

**[FULL COMMITTEE PRINT]**

**Union Calendar No.** \_\_\_\_\_

115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R.** \_\_\_\_\_

**[Report No. 115-\_\_\_\_]**

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

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IN THE HOUSE OF REPRESENTATIVES

\_\_\_\_ --, 2017

Mr. ROGERS, 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

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**A BILL**

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



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.



1 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

2 For necessary expenses to carry out the Taiwan Rela-  
3 tions Act (Public Law 96–8), \$30,557,000.

4 INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF  
5 COLUMBIA

6 Not to exceed \$1,806,600 shall be derived from fees  
7 collected from other executive agencies for lease or use of  
8 facilities at the International Center in accordance with  
9 section 4 of the International Center Act (Public Law 90–  
10 553), and, in addition, as authorized by section 5 of such  
11 Act, \$743,000, to be derived from the reserve authorized  
12 by such section, to be used for the purposes set out in  
13 that section.

14 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND  
15 DISABILITY FUND

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

18 INTERNATIONAL ORGANIZATIONS

19 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

20 For necessary expenses, not otherwise provided for,  
21 to meet annual obligations of membership in international  
22 multilateral organizations, pursuant to treaties ratified  
23 pursuant to the advice and consent of the Senate, conven-  
24 tions or specific Acts of Congress, \$1,074,645,000: *Pro-*  
25 *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.



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 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 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 instruction 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-

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

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

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

12                                   PERSONNEL ACTIONS

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



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

4 COMMERCE, TRADE AND SURPLUS COMMODITIES

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

## 1 SEPARATE ACCOUNTS

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

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

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

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

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

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

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

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

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

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

12                   (ii) debt and deficit financing; or

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

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

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

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

7 (5) REPORTING REQUIREMENT.—The USAID  
8 Administrator shall report 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.

## 1 INTERNATIONAL FINANCIAL INSTITUTIONS

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

21 (b) COMPENSATION.—None of the funds appro-  
22 priated under title V of this Act may be made as payment  
23 to any international financial institution while the United  
24 States executive director to such institution is com-  
25 pensated 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           (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 (e) PARTNER VETTING.—The Secretary of State and  
11 USAID Administrator may initiate a partner vetting pro-  
12 gram to mitigate the risk of diversion of foreign assist-  
13 ance, or make significant modifications to any existing  
14 partner vetting program, only following consultation with  
15 the Committees on Appropriations: *Provided*, That the  
16 Secretary and Administrator should provide a direct vet-  
17 ting option for prime awardees in any partner vetting pro-  
18 gram initiated after the date of the enactment of this Act.

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

23 (g) INTERNATIONAL CHILD ABDUCTIONS.—The Sec-  
24 retary of State should withhold funds appropriated under  
25 title III of this Act for assistance for the central govern-

1 ment of any country that is not taking appropriate steps  
2 to comply with the Convention on the Civil Aspects of  
3 International Child Abductions, done at the Hague on Oc-  
4 tober 25, 1980: *Provided*, That the Secretary shall report  
5 to the Committees on Appropriations within 15 days of  
6 withholding funds under this subsection.

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

17 (i) TRANSFER OF FUNDS FOR EXTRAORDINARY PRO-  
18 TECTION.—The Secretary of State may transfer to, and  
19 merge with, funds under the heading “Protection of For-  
20 eign Missions and Officials” unobligated balances of ex-  
21 pired funds appropriated under the heading “Diplomatic  
22 and Consular Programs” for fiscal year 2018, except for  
23 funds designated for Overseas Contingency Operations/  
24 Global War on Terrorism pursuant to section  
25 251(b)(2)(A)(ii) of the Balanced Budget and Emergency

1 Deficit Control Act of 1985, at no later than the end of  
2 the fifth fiscal year after the last fiscal year for which such  
3 funds are available for the purposes for which appro-  
4 priated: *Provided*, That not more than \$50,000,000 may  
5 be transferred.

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

12 (k) EXTENSION OF AUTHORITIES.—

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

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

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

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

3 (4) INSPECTOR GENERAL ANNUITANT WAIV-  
4 ER.—The authorities provided in section 1015(b) of  
5 the Supplemental Appropriations Act, 2010 (Public  
6 Law 111–212) shall remain in effect through Sep-  
7 tember 30, 2018.

8 (5) EXTENSION OF WAR RESERVES STOCKPILE  
9 AUTHORITY.—

10 (A) Section 12001(d) of the Department of  
11 Defense Appropriations Act, 2005 (Public Law  
12 108–287; 118 Stat. 1011) is amended by strik-  
13 ing “2018” and inserting “2019”.

14 (B) Section 514(b)(2)(A) of the Foreign  
15 Assistance Act of 1961 (22 U.S.C.  
16 2321h(b)(2)(A)) is amended by striking “and  
17 2018” and inserting “2018, and 2019”.

18 (I) DEPARTMENT OF STATE AND THE UNITED  
19 STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—  
20 Prior to implementing any reorganization of the Depart-  
21 ment of State or USAID, including any action taken pur-  
22 suant to the March 13, 2017 Executive Order 13781 on  
23 a Comprehensive Plan for Reorganizing the Executive  
24 Branch, the Secretary of State shall submit a report to

1 the appropriate congressional committees on such reorga-  
2 nization: *Provided*, That such report shall include—

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

6 (A) eliminate or consolidate covered de-  
7 partments, agencies, or organizations, including  
8 bureaus and offices within such departments,  
9 agencies, or organizations, with duplicative or  
10 overlapping programs or missions;

11 (B) expand, reconfigure, eliminate, or con-  
12 solidate the United States official presence  
13 overseas, including through the disposal of ex-  
14 cess property, at bilateral, regional, or multilat-  
15 eral embassies and missions;

16 (C) reduce, modernize, or otherwise modify  
17 the workforce of the Department of State and  
18 USAID, including Civil Service and Foreign  
19 Service, eligible family members, and locally  
20 employed staff; and

21 (D) improve the efficiency, effectiveness,  
22 performance, and accountability of the Depart-  
23 ment of State and USAID, including through  
24 modernizing information technology platforms  
25 and streamlining administrative functions; and

1           (2) projections of cost savings and efficiencies  
2           achieved through implementation of each element,  
3           an analysis of the impact of any such change on the  
4           ability to advance the national interests of the  
5           United States through diplomacy and development  
6           and to conduct adequate monitoring and oversight of  
7           foreign assistance programs, and any legislative  
8           change necessary to implement such proposals.

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

1 Secretary of State shall include in the congressional budg-  
2 et justification an accounting of budgetary resources, dis-  
3 bursements, balances, and reimbursements related to such  
4 fund.

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



1 Emergency Deficit Control Act of 1985, are designated  
2 by the Congress for Overseas Contingency Operations/  
3 Global War on Terrorism pursuant to section  
4 251(b)(2)(A)(ii) of such Act and shall be available only  
5 if the President subsequently so designates all such  
6 amounts and transmits such designations to the Congress.

7 (o) DEFINITIONS.—

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

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

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

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

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

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

20            (6) CLARIFICATION.—Unless otherwise provided  
21        for in this Act, for the purposes of this Act the  
22        terms “under this heading”, “under the heading”,  
23        “under the headings”, or similar phrases mean  
24        funds appropriated or otherwise made available  
25        under such heading or headings in all titles of this

1 Act: *Provided*, That the term “under the heading in  
2 this title” or similar phrases means funds appro-  
3 priated or otherwise made available only in such  
4 title.

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

10 (A) realistic and sustainable goals and cri-  
11 teria for measuring progress and a timeline for  
12 achieving such goals; and

13 (B) amounts and sources of funds by ac-  
14 count.

15 ARAB LEAGUE BOYCOTT OF ISRAEL

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

1           RESTRICTIONS CONCERNING THE PALESTINIAN  
2                                   AUTHORITY

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

1 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN  
2 BROADCASTING CORPORATION

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

8 ASSISTANCE FOR THE WEST BANK AND GAZA

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

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



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

14 (c) PROHIBITION.—

15 (1) RECOGNITION OF ACTS OF TERRORISM.—

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

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

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

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

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

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

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

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

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

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

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

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

3       LIMITATION ON ASSISTANCE FOR THE PALESTINIAN  
4                                   AUTHORITY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9            MIDDLE EAST AND NORTH AFRICA

10        SEC. 7041. (a) EGYPT.—

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

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

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

25        (2) REPORT ON GOVERNANCE.—

1 (A) Not later than 90 days after enact-  
2 ment of this Act and every 90 days thereafter  
3 until September 30, 2018, the Secretary of  
4 State shall report to the appropriate congress-  
5 sional committees on steps taken by the Gov-  
6 ernment of Egypt to—

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

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

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

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

21 (3) ECONOMIC SUPPORT FUND.—

22 (A) FUNDING.—Of the funds appropriated  
23 by this Act under the heading “Economic Sup-  
24 port Fund”, not less than \$150,000,000 shall  
25 be made available for assistance for Egypt, sub-



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

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

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

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

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

20 (b) IRAN.—

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

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

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

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

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

18 (2) CONTINUATION OF PROHIBITION.—The  
19 terms and conditions of paragraph (2) of section  
20 7041(e) in division I of Public Law 112–74 shall  
21 continue in effect during fiscal year 2018.

22 (3) REPORTS.—

23 (A) The Secretary of State shall submit to  
24 the Committees on Appropriations the semi-an-  
25 nual report required by section 2 of the Iran

1 Nuclear Agreement Review Act of 2015 (42  
2 U.S.C. 2160e(d)(4)).

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

22 (c) IRAQ.—

23 (1) PURPOSES.—Funds appropriated by this  
24 Act shall be made available for assistance for Iraq  
25 to promote governance, security, and internal and

1 regional stability, including in the Kurdistan Region  
2 of Iraq and other areas impacted by the conflict in  
3 Syria, and among religious and ethnic minority pop-  
4 ulations in Iraq.

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

11 (3) KURDISTAN REGION.—

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

24 (B) Funds appropriated by this Act under  
25 the headings “International Disaster Assist-

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

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

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

22           (e) LEBANON.—

23           (1) LIMITATION.—None of the funds appro-  
24          priated by this Act may be made available for the  
25          Lebanese Internal Security Forces (ISF) or the Leb-

1        anese Armed Forces (LAF) if the ISF or the LAF  
2        is controlled by a foreign terrorist organization, as  
3        designated pursuant to section 219 of the Immigra-  
4        tion and Nationality Act (8 U.S.C. 1189).

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

15           (3) FOREIGN MILITARY FINANCING PRO-  
16        GRAM.—In addition to the activities described in  
17        paragraph (2), funds appropriated by this Act under  
18        the heading “Foreign Military Financing Program”  
19        for assistance for Lebanon may be made available  
20        only to professionalize the LAF and to strengthen  
21        border security and combat terrorism, including  
22        training and equipping the LAF to secure Lebanon’s  
23        borders, interdicting arms shipments, preventing the  
24        use of Lebanon as a safe haven for terrorist groups,  
25        and to implement United Nations Security Council

1 Resolution 1701: *Provided*, That funds may not be  
2 obligated for assistance for the LAF until the Sec-  
3 retary of State submits to the Committees on Appro-  
4 priations a spend plan, including actions to be taken  
5 to ensure equipment provided to the LAF is only  
6 used for the intended purposes, except such plan  
7 may not be considered as meeting the notification  
8 requirements under section 7015 of this Act or  
9 under section 634A of the Foreign Assistance Act of  
10 1961, and shall be submitted not later than Sep-  
11 tember 1, 2018: *Provided further*, That any notifica-  
12 tion submitted pursuant to such sections shall in-  
13 clude any funds specifically intended for lethal mili-  
14 tary equipment.

15 (f) LIBYA.—

16 (1) LIMITATION.—None of the funds appro-  
17 priated by this Act may be made available for assist-  
18 ance for the central Government of Libya unless the  
19 Secretary of State certifies and reports to the Com-  
20 mittees on Appropriations that such government is  
21 cooperating with United States Government efforts  
22 to investigate and bring to justice those responsible  
23 for the attack on United States personnel and facili-  
24 ties in Benghazi, Libya in September 2012: *Pro-*  
25 *vided*, That the limitation in this paragraph shall



1 not apply to funds made available for the purpose of  
2 protecting United States Government personnel or  
3 facilities.

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

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

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

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

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

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

24 (j) SYRIA.—

1           (1) NON-LETHAL ASSISTANCE.—Funds appro-  
2           priated under title III of this Act shall be made  
3           available, to the extent practicable and notwith-  
4           standing any other provision of law, for non-lethal  
5           assistance for programs to address the needs of civil-  
6           ians affected by conflict in Syria, and for programs  
7           that seek to—

8                   (A) establish governance in Syria that is  
9                   representative, inclusive, and accountable;

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

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

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

20                   (E) develop and sustain civil society and  
21                   independent media in Syria;

22                   (F) promote stability and economic devel-  
23                   opment in Syria;

24                   (G) document, investigate, and prosecute  
25                   human rights violations in Syria, including

1 through transitional justice programs and sup-  
2 port for nongovernmental organizations;

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

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

11 (J) assist vulnerable populations in Syria  
12 and in neighboring countries;

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

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

20 (M) counter extremism in Syria.

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

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

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

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

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

4 (l) WEST BANK AND GAZA.—

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

12 (A) advance Middle East peace;

13 (B) improve security in the region;

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

16 (D) promote a private sector economy; or

17 (E) address urgent humanitarian needs.

18 (2) LIMITATIONS.—

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

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

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

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

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

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

1                   tiated between Israel and the Palestinians;  
2                   and

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

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

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



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

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

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

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

3 (5) INCITEMENT REPORT.—Not later than 90  
4 days after enactment of this Act, the Secretary of  
5 State shall submit a report to the appropriate con-  
6 gressional committees detailing steps taken by the  
7 Palestinian Authority to counter incitement of vio-  
8 lence against Israelis and to promote peace and co-  
9 existence with Israel.

10 AFRICA

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

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

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

6           (2) may be made available for counterterrorism  
7           programs to combat Boko Haram.

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

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

24          (e) MALAWI.—Of the funds appropriated by this Act  
25          under the heading “Development Assistance”, not less

1 than \$56,000,000 shall be made available for assistance  
2 for Malawi, of which \$10,000,000 shall be made available  
3 for higher education programs.

4 (f) SOUTH SUDAN.—

5 (1) STRATEGY UPDATE.—Not later than 60  
6 days after enactment of this Act the Secretary of  
7 State, in consultation with the Administrator of the  
8 United States Agency for International Develop-  
9 ment, shall submit an update to the strategy re-  
10 quired in section 7042(i) of the Department of  
11 State, Foreign Operations, and Related Programs  
12 Appropriations Act, 2017 (division J of Public Law  
13 115-31).

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

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

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

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

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

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

7 (F) establish democratic institutions;

8 (G) establish accountable military and po-  
9 lice forces under civilian authority; and

10 (H) investigate and prosecute individuals  
11 credibly alleged to have committed gross viola-  
12 tions of human rights, including at the Terrain  
13 compound in Juba, South Sudan on July 11,  
14 2016.

15 (3) EXCLUSIONS.—The limitation of paragraph  
16 (2) shall not apply to—

17 (A) humanitarian assistance;

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

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

1           (4) CONSULTATION.—Prior to the initial obliga-  
2           tion of funds made available for the central Govern-  
3           ment of South Sudan pursuant to paragraphs (3)(B)  
4           and (C), the Secretary of State shall consult with  
5           the Committees on Appropriations on the intended  
6           uses of such funds, steps taken by such government  
7           to advance or implement a peace agreement, and  
8           progress made by the Government of South Sudan  
9           in meeting the requirements in paragraph (2).

10          (g) SUDAN.—

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

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

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

1 (A) humanitarian assistance;

2 (B) assistance for democracy programs;

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

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

13 (h) ZIMBABWE.—

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

1           (2) LIMITATIONS.—None of the funds appro-  
2           priated by this Act shall be made available for as-  
3           sistance for the central Government of Zimbabwe,  
4           except for health and education, unless the Secretary  
5           of State certifies and reports as required in para-  
6           graph (1), and funds may be made available for  
7           macroeconomic growth assistance if the Secretary  
8           reports to the Committees on Appropriations that  
9           such government is implementing transparent fiscal  
10          policies, including public disclosure of revenues from  
11          the extraction of natural resources.

12                           EAST ASIA AND THE PACIFIC

13          SEC. 7043.

14          (a) BURMA.—

15                   (1) BILATERAL ECONOMIC ASSISTANCE.—

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

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

24                           (i) shall be made available to  
25                           strengthen civil society organizations in



1 Burma and for programs to strengthen  
2 independent media;

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

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

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

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

1                   (vi) may not be made available to any  
2 individual or organization if the Secretary  
3 of State has credible information that such  
4 individual or organization has committed a  
5 gross violation of human rights, including  
6 against Rohingya and other minority  
7 groups, or that advocates violence against  
8 ethnic or religious groups and individuals  
9 in Burma;

10                   (vii) may not be made available to any  
11 organization or entity controlled by the  
12 military of Burma; and

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

23                   (2) INTERNATIONAL SECURITY ASSISTANCE.—  
24 None of the funds appropriated by this Act under  
25 the headings “International Military Education and

1 Training” and “Foreign Military Financing Pro-  
2 gram” may be made available for assistance for  
3 Burma: *Provided*, That the Department of State  
4 may continue consultations with the armed forces of  
5 Burma only on human rights and disaster response  
6 in a manner consistent with the prior fiscal year,  
7 and following consultation with the appropriate con-  
8 gressional committees.

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

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

19 (A) Any new program or activity in Burma  
20 initiated in fiscal year 2017 shall be subject to  
21 prior consultation with the appropriate congres-  
22 sional committees.

23 (B) Section 7043(b)(7) of the Department  
24 of State, Foreign Operations, and Related Pro-  
25 grams Appropriations Act, 2015 (division J of

1           Public Law 113–235) shall continue in effect  
2           during fiscal year 2018.

3           (b) CAMBODIA.—

4           (1) CONDITIONS ON ASSISTANCE.—Of the funds  
5           appropriated in title IV of this Act that are made  
6           available for assistance for the central Government  
7           of Cambodia, 25 percent shall be withheld from obli-  
8           gation until the Secretary of State certifies and re-  
9           ports to the Committees on Appropriations that such  
10          government—

11           (A) is taking effective steps to strengthen  
12          regional security and stability, particularly re-  
13          garding territorial disputes in the South China  
14          Sea;

15           (B) has ceased efforts to intimidate civil  
16          society and the political opposition in Cam-  
17          bodia, is credibly investigating the murder of  
18          social and political activists, and is taking ac-  
19          tions to address the concerns detailed in the  
20          September 14, 2016 United Nations Human  
21          Rights Situation in Cambodia—Joint State-  
22          ment; and

23           (C) is supporting the conduct of free and  
24          fair elections in Cambodia through a non-par-  
25          tisan election commission; fair election proc-

1           esses; credible post-election dispute resolution  
2           mechanisms; open and inclusive participation,  
3           to include the return of exiled former opposition  
4           leaders; and respect for freedoms of assembly  
5           and speech.

6           (2) KHMER ROUGE TRIBUNAL.—Funds appro-  
7           priated by this Act that are made available for as-  
8           sistance for Cambodia may only be made available  
9           for a contribution to the Extraordinary Chambers in  
10          the Court of Cambodia if the Secretary of State cer-  
11          tifies and reports to the appropriate congressional  
12          committees that such contribution is in the national  
13          interest of the United States and will support the  
14          prosecution and punishment of individuals respon-  
15          sible for genocide in Cambodia in a credible manner.

16          (c) NORTH KOREA.—

17                 (1) BROADCASTS.—Funds appropriated by this  
18                 Act under the heading “International Broadcasting  
19                 Operations” shall be made available to maintain  
20                 broadcasting hours into North Korea at levels not  
21                 less than the prior fiscal year.

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

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

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

8 (d) PEOPLE’S REPUBLIC OF CHINA.—

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

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

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

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

16           (4) PROHIBITION.—

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

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

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

3           (e) PHILIPPINES.—Prior to the initial obligation of  
4 funds appropriated by this Act for assistance for the Phil-  
5 ippines, but not later than 180 days after enactment of  
6 this Act, the Secretary of State shall submit a report to  
7 the Committees on Appropriations, which shall include the  
8 information required under this section in the report ac-  
9 companying this Act.

10          (f) TIBET.—

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

24           (2) PROGRAMS FOR TIBETAN COMMUNITIES.—



1 (A) Notwithstanding any other provision of  
2 law, funds appropriated by this Act under the  
3 heading “Economic Support Fund” shall be  
4 made available to nongovernmental organiza-  
5 tions to support activities which preserve cul-  
6 tural traditions and promote sustainable devel-  
7 opment, education, and environmental conserva-  
8 tion in Tibetan communities in the Tibetan Au-  
9 tonomous Region and in other Tibetan commu-  
10 nities in China.

11 (B) Funds appropriated by this Act under  
12 the heading “Economic Support Fund” shall be  
13 made available for programs to promote and  
14 preserve Tibetan culture, development, and the  
15 resilience of Tibetan communities in India and  
16 Nepal, and to assist in the education and devel-  
17 opment of the next generation of Tibetan lead-  
18 ers from such communities: *Provided*, That  
19 such funds are in addition to amounts made  
20 available in subparagraph (A) for programs in-  
21 side Tibet.

22 SOUTH AND CENTRAL ASIA

23 SEC. 7044. (a) AFGHANISTAN.—

24 (1) PERSONNEL REPORT.—Not later than 30  
25 days after enactment of this Act and every 120 days

1       thereafter until September 30, 2019, the Secretary  
2       of State shall submit a report, in classified form if  
3       necessary, to the appropriate congressional commit-  
4       tees detailing by agency the number of personnel  
5       present in Afghanistan under Chief of Mission au-  
6       thority per section 3927 of title 22, United States  
7       Code, at the end of the 120 day period preceding the  
8       submission of such report: *Provided*, That such re-  
9       port shall also include the number of locally em-  
10      ployed staff and contractors supporting United  
11      States Embassy operations in Afghanistan during  
12      the reporting period.

13               (2) ASSISTANCE AND CONDITIONS.—

14                   (A) FUNDING AND LIMITATIONS.—Funds  
15                   appropriated by this Act under the headings  
16                   “Economic Support Fund” and “International  
17                   Narcotics Control and Law Enforcement” may  
18                   be made available for assistance for Afghani-  
19                   stan: *Provided*, That such funds may not be ob-  
20                   ligated for any project or activity that—

21                           (i) includes the participation of any  
22                           Afghan individual or organization, includ-  
23                           ing government entity, that the Secretary  
24                           of State determines to be involved in cor-  
25                           rupt practices, illicit narcotics production

1 or trafficking, or a violation of human  
2 rights;

3 (ii) cannot be sustained, as appro-  
4 priate, by the Government of Afghanistan  
5 or another Afghan entity;

6 (iii) is not regularly accessible for the  
7 purposes of conducting effective oversight  
8 in accordance with applicable Federal stat-  
9 utes and regulations;

10 (iv) initiates any new, major infra-  
11 structure development; or

12 (v) legitimizes the Taliban or other  
13 extremist organizations in areas not under  
14 the control of the Government of Afghani-  
15 stan.

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

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

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

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

15 (iv) the Government of Afghanistan is  
16 taking consistent steps to protect and ad-  
17 vance the rights of women and girls in Af-  
18 ghanistan;

19 (v) the Government of Afghanistan is  
20 effectively implementing a whole-of-govern-  
21 ment, anti-corruption strategy that has  
22 been endorsed by the High Council on  
23 Rule of Law and Anti-Corruption, as  
24 agreed to at the Brussels Conference on  
25 Afghanistan in October 2016, and is pros-

1           ecuting individuals alleged to be involved in  
2           corrupt or illegal activities in Afghanistan;

3           (vi) monitoring and oversight frame-  
4           works for programs implemented with such  
5           funds are in accordance with all applicable  
6           audit policies of the Department of State  
7           and the United States Agency for Inter-  
8           national Development, including in areas  
9           under the control of the Taliban or other  
10          extremist organizations;

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

16          (viii) the Government of Afghanistan  
17          is publicly reporting its national budget,  
18          including revenues and expenditures.

19          (C) WAIVER.—The Secretary of State may  
20          waive the certification requirement of subpara-  
21          graph (B) if the Secretary determines that to  
22          do so is important to the national security in-  
23          terest of the United States and the Secretary  
24          submits a report to the Committees on Appro-  
25          priations, in classified form if necessary, on the

1 justification for the waiver and the reasons why  
2 any of the requirements of subparagraph (B)  
3 cannot be met.

4 (D) PROGRAMS.—Funds appropriated by  
5 this Act that are made available for assistance  
6 for Afghanistan shall be made available in the  
7 following manner—

8 (i) for programs that protect and  
9 strengthen the rights of women and girls  
10 and promote the political and economic  
11 empowerment of women, including their  
12 meaningful inclusion in political processes;

13 (ii) for programs in South and Cen-  
14 tral Asia to expand linkages between Af-  
15 ghanistan and countries in the region; and

16 (iii) to assist the Government of Af-  
17 ghanistan in developing and executing a  
18 transparent and consistently applied sys-  
19 tem of legitimate revenue generation and  
20 expenditures.

21 (E) TAXATION.—None of the funds appro-  
22 priated by this Act for assistance for Afghani-  
23 stan may be made available for direct govern-  
24 ment-to-government assistance unless the Sec-  
25 retary of State certifies and reports to the Com-

1           mittees on Appropriations that United States  
2           companies and organizations that are imple-  
3           menting United States foreign assistance pro-  
4           grams in Afghanistan in a manner consistent  
5           with United States laws and regulations are not  
6           subjected by such government to taxes or other  
7           fees in contravention of diplomatic and other  
8           agreements between the Governments of the  
9           United States and Afghanistan, or to retaliation  
10          for the nonpayment of taxes or fees imposed in  
11          the past: *Provided*, That not later than 90 days  
12          after enactment of this Act, the Secretary of  
13          State shall submit to the Committees on Appro-  
14          priations an assessment of the dollar value of  
15          improper taxes or fees levied by such govern-  
16          ment against such companies and organizations  
17          in fiscal years 2015, 2016, and 2017.

18          (3) GOALS AND BENCHMARKS.—Not later than  
19          90 days after enactment of this Act, the Secretary  
20          of State shall submit to the appropriate congres-  
21          sional committees a report describing the goals and  
22          benchmarks required in paragraph (2)(B)(i): *Pro-*  
23          *vided*, That not later than 6 months after the sub-  
24          mission of such report and every 6 months there-  
25          after until September 30, 2019, the Secretary of

1 State shall submit a report to such committees on  
2 the status of achieving such goals and benchmarks:  
3 *Provided further*, That the Secretary of State should  
4 suspend assistance for the Government of Afghani-  
5 stan if any report required by this paragraph indi-  
6 cates that such government is failing to make meas-  
7 urable progress in meeting such goals and bench-  
8 marks.

9 (4) AUTHORITIES.—

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

14 (i) notwithstanding section 7012 of  
15 this Act or any similar provision of law  
16 and section 660 of the Foreign Assistance  
17 Act of 1961;

18 (ii) for reconciliation programs and  
19 disarmament, demobilization, and re-  
20 integration activities for former combat-  
21 ants who have renounced violence against  
22 the Government of Afghanistan, in accord-  
23 ance with section 7046(a)(2)(B)(ii) of the  
24 Department of State, Foreign Operations,  
25 and Related Programs Appropriations Act,



1                   2012 (division I of Public Law 112–74);  
2                   and

3                   (iii) for an endowment to empower  
4                   women and girls.

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

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

14                 (b) **PAKISTAN.**—

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

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

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

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

21 (D) dismantling improvised explosive de-  
22 vice (IED) networks and interdicting precursor  
23 chemicals used in the manufacture of IEDs;

24 (E) preventing the proliferation of nuclear-  
25 related material and expertise;

1           (F) issuing visas in a timely manner for  
2           United States visitors engaged in counterter-  
3           rorism efforts and assistance programs in Paki-  
4           stan; and

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

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

19          (3) ASSISTANCE.—

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

1           (B) Funds appropriated by this Act under  
2           the headings “Economic Support Fund” and  
3           “Nonproliferation, Anti-terrorism, Demining  
4           and Related Programs” that are available for  
5           assistance for Pakistan shall be made available  
6           to interdict precursor materials from Pakistan  
7           to Afghanistan that are used to manufacture  
8           IEDs, including calcium ammonium nitrate; to  
9           support programs to train border and customs  
10          officials in Pakistan and Afghanistan; and for  
11          agricultural extension programs that encourage  
12          alternative fertilizer use among Pakistani farm-  
13          ers.

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

24          (5) REPORTS.—

1           (A)(i) The spend plan required by section  
2           7076 of this Act for assistance for Pakistan  
3           shall include achievable and sustainable goals,  
4           benchmarks for measuring progress, and ex-  
5           pected results regarding combating poverty and  
6           furthering development in Pakistan, countering  
7           terrorism and extremism, and establishing con-  
8           ditions conducive to the rule of law and trans-  
9           parent and accountable governance: *Provided*,  
10          That not later than 6 months after submission  
11          of such spend plan, and each 6 months there-  
12          after until September 30, 2019, the Secretary  
13          of State shall submit a report to the Commit-  
14          tees on Appropriations on the status of achiev-  
15          ing the goals and benchmarks in such plan.

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

21           (B) Not later than 90 days after enact-  
22           ment of this Act, the Secretary of State shall  
23           submit a report to the appropriate congress-  
24           sional committees detailing the costs and objec-  
25           tives associated with significant infrastructure

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

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

9 (c) SRI LANKA.—

10 (1) BILATERAL ECONOMIC ASSISTANCE.—  
11 Funds appropriated by this Act under the heading  
12 “Economic Support Fund” shall be made available  
13 for assistance for Sri Lanka for democracy and eco-  
14 nomic development programs, particularly in areas  
15 recovering from ethnic and religious conflict: *Pro-*  
16 *vided*, That such funds shall be made available for  
17 programs to assist in the identification and resolu-  
18 tion of cases of missing persons.

19 (2) CERTIFICATION.—Funds appropriated by  
20 this Act for assistance for the central Government of  
21 Sri Lanka may be made available only if the Sec-  
22 retary of State certifies and reports to the Commit-  
23 tees on Appropriations that the Government of Sri  
24 Lanka is taking steps to—

1 (A) address the underlying causes of con-  
2 flict in Sri Lanka;

3 (B) increase accountability and trans-  
4 parency in governance; and

5 (C) fulfill commitments with respect to  
6 transitional justice and the restoration of civil  
7 and human rights.

8 (3) INTERNATIONAL SECURITY ASSISTANCE.—  
9 Funds appropriated under title IV of this Act that  
10 are available for assistance for Sri Lanka shall be  
11 subject to the following conditions—

12 (A) not to exceed \$400,000 under the  
13 heading “Foreign Military Financing Program”  
14 may only be made available for programs to  
15 support humanitarian and disaster response ef-  
16 forts; to redeploy out of former conflict zones;  
17 and to restructure and reduce the size of the  
18 Sri Lankan armed forces; and

19 (B) funds under the heading “Peace-  
20 keeping Operations” may only be made avail-  
21 able for training and equipment related to  
22 international peacekeeping operations.

23 (d) REGIONAL PROGRAMS.—

24 (1) CROSS BORDER PROGRAMS.—Funds appro-  
25 priated by this Act under the heading “Economic

1 Support Fund” for assistance for Afghanistan and  
2 Pakistan may be provided, notwithstanding any  
3 other provision of law that restricts assistance to  
4 foreign countries, for cross border stabilization and  
5 development programs between Afghanistan and  
6 Pakistan, or between either country and the Central  
7 Asian countries.

8 (2) SECURITY AND JUSTICE PROGRAMS.—  
9 Funds appropriated by this Act under the headings  
10 “Economic Support Fund”, “International Narcotics  
11 Control and Law Enforcement”, and “Assistance for  
12 Europe, Eurasia and Central Asia” that are avail-  
13 able for assistance for countries in South and Cen-  
14 tral Asia shall be made available to enhance the re-  
15 cruitment, retention, and professionalism of women  
16 in the judiciary, police, and other security forces.

17 LATIN AMERICA AND THE CARIBBEAN

18 SEC. 7045. (a) CENTRAL AMERICA.—

19 (1) FUNDING.—Subject to the requirements of  
20 this subsection, of the funds appropriated under ti-  
21 tles III and IV of this Act, \$615,000,000 should be  
22 made available for assistance for countries in Cen-  
23 tral America to implement the updated United  
24 States Strategy for Engagement in Central America:  
25 *Provided*, That such funds shall be made available to



1 the maximum extent practicable on a cost-matching  
2 basis.

3 (2) PRE-OBLIGATION REQUIREMENTS.—Prior  
4 to the obligation of funds made available pursuant  
5 to paragraph (1), the Secretary of State shall submit  
6 to the Committees on Appropriations a multi-year  
7 spend plan as described under this section in the re-  
8 port accompanying this Act, including a description  
9 of how such funds shall prioritize addressing the key  
10 factors in countries in Central America that con-  
11 tribute to the migration of undocumented Central  
12 Americans to the United States.

13 (3) ASSISTANCE FOR THE CENTRAL GOVERN-  
14 MENTS OF EL SALVADOR, GUATEMALA, AND HON-  
15 DURAS.—Of the funds made available pursuant to  
16 paragraph (1) that are available for assistance for  
17 each of the central governments of El Salvador,  
18 Guatemala, and Honduras, the following amounts  
19 shall be withheld from obligation and may only be  
20 made available as follows:

21 (A) 25 percent may only be obligated after  
22 the Secretary of State certifies and reports to  
23 the appropriate congressional committees that  
24 such government is taking effective steps, which  
25 are in addition to those steps taken since the

1 certification and report submitted during the  
2 prior year, if applicable, to—

3 (i) inform its citizens of the dangers  
4 of the journey to the southwest border of  
5 the United States;

6 (ii) combat human smuggling and  
7 trafficking;

8 (iii) improve border security, including  
9 to prevent illegal migration, human smug-  
10 gling and trafficking, and trafficking of il-  
11 licit drugs and other contraband; and

12 (iv) cooperate with United States Gov-  
13 ernment agencies and other governments  
14 in the region to facilitate the return, repa-  
15 triation, and reintegration of illegal mi-  
16 grants arriving at the southwest border of  
17 the United States who do not qualify for  
18 asylum, consistent with international law.

19 (B) An additional 50 percent may only be  
20 obligated after the Secretary of State certifies  
21 and reports to the appropriate congressional  
22 committees that such government is taking ef-  
23 fective steps, which are in addition to those  
24 steps taken since the certification and report

1 submitted during the prior year, if applicable,  
2 to—

3 (i) work cooperatively with an autono-  
4 mous, publicly accountable entity to pro-  
5 vide oversight of the Plan of the Alliance  
6 for Prosperity in the Northern Triangle in  
7 Central America (the Plan);

8 (ii) combat corruption, including in-  
9 vestigating and prosecuting current and  
10 former government officials credibly al-  
11 leged to be corrupt;

12 (iii) implement reforms, policies, and  
13 programs to improve transparency and  
14 strengthen public institutions, including in-  
15 creasing the capacity and independence of  
16 the judiciary and the Office of the Attor-  
17 ney General;

18 (iv) implement a policy to ensure that  
19 local communities, civil society organiza-  
20 tions (including indigenous and other  
21 marginalized groups), and local govern-  
22 ments are consulted in the design, and  
23 participate in the implementation and eval-  
24 uation of, activities of the Plan that affect

1 such communities, organizations, and gov-  
2 ernments;

3 (v) counter the activities of criminal  
4 gangs, drug traffickers, and organized  
5 crime;

6 (vi) investigate and prosecute in the  
7 civilian justice system government per-  
8 sonnel, including military and police per-  
9 sonnel, who are credibly alleged to have  
10 violated human rights, and ensure that  
11 such personnel are cooperating in such  
12 cases;

13 (vii) cooperate with commissions  
14 against corruption and impunity and with  
15 regional human rights entities;

16 (viii) support programs to reduce pov-  
17 erty, expand education and vocational  
18 training for at-risk youth, create jobs, and  
19 promote equitable economic growth par-  
20 ticularly in areas contributing to large  
21 numbers of migrants;

22 (ix) implement a plan that includes  
23 goals, benchmarks and timelines to create  
24 a professional, accountable civilian police  
25 force and end the role of the military in in-

1           ternal policing, and make such plan avail-  
2           able to the Department of State;

3                   (x) protect the right of political oppo-  
4           sition parties, journalists, trade unionists,  
5           human rights defenders, and other civil so-  
6           ciety activists to operate without inter-  
7           ference;

8                   (xi) increase government revenues, in-  
9           cluding by implementing tax reforms and  
10          strengthening customs agencies; and

11                   (xii) resolve commercial disputes, in-  
12          cluding the confiscation of real property,  
13          between United States entities and such  
14          government.

15           (4)    NORTHERN    TRIANGLE    INCENTIVE  
16    AWARD.—Amounts designated as “Northern Tri-  
17    angle Incentive Award” in the table under this sec-  
18    tion in the report accompanying this Act may be  
19    made available to El Salvador, Guatemala, or Hon-  
20    duras, only if the Secretary of State determines and  
21    reports to the appropriate congressional committees  
22    that the country has made extraordinary progress in  
23    meeting two or more of the conditions enumerated  
24    in paragraph (3): *Provided*, That such award shall  
25    be made in accordance with the requirements de-

1       scribed under this section in the report accom-  
2       panying this Act.

3               (5) SUSPENSION OF ASSISTANCE AND PERIODIC  
4       REVIEW.—

5               (A) The Secretary of State shall periodi-  
6       cally review the progress of each of the central  
7       governments of El Salvador, Guatemala, and  
8       Honduras in meeting the requirements of para-  
9       graphs (3)(A) and (3)(B): *Provided*, That if the  
10      Secretary determines that sufficient progress  
11      has not been made by a central government, the  
12      Secretary shall suspend, in whole or in part, as-  
13      sistance for such government for programs sup-  
14      porting such requirement, and shall notify the  
15      appropriate congressional committees in writing  
16      of such action: *Provided further*, That the Sec-  
17      retary may resume funding for such programs  
18      only after the Secretary certifies to such com-  
19      mittees that corrective measures have been  
20      taken.

21              (B) The Secretary of State shall, following  
22      a change of national government in El Sal-  
23      vador, Guatemala, or Honduras, determine and  
24      report to the appropriate congressional commit-  
25      tees that any new government has committed to

1 take the steps to meet the requirements of  
2 paragraphs (3)(A) and (3)(B): *Provided*, That  
3 if the Secretary is unable to make such a deter-  
4 mination in a timely manner, assistance made  
5 available under this subsection for such central  
6 government shall be suspended, in whole or in  
7 part, until such time as such determination and  
8 report can be made.

9 (6) TRANSFER OF FUNDS.—The Department of  
10 State and USAID may, following consultation with  
11 the Committees on Appropriations, transfer funds  
12 made available by this Act under the heading “De-  
13 velopment Assistance” to the Inter-American Devel-  
14 opment Bank and the Inter-American Foundation to  
15 support the Strategy.

16 (b) COLOMBIA.—

17 (1) ASSISTANCE.—Of the funds appropriated by  
18 this Act under titles III and IV, not less than  
19 \$335,925,000 shall be made available for assistance  
20 for Colombia, including to support the efforts of the  
21 Government of Colombia to—

22 (A) conduct a unified campaign against  
23 narcotics trafficking, organizations designated  
24 as foreign terrorist organizations pursuant to  
25 section 219 of the Immigration and Nationality

1 Act (8 U.S.C. 1189), and other criminal or ille-  
2 gal armed groups: *Provided*, That aircraft sup-  
3 ported by funds made available by this Act and  
4 prior Acts making appropriations for the De-  
5 partment of State, foreign operations, and re-  
6 lated programs may be used to transport per-  
7 sonnel and supplies involved in drug eradication  
8 and interdiction, including security for such ac-  
9 tivities, and to provide transport in support of  
10 alternative development programs and inves-  
11 tigations by civilian judicial authorities;

12 (B) enhance security and stability in Co-  
13 lombia and the region;

14 (C) strengthen and expand governance, the  
15 rule of law, and access to justice throughout  
16 Colombia;

17 (D) promote economic and social develop-  
18 ment, including by improving access to areas  
19 impacted by conflict through demining pro-  
20 grams; and

21 (E) implement a peace agreement between  
22 the Government of Colombia and illegal armed  
23 groups, in accordance with constitutional and  
24 legal requirements in Colombia:



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

4           (2) LIMITATION.—None of the funds appro-  
5       priated by this Act or prior Acts making appropria-  
6       tions for the Department of State, foreign oper-  
7       ations, and related programs that are made available  
8       for assistance for Colombia may be made available  
9       for payment of reparations to conflict victims or  
10      compensation to demobilized combatants associated  
11      with a peace agreement between the Government of  
12      Colombia and illegal armed groups.

13          (3) PRE-OBLIGATION REQUIREMENTS.—Prior  
14      to the initial obligation of funds made available pur-  
15      suant to paragraph (1), the Secretary of State, in  
16      consultation with the USAID Administrator, shall  
17      submit to the Committees on Appropriations a  
18      multi-year spend plan as described under this sec-  
19      tion in the report accompanying this Act.

20          (4) COUNTERNARCOTICS.—Of the funds made  
21      available by this Act under the headings “Economic  
22      Support Fund” and “International Narcotics Con-  
23      trol and Law Enforcement” for assistance for Co-  
24      lombia, 30 percent may be obligated only in accord-

1           ance with the conditions set forth under this section  
2           in the report accompanying this Act.

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

8           (c) CUBA.—

9           (1) DIPLOMATIC FACILITIES.—

10           (A) None of the funds appropriated or oth-  
11           erwise made available by this Act and prior acts  
12           making appropriations for the Department of  
13           State, foreign operations, and related programs  
14           may be obligated or expended for—

15           (i) the establishment or operation of a  
16           United States diplomatic presence, includ-  
17           ing an embassy, consulate, or liaison office,  
18           in Cuba beyond that which was in exist-  
19           ence prior to December 17, 2014, includ-  
20           ing the hiring of additional staff, unless  
21           such staff are necessary for protecting the  
22           health, safety, or security of diplomatic  
23           personnel or facilities in Cuba;

24           (ii) the facilitation of the establish-  
25           ment or operation of a diplomatic mission

1 of Cuba, including an embassy, consulate,  
2 or liaison office, in the United States be-  
3 yond that which was in existence prior to  
4 December 17, 2014; and

5 (iii) the support of Locally Employed  
6 Staff in contravention of section 512 of the  
7 Intelligence Authorization Act for Fiscal  
8 Year 2016 (division M of Public Law 114–  
9 113).

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

12 (i) with respect to assistance or sup-  
13 port in furtherance of democracy-building  
14 efforts for Cuba described in section 109  
15 of the Cuban Liberty and Democratic Soli-  
16 darity (LIBERTAD) Act of 1996 (22  
17 U.S.C. 6039); and

18 (ii) if the President determines and  
19 reports to the appropriate congressional  
20 committees that the government in Cuba  
21 has met the requirements and factors spec-  
22 ified in section 205 of the Cuban Liberty  
23 and Democratic Solidarity (LIBERTAD)  
24 Act of 1996 (22 U.S.C. 6065), including  
25 the extent to which such government has

1                   extradited or otherwise rendered to the  
2                   United States all persons sought by the  
3                   United States Department of Justice for  
4                   crimes committed in the United States.

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

16                  (d) HAITI.—

17                  (1) CERTIFICATION.—Funds appropriated by  
18                  this Act under the headings “Development Assist-  
19                  ance” and “Economic Support Fund” that are made  
20                  available for assistance for Haiti may not be made  
21                  available for assistance for the central Government  
22                  of Haiti unless the Secretary of State certifies and  
23                  reports to the Committees on Appropriations that  
24                  such government is taking effective steps, which are  
25                  in addition to steps taken since the certification and

1 report submitted during the prior year, if applicable,  
2 to—

3 (A) strengthen the rule of law in Haiti, in-  
4 cluding by—

5 (i) selecting judges in a transparent  
6 manner based on merit;

7 (ii) reducing pre-trial detention; and

8 (iii) respecting the independence of  
9 the judiciary.

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

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

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

20 EUROPE AND EURASIA

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

1           (b) LIMITATION.—None of the funds appropriated by  
2 this Act may be made available for assistance for a govern-  
3 ment of an Independent State of the former Soviet Union  
4 if such government directs any action in violation of the  
5 territorial integrity or national sovereignty of any other  
6 Independent State of the former Soviet Union, such as  
7 those violations included in the Helsinki Final Act: *Pro-*  
8 *vided*, That except as otherwise provided in section  
9 7070(a) of this Act, funds may be made available without  
10 regard to the restriction in this subsection if the President  
11 determines that to do so is in the national security interest  
12 of the United States: *Provided further*, That prior to exe-  
13 cuting the authority contained in the previous proviso the  
14 Secretary of State shall consult with the Committees on  
15 Appropriations on how such assistance supports the na-  
16 tional security interest of the United States.

17           (c) SECTION 907 OF THE FREEDOM SUPPORT  
18 ACT.—Section 907 of the FREEDOM Support Act shall  
19 not apply to—

20           (1) activities to support democracy or assist-  
21           ance under title V of the FREEDOM Support Act  
22           and section 1424 of the Defense Against Weapons  
23           of Mass Destruction Act of 1996 (50 U.S.C. 2333)  
24           or non-proliferation assistance;



1 tions, without regard to the ceiling limitation contained  
2 in paragraph (2) thereof: *Provided*, That the determina-  
3 tion required under this section shall be in lieu of any de-  
4 terminations otherwise required under section 552(c): *Pro-*  
5 *vided further*, That funds made available pursuant to this  
6 section shall be made available subject to the regular noti-  
7 fication procedures of the Committees on Appropriations.

8 UNITED NATIONS

9 SEC. 7048. (a) TRANSPARENCY AND ACCOUNT-  
10 ABILITY.—

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

21 (A) posting on a publicly available Web  
22 site, consistent with privacy regulations and due  
23 process, regular financial and programmatic au-  
24 dits of such organization, department, or agen-  
25 cy, and providing the United States Govern-



1           ment with necessary access to such financial  
2           and performance audits;

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

7                   (i) protection against retaliation for  
8                   internal and lawful public disclosures;

9                   (ii) legal burdens of proof;

10                  (iii) statutes of limitation for report-  
11                  ing retaliation;

12                  (iv) access to independent adjudicative  
13                  bodies, including external arbitration; and

14                  (v) results that eliminate the effects of  
15                  proven retaliation; and

16           (C) effectively implementing and enforcing  
17           policies and procedures regarding travel, includ-  
18           ing a prohibition on first class travel.

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

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

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

14 (2) None of the funds made available by this  
15 Act may be used by the Secretary of State as a con-  
16 tribution to any organization, agency, commission,  
17 or program within the United Nations system if  
18 such organization, agency, commission, or program  
19 is chaired or presided over by a country the govern-  
20 ment of which the Secretary of State has deter-  
21 mined, for purposes of section 620A of the Foreign  
22 Assistance Act of 1961, section 40 of the Arms Ex-  
23 port Control Act, section 6(j)(1) of the Export Ad-  
24 ministration Act of 1979, or any other provision of

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

3 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—

4 None of the funds appropriated by this Act may be made  
5 available in support of the United Nations Human Rights  
6 Council unless the Secretary of State determines and re-  
7 ports to the Committees on Appropriations that participa-  
8 tion in the Council is in the national security interest of  
9 the United States and that such Council is taking signifi-  
10 cant steps to remove Israel as a permanent agenda item  
11 and increase transparency in the election of members to  
12 such Council: *Provided*, That such report shall include a  
13 description of the national security interest served and the  
14 steps taken to remove Israel as a permanent agenda item  
15 and increase transparency in the election of members to  
16 such Council: *Provided further*, That the Secretary of  
17 State shall report to the Committees on Appropriations  
18 not later than September 30, 2018, on the resolutions con-  
19 sidered in the United Nations Human Rights Council dur-  
20 ing the previous 12 months, and on steps taken to remove  
21 Israel as a permanent agenda item and increase trans-  
22 parency in the election of members to such Council.

23 (d) UNITED NATIONS RELIEF AND WORKS AGEN-  
24 CY.—None of the funds made available by this Act under  
25 the heading “Migration and Refugee Assistance” may be

1 made available as a contribution to the United Nations  
2 Relief and Works Agency (UNRWA) until the Secretary  
3 of State certifies and reports to the Committees on Appro-  
4 priations, in writing, that UNRWA is—

5 (1) utilizing Operations Support Officers in the  
6 West Bank, Gaza, and other fields of operation to  
7 inspect UNRWA installations and reporting any in-  
8 appropriate use;

9 (2) acting promptly to address any staff or ben-  
10 efiiciary violation of its own policies (including the  
11 policies on neutrality and impartiality of employees)  
12 and the legal requirements under section 301(c) of  
13 the Foreign Assistance Act of 1961;

14 (3) implementing procedures to maintain the  
15 neutrality of its facilities, including implementing a  
16 no-weapons policy, and conducting regular inspec-  
17 tions of its installations, to ensure they are only  
18 used for humanitarian or other appropriate pur-  
19 poses;

20 (4) taking necessary and appropriate measures  
21 to ensure it is operating in compliance with the con-  
22 ditions of section 301(c) of the Foreign Assistance  
23 Act of 1961 and continuing regular reporting to the  
24 Department of State on actions it has taken to en-  
25 sure conformance with such conditions;

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

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

10          (7) in compliance with the United Nations  
11          Board of Auditors' biennial audit requirements and  
12          is implementing in a timely fashion the Board's rec-  
13          ommendations.

14          (e) PROHIBITION OF PAYMENTS TO UNITED NA-  
15          TIONS MEMBERS.—None of the funds appropriated or  
16          made available pursuant to titles III through VI of this  
17          Act for carrying out the Foreign Assistance Act of 1961,  
18          may be used to pay in whole or in part any assessments,  
19          arrearages, or dues of any member of the United Nations  
20          or, from funds appropriated by this Act to carry out chap-  
21          ter 1 of part I of the Foreign Assistance Act of 1961,  
22          the costs for participation of another country's delegation  
23          at international conferences held under the auspices of  
24          multilateral or international organizations.

1 (f) CAPITAL PROJECTS.—None of the funds made  
2 available by this Act may be used for the design, renova-  
3 tion, or construction of the United Nations Headquarters  
4 in New York: *Provided*, That any operating plan sub-  
5 mitted pursuant to this Act for funds made available  
6 under the heading “Contributions to International Organi-  
7 zations” shall include information on capital projects, as  
8 described under such heading in the report accompanying  
9 this Act.

10 (g) WITHHOLDING REPORT.—Not later than 45 days  
11 after enactment of this Act, the Secretary of State shall  
12 submit a report to the Committees on Appropriations de-  
13 tailing the amount of funds available for obligation or ex-  
14 penditure in fiscal year 2018 for contributions to any or-  
15 ganization, department, agency, or program within the  
16 United Nations system or any international program that  
17 are withheld from obligation or expenditure due to any  
18 provision of law: *Provided*, That the Secretary of State  
19 shall update such report each time additional funds are  
20 withheld by operation of any provision of law: *Provided*  
21 *further*, That the reprogramming of any withheld funds  
22 identified in such report, including updates thereof, shall  
23 be subject to prior consultation with, and the regular noti-  
24 fication procedures of, the Committees on Appropriations.

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

6 (i) ADDITIONAL AVAILABILITY.—Funds appropriated  
7 under title I of this Act which are returned or not made  
8 available due to the implementation of subsection (a) or  
9 the second proviso under the heading “Contributions for  
10 International Peacekeeping Activities” of such title shall  
11 remain available for obligation until September 30, 2019.

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

18 COMMUNITY-BASED POLICE ASSISTANCE

19 SEC. 7049. (a) AUTHORITY.—Funds made available  
20 by titles III and IV of this Act to carry out the provisions  
21 of chapter 1 of part I and chapters 4 and 6 of part II  
22 of the Foreign Assistance Act of 1961, may be used, not-  
23 withstanding section 660 of that Act, to enhance the effec-  
24 tiveness and accountability of civilian police authority  
25 through training and technical assistance in human rights,

1 the rule of law, anti-corruption, strategic planning, and  
2 through assistance to foster civilian police roles that sup-  
3 port democratic governance, including assistance for pro-  
4 grams to prevent conflict, respond to disasters, address  
5 gender-based violence, and foster improved police relations  
6 with the communities they serve.

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

10 PROHIBITION ON PUBLICITY OR PROPAGANDA

11 SEC. 7050. No part of any appropriation contained  
12 in this Act shall be used for publicity or propaganda pur-  
13 poses within the United States not authorized before the  
14 date of the enactment of this Act by Congress: *Provided*,  
15 That not to exceed \$25,000 may be made available to  
16 carry out the provisions of section 316 of the International  
17 Security and Development Cooperation Act of 1980 (Pub-  
18 lic Law 96–533).

19 INTERNATIONAL CONFERENCES

20 SEC. 7051. None of the funds made available in this  
21 Act may be used to send or otherwise pay for the attend-  
22 ance of more than 50 employees of agencies or depart-  
23 ments of the United States Government who are stationed  
24 in the United States, at any single international con-  
25 ference occurring outside the United States, unless the



1 Secretary of State reports to the Committees on Appro-  
2 priations at least 5 days in advance that such attendance  
3 is important to the national interest: *Provided*, That for  
4 purposes of this section the term “international con-  
5 ference” shall mean a conference attended by representa-  
6 tives of the United States Government and of foreign gov-  
7 ernments, international organizations, or nongovern-  
8 mental organizations.

9 AIRCRAFT TRANSFER, COORDINATION, AND USE

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

20 (b) PROPERTY DISPOSAL.—The authority provided  
21 in subsection (a) shall apply only after the Secretary of  
22 State determines and reports to the Committees on Appro-  
23 priations that the equipment is no longer required to meet  
24 programmatic purposes in the designated country or re-  
25 gion: *Provided*, That any such transfer shall be subject

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

3 (c) AIRCRAFT COORDINATION.—

4 (1) The uses of aircraft purchased or leased by  
5 the Department of State and the United States  
6 Agency for International Development with funds  
7 made available in this Act or prior Acts making ap-  
8 propriations for the Department of State, foreign  
9 operations, and related programs shall be coordi-  
10 nated under the authority of the appropriate Chief  
11 of Mission: *Provided*, That such aircraft may be  
12 used to transport, on a reimbursable or non-reim-  
13 bursable basis, Federal and non-Federal personnel  
14 supporting Department of State and USAID pro-  
15 grams and activities: *Provided further*, That official  
16 travel for other agencies for other purposes may be  
17 supported on a reimbursable basis, or without reim-  
18 bursement when traveling on a space available basis:  
19 *Provided further*, That funds received by the Depart-  
20 ment of State in connection with the use of aircraft  
21 owned, leased, or chartered by the Department of  
22 State may be credited to the Working Capital Fund  
23 of the Department and shall be available for ex-  
24 penses related to the purchase, lease, maintenance,  
25 chartering, or operation of such aircraft.



1 (b) CLUSTER MUNITIONS.—No military assistance  
2 shall be furnished for cluster munitions, no defense export  
3 license for cluster munitions may be issued, and no cluster  
4 munitions or cluster munitions technology shall be sold or  
5 transferred, unless—

6 (1) the submunitions of the cluster munitions,  
7 after arming, do not result in more than 1 percent  
8 unexploded ordnance across the range of intended  
9 operational environments, and the agreement appli-  
10 cable to the assistance, transfer, or sale of such clus-  
11 ter munitions or cluster munitions technology speci-  
12 fies that the cluster munitions will only be used  
13 against clearly defined military targets and will not  
14 be used where civilians are known to be present or  
15 in areas normally inhabited by civilians; or

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

19 CONTINUOUS SUPERVISION AND GENERAL DIRECTION OF  
20 ECONOMIC AND MILITARY ASSISTANCE

21 SEC. 7055. (a) Under the direction of the President,  
22 the Secretary of State should be responsible for the contin-  
23 uous supervision and general direction of economic assist-  
24 ance, law enforcement and justice sector assistance, mili-  
25 tary assistance, and military education and training pro-

1 grams, including but not limited to determining whether  
2 there shall be a military assistance (including civic action)  
3 or a military education and training program for a country  
4 and the value thereof, to the end that such programs are  
5 effectively integrated both at home and abroad and the  
6 foreign policy of the United States is best served thereby.

7 (b) Consistent with section 481(b) of the Foreign As-  
8 sistance Act of 1961, the Secretary of State shall be re-  
9 sponsible for coordinating all assistance provided by the  
10 United States Government to support international efforts  
11 to combat illicit narcotics production or trafficking: *Pro-*  
12 *vided*, That the provision of assistance by the Department  
13 of Defense which is comparable to assistance that may be  
14 made available by this Act under the heading “Inter-  
15 national Narcotics Control and Law Enforcement” should  
16 be provided in a manner consistent with the requirements  
17 of section 333(b) of title 10, United States Code, as added  
18 by section 1241 of the National Defense Authorization Act  
19 for Fiscal Year 2017 (Public Law 114–328).

20 LIMITATIONS RELATED TO FAMILY PLANNING AND  
21 REPRODUCTIVE HEALTH

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

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

7 UNITED STATES AGENCY FOR INTERNATIONAL  
8 DEVELOPMENT MANAGEMENT

9 SEC. 7057. (a) AUTHORITY.—Up to \$93,000,000 of  
10 the funds made available in title III of this Act pursuant  
11 to or to carry out the provisions of part I of the Foreign  
12 Assistance Act of 1961, including funds appropriated  
13 under the heading “Assistance for Europe, Eurasia and  
14 Central Asia”, may be used by the United States Agency  
15 for International Development to hire and employ individ-  
16 uals in the United States and overseas on a limited ap-  
17 pointment basis pursuant to the authority of sections 308  
18 and 309 of the Foreign Service Act of 1980.

19 (b) RESTRICTIONS.—

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

23 (2) The authority to hire individuals contained  
24 in subsection (a) shall expire on September 30,  
25 2019.

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

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

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

1           (f) DISASTER SURGE CAPACITY.—Funds appro-  
2 priated under title III of this Act to carry out part I of  
3 the Foreign Assistance Act of 1961, including funds ap-  
4 propriated under the heading “Assistance for Europe,  
5 Eurasia and Central Asia”, may be used, in addition to  
6 funds otherwise available for such purposes, for the cost  
7 (including the support costs) of individuals detailed to or  
8 employed by USAID whose primary responsibility is to  
9 carry out programs in response to natural disasters, or  
10 man-made disasters subject to the regular notification  
11 procedures of the Committees on Appropriations.

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



1 be made available only for personal services contractors  
2 assigned to the Office of Food for Peace.

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

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

18 GLOBAL HEALTH ACTIVITIES

19 SEC. 7058. (a) IN GENERAL.—Funds appropriated  
20 by titles III and IV of this Act that are made available  
21 for bilateral assistance for child survival activities or dis-  
22 ease programs including activities relating to research on,  
23 and the prevention, treatment and control of, HIV/AIDS  
24 may be made available notwithstanding any other provi-  
25 sion of law except for provisions under the heading “Glob-

1 al Health Programs” and the United States Leadership  
2 Against HIV/AIDS, Tuberculosis, and Malaria Act of  
3 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amend-  
4 ed.

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

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

14 (1) maintaining and implementing a policy of  
15 transparency, including the authority of the Global  
16 Fund Office of the Inspector General (OIG) to pub-  
17 lish OIG reports on a public Web site;

18 (2) providing sufficient resources to maintain  
19 an independent OIG that—

20 (A) reports directly to the Board of the  
21 Global Fund;

22 (B) maintains a mandate to conduct thor-  
23 ough investigations and programmatic audits,  
24 free from undue interference; and

1 (C) compiles regular, publicly published  
2 audits and investigations of financial, pro-  
3 grammatic, and reporting aspects of the Global  
4 Fund, its grantees, recipients, sub-recipients,  
5 and Local Fund Agents;

6 (3) effectively implementing and enforcing poli-  
7 cies and procedures which reflect best practices for  
8 the protection of whistleblowers from retaliation, in-  
9 cluding best practices for—

10 (A) protection against retaliation for inter-  
11 nal and lawful public disclosures;

12 (B) legal burdens of proof;

13 (C) statutes of limitation for reporting re-  
14 taliation;

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

17 (E) results that eliminate the effects of  
18 proven retaliation; and

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

23 *Provided*, That such withholding shall not be in addition  
24 to funds that are withheld from the Global Fund in fiscal

1 year 2018 pursuant to the application of any other provi-  
2 sion contained in this or any other Act.

3 (d) CONTAGIOUS INFECTIOUS DISEASE OUT-  
4 BREAKS.—

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

14 (2) EXTRAORDINARY MEASURES.—If the Sec-  
15 retary of State determines and reports to the Com-  
16 mittees on Appropriations that an international in-  
17 fectious disease outbreak is sustained, severe, and is  
18 spreading internationally, or that it is in the na-  
19 tional interest to respond to a Public Health Emer-  
20 gency of International Concern, funds appropriated  
21 by this Act under the headings “Global Health Pro-  
22 grams”, “Development Assistance”, “International  
23 Disaster Assistance”, “Economic Support Fund”,  
24 “Democracy Fund”, “Assistance for Europe, Eur-  
25 asia and Central Asia”, “Migration and Refugee As-

1       sistance”, and “Millennium Challenge Corporation”  
2       may be made available to combat such infectious dis-  
3       ease or public health emergency, and may be trans-  
4       ferred to, and merged with, funds appropriated  
5       under such headings for the purposes of this para-  
6       graph.

7               (3) OVERSIGHT OF FUNDS.—Funds made avail-  
8       able pursuant to the authority of this subsection  
9       shall be subject to prior consultation with the appro-  
10      priate congressional committees and the regular no-  
11      tification procedures of the Committees on Appro-  
12      priations.

13      (e) MALARIA AND OTHER INFECTIOUS DISEASES.—  
14      Of the unobligated balances available under the heading  
15      “Bilateral Economic Assistance” in title IX of division J  
16      of the Consolidated and Further Continuing Appropria-  
17      tions Act, 2015 (Public Law 113–235), \$250,000,000  
18      shall be available for assistance or research to detect, pre-  
19      vent, treat, and control malaria, and \$72,500,000 shall be  
20      for assistance or research to detect, prevent, treat, and  
21      control emerging infectious diseases in countries at risk  
22      of such diseases: *Provided*, That amounts made available  
23      under this section are designated by the Congress as an  
24      emergency requirement pursuant to section  
25      251(b)(2)(A)(i) of the Balanced Budget and Emergency

1 Deficit Control Act of 1985 and shall be available only  
2 if the President subsequently so designates all such  
3 amounts and transmits such designations to the Congress.

4 GENDER EQUALITY

5 SEC. 7059. (a) GENDER EQUALITY.—Funds appro-  
6 priated by this Act shall be made available to promote gen-  
7 der equality in United States Government diplomatic and  
8 development efforts by raising the status, increasing the  
9 participation, and protecting the rights of women and girls  
10 worldwide.

11 (b) WOMEN'S LEADERSHIP.—Of the funds appro-  
12 priated by title III of this Act, not less than \$50,000,000  
13 shall be made available to increase leadership opportuni-  
14 ties for women in countries where women and girls suffer  
15 discrimination due to law, policy, or practice, by strength-  
16 ening protections for women's political status, expanding  
17 women's participation in political parties and elections,  
18 and increasing women's opportunities for leadership posi-  
19 tions in the public and private sectors at the local, provin-  
20 cial, and national levels.

21 (c) GENDER-BASED VIOLENCE.—

22 (1)(A) Of the funds appropriated by titles III  
23 and IV of this Act, not less than \$150,000,000 shall  
24 be made available to implement a multi-year strat-  
25 egy to prevent and respond to gender-based violence

1 in countries where it is common in conflict and non-  
2 conflict settings.

3 (B) Funds appropriated by titles III and IV of  
4 this Act that are available to train foreign police, ju-  
5 dicial, and military personnel, including for inter-  
6 national peacekeeping operations, shall address,  
7 where appropriate, prevention and response to gen-  
8 der-based violence and trafficking in persons, and  
9 shall promote the integration of women into the po-  
10 lice and other security forces.

11 (2) Department of State and United States  
12 Agency for International Development gender pro-  
13 grams shall incorporate coordinated efforts to com-  
14 bat a variety of forms of gender-based violence, in-  
15 cluding child marriage, rape, female genital cutting  
16 and mutilation, and domestic violence, among other  
17 forms of gender-based violence in conflict and non-  
18 conflict settings.

19 (d) WOMEN, PEACE, AND SECURITY.—Funds appro-  
20 priated by this Act under the headings “Development As-  
21 sistance”, “Economic Support Fund”, “Assistance for Eu-  
22 rope, Eurasia and Central Asia”, and “International Nar-  
23 cotics Control and Law Enforcement” should be made  
24 available to support a multi-year strategy to expand, and  
25 improve coordination of, United States Government ef-





1 objectives of such assistance: *Provided*, That  
2 the USAID Administrator shall update such re-  
3 port on a quarterly basis until September 30,  
4 2019.

5 (C) Of the funds appropriated under title  
6 III of this Act for assistance for basic education  
7 programs, not less than \$87,500,000 shall be  
8 made available for a contribution to multilateral  
9 partnerships that support education.

10 (2) HIGHER EDUCATION.—Of the funds appro-  
11 priated by title III of this Act, not less than  
12 \$235,000,000 shall be made available for assistance  
13 for higher education, including not less than  
14 \$35,000,000 for new and ongoing partnerships for  
15 human and institutional capacity building between  
16 higher education institutions in the United States  
17 and developing countries.

18 (b) CONSERVATION PROGRAMS AND LIMITATIONS.—

19 (1) BIODIVERSITY.—

20 (A) Of the funds appropriated under title  
21 III of this Act, not less than \$265,000,000  
22 shall be made available for biodiversity con-  
23 servation programs.

24 (B) Of the funds appropriated by this Act  
25 under the heading “Economic Support Fund”,

1           \$102,375,000 shall be made available for a  
2           multilateral funding facility to support biodiver-  
3           sity conservation programs: *Provided*, That  
4           such funds may only be made available on a  
5           grant basis: *Provided further*, That such funds  
6           are in addition to amounts specified in subpara-  
7           graph (A) and are subject to prior consultation  
8           with, and the regular notification procedures of,  
9           the Committees on Appropriations.

10           (2) WILDLIFE POACHING AND TRAFFICKING.—

11           (A) Not less than \$90,664,000 of the  
12           funds appropriated under titles III and IV of  
13           this Act shall be made available to combat the  
14           transnational threat of wildlife poaching and  
15           trafficking.

16           (B) None of the funds appropriated under  
17           title IV of this Act may be made available for  
18           training or other assistance for any military  
19           unit or personnel that the Secretary of State  
20           determines has been credibly alleged to have  
21           participated in wildlife poaching or trafficking,  
22           unless the Secretary reports to the appropriate  
23           congressional committees that to do so is in the  
24           national security interest of the United States.

1 (c) DEVELOPMENT PROGRAMS.—Of the funds appro-  
2 priated by this Act under the heading “Development As-  
3 sistance”, not less than \$26,000,000 shall be made avail-  
4 able for the American Schools and Hospitals Abroad pro-  
5 gram, and not less than \$12,000,000 shall be made avail-  
6 able for cooperative development programs of USAID.

7 (d) FOOD SECURITY AND AGRICULTURAL DEVELOP-  
8 MENT.—Of the funds appropriated under title III of this  
9 Act, not less than \$1,000,600,000 should be made avail-  
10 able to carry out the provisions of the Global Food Secu-  
11 rity Act of 2016 (Public Law 114-195), of which not less  
12 than \$60,000,000 shall be made available for the Feed  
13 the Future Innovation Labs: *Provided*, That funds may  
14 be made available for a contribution as authorized by sec-  
15 tion 3202 of the Food, Conservation, and Energy Act of  
16 2008 (Public Law 110-246), as amended by section 3206  
17 of the Agricultural Act of 2014 (Public Law 113-79).

18 (e) MICROENTERPRISE AND MICROFINANCE.—Of the  
19 funds appropriated by this Act, not less than  
20 \$265,000,000 should be made available for microenter-  
21 prise and microfinance development programs for the  
22 poor, especially women.

23 (f) PROGRAMS TO COMBAT TRAFFICKING IN PER-  
24 SONS.—Of the funds appropriated by this Act under the  
25 headings “Development Assistance”, “Economic Support

1 Fund”, “Assistance for Europe, Eurasia and Central  
2 Asia”, and “International Narcotics Control and Law En-  
3 forcement”, not less than \$65,000,000 shall be made  
4 available for activities to combat trafficking in persons  
5 internationally, of which not less than \$40,000,000 shall  
6 be from funds made available under the heading “Inter-  
7 national Narcotics Control and Law Enforcement”: *Pro-*  
8 *vided*, That not later than 120 days after enactment of  
9 this Act, the Secretary of State shall submit an update  
10 to the report required pursuant to section 7060(f)(1) of  
11 the Department of State, Foreign Operations, and Related  
12 Programs Appropriations Act, 2017 (division J of Public  
13 Law 115-31).

14 (g) WATER AND SANITATION.—Of the funds appro-  
15 priated by this Act, not less than \$400,000,000 shall be  
16 made available for water supply and sanitation projects  
17 pursuant to the Senator Paul Simon Water for the Poor  
18 Act of 2005 (Public Law 109–121), of which not less than  
19 \$145,000,000 shall be for programs in sub-Saharan Afri-  
20 ca.

21 COUNTRIES IMPACTED BY SIGNIFICANT REFUGEE

22 POPULATIONS OR INTERNALLY DISPLACED PERSONS

23 SEC. 7061. Funds appropriated by this Act under the  
24 headings “Development Assistance” and “Economic Sup-  
25 port Fund” shall be made available for programs in coun-

1 tries affected by significant populations of internally dis-  
2 placed persons or refugees to—

3 (1) expand and improve host government social  
4 services and basic infrastructure to accommodate the  
5 needs of such populations and persons;

6 (2) alleviate the social and economic strains  
7 placed on host communities, including through pro-  
8 grams to promote livelihoods, vocational training,  
9 and formal and informal education;

10 (3) improve coordination of such assistance in  
11 a more effective and sustainable manner; and

12 (4) leverage increased assistance from donors  
13 other than the United States Government for central  
14 governments and local communities in such coun-  
15 tries.

#### 16 ARMS TRADE TREATY

17 SEC. 7062. None of the funds appropriated by this  
18 Act may be obligated or expended to implement the Arms  
19 Trade Treaty until the Senate approves a resolution of  
20 ratification for the Treaty.

#### 21 INSPECTORS GENERAL

22 SEC. 7063. (a) PROHIBITION ON USE OF FUNDS.—  
23 None of the funds appropriated by this Act may be used  
24 to deny an Inspector General funded under this Act timely  
25 access to any records, documents, or other materials avail-

1 able to the department or agency of the United States  
2 Government over which such Inspector General has re-  
3 sponsibilities under the Inspector General Act of 1978 (5  
4 U.S.C. App.), or to prevent or impede the access of such  
5 Inspector General to such records, documents, or other  
6 materials, under any provision of law, except a provision  
7 of law that expressly refers to such Inspector General and  
8 expressly limits the right of access of such Inspector Gen-  
9 eral.

10 (b) **TIMELY ACCESS.**—A department or agency of the  
11 United States Government covered by this section shall  
12 provide its Inspector General access to all records, docu-  
13 ments, and other materials in a timely manner.

14 (c) **COMPLIANCE.**—Each Inspector General covered  
15 by this section shall ensure compliance with statutory limi-  
16 tations on disclosure relevant to the information provided  
17 by the department or agency over which that Inspector  
18 General has responsibilities under the Inspector General  
19 Act of 1978 (5 U.S.C. App.).

20 (d) **REPORT REQUIREMENT.**—Each Inspector Gen-  
21 eral covered by this section shall report to the Committees  
22 on Appropriations within 5 calendar days of any failure  
23 by any department or agency of the United States Govern-  
24 ment to provide its Inspector General access to all re-  
25 quested records, documents, and other materials.

1 REPORTING REQUIREMENTS CONCERNING INDIVIDUALS

2 DETAINED AT NAVAL STATION, GUANTÁNAMO BAY, CUBA

3 SEC. 7064. Not later than 5 days after the conclusion  
4 of an agreement with a country, including a state with  
5 a compact of free association with the United States, to  
6 receive by transfer or release individuals detained at  
7 United States Naval Station, Guantánamo Bay, Cuba, the  
8 Secretary of State shall notify the Committees on Appro-  
9 priations in writing of the terms of the agreement, includ-  
10 ing whether funds appropriated by this Act or prior Acts  
11 making appropriations for the Department of State, for-  
12 eign operations, and related programs will be made avail-  
13 able for assistance for such country pursuant to such  
14 agreement.

15 MULTI-YEAR PLEDGES

16 SEC. 7065. None of the funds appropriated by this  
17 Act may be used to make any pledge for future year fund-  
18 ing for any multilateral or bilateral program funded in ti-  
19 tles III through VI of this Act unless such pledge was—

20 (1) previously justified, including the projected  
21 future year costs, in a congressional budget justifica-  
22 tion;

23 (2) included in an Act making appropriations  
24 for the Department of State, foreign operations, and

1 related programs or previously authorized by an Act  
2 of Congress;

3 (3) notified in accordance with the regular noti-  
4 fication procedures of the Committees on Appropria-  
5 tions, including the projected future year costs; or

6 (4) the subject of prior consultation with the  
7 Committees on Appropriations and such consultation  
8 was conducted at least 7 days in advance of the  
9 pledge.

#### 10 PROHIBITION ON USE OF TORTURE

11 SEC. 7066. None of the funds made available in this  
12 Act may be used to support or justify the use of torture,  
13 cruel, or inhumane treatment by any official or contract  
14 employee of the United States Government.

#### 15 EXTRADITION

16 SEC. 7067. (a) LIMITATION.—None of the funds ap-  
17 propriated in this Act may be used to provide assistance  
18 (other than funds provided under the headings “Inter-  
19 national Disaster Assistance”, “International Narcotics  
20 Control and Law Enforcement”, “Migration and Refugee  
21 Assistance”, and “Nonproliferation, Anti-terrorism,  
22 Demining and Related Assistance”) for the central gov-  
23 ernment of a country which has notified the Department  
24 of State of its refusal to extradite to the United States  
25 any individual indicted for a criminal offense for which



1 the maximum penalty is life imprisonment without the  
2 possibility of parole or for killing a law enforcement offi-  
3 cer, as specified in a United States extradition request.

4 (b) CLARIFICATION.—Subsection (a) shall only apply  
5 to the central government of a country with which the  
6 United States maintains diplomatic relations and with  
7 which the United States has an extradition treaty and the  
8 government of that country is in violation of the terms  
9 and conditions of the treaty.

10 (c) WAIVER.—The Secretary of State may waive the  
11 restriction in subsection (a) on a case-by-case basis if the  
12 Secretary certifies to the Committees on Appropriations  
13 that such waiver is important to the national interests of  
14 the United States.

15 COMMERCIAL LEASING OF DEFENSE ARTICLES

16 SEC. 7068. Notwithstanding any other provision of  
17 law, and subject to the regular notification procedures of  
18 the Committees on Appropriations, the authority of sec-  
19 tion 23(a) of the Arms Export Control Act may be used  
20 to provide financing to Israel, Egypt, and the North Atlan-  
21 tic Treaty Organization (NATO), and major non-NATO  
22 allies for the procurement by leasing (including leasing  
23 with an option to purchase) of defense articles from  
24 United States commercial suppliers, not including Major  
25 Defense Equipment (other than helicopters and other

1 types of aircraft having possible civilian application), if the  
2 President determines that there are compelling foreign  
3 policy or national security reasons for those defense arti-  
4 cles being provided by commercial lease rather than by  
5 government-to-government sale under such Act.

6

## RESCISSIONS

7

(INCLUDING RESCISSION OF FUNDS)

8 SEC. 7069. (a) ASSISTANCE.—Of the unobligated  
9 balances available to the President under the heading  
10 “Development Assistance”, as identified by Treasury Ap-  
11 propriation Fund Symbol 72 X 1021, \$29,906,927.46 are  
12 rescinded.

13 (b) NORTH AMERICAN DEVELOPMENT BANK.—The  
14 unobligated balances available under the heading “Con-  
15 tribution to the North American Development Bank” in  
16 the Department of State, Foreign Operations, and Related  
17 Programs Appropriations Act, 2016 (division K of Public  
18 Law 114-113) are rescinded.

19 (c) EXPORT-IMPORT BANK.—Of the unobligated bal-  
20 ances under the heading “Export and Investment Assist-  
21 ance, Export-Import Bank of the United States, Subsidy  
22 Appropriation” for tied-aid grants in prior Acts making  
23 appropriations for the Department of State, foreign oper-  
24 ations, and related programs, \$165,000,000 are rescinded.

1 (d) SEC. 129 OF PUBLIC LAW 110-329.—Of the un-  
2 obligated balances available for “Department of Energy—  
3 Energy Programs—Advanced Technology Vehicles Manu-  
4 facturing Loan Program Account” under section 129 of  
5 the Continuing Appropriations Resolution, 2009 (division  
6 A of Public Law 110–329), \$1,090,000,000 is hereby re-  
7 scinded.

8 COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

9 SEC. 7070. (a) LIMITATION.—None of the funds ap-  
10 propriated by this Act may be made available for assist-  
11 ance for the central Government of the Russian Federa-  
12 tion.

13 (b) ANNEXATION OF CRIMEA.—

14 (1) None of the funds appropriated by this Act  
15 may be made available for assistance for the central  
16 government of a country that the Secretary of State  
17 determines and reports to the Committees on Appro-  
18 priations has taken affirmative steps intended to  
19 support or be supportive of the Russian Federation  
20 annexation of Crimea: *Provided*, That except as oth-  
21 erwise provided in subsection (a), the Secretary may  
22 waive the restriction on assistance required by this  
23 paragraph if the Secretary determines and reports to  
24 such Committees that to do so is in the national in-

1 interest of the United States, and includes a justifica-  
2 tion for such interest.

3 (2) None of the funds appropriated by this Act  
4 may be made available for—

5 (A) the implementation of any action or  
6 policy that recognizes the sovereignty of the  
7 Russian Federation over Crimea;

8 (B) the facilitation, financing, or guarantee  
9 of United States Government investments in  
10 Crimea, if such activity includes the participa-  
11 tion of Russian Government officials, or other  
12 Russian owned or controlled financial entities;  
13 or

14 (C) assistance for Crimea, if such assist-  
15 ance includes the participation of Russian Gov-  
16 ernment officials, or other Russian owned or  
17 controlled financial entities.

18 (3) The Secretary of the Treasury shall instruct  
19 the United States executive directors of each inter-  
20 national financial institution to vote against any as-  
21 sistance by such institution (including any loan,  
22 credit, or guarantee) for any program that violates  
23 the sovereignty or territorial integrity of Ukraine.

24 (4) The requirements and limitations of this  
25 subsection shall cease to be in effect if the Secretary

1 of State determines and reports to the Committees  
2 on Appropriations that the Government of Ukraine  
3 has reestablished sovereignty over Crimea.

4 (c) OCCUPATION OF THE GEORGIAN TERRITORIES OF  
5 ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

6 (1) None of the funds appropriated by this Act  
7 may be made available for assistance for the central  
8 government of a country that the Secretary of State  
9 determines and reports to the Committees on Approp-  
10 riations has recognized the independence of, or has  
11 established diplomatic relations with, the Russian oc-  
12 cupied Georgian territories of Abkhazia and  
13 Tskhinvali Region/South Ossetia: *Provided*, That the  
14 Secretary shall publish on the Department of State  
15 Web site a list of any such central governments in  
16 a timely manner: *Provided further*, That the Sec-  
17 retary may waive the restriction on assistance re-  
18 quired by this paragraph if the Secretary determines  
19 and reports to the Committees on Appropriations  
20 that to do so is in the national interest of the United  
21 States, and includes a justification for such interest.

22 (2) None of the funds appropriated by this Act  
23 may be made available to support the Russian occu-  
24 pation of the Georgian territories of Abkhazia and  
25 Tskhinvali Region/South Ossetia.

1           (3) The Secretary of the Treasury shall instruct  
2           the United States executive directors of each inter-  
3           national financial institution to vote against any as-  
4           sistance by such institution (including any loan,  
5           credit, or guarantee) for any program that violates  
6           the sovereignty and territorial integrity of Georgia.

7           (d) ASSISTANCE TO COUNTER INFLUENCE AND AG-  
8           GRESSION.—

9           (1) Funds appropriated by this Act under the  
10          headings “Assistance for Europe, Eurasia and Cen-  
11          tral Asia”, “International Narcotics Control and  
12          Law Enforcement”, “International Military Edu-  
13          cation and Training”, and “Foreign Military Fi-  
14          nancing Program” shall be made available for assist-  
15          ance to counter Russian influence and aggression in  
16          countries in Europe and Eurasia.

17          (2) Funds appropriated by this Act and made  
18          available for assistance for the Eastern Partnership  
19          countries shall be made available to advance the im-  
20          plementation of Association Agreements and trade  
21          agreements with the European Union, and to reduce  
22          their vulnerability to external economic and political  
23          pressure from the Russian Federation.

24          (e) DEMOCRACY PROGRAMS.—Funds appropriated by  
25          this Act shall be made available to support democracy pro-

1 grams in the Russian Federation, including to promote  
2 Internet freedom, and shall also be made available to sup-  
3 port the democracy and rule of law strategy required by  
4 section 7071(d) of the Department of State, Foreign Op-  
5 erations, and Related Programs Appropriations Act, 2014  
6 (division K of Public Law 113–76).

7 (f) REPORTS.—Not later than 45 days after enact-  
8 ment of this Act, the Secretary of State shall update the  
9 reports required by subsections (b)(2) and (e) of section  
10 7071 of the Department of State, Foreign Operations, and  
11 Related Programs Appropriations Act, 2014 (division K  
12 of Public Law 113–76).

13 INTERNATIONAL MONETARY FUND

14 SEC. 7071. (a) EXTENSIONS.—The terms and condi-  
15 tions of sections 7086(b) (1) and (2) and 7090(a) of the  
16 Department of State, Foreign Operations, and Related  
17 Programs Appropriations Act, 2010 (division F of Public  
18 Law 111–117) shall apply to this Act.

19 (b) REPAYMENT.—The Secretary of the Treasury  
20 shall instruct the United States Executive Director of the  
21 International Monetary Fund (IMF) to seek to ensure  
22 that any loan will be repaid to the IMF before other pri-  
23 vate creditors.

## 1                   SPECIAL DEFENSE ACQUISITION FUND

2           SEC. 7072. Not to exceed \$900,000,000 may be obli-  
3 gated pursuant to section 51(c)(2) of the Arms Export  
4 Control Act for the purposes of the Special Defense Acqui-  
5 sition Fund (Fund), to remain available for obligation  
6 until September 30, 2020: *Provided*, That the provision  
7 of defense articles and defense services to foreign coun-  
8 tries or international organizations from the Fund shall  
9 be subject to the concurrence of the Secretary of State.

## 10                   COUNTERING FOREIGN FIGHTERS AND EXTREMIST

## 11                                   ORGANIZATIONS

12           SEC. 7073. (a) FUNDING.— Funds appropriated  
13 under titles III and IV of this Act shall be made available  
14 for programs and activities to counter and defeat violent  
15 extremism and foreign fighters abroad, which shall include  
16 components to—

17                   (1) counter the recruitment, radicalization,  
18 movement, and financing of such extremists and for-  
19 eign fighters;

20                   (2) secure borders of countries impacted by ex-  
21 tremism;

22                   (3) assist countries impacted by extremism to  
23 implement and establish criminal laws and policies  
24 to counter extremists and foreign fighters; and





1 (b) DISTRIBUTION OF ASSETS PLAN.—Prior to the  
2 distribution of any assets resulting from any liquidation,  
3 dissolution, or winding up of an Enterprise Fund, in whole  
4 or in part, the President shall submit to the appropriate  
5 congressional committees a plan for the distribution of the  
6 assets of the Enterprise Fund.

7 (c) TRANSITION OR OPERATING PLAN.—Prior to a  
8 transition to and operation of any private equity fund or  
9 other parallel investment fund under an existing Enter-  
10 prise Fund, the President shall submit such transition or  
11 operating plan to the appropriate congressional commit-  
12 tees.

13 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

14 SEC. 7075. If the President makes a determination  
15 not to comply with any provision of this Act on constitu-  
16 tional grounds, the head of the relevant Federal agency  
17 shall notify the Committees on Appropriations in writing  
18 within 5 days of such determination, the basis for such  
19 determination and any resulting changes to program and  
20 policy.

21 BUDGET DOCUMENTS

22 SEC. 7076. (a) OPERATING AND REORGANIZATION  
23 PLANS.—

24 (1) Not later than 45 days after the date of en-  
25 actment of this Act, each department, agency, or or-

1 organization funded in titles I, II, and VI of this Act,  
2 and the Department of the Treasury and Inde-  
3 pendent Agencies funded in title III of this Act, in-  
4 cluding the Inter-American Foundation and the  
5 United States African Development Foundation,  
6 shall submit to the Committees on Appropriations  
7 an operating plan for funds appropriated to such de-  
8 partment, agency, or organization in such titles of  
9 this Act, or funds otherwise available for obligation  
10 in fiscal year 2018, that provides details of the uses  
11 of such funds at the program, project, and activity  
12 level: *Provided*, That such plans shall include, as ap-  
13 plicable, a comparison between the congressional  
14 budget justification funding levels, the most recent  
15 congressional directives or approved funding levels,  
16 and the funding levels proposed by the department  
17 or agency; and a clear, concise, and informative de-  
18 scription/justification: *Provided further*, That if such  
19 department, agency, or organization receives an ad-  
20 ditional amount under the same heading in title VIII  
21 of this Act, operating plans required by this sub-  
22 section shall include consolidated information on all  
23 such funds: *Provided further*, That operating plans  
24 that include changes in levels of funding for pro-  
25 grams, projects, and activities specified in the con-

1 gressional budget justification, in this Act, or  
2 amounts specifically designated in the respective ta-  
3 bles included in the report accompanying this Act,  
4 as applicable, shall be subject to the notification and  
5 reprogramming requirements of section 7015 of this  
6 Act.

7 (2) Concurrent with the submission of an oper-  
8 ating plan pursuant to paragraph (1), each covered  
9 department, agency, or organization shall submit to  
10 the Committees on Appropriations information de-  
11 tailing any planned reorganization of such depart-  
12 ment, agency, or organization, including any action  
13 planned pursuant to the March 13, 2017 Executive  
14 Order 13781 on a Comprehensive Plan for Reorga-  
15 nizing the Executive Branch, including—

16 (A) a detailed explanation of the plan, in-  
17 cluding any policies and procedures currently or  
18 expected to be used to comply with Executive  
19 Order 13781;

20 (B) a detailed organization chart, including  
21 a brief description of each operating unit; and

22 (C) the number of employees for each op-  
23 erating unit.

24 (b) SPEND PLANS.—

1           (1) Prior to the initial obligation of funds, the  
2           Secretary of State or Administrator of the United  
3           States Agency for International Development, as ap-  
4           propriate, shall submit to the Committees on Appro-  
5           priations a spend plan for funds made available by  
6           this Act, for—

7                   (A) assistance for Afghanistan, Iraq, Leb-  
8                   anon, Pakistan, and the West Bank and Gaza;

9                   (B) regional security initiatives listed  
10                  under this section in the report accompanying  
11                  this Act: *Provided*, That the spend plan for  
12                  such initiatives shall include the amount of as-  
13                  sistance planned for each country by account,  
14                  to the maximum extent practicable; and

15                  (C) democracy programs and sectors enu-  
16                  merated in subsections (a), (b), (d), (f), and (g)  
17                  of section 7060 of this Act.

18           (2) Not later than 45 days after enactment of  
19           this Act, the Secretary of the Treasury shall submit  
20           to the Committees on Appropriations a detailed  
21           spend plan for funds made available by this Act  
22           under the heading “Department of the Treasury,  
23           International Affairs Technical Assistance” in title  
24           III.

1 (c) SPENDING REPORT.—Not later than 45 days  
2 after enactment of this Act, the USAID Administrator  
3 shall submit to the Committees on Appropriations a de-  
4 tailed report on spending of funds made available during  
5 fiscal year 2017 under the heading “Development Credit  
6 Authority”.

7 (d) NOTIFICATIONS.—The spend plans referenced in  
8 subsection (b) shall not be considered as meeting the noti-  
9 fication requirements in this Act or under section 634A  
10 of the Foreign Assistance Act of 1961.

11 (e) CONGRESSIONAL BUDGET JUSTIFICATION.—

12 (1) The congressional budget justification for  
13 Department of State operations and foreign oper-  
14 ations shall be provided to the Committees on Ap-  
15 propriations concurrent with the date of submission  
16 of the President’s budget for fiscal year 2019: *Pro-*  
17 *vided*, That any appendices for such justification  
18 shall be provided to the Committees on Appropria-  
19 tions not later than 10 calendar days thereafter.

20 (2) The Secretary of State and the USAID Ad-  
21 ministrator shall include in the congressional budget  
22 justification a detailed justification for multi-year  
23 availability for any funds requested under the head-  
24 ings “Diplomatic and Consular Programs” and “Op-  
25 erating Expenses”.

## 1           REPORTS AND RECORDS MANAGEMENT

## 2           SEC. 7077. (a) PUBLIC POSTING OF REPORTS.—

3           (1) REQUIREMENT.—Any agency receiving  
4 funds made available by this Act shall, subject to  
5 paragraphs (2) and (3), post on the publicly avail-  
6 able Web site of such agency any report required by  
7 this Act to be submitted to the Committees on Ap-  
8 propriations, upon a determination by the head of  
9 such agency that to do so is in the national interest.

10          (2) EXCEPTIONS.—Paragraph (1) shall not  
11 apply to a report if—

12           (A) the public posting of such report would  
13 compromise national security, including the  
14 conduct of diplomacy; or

15           (B) the report contains proprietary, privi-  
16 leged, or sensitive information.

17          (3) TIMING AND INTENTION.—The head of the  
18 agency posting such report shall, unless otherwise  
19 provided for in this Act, do so only after such report  
20 has been made available to the Committees on Ap-  
21 propriations for not less than 45 days: *Provided*,  
22 That any report required by this Act to be submitted  
23 to the Committees on Appropriations shall include  
24 information from the submitting agency on whether  
25 such report will be publicly posted.

1 (b) REQUESTS FOR DOCUMENTS.—None of the funds  
2 appropriated or made available pursuant to titles III  
3 through VI of this Act shall be available to a nongovern-  
4 mental organization, including any contractor, which fails  
5 to provide upon timely request any document, file, or  
6 record necessary to the auditing requirements of the De-  
7 partment of State and the United States Agency for Inter-  
8 national Development.

9 (c) RECORDS MANAGEMENT.—

10 (1) LIMITATION.—None of the funds appro-  
11 priated by this Act under the headings “Diplomatic  
12 and Consular Programs” and “Capital Investment  
13 Fund” in title I, and “Operating Expenses” and  
14 “Capital Investment Fund” in title II that are made  
15 available to the Department of State and USAID  
16 may be made available to support the use or estab-  
17 lishment of email accounts or email servers created  
18 outside the .gov domain or not fitted for automated  
19 records management as part of a Federal govern-  
20 ment records management program in contravention  
21 of the Presidential and Federal Records Act Amend-  
22 ments of 2014 (Public Law 113–187).

23 (2) DIRECTIVES.—The Secretary of State and  
24 USAID Administrator shall—



1 (A) update the policies, directives, and  
2 oversight necessary to comply with Federal  
3 statutes, regulations, and presidential executive  
4 orders and memoranda concerning the preserva-  
5 tion of all records made or received in the con-  
6 duct of official business, including record  
7 emails, instant messaging, and other online  
8 tools;

9 (B) use funds appropriated by this Act  
10 under the headings “Diplomatic and Consular  
11 Programs” and “Capital Investment Fund” in  
12 title I, and “Operating Expenses” and “Capital  
13 Investment Fund” in title II, as appropriate, to  
14 improve Federal records management pursuant  
15 to the Federal Records Act (44 U.S.C. Chap-  
16 ters 21, 29, 31, and 33) and other applicable  
17 Federal records management statutes, regula-  
18 tions, or policies for the Department of State  
19 and USAID;

20 (C) direct departing employees that all  
21 Federal records generated by such employees,  
22 including senior officials, belong to the Federal  
23 Government; and

24 (D) significantly improve the response time  
25 for identifying and retrieving Federal records,

1 including requests made pursuant to the Free-  
2 dom of Information Act.

3 (3) REPORT.—Not later than 45 days after en-  
4 actment of this Act, the Secretary of State and  
5 USAID Administrator shall each submit a report to  
6 the Committees on Appropriations and to the Na-  
7 tional Archives and Records Administration detail-  
8 ing, as appropriate and where applicable—

9 (A) any updates or modifications made to  
10 the policy of each agency regarding the use or  
11 the establishment of email accounts or email  
12 servers created outside the .gov domain or not  
13 fitted for automated records management as  
14 part of a Federal government records manage-  
15 ment program since the submission to the Com-  
16 mittees on Appropriations of the report re-  
17 quired by section 7077(e)(3) of the Department  
18 of State, Foreign Operations, and Related Pro-  
19 grams Appropriations Act, 2017 (division J of  
20 Public Law 115–31);

21 (B) the extent to which each agency is in  
22 compliance with applicable Federal records  
23 management statutes, regulations, and policies,  
24 including meeting Directive goal 1.2 of the

1 Managing Government Records Directive (M-  
2 12-18) by December 31, 2016; and

3 (C) any steps taken since the submission  
4 of the report referenced in subparagraph (A)  
5 to—

6 (i) comply with paragraph (1)(B) of  
7 this subsection;

8 (ii) ensure that all employees at every  
9 level have been instructed in procedures  
10 and processes to ensure that the docu-  
11 mentation of their official duties is cap-  
12 tured, preserved, managed, protected, and  
13 accessible in official Government systems  
14 of the Department of State and USAID;

15 (iii) implement recommendation 1  
16 made by the Office of Inspector General  
17 (OIG), Department of State, in the Janu-  
18 ary 2016 Evaluation of the Department of  
19 State's FOIA Process for Requests Involv-  
20 ing the Office of the Secretary (ESP-16-  
21 01);

22 (iv) reduce the backlog of Freedom of  
23 Information Act (FOIA) and Congressional  
24 oversight requests, and measurably im-

1           prove the response time for answering such  
2           requests; and

3                   (v) strengthen cyber security meas-  
4           ures to mitigate vulnerabilities, including  
5           those resulting from the use of personal  
6           email accounts or servers outside the .gov  
7           domain, improve the process to identify  
8           and remove inactive user accounts, update  
9           and enforce guidance related to the control  
10          of national security information, and im-  
11          plement the recommendations of the cor-  
12          responding reports of the OIG as detailed  
13          under this section in the report accom-  
14          panying this Act.

15               (4) OPERATING PLANS.—The operating plans  
16          required by section 7076(a) of this Act for funds ap-  
17          propriated under the headings listed in paragraph  
18          (1) shall include funds planned for—

19                   (A) implementing the recommendations of  
20          the OIG reports referenced in clauses (iii) and  
21          (v); and

22                   (B) measurably reducing the FOIA and  
23          Congressional oversight requests backlog.

## 1 GLOBAL INTERNET FREEDOM

2 SEC. 7078. (a) FUNDING.—Of the funds available for  
3 obligation during fiscal year 2018 under the headings  
4 “International Broadcasting Operations”, “Economic  
5 Support Fund”, “Democracy Fund”, and “Assistance for  
6 Europe, Eurasia and Central Asia”, not less than  
7 \$50,500,000 shall be made available for programs to pro-  
8 mote Internet freedom globally: *Provided*, That such pro-  
9 grams shall be prioritized for countries whose governments  
10 restrict freedom of expression on the Internet, and that  
11 are important to the national interests of the United  
12 States: *Provided further*, That funds made available pursu-  
13 ant to this section shall be matched, to the maximum ex-  
14 tent practicable, by sources other than the United States  
15 Government, including from the private sector.

## 16 (b) REQUIREMENTS.—

17 (1) Funds appropriated by this Act under the  
18 headings “Economic Support Fund”, “Democracy  
19 Fund”, and “Assistance for Europe, Eurasia and  
20 Central Asia” that are made available pursuant to  
21 subsection (a) shall be—

22 (A) coordinated with other democracy pro-  
23 grams funded by this Act under such headings,  
24 and shall be incorporated into country assist-

1           ance and democracy promotion strategies, as  
2           appropriate;

3           (B) for programs to implement the May  
4           2011, International Strategy for Cyberspace;  
5           the Department of State International Cyber-  
6           space Policy Strategy required by section 402  
7           of the Cybersecurity Act of 2015 (division N of  
8           Public Law 114–113); and the comprehensive  
9           strategy to promote Internet freedom and ac-  
10          cess to information in Iran, as required by sec-  
11          tion 414 of the Iran Threat Reduction and  
12          Syria Human Rights Act of 2012 (22 U.S.C.  
13          8754);

14          (C) made available for programs that sup-  
15          port the efforts of civil society to counter the  
16          development of repressive Internet-related laws  
17          and regulations, including countering threats to  
18          Internet freedom at international organizations;  
19          to combat violence against bloggers and other  
20          users; and to enhance digital security training  
21          and capacity building for democracy activists;

22          (D) made available for research of key  
23          threats to Internet freedom; the continued de-  
24          velopment of technologies that provide or en-  
25          hance access to the Internet, including cir-

1 cumvention tools that bypass Internet blocking,  
2 filtering, and other censorship techniques used  
3 by authoritarian governments; and maintenance  
4 of the technological advantage of the United  
5 States Government over such censorship tech-  
6 niques: *Provided*, That the Secretary of State,  
7 in consultation with the Chief Executive Officer  
8 (CEO) of the Broadcasting Board of Governors  
9 (BBG), shall coordinate any such research and  
10 development programs with other relevant  
11 United States Government departments and  
12 agencies in order to share information, tech-  
13 nologies, and best practices, and to assess the  
14 effectiveness of such technologies; and

15 (E) the responsibility of the Assistant Sec-  
16 retary for Democracy, Human Rights, and  
17 Labor, Department of State.

18 (2) Funds appropriated by this Act under the  
19 heading “International Broadcasting Operations”  
20 that are made available pursuant to subsection (a)  
21 shall be—

22 (A) made available only for tools and tech-  
23 niques to securely develop and distribute BBG  
24 digital content; facilitate audience access to  
25 such content on Web sites that are censored;

1 coordinate the distribution of BBG digital con-  
2 tent to targeted regional audiences; and to pro-  
3 mote and distribute such tools and techniques,  
4 including digital security techniques;

5 (B) coordinated with programs funded by  
6 this Act under the heading “International  
7 Broadcasting Operations”, and shall be incor-  
8 porated into country broadcasting strategies, as  
9 appropriate;

10 (C) coordinated by the BBG CEO to pro-  
11 vide Internet circumvention tools and tech-  
12 niques for audiences in countries that are stra-  
13 tegic priorities for the BBG and in a manner  
14 consistent with the BBG Internet freedom  
15 strategy; and

16 (D) made available for the research and  
17 development of new tools or techniques author-  
18 ized in paragraph (A) only after the BBG CEO,  
19 in consultation with the Secretary of State and  
20 other relevant United States Government de-  
21 partments and agencies, evaluates the risks and  
22 benefits of such new tools or techniques, and  
23 establishes safeguards to minimize the use of  
24 such new tools or techniques for illicit purposes.



1           (c) COORDINATION AND SPEND PLANS.—After con-  
2 sultation among the relevant agency heads to coordinate  
3 and de-conflict planned activities, but not later than 90  
4 days after enactment of this Act, the Secretary of State  
5 and the BBG CEO shall submit to the Committees on Ap-  
6 propriations spend plans for funds made available by this  
7 Act for programs to promote Internet freedom globally,  
8 which shall include a description of safeguards established  
9 by relevant agencies to ensure that such programs are not  
10 used for illicit purposes: *Provided*, That the Department  
11 of State spend plan shall include funding for all such pro-  
12 grams for all relevant Department of State and USAID  
13 offices and bureaus.

14                           IMPACT ON JOBS IN THE UNITED STATES

15           SEC. 7079. None of the funds appropriated or other-  
16 wise made available under titles III through VI of this  
17 Act may be obligated or expended to provide—

18                   (1) any financial incentive to a business enter-  
19 prise currently located in the United States for the  
20 purpose of inducing such an enterprise to relocate  
21 outside the United States if such incentive or in-  
22 ducement is likely to reduce the number of employ-  
23 ees of such business enterprise in the United States  
24 because United States production is being replaced  
25 by such enterprise outside the United States;

1           (2) assistance for any program, project, or ac-  
2           tivity that contributes to the violation of internation-  
3           ally recognized workers' rights, as defined in section  
4           507(4) of the Trade Act of 1974, of workers in the  
5           recipient country, including any designated zone or  
6           area in that country: *Provided*, That the application  
7           of section 507(4)(D) and (E) of such Act should be  
8           commensurate with the level of development of the  
9           recipient country and sector, and shall not preclude  
10          assistance for the informal sector in such country,  
11          micro and small-scale enterprise, and smallholder  
12          agriculture;

13          (3) any assistance to an entity outside the  
14          United States if such assistance is for the purpose  
15          of directly relocating or transferring jobs from the  
16          United States to other countries and adversely im-  
17          pacts the labor force in the United States; or

18          (4) for the enforcement of any rule, regulation,  
19          policy, or guidelines implemented pursuant to—

20                  (A) the third proviso of subsection 7079(b)  
21                  of the Consolidated Appropriations Act, 2010;

22                  (B) the modification proposed by the Over-  
23                  seas Private Investment Corporation in Novem-  
24                  ber 2013 to the Corporation's Environmental  
25                  and Social Policy Statement relating to coal;

1 (C) the Supplemental Guidelines for High  
2 Carbon Intensity Projects approved by the Ex-  
3 port-Import Bank of the United States on De-  
4 cember 12, 2013; or

5 (D) the World Bank Group’s Directions  
6 for the World Bank Group’s Energy Sector re-  
7 leased on July 16, 2013,

8 when enforcement of such rule, regulation, policy, or  
9 guidelines would prohibit, or have the effect of pro-  
10 hibiting, any coal-fired or other power-generation  
11 project the purpose of which is to increase exports  
12 of goods and services from the United States or pre-  
13 vent the loss of jobs from the United States.

14 SPENDING REDUCTION ACCOUNT

15 SEC. 7080. \$0.

16 TITLE VIII

17 OVERSEAS CONTINGENCY OPERATIONS/GLOBAL

18 WAR ON TERRORISM

19 DEPARTMENT OF STATE

20 ADMINISTRATION OF FOREIGN AFFAIRS

21 DIPLOMATIC AND CONSULAR PROGRAMS

22 (INCLUDING TRANSFER OF FUNDS)

23 For an additional amount for “Diplomatic and Con-  
24 sular Programs”, \$2,975,971,000, to remain available  
25 until September 30, 2019, of which \$2,376,122,000 is for

1 Worldwide Security Protection and shall remain available  
2 until expended: *Provided*, That the Secretary of State may  
3 transfer up to \$5,000,000 of the total funds made avail-  
4 able under this heading to any other appropriation of any  
5 department or agency of the United States, upon the con-  
6 currence of the head of such department or agency, to sup-  
7 port operations in and assistance for Afghanistan and to  
8 carry out the provisions of the Foreign Assistance Act of  
9 1961: *Provided further*, That any such transfer shall be  
10 subject to the regular notification procedures of the Com-  
11 mittees on Appropriations: *Provided further*, That such  
12 amount is designated by the Congress for Overseas Con-  
13 tingency Operations/Global War on Terrorism pursuant to  
14 section 251(b)(2)(A)(ii) of the Balanced Budget and  
15 Emergency Deficit Control Act of 1985.

16 OFFICE OF INSPECTOR GENERAL

17 For an additional amount for “Office of Inspector  
18 General”, \$68,100,000, to remain available until Sep-  
19 tember 30, 2019, for the Special Inspector General for Af-  
20 ghanistan Reconstruction (SIGAR) for reconstruction  
21 oversight: *Provided*, That printing and reproduction costs  
22 shall not exceed amounts for such costs during fiscal year  
23 2017: *Provided further*, That notwithstanding any other  
24 provision of law, any employee of SIGAR who completes  
25 at least 12 months of continuous service after the date

1 of enactment of this Act or who is employed on the date  
2 on which SIGAR terminates, whichever occurs first, shall  
3 acquire competitive status for appointment to any position  
4 in the competitive service for which the employee possesses  
5 the required qualifications: *Provided further*, That such  
6 amount is designated by the Congress for Overseas Con-  
7 tingency Operations/Global War on Terrorism pursuant to  
8 section 251(b)(2)(A)(ii) of the Balanced Budget and  
9 Emergency Deficit Control Act of 1985.

10 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

11 For an additional amount for “Embassy Security,  
12 Construction, and Maintenance”, \$71,778,000, to remain  
13 available until expended, for Worldwide Security Up-  
14 grades, acquisition, and construction as authorized: *Pro-*  
15 *vided*, That such amount is designated by the Congress  
16 for Overseas Contingency Operations/Global War on Ter-  
17 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
18 anced Budget and Emergency Deficit Control Act of 1985.

19 INTERNATIONAL ORGANIZATIONS

20 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

21 For an additional amount for “Contributions to  
22 International Organizations”, \$96,240,000: *Provided*,  
23 That such amount is designated by the Congress for Over-  
24 seas Contingency Operations/Global War on Terrorism

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

3 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING  
4 ACTIVITIES

5 For an additional amount for “Contributions for  
6 International Peacekeeping Activities”, \$965,906,000, to  
7 remain available until September 30, 2019: *Provided*,  
8 That such amount is designated by the Congress for Over-  
9 seas Contingency Operations/Global War on Terrorism  
10 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
11 Budget and Emergency Deficit Control Act of 1985.

12 UNITED STATES AGENCY FOR INTERNATIONAL  
13 DEVELOPMENT

14 FUNDS APPROPRIATED TO THE PRESIDENT  
15 OPERATING EXPENSES

16 For an additional amount for “Operating Expenses”,  
17 \$136,555,000, to remain available until September 30,  
18 2019: *Provided*, That such amount is designated by the  
19 Congress for Overseas Contingency Operations/Global  
20 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
21 the Balanced Budget and Emergency Deficit Control Act  
22 of 1985.

23 OFFICE OF INSPECTOR GENERAL

24 For an additional amount for “Office of Inspector  
25 General”, \$2,500,000, to remain available until September

1 30, 2019: *Provided*, That such amount is designated by  
2 the Congress for Overseas Contingency Operations/Global  
3 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
4 the Balanced Budget and Emergency Deficit Control Act  
5 of 1985.

6 BILATERAL ECONOMIC ASSISTANCE

7 FUNDS APPROPRIATED TO THE PRESIDENT

8 INTERNATIONAL DISASTER ASSISTANCE

9 For an additional amount for “International Disaster  
10 Assistance”, \$1,788,203,000, to remain available until ex-  
11 pended: *Provided*, That such amount is designated by the  
12 Congress for Overseas Contingency Operations/Global  
13 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
14 the Balanced Budget and Emergency Deficit Control Act  
15 of 1985.

16 TRANSITION INITIATIVES

17 For an additional amount for “Transition Initia-  
18 tives”, \$62,043,000, to remain available until expended:  
19 *Provided*, That such amount is designated by the Congress  
20 for Overseas Contingency Operations/Global War on Ter-  
21 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
22 anced Budget and Emergency Deficit Control Act of 1985.

23 ECONOMIC SUPPORT FUND

24 For an additional amount for “Economic Support  
25 Fund”, \$2,353,672,000, to remain available until Sep-

1   tember 30, 2019: *Provided*, That such amount is des-  
2   ignated by the Congress for Overseas Contingency Oper-  
3   ations/Global War on Terrorism pursuant to section  
4   251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
5   Deficit Control Act of 1985.

6                                   DEPARTMENT OF STATE

7                   MIGRATION AND REFUGEE ASSISTANCE

8           For an additional amount for “Migration and Ref-  
9   ugee Assistance” to respond to refugee crises, including  
10   in Africa, the Near East, South and Central Asia, and  
11   Europe and Eurasia, \$2,231,198,000, to remain available  
12   until expended, except that such funds shall not be made  
13   available for the resettlement costs of refugees in the  
14   United States: *Provided*, That such amount is designated  
15   by the Congress for Overseas Contingency Operations/  
16   Global War on Terrorism pursuant to section  
17   251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
18   Deficit Control Act of 1985.

19                   INTERNATIONAL SECURITY ASSISTANCE

20                                   DEPARTMENT OF STATE

21                   INTERNATIONAL NARCOTICS CONTROL AND LAW

22                                   ENFORCEMENT

23           For an additional amount for “International Nar-  
24   cotics Control and Law Enforcement”, \$417,951,000, to  
25   remain available until September 30, 2019: *Provided*,



1 That such amount is designated by the Congress for Over-  
2 seas Contingency Operations/Global War on Terrorism  
3 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
4 Budget and Emergency Deficit Control Act of 1985.

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

7 For an additional amount for “Nonproliferation,  
8 Anti-terrorism, Demining and Related Programs”,  
9 \$220,583,000, to remain available until September 30,  
10 2019: *Provided*, That such amount is designated by the  
11 Congress for Overseas Contingency Operations/Global  
12 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
13 the Balanced Budget and Emergency Deficit Control Act  
14 of 1985.

15 PEACEKEEPING OPERATIONS

16 For an additional amount for “Peacekeeping Oper-  
17 ations”, \$325,213,000, to remain available until Sep-  
18 tember 30, 2019: *Provided*, That such amount is des-  
19 ignated by the Congress for Overseas Contingency Oper-  
20 ations/Global War on Terrorism pursuant to section  
21 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
22 Deficit Control Act of 1985: *Provided further*, That funds  
23 available for obligation under this heading in this Act may  
24 be used to pay assessed expenses of international peace-

1 keeping activities in Somalia, subject to the regular notifi-  
2 cation procedures of the Committees on Appropriations.

3 FUNDS APPROPRIATED TO THE PRESIDENT

4 FOREIGN MILITARY FINANCING PROGRAM

5 For an additional amount for “Foreign Military Fi-  
6 nancing Program”, \$460,000,000, to remain available  
7 until September 30, 2019: *Provided*, That such amount  
8 is designated by the Congress for Overseas Contingency  
9 Operations/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.

12 GENERAL PROVISIONS

13 ADDITIONAL APPROPRIATIONS

14 SEC. 8001. Notwithstanding any other provision of  
15 law, funds appropriated in this title are in addition to  
16 amounts appropriated or otherwise made available in this  
17 Act for fiscal year 2018.

18 EXTENSION OF AUTHORITIES AND CONDITIONS

19 SEC. 8002. Unless otherwise provided for in this Act,  
20 the additional amounts appropriated by this title to appro-  
21 priations accounts in this Act shall be available under the  
22 authorities and conditions applicable to such appropria-  
23 tions accounts.

## 1 COUNTERTERRORISM PARTNERSHIPS FUND

2 SEC. 8003. Funds appropriated by this Act under the  
3 heading “Nonproliferation, Anti-terrorism, Demining and  
4 Related Programs” shall be made available for the  
5 Counterterrorism Partnerships Fund for security pro-  
6 grams in areas liberated from, under the influence of, or  
7 adversely affected by, the Islamic State of Iraq and Syria  
8 or other terrorist organizations: *Provided*, That such areas  
9 shall include the Kurdistan Region of Iraq: *Provided fur-*  
10 *ther*, That prior to the obligation of funds made available  
11 pursuant to this subsection, the Secretary of State shall  
12 take all practicable steps to ensure that mechanisms are  
13 in place for monitoring, oversight, and control of such  
14 funds: *Provided further*, That the Secretary shall promptly  
15 inform the appropriate congressional committees of each  
16 instance in which assistance provided pursuant to this sec-  
17 tion has been diverted or destroyed, to include the type  
18 and amount of assistance, a description of the incident  
19 and parties involved, and an explanation of the response  
20 of the Department of State: *Provided further*, That funds  
21 made available pursuant to this section shall be subject  
22 to prior consultation with the appropriate congressional  
23 committees and the regular notification procedures of the  
24 Committees on Appropriations.





[FULL COMMITTEE PRINT]

Union Calendar No. \_\_\_\_\_

115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R.** \_\_\_\_\_

[Report No. 115-\_\_\_\_\_] \_\_\_\_\_

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**A BILL**

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

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, 2017

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed