsection (a) shall expire on September 30,
11 2019.

12 (c) CONDITIONS.—The authority of subsection (a)
13 should only be used to the extent that an equivalent num-
14 ber of positions that are filled by personal services contrac-
15 tors or other non-direct hire employees of USAID, who
16 are compensated with funds appropriated to carry out part
17 I of the Foreign Assistance Act of 1961, including funds
18 appropriated under the heading “Assistance for Europe,
19 Eurasia and Central Asia”, are eliminated.

20 (d) PROGRAM ACCOUNT CHARGED.—The account
21 charged for the cost of an individual hired and employed
22 under the authority of this section shall be the account
23 to which the responsibilities of such individual primarily
24 relate: *Provided*, That funds made available to carry out
25 this section may be transferred to, and merged with, funds

1 appropriated by this Act in title II under the heading “Op-
2 erating Expenses”.

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

11 (f) DISASTER SURGE CAPACITY.—Funds appro-
12 priated under title III of this Act to carry out part I of
13 the Foreign Assistance Act of 1961, including funds ap-
14 propriated under the heading “Assistance for Europe,
15 Eurasia and Central Asia”, may be used, in addition to
16 funds otherwise available for such purposes, for the cost
17 (including the support costs) of individuals detailed to or
18 employed by USAID whose primary responsibility is to
19 carry out programs in response to natural disasters, or
20 man-made disasters subject to the regular notification
21 procedures of the Committees on Appropriations.

22 (g) PERSONAL SERVICES CONTRACTORS.—Funds ap-
23 propriated by this Act to carry out chapter 1 of part I,
24 chapter 4 of part II, and section 667 of the Foreign As-
25 sistance Act of 1961, and title II of the Food for Peace

1 Act (Public Law 83–480), may be used by USAID to em-
2 ploy up to 40 personal services contractors in the United
3 States, notwithstanding any other provision of law, for the
4 purpose of providing direct, interim support for new or
5 expanded overseas programs and activities managed by
6 the agency until permanent direct hire personnel are hired
7 and trained: *Provided*, That not more than 15 of such con-
8 tractors shall be assigned to any bureau or office: *Provided*
9 *further*, That such funds appropriated to carry out title
10 II of the Food for Peace Act (Public Law 83–480), may
11 be made available only for personal services contractors
12 assigned to the Office of Food for Peace.

13 (h) SMALL BUSINESS.—In entering into multiple
14 award indefinite-quantity contracts with funds appro-
15 priated by this Act, USAID may provide an exception to
16 the fair opportunity process for placing task orders under
17 such contracts when the order is placed with any category
18 of small or small disadvantaged business.

19 (i) SENIOR FOREIGN SERVICE LIMITED APPOINT-
20 MENTS.—Individuals hired pursuant to the authority pro-
21 vided by section 7059(o) of the Department of State, For-
22 eign Operations, and Related Programs Appropriations
23 Act, 2011 (division F of Public Law 111–117) may be
24 assigned to or support programs in Afghanistan or Paki-
25 stan with funds made available in this Act and prior Acts

1 making appropriations for the Department of State, for-
2 eign operations, and related programs.

3 GLOBAL HEALTH ACTIVITIES

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

15 (b) LIMITATION.—Of the funds appropriated by this
16 Act, not more than \$461,000,000 may be made available
17 for family planning/reproductive health.

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

24 (1) maintaining and implementing a policy of
25 transparency, including the authority of the Global

1 Fund Office of the Inspector General (OIG) to pub-
2 lish OIG reports on a public Web site;

3 (2) providing sufficient resources to maintain
4 an independent OIG that—

5 (A) reports directly to the Board of the
6 Global Fund;

7 (B) maintains a mandate to conduct thor-
8 ough investigations and programmatic audits,
9 free from undue interference; and

10 (C) compiles regular, publicly published
11 audits and investigations of financial, pro-
12 grammatic, and reporting aspects of the Global
13 Fund, its grantees, recipients, sub-recipients,
14 and Local Fund Agents;

15 (3) effectively implementing and enforcing poli-
16 cies and procedures which reflect best practices for
17 the protection of whistleblowers from retaliation, in-
18 cluding best practices for—

19 (A) protection against retaliation for inter-
20 nal and lawful public disclosures;

21 (B) legal burdens of proof;

22 (C) statutes of limitation for reporting re-
23 taliation;

24 (D) access to independent adjudicative
25 bodies, including external arbitration; and

1 (E) results that eliminate the effects of
2 proven retaliation; and

3 (4) implementing the recommendations con-
4 tained in the Consolidated Transformation Plan ap-
5 proved by the Board of the Global Fund on Novem-
6 ber 21, 2011:

7 *Provided*, That such withholding shall not be in addition
8 to funds that are withheld from the Global Fund in fiscal
9 year 2018 pursuant to the application of any other provi-
10 sion contained in this or any other Act.

11 (d) CONTAGIOUS INFECTIOUS DISEASE OUT-
12 BREAKS.—

13 (1) EMERGENCY RESERVE FUND.—Of the
14 funds appropriated by this Act under the heading
15 “Global Health Programs”, \$10,000,000 shall be for
16 the Emergency Reserve Fund established pursuant
17 to section 7058(c)(1) of the Department of State,
18 Foreign Operations, and Related Programs Appro-
19 priations Act, 2017 (division J of Public Law 115-
20 31) and shall be available under the same terms and
21 conditions of such section.

22 (2) EXTRAORDINARY MEASURES.—If the Sec-
23 retary of State determines and reports to the Com-
24 mittees on Appropriations that an international in-
25 fectious disease outbreak is sustained, severe, and is

1 spreading internationally, or that it is in the na-
2 tional interest to respond to a Public Health Emer-
3 gency of International Concern, funds appropriated
4 by this Act under the headings “Global Health Pro-
5 grams”, “Development Assistance”, “International
6 Disaster Assistance”, “Economic Support Fund”,
7 “Democracy Fund”, “Assistance for Europe, Eur-
8 asia and Central Asia”, “Migration and Refugee As-
9 sistance”, and “Millennium Challenge Corporation”
10 may be made available to combat such infectious dis-
11 ease or public health emergency, and may be trans-
12 ferred to, and merged with, funds appropriated
13 under such headings for the purposes of this para-
14 graph.

15 (3) OVERSIGHT OF FUNDS.—Funds made avail-
16 able pursuant to the authority of this subsection
17 shall be subject to prior consultation with the appro-
18 priate congressional committees and the regular no-
19 tification procedures of the Committees on Appro-
20 priations.

21 (e) MALARIA AND OTHER INFECTIOUS DISEASES.—
22 Of the unobligated balances available under the heading
23 “Bilateral Economic Assistance” in title IX of division J
24 of the Consolidated and Further Continuing Appropria-
25 tions Act, 2015 (Public Law 113–235), \$250,000,000

1 shall be available for assistance or research to detect, pre-
2 vent, treat, and control malaria, and \$72,500,000 shall be
3 for assistance or research to detect, prevent, treat, and
4 control emerging infectious diseases in countries at risk
5 of such diseases: *Provided*, That amounts made available
6 under this section are designated by the Congress as an
7 emergency requirement pursuant to section
8 251(b)(2)(A)(i) of the Balanced Budget and Emergency
9 Deficit Control Act of 1985 and shall be available only
10 if the President subsequently so designates all such
11 amounts and transmits such designations to the Congress.

12 GENDER EQUALITY

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

19 (b) WOMEN’S LEADERSHIP.—Of the funds appro-
20 priated by title III of this Act, not less than \$50,000,000
21 shall be made available to increase leadership opportuni-
22 ties for women in countries where women and girls suffer
23 discrimination due to law, policy, or practice, by strength-
24 ening protections for women’s political status, expanding
25 women’s participation in political parties and elections,

1 and increasing women's opportunities for leadership posi-
2 tions in the public and private sectors at the local, provin-
3 cial, and national levels.

4 (c) GENDER-BASED VIOLENCE.—

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

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

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

1 forms of gender-based violence in conflict and non-
2 conflict settings.

3 (d) WOMEN, PEACE, AND SECURITY.—Funds appro-
4 priated by this Act under the headings “Development As-
5 sistance”, “Economic Support Fund”, “Assistance for Eu-
6 rope, Eurasia and Central Asia”, and “International Nar-
7 cotics Control and Law Enforcement” should be made
8 available to support a multi-year strategy to expand, and
9 improve coordination of, United States Government ef-
10 forts to empower women as equal partners in conflict pre-
11 vention, peace building, transitional processes, and recon-
12 struction efforts in countries affected by conflict or in po-
13 litical transition, and to ensure the equitable provision of
14 relief and recovery assistance to women and girls.

15 SECTOR ALLOCATIONS

16 SEC. 7060. (a) BASIC EDUCATION AND HIGHER
17 EDUCATION.—

18 (1) BASIC EDUCATION.—

19 (A) Of the funds appropriated under title
20 III of this Act, not less than \$800,000,000
21 shall be made available for assistance for basic
22 education, and such funds may be made avail-
23 able notwithstanding any other provision of law
24 that restricts assistance to foreign countries.

1 (B) Not later than 30 days after enact-
2 ment of this Act, the Administrator of the
3 United States Agency for International Devel-
4 opment shall report to the Committees on Ap-
5 propriations on the status of cumulative unobli-
6 gated balances and obligated, but unexpended,
7 balances in each country where USAID pro-
8 vides basic education assistance and such report
9 shall also include details on the types of con-
10 tracts and grants provided and the goals and
11 objectives of such assistance: *Provided*, That
12 the USAID Administrator shall update such re-
13 port on a quarterly basis until September 30,
14 2019.

15 (C) Of the funds appropriated under title
16 III of this Act for assistance for basic education
17 programs, not less than \$87,500,000 shall be
18 made available for a contribution to multilateral
19 partnerships that support education.

20 (2) HIGHER EDUCATION.—Of the funds appro-
21 priated by title III of this Act, not less than
22 \$235,000,000 shall be made available for assistance
23 for higher education, including not less than
24 \$35,000,000 for new and ongoing partnerships for
25 human and institutional capacity building between

1 higher education institutions in the United States
2 and developing countries.

3 (b) CONSERVATION PROGRAMS AND LIMITATIONS.—

4 (1) BIODIVERSITY.—

5 (A) Of the funds appropriated under title
6 III of this Act, not less than \$265,000,000
7 shall be made available for biodiversity con-
8 servation programs.

9 (B) Of the funds appropriated by this Act
10 under the heading “Economic Support Fund”,
11 \$102,375,000 shall be made available for a
12 multilateral funding facility to support biodiver-
13 sity conservation programs: *Provided*, That
14 such funds may only be made available on a
15 grant basis: *Provided further*, That such funds
16 are in addition to amounts specified in subpara-
17 graph (A) and are subject to prior consultation
18 with, and the regular notification procedures of,
19 the Committees on Appropriations.

20 (2) WILDLIFE POACHING AND TRAFFICKING.—

21 (A) Not less than \$90,664,000 of the
22 funds appropriated under titles III and IV of
23 this Act shall be made available to combat the
24 transnational threat of wildlife poaching and
25 trafficking.

1 (B) None of the funds appropriated under
2 title IV of this Act may be made available for
3 training or other assistance for any military
4 unit or personnel that the Secretary of State
5 determines has been credibly alleged to have
6 participated in wildlife poaching or trafficking,
7 unless the Secretary reports to the appropriate
8 congressional committees that to do so is in the
9 national security interest of the United States.

10 (c) DEVELOPMENT PROGRAMS.—Of the funds appro-
11 priated by this Act under the heading “Development As-
12 sistance”, not less than \$26,000,000 shall be made avail-
13 able for the American Schools and Hospitals Abroad pro-
14 gram, and not less than \$12,000,000 shall be made avail-
15 able for cooperative development programs of USAID.

16 (d) FOOD SECURITY AND AGRICULTURAL DEVELOP-
17 MENT.—Of the funds appropriated under title III of this
18 Act, not less than \$1,000,600,000 should be made avail-
19 able to carry out the provisions of the Global Food Secu-
20 rity Act of 2016 (Public Law 114-195), of which not less
21 than \$60,000,000 shall be made available for the Feed
22 the Future Innovation Labs: *Provided*, That funds may
23 be made available for a contribution as authorized by sec-
24 tion 3202 of the Food, Conservation, and Energy Act of

1 2008 (Public Law 110-246), as amended by section 3206
2 of the Agricultural Act of 2014 (Public Law 113-79).

3 (e) MICROENTERPRISE AND MICROFINANCE.—Of the
4 funds appropriated by this Act, not less than
5 \$265,000,000 should be made available for microenter-
6 prise and microfinance development programs for the
7 poor, especially women.

8 (f) PROGRAMS TO COMBAT TRAFFICKING IN PER-
9 SONS.—Of the funds appropriated by this Act under the
10 headings “Development Assistance”, “Economic Support
11 Fund”, “Assistance for Europe, Eurasia and Central
12 Asia”, and “International Narcotics Control and Law En-
13 forcement”, not less than \$65,000,000 shall be made
14 available for activities to combat trafficking in persons
15 internationally, of which not less than \$40,000,000 shall
16 be from funds made available under the heading “Inter-
17 national Narcotics Control and Law Enforcement”: *Pro-*
18 *vided*, That not later than 120 days after enactment of
19 this Act, the Secretary of State shall submit an update
20 to the report required pursuant to section 7060(f)(1) of
21 the Department of State, Foreign Operations, and Related
22 Programs Appropriations Act, 2017 (division J of Public
23 Law 115-31).

24 (g) WATER AND SANITATION.—Of the funds appro-
25 priated by this Act, not less than \$400,000,000 shall be

1 made available for water supply and sanitation projects
2 pursuant to the Senator Paul Simon Water for the Poor
3 Act of 2005 (Public Law 109–121), of which not less than
4 \$145,000,000 shall be for programs in sub-Saharan Afri-
5 ca.

6 COUNTRIES IMPACTED BY SIGNIFICANT REFUGEE
7 POPULATIONS OR INTERNALLY DISPLACED PERSONS

8 SEC. 7061. Funds appropriated by this Act under the
9 headings “Development Assistance” and “Economic Sup-
10 port Fund” shall be made available for programs in coun-
11 tries affected by significant populations of internally dis-
12 placed persons or refugees to—

13 (1) expand and improve host government social
14 services and basic infrastructure to accommodate the
15 needs of such populations and persons;

16 (2) alleviate the social and economic strains
17 placed on host communities, including through pro-
18 grams to promote livelihoods, vocational training,
19 and formal and informal education;

20 (3) improve coordination of such assistance in
21 a more effective and sustainable manner; and

22 (4) leverage increased assistance from donors
23 other than the United States Government for central
24 governments and local communities in such coun-
25 tries.

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 failure
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.

MULTI-YEAR PLEDGES

SEC. 7065. None of the funds appropriated by this Act may be used to make any pledge for future year funding for any multilateral or bilateral program funded in titles III through VI of this Act unless such pledge was—

(1) previously justified, including the projected future year costs, in a congressional budget justification;

(2) included in an Act making appropriations for the Department of State, foreign operations, and related programs or previously authorized by an Act of Congress;

(3) notified in accordance with the regular notification procedures of the Committees on Appropriations, including the projected future year costs; or

(4) the subject of prior consultation with the Committees on Appropriations and such consultation was conducted at least 7 days in advance of the pledge.

PROHIBITION ON USE OF TORTURE

SEC. 7066. None of the funds made available in this Act may be used to support or justify the use of torture, cruel, or inhumane treatment by any official or contract employee of the United States Government.

EXTRADITION

1
2 SEC. 7067. (a) LIMITATION.—None of the funds ap-
3 propriated in this Act may be used to provide assistance
4 (other than funds provided under the headings “Inter-
5 national Disaster Assistance”, “International Narcotics
6 Control and Law Enforcement”, “Migration and Refugee
7 Assistance”, and “Nonproliferation, Anti-terrorism,
8 Demining and Related Assistance”) for the central gov-
9 ernment of a country which has notified the Department
10 of State of its refusal to extradite to the United States
11 any individual indicted for a criminal offense for which
12 the maximum penalty is life imprisonment without the
13 possibility of parole or for killing a law enforcement offi-
14 cer, as specified in a United States extradition request.

15 (b) CLARIFICATION.—Subsection (a) shall only apply
16 to the central government of a country with which the
17 United States maintains diplomatic relations and with
18 which the United States has an extradition treaty and the
19 government of that country is in violation of the terms
20 and conditions of the treaty.

21 (c) WAIVER.—The Secretary of State may waive the
22 restriction in subsection (a) on a case-by-case basis if the
23 Secretary certifies to the Committees on Appropriations
24 that such waiver is important to the national interests of
25 the United States.

1 COMMERCIAL LEASING OF DEFENSE ARTICLES

2 SEC. 7068. Notwithstanding any other provision of
3 law, and subject to the regular notification procedures of
4 the Committees on Appropriations, the authority of sec-
5 tion 23(a) of the Arms Export Control Act may be used
6 to provide financing to Israel, Egypt, and the North Atlan-
7 tic Treaty Organization (NATO), and major non-NATO
8 allies for the procurement by leasing (including leasing
9 with an option to purchase) of defense articles from
10 United States commercial suppliers, not including Major
11 Defense Equipment (other than helicopters and other
12 types of aircraft having possible civilian application), if the
13 President determines that there are compelling foreign
14 policy or national security reasons for those defense arti-
15 cles being provided by commercial lease rather than by
16 government-to-government sale under such Act.

17 RESCISSIONS

18 (INCLUDING RESCISSION OF FUNDS)

19 SEC. 7069. (a) ASSISTANCE.—Of the unobligated
20 balances available to the President under the heading
21 “Development Assistance”, as identified by Treasury Ap-
22 propriation Fund Symbol 72 X 1021, \$29,906,927.46 are
23 rescinded.

24 (b) NORTH AMERICAN DEVELOPMENT BANK.—The
25 unobligated balances available under the heading “Con-

1 tribution to the North American Development Bank” in
2 the Department of State, Foreign Operations, and Related
3 Programs Appropriations Act, 2016 (division K of Public
4 Law 114-113) are rescinded.

5 (c) EXPORT-IMPORT BANK.—Of the unobligated bal-
6 ances under the heading “Export and Investment Assist-
7 ance, Export-Import Bank of the United States, Subsidy
8 Appropriation” for tied-aid grants in prior Acts making
9 appropriations for the Department of State, foreign oper-
10 ations, and related programs, \$165,000,000 are rescinded.

11 (d) SEC. 129 OF PUBLIC LAW 110-329.—Of the un-
12 obligated balances available for “Department of Energy—
13 Energy Programs—Advanced Technology Vehicles Manu-
14 facturing Loan Program Account” under section 129 of
15 the Continuing Appropriations Resolution, 2009 (division
16 A of Public Law 110–329), \$1,090,000,000 is hereby re-
17 scinded.

18 COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

19 SEC. 7070. (a) LIMITATION.—None of the funds ap-
20 propriated by this Act may be made available for assist-
21 ance for the central Government of the Russian Federa-
22 tion.

23 (b) ANNEXATION OF CRIMEA.—

24 (1) None of the funds appropriated by this Act
25 may be made available for assistance for the central

1 government of a country that the Secretary of State
2 determines and reports to the Committees on Appro-
3 priations has taken affirmative steps intended to
4 support or be supportive of the Russian Federation
5 annexation of Crimea: *Provided*, That except as oth-
6 erwise provided in subsection (a), the Secretary may
7 waive the restriction on assistance required by this
8 paragraph if the Secretary determines and reports to
9 such Committees that to do so is in the national in-
10 terest of the United States, and includes a justifica-
11 tion for such interest.

12 (2) None of the funds appropriated by this Act
13 may be made available for—

14 (A) the implementation of any action or
15 policy that recognizes the sovereignty of the
16 Russian Federation over Crimea;

17 (B) the facilitation, financing, or guarantee
18 of United States Government investments in
19 Crimea, if such activity includes the participa-
20 tion of Russian Government officials, or other
21 Russian owned or controlled financial entities;
22 or

23 (C) assistance for Crimea, if such assist-
24 ance includes the participation of Russian Gov-

1 ernment officials, or other Russian owned or
2 controlled financial entities.

3 (3) The Secretary of the Treasury shall instruct
4 the United States executive directors of each inter-
5 national financial institution to vote against any as-
6 sistance by such institution (including any loan,
7 credit, or guarantee) for any program that violates
8 the sovereignty or territorial integrity of Ukraine.

9 (4) The requirements and limitations of this
10 subsection shall cease to be in effect if the Secretary
11 of State determines and reports to the Committees
12 on Appropriations that the Government of Ukraine
13 has reestablished sovereignty over Crimea.

14 (c) OCCUPATION OF THE GEORGIAN TERRITORIES OF
15 ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

16 (1) None of the funds appropriated by this Act
17 may be made available for assistance for the central
18 government of a country that the Secretary of State
19 determines and reports to the Committees on Appro-
20 priations has recognized the independence of, or has
21 established diplomatic relations with, the Russian oc-
22 cupied Georgian territories of Abkhazia and
23 Tskhinvali Region/South Ossetia: *Provided*, That the
24 Secretary shall publish on the Department of State
25 Web site a list of any such central governments in

1 a timely manner: *Provided further*, That the Sec-
2 retary may waive the restriction on assistance re-
3 quired by this paragraph if the Secretary determines
4 and reports to the Committees on Appropriations
5 that to do so is in the national interest of the United
6 States, and includes a justification for such interest.

7 (2) None of the funds appropriated by this Act
8 may be made available to support the Russian occu-
9 pation of the Georgian territories of Abkhazia and
10 Tskhinvali Region/South Ossetia.

11 (3) The Secretary of the Treasury shall instruct
12 the United States executive directors of each inter-
13 national financial institution to vote against any as-
14 sistance by such institution (including any loan,
15 credit, or guarantee) for any program that violates
16 the sovereignty and territorial integrity of Georgia.

17 (d) ASSISTANCE TO COUNTER INFLUENCE AND AG-
18 GRESSION.—

19 (1) Funds appropriated by this Act under the
20 headings “Assistance for Europe, Eurasia and Cen-
21 tral Asia”, “International Narcotics Control and
22 Law Enforcement”, “International Military Edu-
23 cation and Training”, and “Foreign Military Fi-
24 nancing Program” shall be made available for assist-

1 ance to counter Russian influence and aggression in
2 countries in Europe and Eurasia.

3 (2) Funds appropriated by this Act and made
4 available for assistance for the Eastern Partnership
5 countries shall be made available to advance the im-
6 plementation of Association Agreements and trade
7 agreements with the European Union, and to reduce
8 their vulnerability to external economic and political
9 pressure from the Russian Federation.

10 (e) DEMOCRACY PROGRAMS.—Funds appropriated by
11 this Act shall be made available to support democracy pro-
12 grams in the Russian Federation, including to promote
13 Internet freedom, and shall also be made available to sup-
14 port the democracy and rule of law strategy required by
15 section 7071(d) of the Department of State, Foreign Op-
16 erations, and Related Programs Appropriations Act, 2014
17 (division K of Public Law 113–76).

18 (f) REPORTS.—Not later than 45 days after enact-
19 ment of this Act, the Secretary of State shall update the
20 reports required by subsections (b)(2) and (e) of section
21 7071 of the Department of State, Foreign Operations, and
22 Related Programs Appropriations Act, 2014 (division K
23 of Public Law 113–76).

1 INTERNATIONAL MONETARY FUND

2 SEC. 7071. (a) EXTENSIONS.—The terms and condi-
3 tions of sections 7086(b) (1) and (2) and 7090(a) of the
4 Department of State, Foreign Operations, and Related
5 Programs Appropriations Act, 2010 (division F of Public
6 Law 111–117) shall apply to this Act.

7 (b) REPAYMENT.—The Secretary of the Treasury
8 shall instruct the United States Executive Director of the
9 International Monetary Fund (IMF) to seek to ensure
10 that any loan will be repaid to the IMF before other pri-
11 vate creditors.

12 SPECIAL DEFENSE ACQUISITION FUND

13 SEC. 7072. Not to exceed \$900,000,000 may be obli-
14 gated pursuant to section 51(c)(2) of the Arms Export
15 Control Act for the purposes of the Special Defense Acqui-
16 sition Fund (Fund), to remain available for obligation
17 until September 30, 2020: *Provided*, That the provision
18 of defense articles and defense services to foreign coun-
19 tries or international organizations from the Fund shall
20 be subject to the concurrence of the Secretary of State.

21 COUNTERING FOREIGN FIGHTERS AND EXTREMIST

22 ORGANIZATIONS

23 SEC. 7073. (a) FUNDING.— Funds appropriated
24 under titles III and IV of this Act shall be made available
25 for programs and activities to counter and defeat violent

1 extremism and foreign fighters abroad, which shall include
2 components to—

3 (1) counter the recruitment, radicalization,
4 movement, and financing of such extremists and for-
5 eign fighters;

6 (2) secure borders of countries impacted by ex-
7 tremism;

8 (3) assist countries impacted by extremism to
9 implement and establish criminal laws and policies
10 to counter extremists and foreign fighters; and

11 (4) promote and strengthen democratic institu-
12 tions and practices in countries impacted by extre-
13 mism.

14 (b) CONDITIONS.—The Secretary of State shall—

15 (1) promptly inform the appropriate congres-
16 sional committees of each instance in which assist-
17 ance provided pursuant to this section has been di-
18 verted or destroyed, to include the type and amount
19 of assistance, a description of the incident and par-
20 ties involved, and an explanation of the response of
21 the Department of State or the United States Agen-
22 cy for International Development, as appropriate;
23 and

24 (2) ensure programs to counter and defeat vio-
25 lent extremism and foreign fighters abroad are co-

1 ordinated with and complement the efforts of other
2 United States Government agencies and inter-
3 national partners.

4 ENTERPRISE FUNDS

5 SEC. 7074. (a) NOTIFICATION REQUIREMENT.—

6 None of the funds made available under titles III through
7 VI of this Act may be made available for Enterprise Funds
8 unless the appropriate congressional committees are noti-
9 fied at least 15 days in advance.

10 (b) DISTRIBUTION OF ASSETS PLAN.—Prior to the
11 distribution of any assets resulting from any liquidation,
12 dissolution, or winding up of an Enterprise Fund, in whole
13 or in part, the President shall submit to the appropriate
14 congressional committees a plan for the distribution of the
15 assets of the Enterprise Fund.

16 (c) TRANSITION OR OPERATING PLAN.—Prior to a
17 transition to and operation of any private equity fund or
18 other parallel investment fund under an existing Enter-
19 prise Fund, the President shall submit such transition or
20 operating plan to the appropriate congressional commit-
21 tees.

22 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

23 SEC. 7075. If the President makes a determination
24 not to comply with any provision of this Act on constitu-
25 tional grounds, the head of the relevant Federal agency

1 shall notify the Committees on Appropriations in writing
2 within 5 days of such determination, the basis for such
3 determination and any resulting changes to program and
4 policy.

5 BUDGET DOCUMENTS

6 SEC. 7076. (a) OPERATING AND REORGANIZATION
7 PLANS.—

8 (1) Not later than 45 days after the date of en-
9 actment of this Act, each department, agency, or or-
10 ganization funded in titles I, II, and VI of this Act,
11 and the Department of the Treasury and Inde-
12 pendent Agencies funded in title III of this Act, in-
13 cluding the Inter-American Foundation and the
14 United States African Development Foundation,
15 shall submit to the Committees on Appropriations
16 an operating plan for funds appropriated to such de-
17 partment, agency, or organization in such titles of
18 this Act, or funds otherwise available for obligation
19 in fiscal year 2018, that provides details of the uses
20 of such funds at the program, project, and activity
21 level: *Provided*, That such plans shall include, as ap-
22 plicable, a comparison between the congressional
23 budget justification funding levels, the most recent
24 congressional directives or approved funding levels,
25 and the funding levels proposed by the department

1 or agency; and a clear, concise, and informative de-
2 scription/justification: *Provided further*, That if such
3 department, agency, or organization receives an ad-
4 ditional amount under the same heading in title VIII
5 of this Act, operating plans required by this sub-
6 section shall include consolidated information on all
7 such funds: *Provided further*, That operating plans
8 that include changes in levels of funding for pro-
9 grams, projects, and activities specified in the con-
10 gressional budget justification, in this Act, or
11 amounts specifically designated in the respective ta-
12 bles included in the report accompanying this Act,
13 as applicable, shall be subject to the notification and
14 reprogramming requirements of section 7015 of this
15 Act.

16 (2) Concurrent with the submission of an oper-
17 ating plan pursuant to paragraph (1), each covered
18 department, agency, or organization shall submit to
19 the Committees on Appropriations information de-
20 tailing any planned reorganization of such depart-
21 ment, agency, or organization, including any action
22 planned pursuant to the March 13, 2017 Executive
23 Order 13781 on a Comprehensive Plan for Reorga-
24 nizing the Executive Branch, including—

1 (A) a detailed explanation of the plan, in-
2 cluding any policies and procedures currently or
3 expected to be used to comply with Executive
4 Order 13781;

5 (B) a detailed organization chart, including
6 a brief description of each operating unit; and

7 (C) the number of employees for each op-
8 erating unit.

9 (b) SPEND PLANS.—

10 (1) Prior to the initial obligation of funds, the
11 Secretary of State or Administrator of the United
12 States Agency for International Development, as ap-
13 propriate, shall submit to the Committees on Appro-
14 priations a spend plan for funds made available by
15 this Act, for—

16 (A) assistance for Afghanistan, Iraq, Leb-
17 anon, Pakistan, and the West Bank and Gaza;

18 (B) regional security initiatives listed
19 under this section in the report accompanying
20 this Act: *Provided*, That the spend plan for
21 such initiatives shall include the amount of as-
22 sistance planned for each country by account,
23 to the maximum extent practicable; and

1 (C) democracy programs and sectors enu-
2 merated in subsections (a), (b), (d), (f), and (g)
3 of section 7060 of this Act.

4 (2) Not later than 45 days after enactment of
5 this Act, the Secretary of the Treasury shall submit
6 to the Committees on Appropriations a detailed
7 spend plan for funds made available by this Act
8 under the heading “Department of the Treasury,
9 International Affairs Technical Assistance” in title
10 III.

11 (c) SPENDING REPORT.—Not later than 45 days
12 after enactment of this Act, the USAID Administrator
13 shall submit to the Committees on Appropriations a de-
14 tailed report on spending of funds made available during
15 fiscal year 2017 under the heading “Development Credit
16 Authority”.

17 (d) NOTIFICATIONS.—The spend plans referenced in
18 subsection (b) shall not be considered as meeting the noti-
19 fication requirements in this Act or under section 634A
20 of the Foreign Assistance Act of 1961.

21 (e) CONGRESSIONAL BUDGET JUSTIFICATION.—

22 (1) The congressional budget justification for
23 Department of State operations and foreign oper-
24 ations shall be provided to the Committees on Ap-
25 propriations concurrent with the date of submission

1 of the President's budget for fiscal year 2019: *Pro-*
2 *vided*, That any appendices for such justification
3 shall be provided to the Committees on Appropria-
4 tions not later than 10 calendar days thereafter.

5 (2) The Secretary of State and the USAID Ad-
6 ministrator shall include in the congressional budget
7 justification a detailed justification for multi-year
8 availability for any funds requested under the head-
9 ings "Diplomatic and Consular Programs" and "Op-
10 erating Expenses".

11 REPORTS AND RECORDS MANAGEMENT

12 SEC. 7077. (a) PUBLIC POSTING OF REPORTS.—

13 (1) REQUIREMENT.—Any agency receiving
14 funds made available by this Act shall, subject to
15 paragraphs (2) and (3), post on the publicly avail-
16 able Web site of such agency any report required by
17 this Act to be submitted to the Committees on Ap-
18 propriations, upon a determination by the head of
19 such agency that to do so is in the national interest.

20 (2) EXCEPTIONS.—Paragraph (1) shall not
21 apply to a report if—

22 (A) the public posting of such report would
23 compromise national security, including the
24 conduct of diplomacy; or

1 (B) the report contains proprietary, privi-
2 leged, or sensitive information.

3 (3) TIMING AND INTENTION.—The head of the
4 agency posting such report shall, unless otherwise
5 provided for in this Act, do so only after such report
6 has been made available to the Committees on Ap-
7 propriations for not less than 45 days: *Provided*,
8 That any report required by this Act to be submitted
9 to the Committees on Appropriations shall include
10 information from the submitting agency on whether
11 such report will be publicly posted.

12 (b) REQUESTS FOR DOCUMENTS.—None of the funds
13 appropriated or made available pursuant to titles III
14 through VI of this Act shall be available to a nongovern-
15 mental organization, including any contractor, which fails
16 to provide upon timely request any document, file, or
17 record necessary to the auditing requirements of the De-
18 partment of State and the United States Agency for Inter-
19 national Development.

20 (c) RECORDS MANAGEMENT.—

21 (1) LIMITATION.—None of the funds appro-
22 priated by this Act under the headings “Diplomatic
23 and Consular Programs” and “Capital Investment
24 Fund” in title I, and “Operating Expenses” and
25 “Capital Investment Fund” in title II that are made

1 available to the Department of State and USAID
2 may be made available to support the use or estab-
3 lishment of email accounts or email servers created
4 outside the .gov domain or not fitted for automated
5 records management as part of a Federal govern-
6 ment records management program in contravention
7 of the Presidential and Federal Records Act Amend-
8 ments of 2014 (Public Law 113–187).

9 (2) DIRECTIVES.—The Secretary of State and
10 USAID Administrator shall—

11 (A) update the policies, directives, and
12 oversight necessary to comply with Federal
13 statutes, regulations, and presidential executive
14 orders and memoranda concerning the preserva-
15 tion of all records made or received in the con-
16 duct of official business, including record
17 emails, instant messaging, and other online
18 tools;

19 (B) use funds appropriated by this Act
20 under the headings “Diplomatic and Consular
21 Programs” and “Capital Investment Fund” in
22 title I, and “Operating Expenses” and “Capital
23 Investment Fund” in title II, as appropriate, to
24 improve Federal records management pursuant
25 to the Federal Records Act (44 U.S.C. Chap-

ters 21, 29, 31, and 33) and other applicable Federal records management statutes, regulations, or policies for the Department of State and USAID;

(C) direct departing employees that all Federal records generated by such employees, including senior officials, belong to the Federal Government; and

(D) significantly improve the response time for identifying and retrieving Federal records, including requests made pursuant to the Freedom of Information Act.

(3) REPORT.—Not later than 45 days after enactment of this Act, the Secretary of State and USAID Administrator shall each submit a report to the Committees on Appropriations and to the National Archives and Records Administration detailing, as appropriate and where applicable—

(A) any updates or modifications made to the policy of each agency regarding the use or the establishment of email accounts or email servers created outside the .gov domain or not fitted for automated records management as part of a Federal government records management program since the submission to the Com-

1 mittees on Appropriations of the report re-
2 quired by section 7077(c)(3) of the Department
3 of State, Foreign Operations, and Related Pro-
4 grams Appropriations Act, 2017 (division J of
5 Public Law 115–31);

6 (B) the extent to which each agency is in
7 compliance with applicable Federal records
8 management statutes, regulations, and policies,
9 including meeting Directive goal 1.2 of the
10 Managing Government Records Directive (M–
11 12–18) by December 31, 2016; and

12 (C) any steps taken since the submission
13 of the report referenced in subparagraph (A)
14 to—

15 (i) comply with paragraph (1)(B) of
16 this subsection;

17 (ii) ensure that all employees at every
18 level have been instructed in procedures
19 and processes to ensure that the docu-
20 mentation of their official duties is cap-
21 tured, preserved, managed, protected, and
22 accessible in official Government systems
23 of the Department of State and USAID;

24 (iii) implement recommendation 1
25 made by the Office of Inspector General

1 (OIG), Department of State, in the Janu-
2 ary 2016 Evaluation of the Department of
3 State's FOIA Process for Requests Involv-
4 ing the Office of the Secretary (ESP-16-
5 01);

6 (iv) reduce the backlog of Freedom of
7 Information Act (FOIA) and Congressional
8 oversight requests, and measurably im-
9 prove the response time for answering such
10 requests; and

11 (v) strengthen cyber security meas-
12 ures to mitigate vulnerabilities, including
13 those resulting from the use of personal
14 email accounts or servers outside the .gov
15 domain, improve the process to identify
16 and remove inactive user accounts, update
17 and enforce guidance related to the control
18 of national security information, and im-
19 plement the recommendations of the cor-
20 responding reports of the OIG as detailed
21 under this section in the report accom-
22 panying this Act.

23 (4) OPERATING PLANS.—The operating plans
24 required by section 7076(a) of this Act for funds ap-

1 appropriated under the headings listed in paragraph
2 (1) shall include funds planned for—

3 (A) implementing the recommendations of
4 the OIG reports referenced in clauses (iii) and
5 (v); and

6 (B) measurably reducing the FOIA and
7 Congressional oversight requests backlog.

8 GLOBAL INTERNET FREEDOM

9 SEC. 7078. (a) FUNDING.—Of the funds available for
10 obligation during fiscal year 2018 under the headings
11 “International Broadcasting Operations”, “Economic
12 Support Fund”, “Democracy Fund”, and “Assistance for
13 Europe, Eurasia and Central Asia”, not less than
14 \$50,500,000 shall be made available for programs to pro-
15 mote Internet freedom globally: *Provided*, That such pro-
16 grams shall be prioritized for countries whose governments
17 restrict freedom of expression on the Internet, and that
18 are important to the national interests of the United
19 States: *Provided further*, That funds made available pursu-
20 ant to this section shall be matched, to the maximum ex-
21 tent practicable, by sources other than the United States
22 Government, including from the private sector.

23 (b) REQUIREMENTS.—

24 (1) Funds appropriated by this Act under the
25 headings “Economic Support Fund”, “Democracy

1 Fund”, and “Assistance for Europe, Eurasia and
2 Central Asia” that are made available pursuant to
3 subsection (a) shall be—

4 (A) coordinated with other democracy pro-
5 grams funded by this Act under such headings,
6 and shall be incorporated into country assist-
7 ance and democracy promotion strategies, as
8 appropriate;

9 (B) for programs to implement the May
10 2011, International Strategy for Cyberspace;
11 the Department of State International Cyber-
12 space Policy Strategy required by section 402
13 of the Cybersecurity Act of 2015 (division N of
14 Public Law 114–113); and the comprehensive
15 strategy to promote Internet freedom and ac-
16 cess to information in Iran, as required by sec-
17 tion 414 of the Iran Threat Reduction and
18 Syria Human Rights Act of 2012 (22 U.S.C.
19 8754);

20 (C) made available for programs that sup-
21 port the efforts of civil society to counter the
22 development of repressive Internet-related laws
23 and regulations, including countering threats to
24 Internet freedom at international organizations;
25 to combat violence against bloggers and other

1 users; and to enhance digital security training
2 and capacity building for democracy activists;

3 (D) made available for research of key
4 threats to Internet freedom; the continued de-
5 velopment of technologies that provide or en-
6 hance access to the Internet, including cir-
7 cumvention tools that bypass Internet blocking,
8 filtering, and other censorship techniques used
9 by authoritarian governments; and maintenance
10 of the technological advantage of the United
11 States Government over such censorship tech-
12 niques: *Provided*, That the Secretary of State,
13 in consultation with the Chief Executive Officer
14 (CEO) of the Broadcasting Board of Governors
15 (BBG), shall coordinate any such research and
16 development programs with other relevant
17 United States Government departments and
18 agencies in order to share information, tech-
19 nologies, and best practices, and to assess the
20 effectiveness of such technologies; and

21 (E) the responsibility of the Assistant Sec-
22 retary for Democracy, Human Rights, and
23 Labor, Department of State.

24 (2) Funds appropriated by this Act under the
25 heading “International Broadcasting Operations”

1 that are made available pursuant to subsection (a)
2 shall be—

3 (A) made available only for tools and tech-
4 niques to securely develop and distribute BBG
5 digital content; facilitate audience access to
6 such content on Web sites that are censored;
7 coordinate the distribution of BBG digital con-
8 tent to targeted regional audiences; and to pro-
9 mote and distribute such tools and techniques,
10 including digital security techniques;

11 (B) coordinated with programs funded by
12 this Act under the heading “International
13 Broadcasting Operations”, and shall be incor-
14 porated into country broadcasting strategies, as
15 appropriate;

16 (C) coordinated by the BBG CEO to pro-
17 vide Internet circumvention tools and tech-
18 niques for audiences in countries that are stra-
19 tegic priorities for the BBG and in a manner
20 consistent with the BBG Internet freedom
21 strategy; and

22 (D) made available for the research and
23 development of new tools or techniques author-
24 ized in paragraph (A) only after the BBG CEO,
25 in consultation with the Secretary of State and

1 other relevant United States Government de-
2 partments and agencies, evaluates the risks and
3 benefits of such new tools or techniques, and
4 establishes safeguards to minimize the use of
5 such new tools or techniques for illicit purposes.

6 (c) COORDINATION AND SPEND PLANS.—After con-
7 sultation among the relevant agency heads to coordinate
8 and de-conflict planned activities, but not later than 90
9 days after enactment of this Act, the Secretary of State
10 and the BBG CEO shall submit to the Committees on Ap-
11 propriations spend plans for funds made available by this
12 Act for programs to promote Internet freedom globally,
13 which shall include a description of safeguards established
14 by relevant agencies to ensure that such programs are not
15 used for illicit purposes: *Provided*, That the Department
16 of State spend plan shall include funding for all such pro-
17 grams for all relevant Department of State and USAID
18 offices and bureaus.

19 IMPACT ON JOBS IN THE UNITED STATES

20 SEC. 7079. None of the funds appropriated or other-
21 wise made available under titles III through VI of this
22 Act may be obligated or expended to provide—

23 (1) any financial incentive to a business enter-
24 prise currently located in the United States for the
25 purpose of inducing such an enterprise to relocate

1 outside the United States if such incentive or in-
2 ducement is likely to reduce the number of employ-
3 ees of such business enterprise in the United States
4 because United States production is being replaced
5 by such enterprise outside the United States;

6 (2) assistance for any program, project, or ac-
7 tivity that contributes to the violation of internation-
8 ally recognized workers' rights, as defined in section
9 507(4) of the Trade Act of 1974, of workers in the
10 recipient country, including any designated zone or
11 area in that country: *Provided*, That the application
12 of section 507(4)(D) and (E) of such Act should be
13 commensurate with the level of development of the
14 recipient country and sector, and shall not preclude
15 assistance for the informal sector in such country,
16 micro and small-scale enterprise, and smallholder
17 agriculture;

18 (3) any assistance to an entity outside the
19 United States if such assistance is for the purpose
20 of directly relocating or transferring jobs from the
21 United States to other countries and adversely im-
22 pacts the labor force in the United States; or

23 (4) for the enforcement of any rule, regulation,
24 policy, or guidelines implemented pursuant to—

1 (A) the third proviso of subsection 7079(b)
 2 of the Consolidated Appropriations Act, 2010;

3 (B) the modification proposed by the Over-
 4 seas Private Investment Corporation in Novem-
 5 ber 2013 to the Corporation's Environmental
 6 and Social Policy Statement relating to coal;

7 (C) the Supplemental Guidelines for High
 8 Carbon Intensity Projects approved by the Ex-
 9 port-Import Bank of the United States on De-
 10 cember 12, 2013; or

11 (D) the World Bank Group's Directions
 12 for the World Bank Group's Energy Sector re-
 13 leased on July 16, 2013,

14 when enforcement of such rule, regulation, policy, or
 15 guidelines would prohibit, or have the effect of pro-
 16 hibiting, any coal-fired or other power-generation
 17 project the purpose of which is to increase exports
 18 of goods and services from the United States or pre-
 19 vent the loss of jobs from the United States.

20 QUORUM REQUIREMENT

21 SEC. 7080. Section 1 of Public Law 106–46 (12
 22 U.S.C. 635a note) is amended by striking “July 21, 1999,
 23 and ends on December 2, 1999” and inserting “October
 24 1, 2017, and ends on September 30, 2019”: *Provided*,
 25 That the amendment made pursuant to this subparagraph
 26 to such law shall take effect upon enactment of this Act.

1 TITLE VIII
2 OVERSEAS CONTINGENCY OPERATIONS/GLOBAL
3 WAR ON TERRORISM
4 DEPARTMENT OF STATE
5 ADMINISTRATION OF FOREIGN AFFAIRS
6 DIPLOMATIC AND CONSULAR PROGRAMS
7 (INCLUDING TRANSFER OF FUNDS)

8 For an additional amount for “Diplomatic and Con-
9 sular Programs”, \$2,975,971,000, to remain available
10 until September 30, 2019, of which \$2,376,122,000 is for
11 Worldwide Security Protection and shall remain available
12 until expended: *Provided*, That the Secretary of State may
13 transfer up to \$5,000,000 of the total funds made avail-
14 able under this heading to any other appropriation of any
15 department or agency of the United States, upon the con-
16 currence of the head of such department or agency, to sup-
17 port operations in and assistance for Afghanistan and to
18 carry out the provisions of the Foreign Assistance Act of
19 1961: *Provided further*, That any such transfer shall be
20 subject to the regular notification procedures of the Com-
21 mittees on Appropriations: *Provided further*, That such
22 amount is designated by the Congress for Overseas Con-
23 tingency Operations/Global War on Terrorism pursuant to
24 section 251(b)(2)(A)(ii) of the Balanced Budget and
25 Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General”, \$68,100,000, to remain available until September 30, 2019, of which \$54,900,000 shall be for the Special Inspector General for Afghanistan Reconstruction (SIGAR) for reconstruction oversight: *Provided*, That printing and reproduction costs of SIGAR shall not exceed amounts for such costs during fiscal year 2017: *Provided further*, That notwithstanding any other provision of law, any employee of SIGAR who completes at least 12 months of continuous service after the date of enactment of this Act or who is employed on the date on which SIGAR terminates, whichever occurs first, shall acquire competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for “Embassy Security, Construction, and Maintenance”, \$71,778,000, to remain available until expended, for Worldwide Security Upgrades, acquisition, and construction as authorized: *Pro-*

1 *vided*, That such amount is designated by the Congress
2 for Overseas Contingency Operations/Global War on Ter-
3 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
4 anced Budget and Emergency Deficit Control Act of 1985.

5 INTERNATIONAL ORGANIZATIONS

6 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

7 For an additional amount for “Contributions to
8 International Organizations”, \$96,240,000: *Provided*,
9 That such amount is designated by the Congress for Over-
10 seas Contingency Operations/Global War on Terrorism
11 pursuant to section 251(b)(2)(A)(ii) of the Balanced
12 Budget and Emergency Deficit Control Act of 1985.

13 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

14 ACTIVITIES

15 For an additional amount for “Contributions for
16 International Peacekeeping Activities”, \$965,906,000, to
17 remain available until September 30, 2019: *Provided*,
18 That such amount is designated by the Congress for Over-
19 seas Contingency Operations/Global War on Terrorism
20 pursuant to section 251(b)(2)(A)(ii) of the Balanced
21 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 \$136,555,000, to remain available until September 30,
7 2019: *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 OFFICE OF INSPECTOR GENERAL

13 For an additional amount for “Office of Inspector
14 General”, \$2,500,000, to remain available until September
15 30, 2019: *Provided*, That such amount is designated by
16 the Congress for Overseas Contingency Operations/Global
17 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
18 the Balanced Budget and Emergency Deficit Control Act
19 of 1985.

20 BILATERAL ECONOMIC ASSISTANCE

21 FUNDS APPROPRIATED TO THE PRESIDENT

22 INTERNATIONAL DISASTER ASSISTANCE

23 For an additional amount for “International Disaster
24 Assistance”, \$1,788,203,000, to remain available until ex-
25 pended: *Provided*, That such amount is designated by the

1 Congress for Overseas Contingency Operations/Global
2 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
3 the Balanced Budget and Emergency Deficit Control Act
4 of 1985.

5 TRANSITION INITIATIVES

6 For an additional amount for “Transition Initia-
7 tives”, \$62,043,000, to remain available until expended:
8 *Provided*, That such amount is designated by the Congress
9 for Overseas Contingency Operations/Global War on Ter-
10 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985.

12 ECONOMIC SUPPORT FUND

13 For an additional amount for “Economic Support
14 Fund”, \$2,353,672,000, to remain available until Sep-
15 tember 30, 2019: *Provided*, That such amount is des-
16 ignated by the Congress for Overseas Contingency Oper-
17 ations/Global War on Terrorism pursuant to section
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

20 DEPARTMENT OF STATE

21 MIGRATION AND REFUGEE ASSISTANCE

22 For an additional amount for “Migration and Ref-
23 ugee Assistance” to respond to refugee crises, including
24 in Africa, the Near East, South and Central Asia, and
25 Europe and Eurasia, \$2,231,198,000, to remain available

1 until expended, except that such funds shall not be made
2 available for the resettlement costs of refugees in the
3 United States: *Provided*, That such amount is designated
4 by the Congress for Overseas Contingency Operations/
5 Global War on Terrorism pursuant to section
6 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
7 Deficit Control Act of 1985.

8 INTERNATIONAL SECURITY ASSISTANCE

9 DEPARTMENT OF STATE

10 INTERNATIONAL NARCOTICS CONTROL AND LAW

11 ENFORCEMENT

12 For an additional amount for “International Nar-
13 cotics Control and Law Enforcement”, \$417,951,000, to
14 remain available until September 30, 2019: *Provided*,
15 That such amount is designated by the Congress for Over-
16 seas Contingency Operations/Global War on Terrorism
17 pursuant to section 251(b)(2)(A)(ii) of the Balanced
18 Budget and Emergency Deficit Control Act of 1985.

19 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND

20 RELATED PROGRAMS

21 For an additional amount for “Nonproliferation,
22 Anti-terrorism, Demining and Related Programs”,
23 \$220,583,000, to remain available until September 30,
24 2019: *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 PEACEKEEPING OPERATIONS

5 For an additional amount for “Peacekeeping Oper-
6 ations”, \$325,213,000, to remain available until Sep-
7 tember 30, 2019: *Provided*, That such amount is des-
8 ignated by the Congress for Overseas Contingency Oper-
9 ations/Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985: *Provided further*, That funds
12 available for obligation under this heading in this Act may
13 be used to pay assessed expenses of international peace-
14 keeping activities in Somalia, subject to the regular notifi-
15 cation procedures of the Committees on Appropriations.

16 FUNDS APPROPRIATED TO THE PRESIDENT

17 FOREIGN MILITARY FINANCING PROGRAM

18 For an additional amount for “Foreign Military Fi-
19 nancing Program”, \$460,000,000, to remain available
20 until September 30, 2019: *Provided*, That such amount
21 is designated by the Congress for Overseas Contingency
22 Operations/Global War on Terrorism pursuant to section
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 GENERAL PROVISIONS

2 ADDITIONAL APPROPRIATIONS

3 SEC. 8001. Notwithstanding any other provision of
4 law, funds appropriated in this title are in addition to
5 amounts appropriated or otherwise made available in this
6 Act for fiscal year 2018.

7 EXTENSION OF AUTHORITIES AND CONDITIONS

8 SEC. 8002. Unless otherwise provided for in this Act,
9 the additional amounts appropriated by this title to appro-
10 priations accounts in this Act shall be available under the
11 authorities and conditions applicable to such appropria-
12 tions accounts.

13 COUNTERTERRORISM PARTNERSHIPS FUND

14 SEC. 8003. Funds appropriated by this Act under the
15 heading “Nonproliferation, Anti-terrorism, Demining and
16 Related Programs” shall be made available for the
17 Counterterrorism Partnerships Fund for security pro-
18 grams in areas liberated from, under the influence of, or
19 adversely affected by, the Islamic State of Iraq and Syria
20 or other terrorist organizations: *Provided*, That such areas
21 shall include the Kurdistan Region of Iraq: *Provided fur-*
22 *ther*, That prior to the obligation of funds made available
23 pursuant to this subsection, the Secretary of State shall
24 take all practicable steps to ensure that mechanisms are
25 in place for monitoring, oversight, and control of such

1 funds: *Provided further*, That the Secretary shall promptly
2 inform the appropriate congressional committees of each
3 instance in which assistance provided pursuant to this sec-
4 tion has been diverted or destroyed, to include the type
5 and amount of assistance, a description of the incident
6 and parties involved, and an explanation of the response
7 of the Department of State: *Provided further*, That funds
8 made available pursuant to this section shall be subject
9 to prior consultation with the appropriate congressional
10 committees and the regular notification procedures of the
11 Committees on Appropriations.

12 RESCISSION

13 (INCLUDING RESCISSION OF FUNDS)

14 SEC. 8004. Of the unobligated balances available to
15 the President under the heading “Economic Support
16 Fund”, \$156,913,000, which shall be derived from
17 amounts under such heading previously designated by
18 Congress for Overseas Contingency Operations/Global
19 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
20 the Balanced Budget and Emergency Deficit Control Act
21 of 1985, are hereby rescinded: *Provided*, That such
22 amounts are designated by Congress for Overseas Contin-
23 gency Operations/Global War on Terrorism pursuant to
24 section 251(b)(2)(A)(ii) of the Balanced Budget and
25 Emergency Deficit Control Act of 1985.

1 DESIGNATION

2 SEC. 8005. Each amount designated in this Act by
3 the Congress for Overseas Contingency Operations/Global
4 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
5 the Balanced Budget and Emergency Deficit Control Act
6 of 1985 shall be available (or rescinded, if applicable) only
7 if the President subsequently so designates all such
8 amounts and transmits such designations to the Congress.

9 TITLE IX—ADDITIONAL GENERAL PROVISION

10 SPENDING REDUCTION ACCOUNT

11 SEC. 9001. \$0

12 This Act may be cited as the “Department of State,
13 Foreign Operations, and Related Programs Appropria-
14 tions Act, 2018”.

Union Calendar No. 184

115TH CONGRESS
1ST Session

H. R. 3362

[Report No. 115-253]

A BILL

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

JULY 24, 2017

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed