

Calendar No. 249114TH CONGRESS
1ST SESSION**S. 2130**

Making appropriations for Department of Defense, energy and water development, Department of Homeland Security, military construction, Department of Veterans Affairs, and Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2016, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 5, 2015

Mr. COCHRAN (for himself, Mr. ALEXANDER, Mr. HOEVEN, Mr. KIRK, and Mr. GRAHAM) introduced the following bill; which was read the first time

OCTOBER 6, 2015

Read the second time and placed on the calendar

A BILL

Making appropriations for Department of Defense, energy and water development, Department of Homeland Security, military construction, Department of Veterans Affairs, and Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2016, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as “An Act Making Appropria-
3 tions for National Security and for Other Purposes,
4 2016”.

5 **SEC. 2. TABLE OF CONTENTS.**

6 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Statement of appropriations.

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT,
2016

DIVISION B—ENERGY AND WATER DEVELOPMENT, AND
RELATED AGENCIES APPROPRIATIONS ACT, 2016

DIVISION C—DEPARTMENT OF HOMELAND SECURITY
APPROPRIATIONS ACT, 2016

DIVISION D—MILITARY CONSTRUCTION AND VETERANS AFFAIRS,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

DIVISION E—DEPARTMENT OF STATE, FOREIGN OPERATIONS,
AND RELATED PROGRAMS APPROPRIATIONS ACT, 2016

7 **SEC. 3. REFERENCES.**

8 Except as expressly provided otherwise, any reference
9 to “this Act” contained in any division of this Act shall
10 be treated as referring only to the provisions of that divi-
11 sion.

12 **SEC. 4. STATEMENT OF APPROPRIATIONS.**

13 The following sums in this Act are appropriated, out
14 of any money in the Treasury not otherwise appropriated,
15 for the fiscal year ending September 30, 2016.

1 **DIVISION A—DEPARTMENT OF DEFENSE**
2 **APPROPRIATIONS ACT, 2016**

3 TITLE I

4 MILITARY PERSONNEL

5 MILITARY PERSONNEL, ARMY

6 For pay, allowances, individual clothing, subsistence,
7 interest on deposits, gratuities, permanent change of sta-
8 tion travel (including all expenses thereof for organiza-
9 tional movements), and expenses of temporary duty travel
10 between permanent duty stations, for members of the
11 Army on active duty (except members of reserve compo-
12 nents provided for elsewhere), cadets, and aviation cadets;
13 for members of the Reserve Officers' Training Corps; and
14 for payments pursuant to section 156 of Public Law 97-
15 377, as amended (42 U.S.C. 402 note), and to the Depart-
16 ment of Defense Military Retirement Fund,
17 \$41,038,287,000.

18 MILITARY PERSONNEL, NAVY

19 For pay, allowances, individual clothing, subsistence,
20 interest on deposits, gratuities, permanent change of sta-
21 tion travel (including all expenses thereof for organiza-
22 tional movements), and expenses of temporary duty travel
23 between permanent duty stations, for members of the
24 Navy on active duty (except members of the Reserve pro-
25 vided for elsewhere), midshipmen, and aviation cadets; for

1 members of the Reserve Officers' Training Corps; and for
2 payments pursuant to section 156 of Public Law 97-377,
3 as amended (42 U.S.C. 402 note), and to the Department
4 of Defense Military Retirement Fund, \$27,983,432,000.

5 MILITARY PERSONNEL, MARINE CORPS

6 For pay, allowances, individual clothing, subsistence,
7 interest on deposits, gratuities, permanent change of sta-
8 tion travel (including all expenses thereof for organiza-
9 tional movements), and expenses of temporary duty travel
10 between permanent duty stations, for members of the Ma-
11 rine Corps on active duty (except members of the Reserve
12 provided for elsewhere); and for payments pursuant to sec-
13 tion 156 of Public Law 97-377, as amended (42 U.S.C.
14 402 note), and to the Department of Defense Military Re-
15 tirement Fund, \$12,953,400,000.

16 MILITARY PERSONNEL, AIR FORCE

17 For pay, allowances, individual clothing, subsistence,
18 interest on deposits, gratuities, permanent change of sta-
19 tion travel (including all expenses thereof for organiza-
20 tional movements), and expenses of temporary duty travel
21 between permanent duty stations, for members of the Air
22 Force on active duty (except members of reserve compo-
23 nents provided for elsewhere), cadets, and aviation cadets;
24 for members of the Reserve Officers' Training Corps; and
25 for payments pursuant to section 156 of Public Law 97-

1 377, as amended (42 U.S.C. 402 note), and to the Depart-
2 ment of Defense Military Retirement Fund,
3 \$27,756,536,000.

4 RESERVE PERSONNEL, ARMY

5 For pay, allowances, clothing, subsistence, gratuities,
6 travel, and related expenses for personnel of the Army Re-
7 serve on active duty under sections 10211, 10302, and
8 3038 of title 10, United States Code, or while serving on
9 active duty under section 12301(d) of title 10, United
10 States Code, in connection with performing duty specified
11 in section 12310(a) of title 10, United States Code, or
12 while undergoing reserve training, or while performing
13 drills or equivalent duty or other duty, and expenses au-
14 thorized by section 16131 of title 10, United States Code;
15 and for payments to the Department of Defense Military
16 Retirement Fund, \$4,418,714,000.

17 RESERVE PERSONNEL, NAVY

18 For pay, allowances, clothing, subsistence, gratuities,
19 travel, and related expenses for personnel of the Navy Re-
20 serve on active duty under section 10211 of title 10,
21 United States Code, or while serving on active duty under
22 section 12301(d) of title 10, United States Code, in con-
23 nection with performing duty specified in section 12310(a)
24 of title 10, United States Code, or while undergoing re-
25 serve training, or while performing drills or equivalent

1 duty, and expenses authorized by section 16131 of title
2 10, United States Code; and for payments to the Depart-
3 ment of Defense Military Retirement Fund,
4 \$1,849,541,000.

5 RESERVE PERSONNEL, MARINE CORPS

6 For pay, allowances, clothing, subsistence, gratuities,
7 travel, and related expenses for personnel of the Marine
8 Corps Reserve on active duty under section 10211 of title
9 10, United States Code, or while serving on active duty
10 under section 12301(d) of title 10, United States Code,
11 in connection with performing duty specified in section
12 12310(a) of title 10, United States Code, or while under-
13 going reserve training, or while performing drills or equiv-
14 alent duty, and for members of the Marine Corps platoon
15 leaders class, and expenses authorized by section 16131
16 of title 10, United States Code; and for payments to the
17 Department of Defense Military Retirement Fund,
18 \$697,839,000.

19 RESERVE PERSONNEL, AIR FORCE

20 For pay, allowances, clothing, subsistence, gratuities,
21 travel, and related expenses for personnel of the Air Force
22 Reserve on active duty under sections 10211, 10305, and
23 8038 of title 10, United States Code, or while serving on
24 active duty under section 12301(d) of title 10, United
25 States Code, in connection with performing duty specified

1 in section 12310(a) of title 10, United States Code, or
2 while undergoing reserve training, or while performing
3 drills or equivalent duty or other duty, and expenses au-
4 thorized by section 16131 of title 10, United States Code;
5 and for payments to the Department of Defense Military
6 Retirement Fund, \$1,676,551,000.

7 NATIONAL GUARD PERSONNEL, ARMY

8 For pay, allowances, clothing, subsistence, gratuities,
9 travel, and related expenses for personnel of the Army Na-
10 tional Guard while on duty under sections 10211, 10302,
11 or 12402 of title 10 or section 708 of title 32, United
12 States Code, or while serving on duty under section
13 12301(d) of title 10 or section 502(f) of title 32, United
14 States Code, in connection with performing duty specified
15 in section 12310(a) of title 10, United States Code, or
16 while undergoing training, or while performing drills or
17 equivalent duty or other duty, and expenses authorized by
18 section 16131 of title 10, United States Code; and for pay-
19 ments to the Department of Defense Military Retirement
20 Fund, \$7,862,122,000.

21 NATIONAL GUARD PERSONNEL, AIR FORCE

22 For pay, allowances, clothing, subsistence, gratuities,
23 travel, and related expenses for personnel of the Air Na-
24 tional Guard on duty under sections 10211, 10305, or
25 12402 of title 10 or section 708 of title 32, United States

1 Code, or while serving on duty under section 12301(d) of
2 title 10 or section 502(f) of title 32, United States Code,
3 in connection with performing duty specified in section
4 12310(a) of title 10, United States Code, or while under-
5 going training, or while performing drills or equivalent
6 duty or other duty, and expenses authorized by section
7 16131 of title 10, United States Code; and for payments
8 to the Department of Defense Military Retirement Fund,
9 \$3,205,691,000.

10

TITLE II

11

OPERATION AND MAINTENANCE

12

OPERATION AND MAINTENANCE, ARMY

13 For expenses, not otherwise provided for, necessary
14 for the operation and maintenance of the Army, as author-
15 ized by law, \$27,285,099,000: *Provided*, That not to ex-
16 ceed \$12,478,000 can be used for emergencies and ex-
17 traordinary expenses, to be expended on the approval or
18 authority of the Secretary of the Army, and payments may
19 be made on his certificate of necessity for confidential mili-
20 tary purposes.

21

OPERATION AND MAINTENANCE, NAVY

22 For expenses, not otherwise provided for, necessary
23 for the operation and maintenance of the Navy and the
24 Marine Corps, as authorized by law, \$25,933,099,000:
25 *Provided*, That not to exceed \$15,055,000 can be used for

1 emergencies and extraordinary expenses, to be expended
2 on the approval or authority of the Secretary of the Navy,
3 and payments may be made on his certificate of necessity
4 for confidential military purposes.

5 OPERATION AND MAINTENANCE, MARINE CORPS

6 For expenses, not otherwise provided for, necessary
7 for the operation and maintenance of the Marine Corps,
8 as authorized by law, \$5,277,785,000.

9 OPERATION AND MAINTENANCE, AIR FORCE

10 For expenses, not otherwise provided for, necessary
11 for the operation and maintenance of the Air Force, as
12 authorized by law, \$26,144,988,000: *Provided*, That not
13 to exceed \$7,699,000 can be used for emergencies and ex-
14 traordinary expenses, to be expended on the approval or
15 authority of the Secretary of the Air Force, and payments
16 may be made on his certificate of necessity for confidential
17 military purposes.

18 OPERATION AND MAINTENANCE, DEFENSE-WIDE

19 (INCLUDING TRANSFER OF FUNDS)

20 For expenses, not otherwise provided for, necessary
21 for the operation and maintenance of activities and agen-
22 cies of the Department of Defense (other than the military
23 departments), as authorized by law, \$32,124,431,000:
24 *Provided*, That not more than \$15,000,000 may be used
25 for the Combatant Commander Initiative Fund authorized

1 under section 166a of title 10, United States Code: *Pro-*
2 *vided further*, That not to exceed \$36,000,000 can be used
3 for emergencies and extraordinary expenses, to be ex-
4 pended on the approval or authority of the Secretary of
5 Defense, and payments may be made on his certificate of
6 necessity for confidential military purposes: *Provided fur-*
7 *ther*, That of the funds provided under this heading, not
8 less than \$35,045,000 shall be made available for the Pro-
9 curement Technical Assistance Cooperative Agreement
10 Program, of which not less than \$3,600,000 shall be avail-
11 able for centers defined in 10 U.S.C. 2411(1)(D): *Pro-*
12 *vided further*, That none of the funds appropriated or oth-
13 erwise made available by this Act may be used to plan
14 or implement the consolidation of a budget or appropria-
15 tions liaison office of the Office of the Secretary of De-
16 fense, the office of the Secretary of a military department,
17 or the service headquarters of one of the Armed Forces
18 into a legislative affairs or legislative liaison office: *Pro-*
19 *vided further*, That \$9,031,000, to remain available until
20 expended, is available only for expenses relating to certain
21 classified activities, and may be transferred as necessary
22 by the Secretary of Defense to operation and maintenance
23 appropriations or research, development, test and evalua-
24 tion appropriations, to be merged with and to be available
25 for the same time period as the appropriations to which

1 transferred: *Provided further*, That any ceiling on the in-
2 vestment item unit cost of items that may be purchased
3 with operation and maintenance funds shall not apply to
4 the funds described in the preceding proviso: *Provided fur-*
5 *ther*, That the transfer authority provided under this head-
6 ing is in addition to any other transfer authority provided
7 elsewhere in this Act.

8 OPERATION AND MAINTENANCE, ARMY RESERVE

9 For expenses, not otherwise provided for, necessary
10 for the operation and maintenance, including training, or-
11 ganization, and administration, of the Army Reserve; re-
12 pair of facilities and equipment; hire of passenger motor
13 vehicles; travel and transportation; care of the dead; re-
14 cruiting; procurement of services, supplies, and equip-
15 ment; and communications, \$2,679,992,000.

16 OPERATION AND MAINTENANCE, NAVY RESERVE

17 For expenses, not otherwise provided for, necessary
18 for the operation and maintenance, including training, or-
19 ganization, and administration, of the Navy Reserve; re-
20 pair of facilities and equipment; hire of passenger motor
21 vehicles; travel and transportation; care of the dead; re-
22 cruiting; procurement of services, supplies, and equip-
23 ment; and communications, \$998,758,000.

1 OPERATION AND MAINTENANCE, MARINE CORPS

2 RESERVE

3 For expenses, not otherwise provided for, necessary
4 for the operation and maintenance, including training, or-
5 ganization, and administration, of the Marine Corps Re-
6 serve; repair of facilities and equipment; hire of passenger
7 motor vehicles; travel and transportation; care of the dead;
8 recruiting; procurement of services, supplies, and equip-
9 ment; and communications, \$277,036,000.

10 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

11 For expenses, not otherwise provided for, necessary
12 for the operation and maintenance, including training, or-
13 ganization, and administration, of the Air Force Reserve;
14 repair of facilities and equipment; hire of passenger motor
15 vehicles; travel and transportation; care of the dead; re-
16 cruiting; procurement of services, supplies, and equip-
17 ment; and communications, \$3,056,357,000.

18 OPERATION AND MAINTENANCE, ARMY NATIONAL

19 GUARD

20 For expenses of training, organizing, and admin-
21 istering the Army National Guard, including medical and
22 hospital treatment and related expenses in non-Federal
23 hospitals; maintenance, operation, and repairs to struc-
24 tures and facilities; hire of passenger motor vehicles; per-
25 sonnel services in the National Guard Bureau; travel ex-

1 penses (other than mileage), as authorized by law for
2 Army personnel on active duty, for Army National Guard
3 division, regimental, and battalion commanders while in-
4 specting units in compliance with National Guard Bureau
5 regulations when specifically authorized by the Chief, Na-
6 tional Guard Bureau; supplying and equipping the Army
7 National Guard as authorized by law; and expenses of re-
8 pair, modification, maintenance, and issue of supplies and
9 equipment (including aircraft), \$6,746,302,000.

10 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

11 For expenses of training, organizing, and admin-
12 istering the Air National Guard, including medical and
13 hospital treatment and related expenses in non-Federal
14 hospitals; maintenance, operation, and repairs to struc-
15 tures and facilities; transportation of things, hire of pas-
16 senger motor vehicles; supplying and equipping the Air
17 National Guard, as authorized by law; expenses for repair,
18 modification, maintenance, and issue of supplies and
19 equipment, including those furnished from stocks under
20 the control of agencies of the Department of Defense;
21 travel expenses (other than mileage) on the same basis as
22 authorized by law for Air National Guard personnel on
23 active Federal duty, for Air National Guard commanders
24 while inspecting units in compliance with National Guard

1 Bureau regulations when specifically authorized by the
2 Chief, National Guard Bureau, \$6,951,010,000.

3 UNITED STATES COURT OF APPEALS FOR THE ARMED
4 FORCES

5 For salaries and expenses necessary for the United
6 States Court of Appeals for the Armed Forces,
7 \$14,078,000, of which not to exceed \$5,000 may be used
8 for official representation purposes.

9 ENVIRONMENTAL RESTORATION, ARMY
10 (INCLUDING TRANSFER OF FUNDS)

11 For the Department of the Army, \$234,829,000, to
12 remain available until transferred: *Provided*, That the Sec-
13 retary of the Army shall, upon determining that such
14 funds are required for environmental restoration, reduc-
15 tion and recycling of hazardous waste, removal of unsafe
16 buildings and debris of the Department of the Army, or
17 for similar purposes, transfer the funds made available by
18 this appropriation to other appropriations made available
19 to the Department of the Army, to be merged with and
20 to be available for the same purposes and for the same
21 time period as the appropriations to which transferred:
22 *Provided further*, That upon a determination that all or
23 part of the funds transferred from this appropriation are
24 not necessary for the purposes provided herein, such
25 amounts may be transferred back to this appropriation:

1 *Provided further*, That the transfer authority provided
2 under this heading is in addition to any other transfer au-
3 thority provided elsewhere in this Act.

4 ENVIRONMENTAL RESTORATION, NAVY

5 (INCLUDING TRANSFER OF FUNDS)

6 For the Department of the Navy, \$292,453,000, to
7 remain available until transferred: *Provided*, That the Sec-
8 retary of the Navy shall, upon determining that such
9 funds are required for environmental restoration, reduc-
10 tion and recycling of hazardous waste, removal of unsafe
11 buildings and debris of the Department of the Navy, or
12 for similar purposes, transfer the funds made available by
13 this appropriation to other appropriations made available
14 to the Department of the Navy, to be merged with and
15 to be available for the same purposes and for the same
16 time period as the appropriations to which transferred:
17 *Provided further*, That upon a determination that all or
18 part of the funds transferred from this appropriation are
19 not necessary for the purposes provided herein, such
20 amounts may be transferred back to this appropriation:
21 *Provided further*, That the transfer authority provided
22 under this heading is in addition to any other transfer au-
23 thority provided elsewhere in this Act.

1 ENVIRONMENTAL RESTORATION, AIR FORCE

2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of the Air Force, \$368,131,000,
4 to remain available until transferred: *Provided*, That the
5 Secretary of the Air Force shall, upon determining that
6 such funds are required for environmental restoration, re-
7 duction and recycling of hazardous waste, removal of un-
8 safe buildings and debris of the Department of the Air
9 Force, or for similar purposes, transfer the funds made
10 available by this appropriation to other appropriations
11 made available to the Department of the Air Force, to be
12 merged with and to be available for the same purposes
13 and for the same time period as the appropriations to
14 which transferred: *Provided further*, That upon a deter-
15 mination that all or part of the funds transferred from
16 this appropriation are not necessary for the purposes pro-
17 vided herein, such amounts may be transferred back to
18 this appropriation: *Provided further*, That the transfer au-
19 thority provided under this heading is in addition to any
20 other transfer authority provided elsewhere in this Act.

21 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

22 (INCLUDING TRANSFER OF FUNDS)

23 For the Department of Defense, \$8,232,000, to re-
24 main available until transferred: *Provided*, That the Sec-
25 retary of Defense shall, upon determining that such funds

1 are required for environmental restoration, reduction and
2 recycling of hazardous waste, removal of unsafe buildings
3 and debris of the Department of Defense, or for similar
4 purposes, transfer the funds made available by this appro-
5 priation to other appropriations made available to the De-
6 partment of Defense, to be merged with and to be avail-
7 able for the same purposes and for the same time period
8 as the appropriations to which transferred: *Provided fur-*
9 *ther*, That upon a determination that all or part of the
10 funds transferred from this appropriation are not nec-
11 essary for the purposes provided herein, such amounts
12 may be transferred back to this appropriation: *Provided*
13 *further*, That the transfer authority provided under this
14 heading is in addition to any other transfer authority pro-
15 vided elsewhere in this Act.

16 ENVIRONMENTAL RESTORATION, FORMERLY USED
17 DEFENSE SITES
18 (INCLUDING TRANSFER OF FUNDS)

19 For the Department of the Army, \$233,717,000, to
20 remain available until transferred: *Provided*, That the Sec-
21 retary of the Army shall, upon determining that such
22 funds are required for environmental restoration, reduc-
23 tion and recycling of hazardous waste, removal of unsafe
24 buildings and debris at sites formerly used by the Depart-
25 ment of Defense, transfer the funds made available by this

1 appropriation to other appropriations made available to
2 the Department of the Army, to be merged with and to
3 be available for the same purposes and for the same time
4 period as the appropriations to which transferred: *Pro-*
5 *vided further*, That upon a determination that all or part
6 of the funds transferred from this appropriation are not
7 necessary for the purposes provided herein, such amounts
8 may be transferred back to this appropriation: *Provided*
9 *further*, That the transfer authority provided under this
10 heading is in addition to any other transfer authority pro-
11 vided elsewhere in this Act.

12 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

13 For expenses relating to the Overseas Humanitarian,
14 Disaster, and Civic Aid programs of the Department of
15 Defense (consisting of the programs provided under sec-
16 tions 401, 402, 404, 407, 2557, and 2561 of title 10,
17 United States Code), \$100,266,000, to remain available
18 until September 30, 2017.

19 COOPERATIVE THREAT REDUCTION ACCOUNT

20 For assistance to the republics of the former Soviet
21 Union and, with appropriate authorization by the Depart-
22 ment of Defense and Department of State, to countries
23 outside of the former Soviet Union, including assistance
24 provided by contract or by grants, for facilitating the
25 elimination and the safe and secure transportation and

1 storage of nuclear, chemical and other weapons; for estab-
2 lishing programs to prevent the proliferation of weapons,
3 weapons components, and weapon-related technology and
4 expertise; for programs relating to the training and sup-
5 port of defense and military personnel for demilitarization
6 and protection of weapons, weapons components, and
7 weapons technology and expertise, and for defense and
8 military contacts, \$358,496,000, to remain available until
9 September 30, 2018.

10 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE

11 DEVELOPMENT FUND

12 (INCLUDING TRANSFER OF FUNDS)

13 For the Department of Defense Acquisition Work-
14 force Development Fund, \$84,140,000 to remain available
15 until September 30, 2017: *Provided*, That the Secretary
16 of Defense may transfer funds provided herein to appro-
17 priations for military personnel; for operation and mainte-
18 nance; for procurement; and for research, development,
19 test and evaluation to accomplish purposes as provided for
20 in section 1705 of title 10, United States Code: *Provided*
21 *further*, That the funds appropriated under this heading
22 shall be available for obligation for the same time period
23 and for the same purpose as the appropriation to which
24 transferred: *Provided further*, That upon a determination
25 that all or part of the funds transferred from this appro-

1 priation are not necessary for the purposes provided here-
2 in, such amounts may be transferred back to this appro-
3 priation: *Provided further*, That the transfer authority pro-
4 vided under this heading is in addition to any other trans-
5 fer authority provided elsewhere in this Act.

6 TITLE III

7 PROCUREMENT

8 AIRCRAFT PROCUREMENT, ARMY

9 For construction, procurement, production, modifica-
10 tion, and modernization of aircraft, equipment, including
11 ordnance, ground handling equipment, spare parts, and
12 accessories therefor; specialized equipment and training
13 devices; expansion of public and private plants, including
14 the land necessary therefor, for the foregoing purposes,
15 and such lands and interests therein, may be acquired,
16 and construction prosecuted thereon prior to approval of
17 title; and procurement and installation of equipment, ap-
18 pliances, and machine tools in public and private plants;
19 reserve plant and Government and contractor-owned
20 equipment layaway; and other expenses necessary for the
21 foregoing purposes, \$5,465,751,000, to remain available
22 for obligation until September 30, 2018.

23 MISSILE PROCUREMENT, ARMY

24 For construction, procurement, production, modifica-
25 tion, and modernization of missiles, equipment, including

1 ordnance, ground handling equipment, spare parts, and
2 accessories therefor; specialized equipment and training
3 devices; expansion of public and private plants, including
4 the land necessary therefor, for the foregoing purposes,
5 and such lands and interests therein, may be acquired,
6 and construction prosecuted thereon prior to approval of
7 title; and procurement and installation of equipment, ap-
8 pliances, and machine tools in public and private plants;
9 reserve plant and Government and contractor-owned
10 equipment layaway; and other expenses necessary for the
11 foregoing purposes, \$1,667,167,000, to remain available
12 for obligation until September 30, 2018.

13 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
14 VEHICLES, ARMY

15 For construction, procurement, production, and
16 modification of weapons and tracked combat vehicles,
17 equipment, including ordnance, spare parts, and acces-
18 sories therefor; specialized equipment and training devices;
19 expansion of public and private plants, including the land
20 necessary therefor, for the foregoing purposes, and such
21 lands and interests therein, may be acquired, and con-
22 struction prosecuted thereon prior to approval of title; and
23 procurement and installation of equipment, appliances,
24 and machine tools in public and private plants; reserve
25 plant and Government and contractor-owned equipment

1 layaway; and other expenses necessary for the foregoing
2 purposes, \$1,914,446,000, to remain available for obliga-
3 tion until September 30, 2018.

4 PROCUREMENT OF AMMUNITION, ARMY

5 For construction, procurement, production, and
6 modification of ammunition, and accessories therefor; spe-
7 cialized equipment and training devices; expansion of pub-
8 lic and private plants, including ammunition facilities, au-
9 thorized by section 2854 of title 10, United States Code,
10 and the land necessary therefor, for the foregoing pur-
11 poses, and such lands and interests therein, may be ac-
12 quired, and construction prosecuted thereon prior to ap-
13 proval of title; and procurement and installation of equip-
14 ment, appliances, and machine tools in public and private
15 plants; reserve plant and Government and contractor-
16 owned equipment layaway; and other expenses necessary
17 for the foregoing purposes, \$1,247,426,000, to remain
18 available for obligation until September 30, 2018.

19 OTHER PROCUREMENT, ARMY

20 For construction, procurement, production, and
21 modification of vehicles, including tactical, support, and
22 non-tracked combat vehicles; the purchase of passenger
23 motor vehicles for replacement only; communications and
24 electronic equipment; other support equipment; spare
25 parts, ordnance, and accessories therefor; specialized

1 equipment and training devices; expansion of public and
2 private plants, including the land necessary therefor, for
3 the foregoing purposes, and such lands and interests
4 therein, may be acquired, and construction prosecuted
5 thereon prior to approval of title; and procurement and
6 installation of equipment, appliances, and machine tools
7 in public and private plants; reserve plant and Govern-
8 ment and contractor-owned equipment layaway; and other
9 expenses necessary for the foregoing purposes,
10 \$5,648,874,000, to remain available for obligation until
11 September 30, 2018.

12 AIRCRAFT PROCUREMENT, NAVY

13 For construction, procurement, production, modifica-
14 tion, and modernization of aircraft, equipment, including
15 ordnance, spare parts, and accessories therefor; specialized
16 equipment; expansion of public and private plants, includ-
17 ing the land necessary therefor, and such lands and inter-
18 ests therein, may be acquired, and construction prosecuted
19 thereon prior to approval of title; and procurement and
20 installation of equipment, appliances, and machine tools
21 in public and private plants; reserve plant and Govern-
22 ment and contractor-owned equipment layaway,
23 \$17,392,174,000, to remain available for obligation until
24 September 30, 2018.

1 WEAPONS PROCUREMENT, NAVY

2 For construction, procurement, production, modifica-
3 tion, and modernization of missiles, torpedoes, other weap-
4 ons, and related support equipment including spare parts,
5 and accessories therefor; expansion of public and private
6 plants, including the land necessary therefor, and such
7 lands and interests therein, may be acquired, and con-
8 struction prosecuted thereon prior to approval of title; and
9 procurement and installation of equipment, appliances,
10 and machine tools in public and private plants; reserve
11 plant and Government and contractor-owned equipment
12 layaway, \$3,172,822,000, to remain available for obliga-
13 tion until September 30, 2018.

14 PROCUREMENT OF AMMUNITION, NAVY AND MARINE

15 CORPS

16 For construction, procurement, production, and
17 modification of ammunition, and accessories therefor; spe-
18 cialized equipment and training devices; expansion of pub-
19 lic and private plants, including ammunition facilities, au-
20 thorized by section 2854 of title 10, United States Code,
21 and the land necessary therefor, for the foregoing pur-
22 poses, and such lands and interests therein, may be ac-
23 quired, and construction prosecuted thereon prior to ap-
24 proval of title; and procurement and installation of equip-
25 ment, appliances, and machine tools in public and private

1 plants; reserve plant and Government and contractor-
 2 owned equipment layaway; and other expenses necessary
 3 for the foregoing purposes, \$728,741,000, to remain avail-
 4 able for obligation until September 30, 2018.

5 SHIPBUILDING AND CONVERSION, NAVY

6 For expenses necessary for the construction, acquisi-
 7 tion, or conversion of vessels as authorized by law, includ-
 8 ing armor and armament thereof, plant equipment, appli-
 9 ances, and machine tools and installation thereof in public
 10 and private plants; reserve plant and Government and con-
 11 tractor-owned equipment layaway; procurement of critical,
 12 long lead time components and designs for vessels to be
 13 constructed or converted in the future; and expansion of
 14 public and private plants, including land necessary there-
 15 for, and such lands and interests therein, may be acquired,
 16 and construction prosecuted thereon prior to approval of
 17 title, as follows:

18 Carrier Replacement Program, \$1,634,701,000;

19 Carrier Replacement Program (AP),
 20 \$683,200,000;

21 Virginia Class Submarine, \$3,346,370,000;

22 Virginia Class Submarine (AP),
 23 \$1,993,740,000;

24 CVN Refueling Overhauls, \$678,274,000;

25 CVN Refueling Overhauls (AP), \$14,951,000;

1 DDG-1000 Program, \$433,404,000;
2 DDG-51 Destroyer, \$4,149,703,000;
3 Littoral Combat Ship, \$1,331,591,000;
4 LPD-17, \$550,000,000;
5 Afloat Forward Staging Base (AP),
6 \$97,000,000;
7 LHA Replacement (AP), \$476,543,000;
8 LX(R) (AP), \$250,000,000;
9 Joint High Speed Vessel, \$225,000,000;
10 TAO Fleet Oiler, \$674,190,000;
11 T-ATS(X) Fleet Tug, \$75,000,000;
12 LCU Replacement, \$34,000,000;
13 Moored Training Ship (AP), \$138,200,000;
14 Ship to Shore Connector, \$204,630,000;
15 Service Craft, \$30,014,000;
16 LCAC Service Life Extension Program,
17 \$80,738,000;
18 YP Craft Maintenance/ROH/SLEP,
19 \$21,838,000; and
20 For outfitting, post delivery, conversions, and
21 first destination transportation, \$663,970,000.
22 Completion of Prior Year Shipbuilding Pro-
23 grams, \$389,305,000.
24 In all: \$18,176,362,000, to remain available for obli-
25 gation until September 30, 2020: *Provided*, That addi-

1 tional obligations may be incurred after September 30,
2 2020, for engineering services, tests, evaluations, and
3 other such budgeted work that must be performed in the
4 final stage of ship construction: *Provided further*, That
5 none of the funds provided under this heading for the con-
6 struction or conversion of any naval vessel to be con-
7 structed in shipyards in the United States shall be ex-
8 pended in foreign facilities for the construction of major
9 components of such vessel: *Provided further*, That none
10 of the funds provided under this heading shall be used
11 for the construction of any naval vessel in foreign ship-
12 yards.

13 OTHER PROCUREMENT, NAVY

14 For procurement, production, and modernization of
15 support equipment and materials not otherwise provided
16 for, Navy ordnance (except ordnance for new aircraft, new
17 ships, and ships authorized for conversion); the purchase
18 of passenger motor vehicles for replacement only; expan-
19 sion of public and private plants, including the land nec-
20 essary therefor, and such lands and interests therein, may
21 be acquired, and construction prosecuted thereon prior to
22 approval of title; and procurement and installation of
23 equipment, appliances, and machine tools in public and
24 private plants; reserve plant and Government and con-

1 tractor-owned equipment layaway, \$6,329,750,000, to re-
2 main available for obligation until September 30, 2018.

3 PROCUREMENT, MARINE CORPS

4 For expenses necessary for the procurement, manu-
5 facture, and modification of missiles, armament, military
6 equipment, spare parts, and accessories therefor; plant
7 equipment, appliances, and machine tools, and installation
8 thereof in public and private plants; reserve plant and
9 Government and contractor-owned equipment layaway; ve-
10 hicles for the Marine Corps, including the purchase of pas-
11 senger motor vehicles for replacement only; and expansion
12 of public and private plants, including land necessary
13 therefor, and such lands and interests therein, may be ac-
14 quired, and construction prosecuted thereon prior to ap-
15 proval of title, \$1,239,618,000, to remain available for ob-
16 ligation until September 30, 2018.

17 AIRCRAFT PROCUREMENT, AIR FORCE

18 For construction, procurement, and modification of
19 aircraft and equipment, including armor and armament,
20 specialized ground handling equipment, and training de-
21 vices, spare parts, and accessories therefor; specialized
22 equipment; expansion of public and private plants, Gov-
23 ernment-owned equipment and installation thereof in such
24 plants, erection of structures, and acquisition of land, for
25 the foregoing purposes, and such lands and interests

1 therein, may be acquired, and construction prosecuted
2 thereon prior to approval of title; reserve plant and Gov-
3 ernment and contractor-owned equipment layaway; and
4 other expenses necessary for the foregoing purposes in-
5 cluding rents and transportation of things,
6 \$15,890,661,000, to remain available for obligation until
7 September 30, 2018.

8 MISSILE PROCUREMENT, AIR FORCE

9 For construction, procurement, and modification of
10 missiles, rockets, and related equipment, including spare
11 parts and accessories therefor; ground handling equip-
12 ment, and training devices; expansion of public and pri-
13 vate plants, Government-owned equipment and installa-
14 tion thereof in such plants, erection of structures, and ac-
15 quisition of land, for the foregoing purposes, and such
16 lands and interests therein, may be acquired, and con-
17 struction prosecuted thereon prior to approval of title; re-
18 serve plant and Government and contractor-owned equip-
19 ment layaway; and other expenses necessary for the fore-
20 going purposes including rents and transportation of
21 things, \$2,965,869,000, to remain available for obligation
22 until September 30, 2018.

23 SPACE PROCUREMENT, AIR FORCE

24 For construction, procurement, and modification of
25 spacecraft, rockets, and related equipment, including

1 spare parts and accessories therefor; ground handling
2 equipment, and training devices; expansion of public and
3 private plants, Government-owned equipment and installa-
4 tion thereof in such plants, erection of structures, and ac-
5 quisition of land, for the foregoing purposes, and such
6 lands and interests therein, may be acquired, and con-
7 struction prosecuted thereon prior to approval of title; re-
8 serve plant and Government and contractor-owned equip-
9 ment layaway; and other expenses necessary for the fore-
10 going purposes including rents and transportation of
11 things, \$2,891,159,000, to remain available for obligation
12 until September 30, 2018.

13 PROCUREMENT OF AMMUNITION, AIR FORCE

14 For construction, procurement, production, and
15 modification of ammunition, and accessories therefor; spe-
16 cialized equipment and training devices; expansion of pub-
17 lic and private plants, including ammunition facilities, au-
18 thorized by section 2854 of title 10, United States Code,
19 and the land necessary therefor, for the foregoing pur-
20 poses, and such lands and interests therein, may be ac-
21 quired, and construction prosecuted thereon prior to ap-
22 proval of title; and procurement and installation of equip-
23 ment, appliances, and machine tools in public and private
24 plants; reserve plant and Government and contractor-
25 owned equipment layaway; and other expenses necessary

1 for the foregoing purposes, \$1,797,343,000, to remain
2 available for obligation until September 30, 2018.

3 OTHER PROCUREMENT, AIR FORCE

4 For procurement and modification of equipment (in-
5 cluding ground guidance and electronic control equipment,
6 and ground electronic and communication equipment),
7 and supplies, materials, and spare parts therefor, not oth-
8 erwise provided for; the purchase of passenger motor vehi-
9 cles for replacement only; lease of passenger motor vehi-
10 cles; and expansion of public and private plants, Govern-
11 ment-owned equipment and installation thereof in such
12 plants, erection of structures, and acquisition of land, for
13 the foregoing purposes, and such lands and interests
14 therein, may be acquired, and construction prosecuted
15 thereon, prior to approval of title; reserve plant and Gov-
16 ernment and contractor-owned equipment layaway,
17 \$17,997,359,000, to remain available for obligation until
18 September 30, 2018.

19 PROCUREMENT, DEFENSE-WIDE

20 For expenses of activities and agencies of the Depart-
21 ment of Defense (other than the military departments)
22 necessary for procurement, production, and modification
23 of equipment, supplies, materials, and spare parts there-
24 for, not otherwise provided for; the purchase of passenger
25 motor vehicles for replacement only; expansion of public

1 and private plants, equipment, and installation thereof in
2 such plants, erection of structures, and acquisition of land
3 for the foregoing purposes, and such lands and interests
4 therein, may be acquired, and construction prosecuted
5 thereon prior to approval of title; reserve plant and Gov-
6 ernment and contractor-owned equipment layaway,
7 \$5,211,532,000, to remain available for obligation until
8 September 30, 2018.

9 DEFENSE PRODUCTION ACT PURCHASES

10 For activities by the Department of Defense pursuant
11 to sections 108, 301, 302, and 303 of the Defense Produc-
12 tion Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and
13 2093), \$76,680,000, to remain available until expended.

14 TITLE IV

15 RESEARCH, DEVELOPMENT, TEST AND

16 EVALUATION

17 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

18 ARMY

19 For expenses necessary for basic and applied sci-
20 entific research, development, test and evaluation, includ-
21 ing maintenance, rehabilitation, lease, and operation of fa-
22 cilities and equipment, \$7,096,935,000, to remain avail-
23 able for obligation until September 30, 2017.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 NAVY

3 For expenses necessary for basic and applied sci-
4 entific research, development, test and evaluation, includ-
5 ing maintenance, rehabilitation, lease, and operation of fa-
6 cilities and equipment, \$18,236,645,000, to remain avail-
7 able for obligation until September 30, 2017: *Provided*,
8 That funds appropriated in this paragraph which are
9 available for the V-22 may be used to meet unique oper-
10 ational requirements of the Special Operations Forces.

11 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
12 AIR FORCE

13 For expenses necessary for basic and applied sci-
14 entific research, development, test and evaluation, includ-
15 ing maintenance, rehabilitation, lease, and operation of fa-
16 cilities and equipment, \$25,874,116,000, to remain avail-
17 able for obligation until September 30, 2017.

18 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
19 DEFENSE-WIDE
20 (INCLUDING TRANSFER OF FUNDS)

21 For expenses of activities and agencies of the Depart-
22 ment of Defense (other than the military departments),
23 necessary for basic and applied scientific research, devel-
24 opment, test and evaluation; advanced research projects
25 as may be designated and determined by the Secretary

1 of Defense, pursuant to law; maintenance, rehabilitation,
2 lease, and operation of facilities and equipment,
3 \$18,926,433,000, to remain available for obligation until
4 September 30, 2017: *Provided*, That, of the funds made
5 available in this paragraph, \$400,000,000 for the Defense
6 Rapid Innovation Program shall only be available for ex-
7 penses, not otherwise provided for, to include program
8 management and oversight, to conduct research, develop-
9 ment, test and evaluation to include proof of concept dem-
10 onstration; engineering, testing, and validation; and tran-
11 sition to full-scale production: *Provided further*, That the
12 Secretary of Defense may transfer funds provided herein
13 for the Defense Rapid Innovation Program to appropria-
14 tions for research, development, test and evaluation to ac-
15 complish the purpose provided herein: *Provided further*,
16 That this transfer authority is in addition to any other
17 transfer authority available to the Department of Defense:
18 *Provided further*, That the Secretary of Defense shall, not
19 fewer than 30 days prior to making transfers from this
20 appropriation, notify the congressional defense committees
21 in writing of the details of any such transfer.

22 OPERATIONAL TEST AND EVALUATION, DEFENSE

23 For expenses, not otherwise provided for, necessary
24 for the independent activities of the Director, Operational
25 Test and Evaluation, in the direction and supervision of

1 operational test and evaluation, including initial oper-
2 ational test and evaluation which is conducted prior to,
3 and in support of, production decisions; joint operational
4 testing and evaluation; and administrative expenses in
5 connection therewith, \$190,558,000, to remain available
6 for obligation until September 30, 2017.

7 TITLE V

8 REVOLVING AND MANAGEMENT FUNDS

9 DEFENSE WORKING CAPITAL FUNDS

10 For the Defense Working Capital Funds,
11 \$1,779,568,000.

12 NATIONAL DEFENSE SEALIFT FUND

13 For National Defense Sealift Fund programs,
14 projects, and activities, and for expenses of the National
15 Defense Reserve Fleet, as established by section 11 of the
16 Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744),
17 and for the necessary expenses to maintain and preserve
18 a U.S.-flag merchant fleet to serve the national security
19 needs of the United States, \$474,164,000, to remain avail-
20 able until expended: *Provided*, That none of the funds pro-
21 vided in this paragraph shall be used to award a new con-
22 tract that provides for the acquisition of any of the fol-
23 lowing major components unless such components are
24 manufactured in the United States: auxiliary equipment,
25 including pumps, for all shipboard services; propulsion

1 system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard
2 cranes: *Provided further*, That the exercise of an option
3 in a contract awarded through the obligation of previously
4 appropriated funds shall not be considered to be the award
5 of a new contract: *Provided further*, That none of the
6 funds provided in this paragraph shall be used to award
7 a new contract for the construction, acquisition, or conversion of vessels, including procurement of critical, long lead
8 time components and designs for vessels to be constructed
9 or converted in the future: *Provided further*, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first provision on a case-by-case basis by certifying in writing to the
10 Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are
11 not available to meet Department of Defense requirements
12 on a timely basis and that such an acquisition must be
13 made in order to acquire capability for national security
14 purposes.

21 TITLE VI

22 OTHER DEPARTMENT OF DEFENSE PROGRAMS

23 DEFENSE HEALTH PROGRAM

24 For expenses, not otherwise provided for, for medical
25 and health care programs of the Department of Defense

1 as authorized by law, \$32,267,914,000; of which
2 \$30,103,891,000 shall be for operation and maintenance,
3 of which not to exceed one percent shall remain available
4 for obligation until September 30, 2017, and of which up
5 to \$14,812,040,000 may be available for contracts entered
6 into under the TRICARE program; of which
7 \$365,390,000, to remain available for obligation until Sep-
8 tember 30, 2018, shall be for procurement; and of which
9 \$1,798,633,000, to remain available for obligation until
10 September 30, 2017, shall be for research, development,
11 test and evaluation.

12 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,
13 DEFENSE

14 For expenses, not otherwise provided for, necessary
15 for the destruction of the United States stockpile of lethal
16 chemical agents and munitions in accordance with the pro-
17 visions of section 1412 of the Department of Defense Au-
18 thorization Act, 1986 (50 U.S.C. 1521), and for the de-
19 struction of other chemical warfare materials that are not
20 in the chemical weapon stockpile, \$699,821,000, of which
21 \$118,198,000 shall be for operation and maintenance, of
22 which no less than \$50,743,000 shall be for the Chemical
23 Stockpile Emergency Preparedness Program, consisting of
24 \$21,289,000 for activities on military installations and
25 \$29,454,000, to remain available until September 30,

1 2017, to assist State and local governments; \$2,281,000
2 shall be for procurement, to remain available until Sep-
3 tember 30, 2018, of which \$2,281,000 shall be for the
4 Chemical Stockpile Emergency Preparedness Program to
5 assist State and local governments; and \$579,342,000, to
6 remain available until September 30, 2017, shall be for
7 research, development, test and evaluation, of which
8 \$569,339,000 shall only be for the Assembled Chemical
9 Weapons Alternatives program.

10 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

11 DEFENSE

12 (INCLUDING TRANSFER OF FUNDS)

13 For drug interdiction and counter-drug activities of
14 the Department of Defense, for transfer to appropriations
15 available to the Department of Defense for military per-
16 sonnel of the reserve components serving under the provi-
17 sions of title 10 and title 32, United States Code; for oper-
18 ation and maintenance; for procurement; and for research,
19 development, test and evaluation, \$1,013,598,000, of
20 which \$681,109,000 shall be for counter-narcotics sup-
21 port; \$119,589,000 shall be for the drug demand reduc-
22 tion program; \$192,900,000 shall be for the National
23 Guard counter-drug program; and \$20,000,000 shall be
24 for the National Guard counter-drug schools program:
25 *Provided*, That the funds appropriated under this heading

1 shall be available for obligation for the same time period
2 and for the same purpose as the appropriation to which
3 transferred: *Provided further*, That upon a determination
4 that all or part of the funds transferred from this appro-
5 priation are not necessary for the purposes provided here-
6 in, such amounts may be transferred back to this appro-
7 priation: *Provided further*, That the transfer authority pro-
8 vided under this heading is in addition to any other trans-
9 fer authority contained elsewhere in this Act.

10 OFFICE OF THE INSPECTOR GENERAL

11 For expenses and activities of the Office of the In-
12 spector General in carrying out the provisions of the In-
13 spector General Act of 1978, as amended, \$312,559,000,
14 of which \$310,459,000 shall be for operation and mainte-
15 nance, of which not to exceed \$700,000 is available for
16 emergencies and extraordinary expenses to be expended on
17 the approval or authority of the Inspector General, and
18 payments may be made on the Inspector General's certifi-
19 cate of necessity for confidential military purposes; and
20 of which \$2,100,000, to remain available until September
21 30, 2017, shall be for research, development, test and eval-
22 uation.

1 TITLE VII
2 RELATED AGENCIES
3 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
4 DISABILITY SYSTEM FUND

5 For payment to the Central Intelligence Agency Re-
6 tirement and Disability System Fund, to maintain the
7 proper funding level for continuing the operation of the
8 Central Intelligence Agency Retirement and Disability
9 System, \$514,000,000.

10 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

11 For necessary expenses of the Intelligence Commu-
12 nity Management Account, \$513,923,000.

13 TITLE VIII
14 GENERAL PROVISIONS

15 SEC. 8001. No part of any appropriation contained
16 in this Act shall be used for publicity or propaganda pur-
17 poses not authorized by the Congress.

18 SEC. 8002. During the current fiscal year, provisions
19 of law prohibiting the payment of compensation to, or em-
20 ployment of, any person not a citizen of the United States
21 shall not apply to personnel of the Department of Defense:
22 *Provided*, That salary increases granted to direct and indi-
23 rect hire foreign national employees of the Department of
24 Defense funded by this Act shall not be at a rate in excess
25 of the percentage increase authorized by law for civilian

1 employees of the Department of Defense whose pay is
2 computed under the provisions of section 5332 of title 5,
3 United States Code, or at a rate in excess of the percent-
4 age increase provided by the appropriate host nation to
5 its own employees, whichever is higher: *Provided further*,
6 That this section shall not apply to Department of De-
7 fense foreign service national employees serving at United
8 States diplomatic missions whose pay is set by the Depart-
9 ment of State under the Foreign Service Act of 1980: *Pro-*
10 *vided further*, That the limitations of this provision shall
11 not apply to foreign national employees of the Department
12 of Defense in the Republic of Turkey.

13 SEC. 8003. No part of any appropriation contained
14 in this Act shall remain available for obligation beyond
15 the current fiscal year, unless expressly so provided herein.

16 SEC. 8004. No more than 20 percent of the appro-
17 priations in this Act which are limited for obligation dur-
18 ing the current fiscal year shall be obligated during the
19 last 2 months of the fiscal year: *Provided*, That this sec-
20 tion shall not apply to obligations for support of active
21 duty training of reserve components or summer camp
22 training of the Reserve Officers' Training Corps.

23 (TRANSFER OF FUNDS)

24 SEC. 8005. Upon determination by the Secretary of
25 Defense that such action is necessary in the national inter-

1 est, he may, with the approval of the Office of Manage-
2 ment and Budget, transfer not to exceed \$5,000,000,000
3 of working capital funds of the Department of Defense
4 or funds made available in this Act to the Department
5 of Defense for military functions (except military con-
6 struction) between such appropriations or funds or any
7 subdivision thereof, to be merged with and to be available
8 for the same purposes, and for the same time period, as
9 the appropriation or fund to which transferred: *Provided*,
10 That such authority to transfer may not be used unless
11 for higher priority items, based on unforeseen military re-
12 quirements, than those for which originally appropriated
13 and in no case where the item for which funds are re-
14 quested has been denied by the Congress: *Provided further*,
15 That the Secretary of Defense shall notify the Congress
16 promptly of all transfers made pursuant to this authority
17 or any other authority in this Act: *Provided further*, That
18 no part of the funds in this Act shall be available to pre-
19 pare or present a request to the Committees on Appropria-
20 tions for reprogramming of funds, unless for higher pri-
21 ority items, based on unforeseen military requirements,
22 than those for which originally appropriated and in no
23 case where the item for which reprogramming is requested
24 has been denied by the Congress: *Provided further*, That
25 a request for multiple reprogrammings of funds using au-

1 thority provided in this section shall be made prior to June
2 30, 2016: *Provided further*, That transfers among military
3 personnel appropriations shall not be taken into account
4 for purposes of the limitation on the amount of funds that
5 may be transferred under this section.

6 SEC. 8006. (a) With regard to the list of specific pro-
7 grams, projects, and activities (and the dollar amounts
8 and adjustments to budget activities corresponding to
9 such programs, projects, and activities) contained in the
10 tables titled “Committee Recommended Adjustments” in
11 the explanatory statement regarding this Act, the obliga-
12 tion and expenditure of amounts appropriated or other-
13 wise made available in this Act for those programs,
14 projects, and activities for which the amounts appro-
15 priated exceed the amounts requested are hereby required
16 by law to be carried out in the manner provided by such
17 tables to the same extent as if the tables were included
18 in the text of this Act.

19 (b) Amounts specified in the referenced tables de-
20 scribed in subsection (a) shall not be treated as subdivi-
21 sions of appropriations for purposes of section 8005 of this
22 Act: *Provided*, That section 8005 shall apply when trans-
23 fers of the amounts described in subsection (a) occur be-
24 tween appropriation accounts.

1 SEC. 8007. (a) Not later than 60 days after enact-
2 ment of this Act, the Department of Defense shall submit
3 a report to the congressional defense committees to estab-
4 lish the baseline for application of reprogramming and
5 transfer authorities for fiscal year 2016: *Provided*, That
6 the report shall include—

7 (1) a table for each appropriation with a sepa-
8 rate column to display the President’s budget re-
9 quest, adjustments made by Congress, adjustments
10 due to enacted rescissions, if appropriate, and the
11 fiscal year enacted level;

12 (2) a delineation in the table for each appro-
13 priation both by budget activity and program,
14 project, and activity as detailed in the Budget Ap-
15 pendix; and

16 (3) an identification of items of special congres-
17 sional interest.

18 (b) Notwithstanding section 8005 of this Act, none
19 of the funds provided in this Act shall be available for
20 reprogramming or transfer until the report identified in
21 subsection (a) is submitted to the congressional defense
22 committees, unless the Secretary of Defense certifies in
23 writing to the congressional defense committees that such
24 reprogramming or transfer is necessary as an emergency
25 requirement: *Provided*, That this subsection shall not

1 apply to transfers from the following appropriations ac-
2 counts:

- 3 (1) “Environmental Restoration, Army”.
- 4 (2) “Environmental Restoration, Navy”.
- 5 (3) “Environmental Restoration, Air Force”.
- 6 (4) “Environmental Restoration, Defense-
7 wide”.
- 8 (5) “Environmental Restoration, Formerly
9 Used Defense Sites”.

10 (TRANSFER OF FUNDS)

11 SEC. 8008. During the current fiscal year, cash bal-
12 ances in working capital funds of the Department of De-
13 fense established pursuant to section 2208 of title 10,
14 United States Code, may be maintained in only such
15 amounts as are necessary at any time for cash disburse-
16 ments to be made from such funds: *Provided*, That trans-
17 fers may be made between such funds: *Provided further*,
18 That transfers may be made between working capital
19 funds and the “Foreign Currency Fluctuations, Defense”
20 appropriation and the “Operation and Maintenance” ap-
21 propriation accounts in such amounts as may be deter-
22 mined by the Secretary of Defense, with the approval of
23 the Office of Management and Budget, except that such
24 transfers may not be made unless the Secretary of Defense
25 has notified the Congress of the proposed transfer: *Pro-*

1 *vided further*, That except in amounts equal to the
2 amounts appropriated to working capital funds in this Act,
3 no obligations may be made against a working capital fund
4 to procure or increase the value of war reserve material
5 inventory, unless the Secretary of Defense has notified the
6 Congress prior to any such obligation.

7 SEC. 8009. Funds appropriated by this Act may not
8 be used to initiate a special access program without prior
9 notification 30 calendar days in advance to the congress-
10 sional defense committees.

11 SEC. 8010. None of the funds provided in this Act
12 shall be available to initiate: (1) a multiyear contract that
13 employs economic order quantity procurement in excess of
14 \$20,000,000 in any one year of the contract or that in-
15 cludes an unfunded contingent liability in excess of
16 \$20,000,000; or (2) a contract for advance procurement
17 leading to a multiyear contract that employs economic
18 order quantity procurement in excess of \$20,000,000 in
19 any one year, unless the congressional defense committees
20 have been notified at least 30 days in advance of the pro-
21 posed contract award: *Provided*, That no part of any ap-
22 propriation contained in this Act shall be available to ini-
23 tiate a multiyear contract for which the economic order
24 quantity advance procurement is not funded at least to
25 the limits of the Government's liability: *Provided further*,

1 That no part of any appropriation contained in this Act
2 shall be available to initiate multiyear procurement con-
3 tracts for any systems or component thereof if the value
4 of the multiyear contract would exceed \$500,000,000 un-
5 less specifically provided in this Act: *Provided further*,
6 That no multiyear procurement contract can be termi-
7 nated without 30-day prior notification to the congres-
8 sional defense committees: *Provided further*, That the exe-
9 cution of multiyear authority shall require the use of a
10 present value analysis to determine lowest cost compared
11 to an annual procurement: *Provided further*, That none of
12 the funds provided in this Act may be used for a multiyear
13 contract executed after the date of the enactment of this
14 Act unless in the case of any such contract—

15 (1) the Secretary of Defense has submitted to
16 Congress a budget request for full funding of units
17 to be procured through the contract and, in the case
18 of a contract for procurement of aircraft, that in-
19 cludes, for any aircraft unit to be procured through
20 the contract for which procurement funds are re-
21 quested in that budget request for production be-
22 yond advance procurement activities in the fiscal
23 year covered by the budget, full funding of procure-
24 ment of such unit in that fiscal year;

1 (2) cancellation provisions in the contract do
2 not include consideration of recurring manufacturing
3 costs of the contractor associated with the produc-
4 tion of unfunded units to be delivered under the con-
5 tract;

6 (3) the contract provides that payments to the
7 contractor under the contract shall not be made in
8 advance of incurred costs on funded units; and

9 (4) the contract does not provide for a price ad-
10 justment based on a failure to award a follow-on
11 contract.

12 SEC. 8011. Within the funds appropriated for the op-
13 eration and maintenance of the Armed Forces, funds are
14 hereby appropriated pursuant to section 401 of title 10,
15 United States Code, for humanitarian and civic assistance
16 costs under chapter 20 of title 10, United States Code.
17 Such funds may also be obligated for humanitarian and
18 civic assistance costs incidental to authorized operations
19 and pursuant to authority granted in section 401 of chap-
20 ter 20 of title 10, United States Code, and these obliga-
21 tions shall be reported as required by section 401(d) of
22 title 10, United States Code: *Provided*, That funds avail-
23 able for operation and maintenance shall be available for
24 providing humanitarian and similar assistance by using
25 Civic Action Teams in the Trust Territories of the Pacific

1 Islands and freely associated states of Micronesia, pursu-
2 ant to the Compact of Free Association as authorized by
3 Public Law 99–239: *Provided further*, That upon a deter-
4 mination by the Secretary of the Army that such action
5 is beneficial for graduate medical education programs con-
6 ducted at Army medical facilities located in Hawaii, the
7 Secretary of the Army may authorize the provision of med-
8 ical services at such facilities and transportation to such
9 facilities, on a nonreimbursable basis, for civilian patients
10 from American Samoa, the Commonwealth of the North-
11 ern Mariana Islands, the Marshall Islands, the Federated
12 States of Micronesia, Palau, and Guam.

13 SEC. 8012. (a) During fiscal year 2016, the civilian
14 personnel of the Department of Defense may not be man-
15 aged on the basis of any end-strength, and the manage-
16 ment of such personnel during that fiscal year shall not
17 be subject to any constraint or limitation (known as an
18 end-strength) on the number of such personnel who may
19 be employed on the last day of such fiscal year.

20 (b) The fiscal year 2017 budget request for the De-
21 partment of Defense as well as all justification material
22 and other documentation supporting the fiscal year 2017
23 Department of Defense budget request shall be prepared
24 and submitted to the Congress as if subsections (a) and

1 (b) of this provision were effective with regard to fiscal
2 year 2017.

3 (c) Nothing in this section shall be construed to apply
4 to military (civilian) technicians.

5 SEC. 8013. None of the funds made available by this
6 Act shall be used in any way, directly or indirectly, to in-
7 fluence congressional action on any legislation or appro-
8 priation matters pending before the Congress.

9 SEC. 8014. None of the funds appropriated by this
10 Act shall be available for the basic pay and allowances of
11 any member of the Army participating as a full-time stu-
12 dent and receiving benefits paid by the Secretary of Vet-
13 erans Affairs from the Department of Defense Education
14 Benefits Fund when time spent as a full-time student is
15 credited toward completion of a service commitment: *Pro-*
16 *vided*, That this section shall not apply to those members
17 who have reenlisted with this option prior to October 1,
18 1987: *Provided further*, That this section applies only to
19 active components of the Army.

20 (TRANSFER OF FUNDS)

21 SEC. 8015. Funds appropriated in title III of this Act
22 for the Department of Defense Pilot Mentor-Protégé Pro-
23 gram may be transferred to any other appropriation con-
24 tained in this Act solely for the purpose of implementing
25 a Mentor-Protégé Program developmental assistance

1 agreement pursuant to section 831 of the National De-
2 fense Authorization Act for Fiscal Year 1991 (Public Law
3 101–510; 10 U.S.C. 2302 note), as amended, under the
4 authority of this provision or any other transfer authority
5 contained in this Act.

6 SEC. 8016. Of the amounts appropriated for “Work-
7 ing Capital Fund, Army”, \$145,000,000 shall be available
8 to maintain competitive rates at the arsenals.

9 SEC. 8017. None of the funds available to the De-
10 partment of Defense may be used to demilitarize or dis-
11 pose of M–1 Carbines, M–1 Garand rifles, M–14 rifles,
12 .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or
13 to demilitarize or destroy small arms ammunition or am-
14 munition components that are not otherwise prohibited
15 from commercial sale under Federal law, unless the small
16 arms ammunition or ammunition components are certified
17 by the Secretary of the Army or designee as unserviceable,
18 unsuitable, or unsafe for further use.

19 SEC. 8018. No more than \$500,000 of the funds ap-
20 propriated or made available in this Act shall be used dur-
21 ing a single fiscal year for any single relocation of an orga-
22 nization, unit, activity or function of the Department of
23 Defense into or within the National Capital Region: *Pro-*
24 *vided*, That the Secretary of Defense may waive this re-
25 striction on a case-by-case basis by certifying in writing

1 to the congressional defense committees that such a re-
2 lation is required in the best interest of the Government.

3 SEC. 8019. Of the funds made available in this Act,
4 up to \$15,000,000 may be available for incentive pay-
5 ments authorized by section 504 of the Indian Financing
6 Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime
7 contractor or a subcontractor at any tier that makes a
8 subcontract award to any subcontractor or supplier as de-
9 fined in section 1544 of title 25, United States Code, or
10 a small business owned and controlled by an individual
11 or individuals defined under section 4221(9) of title 25,
12 United States Code, shall be considered a contractor for
13 the purposes of being allowed additional compensation
14 under section 504 of the Indian Financing Act of 1974
15 (25 U.S.C. 1544) whenever the prime contract or sub-
16 contract amount is over \$500,000 and involves the ex-
17 penditure of funds appropriated by an Act making appro-
18 priations for the Department of Defense with respect to
19 any fiscal year: *Provided further*, That notwithstanding
20 section 1906 of title 41, United States Code, this section
21 shall be applicable to any Department of Defense acqui-
22 sition of supplies or services, including any contract and any
23 subcontract at any tier for acquisition of commercial items
24 produced or manufactured, in whole or in part, by any
25 subcontractor or supplier defined in section 1544 of title

1 25, United States Code, or a small business owned and
2 controlled by an individual or individuals defined under
3 section 4221(9) of title 25, United States Code.

4 SEC. 8020. Funds appropriated by this Act for the
5 Defense Media Activity shall not be used for any national
6 or international political or psychological activities.

7 SEC. 8021. During the current fiscal year, the De-
8 partment of Defense is authorized to incur obligations of
9 not to exceed \$350,000,000 for purposes specified in sec-
10 tion 2350j(c) of title 10, United States Code, in anticipa-
11 tion of receipt of contributions, only from the Government
12 of Kuwait, under that section: *Provided*, That, upon re-
13 ceipt, such contributions from the Government of Kuwait
14 shall be credited to the appropriations or fund which in-
15 curred such obligations.

16 SEC. 8022. (a) Of the funds made available in this
17 Act, not less than \$39,805,000 shall be available for the
18 Civil Air Patrol Corporation, of which—

19 (1) \$27,711,000 shall be available from “Oper-
20 ation and Maintenance, Air Force” to support Civil
21 Air Patrol Corporation operation and maintenance,
22 readiness, counter-drug activities, and drug demand
23 reduction activities involving youth programs;

24 (2) \$10,417,000 shall be available from “Air-
25 craft Procurement, Air Force”; and

1 (3) \$1,677,000 shall be available from “Other
2 Procurement, Air Force” for vehicle procurement.

3 (b) The Secretary of the Air Force should waive reim-
4 bursement for any funds used by the Civil Air Patrol for
5 counter-drug activities in support of Federal, State, and
6 local government agencies.

7 SEC. 8023. (a) None of the funds appropriated in this
8 Act are available to establish a new Department of De-
9 fense (department) federally funded research and develop-
10 ment center (FFRDC), either as a new entity, or as a
11 separate entity administrated by an organization man-
12 aging another FFRDC, or as a nonprofit membership cor-
13 poration consisting of a consortium of other FFRDCs and
14 other nonprofit entities.

15 (b) No member of a Board of Directors, Trustees,
16 Overseers, Advisory Group, Special Issues Panel, Visiting
17 Committee, or any similar entity of a defense FFRDC,
18 and no paid consultant to any defense FFRDC, except
19 when acting in a technical advisory capacity, may be com-
20 pensated for his or her services as a member of such enti-
21 ty, or as a paid consultant by more than one FFRDC in
22 a fiscal year: *Provided*, That a member of any such entity
23 referred to previously in this subsection shall be allowed
24 travel expenses and per diem as authorized under the Fed-

1 eral Joint Travel Regulations, when engaged in the per-
2 formance of membership duties.

3 (c) Notwithstanding any other provision of law, none
4 of the funds available to the department from any source
5 during fiscal year 2016 may be used by a defense FFRDC,
6 through a fee or other payment mechanism, for construc-
7 tion of new buildings, for payment of cost sharing for
8 projects funded by Government grants, for absorption of
9 contract overruns, or for certain charitable contributions,
10 not to include employee participation in community service
11 and/or development: *Provided*, That up to 1 percent of
12 funds provided in this Act for support of defense FFRDCs
13 may be used for planning and design of scientific or engi-
14 neering facilities: *Provided further*, That the Secretary of
15 Defense shall notify the congressional defense committees
16 15 days in advance of exercising the authority in the pre-
17 vious proviso.

18 (d) Notwithstanding any other provision of law, of
19 the funds available to the department during fiscal year
20 2016, not more than 5,750 staff years of technical effort
21 (staff years) may be funded for defense FFRDCs: *Pro-*
22 *vided*, That, of the specific amount referred to previously
23 in this subsection, not more than 1,125 staff years may
24 be funded for the defense studies and analysis FFRDCs:
25 *Provided further*, That this subsection shall not apply to

1 staff years funded in the National Intelligence Program
2 (NIP) and the Military Intelligence Program (MIP).

3 (e) The Secretary of Defense shall, with the submis-
4 sion of the department's fiscal year 2017 budget request,
5 submit a report presenting the specific amounts of staff
6 years of technical effort to be allocated for each defense
7 FFRDC during that fiscal year and the associated budget
8 estimates.

9 (f) Notwithstanding any other provision of this Act,
10 the total amount appropriated in this Act for FFRDCs
11 is hereby reduced by \$65,000,000.

12 SEC. 8024. None of the funds appropriated or made
13 available in this Act shall be used to procure carbon, alloy,
14 or armor steel plate for use in any Government-owned fa-
15 cility or property under the control of the Department of
16 Defense which were not melted and rolled in the United
17 States or Canada: *Provided*, That these procurement re-
18 strictions shall apply to any and all Federal Supply Class
19 9515, American Society of Testing and Materials (ASTM)
20 or American Iron and Steel Institute (AISI) specifications
21 of carbon, alloy or armor steel plate: *Provided further*,
22 That the Secretary of the military department responsible
23 for the procurement may waive this restriction on a case-
24 by-case basis by certifying in writing to the Committees
25 on Appropriations of the House of Representatives and the

1 Senate that adequate domestic supplies are not available
2 to meet Department of Defense requirements on a timely
3 basis and that such an acquisition must be made in order
4 to acquire capability for national security purposes: *Pro-*
5 *vided further*, That these restrictions shall not apply to
6 contracts which are in being as of the date of the enact-
7 ment of this Act.

8 SEC. 8025. For the purposes of this Act, the term
9 “congressional defense committees” means the Armed
10 Services Committee of the House of Representatives, the
11 Armed Services Committee of the Senate, the Sub-
12 committee on Defense of the Committee on Appropriations
13 of the Senate, and the Subcommittee on Defense of the
14 Committee on Appropriations of the House of Representa-
15 tives.

16 SEC. 8026. During the current fiscal year, the De-
17 partment of Defense may acquire the modification, depot
18 maintenance and repair of aircraft, vehicles and vessels
19 as well as the production of components and other De-
20 fense-related articles, through competition between De-
21 partment of Defense depot maintenance activities and pri-
22 vate firms: *Provided*, That the Senior Acquisition Execu-
23 tive of the military department or Defense Agency con-
24 cerned, with power of delegation, shall certify that success-
25 ful bids include comparable estimates of all direct and in-

1 direct costs for both public and private bids: *Provided fur-*
2 *ther*, That Office of Management and Budget Circular A-
3 76 shall not apply to competitions conducted under this
4 section.

5 SEC. 8027. (a)(1) If the Secretary of Defense, after
6 consultation with the United States Trade Representative,
7 determines that a foreign country which is party to an
8 agreement described in paragraph (2) has violated the
9 terms of the agreement by discriminating against certain
10 types of products produced in the United States that are
11 covered by the agreement, the Secretary of Defense shall
12 rescind the Secretary's blanket waiver of the Buy Amer-
13 ican Act with respect to such types of products produced
14 in that foreign country.

15 (2) An agreement referred to in paragraph (1) is any
16 reciprocal defense procurement memorandum of under-
17 standing, between the United States and a foreign country
18 pursuant to which the Secretary of Defense has prospec-
19 tively waived the Buy American Act for certain products
20 in that country.

21 (b) The Secretary of Defense shall submit to the Con-
22 gress a report on the amount of Department of Defense
23 purchases from foreign entities in fiscal year 2016. Such
24 report shall separately indicate the dollar value of items
25 for which the Buy American Act was waived pursuant to

1 any agreement described in subsection (a)(2), the Trade
2 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any
3 international agreement to which the United States is a
4 party.

5 (c) For purposes of this section, the term “Buy
6 American Act” means chapter 83 of title 41, United
7 States Code.

8 SEC. 8028. During the current fiscal year, amounts
9 contained in the Department of Defense Overseas Military
10 Facility Investment Recovery Account established by sec-
11 tion 2921(c)(1) of the National Defense Authorization Act
12 of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall
13 be available until expended for the payments specified by
14 section 2921(c)(2) of that Act.

15 SEC. 8029. (a) Notwithstanding any other provision
16 of law, the Secretary of the Air Force may convey at no
17 cost to the Air Force, without consideration, to Indian
18 tribes located in the States of Nevada, Idaho, North Da-
19 kota, South Dakota, Montana, Oregon, Minnesota, and
20 Washington relocatable military housing units located at
21 Grand Forks Air Force Base, Malmstrom Air Force Base,
22 Mountain Home Air Force Base, Ellsworth Air Force
23 Base, and Minot Air Force Base that are excess to the
24 needs of the Air Force.

1 (b) The Secretary of the Air Force shall convey, at
2 no cost to the Air Force, military housing units under sub-
3 section (a) in accordance with the request for such units
4 that are submitted to the Secretary by the Operation
5 Walking Shield Program on behalf of Indian tribes located
6 in the States of Nevada, Idaho, North Dakota, South Da-
7 kota, Montana, Oregon, Minnesota, and Washington. Any
8 such conveyance shall be subject to the condition that the
9 housing units shall be removed within a reasonable period
10 of time, as determined by the Secretary.

11 (c) The Operation Walking Shield Program shall re-
12 solve any conflicts among requests of Indian tribes for
13 housing units under subsection (a) before submitting re-
14 quests to the Secretary of the Air Force under subsection
15 (b).

16 (d) In this section, the term “Indian tribe” means
17 any recognized Indian tribe included on the current list
18 published by the Secretary of the Interior under section
19 104 of the Federally Recognized Indian Tribe Act of 1994
20 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–
21 1).

22 SEC. 8030. During the current fiscal year, appropria-
23 tions which are available to the Department of Defense
24 for operation and maintenance may be used to purchase

1 items having an investment item unit cost of not more
2 than \$250,000.

3 SEC. 8031. The Secretary of Defense shall issue reg-
4 ulations to prohibit the sale of any tobacco or tobacco-
5 related products in military resale outlets in the United
6 States, its territories and possessions at a price below the
7 most competitive price in the local community: *Provided*,
8 That such regulations shall direct that the prices of to-
9 bacco or tobacco-related products in overseas military re-
10 tail outlets shall be within the range of prices established
11 for military retail system stores located in the United
12 States.

13 SEC. 8032. (a) During the current fiscal year, none
14 of the appropriations or funds available to the Department
15 of Defense Working Capital Funds shall be used for the
16 purchase of an investment item for the purpose of acquir-
17 ing a new inventory item for sale or anticipated sale dur-
18 ing the current fiscal year or a subsequent fiscal year to
19 customers of the Department of Defense Working Capital
20 Funds if such an item would not have been chargeable
21 to the Department of Defense Business Operations Fund
22 during fiscal year 1994 and if the purchase of such an
23 investment item would be chargeable during the current
24 fiscal year to appropriations made to the Department of
25 Defense for procurement.

1 (b) The fiscal year 2017 budget request for the De-
2 partment of Defense as well as all justification material
3 and other documentation supporting the fiscal year 2017
4 Department of Defense budget shall be prepared and sub-
5 mitted to the Congress on the basis that any equipment
6 which was classified as an end item and funded in a pro-
7 curement appropriation contained in this Act shall be
8 budgeted for in a proposed fiscal year 2017 procurement
9 appropriation and not in the supply management business
10 area or any other area or category of the Department of
11 Defense Working Capital Funds.

12 SEC. 8033. None of the funds appropriated by this
13 Act for programs of the Central Intelligence Agency shall
14 remain available for obligation beyond the current fiscal
15 year, except for funds appropriated for the Reserve for
16 Contingencies, which shall remain available until Sep-
17 tember 30, 2017: *Provided*, That funds appropriated,
18 transferred, or otherwise credited to the Central Intel-
19 ligence Agency Central Services Working Capital Fund
20 during this or any prior or subsequent fiscal year shall
21 remain available until expended: *Provided further*, That
22 any funds appropriated or transferred to the Central Intel-
23 ligence Agency for advanced research and development ac-
24 quisition, for agent operations, and for covert action pro-
25 grams authorized by the President under section 503 of

1 the National Security Act of 1947 (50 U.S.C. 3093) shall
2 remain available until September 30, 2017.

3 SEC. 8034. Notwithstanding any other provision of
4 law, funds made available in this Act for the Defense In-
5 telligence Agency may be used for the design, develop-
6 ment, and deployment of General Defense Intelligence
7 Program intelligence communications and intelligence in-
8 formation systems for the Services, the Unified and Speci-
9 fied Commands, and the component commands.

10 SEC. 8035. Of the funds appropriated to the Depart-
11 ment of Defense under the heading “Operation and Main-
12 tenance, Defense-Wide”, not less than \$12,000,000 may
13 be made available only for the mitigation of environmental
14 impacts, including training and technical assistance to
15 tribes, related administrative support, the gathering of in-
16 formation, documenting of environmental damage, and de-
17 veloping a system for prioritization of mitigation and cost
18 to complete estimates for mitigation, on Indian lands re-
19 sulting from Department of Defense activities.

20 SEC. 8036. (a) None of the funds appropriated in this
21 Act may be expended by an entity of the Department of
22 Defense unless the entity, in expending the funds, com-
23 plies with the Buy American Act. For purposes of this
24 subsection, the term “Buy American Act” means chapter
25 83 of title 41, United States Code.

1 (b) If the Secretary of Defense determines that a per-
2 son has been convicted of intentionally affixing a label
3 bearing a “Made in America” inscription to any product
4 sold in or shipped to the United States that is not made
5 in America, the Secretary shall determine, in accordance
6 with section 2410f of title 10, United States Code, wheth-
7 er the person should be debarred from contracting with
8 the Department of Defense.

9 (c) In the case of any equipment or products pur-
10 chased with appropriations provided under this Act, it is
11 the sense of the Congress that any entity of the Depart-
12 ment of Defense, in expending the appropriation, purchase
13 only American-made equipment and products, provided
14 that American-made equipment and products are cost-
15 competitive, quality competitive, and available in a timely
16 fashion.

17 SEC. 8037. None of the funds appropriated by this
18 Act and hereafter shall be available for a contract for stud-
19 ies, analysis, or consulting services entered into without
20 competition on the basis of an unsolicited proposal unless
21 the head of the activity responsible for the procurement
22 determines—

23 (1) as a result of thorough technical evaluation,
24 only one source is found fully qualified to perform
25 the proposed work;

1 (2) the purpose of the contract is to explore an
2 unsolicited proposal which offers significant sci-
3 entific or technological promise, represents the prod-
4 uct of original thinking, and was submitted in con-
5 fidence by one source; or

6 (3) the purpose of the contract is to take ad-
7 vantage of unique and significant industrial accom-
8 plishment by a specific concern, or to insure that a
9 new product or idea of a specific concern is given fi-
10 nancial support: *Provided*, That this limitation shall
11 not apply to contracts in an amount of less than
12 \$25,000, contracts related to improvements of equip-
13 ment that is in development or production, or con-
14 tracts as to which a civilian official of the Depart-
15 ment of Defense, who has been confirmed by the
16 Senate, determines that the award of such contract
17 is in the interest of the national defense.

18 SEC. 8038. (a) Except as provided in subsections (b)
19 and (c), none of the funds made available by this Act may
20 be used—

21 (1) to establish a field operating agency; or

22 (2) to pay the basic pay of a member of the
23 Armed Forces or civilian employee of the depart-
24 ment who is transferred or reassigned from a head-

1 quarters activity if the member or employee's place
2 of duty remains at the location of that headquarters.

3 (b) The Secretary of Defense or Secretary of a mili-
4 tary department may waive the limitations in subsection
5 (a), on a case-by-case basis, if the Secretary determines,
6 and certifies to the Committees on Appropriations of the
7 House of Representatives and the Senate that the grant-
8 ing of the waiver will reduce the personnel requirements
9 or the financial requirements of the department.

10 (c) This section does not apply to—

11 (1) field operating agencies funded within the
12 National Intelligence Program;

13 (2) an Army field operating agency established
14 to eliminate, mitigate, or counter the effects of im-
15 provised explosive devices, and, as determined by the
16 Secretary of the Army, other similar threats;

17 (3) an Army field operating agency established
18 to improve the effectiveness and efficiencies of bio-
19 metric activities and to integrate common biometric
20 technologies throughout the Department of Defense;
21 or

22 (4) an Air Force field operating agency estab-
23 lished to administer the Air Force Mortuary Affairs
24 Program and Mortuary Operations for the Depart-
25 ment of Defense and authorized Federal entities.

1 SEC. 8039. (a) None of the funds appropriated by
2 this Act shall be available to convert to contractor per-
3 formance an activity or function of the Department of De-
4 fense that, on or after the date of the enactment of this
5 Act, is performed by Department of Defense civilian em-
6 ployees unless—

7 (1) the conversion is based on the result of a
8 public-private competition that includes a most effi-
9 cient and cost effective organization plan developed
10 by such activity or function;

11 (2) the Competitive Sourcing Official deter-
12 mines that, over all performance periods stated in
13 the solicitation of offers for performance of the ac-
14 tivity or function, the cost of performance of the ac-
15 tivity or function by a contractor would be less costly
16 to the Department of Defense by an amount that
17 equals or exceeds the lesser of—

18 (A) 10 percent of the most efficient organi-
19 zation's personnel-related costs for performance
20 of that activity or function by Federal employ-
21 ees; or

22 (B) \$10,000,000; and

23 (3) the contractor does not receive an advan-
24 tage for a proposal that would reduce costs for the
25 Department of Defense by—

1 (A) not making an employer-sponsored
2 health insurance plan available to the workers
3 who are to be employed in the performance of
4 that activity or function under the contract; or

5 (B) offering to such workers an employer-
6 sponsored health benefits plan that requires the
7 employer to contribute less towards the pre-
8 mium or subscription share than the amount
9 that is paid by the Department of Defense for
10 health benefits for civilian employees under
11 chapter 89 of title 5, United States Code.

12 (b)(1) The Department of Defense, without regard
13 to subsection (a) of this section or subsection (a), (b), or
14 (c) of section 2461 of title 10, United States Code, and
15 notwithstanding any administrative regulation, require-
16 ment, or policy to the contrary shall have full authority
17 to enter into a contract for the performance of any com-
18 mercial or industrial type function of the Department of
19 Defense that—

20 (A) is included on the procurement list estab-
21 lished pursuant to section 2 of the Javits-Wagner-
22 O'Day Act (section 8503 of title 41, United States
23 Code);

24 (B) is planned to be converted to performance
25 by a qualified nonprofit agency for the blind or by

1 a qualified nonprofit agency for other severely handi-
2 capped individuals in accordance with that Act; or

3 (C) is planned to be converted to performance
4 by a qualified firm under at least 51 percent owner-
5 ship by an Indian tribe, as defined in section 4(e)
6 of the Indian Self-Determination and Education As-
7 sistance Act (25 U.S.C. 450b(e)), or a Native Ha-
8 waiian Organization, as defined in section 8(a)(15)
9 of the Small Business Act (15 U.S.C. 637(a)(15)).

10 (2) This section shall not apply to depot contracts
11 or contracts for depot maintenance as provided in sections
12 2469 and 2474 of title 10, United States Code.

13 (c) The conversion of any activity or function of the
14 Department of Defense under the authority provided by
15 this section shall be credited toward any competitive or
16 outsourcing goal, target, or measurement that may be es-
17 tablished by statute, regulation, or policy and is deemed
18 to be awarded under the authority of, and in compliance
19 with, subsection (h) of section 2304 of title 10, United
20 States Code, for the competition or outsourcing of com-
21 mercial activities.

22 (RESCISSIONS)

23 SEC. 8040. Of the funds appropriated in Department
24 of Defense Appropriations Acts, the following funds are
25 hereby rescinded from the following accounts and pro-

1 grams in the specified amounts: *Provided*, That no
2 amounts may be rescinded from amounts that were des-
3 ignated by the Congress for Overseas Contingency Oper-
4 ations/Global War on Terrorism or as an emergency re-
5 quirement pursuant to the Concurrent Resolution on the
6 Budget or the Balanced Budget and Emergency Deficit
7 Control Act of 1985, as amended:

8 “Cooperative Threat Reduction Account”,
9 2014/2016, \$23,727,000;

10 “Other Procurement, Air Force”, 2014/2016,
11 \$78,000,000;

12 “Cooperative Threat Reduction Account”,
13 2015/2017, \$13,345,000;

14 “Aircraft Procurement, Army”, 2015/2017,
15 \$68,000,000;

16 “Aircraft Procurement, Air Force”, 2015/2017,
17 \$139,976,000;

18 “Missile Procurement, Air Force”, 2015/2017,
19 \$212,000,000;

20 “Other Procurement, Air Force”, 2015/2017,
21 \$9,000,000;

22 “Research, Development, Test and Evaluation,
23 Army”, 2015/2016, \$9,299,000;

24 “Research, Development, Test and Evaluation,
25 Air Force”, 2015/2016, \$665,000,000; and

1 “Research, Development, Test and Evaluation,
2 Defense-Wide”, 2015/2016, \$60,691,000.

3 SEC. 8041. None of the funds available in this Act
4 may be used to reduce the authorized positions for mili-
5 tary technicians (dual status) of the Army National
6 Guard, Air National Guard, Army Reserve and Air Force
7 Reserve for the purpose of applying any administratively
8 imposed civilian personnel ceiling, freeze, or reduction on
9 military technicians (dual status), unless such reductions
10 are a direct result of a reduction in military force struc-
11 ture.

12 SEC. 8042. None of the funds appropriated or other-
13 wise made available in this Act may be obligated or ex-
14 pended for assistance to the Democratic People’s Republic
15 of Korea unless specifically appropriated for that purpose.

16 SEC. 8043. Funds appropriated in this Act for oper-
17 ation and maintenance of the Military Departments, Com-
18 batant Commands and Defense Agencies shall be available
19 for reimbursement of pay, allowances and other expenses
20 which would otherwise be incurred against appropriations
21 for the National Guard and Reserve when members of the
22 National Guard and Reserve provide intelligence or coun-
23 terintelligence support to Combatant Commands, Defense
24 Agencies and Joint Intelligence Activities, including the
25 activities and programs included within the National Intel-

1 ligence Program and the Military Intelligence Program:
2 *Provided*, That nothing in this section authorizes deviation
3 from established Reserve and National Guard personnel
4 and training procedures.

5 SEC. 8044. (a) None of the funds available to the
6 Department of Defense for any fiscal year for drug inter-
7 diction or counter-drug activities may be transferred to
8 any other department or agency of the United States ex-
9 cept as specifically provided in an appropriations law.

10 (b) None of the funds available to the Central Intel-
11 ligence Agency for any fiscal year for drug interdiction or
12 counter-drug activities may be transferred to any other de-
13 partment or agency of the United States except as specifi-
14 cally provided in an appropriations law.

15 SEC. 8045. None of the funds made available by this
16 Act may be used for Evolved Expendable Launch Vehicle
17 launch service competitions unless such competitions are
18 open to all certified providers of Evolved Expendable
19 Launch Vehicle-class systems: *Provided*, That competi-
20 tions for launches with multiple service providers shall
21 consider bids from two or more providers: *Provided fur-*
22 *ther*, That notwithstanding any other provision of law,
23 such providers may compete any certified launch vehicle
24 in their inventory.

1 SEC. 8046. In addition to the amounts appropriated
2 or otherwise made available elsewhere in this Act,
3 \$20,000,000 is hereby appropriated to the Department of
4 Defense: *Provided*, That upon the determination of the
5 Secretary of Defense that it shall serve the national inter-
6 est, the Secretary shall make a grant in the amount speci-
7 fied as follows: \$20,000,000 to the United Service Organi-
8 zations.

9 SEC. 8047. None of the funds in this Act may be
10 used to purchase any supercomputer which is not manu-
11 factured in the United States, unless the Secretary of De-
12 fense certifies to the congressional defense committees
13 that such an acquisition must be made in order to acquire
14 capability for national security purposes that is not avail-
15 able from United States manufacturers.

16 SEC. 8048. Notwithstanding any other provision in
17 this Act, the Small Business Innovation Research program
18 and the Small Business Technology Transfer program set-
19 asides shall be taken proportionally from all programs,
20 projects, or activities to the extent they contribute to the
21 extramural budget.

22 SEC. 8049. None of the funds available to the De-
23 partment of Defense under this Act shall be obligated or
24 expended to pay a contractor under a contract with the

1 Department of Defense for costs of any amount paid by
2 the contractor to an employee when—

3 (1) such costs are for a bonus or otherwise in
4 excess of the normal salary paid by the contractor
5 to the employee; and

6 (2) such bonus is part of restructuring costs as-
7 sociated with a business combination.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 8050. During the current fiscal year, no more
10 than \$30,000,000 of appropriations made in this Act
11 under the heading “Operation and Maintenance, Defense-
12 Wide” may be transferred to appropriations available for
13 the pay of military personnel, to be merged with, and to
14 be available for the same time period as the appropriations
15 to which transferred, to be used in support of such per-
16 sonnel in connection with support and services for eligible
17 organizations and activities outside the Department of De-
18 fense pursuant to section 2012 of title 10, United States
19 Code.

20 SEC. 8051. During the current fiscal year, in the case
21 of an appropriation account of the Department of Defense
22 for which the period of availability for obligation has ex-
23 pired or which has closed under the provisions of section
24 1552 of title 31, United States Code, and which has a
25 negative unliquidated or unexpended balance, an obliga-

1 tion or an adjustment of an obligation may be charged
2 to any current appropriation account for the same purpose
3 as the expired or closed account if—

4 (1) the obligation would have been properly
5 chargeable (except as to amount) to the expired or
6 closed account before the end of the period of avail-
7 ability or closing of that account;

8 (2) the obligation is not otherwise properly
9 chargeable to any current appropriation account of
10 the Department of Defense; and

11 (3) in the case of an expired account, the obli-
12 gation is not chargeable to a current appropriation
13 of the Department of Defense under the provisions
14 of section 1405(b)(8) of the National Defense Au-
15 thorization Act for Fiscal Year 1991, Public Law
16 101–510, as amended (31 U.S.C. 1551 note): *Pro-*
17 *vided*, That in the case of an expired account, if sub-
18 sequent review or investigation discloses that there
19 was not in fact a negative unliquidated or unex-
20 pended balance in the account, any charge to a cur-
21 rent account under the authority of this section shall
22 be reversed and recorded against the expired ac-
23 count: *Provided further*, That the total amount
24 charged to a current appropriation under this sec-

1 tion may not exceed an amount equal to 1 percent
2 of the total appropriation for that account.

3 SEC. 8052. (a) Notwithstanding any other provision
4 of law, the Chief of the National Guard Bureau may per-
5 mit the use of equipment of the National Guard Distance
6 Learning Project by any person or entity on a space-avail-
7 able, reimbursable basis. The Chief of the National Guard
8 Bureau shall establish the amount of reimbursement for
9 such use on a case-by-case basis.

10 (b) Amounts collected under subsection (a) shall be
11 credited to funds available for the National Guard Dis-
12 tance Learning Project and be available to defray the costs
13 associated with the use of equipment of the project under
14 that subsection. Such funds shall be available for such
15 purposes without fiscal year limitation.

16 SEC. 8053. None of the funds available to the De-
17 partment of Defense may be obligated to modify command
18 and control relationships to give Fleet Forces Command
19 operational and administrative control of United States
20 Navy forces assigned to the Pacific fleet: *Provided*, That
21 the command and control relationships which existed on
22 October 1, 2004, shall remain in force unless changes are
23 specifically authorized in a subsequent Act: *Provided fur-*
24 *ther*, That this section does not apply to administrative
25 control of Navy Air and Missile Defense Command.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8054. Of the funds appropriated in this Act
3 under the heading “Operation and Maintenance, Defense-
4 wide”, \$25,000,000 shall be for continued implementation
5 and expansion of the Sexual Assault Special Victims’
6 Counsel Program: *Provided*, That the funds are made
7 available for transfer to the Department of the Army, the
8 Department of the Navy, and the Department of the Air
9 Force: *Provided further*, That funds transferred shall be
10 merged with and available for the same purposes and for
11 the same time period as the appropriations to which the
12 funds are transferred: *Provided further*, That this transfer
13 authority is in addition to any other transfer authority
14 provided in this Act.

15 SEC. 8055. None of the funds appropriated in title
16 IV of this Act may be used to procure end-items for deliv-
17 ery to military forces for operational training, operational
18 use or inventory requirements: *Provided*, That this restric-
19 tion does not apply to end-items used in development,
20 prototyping, and test activities preceding and leading to
21 acceptance for operational use: *Provided further*, That this
22 restriction does not apply to programs funded within the
23 National Intelligence Program: *Provided further*, That the
24 Secretary of Defense may waive this restriction on a case-
25 by-case basis by certifying in writing to the Committees

1 on Appropriations of the House of Representatives and the
2 Senate that it is in the national security interest to do
3 so.

4 SEC. 8056. (a) The Secretary of Defense may, on a
5 case-by-case basis, waive with respect to a foreign country
6 each limitation on the procurement of defense items from
7 foreign sources provided in law if the Secretary determines
8 that the application of the limitation with respect to that
9 country would invalidate cooperative programs entered
10 into between the Department of Defense and the foreign
11 country, or would invalidate reciprocal trade agreements
12 for the procurement of defense items entered into under
13 section 2531 of title 10, United States Code, and the
14 country does not discriminate against the same or similar
15 defense items produced in the United States for that coun-
16 try.

17 (b) Subsection (a) applies with respect to—

18 (1) contracts and subcontracts entered into on
19 or after the date of the enactment of this Act; and

20 (2) options for the procurement of items that
21 are exercised after such date under contracts that
22 are entered into before such date if the option prices
23 are adjusted for any reason other than the applica-
24 tion of a waiver granted under subsection (a).

1 (c) Subsection (a) does not apply to a limitation re-
2 garding construction of public vessels, ball and roller bear-
3 ings, food, and clothing or textile materials as defined by
4 section 11 (chapters 50–65) of the Harmonized Tariff
5 Schedule and products classified under headings 4010,
6 4202, 4203, 6401 through 6406, 6505, 7019, 7218
7 through 7229, 7304.41 through 7304.49, 7306.40, 7502
8 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

9 SEC. 8057. Notwithstanding any other provision of
10 law, none of the funds appropriated or otherwise made
11 available by this or any other Act may be used to consoli-
12 date or relocate any element of a United States Air Force
13 Rapid Engineer Deployable Heavy Operational Repair
14 Squadron Engineer (RED HORSE) outside of the United
15 States until the Secretary of the Air Force—

16 (1) completes an analysis and comparison of
17 the cost and infrastructure investment required to
18 consolidate or relocate a RED HORSE squadron
19 outside of the United States versus within the
20 United States;

21 (2) provides to the congressional defense com-
22 mittees a report detailing the findings of the cost
23 analysis; and

24 (3) certifies in writing to the congressional de-
25 fense committees that the preferred site for the con-

1 solidation or relocation yields the greatest savings
2 for the Air Force:

3 *Provided*, That the term “United States” in this section
4 does not include any territory or possession of the United
5 States.

6 SEC. 8058. None of the funds appropriated or other-
7 wise made available by this or other Department of De-
8 fense Appropriations Acts may be obligated or expended
9 for the purpose of performing repairs or maintenance to
10 military family housing units of the Department of De-
11 fense, including areas in such military family housing
12 units that may be used for the purpose of conducting offi-
13 cial Department of Defense business.

14 SEC. 8059. Notwithstanding any other provision of
15 law, funds appropriated in this Act under the heading
16 “Research, Development, Test and Evaluation, Defense-
17 Wide” for any new start advanced concept technology
18 demonstration project or joint capability demonstration
19 project may only be obligated 45 days after a report, in-
20 cluding a description of the project, the planned acquisi-
21 tion and transition strategy and its estimated annual and
22 total cost, has been provided in writing to the congress-
23 sional defense committees: *Provided*, That the Secretary
24 of Defense may waive this restriction on a case-by-case

1 basis by certifying to the congressional defense committees
2 that it is in the national interest to do so.

3 SEC. 8060. The Secretary of Defense shall continue
4 to provide a classified quarterly report to the House and
5 Senate Appropriations Committees, Subcommittees on
6 Defense on certain matters as directed in the classified
7 annex accompanying this Act.

8 SEC. 8061. Notwithstanding section 12310(b) of title
9 10, United States Code, a Reserve who is a member of
10 the National Guard serving on full-time National Guard
11 duty under section 502(f) of title 32, United States Code,
12 may perform duties in support of the ground-based ele-
13 ments of the National Ballistic Missile Defense System.

14 SEC. 8062. None of the funds provided in this Act
15 may be used to transfer to any nongovernmental entity
16 ammunition held by the Department of Defense that has
17 a center-fire cartridge and a United States military no-
18 menclature designation of “armor penetrator”, “armor
19 piercing (AP)”, “armor piercing incendiary (API)”, or
20 “armor-piercing incendiary tracer (API-T)”, except to an
21 entity performing demilitarization services for the Depart-
22 ment of Defense under a contract that requires the entity
23 to demonstrate to the satisfaction of the Department of
24 Defense that armor piercing projectiles are either: (1) ren-
25 dered incapable of reuse by the demilitarization process;

1 or (2) used to manufacture ammunition pursuant to a con-
2 tract with the Department of Defense or the manufacture
3 of ammunition for export pursuant to a License for Per-
4 manent Export of Unclassified Military Articles issued by
5 the Department of State.

6 SEC. 8063. Notwithstanding any other provision of
7 law, the Chief of the National Guard Bureau, or his des-
8 ignee, may waive payment of all or part of the consider-
9 ation that otherwise would be required under section 2667
10 of title 10, United States Code, in the case of a lease of
11 personal property for a period not in excess of 1 year to
12 any organization specified in section 508(d) of title 32,
13 United States Code, or any other youth, social, or fra-
14 ternal nonprofit organization as may be approved by the
15 Chief of the National Guard Bureau, or his designee, on
16 a case-by-case basis.

17 SEC. 8064. None of the funds appropriated by this
18 Act shall be used for the support of any nonappropriated
19 funds activity of the Department of Defense that procures
20 malt beverages and wine with nonappropriated funds for
21 resale (including such alcoholic beverages sold by the
22 drink) on a military installation located in the United
23 States unless such malt beverages and wine are procured
24 within that State, or in the case of the District of Colum-
25 bia, within the District of Columbia, in which the military

1 installation is located: *Provided*, That, in a case in which
2 the military installation is located in more than one State,
3 purchases may be made in any State in which the installa-
4 tion is located: *Provided further*, That such local procure-
5 ment requirements for malt beverages and wine shall
6 apply to all alcoholic beverages only for military installa-
7 tions in States which are not contiguous with another
8 State: *Provided further*, That alcoholic beverages other
9 than wine and malt beverages, in contiguous States and
10 the District of Columbia shall be procured from the most
11 competitive source, price and other factors considered.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 8065. Of the amounts appropriated in this Act
14 under the heading "Operation and Maintenance, Army",
15 \$76,611,750 shall remain available until expended: *Pro-*
16 *vided*, That, notwithstanding any other provision of law,
17 the Secretary of Defense is authorized to transfer such
18 funds to other activities of the Federal Government: *Pro-*
19 *vided further*, That the Secretary of Defense is authorized
20 to enter into and carry out contracts for the acquisition
21 of real property, construction, personal services, and oper-
22 ations related to projects carrying out the purposes of this
23 section: *Provided further*, That contracts entered into
24 under the authority of this section may provide for such
25 indemnification as the Secretary determines to be nec-

1 essary: *Provided further*, That projects authorized by this
2 section shall comply with applicable Federal, State, and
3 local law to the maximum extent consistent with the na-
4 tional security, as determined by the Secretary of Defense.

5 SEC. 8066. (a) None of the funds appropriated in this
6 or any other Act may be used to take any action to mod-
7 ify—

8 (1) the appropriations account structure for the
9 National Intelligence Program budget, including
10 through the creation of a new appropriation or new
11 appropriation account;

12 (2) how the National Intelligence Program
13 budget request is presented in the unclassified P-1,
14 R-1, and O-1 documents supporting the Depart-
15 ment of Defense budget request;

16 (3) the process by which the National Intel-
17 ligence Program appropriations are apportioned to
18 the executing agencies; or

19 (4) the process by which the National Intel-
20 ligence Program appropriations are allotted, obli-
21 gated and disbursed.

22 (b) Nothing in section (a) shall be construed to pro-
23 hibit the merger of programs or changes to the National
24 Intelligence Program budget at or below the Expenditure

1 Center level, provided such change is otherwise in accord-
2 ance with paragraphs (a)(1)–(3).

3 (c) The Director of National Intelligence and the Sec-
4 retary of Defense may jointly, only for the purposes of
5 achieving auditable financial statements and improving
6 fiscal reporting, study and develop detailed proposals for
7 alternative financial management processes. Such study
8 shall include a comprehensive counterintelligence risk as-
9 sessment to ensure that none of the alternative processes
10 will adversely affect counterintelligence.

11 (d) Upon development of the detailed proposals de-
12 fined under subsection (c), the Director of National Intel-
13 ligence and the Secretary of Defense shall—

14 (1) provide the proposed alternatives to all af-
15 fected agencies;

16 (2) receive certification from all affected agen-
17 cies attesting that the proposed alternatives will help
18 achieve auditability, improve fiscal reporting, and
19 will not adversely affect counterintelligence; and

20 (3) not later than 30 days after receiving all
21 necessary certifications under paragraph (2), present
22 the proposed alternatives and certifications to the
23 congressional defense and intelligence committees.

24 SEC. 8067. Of the amount appropriated by title VI
25 under the heading “DEFENSE HEALTH PROGRAM”,

1 \$10,000,000 shall be available for peer-reviewed medical
2 research on amyotrophic lateral sclerosis (ALS).

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8068. Of the amounts appropriated in this Act
5 under the headings “Procurement, Defense-Wide” and
6 “Research, Development, Test and Evaluation, Defense-
7 Wide”, \$473,995,000 shall be for the Israeli Cooperative
8 Programs: *Provided*, That of this amount, \$41,400,000
9 shall be for the Secretary of Defense to provide to the Gov-
10 ernment of Israel for the procurement of the Iron Dome
11 defense system to counter short-range rocket threats, sub-
12 ject to the U.S.-Israel Iron Dome Procurement Agree-
13 ment, as amended; \$286,526,000 shall be for the Short
14 Range Ballistic Missile Defense (SRBMD) program, in-
15 cluding cruise missile defense research and development
16 under the SRBMD program, of which \$150,000,000 shall
17 be for production activities of SRBMD missiles in the
18 United States and in Israel to meet Israel’s defense re-
19 quirements consistent with each nation’s laws, regulations,
20 and procedures, of which not more than \$90,000,000, sub-
21 ject to previously established transfer procedures, may be
22 obligated or expended until establishment of a U.S.-Israeli
23 production agreement for SRBMD; \$89,550,000 shall be
24 for an upper-tier component to the Israeli Missile Defense
25 Architecture, of which not more than \$15,000,000, subject

1 to previously established transfer procedures, may be obli-
2 gated or expended until establishment of a U.S.-Israeli
3 production agreement; and \$56,519,000 shall be for the
4 Arrow System Improvement Program including develop-
5 ment of a long range, ground and airborne, detection
6 suite: *Provided further*, That funds made available under
7 this provision for production of missiles and missile com-
8 ponents may be transferred to appropriations available for
9 the procurement of weapons and equipment, to be merged
10 with and to be available for the same time period and the
11 same purposes as the appropriation to which transferred:
12 *Provided further*, That the transfer authority provided
13 under this provision is in addition to any other transfer
14 authority contained in this Act.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 8069. Of the amounts appropriated in this Act
17 under the heading “Shipbuilding and Conversion, Navy”,
18 \$389,305,000 shall be available until September 30, 2016,
19 to fund prior year shipbuilding cost increases: *Provided*,
20 That upon enactment of this Act, the Secretary of the
21 Navy shall transfer funds to the following appropriations
22 in the amounts specified: *Provided further*, That the
23 amounts transferred shall be merged with and be available
24 for the same purposes as the appropriations to which
25 transferred to:

1 (1) Under the heading “Shipbuilding and Con-
2 version, Navy”, 2008/2016: Carrier Replacement
3 Program \$123,760,000;

4 (2) Under the heading “Shipbuilding and Con-
5 version, Navy”, 2009/2016: LPD–17 Amphibious
6 Transport Dock Program \$22,860,000;

7 (3) Under the heading “Shipbuilding and Con-
8 version, Navy”, 2012/2016: CVN Refueling Over-
9 hauls Program \$20,029,000;

10 (4) Under the heading “Shipbuilding and Con-
11 version, Navy”, 2012/2016: DDG–51 Destroyer
12 \$75,014,000;

13 (5) Under the heading “Shipbuilding and Con-
14 version, Navy”, 2012/2016: Littoral Combat Ship
15 \$82,674,000;

16 (6) Under the heading “Shipbuilding and Con-
17 version, Navy”, 2012/2016: LPD–17 Amphibious
18 Transport Dock Program \$38,733,000;

19 (7) Under the heading “Shipbuilding and Con-
20 version, Navy”, 2012/2016: Joint High Speed Vessel
21 \$22,597,000; and

22 (8) Under the heading “Shipbuilding and Con-
23 version, Navy”, 2013/2016: Joint High Speed Vessel
24 \$3,638,000.

1 SEC. 8070. Funds appropriated by this Act, or made
2 available by the transfer of funds in this Act, for intel-
3 ligence activities are deemed to be specifically authorized
4 by the Congress for purposes of section 504 of the Na-
5 tional Security Act of 1947 (50 U.S.C. 3094) during fiscal
6 year 2016 until the enactment of the Intelligence Author-
7 ization Act for Fiscal Year 2016.

8 SEC. 8071. None of the funds provided in this Act
9 shall be available for obligation or expenditure through a
10 reprogramming of funds that creates or initiates a new
11 program, project, or activity unless such program, project,
12 or activity must be undertaken immediately in the interest
13 of national security and only after written prior notifica-
14 tion to the congressional defense committees.

15 SEC. 8072. The budget of the President for fiscal
16 year 2017 submitted to the Congress pursuant to section
17 1105 of title 31, United States Code, shall include sepa-
18 rate budget justification documents for costs of United
19 States Armed Forces' participation in contingency oper-
20 ations for the Military Personnel accounts, the Operation
21 and Maintenance accounts, the Procurement accounts,
22 and the Research, Development, Test and Evaluation ac-
23 counts: *Provided*, That these documents shall include a de-
24 scription of the funding requested for each contingency op-
25 eration, for each military service, to include all Active and

1 Reserve components, and for each appropriations account:
2 *Provided further*, That these documents shall include esti-
3 mated costs for each element of expense or object class,
4 a reconciliation of increases and decreases for each contin-
5 gency operation, and programmatic data including, but
6 not limited to, troop strength for each Active and Reserve
7 component, and estimates of the major weapons systems
8 deployed in support of each contingency: *Provided further*,
9 That these documents shall include budget exhibits OP-
10 5 and OP-32 (as defined in the Department of Defense
11 Financial Management Regulation) for all contingency op-
12 erations for the budget year and the two preceding fiscal
13 years.

14 SEC. 8073. None of the funds in this Act may be
15 used for research, development, test, evaluation, procure-
16 ment or deployment of nuclear armed interceptors of a
17 missile defense system.

18 SEC. 8074. Notwithstanding any other provision of
19 this Act, to reflect savings due to favorable foreign ex-
20 change rates, the total amount appropriated in this Act
21 is hereby reduced by \$1,201,800,000.

22 SEC. 8075. None of the funds appropriated or made
23 available in this Act shall be used to reduce or disestablish
24 the operation of the 53rd Weather Reconnaissance Squad-
25 ron of the Air Force Reserve, if such action would reduce

1 the WC-130 Weather Reconnaissance mission below the
2 levels funded in this Act: *Provided*, That the Air Force
3 shall allow the 53rd Weather Reconnaissance Squadron to
4 perform other missions in support of national defense re-
5 quirements during the non-hurricane season.

6 SEC. 8076. None of the funds provided in this Act
7 shall be available for integration of foreign intelligence in-
8 formation unless the information has been lawfully col-
9 lected and processed during the conduct of authorized for-
10 eign intelligence activities: *Provided*, That information
11 pertaining to United States persons shall only be handled
12 in accordance with protections provided in the Fourth
13 Amendment of the United States Constitution as imple-
14 mented through Executive Order No. 12333.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 8077. The Secretary of Defense may transfer
17 funds from any available Department of the Navy appro-
18 priation to any available Navy ship construction appro-
19 priation for the purpose of liquidating necessary changes
20 resulting from inflation, market fluctuations, or rate ad-
21 justments for any ship construction program appropriated
22 in law: *Provided*, That the Secretary may transfer not to
23 exceed \$50,000,000 under the authority provided by this
24 section: *Provided further*, That the Secretary may not
25 transfer any funds until 30 days after the proposed trans-

1 fer has been reported to the Committees on Appropria-
2 tions of the House of Representatives and the Senate, un-
3 less a response from the Committees is received sooner:
4 *Provided further*, That any funds transferred pursuant to
5 this section shall retain the same period of availability as
6 when originally appropriated: *Provided further*, That the
7 transfer authority provided by this section is in addition
8 to any other transfer authority contained elsewhere in this
9 Act.

10 SEC. 8078. (a) None of the funds appropriated by
11 this Act may be used to transfer research and develop-
12 ment, acquisition, or other program authority relating to
13 current tactical unmanned aerial vehicles (TUAVs) from
14 the Army.

15 (b) The Army shall retain responsibility for and oper-
16 ational control of the MQ-1C Gray Eagle Unmanned Aer-
17 ial Vehicle (UAV) in order to support the Secretary of De-
18 fense in matters relating to the employment of unmanned
19 aerial vehicles.

20 SEC. 8079. Up to \$15,000,000 of the funds appro-
21 priated under the heading “Operation and Maintenance,
22 Navy” may be made available for the Asia Pacific Re-
23 gional Initiative Program for the purpose of enabling the
24 Pacific Command to execute Theater Security Cooperation
25 activities such as humanitarian assistance, and payment

1 of incremental and personnel costs of training and exer-
2 cising with foreign security forces: *Provided*, That funds
3 made available for this purpose may be used, notwith-
4 standing any other funding authorities for humanitarian
5 assistance, security assistance or combined exercise ex-
6 penses: *Provided further*, That funds may not be obligated
7 to provide assistance to any foreign country that is other-
8 wise prohibited from receiving such type of assistance
9 under any other provision of law.

10 SEC. 8080. None of the funds appropriated by this
11 Act for programs of the Office of the Director of National
12 Intelligence shall remain available for obligation beyond
13 the current fiscal year, except for funds appropriated for
14 research and technology, which shall remain available until
15 September 30, 2017.

16 SEC. 8081. For purposes of section 1553(b) of title
17 31, United States Code, any subdivision of appropriations
18 made in this Act under the heading “Shipbuilding and
19 Conversion, Navy” shall be considered to be for the same
20 purpose as any subdivision under the heading “Ship-
21 building and Conversion, Navy” appropriations in any
22 prior fiscal year, and the 1 percent limitation shall apply
23 to the total amount of the appropriation.

24 SEC. 8082. (a) Not later than 60 days after the date
25 of enactment of this Act, the Director of National Intel-

1 ligen­ce shall submit a report to the congressional intel-
2 ligen­ce committees to establish the baseline for applica-
3 tion of reprogram­ming and transfer authori­ties for fiscal year
4 2016: *Provided*, That the report shall include—

5 (1) a table for each appropriation with a sepa-
6 rate column to display the President’s budget re-
7 quest, adjustments made by Congress, adjustments
8 due to enacted rescissions, if appropriate, and the
9 fiscal year enacted level;

10 (2) a delineation in the table for each appro-
11 priation by Expenditure Center and project; and

12 (3) an identification of items of special congres-
13 sional interest.

14 (b) None of the funds provided for the National Intel-
15 ligen­ce Program in this Act shall be available for re-
16 program­ming or transfer until the report identified in sub-
17 section (a) is submitted to the congressional intelligence
18 committees, unless the Director of National Intelligence
19 certifies in writing to the congressional intelligence com-
20 mittees that such reprogram­ming or transfer is necessary
21 as an emergency requirement.

22 SEC. 8083. None of the funds made available by this
23 Act may be used to retire, divest, realign or transfer RQ-
24 4B Global Hawk aircraft, or to disestablish or convert
25 units associated with such aircraft.

1 SEC. 8084. During the current fiscal year and here-
2 after, none of the funds made available by this Act for
3 excess defense articles, assistance under title 10, U.S.C.
4 2282, or peacekeeping operations for the countries des-
5 ignated annually in the Department of State's Trafficking
6 in Persons Report to be in violation of the standards of
7 the Child Soldiers Prevention Act of 2008 may be used
8 to support any military training or operation that includes
9 child soldiers, as defined by the Child Soldiers Prevention
10 Act of 2008 (Public Law 110-457; 22 U.S.C. 2370c-1),
11 unless such assistance is otherwise permitted under sec-
12 tion 404 of the Child Soldiers Prevention Act of 2008.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 8085. Of the funds appropriated in the Intel-
15 ligence Community Management Account for the Program
16 Manager for the Information Sharing Environment,
17 \$20,000,000 is available for transfer by the Director of
18 National Intelligence to other departments and agencies
19 for purposes of Government-wide information sharing ac-
20 tivities: *Provided*, That funds transferred under this provi-
21 sion are to be merged with and available for the same pur-
22 poses and time period as the appropriation to which trans-
23 ferred: *Provided further*, That the Office of Management
24 and Budget must approve any transfers made under this
25 provision.

1 SEC. 8086. (a) None of the funds provided for the
2 National Intelligence Program in this or any prior appro-
3 priations Act shall be available for obligation or expendi-
4 ture through a reprogramming or transfer of funds in ac-
5 cordance with section 102A(d) of the National Security
6 Act of 1947 (50 U.S.C. 3024(d)) that—

7 (1) creates a new start effort;

8 (2) terminates a program with appropriated
9 funding of \$10,000,000 or more;

10 (3) transfers funding into or out of the Na-
11 tional Intelligence Program; or

12 (4) transfers funding between appropriations,
13 unless the congressional intelligence committees are noti-
14 fied 30 days in advance of such reprogramming of funds;
15 this notification period may be reduced for urgent national
16 security requirements.

17 (b) None of the funds provided for the National Intel-
18 ligence Program in this or any prior appropriations Act
19 shall be available for obligation or expenditure through a
20 reprogramming or transfer of funds in accordance with
21 section 102A(d) or the National Security Act of 1947 (50
22 U.S.C. 3024(d)) that results in a cumulative increase or
23 decrease of the levels specified in the classified annex ac-
24 companying the Act unless the congressional intelligence
25 committees are notified 30 days in advance of such re-

1 programming of funds; this notification period may be re-
2 duced for urgent national security requirements.

3 SEC. 8087. The Director of National Intelligence
4 shall submit to Congress each year, at or about the time
5 that the President's budget is submitted to Congress that
6 year under section 1105(a) of title 31, United States
7 Code, a future-years intelligence program (including asso-
8 ciated annexes) reflecting the estimated expenditures and
9 proposed appropriations included in that budget. Any such
10 future-years intelligence program shall cover the fiscal
11 year with respect to which the budget is submitted and
12 at least the four succeeding fiscal years.

13 SEC. 8088. For the purposes of this Act, the term
14 "congressional intelligence committees" means the Perma-
15 nent Select Committee on Intelligence of the House of
16 Representatives, the Select Committee on Intelligence of
17 the Senate, the Subcommittee on Defense of the Com-
18 mittee on Appropriations of the House of Representatives,
19 and the Subcommittee on Defense of the Committee on
20 Appropriations of the Senate.

21 SEC. 8089. The Department of Defense shall con-
22 tinue to report incremental contingency operations costs
23 for Operation Inherent Resolve, Operation Freedom's Sen-
24 tinel, and any named successor operations, on a monthly
25 basis and any other operation designated and identified

1 by the Secretary of Defense for the purposes of section
2 127a of title 10, United States Code, on a semi-annual
3 basis in the Cost of War Execution Report as prescribed
4 in the Department of Defense Financial Management
5 Regulation Department of Defense Instruction 7000.14,
6 Volume 12, Chapter 23 “Contingency Operations”, Annex
7 1, dated September 2005.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 8090. During the current fiscal year, not to ex-
10 ceed \$11,000,000 from each of the appropriations made
11 in title II of this Act for “Operation and Maintenance,
12 Army”, “Operation and Maintenance, Navy”, and “Oper-
13 ation and Maintenance, Air Force” may be transferred by
14 the military department concerned to its central fund es-
15 tablished for Fisher Houses and Suites pursuant to sec-
16 tion 2493(d) of title 10, United States Code.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 8091. Funds appropriated by this Act for oper-
19 ation and maintenance may be available for the purpose
20 of making remittances and transfer to the Defense Acqui-
21 sition Workforce Development Fund in accordance with
22 section 1705 of title 10, United States Code.

23 SEC. 8092. (a) Any agency receiving funds made
24 available in this Act, shall, subject to subsections (b) and
25 (c), post on the public Web site of that agency any report

1 required to be submitted by the Congress in this or any
2 other Act, upon the determination by the head of the agen-
3 cy that it shall serve the national interest.

4 (b) Subsection (a) shall not apply to a report if—

5 (1) the public posting of the report com-
6 promises national security; or

7 (2) the report contains proprietary information.

8 (c) The head of the agency posting such report shall
9 do so only after such report has been made available to
10 the requesting Committee or Committees of Congress for
11 no less than 45 days.

12 SEC. 8093. (a) None of the funds appropriated or
13 otherwise made available by this Act may be expended for
14 any Federal contract for an amount in excess of
15 \$1,000,000, unless the contractor agrees not to—

16 (1) enter into any agreement with any of its
17 employees or independent contractors that requires,
18 as a condition of employment, that the employee or
19 independent contractor agree to resolve through ar-
20 bitration any claim under title VII of the Civil
21 Rights Act of 1964 or any tort related to or arising
22 out of sexual assault or harassment, including as-
23 sault and battery, intentional infliction of emotional
24 distress, false imprisonment, or negligent hiring, su-
25 pervision, or retention; or

1 (2) take any action to enforce any provision of
2 an existing agreement with an employee or inde-
3 pendent contractor that mandates that the employee
4 or independent contractor resolve through arbitra-
5 tion any claim under title VII of the Civil Rights Act
6 of 1964 or any tort related to or arising out of sex-
7 ual assault or harassment, including assault and
8 battery, intentional infliction of emotional distress,
9 false imprisonment, or negligent hiring, supervision,
10 or retention.

11 (b) None of the funds appropriated or otherwise
12 made available by this Act may be expended for any Fed-
13 eral contract unless the contractor certifies that it requires
14 each covered subcontractor to agree not to enter into, and
15 not to take any action to enforce any provision of, any
16 agreement as described in paragraphs (1) and (2) of sub-
17 section (a), with respect to any employee or independent
18 contractor performing work related to such subcontract.
19 For purposes of this subsection, a “covered subcon-
20 tractor” is an entity that has a subcontract in excess of
21 \$1,000,000 on a contract subject to subsection (a).

22 (c) The prohibitions in this section do not apply with
23 respect to a contractor’s or subcontractor’s agreements
24 with employees or independent contractors that may not
25 be enforced in a court of the United States.

1 (d) The Secretary of Defense may waive the applica-
2 tion of subsection (a) or (b) to a particular contractor or
3 subcontractor for the purposes of a particular contract or
4 subcontract if the Secretary or the Deputy Secretary per-
5 sonally determines that the waiver is necessary to avoid
6 harm to national security interests of the United States,
7 and that the term of the contract or subcontract is not
8 longer than necessary to avoid such harm. The determina-
9 tion shall set forth with specificity the grounds for the
10 waiver and for the contract or subcontract term selected,
11 and shall state any alternatives considered in lieu of a
12 waiver and the reasons each such alternative would not
13 avoid harm to national security interests of the United
14 States. The Secretary of Defense shall transmit to Con-
15 gress, and simultaneously make public, any determination
16 under this subsection not less than 15 business days be-
17 fore the contract or subcontract addressed in the deter-
18 mination may be awarded.

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 8094. From within the funds appropriated for
21 operation and maintenance for the Defense Health Pro-
22 gram in this Act, up to \$121,000,000, shall be available
23 for transfer to the Joint Department of Defense-Depart-
24 ment of Veterans Affairs Medical Facility Demonstration
25 Fund in accordance with the provisions of section 1704

1 of the National Defense Authorization Act for Fiscal Year
2 2010, Public Law 111–84: *Provided*, That, for purposes
3 of section 1704(b), the facility operations funded are oper-
4 ations of the integrated Captain James A. Lovell Federal
5 Health Care Center, consisting of the North Chicago Vet-
6 erans Affairs Medical Center, the Navy Ambulatory Care
7 Center, and supporting facilities designated as a combined
8 Federal medical facility as described by section 706 of
9 Public Law 110–417: *Provided further*, That additional
10 funds may be transferred from funds appropriated for op-
11 eration and maintenance for the Defense Health Program
12 to the Joint Department of Defense-Department of Vet-
13 erans Affairs Medical Facility Demonstration Fund upon
14 written notification by the Secretary of Defense to the
15 Committees on Appropriations of the House of Represent-
16 atives and the Senate.

17 SEC. 8095. None of the funds made available by this
18 Act may be used by the Secretary of Defense to take bene-
19 ficial occupancy of more than 2,500 parking spaces (other
20 than handicap-reserved spaces) to be provided by the
21 BRAC 133 project: *Provided*, That this limitation may be
22 waived in part if: (1) the Secretary of Defense certifies
23 to Congress that levels of service at existing intersections
24 in the vicinity of the project have not experienced failing
25 levels of service as defined by the Transportation Research

1 Board Highway Capacity Manual over a consecutive 90-
2 day period; (2) the Department of Defense and the Vir-
3 ginia Department of Transportation agree on the number
4 of additional parking spaces that may be made available
5 to employees of the facility subject to continued 90-day
6 traffic monitoring; and (3) the Secretary of Defense noti-
7 fies the congressional defense committees in writing at
8 least 14 days prior to exercising this waiver of the number
9 of additional parking spaces to be made available.

10 SEC. 8096. Appropriations available to the Depart-
11 ment of Defense may be used for the purchase of heavy
12 and light armored vehicles for the physical security of per-
13 sonnel or for force protection purposes up to a limit of
14 \$400,000 per vehicle, notwithstanding price or other limi-
15 tations applicable to the purchase of passenger carrying
16 vehicles.

17 SEC. 8097. None of the funds appropriated or other-
18 wise made available by this Act or any other Act may be
19 used by the Department of Defense or a component there-
20 of in contravention of section 1246(c)(2) of the National
21 Defense Authorization Act for Fiscal Year 2014 (Public
22 Law 113-66; 127 Stat. 923), as extended by section 1649
23 of S. 1376, 114th Congress, as reported to the Senate.

24 SEC. 8098. The Secretary of Defense shall report
25 quarterly the numbers of civilian personnel end strength

1 by appropriation account for each and every appropriation
2 account used to finance Federal civilian personnel salaries
3 to the congressional defense committees within 15 days
4 after the end of each fiscal quarter.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 8099. Upon a determination by the Director of
7 National Intelligence that such action is necessary and in
8 the national interest, the Director may, with the approval
9 of the Office of Management and Budget, transfer not to
10 exceed \$2,000,000,000 of the funds made available in this
11 Act for the National Intelligence Program: *Provided*, That
12 such authority to transfer may not be used unless for
13 higher priority items, based on unforeseen intelligence re-
14 quirements, than those for which originally appropriated
15 and in no case where the item for which funds are re-
16 quested has been denied by the Congress: *Provided further*,
17 That a request for multiple reprogrammings of funds
18 using authority provided in this section shall be made
19 prior to June 30, 2016.

20 SEC. 8100. None of the funds appropriated or other-
21 wise made available in this or any other Act may be used
22 except in accordance with the National Defense Authoriza-
23 tion Act for Fiscal Year 2016, to transfer, release, or as-
24 sist in the transfer or release to or within the United

1 States, its territories, or possessions Khalid Sheikh Mo-
2 hammed or any other detainee who—

3 (1) is not a United States citizen or a member
4 of the Armed Forces of the United States; and

5 (2) is or was held on or after June 24, 2009,
6 at the United States Naval Station, Guantánamo
7 Bay, Cuba, by the Department of Defense.

8 SEC. 8101. (a) None of the funds appropriated or
9 otherwise made available in this or any other Act may be
10 used to construct, acquire, or modify any facility in the
11 United States, its territories, or possessions to house any
12 individual described in subsection (c) for the purposes of
13 detention or imprisonment in the custody or under the ef-
14 fective control of the Department of Defense except in ac-
15 cordance with the National Defense Authorization Act for
16 Fiscal Year 2016.

17 (b) The prohibition in subsection (a) shall not apply
18 to any modification of facilities at United States Naval
19 Station, Guantánamo Bay, Cuba.

20 (c) An individual described in this subsection is any
21 individual who, as of June 24, 2009, is located at United
22 States Naval Station, Guantánamo Bay, Cuba, and who—

23 (1) is not a citizen of the United States or a
24 member of the Armed Forces of the United States;
25 and

1 (2) is—

2 (A) in the custody or under the effective
3 control of the Department of Defense; or

4 (B) otherwise under detention at United
5 States Naval Station, Guantánamo Bay, Cuba.

6 SEC. 8102. None of the funds appropriated or other-
7 wise made available in this Act may be used to transfer
8 any individual detained at United States Naval Station
9 Guantánamo Bay, Cuba, to the custody or control of the
10 individual's country of origin, any other foreign country,
11 or any other foreign entity except in accordance with the
12 National Defense Authorization Act for Fiscal Year 2016.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 8103. Of the amounts appropriated for “Oper-
15 ation and Maintenance, Navy”, up to \$1,000,000 shall be
16 available for transfer to the John C. Stennis Center for
17 Public Service Development Trust Fund established under
18 section 116 of the John C. Stennis Center for Public Serv-
19 ice Training and Development Act (2 U.S.C. 1105).

20 SEC. 8104. None of the funds provided in this Act
21 for the T-AO(X) program shall be used to award a new
22 contract that provides for the acquisition of the following
23 components unless those components are manufactured in
24 the United States: Auxiliary equipment (including pumps)
25 for shipboard services; propulsion equipment (including

1 engines, reduction gears, and propellers); shipboard
2 cranes; and spreaders for shipboard cranes.

3 SEC. 8105. (a) None of the funds appropriated or
4 otherwise made available by this or any other Act may
5 be used by the Secretary of Defense, or any other official
6 or officer of the Department of Defense, to enter into a
7 contract, memorandum of understanding, or cooperative
8 agreement with, or make a grant to, or provide a loan
9 or loan guarantee to Rosoboronexport or any subsidiary
10 of Rosoboronexport.

11 (b) The Secretary of Defense may waive the limita-
12 tion in subsection (a) if the Secretary, in consultation with
13 the Secretary of State and the Director of National Intel-
14 ligence, determines that it is in the vital national security
15 interest of the United States to do so, and certifies in writ-
16 ing to the congressional defense committees that, to the
17 best of the Secretary's knowledge:

18 (1) Rosoboronexport has ceased the transfer of
19 lethal military equipment to, and the maintenance of
20 existing lethal military equipment for, the Govern-
21 ment of the Syrian Arab Republic;

22 (2) The armed forces of the Russian Federation
23 have withdrawn from Crimea, other than armed
24 forces present on military bases subject to agree-
25 ments in force between the Government of the Rus-

1 sian Federation and the Government of Ukraine;
2 and

3 (3) Agents of the Russian Federation have
4 ceased taking active measures to destabilize the con-
5 trol of the Government of Ukraine over eastern
6 Ukraine.

7 (c) The Inspector General of the Department of De-
8 fense shall conduct a review of any action involving
9 Rosoboronexport with respect to a waiver issued by the
10 Secretary of Defense pursuant to subsection (b), and not
11 later than 90 days after the date on which such a waiver
12 is issued by the Secretary of Defense, the Inspector Gen-
13 eral shall submit to the congressional defense committees
14 a report containing the results of the review conducted
15 with respect to such waiver.

16 SEC. 8106. None of the funds made available by this
17 Act may be used to transfer more than 36 AH-64 Apache
18 helicopter aircraft from the Army National Guard to the
19 active Army until 60 days after the National Commission
20 on the Future of the Army releases its recommendations:
21 *Provided*, That this section shall continue in effect through
22 the date of enactment of the National Defense Authoriza-
23 tion Act for Fiscal Year 2016.

24 SEC. 8107. Notwithstanding any other provision of
25 this Act, to reflect savings due to lower than anticipated

1 fuel prices, the total amount appropriated in this Act is
2 hereby reduced by \$827,000,000.

3 SEC. 8108. (a) Of the funds appropriated in this Act
4 for the Department of Defense, amounts may be made
5 available, under such regulations as the Secretary may
6 prescribe, to local military commanders appointed by the
7 Secretary of Defense, or by an officer or employee des-
8 ignated by the Secretary, to provide at their discretion ex
9 gratia payments in amounts consistent with subsection (d)
10 of this section for damage, personal injury, or death that
11 is incident to combat operations of the Armed Forces in
12 a foreign country.

13 (b) An ex gratia payment under this section may be
14 provided only if—

15 (1) the prospective foreign civilian recipient is
16 determined by the local military commander to be
17 friendly to the United States;

18 (2) a claim for damages would not be compen-
19 sable under chapter 163 of title 10, United States
20 Code (commonly known as the “Foreign Claims
21 Act”); and

22 (3) the property damage, personal injury, or
23 death was not caused by action by an enemy.

24 (c) NATURE OF PAYMENTS.—Any payments provided
25 under a program under subsection (a) shall not be consid-

1 ered an admission or acknowledgment of any legal obliga-
2 tion to compensate for any damage, personal injury, or
3 death.

4 (d) AMOUNT OF PAYMENTS.—If the Secretary of De-
5 fense determines a program under subsection (a) to be ap-
6 propriate in a particular setting, the amounts of pay-
7 ments, if any, to be provided to civilians determined to
8 have suffered harm incident to combat operations of the
9 Armed Forces under the program should be determined
10 pursuant to regulations prescribed by the Secretary and
11 based on an assessment, which should include such factors
12 as cultural appropriateness and prevailing economic condi-
13 tions.

14 (e) LEGAL ADVICE.—Local military commanders
15 shall receive legal advice before making ex gratia pay-
16 ments under this subsection. The legal advisor, under reg-
17 ulations of the Department of Defense, shall advise on
18 whether an ex gratia payment is proper under this section
19 and applicable Department of Defense regulations.

20 (f) WRITTEN RECORD.—A written record of any ex
21 gratia payment offered or denied shall be kept by the local
22 commander and on a timely basis submitted to the appro-
23 priate office in the Department of Defense as determined
24 by the Secretary of Defense.

1 (g) REPORT.—The Secretary of Defense shall report
2 to the congressional defense committees on an annual
3 basis the efficacy of the ex gratia payment program in-
4 cluding the number of types of cases considered, amounts
5 offered, the response from ex gratia payment recipients,
6 and any recommended modifications to the program.

7 SEC. 8109. None of the funds available in this Act
8 to the Department of Defense, other than appropriations
9 made for necessary or routine refurbishments, upgrades
10 or maintenance activities, shall be used to reduce or to
11 prepare to reduce the number of deployed and non-de-
12 ployed strategic delivery vehicles and launchers below the
13 levels set forth in the report submitted to Congress in ac-
14 cordance with section 1042 of the National Defense Au-
15 thorization Act for Fiscal Year 2012.

16 SEC. 8110. Of the funds provided for “Research, De-
17 velopment, Test and Evaluation, Defense-Wide” in this
18 Act, not less than \$2,800,000 shall be used to support
19 the Department’s activities related to the implementation
20 of the Digital Accountability and Transparency Act
21 (DATA Act; Public Law 113–101; 31 U.S.C. 6101 note)
22 and to support the implementation of a uniform procure-
23 ment instrument identifier as described in 48 CFR sub-
24 part 4.16, to include changes in business processes, work-
25 force, or information technology.

1 SEC. 8111. None of the funds made available in this
2 or any other Act may be used to pay the salary of any
3 officer or employee of the Department of Defense who ap-
4 proves or implements the transfer of administrative re-
5 sponsibilities or budgetary resources of any program,
6 project, or activity financed by this Act to the jurisdiction
7 of another Federal agency not financed by this Act with-
8 out the express authorization of Congress: *Provided*, That
9 this limitation shall not apply to transfers of funds ex-
10 pressly provided for in Defense Appropriations Acts, or
11 provisions of Acts providing supplemental appropriations
12 for the Department of Defense.

13 SEC. 8112. It is the sense of the Senate that—

14 (1) the Nation’s fiscal challenges are a top pri-
15 ority for Congress, and sequestration—non-strategic,
16 across-the-board budget cuts—remains an unreason-
17 able and inadequate budgeting tool to address the
18 Nation’s deficits and debt;

19 (2) sequestration relief must be accomplished
20 for fiscal years 2016 and 2017;

21 (3) sequestration relief should include equal de-
22 fense and non-defense relief; and

23 (4) sequestration relief should be offset through
24 targeted changes in mandatory and discretionary
25 categories and revenues.

1 TITLE IX
2 OVERSEAS CONTINGENCY OPERATIONS
3 MILITARY PERSONNEL
4 MILITARY PERSONNEL, ARMY

5 For an additional amount for “Military Personnel,
6 Army”, \$1,828,441,000: *Provided*, That such amount is
7 designated by the Congress for Overseas Contingency Op-
8 erations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 MILITARY PERSONNEL, NAVY

12 For an additional amount for “Military Personnel,
13 Navy”, \$251,011,000: *Provided*, That such amount is des-
14 ignated by the Congress for Overseas Contingency Oper-
15 ations/Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 MILITARY PERSONNEL, MARINE CORPS

19 For an additional amount for “Military Personnel,
20 Marine Corps”, \$171,079,000: *Provided*, That such
21 amount is designated by the Congress for Overseas Con-
22 tingency Operations/Global War on Terrorism pursuant to
23 section 251(b)(2)(A)(ii) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

1 MILITARY PERSONNEL, AIR FORCE

2 For an additional amount for “Military Personnel,
3 Air Force”, \$726,126,000: *Provided*, That such amount
4 is designated by the Congress for Overseas Contingency
5 Operations/Global War on Terrorism pursuant to section
6 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
7 Deficit Control Act of 1985.

8 RESERVE PERSONNEL, ARMY

9 For an additional amount for “Reserve Personnel,
10 Army”, \$24,462,000: *Provided*, That such amount is des-
11 ignated by the Congress for Overseas Contingency Oper-
12 ations/Global War on Terrorism pursuant to section
13 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985.

15 RESERVE PERSONNEL, NAVY

16 For an additional amount for “Reserve Personnel,
17 Navy”, \$12,693,000: *Provided*, That such amount is des-
18 ignated by the Congress for Overseas Contingency Oper-
19 ations/Global War on Terrorism pursuant to section
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985.

22 RESERVE PERSONNEL, MARINE CORPS

23 For an additional amount for “Reserve Personnel,
24 Marine Corps”, \$3,393,000: *Provided*, That such amount
25 is designated by the Congress for Overseas Contingency

1 Operations/Global War on Terrorism pursuant to section
2 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
3 Deficit Control Act of 1985.

4 RESERVE PERSONNEL, AIR FORCE

5 For an additional amount for “Reserve Personnel,
6 Air Force”, \$18,710,000: *Provided*, That such amount is
7 designated by the Congress for Overseas Contingency Op-
8 erations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 NATIONAL GUARD PERSONNEL, ARMY

12 For an additional amount for “National Guard Per-
13 sonnel, Army”, \$166,015,000: *Provided*, That such
14 amount is designated by the Congress for Overseas Con-
15 tingency Operations/Global War on Terrorism pursuant to
16 section 251(b)(2)(A)(ii) of the Balanced Budget and
17 Emergency Deficit Control Act of 1985.

18 NATIONAL GUARD PERSONNEL, AIR FORCE

19 For an additional amount for “National Guard Per-
20 sonnel, Air Force”, \$2,828,000: *Provided*, That such
21 amount is designated by the Congress for Overseas Con-
22 tingency Operations/Global War on Terrorism pursuant to
23 section 251(b)(2)(A)(ii) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE

2 OPERATION AND MAINTENANCE, ARMY

3 For an additional amount for “Operation and Main-
4 tenance, Army”, \$18,930,336,000: *Provided*, That such
5 amount is designated by the Congress for Overseas Con-
6 tingency Operations/Global War on Terrorism pursuant to
7 section 251(b)(2)(A)(ii) of the Balanced Budget and
8 Emergency Deficit Control Act of 1985.

9 OPERATION AND MAINTENANCE, NAVY

10 For an additional amount for “Operation and Main-
11 tenance, Navy”, \$21,008,396,000: *Provided*, 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 OPERATION AND MAINTENANCE, MARINE CORPS

17 For an additional amount for “Operation and Main-
18 tenance, Marine Corps”, \$1,879,613,000: *Provided*, That
19 such amount is designated by the Congress for Overseas
20 Contingency Operations/Global War on Terrorism pursu-
21 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
22 and Emergency Deficit Control Act of 1985.

23 OPERATION AND MAINTENANCE, AIR FORCE

24 For an additional amount for “Operation and Main-
25 tenance, Air Force”, \$21,161,888,000: *Provided*, That

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

5 OPERATION AND MAINTENANCE, DEFENSE-WIDE

6 For an additional amount for “Operation and Main-
7 tenance, Defense-Wide”, \$6,850,097,000: *Provided*, That
8 of the funds provided under this heading, not to exceed
9 \$1,160,000,000, to remain available until September 30,
10 2017, shall be for payments to reimburse key cooperating
11 nations for logistical, military, and other support, includ-
12 ing access, provided to United States military and stability
13 operations in Afghanistan and to counter the Islamic
14 State of Iraq and the Levant: *Provided further*, That such
15 reimbursement payments may be made in such amounts
16 as the Secretary of Defense, with the concurrence of the
17 Secretary of State, and in consultation with the Director
18 of the Office of Management and Budget, may determine,
19 based on documentation determined by the Secretary of
20 Defense to adequately account for the support provided,
21 and such determination is final and conclusive upon the
22 accounting officers of the United States, and 15 days fol-
23 lowing notification to the appropriate congressional com-
24 mittees: *Provided further*, That these funds may be used
25 for the purpose of providing specialized training and pro-

1 curing supplies and specialized equipment and providing
2 such supplies and loaning such equipment on a non-reim-
3 bursable basis to coalition forces supporting United States
4 military and stability operations in Afghanistan and to
5 counter the Islamic State of Iraq and the Levant, and 15
6 days following notification to the appropriate congres-
7 sional committees: *Provided further*, That these funds may
8 be used to support the Governments of Jordan and Leb-
9 anon, in such amounts as the Secretary of Defense may
10 determine, to enhance the ability of the armed forces of
11 Jordan to increase or sustain security along the borders
12 with Syria and Iraq and the ability of the armed forces
13 of Lebanon to increase or sustain security along the bor-
14 der with Syria, upon 15 days prior written notification to
15 the congressional defense committees outlining the
16 amounts intended to be provided and the nature of the
17 expenses incurred: *Provided further*, That the Secretary of
18 Defense shall provide quarterly reports to the congres-
19 sional defense committees on the use of funds provided
20 in this paragraph: *Provided further*, That such amount is
21 designated by the Congress for Overseas Contingency Op-
22 erations/Global War on Terrorism pursuant to section
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE, ARMY RESERVE

2 For an additional amount for “Operation and Main-
3 tenance, Army Reserve”, \$24,559,000: *Provided*, That
4 such amount is designated by the Congress for Overseas
5 Contingency Operations/Global War on Terrorism pursu-
6 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
7 and Emergency Deficit Control Act of 1985.

8 OPERATION AND MAINTENANCE, NAVY RESERVE

9 For an additional amount for “Operation and Main-
10 tenance, Navy Reserve”, \$31,643,000: *Provided*, That
11 such amount is designated by the Congress for Overseas
12 Contingency Operations/Global War on Terrorism pursu-
13 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
14 and Emergency Deficit Control Act of 1985.

15 OPERATION AND MAINTENANCE, MARINE CORPS

16 RESERVE

17 For an additional amount for “Operation and Main-
18 tenance, Marine Corps Reserve”, \$3,455,000: *Provided*,
19 That such amount is designated by the Congress for Over-
20 seas Contingency Operations/Global War on Terrorism
21 pursuant to section 251(b)(2)(A)(ii) of the Balanced
22 Budget and Emergency Deficit Control Act of 1985.

23 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

24 For an additional amount for “Operation and Main-
25 tenance, Air Force Reserve”, \$58,106,000: *Provided*, That

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

5 OPERATION AND MAINTENANCE, ARMY NATIONAL
6 GUARD

7 For an additional amount for “Operation and Main-
8 tenance, Army National Guard”, \$60,845,000: *Provided*,
9 That such amount is designated by the Congress for Over-
10 seas Contingency Operations/Global War on Terrorism
11 pursuant to section 251(b)(2)(A)(ii) of the Balanced
12 Budget and Emergency Deficit Control Act of 1985.

13 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

14 For an additional amount for “Operation and Main-
15 tenance, Air National Guard”, \$19,900,000: *Provided*,
16 That such amount is designated by the Congress for Over-
17 seas Contingency Operations/Global War on Terrorism
18 pursuant to section 251(b)(2)(A)(ii) of the Balanced
19 Budget and Emergency Deficit Control Act of 1985.

20 AFGHANISTAN SECURITY FORCES FUND

21 For the “Afghanistan Security Forces Fund”,
22 \$3,360,357,000, to remain available until September 30,
23 2017: *Provided*, That such funds shall be available to the
24 Secretary of Defense, notwithstanding any other provision
25 of law, for the purpose of allowing the Commander, Com-

1 bined Security Transition Command—Afghanistan, or the
2 Secretary’s designee, to provide assistance, with the con-
3 currence of the Secretary of State, to the security forces
4 of Afghanistan, including the provision of equipment, sup-
5 plies, services, training, facility and infrastructure repair,
6 renovation, construction, and funding: *Provided further*,
7 That the authority to provide assistance under this head-
8 ing is in addition to any other authority to provide assist-
9 ance to foreign nations: *Provided further*, That contribu-
10 tions of funds for the purposes provided herein from any
11 person, foreign government, or international organization
12 may be credited to this Fund, to remain available until
13 expended, and used for such purposes: *Provided further*,
14 That the Secretary of Defense shall notify the congres-
15 sional defense committees in writing upon the receipt and
16 upon the obligation of any contribution, delineating the
17 sources and amounts of the funds received and the specific
18 use of such contributions: *Provided further*, That the Sec-
19 retary of Defense shall, not fewer than 15 days prior to
20 obligating from this appropriation account, notify the con-
21 gressional defense committees in writing of the details of
22 any such obligation: *Provided further*, That the Secretary
23 of Defense shall notify the congressional defense commit-
24 tees of any proposed new projects or transfer of funds be-
25 tween budget sub-activity groups in excess of

1 \$20,000,000: *Provided further*, That the United States
2 may accept equipment procured using funds provided
3 under this heading in this or prior Acts that was trans-
4 ferred to the security forces of Afghanistan and returned
5 by such forces to the United States: *Provided further*, That
6 equipment procured using funds provided under this head-
7 ing in this or prior Acts, and not yet transferred to the
8 security forces of Afghanistan or transferred to the secu-
9 rity forces of Afghanistan and returned by such forces to
10 the United States, may be treated as stocks of the Depart-
11 ment of Defense upon written notification to the congres-
12 sional defense committees: *Provided further*, That, of the
13 funds provided under this heading, not less than
14 \$25,000,000 shall be for recruitment and retention of
15 women in the Afghanistan National Security Forces: *Pro-*
16 *vided further*, That such amount is designated by the Con-
17 gress for Overseas Contingency Operations/Global War on
18 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
19 anced Budget and Emergency Deficit Control Act of 1985.

20 IRAQ TRAIN AND EQUIP FUND

21 For the “Iraq Train and Equip Fund”,
22 \$715,000,000, to remain available until September 30,
23 2017: *Provided*, That such funds shall be available to the
24 Secretary of Defense, in coordination with the Secretary
25 of State, to provide assistance, including training, equip-

1 ment, logistics support, supplies, services, stipends, infra-
2 structure repair, renovation, and sustainment, to military
3 and other security forces of or associated with the Govern-
4 ment of Iraq, including Kurdish and tribal security forces
5 or other local security forces, with a national security mis-
6 sion, to counter the Islamic State of Iraq and the Levant:
7 *Provided further*, That the Secretary of Defense shall en-
8 sure that prior to providing assistance to elements of any
9 forces such elements are appropriately vetted, including at
10 a minimum, assessing such elements for associations with
11 terrorist groups or groups associated with the Government
12 of Iran; and receiving commitments from such elements
13 to promote respect for human rights and the rule of law:
14 *Provided further*, That the Secretary of Defense may ac-
15 cept and retain contributions, including assistance in-kind,
16 from foreign governments, including the Government of
17 Iraq, and other entities, to carry out assistance authorized
18 under this heading: *Provided further*, That contributions
19 of funds for the purposes provided herein from any foreign
20 government or other entities, may be credited to this
21 Fund, to remain available until expended, and used for
22 such purposes: *Provided further*, That not more than 25
23 percent of the funds appropriated under this heading may
24 be obligated or expended until not fewer than 15 days
25 after (1) the Secretary of Defense submits a report to the

1 appropriate congressional committees, describing the plan
2 for the provision of such training and assistance and the
3 forces designated to receive such assistance, and (2) the
4 President submits a report to the appropriate congress-
5 sional committees on how assistance provided under this
6 heading supports a larger regional strategy: *Provided fur-*
7 *ther*, That of the amount provided under this heading, not
8 more than 60 percent may be obligated or expended until
9 not fewer than 15 days after the date on which the Sec-
10 retary of Defense certifies to the appropriate congressional
11 committees that an amount equal to not less than 40 per-
12 cent of the amount provided under this heading has been
13 contributed by other countries and entities for the pur-
14 poses for which funds are provided under this heading,
15 of which at least 50 percent shall have been contributed
16 or provided by the Government of Iraq: *Provided further*,
17 That the limitation in the preceding proviso shall not
18 apply if the Secretary of Defense determines, in writing,
19 that the national security objectives of the United States
20 will be compromised by the application of the limitation
21 to such assistance, and notifies the appropriate congress-
22 sional committees not less than 15 days in advance of the
23 exemption taking effect, including a justification for the
24 Secretary's determination and a description of the assist-
25 ance to be exempted from the application of such limita-

1 tion: *Provided further*, That the Secretary of Defense may
2 waive a provision of law relating to the acquisition of items
3 and support services or sections 40 and 40A of the Arms
4 Export Control Act (22 U.S.C. 2780 and 2785) if the Sec-
5 retary determines such provisions of law would prohibit,
6 restrict, delay or otherwise limit the provision of such as-
7 sistance and a notice of and justification for such waiver
8 is submitted to the appropriate congressional committees:
9 *Provided further*, That the term “appropriate congres-
10 sional committees” under this heading means the “con-
11 gressional defense committees”, the Committees on Ap-
12 propriations and Foreign Relations of the Senate and the
13 Committees on Appropriations and Foreign Affairs of the
14 House of Representatives: *Provided further*, That amounts
15 made available under this heading are designated by the
16 Congress for Overseas Contingency Operations/Global
17 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
18 the Balanced Budget and Emergency Deficit Control Act
19 of 1985.

20 SYRIA TRAIN AND EQUIP FUND

21 For the “Syria Train and Equip Fund”,
22 \$531,450,000, to remain available until September 30,
23 2017: *Provided*, That such funds shall be available to the
24 Secretary of Defense, in coordination with the Secretary
25 of State, to provide assistance, including training, equip-

1 ment, supplies, stipends, construction of training and as-
2 sociated facilities, and sustainment, to appropriately vet-
3 ted elements of the Syrian opposition and other appro-
4 priately vetted Syrian groups and individuals for the fol-
5 lowing purposes: defending the Syrian people from attacks
6 by the Islamic State of Iraq and the Levant, and securing
7 territory controlled by the Syrian opposition; protecting
8 the United States, its friends and allies, and the Syrian
9 people from the threats posed by terrorists in Syria; and
10 promoting the conditions for a negotiated settlement to
11 end the conflict in Syria: *Provided further*, That the term
12 “appropriately vetted” shall be construed to mean, at a
13 minimum, assessments of possible recipients for associa-
14 tions with terrorist groups or groups associated with the
15 Governments of Iran or Syria; and for commitment to the
16 rule of law and a peaceful and democratic Syria: *Provided*
17 *further*, That the Secretary may accept and retain con-
18 tributions, including assistance in-kind, from foreign gov-
19 ernments and other entities to carry out activities author-
20 ized under this heading: *Provided further*, That contribu-
21 tions of funds for the purposes provided herein from any
22 foreign government or other entity to carry out activities
23 as authorized by this section shall be credited to this
24 Fund, to remain available until expended, and used for
25 such purposes: *Provided further*, That the Secretary of De-

1 fense shall comply with the reporting requirements in sec-
2 tion 149(d) of the Continuing Appropriations Resolution,
3 2015 (Public Law 113–164): *Provided further*, That the
4 Secretary of Defense may waive a provision of law relating
5 to the acquisition of items and support services or sections
6 40 and 40A of the Arms Export Control Act (22 U.S.C.
7 2780 and 2785) if the Secretary determines such provi-
8 sions of law would prohibit, restrict, delay or otherwise
9 limit the provision of such assistance and a notice of and
10 justification for such waiver is submitted to the appro-
11 priate congressional committees: *Provided further*, That
12 the term “appropriate congressional committees” under
13 this heading means the “congressional defense commit-
14 tees”, the Committees on Appropriations and Foreign Re-
15 lations of the Senate and the Committees on Appropria-
16 tions and Foreign Affairs of the House of Representatives:
17 *Provided further*, That the Secretary may provide assist-
18 ance to third countries for purposes of the provision of
19 assistance authorized under this heading: *Provided fur-*
20 *ther*, That the Secretary of Defense shall notify the con-
21 gressional defense committees 15 days prior to the provi-
22 sion of such assistance: *Provided further*, That such
23 amount is designated by the Congress for Overseas Con-
24 tingency Operations/Global War on Terrorism pursuant to

1 seas Contingency Operations/Global War on Terrorism
2 pursuant to section 251(b)(2)(A)(ii) of the Balanced
3 Budget and Emergency Deficit Control Act of 1985.

4 PROCUREMENT OF AMMUNITION, ARMY

5 For an additional amount for “Procurement of Am-
6 munition, Army”, \$192,040,000, to remain available until
7 September 30, 2018: *Provided*, That such amount is des-
8 ignated by the Congress for Overseas Contingency Oper-
9 ations/Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 OTHER PROCUREMENT, ARMY

13 For an additional amount for “Other Procurement,
14 Army”, \$1,205,596,000, to remain available until Sep-
15 tember 30, 2018: *Provided*, That such amount is des-
16 ignated by the Congress for Overseas Contingency Oper-
17 ations/Global War on Terrorism pursuant to section
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

20 AIRCRAFT PROCUREMENT, NAVY

21 For an additional amount for “Aircraft Procurement,
22 Navy”, \$217,394,000, to remain available until September
23 30, 2018: *Provided*, That such amount is designated by
24 the Congress for Overseas Contingency Operations/Global
25 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

1 the Balanced Budget and Emergency Deficit Control Act
2 of 1985.

3 WEAPONS PROCUREMENT, NAVY

4 For an additional amount for “Weapons Procure-
5 ment, Navy”, \$3,344,000, to remain available until Sep-
6 tember 30, 2018: *Provided*, That such amount is des-
7 ignated by the Congress for Overseas Contingency Oper-
8 ations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
12 CORPS

13 For an additional amount for “Procurement of Am-
14 munition, Navy and Marine Corps”, \$136,930,000, to re-
15 main available until September 30, 2018: *Provided*, That
16 such amount is designated by the Congress for Overseas
17 Contingency Operations/Global War on Terrorism pursu-
18 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
19 and Emergency Deficit Control Act of 1985.

20 OTHER PROCUREMENT, NAVY

21 For an additional amount for “Other Procurement,
22 Navy”, \$12,186,000, to remain available until September
23 30, 2018: *Provided*, That such amount is designated by
24 the Congress for Overseas Contingency Operations/Global
25 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

1 the Balanced Budget and Emergency Deficit Control Act
2 of 1985.

3 PROCUREMENT, MARINE CORPS

4 For an additional amount for “Procurement, Marine
5 Corps”, \$48,934,000, to remain available until September
6 30, 2018: *Provided*, That such amount is designated by
7 the Congress for Overseas Contingency Operations/Global
8 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
9 the Balanced Budget and Emergency Deficit Control Act
10 of 1985.

11 AIRCRAFT PROCUREMENT, AIR FORCE

12 For an additional amount for “Aircraft Procurement,
13 Air Force”, \$128,900,000, to remain available until Sep-
14 tember 30, 2018: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/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 MISSILE PROCUREMENT, AIR FORCE

20 For an additional amount for “Missile Procurement,
21 Air Force”, \$289,142,000, to remain available until Sep-
22 tember 30, 2018: *Provided*, That such amount is des-
23 ignated by the Congress for Overseas Contingency Oper-
24 ations/Global War on Terrorism pursuant to section

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

3 PROCUREMENT OF AMMUNITION, AIR FORCE

4 For an additional amount for “Procurement of Am-
5 munition, Air Force”, \$228,874,000, to remain available
6 until September 30, 2018: *Provided*, That such amount
7 is designated by the Congress for Overseas Contingency
8 Operations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 OTHER PROCUREMENT, AIR FORCE

12 For an additional amount for “Other Procurement,
13 Air Force”, \$3,829,964,000, to remain available until
14 September 30, 2018: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/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 PROCUREMENT, DEFENSE-WIDE

20 For an additional amount for “Procurement, De-
21 fense-Wide”, \$173,918,000, to remain available until Sep-
22 tember 30, 2018: *Provided*, That such amount is des-
23 ignated by the Congress for Overseas Contingency Oper-
24 ations/Global War on Terrorism pursuant to section

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

3 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

4 For procurement of aircraft, missiles, tracked combat
5 vehicles, ammunition, other weapons and other procure-
6 ment for the reserve components of the Armed Forces,
7 \$1,000,000,000, to remain available for obligation until
8 September 30, 2018: *Provided*, That the Chiefs of Na-
9 tional Guard and Reserve components shall, not later than
10 30 days after enactment of this Act, individually submit
11 to the congressional defense committees the modernization
12 priority assessment for their respective National Guard or
13 Reserve component: *Provided further*, That such amount
14 is designated by the Congress for Overseas Contingency
15 Operations/Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 RESEARCH, DEVELOPMENT, TEST AND

19 EVALUATION

20 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

21 ARMY

22 For an additional amount for “Research, Develop-
23 ment, Test and Evaluation, Army”, \$1,500,000, to remain
24 available until September 30, 2017: *Provided*, That such
25 amount is designated by the Congress for Overseas Con-

1 tingency Operations/Global War on Terrorism pursuant to
2 section 251(b)(2)(A)(ii) of the Balanced Budget and
3 Emergency Deficit Control Act of 1985.

4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
5 NAVY

6 For an additional amount for “Research, Develop-
7 ment, Test and Evaluation, Navy”, \$35,747,000, to re-
8 main available until September 30, 2017: *Provided*, That
9 such amount is designated by the Congress for Overseas
10 Contingency Operations/Global War on Terrorism pursu-
11 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
12 and Emergency Deficit Control Act of 1985.

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
14 AIR FORCE

15 For an additional amount for “Research, Develop-
16 ment, Test and Evaluation, Air Force”, \$17,100,000, to
17 remain available until September 30, 2017: *Provided*,
18 That such amount is designated by the Congress for Over-
19 seas Contingency Operations/Global War on Terrorism
20 pursuant to section 251(b)(2)(A)(ii) of the Balanced
21 Budget and Emergency Deficit Control Act of 1985.

22 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
23 DEFENSE-WIDE

24 For an additional amount for “Research, Develop-
25 ment, Test and Evaluation, Defense-Wide”,

1 \$137,087,000, to remain available until September 30,
2 2017: *Provided*, That such amount is designated by the
3 Congress for Overseas Contingency Operations/Global
4 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
5 the Balanced Budget and Emergency Deficit Control Act
6 of 1985.

7 REVOLVING AND MANAGEMENT FUNDS

8 DEFENSE WORKING CAPITAL FUNDS

9 For an additional amount for “Defense Working
10 Capital Funds”, \$88,850,000: *Provided*, That such
11 amount is designated by the Congress for Overseas Con-
12 tingency Operations/Global War on Terrorism pursuant to
13 section 251(b)(2)(A)(ii) of the Balanced Budget and
14 Emergency Deficit Control Act of 1985.

15 OTHER DEPARTMENT OF DEFENSE PROGRAMS

16 DEFENSE HEALTH PROGRAM

17 For an additional amount for “Defense Health Pro-
18 gram”, \$272,704,000, which shall be for operation and
19 maintenance: *Provided*, That such amount is designated
20 by the Congress for Overseas Contingency Operations/
21 Global War on Terrorism pursuant to section
22 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
23 Deficit Control Act of 1985.

1 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
2 DEFENSE

3 For an additional amount for “Drug Interdiction and
4 Counter-Drug Activities, Defense”, \$186,000,000: *Pro-*
5 *vided*, That such amount is designated by the Congress
6 for Overseas Contingency Operations/Global War on Ter-
7 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
8 anced Budget and Emergency Deficit Control Act of 1985.

9 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND
10 (INCLUDING TRANSFER OF FUNDS)

11 For the “Joint Improvised Explosive Device Defeat
12 Fund”, \$290,000,000, to remain available until Sep-
13 tember 30, 2018: *Provided*, That such funds shall be avail-
14 able to the Secretary of Defense, notwithstanding any
15 other provision of law, for the purpose of allowing the Di-
16 rector of the Joint Improvised Explosive Device Defeat
17 Organization to investigate, develop and provide equip-
18 ment, supplies, services, training, facilities, personnel and
19 funds to assist United States forces in the defeat of impro-
20 vised explosive devices: *Provided further*, That the Sec-
21 retary of Defense may transfer funds provided herein to
22 appropriations for military personnel; operation and main-
23 tenance; procurement; research, development, test and
24 evaluation; and defense working capital funds to accom-
25 plish the purpose provided herein: *Provided further*, That

1 this transfer authority is in addition to any other transfer
2 authority available to the Department of Defense: *Pro-*
3 *vided further*, That the Secretary of Defense shall, not
4 fewer than 15 days prior to making transfers from this
5 appropriation, notify the congressional defense committees
6 in writing of the details of any such transfer: *Provided*
7 *further*, That such amount is designated by the Congress
8 for Overseas Contingency Operations/Global War on Ter-
9 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
10 anced Budget and Emergency Deficit Control Act of 1985.

11 OFFICE OF THE INSPECTOR GENERAL

12 For an additional amount for the “Office of the In-
13 spector General”, \$10,262,000: *Provided*, That such
14 amount is designated by the Congress for Overseas Con-
15 tingency Operations/Global War on Terrorism pursuant to
16 section 251(b)(2)(A)(ii) of the Balanced Budget and
17 Emergency Deficit Control Act of 1985.

18 GENERAL PROVISIONS—THIS TITLE

19 SEC. 9001. Each amount designated in this Act by
20 the Congress for Overseas Contingency Operations/Global
21 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
22 the Balanced Budget and Emergency Deficit Control Act
23 of 1985 shall be available (or rescinded, if applicable) only
24 if the President subsequently so designates all such
25 amounts and transmits such designations to the Congress.

1 SEC. 9002. Notwithstanding any other provision of
2 law, funds made available in this title are in addition to
3 amounts appropriated or otherwise made available for the
4 Department of Defense for fiscal year 2016.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 9003. Upon the determination of the Secretary
7 of Defense that such action is necessary in the national
8 interest, the Secretary may, with the approval of the Of-
9 fice of Management and Budget, transfer up to
10 \$3,500,000,000 between the appropriations or funds made
11 available to the Department of Defense in this title: *Pro-*
12 *vided*, That the Secretary shall notify the Congress
13 promptly of each transfer made pursuant to the authority
14 in this section: *Provided further*, That the authority pro-
15 vided in this section is in addition to any other transfer
16 authority available to the Department of Defense and is
17 subject to the same terms and conditions as the authority
18 provided in section 8005 of this Act.

19 SEC. 9004. Supervision and administration costs and
20 costs for design during construction associated with a con-
21 struction project funded with appropriations available for
22 operation and maintenance or the “Afghanistan Security
23 Forces Fund” provided in this Act and executed in direct
24 support of overseas contingency operations in Afghani-
25 stan, may be obligated at the time a construction contract

1 is awarded: *Provided*, That, for the purpose of this section,
2 supervision and administration costs and costs for design
3 during construction include all in-house Government costs.

4 SEC. 9005. From funds made available in this title,
5 the Secretary of Defense may purchase for use by military
6 and civilian employees of the Department of Defense in
7 the U.S. Central Command area of responsibility: (a) pas-
8 senger motor vehicles up to a limit of \$75,000 per vehicle;
9 and (b) heavy and light armored vehicles for the physical
10 security of personnel or for force protection purposes up
11 to a limit of \$400,000 per vehicle, notwithstanding price
12 or other limitations applicable to the purchase of pas-
13 senger carrying vehicles.

14 SEC. 9006. Not to exceed \$5,000,000 of the amounts
15 appropriated by this title under the heading “Operation
16 and Maintenance, Army” may be used, notwithstanding
17 any other provision of law, to fund the Commanders’
18 Emergency Response Program (CERP), for the purpose
19 of enabling military commanders in Afghanistan to re-
20 spond to urgent, small-scale, humanitarian relief and re-
21 construction requirements within their areas of responsi-
22 bility: *Provided*, That each project (including any ancillary
23 or related elements in connection with such project) exe-
24 cuted under this authority shall not exceed \$2,000,000:
25 *Provided further*, That not later than 45 days after the

1 end of each 6 months of the fiscal year, the Secretary of
2 Defense shall submit to the congressional defense commit-
3 tees a report regarding the source of funds and the alloca-
4 tion and use of funds during that 6-month period that
5 were made available pursuant to the authority provided
6 in this section or under any other provision of law for the
7 purposes described herein: *Provided further*, That, not
8 later than 30 days after the end of each fiscal year quar-
9 ter, the Army shall submit to the congressional defense
10 committees quarterly commitment, obligation, and expend-
11 iture data for the CERP in Afghanistan: *Provided further*,
12 That not less than 15 days before making funds available
13 pursuant to the authority provided in this section or under
14 any other provision of law for the purposes described here-
15 in for a project with a total anticipated cost for completion
16 of \$500,000 or more, the Secretary shall submit to the
17 congressional defense committees a written notice con-
18 taining each of the following:

19 (1) The location, nature and purpose of the
20 proposed project, including how the project is in-
21 tended to advance the military campaign plan for
22 the country in which it is to be carried out.

23 (2) The budget, implementation timeline with
24 milestones, and completion date for the proposed
25 project, including any other CERP funding that has

1 been or is anticipated to be contributed to the com-
2 pletion of the project.

3 (3) A plan for the sustainment of the proposed
4 project, including the agreement with either the host
5 nation, a non-Department of Defense agency of the
6 United States Government or a third-party contrib-
7 utor to finance the sustainment of the activities and
8 maintenance of any equipment or facilities to be pro-
9 vided through the proposed project.

10 SEC. 9007. Funds available to the Department of De-
11 fense for operation and maintenance may be used, not-
12 withstanding any other provision of law, to provide sup-
13 plies, services, transportation, including airlift and sealift,
14 and other logistical support to coalition forces supporting
15 military and stability operations in Afghanistan and to
16 counter the Islamic State of Iraq and the Levant: *Pro-*
17 *vided*, That the Secretary of Defense shall provide quar-
18 terly reports to the congressional defense committees re-
19 garding support provided under this section.

20 SEC. 9008. None of the funds appropriated or other-
21 wise made available by this or any other Act shall be obli-
22 gated or expended by the United States Government for
23 a purpose as follows:

1 (1) To establish any military installation or
2 base for the purpose of providing for the permanent
3 stationing of United States Armed Forces in Iraq.

4 (2) To exercise United States control over any
5 oil resource of Iraq.

6 (3) To establish any military installation or
7 base for the purpose of providing for the permanent
8 stationing of United States Armed Forces in Af-
9 ghanistan.

10 SEC. 9009. None of the funds made available in this
11 Act may be used in contravention of the following laws
12 enacted or regulations promulgated to implement the
13 United Nations Convention Against Torture and Other
14 Cruel, Inhuman or Degrading Treatment or Punishment
15 (done at New York on December 10, 1984):

16 (1) Section 2340A of title 18, United States
17 Code.

18 (2) Section 2242 of the Foreign Affairs Reform
19 and Restructuring Act of 1998 (division G of Public
20 Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231
21 note) and regulations prescribed thereto, including
22 regulations under part 208 of title 8, Code of Fed-
23 eral Regulations, and part 95 of title 22, Code of
24 Federal Regulations.

1 (3) Sections 1002 and 1003 of the Department
2 of Defense, Emergency Supplemental Appropriations
3 to Address Hurricanes in the Gulf of Mexico, and
4 Pandemic Influenza Act, 2006 (Public Law 109–
5 148).

6 SEC. 9010. None of the funds provided for the “Af-
7 ghanistan Security Forces Fund” (ASFF) may be obli-
8 gated prior to the approval of a financial and activity plan
9 by the Afghanistan Resources Oversight Council (AROC)
10 of the Department of Defense: *Provided*, That the AROC
11 must approve the requirement and acquisition plan for any
12 service requirements in excess of \$50,000,000 annually
13 and any non-standard equipment requirements in excess
14 of \$100,000,000 using ASFF: *Provided further*, That the
15 Department of Defense must certify to the congressional
16 defense committees that the AROC has convened and ap-
17 proved a process for ensuring compliance with the require-
18 ments in the preceding proviso and accompanying report
19 language for the ASFF.

20 SEC. 9011. Funds made available in this title to the
21 Department of Defense for operation and maintenance
22 may be used to purchase items having an investment unit
23 cost of not more than \$250,000: *Provided*, That, upon de-
24 termination by the Secretary of Defense that such action
25 is necessary to meet the operational requirements of a

1 Commander of a Combatant Command engaged in contin-
2 gency operations overseas, such funds may be used to pur-
3 chase items having an investment item unit cost of not
4 more than \$500,000.

5 SEC. 9012. From funds made available to the De-
6 partment of Defense in this title under the heading “Oper-
7 ation and Maintenance, Air Force”, up to \$140,000,000
8 may be used by the Secretary of Defense, notwithstanding
9 any other provision of law, to support United States Gov-
10 ernment transition activities in Iraq by funding the oper-
11 ations and activities of the Office of Security Cooperation
12 in Iraq and security assistance teams, including life sup-
13 port, transportation and personal security, and facilities
14 renovation and construction, and site closeout activities
15 prior to returning sites to the Government of Iraq: *Pro-*
16 *vided*, That, to the extent authorized under the National
17 Defense Authorization Act for Fiscal Year 2016, the oper-
18 ations and activities that may be carried out by the Office
19 of Security Cooperation in Iraq may, with the concurrence
20 of the Secretary of State, include non-operational training
21 activities in support of Iraqi Minister of Defense and
22 Counter Terrorism Service personnel in an institutional
23 environment to address capability gaps, integrate proc-
24 esses relating to intelligence, air sovereignty, combined
25 arms, logistics and maintenance, and to manage and inte-

1 grate defense-related institutions: *Provided further*, That
2 not later than 30 days following the enactment of this Act,
3 the Secretary of Defense and the Secretary of State shall
4 submit to the congressional defense committees a plan for
5 transitioning any such training activities that they deter-
6 mine are needed after the end of fiscal year 2016, to exist-
7 ing or new contracts for the sale of defense articles or
8 defense services consistent with the provisions of the Arms
9 Export Control Act (22 U.S.C. 2751 et seq.): *Provided*
10 *further*, That, not less than 15 days before making funds
11 available pursuant to the authority provided in this sec-
12 tion, the Secretary of Defense shall submit to the congres-
13 sional defense committees a written notice containing a
14 detailed justification and timeline for the operations and
15 activities of the Office of Security Cooperation in Iraq at
16 each site where such operations and activities will be con-
17 ducted during fiscal year 2016.

18 SEC. 9013. None of the funds made available by this
19 Act may be used with respect to Syria in contravention
20 of the War Powers Resolution (50 U.S.C. 1541 et seq.),
21 including for the introduction of United States armed or
22 military forces into hostilities in Syria, into situations in
23 Syria where imminent involvement in hostilities is clearly
24 indicated by the circumstances, or into Syrian territory,
25 airspace, or waters while equipped for combat, in con-

1 travention of the congressional consultation and reporting
2 requirements of sections 3 and 4 of that law (50 U.S.C.
3 1542 and 1543).

4 SEC. 9014. For the “Ukraine Security Assistance Ini-
5 tiative” as authorized by section 1251 of S. 1376, the Na-
6 tional Defense Authorization Act for Fiscal Year 2016,
7 as reported, \$300,000,000 is hereby appropriated to pro-
8 vide appropriate security assistance and intelligence sup-
9 port, including training, equipment, and logistics support,
10 supplies and services, to military and other security forces
11 of the Government of Ukraine: *Provided*, 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 SEC. 9015. None of the funds in this Act may be
17 made available for the transfer of additional C-130 cargo
18 aircraft to the Afghanistan National Security Forces or
19 the Afghanistan Air Force until the Department of De-
20 fense provides a report to the congressional defense com-
21 mittees of the Afghanistan Air Force’s medium airlift re-
22 quirements. The report should identify Afghanistan’s abil-
23 ity to utilize and maintain existing medium lift aircraft
24 in the inventory and the best alternative platform, if nec-

1 essary, to provide additional support to the Afghanistan
2 Air Force’s current medium airlift capacity.

3 SEC. 9016. The Secretary of Defense may obligate
4 and expend funds made available to the Department of
5 Defense in this title for additional costs associated with
6 projects funded with amounts provided under the heading
7 “Afghanistan Infrastructure Fund” in prior Acts: *Pro-*
8 *vided*, That such costs shall be limited to contract changes
9 resulting from inflation, market fluctuation, rate adjust-
10 ments, and other necessary contract actions to complete
11 the projects, and associated supervision and administra-
12 tion costs and costs for design during construction: *Pro-*
13 *vided further*, That the Secretary may not use more than
14 \$100,000,000 under the authority provided in this section:
15 *Provided further*, That the Secretary shall highlight such
16 contract changes and adjustments in annual reports to the
17 congressional defense committees.

18 SEC. 9017. It is the sense of the Senate that Con-
19 gress should enact an updated Authorization for Use of
20 Military Force to clarify the United States military role
21 against the Islamic State of Iraq and the Levant (ISIL).

22 This division may be cited as the “Department of De-
23 fense Appropriations Act, 2016”.

1 **DIVISION B—ENERGY AND WATER DEVEL-**
2 **OPMENT AND RELATED AGENCIES AP-**
3 **PROPRIATIONS ACT, 2016**

4 TITLE I

5 CORPS OF ENGINEERS—CIVIL

6 DEPARTMENT OF THE ARMY

7 CORPS OF ENGINEERS—CIVIL

8 The following appropriations shall be expended under
9 the direction of the Secretary of the Army and the super-
10 vision of the Chief of Engineers for authorized civil func-
11 tions of the Department of the Army pertaining to river
12 and harbor, flood and storm damage reduction, shore pro-
13 tection, aquatic ecosystem restoration, and related efforts.

14 INVESTIGATIONS

15 For expenses necessary where authorized by law for
16 the collection and study of basic information pertaining
17 to river and harbor, flood and storm damage reduction,
18 shore protection, aquatic ecosystem restoration, and re-
19 lated needs; for surveys and detailed studies, and plans
20 and specifications of proposed river and harbor, flood and
21 storm damage reduction, shore protection, and aquatic
22 ecosystem restoration projects, and related efforts prior to
23 construction; for restudy of authorized projects; and for
24 miscellaneous investigations, and, when authorized by law,
25 surveys and detailed studies, and plans and specifications

1 of projects prior to construction, \$109,000,000, to remain
2 available until expended.

3 CONSTRUCTION

4 For expenses necessary for the construction of river
5 and harbor, flood and storm damage reduction, shore pro-
6 tection, aquatic ecosystem restoration, and related
7 projects authorized by law; for conducting detailed studies,
8 and plans and specifications, of such projects (including
9 those involving participation by States, local governments,
10 or private groups) authorized or made eligible for selection
11 by law (but such detailed studies, and plans and specifica-
12 tions, shall not constitute a commitment of the Govern-
13 ment to construction); \$1,641,000,000, to remain avail-
14 able until expended; of which such sums as are necessary
15 to cover the Federal share of construction costs for facili-
16 ties under the Dredged Material Disposal Facilities pro-
17 gram shall be derived from the Harbor Maintenance Trust
18 Fund as authorized by Public Law 104–303; and of which
19 such sums as are necessary to cover one-half of the costs
20 of construction, replacement, rehabilitation, and expansion
21 of inland waterways projects shall be derived from the In-
22 land Waterways Trust Fund, except as otherwise specifi-
23 cally provided for in law.

1 MISSISSIPPI RIVER AND TRIBUTARIES

2 For expenses necessary for flood damage reduction
3 projects and related efforts in the Mississippi River allu-
4 vial valley below Cape Girardeau, Missouri, as authorized
5 by law, \$330,000,000, to remain available until expended,
6 of which such sums as are necessary to cover the Federal
7 share of eligible operation and maintenance costs for in-
8 land harbors shall be derived from the Harbor Mainte-
9 nance Trust Fund.

10 OPERATION AND MAINTENANCE

11 For expenses necessary for the operation, mainte-
12 nance, and care of existing river and harbor, flood and
13 storm damage reduction, aquatic ecosystem restoration,
14 and related projects authorized by law; providing security
15 for infrastructure owned or operated by the Corps, includ-
16 ing administrative buildings and laboratories; maintaining
17 harbor channels provided by a State, municipality, or
18 other public agency that serve essential navigation needs
19 of general commerce, where authorized by law; surveying
20 and charting northern and northwestern lakes and con-
21 necting waters; clearing and straightening channels; and
22 removing obstructions to navigation, \$2,909,000,000, to
23 remain available until expended, of which such sums as
24 are necessary to cover the Federal share of eligible oper-
25 ation and maintenance costs for coastal harbors and chan-

1 nels, and for inland harbors shall be derived from the Har-
2 bor Maintenance Trust Fund; of which such sums as be-
3 come available from the special account for the Corps of
4 Engineers established by the Land and Water Conserva-
5 tion Fund Act of 1965 shall be derived from that account
6 for resource protection, research, interpretation, and
7 maintenance activities related to resource protection in the
8 areas at which outdoor recreation is available; and of
9 which such sums as become available from fees collected
10 under section 217 of Public Law 104–303 shall be used
11 to cover the cost of operation and maintenance of the
12 dredged material disposal facilities for which such fees
13 have been collected: *Provided*, That 1 percent of the total
14 amount of funds provided for each of the programs,
15 projects, or activities funded under this heading shall not
16 be allocated to a field operating activity prior to the begin-
17 ning of the fourth quarter of the fiscal year and shall be
18 available for use by the Chief of Engineers to fund such
19 emergency activities as the Chief of Engineers determines
20 to be necessary and appropriate, and that the Chief of En-
21 gineers shall allocate during the fourth quarter any re-
22 maining funds which have not been used for emergency
23 activities proportionally in accordance with the amounts
24 provided for the programs, projects, or activities.

1 REGULATORY PROGRAM

2 For expenses necessary for administration of laws
3 pertaining to regulation of navigable waters and wetlands,
4 \$200,000,000, to remain available until September 30,
5 2017.

6 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

7 For expenses necessary to clean up contamination
8 from sites in the United States resulting from work per-
9 formed as part of the Nation's early atomic energy pro-
10 gram, \$101,500,000, to remain available until expended.

11 FLOOD CONTROL AND COASTAL EMERGENCIES

12 For expenses necessary to prepare for flood, hurri-
13 cane, and other natural disasters and support emergency
14 operations, repairs, and other activities in response to
15 such disasters as authorized by law, \$28,000,000, to re-
16 main available until expended.

17 EXPENSES

18 For expenses necessary for the supervision and gen-
19 eral administration of the civil works program in the head-
20 quarters of the Corps of Engineers and the offices of the
21 Division Engineers; and for costs of management and op-
22 eration of the Humphreys Engineer Center Support Activ-
23 ity, the Institute for Water Resources, the United States
24 Army Engineer Research and Development Center, and
25 the United States Army Corps of Engineers Finance Cen-

1 ter allocable to the civil works program, \$178,000,000, to
 2 remain available until September 30, 2017, of which not
 3 to exceed \$5,000 may be used for official reception and
 4 representation purposes and only during the current fiscal
 5 year: *Provided*, That no part of any other appropriation
 6 provided in this title shall be available to fund the civil
 7 works activities of the Office of the Chief of Engineers
 8 or the civil works executive direction and management ac-
 9 tivities of the division offices: *Provided further*, That any
 10 Flood Control and Coastal Emergencies appropriation
 11 may be used to fund the supervision and general adminis-
 12 tration of emergency operations, repairs, and other activi-
 13 ties in response to any flood, hurricane, or other natural
 14 disaster.

15 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
 16 FOR CIVIL WORKS

17 For the Office of the Assistant Secretary of the Army
 18 for Civil Works as authorized by 10 U.S.C. 3016(b)(3),
 19 \$3,000,000, to remain available until September 30, 2017.

20 GENERAL PROVISIONS—CORPS OF
 21 ENGINEERS—CIVIL

22 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

23 SEC. 101. (a) None of the funds provided in title I
 24 of this Act, or provided by previous appropriations Acts
 25 to the agencies or entities funded in title I of this Act

1 that remain available for obligation or expenditure in fiscal
2 year 2016, shall be available for obligation or expenditure
3 through a reprogramming of funds that:

4 (1) creates or initiates a new program, project,
5 or activity;

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

7 (3) increases funds or personnel for any pro-
8 gram, project, or activity for which funds have been
9 denied or restricted by this Act, unless prior ap-
10 proval is received from the House and Senate Com-
11 mittees on Appropriations;

12 (4) proposes to use funds directed for a specific
13 activity for a different purpose, unless prior approval
14 is received from the House and Senate Committees
15 on Appropriations;

16 (5) augments or reduces existing programs,
17 projects or activities in excess of the amounts con-
18 tained in subsections 6 through 10, unless prior ap-
19 proval is received from the House and Senate Com-
20 mittees on Appropriations;

21 (6) INVESTIGATIONS.—For a base level over
22 \$100,000, reprogramming of 25 percent of the base
23 amount up to a limit of \$150,000 per project, study
24 or activity is allowed: *Provided*, That for a base level
25 less than \$100,000, the reprogramming limit is

1 \$25,000: *Provided further*, That up to \$25,000 may
2 be reprogrammed into any continuing study or activ-
3 ity that did not receive an appropriation for existing
4 obligations and concomitant administrative expenses;

5 (7) CONSTRUCTION.—For a base level over
6 \$2,000,000, reprogramming of 15 percent of the
7 base amount up to a limit of \$3,000,000 per project,
8 study or activity is allowed: *Provided*, That for a
9 base level less than \$2,000,000, the reprogramming
10 limit is \$300,000: *Provided further*, That up to
11 \$3,000,000 may be reprogrammed for settled con-
12 tractor claims, changed conditions, or real estate de-
13 ficiency judgments: *Provided further*, That up to
14 \$300,000 may be reprogrammed into any continuing
15 study or activity that did not receive an appropria-
16 tion for existing obligations and concomitant admin-
17 istrative expenses;

18 (8) OPERATIONS AND MAINTENANCE.—Unlim-
19 ited reprogramming authority is granted in order for
20 the Corps to be able to respond to emergencies: *Pro-*
21 *vided*, That the Chief of Engineers must notify the
22 House and Senate Committees on Appropriations of
23 these emergency actions as soon thereafter as prac-
24 ticable: *Provided further*, That for a base level over
25 \$1,000,000, reprogramming of 15 percent of the

1 base amount a limit of \$5,000,000 per project, study
2 or activity is allowed: *Provided further*, That for a
3 base level less than \$1,000,000, the reprogramming
4 limit is \$150,000: *Provided further*, That \$150,000
5 may be reprogrammed into any continuing study or
6 activity that did not receive an appropriation;

7 (9) MISSISSIPPI RIVER AND TRIBUTARIES.—
8 The same reprogramming guidelines for the Inves-
9 tigation, Construction, and Operation and Mainte-
10 nance portions of the Mississippi River and Tribu-
11 taries Account as listed above; and

12 (10) FORMERLY UTILIZED SITES REMEDIAL AC-
13 TION PROGRAM.—Reprogramming of up to 15 per-
14 cent of the base of the receiving project is permitted.

15 (b) DE MINIMUS REPROGRAMMINGS.—In no case
16 should a reprogramming for less than \$50,000 be sub-
17 mitted to the House and Senate Committees on Appro-
18 priations.

19 (c) CONTINUING AUTHORITIES PROGRAM.—Sub-
20 section (a)(1) shall not apply to any project or activity
21 funded under the continuing authorities program.

22 (d) Not later than 60 days after the date of enact-
23 ment of this Act, the Corps of Engineers shall submit a
24 report to the House and Senate Committees on Appropria-
25 tions to establish the baseline for application of re-

1 programming and transfer authorities for the current fis-
2 cal year: *Provided*, That the report shall include:

3 (1) A table for each appropriation with a sepa-
4 rate column to display the President's budget re-
5 quest, adjustments made by Congress, adjustments
6 due to enacted rescissions, if applicable, and the fis-
7 cal year enacted level;

8 (2) A delineation in the table for each appro-
9 priation both by object class and program, project
10 and activity as detailed in the budget appendix for
11 the respective appropriations; and

12 (3) An identification of items of special congres-
13 sional interest.

14 SEC. 102. (a) Of the funds made available in prior
15 appropriations Acts for water resources efforts under the
16 headings "Corps of Engineers-Civil, Department of the
17 Army, Construction" that remain unobligated as of the
18 date of enactment of this Act, including amounts specified
19 in law for particular projects, programs, or activities,
20 \$128,000,000 is rescinded.

21 (b) None of the funds under subsection (a) may be
22 rescinded from amounts that the Congress designated as
23 an emergency requirement pursuant to the Concurrent
24 Resolution on the Budget or the Balanced Budget and
25 Emergency Deficit Control Act of 1985, as amended.

1 (b) The transfer agreement under subsection (a) shall
2 require the South Florida Water Management District to
3 operate the transferred project as an environmental res-
4 toration project to provide water storage and water treat-
5 ment options.

6 (c) Upon execution of the transfer agreement under
7 subsection (a), the Ten Mile Creek Water Preserve Area
8 Critical Restoration Project shall no longer be authorized
9 as a Federal project.

10 SEC. 106. Section 5032(a)(2) of the Water Resources
11 Development Act of 2007 (Public Law 110–114; 121 Stat.
12 1205) is amended by striking “15” and inserting “20”.

13 SEC. 107. (a) No funds made available in this Act
14 or any prior Act shall be available to reallocate water with-
15 in the Alabama-Coosa-Tallapoosa (ACT) river basin, or
16 any study thereof, until the Corps of Engineers has exe-
17 cuted a Partnering Agreement with Alabama and Georgia
18 outlining the participation of each State in a water re-
19 allocation study for the ACT river basin.

20 (b) The prohibition in subsection (a) shall apply to
21 the use of contributed or other non-Federal funds.

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TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, \$9,874,000, to remain available until expended, of which \$1,000,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: *Provided*, That, of the amount provided under this heading, \$1,350,000 shall be available until September 30, 2017, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: *Provided further*, That, for fiscal year 2016, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed \$1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

1 WATER AND RELATED RESOURCES
2 (INCLUDING TRANSFERS OF FUNDS)

3 For management, development, and restoration of
4 water and related natural resources and for related activi-
5 ties, including the operation, maintenance, and rehabilita-
6 tion of reclamation and other facilities, participation in
7 fulfilling related Federal responsibilities to Native Ameri-
8 cans, and related grants to, and cooperative and other
9 agreements with, State and local governments, federally
10 recognized Indian tribes, and others, \$988,131,000, to re-
11 main available until expended, of which \$22,000 shall be
12 available for transfer to the Upper Colorado River Basin
13 Fund and \$5,899,000 shall be available for transfer to the
14 Lower Colorado River Basin Development Fund; of which
15 such amounts as may be necessary may be advanced to
16 the Colorado River Dam Fund: *Provided*, That such trans-
17 fers may be increased or decreased within the overall ap-
18 propriation under this heading: *Provided further*, That, of
19 the total appropriated, the amount for program activities
20 that can be financed by the Reclamation Fund or the Bu-
21 reau of Reclamation special fee account established by 16
22 U.S.C. 6806 shall be derived from that Fund or account:
23 *Provided further*, That funds contributed under 43 U.S.C.
24 395 are available until expended for the purposes for
25 which the funds were contributed: *Provided further*, That

1 funds advanced under 43 U.S.C. 397a shall be credited
2 to this account and are available until expended for the
3 same purposes as the sums appropriated under this head-
4 ing: *Provided further*, That, of the amounts provided here-
5 in, funds may be used for high-priority projects which
6 shall be carried out by the Youth Conservation Corps, as
7 authorized by 16 U.S.C. 1706.

8 CENTRAL VALLEY PROJECT RESTORATION FUND

9 For carrying out the programs, projects, plans, habi-
10 tat restoration, improvement, and acquisition provisions of
11 the Central Valley Project Improvement Act, \$49,528,000,
12 to be derived from such sums as may be collected in the
13 Central Valley Project Restoration Fund pursuant to sec-
14 tions 3407(d), 3404(c)(3), and 3405(f) of Public Law
15 102-575, to remain available until expended: *Provided*,
16 That the Bureau of Reclamation is directed to assess and
17 collect the full amount of the additional mitigation and
18 restoration payments authorized by section 3407(d) of
19 Public Law 102-575: *Provided further*, That none of the
20 funds made available under this heading may be used for
21 the acquisition or leasing of water for in-stream purposes
22 if the water is already committed to in-stream purposes
23 by a court adopted decree or order.

1 CALIFORNIA BAY-DELTA RESTORATION
2 (INCLUDING TRANSFERS OF FUNDS)

3 For carrying out activities authorized by the Water
4 Supply, Reliability, and Environmental Improvement Act,
5 consistent with plans to be approved by the Secretary of
6 the Interior, \$37,000,000, to remain available until ex-
7 pended, of which such amounts as may be necessary to
8 carry out such activities may be transferred to appropriate
9 accounts of other participating Federal agencies to carry
10 out authorized purposes: *Provided*, That funds appro-
11 priated herein may be used for the Federal share of the
12 costs of CALFED Program management: *Provided fur-*
13 *ther*, That CALFED implementation shall be carried out
14 in a balanced manner with clear performance measures
15 demonstrating concurrent progress in achieving the goals
16 and objectives of the Program.

17 POLICY AND ADMINISTRATION

18 For expenses necessary for policy, administration,
19 and related functions in the Office of the Commissioner,
20 the Denver office, and offices in the five regions of the
21 Bureau of Reclamation, to remain available until Sep-
22 tember 30, 2017, \$58,500,000, to be derived from the
23 Reclamation Fund and be nonreimbursable as provided in
24 43 U.S.C. 377: *Provided*, That no part of any other appro-

1 priation in this Act shall be available for activities or func-
2 tions budgeted as policy and administration expenses.

3 ADMINISTRATIVE PROVISION

4 Appropriations for the Bureau of Reclamation shall
5 be available for purchase of not to exceed five passenger
6 motor vehicles, which are for replacement only.

7 GENERAL PROVISIONS—DEPARTMENT OF THE
8 INTERIOR

9 SEC. 201. (a) None of the funds provided in this title
10 shall be available for obligation or expenditure through a
11 reprogramming of funds that—

12 (1) creates or initiates a new program, project,
13 or activity;

14 (2) eliminates a program, project, or activity;

15 (3) increases funds for any program, project, or
16 activity for which funds have been denied or re-
17 stricted by this Act;

18 (4) restarts or resumes any program, project or
19 activity for which funds are not provided in this Act,
20 unless prior approval is received from the Commit-
21 tees on Appropriations of both Houses of Congress;

22 (5) transfers funds in excess of the following
23 limits—

1 (A) 15 percent for any program, project or
2 activity for which \$2,000,000 or more is avail-
3 able at the beginning of the fiscal year; or

4 (B) \$300,000 for any program, project or
5 activity for which less than \$2,000,000 is avail-
6 able at the beginning of the fiscal year;

7 (6) transfers more than \$500,000 from either
8 the Facilities Operation, Maintenance, and Rehabili-
9 tation category or the Resources Management and
10 Development category to any program, project, or
11 activity in the other category; or

12 (7) transfers, when necessary to discharge legal
13 obligations of the Bureau of Reclamation, more than
14 \$5,000,000 to provide adequate funds for settled
15 contractor claims, increased contractor earnings due
16 to accelerated rates of operations, and real estate de-
17 ficiency judgments.

18 (b) Subsection (a)(5) shall not apply to any transfer
19 of funds within the Facilities Operation, Maintenance, and
20 Rehabilitation category.

21 (c) For purposes of this section, the term “transfer”
22 means any movement of funds into or out of a program,
23 project, or activity.

24 (d) The Bureau of Reclamation shall submit reports
25 on a quarterly basis to the Committees on Appropriations

1 of both Houses of Congress detailing all the funds repro-
2 grammed between programs, projects, activities, or cat-
3 egories of funding. The first quarterly report shall be sub-
4 mitted not later than 60 days after the date of enactment
5 of this Act.

6 SEC. 202. (a) None of the funds appropriated or oth-
7 erwise made available by this Act may be used to deter-
8 mine the final point of discharge for the interceptor drain
9 for the San Luis Unit until development by the Secretary
10 of the Interior and the State of California of a plan, which
11 shall conform to the water quality standards of the State
12 of California as approved by the Administrator of the En-
13 vironmental Protection Agency, to minimize any detri-
14 mental effect of the San Luis drainage waters.

15 (b) The costs of the Kesterson Reservoir Cleanup
16 Program and the costs of the San Joaquin Valley Drain-
17 age Program shall be classified by the Secretary of the
18 Interior as reimbursable or nonreimbursable and collected
19 until fully repaid pursuant to the “Cleanup Program—
20 Alternative Repayment Plan” and the “SJVDP—Alter-
21 native Repayment Plan” described in the report entitled
22 “Repayment Report, Kesterson Reservoir Cleanup Pro-
23 gram and San Joaquin Valley Drainage Program, Feb-
24 ruary 1995”, prepared by the Department of the Interior,
25 Bureau of Reclamation. Any future obligations of funds

1 by the United States relating to, or providing for, drainage
2 service or drainage studies for the San Luis Unit shall
3 be fully reimbursable by San Luis Unit beneficiaries of
4 such service or studies pursuant to Federal reclamation
5 law.

6 SEC. 203. Section 9504(e) of the Secure Water Act
7 of 2009 (42 U.S.C. 10364(e)) is amended by striking
8 “\$300,000,000” and inserting “\$500,000,000”.

9 SEC. 204. Title I of Public Law 108–361 (the Califed
10 Bay-Delta Authorization Act) (118 Stat. 1681), as
11 amended by section 210 of Public Law 111–85, is amend-
12 ed by striking “2016” each place it appears and inserting
13 “2020”.

14 SEC. 205. The Reclamation Safety of Dams Act of
15 1978 is amended by—

16 (1) striking “Construction” and inserting “Ex-
17 cept as provided in section 5B, construction” in sec-
18 tion 3; and

19 (2) inserting after section 5A (43 U.S.C. 509a)
20 the following:

21 “SEC. 5B. Notwithstanding section 3, if the Sec-
22 retary, in her judgment, determines that additional project
23 benefits, including but not limited to additional conserva-
24 tion storage capacity, are necessary and in the interests
25 of the United States and the project and are feasible and

1 not inconsistent with the purposes of this Act, the Sec-
2 retary is authorized to develop additional project benefits
3 through the construction of new or supplementary works
4 on a project in conjunction with the Secretary's activities
5 under section 2 of this Act and subject to the conditions
6 described in the feasibility study, provided the costs associ-
7 ated with developing the additional project benefits are al-
8 located to the authorized purposes of the project that have
9 a benefit, a cost share agreement related to the additional
10 project benefits is reached among State and Federal fund-
11 ing agencies and repaid consistent with all provisions of
12 Federal Reclamation law (the Act of June 17, 1902, 43
13 U.S.C. 371 et seq.) and acts supplemental to and amend-
14 atory of that Act.”.

15 SEC. 206. Section 5 of the Reclamation Safety of
16 Dams Act of 1978 (43 U.S.C. 509) is amended in the
17 first sentence—

18 (a) by inserting “and effective October 1, 2015, not
19 to exceed an additional \$1,100,000,000 (October 1, 2003,
20 price levels),” after “(October 1, 2003, price levels),”;

21 (b) in the proviso—

22 (1) by striking “\$1,250,000” and inserting
23 “\$20,000,000”; and

24 (2) by striking “Congress” and inserting “Com-
25 mittee on Natural Resources of the House of Rep-

1 representatives and the Committee on Energy and Nat-
2 ural Resources of the Senate”; and

3 (3) by adding at the end the following: “For
4 modification expenditures between \$1,800,000 and
5 \$20,000,000 (October 1, 2013, price levels), the Sec-
6 retary of the Interior shall, at least 30 days before
7 the date on which the funds are expended, submit
8 written notice of the expenditures to the Committee
9 on Natural Resources of the House of Representa-
10 tives and Committee on Energy and Natural Re-
11 sources of the Senate that provides a summary of
12 the project, the cost of the project, and any alter-
13 natives that were considered.”.

14 SEC. 207. The Secretary of the Interior, acting
15 through the Commissioner of Reclamation, shall—

16 (a) complete the feasibility studies described in
17 clauses (i)(I) and (ii)(II) of section 103(d)(1)(A) of Public
18 Law 108–361 (118 Stat. 1684) and submit such studies
19 to the appropriate committees of the House of Representa-
20 tives and the Senate not later than December 31, 2015;

21 (b) complete the feasibility study described in clause
22 (i)(II) of section 103(d)(1)(A) of Public Law 108–361 and
23 submit such study to the appropriate committees of the
24 House of Representatives and the Senate not later than
25 November 30, 2016;

1 (c) complete a publicly available draft feasibility
2 study for the project described in clause (ii)(I) of section
3 103(d)(1)(A) of Public Law 108–361 and submit such
4 study to the appropriate committees of the House of Rep-
5 resentatives and the Senate not later than November 30,
6 2016;

7 (d) complete the feasibility study described in clause
8 (ii)(I) of section 103(d)(1)(A) of Public Law 108–361 and
9 submit such study to the appropriate committees of the
10 House of Representatives and the Senate not later than
11 November 30, 2017;

12 (e) complete the feasibility study described in section
13 103(f)(1)(A) of Public Law 108–361 (118 Stat. 1694)
14 and submit such study to the appropriate committees of
15 the House of Representatives and the Senate not later
16 than December 31, 2017; and

17 (f) provide a progress report on the status of the fea-
18 sibility studies referred to in paragraphs (1) through (3)
19 to the appropriate committees of the House of Representa-
20 tives and the Senate not later than 90 days after the date
21 of the enactment of this Act and each 180 days thereafter
22 until December 31, 2017, as applicable. The report shall
23 include timelines for study completion, draft environ-
24 mental impact statements, final environmental impact
25 statements, and Records of Decision.

1 SEC. 208. Notwithstanding any other provision of
2 this Act, funds provided by this Act for California Bay-
3 Delta Restoration may be used to deliver water to the
4 Trinity River above the minimum requirements of the
5 Trinity Record of Decision or to supplement flows in the
6 Klamath River.

7 SEC. 209. Notwithstanding any other provision of
8 this Act, funds made available by this Act for Central Val-
9 ley Project Restoration Fund may be used for all author-
10 ized activities necessary to supplement or enhance the
11 instream flow requirements in the State of California that
12 are mandated under the Endangered Species Act of 1973
13 and the Central Valley Project Improvement Act.

14 TITLE III

15 DEPARTMENT OF ENERGY

16 ENERGY PROGRAMS

17 ENERGY EFFICIENCY AND RENEWABLE ENERGY

18 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

19 For Department of Energy expenses including the
20 purchase, construction, and acquisition of plant and cap-
21 ital equipment, and other expenses necessary for energy
22 efficiency and renewable energy activities in carrying out
23 the purposes of the Department of Energy Organization
24 Act (42 U.S.C. 7101 et seq.), including the acquisition or
25 condemnation of any real property or any facility or for

1 plant or facility acquisition, construction, or expansion,
2 \$1,950,000,000, to remain available until expended: *Pro-*
3 *vided*, That, of such amount, \$160,000,000 shall be avail-
4 able until September 30, 2017, for program direction: *Pro-*
5 *vided further*, That, of the amount provided under this
6 heading, the Secretary may transfer up to \$45,000,000
7 to the Defense Production Act Fund for activities of the
8 Department of Energy pursuant to the Defense Produc-
9 tion Act of 1950 (50 U.S.C. App. 2061, et seq.).

10 ELECTRICITY DELIVERY AND ENERGY RELIABILITY

11 For Department of Energy expenses including the
12 purchase, construction, and acquisition of plant and cap-
13 ital equipment, and other expenses necessary for elec-
14 tricity delivery and energy reliability activities in carrying
15 out the purposes of the Department of Energy Organiza-
16 tion Act (42 U.S.C. 7101 et seq.), including the acquisi-
17 tion or condemnation of any real property or any facility
18 or for plant or facility acquisition, construction, or expan-
19 sion, \$152,306,000, to remain available until expended:
20 *Provided*, That, of such amount, \$27,000,000 shall be
21 available until September 30, 2017, for program direction.

22 NUCLEAR ENERGY

23 For Department of Energy expenses including the
24 purchase, construction, and acquisition of plant and cap-
25 ital equipment, and other expenses necessary for nuclear

1 energy activities in carrying out the purposes of the De-
2 partment of Energy Organization Act (42 U.S.C. 7101 et
3 seq.), including the acquisition or condemnation of any
4 real property or any facility or for plant or facility acquisi-
5 tion, construction, or expansion, \$950,161,000, to remain
6 available until expended: *Provided*, That, of such amount,
7 \$80,000,000 shall be available until September 30, 2017,
8 for program direction including official reception and rep-
9 resentation expenses not to exceed \$10,000: *Provided*,
10 That, of such amount, \$24,000,000 shall be derived from
11 the Nuclear Waste Fund.

12 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

13 For Department of Energy expenses necessary in car-
14 rying out fossil energy research and development activi-
15 ties, under the authority of the Department of Energy Or-
16 ganization Act (42 U.S.C. 7101 et seq.), including the ac-
17 quisition of interest, including defeasible and equitable in-
18 terests in any real property or any facility or for plant
19 or facility acquisition or expansion, and for conducting in-
20 quiries, technological investigations and research con-
21 cerning the extraction, processing, use, and disposal of
22 mineral substances without objectionable social and envi-
23 ronmental costs (30 U.S.C. 3, 1602, and 1603),
24 \$610,000,000, to remain available until expended: *Pro-*

1 *vided*, That, of such amount, \$115,000,000 shall be avail-
2 able until September 30, 2017, for program direction.

3 NAVAL PETROLEUM AND OIL SHALE RESERVES

4 For Department of Energy expenses necessary to
5 carry out naval petroleum and oil shale reserve activities,
6 \$17,500,000, to remain available until expended: *Pro-*
7 *vided*, That, notwithstanding any other provision of law,
8 unobligated funds remaining from prior years shall be
9 available for all naval petroleum and oil shale reserve ac-
10 tivities.

11 STRATEGIC PETROLEUM RESERVE

12 For Department of Energy expenses necessary for
13 Strategic Petroleum Reserve facility development and op-
14 erations and program management activities pursuant to
15 the Energy Policy and Conservation Act (42 U.S.C. 6201
16 et seq.), \$200,000,000, to remain available until expended.

17 NORTHEAST HOME HEATING OIL RESERVE

18 For Department of Energy expenses necessary for
19 Northeast Home Heating Oil Reserve storage, operation,
20 and management activities pursuant to the Energy Policy
21 and Conservation Act (42 U.S.C. 6201 et seq.),
22 \$7,600,000, to remain available until expended.

23 ENERGY INFORMATION ADMINISTRATION

24 For Department of Energy expenses necessary in car-
25 rying out the activities of the Energy Information Admin-

1 istration, \$122,000,000, to remain available until ex-
2 pended.

3 NON-DEFENSE ENVIRONMENTAL CLEANUP

4 For Department of Energy expenses, including the
5 purchase, construction, and acquisition of plant and cap-
6 ital equipment and other expenses necessary for non-de-
7 fense environmental cleanup activities in carrying out the
8 purposes of the Department of Energy Organization Act
9 (42 U.S.C. 7101 et seq.), including the acquisition or con-
10 demnation of any real property or any facility or for plant
11 or facility acquisition, construction, or expansion,
12 \$244,000,000, to remain available until expended.

13 URANIUM ENRICHMENT DECONTAMINATION AND
14 DECOMMISSIONING FUND

15 For Department of Energy expenses necessary in car-
16 rying out uranium enrichment facility decontamination
17 and decommissioning, remedial actions, and other activi-
18 ties of title II of the Atomic Energy Act of 1954, and
19 title X, subtitle A, of the Energy Policy Act of 1992,
20 \$614,000,000, to be derived from the Uranium Enrich-
21 ment Decontamination and Decommissioning Fund, to re-
22 main available until expended, of which \$32,959,000 shall
23 be available in accordance with title X, subtitle A, of the
24 Energy Policy Act of 1992.

SCIENCE

1
2 For Department of Energy expenses including the
3 purchase, construction, and acquisition of plant and cap-
4 ital equipment, and other expenses necessary for science
5 activities in carrying out the purposes of the Department
6 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
7 cluding the acquisition or condemnation of any real prop-
8 erty or facility or for plant or facility acquisition, construc-
9 tion, or expansion, and purchase of not more than 17 pas-
10 senger motor vehicles for replacement only, including one
11 ambulance and one bus, \$5,143,877,000, to remain avail-
12 able until expended: *Provided*, That, of such amount,
13 \$185,000,000 shall be available until September 30, 2017,
14 for program direction.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

15
16 For Department of Energy expenses necessary in car-
17 rying out the activities authorized by section 5012 of the
18 America COMPETES Act (Public Law 110–69),
19 \$291,000,000, to remain available until expended: *Pro-*
20 *vided*, That, of such amount, \$28,000,000 shall be avail-
21 able until September 30, 2017, for program direction.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE
PROGRAM

22
23
24 Such sums as are derived from amounts received
25 from borrowers pursuant to section 1702(b) of the Energy

1 cles Manufacturing Loan Program, \$6,000,000, to remain
2 available until September 30, 2017.

3 DEPARTMENTAL ADMINISTRATION

4 For salaries and expenses of the Department of En-
5 ergy necessary for departmental administration in car-
6 rying out the purposes of the Department of Energy Orga-
7 nization Act (42 U.S.C. 7101 et seq.), \$248,142,000, to
8 remain available until September 30, 2017, including the
9 hire of passenger motor vehicles and official reception and
10 representation expenses not to exceed \$30,000, plus such
11 additional amounts as necessary to cover increases in the
12 estimated amount of cost of work for others notwith-
13 standing the provisions of the Anti-Deficiency Act (31
14 U.S.C. 1511 et seq.): *Provided*, That such increases in
15 cost of work are offset by revenue increases of the same
16 or greater amount: *Provided further*, That moneys received
17 by the Department for miscellaneous revenues estimated
18 to total \$117,171,000 in fiscal year 2016 may be retained
19 and used for operating expenses within this account, as
20 authorized by section 201 of Public Law 95–238, notwith-
21 standing the provisions of 31 U.S.C. 3302: *Provided fur-*
22 *ther*, That the sum herein appropriated shall be reduced
23 as collections are received during the fiscal year so as to
24 result in a final fiscal year 2016 appropriation from the
25 general fund estimated at not more than \$130,971,000:

1 *Provided further*, That, of the total amount made available
2 under this heading, \$31,297,000 is for Energy Policy and
3 Systems Analysis.

4 OFFICE OF THE INSPECTOR GENERAL

5 For expenses necessary for the Office of the Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, \$46,424,000, to remain available
8 until September 30, 2017.

9 ATOMIC ENERGY DEFENSE ACTIVITIES

10 NATIONAL NUCLEAR SECURITY

11 ADMINISTRATION

12 WEAPONS ACTIVITIES

13 For Department of Energy expenses, including the
14 purchase, construction, and acquisition of plant and cap-
15 ital equipment and other incidental expenses necessary for
16 atomic energy defense weapons activities in carrying out
17 the purposes of the Department of Energy Organization
18 Act (42 U.S.C. 7101 et seq.), including the acquisition or
19 condemnation of any real property or any facility or for
20 plant or facility acquisition, construction, or expansion,
21 \$8,882,364,000, to remain available until expended: *Pro-*
22 *vided*, That of such amount, \$97,118,000 shall be avail-
23 able until September 30, 2017, for program direction.

1 DEFENSE NUCLEAR NONPROLIFERATION

2 For Department of Energy expenses, including the
3 purchase, construction, and acquisition of plant and cap-
4 ital equipment and other incidental expenses necessary for
5 defense nuclear nonproliferation activities, in carrying out
6 the purposes of the Department of Energy Organization
7 Act (42 U.S.C. 7101 et seq.), including the acquisition or
8 condemnation of any real property or any facility or for
9 plant or facility acquisition, construction, or expansion,
10 \$1,705,912,000, to remain available until expended.

11 NAVAL REACTORS

12 For Department of Energy expenses necessary for
13 naval reactors activities to carry out the Department of
14 Energy Organization Act (42 U.S.C. 7101 et seq.), includ-
15 ing the acquisition (by purchase, condemnation, construc-
16 tion, or otherwise) of real property, plant, and capital
17 equipment, facilities, and facility expansion,
18 \$1,300,000,000, to remain available until expended: *Pro-*
19 *vided*, That of such amount, \$42,504,000 shall be avail-
20 able until September 30, 2017, for program direction.

21 FEDERAL SALARIES AND EXPENSES

22 For expenses necessary for Federal Salaries and Ex-
23 penses in the National Nuclear Security Administration,
24 \$375,000,000, to remain available until September 30,

1 2017, including official reception and representation ex-
2 penses not to exceed \$12,000.

3 ENVIRONMENTAL AND OTHER DEFENSE

4 ACTIVITIES

5 DEFENSE ENVIRONMENTAL CLEANUP

6 For Department of Energy expenses, including the
7 purchase, construction, and acquisition of plant and cap-
8 ital equipment and other expenses necessary for atomic
9 energy defense environmental cleanup activities in car-
10 rying out the purposes of the Department of Energy Orga-
11 nization Act (42 U.S.C. 7101 et seq.), including the acqui-
12 sition or condemnation of any real property or any facility
13 or for plant or facility acquisition, construction, or expan-
14 sion, and the purchase of not to exceed one fire apparatus
15 pumper truck and one armored vehicle for replacement
16 only, \$5,180,000,000, to remain available until expended:
17 *Provided*, That, of such amount, \$281,951,000 shall be
18 available until September 30, 2017, for program direction:
19 *Provided further*, That the Office of Environmental Man-
20 agement shall not accept ownership or responsibility for
21 cleanup of any National Nuclear Security Administration
22 facilities or sites without funding specifically designated
23 for that purpose in an Appropriations Act at the time of
24 transfer.

1 DEFENSE URANIUM ENRICHMENT DECONTAMINATION
2 AND DECOMMISSIONING
3 (INCLUDING TRANSFER OF FUNDS)

4 For an additional amount for atomic energy defense
5 environmental cleanup activities for Department of En-
6 ergy contributions for uranium enrichment decontamina-
7 tion and decommissioning activities, \$614,000,000, to be
8 deposited into the Defense Environmental Cleanup ac-
9 count which shall be transferred to the “Uranium Enrich-
10 ment Decontamination and Decommissioning Fund”.

11 OTHER DEFENSE ACTIVITIES

12 For Department of Energy expenses, including the
13 purchase, construction, and acquisition of plant and cap-
14 ital equipment and other expenses, necessary for atomic
15 energy defense, other defense activities, and classified ac-
16 tivities, in carrying out the purposes of the Department
17 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
18 cluding the acquisition or condemnation of any real prop-
19 erty or any facility or for plant or facility acquisition, con-
20 struction, or expansion, \$764,000,000, to remain available
21 until expended: *Provided*, That, of such amount,
22 \$249,137,000 shall be available until September 30, 2017,
23 for program direction.

1 POWER MARKETING ADMINISTRATIONS

2 BONNEVILLE POWER ADMINISTRATION FUND

3 Expenditures from the Bonneville Power Administra-
4 tion Fund, established pursuant to Public Law 93-454,
5 are approved for the Shoshone Paiute Trout Hatchery, the
6 Spokane Tribal Hatchery, the Snake River Sockeye Weirs
7 and, in addition, for official reception and representation
8 expenses in an amount not to exceed \$5,000: *Provided*,
9 That, during fiscal year 2016, no new direct loan obliga-
10 tions may be made.

11 OPERATIONS AND MAINTENANCE, SOUTHEASTERN

12 POWER ADMINISTRATION

13 For expenses necessary for operations and mainte-
14 nance of power transmission facilities and for marketing
15 electric power and energy, including transmission wheeling
16 and ancillary services, pursuant to section 5 of the Flood
17 Control Act of 1944 (16 U.S.C. 825s), as applied to the
18 southeastern power area, \$6,900,000, including official re-
19 ception and representation expenses in an amount not to
20 exceed \$1,500, to remain available until expended: *Pro-*
21 *vided*, That, notwithstanding 31 U.S.C. 3302 and section
22 5 of the Flood Control Act of 1944, up to \$6,900,000 col-
23 lected by the Southeastern Power Administration from the
24 sale of power and related services shall be credited to this
25 account as discretionary offsetting collections, to remain

1 available until expended for the sole purpose of funding
 2 the annual expenses of the Southeastern Power Adminis-
 3 tration: *Provided further*, That the sum herein appro-
 4 priated for annual expenses shall be reduced as collections
 5 are received during the fiscal year so as to result in a final
 6 fiscal year 2016 appropriation estimated at not more than
 7 \$0: *Provided further*, That, notwithstanding 31 U.S.C.
 8 3302, up to \$66,500,000 collected by the Southeastern
 9 Power Administration pursuant to the Flood Control Act
 10 of 1944 to recover purchase power and wheeling expenses
 11 shall be credited to this account as offsetting collections,
 12 to remain available until expended for the sole purpose
 13 of making purchase power and wheeling expenditures:
 14 *Provided further*, That, for purposes of this appropriation,
 15 annual expenses means expenditures that are generally re-
 16 covered in the same year that they are incurred (excluding
 17 purchase power and wheeling expenses).

18 OPERATIONS AND MAINTENANCE, SOUTHWESTERN

19 POWER ADMINISTRATION

20 For expenses necessary for operations and mainte-
 21 nance of power transmission facilities and for marketing
 22 electric power and energy, for construction and acquisition
 23 of transmission lines, substations and appurtenant facili-
 24 ties, and for administrative expenses, including official re-
 25 ception and representation expenses in an amount not to

1 exceed \$1,500 in carrying out section 5 of the Flood Con-
2 trol Act of 1944 (16 U.S.C. 825s), as applied to the
3 Southwestern Power Administration, \$47,361,000, to re-
4 main available until expended: *Provided*, That, notwith-
5 standing 31 U.S.C. 3302 and section 5 of the Flood Con-
6 trol Act of 1944 (16 U.S.C. 825s), up to \$35,961,000 col-
7 lected by the Southwestern Power Administration from
8 the sale of power and related services shall be credited to
9 this account as discretionary offsetting collections, to re-
10 main available until expended, for the sole purpose of
11 funding the annual expenses of the Southwestern Power
12 Administration: *Provided further*, That the sum herein ap-
13 propriated for annual expenses shall be reduced as collec-
14 tions are received during the fiscal year so as to result
15 in a final fiscal year 2016 appropriation estimated at not
16 more than \$11,400,000: *Provided further*, That, notwith-
17 standing 31 U.S.C. 3302, up to \$63,000,000 collected by
18 the Southwestern Power Administration pursuant to the
19 Flood Control Act of 1944 to recover purchase power and
20 wheeling expenses shall be credited to this account as off-
21 setting collections, to remain available until expended for
22 the sole purpose of making purchase power and wheeling
23 expenditures: *Provided further*, That, for purposes of this
24 appropriation, annual expenses means expenditures that

1 are generally recovered in the same year that they are in-
2 curred (excluding purchase power and wheeling expenses).

3 CONSTRUCTION, REHABILITATION, OPERATIONS AND
4 MAINTENANCE, WESTERN AREA POWER ADMINIS-
5 TRATION

6 For carrying out the functions authorized by title III,
7 section 302(a)(1)(E) of the Act of August 4, 1977 (42
8 U.S.C. 7152), and other related activities including con-
9 servation and renewable resources programs as author-
10 ized, \$307,714,000, including official reception and rep-
11 resentation expenses in an amount not to exceed \$1,500,
12 to remain available until expended, of which \$302,000,000
13 shall be derived from the Department of the Interior Rec-
14 lamation Fund: *Provided*, That, notwithstanding 31
15 U.S.C. 3302, section 5 of the Flood Control Act of 1944
16 (16 U.S.C. 825s), and section 1 of the Interior Depart-
17 ment Appropriation Act, 1939 (43 U.S.C. 392a), up to
18 \$214,342,000 collected by the Western Area Power Ad-
19 ministration from the sale of power and related services
20 shall be credited to this account as discretionary offsetting
21 collections, to remain available until expended, for the sole
22 purpose of funding the annual expenses of the Western
23 Area Power Administration: *Provided further*, That the
24 sum herein appropriated for annual expenses shall be re-
25 duced as collections are received during the fiscal year so

1 as to result in a final fiscal year 2016 appropriation esti-
2 mated at not more than \$93,372,000, of which
3 \$87,658,000 is derived from the Reclamation Fund: *Pro-*
4 *vided further*, That, notwithstanding 31 U.S.C. 3302, up
5 to \$352,813,000 collected by the Western Area Power Ad-
6 ministration pursuant to the Flood Control Act of 1944
7 and the Reclamation Project Act of 1939 to recover pur-
8 chase power and wheeling expenses shall be credited to
9 this account as offsetting collections, to remain available
10 until expended for the sole purpose of making purchase
11 power and wheeling expenditures: *Provided further*, That,
12 for purposes of this appropriation, annual expenses means
13 expenditures that are generally recovered in the same year
14 that they are incurred (excluding purchase power and
15 wheeling expenses).

16 FALCON AND AMISTAD OPERATING AND MAINTENANCE
17 FUND

18 For operations, maintenance, and emergency costs
19 for the hydroelectric facilities at the Falcon and Amistad
20 Dams, \$4,490,000, to remain available until expended,
21 and to be derived from the Falcon and Amistad Operating
22 and Maintenance Fund of the Western Area Power Ad-
23 ministration, as provided in section 2 of the Act of June
24 18, 1954 (68 Stat. 255): *Provided*, That, notwithstanding
25 the provisions of that Act and of 31 U.S.C. 3302, up to

1 \$4,262,000 collected by the Western Area Power Adminis-
2 tration from the sale of power and related services from
3 the Falcon and Amistad Dams shall be credited to this
4 account as discretionary offsetting collections, to remain
5 available until expended for the sole purpose of funding
6 the annual expenses of the hydroelectric facilities of these
7 Dams and associated Western Area Power Administration
8 activities: *Provided further*, That the sum herein appro-
9 priated for annual expenses shall be reduced as collections
10 are received during the fiscal year so as to result in a final
11 fiscal year 2016 appropriation estimated at not more than
12 \$228,000: *Provided further*, That, for purposes of this ap-
13 propriation, annual expenses means expenditures that are
14 generally recovered in the same year that they are in-
15 curred: *Provided further*, That, for fiscal year 2016, the
16 Administrator of the Western Area Power Administration
17 may accept up to \$460,000 in funds contributed by United
18 States power customers of the Falcon and Amistad Dams
19 for deposit into the Falcon and Amistad Operating and
20 Maintenance Fund, and such funds shall be available for
21 the purpose for which contributed in like manner as if said
22 sums had been specifically appropriated for such purpose:
23 *Provided further*, That any such funds shall be available
24 without further appropriation and without fiscal year limi-
25 tation for use by the Commissioner of the United States

1 Section of the International Boundary and Water Com-
2 mission for the sole purpose of operating, maintaining, re-
3 pairing, rehabilitating, replacing, or upgrading the hydro-
4 electric facilities at these Dams in accordance with agree-
5 ments reached between the Administrator, Commissioner,
6 and the power customers.

7 FEDERAL ENERGY REGULATORY COMMISSION

8 SALARIES AND EXPENSES

9 For expenses necessary for the Federal Energy Regu-
10 latory Commission to carry out the provisions of the De-
11 partment of Energy Organization Act (42 U.S.C. 7101 et
12 seq.), including services as authorized by 5 U.S.C. 3109,
13 official reception and representation expenses not to ex-
14 ceed \$3,000, and the hire of passenger motor vehicles,
15 \$319,800,000, to remain available until expended: *Pro-*
16 *vided*, That, notwithstanding any other provision of law,
17 not to exceed \$319,800,000 of revenues from fees and an-
18 nual charges, and other services and collections in fiscal
19 year 2016 shall be retained and used for expenses nec-
20 essary in this account, and shall remain available until ex-
21 pended: *Provided further*, That the sum herein appro-
22 priated from the general fund shall be reduced as revenues
23 are received during fiscal year 2016 so as to result in a
24 final fiscal year 2016 appropriation from the general fund
25 estimated at not more than \$0.

1 (D) announce publicly the intention to make an
2 allocation, award, or Agreement in excess of the lim-
3 its in subparagraph (A) or (B).

4 (2) The Secretary of Energy shall submit to the Com-
5 mittees on Appropriations of both Houses of Congress
6 within 15 days of the conclusion of each quarter a report
7 detailing each grant allocation or discretionary grant
8 award totaling less than \$1,000,000 provided during the
9 previous quarter.

10 (3) The notification required by paragraph (1) and
11 the report required by paragraph (2) shall include the re-
12 cipient of the award, the amount of the award, the fiscal
13 year for which the funds for the award were appropriated,
14 the account and program, project, or activity from which
15 the funds are being drawn, the title of the award, and
16 a brief description of the activity for which the award is
17 made.

18 (c) The Department of Energy may not, with respect
19 to any program, project, or activity that uses budget au-
20 thority made available in this title under the heading “De-
21 partment of Energy—Energy Programs”, enter into a
22 multiyear contract, award a multiyear grant, or enter into
23 a multiyear cooperative agreement unless—

1 (1) the contract, grant, or cooperative agree-
2 ment is funded for the full period of performance as
3 anticipated at the time of award; or

4 (2) the contract, grant, or cooperative agree-
5 ment includes a clause conditioning the Federal Gov-
6 ernment's obligation on the availability of future
7 year budget authority and the Secretary notifies the
8 Committees on Appropriations of both Houses of
9 Congress at least 3 days in advance.

10 (d) Except as provided in subsections (e), (f), and (g),
11 the amounts made available by this title shall be expended
12 as authorized by law for the programs, projects, and ac-
13 tivities specified in the "Bill" column in the "Department
14 of Energy" table included under the heading "Title III—
15 Department of Energy" in the report of the Committee
16 on Appropriations accompanying this Act.

17 (e) The amounts made available by this title may be
18 reprogrammed for any program, project, or activity, and
19 the Department shall notify the Committees on Appropria-
20 tions of both Houses of Congress at least 30 days prior
21 to the use of any proposed reprogramming that would
22 cause any program, project, or activity funding level to
23 increase or decrease by more than \$5,000,000 or 10 per-
24 cent, whichever is less, during the time period covered by
25 this Act.

1 (f) None of the funds provided in this title shall be
2 available for obligation or expenditure through a re-
3 programming of funds that—

4 (1) creates, initiates, or eliminates a program,
5 project, or activity;

6 (2) increases funds or personnel for any pro-
7 gram, project, or activity for which funds are denied
8 or restricted by this Act; or

9 (3) reduces funds that are directed to be used
10 for a specific program, project, or activity by this
11 Act.

12 (g)(1) The Secretary of Energy may waive any re-
13 quirement or restriction in this section that applies to the
14 use of funds made available for the Department of Energy
15 if compliance with such requirement or restriction would
16 pose a substantial risk to human health, the environment,
17 welfare, or national security.

18 (2) The Secretary of Energy shall notify the Commit-
19 tees on Appropriations of both Houses of Congress of any
20 waiver under paragraph (1) as soon as practicable, but
21 not later than 3 days after the date of the activity to which
22 a requirement or restriction would otherwise have applied.
23 Such notice shall include an explanation of the substantial
24 risk under paragraph (1) that permitted such waiver.

1 SEC. 302. The unexpended balances of prior appro-
2 priations provided for activities in this Act may be avail-
3 able to the same appropriation accounts for such activities
4 established pursuant to this title. Available balances may
5 be merged with funds in the applicable established ac-
6 counts and thereafter may be accounted for as one fund
7 for the same time period as originally enacted.

8 SEC. 303. Funds appropriated by this or any other
9 Act, or made available by the transfer of funds in this
10 Act, for intelligence activities are deemed to be specifically
11 authorized by the Congress for purposes of section 504
12 of the National Security Act of 1947 (50 U.S.C. 414) dur-
13 ing fiscal year 2016 until the enactment of the Intelligence
14 Authorization Act for fiscal year 2016.

15 SEC. 304. None of the funds made available in this
16 title shall be used for the construction of facilities classi-
17 fied as high-hazard nuclear facilities under 10 CFR Part
18 830 unless independent oversight is conducted by the Of-
19 fice of Independent Enterprise Assessments to ensure the
20 project is in compliance with nuclear safety requirements.

21 SEC. 305. None of the funds made available in this
22 title may be used to approve critical decision-2 or critical
23 decision-3 under Department of Energy Order 413.3B, or
24 any successive departmental guidance, for construction
25 projects where the total project cost exceeds

1 \$100,000,000, until a separate independent cost estimate
2 has been developed for the project for that critical deci-
3 sion.

4 SEC. 306. (a) DEFINITIONS.—In this section:

5 (1) AFFECTED INDIAN TRIBE.—The term “af-
6 fected Indian tribe” has the meaning given the term
7 in section 2 of the Nuclear Waste Policy Act of 1982
8 (42 U.S.C. 10101).

9 (2) HIGH-LEVEL RADIOACTIVE WASTE.—The
10 term “high-level radioactive waste” has the meaning
11 given the term in section 2 of the Nuclear Waste
12 Policy Act of 1982 (42 U.S.C. 10101).

13 (3) NUCLEAR WASTE FUND.—The term “Nu-
14 clear Waste Fund” means the Nuclear Waste Fund
15 established under section 302(c) of the Nuclear
16 Waste Policy Act of 1982 (42 U.S.C. 10222(c)).

17 (4) SECRETARY.—The term “Secretary” means
18 the Secretary of Energy.

19 (5) SPENT NUCLEAR FUEL.—The term “spent
20 nuclear fuel” has the meaning given the term in sec-
21 tion 2 of the Nuclear Waste Policy Act of 1982 (42
22 U.S.C. 10101).

23 (b) PILOT PROGRAM.—Notwithstanding any provi-
24 sion of the Nuclear Waste Policy Act of 1982 (42 U.S.C.
25 10101 et seq.), the Secretary is authorized, in the current

1 fiscal year and subsequent fiscal years, to conduct a pilot
2 program, through 1 or more private sector partners, to
3 license, construct, and operate 1 or more government or
4 privately owned consolidated storage facilities to provide
5 interim storage as needed for spent nuclear fuel and high-
6 level radioactive waste, with priority for storage given to
7 spent nuclear fuel located on sites without an operating
8 nuclear reactor.

9 (c) REQUESTS FOR PROPOSALS.—Not later than 120
10 days after the date of enactment of this Act, the Secretary
11 shall issue a request for proposals for cooperative agree-
12 ments—

13 (1) to obtain any license necessary from the
14 Nuclear Regulatory Commission for the construction
15 of 1 or more consolidated storage facilities;

16 (2) to demonstrate the safe transportation of
17 spent nuclear fuel and high-level radioactive waste,
18 as applicable; and

19 (3) to demonstrate the safe storage of spent nu-
20 clear fuel and high-level radioactive waste, as appli-
21 cable, at the 1 or more consolidated storage facilities
22 pending the construction and operation of deep geo-
23 logic disposal capacity for the permanent disposal of
24 the spent nuclear fuel.

1 (d) CONSENT-BASED APPROVAL.—Prior to siting a
2 consolidated storage facility pursuant to this section, the
3 Secretary shall enter into an agreement to host the facility
4 with—

5 (1) the Governor of the State;

6 (2) each unit of local government within the ju-
7 risdiction of which the facility is proposed to be lo-
8 cated; and

9 (3) each affected Indian tribe.

10 (e) APPLICABILITY.—In executing this section, the
11 Secretary shall comply with—

12 (1) all licensing requirements and regulations of
13 the Nuclear Regulatory Commission; and

14 (2) all other applicable laws (including regula-
15 tions).

16 (f) PILOT PROGRAM PLAN.—Not later than 120 days
17 after the date on which the Secretary issues the request
18 for proposals under subsection (c), the Secretary shall sub-
19 mit to Congress a plan to carry out this section that in-
20 cludes—

21 (1) an estimate of the cost of licensing, con-
22 structing, and operating a consolidated storage facil-
23 ity, including the transportation costs, on an annual
24 basis, over the expected lifetime of the facility;

25 (2) a schedule for—

1 (A) obtaining any license necessary to con-
2 struct and operate a consolidated storage facil-
3 ity from the Nuclear Regulatory Commission;

4 (B) constructing the facility;

5 (C) transporting spent fuel to the facility;

6 and

7 (D) removing the spent fuel and decom-
8 missioning the facility; and

9 (3) an estimate of the cost of any financial as-
10 sistance, compensation, or incentives proposed to be
11 paid to the host State, Indian tribe, or local govern-
12 ment;

13 (4) an estimate of any future reductions in the
14 damages expected to be paid by the United States
15 for the delay of the Department of Energy in accept-
16 ing spent fuel expected to result from the pilot pro-
17 gram;

18 (5) recommendations for any additional legisla-
19 tion needed to authorize and implement the pilot
20 program; and

21 (6) recommendations for a mechanism to en-
22 sure that any spent nuclear fuel or high-level radio-
23 active waste stored at a consolidated storage facility
24 pursuant to this section shall move to deep geologic
25 disposal capacity, following a consent-based approval

1 process for that deep geologic disposal capacity con-
2 sistent with subsection (d), within a reasonable time
3 after the issuance of a license to construct and oper-
4 ate the consolidated storage facility.

5 (g) PUBLIC PARTICIPATION.—Prior to choosing a
6 site for the construction of a consolidated storage facility
7 under this section, the Secretary shall conduct 1 or more
8 public hearings in the vicinity of each potential site and
9 in at least 1 other location within the State in which the
10 site is located to solicit public comments and recommenda-
11 tions.

12 (h) USE OF NUCLEAR WASTE FUND.—The Secretary
13 may make expenditures from the Nuclear Waste Fund to
14 carry out this section, subject to appropriations.

15 SEC. 307. (a) NOTIFICATION OF STRATEGIC PETRO-
16 LEUM RESERVE DRAWDOWN.—None of the funds made
17 available by this Act or any prior or subsequent Act, or
18 funds made available in the SPR Petroleum Account, may
19 be used in this fiscal year or each subsequent fiscal year,
20 to conduct a drawdown (including a test drawdown) and
21 sale or exchange of petroleum products from the Strategic
22 Petroleum Reserve unless the Secretary of Energy pro-
23 vides notice, in accordance with subsection (b), of such
24 exchange, or drawdown (including a test drawdown) to the

1 Committees on Appropriations of both Houses of Con-
2 gress.

3 (b)(1) CONTENT OF NOTIFICATION.—The notifica-
4 tion required under subsection (a) shall include at a min-
5 imum—

6 (A) the justification for the drawdown or ex-
7 change, including—

8 (i) a specific description of any obligation
9 under international energy agreements; and

10 (ii) in the case of a test drawdown, the
11 specific aspects of the Strategic Petroleum Re-
12 serve to be tested;

13 (B) the provisions of law (including regulations)
14 authorizing the drawdown or exchange;

15 (C) the number of barrels of petroleum prod-
16 ucts proposed to be withdrawn or exchanged;

17 (D) the location of the Strategic Petroleum Re-
18 serve site or sites from which the petroleum products
19 are proposed to be withdrawn;

20 (E) a good faith estimate of the expected pro-
21 ceeds from the sale of the petroleum products;

22 (F) an estimate of the total inventories of pe-
23 troleum products in the Strategic Petroleum Reserve
24 after the anticipated drawdown;

1 (G) a detailed plan for disposition of the pro-
2 ceeds after deposit into the SPR Petroleum Account;
3 and

4 (H) a plan for refilling the Strategic Petroleum
5 Reserve, including whether the acquisition will be of
6 the same or a different petroleum product.

7 (2) TIMING OF NOTIFICATION.—The Secretary
8 shall provide the notification required under sub-
9 section (a)—

10 (A) in the case of an exchange or a draw-
11 down, as soon as practicable after the exchange
12 or drawdown has occurred; and

13 (B) in the case of a test drawdown, not
14 later than 30 days prior to the test drawdown.

15 (c) POST-SALE NOTIFICATION.—In addition to re-
16 porting requirements under other provisions of law, the
17 Secretary shall, upon the execution of all contract awards
18 in this fiscal year and each subsequent fiscal year associ-
19 ated with a competitive sale of petroleum products, notify
20 the Committees on Appropriations of both Houses of Con-
21 gress of the actual value of the proceeds from the sale.

22 (d)(1) NEW REGIONAL RESERVES.—The Secretary
23 may not establish any new regional petroleum product re-
24 serve unless funding for the proposed regional petroleum
25 product reserve is explicitly requested in advance in an an-

1 nual budget submission and approved by the Congress in
2 an appropriations Act.

3 (2) The budget request or notification shall in-
4 clude—

5 (A) the justification for the new reserve;

6 (B) a cost estimate for the establishment,
7 operation, and maintenance of the reserve, in-
8 cluding funding sources;

9 (C) a detailed plan for operation of the re-
10 serve, including the conditions upon which the
11 products may be released;

12 (D) the location of the reserve; and

13 (E) the estimate of the total inventory of
14 the reserve.

15 SEC. 308. (a) Unobligated balances available from
16 appropriations for fiscal years 2005 through 2010 are
17 hereby permanently rescinded from the following accounts
18 of the Department of Energy in the specified amounts:

19 (1) “Energy Programs—Energy Efficiency and
20 Renewable Energy”, \$16,677,000.

21 (2) “Energy Programs—Electricity Delivery
22 and Energy Reliability”, \$900,000.

23 (3) “Energy Programs—Nuclear Energy”,
24 \$1,665,000.

1 (4) “Energy Programs—Fossil Energy Re-
2 search and Development”, \$12,064,000.

3 (5) “Energy Programs—Science”, \$4,717,000.

4 (6) “Power Marketing Administrations—Con-
5 struction, Rehabilitation, Operation and Mainte-
6 nance, Western Area Power Administration”,
7 \$4,832,000.

8 (b) No amounts may be rescinded by this section
9 from amounts that were designated by Congress as an
10 emergency requirement pursuant to a concurrent resolu-
11 tion on the budget or the Balanced Budget and Emer-
12 gency Deficit Control Act of 1985.

13 SEC. 309. (a) Unobligated balances available from
14 appropriations are hereby permanently rescinded from the
15 following accounts of the Department of Energy in the
16 specified amounts:

17 (1) “Atomic Energy Defense Activities—Na-
18 tional Nuclear Security Administration—Weapons
19 Activities”, \$65,135,000.

20 (2) “Atomic Energy Defense Activities—Na-
21 tional Nuclear Security Administration—Defense
22 Nuclear Nonproliferation”, \$19,324,000.

23 (3) “Atomic Energy Defense Activities—Na-
24 tional Nuclear Security Administration—Naval Re-
25 actors”, \$628,000.

1 (b) No amounts may be rescinded by this section
2 from amounts that were designated by Congress as an
3 emergency requirement pursuant to a concurrent resolu-
4 tion on the budget or the Balanced Budget and Emer-
5 gency Deficit Control Act of 1985.

6 SEC. 310. Of the amounts made available by this Act
7 for “National Nuclear Security Administration—Weapons
8 Activities”, up to \$50,000,000 may be reprogrammed
9 within such account for Domestic Uranium Enrichment,
10 subject to the notice requirements in section 301.

11 TECHNICAL CORRECTION

12 SEC. 311. (a) CONTRACTS FOR STORAGE.—Notwith-
13 standing any other provision of law and subject to the
14 availability of appropriations, the Secretary is authorized,
15 in this year and each subsequent fiscal year, to enter into
16 contracts to store spent nuclear fuel and high-level radio-
17 active waste, as applicable, to which the Secretary holds
18 the title or has a contract to accept title, at any facility
19 licensed by the Nuclear Regulatory Commission for such
20 storage.

21 (b) TRANSFER OF TITLE.—Delivery, and acceptance
22 by the Secretary, of any spent nuclear fuel or high-level
23 radioactive waste for storage under this section shall con-
24 stitute a transfer of title to the Secretary of such spent
25 fuel or waste.

1 the Denali Commission Act of 1998 (division C, title III,
2 Public Law 105–277), as amended by section 701 of ap-
3 pendix D, title VII, Public Law 106–113 (113 Stat.
4 1501A–280), and an amount not to exceed 50 percent for
5 non-distressed communities.

6 NORTHERN BORDER REGIONAL COMMISSION

7 For expenses necessary for the Northern Border Re-
8 gional Commission in carrying out activities authorized by
9 subtitle V of title 40, United States Code, \$7,500,000, to
10 remain available until expended: *Provided*, That such
11 amounts shall be available for administrative expenses,
12 notwithstanding section 15751(b) of title 40, United
13 States Code.

14 NUCLEAR REGULATORY COMMISSION

15 SALARIES AND EXPENSES

16 For expenses necessary for the Commission in car-
17 rying out the purposes of the Energy Reorganization Act
18 of 1974 and the Atomic Energy Act of 1954,
19 \$990,000,000, including official representation expenses
20 not to exceed \$25,000, to remain available until expended:
21 *Provided*, That, of the amount appropriated herein, not
22 more than \$7,500,000 may be made available for salaries,
23 travel, and other support costs for the Office of the Com-
24 mission, to remain available until September 30, 2017, of
25 which, notwithstanding section 201(a)(2)(c) of the Energy

1 Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)),
2 the use and expenditure shall only be approved by a major-
3 ity vote of the Commission: *Provided further*, That reve-
4 nues from licensing fees, inspection services, and other
5 services and collections estimated at \$872,864,000 in fis-
6 cal year 2016 shall be retained and used for necessary
7 salaries and expenses in this account, notwithstanding 31
8 U.S.C. 3302, and shall remain available until expended:
9 *Provided further*, That the sum herein appropriated shall
10 be reduced by the amount of revenues received during fis-
11 cal year 2016 so as to result in a final fiscal year 2016
12 appropriation estimated at not more than \$117,136,000.

13 OFFICE OF INSPECTOR GENERAL

14 For expenses necessary for the Office of Inspector
15 General in carrying out the provisions of the Inspector
16 General Act of 1978, \$12,136,000, to remain available
17 until September 30, 2017: *Provided*, That revenues from
18 licensing fees, inspection services, and other services and
19 collections estimated at \$10,060,000 in fiscal year 2016
20 shall be retained and be available until September 30,
21 2017, for necessary salaries and expenses in this account,
22 notwithstanding section 3302 of title 31, United States
23 Code: *Provided further*, That the sum herein appropriated
24 shall be reduced by the amount of revenues received dur-
25 ing fiscal year 2016 so as to result in a final fiscal year

1 2016 appropriation estimated at not more than
2 \$2,076,000: *Provided further*, That, of the amounts appro-
3 priated under this heading, \$958,000 shall be for Inspec-
4 tor General services for the Defense Nuclear Facilities
5 Safety Board, which shall not be available from fee reve-
6 nues.

7 NUCLEAR WASTE TECHNICAL REVIEW BOARD

8 SALARIES AND EXPENSES

9 For expenses necessary for the Nuclear Waste Tech-
10 nical Review Board, as authorized by Public Law 100-
11 203, section 5051, \$3,600,000, to be derived from the Nu-
12 clear Waste Fund, to remain available until September 30,
13 2017.

14 GENERAL PROVISIONS—INDEPENDENT

15 AGENCIES

16 SEC. 401. (a) The amounts made available by this
17 title for the Nuclear Regulatory Commission may be re-
18 programmed for any program, project, or activity, and the
19 Commission shall notify the Committees on Appropria-
20 tions of both Houses of Congress at least 30 days prior
21 to the use of any proposed reprogramming that would
22 cause any program funding level to increase or decrease
23 by more than \$500,000 or 10 percent, whichever is less,
24 during the time period covered by this Act.

1 (b)(1) The Nuclear Regulatory Commission may
2 waive the notification requirement in (a) if compliance
3 with such requirement would pose a substantial risk to
4 human health, the environment, welfare, or national secu-
5 rity.

6 (2) The Nuclear Regulatory Commission shall notify
7 the Committees on Appropriations of both Houses of Con-
8 gress of any waiver under paragraph (1) as soon as prac-
9 ticable, but not later than 3 days after the date of the
10 activity to which a requirement or restriction would other-
11 wise have applied. Such notice shall include an explanation
12 of the substantial risk under paragraph (1) that permitted
13 such waiver and shall provide a detailed report to the
14 Committees of such waiver and changes to funding levels
15 to programs, projects, or activities.

16 (c) None of the funds provided for the Nuclear Regu-
17 latory Commission shall be available for obligation or ex-
18 penditure through a reprogramming of funds that in-
19 creases funds or personnel for any program, project, or
20 activity for which funds are denied or restricted by this
21 Act.

22 (d) The Commission shall provide a monthly report
23 to the Committees on Appropriations of both Houses of
24 Congress, which includes the following for each program,

1 project, or activity, including any prior year appropria-
2 tions—

- 3 (1) total budget authority;
- 4 (2) total unobligated balances; and
- 5 (3) total unliquidated obligations.

6 SEC. 402. The Nuclear Regulatory Commission shall
7 comply with the July 5, 2011, version of Chapter VI of
8 its Internal Commission Procedures when responding to
9 Congressional requests for information.

10 SEC. 403. Public Law 105–277, division A, section
11 101(g) (title III, section 329(a), (b)) is amended by insert-
12 ing, in subsection (b), after “State law” and before the
13 period the following: “or for the construction and repair
14 of barge mooring points and barge landing sites to facili-
15 tate pumping fuel from fuel transport barges into bulk
16 fuel storage tanks.”.

17 TITLE V

18 GENERAL PROVISIONS

19 SEC. 501. None of the funds appropriated by this Act
20 may be used in any way, directly or indirectly, to influence
21 congressional action on any legislation or appropriation
22 matters pending before Congress, other than to commu-
23 nicate to Members of Congress as described in 18 U.S.C.
24 1913.

1 SEC. 502. (a) None of the funds made available in
2 title III of this Act may be transferred to any department,
3 agency, or instrumentality of the United States Govern-
4 ment, except pursuant to a transfer made by or transfer
5 authority provided in this Act or any other appropriations
6 Act for any fiscal year, transfer authority referenced in
7 the report of the Committee on Appropriations accom-
8 panying this Act, or any authority whereby a department,
9 agency, or instrumentality of the United States Govern-
10 ment may provide goods or services to another depart-
11 ment, agency, or instrumentality.

12 (b) None of the funds made available for any depart-
13 ment, agency, or instrumentality of the United States
14 Government may be transferred to accounts funded in title
15 III of this Act, except pursuant to a transfer made by or
16 transfer authority provided in this Act or any other appro-
17 priations Act for any fiscal year, transfer authority ref-
18 erenced in the report of the Committee on Appropriations
19 accompanying this Act, or any authority whereby a de-
20 partment, agency, or instrumentality of the United States
21 Government may provide goods or services to another de-
22 partment, agency, or instrumentality.

23 (c) The head of any relevant department or agency
24 funded in this Act utilizing any transfer authority shall
25 submit to the Committees on Appropriations of both

1 Houses of Congress a semiannual report detailing the
2 transfer authorities, except for any authority whereby a
3 department, agency, or instrumentality of the United
4 States Government may provide goods or services to an-
5 other department, agency, or instrumentality, used in the
6 previous 6 months and in the year-to-date. This report
7 shall include the amounts transferred and the purposes
8 for which they were transferred, and shall not replace or
9 modify existing notification requirements for each author-
10 ity.

11 SEC. 503. None of the funds made available by this
12 Act may be used to implement, administer, carry out,
13 modify, revise, or enforce Executive Order 13690 (entitled
14 “Establishing a Federal Flood Risk Management Stand-
15 ard and a Process for Further Soliciting and Considering
16 Stakeholder Input”).

17 This division may be cited as the “Energy and Water
18 Development and Related Agencies Appropriations Act,
19 2016”.

1 **DIVISION C—DEPARTMENT OF HOME-**
2 **LAND SECURITY APPROPRIATIONS**
3 **ACT, 2016**

4 TITLE I

5 DEPARTMENTAL MANAGEMENT AND
6 OPERATIONS

7 OFFICE OF THE SECRETARY AND EXECUTIVE
8 MANAGEMENT

9 For necessary expenses of the Office of the Secretary
10 of Homeland Security, as authorized by section 102 of the
11 Homeland Security Act of 2002 (6 U.S.C. 112), and execu-
12 tive management of the Department of Homeland Secu-
13 rity, as authorized by law, \$133,362,000: *Provided*, That
14 not to exceed \$45,000 shall be for official reception and
15 representation expenses: *Provided further*, That all official
16 costs associated with the use of government aircraft by
17 Department of Homeland Security personnel to support
18 official travel of the Secretary and the Deputy Secretary
19 shall be paid from amounts made available for the Imme-
20 diate Office of the Secretary and the Immediate Office of
21 the Deputy Secretary: *Provided further*, That, not later
22 than 30 days after the date of enactment of this Act, the
23 Secretary of Homeland Security shall submit to the Com-
24 mittees on Appropriations of the Senate and the House
25 of Representatives, the Committees on the Judiciary of the

1 House of Representatives and the Senate, the Committee
2 on Homeland Security of the House of Representatives,
3 and the Committee on Homeland Security and Govern-
4 mental Affairs of the Senate the comprehensive plan for
5 implementation of the biometric entry and exit data sys-
6 tem as required under this heading in Public Law 114-
7 4 and a report on visa overstay data by country as re-
8 quired by section 1376 of title 8, United States Code: *Pro-*
9 *vided further*, That the report on visa overstay data shall
10 also include—

11 (1) overstays from all nonimmigrant visa cat-
12 egories under the immigration laws, delineated by
13 each of the classes and sub-classes of such cat-
14 egories; and

15 (2) numbers as well as rates of overstays for
16 each class and sub-class of such nonimmigrant cat-
17 egories on a per-country basis:

18 *Provided further*, That, of the funds provided under this
19 heading, \$13,000,000 shall be withheld from obligation for
20 the Office of the Secretary and Executive Management
21 until both the comprehensive plan and the report are sub-
22 mitted.

23 OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

24 For necessary expenses of the Office of the Under
25 Secretary for Management, as authorized by sections 701

1 through 705 of the Homeland Security Act of 2002 (6
2 U.S.C. 341 through 345), \$184,465,000, of which not to
3 exceed \$2,250 shall be for official reception and represen-
4 tation expenses: *Provided*, That, of the total amount made
5 available under this heading, \$2,931,000 shall remain
6 available until September 30, 2017, solely for the alter-
7 ation and improvement of facilities, tenant improvements,
8 and relocation costs to consolidate Department head-
9 quarters operations at the Nebraska Avenue Complex; and
10 \$7,778,000 shall remain available until September 30,
11 2017, for the Human Resources Information Technology
12 program: *Provided further*, That the Under Secretary for
13 Management shall include in the President’s budget pro-
14 posal for fiscal year 2017, submitted pursuant to section
15 1105(a) of title 31, United States Code, a Comprehensive
16 Acquisition Status Report, which shall include the infor-
17 mation required under the heading “Office of the Under
18 Secretary for Management” under title I of division D of
19 the Consolidated Appropriations Act, 2012 (Public Law
20 112–74), and shall submit quarterly updates to such re-
21 port not later than 45 days after the completion of each
22 quarter.

23 OFFICE OF THE CHIEF FINANCIAL OFFICER

24 For necessary expenses of the Office of the Chief Fi-
25 nancial Officer, as authorized by section 103 of the Home-

1 land Security Act of 2002 (6 U.S.C. 113), \$53,420,000:
2 *Provided*, That the Secretary of Homeland Security shall
3 submit to the Committees on Appropriations of the Senate
4 and the House of Representatives, at the time the Presi-
5 dent's budget proposal for fiscal year 2017 is submitted
6 pursuant to section 1105(a) of title 31, United States
7 Code, the Future Years Homeland Security Program, as
8 authorized by section 874 of Public Law 107–296 (6
9 U.S.C. 454).

10 OFFICE OF THE CHIEF INFORMATION OFFICER

11 For necessary expenses of the Office of the Chief In-
12 formation Officer, as authorized by section 103 of the
13 Homeland Security Act of 2002 (6 U.S.C. 113), and De-
14 partmentwide technology investments, \$304,479,000; of
15 which \$104,790,000 shall be available for salaries and ex-
16 penses; and of which \$199,689,000, to remain available
17 until September 30, 2017, shall be available for develop-
18 ment and acquisition of information technology equip-
19 ment, software, services, and related activities for the De-
20 partment of Homeland Security.

21 ANALYSIS AND OPERATIONS

22 For necessary expenses for intelligence analysis and
23 operations coordination activities, as authorized by title II
24 of the Homeland Security Act of 2002 (6 U.S.C. 121 et
25 seq.), \$263,467,000; of which not to exceed \$3,825 shall

1 be for official reception and representation expenses; of
2 which not to exceed \$2,000,000 is available for facility
3 needs associated with secure space at fusion centers, in-
4 cluding improvements to buildings; and of which
5 \$109,639,000 shall remain available until September 30,
6 2017.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector
9 General in carrying out the provisions of the Inspector
10 General Act of 1978 (5 U.S.C. App.), \$134,488,000; of
11 which not to exceed \$300,000 may be used for certain con-
12 fidential operational expenses, including the payment of
13 informants, to be expended at the direction of the Inspec-
14 tor General.

15 TITLE II

16 SECURITY, ENFORCEMENT, AND
17 INVESTIGATIONS

18 U.S. CUSTOMS AND BORDER PROTECTION

19 SALARIES AND EXPENSES

20 For necessary expenses for enforcement of laws relat-
21 ing to border security, immigration, customs, agricultural
22 inspections and regulatory activities related to plant and
23 animal imports, and transportation of unaccompanied
24 minor aliens; purchase and lease of up to 7,500 (6,500
25 for replacement only) police-type vehicles; and contracting

1 with individuals for personal services abroad;
2 \$8,779,325,000; of which \$3,274,000 shall be derived
3 from the Harbor Maintenance Trust Fund for administra-
4 tive expenses related to the collection of the Harbor Main-
5 tenance Fee pursuant to section 9505(c)(3) of the Internal
6 Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and not-
7 withstanding section 1511(e)(1) of the Homeland Security
8 Act of 2002 (6 U.S.C. 551(e)(1)); of which not to exceed
9 \$34,425 shall be for official reception and representation
10 expenses; of which such sums as become available in the
11 Customs User Fee Account, except sums subject to section
12 13031(f)(3) of the Consolidated Omnibus Budget Rec-
13 onciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be de-
14 rived from that account; of which not to exceed \$150,000
15 shall be available for payment for rental space in connec-
16 tion with preclearance operations; and of which not to ex-
17 ceed \$1,000,000 shall be for awards of compensation to
18 informants, to be accounted for solely under the certificate
19 of the Secretary of Homeland Security: *Provided*, That,
20 of the amounts made available under this heading for In-
21 spection and Detection Technology Investments,
22 \$18,500,000 shall remain available until September 30,
23 2018: *Provided further*, That, for fiscal year 2016, the
24 overtime limitation prescribed in section 5(c)(1) of the Act
25 of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be

1 \$35,000; and notwithstanding any other provision of law,
2 none of the funds appropriated by this Act shall be avail-
3 able to compensate any employee of U.S. Customs and
4 Border Protection for overtime, from whatever source, in
5 an amount that exceeds such limitation, except in indi-
6 vidual cases determined by the Secretary of Homeland Se-
7 curity, or the designee of the Secretary, to be necessary
8 for national security purposes, to prevent excessive costs,
9 or in cases of immigration emergencies: *Provided further*,
10 That the Border Patrol shall maintain an active duty pres-
11 ence of not less than 21,370 full-time equivalent agents
12 protecting the borders of the United States in the fiscal
13 year.

14 AUTOMATION MODERNIZATION

15 For necessary expenses for U.S. Customs and Border
16 Protection for operation and improvement of automated
17 systems, including salaries and expenses, \$854,029,000;
18 of which \$463,059,000 shall remain available until Sep-
19 tember 30, 2018; and of which not less than \$151,062,000
20 shall be for the development of the Automated Commercial
21 Environment.

1 Customs and Border Protection requirements and aircraft
2 that have been damaged beyond repair, shall be trans-
3 ferred to any other Federal agency, department, or office
4 outside of the Department of Homeland Security during
5 fiscal year 2016 without prior notice to the Committees
6 on Appropriations of the Senate and the House of Rep-
7 resentatives: *Provided further*, That the Secretary of
8 Homeland Security shall report to the Committees on Ap-
9 propriations of the Senate and the House of Representa-
10 tives, not later than 90 days after the date of enactment
11 of this Act, on any changes to the 5-year strategic plan
12 of the air and marine program required under the heading
13 “Air and Marine Interdiction, Operations, and Mainte-
14 nance” in Public Law 112–74.

15 CONSTRUCTION AND FACILITIES MANAGEMENT

16 For necessary expenses to plan, acquire, construct,
17 renovate, equip, furnish, operate, manage, and maintain
18 buildings, facilities, and related infrastructure necessary
19 for the administration and enforcement of the laws relat-
20 ing to customs, immigration, and border security,
21 \$313,500,000, to remain available until September 30,
22 2020.

1 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
2 SALARIES AND EXPENSES

3 For necessary expenses for enforcement of immigra-
4 tion and customs laws, detention and removals, and inves-
5 tigation, including intellectual property rights and over-
6 seas vetted units operations; and purchase and lease of
7 up to 3,790 (2,350 for replacement only) police-type vehi-
8 cles; \$5,762,494,000; of which not to exceed \$10,000,000
9 shall be available until expended for conducting special op-
10 erations under section 3131 of the Customs Enforcement
11 Act of 1986 (19 U.S.C. 2081); of which not to exceed
12 \$11,475 shall be for official reception and representation
13 expenses; of which not to exceed \$2,000,000 shall be for
14 awards of compensation to informants, to be accounted
15 for solely under the certificate of the Secretary of Home-
16 land Security; of which not less than \$305,000 shall be
17 for promotion of public awareness of the child pornog-
18 raphy tipline and activities to counter child exploitation;
19 of which not less than \$5,400,000 shall be used to facili-
20 tate agreements consistent with section 287(g) of the Im-
21 migration and Nationality Act (8 U.S.C. 1357(g)); of
22 which not to exceed \$40,000,000, to remain available until
23 September 30, 2018, is for maintenance, construction, and
24 lease hold improvements at owned and leased facilities;
25 and of which not to exceed \$11,216,000 shall be available

1 to fund or reimburse other Federal agencies for the costs
2 associated with the care, maintenance, and repatriation of
3 smuggled aliens unlawfully present in the United States:
4 *Provided*, That none of the funds made available under
5 this heading shall be available to compensate any employee
6 for overtime in an annual amount in excess of \$35,000,
7 except that the Secretary of Homeland Security, or the
8 designee of the Secretary, may waive that amount as nec-
9 essary for national security purposes and in cases of immi-
10 gration emergencies: *Provided further*, That, of the total
11 amount provided, \$15,770,000 shall be for activities to en-
12 force laws against forced child labor, of which not to ex-
13 ceed \$6,000,000 shall remain available until expended:
14 *Provided further*, That, of the total amount available, not
15 less than \$1,600,000,000 shall be available to identify
16 aliens convicted of a crime who may be deportable, and
17 to remove them from the United States once they are
18 judged deportable: *Provided further*, That the Secretary of
19 Homeland Security shall prioritize the identification and
20 removal of aliens convicted of a crime by the severity of
21 that crime: *Provided further*, That funding made available
22 under this heading shall maintain a level of not less than
23 34,000 detention beds through September 30, 2016: *Pro-*
24 *vided further*, That, of the total amount provided, not less
25 than \$3,201,977,000 is for enforcement, detention, and

1 removal operations, including transportation of unaccom-
2 panied minor aliens: *Provided further*, That, of the amount
3 provided for Custody Operations in the previous proviso,
4 \$45,000,000 shall remain available until September 30,
5 2020: *Provided further*, That, of the total amount provided
6 for the Visa Security Program, \$13,300,000 shall remain
7 available until September 30, 2017: *Provided further*, That
8 not less than \$15,000,000 shall be available for investiga-
9 tion of intellectual property rights violations, including op-
10 eration of the National Intellectual Property Rights Co-
11 ordination Center: *Provided further*, That none of the
12 funds provided under this heading may be used to con-
13 tinue a delegation of law enforcement authority authorized
14 under section 287(g) of the Immigration and Nationality
15 Act (8 U.S.C. 1357(g)) if the Department of Homeland
16 Security Inspector General determines that the terms of
17 the agreement governing the delegation of authority have
18 been materially violated: *Provided further*, That none of
19 the funds provided under this heading may be used to con-
20 tinue any contract for the provision of detention services
21 if the two most recent overall performance evaluations re-
22 ceived by the contracted facility are less than “adequate”
23 or the equivalent median score in any subsequent perform-
24 ance evaluation system: *Provided further*, That nothing
25 under this heading shall prevent U.S. Immigration and

1 Customs Enforcement from exercising those authorities
2 provided under immigration laws (as defined in section
3 101(a)(17) of the Immigration and Nationality Act (8
4 U.S.C. 1101(a)(17))) during priority operations per-
5 taining to aliens convicted of a crime: *Provided further,*
6 That, without regard to the limitation as to time and con-
7 dition of section 503(d) of this Act, the Secretary may
8 propose to reprogram and transfer funds within and into
9 this appropriation necessary to ensure the detention of
10 aliens prioritized for removal.

11 AUTOMATION MODERNIZATION

12 For expenses of immigration and customs enforce-
13 ment automated systems, \$53,000,000, to remain avail-
14 able until September 30, 2018.

15 TRANSPORTATION SECURITY ADMINISTRATION

16 AVIATION SECURITY

17 For necessary expenses of the Transportation Secu-
18 rity Administration related to providing civil aviation secu-
19 rity services pursuant to the Aviation and Transportation
20 Security Act (Public Law 107–71; 115 Stat. 597; 49
21 U.S.C. 40101 note), \$5,582,528,000, to remain available
22 until September 30, 2017; of which not to exceed \$7,650
23 shall be for official reception and representation expenses:
24 *Provided,* That any award to deploy explosives detection
25 systems shall be based on risk, the airport’s current reli-

1 ance on other screening solutions, lobby congestion result-
2 ing in increased security concerns, high injury rates, air-
3 port readiness, and increased cost effectiveness: *Provided*
4 *further*, That security service fees authorized under section
5 44940 of title 49, United States Code, shall be credited
6 to this appropriation as offsetting collections and shall be
7 available only for aviation security: *Provided further*, That
8 the sum appropriated under this heading from the general
9 fund shall be reduced on a dollar-for-dollar basis as such
10 offsetting collections are received during fiscal year 2016
11 so as to result in a final fiscal year appropriation from
12 the general fund estimated at not more than
13 \$3,452,528,000: *Provided further*, That the funds depos-
14 ited pursuant to section 515 of Public Law 108–334 that
15 are currently unavailable for obligation are hereby perma-
16 nently cancelled: *Provided further*, That, notwithstanding
17 section 44923 of title 49, United States Code, for fiscal
18 year 2016, any funds in the Aviation Security Capital
19 Fund established by section 44923(h) of title 49, United
20 States Code, may be used for the procurement and instal-
21 lation of explosives detection systems or for the issuance
22 of other transaction agreements for the purpose of funding
23 projects described in section 44923(a) of such title: *Pro-*
24 *vided further*, That, notwithstanding any other provision
25 of law, for the current fiscal year and each fiscal year

1 hereafter, mobile explosives detection systems purchased
2 and deployed using funds made available under this head-
3 ing may be moved and redeployed to meet evolving pas-
4 senger and baggage screening security priorities at air-
5 ports: *Provided further*, That none of the funds made
6 available in this Act may be used for any recruiting or
7 hiring of personnel into the Transportation Security Ad-
8 ministration that would cause the agency to exceed a staff-
9 ing level of 43,000 full-time equivalent screeners: *Provided*
10 *further*, That the preceding proviso shall not apply to per-
11 sonnel hired as part-time employees: *Provided further*,
12 That, not later than 90 days after the date of enactment
13 of this Act, the Secretary of Homeland Security shall sub-
14 mit to the Committees on Appropriations of the Senate
15 and the House of Representatives a detailed report on—

16 (1) the Department of Homeland Security ef-
17 forts and resources being devoted to develop more
18 advanced integrated passenger screening tech-
19 nologies for the most effective security of passengers
20 and baggage at the lowest possible operating and ac-
21 quisition costs, including projected funding levels for
22 each fiscal year for the next 5 years or until project
23 completion, whichever is earlier;

24 (2) how the Transportation Security Adminis-
25 tration is deploying its existing passenger and bag-

1 gage screener workforce in the most cost effective
2 manner; and

3 (3) labor savings from the deployment of im-
4 proved technologies for passenger and baggage
5 screening, including high-speed baggage screening
6 and how those savings are being used to offset secu-
7 rity costs or reinvested to address security
8 vulnerabilities:

9 *Provided further*, That the Administrator of the Transpor-
10 tation Security Administration shall submit to the Com-
11 mittees on Appropriations of the Senate and the House
12 of Representatives, a semiannual report updating informa-
13 tion on a strategy to increase the number of air passengers
14 eligible for expedited screening as specified under this
15 heading in Public Law 114-4: *Provided further*, That
16 Members of the United States House of Representatives
17 and United States Senate, including the leadership; the
18 heads of Federal agencies and commissions, including the
19 Secretary, Deputy Secretary, Under Secretaries, and As-
20 sistant Secretaries of the Department of Homeland Secu-
21 rity; the United States Attorney General, Deputy Attorney
22 General, Assistant Attorneys General, and the United
23 States Attorneys; and senior members of the Executive
24 Office of the President, including the Director of the Of-

1 fice of Management and Budget, shall not be exempt from
2 Federal passenger and baggage screening.

3 SURFACE TRANSPORTATION SECURITY

4 For necessary expenses of the Transportation Secu-
5 rity Administration related to surface transportation secu-
6 rity activities, \$122,728,000, to remain available until
7 September 30, 2017.

8 INTELLIGENCE AND VETTING

9 For necessary expenses for the development and im-
10 plementation of intelligence and vetting activities,
11 \$225,315,000, to remain available until September 30,
12 2017.

13 TRANSPORTATION SECURITY SUPPORT

14 For necessary expenses of the Transportation Secu-
15 rity Administration related to transportation security sup-
16 port pursuant to the Aviation and Transportation Security
17 Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101
18 note), \$918,867,000, to remain available until September
19 30, 2017.

20 UNITED STATES COAST GUARD

21 OPERATING EXPENSES

22 For necessary expenses for the operation and mainte-
23 nance of the Coast Guard, not otherwise provided for; pur-
24 chase or lease of not to exceed 25 passenger motor vehi-
25 cles, which shall be for replacement only; purchase or lease

1 of small boats for contingent and emergent requirements
2 (at a unit cost of no more than \$700,000) and repairs
3 and service-life replacements, not to exceed a total of
4 \$31,000,000; purchase or lease of boats necessary for
5 overseas deployments and activities; purchase or lease of
6 other equipment (at a unit cost of no more than
7 \$250,000); minor shore construction projects not exceed-
8 ing \$1,000,000 in total cost on any location; payments
9 pursuant to section 156 of Public Law 97-377 (42 U.S.C.
10 402 note; 96 Stat. 1920); and recreation and welfare;
11 \$6,996,365,000, of which \$500,002,000 shall be for de-
12 fense-related activities, of which \$160,002,000 is des-
13 igned by the Congress for Overseas Contingency Oper-
14 ations/Global War on Terrorism pursuant to section
15 251(b)(2)(A) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985 and shall be available only
17 if the President subsequently so designates all such
18 amounts and transmits such designations to the Congress;
19 of which \$24,500,000 shall be derived from the Oil Spill
20 Liability Trust Fund to carry out the purposes of section
21 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C.
22 2712(a)(5)); and of which not to exceed \$30,600 shall be
23 for official reception and representation expenses: *Pro-*
24 *vided*, That none of the funds made available by this Act
25 shall be for expenses incurred for recreational vessels

1 under section 12114 of title 46, United States Code, ex-
2 cept to the extent fees are collected from owners of yachts
3 and credited to this appropriation: *Provided further*, That,
4 to the extent fees are insufficient to pay expenses of rec-
5 reational vessel documentation under such section 12114,
6 and there is a backlog of recreational vessel applications,
7 then personnel performing non-recreational vessel docu-
8 mentation functions under subchapter II of chapter 121
9 of title 46, United States Code, may perform documenta-
10 tion under section 12114: *Provided further*, That, of the
11 funds provided under this heading, \$85,000,000 shall be
12 withheld from obligation for Coast Guard Headquarters
13 Directorates until a future-years capital investment plan
14 for fiscal years 2017–2021, as specified under the heading
15 “Coast Guard, Acquisition, Construction, and Improve-
16 ments” of this Act, is submitted to the Committees on
17 Appropriations of the Senate and the House of Represent-
18 atives: *Provided further*, That funds made available under
19 this heading for Overseas Contingency Operations/Global
20 War on Terrorism may be allocated by program, project,
21 and activity, notwithstanding section 503 of this Act: *Pro-*
22 *vided further*, That, without regard to the limitation as
23 to time and condition of section 503(d) of this Act, after
24 June 30, up to \$10,000,000 may be reprogrammed to or

1 from Military Pay and Allowances in according with sub-
2 sections (a), (b), and (c) of section 503.

3 ENVIRONMENTAL COMPLIANCE AND RESTORATION

4 For necessary expenses to carry out the environ-
5 mental compliance and restoration functions of the Coast
6 Guard under chapter 19 of title 14, United States Code,
7 \$13,221,000, to remain available until September 30,
8 2020.

9 RESERVE TRAINING

10 For necessary expenses of the Coast Guard Reserve,
11 as authorized by law; operations and maintenance of the
12 Coast Guard reserve program; personnel and training
13 costs; and equipment and services; \$110,614,000.

14 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

15 For necessary expenses of acquisition, construction,
16 renovation, and improvement of aids to navigation, shore
17 facilities, vessels, and aircraft, including equipment related
18 thereto; and maintenance, rehabilitation, lease, and oper-
19 ation of facilities and equipment; as authorized by law;
20 \$1,573,269,000; of which \$20,000,000 shall be derived
21 from the Oil Spill Liability Trust Fund to carry out the
22 purposes of section 1012(a)(5) of the Oil Pollution Act
23 of 1990 (33 U.S.C. 2712(a)(5)); and of which the fol-
24 lowing amounts, to remain available until September 30,
25 2020 (except as subsequently specified), shall be available

1 as follows: \$1,069,900,000 to acquire, effect major repairs
2 to, renovate, or improve vessels, small boats, and related
3 equipment; \$200,000,000 to acquire, effect major repairs
4 to, renovate, or improve aircraft or increase aviation capa-
5 bility; \$65,100,000 for other acquisition programs;
6 \$121,400,000 for shore facilities and aids to navigation,
7 including facilities at Department of Defense installations
8 used by the Coast Guard; and \$116,869,000, to remain
9 available until September 30, 2016, for personnel com-
10 pensation and benefits and related costs: *Provided*, That,
11 of the funds provided by this Act, not less than
12 \$640,000,000 shall be immediately available and allotted
13 to contract for the production of the ninth National Secu-
14 rity Cutter notwithstanding the availability of funds for
15 postproduction costs: *Provided further*, That the Com-
16 mandant of the Coast Guard shall submit to the Commit-
17 tees on Appropriations of the Senate and the House of
18 Representatives, the Committee on Commerce, Science,
19 and Transportation of the Senate, and the Committee on
20 Transportation and Infrastructure of the House of Rep-
21 resentatives, at the time the President’s budget proposal
22 for fiscal year 2017 is submitted pursuant to section
23 1105(a) of title 31, United States Code, a future-years
24 capital investment plan for the Coast Guard that identifies
25 for each requested capital asset—

1 (1) the proposed appropriations included in that
2 budget;

3 (2) the total estimated cost of completion, in-
4 cluding and clearly delineating the costs of associ-
5 ated major acquisition systems infrastructure and
6 transition to operations;

7 (3) projected funding levels for each fiscal year
8 for the next 5 fiscal years or until acquisition pro-
9 grams baseline or project completion, whichever is
10 earlier;

11 (4) an estimated completion date at the pro-
12 jected funding levels; and

13 (5) a current acquisition program baseline for
14 each capital asset, as applicable, that—

15 (A) includes the total acquisition cost of
16 each asset, subdivided by fiscal year and includ-
17 ing a detailed description of the purpose of the
18 proposed funding levels for each fiscal year, in-
19 cluding for each fiscal year funds requested for
20 design, pre-acquisition activities, production,
21 structural modifications, missionization, post-
22 delivery, and transition to operations costs;

23 (B) includes a detailed project schedule
24 through completion, subdivided by fiscal year,
25 that details—

1 (i) quantities planned for each fiscal
2 year; and

3 (ii) major acquisition and project
4 events, including development of oper-
5 ational requirements, contracting actions,
6 design reviews, production, delivery, test
7 and evaluation, and transition to oper-
8 ations, including necessary training, shore
9 infrastructure, and logistics;

10 (C) notes and explains any deviations in
11 cost, performance parameters, schedule, or esti-
12 mated date of completion from the original ac-
13 quisition program baseline and the most recent
14 baseline approved by the Department of Home-
15 land Security's Acquisition Review Board, if ap-
16 plicable;

17 (D) aligns the acquisition of each asset to
18 mission requirements by defining existing capa-
19 bilities of comparable legacy assets, identifying
20 known capability gaps between such existing ca-
21 pabilities and stated mission requirements, and
22 explaining how the acquisition of each asset will
23 address such known capability gaps;

24 (E) defines life-cycle costs for each asset
25 and the date of the estimate on which such

1 costs are based, including all associated costs of
2 major acquisitions systems infrastructure and
3 transition to operations, delineated by purpose
4 and fiscal year for the projected service life of
5 the asset;

6 (F) includes the earned value management
7 system summary schedule performance index
8 and cost performance index for each asset, if
9 applicable; and

10 (G) includes a phase-out and decommis-
11 sioning schedule delineated by fiscal year for
12 each existing legacy asset that each asset is in-
13 tended to replace or recapitalize:

14 *Provided further*, That the Commandant of the Coast
15 Guard shall ensure that amounts specified in the future-
16 years capital investment plan are consistent, to the max-
17 imum extent practicable, with proposed appropriations
18 necessary to support the programs, projects, and activities
19 of the Coast Guard in the President's budget proposal for
20 fiscal year 2017, submitted pursuant to section 1105(a)
21 of title 31, United States Code: *Provided further*, That any
22 inconsistencies between the capital investment plan and
23 proposed appropriations shall be identified and justified:
24 *Provided further*, That the Director of the Office of Man-
25 agement and Budget shall not delay the submission of the

1 capital investment plan referred to by the preceding pro-
2 visos: *Provided further*, That the Director of the Office of
3 Management and Budget shall have no more than a single
4 period of 10 consecutive business days to review the cap-
5 ital investment plan prior to submission: *Provided further*,
6 That the Secretary of Homeland Security shall notify the
7 Committees on Appropriations of the Senate and the
8 House of Representatives, the Committee on Commerce,
9 Science, and Transportation of the Senate, and the Com-
10 mittee on Transportation and Infrastructure of the House
11 of Representatives one day after the capital investment
12 plan is submitted to the Office of Management and Budg-
13 et for review and the Director of the Office of Manage-
14 ment and Budget shall notify the Committees on Appro-
15 priations of the Senate and the House of Representatives,
16 the Committee on Commerce, Science, and Transportation
17 of the Senate, and the Committee on Transportation and
18 Infrastructure of the House of Representatives when such
19 review is completed.

20 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

21 For necessary expenses for applied scientific re-
22 search, development, test, and evaluation; and for mainte-
23 nance, rehabilitation, lease, and operation of facilities and
24 equipment; as authorized by law; \$18,019,000, to remain
25 available until September 30, 2018, of which \$500,000

1 United States; hire of aircraft; services of expert witnesses
2 at such rates as may be determined by the Director of
3 the United States Secret Service; rental of buildings in
4 the District of Columbia, and fencing, lighting, guard
5 booths, and other facilities on private or other property
6 not in Government ownership or control, as may be nec-
7 essary to perform protective functions; payment of per
8 diem or subsistence allowances to employees in cases in
9 which a protective assignment on the actual day or days
10 of the visit of a protectee requires an employee to work
11 16 hours per day or to remain overnight at a post of duty;
12 conduct of and participation in firearms matches; presen-
13 tation of awards; travel of United States Secret Service
14 employees on protective missions without regard to the
15 limitations on such expenditures in this or any other Act
16 if approval is obtained in advance from the Committees
17 on Appropriations of the Senate and the House of Rep-
18 resentatives; research and development; grants to conduct
19 behavioral research in support of protective research and
20 operations; and payment in advance for commercial ac-
21 commodations as may be necessary to perform protective
22 functions; \$1,837,165,000; of which not to exceed \$19,125
23 shall be for official reception and representation expenses;
24 of which not to exceed \$100,000 shall be to provide tech-
25 nical assistance and equipment to foreign law enforcement

1 organizations in counterfeit investigations; of which
2 \$2,366,000 shall be for forensic and related support of
3 investigations of missing and exploited children; of which
4 \$6,000,000 shall be for a grant for activities related to
5 investigations of missing and exploited children and shall
6 remain available until September 30, 2017; and of which
7 not less than \$10,000,000 shall be for activities related
8 to training in electronics crimes investigations and
9 forensics: *Provided*, That \$18,000,000 for protective travel
10 shall remain available until September 30, 2017: *Provided*
11 *further*, That, of the amounts made available under this
12 heading for security improvements at the White House
13 complex, \$8,200,000 shall remain available until Sep-
14 tember 30, 2017: *Provided further*, That \$4,500,000 for
15 National Special Security Events shall remain available
16 until expended: *Provided further*, That the United States
17 Secret Service is authorized to obligate funds in anticipa-
18 tion of reimbursements from Federal agencies and enti-
19 ties, as defined in section 105 of title 5, United States
20 Code, for personnel receiving training sponsored by the
21 James J. Rowley Training Center, except that total obliga-
22 tions at the end of the fiscal year shall not exceed total
23 budgetary resources available under this heading at the
24 end of the fiscal year: *Provided further*, That none of the
25 funds made available under this heading shall be available

1 to compensate any employee for overtime in an annual
2 amount in excess of \$35,000, except that the Secretary
3 of Homeland Security, or the designee of the Secretary,
4 may waive that amount as necessary for national security
5 purposes: *Provided further*, That none of the funds made
6 available to the United States Secret Service by this Act
7 or by previous appropriations Acts may be made available
8 for the protection of the head of a Federal agency other
9 than the Secretary of Homeland Security: *Provided fur-*
10 *ther*, That the Director of the United States Secret Service
11 may enter into an agreement to provide such protection
12 on a fully reimbursable basis: *Provided further*, That none
13 of the funds made available to the United States Secret
14 Service by this Act or by previous appropriations Acts may
15 be obligated for the purpose of opening a new permanent
16 domestic or overseas office or location unless the Commit-
17 tees on Appropriations of the Senate and the House of
18 Representatives are notified 15 days in advance of such
19 obligation: *Provided further*, That, for purposes of section
20 503(b) of this Act, \$15,000,000 or 10 percent, whichever
21 is less, may be transferred between Protection of Persons
22 and Facilities and Domestic Field Operations.

1 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND
2 RELATED EXPENSES

3 For necessary expenses for acquisition, construction,
4 repair, alteration, and improvement of physical and tech-
5 nological infrastructure, \$86,974,000; of which
6 \$26,432,000, to remain available until September 30,
7 2020, shall be for acquisition, construction, improvement,
8 and maintenance of the James J. Rowley Training Center;
9 and of which \$60,542,000, to remain available until Sep-
10 tember 30, 2018, shall be for Information Integration and
11 Technology Transformation program execution.

12 TITLE III
13 PROTECTION, PREPAREDNESS, RESPONSE, AND
14 RECOVERY

15 NATIONAL PROTECTION AND PROGRAMS DIRECTORATE
16 MANAGEMENT AND ADMINISTRATION

17 For the management and administration of the Na-
18 tional Protection and Programs Directorate, and support
19 for operations and information technology, \$57,971,000:
20 *Provided*, That not to exceed \$3,825 shall be for official
21 reception and representation expenses: *Provided further*,
22 That the President's budget proposal for fiscal year 2017,
23 submitted pursuant to section 1105(a) of title 31, United
24 States Code, shall be detailed by office, and by program,

1 the Intelligence Reform and Terrorism Prevention Act of
2 2004 (8 U.S.C. 1365b), \$283,265,000: *Provided*, That, of
3 the total amount made available under this heading,
4 \$159,054,000 shall remain available until September 30,
5 2018.

6 OFFICE OF HEALTH AFFAIRS

7 For necessary expenses of the Office of Health Af-
8 fairs, \$122,924,000; of which \$25,865,000 is for salaries
9 and expenses and \$83,278,000 is for BioWatch oper-
10 ations: *Provided*, That, of the amount made available
11 under this heading, \$13,781,000 shall remain available
12 until September 30, 2017, for biosurveillance, chemical de-
13 fense, medical and health planning and coordination, and
14 workforce health protection.

15 FEDERAL EMERGENCY MANAGEMENT AGENCY

16 SALARIES AND EXPENSES

17 For necessary expenses of the Federal Emergency
18 Management Agency, \$928,806,000, including activities
19 authorized by the National Flood Insurance Act of 1968
20 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster
21 Relief and Emergency Assistance Act (42 U.S.C. 5121 et
22 seq.), the Cerro Grande Fire Assistance Act of 2000 (divi-
23 sion C, title I, 114 Stat. 583), the Earthquake Hazards
24 Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the De-
25 fense Production Act of 1950 (50 U.S.C. App. 2061 et

1 seq.), sections 107 and 303 of the National Security Act
2 of 1947 (50 U.S.C. 404, 405), Reorganization Plan No.
3 3 of 1978 (5 U.S.C. App.), the National Dam Safety Pro-
4 gram Act (33 U.S.C. 467 et seq.), the Homeland Security
5 Act of 2002 (6 U.S.C. 101 et seq.), the Implementing Rec-
6 ommendations of the 9/11 Commission Act of 2007 (Pub-
7 lic Law 110–53), the Federal Fire Prevention and Control
8 Act of 1974 (15 U.S.C. 2201 et seq.), the Post-Katrina
9 Emergency Management Reform Act of 2006 (Public Law
10 109–295; 120 Stat. 1394), the Biggert-Waters Flood In-
11 surance Reform Act of 2012 (Public Law 112–141, 126
12 Stat. 916), and the Homeowner Flood Insurance Afford-
13 ability Act of 2014 (Public Law 113–89): *Provided*, That
14 not to exceed \$2,250 shall be for official reception and
15 representation expenses: *Provided further*, That, of the
16 total amount made available under this heading,
17 \$35,180,000 shall be for the Urban Search and Rescue
18 Response System, of which none is available for Federal
19 Emergency Management Agency administrative costs:
20 *Provided further*, That, of the total amount made available
21 under this heading, \$27,500,000 shall remain available
22 until September 30, 2017, for capital improvements and
23 other expenses related to continuity of operations at the
24 Mount Weather Emergency Operations Center: *Provided*
25 *further*, That, of the total amount made available,

1 \$3,422,000 shall be for the Office of National Capital Re-
2 gion Coordination: *Provided further*, That the Adminis-
3 trator of the Federal Emergency Management Agency, in
4 consultation with the Department of Homeland Security
5 Chief Information Officer, shall submit to the Committees
6 on Appropriations of the Senate and the House of Rep-
7 resentatives an expenditure plan including results to date,
8 plans for the program, and a list of projects with associ-
9 ated funding provided from prior appropriations and pro-
10 vided by this Act for automated systems.

11 STATE AND LOCAL PROGRAMS

12 For grants, contracts, cooperative agreements, and
13 other activities, \$1,500,000,000, which shall be allocated
14 as follows:

15 (1) \$467,000,000 shall be for the State Home-
16 land Security Grant Program under section 2004 of
17 the Homeland Security Act of 2002 (6 U.S.C. 605),
18 of which \$55,000,000 shall be for Operation
19 Stonegarden: *Provided*, That, notwithstanding sub-
20 section (c)(4) of such section 2004, for fiscal year
21 2016, the Commonwealth of Puerto Rico shall make
22 available to local and tribal governments amounts
23 provided to the Commonwealth of Puerto Rico under
24 this paragraph in accordance with subsection (c)(1)
25 of such section 2004.

1 (2) \$600,000,000 shall be for the Urban Area
2 Security Initiative under section 2003 of the Home-
3 land Security Act of 2002 (6 U.S.C. 604), of which
4 not less than \$25,000,000 shall be for organizations
5 (as described under section 501(c)(3) of the Internal
6 Revenue Code of 1986 and exempt from tax under
7 section 501(a) of such code) determined by the Sec-
8 retary of Homeland Security to be at high risk of a
9 terrorist attack.

10 (3) \$100,000,000 shall be for Public Transpor-
11 tation Security Assistance, Railroad Security Assist-
12 ance, and Over-the-Road Bus Security Assistance
13 under sections 1406, 1513, and 1532 of the Imple-
14 menting Recommendations of the 9/11 Commission
15 Act of 2007 (Public Law 110–53; 6 U.S.C. 1135,
16 1163, and 1182), of which not less than
17 \$10,000,000 shall be for Amtrak security: *Provided*,
18 That such public transportation security assistance
19 shall be provided directly to public transportation
20 agencies.

21 (4) \$100,000,000 shall be for Port Security
22 Grants in accordance with 46 U.S.C. 70107.

23 (5) \$233,000,000 shall be to sustain current
24 operations for training, exercises, technical assist-
25 ance, and other programs, of which \$162,991,000

1 shall be for training of State, local, and tribal emer-
2 gency response providers:

3 *Provided*, That, for grants under paragraphs (1) through
4 (4), applications for grants shall be made available to eligi-
5 ble applicants not later than 60 days after the date of en-
6 actment of this Act, that eligible applicants shall submit
7 applications not later than 80 days after the grant an-
8 nouncement, and the Administrator of the Federal Emer-
9 gency Management Agency shall act within 65 days after
10 the receipt of an application: *Provided further*, That, not-
11 withstanding section 2008(a)(11) of the Homeland Secu-
12 rity Act of 2002 (6 U.S.C. 609(a)(11)) or any other provi-
13 sion of law, a grantee may not use more than 5 percent
14 of the amount of a grant made available under this head-
15 ing for expenses directly related to administration of the
16 grant: *Provided further*, That for grants under paragraphs
17 (1) and (2), the installation of communications towers is
18 not considered construction of a building or other physical
19 facility: *Provided further*, That grantees shall provide re-
20 ports on their use of funds, as determined necessary by
21 the Secretary of Homeland Security: *Provided further*,
22 That, notwithstanding section 509 of this Act, the Admin-
23 istrator of the Federal Emergency Management Agency
24 may use the funds provided in paragraph (5) to acquire
25 real property for the purpose of establishing or appro-

1 priately extending the security buffer zones around Fed-
2 eral Emergency Management Agency training facilities.

3 FIREFIGHTER ASSISTANCE GRANTS

4 For grants for programs authorized by the Federal
5 Fire Prevention and Control Act of 1974 (15 U.S.C. 2201
6 et seq.), \$680,000,000, to remain available until Sep-
7 tember 30, 2017, of which \$340,000,000 shall be available
8 to carry out section 33 of that Act (15 U.S.C. 2229) and
9 \$340,000,000 shall be available to carry out section 34
10 of that Act (15 U.S.C. 2229a).

11 EMERGENCY MANAGEMENT PERFORMANCE GRANTS

12 For emergency management performance grants, as
13 authorized by the National Flood Insurance Act of 1968
14 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster
15 Relief and Emergency Assistance Act (42 U.S.C. 5121 et
16 seq.), the Earthquake Hazards Reduction Act of 1977 (42
17 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of
18 1978 (5 U.S.C. App.), \$350,000,000.

19 RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

20 The aggregate charges assessed during fiscal year
21 2016, as authorized in title III of the Departments of Vet-
22 erans Affairs and Housing and Urban Development, and
23 Independent Agencies Appropriations Act, 1999 (42
24 U.S.C. 5196e), shall not be less than 100 percent of the
25 amounts anticipated by the Department of Homeland Se-

1 curity necessary for its radiological emergency prepared-
2 ness program for the next fiscal year: *Provided*, That the
3 methodology for assessment and collection of fees shall be
4 fair and equitable and shall reflect costs of providing such
5 services, including administrative costs of collecting such
6 fees: *Provided further*, That fees received under this head-
7 ing shall be deposited in this account as offsetting collec-
8 tions and will become available for authorized purposes on
9 October 1, 2016, and remain available until expended.

10 UNITED STATES FIRE ADMINISTRATION

11 For necessary expenses of the United States Fire Ad-
12 ministration and for other purposes, as authorized by the
13 Federal Fire Prevention and Control Act of 1974 (15
14 U.S.C. 2201 et seq.) and the Homeland Security Act of
15 2002 (6 U.S.C. 101 et seq.), \$44,000,000.

16 DISASTER RELIEF FUND

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses in carrying out the Robert
19 T. Stafford Disaster Relief and Emergency Assistance Act
20 (42 U.S.C. 5121 et seq.), \$7,374,693,000, to remain avail-
21 able until expended, of which \$24,000,000 shall be trans-
22 ferred to the Department of Homeland Security Office of
23 Inspector General for audits and investigations related to
24 disasters: *Provided*, That the Administrator of the Federal
25 Emergency Management Agency shall submit an expendi-

1 ture plan to the Committees on Appropriations of the Sen-
2 ate and the House of Representatives detailing the use of
3 the funds made available in this or any other Act for dis-
4 aster readiness and support not later than 60 days after
5 the date of enactment of this Act: *Provided further*, That
6 the Administrator of the Federal Emergency Management
7 Agency shall submit to such Committees a semiannual re-
8 port detailing obligations against the expenditure plan and
9 a justification for any changes from the initial plan: *Pro-*
10 *vided further*, That the Administrator of the Federal
11 Emergency Management Agency shall submit to the Com-
12 mittees on Appropriations of the Senate and the House
13 of Representatives the following reports, including a spe-
14 cific description of the methodology and the source data
15 used in developing such reports—

16 (1) an estimate of the following amounts shall
17 be submitted for the budget year at the time that
18 the President's budget proposal for fiscal year 2017
19 is submitted pursuant to section 1105(a) of title 31,
20 United States Code—

21 (A) the unobligated balance of funds to be
22 carried over from the prior fiscal year to the
23 budget year;

1 (B) the unobligated balance of funds to be
2 carried over from the budget year to the budget
3 year plus 1;

4 (C) the amount of obligations for non-cata-
5 strophic events for the budget year;

6 (D) the amount of obligations for the
7 budget year for catastrophic events delineated
8 by event and by State;

9 (E) the total amount that has been pre-
10 viously obligated or will be required for cata-
11 strophic events delineated by event and by State
12 for all prior years, the current year, the budget
13 year, the budget year plus 1, the budget year
14 plus 2, and the budget year plus 3 and beyond;

15 (F) the amount of previously obligated
16 funds that will be recovered for the budget
17 year;

18 (G) the amount that will be required for
19 obligations for emergencies, as described in sec-
20 tion 102(1) of the Robert T. Stafford Disaster
21 Relief and Emergency Assistance Act (42
22 U.S.C. 5122(1)), major disasters, as described
23 in section 102(2) of the Robert T. Stafford Dis-
24 aster Relief and Emergency Assistance Act (42
25 U.S.C. 5122(2)), fire management assistance

1 grants, as described in section 420 of the Rob-
2 ert T. Stafford Disaster Relief and Emergency
3 Assistance Act (42 U.S.C. 5187), surge activi-
4 ties, and disaster readiness and support activi-
5 ties; and

6 (H) the amount required for activities not
7 covered under section 251(b)(2)(D)(iii) of the
8 Balanced Budget and Emergency Deficit Con-
9 trol Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii);
10 Public Law 99–177); and

11 (2) an estimate or actual amounts, if available,
12 of the following for the current fiscal year shall be
13 submitted not later than the fifth day of each month
14 and shall be published by the Administrator on the
15 Agency’s Web site not later than the fifth day of
16 each month—

17 (A) a summary of the amount of appro-
18 priations made available by source, the trans-
19 fers executed, the previously allocated funds re-
20 covered, and the commitments, allocations, and
21 obligations made;

22 (B) a table of disaster relief activity delin-
23 eated by month, including—

24 (i) the beginning and ending balances;

1 (ii) the total obligations to include
2 amounts obligated for fire assistance,
3 emergencies, surge, and disaster support
4 activities;

5 (iii) the obligations for catastrophic
6 events delineated by event and by State;
7 and

8 (iv) the amount of previously obli-
9 gated funds that are recovered;

10 (C) a summary of allocations, obligations,
11 and expenditures for catastrophic events delin-
12 eated by event;

13 (D) in addition, for a disaster declaration
14 related to Hurricane Sandy, the cost of the fol-
15 lowing categories of spending: public assistance,
16 individual assistance, mitigation, administrative,
17 operations, and any other relevant category (in-
18 cluding emergency measures and disaster re-
19 sources); and

20 (E) the date on which funds appropriated
21 will be exhausted:

22 *Provided further*, That the Administrator shall publish on
23 the Agency's Web site not later than 5 days after an
24 award of a public assistance grant under section 406 of
25 the Robert T. Stafford Disaster Relief and Emergency As-

1 sistance Act (42 U.S.C. 5172) the specifics of the grant
2 award: *Provided further*, That, for any mission assignment
3 or mission assignment task order to another Federal de-
4 partment or agency regarding a major disaster, not later
5 than 5 days after the issuance of the mission assignment
6 or task order, the Administrator shall publish on the
7 Agency's Web site the following: the name of the impacted
8 State and the disaster declaration for such State, the as-
9 signed agency, the assistance requested, a description of
10 the disaster, the total cost estimate, and the amount obli-
11 gated: *Provided further*, That, not later than 10 days after
12 the last day of each month until the mission assignment
13 or task order is completed and closed out, the Adminis-
14 trator shall update any changes to the total cost estimate
15 and the amount obligated: *Provided further*, That, of the
16 amount provided under this heading, \$6,712,953,000 shall
17 be for major disasters declared pursuant to the Robert T.
18 Stafford Disaster Relief and Emergency Assistance Act
19 (42 U.S.C. 5121 et seq.): *Provided further*, That the
20 amount in the preceding proviso is designated by the Con-
21 gress as being for disaster relief pursuant to section
22 251(b)(2)(D) of the Balanced Budget and Emergency
23 Deficit Control Act of 1985.

1 FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

2 For necessary expenses, including administrative
3 costs, under section 1360 of the National Flood Insurance
4 Act of 1968 (42 U.S.C. 4101), and under sections
5 100215, 100216, 100226, 100230, and 100246 of the
6 Biggert-Waters Flood Insurance Reform Act of 2012,
7 (Public Law 112–141, 126 Stat. 916), \$190,000,000, and
8 such additional sums as may be provided by State and
9 local governments or other political subdivisions for cost-
10 shared mapping activities under section 1360(f)(2) of such
11 Act (42 U.S.C. 4101(f)(2)), to remain available until ex-
12 pended.

13 NATIONAL FLOOD INSURANCE FUND

14 For activities under the National Flood Insurance
15 Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster
16 Protection Act of 1973 (42 U.S.C. 4001 et seq.), the
17 Biggert-Waters Flood Insurance Reform Act of 2012
18 (Public Law 112–141, 126 Stat. 916), and the Home-
19 owner Flood Insurance Affordability Act of 2014 (Public
20 Law 113–89, 128 Stat. 1020): \$181,198,000, which shall
21 remain available until September 30, 2017, and shall be
22 derived from offsetting amounts collected under section
23 1308(d) of the National Flood Insurance Act of 1968 (42
24 U.S.C. 4015(d)); of which \$25,299,000 shall be available
25 for salaries and expenses associated with flood manage-

1 ment and flood insurance operations and \$155,899,000
2 shall be available for flood plain management and flood
3 mapping: *Provided*, That any additional fees collected pur-
4 suant to section 1308(d) of the National Flood Insurance
5 Act of 1968 (42 U.S.C. 4015(d)) shall be credited as an
6 offsetting collection to this account, to be available for
7 flood plain management and flood mapping: *Provided fur-*
8 *ther*, That, in fiscal year 2016, no funds shall be available
9 from the National Flood Insurance Fund under section
10 1310 of that Act (42 U.S.C. 4017) in excess of—

- 11 (1) \$133,252,000 for operating expenses;
- 12 (2) \$1,123,000,000 for commissions and taxes
13 of agents;
- 14 (3) such sums as are necessary for interest on
15 Treasury borrowings; and
- 16 (4) \$175,000,000 which shall remain available
17 until expended, for flood mitigation actions and for
18 flood mitigation assistance under section 1366 of the
19 National Flood Insurance Act of 1968 (42 U.S.C.
20 4104e), notwithstanding subsection (e) of section
21 1366 of the National Flood Insurance Act of 1968
22 (42 U.S.C. 4104e) and notwithstanding subsection
23 (a)(7) of section 1310 of the National Flood Insur-
24 ance Act of 1968 (42 U.S.C. 4017):

1 *Provided further*, That the amounts collected under section
 2 102 of the Flood Disaster Protection Act of 1973 (42
 3 U.S.C. 4012a) and section 1366(e) of the National Flood
 4 Insurance Act of 1968 shall be deposited in the National
 5 Flood Insurance Fund to supplement other amounts speci-
 6 fied as available for section 1366 of the National Flood
 7 Insurance Act of 1968, notwithstanding section 102(f)(8),
 8 section 1366(e), and paragraphs (1) through (3) of section
 9 1367(b) of such Act (42 U.S.C. 4012a(f)(8), 4104c(e),
 10 4104d(b)(1)–(3)): *Provided further*, That total administra-
 11 tive costs shall not exceed 4 percent of the total appropria-
 12 tion: *Provided further*, That up to \$3,000,000 is available
 13 to carry out section 24 of the Homeowner Flood Insurance
 14 Act of 2014 (42 U.S.C. 4033).

15 NATIONAL PREDISASTER MITIGATION FUND

16 For the predisaster mitigation grant program under
 17 section 203 of the Robert T. Stafford Disaster Relief and
 18 Emergency Assistance Act (42 U.S.C. 5133),
 19 \$100,000,000, to remain available until expended.

20 EMERGENCY FOOD AND SHELTER

21 To carry out the emergency food and shelter program
 22 pursuant to title III of the McKinney-Vento Homeless As-
 23 sistance Act (42 U.S.C. 11331 et seq.), \$100,000,000, to
 24 remain available until expended: *Provided*, That total ad-
 25 ministrative costs shall not exceed 3.5 percent of the total

1 amount made available under this heading: *Provided fur-*
2 *ther*, That the Administrator of the Federal Emergency
3 Management Agency shall transfer funds appropriated
4 under this heading to “Department of Housing and Urban
5 Development, Homeless Assistance Grants”: *Provided fur-*
6 *ther*, That, when funds are transferred pursuant to the
7 previous proviso, notwithstanding the references to the
8 Administrator in 42 U.S.C. 11331 through 11335 and
9 11341, the Secretary of Housing and Urban Development
10 shall carry out the functions of the Administrator with re-
11 spect to the Emergency Food and Shelter Program, in-
12 cluding with respect to the National Board: *Provided fur-*
13 *ther*, That the Federal Emergency Management Agency
14 and the Department of Housing and Urban Development
15 shall execute an Interagency Agreement within 60 days
16 of the date of enactment of this Act detailing how the pro-
17 gram will be transitioned and ensuring that the program
18 structure continues consistent with current law: *Provided*
19 *further*, That the President’s budget for fiscal year 2017
20 submitted pursuant to section 1105(a) of title 31, United
21 States Code, shall include language effectuating the trans-
22 fer: *Provided further*, That the Administrator shall be ac-
23 countable for any amounts obligated from the “Federal
24 Emergency Management Agency, Emergency Food and
25 Shelter” 70 × 0707 account prior to the date of enactment

1 of this Act until such time as all funds have been expended
2 and all recoveries have been transferred to “Department
3 of Housing and Urban Development, Homeless Assistance
4 Grants”.

5 TITLE IV

6 RESEARCH, DEVELOPMENT, TRAINING, AND

7 SERVICES

8 UNITED STATES CITIZENSHIP AND IMMIGRATION

9 SERVICES

10 For necessary expenses for citizenship and immigra-
11 tion services, \$119,671,000 for the E-Verify Program, as
12 described in section 403(a) of the Illegal Immigration Re-
13 form and Immigrant Responsibility Act of 1996 (8 U.S.C.
14 1324a note), to assist United States employers with main-
15 taining a legal workforce: *Provided*, That, notwithstanding
16 any other provision of law, funds otherwise made available
17 to United States Citizenship and Immigration Services
18 may be used to acquire, operate, equip, and dispose of up
19 to 5 vehicles, for replacement only, for areas where the
20 Administrator of General Services does not provide vehi-
21 cles for lease: *Provided further*, That the Director of
22 United States Citizenship and Immigration Services may
23 authorize employees who are assigned to those areas to
24 use such vehicles to travel between the employees’ resi-
25 dences and places of employment.

1 tions at the end of the fiscal year shall not exceed total
2 budgetary resources available at the end of the fiscal year:
3 *Provided further*, That section 1202(a) of Public Law
4 107–206 (42 U.S.C. 3771 note), as amended under this
5 heading in division F of Public Law 113–76, is further
6 amended by striking “December 31, 2017” and inserting
7 “December 31, 2018”: *Provided further*, That the Director
8 of the Federal Law Enforcement Training Center shall
9 schedule basic or advanced law enforcement training, or
10 both, at all four training facilities under the control of the
11 Federal Law Enforcement Training Center to ensure that
12 such training facilities are operated at the highest capacity
13 throughout the fiscal year: *Provided further*, That the Fed-
14 eral Law Enforcement Training Accreditation Board, in-
15 cluding representatives from the Federal law enforcement
16 community and non-Federal accreditation experts involved
17 in law enforcement training, shall lead the Federal law
18 enforcement training accreditation process to continue the
19 implementation of measuring and assessing the quality
20 and effectiveness of Federal law enforcement training pro-
21 grams, facilities, and instructors.

22 ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND
23 RELATED EXPENSES

24 For acquisition of necessary additional real property
25 and facilities, construction, and ongoing maintenance, fa-

1 cility improvements, and related expenses of the Federal
2 Law Enforcement Training Center, \$26,453,000, to re-
3 main available until September 30, 2020: *Provided*, That
4 the Center is authorized to accept reimbursement to this
5 appropriation from government agencies requesting the
6 construction of special use facilities.

7 SCIENCE AND TECHNOLOGY

8 MANAGEMENT AND ADMINISTRATION

9 For salaries and expenses of the Office of the Under
10 Secretary for Science and Technology and for manage-
11 ment and administration of programs and activities, as
12 authorized by title III of the Homeland Security Act of
13 2002 (6 U.S.C. 181 et seq.), \$130,431,000: *Provided*,
14 That not to exceed \$7,650 shall be for official reception
15 and representation expenses.

16 RESEARCH, DEVELOPMENT, ACQUISITION, AND

17 OPERATIONS

18 For necessary expenses for science and technology re-
19 search, including advanced research projects, development,
20 test and evaluation, acquisition, and operations as author-
21 ized by title III of the Homeland Security Act of 2002
22 (6 U.S.C. 181 et seq.), and the purchase or lease of not
23 to exceed 5 vehicles, \$634,435,000 shall remain available
24 until September 30, 2018.

1 DOMESTIC NUCLEAR DETECTION OFFICE
2 MANAGEMENT AND ADMINISTRATION

3 For salaries and expenses of the Domestic Nuclear
4 Detection Office, as authorized by title XIX of the Home-
5 land Security Act of 2002 (6 U.S.C. 591 et seq.), for man-
6 agement and administration of programs and activities,
7 \$37,518,000: *Provided*, That not to exceed \$2,250 shall
8 be for official reception and representation expenses.

9 RESEARCH, DEVELOPMENT, AND OPERATIONS

10 For necessary expenses for radiological and nuclear
11 research, development, testing, evaluation, and operations,
12 \$196,000,000, to remain available until September 30,
13 2018.

14 SYSTEMS ACQUISITION

15 For necessary expenses for the Domestic Nuclear De-
16 tecton Office acquisition and deployment of radiological
17 detection systems in accordance with the global nuclear
18 detection architecture, \$86,745,000, to remain available
19 until September 30, 2018.

20 TITLE V

21 GENERAL PROVISIONS

22 (INCLUDING RESCISSIONS OF FUNDS)

23 SEC. 501. No part of any appropriation contained in
24 this Act shall remain available for obligation beyond the
25 current fiscal year unless expressly so provided herein.

1 SEC. 502. Subject to the requirements of section 503
2 of this Act, the unexpended balances of prior appropria-
3 tions provided for activities in this Act may be transferred
4 to appropriation accounts for such activities established
5 pursuant to this Act, may be merged with funds in the
6 applicable established accounts, and thereafter may be ac-
7 counted for as one fund for the same time period as origi-
8 nally enacted.

9 SEC. 503. (a) None of the funds provided by this Act,
10 provided by previous appropriations Acts to the agencies
11 in or transferred to the Department of Homeland Security
12 that remain available for obligation or expenditure in fiscal
13 year 2016, or provided from any accounts in the Treasury
14 of the United States derived by the collection of fees avail-
15 able to the agencies funded by this Act, shall be available
16 for obligation or expenditure through a reprogramming of
17 funds that—

18 (1) creates a new program, project, or activity;

19 (2) eliminates a program, project, office, or ac-
20 tivity;

21 (3) increases funds for any program, project, or
22 activity for which funds have been denied or re-
23 stricted by the Congress;

24 (4) proposes to use funds directed for a specific
25 activity by either of the Committees on Appropria-

1 tions of the Senate or the House of Representatives
2 for a different purpose; or

3 (5) contracts out any function or activity for
4 which funding levels were requested for Federal full-
5 time equivalents in the object classification tables
6 contained in the fiscal year 2016 Budget Appendix
7 for the Department of Homeland Security, as modi-
8 fied by the report accompanying this Act, unless the
9 Committees on Appropriations of the Senate and the
10 House of Representatives are notified 15 days in ad-
11 vance of such reprogramming of funds.

12 (b) None of the funds provided by this Act, provided
13 by previous appropriations Acts to the agencies in or
14 transferred to the Department of Homeland Security that
15 remain available for obligation or expenditure in fiscal
16 year 2016, or provided from any accounts in the Treasury
17 of the United States derived by the collection of fees or
18 proceeds available to the agencies funded by this Act, shall
19 be available for obligation or expenditure for programs,
20 projects, or activities through a reprogramming of funds
21 in excess of \$5,000,000 or 10 percent, whichever is less,
22 that—

23 (1) augments existing programs, projects, or ac-
24 tivities;

1 (2) reduces by 10 percent funding for any exist-
2 ing program, project, or activity;

3 (3) reduces by 10 percent the numbers of per-
4 sonnel approved by the Congress; or

5 (4) results from any general savings from a re-
6 duction in personnel that would result in a change
7 in existing programs, projects, or activities as ap-
8 proved by the Congress, unless the Committees on
9 Appropriations of the Senate and the House of Rep-
10 resentatives are notified 15 days in advance of such
11 reprogramming of funds.

12 (c) Not to exceed 5 percent of any appropriation
13 made available for the current fiscal year for the Depart-
14 ment of Homeland Security by this Act or provided by
15 previous appropriations Acts may be transferred between
16 such appropriations, but no such appropriation, except as
17 otherwise specifically provided, shall be increased by more
18 than 10 percent by such transfers: *Provided*, That any
19 transfer under this section shall be treated as a re-
20 programming of funds under subsection (b) and shall not
21 be available for obligation unless the Committees on Ap-
22 propriations of the Senate and the House of Representa-
23 tives are notified 15 days in advance of such transfer.

24 (d) Notwithstanding subsections (a), (b), and (c) of
25 this section, no funds shall be reprogrammed within or

1 transferred between appropriations based upon an initial
2 notification provided after June 30, except in extraor-
3 dinary circumstances that imminently threaten the safety
4 of human life or the protection of property.

5 (e) The notification thresholds and procedures set
6 forth in this section shall apply to any use of deobligated
7 balances of funds provided in previous Department of
8 Homeland Security Appropriations Acts.

9 SEC. 504. The Department of Homeland Security
10 Working Capital Fund, established pursuant to section
11 403 of Public Law 103–356 (31 U.S.C. 501 note), shall
12 continue operations as a permanent working capital fund
13 for fiscal year 2016: *Provided*, That none of the funds ap-
14 propriated or otherwise made available to the Department
15 of Homeland Security may be used to make payments to
16 the Working Capital Fund, except for the activities and
17 amounts allowed in the President’s fiscal year 2016 budg-
18 et: *Provided further*, That funds provided to the Working
19 Capital Fund shall be available for obligation until ex-
20 pended to carry out the purposes of the Working Capital
21 Fund: *Provided further*, That all departmental components
22 shall be charged only for direct usage of each Working
23 Capital Fund service: *Provided further*, That funds pro-
24 vided to the Working Capital Fund shall be used only for
25 purposes consistent with the contributing component: *Pro-*

1 *vided further*, That the Working Capital Fund shall be
2 paid in advance or reimbursed at rates which will return
3 the full cost of each service: *Provided further*, That the
4 Committees on Appropriations of the Senate and House
5 of Representatives shall be notified of any activity added
6 to or removed from the fund: *Provided further*, That the
7 Chief Financial Officer of the Department of Homeland
8 Security shall submit a quarterly execution report with ac-
9 tivity level detail, not later than 30 days after the end of
10 each quarter.

11 SEC. 505. Except as otherwise specifically provided
12 by law, not to exceed 50 percent of unobligated balances
13 remaining available at the end of fiscal year 2016, as re-
14 corded in the financial records at the time of a reprogram-
15 ming request, but not later than June 30, 2016, from ap-
16 propriations for salaries and expenses for fiscal year 2016
17 in this Act shall remain available through September 30,
18 2017, in the account and for the purposes for which the
19 appropriations were provided: *Provided*, That, prior to the
20 obligation of such funds, a request shall be submitted to
21 the Committees on Appropriations of the Senate and the
22 House of Representatives for approval in accordance with
23 section 503 of this Act.

24 SEC. 506. Funds made available by this Act for intel-
25 ligence activities are deemed to be specifically authorized

1 by the Congress for purposes of section 504 of the Na-
2 tional Security Act of 1947 (50 U.S.C. 414) during fiscal
3 year 2016 until the enactment of an Act authorizing intel-
4 ligence activities for fiscal year 2016.

5 SEC. 507. (a) Except as provided in subsections (b)
6 and (c), none of the funds made available by this Act may
7 be used to—

8 (1) make or award a grant allocation, grant,
9 contract, other transaction agreement, or task or de-
10 livery order on a Department of Homeland Security
11 multiple award contract, or to issue a letter of intent
12 totaling in excess of \$1,000,000;

13 (2) award a task or delivery order requiring an
14 obligation of funds in an amount greater than
15 \$10,000,000 from multi-year Department of Home-
16 land Security funds; or

17 (3) announce publicly the intention to make or
18 award items under paragraph (1), (2), or (3) includ-
19 ing a contract covered by the Federal Acquisition
20 Regulation.

21 (b) The Secretary of Homeland Security may waive
22 the prohibition under subsection (a) if the Secretary noti-
23 fies the Committees on Appropriations of the Senate and
24 the House of Representatives at least 3 full business days

1 in advance of making an award or issuing a letter as de-
2 scribed in that subsection.

3 (c) If the Secretary of Homeland Security determines
4 that compliance with this section would pose a substantial
5 risk to human life, health, or safety, an award may be
6 made without notification, and the Secretary shall notify
7 the Committees on Appropriations of the Senate and the
8 House of Representatives not later than 5 full business
9 days after such an award is made or letter issued.

10 (d) A notification under this section—

11 (1) may not involve funds that are not available
12 for obligation; and

13 (2) shall include the amount of the award; the
14 fiscal year for which the funds for the award were
15 appropriated; the type of contract; and the account
16 from which the funds are being drawn.

17 (e) The Administrator of the Federal Emergency
18 Management Agency shall brief the Committees on Appro-
19 priations of the Senate and the House of Representatives
20 5 full business days in advance of announcing publicly the
21 intention of making an award under “State and Local
22 Programs”.

23 SEC. 508. Notwithstanding any other provision of
24 law, no agency shall purchase, construct, or lease any ad-
25 ditional facilities, except within or contiguous to existing

1 locations, to be used for the purpose of conducting Federal
2 law enforcement training without advance notification to
3 the Committees on Appropriations of the Senate and the
4 House of Representatives, except that the Federal Law
5 Enforcement Training Center is authorized to obtain the
6 temporary use of additional facilities by lease, contract,
7 or other agreement for training that cannot be accommo-
8 dated in existing Center facilities.

9 SEC. 509. None of the funds appropriated or other-
10 wise made available by this Act may be used for expenses
11 for any construction, repair, alteration, or acquisition
12 project for which a prospectus otherwise required under
13 chapter 33 of title 40, United States Code, has not been
14 approved, except that necessary funds may be expended
15 for each project for required expenses for the development
16 of a proposed prospectus.

17 SEC. 510. (a) Sections 520, 522, and 530 of the De-
18 partment of Homeland Security Appropriations Act, 2008
19 (division E of Public Law 110–161; 121 Stat. 2073 and
20 2074) shall apply with respect to funds made available in
21 this Act in the same manner as such sections applied to
22 funds made available in that Act.

23 (b) The third proviso of section 537 of the Depart-
24 ment of Homeland Security Appropriations Act, 2006 (6

1 U.S.C. 114), shall hereafter not apply with respect to
2 funds made available in this or any other Act.

3 SEC. 511. None of the funds made available in this
4 Act may be used in contravention of the applicable provi-
5 sions of the Buy American Act. For purposes of the pre-
6 ceding sentence, the term “Buy American Act” means
7 chapter 83 of title 41, United States Code.

8 SEC. 512. None of the funds made available in this
9 Act may be used to amend the oath of allegiance required
10 by section 337 of the Immigration and Nationality Act
11 (8 U.S.C. 1448).

12 SEC. 513. Not later than 30 days after the last day
13 of each month, the Chief Financial Officer of the Depart-
14 ment of Homeland Security shall submit to the Commit-
15 tees on Appropriations of the Senate and the House of
16 Representatives a monthly budget and staffing report for
17 that month that includes total obligations of the Depart-
18 ment for that month for the fiscal year at the appropria-
19 tion and program, project, and activity levels, by the
20 source year of the appropriation: *Provided*, That total obli-
21 gations for staffing shall also be provided by subcategory
22 of on-board and funded full-time equivalent staffing levels,
23 respectively: *Provided further*, That the report shall specify
24 the number of, and total obligations for, contract employ-
25 ees for each office of the Department.

1 SEC. 514. Except as provided in section 44945 of title
2 49, United States Code, funds appropriated or transferred
3 to Transportation Security Administration “Aviation Se-
4 curity”, “Administration”, and “Transportation Security
5 Support” for fiscal years 2004 and 2005 that are recov-
6 ered or deobligated shall be available only for the procure-
7 ment or installation of explosives detection systems, air
8 cargo, baggage, and checkpoint screening systems, subject
9 to notification: *Provided*, That semiannual reports shall be
10 submitted to the Committees on Appropriations of the
11 Senate and the House of Representatives on any funds
12 that are recovered or deobligated.

13 SEC. 515. None of the funds appropriated by this Act
14 may be used to process or approve a competition under
15 Office of Management and Budget Circular A-76 for serv-
16 ices provided by employees (including employees serving
17 on a temporary or term basis) of United States Citizen-
18 ship and Immigration Services of the Department of
19 Homeland Security who are known as Immigration Infor-
20 mation Officers, Immigration Service Analysts, Contact
21 Representatives, Investigative Assistants, or Immigration
22 Services Officers.

23 SEC. 516. Any funds appropriated to “Coast Guard,
24 Acquisition, Construction, and Improvements” for fiscal
25 years 2002, 2003, 2004, 2005, and 2006 for the 110-

1 123 foot patrol boat conversion that are recovered, col-
2 lected, or otherwise received as the result of negotiation,
3 mediation, or litigation, shall be available until expended
4 for the Fast Response Cutter program.

5 SEC. 517. The functions of the Federal Law Enforce-
6 ment Training Center instructor staff shall be classified
7 as inherently governmental for the purpose of the Federal
8 Activities Inventory Reform Act of 1998 (31 U.S.C. 501
9 note).

10 SEC. 518. (a) The Secretary of Homeland Security
11 shall submit a report not later than October 15, 2016,
12 to the Inspector General of the Department of Homeland
13 Security listing all grants and contracts awarded by any
14 means other than full and open competition during fiscal
15 year 2016.

16 (b) The Inspector General shall review the report re-
17 quired by subsection (a) to assess Departmental compli-
18 ance with applicable laws and regulations and report the
19 results of that review to the Committees on Appropriations
20 of the Senate and the House of Representatives not later
21 than February 15, 2017.

22 SEC. 519. None of the funds made available in this
23 Act may be used by United States Citizenship and Immi-
24 gration Services to grant an immigration benefit unless
25 the results of background checks required by law to be

1 completed prior to the granting of the benefit have been
2 received by United States Citizenship and Immigration
3 Services, and the results do not preclude the granting of
4 the benefit.

5 SEC. 520. Section 831 of the Homeland Security Act
6 of 2002 (6 U.S.C. 391) is amended—

7 (1) in subsection (a), by striking “Until Sep-
8 tember 30, 2015,” and inserting “Until September
9 30, 2016,”; and

10 (2) in subsection (c)(1), by striking “September
11 30, 2015,” and inserting “September 30, 2016,”.

12 SEC. 521. The Secretary of Homeland Security shall
13 require that all contracts of the Department of Homeland
14 Security that provide award fees link such fees to success-
15 ful acquisition outcomes (which outcomes shall be speci-
16 fied in terms of cost, schedule, and performance).

17 SEC. 522. Notwithstanding any other provision of
18 law, none of the funds provided in this or any other Act
19 shall be used to approve a waiver of the navigation and
20 vessel-inspection laws pursuant to 46 U.S.C. 501(b) for
21 the transportation of crude oil distributed from the Stra-
22 tegic Petroleum Reserve until the Secretary of Homeland
23 Security, after consultation with the Secretaries of the De-
24 partments of Energy and Transportation and representa-
25 tives from the United States flag maritime industry, takes

1 adequate measures to ensure the use of United States flag
2 vessels: *Provided*, That the Secretary shall notify the Com-
3 mittees on Appropriations of the Senate and the House
4 of Representatives, the Committee on Commerce, Science,
5 and Transportation of the Senate, and the Committee on
6 Transportation and Infrastructure of the House of Rep-
7 resentatives within 2 business days of any request for
8 waivers of navigation and vessel-inspection laws pursuant
9 to 46 U.S.C. 501(b).

10 SEC. 523. None of the funds made available in this
11 Act for U.S. Customs and Border Protection may be used
12 to prevent an individual not in the business of importing
13 a prescription drug (within the meaning of section 801(g)
14 of the Federal Food, Drug, and Cosmetic Act) from im-
15 porting a prescription drug from Canada that complies
16 with the Federal Food, Drug, and Cosmetic Act: *Provided*,
17 That this section shall apply only to individuals trans-
18 porting on their person a personal-use quantity of the pre-
19 scription drug, not to exceed a 90-day supply: *Provided*
20 *further*, That the prescription drug may not be—

21 (1) a controlled substance, as defined in section
22 102 of the Controlled Substances Act (21 U.S.C.
23 802); or

1 (2) a biological product, as defined in section
2 351 of the Public Health Service Act (42 U.S.C.
3 262).

4 SEC. 524. None of the funds in this Act shall be used
5 to reduce the United States Coast Guard's Operations
6 Systems Center mission or its government-employed or
7 contract staff levels.

8 SEC. 525. The Secretary of Homeland Security, in
9 consultation with the Secretary of the Treasury, shall no-
10 tify the Committees on Appropriations of the Senate and
11 the House of Representatives of any proposed transfers
12 of funds available under section 9703.1(g)(4)(B) of title
13 31, United States Code (as added by Public Law 102-
14 393) from the Department of the Treasury Forfeiture
15 Fund to any agency within the Department of Homeland
16 Security: *Provided*, That none of the funds identified for
17 such a transfer may be obligated until the Committees on
18 Appropriations of the Senate and the House of Represent-
19 atives approve the proposed transfers.

20 SEC. 526. None of the funds made available in this
21 Act may be used for planning, testing, piloting, or devel-
22 oping a national identification card.

23 SEC. 527. None of the funds appropriated by this Act
24 may be used to conduct, or to implement the results of,
25 a competition under Office of Management and Budget

1 Circular A-76 for activities performed with respect to the
2 Coast Guard National Vessel Documentation Center.

3 SEC. 528. (a) Notwithstanding any other provision
4 of this Act, except as provided in subsection (b), and 30
5 days after the date on which the President determines
6 whether to declare a major disaster because of an event
7 and any appeal is completed, the Administrator shall pub-
8 lish on the Web site of the Federal Emergency Manage-
9 ment Agency a report regarding that decision that shall
10 summarize damage assessment information used to deter-
11 mine whether to declare a major disaster.

12 (b) The Administrator may redact from a report
13 under subsection (a) any data that the Administrator de-
14 termines would compromise national security.

15 (c) In this section—

16 (1) the term “Administrator” means the Ad-
17 ministrator of the Federal Emergency Management
18 Agency; and

19 (2) the term “major disaster” has the meaning
20 given that term in section 102 of the Robert T.
21 Stafford Disaster Relief and Emergency Assistance
22 Act (42 U.S.C. 5122).

23 SEC. 529. Any official that is required by this Act
24 to report or to certify to the Committees on Appropria-
25 tions of the Senate and the House of Representatives may

1 not delegate such authority to perform that act unless spe-
2 cifically authorized herein.

3 SEC. 530. None of the funds appropriated or other-
4 wise made available in this or any other Act may be used
5 to transfer, release, or assist in the transfer or release to
6 or within the United States, its territories, or possessions
7 Khalid Sheikh Mohammed or any other detainee who—

8 (1) is not a United States citizen or a member
9 of the Armed Forces of the United States; and

10 (2) is or was held on or after June 24, 2009,
11 at the United States Naval Station, Guantánamo
12 Bay, Cuba, by the Department of Defense.

13 SEC. 531. None of the funds made available in this
14 Act may be used for first-class travel by the employees
15 of agencies funded by this Act in contravention of sections
16 301–10.122 through 301–10.124 of title 41, Code of Fed-
17 eral Regulations.

18 SEC. 532. None of the funds made available in this
19 Act may be used to employ workers described in section
20 274A(h)(3) of the Immigration and Nationality Act (8
21 U.S.C. 1324a(h)(3)).

22 SEC. 533. Funds made available in this Act may be
23 used to alter operations within the Civil Engineering Pro-
24 gram of the Coast Guard nationwide, including civil engi-
25 neering units, facilities design and construction centers,

1 maintenance and logistics commands, and the Coast
2 Guard Academy, except that none of the funds provided
3 in this Act may be used to reduce operations within any
4 Civil Engineering Unit unless specifically authorized by a
5 statute enacted after the date of enactment of this Act.

6 SEC. 534. Notwithstanding any other provision of
7 this Act, none of the funds appropriated or otherwise
8 made available by this Act may be used to pay award or
9 incentive fees for contractor performance that has been
10 judged to be below satisfactory performance or perform-
11 ance that does not meet the basic requirements of a con-
12 tract.

13 SEC. 535. In developing any process to screen avia-
14 tion passengers and crews for transportation or national
15 security purposes, the Secretary of Homeland Security
16 shall ensure that all such processes take into consideration
17 such passengers' and crews' privacy and civil liberties con-
18 sistent with applicable laws, regulations, and guidance.

19 SEC. 536. (a) Notwithstanding section 1356(n) of
20 title 8, United States Code, of the funds deposited into
21 the Immigration Examinations Fee Account, up to
22 \$10,000,000 may be allocated by United States Citizen-
23 ship and Immigration Services in fiscal year 2016 for the
24 purpose of providing an immigrant integration grants pro-
25 gram.

1 (b) None of the funds made available to United
2 States Citizenship and Immigration Services for grants for
3 immigrant integration may be used to provide services to
4 aliens who have not been lawfully admitted for permanent
5 residence.

6 SEC. 537. For an additional amount for the “Office
7 of the Under Secretary for Management”, \$212,303,000,
8 to remain available until expended, for necessary expenses
9 to plan, acquire, design, construct, renovate, remediate,
10 equip, furnish, improve infrastructure, and occupy build-
11 ings and facilities for the department headquarters con-
12 solidation project and associated mission support consoli-
13 dation: *Provided*, That the Committees on Appropriations
14 of the Senate and the House of Representatives shall re-
15 ceive an expenditure plan not later than 90 days after the
16 date of enactment of the Act detailing the allocation of
17 these funds.

18 SEC. 538. None of the funds appropriated or other-
19 wise made available by this Act may be used by the De-
20 partment of Homeland Security to enter into any Federal
21 contract unless such contract is entered into in accordance
22 with the requirements of subtitle I of title 41, United
23 States Code or chapter 137 of title 10, United States
24 Code, and the Federal Acquisition Regulation, unless such

1 contract is otherwise authorized by statute to be entered
2 into without regard to the above referenced statutes.

3 SEC. 539. (a) For an additional amount for financial
4 systems modernization, \$36,113,000 to remain available
5 until September 30, 2017.

6 (b) Funds made available in subsection (a) for finan-
7 cial systems modernization may be transferred by the Sec-
8 retary of Homeland Security between appropriations for
9 the same purpose, notwithstanding section 503 of this Act.

10 (c) No transfer described in subsection (b) shall occur
11 until 15 days after the Committees on Appropriations of
12 the Senate and the House of Representatives are notified
13 of such transfer.

14 SEC. 540. Notwithstanding the 10 percent limitation
15 contained in section 503(c) of this Act, the Secretary of
16 Homeland Security may transfer to the fund established
17 by 8 U.S.C. 1101 note, up to \$20,000,000 from appro-
18 priations available to the Department of Homeland Secu-
19 rity: *Provided*, That the Secretary shall notify the Com-
20 mittees on Appropriations of the Senate and the House
21 of Representatives 5 days in advance of such transfer.

22 SEC. 541. The Commissioner of U.S. Customs and
23 Border Protection and the Assistant Secretary of Home-
24 land Security for U.S. Immigration and Customs Enforce-
25 ment shall, with respect to fiscal years 2016, 2017, 2018,

1 and 2019, submit to the Committees on Appropriations
2 of the Senate and the House of Representatives, at the
3 time that the President’s budget proposal for fiscal year
4 2017 is submitted pursuant to the requirements of section
5 1105(a) of title 31, United States Code, the information
6 required in the multi-year investment and management
7 plans required, respectively, under the heading “U.S. Cus-
8 toms and Border Protection, Salaries and Expenses”
9 under title II of division D of the Consolidated Appropria-
10 tions Act, 2012 (Public Law 112–74); under the heading
11 “U.S. Customs and Border Protection, Border Security
12 Fencing, Infrastructure, and Technology” under such
13 title; and by section 568 of such Act.

14 SEC. 542. The Secretary of Homeland Security shall
15 ensure enforcement of all immigration laws (as defined in
16 section 101(a)(17) of the Immigration and Nationality Act
17 (8 U.S.C. 1101(a)(17))).

18 SEC. 543. (a) None of the funds made available in
19 this Act may be used to maintain or establish a computer
20 network unless such network blocks the viewing,
21 downloading, and exchanging of pornography.

22 (b) Nothing in subsection (a) shall limit the use of
23 funds necessary for any Federal, State, tribal, or local law
24 enforcement agency or any other entity carrying out crimi-
25 nal investigations, prosecution, or adjudication activities.

1 SEC. 544. None of the funds made available in this
2 Act may be used by a Federal law enforcement officer to
3 facilitate the transfer of an operable firearm to an indi-
4 vidual if the Federal law enforcement officer knows or sus-
5 pects that the individual is an agent of a drug cartel unless
6 law enforcement personnel of the United States continu-
7 ously monitor or control the firearm at all times.

8 SEC. 545. None of the funds provided in this or any
9 other Act may be obligated to implement the National Pre-
10 paredness Grant Program or any other successor grant
11 programs unless explicitly authorized by Congress.

12 SEC. 546. None of the funds made available in this
13 Act may be used to provide funding for the position of
14 Public Advocate, or a successor position, within U.S. Im-
15 migration and Customs Enforcement.

16 SEC. 547. Section 559(e)(3)(D) of Public Law 113-
17 76 is amended by striking “five pilots per year” and in-
18 serting “10 pilots per year”.

19 SEC. 548. None of the funds made available in this
20 Act may be used to pay for the travel to or attendance
21 of more than 50 employees of a single component of the
22 Department of Homeland Security, who are stationed in
23 the United States, at a single international conference un-
24 less the Secretary of Homeland Security, or a designee,
25 determines that such attendance is in the national interest

1 and notifies the Committees on Appropriations of the Sen-
2 ate and the House of Representatives within at least 10
3 days of that determination and the basis for that deter-
4 mination: *Provided*, That for purposes of this section the
5 term “international conference” shall mean a conference
6 occurring outside of the United States attended by rep-
7 resentatives of the United States Government and of for-
8 eign governments, international organizations, or non-
9 governmental organizations: *Provided further*, That the
10 total cost to the Department of Homeland Security of any
11 such conference shall not exceed \$500,000.

12 SEC. 549. None of the funds made available by this
13 or any other Act may be used by the Administrator of
14 the Transportation Security Administration to implement,
15 administer, or enforce, in abrogation of the responsibility
16 described in section 44903(n)(1) of title 49, United States
17 Code, any requirement that airport operators provide air-
18 port-financed staffing to monitor exit points from the ster-
19 ile area of any airport at which the Transportation Secu-
20 rity Administration provided such monitoring as of De-
21 cember 1, 2013.

22 SEC. 550. None of the funds made available in this
23 Act may be used to reimburse any Federal department
24 or agency for its participation in a National Special Secu-
25 rity Event.

1 SEC. 551. With the exception of countries with
2 preclearance facilities in service prior to 2013, none of the
3 funds made available in this Act may be used for new U.S.
4 Customs and Border Protection air preclearance agree-
5 ments entering into force after February 1, 2014, unless:
6 (1) the Secretary of Homeland Security, in consultation
7 with the Secretary of State, has certified to Congress that
8 air preclearance operations at the airport provide a home-
9 land or national security benefit to the United States; (2)
10 U.S. passenger air carriers are not precluded from oper-
11 ating at existing preclearance locations; and (3) a U.S.
12 passenger air carrier is operating at all airports con-
13 templated for establishment of new air preclearance oper-
14 ations.

15 SEC. 552. In making grants under the heading “Fire-
16 fighter Assistance Grants”, the Secretary may grant waiv-
17 ers from the requirements in subsections (a)(1)(A),
18 (a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section
19 34 of the Federal Fire Prevention and Control Act of 1974
20 (15 U.S.C. 2229a).

21 SEC. 553. (a) IN GENERAL.—Beginning on the date
22 of the enactment of this Act, the Secretary shall not—
23 (1) establish, collect, or otherwise impose any
24 new border crossing fee on individuals crossing the

1 Southern border or the Northern border at a land
2 port of entry; or

3 (2) conduct any study relating to the imposition
4 of a border crossing fee.

5 (b) BORDER CROSSING FEE DEFINED.—In this sec-
6 tion, the term “border crossing fee” means a fee that
7 every pedestrian, cyclist, and driver and passenger of a
8 private motor vehicle is required to pay for the privilege
9 of crossing the Southern border or the Northern border
10 at a land port of entry.

11 SEC. 554. (a) DEPOSITS OF PAYMENTS PENDING
12 AMENDMENT OF REGULATION.—Notwithstanding the
13 provisions of the Continued Dumping and Subsidy Offset
14 Act, 19 U.S.C. 1675c (2000), repealed by section 7601(a)
15 of subtitle F of title VII of Public Law 109–171, 120 Stat.
16 4, 154 (Feb. 8, 2006) as amended by section 822(2)(A)
17 of Public Law 111–291 and section 504 of Public Law
18 111–312 (Dec 17, 2010) (collectively, the CDSOA), none
19 of the funds appropriated in this or previous appropria-
20 tions Acts or otherwise made available to the Department
21 of Homeland Security may be used to deposit any payment
22 tendered by a surety under, or in connection with, a cus-
23 toms bond on an entry for which the duties and 19 U.S.C.
24 1677g interest are subject to distribution under the
25 CDSOA into any account in the Department of the Treas-

1 ury other than an unavailable receipt account (020–
2 5688.003) related to the Continued Dumping and Subsidy
3 Offset account (020 × 5688) until the Commissioner of
4 U.S. Customs and Border Protection completes the rule-
5 making process concerning the amendment of section
6 24.3a(c)(4) of title 19, Code of Federal Regulations: *Pro-*
7 *vided*, That the payment referenced in the previous proviso
8 is limited to a payment pursuant to a court ordered award
9 or judgment entered as a result of a lawsuit that was filed
10 by the Government against the surety from whom pay-
11 ment was obtained if that lawsuit was for the purpose of
12 collecting duties or interest owed on that particular entry,
13 or a settlement of any such lawsuit between the Govern-
14 ment and the surety that was executed after the time that
15 the lawsuit was filed by the Government: *Provided further*,
16 That once the rulemaking process concerning the amend-
17 ment of section 24.3a(c)(4) of title 19, Code of Federal
18 Regulations, is complete, funds subject to CDSOA dis-
19 tribution shall then be transferred into the Antidumping
20 and Countervailing Duties, Continued Dumping and Sub-
21 sidy Offset receipt account (020 × 5688.001) for distribu-
22 tion in accordance with the provisions of the CDSOA and
23 shall be allocated between principal and interest in accord-
24 ance with the amended section 24.3a(c)(4) of title 19,
25 Code of Federal Regulations, and not in accordance with

1 the provision of section 24.3a(c)(4) of title 19, Code of
2 Federal Regulations, that was in effect at the time that
3 the payment was made to the Government: *Provided fur-*
4 *ther*, That the funds that are not subject to CDSOA dis-
5 tribution shall be transferred into other accounts as other-
6 wise provided by law: *Provided further*, That authority to
7 enforce compliance with this section is vested exclusively
8 in Congress and nothing in this section is intended to, or
9 does, create a private right of action against the Govern-
10 ment.

11 (b) AUTHORITY TO AMEND REGULATION.—For this
12 fiscal year and hereafter, notwithstanding 6 U.S.C. 212
13 and Treasury Department Order No. 100–16, 1(a)(i), the
14 Commissioner of U.S. Customs and Border Protection is
15 hereby granted authority to approve amendment of section
16 24.3a(c)(4) of title 19, Code of Federal Regulations, to
17 amend the order in which a payment is allocated between
18 principal and interest for only those payments described
19 in subsection (a): *Provided*, That the authority provided
20 to the Commissioner by this section includes the authority
21 to allocate a payment, as defined above, between the forms
22 of interest a surety owes, including interest pursuant to
23 19 U.S.C. 1677g, sections 580 and 1505 of title 19, Code
24 of Federal Regulations, and Federal common law or equi-
25 table principles.

1 SEC. 555. Of the unobligated balance available to
2 “Federal Emergency Management Agency, Disaster Relief
3 Fund”, \$1,025,062,000 are hereby rescinded: *Provided*,
4 That no amounts may be rescinded from amounts that
5 were designated by the Congress as an emergency require-
6 ment pursuant to a concurrent resolution on the budget
7 or the Balanced Budget and Emergency Deficit Control
8 Act of 1985: *Provided further*, That no amounts may be
9 rescinded from the amounts that were designated by the
10 Congress as being for disaster relief pursuant to section
11 251(b)(2)(D) of the Balanced Budget and Emergency
12 Deficit Control Act of 1985.

13 SEC. 556. As authorized by section 601(b) of the
14 United States-Colombia Trade Promotion Agreement Im-
15 plementation Act (Public Law 112–42) fees collected from
16 passengers arriving from Canada, Mexico, or an adjacent
17 island pursuant to section 13031(a)(5) of the Consolidated
18 Omnibus Budget Reconciliation Act of 1985 (19 U.S.C.
19 58c(a)(5)) shall be available until expended.

20 SEC. 557. None of the funds appropriated by this or
21 any other Act shall be used to pay the salaries and ex-
22 penses of personnel who prepare or submit appropriations
23 language as part of the President’s budget submission to
24 the Congress of the United States for programs under the
25 jurisdiction of the Appropriations Subcommittees on the

1 Department of Homeland Security that assumes revenues
2 or reflects a reduction from the previous year due to user
3 fees proposals that have not been enacted into law prior
4 to the submission of the budget unless such budget sub-
5 mission identifies which additional spending reductions
6 should occur in the event the user fees proposals are not
7 enacted prior to the date of the convening of a committee
8 of conference for the fiscal year 2017 appropriations Act.

9 SEC. 558. Notwithstanding any other provision of
10 law, none of the funds appropriated or otherwise made
11 available, including any funds or fees collected or other-
12 wise made available for expenditure, by this or any other
13 Act of this or any other fiscal year may be used to imple-
14 ment, administer, carry-out, or enforce Executive Order
15 13690 (80 Fed. Reg. 6425; relating to the Federal Flood
16 Risk Management Standard) or the amendments made by
17 such Order.

18 SEC. 559. Notwithstanding the limitations as to
19 threshold, time, and condition of section 503 of this Act,
20 the Secretary may propose to reprogram or transfer to the
21 Coast Guard for the Offshore Patrol Cutter Project: (1)
22 discretionary appropriations made available by this Act,
23 to remain available until September 30, 2017, and (2) the
24 unobligated balances of discretionary appropriations made
25 available by prior Department of Homeland Security Ap-

1 appropriations Acts: *Provided*, That any amounts proposed
2 for reprogramming or transfer under this section shall not
3 be available for obligation until the Committees on Appro-
4 priations of the Senate and the House of Representatives
5 approve of such reprogramming or transfer: *Provided fur-*
6 *ther*, That this section shall not apply to amounts that
7 were (1) classified as being in the revised security cat-
8 egory, as defined under section 250(c)(4)(D) of the Bal-
9 anced Budget and Emergency Deficit Control Act of 1985,
10 as amended (BBEDCA); (2) designated by the Congress
11 for Overseas Contingency Operations/Global War on Ter-
12 rorism or as an emergency requirement pursuant to the
13 Concurrent Resolution on the Budget or BBEDCA; or (3)
14 designated as being for disaster relief pursuant to section
15 251(b)(2)(D) of BBEDCA.

16 SEC. 560. None of the funds made available to the
17 Department of Homeland Security by this or any other
18 Act may be obligated for any structural pay reform that
19 affects more than 100 full-time equivalent employee posi-
20 tions or costs more than \$5,000,000 in a single year be-
21 fore the end of the 30-day period beginning on the date
22 on which the Secretary of Homeland Security submits to
23 Congress a notification that includes—

24 (1) the number of full-time equivalent employee
25 positions affected by such change;

1 (2) funding required for such change for the
2 current year and through the Future Years Home-
3 land Security Program;

4 (3) justification for such change; and

5 (4) an analysis of compensation alternatives to
6 such change that were considered by the Depart-
7 ment.

8 SEC. 561. (a) Any agency receiving funds made avail-
9 able in this Act, shall, subject to subsections (b) and (c),
10 post on the public Web site of that agency any report re-
11 quired to be submitted by the Committees on Appropria-
12 tions of the Senate and the House of Representatives in
13 this Act, upon the determination by the head of the agency
14 that it shall serve the national interest.

15 (b) Subsection (a) shall not apply to a report if—

16 (1) the public posting of the report com-
17 promises homeland or national security; or

18 (2) the report contains proprietary information.

19 (c) The head of the agency posting such report shall
20 do so only after such report has been made available to
21 the requesting Committee or Committees of Congress for
22 no less than 45 days except as otherwise specified in law.

23 SEC. 562. Of amounts transferred to the Disaster As-
24 sistance Direct Loan Program pursuant to the Community
25 Disaster Loan Act of 2005 (Public Law 109–88),

1 \$27,338,101 are hereby rescinded: *Provided*, That no
2 amounts may be rescinded from amounts that were des-
3 ignated by the Congress as an emergency requirement
4 pursuant to a concurrent resolution on the budget or the
5 Balanced Budget and Emergency Deficit Control Act of
6 1985.

7 SEC. 563. The Administrator of the Federal Emer-
8 gency Management Agency shall transfer \$56,872,752 in
9 unobligated balances made available for the appropriations
10 account for “Federal Emergency Management Agency,
11 Disaster Assistance Direct Loan Program Account” by
12 section 4502 of Public Law 110–28 to the appropriations
13 account for “Federal Emergency Management Agency,
14 Disaster Relief Fund”: *Provided*, That amounts trans-
15 ferred to such account under this section shall be available
16 for any authorized purpose of such account: *Provided fur-*
17 *ther*, That amounts transferred pursuant to this section
18 that were previously designated by the Congress as an
19 emergency requirement pursuant to a concurrent resolu-
20 tion on the budget are designated by the Congress as an
21 emergency requirement pursuant to section
22 251(b)(2)(A)(i) of the Balanced Budget and Emergency
23 Deficit Control Act of 1985 and shall be transferred only
24 if the President subsequently so designates the entire
25 transfer and transmits such designation to the Congress.

1 SEC. 564. None of the funds made available by this
2 Act may be obligated or expended to sustain domestic
3 prosecutions based on any charge related to the Arms
4 Trade Treaty, or to implement the Treaty, until the Sen-
5 ate approves a resolution of ratification for the Treaty and
6 the Senate and the House of Representatives adopt imple-
7 menting legislation for the Treaty.

8 SEC. 565. Of the funds appropriated to the Depart-
9 ment of Homeland Security, the following funds are here-
10 by rescinded from the following accounts and programs
11 in the specified amounts: *Provided*, That no amounts may
12 be rescinded from amounts that were designated by the
13 Congress as an emergency requirement pursuant to a con-
14 current resolution on the budget or the Balanced Budget
15 and Emergency Deficit Control Act of 1985 (Public Law
16 99–177):

17 (1) \$7,324,000 from unobligated prior year bal-
18 ances from “Analysis and Operations” from the Of-
19 fice of Intelligence and Analysis;

20 (2) \$7,000,000 from unobligated prior year bal-
21 ances from “U.S. Customs and Border Protection,
22 Automation Modernization”;

23 (3) \$21,856,000 from unobligated prior year
24 balances from “U.S. Customs and Border Protec-

1 tion, Border Security, Fencing, Infrastructure, and
2 Technology”;

3 (4) \$12,000,000 from unobligated prior year
4 balances from “U.S. Customs and Border Protec-
5 tion, Air and Marine Operations”;

6 (5) \$4,500,000 from unobligated prior year bal-
7 ances from “U.S. Customs and Border Protection,
8 Construction and Facilities Management”; and

9 (6) \$13,758,918 from “Federal Emergency
10 Management Agency, National Pre disaster Mitiga-
11 tion Fund” account 70 × 0716;

12 (7) \$5,800,000 from Public Law 112–74 under
13 the heading “Coast Guard, Acquisition, Construc-
14 tion, and Improvements”;

15 (8) \$16,445,000 from Public Law 113–76
16 under the heading “Coast Guard, Acquisition, Con-
17 struction, and Improvements”;

18 (9) \$28,000,000 from Public Law 114–4 under
19 the heading “Transportation Security Administra-
20 tion, Aviation Security”;

21 (10) \$5,000,000 from unobligated prior year
22 balances from “Transportation Security Administra-
23 tion, Surface Transportation”;

1 **DIVISION D—MILITARY CONSTRUCTION,**
2 **VETERANS AFFAIRS, AND RELATED**
3 **AGENCIES APPROPRIATIONS ACT, 2016**

4 TITLE I

5 DEPARTMENT OF DEFENSE

6 MILITARY CONSTRUCTION, ARMY

7 For acquisition, construction, installation, and equip-
8 ment of temporary or permanent public works, military
9 installations, facilities, and real property for the Army as
10 currently authorized by law, including personnel in the
11 Army Corps of Engineers and other personal services nec-
12 essary for the purposes of this appropriation, and for con-
13 struction and operation of facilities in support of the func-
14 tions of the Commander in Chief, \$663,245,000, to re-
15 main available until September 30, 2020: *Provided*, That,
16 of this amount, not to exceed \$109,245,000 shall be avail-
17 able for study, planning, design, architect and engineer
18 services, and host nation support, as authorized by law,
19 unless the Secretary of the Army determines that addi-
20 tional obligations are necessary for such purposes and no-
21 tifies the Committees on Appropriations of both Houses
22 of Congress of the determination and the reasons therefor.

23 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

24 For acquisition, construction, installation, and equip-
25 ment of temporary or permanent public works, naval in-

1 stallations, facilities, and real property for the Navy and
2 Marine Corps as currently authorized by law, including
3 personnel in the Naval Facilities Engineering Command
4 and other personal services necessary for the purposes of
5 this appropriation, \$1,619,699,000, to remain available
6 until September 30, 2020: *Provided*, That, of this amount,
7 not to exceed \$91,649,000 shall be available for study,
8 planning, design, and architect and engineer services, as
9 authorized by law, unless the Secretary of the Navy deter-
10 mines that additional obligations are necessary for such
11 purposes and notifies the Committees on Appropriations
12 of both Houses of Congress of the determination and the
13 reasons therefor.

14 MILITARY CONSTRUCTION, AIR FORCE

15 For acquisition, construction, installation, and equip-
16 ment of temporary or permanent public works, military
17 installations, facilities, and real property for the Air Force
18 as currently authorized by law, \$1,389,185,000, to remain
19 available until September 30, 2020: *Provided*, That, of
20 this amount, not to exceed \$89,164,000 shall be available
21 for study, planning, design, and architect and engineer
22 services, as authorized by law, unless the Secretary of Air
23 Force determines that additional obligations are necessary
24 for such purposes and notifies the Committees on Appro-

1 priations of both Houses of Congress of the determination
2 and the reasons therefor.

3 MILITARY CONSTRUCTION, DEFENSE-WIDE

4 (INCLUDING TRANSFER OF FUNDS)

5 For acquisition, construction, installation, and equip-
6 ment of temporary or permanent public works, installa-
7 tions, facilities, and real property for activities and agen-
8 cies of the Department of Defense (other than the military
9 departments), as currently authorized by law,
10 \$2,290,767,000, to remain available until September 30,
11 2020: *Provided*, That such amounts of this appropriation
12 as may be determined by the Secretary of Defense may
13 be transferred to such appropriations of the Department
14 of Defense available for military construction or family
15 housing as the Secretary may designate, to be merged with
16 and to be available for the same purposes, and for the
17 same time period, as the appropriation or fund to which
18 transferred: *Provided further*, That, of the amount appro-
19 priated, not to exceed \$160,404,000 shall be available for
20 study, planning, design, and architect and engineer serv-
21 ices, as authorized by law, unless the Secretary of Defense
22 determines that additional obligations are necessary for
23 such purposes and notifies the Committees on Appropria-
24 tions of both Houses of Congress of the determination and
25 the reasons therefor.

1 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the Army National Guard, and contribu-
5 tions therefor, as authorized by chapter 1803 of title 10,
6 United States Code, and Military Construction Authoriza-
7 tion Acts, \$197,237,000, to remain available until Sep-
8 tember 30, 2020: *Provided*, That, of the amount appro-
9 priated, not to exceed \$20,337,000 shall be available for
10 study, planning, design, and architect and engineer serv-
11 ices, as authorized by law, unless the Director of the Army
12 National Guard determines that additional obligations are
13 necessary for such purposes and notifies the Committees
14 on Appropriations of both Houses of Congress of the de-
15 termination and the reasons therefor.

16 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

17 For construction, acquisition, expansion, rehabilita-
18 tion, and conversion of facilities for the training and ad-
19 ministration of the Air National Guard, and contributions
20 therefor, as authorized by chapter 1803 of title 10, United
21 States Code, and Military Construction Authorization
22 Acts, \$138,738,000, to remain available until September
23 30, 2020: *Provided*, That, of the amount appropriated, not
24 to exceed \$5,104,000 shall be available for study, plan-
25 ning, design, and architect and engineer services, as au-

1 thORIZED by law, unless the Director of the Air National
2 Guard determines that additional obligations are nec-
3 essary for such purposes and notifies the Committees on
4 Appropriations of both Houses of Congress of the deter-
5 mination and the reasons therefor.

6 MILITARY CONSTRUCTION, ARMY RESERVE

7 For construction, acquisition, expansion, rehabilita-
8 tion, and conversion of facilities for the training and ad-
9 ministration of the Army Reserve as authorized by chapter
10 1803 of title 10, United States Code, and Military Con-
11 struction Authorization Acts, \$113,595,000, to remain
12 available until September 30, 2020: *Provided*, That, of the
13 amount appropriated, not to exceed \$9,318,000 shall be
14 available for study, planning, design, and architect and en-
15 gineer services, as authorized by law, unless the Chief of
16 the Army Reserve determines that additional obligations
17 are necessary for such purposes and notifies the Commit-
18 tees on Appropriations of both Houses of Congress of the
19 determination and the reasons therefor.

20 MILITARY CONSTRUCTION, NAVY RESERVE

21 For construction, acquisition, expansion, rehabilita-
22 tion, and conversion of facilities for the training and ad-
23 ministration of the reserve components of the Navy and
24 Marine Corps as authorized by chapter 1803 of title 10,
25 United States Code, and Military Construction Authoriza-

1 tion Acts, \$36,078,000, to remain available until Sep-
2 tember 30, 2020: *Provided*, That, of the amount appro-
3 priated, not to exceed \$2,208,000 shall be available for
4 study, planning, design, and architect and engineer serv-
5 ices, as authorized by law, unless the Secretary of the
6 Navy determines that additional obligations are necessary
7 for such purposes and notifies the Committees on Appro-
8 priations of both Houses of Congress of the determination
9 and the reasons therefor.

10 MILITARY CONSTRUCTION, AIR FORCE RESERVE

11 For construction, acquisition, expansion, rehabilita-
12 tion, and conversion of facilities for the training and ad-
13 ministration of the Air Force Reserve as authorized by
14 chapter 1803 of title 10, United States Code, and Military
15 Construction Authorization Acts, \$65,021,000, to remain
16 available until September 30, 2020: *Provided*, That, of the
17 amount appropriated, not to exceed \$13,400,000 shall be
18 available for study, planning, design, and architect and en-
19 gineer services, as authorized by law, unless the Chief of
20 the Air Force Reserve determines that additional obliga-
21 tions are necessary for such purposes and notifies the
22 Committees on Appropriations of both Houses of Congress
23 of the determination and the reasons therefor.

1 NORTH ATLANTIC TREATY ORGANIZATION
2 SECURITY INVESTMENT PROGRAM

3 For the United States share of the cost of the North
4 Atlantic Treaty Organization Security Investment Pro-
5 gram for the acquisition and construction of military fa-
6 cilities and installations (including international military
7 headquarters) and for related expenses for the collective
8 defense of the North Atlantic Treaty Area as authorized
9 by section 2806 of title 10, United States Code, and Mili-
10 tary Construction Authorization Acts, \$120,000,000, to
11 remain available until expended.

12 FAMILY HOUSING CONSTRUCTION, ARMY

13 For expenses of family housing for the Army for con-
14 struction, including acquisition, replacement, addition, ex-
15 pansion, extension, and alteration, as authorized by law,
16 \$99,695,000, to remain available until September 30,
17 2020.

18 FAMILY HOUSING OPERATION AND MAINTENANCE,

19 ARMY

20 For expenses of family housing for the Army for op-
21 eration and maintenance, including debt payment, leasing,
22 minor construction, principal and interest charges, and in-
23 surance premiums, as authorized by law, \$393,511,000.

1 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE
2 CORPS

3 For expenses of family housing for the Navy and Ma-
4 rine Corps for construction, including acquisition, replace-
5 ment, addition, expansion, extension, and alteration, as
6 authorized by law, \$16,541,000, to remain available until
7 September 30, 2020.

8 FAMILY HOUSING OPERATION AND MAINTENANCE,
9 NAVY AND MARINE CORPS

10 For expenses of family housing for the Navy and Ma-
11 rine Corps for operation and maintenance, including debt
12 payment, leasing, minor construction, principal and inter-
13 est charges, and insurance premiums, as authorized by
14 law, \$353,036,000.

15 FAMILY HOUSING CONSTRUCTION, AIR FORCE

16 For expenses of family housing for the Air Force for
17 construction, including acquisition, replacement, addition,
18 expansion, extension, and alteration, as authorized by law,
19 \$160,498,000, to remain available until September 30,
20 2020.

21 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
22 FORCE

23 For expenses of family housing for the Air Force for
24 operation and maintenance, including debt payment, leas-
25 ing, minor construction, principal and interest charges,

1 and insurance premiums, as authorized by law,
2 \$331,232,000.

3 FAMILY HOUSING OPERATION AND MAINTENANCE,
4 DEFENSE-WIDE

5 For expenses of family housing for the activities and
6 agencies of the Department of Defense (other than the
7 military departments) for operation and maintenance,
8 leasing, and minor construction, as authorized by law,
9 \$58,668,000.

10 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

11 For deposit into the Department of Defense Base
12 Closure Account 1990, established by section 2906(a) of
13 the Defense Base Closure and Realignment Act of 1990
14 (10 U.S.C. 2687 note), \$251,334,000, to remain available
15 until expended.

16 ADMINISTRATIVE PROVISIONS

17 SEC. 101. None of the funds made available in this
18 title shall be expended for payments under a cost-plus-a-
19 fixed-fee contract for construction, where cost estimates
20 exceed \$25,000, to be performed within the United States,
21 except Alaska, without the specific approval in writing of
22 the Secretary of Defense setting forth the reasons there-
23 for.

1 SEC. 102. Funds made available in this title for con-
2 struction shall be available for hire of passenger motor ve-
3 hicles.

4 SEC. 103. Funds made available in this title for con-
5 struction may be used for advances to the Federal High-
6 way Administration, Department of Transportation, for
7 the construction of access roads as authorized by section
8 210 of title 23, United States Code, when projects author-
9 ized therein are certified as important to the national de-
10 fense by the Secretary of Defense.

11 SEC. 104. None of the funds made available in this
12 title may be used to begin construction of new bases in
13 the United States for which specific appropriations have
14 not been made.

15 SEC. 105. None of the funds made available in this
16 title shall be used for purchase of land or land easements
17 in excess of 100 percent of the value as determined by
18 the Army Corps of Engineers or the Naval Facilities Engi-
19 neering Command, except: (1) where there is a determina-
20 tion of value by a Federal court; (2) purchases negotiated
21 by the Attorney General or the designee of the Attorney
22 General; (3) where the estimated value is less than
23 \$25,000; or (4) as otherwise determined by the Secretary
24 of Defense to be in the public interest.

1 SEC. 106. None of the funds made available in this
2 title shall be used to: (1) acquire land; (2) provide for site
3 preparation; or (3) install utilities for any family housing,
4 except housing for which funds have been made available
5 in annual Acts making appropriations for military con-
6 struction.

7 SEC. 107. None of the funds made available in this
8 title for minor construction may be used to transfer or
9 relocate any activity from one base or installation to an-
10 other, without prior notification to the Committees on Ap-
11 propriations of both Houses of Congress.

12 SEC. 108. None of the funds made available in this
13 title may be used for the procurement of steel for any con-
14 struction project or activity for which American steel pro-
15 ducers, fabricators, and manufacturers have been denied
16 the opportunity to compete for such steel procurement.

17 SEC. 109. None of the funds available to the Depart-
18 ment of Defense for military construction or family hous-
19 ing during the current fiscal year may be used to pay real
20 property taxes in any foreign nation.

21 SEC. 110. None of the funds made available in this
22 title may be used to initiate a new installation overseas
23 without prior notification to the Committees on Appro-
24 priations of both Houses of Congress.

1 SEC. 111. None of the funds made available in this
2 title may be obligated for architect and engineer contracts
3 estimated by the Government to exceed \$500,000 for
4 projects to be accomplished in Japan, in any North Atlan-
5 tic Treaty Organization member country, or in countries
6 bordering the Arabian Gulf, unless such contracts are
7 awarded to United States firms or United States firms
8 in joint venture with host nation firms.

9 SEC. 112. None of the funds made available in this
10 title for military construction in the United States terri-
11 tories and possessions in the Pacific and on Kwajalein
12 Atoll, or in countries bordering the Arabian Gulf, may be
13 used to award any contract estimated by the Government
14 to exceed \$1,000,000 to a foreign contractor: *Provided*,
15 That this section shall not be applicable to contract
16 awards for which the lowest responsive and responsible bid
17 of a United States contractor exceeds the lowest respon-
18 sive and responsible bid of a foreign contractor by greater
19 than 20 percent: *Provided further*, That this section shall
20 not apply to contract awards for military construction on
21 Kwajalein Atoll for which the lowest responsive and re-
22 sponsible bid is submitted by a Marshallese contractor.

23 SEC. 113. The Secretary of Defense shall inform the
24 appropriate committees of both Houses of Congress, in-
25 cluding the Committees on Appropriations, of plans and

1 scope of any proposed military exercise involving United
2 States personnel 30 days prior to its occurring, if amounts
3 expended for construction, either temporary or permanent,
4 are anticipated to exceed \$100,000.

5 SEC. 114. Not more than 20 percent of the funds
6 made available in this title which are limited for obligation
7 during the current fiscal year shall be obligated during
8 the last 2 months of the fiscal year.

9 SEC. 115. Funds appropriated to the Department of
10 Defense for construction in prior years shall be available
11 for construction authorized for each such military depart-
12 ment by the authorizations enacted into law during the
13 current session of Congress.

14 SEC. 116. For military construction or family housing
15 projects that are being completed with funds otherwise ex-
16 pired or lapsed for obligation, expired or lapsed funds may
17 be used to pay the cost of associated supervision, inspec-
18 tion, overhead, engineering and design on those projects
19 and on subsequent claims, if any.

20 SEC. 117. Notwithstanding any other provision of
21 law, any funds made available to a military department
22 or defense agency for the construction of military projects
23 may be obligated for a military construction project or
24 contract, or for any portion of such a project or contract,
25 at any time before the end of the fourth fiscal year after

1 the fiscal year for which funds for such project were made
2 available, if the funds obligated for such project: (1) are
3 obligated from funds available for military construction
4 projects; and (2) do not exceed the amount appropriated
5 for such project, plus any amount by which the cost of
6 such project is increased pursuant to law.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 118. Subject to 30 days prior notification, or
9 14 days for a notification provided in an electronic me-
10 dium pursuant to sections 480 and 2883 of title 10,
11 United States Code, to the Committees on Appropriations
12 of both Houses of Congress, such additional amounts as
13 may be determined by the Secretary of Defense may be
14 transferred to: (1) the Department of Defense Family
15 Housing Improvement Fund from amounts appropriated
16 for construction in “Family Housing” accounts, to be
17 merged with and to be available for the same purposes
18 and for the same period of time as amounts appropriated
19 directly to the Fund; or (2) the Department of Defense
20 Military Unaccompanied Housing Improvement Fund
21 from amounts appropriated for construction of military
22 unaccompanied housing in “Military Construction” ac-
23 counts, to be merged with and to be available for the same
24 purposes and for the same period of time as amounts ap-
25 propriated directly to the Fund: *Provided*, That appropria-

1 tions made available to the Funds shall be available to
2 cover the costs, as defined in section 502(5) of the Con-
3 gressional Budget Act of 1974, of direct loans or loan
4 guarantees issued by the Department of Defense pursuant
5 to the provisions of subchapter IV of chapter 169 of title
6 10, United States Code, pertaining to alternative means
7 of acquiring and improving military family housing, mili-
8 tary unaccompanied housing, and supporting facilities.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 119. In addition to any other transfer authority
11 available to the Department of Defense, amounts may be
12 transferred from the accounts established by sections
13 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure
14 and Realignment Act of 1990 (10 U.S.C. 2687 note), to
15 the fund established by section 1013(d) of the Demonstra-
16 tion Cities and Metropolitan Development Act of 1966 (42
17 U.S.C. 3374) to pay for expenses associated with the
18 Homeowners Assistance Program incurred under 42
19 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be
20 merged with and be available for the same purposes and
21 for the same time period as the fund to which transferred.

22 SEC. 120. Notwithstanding any other provision of
23 law, funds made available in this title for operation and
24 maintenance of family housing shall be the exclusive
25 source of funds for repair and maintenance of all family

1 housing units, including general or flag officer quarters:
2 *Provided*, That not more than \$35,000 per unit may be
3 spent annually for the maintenance and repair of any gen-
4 eral or flag officer quarters without 30 days prior notifica-
5 tion, or 14 days for a notification provided in an electronic
6 medium pursuant to sections 480 and 2883 of title 10,
7 United States Code, to the Committees on Appropriations
8 of both Houses of Congress, except that an after-the-fact
9 notification shall be submitted if the limitation is exceeded
10 solely due to costs associated with environmental remedi-
11 ation that could not be reasonably anticipated at the time
12 of the budget submission: *Provided further*, That the
13 Under Secretary of Defense (Comptroller) is to report an-
14 nually to the Committees on Appropriations of both
15 Houses of Congress all operation and maintenance ex-
16 penditures for each individual general or flag officer quar-
17 ters for the prior fiscal year.

18 SEC. 121. Amounts contained in the Ford Island Im-
19 provement Account established by subsection (h) of sec-
20 tion 2814 of title 10, United States Code, are appro-
21 priated and shall be available until expended for the pur-
22 poses specified in subsection (i)(1) of such section or until
23 transferred pursuant to subsection (i)(3) of such section.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 122. During the 5-year period after appropria-
3 tions available in this Act to the Department of Defense
4 for military construction and family housing operation and
5 maintenance and construction have expired for obligation,
6 upon a determination that such appropriations will not be
7 necessary for the liquidation of obligations or for making
8 authorized adjustments to such appropriations for obliga-
9 tions incurred during the period of availability of such ap-
10 propriations, unobligated balances of such appropriations
11 may be transferred into the appropriation “Foreign Cur-
12 rency Fluctuations, Construction, Defense”, to be merged
13 with and to be available for the same time period and for
14 the same purposes as the appropriation to which trans-
15 ferred.

16 SEC. 123. Amounts appropriated or otherwise made
17 available in an account funded under the headings in this
18 title may be transferred among projects and activities
19 within the account in accordance with the reprogramming
20 guidelines for military construction and family housing
21 construction contained in Department of Defense Finan-
22 cial Management Regulation 7000.14–R, Volume 3, Chap-
23 ter 7, of February 2009, as in effect on the date of enact-
24 ment of this Act.

1 SEC. 124. None of the funds made available in this
2 title may be obligated or expended for planning and design
3 and construction of projects at Arlington National Ceme-
4 tery.

5 SEC. 125. For an additional amount for “Military
6 Construction, Army”, \$34,500,000, to remain available
7 until September 30, 2020: *Provided*, That such funds may
8 only be obligated to carry out construction projects, in pri-
9 ority order, identified in the Department of the Army’s
10 Unfunded Priority List for Fiscal Year 2016 submitted
11 to Congress: *Provided further*, That such funding is sub-
12 ject to authorization prior to obligation and expenditure
13 of funds to carry out construction: *Provided further*, That,
14 not later than 30 days after enactment of this Act, the
15 Secretary of the Army shall submit to the Committees on
16 Appropriations of both Houses of Congress an expenditure
17 plan for funds provided under this section.

18 SEC. 126. For an additional amount for “Military
19 Construction, Navy and Marine Corps”, \$34,320,000, to
20 remain available until September 30, 2020: *Provided*,
21 That such funds may only be obligated to carry out con-
22 struction projects, in priority order, identified in the De-
23 partment of the Navy’s Unfunded Priority List for fiscal
24 year 2016: *Provided further*, That such funding is subject
25 to authorization prior to obligation and expenditure of

1 funds to carry out construction: *Provided further*, That,
2 not later than 30 days after enactment of this Act, the
3 Secretary of the Navy shall submit to the Committees on
4 Appropriations of both Houses of Congress an expenditure
5 plan for funds provided under this section.

6 SEC. 127. For an additional amount for “Military
7 Construction, Army National Guard”, \$51,300,000, to re-
8 main available until September 30, 2020: *Provided*, That
9 such funds may only be obligated to carry out construction
10 projects, in priority order, identified in the Department
11 of the Army’s Unfunded Priority List for Fiscal Year
12 2016 submitted to Congress: *Provided further*, That such
13 funding is subject to authorization prior to obligation and
14 expenditure of funds to carry out construction: *Provided*
15 *further*, That, not later than 30 days after enactment of
16 this Act, the Secretary of the Army shall submit to the
17 Committees on Appropriations of both Houses of Congress
18 an expenditure plan for funds provided under this section.

19 SEC. 128. For an additional amount for “Military
20 Construction, Army Reserve”, \$34,200,000, to remain
21 available until September 30, 2020: *Provided*, That such
22 funds may only be obligated to carry out construction
23 projects, in priority order, identified in the Department
24 of the Army’s Unfunded Priority List for Fiscal Year
25 2016 submitted to Congress: *Provided further*, That such

1 funding is subject to authorization prior to obligation and
2 expenditure of funds to carry out construction: *Provided*
3 *further*, That, not later than 30 days after enactment of
4 this Act, the Secretary of the Army shall submit to the
5 Committees on Appropriations of both Houses of Congress
6 an expenditure plan for funds provided under this section.

7 (RESCISSIONS OF FUNDS)

8 SEC. 129. Of the unobligated balances available from
9 prior Appropriations Acts (other than appropriations that
10 were designated by the Congress as an emergency require-
11 ment or as being for Overseas Contingency Operations/
12 Global War on Terrorism pursuant to a concurrent resolu-
13 tion on the budget or the Balanced Budget and Emer-
14 gency Deficit Control Act of 1985) the following funds are
15 hereby rescinded from the following accounts and pro-
16 grams in the specified amounts:

17 “Military Construction, Army”, \$85,000,000;
18 “Military Construction, Air Force”, \$86,400,000;
19 and
20 “Military Construction, Defense-Wide”,
21 \$133,000,000.

22 (RESCISSION OF FUNDS)

23 SEC. 130. Of the unobligated balances made available
24 in prior appropriations Acts for the fund established in
25 section 1013(d) of the Demonstration Cities and Metro-

1 politan Development Act of 1966 (42 U.S.C. 3374),
2 \$65,000,000 are hereby rescinded.

3 SEC. 131. Notwithstanding any other provision of
4 law, none of the funds appropriated or otherwise made
5 available by this or any other Act may be used to consoli-
6 date or relocate any element of a United States Air Force
7 Rapid Engineer Deployable Heavy Operational Repair
8 Squadron Engineer (RED HORSE) outside of the United
9 States until the Secretary of the Air Force (1) completes
10 an analysis and comparison of the cost and infrastructure
11 investment required to consolidate or relocate a RED
12 HORSE squadron outside of the United States versus
13 within the United States; (2) provides to the Committees
14 on Appropriations of both Houses of Congress (“the Com-
15 mittees”) a report detailing the findings of the cost anal-
16 ysis; and (3) certifies in writing to the Committees that
17 the preferred site for the consolidation or relocation yields
18 the greatest savings for the Air Force: *Provided*, That the
19 term “United States” in this section does not include any
20 territory or possession of the United States.

1 TITLE II
2 DEPARTMENT OF VETERANS AFFAIRS
3 VETERANS BENEFITS ADMINISTRATION
4 COMPENSATION AND PENSIONS
5 (INCLUDING TRANSFER OF FUNDS)

6 For the payment of compensation benefits to or on
7 behalf of veterans and a pilot program for disability ex-
8 aminations as authorized by section 107 and chapters 11,
9 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
10 pension benefits to or on behalf of veterans as authorized
11 by chapters 15, 51, 53, 55, and 61 of title 38, United
12 States Code; and burial benefits, the Reinstated Entitle-
13 ment Program for Survivors, emergency and other offi-
14 cers' retirement pay, adjusted-service credits and certifi-
15 cates, payment of premiums due on commercial life insur-
16 ance policies guaranteed under the provisions of title IV
17 of the Servicemembers Civil Relief Act (50 U.S.C. App.
18 541 et seq.) and for other benefits as authorized by sec-
19 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
20 53, 55, and 61 of title 38, United States Code,
21 \$166,271,436,000, to remain available until expended, of
22 which \$87,146,761,000 shall become available on October
23 1, 2016: *Provided*, That not to exceed \$15,562,000 of the
24 amount appropriated for fiscal year 2016 and
25 \$16,021,000 of the amount made available for fiscal year

1 2017 under this heading shall be reimbursed to “General
2 Operating Expenses, Veterans Benefits Administration”,
3 and “Information Technology Systems” for necessary ex-
4 penses in implementing the provisions of chapters 51, 53,
5 and 55 of title 38, United States Code, the funding source
6 for which is specifically provided as the “Compensation
7 and Pensions” appropriation: *Provided further*, That such
8 sums as may be earned on an actual qualifying patient
9 basis, shall be reimbursed to “Medical Care Collections
10 Fund” to augment the funding of individual medical facili-
11 ties for nursing home care provided to pensioners as au-
12 thorized.

13 READJUSTMENT BENEFITS

14 For the payment of readjustment and rehabilitation
15 benefits to or on behalf of veterans as authorized by chap-
16 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
17 61 of title 38, United States Code, \$32,088,826,000, to
18 remain available until expended, of which
19 \$16,743,904,000 shall become available on October 1,
20 2016: *Provided*, That expenses for rehabilitation program
21 services and assistance which the Secretary is authorized
22 to provide under subsection (a) of section 3104 of title
23 38, United States Code, other than under paragraphs (1),
24 (2), (5), and (11) of that subsection, shall be charged to
25 this account.

1 VETERANS INSURANCE AND INDEMNITIES

2 For military and naval insurance, national service life
3 insurance, servicemen's indemnities, service-disabled vet-
4 erans insurance, and veterans mortgage life insurance as
5 authorized by chapters 19 and 21, title 38, United States
6 Code, \$169,080,000, to remain available until expended,
7 of which \$91,920,000 shall become available on October
8 1, 2016.

9 VETERANS HOUSING BENEFIT PROGRAM FUND

10 For the cost of direct and guaranteed loans, such
11 sums as may be necessary to carry out the program, as
12 authorized by subchapters I through III of chapter 37 of
13 title 38, United States Code: *Provided*, That such costs,
14 including the cost of modifying such loans, shall be as de-
15 fined in section 502 of the Congressional Budget Act of
16 1974: *Provided further*, That, during fiscal year 2016,
17 within the resources available, not to exceed \$500,000 in
18 gross obligations for direct loans are authorized for spe-
19 cially adapted housing loans.

20 In addition, for administrative expenses to carry out
21 the direct and guaranteed loan programs, \$164,558,000.

22 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

23 For the cost of direct loans, \$31,000, as authorized
24 by chapter 31 of title 38, United States Code: *Provided*,
25 That such costs, including the cost of modifying such

1 loans, shall be as defined in section 502 of the Congres-
 2 sional Budget Act of 1974: *Provided further*, That funds
 3 made available under this heading are available to sub-
 4 sidize gross obligations for the principal amount of direct
 5 loans not to exceed \$2,952,381.

6 In addition, for administrative expenses necessary to
 7 carry out the direct loan program, \$367,000, which may
 8 be paid to the appropriation for “General Operating Ex-
 9 penses, Veterans Benefits Administration”.

10 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
 11 ACCOUNT

12 For administrative expenses to carry out the direct
 13 loan program authorized by subchapter V of chapter 37
 14 of title 38, United States Code, \$1,134,000.

15 VETERANS HEALTH ADMINISTRATION
 16 MEDICAL SERVICES

17 For necessary expenses for furnishing, as authorized
 18 by law, inpatient and outpatient care and treatment to
 19 beneficiaries of the Department of Veterans Affairs and
 20 veterans described in section 1705(a) of title 38, United
 21 States Code, including care and treatment in facilities not
 22 under the jurisdiction of the Department, and including
 23 medical supplies and equipment, bioengineering services,
 24 food services, and salaries and expenses of healthcare em-
 25 ployees hired under title 38, United States Code, aid to

1 State homes as authorized by section 1741 of title 38,
2 United States Code, assistance and support services for
3 caregivers as authorized by section 1720G of title 38,
4 United States Code, loan repayments authorized by sec-
5 tion 604 of the Caregivers and Veterans Omnibus Health
6 Services Act of 2010 (Public Law 111–163; 124 Stat.
7 1174; 38 U.S.C. 7681 note), and hospital care and med-
8 ical services authorized by section 1787 of title 38, United
9 States Code; \$1,134,197,000, which shall be in addition
10 to funds previously appropriated under this heading that
11 become available on October 1, 2015; and, in addition,
12 \$51,673,000,000, plus reimbursements, shall become
13 available on October 1, 2016, and shall remain available
14 until September 30, 2017: *Provided*, That, of the amount
15 made available on October 1, 2016, under this heading,
16 \$1,400,000,000 shall remain available until September 30,
17 2018: *Provided further*, That, notwithstanding any other
18 provision of law, the Secretary of Veterans Affairs shall
19 establish a priority for the provision of medical treatment
20 for veterans who have service-connected disabilities, lower
21 income, or have special needs: *Provided further*, That, not-
22 withstanding any other provision of law, the Secretary of
23 Veterans Affairs shall give priority funding for the provi-
24 sion of basic medical benefits to veterans in enrollment
25 priority groups 1 through 6: *Provided further*, That, not-

1 withstanding any other provision of law, the Secretary of
2 Veterans Affairs may authorize the dispensing of prescrip-
3 tion drugs from Veterans Health Administration facilities
4 to enrolled veterans with privately written prescriptions
5 based on requirements established by the Secretary: *Pro-*
6 *vided further*, That the implementation of the program de-
7 scribed in the previous proviso shall incur no additional
8 cost to the Department of Veterans Affairs: *Provided fur-*
9 *ther*, That, of the amount made available on October 1,
10 2016, under this heading, not less than \$900,000,000
11 shall be available for highly effective Hepatitis C Virus
12 (HCV) clinical treatments including clinical treatments
13 with modern medications that have significantly higher
14 cure rates than older medications, are easier to prescribe,
15 and have fewer and milder side effects.

16 MEDICAL SUPPORT AND COMPLIANCE

17 For necessary expenses in the administration of the
18 medical, hospital, nursing home, domiciliary, construction,
19 supply, and research activities, as authorized by law; ad-
20 ministrative expenses in support of capital policy activi-
21 ties; and administrative and legal expenses of the Depart-
22 ment for collecting and recovering amounts owed the De-
23 partment as authorized under chapter 17 of title 38,
24 United States Code, and the Federal Medical Care Recov-
25 ery Act (42 U.S.C. 2651 et seq.), \$6,524,000,000, plus

1 reimbursements, shall become available on October 1,
2 2016, and shall remain available until September 30,
3 2017: *Provided*, That, of the amount made available on
4 October 1, 2016, under this heading, \$100,000,000 shall
5 remain available until September 30, 2018.

6 MEDICAL FACILITIES

7 For necessary expenses for the maintenance and op-
8 eration of hospitals, nursing homes, domiciliary facilities,
9 and other necessary facilities of the Veterans Health Ad-
10 ministration; for administrative expenses in support of
11 planning, design, project management, real property ac-
12 quisition and disposition, construction, and renovation of
13 any facility under the jurisdiction or for the use of the
14 Department; for oversight, engineering, and architectural
15 activities not charged to project costs; for repairing, alter-
16 ing, improving, or providing facilities in the several hos-
17 pitals and homes under the jurisdiction of the Depart-
18 ment, not otherwise provided for, either by contract or by
19 the hire of temporary employees and purchase of mate-
20 rials; for leases of facilities; and for laundry services,
21 \$5,074,000,000, plus reimbursements, shall become avail-
22 able on October 1, 2016, and shall remain available until
23 September 30, 2017: *Provided*, That, of the amount made
24 available on October 1, 2016, under this heading,

1 \$250,000,000 shall remain available until September 30,
2 2018.

3 MEDICAL AND PROSTHETIC RESEARCH

4 For necessary expenses in carrying out programs of
5 medical and prosthetic research and development as au-
6 thorized by chapter 73 of title 38, United States Code,
7 \$621,813,000, plus reimbursements, shall remain avail-
8 able until September 30, 2017.

9 NATIONAL CEMETERY ADMINISTRATION

10 For necessary expenses of the National Cemetery Ad-
11 ministration for operations and maintenance, not other-
12 wise provided for, including uniforms or allowances there-
13 for; cemeterial expenses as authorized by law; purchase
14 of one passenger motor vehicle for use in cemeterial oper-
15 ations; hire of passenger motor vehicles; and repair, alter-
16 ation or improvement of facilities under the jurisdiction
17 of the National Cemetery Administration, \$266,220,000,
18 of which not to exceed \$26,600,000 shall remain available
19 until September 30, 2017.

20 DEPARTMENTAL ADMINISTRATION

21 GENERAL ADMINISTRATION

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary operating expenses of the Department
24 of Veterans Affairs, not otherwise provided for, including
25 administrative expenses in support of Department-Wide

1 capital planning, management and policy activities, uni-
 2 forms, or allowances therefor; not to exceed \$25,000 for
 3 official reception and representation expenses; hire of pas-
 4 senger motor vehicles; and reimbursement of the General
 5 Services Administration for security guard services,
 6 \$311,591,000, of which not to exceed \$10,000,000 shall
 7 remain available until September 30, 2017: *Provided*,
 8 That funds provided under this heading may be trans-
 9 ferred to “General Operating Expenses, Veterans Benefits
 10 Administration”.

11 BOARD OF VETERANS APPEALS

12 For necessary operating expenses of the Board of
 13 Veterans Appeals, \$107,884,000, of which not to exceed
 14 \$10,788,000 shall remain available until September 30,
 15 2017.

16 GENERAL OPERATING EXPENSES, VETERANS BENEFITS
 17 ADMINISTRATION

18 For necessary operating expenses of the Veterans
 19 Benefits Administration, not otherwise provided for, in-
 20 cluding hire of passenger motor vehicles, reimbursement
 21 of the General Services Administration for security guard
 22 services, and reimbursement of the Department of De-
 23 fense for the cost of overseas employee mail,
 24 \$2,697,734,000: *Provided*, That expenses for services and
 25 assistance authorized under paragraphs (1), (2), (5), and

1 (11) of section 3104(a) of title 38, United States Code,
2 that the Secretary of Veterans Affairs determines are nec-
3 essary to enable entitled veterans: (1) to the maximum ex-
4 tent feasible, to become employable and to obtain and
5 maintain suitable employment; or (2) to achieve maximum
6 independence in daily living, shall be charged to this ac-
7 count: *Provided further*, That, of the funds made available
8 under this heading, not to exceed \$160,000,000 shall re-
9 main available until September 30, 2017.

10 INFORMATION TECHNOLOGY SYSTEMS

11 For necessary expenses for information technology
12 systems and telecommunications support, including devel-
13 opmental information systems and operational information
14 systems; for pay and associated costs; and for the capital
15 asset acquisition of information technology systems, in-
16 cluding management and related contractual costs of said
17 acquisitions, including contractual costs associated with
18 operations authorized by section 3109 of title 5, United
19 States Code, \$4,106,363,000, plus reimbursements: *Pro-*
20 *vided*, That \$1,115,757,000 shall be for pay and associ-
21 ated costs, of which not to exceed \$34,800,000 shall re-
22 main available until September 30, 2017: *Provided further*,
23 That \$2,512,863,000 shall be for operations and mainte-
24 nance, of which not to exceed \$175,000,000 shall remain
25 available until September 30, 2017: *Provided further*, That

1 \$477,743,000 shall be for information technology systems
2 development, modernization, and enhancement, and shall
3 remain available until September 30, 2017: *Provided fur-*
4 *ther*, That amounts made available for information tech-
5 nology systems development, modernization, and enhance-
6 ment may not be obligated or expended until the Secretary
7 of Veterans Affairs or the Chief Information Officer of
8 the Department of Veterans Affairs submits to the Com-
9 mittees on Appropriations of both Houses of Congress a
10 certification of the amounts, in parts or in full, to be obli-
11 gated and expended for each development project: *Pro-*
12 *vided further*, That amounts made available for salaries
13 and expenses, operations and maintenance, and informa-
14 tion technology systems development, modernization, and
15 enhancement may be transferred among the three sub-
16 accounts after the Secretary of Veterans Affairs requests
17 from the Committees on Appropriations of both Houses
18 of Congress the authority to make the transfer and an
19 approval is issued: *Provided further*, That amounts made
20 available for the “Information Technology Systems” ac-
21 count for development, modernization, and enhancement
22 may be transferred among projects or to newly defined
23 projects: *Provided further*, That no project may be in-
24 creased or decreased by more than \$1,000,000 of cost
25 prior to submitting a request to the Committees on Appro-

1 priations of both Houses of Congress to make the transfer
2 and an approval is issued, or absent a response, a period
3 of 30 days has elapsed: *Provided further*, That funds under
4 this heading may be used by the Interagency Program Of-
5 fice through the Department of Veterans Affairs to de-
6 velop a standard data reference terminology model: *Pro-*
7 *vided further*, That, of the funds made available for infor-
8 mation technology systems development, modernization,
9 and enhancement for VistA Evolution, not more than 25
10 percent may be obligated or expended until the Secretary
11 of Veterans Affairs submits to the Committees on Appro-
12 priations of both Houses of Congress, and such Commit-
13 tees approve, a report that describes: (1) the status of and
14 changes to the VistA Evolution program plan dated March
15 24, 2014 (hereinafter referred to as the “Plan”), the
16 VistA 4 product roadmap dated February 26, 2015
17 (“Roadmap”), and the VistA 4 Incremental Life Cycle
18 Cost Estimate, dated October 26, 2014; (2) any changes
19 to the scope or functionality of projects within the VistA
20 Evolution program as established in the Plan; (3) actual
21 program costs incurred to date; (4) progress in meeting
22 the schedule milestones that have been established in the
23 Plan; (5) a Project Management Accountability System
24 (PMAS) Dashboard Progress report that identifies each
25 VistA Evolution project being tracked through PMAS,

1 what functionality it is intended to provide, and what eval-
2 uation scores it has received throughout development; (6)
3 the definition being used for interoperability between the
4 electronic health record systems of the Department of De-
5 fense and the Department of Veterans Affairs, the metrics
6 to measure the extent of interoperability, the milestones
7 and timeline associated with achieving interoperability,
8 and the baseline measurements associated with interoper-
9 ability; (7) progress toward developing and implementing
10 all components and levels of interoperability, including se-
11 mantic interoperability; (8) the change management tools
12 in place to facilitate the implementation of VistA Evo-
13 lution and interoperability; and (9) any changes to the
14 governance structure for the VistA Evolution program and
15 its chain of decisionmaking authority: *Provided further,*
16 That the funds made available under this heading for in-
17 formation technology systems development, moderniza-
18 tion, and enhancement, shall be for the projects, and in
19 the amounts, specified under this heading in the report
20 accompanying this Act.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses of the Office of Inspector
23 General, to include information technology, in carrying out
24 the provisions of the Inspector General Act of 1978 (5

1 U.S.C. App.), \$126,766,000, of which \$12,676,000 shall
2 remain available until September 30, 2017.

3 CONSTRUCTION, MAJOR PROJECTS

4 For constructing, altering, extending, and improving
5 any of the facilities, including parking projects, under the
6 jurisdiction or for the use of the Department of Veterans
7 Affairs, or for any of the purposes set forth in sections
8 316, 2404, 2406 and chapter 81 of title 38, United States
9 Code, not otherwise provided for, including planning, ar-
10 chitectural and engineering services, construction manage-
11 ment services, maintenance or guarantee period services
12 costs associated with equipment guarantees provided
13 under the project, services of claims analysts, offsite utility
14 and storm drainage system construction costs, and site ac-
15 quisition, where the estimated cost of a project is more
16 than the amount set forth in section 8104(a)(3)(A) of title
17 38, United States Code, or where funds for a project were
18 made available in a previous major project appropriation,
19 \$1,027,064,000, of which \$967,064,000 shall remain
20 available until September 30, 2020, and of which
21 \$60,000,000 shall remain available until expended: *Pro-*
22 *vided*, That except for advance planning activities, includ-
23 ing needs assessments which may or may not lead to cap-
24 ital investments, and other capital asset management re-
25 lated activities, including portfolio development and man-

1 agement activities, and investment strategy studies funded
2 through the advance planning fund and the planning and
3 design activities funded through the design fund, including
4 needs assessments which may or may not lead to capital
5 investments, and salaries and associated costs of the resi-
6 dent engineers who oversee those capital investments
7 funded through this account, and funds provided for the
8 purchase of land for the National Cemetery Administra-
9 tion through the land acquisition line item, none of the
10 funds made available under this heading shall be used for
11 any project which has not been approved by the Congress
12 in the budgetary process: *Provided further*, That funds
13 made available under this heading for fiscal year 2016,
14 for each approved project shall be obligated: (1) by the
15 awarding of a construction documents contract by Sep-
16 tember 30, 2016; and (2) by the awarding of a construc-
17 tion contract by September 30, 2017: *Provided further*,
18 That the Secretary of Veterans Affairs shall promptly sub-
19 mit to the Committees on Appropriations of both Houses
20 of Congress a written report on any approved major con-
21 struction project for which obligations are not incurred
22 within the time limitations established above: *Provided*
23 *further*, That, of the amount made available on October
24 1, 2016, under this heading, \$490,700,000 for Veterans

1 Health Administration major construction projects shall
2 not be available until the Secretary of Veterans Affairs:

3 (1) Enters into an agreement with the U.S.
4 Army Corps of Engineers, to serve as the design and
5 construction agent for Veterans Health Administra-
6 tion projects with a Total Estimated Cost of
7 \$250,000,000 or above.

8 (2) That such an agreement will designate the
9 U.S. Army Corps of Engineers as the design and
10 construction agent to serve as—

11 (A) the overall construction project man-
12 ager, with a dedicated project delivery team in-
13 cluding engineers, medical facility designers,
14 and professional project managers;

15 (B) the facility design manager, with a
16 dedicated design manager and technical sup-
17 port;

18 (C) the design agent, with standardized
19 and rigorous facility designs;

20 (D) the architect/engineer designer; and

21 (E) the overall construction agent, with a
22 dedicated construction and technical team dur-
23 ing pre-construction, construction, and commis-
24 sioning phases.

1 (3) Certifies in writing that such an agreement
2 is in effect and will prevent subsequent major con-
3 struction project cost overruns, provides a copy of
4 the agreement entered into (and any required sup-
5 plementary information) to the Committees on Ap-
6 propriations of both Houses of Congress, and a pe-
7 riod of 60 days has elapsed.

8 CONSTRUCTION, MINOR PROJECTS

9 For constructing, altering, extending, and improving
10 any of the facilities, including parking projects, under the
11 jurisdiction or for the use of the Department of Veterans
12 Affairs, including planning and assessments of needs
13 which may lead to capital investments, architectural and
14 engineering services, maintenance or guarantee period
15 services costs associated with equipment guarantees pro-
16 vided under the project, services of claims analysts, offsite
17 utility and storm drainage system construction costs, and
18 site acquisition, or for any of the purposes set forth in
19 sections 316, 2404, 2406 and chapter 81 of title 38,
20 United States Code, not otherwise provided for, where the
21 estimated cost of a project is equal to or less than the
22 amount set forth in section 8104(a)(3)(A) of title 38,
23 United States Code, \$378,080,000, to remain available
24 until September 30, 2020, along with unobligated balances
25 of previous “Construction, Minor Projects” appropriations

1 which are hereby made available for any project where the
2 estimated cost is equal to or less than the amount set forth
3 in such section: *Provided*, That funds made available
4 under this heading shall be for: (1) repairs to any of the
5 nonmedical facilities under the jurisdiction or for the use
6 of the Department which are necessary because of loss or
7 damage caused by any natural disaster or catastrophe;
8 and (2) temporary measures necessary to prevent or to
9 minimize further loss by such causes.

10 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
11 FACILITIES

12 For grants to assist States to acquire or construct
13 State nursing home and domiciliary facilities and to re-
14 model, modify, or alter existing hospital, nursing home,
15 and domiciliary facilities in State homes, for furnishing
16 care to veterans as authorized by sections 8131 through
17 8137 of title 38, United States Code, \$100,000,000, to
18 remain available until expended.

19 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

20 For grants to assist States and tribal organizations
21 in establishing, expanding, or improving veterans ceme-
22 teries as authorized by section 2408 of title 38, United
23 States Code, \$46,000,000, to remain available until ex-
24 pended.

1 ADMINISTRATIVE PROVISIONS
2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 201. Any appropriation for fiscal year 2016 for
4 “Compensation and Pensions”, “Readjustment Benefits”,
5 and “Veterans Insurance and Indemnities” may be trans-
6 ferred as necessary to any other of the mentioned appro-
7 priations: *Provided*, That, before a transfer may take
8 place, the Secretary of Veterans Affairs shall request from
9 the Committees on Appropriations of both Houses of Con-
10 gress the authority to make the transfer and such Com-
11 mittees issue an approval, or absent a response, a period
12 of 30 days has elapsed.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 202. Amounts made available for the Depart-
15 ment of Veterans Affairs for fiscal year 2016, in this Act
16 or any other Act, under the “Medical Services”, “Medical
17 support and compliance”, and “Medical Facilities” ac-
18 counts may be transferred among the accounts: *Provided*,
19 That any transfers between the “Medical Services” and
20 “Medical Support and Compliance” accounts of 1 percent
21 or less of the total amount appropriated to the account
22 in this or any other Act may take place subject to notifica-
23 tion from the Secretary of Veterans Affairs to the Com-
24 mittees on Appropriations of both Houses of Congress of
25 the amount and purpose of the transfer: *Provided further*,

1 That any transfers between the “Medical Services” and
2 “Medical Support and Compliance” accounts in excess of
3 1 percent, or exceeding the cumulative 1 percent for the
4 fiscal year, may take place only after the Secretary re-
5 quests from the Committees on Appropriations of both
6 Houses of Congress the authority to make the transfer
7 and an approval is issued: *Provided further*, That any
8 transfers to or from the “Medical Facilities” account may
9 take place only after the Secretary requests from the Com-
10 mittees on Appropriations of both Houses of Congress the
11 authority to make the transfer and an approval is issued.

12 SEC. 203. Appropriations available in this title for
13 salaries and expenses shall be available for services au-
14 thorized by section 3109 of title 5, United States Code;
15 hire of passenger motor vehicles; lease of a facility or land
16 or both; and uniforms or allowances therefore, as author-
17 ized by sections 5901 through 5902 of title 5, United
18 States Code.

19 SEC. 204. No appropriations in this title (except the
20 appropriations for “Construction, Major Projects”, and
21 “Construction, Minor Projects”) shall be available for the
22 purchase of any site for or toward the construction of any
23 new hospital or home.

24 SEC. 205. No appropriations in this title shall be
25 available for hospitalization or examination of any persons

1 (except beneficiaries entitled to such hospitalization or ex-
2 amination under the laws providing such benefits to vet-
3 erans, and persons receiving such treatment under sec-
4 tions 7901 through 7904 of title 5, United States Code,
5 or the Robert T. Stafford Disaster Relief and Emergency
6 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-
7 bursement of the cost of such hospitalization or examina-
8 tion is made to the “Medical Services” account at such
9 rates as may be fixed by the Secretary of Veterans Affairs.

10 SEC. 206. Appropriations available in this title for
11 “Compensation and pensions”, “Readjustment benefits”,
12 and “Veterans insurance and indemnities” shall be avail-
13 able for payment of prior year accrued obligations re-
14 quired to be recorded by law against the corresponding
15 prior year accounts within the last quarter of fiscal year
16 2015.

17 SEC. 207. Appropriations available in this title shall
18 be available to pay prior year obligations of corresponding
19 prior year appropriations accounts resulting from sections
20 3328(a), 3334, and 3712(a) of title 31, United States
21 Code, except that if such obligations are from trust fund
22 accounts they shall be payable only from “Compensation
23 and Pensions”.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 208. Notwithstanding any other provision of
3 law, during fiscal year 2016, the Secretary of Veterans
4 Affairs shall, from the National Service Life Insurance
5 Fund under section 1920 of title 38, United States Code,
6 the Veterans' Special Life Insurance Fund under section
7 1923 of title 38, United States Code, and the United
8 States Government Life Insurance Fund under section
9 1955 of title 38, United States Code, reimburse the "Gen-
10 eral operating expenses, Veterans Benefits Administra-
11 tion" and "Information Technology Systems" accounts for
12 the cost of administration of the insurance programs fi-
13 nanced through those accounts: *Provided*, That reimburse-
14 ment shall be made only from the surplus earnings accu-
15 mulated in such an insurance program during fiscal year
16 2016 that are available for dividends in that program after
17 claims have been paid and actuarially determined reserves
18 have been set aside: *Provided further*, That, if the cost of
19 administration of such an insurance program exceeds the
20 amount of surplus earnings accumulated in that program,
21 reimbursement shall be made only to the extent of such
22 surplus earnings: *Provided further*, That the Secretary
23 shall determine the cost of administration for fiscal year
24 2016 which is properly allocable to the provision of each
25 such insurance program and to the provision of any total

1 disability income insurance included in that insurance pro-
2 gram.

3 SEC. 209. Amounts deducted from enhanced-use
4 lease proceeds to reimburse an account for expenses in-
5 curred by that account during a prior fiscal year for pro-
6 viding enhanced-use lease services, may be obligated dur-
7 ing the fiscal year in which the proceeds are received.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 210. Funds available in this title or funds for
10 salaries and other administrative expenses shall also be
11 available to reimburse the Office of Resolution Manage-
12 ment of the Department of Veterans Affairs and the Of-
13 fice of Employment Discrimination Complaint Adjudica-
14 tion under section 319 of title 38, United States Code,
15 for all services provided at rates which will recover actual
16 costs but not to exceed \$43,700,000 for the Office of Reso-
17 lution Management and \$3,400,000 for the Office of Em-
18 ployment Discrimination Complaint Adjudication: *Pro-*
19 *vided*, That payments may be made in advance for services
20 to be furnished based on estimated costs: *Provided further*,
21 That amounts received shall be credited to the “General
22 Administration” and “Information Technology Systems”
23 accounts for use by the office that provided the service.

(TRANSFER OF FUNDS)

1

2 SEC. 211. Of the amounts made available to the De-
3 partment of Veterans Affairs for fiscal year 2016 for the
4 Office of Rural Health under the heading “Medical Serv-
5 ices”, including any advance appropriation for fiscal year
6 2016 provided in prior appropriation Acts, up to
7 \$20,000,000 may be transferred to and merged with funds
8 appropriated under the heading “Grants for Construction
9 of State Extended Care Facilities”.

10 SEC. 212. No funds of the Department of Veterans
11 Affairs shall be available for hospital care, nursing home
12 care, or medical services provided to any person under
13 chapter 17 of title 38, United States Code, for a non-serv-
14 ice-connected disability described in section 1729(a)(2) of
15 such title, unless that person has disclosed to the Sec-
16 retary of Veterans Affairs, in such form as the Secretary
17 may require, current, accurate third-party reimbursement
18 information for purposes of section 1729 of such title: *Pro-*
19 *vided*, That the Secretary may recover, in the same man-
20 ner as any other debt due the United States, the reason-
21 able charges for such care or services from any person who
22 does not make such disclosure as required: *Provided fur-*
23 *ther*, That any amounts so recovered for care or services
24 provided in a prior fiscal year may be obligated by the

1 Secretary during the fiscal year in which amounts are re-
2 ceived.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 213. Notwithstanding any other provision of
5 law, proceeds or revenues derived from enhanced-use leas-
6 ing activities (including disposal) may be deposited into
7 the “Construction, Major Projects” and “Construction,
8 Minor Projects” accounts and be used for construction
9 (including site acquisition and disposition), alterations,
10 and improvements of any medical facility under the juris-
11 diction or for the use of the Department of Veterans Af-
12 fairs. Such sums as realized are in addition to the amount
13 provided for in “Construction, Major Projects” and “Con-
14 struction, Minor Projects”.

15 SEC. 214. Amounts made available under “Medical
16 Services” are available—

17 (1) for furnishing recreational facilities, sup-
18 plies, and equipment; and

19 (2) for funeral expenses, burial expenses, and
20 other expenses incidental to funerals and burials for
21 beneficiaries receiving care in the Department.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 215. Such sums as may be deposited to the
24 Medical Care Collections Fund pursuant to section 1729A
25 of title 38, United States Code, may be transferred to

1 “Medical Services”, to remain available until expended for
2 the purposes of that account: *Provided*, That, for fiscal
3 year 2016, up to \$27,000,000 deposited in the Depart-
4 ment of Veterans Affairs Medical Care Collections Fund
5 shall be transferred to “Information Technology Sys-
6 tems”, to remain available until expended, for development
7 of the Medical Care Collections Fund electronic data ex-
8 change provider and payer system.

9 SEC. 216. The Secretary of Veterans Affairs may
10 enter into agreements with Indian tribes and tribal organi-
11 zations which are party to the Alaska Native Health Com-
12 pact with the Indian Health Service, and Indian tribes and
13 tribal organizations serving rural Alaska which have en-
14 tered into contracts with the Indian Health Service under
15 the Indian Self Determination and Educational Assistance
16 Act, to provide healthcare, including behavioral health and
17 dental care. The Secretary shall require participating vet-
18 erans and facilities to comply with all appropriate rules
19 and regulations, as established by the Secretary. The term
20 “rural Alaska” shall mean those lands sited within the ex-
21 ternal boundaries of the Alaska Native regions specified
22 in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native
23 Claims Settlement Act, as amended (43 U.S.C. 1606), and
24 those lands within the Alaska Native regions specified in
25 sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims

1 Settlement Act, as amended (43 U.S.C. 1606), which are
2 not within the boundaries of the municipality of Anchor-
3 age, the Fairbanks North Star Borough, the Kenai Penin-
4 sula Borough or the Matanuska Susitna Borough.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 217. Such sums as may be deposited to the De-
7 partment of Veterans Affairs Capital Asset Fund pursu-
8 ant to section 8118 of title 38, United States Code, may
9 be transferred to the “Construction, Major Projects” and
10 “Construction, Minor Projects” accounts, to remain avail-
11 able until expended for the purposes of these accounts.

12 SEC. 218. None of the funds made available in this
13 title may be used to implement any policy prohibiting the
14 Directors of the Veterans Integrated Services Networks
15 from conducting outreach or marketing to enroll new vet-
16 erans within their respective Networks.

17 SEC. 219. The Secretary of Veterans Affairs shall
18 submit to the Committees on Appropriations of both
19 Houses of Congress a quarterly report on the financial
20 status of the Veterans Health Administration.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 220. Amounts made available under the “Med-
23 ical Services”, “Medical Support and Compliance”, “Med-
24 ical Facilities”, “General Operating Expenses, Veterans
25 Benefits Administration”, “General Administration”, and

1 “National Cemetery Administration” accounts for fiscal
2 year 2016 may be transferred to or from the “Information
3 Technology Systems” account: *Provided*, That, before a
4 transfer may take place, the Secretary of Veterans Affairs
5 shall request from the Committees on Appropriations of
6 both Houses of Congress the authority to make the trans-
7 fer and an approval is issued.

8 SEC. 221. None of the funds appropriated or other-
9 wise made available by this Act or any other Act for the
10 Department of Veterans Affairs may be used in a manner
11 that is inconsistent with: (1) section 842 of the Transpor-
12 tation, Treasury, Housing and Urban Development, the
13 Judiciary, the District of Columbia, and Independent
14 Agencies Appropriations Act, 2006 (Public Law 109–115;
15 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,
16 United States Code.

17 SEC. 222. Of the amounts made available to the De-
18 partment of Veterans Affairs for fiscal year 2016, in this
19 Act or any other Act, under the “Medical Facilities” ac-
20 count for nonrecurring maintenance, not more than 20
21 percent of the funds made available shall be obligated dur-
22 ing the last 2 months of that fiscal year: *Provided*, That
23 the Secretary may waive this requirement after providing
24 written notice to the Committees on Appropriations of
25 both Houses of Congress.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 223. Of the amounts appropriated to the De-
3 partment of Veterans Affairs for fiscal year 2016 for
4 “Medical Services”, “Medical Support and Compliance”,
5 “Medical Facilities”, “Construction, Minor Projects”, and
6 “Information Technology Systems”, up to \$266,303,000,
7 plus reimbursements, may be transferred to the Joint De-
8 partment of Defense-Department of Veterans Affairs
9 Medical Facility Demonstration Fund, established by sec-
10 tion 1704 of the National Defense Authorization Act for
11 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571)
12 and may be used for operation of the facilities designated
13 as combined Federal medical facilities as described by sec-
14 tion 706 of the Duncan Hunter National Defense Author-
15 ization Act for Fiscal Year 2009 (Public Law 110–417;
16 122 Stat. 4500): *Provided*, That additional funds may be
17 transferred from accounts designated in this section to the
18 Joint Department of Defense-Department of Veterans Af-
19 fairs Medical Facility Demonstration Fund upon written
20 notification by the Secretary of Veterans Affairs to the
21 Committees on Appropriations of both Houses of Con-
22 gress: *Provided further*, That section 223 of Title II of
23 Division I of Public Law 113–235 is repealed.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 224. Of the amounts appropriated to the De-
3 partment of Veterans Affairs which become available on
4 October 1, 2016, for “Medical Services”, “Medical Sup-
5 port and Compliance”, and “Medical Facilities”, up to
6 \$265,675,000, plus reimbursements, may be transferred
7 to the Joint Department of Defense-Department of Vet-
8 erans Affairs Medical Facility Demonstration Fund, es-
9 tablished by section 1704 of the National Defense Author-
10 ization Act for Fiscal Year 2010 (Public Law 111–84; 123
11 Stat. 3571) and may be used for operation of the facilities
12 designated as combined Federal medical facilities as de-
13 scribed by section 706 of the Duncan Hunter National De-
14 fense Authorization Act for Fiscal Year 2009 (Public Law
15 110–417; 122 Stat. 4500): *Provided*, That additional
16 funds may be transferred from accounts designated in this
17 section to the Joint Department of Defense-Department
18 of Veterans Affairs Medical Facility Demonstration Fund
19 upon written notification by the Secretary of Veterans Af-
20 fairs to the Committees on Appropriations of both Houses
21 of Congress.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 225. Such sums as may be deposited to the
24 Medical Care Collections Fund pursuant to section 1729A
25 of title 38, United States Code, for healthcare provided

1 at facilities designated as combined Federal medical facili-
2 ties as described by section 706 of the Duncan Hunter
3 National Defense Authorization Act for Fiscal Year 2009
4 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
5 able: (1) for transfer to the Joint Department of Defense-
6 Department of Veterans Affairs Medical Facility Dem-
7 onstration Fund, established by section 1704 of the Na-
8 tional Defense Authorization Act for Fiscal Year 2010
9 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-
10 ations of the facilities designated as combined Federal
11 medical facilities as described by section 706 of the Dun-
12 can Hunter National Defense Authorization Act for Fiscal
13 Year 2009 (Public Law 110–417; 122 Stat. 4500).

14 (TRANSFER OF FUNDS)

15 SEC. 226. Of the amounts available in this title for
16 “Medical Services”, “Medical Support and Compliance”,
17 and “Medical Facilities”, a minimum of \$15,000,000 shall
18 be transferred to the DOD–VA Health Care Sharing In-
19 centive Fund, as authorized by section 8111(d) of title 38,
20 United States Code, to remain available until expended,
21 for any purpose authorized by section 8111 of title 38,
22 United States Code.

23 (INCLUDING RESCISSIONS OF FUNDS)

24 SEC. 227. (a) Of the funds appropriated in division
25 I of Public Law 113–235, the following amounts which

1 become available on October 1, 2015, are hereby rescinded
2 from the following accounts in the amounts specified:

3 (1) “Department of Veterans Affairs, Medical
4 Services”, \$1,400,000,000.

5 (2) “Department of Veterans Affairs, Medical
6 Support and Compliance”, \$150,000,000.

7 (3) “Department of Veterans Affairs, Medical
8 Facilities”, \$250,000,000.

9 (b) In addition to amounts provided elsewhere in this
10 Act, an additional amount is appropriated to the following
11 accounts in the amounts specified to remain available until
12 September 30, 2017:

13 (1) “Department of Veterans Affairs, Medical
14 Services”, \$1,400,000,000.

15 (2) “Department of Veterans Affairs, Medical
16 Support and Compliance”, \$100,000,000.

17 (3) “Department of Veterans Affairs, Medical
18 Facilities”, \$250,000,000.

19 SEC. 228. The Secretary of the Department of Vet-
20 erans Affairs shall notify the Committees on Appropria-
21 tions of both Houses of Congress of all bid savings in
22 major construction projects that total at least \$5,000,000,
23 or 5 percent of the programmed amount of the project,
24 whichever is less: *Provided*, That such notification shall
25 occur within 14 days of a contract identifying the pro-

1 grammed amount: *Provided further*, That the Secretary
2 shall notify the Committees on Appropriations of both
3 Houses of Congress 14 days prior to the obligation of such
4 bid savings and shall describe the anticipated use of such
5 savings.

6 SEC. 229. The scope of work for a project included
7 in “Construction, Major Projects” may not be increased
8 above the scope specified for that project in the original
9 justification data provided to the Congress as part of the
10 request for appropriations.

11 SEC. 230. The Secretary of Veterans Affairs shall
12 submit to the Committees on Appropriations of both
13 Houses of Congress a quarterly report that contains the
14 following information from each Veterans Benefits Admin-
15 istration Regional Office: (1) the average time to complete
16 a disability compensation claim; (2) the number of claims
17 pending more than 125 days; (3) error rates; (4) the num-
18 ber of claims personnel; (5) any corrective action taken
19 within the quarter to address poor performance; (6) train-
20 ing programs undertaken; and (7) the number and results
21 of Quality Review Team audits: *Provided*, That each quar-
22 terly report shall be submitted no later than 30 days after
23 the end of the respective quarter.

24 SEC. 231. Of the funds provided to the Department
25 of Veterans Affairs for fiscal year 2016 for “Medical Serv-

1 ices” and “Medical Support and Compliance”, a maximum
2 of \$5,000,000 may be obligated from the “Medical Serv-
3 ices” account and a maximum of \$154,596,000 may be
4 obligated from the “Medical Support and Compliance” ac-
5 count for the VistA Evolution and electronic health record
6 interoperability projects: *Provided*, That funds in addition
7 to these amounts may be obligated for the VistA Evolution
8 and electronic health record interoperability projects upon
9 written notification by the Secretary of Veterans Affairs
10 to the Committees on Appropriations of both Houses of
11 Congress.

12 SEC. 232. The Secretary of Veterans Affairs shall
13 provide written notification to the Committees on Appro-
14 priations of both Houses of Congress 15 days prior to or-
15 ganizational changes which result in the transfer of 25 or
16 more full-time equivalents from one organizational unit of
17 the Department of Veterans Affairs to another.

18 SEC. 233. The Secretary of Veterans Affairs shall
19 provide on a quarterly basis to the Committees on Appro-
20 priations of both Houses of Congress notification of any
21 single national outreach and awareness marketing cam-
22 paign in which obligations exceed \$2,000,000.

23 SEC. 234. Not more than \$4,400,000 of the funds
24 provided in this Act under the heading “Department of
25 Veterans Affairs—Departmental Administration—Gen-

1 eral Administration” may be used for the Office of Con-
2 gressional and Legislative Affairs.

3 SEC. 235. None of the funds available to the Depart-
4 ment of Veterans Affairs, in this or any other Act, may
5 be used to replace the current system by which the Vet-
6 erans Integrated Service Networks select and contract for
7 diabetes monitoring supplies and equipment.

8 (RESCISSIONS OF FUNDS)

9 SEC. 236. Of the discretionary funds made available
10 in title II of division I of Public Law 113–235 for the
11 Department of Veterans Affairs for fiscal year 2016,
12 \$198,000,000 are rescinded from “Medical Services”,
13 \$42,000,000 are rescinded from “Medical Support and
14 Compliance”, and \$15,000,000 are rescinded from “Med-
15 ical Facilities”.

16 (RESCISSIONS OF FUNDS)

17 SEC. 237. (a) There is hereby rescinded an aggregate
18 amount of \$55,000,000 from the total budget authority
19 provided for fiscal year 2016 for discretionary accounts
20 of the Department of Veterans Affairs in—

21 (1) this Act; or

22 (2) any advance appropriation for fiscal year
23 2016 in prior appropriation Acts.

24 (b) The Secretary shall submit to the Committees on
25 Appropriations of both Houses of Congress a report speci-

1 fying the account and amount of each rescission not later
2 than 30 days following enactment of this Act.

3 (RESCISSION OF FUNDS)

4 SEC. 238. Of the unobligated balances available with-
5 in the “DOD-VA Health Care Sharing Incentive Fund”,
6 \$50,000,000 are hereby rescinded.

7 (RESCISSIONS OF FUNDS)

8 SEC. 239. Of the discretionary funds made available
9 in title II of division I of Public Law 113–235 for the
10 Department of Veterans Affairs for fiscal year 2015,
11 \$1,052,000 are rescinded from “General Administration”,
12 and \$5,000,000 are rescinded from “Construction, Minor
13 Projects”.

14 (RESCISSIONS OF FUNDS)

15 SEC. 240. (a) There is hereby rescinded an aggregate
16 amount of \$90,293,000 from prior year unobligated bal-
17 ances available within discretionary accounts of the De-
18 partment of Veterans Affairs;

19 (b) No funds may be rescinded from amounts pro-
20 vided under the following headings:

- 21 (1) “Medical Services”;
- 22 (2) “Medical and Prosthetic Research”;
- 23 (3) “National Cemetery Administration”;
- 24 (4) “Board of Veterans Appeals”;

1 (5) “General Operating Expenses, Veterans
2 Benefits Administration”;

3 (6) “Office of Inspector General”;

4 (7) “Grants for Construction of State Extended
5 Care Facilities”; and

6 (8) “Grants for Construction of Veterans Ceme-
7 teries”.

8 (c) No amounts may be rescinded from amounts that
9 were designated by the Congress as an emergency require-
10 ment pursuant to the Concurrent Resolution on the Budg-
11 et or the Balanced Budget and Emergency Deficit Control
12 Act of 1985, as amended.

13 (d) The Secretary shall submit to the Committees on
14 Appropriations of both Houses of Congress a report speci-
15 fying the account and amount of each rescission not later
16 than 30 days following enactment of this Act.

17 SEC. 241. Section 2302(a)(2)(A)(viii) of title 5,
18 United States Code, is amended by inserting “or under
19 title 38” after “of this title”.

20 SEC. 242. The Department of Veterans Affairs is au-
21 thorized to administer financial assistance grants and
22 enter into cooperative agreements with organizations, uti-
23 lizing a competitive selection process, to train and employ
24 homeless and at-risk veterans in natural resource con-
25 servation management.

1 SEC. 243. Section 312 of title 38, United States
2 Code, is amended by adding at the end the following new
3 subsection:

4 “(c)(1) Whenever the Inspector General, in carrying
5 out the duties and responsibilities established under the
6 Inspector General Act of 1978 (5 U.S.C. App.), issues a
7 work product that makes a recommendation or otherwise
8 suggests corrective action, the Inspector General shall—

9 “(A) submit the work product to—

10 “(i) the Secretary;

11 “(ii) the Committee on Veterans’ Af-
12 fairs, the Committee on Homeland Secu-
13 rity and Governmental Affairs, and the
14 Committee on Appropriations of the Sen-
15 ate;

16 “(iii) the Committee on Veterans’ Af-
17 fairs, the Committee on Oversight and
18 Government Reform, and the Committee
19 on Appropriations of the House of Rep-
20 resentatives;

21 “(iv) if the work product was initiated
22 upon request by an individual or entity
23 other than the Inspector General, that in-
24 dividual or entity; and

1 “(v) any Member of Congress upon
2 request; and

3 “(B) the Inspector General shall submit all
4 final work products to—

5 “(i) if the work product was initiated
6 upon request by an individual or entity
7 other than the Inspector General, that in-
8 dividual or entity; and

9 “(ii) any Member of Congress upon
10 request; and

11 “(C) not later than 3 days after the work
12 product is submitted in final form to the Sec-
13 retary, post the work product on the Internet
14 website of the Inspector General.

15 “(2) Nothing in this subsection shall be con-
16 strued to authorize the public disclosure of informa-
17 tion that is specifically prohibited from disclosure by
18 any other provision of law.”.

19 SEC. 244. None of the funds provided in this Act may
20 be used to pay the salary of any individual who (a) was
21 the Executive Director of the Office of Acquisition, Logis-
22 tics and Construction, and (b) who retired from Federal
23 service in the midst of an investigation, initiated by the
24 Department of Veterans Affairs, into delays and cost over-

1 runs associated with the design and construction of the
2 new medical center in Aurora, Colorado.

3 SEC. 245. Of the amounts appropriated or otherwise
4 made available to the Department of Veterans Affairs for
5 the “Medical Services” account for fiscal year 2016 in this
6 Act of any other Act, not less than \$10,000,000 shall be
7 used to hire additional caregiver support coordinators to
8 support the programs of assistance and support for care-
9 givers of veterans under section 1720G of title 38, United
10 States Code.

11 SEC. 246. None of the funds appropriated or other-
12 wise made available to the Department of Veterans Affairs
13 in this Act may be used in a manner that would—

14 (1) interfere with the ability of a veteran to
15 participate in a State-approved medicinal marijuana
16 program;

17 (2) deny any services from the Department to
18 a veteran who is participating in such a program; or

19 (3) limit or interfere with the ability of a health
20 care provider of the Department to make appro-
21 priate recommendations, fill out forms, or take steps
22 to comply with such a program.

1 TITLE III
2 RELATED AGENCIES
3 AMERICAN BATTLE MONUMENTS COMMISSION
4 SALARIES AND EXPENSES

5 For necessary expenses, not otherwise provided for,
6 of the American Battle Monuments Commission, including
7 the acquisition of land or interest in land in foreign coun-
8 tries; purchases and repair of uniforms for caretakers of
9 national cemeteries and monuments outside of the United
10 States and its territories and possessions; rent of office
11 and garage space in foreign countries; purchase (one-for-
12 one replacement basis only) and hire of passenger motor
13 vehicles; not to exceed \$7,500 for official reception and
14 representation expenses; and insurance of official motor
15 vehicles in foreign countries, when required by law of such
16 countries, \$75,100,000, to remain available until ex-
17 pended.

18 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

19 For necessary expenses, not otherwise provided for,
20 of the American Battle Monuments Commission, such
21 sums as may be necessary, to remain available until ex-
22 pended, for purposes authorized by section 2109 of title
23 36, United States Code.

1 UNITED STATES COURT OF APPEALS FOR VETERANS

2 CLAIMS

3 SALARIES AND EXPENSES

4 For necessary expenses for the operation of the
5 United States Court of Appeals for Veterans Claims as
6 authorized by sections 7251 through 7298 of title 38,
7 United States Code, \$32,141,000: *Provided*, That
8 \$2,500,000 shall be available for the purpose of providing
9 financial assistance as described, and in accordance with
10 the process and reporting procedures set forth, under this
11 heading in Public Law 102–229.

12 DEPARTMENT OF DEFENSE—CIVIL

13 CEMETERIAL EXPENSES, ARMY

14 SALARIES AND EXPENSES

15 For necessary expenses for maintenance, operation,
16 and improvement of Arlington National Cemetery and Sol-
17 diers' and Airmen's Home National Cemetery, including
18 the purchase or lease of passenger motor vehicles for re-
19 placement on a one-for-one basis only, and not to exceed
20 \$1,000 for official reception and representation expenses,
21 \$70,800,000, of which not to exceed \$28,000,000 shall re-
22 main available until September 30, 2018. In addition,
23 such sums as may be necessary for parking maintenance,
24 repairs and replacement, to be derived from the "Lease

1 of Department of Defense Real Property for Defense
2 Agencies’’ account.

3 ARMED FORCES RETIREMENT HOME

4 TRUST FUND

5 For expenses necessary for the Armed Forces Retire-
6 ment Home to operate and maintain the Armed Forces
7 Retirement Home—Washington, District of Columbia,
8 and the Armed Forces Retirement Home—Gulfport, Mis-
9 sissippi, to be paid from funds available in the Armed
10 Forces Retirement Home Trust Fund, \$64,300,000, of
11 which \$1,000,000 shall remain available until expended
12 for construction and renovation of the physical plants at
13 the Armed Forces Retirement Home—Washington, Dis-
14 trict of Columbia, and the Armed Forces Retirement
15 Home—Gulfport, Mississippi.

16 ADMINISTRATIVE PROVISIONS

17 SEC. 301. Funds appropriated in this Act under the
18 heading “Department of Defense—Civil, Cemeterial Ex-
19 penses, Army”, may be provided to Arlington County, Vir-
20 ginia, for the relocation of the federally owned water main
21 at Arlington National Cemetery, making additional land
22 available for ground burials.

23 SEC. 302. Amounts deposited during the current fis-
24 cal year to the special account established under 10 U.S.C.
25 4727 are appropriated and shall be available until ex-

1 pended to support activities at the Army National Military
2 Cemeteries.

3 TITLE IV

4 GENERAL PROVISIONS

5 SEC. 401. No part of any appropriation contained in
6 this Act shall remain available for obligation beyond the
7 current fiscal year unless expressly so provided herein.

8 SEC. 402. None of the funds made available in this
9 Act may be used for any program, project, or activity,
10 when it is made known to the Federal entity or official
11 to which the funds are made available that the program,
12 project, or activity is not in compliance with any Federal
13 law relating to risk assessment, the protection of private
14 property rights, or unfunded mandates.

15 SEC. 403. Such sums as may be necessary for fiscal
16 year 2016 for pay raises for programs funded by this Act
17 shall be absorbed within the levels appropriated in this
18 Act.

19 SEC. 404. No part of any funds appropriated in this
20 Act shall be used by an agency of the executive branch,
21 other than for normal and recognized executive-legislative
22 relationships, for publicity or propaganda purposes, and
23 for the preparation, distribution, or use of any kit, pam-
24 phlet, booklet, publication, radio, television, or film presen-

1 tation designed to support or defeat legislation pending
2 before Congress, except in presentation to Congress itself.

3 SEC. 405. All departments and agencies funded under
4 this Act are encouraged, within the limits of the existing
5 statutory authorities and funding, to expand their use of
6 “E-Commerce” technologies and procedures in the con-
7 duct of their business practices and public service activi-
8 ties.

9 SEC. 406. Unless stated otherwise, all reports and no-
10 tifications required by this Act shall be submitted to the
11 Subcommittee on Military Construction and Veterans Af-
12 fairs, and Related Agencies of the Committee on Appro-
13 priations of the House of Representatives and the Sub-
14 committee on Military Construction and Veterans Affairs,
15 and Related Agencies of the Committee on Appropriations
16 of the Senate.

17 SEC. 407. None of the funds made available in this
18 Act may be transferred to any department, agency, or in-
19 strumentality of the United States Government except
20 pursuant to a transfer made by, or transfer authority pro-
21 vided in, this or any other appropriations Act.

22 SEC. 408. (a) Any agency receiving funds made avail-
23 able in this Act, shall, subject to subsections (b) and (c),
24 post on the public Web site of that agency any report re-
25 quired to be submitted by the Congress in this or any

1 other Act, upon the determination by the head of the agen-
2 cy that it shall serve the national interest.

3 (b) Subsection (a) shall not apply to a report if—

4 (1) the public posting of the report com-
5 promises national security; or

6 (2) the report contains confidential or propri-
7 etary information.

8 (c) The head of the agency posting such report shall
9 do so only after such report has been made available to
10 the requesting Committee or Committees of Congress for
11 no less than 45 days.

12 SEC. 409. (a) None of the funds made available in
13 this Act may be used to maintain or establish a computer
14 network unless such network blocks the viewing,
15 downloading, and exchanging of pornography.

16 (b) Nothing in subsection (a) shall limit the use of
17 funds necessary for any Federal, State, tribal, or local law
18 enforcement agency or any other entity carrying out crimi-
19 nal investigations, prosecution, or adjudication activities.

20 SEC. 410. (a) IN GENERAL.—None of the funds ap-
21 propriated or otherwise made available to the Department
22 of Defense in this Act may be used to construct, renovate,
23 or expand any facility in the United States, its territories,
24 or possessions to house any individual detained at United
25 States Naval Station, Guantánamo Bay, Cuba, for the

1 purposes of detention or imprisonment in the custody or
2 under the control of the Department of Defense.

3 (b) The prohibition in subsection (a) shall not apply
4 to any modification of facilities at United States Naval
5 Station, Guantánamo Bay, Cuba.

6 (c) An individual described in this subsection is any
7 individual who, as of June 24, 2009, is located at United
8 States Naval Station, Guantánamo Bay, Cuba, and who—

9 (1) is not a citizen of the United States or a
10 member of the Armed Forces of the United States;
11 and

12 (2) is—

13 (A) in the custody or under the effective
14 control of the Department of Defense; or

15 (B) otherwise under detention at United
16 States Naval Station, Guantánamo Bay, Cuba.

17 This division may be cited as the “Military Construc-
18 tion, Veterans Affairs, and Related Agencies Appropria-
19 tions Act, 2016”.

1 **DIVISION E—DEPARTMENT OF STATE,**
2 **FOREIGN OPERATIONS, AND RELATED**
3 **PROGRAMS APPROPRIATIONS ACT,**
4 **2016**

5 TITLE I

6 DEPARTMENT OF STATE AND RELATED

7 AGENCY

8 DEPARTMENT OF STATE

9 ADMINISTRATION OF FOREIGN AFFAIRS

10 DIPLOMATIC AND CONSULAR PROGRAMS

11 For necessary expenses of the Department of State
12 and the Foreign Service not otherwise provided for,
13 \$6,342,470,000, of which up to \$637,164,000 may remain
14 available until September 30, 2017, and of which up to
15 \$2,094,707,000 may remain available until expended for
16 Worldwide Security Protection: *Provided*, That funds
17 made available under this heading shall be allocated in ac-
18 cordance with paragraphs (1) through (4) as follows:

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

1 (Public Law 80-402), \$2,238,853,000, of which up
2 to \$358,833,000 is for Worldwide Security Protec-
3 tion.

4 (2) OVERSEAS PROGRAMS.—For necessary ex-
5 penses for the regional bureaus of the Department
6 of State and overseas activities as authorized by law,
7 \$1,561,840,000.

8 (3) DIPLOMATIC POLICY AND SUPPORT.—For
9 necessary expenses for the functional bureaus of the
10 Department of State, including representation to
11 certain international organizations in which the
12 United States participates pursuant to treaties rati-
13 fied pursuant to the advice and consent of the Sen-
14 ate or specific Acts of Congress, general administra-
15 tion, and arms control, nonproliferation and disar-
16 mament activities as authorized, \$787,951,000.

17 (4) SECURITY PROGRAMS.—For necessary ex-
18 penses for security activities, \$1,753,826,000, of
19 which up to \$1,735,874,000 is for Worldwide Secu-
20 rity Protection.

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

24 (A) not to exceed \$1,840,900 shall be de-
25 rived from fees collected from other executive

1 agencies for lease or use of facilities located at
2 the International Center in accordance with sec-
3 tion 4 of the International Center Act (Public
4 Law 97-186), and, in addition, as authorized
5 by section 5 of such Act, \$743,000, to be de-
6 rived from the reserve authorized by that sec-
7 tion, to be used for the purposes set out in that
8 section;

9 (B) as authorized by section 810 of Public
10 Law 80-402, not to exceed \$5,000,000, to re-
11 main available until expended, may be credited
12 to this appropriation from fees or other pay-
13 ments received from English teaching, library,
14 motion pictures, and publication programs and
15 from fees from educational advising and coun-
16 seling and exchange visitor programs; and

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

20 (6) TRANSFER, REPROGRAMMING, AND OTHER
21 MATTERS.—

22 (A) Notwithstanding any other provision of
23 this Act, funds may be reprogrammed within
24 and between paragraphs (1) through (4) under
25 this heading subject to section 7015 of this Act.

1 (B) Of the amount made available under
2 this heading, not to exceed \$10,000,000 may be
3 transferred to, and merged with, funds made
4 available by this Act under the heading “Emer-
5 gencies in the Diplomatic and Consular Serv-
6 ice”, to be available only for emergency evacu-
7 ations and rewards, as authorized.

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

16 (D) Of the funds appropriated under this
17 heading, up to \$11,000,000, to remain available
18 until expended, shall be for Conflict Stabiliza-
19 tion Operations (CSO) and for related recon-
20 struction and stabilization assistance to prevent
21 or respond to conflict or civil strife in foreign
22 countries or regions, or to enable transition
23 from such strife: *Provided*, That additional
24 funds appropriated under this heading may be
25 made available, as necessary, only to fund the

1 salary and benefit costs for CSO staff employed
2 on the date of enactment of this Act: *Provided*
3 *further*, That funds appropriated under this
4 heading may be transferred to, and merged
5 with, funds previously made available under the
6 heading “Conflict Stabilization Operations” in
7 title I of prior acts making appropriations for
8 the Department of State, foreign operations,
9 and related programs.

10 CAPITAL INVESTMENT FUND

11 For necessary expenses of the Capital Investment
12 Fund, \$56,400,000, to remain available until expended,
13 as authorized.

14 OFFICE OF INSPECTOR GENERAL

15 For necessary expenses of the Office of Inspector
16 General, \$72,700,000, notwithstanding section 209(a)(1)
17 of the Foreign Service Act of 1980 (Public Law 96–465),
18 as it relates to post inspections: *Provided*, That of the
19 funds appropriated under this heading, \$10,905,000 may
20 remain available until September 30, 2017.

21 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

22 For expenses of educational and cultural exchange
23 programs, as authorized, \$590,900,000, to remain avail-
24 able until expended, of which not less than \$236,000,000
25 shall be for the Fulbright Program: *Provided*, That fees

1 or other payments received from, or in connection with,
2 English teaching, educational advising and counseling pro-
3 grams, and exchange visitor programs as authorized may
4 be credited to this account, to remain available until ex-
5 pended: *Provided further*, That a portion of the Fulbright
6 awards from the Eurasia and Central Asia regions shall
7 be designated as Edmund S. Muskie Fellowships, fol-
8 lowing consultation with the Committees on Appropria-
9 tions: *Provided further*, That notwithstanding section
10 62.32(h)(16) of title 22 of the Code of Federal Regula-
11 tions, the Secretary of State shall permit participants in
12 the Summer Work Travel program who are admitted
13 under section 101(a)(15)(J) of the Immigration and Na-
14 tionality Act (8 U.S.C. 1101(a)(15)(J)) to be employed
15 in seafood processing positions until September 30, 2016,
16 if such placements comply with all the requirements of
17 such program: *Provided further*, That any substantive
18 modifications from the prior fiscal year to programs fund-
19 ed by this Act under this heading shall be subject to prior
20 consultation with, and the regular notification procedures
21 of, the Committees on Appropriations.

22 REPRESENTATION EXPENSES

23 For representation expenses as authorized,
24 \$8,030,000.

1 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

2 For expenses, not otherwise provided, to enable the
3 Secretary of State to provide for extraordinary protective
4 services, as authorized, \$29,807,000, to remain available
5 until September 30, 2017.

6 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

7 For necessary expenses for carrying out the Foreign
8 Service Buildings Act of 1926 (22 U.S.C. 292 et seq.),
9 preserving, maintaining, repairing, and planning for build-
10 ings that are owned or directly leased by the Department
11 of State, renovating, in addition to funds otherwise avail-
12 able, the Harry S Truman Building, and carrying out the
13 Diplomatic Security Construction Program as authorized,
14 \$785,097,000, to remain available until expended as au-
15 thorized, of which not to exceed \$25,000 may be used for
16 domestic and overseas representation expenses as author-
17 ized: *Provided*, That none of the funds appropriated in this
18 paragraph shall be available for acquisition of furniture,
19 furnishings, or generators for other departments and
20 agencies.

21 In addition, for the costs of worldwide security up-
22 grades, acquisition, and construction as authorized,
23 \$1,300,000,000, to remain available until expended: *Pro-*
24 *vided*, That not later than 45 days after enactment of this
25 Act, the Secretary of State shall submit to the Committees

1 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
2 DISABILITY FUND

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

5 INTERNATIONAL ORGANIZATIONS

6 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

7 For necessary expenses, not otherwise provided for,
8 to meet annual obligations of membership in international
9 multilateral organizations, pursuant to treaties ratified
10 pursuant to the advice and consent of the Senate, conven-
11 tions or specific Acts of Congress, \$1,456,179,000: *Pro-*
12 *vided*, That the Secretary of State shall, at the time of
13 the submission of the President's budget to Congress
14 under section 1105(a) of title 31, United States Code,
15 transmit to the Committees on Appropriations the most
16 recent biennial budget prepared by the United Nations for
17 the operations of the United Nations: *Provided further*,
18 That the Secretary of State shall notify the Committees
19 on Appropriations at least 15 days in advance (or in an
20 emergency, as far in advance as is practicable) of any
21 United Nations action to increase funding for any United
22 Nations program without identifying an offsetting de-
23 crease elsewhere in the United Nations budget: *Provided*
24 *further*, That not later than May 1, 2016, and 30 days
25 after the end of fiscal year 2016, the Secretary of State

1 shall report to the Committees on Appropriations any
2 credits available to the United States, including from the
3 United Nations Tax Equalization Fund, and provide up-
4 dated fiscal year 2016 and fiscal year 2017 assessment
5 costs including offsets from available credits and updated
6 foreign currency exchange rates: *Provided further*, That
7 any such credits shall only be available for United States
8 assessed contributions to the United Nations and the
9 Committees on Appropriations shall be notified when such
10 credits are applied to any assessed contribution, including
11 any payment of arrearages: *Provided further*, That any no-
12 tification regarding funds appropriated or otherwise made
13 available under this heading in this Act or prior Acts mak-
14 ing appropriations for the Department of State, foreign
15 operations, and related programs submitted pursuant to
16 section 7015 of this Act, section 34 of the State Depart-
17 ment Basic Authorities Act of 1956 (22 U.S.C. 2706), or
18 any operating plan submitted pursuant to section 7076
19 of this Act, shall include an estimate of all known credits
20 currently available to the United States and provide up-
21 dated assessment costs including offsets from available
22 credits and updated foreign currency exchange rates: *Pro-*
23 *vided further*, That any payment of arrearages under this
24 heading shall be directed to activities that are mutually
25 agreed upon by the United States and the respective inter-

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

10 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

11 ACTIVITIES

12 For necessary expenses to pay assessed and other ex-
13 penses of international peacekeeping activities directed to
14 the maintenance or restoration of international peace and
15 security, \$2,248,223,000, of which 15 percent shall re-
16 main available until September 30, 2017: *Provided*, That
17 none of the funds made available by this Act shall be obli-
18 gated or expended for any new or expanded United Na-
19 tions peacekeeping mission unless, at least 15 days in ad-
20 vance of voting for such mission in the United Nations
21 Security Council (or in an emergency as far in advance
22 as is practicable), the Committees on Appropriations are
23 notified: (1) of the estimated cost and duration of the mis-
24 sion, the objectives of the mission, the national interest
25 that will be served, and the exit strategy; and (2) the

1 source of funds that will be used to pay the cost of the
2 new or expanded mission, and the estimated cost in future
3 fiscal years: *Provided further*, That none of the funds ap-
4 propriated under this heading may be made available for
5 obligation unless the Secretary of State certifies and re-
6 ports to the Committees on Appropriations on a peace-
7 keeping mission-by-mission basis that the United Nations
8 is implementing effective policies and procedures to pre-
9 vent United Nations employees, contractor personnel, and
10 peacekeeping troops serving in such mission from traf-
11 ficking in persons, exploiting victims of trafficking, or
12 committing acts of illegal sexual exploitation or other vio-
13 lations of human rights, and to bring to justice individuals
14 who engage in such acts while participating in such mis-
15 sion, including prosecution in their home countries and
16 making information about such prosecutions publicly
17 available on the Web site of the United Nations: *Provided*
18 *further*, That funds shall be available for peacekeeping ex-
19 penses unless the Secretary of State determines that
20 American manufacturers and suppliers are not being given
21 opportunities to provide equipment, services, and material
22 for United Nations peacekeeping activities equal to those
23 being given to foreign manufacturers and suppliers: *Pro-*
24 *vided further*, That the Secretary of State shall work with
25 the United Nations and foreign governments contributing

1 peacekeeping troops to implement effective vetting proce-
2 dures to ensure that such troops have not violated human
3 rights, and shall submit a report to the Committees on
4 Appropriations not later than 90 days after enactment of
5 this Act assessing the effectiveness of such procedures:
6 *Provided further*, That none of the funds appropriated or
7 otherwise made available under this heading may be used
8 for any United Nations peacekeeping mission that will in-
9 volve United States Armed Forces under the command or
10 operational control of a foreign national, unless the Presi-
11 dent's military advisors have submitted to the President
12 a recommendation that such involvement is in the national
13 interest of the United States and the President has sub-
14 mitted to Congress such a recommendation: *Provided fur-*
15 *ther*, That not later than May 1, 2016, and 30 days after
16 the end of fiscal year 2016, the Secretary of State shall
17 report to the Committees on Appropriations any credits
18 available to the United States, including those resulting
19 from United Nations peacekeeping missions or the United
20 Nations Tax Equalization Fund, and provide updated fis-
21 cal year 2016 and fiscal year 2017 assessment costs in-
22 cluding offsets from available credits: *Provided further*,
23 That any such credits shall only be available for United
24 States assessed contributions to the United Nations, and
25 the Committees on Appropriations shall be notified when

1 such credits are applied to any assessed contribution, in-
2 cluding any payment of arrearages: *Provided further*, That
3 any notification regarding funds appropriated or otherwise
4 made available under this heading in this Act or prior Acts
5 making appropriations for the Department of State, for-
6 eign operations, and related programs submitted pursuant
7 to section 7015 of this Act, section 34 of the State Depart-
8 ment Basic Authorities Act of 1956 (22 U.S.C. 2706), or
9 any operating plan submitted pursuant to section 7076
10 of this Act, shall include an estimate of all known credits
11 currently available to the United States and provide up-
12 dated assessment costs including offsets from available
13 credits: *Provided further*, That notwithstanding any other
14 provision of law, funds appropriated or otherwise made
15 available under this heading may be made available for
16 United States assessed contributions up to the amount
17 specified in the Annex accompanying United Nations Gen-
18 eral Assembly document A/67/224/Add.1, if the Secretary
19 of State determines and reports to the appropriate con-
20 gressional committees that to do so is important to the
21 national interest of the United States.

22 INTERNATIONAL COMMISSIONS

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

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

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

8 SALARIES AND EXPENSES

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

11 CONSTRUCTION

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

15 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

16 For necessary expenses, not otherwise provided, for
17 the International Joint Commission and the International
18 Boundary Commission, United States and Canada, as au-
19 thorized by treaties between the United States and Can-
20 ada or Great Britain, and the Border Environment Co-
21 operation Commission as authorized by the North Amer-
22 ican Free Trade Agreement Implementation Act,
23 \$12,330,000: *Provided*, That of the amount provided
24 under this heading for the International Joint Commis-
25 sion, up to \$500,000 may remain available until Sep-

1 tember 30, 2017, and \$9,000 may be made available for
2 representation expenses.

3 INTERNATIONAL FISHERIES COMMISSIONS

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

10 RELATED AGENCY

11 BROADCASTING BOARD OF GOVERNORS

12 INTERNATIONAL BROADCASTING OPERATIONS

13 For necessary expenses to enable the Broadcasting
14 Board of Governors (BBG), as authorized, to carry out
15 international communication activities, and to make and
16 supervise grants for radio and television broadcasting to
17 the Middle East, \$728,257,000: *Provided*, That in addi-
18 tion to amounts otherwise available for such purposes, up
19 to \$28,635,000 of the amount appropriated under this
20 heading may remain available until expended for satellite
21 transmissions and Internet freedom programs, of which
22 not less than \$12,500,000 shall be for Internet freedom
23 programs: *Provided further*, That of the total amount ap-
24 propriated under this heading, not to exceed \$35,000 may
25 be used for representation expenses, of which \$10,000

1 may be used for representation expenses within the United
2 States as authorized, and not to exceed \$30,000 may be
3 used for representation expenses of Radio Free Europe/
4 Radio Liberty: *Provided further*, That the authority pro-
5 vided by section 504(c) of the Foreign Relations Author-
6 ization Act, Fiscal Year 2003 (Public Law 107–228; 22
7 U.S.C. 6206 note) shall remain in effect through Sep-
8 tember 30, 2016: *Provided further*, That the BBG shall
9 notify the Committees on Appropriations within 15 days
10 of any determination by the Board that any of its broad-
11 cast entities, including its grantee organizations, provides
12 an open platform for international terrorists or those who
13 support international terrorism, or is in violation of the
14 principles and standards set forth in subsections (a) and
15 (b) of section 303 of the United States International
16 Broadcasting Act of 1994 (22 U.S.C. 6202) or the entity’s
17 journalistic code of ethics: *Provided further*, That signifi-
18 cant modifications to BBG broadcast hours previously jus-
19 tified to Congress, including changes to transmission plat-
20 forms (shortwave, medium wave, satellite, Internet, and
21 television), for all BBG language services shall be subject
22 to the regular notification procedures of the Committees
23 on Appropriations: *Provided further*, That in addition to
24 funds made available under this heading, and notwith-
25 standing any other provision of law, up to \$5,000,000 in

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

7 BROADCASTING CAPITAL IMPROVEMENTS

8 For the purchase, rent, construction, repair, preser-
9 vation, and improvement of facilities for radio, television,
10 and digital transmission and reception; the purchase, rent,
11 and installation of necessary equipment for radio, tele-
12 vision, and digital transmission and reception, including
13 to Cuba, as authorized; and physical security worldwide,
14 in addition to amounts otherwise available for such pur-
15 poses, \$4,800,000, to remain available until expended, as
16 authorized.

17 RELATED PROGRAMS

18 THE ASIA FOUNDATION

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

22 UNITED STATES INSTITUTE OF PEACE

23 For necessary expenses of the United States Institute
24 of Peace, as authorized by the United States Institute of
25 Peace Act (22 U.S.C. 4601 et seq.), \$35,300,000, to re-

1 main available until September 30, 2017, which shall not
2 be used for construction activities.

3 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE
4 TRUST FUND

5 For necessary expenses of the Center for Middle
6 Eastern-Western Dialogue Trust Fund, as authorized by
7 section 633 of the Departments of Commerce, Justice, and
8 State, the Judiciary, and Related Agencies Appropriations
9 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-
10 est and earnings accruing to such Fund on or before Sep-
11 tember 30, 2016, to remain available until expended.

12 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

13 For necessary expenses of Eisenhower Exchange Fel-
14 lowships, Incorporated, as authorized by sections 4 and
15 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
16 U.S.C. 5204–5205), all interest and earnings accruing to
17 the Eisenhower Exchange Fellowship Program Trust
18 Fund on or before September 30, 2016, to remain avail-
19 able until expended: *Provided*, That none of the funds ap-
20 propriated herein shall be used to pay any salary or other
21 compensation, or to enter into any contract providing for
22 the payment thereof, in excess of the rate authorized by
23 section 5376 of title 5, United States Code; or for pur-
24 poses which are not in accordance with section 200 of title

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

3 ISRAELI ARAB SCHOLARSHIP PROGRAM

4 For necessary expenses of the Israeli Arab Scholar-
5 ship Program, as authorized by section 214 of the Foreign
6 Relations Authorization Act, Fiscal Years 1992 and 1993
7 (22 U.S.C. 2452), all interest and earnings accruing to
8 the Israeli Arab Scholarship Fund on or before September
9 30, 2016, to remain available until expended.

10 EAST-WEST CENTER

11 To enable the Secretary of State to provide for car-
12 rying out the provisions of the Center for Cultural and
13 Technical Interchange Between East and West Act of
14 1960, by grant to the Center for Cultural and Technical
15 Interchange Between East and West in the State of Ha-
16 waii, \$16,700,000.

17 NATIONAL ENDOWMENT FOR DEMOCRACY

18 For grants made by the Department of State to the
19 National Endowment for Democracy, as authorized by the
20 National Endowment for Democracy Act (22 U.S.C.
21 4412), \$170,000,000, to remain available until expended.

1 OTHER COMMISSIONS
2 COMMISSION FOR THE PRESERVATION OF AMERICA'S
3 HERITAGE ABROAD
4 SALARIES AND EXPENSES

5 For necessary expenses for the Commission for the
6 Preservation of America's Heritage Abroad, \$676,000, as
7 authorized by chapter 3123 of title 54, United States
8 Code: *Provided*, That the Commission may procure tem-
9 porary, intermittent, and other services notwithstanding
10 paragraph (3) of section 312304(b) of such chapter: *Pro-*
11 *vided further*, That such authority shall terminate on Oc-
12 tober 1, 2016: *Provided further*, That the Commission
13 shall consult with the Committees on Appropriations prior
14 to exercising such authority.

15 UNITED STATES COMMISSION ON INTERNATIONAL
16 RELIGIOUS FREEDOM
17 SALARIES AND EXPENSES

18 For necessary expenses for the United States Com-
19 mission on International Religious Freedom established in
20 title II of the International Religious Freedom Act of 1998
21 (22 U.S.C. 6431 et seq.), \$3,500,000, to remain available
22 until September 30, 2017, including not more than \$4,000
23 for representation expenses, subject to authorization.

1 COMMISSION ON SECURITY AND COOPERATION IN
2 EUROPE
3 SALARIES AND EXPENSES

4 For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by sections
5 3001 et seq. of title 22, United States Code, \$2,579,000,
6 including not more than \$4,000 for representation expenses,
7 to remain available until September 30, 2017.

9 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE
10 PEOPLE'S REPUBLIC OF CHINA
11 SALARIES AND EXPENSES

12 For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized by title III of the U.S.-China Relations Act of
13 2000 (22 U.S.C. 6911 et seq.), \$2,000,000, including not
14 more than \$3,000 for representation expenses, to remain
15 available until September 30, 2017.

18 UNITED STATES-CHINA ECONOMIC AND SECURITY
19 REVIEW COMMISSION
20 SALARIES AND EXPENSES

21 For necessary expenses of the United States-China Economic and Security Review Commission, as authorized
22 by section 1238 of the Floyd D. Spence National Defense
23 Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),
24 \$3,500,000, including not more than \$4,000 for representation

1 tation expenses, to remain available until September 30,
2 2017: *Provided*, That the authorities, requirements, limi-
3 tations, and conditions contained in the second through
4 sixth provisos under this heading in the Department of
5 State, Foreign Operations, and Related Programs Appro-
6 priations Act, 2010 (division F of Public Law 111–117)
7 shall continue in effect during fiscal year 2016 and shall
8 apply to funds appropriated under this heading as if in-
9 cluded in this Act.

10 TITLE II
11 UNITED STATES AGENCY FOR INTERNATIONAL
12 DEVELOPMENT
13 FUNDS APPROPRIATED TO THE PRESIDENT
14 OPERATING EXPENSES

15 For necessary expenses to carry out the provisions
16 of section 667 of the Foreign Assistance Act of 1961,
17 \$1,143,614,000, of which up to \$171,542,000 may remain
18 available until September 30, 2017: *Provided*, That none
19 of the funds appropriated under this heading and under
20 the heading “Capital Investment Fund” in this title may
21 be made available to finance the construction (including
22 architect and engineering services), purchase, or long-term
23 lease of offices for use by the United States Agency for
24 International Development (USAID), unless the USAID
25 Administrator has identified such proposed use of funds

1 in a report submitted to the Committees on Appropria-
2 tions at least 15 days prior to the obligation of funds for
3 such purposes: *Provided further*, That contracts or agree-
4 ments entered into with funds appropriated under this
5 heading may entail commitments for the expenditure of
6 such funds through the following fiscal year: *Provided fur-*
7 *ther*, That the authority of sections 610 and 109 of the
8 Foreign Assistance Act of 1961 may be exercised by the
9 Secretary of State to transfer funds appropriated to carry
10 out chapter 1 of part I of such Act to “Operating Ex-
11 penses” in accordance with the provisions of those sec-
12 tions: *Provided further*, That of the funds appropriated or
13 made available under this heading, not to exceed \$250,000
14 may be available for representation and entertainment ex-
15 penses, of which not to exceed \$5,000 may be available
16 for entertainment expenses, and not to exceed \$100,500
17 shall be for official residence expenses, for USAID during
18 the current fiscal year.

19 CAPITAL INVESTMENT FUND

20 For necessary expenses for overseas construction and
21 related costs, and for the procurement and enhancement
22 of information technology and related capital investments,
23 pursuant to section 667 of the Foreign Assistance Act of
24 1961, \$168,300,000, to remain available until expended:
25 *Provided*, That this amount is in addition to funds other-

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

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses to carry out the provisions
7 of section 667 of the Foreign Assistance Act of 1961,
8 \$66,000,000, of which up to \$9,900,000 may remain
9 available until September 30, 2017, for the Office of In-
10 spector General of the United States Agency for Inter-
11 national Development.

12 TITLE III

13 BILATERAL ECONOMIC ASSISTANCE

14 FUNDS APPROPRIATED TO THE PRESIDENT

15 For necessary expenses to enable the President to
16 carry out the provisions of the Foreign Assistance Act of
17 1961, and for other purposes, as follows:

18 GLOBAL HEALTH PROGRAMS

19 For necessary expenses to carry out the provisions
20 of chapters 1 and 10 of part I of the Foreign Assistance
21 Act of 1961, for global health activities, in addition to
22 funds otherwise available for such purposes,
23 \$2,798,000,000, to remain available until September 30,
24 2017, and which shall be apportioned directly to the
25 United States Agency for International Development

1 (USAID): *Provided*, That this amount shall be made avail-
2 able for training, equipment, and technical assistance to
3 build the capacity of public health institutions and organi-
4 zations in developing countries, and for such activities as:
5 (1) child survival and maternal health programs; (2) im-
6 munization and oral rehydration programs; (3) other
7 health, nutrition, water and sanitation programs which di-
8 rectly address the needs of mothers and children, and re-
9 lated education programs; (4) assistance for children dis-
10 placed or orphaned by causes other than AIDS; (5) pro-
11 grams for the prevention, treatment, control of, and re-
12 search on HIV/AIDS, tuberculosis, polio, malaria, and
13 other infectious diseases including neglected tropical dis-
14 eases, and for assistance to communities severely affected
15 by HIV/AIDS, including children infected or affected by
16 AIDS; (6) disaster preparedness training for health crises;
17 and (7) family planning/reproductive health: *Provided fur-*
18 *ther*, That funds appropriated under this paragraph may
19 be made available for a United States contribution to
20 GAVI, the Vaccine Alliance: *Provided further*, That none
21 of the funds made available in this Act nor any unobli-
22 gated balances from prior appropriations Acts may be
23 made available to any organization or program which, as
24 determined by the President of the United States, sup-
25 ports or participates in the management of a program of

1 coercive abortion or involuntary sterilization: *Provided fur-*
2 *ther*, That any determination made under the previous
3 proviso must be made not later than 6 months after the
4 date of enactment of this Act, and must be accompanied
5 by the evidence and criteria utilized to make the deter-
6 mination: *Provided further*, That none of the funds made
7 available under this Act may be used to pay for the per-
8 formance of abortion as a method of family planning or
9 to motivate or coerce any person to practice abortions:
10 *Provided further*, That nothing in this paragraph shall be
11 construed to alter any existing statutory prohibitions
12 against abortion under section 104 of the Foreign Assist-
13 ance Act of 1961: *Provided further*, That none of the funds
14 made available under this Act may be used to lobby for
15 or against abortion: *Provided further*, That in order to re-
16 duce reliance on abortion in developing nations, funds
17 shall be available only to voluntary family planning
18 projects which offer, either directly or through referral to,
19 or information about access to, a broad range of family
20 planning methods and services, and that any such vol-
21 untary family planning project shall meet the following re-
22 quirements: (1) service providers or referral agents in the
23 project shall not implement or be subject to quotas, or
24 other numerical targets, of total number of births, number
25 of family planning acceptors, or acceptors of a particular

1 method of family planning (this provision shall not be con-
2 strued to include the use of quantitative estimates or indi-
3 cators for budgeting and planning purposes); (2) the
4 project shall not include payment of incentives, bribes,
5 gratuities, or financial reward to: (A) an individual in ex-
6 change for becoming a family planning acceptor; or (B)
7 program personnel for achieving a numerical target or
8 quota of total number of births, number of family planning
9 acceptors, or acceptors of a particular method of family
10 planning; (3) the project shall not deny any right or ben-
11 efit, including the right of access to participate in any pro-
12 gram of general welfare or the right of access to health
13 care, as a consequence of any individual's decision not to
14 accept family planning services; (4) the project shall pro-
15 vide family planning acceptors comprehensible information
16 on the health benefits and risks of the method chosen, in-
17 cluding those conditions that might render the use of the
18 method inadvisable and those adverse side effects known
19 to be consequent to the use of the method; and (5) the
20 project shall ensure that experimental contraceptive drugs
21 and devices and medical procedures are provided only in
22 the context of a scientific study in which participants are
23 advised of potential risks and benefits; and, not less than
24 60 days after the date on which the USAID Administrator
25 determines that there has been a violation of the require-

1 ments contained in paragraph (1), (2), (3), or (5) of this
2 proviso, or a pattern or practice of violations of the re-
3 quirements contained in paragraph (4) of this proviso, the
4 Administrator shall submit to the Committees on Appro-
5 priations a report containing a description of such viola-
6 tion and the corrective action taken by the Agency: *Pro-*
7 *vided further*, That in awarding grants for natural family
8 planning under section 104 of the Foreign Assistance Act
9 of 1961 no applicant shall be discriminated against be-
10 cause of such applicant's religious or conscientious com-
11 mitment to offer only natural family planning; and, addi-
12 tionally, all such applicants shall comply with the require-
13 ments of the previous proviso: *Provided further*, That for
14 purposes of this or any other Act authorizing or appro-
15 priating funds for the Department of State, foreign oper-
16 ations, and related programs, the term "motivate", as it
17 relates to family planning assistance, shall not be con-
18 strued to prohibit the provision, consistent with local law,
19 of information or counseling about all pregnancy options:
20 *Provided further*, That information provided about the use
21 of condoms as part of projects or activities that are funded
22 from amounts appropriated by this Act shall be medically
23 accurate and shall include the public health benefits and
24 failure rates of such use.

1 In addition, for necessary expenses to carry out the
2 provisions of the Foreign Assistance Act of 1961 for the
3 prevention, treatment, and control of, and research on,
4 HIV/AIDS, \$5,670,000,000, to remain available until
5 September 30, 2020, which shall be apportioned directly
6 to the Department of State: *Provided*, That funds appro-
7 priated under this paragraph may be made available, not-
8 withstanding any other provision of law, except for the
9 United States Leadership Against HIV/AIDS, Tuber-
10 culosis, and Malaria Act of 2003 (Public Law 108–25),
11 as amended, for a United States contribution to the Global
12 Fund to Fight AIDS, Tuberculosis and Malaria (Global
13 Fund), and shall be expended at the minimum rate nec-
14 essary to make timely payment for projects and activities:
15 *Provided further*, That the amount of such contribution
16 should be \$1,350,000,000: *Provided further*, That
17 amounts specified for such a contribution in this Act or
18 in the Department of State, Foreign Operations, and Re-
19 lated Programs Appropriations Act, 2015 (division J of
20 Public Law 113–235) may be made available notwith-
21 standing section 202(d)(4)(A)(i) of Public Law 108–25:
22 *Provided further*, That up to 5 percent of the aggregate
23 amount of funds made available to the Global Fund in
24 fiscal year 2016 may be made available to USAID for
25 technical assistance related to the activities of the Global

1 Fund: *Provided further*, That of the funds appropriated
2 under this paragraph, up to \$17,000,000 may be made
3 available, in addition to amounts otherwise available for
4 such purposes, for administrative expenses of the Office
5 of the United States Global AIDS Coordinator.

6 DEVELOPMENT ASSISTANCE

7 For necessary expenses to carry out the provisions
8 of sections 103, 105, 106, 214, and sections 251 through
9 255, and chapter 10 of part I of the Foreign Assistance
10 Act of 1961, \$2,637,854,000, to remain available until
11 September 30, 2017.

12 INTERNATIONAL DISASTER ASSISTANCE

13 For necessary expenses to carry out the provisions
14 of section 491 of the Foreign Assistance Act of 1961 for
15 international disaster relief, rehabilitation, and recon-
16 struction assistance, \$560,000,000, to remain available
17 until expended.

18 TRANSITION INITIATIVES

19 For necessary expenses for international disaster re-
20 habilitation and reconstruction assistance pursuant to sec-
21 tion 491 of the Foreign Assistance Act of 1961,
22 \$47,000,000, to remain available until expended, to sup-
23 port transition to democracy and long-term development
24 for countries in crisis: *Provided*, That such support may
25 include assistance to develop, strengthen, or preserve

1 democratic institutions and processes, revitalize basic in-
2 frastructure, and foster the peaceful resolution of conflict:
3 *Provided further*, That the USAID Administrator shall
4 submit a report to the Committees on Appropriations at
5 least 5 days prior to beginning a new program of assist-
6 ance: *Provided further*, That if the Secretary of State de-
7 termines that it is important to the national interest of
8 the United States to provide transition assistance in ex-
9 cess of the amount appropriated under this heading, up
10 to \$15,000,000 of the funds appropriated by this Act to
11 carry out the provisions of part I of the Foreign Assist-
12 ance Act of 1961 may be used for purposes of this heading
13 and under the authorities applicable to funds appropriated
14 under this heading: *Provided further*, That funds made
15 available pursuant to the previous proviso shall be made
16 available subject to prior consultation with the Committees
17 on Appropriations.

18 COMPLEX CRISES FUND

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses to carry out the provisions
21 of the Foreign Assistance Act of 1961 to support pro-
22 grams and activities to prevent or respond to emerging
23 or unforeseen foreign challenges and complex crises over-
24 seas, \$30,000,000, to remain available until expended:
25 *Provided*, That funds appropriated under this heading

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

20 DEVELOPMENT CREDIT AUTHORITY

21 For the cost of direct loans and loan guarantees pro-
22 vided by the United States Agency for International De-
23 velopment (USAID), as authorized by sections 256 and
24 635 of the Foreign Assistance Act of 1961, up to
25 \$40,000,000 may be derived by transfer from funds ap-

1 appropriated by this Act to carry out part I of such Act and
2 under the heading “Assistance for Europe, Eurasia and
3 Central Asia”: *Provided*, That funds provided under this
4 paragraph and funds provided as a gift that are used for
5 purposes of this paragraph pursuant to section 635(d) of
6 the Foreign Assistance Act of 1961 shall be made avail-
7 able only for micro- and small enterprise programs, urban
8 programs, and other programs which further the purposes
9 of part I of such Act: *Provided further*, That such costs,
10 including the cost of modifying such direct and guaranteed
11 loans, shall be as defined in section 502 of the Congres-
12 sional Budget Act of 1974, as amended: *Provided further*,
13 That funds made available by this paragraph may be used
14 for the cost of modifying any such guaranteed loans under
15 this Act or prior Acts making appropriations for the De-
16 partment of State, foreign operations, and related pro-
17 grams, and funds used for such costs shall be subject to
18 the regular notification procedures of the Committees on
19 Appropriations: *Provided further*, That the provisions of
20 section 107A(d) (relating to general provisions applicable
21 to the Development Credit Authority) of the Foreign As-
22 sistance Act of 1961, as contained in section 306 of H.R.
23 1486 as reported by the House Committee on Inter-
24 national Relations on May 9, 1997, shall be applicable to
25 direct loans and loan guarantees provided under this head-

1 ing, except that the principal amount of loans made or
2 guaranteed under this heading with respect to any single
3 country shall not exceed \$300,000,000: *Provided further*,
4 That these funds are available to subsidize total loan prin-
5 cipal, any portion of which is to be guaranteed, of up to
6 \$1,500,000,000.

7 In addition, for administrative expenses to carry out
8 credit programs administered by USAID, \$8,120,000,
9 which may be transferred to, and merged with, funds
10 made available under the heading “Operating Expenses”
11 in title II of this Act: *Provided*, That funds made available
12 under this heading shall remain available until September
13 30, 2018.

14 ECONOMIC SUPPORT FUND

15 For necessary expenses to carry out the provisions
16 of chapter 4 of part II of the Foreign Assistance Act of
17 1961, \$1,991,070,000, to remain available until Sep-
18 tember 30, 2017.

19 DEMOCRACY FUND

20 For necessary expenses to carry out the provisions
21 of the Foreign Assistance Act of 1961 for the promotion
22 of democracy globally, \$140,500,000, to remain available
23 until September 30, 2017.

1 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

2 For necessary expenses to carry out the provisions
3 of the Foreign Assistance Act of 1961, the FREEDOM
4 Support Act (Public Law 102–511), and the Support for
5 Eastern European Democracy (SEED) Act of 1989 (Pub-
6 lic Law 101–179), \$443,061,000, to remain available until
7 September 30, 2017, which shall be available, notwith-
8 standing any other provision of law, except section 7070
9 of this Act, for assistance and related programs for coun-
10 tries identified in section 3 of Public Law 102–511 and
11 section 3(c) of Public Law 101–179, in addition to funds
12 otherwise available for such purposes: *Provided*, That
13 funds appropriated by this Act under the heading “Global
14 Health Programs” for assistance for such countries shall
15 be administered in accordance with the responsibilities of
16 the coordinator designated pursuant to section 102 of
17 Public Law 102–511 and section 601 of Public Law 101–
18 179: *Provided further*, That funds appropriated under this
19 heading shall be considered to be economic assistance
20 under the Foreign Assistance Act of 1961 for purposes
21 of making available the administrative authorities con-
22 tained in that Act for the use of economic assistance.

1 DEPARTMENT OF STATE

2 MIGRATION AND REFUGEE ASSISTANCE

3 For necessary expenses not otherwise provided for,
4 to enable the Secretary of State to carry out the provisions
5 of section 2(a) and (b) of the Migration and Refugee As-
6 sistance Act of 1962, and other activities to meet refugee
7 and migration needs; salaries and expenses of personnel
8 and dependents as authorized by the Foreign Service Act
9 of 1980; allowances as authorized by sections 5921
10 through 5925 of title 5, United States Code; purchase and
11 hire of passenger motor vehicles; and services as author-
12 ized by section 3109 of title 5, United States Code,
13 \$931,886,000, to remain available until expended, of
14 which not less than \$35,000,000 shall be made available
15 to respond to small-scale emergency humanitarian require-
16 ments, and \$10,000,000 shall be made available for refu-
17 gees resettling in Israel.

18 UNITED STATES EMERGENCY REFUGEE AND MIGRATION

19 ASSISTANCE FUND

20 For necessary expenses to carry out the provisions
21 of section 2(c) of the Migration and Refugee Assistance
22 Act of 1962, as amended (22 U.S.C. 2601(c)),
23 \$50,000,000, to remain available until expended.

1 INDEPENDENT AGENCIES

2 PEACE CORPS

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses to carry out the provisions
5 of the Peace Corps Act (22 U.S.C. 2501 et seq.), including
6 the purchase of not to exceed five passenger motor vehicles
7 for administrative purposes for use outside of the United
8 States, \$379,500,000, of which \$5,150,000 is for the Of-
9 fice of Inspector General, to remain available until Sep-
10 tember 30, 2017: *Provided*, That the Director of the Peace
11 Corps may transfer to the Foreign Currency Fluctuations
12 Account, as authorized by section 16 of the Peace Corps
13 Act (22 U.S.C. 2515), an amount not to exceed
14 \$5,000,000: *Provided further*, That funds transferred pur-
15 suant to the previous proviso may not be derived from
16 amounts made available for Peace Corps overseas oper-
17 ations: *Provided further*, That of the funds appropriated
18 under this heading, not to exceed \$104,000 may be avail-
19 able for representation expenses, of which not to exceed
20 \$4,000 may be made available for entertainment expenses:
21 *Provided further*, That any decision to open, close, signifi-
22 cantly reduce, or suspend a domestic or overseas office or
23 country program shall be subject to prior consultation
24 with, and the regular notification procedures of, the Com-
25 mittees on Appropriations, except that prior consultation

1 and regular notification procedures may be waived when
2 there is a substantial security risk to volunteers or other
3 Peace Corps personnel, pursuant to section 7015(e) of this
4 Act: *Provided further*, That none of the funds appropriated
5 under this heading shall be used to pay for abortions: *Pro-*
6 *vided further*, That notwithstanding the previous proviso,
7 section 614 of division E of Public Law 113–76 shall
8 apply to funds appropriated under this heading.

9 MILLENNIUM CHALLENGE CORPORATION

10 For necessary expenses to carry out the provisions
11 of the Millennium Challenge Act of 2003 (22 U.S.C. 7701
12 et seq.) (MCA), \$901,000,000, to remain available until
13 expended: *Provided*, That of the funds appropriated under
14 this heading, up to \$105,000,000 may be available for ad-
15 ministrative expenses of the Millennium Challenge Cor-
16 poration (the Corporation): *Provided further*, That up to
17 5 percent of the funds appropriated under this heading
18 may be made available to carry out the purposes of section
19 616 of the MCA for fiscal year 2016: *Provided further*,
20 That section 605(e) of the MCA shall apply to funds ap-
21 propriated under this heading: *Provided further*, That
22 funds appropriated under this heading may be made avail-
23 able for a Millennium Challenge Compact entered into
24 pursuant to section 609 of the MCA only if such Compact
25 obligates, or contains a commitment to obligate subject to

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

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

1 Challenge Corporation Web site shall be deemed to satisfy
2 the requirements of section 610(b)(2) of the MCA for such
3 Compact: *Provided further*, That none of the funds made
4 available by this Act or prior Acts making appropriations
5 for the Department of State, foreign operations, and re-
6 lated programs shall be available for a threshold program
7 in a country that is not currently a candidate country:
8 *Provided further*, That of the funds appropriated under
9 this heading, not to exceed \$100,000 may be available for
10 representation and entertainment expenses, of which not
11 to exceed \$5,000 may be available for entertainment ex-
12 penses.

13 INTER-AMERICAN FOUNDATION

14 For necessary expenses to carry out the functions of
15 the Inter-American Foundation in accordance with the
16 provisions of section 401 of the Foreign Assistance Act
17 of 1969, \$22,500,000, to remain available until September
18 30, 2017: *Provided*, That of the funds appropriated under
19 this heading, not to exceed \$2,000 may be available for
20 representation expenses.

21 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

22 For necessary expenses to carry out title V of the
23 International Security and Development Cooperation Act
24 of 1980 (Public Law 96-533), \$30,000,000, to remain
25 available until September 30, 2017, of which not to exceed

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

1 appropriation from the Treasury prior to the need of
2 spending such funds for program purposes.

3 DEPARTMENT OF THE TREASURY

4 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

5 For necessary expenses to carry out the provisions
6 of section 129 of the Foreign Assistance Act of 1961,
7 \$23,500,000, to remain available until September 30,
8 2018, which shall be available notwithstanding any other
9 provision of law.

10 TITLE IV

11 INTERNATIONAL SECURITY ASSISTANCE

12 DEPARTMENT OF STATE

13 INTERNATIONAL NARCOTICS CONTROL AND LAW

14 ENFORCEMENT

15 For necessary expenses to carry out section 481 of
16 the Foreign Assistance Act of 1961, \$735,701,000, to re-
17 main available until September 30, 2017: *Provided*, That
18 the provision of assistance by any other United States
19 Government department or agency which is comparable to
20 assistance that may be made available under this heading,
21 but which is provided under any other provision of law,
22 should be provided only with the concurrence of the Sec-
23 retary of State and in accordance with the provisions of
24 sections 481(b) and 622(c) of the Foreign Assistance Act
25 of 1961: *Provided further*, That the Department of State

1 may use the authority of section 608 of the Foreign As-
2 sistance Act of 1961, without regard to its restrictions,
3 to receive excess property from an agency of the United
4 States Government for the purpose of providing such
5 property to a foreign country or international organization
6 under chapter 8 of part I of that Act, subject to the reg-
7 ular notification procedures of the Committees on Appro-
8 priations: *Provided further*, That section 482(b) of the
9 Foreign Assistance Act of 1961 shall not apply to funds
10 appropriated under this heading, except that any funds
11 made available notwithstanding such section shall be sub-
12 ject to the regular notification procedures of the Commit-
13 tees on Appropriations.

14 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
15 RELATED PROGRAMS

16 For necessary expenses for nonproliferation, anti-ter-
17 rorism, demining and related programs and activities,
18 \$474,187,000, to remain available until September 30,
19 2017, to carry out the provisions of chapter 8 of part II
20 of the Foreign Assistance Act of 1961 for anti-terrorism
21 assistance, chapter 9 of part II of the Foreign Assistance
22 Act of 1961, section 504 of the FREEDOM Support Act,
23 section 23 of the Arms Export Control Act, or the Foreign
24 Assistance Act of 1961 for demining activities, the clear-
25 ance of unexploded ordnance, the destruction of small

1 arms, and related activities, notwithstanding any other
2 provision of law, including activities implemented through
3 nongovernmental and international organizations, and sec-
4 tion 301 of the Foreign Assistance Act of 1961 for a vol-
5 untary contribution to the International Atomic Energy
6 Agency (IAEA), and for a United States contribution to
7 the Comprehensive Nuclear Test Ban Treaty Preparatory
8 Commission: *Provided*, That for the clearance of
9 unexploded ordnance, the Secretary of State should
10 prioritize those areas where such ordnance was caused by
11 the United States: *Provided further*, That funds made
12 available under this heading for the Nonproliferation and
13 Disarmament Fund shall be available notwithstanding any
14 other provision of law and subject to prior consultation
15 with, and the regular notification procedures of, the Com-
16 mittees on Appropriations, to promote bilateral and multi-
17 lateral activities relating to nonproliferation, disar-
18 mament, and weapons destruction, and shall remain avail-
19 able until expended: *Provided further*, That such funds
20 may also be used for such countries other than the inde-
21 pendent states of the former Soviet Union and inter-
22 national organizations when it is in the national security
23 interest of the United States to do so: *Provided further*,
24 That funds appropriated under this heading may be made
25 available for the IAEA unless the Secretary of State deter-

1 mines that Israel is being denied its right to participate
2 in the activities of that Agency: *Provided further*, That
3 funds made available for conventional weapons destruction
4 programs, including demining and related activities, in ad-
5 dition to funds otherwise available for such purposes, may
6 be used for administrative expenses related to the oper-
7 ation and management of such programs and activities.

8 PEACEKEEPING OPERATIONS

9 For necessary expenses to carry out the provisions
10 of section 551 of the Foreign Assistance Act of 1961,
11 \$166,700,000: *Provided*, That funds appropriated under
12 this heading may be used, notwithstanding section 660 of
13 such Act, to provide assistance to enhance the capacity
14 of foreign civilian security forces, including gendarmes, to
15 participate in peacekeeping operations: *Provided further*,
16 That of the funds appropriated under this heading, not
17 less than \$35,000,000 shall be made available for a United
18 States contribution to the Multinational Force and Ob-
19 servers mission in the Sinai: *Provided further*, That none
20 of the funds appropriated under this heading shall be obli-
21 gated except as provided through the regular notification
22 procedures of the Committees on Appropriations.

1 FUNDS APPROPRIATED TO THE PRESIDENT

2 INTERNATIONAL MILITARY EDUCATION AND TRAINING

3 For necessary expenses to carry out the provisions
4 of section 541 of the Foreign Assistance Act of 1961,
5 \$107,587,000, of which up to \$4,000,000 may remain
6 available until September 30, 2017, and may only be pro-
7 vided through the regular notification procedures of the
8 Committees on Appropriations: *Provided*, That the civilian
9 personnel for whom military education and training may
10 be provided under this heading may include civilians who
11 are not members of a government whose participation
12 would contribute to improved civil-military relations, civil-
13 ian control of the military, or respect for human rights:
14 *Provided further*, That of the funds appropriated under
15 this heading, not to exceed \$55,000 may be available for
16 entertainment expenses.

17 FOREIGN MILITARY FINANCING PROGRAM

18 For necessary expenses for grants to enable the
19 President to carry out the provisions of section 23 of the
20 Arms Export Control Act, \$4,543,934,000: *Provided*,
21 That to expedite the provision of assistance to foreign
22 countries and international organizations, the Secretary of
23 State, following consultation with the Committees on Ap-
24 propriations and subject to the regular notification proce-
25 dures of such Committees, may use the funds appro-

1 priated under this heading to procure defense articles and
2 services to enhance the capacity of foreign security forces:
3 *Provided further*, That of the funds appropriated under
4 this heading, not less than \$3,100,000,000 shall be avail-
5 able for grants only for Israel, and funds are available for
6 assistance for Jordan and Egypt subject to section 7041
7 of this Act: *Provided further*, That the funds appropriated
8 under this heading for assistance for Israel shall be dis-
9 bursed within 30 days of enactment of this Act: *Provided*
10 *further*, That to the extent that the Government of Israel
11 requests that funds be used for such purposes, grants
12 made available for Israel under this heading shall, as
13 agreed by the United States and Israel, be available for
14 advanced weapons systems, of which not less than
15 \$815,300,000 shall be available for the procurement in
16 Israel of defense articles and defense services, including
17 research and development: *Provided further*, That none of
18 the funds made available under this heading shall be made
19 available to support or continue any program initially
20 funded under the authority of section 1206 of the National
21 Defense Authorization Act for Fiscal Year 2006 (Public
22 Law 109–163; 119 Stat. 3456), or section 2282 of title
23 10, United States Code, unless the Secretary of State, in
24 coordination with the Secretary of Defense, has justified
25 such program to the Committees on Appropriations: *Pro-*

1 *vided further*, That funds appropriated or otherwise made
2 available under this heading shall be nonrepayable not-
3 withstanding any requirement in section 23 of the Arms
4 Export Control Act: *Provided further*, That funds made
5 available under this heading shall be obligated upon appor-
6 tionment in accordance with paragraph (5)(C) of section
7 1501(a) of title 31, United States Code.

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

1 the “Foreign Military Sales Financing Program” in the
2 fiscal year 1989 congressional presentation for security as-
3 sistance programs may utilize funds made available under
4 this heading for procurement of defense articles, defense
5 services, or design and construction services that are not
6 sold by the United States Government under the Arms
7 Export Control Act: *Provided further*, That funds appro-
8 priated under this heading shall be expended at the min-
9 imum rate necessary to make timely payment for defense
10 articles and services: *Provided further*, That not more than
11 \$63,945,000 of the funds appropriated under this heading
12 may be obligated for necessary expenses, including the
13 purchase of passenger motor vehicles for replacement only
14 for use outside of the United States, for the general costs
15 of administering military assistance and sales, except that
16 this limitation may be exceeded only through the regular
17 notification procedures of the Committees on Appropria-
18 tions: *Provided further*, That of the funds made available
19 under this heading for general costs of administering mili-
20 tary assistance and sales, not to exceed \$4,000 may be
21 available for entertainment expenses and not to exceed
22 \$130,000 may be available for representation expenses:
23 *Provided further*, That not more than \$904,000,000 of
24 funds realized pursuant to section 21(e)(1)(A) of the Arms
25 Export Control Act may be obligated for expenses incurred

1 by the Department of Defense during fiscal year 2016
2 pursuant to section 43(b) of the Arms Export Control Act,
3 except that this limitation may be exceeded only through
4 the regular notification procedures of the Committees on
5 Appropriations.

6 TITLE V

7 MULTILATERAL ASSISTANCE

8 FUNDS APPROPRIATED TO THE PRESIDENT

9 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

10 For necessary expenses to carry out the provisions
11 of section 301 of the Foreign Assistance Act of 1961, and
12 of section 2 of the United Nations Environment Program
13 Participation Act of 1973, \$339,000,000: *Provided*, That
14 section 307(a) of the Foreign Assistance Act of 1961 shall
15 not apply to contributions to the United Nations Democ-
16 racy Fund.

17 INTERNATIONAL FINANCIAL INSTITUTIONS

18 GLOBAL ENVIRONMENT FACILITY

19 For payment to the International Bank for Recon-
20 struction and Development as trustee for the Global Envi-
21 ronment Facility by the Secretary of the Treasury,
22 \$84,132,000, to remain available until expended.

1 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
2 ASSOCIATION

3 For payment to the International Development Asso-
4 ciation by the Secretary of the Treasury, \$645,300,000,
5 to remain available until expended.

6 CONTRIBUTION TO THE INTERNATIONAL BANK FOR
7 RECONSTRUCTION AND DEVELOPMENT

8 For payment to the International Bank for Recon-
9 struction and Development by the Secretary of the Treas-
10 ury for the United States share of the paid-in portion of
11 the increases in capital stock, \$96,460,000, to remain
12 available until expended.

13 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

14 The United States Governor of the International
15 Bank for Reconstruction and Development may subscribe
16 without fiscal year limitation to the callable capital portion
17 of the United States share of increases in capital stock
18 in an amount not to exceed \$2,928,990,899.

19 CONTRIBUTION TO THE CLEAN TECHNOLOGY FUND

20 For payment to the International Bank for Recon-
21 struction and Development as trustee for the Clean Tech-
22 nology Fund by the Secretary of the Treasury,
23 \$85,340,000, to remain available until expended.

1 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

2 For payment to the Asian Development Bank's Asian
3 Development Fund by the Secretary of the Treasury,
4 \$83,043,000, to remain available until expended.

5 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

6 For payment to the African Development Bank by
7 the Secretary of the Treasury for the United States share
8 of the paid-in portion of the increase in capital stock,
9 \$17,059,000, to remain available until expended.

10 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

16 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

17 For payment to the African Development Fund by
18 the Secretary of the Treasury, \$113,750,000, to remain
19 available until expended.

20 CONTRIBUTION TO THE INTERNATIONAL FUND FOR

21 AGRICULTURAL DEVELOPMENT

22 For payment to the International Fund for Agricul-
23 tural Development by the Secretary of the Treasury,
24 \$15,965,000, to remain available until expended.

1 GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

2 For payment to the Global Agriculture and Food Se-
3 curity Program by the Secretary of the Treasury,
4 \$21,500,000, to remain available until expended.

5 CONTRIBUTION TO THE NORTH AMERICAN DEVELOPMENT
6 BANK

7 For payment to the North American Development
8 Bank by the Secretary of the Treasury for the United
9 States share of the paid-in portion of the increase in cap-
10 ital stock, \$22,500,000, to remain available until ex-
11 pended.

12 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

13 The Secretary of the Treasury may subscribe without
14 fiscal year limitation to the callable capital portion of the
15 United States share of such capital stock in an amount
16 not to exceed \$255,000,000.

17 TITLE VI

18 EXPORT AND INVESTMENT ASSISTANCE

19 EXPORT-IMPORT BANK OF THE UNITED STATES

20 INSPECTOR GENERAL

21 For necessary expenses of the Office of Inspector
22 General in carrying out the provisions of the Inspector
23 General Act of 1978, as amended, \$6,000,000, to remain
24 available until September 30, 2017.

PROGRAM ACCOUNT

1
2 The Export-Import Bank (the Bank) of the United
3 States is authorized to make such expenditures within the
4 limits of funds and borrowing authority available to such
5 corporation, and in accordance with law, and to make such
6 contracts and commitments without regard to fiscal year
7 limitations, as provided by section 104 of the Government
8 Corporation Control Act, as may be necessary in carrying
9 out the program for the current fiscal year for such cor-
10 poration: *Provided*, That none of the funds available dur-
11 ing the current fiscal year may be used to make expendi-
12 tures, contracts, or commitments for the export of nuclear
13 equipment, fuel, or technology to any country, other than
14 a nuclear-weapon state as defined in Article IX of the
15 Treaty on the Non-Proliferation of Nuclear Weapons eligi-
16 ble to receive economic or military assistance under this
17 Act, that has detonated a nuclear explosive after the date
18 of the enactment of this Act: *Provided further*, That not
19 less than 20 percent of the aggregate loan, guarantee, and
20 insurance authority available to the Bank under this Act
21 should be used to finance exports directly by small busi-
22 ness concerns (as defined under section 3 of the Small
23 Business Act): *Provided further*, That not less than 10
24 percent of the aggregate loan, guarantee, and insurance
25 authority available to the Bank under this Act should be

1 used for renewable energy technologies or energy efficiency
2 technologies: *Provided further*, That notwithstanding sec-
3 tion 1(c) of Public Law 103–428, as amended, sections
4 1(a) and (b) of Public Law 103–428 shall remain in effect
5 through October 1, 2016.

6 ADMINISTRATIVE EXPENSES

7 For administrative expenses to carry out the direct
8 and guaranteed loan and insurance programs, including
9 hire of passenger motor vehicles and services as authorized
10 by section 3109 of title 5, United States Code, and not
11 to exceed \$30,000 for official reception and representation
12 expenses for members of the Board of Directors, not to
13 exceed \$106,250,000: *Provided*, That the Export-Import
14 Bank (the Bank) may accept, and use, payment or serv-
15 ices provided by transaction participants for legal, finan-
16 cial, or technical services in connection with any trans-
17 action for which an application for a loan, guarantee or
18 insurance commitment has been made: *Provided further*,
19 That notwithstanding subsection (b) of section 117 of the
20 Export Enhancement Act of 1992, subsection (a) thereof
21 shall remain in effect until September 30, 2016: *Provided*
22 *further*, That the Bank shall charge fees for necessary ex-
23 penses (including special services performed on a contract
24 or fee basis, but not including other personal services) in
25 connection with the collection of moneys owed the Bank,

1 repossession or sale of pledged collateral or other assets
2 acquired by the Bank in satisfaction of moneys owed the
3 Bank, or the investigation or appraisal of any property,
4 or the evaluation of the legal, financial, or technical as-
5 pects of any transaction for which an application for a
6 loan, guarantee, or insurance commitment has been made,
7 or systems infrastructure directly supporting transactions:
8 *Provided further*, That in addition to other funds appro-
9 priated for administrative expenses, such fees shall be
10 credited to this account for such purposes, to remain avail-
11 able until expended.

12 RECEIPTS COLLECTED

13 Receipts collected pursuant to the Export-Import
14 Bank Act of 1945, as amended, and the Federal Credit
15 Reform Act of 1990, as amended, in an amount not to
16 exceed the amount appropriated herein, shall be credited
17 as offsetting collections to this account: *Provided*, That the
18 sums herein appropriated from the General Fund shall be
19 reduced on a dollar-for-dollar basis by such offsetting col-
20 lections so as to result in a final fiscal year appropriation
21 from the General Fund estimated at \$0: *Provided further*,
22 That amounts collected in fiscal year 2016 in excess of
23 obligations, up to \$10,000,000 shall become available on
24 September 1, 2016, and shall remain available until Sep-
25 tember 30, 2019.

1 modifying such loans, shall be as defined in section 502
2 of the Congressional Budget Act of 1974: *Provided fur-*
3 *ther*, That such sums shall be available for direct loan obli-
4 gations and loan guaranty commitments incurred or made
5 during fiscal years 2016, 2017, and 2018: *Provided fur-*
6 *ther*, That funds so obligated in fiscal year 2016 remain
7 available for disbursement through 2024; funds obligated
8 in fiscal year 2017 remain available for disbursement
9 through 2025; and funds obligated in fiscal year 2018 re-
10 main available for disbursement through 2026: *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 \$60,000,000, to remain available until September 30,
5 2017: *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 2016 or any pre-
2 vious fiscal year, disaggregated by fiscal year: *Provided*,
3 That the report required by this section should specify by
4 account the amount of funds obligated pursuant to bilat-
5 eral agreements which have not been further sub-obli-
6 gated.

7 CONSULTING SERVICES

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

16 DIPLOMATIC FACILITIES

17 SEC. 7004. (a) CAPITAL SECURITY COST SHAR-
18 ING.—Of funds provided under title I of this Act, except
19 as provided in subsection (b), a project to construct a dip-
20 lomatic facility of the United States may not include office
21 space or other accommodations for an employee of a Fed-
22 eral agency or department if the Secretary of State deter-
23 mines that such department or agency has not provided
24 to the Department of State the full amount of funding
25 required by subsection (e) of section 604 of the Secure

1 Embassy Construction and Counterterrorism Act of 1999
2 (as enacted into law by section 1000(a)(7) of Public Law
3 106–113 and contained in appendix G of that Act; 113
4 Stat. 1501A–453), as amended by section 629 of the De-
5 partments of Commerce, Justice, and State, the Judiciary,
6 and Related Agencies Appropriations Act, 2005.

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

12 (c) NEW DIPLOMATIC FACILITIES.—For the pur-
13 poses of calculating the fiscal year 2016 costs of providing
14 new United States diplomatic facilities in accordance with
15 section 604(e) of the Secure Embassy Construction and
16 Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the
17 Secretary of State, in consultation with the Director of
18 the Office of Management and Budget, shall determine the
19 annual program level and agency shares in a manner that
20 is proportional to the Department of State’s contribution
21 for this purpose.

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

1 available for the acquisition of property or award of con-
2 struction contracts for overseas diplomatic facilities during
3 fiscal year 2016, shall be subject to prior consultation
4 with, and the regular notification procedures of, the Com-
5 mittees on Appropriations: *Provided*, That any such notifi-
6 cation for a new diplomatic facility justified to the Com-
7 mittees on Appropriations in Appendix I of the Congres-
8 sional Budget Justification, Department of State, Diplo-
9 matic Engagement, Fiscal Year 2016, or not previously
10 justified to such Committees, shall include confirmation
11 that the Department of State has completed the requisite
12 value engineering studies required pursuant to OMB Cir-
13 cular A-131, Value Engineering December 31, 2013 and
14 the Bureau of Overseas Building Operations Policy and
15 Procedure Directive, P&PD, PE/DE 03; Value Engineer-
16 ing, May 26, 2004.

17 (e) EXPEDITIONARY, INTERIM, AND TEMPORARY FA-
18 CILITIES ABROAD.—

19 (1) Funds appropriated by this Act under the
20 heading “Embassy Security, Construction, and
21 Maintenance” may be made available to address se-
22 curity vulnerabilities at expeditionary, interim, and
23 temporary facilities abroad, including physical secu-
24 rity upgrades and local guard staffing, except that
25 the amount of funds made available for such pur-

1 poses from this Act and prior Acts making appro-
2 priations for the Department of State, foreign oper-
3 ations, and related programs shall be a minimum of
4 \$25,000,000: *Provided*, That the uses of such funds
5 should be the responsibility of the Assistant Sec-
6 retary of State for the Bureau of Diplomatic Secu-
7 rity and Foreign Missions, in consultation with the
8 Director of the Bureau of Overseas Buildings Oper-
9 ations: *Provided further*, That such funds shall be
10 subject to prior consultation with the Committees on
11 Appropriations.

12 (2) Notwithstanding any other provision of law,
13 the opening, closure, or any significant modification
14 to an expeditionary, interim, or temporary diplo-
15 matic facility shall be subject to prior consultation
16 with the appropriate congressional committees and
17 the regular notification procedures of the Commit-
18 tees on Appropriations, except that such consulta-
19 tion and notification may be waived if there is a se-
20 curity risk to personnel.

21 (3) Not later than 60 days after enactment of
22 this Act, the Department of State shall document
23 standard operating procedures and best practices as-
24 sociated with the delivery, construction, and protec-
25 tion of temporary structures in high threat and con-

1 flict environments: *Provided*, That the Secretary of
2 State shall notify the Committees on Appropriations
3 after completing such documentation.

4 (f) FOREIGN AFFAIRS SECURITY TRAINING CEN-
5 TER.—

6 (1) None of the funds made available by this
7 Act and prior Acts making appropriations for the
8 Department of State, foreign operations, and related
9 programs may be obligated for design, site prepara-
10 tion or construction of a Foreign Affairs Security
11 Training Center (FASTC) at Fort Pickett, Virginia,
12 until each of the following occurs:

13 (A) The Secretary of State submits to the
14 appropriate congressional committees, the
15 Comptroller General of the United States, and
16 the Director of the Office of Management and
17 Budget a comprehensive cost-benefit analysis of
18 the construction of FASTC at Fort Pickett,
19 Virginia that includes, at a minimum, the fol-
20 lowing: a life-cycle cost estimate of construction,
21 maintenance, and sustainment of FASTC; an
22 estimate of the effect of FASTC on the total
23 cost associated with conducting security train-
24 ing for Department of State personnel and de-
25 pendants, as appropriate; and a detailed anal-

1 ysis that quantifies the impact of FASTC on
2 the training capacity and operational effective-
3 ness of Bureau of Diplomatic Security, Depart-
4 ment of State;

5 (B) The Comptroller General submits an
6 assessment of the analysis required by subpara-
7 graph (A) to the appropriate congressional com-
8 mittees on the methodology, analysis and con-
9 clusions of the report submitted by the Sec-
10 retary of State; and

11 (C) The Secretary of State, in consultation
12 with the Director of the Office of Management
13 and Budget, reviews the report required under
14 subparagraph (A) and the assessment required
15 under subparagraph (B), and certifies to the
16 appropriate congressional committees that the
17 construction of FASTC at Fort Pickett, Vir-
18 ginia would provide efficiencies and increases in
19 the training capacity and operational effective-
20 ness of the Bureau of Diplomatic Security com-
21 mensurate with the estimated life-cycle costs of
22 constructing, maintaining, and sustaining
23 FASTC.

24 (2) Not later than 180 days after the enact-
25 ment of this Act, the Secretary of State shall submit

1 the report required subparagraph (A), and not later
2 than 180 days after receiving such report, the
3 Comptroller General shall submit the assessment re-
4 quired under subparagraph (B).

5 (g) COMPLIANCE WITH THE VIENNA CONVENTION
6 ON DIPLOMATIC RELATIONS BY THE PEOPLE'S REPUBLIC
7 OF CHINA.—Not later than 30 days after enactment of
8 this Act, the Secretary of State shall determine and report
9 to the appropriate congressional committees the extent to
10 which the Government of the People's Republic of China
11 (PRC) has taken action to interfere with the repair and
12 renovation of United States diplomatic facilities in the
13 PRC during the past calendar year, including any action
14 taken in contravention of the Vienna Convention on Diplo-
15 matic Relations, 1961.

16 (h) TRANSFER AUTHORITY.—Funds appropriated
17 under the heading “Diplomatic and Consular Programs”,
18 including for Worldwide Security Protection, and under
19 the heading “Embassy Security, Construction, and Main-
20 tenance” in titles I and VIII of this Act may be trans-
21 ferred to, and merged with, funds appropriated by such
22 titles under such headings if the Secretary of State deter-
23 mines and reports to the Committees on Appropriations
24 that to do so is necessary to implement the recommenda-
25 tions of the Benghazi Accountability Review Board, or to

1 prevent or respond to security situations and require-
2 ments, following consultation with, and subject to the reg-
3 ular notification procedures of, such Committees: *Pro-*
4 *vided*, That such transfer authority is in addition to any
5 transfer authority otherwise available under any other pro-
6 vision of law.

7 PERSONNEL ACTIONS

8 SEC. 7005. Any costs incurred by a department or
9 agency funded under title I of this Act resulting from per-
10 sonnel actions taken in response to funding reductions in-
11 cluded in this Act shall be absorbed within the total budg-
12 etary resources available under title I to such department
13 or agency: *Provided*, That the authority to transfer funds
14 between appropriations accounts as may be necessary to
15 carry out this section is provided in addition to authorities
16 included elsewhere in this Act: *Provided further*, That use
17 of funds to carry out this section shall be treated as a
18 reprogramming of funds under section 7015 of this Act
19 and shall not be available for obligation or expenditure ex-
20 cept in compliance with the procedures set forth in that
21 section.

22 LOCAL GUARD CONTRACTS

23 SEC. 7006. In evaluating proposals for local guard
24 contracts, the Secretary of State shall award contracts in
25 accordance with section 136 of the Foreign Relations Au-

1 thORIZATION Act, Fiscal Years 1990 and 1991 (22 U.S.C.
2 4864), except that the Secretary may grant authorization
3 to award such contracts on the basis of best value as de-
4 termined by a cost-technical tradeoff analysis (as de-
5 scribed in Federal Acquisition Regulation part 15.101),
6 notwithstanding subsection (c)(3) of such section: *Pro-*
7 *vided*, That the authority in this section shall apply to any
8 options for renewal that may be exercised under such con-
9 tracts that are awarded during the current fiscal year.

10 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
11 COUNTRIES

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

20 COUPS D'ÉTAT

21 SEC. 7008. None of the funds appropriated or other-
22 wise made available pursuant to titles III through VI of
23 this Act shall be obligated or expended to finance directly
24 any assistance to the government of any country whose
25 duly elected head of government is deposed by military

1 coup d'état or decree or, after the date of enactment of
2 this Act, a coup d'état or decree in which the military
3 plays a decisive role: *Provided*, That assistance may be re-
4 sumed to such government if the Secretary of State cer-
5 tifies and reports to the appropriate congressional commit-
6 tees that subsequent to the termination of assistance a
7 democratically elected government has taken office: *Pro-*
8 *vided further*, That the provisions of this section shall not
9 apply to assistance to promote democratic elections or
10 public participation in democratic processes: *Provided fur-*
11 *ther*, That funds made available pursuant to the previous
12 provisos shall be subject to the regular notification proce-
13 dures of the Committees on Appropriations.

14

TRANSFER AUTHORITY

15

SEC. 7009. (a) DEPARTMENT OF STATE AND BROAD-

16

CASTING BOARD OF GOVERNORS.—

17

(1) Not to exceed 5 percent of any appropria-

18

tion made available for the current fiscal year for

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the Department of State under title I of this Act

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may be transferred between, and merged with, such

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appropriations, but no such appropriation, except as

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otherwise specifically provided, shall be increased by

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more than 10 percent by any such transfers, and no

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such transfer may be made to increase the appro-

1 priation under the heading “Representation Ex-
2 penses”.

3 (2) Not to exceed 5 percent of any appropria-
4 tion made available for the current fiscal year for
5 the Broadcasting Board of Governors under title I
6 of this Act may be transferred between, and merged
7 with, such appropriations, but no such appropria-
8 tion, except as otherwise specifically provided, shall
9 be increased by more than 10 percent by any such
10 transfers.

11 (3) Any transfer pursuant to this section shall
12 be treated as a reprogramming of funds under sub-
13 sections (a) and (b) of section 7015 of this Act and
14 shall not be available for obligation or expenditure
15 except in compliance with the procedures set forth in
16 that section.

17 (b) EXPORT FINANCING TRANSFER AUTHORITIES.—
18 Not to exceed 5 percent of any appropriation other than
19 for administrative expenses made available for fiscal year
20 2016, for programs under title VI of this Act may be
21 transferred between such appropriations for use for any
22 of the purposes, programs, and activities for which the
23 funds in such receiving account may be used, but no such
24 appropriation, except as otherwise specifically provided,
25 shall be increased by more than 25 percent by any such

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

4 (c) LIMITATION ON TRANSFERS BETWEEN AGEN-
5 CIES.—

6 (1) None of the funds made available under ti-
7 tles II through V of this Act may be transferred to
8 any department, agency, or instrumentality of the
9 United States Government, except pursuant to a
10 transfer made by, or transfer authority provided in,
11 this Act or any other appropriations Act.

12 (2) Notwithstanding paragraph (1), in addition
13 to transfers made by, or authorized elsewhere in,
14 this Act, funds appropriated by this Act to carry out
15 the purposes of the Foreign Assistance Act of 1961
16 may be allocated or transferred to agencies of the
17 United States Government pursuant to the provi-
18 sions of sections 109, 610, and 632 of the Foreign
19 Assistance Act of 1961.

20 (3) Any agreement entered into by the United
21 States Agency for International Development
22 (USAID) or the Department of State with any de-
23 partment, agency, or instrumentality of the United
24 States Government pursuant to section 632(b) of the
25 Foreign Assistance Act of 1961 valued in excess of

1 \$1,000,000 and any agreement made pursuant to
2 section 632(a) of such Act, with funds appropriated
3 by this Act and prior Acts making appropriations
4 for the Department of State, foreign operations, and
5 related programs under the headings “Global Health
6 Programs”, “Development Assistance”, “Economic
7 Support Fund”, and “Assistance for Europe, Eur-
8 asia and Central Asia” shall be subject to the reg-
9 ular notification procedures of the Committees on
10 Appropriations: *Provided*, That the requirement in
11 the previous sentence shall not apply to agreements
12 entered into between USAID and the Department of
13 State.

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

23 (e) AUDIT OF INTER-AGENCY TRANSFERS.—Any
24 agreement for the transfer or allocation of funds appro-
25 priated by this Act, or prior Acts, entered into between

1 the Department of State or USAID and another agency
2 of the United States Government under the authority of
3 section 632(a) of the Foreign Assistance Act of 1961 or
4 any comparable provision of law, shall expressly provide
5 that the Inspector General (IG) for the agency receiving
6 the transfer or allocation of such funds, or other entity
7 with audit responsibility if the receiving agency does not
8 have an IG, shall perform periodic program and financial
9 audits of the use of such funds: *Provided*, That such au-
10 dits shall be transmitted to the Committees on Appropria-
11 tions: *Provided further*, That funds transferred under such
12 authority may be made available for the cost of such au-
13 dits.

14 PROHIBITION ON FIRST-CLASS TRAVEL

15 SEC. 7010. None of the funds made available in this
16 Act may be used for first-class travel by employees of
17 agencies funded by this Act in contravention of sections
18 301–10.122 through 301–10.124 of title 41, Code of Fed-
19 eral Regulations.

20 AVAILABILITY OF FUNDS

21 SEC. 7011. No part of any appropriation contained
22 in this Act shall remain available for obligation after the
23 expiration of the current fiscal year unless expressly so
24 provided in this Act: *Provided*, That funds appropriated
25 for the purposes of chapters 1 and 8 of part I, section

1 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign
2 Assistance Act of 1961, section 23 of the Arms Export
3 Control Act, and funds provided under the headings “De-
4 velopment Credit Authority” and “Assistance for Europe,
5 Eurasia and Central Asia” shall remain available for an
6 additional 4 years from the date on which the availability
7 of such funds would otherwise have expired, if such funds
8 are initially obligated before the expiration of their respec-
9 tive periods of availability contained in this Act: *Provided*
10 *further*, That notwithstanding any other provision of this
11 Act, any funds made available for the purposes of chapter
12 1 of part I and chapter 4 of part II of the Foreign Assist-
13 ance Act of 1961 which are allocated or obligated for cash
14 disbursements in order to address balance of payments or
15 economic policy reform objectives, shall remain available
16 for an additional 4 years from the date on which the avail-
17 ability of such funds would otherwise have expired, if such
18 funds are initially allocated or obligated before the expira-
19 tion of their respective periods of availability contained in
20 this Act: *Provided further*, That the Secretary of State
21 shall provide a report to the Committees on Appropria-
22 tions at the beginning of each fiscal year, detailing by ac-
23 count and source year, the use of this authority during
24 the previous fiscal year.

1 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

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

13 PROHIBITION ON TAXATION OF UNITED STATES

14 ASSISTANCE

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

1 lateral agreements, as necessary, to conform with this re-
2 quirement.

3 (b) REIMBURSEMENT OF FOREIGN TAXES.—An
4 amount equivalent to 200 percent of the total taxes as-
5 sessed during fiscal year 2016 on funds appropriated by
6 this Act by a foreign government or entity against United
7 States assistance programs for which funds are appro-
8 priated by this Act, either directly or through grantees,
9 contractors, and subcontractors shall be withheld from ob-
10 ligation from funds appropriated for assistance for fiscal
11 year 2017 and allocated for the central government of
12 such country and for the West Bank and Gaza program
13 to the extent that the Secretary of State certifies and re-
14 ports in writing to the Committees on Appropriations, not
15 later than September 30, 2017, that such taxes have not
16 been reimbursed to the Government of the United States.

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

20 (d) REPROGRAMMING OF FUNDS.—Funds withheld
21 from obligation for each country or entity pursuant to sub-
22 section (b) shall be reprogrammed for assistance for coun-
23 tries which do not assess taxes on United States assistance
24 or which have an effective arrangement that is providing
25 substantial reimbursement of such taxes, and that can

1 reasonably accommodate such assistance in a program-
2 matically responsible manner.

3 (e) DETERMINATIONS.—

4 (1) The provisions of this section shall not
5 apply to any country or entity if the Secretary of
6 State reports to the Committees on Appropriations
7 that—

8 (A) such country or entity does not assess
9 taxes on United States assistance or has an ef-
10 fective arrangement that is providing substan-
11 tial reimbursement of such taxes; or

12 (B) the foreign policy interests of the
13 United States outweigh the purpose of this sec-
14 tion to ensure that United States assistance is
15 not subject to taxation.

16 (2) The Secretary of State shall consult with
17 the Committees on Appropriations at least 15 days
18 prior to exercising the authority of this subsection
19 with regard to any country or entity.

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

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

1 programs within the same account notwithstanding the
2 designation if compliance with the designation is made im-
3 possible by operation of any provision of this or any other
4 Act: *Provided*, That any such reprogramming shall be sub-
5 ject to the regular notification procedures of the Commit-
6 tees on Appropriations: *Provided further*, That assistance
7 that is reprogrammed pursuant to this subsection shall be
8 made available under the same terms and conditions as
9 originally provided.

10 (b) EXTENSION OF AVAILABILITY.—In addition to
11 the authority contained in subsection (a), the original pe-
12 riod of availability of funds appropriated by this Act and
13 administered by the Department of State or the United
14 States Agency for International Development (USAID)
15 that are specifically designated for particular programs or
16 activities by this or any other Act may be extended for
17 an additional fiscal year if the Secretary of State or the
18 USAID Administrator, as appropriate, determines and re-
19 ports promptly to the Committees on Appropriations that
20 the termination of assistance to a country or a significant
21 change in circumstances makes it unlikely that such des-
22 igned funds can be obligated during the original period
23 of availability: *Provided*, That such designated funds that
24 continue to be available for an additional fiscal year shall
25 be obligated only for the purpose of such designation.

1 (4) relocates an office or employees;

2 (5) closes or opens a mission or post;

3 (6) creates, closes, reorganizes, or renames bu-
4 reaus, centers, or offices;

5 (7) reorganizes programs or activities; or

6 (8) contracts out or privatizes any functions or
7 activities presently performed by Federal employees;

8 unless the Committees on Appropriations are notified 15
9 days in advance of such reprogramming of funds: *Pro-*
10 *vided*, That unless previously justified to the Committees
11 on Appropriations, the requirements of this subsection
12 shall apply to all obligations of funds appropriated under
13 titles I and II of this Act for paragraphs (1), (2), (5),
14 and (6) of this subsection.

15 (b) LIMITATION.—None of the funds provided under
16 titles I and II of this Act, or provided under previous ap-
17 propriations Acts to the agency or department funded
18 under titles I and II of this Act that remain available for
19 obligation or expenditure in fiscal year 2016, or provided
20 from any accounts in the Treasury of the United States
21 derived by the collection of fees available to the agency
22 or department funded under title I of this Act, shall be
23 available for obligation or expenditure for activities, pro-
24 grams, or projects through a reprogramming of funds in

1 excess of \$1,000,000 or 10 percent, whichever is less,
2 that—

3 (1) augments existing programs, projects, or ac-
4 tivities;

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

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

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

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

1 ations”, and “Peace Corps”, shall be available for obliga-
2 tion for activities, programs, projects, type of materiel as-
3 sistance, countries, or other operations not justified or in
4 excess of the amount justified to the Committees on Ap-
5 propriations for obligation under any of these specific
6 headings unless the Committees on Appropriations are no-
7 tified 15 days in advance: *Provided*, That the President
8 shall not enter into any commitment of funds appropriated
9 for the purposes of section 23 of the Arms Export Control
10 Act for the provision of major defense equipment, other
11 than conventional ammunition, or other major defense
12 items defined to be aircraft, ships, missiles, or combat ve-
13 hicles, not previously justified to Congress or 20 percent
14 in excess of the quantities justified to Congress unless the
15 Committees on Appropriations are notified 15 days in ad-
16 vance of such commitment: *Provided further*, That require-
17 ments of this subsection or any similar provision of this
18 or any other Act shall not apply to any reprogramming
19 for an activity, program, or project for which funds are
20 appropriated under titles III through VI of this Act of less
21 than 10 percent of the amount previously justified to Con-
22 gress for obligation for such activity, program, or project
23 for the current fiscal year.

24 (d) NOTIFICATION OF TRANSFER OF FUNDS.—Not-
25 withstanding any other provision of law, with the excep-

1 tion of funds transferred to, and merged with, funds ap-
2 propriated under title I of this Act, funds transferred by
3 the Department of Defense to the Department of State
4 and the United States Agency for International Develop-
5 ment for assistance for foreign countries and international
6 organizations, and funds made available for programs pre-
7 viously authorized under section 1206 of the National De-
8 fense Authorization Act for Fiscal Year 2006 (Public Law
9 109–163) or section 2282 of title 10, United States Code,
10 shall be subject to the regular notification procedures of
11 the Committees on Appropriations.

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

1 (f) COUNTRY NOTIFICATION REQUIREMENTS.—None
2 of the funds appropriated under titles III through VI of
3 this Act shall be obligated or expended for assistance for
4 Afghanistan, Bahrain, Bolivia, Burma, Cambodia, Cuba,
5 Ecuador, Egypt, Ethiopia, Guatemala, Haiti, Honduras,
6 Iran, Iraq, Lebanon, Libya, Pakistan, the Russian Fed-
7 eration, Rwanda, Serbia, Somalia, South Sudan, Sri
8 Lanka, Sudan, Syria, Uzbekistan, Venezuela, Yemen, and
9 Zimbabwe except as provided through the regular notifica-
10 tion procedures of the Committees on Appropriations.

11 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

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

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

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

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

19 PROHIBITION ON FUNDING FOR ABORTIONS AND
20 INVOLUNTARY STERILIZATION

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

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

18 ALLOCATIONS

19 SEC. 7019. (a) REPORT TABLES.—Funds provided
20 by this Act shall be made available for programs and coun-
21 tries in the amounts specifically designated in the report
22 accompanying this Act, including such amounts in the re-
23 spective tables.

24 (b) LIMITED DEVIATION AUTHORITY.—For the pur-
25 poses of implementing this section and only with respect

1 to the amounts for programs and countries specifically
2 designated in the tables in the report accompanying this
3 Act, the Secretary of State, the Administrator of the
4 United States Agency for International Development, and
5 the Broadcasting Board of Governors, as appropriate, may
6 propose deviations to the amounts referenced in subsection
7 (a), subject to the regular notification procedures of the
8 Committees on Appropriations.

9 REPRESENTATION AND ENTERTAINMENT EXPENSES

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

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

19 (2) principally for meals and events of a pro-
20 tocol nature;

21 (3) not for employee-only events; and

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

24 (b) LIMITATIONS.—None of the funds appropriated
25 or otherwise made available by this Act under the head-

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

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

13 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

14 SUPPORTING INTERNATIONAL TERRORISM

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

- 17 (1) PROHIBITION.—None of the funds appro-
18 priated or otherwise made available by titles III
19 through VI of this Act may be made available to any
20 foreign government which provides lethal military
21 equipment to a country the government of which the
22 Secretary of State determines and reports to the
23 Committees on Appropriations supports inter-
24 national terrorism for purposes of section 6(j) of the
25 Export Administration Act of 1979 as continued in

1 effect pursuant to the International Emergency Eco-
2 nomic Powers Act: *Provided*, That the prohibition
3 under this section with respect to a foreign govern-
4 ment shall terminate 12 months after the Secretary
5 determines and reports to such Committees that
6 such government ceases to provide such military
7 equipment: *Provided further*, That this section ap-
8 plies with respect to lethal military equipment pro-
9 vided under a contract entered into after October 1,
10 1997.

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

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

25 (b) BILATERAL ASSISTANCE.—

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

8 (A) grants sanctuary from prosecution to
9 any individual or group which has committed
10 an act of international terrorism;

11 (B) otherwise supports international ter-
12 rorism; or

13 (C) is controlled by an organization des-
14 ignated as a terrorist organization under sec-
15 tion 219 of the Immigration and Nationality
16 Act.

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

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

3 AUTHORIZATION REQUIREMENTS

4 SEC. 7022. Funds appropriated by this Act, except
5 funds appropriated under the heading “Trade and Devel-
6 opment Agency”, may be obligated and expended notwith-
7 standing section 10 of Public Law 91–672, section 15 of
8 the State Department Basic Authorities Act of 1956, sec-
9 tion 313 of the Foreign Relations Authorization Act, Fis-
10 cal Years 1994 and 1995 (Public Law 103–236), and sec-
11 tion 504(a)(1) of the National Security Act of 1947 (50
12 U.S.C. 3094(a)(1)).

13 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

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

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

3 (1) justified to Congress; or

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

9 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN
10 FOUNDATION AND UNITED STATES AFRICAN DEVEL-
11 OPMENT FOUNDATION

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

1 COMMERCE, TRADE AND SURPLUS COMMODITIES

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

24 (1) activities in a country that is eligible for as-
25 sistance from the International Development Asso-

1 ciation, is not eligible for assistance from the Inter-
2 national Bank for Reconstruction and Development,
3 and does not export on a consistent basis the agri-
4 cultural commodity with respect to which assistance
5 is furnished; or

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

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

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

23 (2) research activities intended primarily to
24 benefit United States producers;

1 (1) AGREEMENTS.—If assistance is furnished to
2 the government of a foreign country under chapters
3 1 and 10 of part I or chapter 4 of part II of the
4 Foreign Assistance Act of 1961 under agreements
5 which result in the generation of local currencies of
6 that country, the Administrator of the United States
7 Agency for International Development (USAID)
8 shall—

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

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

14 (i) the amount of the local currencies
15 to be generated; and

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

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

24 (2) USES OF LOCAL CURRENCIES.—As may be
25 agreed upon with the foreign government, local cur-

1 rencias deposited in a separate account pursuant to
2 subsection (a), or an equivalent amount of local cur-
3 rencias, shall be used only—

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

8 (i) project and sector assistance activi-
9 ties; or

10 (ii) debt and deficit financing; or

11 (B) for the administrative requirements of
12 the United States Government.

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

20 (4) TERMINATION OF ASSISTANCE PRO-
21 GRAMS.—Upon termination of assistance to a coun-
22 try under chapter 1 or 10 of part I or chapter 4 of
23 part II of the Foreign Assistance Act of 1961 (as
24 the case may be), any unencumbered balances of
25 funds which remain in a separate account estab-

1 lished pursuant to subsection (a) shall be disposed of
2 for such purposes as may be agreed to by the gov-
3 ernment of that country and the United States Gov-
4 ernment.

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

15 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

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

24 (2) APPLICABILITY OF OTHER PROVISIONS OF
25 LAW.—Such funds may be obligated and expended

1 notwithstanding provisions of law which are incon-
2 sistent with the nature of this assistance including
3 provisions which are referenced in the Joint Explan-
4 atory Statement of the Committee of Conference ac-
5 companying House Joint Resolution 648 (House Re-
6 port No. 98–1159).

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

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

22 ELIGIBILITY FOR ASSISTANCE

23 SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERN-
24 MENTAL ORGANIZATIONS.—Restrictions contained in this
25 or any other Act with respect to assistance for a country

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

18 (b) PUBLIC LAW 480.—During fiscal year 2016, re-
19 strictions contained in this or any other Act with respect
20 to assistance for a country shall not be construed to re-
21 strict assistance under the Food for Peace Act (Public
22 Law 83–480): *Provided*, That none of the funds appro-
23 priated to carry out title I of such Act and made available
24 pursuant to this subsection may be obligated or expended

1 except as provided through the regular notification proce-
2 dures of the Committees on Appropriations.

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

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

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

13 LOCAL COMPETITION

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

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

22 (A) assessed the level of local capacity to
23 effectively implement, manage, and account for
24 programs included in such competition; and

1 (B) documented the written results of the
2 assessment and decisions made; and

3 (2) prior to making an award after limiting
4 competition to local entities—

5 (A) each successful local entity has been
6 determined to be responsible in accordance with
7 USAID guidelines; and

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

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

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

21 (c) EXTENSION OF PROCUREMENT AUTHORITY.—
22 Section 7077 of the Department of State, Foreign Oper-
23 ations, and Related Programs Appropriations Act, 2012
24 (division I of Public Law 112–74) shall continue in effect
25 during fiscal year 2016, as amended by the Department

1 of State, Foreign Operations, and Related Programs Ap-
2 propriations Act, 2014 (division K of Public Law 113–
3 76).

4 INTERNATIONAL FINANCIAL INSTITUTIONS

5 SEC. 7029. (a) EVALUATIONS AND REPORT.—The
6 Secretary of the Treasury shall instruct the United States
7 executive director of each international financial institu-
8 tion to seek to require that such institution adopts and
9 implements a publicly available policy, including the stra-
10 tegic use of peer reviews and external experts, to conduct
11 independent, in-depth evaluations of the effectiveness of
12 at least 25 percent of all loans, grants, programs, and sig-
13 nificant analytical non-lending activities in advancing the
14 institution’s goals of reducing poverty and promoting equi-
15 table economic growth, consistent with relevant safe-
16 guards, to ensure that decisions to support such loans,
17 grants, programs, and activities are based on accurate
18 data and objective analysis: *Provided*, That not later than
19 180 days after enactment of this Act, the Secretary shall
20 submit a report to the Committees on Appropriations on
21 steps taken by the United States executive directors and
22 the international financial institutions consistent with this
23 subsection.

24 (b) SAFEGUARDS.—The Secretary of the Treasury
25 shall instruct the United States Executive Director of the

1 International Bank for Reconstruction and Development
2 and the International Development Association to vote
3 against any loan, grant, policy, or strategy if such institu-
4 tion has adopted and is implementing any social or envi-
5 ronmental safeguard relevant to such loan, grant, policy,
6 or strategy that provides less protection than World Bank
7 safeguards in effect on September 30, 2015.

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

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

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

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

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

1 funds appropriated by this Act that are provided as pay-
2 ment to such institution: *Provided*, That not later than
3 180 days after enactment of this Act, the Secretary shall
4 submit a report to the Committees on Appropriations on
5 steps taken by the United States executive directors and
6 the international financial institutions consistent with this
7 subsection.

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

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

17 (2) legal burdens of proof;

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

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

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

DEBT-FOR-DEVELOPMENT

1
2 SEC. 7030. In order to enhance the continued partici-
3 pation of nongovernmental organizations in debt-for-devel-
4 opment and debt-for-nature exchanges, a nongovern-
5 mental organization which is a grantee or contractor of
6 the United States Agency for International Development
7 may place in interest bearing accounts local currencies
8 which accrue to that organization as a result of economic
9 assistance provided under title III of this Act and, subject
10 to the regular notification procedures of the Committees
11 on Appropriations, any interest earned on such investment
12 shall be used for the purpose for which the assistance was
13 provided to that organization.

FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

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

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

19 (A)(i) each implementing agency or min-
20 istry to receive assistance has been assessed
21 and is considered to have the systems required
22 to manage such assistance and any identified
23 vulnerabilities or weaknesses of such agency or
24 ministry have been addressed;
25

- 1 (ii) the recipient agency or ministry em-
2 ploys and utilizes staff with the necessary tech-
3 nical, financial, and management capabilities;
- 4 (iii) the recipient agency or ministry has
5 adopted competitive procurement policies and
6 systems;
- 7 (iv) effective monitoring and evaluation
8 systems are in place to ensure that such assist-
9 ance is used for its intended purposes;
- 10 (v) no level of acceptable fraud is assumed;
- 11 and
- 12 (vi) the government of the recipient coun-
13 try is taking steps to publicly disclose on an an-
14 nual basis its national budget, to include in-
15 come and expenditures;
- 16 (B) the recipient government is in compli-
17 ance with the principles set forth in section
18 7013 of this Act;
- 19 (C) the recipient agency or ministry is not
20 headed or controlled by an organization des-
21 ignated as a foreign terrorist organization
22 under section 219 of the Immigration and Na-
23 tionality Act;
- 24 (D) the Government of the United States
25 and the government of the recipient country

1 have agreed, in writing, on clear and achievable
2 objectives for the use of such assistance, which
3 should be made available on a cost-reimbursable
4 basis; and

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

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

22 (3) SUSPENSION OF ASSISTANCE.—The Admin-
23 istrator of the United States Agency for Inter-
24 national Development (USAID) or the Secretary of
25 State, as appropriate, shall suspend any direct gov-

1 ernment-to-government assistance if the Adminis-
2 trator or the Secretary has credible information of
3 material misuse of such assistance, unless the Ad-
4 ministrators or the Secretary reports to the Commit-
5 tees on Appropriations that it is in the national in-
6 terest of the United States to continue such assist-
7 ance, including a justification, or that such misuse
8 has been appropriately addressed.

9 (4) SUBMISSION OF INFORMATION.—The Sec-
10 retary of State shall submit to the Committees on
11 Appropriations, concurrent with the fiscal year 2017
12 congressional budget justification materials, amounts
13 planned for assistance described in paragraph (1) by
14 country, proposed funding amount, source of funds,
15 and type of assistance.

16 (5) REPORT.—Not later than 90 days after the
17 enactment of this Act and 6 months thereafter until
18 September 30, 2016, the USAID Administrator
19 shall submit to the Committees on Appropriations a
20 report that—

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

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

4 (6) DEBT SERVICE PAYMENT PROHIBITION.—

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

12 (b) NATIONAL BUDGET AND CONTRACT TRANS-
13 PARENCY.—

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

23 (2) DEFINITION.—For purposes of paragraph
24 (1), “minimum requirements of fiscal transparency”
25 are requirements consistent with those in subsection

1 (a)(1), and the public disclosure of national budget
2 documentation (to include receipts and expenditures
3 by ministry) and government contracts and licenses
4 for natural resource extraction (to include bidding
5 and concession allocation practices).

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

1 Act are being used to improve fiscal transparency,
2 and identify benchmarks for measuring progress.

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

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

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

22 (B) The Secretary may also publicly or pri-
23 vately designate or identify officials of foreign gov-
24 ernments and their immediate family members about
25 whom the Secretary has such credible information

1 without regard to whether the individual has applied
2 for a visa.

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

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

18 (4) REPORT.—Not later than 6 months after
19 enactment of this Act, the Secretary of State shall
20 submit a report, including a classified annex if nec-
21 essary, to the Committees on Appropriations and the
22 Committees on the Judiciary describing the informa-
23 tion related to corruption or violation of human
24 rights concerning each of the individuals found ineli-
25 gible in the previous 12 months pursuant to para-

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

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

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

17 (d) EXTRACTION OF NATURAL RESOURCES.—

18 (1) ASSISTANCE.—Funds appropriated by this
19 Act shall be made available to promote and support
20 transparency and accountability of expenditures and
21 revenues related to the extraction of natural re-
22 sources, including by strengthening implementation
23 and monitoring of the Extractive Industries Trans-
24 parency Initiative, implementing and enforcing sec-
25 tion 8204 of the Food, Conservation, and Energy

1 Act of 2008 (Public Law 110–246; 122 Stat. 2052)
2 and to prevent the sale of conflict diamonds, and
3 provide technical assistance to promote independent
4 audit mechanisms and support civil society partici-
5 pation in natural resource management.

6 (2) UNITED STATES POLICY.—

7 (A) The Secretary of the Treasury shall in-
8 form the management of the international fi-
9 nancial institutions, and post on the Depart-
10 ment of the Treasury Web site, that it is the
11 policy of the United States to vote against any
12 assistance by such institutions (including any
13 loan, credit, grant, or guarantee) for the extrac-
14 tion and export of a natural resource if the gov-
15 ernment of the country has in place laws, regu-
16 lations, or procedures to prevent or limit the
17 public disclosure of company payments as re-
18 quired by section 1504 of the Dodd-Frank Wall
19 Street Reform and Consumer Protection Act
20 (Public Law 111–203; 124 Stat. 2220), and
21 unless such government has adopted laws, regu-
22 lations, or procedures in the sector in which as-
23 sistance is being considered for—

24 (i) accurately accounting for and pub-
25 lic disclosure of payments to the host gov-

1 ernment by companies involved in the ex-
2 traction and export of natural resources;

3 (ii) the independent auditing of ac-
4 counts receiving such payments and public
5 disclosure of the findings of such audits;
6 and

7 (iii) public disclosure of such docu-
8 ments as Host Government Agreements,
9 Concession Agreements, and bidding docu-
10 ments, allowing in any such dissemination
11 or disclosure for the redaction of, or excep-
12 tions for, information that is commercially
13 proprietary or that would create competi-
14 tive disadvantage.

15 (B) The requirements of subparagraph (A)
16 shall not apply to assistance for the purpose of
17 building the capacity of such government to
18 meet the requirements of this subparagraph.

19 (e) FOREIGN ASSISTANCE WEB SITE.—Funds appro-
20 priated by this Act under titles I and II, and funds made
21 available for any independent agency in title III, as appro-
22 priate, may be made available to support the provision of
23 additional information on United States Government for-
24 eign assistance on the Department of State foreign assist-
25 ance Web site: *Provided*, That all Federal agencies funded

1 under this Act shall provide such information on foreign
2 assistance, upon request, to the Department of State.

3 DEMOCRACY PROGRAMS

4 SEC. 7032. (a) FUNDING.—

5 (1) Of the funds appropriated by this Act in ti-
6 tles III, IV, and V, not less than \$2,308,517,000
7 shall be made available for democracy programs, of
8 which amounts shall be allocated as follows—

9 (A) not less than \$312,963,000 for Africa;

10 (B) not less than \$157,423,000 for the
11 East Asia and the Pacific region;

12 (C) not less than \$193,244,000 for Europe
13 and Eurasia;

14 (D) not less than \$409,316,000 for the
15 Near East region;

16 (E) not less than \$627,944,000 for South
17 and Central Asia; and

18 (F) not less than \$480,526,000 for the
19 Western Hemisphere.

20 (2) Of the funds appropriated by this Act not
21 less than \$25,000,000 shall be made available for
22 democracy programs in countries experiencing polit-
23 ical, ethnic, racial, religious, or other instability or
24 conflict, or emerging from conflict, including Sri
25 Lanka and Nepal, which shall be administered by

1 the United States chief of mission in such countries:
2 *Provided*, That the Secretary of State shall consult
3 with the Committees on Appropriations prior to obli-
4 gating funds for such purpose.

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 (NED), any reg-
9 ulation.

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

21 (d) RESTRICTION ON PRIOR APPROVAL.—With re-
22 spect to the provision of assistance for democracy pro-
23 grams in this Act, the organizations implementing such
24 assistance, the specific nature of that assistance, and the
25 participants in such programs shall not be subject to the

1 prior approval by the government of any foreign country:
2 *Provided*, That the Secretary of State, in coordination
3 with the Administrator of the United States Agency for
4 International Development (USAID), shall report to the
5 Committees on Appropriations, not later than 120 days
6 after enactment of this Act, detailing steps taken by the
7 Department of State and USAID to comply with the re-
8 quirements of this subsection.

9 (e) PRIORITIZATION OF FUNDING MECHANISMS.—
10 Democracy programs implemented by funds made avail-
11 able by this Act shall be designed to have grants and coop-
12 erative agreements as the primary delivery mechanisms
13 for such programs: *Provided*, That not later than 60 days
14 after enactment of this Act, the Secretary of State and
15 USAID Administrator shall each submit a report to the
16 Committees on Appropriations detailing the steps to be
17 taken by the Department of State and USAID to comply
18 with the requirements of this subsection: *Provided further*,
19 That for contracts to be used to implement such programs
20 with funds made available by this Act that exceed
21 \$1,000,000, the Secretary of State and USAID Adminis-
22 trator, as appropriate, shall submit to the Committees on
23 Appropriations a justification for the use of such mecha-
24 nisms on a case-by-case basis and before Requests for Pro-
25 posals are released.

1 (f) REPORTS.—

2 (1) POLICY IMPLEMENTATION.—The Secretary
3 of State and USAID Administrator shall develop
4 and establish revised guidelines on the uses of
5 grants and cooperative agreements for democracy
6 programs, in accordance with the objectives of pro-
7 moting resilient, open, and democratic societies in
8 the Quadrennial Diplomacy and Development Re-
9 view, 2015, and the foreign policy objectives in the
10 ADVANCE Democracy Act of 2007 (title XXI of
11 Public Law 110–53; 22 U.S.C. 8202): *Provided*,
12 That the Secretary and USAID Administrator shall
13 consult with democracy program implementers in es-
14 tablishing such guidelines, and shall each submit
15 such guidelines to the appropriate congressional
16 committees once established.

17 (2) TRAINING.—Not later than 90 days after
18 enactment of this Act, the Secretary of State shall
19 update and submit to the Committees on Appropria-
20 tions the report required by section 2141(c) of the
21 ADVANCE Democracy Act of 2007 (title XXI of
22 Public Law 110–53; 22 U.S.C. 8241): *Provided*,
23 That such report shall also include the total number
24 of democracy and human rights officers, including
25 Democracy Liaison Officers and other positions with

1 responsibility for democracy and human rights re-
2 lated issues and programs, at the Department of
3 State and USAID for calendar years 2013, 2014,
4 and 2015.

5 (g) NONDEMOCRATIC AND DEMOCRATIC
6 TRANSITIONING COUNTRIES.—

7 (1) DEMOCRACY STRATEGIC REVIEWS AND AS-
8 SESSMENTS.—Prior to the obligation of funds made
9 available for Department of State and USAID de-
10 mocracy programs in a nondemocratic or democratic
11 transitioning country, the Under Secretary for Civil-
12 ian Security, Democracy and Human Rights, De-
13 partment of State, in consultation with other rel-
14 evant officials at the Department of State and
15 USAID, including the Director of the Center of Ex-
16 cellence on Democracy, Human Rights, and Govern-
17 ance, USAID, shall review and assess the annual
18 country strategy required by section 2111(c)(1) of
19 the ADVANCE Democracy Act of 2007 (title XXI
20 of Public Law 110–53; 22 U.S.C. 8211), and submit
21 a report to the Committees on Appropriations de-
22 scribing—

23 (A) the goals and objectives of such pro-
24 gram, including a timeline for achieving results,

1 and any modification proposed as a result of
2 the review and assessment;

3 (B) the political and social conditions in
4 such country that may impact the promotion of
5 democracy;

6 (C) the assessed risks to intended bene-
7 ficiaries of such program;

8 (D) the assessed risks to implementers in
9 the conduct of such program, to be developed in
10 consultation with implementers and other
11 United States Government agencies, as appro-
12 priate; and

13 (E) the funding requirements of initiating
14 and sustaining such program in fiscal year
15 2016 and subsequent fiscal years.

16 (2) DEFINITION.—For the purposes of the sub-
17 section the term “nondemocratic or democratic
18 transitioning country” shall have the same meaning
19 as in section 2104(6) of the ADVANCE Democracy
20 Act of 2007 (title XXI of Public Law 110–53; 22
21 U.S.C. 8203).

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

24 (1) CHANGE IN ALLOCATION OF FOREIGN AS-
25 SISTANCE.—The Deputy Secretary for Management

1 and Resources, Department of State, shall consult
2 with the Under Secretary for Civilian Security, De-
3 mocracy and Human Rights, Department of State,
4 and the Director of the Center of Excellence on De-
5 mocracy, Human Rights, and Governance, USAID,
6 on the proposed funding level for democracy pro-
7 grams submitted to Congress pursuant to section
8 653(a) of the Foreign Assistance Act of 1961.

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

20 INTERNATIONAL RELIGIOUS FREEDOM

21 SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREE-
22 DOM OFFICE AND SPECIAL ENVOY TO PROMOTE RELI-
23 GIOUS FREEDOM.—Of the funds appropriated by this Act
24 under the heading “Diplomatic and Consular Programs”,
25 not less than \$5,000,000 shall be made available for the

1 Office of the Ambassador-at-Large for International Reli-
2 gious Freedom, and not less than \$1,000,000 shall be
3 made available for the Special Envoy to Promote Religious
4 Freedom in the Near East and South Central Asia, includ-
5 ing for support staff.

6 (b) ASSISTANCE.—

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

17 (2) PROTECTION AND INVESTIGATION PRO-
18 GRAMS.—Of the funds appropriated by this Act
19 under the heading “Economic Support Fund”, not
20 less than \$10,000,000 shall be made available for
21 programs to protect vulnerable and persecuted reli-
22 gious minorities: *Provided*, That a portion of such
23 funds shall be made available for programs to inves-
24 tigate the persecution of such minorities by govern-
25 ments and non-state entities and for the public dis-

1 semination of information collected on such persecu-
2 tion, including on the Department of State Web site.

3 (3) HUMANITARIAN AND RELIEF PROGRAMS.—
4 Funds appropriated by this Act under the headings
5 “International Disaster Assistance” and “Migration
6 and Refugee Assistance” shall be made available for
7 humanitarian and relief assistance for vulnerable
8 and persecuted religious minorities.

9 (4) RESPONSIBILITY OF FUNDS.—Funds made
10 available by paragraphs (1) and (2) shall be the re-
11 sponsibility of the Ambassador-at-Large for Inter-
12 national Religious Freedom, in consultation with
13 other relevant United States Government officials.

14 (c) INTERNATIONAL BROADCASTING.—Funds appro-
15 priated by this Act under the heading “Broadcasting
16 Board of Governors, International Broadcasting Oper-
17 ations” shall be made available for programs related to
18 international religious freedom, including reporting on the
19 plight of vulnerable and persecuted religious groups.

20 (d) GENOCIDE DETERMINATION.—Not later than 90
21 days after enactment of this Act, the Secretary of State,
22 in consultation with the heads of other relevant United
23 States Government agencies and representatives from
24 United States civil society, shall submit to the appropriate
25 congressional committees determinations on whether the

1 ongoing violence against Christians in the Middle East by
2 Islamic extremists or against the Rohingya people in
3 Burma by Buddhist extremists constitutes genocide, as de-
4 fined in section 1091 of title 18, United States Code: *Pro-*
5 *vided*, That if the Secretary of State makes a determina-
6 tion that such violence constitutes genocide, the Secretary
7 shall concurrently submit to the appropriate congressional
8 committees a strategy for addressing such genocide.

9 (e) DESIGNATION OF NON-STATE ENTITIES.—The
10 President shall, concurrent with the annual review re-
11 quired by section 402(b)(1) of the International Religious
12 Freedom Act of 1998 (22 U.S.C. 6442(b)(1)), identify any
13 non-state entities that have engaged in significant viola-
14 tions of religious freedom, and designate each such entity
15 as a non-state entity of particular concern for religious
16 freedom: *Provided*, That whenever the President des-
17 ignates a non-state entity as a non-state entity of par-
18 ticular concern for religious freedom under this para-
19 graph, the President shall, as soon as practicable after the
20 designation is made, submit a report to the appropriate
21 congressional committees detailing the reasons for such
22 designation.

23 (f) REPORT.—Not later than September 30, 2016,
24 the Secretary of State, in consultation with the Broad-
25 casting Board of Governors and the Administrator of the

1 United States Agency for International Development, shall
2 submit a report to the appropriate congressional commit-
3 tees detailing, by account, agency, and on a country-by-
4 country basis, funds made available by this Act and prior
5 Acts making appropriations for the Department of State,
6 foreign operations, and related programs for the previous
7 5 fiscal years for international religious freedom pro-
8 grams; protection and investigation programs regarding
9 vulnerable and persecuted religious minorities; humani-
10 tarian and relief assistance for such minorities; and inter-
11 national broadcasting regarding religious freedom.

12 SPECIAL PROVISIONS

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

20 (b) LAW ENFORCEMENT AND SECURITY.—

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

24 (2) CROWD CONTROL ITEMS.—Funds appro-
25 priated by this Act should not be used for tear gas,

1 small arms, light weapons, ammunition, or other
2 items for crowd control purposes for foreign security
3 forces that use excessive force to repress peaceful ex-
4 pression, association, or assembly in countries un-
5 dergoing democratic transition.

6 (3) DISARMAMENT, DEMOBILIZATION, AND RE-
7 INTEGRATION.—Section 7034(d) of the Department
8 of State, Foreign Operations, and Related Programs
9 Appropriations Act, 2015 (division J of Public Law
10 113–235) shall continue in effect during fiscal year
11 2016 as if part of this Act.

12 (4) FORENSIC ASSISTANCE.—Of the funds ap-
13 propriated by this Act under the heading “Inter-
14 national Narcotics Control and Law Enforcement”,
15 not less than \$4,000,000 shall be made available for
16 forensic assistance relating to the exhumation of
17 mass graves and identification of victims of war
18 crimes and crimes against humanity, including in
19 Sri Lanka, Central America, Peru, Colombia, and
20 Africa, which shall be administered by the Assistant
21 Secretary for Democracy, Human Rights, and
22 Labor, Department of State.

23 (5) INTERNATIONAL PRISONS CONDITIONS.—
24 Section 7065 of the Department of State, Foreign
25 Operations, and Related Programs Appropriations

1 Act, 2015 (division J of Public Law 113–235) shall
2 continue in effect during fiscal year 2016 as if part
3 of this Act.

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

12 (7) SECURITY ASSISTANCE REPORT.—Not later
13 than 120 days after enactment of this Act, the Sec-
14 retary of State shall submit to the Committees on
15 Appropriations a report on funds obligated and ex-
16 pended during fiscal year 2015, by country and pur-
17 pose of assistance, under the headings “Non-
18 proliferation, Anti-terrorism, Demining and Related
19 Programs” (for Anti-terrorism Programs), “Peace-
20 keeping Operations”, “International Military Edu-
21 cation and Training”, and “Foreign Military Fi-
22 nancing Program”, as well as excess defense articles
23 provided.

24 (8) LEAHY VETTING REPORT.—(A) Not later
25 than 90 days after enactment of this Act, the Sec-

1 retary of State shall submit a report to the appro-
2 priate congressional committees on foreign assist-
3 ance cases submitted for vetting for purposes of sec-
4 tion 620M of the Foreign Assistance Act of 1961
5 during the preceding fiscal year, including:

6 (i) the total number of cases submitted,
7 approved, suspended, or rejected for human
8 rights reasons; and

9 (ii) for cases rejected for human rights
10 reasons, a description of the steps taken to en-
11 courage and assist a foreign government in
12 bringing such individuals responsible to justice,
13 in accordance with section 620M(e) of the For-
14 eign Assistance Act of 1961.

15 (B) The report required by this paragraph shall
16 be submitted in unclassified form, but may be ac-
17 companied by a classified annex.

18 (9) ANNUAL FOREIGN MILITARY TRAINING RE-
19 PORT.—For the purposes of implementing section
20 656 of the Foreign Assistance Act of 1961, the term
21 “military training provided to foreign military per-
22 sonnel by the Department of Defense and the De-
23 partment of State” shall be deemed to include all
24 military training provided by foreign governments
25 with funds appropriated to the Department of De-

1 fense or the Department of State, except for train-
2 ing provided by the government of a country des-
3 igned by section 517(b) of such Act as a major
4 non-NATO ally, excluding Egypt.

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

12 (d) DIRECTIVES AND AUTHORITIES.—

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

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

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

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

15 (4) EXTENSION OF LEGAL PROTECTION.—Sec-
16 tion 7041(a)(2)(C)(ii) of the Department of State,
17 Foreign Operations, and Related Programs Appro-
18 priations Act, 2015 (division J of Public Law 113–
19 235) shall continue in effect during fiscal year 2016
20 and thereafter as if part of this Act.

21 (5) CONDITIONS ON AUTHORITY.—The authori-
22 ties provided for under the headings “Program Ac-
23 count”, “Administrative Expenses”, and “Receipts
24 Collected” for the Export-Import Bank of the
25 United States under title VI of this Act shall not be

1 construed or interpreted to extend the date specified
2 in section 7 of the Export-Import Bank Act of 1945
3 (Public Law 79–173).

4 (6) MODIFICATION OF LIFE INSURANCE SUP-
5 PLEMENTAL APPLICABLE TO THOSE KILLED IN TER-
6 RORIST ATTACKS.—

7 (A) Section 415(a) of the Foreign Service
8 Act of 1980 (22 U.S.C. 3975(a)) is amended by
9 striking “a payment from the United States in
10 an amount that, when added to the amount of
11 the employee’s employer-provided group life in-
12 surance policy coverage (if any), equals
13 \$400,000” and inserting “a special payment of
14 \$400,000, which shall be in addition to any em-
15 ployer provided life insurance policy coverage”.

16 (B) The insurance benefit under section
17 415 of the Foreign Service Act of 1980 (22
18 U.S.C. 3975), as amended by subparagraph
19 (A), shall be applicable to eligible employees
20 who die as a result of injuries sustained while
21 on duty abroad because of an act of terrorism,
22 as defined in section 140(d) of the Foreign Re-
23 lations Authorization Act, Fiscal Years 1998
24 and 1999 (22 U.S.C. 2656f(d)), anytime on or
25 after April 18, 1983.

1 (7) AUTHORITY.—Funds appropriated by this
2 Act may be made available in accordance with sec-
3 tion 24 of the Stevenson-Wydler Technology Innova-
4 tion Act of 1980, except that foreign citizens and
5 foreign private entities may be eligible notwith-
6 standing section 24(g)(3) of such Act.

7 (e) PARTNER VETTING.—Funds appropriated by this
8 Act or in titles I through IV of prior Acts making appro-
9 priations for the Department of State, foreign operations,
10 and related programs shall be used by the Secretary of
11 State and the USAID Administrator, as appropriate, to
12 support the continued implementation of the Partner Vet-
13 ting System (PVS) pilot program: *Provided*, That the Sec-
14 retary of State and the USAID Administrator shall jointly
15 submit a report to the Committees on Appropriations, not
16 later than 30 days after completion of the pilot program,
17 on the estimated timeline and criteria for evaluating the
18 PVS pilot program for possible expansion: *Provided fur-*
19 *ther*, That such report shall include the requirements spec-
20 ified in the report accompanying this Act: *Provided fur-*
21 *ther*, That after completion of the pilot program the De-
22 partment of State and USAID may not proceed with im-
23 plementation of a PVS program until the Secretary of
24 State and USAID Administrator, following the submission
25 of the report required by the previous proviso, consult with

1 the Committees on Appropriations on the results and find-
2 ings of the pilot program, and review such results and
3 findings with appropriate representatives from civil soci-
4 ety.

5 (f) CONTINGENCIES.—During fiscal year 2016, the
6 President may use up to \$150,000,000 under the author-
7 ity of section 451 of the Foreign Assistance Act of 1961,
8 notwithstanding any other provision of law.

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

18 (h) REPORTS REPEALED.—Section 10(b) of Public
19 Law 109–446; section 4 of Public Law 107–243; section
20 616(c) of Public Law 105–277; section 620C(c) of Public
21 Law 87–195; and section 303 of title 22, United States
22 Code, are hereby repealed.

23 (i) TRANSFERS FOR EXTRAORDINARY PROTEC-
24 TION.—The Secretary of State may transfer to, and merge
25 with, funds under the heading “Protection of Foreign Mis-

1 sions and Officials” unobligated balances of expired funds
2 appropriated under the heading “Diplomatic and Consular
3 Programs” for fiscal year 2016, except for funds des-
4 ignated for Overseas Contingency Operations/Global War
5 on Terrorism pursuant to section 251(b)(2)(A)(ii) of the
6 Balanced Budget and Emergency Deficit Control Act of
7 1985, at no later than the end of the fifth fiscal year after
8 the last fiscal year for which such funds are available for
9 the purposes for which appropriated: *Provided*, That not
10 more than \$50,000,000 may be transferred.

11 (j) PROTECTIONS AND REMEDIES FOR EMPLOYEES
12 OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANI-
13 ZATIONS.—Section 7034(k) of the Department of State,
14 Foreign Operations, and Related Programs Appropria-
15 tions Act, 2015 (division J of Public Law 113–235) shall
16 continue in effect during fiscal year 2016 as if part of
17 this Act.

18 (k) EXTENSION OF AUTHORITIES.—

19 (1) PASSPORT FEES.—Section 1(b)(2) of the
20 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))
21 shall be applied by substituting “September 30,
22 2016” for “September 30, 2010”.

23 (2) ACCOUNTABILITY REVIEW BOARDS.—The
24 authority provided by section 301(a)(3) of the Omni-
25 bus Diplomatic Security and Antiterrorism Act of

1 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect
2 for facilities in Afghanistan through September 30,
3 2016, except that the notification and reporting re-
4 quirements contained in such section shall include
5 the Committees on Appropriations.

6 (3) INCENTIVES FOR CRITICAL POSTS.—The
7 authority contained in section 1115(d) of the Sup-
8 plemental Appropriations Act, 2009 (Public Law
9 111–32) shall remain in effect through September
10 30, 2016.

11 (4) FOREIGN SERVICE OFFICER ANNUITANT
12 WAIVER.—Section 824(g) of the Foreign Service Act
13 of 1980 (22 U.S.C. 4064(g)) shall be applied by
14 substituting “September 30, 2016” for “October 1,
15 2010” in paragraph (2).

16 (5) DEPARTMENT OF STATE CIVIL SERVICE AN-
17 NUITANT WAIVER.—Section 61(a) of the State De-
18 partment Basic Authorities Act of 1956 (22 U.S.C.
19 2733(a)) shall be applied by substituting “Sep-
20 tember 30, 2016” for “October 1, 2010” in para-
21 graph (2).

22 (6) 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, 2016” for “October
2 1, 2010” in subparagraph (B).

3 (7) OVERSEAS PAY COMPARABILITY AND LIM-
4 TATION.—(A) Subject to the limitation described in
5 subparagraph (B), the authority provided by section
6 1113 of the Supplemental Appropriations Act, 2009
7 (Public Law 111–32; 123 Stat. 1904) shall remain
8 in effect through September 30, 2016.

9 (B) The authority described in subparagraph
10 (A) may not be used to pay an eligible member of
11 the Foreign Service (as defined in section 1113(b) of
12 the Supplemental Appropriations Act, 2009) a local-
13 ity-based comparability payment (stated as a per-
14 centage) that exceeds two-thirds of the amount of
15 the locality-based comparability payment (stated as
16 a percentage) that would be payable to such member
17 under section 5304 of title 5, United States Code,
18 if such member’s official duty station were in the
19 District of Columbia.

20 (8) ALIEN STATUS.—The Foreign Operations,
21 Export Financing, and Related Programs Appro-
22 priations Act, 1990 (Public Law 101–167) is
23 amended—

24 (A) In section 599D (8 U.S.C. 1157
25 note)—

1 (i) in subsection (b)(3), by striking
2 “and 2015” and inserting “2015, and
3 2016”; and

4 (ii) in subsection (e), by striking
5 “2015” each place it appears and inserting
6 “2016”; and

7 (B) in section 599E (8 U.S.C. 1255 note)
8 in subsection (b)(2), by striking “2015” and in-
9 serting “2016”.

10 (9) INSPECTOR GENERAL ANNUITANT WAIV-
11 ER.—The authorities provided in section 1015(b) of
12 the Supplemental Appropriations Act, 2010 (Public
13 Law 111–212) shall remain in effect through Sep-
14 tember 30, 2016.

15 (I) DEPARTMENT OF STATE WORKING CAPITAL
16 FUND.—Funds appropriated by this Act or otherwise
17 made available to the Department of State for payments
18 to the Working Capital Fund may only be used for the
19 activities and in the amounts justified in the President’s
20 fiscal year 2016 budget: *Provided*, That Federal agency
21 components shall be charged only for their direct usage
22 of each Working Capital Fund service: *Provided further*,
23 That Federal agency components may only pay for Work-
24 ing Capital Fund services that are consistent with the
25 component’s purpose and authorities: *Provided further*,

1 That the Working Capital Fund shall be paid in advance
2 or reimbursed at rates which will return the full cost of
3 each service.

4 (m) HUMANITARIAN ASSISTANCE.—Funds appro-
5 priated by this Act that are available for monitoring and
6 evaluation of assistance under the headings “International
7 Disaster Assistance” and “Migration and Refugee Assist-
8 ance” shall, as appropriate, be made available for the reg-
9 ular collection of feedback obtained directly from bene-
10 ficiaries on the quality and relevance of such assistance:
11 *Provided*, That the Department of State and USAID shall
12 conduct regular oversight to ensure that such feedback is
13 collected and used by implementing partners to maximize
14 the cost-effectiveness and utility of such assistance, and
15 require such partners that receive funds under such head-
16 ings to establish procedures for collecting and responding
17 to such feedback.

18 (n) HIV/AIDS WORKING CAPITAL FUND.—Funds
19 available in the HIV/AIDS Working Capital Fund estab-
20 lished pursuant to section 525(b)(1) of the Foreign Oper-
21 ations, Export Financing, and Related Programs Appro-
22 priations Act, 2005 (Public Law 108–477) may be made
23 available for pharmaceuticals and other products for child
24 survival, malaria, and tuberculosis to the same extent as
25 HIV/AIDS pharmaceuticals and other products, subject to

1 the terms and conditions in such section: *Provided*, That
2 the authority in section 525(b)(5) of the Foreign Oper-
3 ations, Export Financing, and Related Programs Appro-
4 priations Act, 2005 (Public Law 108–477) shall be exer-
5 cised by the Assistant Administrator for Global Health,
6 USAID, with respect to funds deposited for such non-
7 HIV/AIDS pharmaceuticals and other products, and shall
8 be subject to the regular notification procedures of the
9 Committees on Appropriations: *Provided further*, That the
10 Secretary of State shall include in the congressional budg-
11 et justification an accounting of budgetary resources, dis-
12 bursements, balances, and reimbursements related to such
13 fund.

14 (o) LOAN GUARANTEES AND ENTERPRISE FUNDS.—

15 (1) LOAN GUARANTEES.—Funds appropriated
16 under the heading “Economic Support Fund” only
17 in title III of this Act and prior Acts making appro-
18 priations for the Department of State, foreign oper-
19 ations, and related programs may be made available
20 for the costs, as defined in section 502 of the Con-
21 gressional Budget Act of 1974, of loan guarantees
22 for Jordan, Ukraine, and Tunisia, which are author-
23 ized to be provided: *Provided*, That amounts made
24 available under this paragraph for the costs of such
25 guarantees shall not be considered assistance for the

1 purposes of provisions of law limiting assistance to
2 a country.

3 (2) ENTERPRISE FUNDS.—Funds appropriated
4 under the heading “Economic Support Fund” in
5 this Act may be made available to establish and op-
6 erate one or more enterprise funds for Egypt and
7 Tunisia, notwithstanding any other provision of law,
8 and following consultation with the Committees on
9 Appropriations: *Provided*, That the first, third and
10 fifth provisos under section 7041(b) of the Depart-
11 ment of State, Foreign Operations, and Related Pro-
12 grams Appropriations Act, 2012 (division I of Public
13 Law 112–74) shall apply to funds appropriated by
14 this Act under the heading “Economic Support
15 Fund” for an enterprise fund or funds to the same
16 extent and in the same manner as such provision of
17 law applied to funds made available under such sec-
18 tion (except that the clause excluding subsection
19 (d)(3) of section 201 of the SEED Act shall not
20 apply): *Provided further*, That the authority of any
21 such enterprise fund or funds to provide assistance
22 shall cease to be effective on December 31, 2026.

23 (3) CONSULTATION AND NOTIFICATION.—
24 Funds made available by this subsection shall be
25 subject to prior consultation with, and the regular

1 notification procedures of, the Committees on Ap-
2 propriations.

3 (p) ASSESSMENT OF INDIRECT COSTS.—Not later
4 than 90 days after enactment of this Act and following
5 consultation with the Committees on Appropriations, the
6 Secretary of State and the Administrator of the United
7 States Agency for International Development (USAID)
8 shall submit to such Committees an assessment of the ef-
9 fectiveness of current policies and procedures in ensuring
10 that payments for indirect costs, including for negotiated
11 indirect cost rate agreements (NICRA), are reasonable
12 and comply with the Federal Acquisition Regulations
13 (FAR), as applicable, and title 2, part 200 of the Code
14 of Federal Regulations (CFR); an assessment of potential
15 benefits of setting a cap on such indirect costs to ensure
16 the cost-effective use of appropriated funds; a plan to re-
17 vise such policies and procedures to comply with the FAR
18 and CFR and ensure that indirect costs are reasonable;
19 and a timeline for implementing such plan.

20 (q) SMALL GRANTS AND ENTITIES.—(1) Of the
21 funds appropriated by this Act under the headings “Devel-
22 opment Assistance” and “Economic Support Fund”, not
23 less than \$45,000,000 shall be made available to conduct,
24 and pursuant to the authorities of, the Small Grants Pro-
25 gram established by section 7080 of the Department of

1 State, Foreign Operations, and Related Programs Appro-
2 priations Act, 2015 (division J of Public Law 113–235),
3 which may remain available until September 30, 2020.

4 (2) Not later than 45 days after enactment of this
5 Act, the Administrator of the United States Agency for
6 International Development (USAID) shall post on the
7 USAID Web site detailed information describing the proc-
8 ess by which small nongovernmental organizations, edu-
9 cational institutions, and other small entities seeking
10 funding from USAID for unsolicited proposals through
11 grants, cooperative agreements, and other assistance
12 mechanism and agreements, can apply for such funding:
13 *Provided*, That the USAID Administrator should ensure
14 that each bureau, office, and overseas mission has author-
15 ity to approve, and sufficient funds to implement, such
16 grants or other agreements that meet appropriate criteria
17 for unsolicited proposals.

18 (3) Section 7080 of Public Law 113–235 is amended
19 as follows:

20 (A) in subsections (b) and (c), strike “Grants”,
21 and insert “Awards”;

22 (B) in subsection (c)(1), delete “or” after “pro-
23 posals;”;

24 (C) in subsection (c)(2) delete the period after
25 “process”, and insert “; or”;

1 (D) after subsection (c)(2), insert “(3) as other-
2 wise allowable under Federal Acquisition Regula-
3 tions and USAID procurement policies.”; and

4 (E) in subsection (e)(3), strike “12”, and insert
5 “20”, and strike “administrative and oversight ex-
6 penses associated with managing” and insert “ad-
7 ministrative expenses, and other necessary support
8 associated with managing and strengthening”.

9 (4) For the purposes of section 7080 of Public Law
10 113–235, “eligible entities” shall be defined as small local,
11 international, and United States-based nongovernmental
12 organizations, educational institutions, and other small en-
13 tities that have received less than a total of \$5,000,000
14 in USAID funding over the previous five years: *Provided*,
15 That departments or centers of such educational institu-
16 tions may be considered individually in determining such
17 eligibility.

18 (r) DEFINITIONS.—

19 (1) Unless otherwise defined in this Act, for
20 purposes of this Act the term “appropriate congress-
21 sional committees” shall mean the Committees on
22 Appropriations and Foreign Relations of the Senate
23 and the Committees on Appropriations and Foreign
24 Affairs of the House of Representatives.

1 (2) Unless otherwise defined in this Act, for
2 purposes of this Act the term “funds appropriated
3 in this Act and prior Acts making appropriations for
4 the Department of State, foreign operations, and re-
5 lated programs” shall mean funds that remain avail-
6 able for obligation, and have not expired.

7 (3) For the purposes of this Act “international
8 financial institutions” shall mean the International
9 Bank for Reconstruction and Development, the
10 International Development Association, the Inter-
11 national Finance Corporation, the Inter-American
12 Development Bank, the International Monetary
13 Fund, the Asian Development Bank, the Asian De-
14 velopment Fund, the Inter-American Investment
15 Corporation, the North American Development
16 Bank, the European Bank for Reconstruction and
17 Development, the African Development Bank, the
18 African Development Fund, and the Multilateral In-
19 vestment Guarantee Agency.

20 (4) For purposes of this Act, the term “coun-
21 tering violent extremism” shall be defined as non-co-
22 ercive interventions aimed directly at reducing public
23 support for non-state entities that engage in ter-
24 rorist activities.

1 (5) For purposes of this Act, the term “best
2 practices” for the protection of whistleblowers means
3 practices that are implemented consistent with terms
4 specified in international conventions or adopted by
5 international organizations such as the Organization
6 of Economic Cooperation and Development and the
7 Organization of American States.

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

15 ARAB LEAGUE BOYCOTT OF ISRAEL

16 SEC. 7035. It is the sense of 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 to believe advocates, plans, sponsors, engages in, or has
2 engaged in, terrorist activity nor, with respect to private
3 entities or educational institutions, those that have as a
4 principal officer of the entity's governing board or gov-
5 erning board of trustees any individual that has been de-
6 termined to be involved in, or advocating terrorist activity
7 or determined to be a member of a designated foreign ter-
8 rorist organization: *Provided*, That the Secretary of State
9 shall, as appropriate, establish procedures specifying the
10 steps to be taken in carrying out this subsection and shall
11 terminate assistance to any individual, entity, or edu-
12 cational institution which the Secretary has determined to
13 be involved in or advocating terrorist activity.

14 (c) PROHIBITION.—

15 (1) RECOGNITION OF ACTS OF TERRORISM.—

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

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

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

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

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

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

1 (e) COMPTROLLER GENERAL OF THE UNITED
2 STATES AUDIT.—Subsequent to the certification specified
3 in subsection (a), the Comptroller General of the United
4 States shall conduct an audit and an investigation of the
5 treatment, handling, and uses of all funds for the bilateral
6 West Bank and Gaza Program, including all funds pro-
7 vided as cash transfer assistance, in fiscal year 2016
8 under the heading “Economic Support Fund”, and such
9 audit shall address—

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

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

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

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

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

3 LIMITATION ON ASSISTANCE FOR THE PALESTINIAN
4 AUTHORITY

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

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

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

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

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

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

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

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

1 Hamas is a member, or that results from an agree-
2 ment with Hamas and over which Hamas exercises
3 undue influence.

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

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

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

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

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

10 MIDDLE EAST AND NORTH AFRICA

11 SEC. 7041. (a) EGYPT.—

12 (1) CERTIFICATION AND REPORT.—Funds ap-
13 propriated by this Act that are available for assist-
14 ance for the Government of Egypt may only be made
15 available if the Secretary of State certifies and re-
16 ports to the Committees on Appropriations that such
17 government is—

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

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

22 (2) ECONOMIC SUPPORT FUND.—

23 (A) FUNDING AND LIMITATION.—Of the
24 funds appropriated by this Act under the head-
25 ing “Economic Support Fund”, up to

1 \$150,000,000 may be made available for assist-
2 ance for Egypt, of which not less than
3 \$35,000,000 should be made available for high-
4 er education programs including not less than
5 \$10,000,000 for scholarships at not-for-profit
6 institutions for Egyptian students with high fi-
7 nancial needs: *Provided*, That such funds may
8 be made available for education and economic
9 growth programs notwithstanding any provision
10 of law restricting assistance for Egypt, and fol-
11 lowing prior consultation with the Committees
12 on Appropriations: *Provided further*, That such
13 funds may not be made available for cash
14 transfer assistance or budget support unless the
15 Secretary of State certifies and reports to the
16 appropriate congressional committees that the
17 Government of Egypt is taking consistent and
18 effective steps to stabilize the economy and im-
19 plement market-based economic reforms.

20 (B) WITHHOLDING.—The Secretary of
21 State shall withhold from obligation an amount
22 of such funds that the Secretary determines to
23 be equivalent to that expended by the United
24 States Government for bail, and by nongovern-
25 mental organizations for legal and court fees,

1 associated with democracy-related trials in
2 Egypt until the Secretary certifies and reports
3 to the Committees on Appropriations that the
4 Government of Egypt has dismissed the convic-
5 tions issued by the Cairo Criminal Court on
6 June 4, 2013, in “Public Prosecution Case No.
7 1110 for the Year 2012.”

8 (3) FOREIGN MILITARY FINANCING PRO-
9 GRAM.—

10 (A) DEMOCRACY AND HUMAN RIGHTS CER-
11 TIFICATION.—Of the funds appropriated by this
12 Act under the heading “Foreign Military Fi-
13 nancing Program”, up to \$1,300,000,000, to
14 remain available until September 30, 2017, may
15 be made available for assistance for Egypt if
16 the Secretary of State certifies and reports to
17 the Committees on Appropriations that the
18 Government of Egypt—

19 (i) is taking effective steps to advance
20 democracy and human rights in Egypt, in-
21 cluding to govern democratically and pro-
22 tect religious minorities and the rights of
23 women, which are in addition to steps
24 taken during the previous calendar year
25 for such purposes;

1 (ii) is implementing reforms that pro-
2 tect freedoms of expression, association,
3 and peaceful assembly, including the abil-
4 ity of civil society organizations and the
5 media to function without interference;

6 (iii) has released all political prisoners
7 and is providing detainees with due process
8 of law; and

9 (iv) is conducting credible investiga-
10 tions and prosecutions of the use of exces-
11 sive force by security forces:

12 *Provided*, That such funds may be transferred
13 to an interest bearing account in the Federal
14 Reserve Bank of New York, following consulta-
15 tion with the Committees on Appropriations:

16 *Provided further*, That the certification require-
17 ment of this paragraph shall not apply to funds
18 appropriated by this Act under such heading
19 for counterterrorism, border security, and non-
20 proliferation programs for Egypt, and for devel-
21 opment programs in the Sinai, which may be
22 made available notwithstanding any provision of
23 law restricting assistance for Egypt.

24 (B) WAIVER.—The Secretary of State may
25 waive the certification requirement in subpara-

1 graph (A) or any provision of law restricting as-
2 sistance for Egypt if the Secretary of State de-
3 termines and reports to the Committees on Ap-
4 propriations that to do so is important to the
5 national security interest of the United States,
6 and submits a report to such Committees con-
7 taining a detailed justification for the use of
8 such waiver and the reasons why any of the re-
9 quirements of subparagraph (A) cannot be met.

10 (4) OVERSIGHT AND CLARIFICATION.—

11 (A) The Secretary of State shall take all
12 practicable steps to ensure that mechanisms are
13 in place for monitoring, oversight, and control
14 of funds made available by this subsection for
15 assistance for Egypt.

16 (B) Notwithstanding any provision of this
17 subsection, section 620M of the Foreign Assist-
18 ance Act of 1961 shall apply to funds made
19 available by this subsection for assistance for
20 Egypt.

21 (b) IRAN.—

22 (1) NUCLEAR WEAPONS AND HUMAN RIGHTS.—

23 (A) The terms and conditions of para-
24 graphs (1) and (2) of section 7041(c) of the
25 Department of State, Foreign Operations, and

1 Related Programs Appropriations Act, 2012
2 (division I of Public Law 112–74) shall con-
3 tinue in effect during fiscal year 2016 as if part
4 of this Act.

5 (B) Of the funds appropriated by this Act
6 under the heading “Economic Support Fund”,
7 not less than \$32,000,000 shall be made avail-
8 able for democracy programs for Iran: *Pro-*
9 *vided*, That such funds shall be the responsi-
10 bility of the Assistant Secretary for Near East-
11 ern Affairs, Department of State, in consulta-
12 tion with the Assistant Secretary for Democ-
13 racy, Human Rights, and Labor, Department of
14 State.

15 (2) REPORTS.—

16 (A) The reporting requirements in section
17 7043(c) of the Department of State, Foreign
18 Operations, and Related Programs Appropria-
19 tions Act, 2010 (division F of Public Law 111–
20 117) shall continue in effect during fiscal year
21 2016 as if part of this Act: *Provided*, That the
22 date in subsection (c)(1) shall be deemed to be
23 “September 30, 2016”.

24 (B) The Secretary of State shall submit to
25 the appropriate congressional committees, not

1 later than 30 days after enactment of this Act
2 and at the end of each 30-day period thereafter
3 until September 30, 2016, a report on the im-
4 plementation of the Joint Plan of Action be-
5 tween the P5+1 and the Government of Iran
6 concluded on November 24, 2013, and any ex-
7 tension of or successor to that agreement,
8 which may be submitted in classified form if
9 necessary.

10 (c) IRAQ.—

11 (1) PURPOSES.—Funds appropriated by this
12 Act may be made available for assistance for Iraq to
13 promote governance, security, and internal and re-
14 gional stability, including in Kurdistan and other
15 areas impacted by the conflict in Syria, and among
16 Iraq’s religious and ethnic minority populations.

17 (2) LIMITATION.—None of the funds appro-
18 priated by this Act may be made available for con-
19 struction, rehabilitation, or other improvements to
20 United States diplomatic facilities in Iraq on prop-
21 erty for which no land-use agreement has been en-
22 tered into by the Governments of the United States
23 and Iraq: *Provided*, That the restrictions in this
24 paragraph shall not apply if such funds are nec-
25 essary to protect United States diplomatic facilities

1 or the security, health, and welfare of United States
2 personnel.

3 (3) KURDISTAN REGIONAL GOVERNMENTS SE-
4 CURITY SERVICES.—Funds appropriated by this Act
5 under the headings “International Narcotics Control
6 and Law Enforcement” and “Foreign Military Fi-
7 nancing Program” that are available for assistance
8 for Iraq should be made available to enhance the ca-
9 pacity of Kurdistan Regional Government security
10 services and for security programs in Kurdistan to
11 address requirements arising from the violence in
12 Syria and Iraq: *Provided*, That the Secretary of
13 State shall consult with the Committees on Appro-
14 priations prior to obligating such funds.

15 (d) JORDAN.—

16 (1) MEMORANDUM OF UNDERSTANDING ON
17 STRATEGIC PARTNERSHIP.—Of the funds appro-
18 priated by this Act under the headings “Economic
19 Support Fund” and “Foreign Military Financing
20 Program”, not less than \$1,000,000,000 shall be
21 made available for assistance for Jordan, consistent
22 with the Memorandum of Understanding on Stra-
23 tegic Partnership between the Hashemite Kingdom
24 of Jordan and the United States, signed on March
25 2, 2015.

1 (2) ADDITIONAL ASSISTANCE.—

2 (A) RESPONSE TO THE SYRIAN CRISIS.—In
3 addition to amounts made available in para-
4 graph (1), funds appropriated by this Act shall
5 be made available for programs to implement
6 the Jordan Response Plan 2015 for the Syria
7 Crisis, including assistance for host commu-
8 nities in Jordan: *Provided*, That not later than
9 180 days after enactment of this Act, the Sec-
10 retary of State shall submit a report to the
11 Committees on Appropriations describing the
12 United States and other donor contributions to
13 such Plan.

14 (B) BUDGET SUPPORT.—In addition to
15 amounts made available in paragraphs (1),
16 2(A), and 2(C), of the funds appropriated by
17 this Act under the heading “Economic Support
18 Fund”, not less than \$75,000,000 shall be
19 made available for budget support for the Gov-
20 ernment of Jordan: *Provided*, That of the funds
21 appropriated by this Act for assistance for Jor-
22 dan, not less than \$204,000,000 shall be made
23 available for budget support for the Govern-
24 ment of Jordan.

1 (C) WATER SECTOR SUPPORT.—In addi-
2 tion to amounts made available in paragraphs
3 (1), (2)(A), and (2)(B), of the funds appro-
4 priated by this Act, \$100,000,000 shall be
5 made available for water sector support for Jor-
6 dan: *Provided*, That the Secretary of State shall
7 consult with the Committees on Appropriations
8 prior to obligating such funds.

9 (e) LEBANON.—

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

17 (2) CONSULTATION REQUIREMENT.—Funds ap-
18 propriated by this Act under the headings “Inter-
19 national Narcotics Control and Law Enforcement”
20 and “Foreign Military Financing Program” that are
21 available for assistance for Lebanon may be made
22 available for programs and equipment for the ISF
23 and the LAF to address security and stability re-
24 quirements in areas affected by the conflict in Syria,

1 following consultation with the appropriate congress-
2 sional committees.

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

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

1 is only used for the intended purposes, except such
2 plan may not be considered as meeting the notifica-
3 tion requirements under section 7015 of this Act or
4 under section 634A of the Foreign Assistance Act of
5 1961, and shall be submitted not later than Sep-
6 tember 1, 2016: *Provided further*, That any notifica-
7 tion submitted pursuant to such sections shall in-
8 clude any funds specifically intended for lethal mili-
9 tary equipment.

10 (f) LIBYA.—

11 (1) FUNDING.—Of the funds appropriated by
12 titles III and IV of this Act, not less than
13 \$20,000,000 shall be made available for assistance
14 for Libya for programs to strengthen governing in-
15 stitutions, improve border security, and promote de-
16 mocracy and stability in Libya, and for activities to
17 address the humanitarian needs of the people of
18 Libya.

19 (2) LIMITATIONS.—

20 (A) COOPERATION ON THE SEPTEMBER
21 2012 ATTACK ON UNITED STATES PERSONNEL
22 AND FACILITIES.—None of the funds appro-
23 priated by this Act may be made available for
24 assistance for the central Government of Libya
25 unless the Secretary of State reports to the

1 Committees on Appropriations that such gov-
2 ernment is cooperating with United States Gov-
3 ernment efforts to investigate and bring to jus-
4 tice those responsible for the attack on United
5 States personnel and facilities in Benghazi,
6 Libya in September 2012: *Provided*, That the
7 limitation in this paragraph shall not apply to
8 funds made available for the purpose of pro-
9 tecting United States Government personnel or
10 facilities.

11 (B) INFRASTRUCTURE PROJECTS.—The
12 limitation on the uses of funds in section
13 7041(f)(2) of the Department of State, Foreign
14 Operations, and Related Programs Appropria-
15 tions Act, 2014 (division K of Public Law 113–
16 76) shall apply to funds appropriated by this
17 Act that are made available for assistance for
18 Libya.

19 (3) CERTIFICATION REQUIREMENT.—Prior to
20 the initial obligation of funds made available by this
21 Act for assistance for Libya, the Secretary of State
22 shall certify and report to the Committees on Appro-
23 priations that all practicable steps have been taken
24 to ensure that mechanisms are in place for moni-

1 toring, oversight, and control of funds made avail-
2 able by this subsection for assistance for Libya.

3 (g) MOROCCO.—

4 (1) AVAILABILITY AND CONSULTATION RE-
5 QUIREMENT.—Funds appropriated under title III of
6 this Act shall be made available for assistance for
7 the Western Sahara: *Provided*, That not later than
8 90 days after enactment of this Act and prior to the
9 obligation of such funds the Secretary of State, in
10 consultation with the Administrator of the United
11 States Agency for International Development, shall
12 consult with the Committees on Appropriations on
13 the proposed uses of such funds.

14 (2) FOREIGN MILITARY FINANCING PRO-
15 GRAM.—Funds appropriated by this Act under the
16 heading “Foreign Military Financing Program” that
17 are available for assistance for Morocco may only be
18 used for the purposes requested in the Congressional
19 Budget Justification, Foreign Operations, Fiscal
20 Year 2016.

21 (h) SYRIA.—

22 (1) NON-LETHAL ASSISTANCE.—Of the funds
23 appropriated by this Act under the headings “Eco-
24 nomic Support Fund”, “International Narcotics
25 Control and Law Enforcement”, and “Peacekeeping

1 Operations”, not less than \$175,000,000 shall be
2 made available, notwithstanding any other provision
3 of law, for non-lethal assistance for programs to ad-
4 dress the needs of civilians affected by conflict in
5 Syria, and for programs that seek to—

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

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

11 (C) develop and implement political proc-
12 esses that are democratic, transparent, and ad-
13 here to the rule of law;

14 (D) further the legitimacy of the Syrian
15 opposition through cross-border programs;

16 (E) develop civil society and an inde-
17 pendent media in Syria;

18 (F) promote economic development in
19 Syria;

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

24 (H) counter extremist ideologies;

1 (I) assist Syrian refugees whose education
2 has been interrupted by the ongoing conflict to
3 complete higher education requirements at re-
4 gional academic institutions; and

5 (J) assist vulnerable populations in Syria
6 and in neighboring countries.

7 (2) SYRIAN ORGANIZATIONS AND STRATEGY UP-
8 DATE.—Funds appropriated by this Act that are
9 made available for assistance for Syria pursuant to
10 the authority of this subsection shall be made avail-
11 able for a program to strengthen the capability of
12 Syrian diaspora-led organizations and local Syrian
13 civil society organizations to address the immediate
14 and long-term needs of the Syrian people inside
15 Syria in a manner that supports the sustainability of
16 such organizations in implementing Syrian-led hu-
17 manitarian and development programs and the com-
18 prehensive strategy required in section 7041(i)(3) of
19 the Department of State, Foreign Operations, and
20 Related Programs Appropriations Act, 2014 (divi-
21 sion K of Public Law 113–76): *Provided further*,
22 That not later than 30 days after enactment of this
23 Act, and prior to the initial obligation of funds, the
24 Secretary of State shall submit an update to such

1 strategy to the Committees on Appropriations, in
2 classified form if necessary.

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

17 (4) CONSULTATION.—Funds made available
18 pursuant to this subsection may only be made avail-
19 able following consultation with the appropriate con-
20 gressional committees.

21 (i) WEST BANK AND GAZA.—

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

1 retary of State shall report to the Committees on
2 Appropriations that the purpose of such assistance
3 is to—

4 (A) advance Middle East peace;

5 (B) improve security in the region;

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

8 (D) promote a private sector economy; or

9 (E) address urgent humanitarian needs.

10 (2) LIMITATIONS.—

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

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

22 (II) the Palestinians initiate an Inter-
23 national Criminal Court (ICC) judicially
24 authorized investigation, or actively sup-
25 port such an investigation, that subjects

1 Israeli nationals to an investigation for al-
2 leged crimes against Palestinians.

3 (ii) The Secretary of State may waive the
4 restriction in clause (i) of this subparagraph re-
5 sulting from the application of subclause (I) of
6 such clause if the Secretary certifies to the
7 Committees on Appropriations that to do so is
8 in the national security interest of the United
9 States, and submits a report to such Commit-
10 tees detailing how the waiver and the continu-
11 ation of assistance would assist in furthering
12 Middle East peace.

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

23 (I) obtained in the United Nations or
24 any specialized agency thereof the same
25 standing as member states or full member-

1 ship as a state outside an agreement nego-
2 tiated between Israel and the Palestinians;
3 and

4 (II) taken any action with respect to
5 the ICC that is intended to influence a de-
6 termination by the ICC to initiate a judi-
7 cially authorized investigation, or to ac-
8 tively support such an investigation, that
9 subjects Israeli nationals to an investiga-
10 tion for alleged crimes against Palestin-
11 ians.

12 (ii) Not less than 90 days after the Presi-
13 dent is unable to make the certification and re-
14 port pursuant to clause (i) of this subpara-
15 graph, the President may waive section 1003 of
16 Public Law 100–204 if the President deter-
17 mines and certifies in writing to the Speaker of
18 the House of Representatives, the President pro
19 tempore of the Senate, and the Committees on
20 Appropriations that the Palestinians have en-
21 tered into direct and meaningful negotiations
22 with Israel: *Provided*, That any waiver of the
23 provisions of section 1003 of Public Law 100–
24 204 under clause (i) of this subparagraph or
25 under previous provisions of law must expire

1 before the waiver under the preceding sentence
2 may be exercised.

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

8 (3) REDUCTION.—The Secretary of State shall
9 reduce the amount of assistance made available by
10 this Act under the heading “Economic Support
11 Fund” for the Palestinian Authority by an amount
12 the Secretary determines is equivalent to the amount
13 expended by the Palestinian Authority as payments
14 for acts of terrorism by individuals who are impris-
15 oned after being fairly tried and convicted for acts
16 of terrorism and by individuals who died committing
17 acts of terrorism during the previous calendar year:
18 *Provided*, That the Secretary shall report to the
19 Committees on Appropriations on the amount re-
20 duced for fiscal year 2016 prior to the obligation of
21 funds for the Palestinian Authority.

22 (4) SECURITY REPORT.—The reporting require-
23 ments contained in section 1404 of the Supple-
24 mental Appropriations Act, 2008 (Public Law 110–
25 252) 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 AFRICA

4 SEC. 7042. (a) ETHIOPIA.—

5 (1) FORCED EVICTIONS.—

6 (A) Funds appropriated by this Act for as-
7 sistance for Ethiopia may not be made available
8 for any activity that involves forced evictions.

9 (B) The Secretary of the Treasury shall
10 instruct the United States executive director of
11 each international financial institution to vote
12 against financing for any activity that involves
13 forced evictions.

14 (2) CONSULTATION REQUIREMENT.—Programs
15 and activities to improve livelihoods shall include
16 prior consultation with, and the participation of, af-
17 fected communities, including in the South Omo and
18 Gambella regions.

19 (3) FOREIGN MILITARY FINANCING PRO-
20 GRAM.—Funds appropriated by this Act under the
21 heading “Foreign Military Financing Program” for
22 assistance for Ethiopia may only be made available
23 for border security and counter terrorism programs,
24 support for international peacekeeping efforts, and

1 assistance for the Ethiopian Defense Command and
2 Staff College.

3 (b) LAKE CHAD BASIN COUNTRIES.—Funds appro-
4 priated by this Act shall be made available for democracy
5 programs in Cameroon, Chad, Niger, and Nigeria, con-
6 sistent with the requirements of section 7073 of this Act
7 and following consultation with the Committees on Appro-
8 priations: *Provided*, That such programs should protect
9 freedoms of expression, association and religion, including
10 for journalists, civil society, and opposition political par-
11 ties, and should be used to assist the governments of such
12 countries to strengthen accountability and the rule of law,
13 including within the security forces.

14 (c) PROGRAMS IN AFRICA.—

15 (1) Of the funds appropriated by this Act under
16 the headings “Global Health Programs” and “Eco-
17 nomic Support Fund”, not less than \$7,000,000
18 shall be made available for the purposes of section
19 7042(g)(1) of the Department of State, Foreign Op-
20 erations, and Related Programs Appropriations Act,
21 2014 (division K of Public Law 113–76).

22 (2) Of the funds appropriated by this Act under
23 the headings “Economic Support Fund” and “Inter-
24 national Narcotics Control and Law Enforcement”,
25 not less than \$8,000,000 shall be made available for

1 the purposes of section 7042(g)(2) of the Depart-
2 ment of State, Foreign Operations, and Related Pro-
3 grams Appropriations Act, 2014 (division K of Pub-
4 lic Law 113–76).

5 (3) Funds made available under paragraphs (1)
6 and (2) shall be programmed in a manner that
7 leverages a United States Government-wide ap-
8 proach to addressing shared challenges and mutually
9 beneficial opportunities, and shall be the responsi-
10 bility of United States Chiefs of Mission in countries
11 in Africa seeking enhanced partnerships with the
12 United States in areas of trade, investment, develop-
13 ment, health, and security.

14 (d) SOUTH SUDAN.—

15 (1) Funds appropriated by this Act that are
16 made available for assistance for South Sudan
17 should—

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

24 (B) support programs that build resilience
25 of communities to address food insecurity,

1 maintain educational opportunities, and en-
2 hance local governance;

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

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

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

15 (2) None of the funds appropriated by this Act
16 that are available for assistance for the central Gov-
17 ernment of South Sudan may be made available
18 until the Secretary of State certifies and reports to
19 the Committees on Appropriations that such govern-
20 ment is taking effective steps to—

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

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

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

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

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

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

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

12 (A) humanitarian assistance;

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

16 (C) assistance to support implementation
17 of outstanding issues of the Comprehensive
18 Peace Agreement (CPA) and mutual arrange-
19 ments related to the CPA.

20 (e) SUDAN.—

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

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

9 (3) The limitations of paragraphs (1) and (2)
10 shall not apply to—

11 (A) humanitarian assistance;

12 (B) assistance for democracy programs;

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

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

23 (f) VICTIMS OF VIOLENCE AND VIOLENT EXTREMIST
24 GROUPS.—

1 (1) Funds appropriated by this Act that are
2 made available for assistance for Cameroon, Chad,
3 Niger, and Nigeria shall be made available for as-
4 sistance for women and girls who are targeted by
5 the terrorist organization Boko Haram, consistent
6 with the provisions of section 7059 of this Act, and
7 in consultation with the governments of such coun-
8 tries.

9 (2) Of the funds appropriated by this Act under
10 the heading “Economic Support Fund”, not less
11 than \$10,000,000 shall be made available for pro-
12 grams and activities in areas affected by the Lord’s
13 Resistance Army (LRA) consistent with the goals of
14 the Lord’s Resistance Army and Disarmament and
15 Northern Uganda Recovery Act (Public Law 111–
16 172), including to improve physical access, tele-
17 communications infrastructure, and early-warning
18 mechanisms and to support the disarmament, demo-
19 bilization, and reintegration of former LRA combat-
20 ants, especially child soldiers.

21 (3) Funds made available by this Act for assist-
22 ance for the Central African Republic shall be made
23 available for reconciliation and peacebuilding pro-
24 grams, including activities to promote inter-faith

1 dialogue at the national and local levels, and for pro-
2 grams to prevent crimes against humanity.

3 (g) ZIMBABWE.—

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

15 (2) None of the funds appropriated by this Act
16 shall be made available for assistance for the central
17 Government of Zimbabwe, except for health and
18 education, unless the Secretary of State certifies and
19 reports as required in paragraph (1), and funds may
20 be made available for macroeconomic growth assist-
21 ance if the Secretary reports to the Committees on
22 Appropriations that such government is imple-
23 menting transparent fiscal policies, including public
24 disclosure of revenues from the extraction of natural
25 resources.

EAST ASIA AND THE PACIFIC

SEC. 7043. (a) ASIA REBALANCING INITIATIVE.—

Except for paragraphs (1)(C), (4), (5)(B) and (C), and 6(B), section 7043(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall continue in effect during fiscal year 2016 as if part of this Act.

(b) BURMA.—

(1) FREE AND FAIR NATIONAL ELECTIONS.—

Notwithstanding any provision of this subsection, of the funds appropriated by this Act under the headings “Economic Support Fund” and “International Narcotics Control and Law Enforcement” for assistance for Burma, \$15,000,000 shall be withheld from obligation until the Secretary of State certifies and reports to the appropriate congressional committees that the Government of Burma, including the armed forces, is—

(A) furthering democratic reforms in an inclusive and transparent manner that includes the participation of civil society, opposition political parties, and parliament;

(B) taking effective steps to hold free and fair elections consistent with internationally recognized standards for democratic elections, in-

1 including those identified by the National League
2 for Democracy in its January 13, 2015 state-
3 ment on elections;

4 (C) supporting the independence of the
5 Union Election Commission, and refraining
6 from using official resources for electioneering;

7 (D) promoting and protecting human
8 rights, particularly for Rohingya, Kachin, and
9 other religious and ethnic groups;

10 (E) releasing all political prisoners; and

11 (F) fulfilling international commitments
12 and reform pledges outlined in Myanmar Presi-
13 dent Office Press Release No. 2/2012.

14 (2) BILATERAL ECONOMIC ASSISTANCE.—(A)
15 Funds appropriated by this Act under the heading
16 “Economic Support Fund” for assistance for Burma
17 may be made available notwithstanding any other
18 provision of law, except for this subsection, and fol-
19 lowing consultation with the appropriate congres-
20 sional committees.

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

23 (i) may not be made available for budget
24 support for the Government of Burma;

1 (ii) shall be provided to strengthen civil so-
2 ciety organizations in Burma, including as core
3 support for such organizations;

4 (iii) shall be made available for the imple-
5 mentation of the democracy and human rights
6 strategy required by section 7043(b)(3)(A) of
7 the Department of State, Foreign Operations,
8 and Related Programs Appropriations Act,
9 2014 (division K of Public Law 113–76);

10 (iv) shall be made available for community-
11 based organizations operating in Thailand to
12 provide food, medical, and other humanitarian
13 assistance to internally displaced persons in
14 eastern Burma, in addition to assistance for
15 Burmese refugees from funds appropriated by
16 this Act under the heading “Migration and Ref-
17 ugee Assistance”;

18 (v) shall be made available for programs to
19 promote ethnic and religious tolerance, includ-
20 ing in Rakhine and Kachin states;

21 (vi) may not be made available to any suc-
22 cessor or affiliated organization of the State
23 Peace and Development Council (SPDC) con-
24 trolled by former SPDC members that pro-
25 motes the repressive policies of the SPDC, or to

1 any individual or organization credibly alleged
2 to have committed gross violations or human
3 rights, including against Rohingya and other
4 minority groups; and

5 (vii) may be made available for programs
6 administrated by the Office of Transition Initia-
7 tives, United States Agency for International
8 Development (USAID), or ethnic groups and
9 civil society in Burma to help sustain ceasefire
10 agreements and further prospects for reconcili-
11 ation and peace, which may include support to
12 representatives of ethnic armed groups for this
13 purpose.

14 (3) INTERNATIONAL SECURITY ASSISTANCE.—

15 None of the funds appropriated by this Act under
16 the headings “International Military Education and
17 Training” and “Foreign Military Financing Pro-
18 gram” may be made available for assistance for
19 Burma: *Provided*, That if the Secretary of State
20 makes the certification and report required in para-
21 graph (1), the Department of State may continue
22 consultations with the armed forces of Burma only
23 on human rights and disaster response in a manner
24 consistent with the prior fiscal year, and following

1 consultation with the appropriate congressional com-
2 mittees.

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

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

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

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

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

4 (5) ASSESSMENT.—Not later than 180 days
5 after enactment of this Act, the Comptroller General
6 of the United States shall initiate an assessment of
7 democracy programs in Burma conducted by the De-
8 partment of State and USAID, including the strat-
9 egy for such programs, and programmatic imple-
10 mentation and results: *Provided*, That of the funds
11 appropriated by this Act for assistance for Burma,
12 up to \$100,000 shall be made available to the Comp-
13 troller for such assessment.

14 (6) PROGRAMS, POSITION, AND RESPONSIBIL-
15 ITIES.—

16 (A) Any new program or activity in Burma
17 initiated in fiscal year 2016 shall be subject to
18 prior consultation with the appropriate congres-
19 sional committees.

20 (B) Section 7043(b)(7) of the Department
21 of State, Foreign Operations, and Related Pro-
22 grams Appropriations Act, 2015 (division J of
23 Public Law 113–235) shall continue in effect
24 during fiscal year 2016 as if part of this Act.

1 (C) The United States Chief of Mission in
2 Burma, in consultation with the Assistant Sec-
3 retary for the Bureau of Democracy, Human
4 Rights, and Labor, Department of State, shall
5 be responsible for democracy programs in
6 Burma.

7 (c) CAMBODIA.—

8 (1) DEMOCRACY PROGRAMS.—Of the funds ap-
9 propriated under title III of this Act, not less than
10 \$19,750,000 shall be made available for democracy
11 programs in Cambodia, including to promote Inter-
12 net freedom: *Provided*, That the decisions on the
13 uses of such funds shall be the responsibility of the
14 Assistant Secretary for Democracy, Human Rights,
15 and Labor, Department of State, in consultation
16 with the United States Chief of Mission in Cam-
17 bodia.

18 (2) KHMER ROUGE RESEARCH AND EDUCATION
19 PROGRAMS.—None of the funds appropriated by this
20 Act may be made available for a United States con-
21 tribution to the Extraordinary Chambers in the
22 Court of Cambodia (ECCC): *Provided*, That funds
23 made available by this Act for democracy programs
24 in Cambodia shall be made available for research
25 and education programs associated with the Khmer

1 Rouge genocide in Cambodia: *Provided further*, That
2 the Secretary of State shall continue to consult with
3 the Principal Donors Group on reimbursements to
4 the Documentation Center of Cambodia for costs in-
5 curred in support of the ECCC.

6 (d) NORTH KOREA.—

7 (1) BROADCASTS.—Funds appropriated by this
8 Act under the heading “International Broadcasting
9 Operations” shall be made available to maintain
10 broadcasts into North Korea at levels consistent
11 with the prior fiscal year.

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

18 (3) DATABASE AND REPORT.—Funds appro-
19 priated by this Act under the heading “Democracy
20 Fund” that are made available to the Bureau of De-
21 mocracy, Human Rights, and Labor, Department of
22 State, shall be made available to maintain a data-
23 base of prisons and gulags in North Korea, in ac-
24 cordance with section 7032(i) of the Department of
25 State, Foreign Operations, and Related Programs

1 Appropriations Act, 2014 (division K of Public Law
2 113–76): *Provided*, That not later than 30 days
3 after enactment of this Act, the Secretary of State
4 shall submit a report to the Committees on Appro-
5 priations describing the sources of information and
6 format of such database.

7 (4) LIMITATION ON USE OF FUNDS.—None of
8 the funds appropriated by this Act under the head-
9 ing “Economic Support Fund” may be made avail-
10 able for assistance for the Government of North
11 Korea.

12 (e) PEOPLE’S REPUBLIC OF CHINA.—

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

22 (2) PEOPLE’S LIBERATION ARMY.—The terms
23 and requirements of section 620(h) of the Foreign
24 Assistance Act of 1961 shall apply to foreign assist-
25 ance projects or activities of the People’s Liberation

1 Army (PLA) of the PRC, to include such projects or
2 activities by any entity that is owned or controlled
3 by, or an affiliate of, the PLA: *Provided*, That none
4 of the funds appropriated or otherwise made avail-
5 able pursuant to this Act may be used to finance
6 any grant, contract, or cooperative agreement with
7 the PLA, or any entity that the Secretary of State
8 has reason to believe is owned or controlled by, or
9 an affiliate of, the PLA.

10 (3) PROGRAMS TO PROMOTE AND STRENGTHEN
11 TRANSPARENCY, ACCOUNTABILITY, AND CIVIC ADVOCACY.—Of the funds appropriated by this Act under
12 the heading “Economic Support Fund”, not less
13 than \$15,000,000 shall be made available for democ-
14 racy and environment programs for the PRC: *Pro-*
15 *vided*, That the strategic objective of such programs
16 shall be to promote and strengthen transparency, ac-
17 countability, and civic advocacy at the grassroots
18 and national levels in the PRC: *Provided further*,
19 That none of such funds may be made available for
20 assistance for the Government of the PRC.

22 (4) COUNTER INFLUENCE PROGRAMS.—Funds
23 appropriated by this Act for public diplomacy under
24 title I and for assistance under titles III and IV
25 shall be made available to counter the influence of

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

7 (5) COST-MATCHING REQUIREMENT.—Section
8 7032(f) of the Department of State, Foreign Oper-
9 ations, and Related Programs Appropriations Act,
10 2015 (division J of Public Law 113–235) shall con-
11 tinue in effect during fiscal year 2016 as if part of
12 this Act.

13 (6) HONG KONG REPORT.—Not later than 90
14 days after the enactment of this Act, the Secretary
15 of State shall submit to the appropriate congress-
16 sional committees the report required under section
17 301 of the United States-Hong Kong Policy Act of
18 1992 (22 U.S.C. 5731): *Provided*, That such report
19 shall be made publicly available on the Department
20 of State Web site.

21 (f) TIBET.—

22 (1) FINANCING OF PROJECTS IN TIBET.—The
23 Secretary of the Treasury should instruct the United
24 States executive director of each international finan-
25 cial institution to use the voice and vote of the

1 United States to support financing of projects in
2 Tibet if such projects do not provide incentives for
3 the migration and settlement of non-Tibetans into
4 Tibet or facilitate the transfer of ownership of Ti-
5 betan land and natural resources to non-Tibetans,
6 are based on a thorough needs-assessment, foster
7 self-sufficiency of the Tibetan people and respect Ti-
8 betan culture and traditions, and are subject to ef-
9 fective monitoring.

10 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

11 Notwithstanding any other provision of law, of the
12 funds appropriated by this Act under the heading
13 “Economic Support Fund” \$8,000,000 shall be made
14 available to nongovernmental organizations to sup-
15 port activities which preserve cultural traditions and
16 promote sustainable development, education, and en-
17 vironmental conservation in Tibetan communities in
18 the Tibetan Autonomous Region and in other Ti-
19 betan communities in China.

20 (3) Of the funds appropriated by this Act under
21 the heading, “Economic Support Fund” not less
22 than \$6,000,000 shall be made available for pro-
23 grams to promote and preserve Tibetan culture, de-
24 velopment, and the resilience of Tibetan commu-
25 nities in India and Nepal, and to assist in the edu-

1 cation and development of the next generation of Ti-
2 betan leaders from such communities: *Provided*,
3 That such funds are in addition to amounts made
4 available in paragraph (2) for programs inside Tibet.

5 (g) VIETNAM.—

6 (1) DIOXIN REMEDIATION.—Of the funds ap-
7 propriated by this Act under the heading “Economic
8 Support Fund”, not less than \$25,000,000 shall be
9 made available for remediation of dioxin contami-
10 nated sites in Vietnam and may be made available
11 for assistance for the Government of Vietnam, in-
12 cluding the military, for such purposes.

13 (2) HEALTH AND DISABILITY PROGRAMS.—Of
14 the funds appropriated by this Act under the head-
15 ing “Development Assistance”, not less than
16 \$7,000,000 shall be made available for health and
17 disability programs in areas sprayed with Agent Or-
18 ange and otherwise contaminated with dioxin, to as-
19 sist individuals with severe upper or lower body mo-
20 bility impairment and/or cognitive or developmental
21 disabilities.

22 SOUTH AND CENTRAL ASIA

23 SEC. 7044. (a) AFGHANISTAN.—

24 (1) DIPLOMATIC OPERATIONS.—

1 (A) FACILITIES.—Funds appropriated by
2 this Act under the headings “Diplomatic and
3 Consular Programs”, “Embassy Security, Con-
4 struction, and Maintenance”, and “Operating
5 Expenses” that are available for construction
6 and renovation of United States Government
7 facilities in Afghanistan may not be made avail-
8 able if the purpose is to accommodate Federal
9 employee positions or to expand aviation facili-
10 ties or assets above those notified by the De-
11 partment of State and the United States Agen-
12 cy for International Development (USAID) to
13 the Committees on Appropriations, or contrac-
14 tors in addition to those in place on the date of
15 enactment of this Act: *Provided*, That the limi-
16 tations in this paragraph shall not apply if
17 funds are necessary to implement plans for ac-
18 commodating other United States Government
19 agencies under Chief of Mission authority per
20 section 3927 of title 22, United States Code, or
21 to protect such facilities or the security, health,
22 and welfare of United States Government per-
23 sonnel.

24 (B) PERSONNEL AND OFFICES REPORTS.—

1 (i) Not later than 30 days after enact-
2 ment of this Act and every 120 days there-
3 after until September 30, 2016, the Sec-
4 retary of State shall submit a report, in
5 classified form if necessary, to the appro-
6 priate congressional committees detailing
7 by agency the number of personnel present
8 in Afghanistan under Chief of Mission au-
9 thority per section 3927 of title 22, United
10 States Code, at the end of the 120 day pe-
11 riod preceding the submission of such re-
12 port: *Provided*, That such report shall also
13 include the number of locally employed
14 staff and contractors supporting United
15 States Embassy operations in Afghanistan
16 during the reporting period.

17 (ii) Not later than 90 days after en-
18 actment of this Act, the Secretary of State
19 and the USAID Administrator shall each
20 submit to the appropriate congressional
21 committees transition plans for the Office
22 of the Special Representative for Afghani-
23 stan and Pakistan, Department of State,
24 and the Office of Afghanistan and Paki-
25 stan Affairs, USAID, respectively: *Pro-*

1 *vided*, That such plans shall include a
2 timeline, estimated costs, and the per-
3 sonnel requirements for the merger of such
4 offices into the relevant bureaus and of-
5 fices of the Department of State and
6 USAID.

7 (2) ASSISTANCE AND CONDITIONS.—

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

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

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

24 (iii) is inaccessible for the purposes of
25 conducting regular oversight in accordance

1 with applicable Federal statutes and regu-
2 lations; and

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

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

15 (i) goals and benchmarks for the spe-
16 cific uses of such funds;

17 (ii) conditions that increase the trans-
18 parency and accountability of the Govern-
19 ment of Afghanistan for funds obligated
20 under the New Development Partnership;

21 (iii) monitoring and oversight frame-
22 works in accordance with all applicable
23 audit policies of the Department of State
24 and USAID; and

1 (iv) processes for the public reporting
2 of the Government of Afghanistan's na-
3 tional budget, including revenues and ex-
4 penditures.

5 (C) WAIVER.—The Secretary of State,
6 after consultation with the Secretary of De-
7 fense, may waive the certification requirement
8 of subparagraph (B) if the Secretary deter-
9 mines that to do so is important to the national
10 security interest of the United States and the
11 Secretary submits a report to the Committees
12 on Appropriations, in classified form if nec-
13 essary, on the justification for the waiver and
14 the reasons why any part of the certification re-
15 quirement of subparagraph (B) has not been
16 met.

17 (D) PROGRAMS.—Funds appropriated by
18 this Act that are made available for assistance
19 for Afghanistan shall be made available in the
20 following manner—

21 (i) not less than \$50,000,000 shall be
22 made available for rule of law programs,
23 the decisions for which shall be the respon-
24 sibility of the Chief of Mission, in consulta-

1 tion with other appropriate United States
2 Government officials in Afghanistan;

3 (ii) funds may be made available for
4 an endowment to empower women and
5 girls, and shall be made available for pro-
6 grams that protect the rights of women
7 and promote the political and economic
8 empowerment of women, including their
9 meaningful inclusion in political processes:
10 *Provided*, That such assistance to promote
11 economic empowerment of women shall
12 made available as grants to Afghan and
13 international organizations, to the max-
14 imum extent practicable;

15 (iii) funds shall be made available for
16 programs in Central and South Asia to ex-
17 pand linkages between Afghanistan and
18 countries in the region, subject to the reg-
19 ular notification procedures of the Commit-
20 tees on Appropriations; and

21 (iv) funds may be made available to
22 assist the Government of Afghanistan to
23 increase revenue collection and expendi-
24 ture.

25 (3) REPORTING REQUIREMENTS.—

1 (A) GOALS AND BENCHMARKS.—Not later
2 than 90 days after enactment of this Act, the
3 Secretary of State shall submit to the appro-
4 priate congressional committees a report de-
5 scribing the goals and benchmarks required in
6 clause (2)(B)(i): *Provided*, That not later than
7 6 months after the submission of such report
8 and every 6 months thereafter until September
9 30, 2017, the Secretary of State shall submit a
10 report to such committees on the status of
11 achieving such goals and benchmarks: *Provided*
12 *further*, That the Secretary of State should sus-
13 pend assistance for the Government of Afghani-
14 stan if any report required by this paragraph
15 indicates that Afghanistan is failing to make
16 measurable progress in meeting such goals and
17 benchmarks.

18 (B) CORRUPTION AND CRIMINAL PROSECU-
19 TIONS.—Not later than 180 days after enact-
20 ment of this Act, the Secretary of State shall
21 submit to the appropriate congressional com-
22 mittees a report detailing steps taken by the
23 Government of Afghanistan to combat corrup-
24 tion and prosecute individuals alleged to be in-
25 volved in illegal activities in Afghanistan.

1 (4) AUTHORITIES.—

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

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

10 (ii) for reconciliation programs and
11 disarmament, demobilization, and re-
12 integration activities for former combat-
13 ants who have renounced violence against
14 the Government of Afghanistan, including
15 as a United States contribution to the Af-
16 ghanistan Reconstruction Trust Fund and
17 an internationally managed fund for such
18 purposes, subject to the regular notifica-
19 tion procedures of the Committees on Ap-
20 propriations.

21 (B) Section 7046(a)(2)(A) of the Depart-
22 ment of State, Foreign Operations, and Related
23 Programs Appropriations Act, 2012, (division I
24 of Public Law 112–74) shall apply to funds ap-

1 appropriated by this Act for assistance for Af-
2 ghanistan.

3 (C) Section 1102(c) of the Supplemental
4 Appropriations Act, 2009 (title XI of Public
5 Law 111–32) shall continue in effect during fis-
6 cal year 2016 as if part of this Act.

7 (b) BANGLADESH.—Funds appropriated by this Act
8 under the heading “Development Assistance” that are
9 made available for assistance for Bangladesh shall be
10 made available for programs to improve labor conditions
11 by strengthening the capacity of independent workers’ or-
12 ganizations in Bangladesh’s readymade garment, shrimp,
13 and fish export sectors.

14 (c) NEPAL.—

15 (1) BILATERAL ECONOMIC ASSISTANCE.—Of
16 the funds appropriated by this Act under titles III
17 and IX, not less than \$150,000,000 shall be made
18 available for assistance for Nepal for earthquake re-
19 lief, recovery, and reconstruction programs: *Pro-*
20 *vided*, That such amounts shall be in addition to
21 funds made available by this Act for development
22 and democracy programs in Nepal: *Provided further*,
23 That funds made available for earthquake relief, re-
24 covery, and reconstruction programs should—

1 (A) target affected communities on an eq-
2uitable basis;

3 (B) promote political reforms, as appro-
4priate, including to strengthen institutions and
5constitutional processes; and

6 (C) include sufficient oversight mecha-
7nisms, to include the participation of civil soci-
8ety organizations.

9 (2) FOREIGN MILITARY FINANCING PRO-
10GRAM.—

11 (A) Funds appropriated by this Act under
12the heading “Foreign Military Financing Pro-
13gram” shall only be made available for humani-
14tarian and disaster relief and reconstruction ac-
15tivities in Nepal, and in support of international
16peacekeeping operations: *Provided*, That any
17additional uses of such funds may only be made
18available if the Secretary of State certifies and
19reports to the Committees on Appropriations
20that the Government of Nepal is investigating
21and prosecuting violations of human rights and
22the law of war, and the Nepal army is cooper-
23ating fully with civilian judicial authorities on
24such efforts.

1 (B) Of the funds appropriated under titles
2 IV and VIII of this Act and prior Acts making
3 appropriations for the Department of State,
4 foreign operations, and related programs under
5 the heading “Foreign Military Financing Pro-
6 gram” for assistance for Pakistan, up to
7 \$36,000,000 may be made available for the
8 purchase and operation of aircraft for the Gov-
9 ernment of Nepal for the purposes of disaster
10 response and preparedness: *Provided*, That such
11 funds shall be subject to prior consultation with
12 the Committees on Appropriations.

13 (d) PAKISTAN.—

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

24 (A) cooperating with the United States in
25 counterterrorism efforts against the Haqqani

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

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

15 (C) dismantling improvised explosive device
16 (IED) networks and interdicting precursor
17 chemicals used in the manufacture of IEDs;

18 (D) preventing the proliferation of nuclear-
19 related material and expertise;

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

24 (F) providing humanitarian organizations
25 access to detainees, internally displaced per-

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

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

13 (3) ASSISTANCE.—

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

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

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

7 (C) Funds appropriated by this Act under
8 the heading “Economic Support Fund” that are
9 made available for assistance for infrastructure
10 projects in Pakistan shall be implemented in a
11 manner consistent with section 507(6) of the
12 Trade Act of 1974 (19 U.S.C. 2467(6)).

13 (D) Funds appropriated by this Act under
14 titles III and IV for assistance for Pakistan
15 may be made available notwithstanding any
16 other provision of law, except for this sub-
17 section and section 620M of the Foreign Assist-
18 ance Act of 1961.

19 (E) Of the funds appropriated under titles
20 III and IV of this Act that are made available
21 for assistance for Pakistan, \$33,000,000 shall
22 be withheld from obligation until the Secretary
23 of State reports to the Committees on Appro-
24 priations that Dr. Shakil Afridi has been re-
25 leased from prison and cleared of all charges re-

1 lating to the assistance provided to the United
2 States in locating Osama bin Laden.

3 (4) SCHOLARSHIPS FOR WOMEN.—Funds ap-
4 propriated by this Act under the heading “Economic
5 Support Fund” that are made available for assist-
6 ance for Pakistan shall be made available to increase
7 the number of scholarships for women under the
8 Merit and Needs-Based Scholarship Program during
9 fiscal year 2016: *Provided*, That not less than 50
10 percent of the scholarships available under such Pro-
11 gram should be awarded to Pakistani women.

12 (5) REPORTS.—

13 (A)(i) The spend plan required by section
14 7076 of this Act for assistance for Pakistan
15 shall include achievable and sustainable goals,
16 benchmarks for measuring progress, and ex-
17 pected results regarding combating poverty and
18 furthering development in Pakistan, countering
19 extremism, and establishing conditions condu-
20 cive to the rule of law and transparent and ac-
21 countable governance: *Provided*, That such
22 benchmarks may incorporate those required in
23 title III of the Enhanced Partnership with
24 Pakistan Act of 2009 (22 U.S.C. 8441 et seq.),
25 as appropriate: *Provided further*, That not later

1 than 6 months after submission of such spend
2 plan, and each 6 months thereafter until Sep-
3 tember 30, 2017, the Secretary of State shall
4 submit a report to the Committees on Appro-
5 priations on the status of achieving the goals
6 and benchmarks in such plan.

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

12 (B) Not later than 90 days after enact-
13 ment of this Act, the Secretary of State shall
14 submit a report to the Committees on Appro-
15 priations detailing the costs and objectives asso-
16 ciated with significant infrastructure projects
17 supported by the United States in Pakistan,
18 and an assessment of the extent to which such
19 projects achieve such objectives.

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

25 (e) SRI LANKA.—

1 (1) BILATERAL ECONOMIC ASSISTANCE.—Of
2 the funds appropriated by this Act under the head-
3 ings “Development Assistance” and “Economic Sup-
4 port Fund”, not less than \$40,417,000 shall be
5 made available for assistance for Sri Lanka for de-
6 mocracy and economic development programs, par-
7 ticularly in areas recovering from ethnic and reli-
8 gious conflict: *Provided*, That such funds shall be
9 made available for programs to assist in the identi-
10 fication and resolution of cases of missing persons.

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

17 (A) addressing the underlying causes of
18 conflict in Sri Lanka; and

19 (B) increasing accountability and trans-
20 parency in governance.

21 (3) INTERNATIONAL SECURITY ASSISTANCE.—
22 None of the funds appropriated by this Act under
23 the heading “Foreign Military Financing Program”
24 may be made available for assistance for Sri Lanka:
25 *Provided*, That funds appropriated by this Act under

1 the heading “International Military Education and
2 Training” may only be made available for training
3 related to international peacekeeping operations and
4 expanded IMET: *Provided further*, That funds ap-
5 propriated by this Act under the heading “Peace-
6 keeping Operations” may only be made available for
7 training related to international peacekeeping oper-
8 ations.

9 (f) REGIONAL PROGRAMS.—

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

18 (2) Funds appropriated by this Act under the
19 headings “International Narcotics Control and Law
20 Enforcement” and “Assistance for Europe, Eurasia
21 and Central Asia” that are available for assistance
22 for countries in South and Central Asia shall be
23 made available to enhance the recruitment, reten-
24 tion, and professionalism of women in the judiciary,
25 police, and other security forces, of which

1 (C) up to \$138,500,000 may be made
2 available under the heading “Economic Support
3 Fund;

4 (D) up to \$155,000,000 may be made
5 available under the heading “International Nar-
6 cotics Control and Law Enforcement”, includ-
7 ing for the Central America Regional Security
8 Initiative;

9 (E) up to \$500,000 may be made available
10 under the heading “Nonproliferation, Anti-ter-
11 rorism, Demining and Related Programs” for
12 assistance for Panama;

13 (F) up to \$3,907,000 may be made avail-
14 able under the heading “International Military
15 Education and Training”, including for assist-
16 ance for Belize, Costa Rica, and Panama;

17 (G) up to \$15,225,000 may be made avail-
18 able under the heading “Foreign Military Fi-
19 nancing Program”, including for assistance for
20 Belize, Costa Rica, and Panama; and

21 (H) up to \$2,000,000 may be made avail-
22 able under the heading “Overseas Private In-
23 vestment Corporation” for regional programs.

24 (2) PRE-OBLIGATION CONDITIONS.—

1 (A) Prior to the obligation of funds made
2 available pursuant to subparagraph (1), the
3 Secretary of State shall submit to the Commit-
4 tees on Appropriations a multi-year spend plan
5 specifying the proposed uses of such funds in
6 each country and the objectives, indicators, and
7 a timeline to measure progress in implementing
8 the Strategy, which shall include programs to
9 empower local communities and civil society or-
10 ganizations (including indigenous and other
11 marginalized groups) to address the causes of
12 poverty and violence, and the amount made
13 available from prior Acts making appropriations
14 for the Department of State, foreign operations,
15 and related programs for projects and activities
16 related to the Strategy: *Provided*, That such
17 spend plan shall also include a description of
18 how such assistance will complement and lever-
19 age funds allocated by each government, the
20 Inter-American Development Bank, and other
21 donors to implement the Plan.

22 (B) Prior to the obligation of 75 percent of
23 such funds for assistance for the central gov-
24 ernments of El Salvador, Guatemala, and Hon-
25 duras, the Secretary shall certify and report to

1 the appropriate congressional committees that
2 such government is taking effective steps to—

3 (i) support transparency and combat
4 corruption in coordination with relevant
5 international entities, including reforming
6 bank secrecy laws and strengthening anti-
7 money laundering laws, and with respect to
8 the Government of Guatemala, such steps
9 shall include the approval by the Congress
10 of reforms to the Electoral and Political
11 Parties Law proposed by the Supreme
12 Electoral Tribunal, and the investigation
13 and prosecution by the Public Ministry,
14 the Supreme Court, and the Constitutional
15 Court of government employees and high
16 ranking political appointees credibly al-
17 leged to be involved in corruption;

18 (ii) establish and implement specific
19 institutional and legal reforms, policies,
20 and programs addressing the causes of
21 poverty, violence, and corruption in such
22 country;

23 (iii) create a professional, accountable
24 civilian police force and end the role of the
25 military in internal policing;

1 (iv) protect the rights of political op-
2 position parties, journalists, trade union-
3 ists, and human rights defenders to oper-
4 ate without interference;

5 (v) prosecute and punish in civilian
6 courts members of security forces who vio-
7 late human rights;

8 (vi) protect and promote democracy,
9 including implementing reforms to protect
10 the independence and improve the profes-
11 sionalism of the judiciary, and cooperating
12 with the Inter-American Commission on
13 Human Rights, the Inter-American Court
14 on Human Rights, and international com-
15 missions against impunity, as appropriate;

16 (vii) reform tax laws and enforce tax
17 collection, strengthen customs agencies,
18 and match, on at least a dollar-for-dollar
19 basis, the amounts to be expended for the
20 projects and activities funded by this Act
21 in support of the Strategy;

22 (viii) resolve commercial disputes in a
23 timely manner, including the confiscation
24 of real property, between United States en-

1 tities and the governments of such coun-
2 tries;

3 (ix) establish an autonomous public
4 accountable entity to oversee, manage, and
5 implement the Plan, similar to manage-
6 ment entities established to support Millen-
7 nium Challenge Corporation Compacts;
8 and

9 (x) provide access to all available
10 sources of energy, especially for individuals
11 who lack affordable and reliable electricity.

12 (C) Concurrent with the submission of the
13 certification required in paragraph (B), the Sec-
14 retary of State shall certify and report to the
15 appropriate congressional committees that rep-
16 resentatives of local communities and civil soci-
17 ety organizations (including indigenous and
18 other marginalized groups) in the respective
19 country are consulted in the design, and partici-
20 pate in the implementation and evaluation of,
21 projects and activities in support of the Strat-
22 egy that affect them.

23 (3) PERIODIC REVIEW AND SUSPENSION OF AS-
24 SISTANCE.—Not later than 120 days after enact-
25 ment of this Act, and every 120 days thereafter until

1 September 30, 2017, the Secretary of State shall re-
2 view the progress of such governments in meeting
3 the objectives and indicators required in paragraph
4 (2)(B) and shall submit to the appropriate congress-
5 sional committees a report assessing such progress:
6 *Provided*, That if the Secretary of State is unable to
7 determine that sufficient progress has been made in
8 meeting the requirements of an objective or indi-
9 cator, the Secretary shall suspend assistance for pro-
10 grams supporting such objective or indicator, and
11 shall notify such committees in writing of such ac-
12 tion: *Provided further*, That the Secretary may re-
13 sume funding for such programs only after the Sec-
14 retary certifies to such committees that corrective
15 measures have been identified and implemented.

16 (4) COMMERCIAL DISPUTES REPORT.—Not
17 later than 90 days after enactment of this Act, the
18 Secretary of State shall submit to the appropriate
19 congressional committees a report detailing the eco-
20 nomic investment conditions in El Salvador, Guate-
21 mala, and Honduras, and an assessment of out-
22 standing commercial disputes, including the confis-
23 cation of real property, between United States enti-
24 ties and the governments of such countries.

1 (5) CHANGE OF GOVERNMENT.—The Secretary
2 of State shall, following a change of government in
3 El Salvador, Guatemala, or Honduras, certify and
4 report to the appropriate congressional committees
5 that any new government has committed to taking
6 the effective steps enumerated in the pre-obligation
7 requirements in paragraph (2): *Provided*, That if the
8 Secretary is unable to make such a certification in
9 a timely manner, assistance made available under
10 this subsection shall be suspended until such time as
11 the certification can be made.

12 (6) PROGRAMS AND TRANSFER OF FUNDS.—

13 (A) Of the funds appropriated by this Act
14 under the heading “International Narcotics
15 Control and Law Enforcement” for the Central
16 America Regional Security Initiative, not less
17 than \$2,000,000 shall be made available, after
18 consultation with the Committees on Appropria-
19 tions, for a United States contribution to an
20 international commission against impunity in
21 Honduras, if such a commission is established.

22 (B) The Department of State and the
23 United States Agency for International Devel-
24 opment (USAID) may, following consultation
25 with the appropriate congressional committees,

1 transfer funds made available by this Act under
2 the heading “Development Assistance” to the
3 Inter-American Development Bank and the
4 Inter-American Foundation for technical and
5 other assistance in support of programs carried
6 out in El Salvador, Guatemala, and Honduras
7 under the Plan.

8 (b) COLOMBIA.—

9 (1) Funds appropriated by this Act and made
10 available to the Department of State for assistance
11 for the Government of Colombia may be used to sup-
12 port a unified campaign against narcotics traf-
13 ficking, organizations designated as Foreign Ter-
14 rorist Organizations, and other criminal or illegal
15 armed groups, and to take actions to protect human
16 health and welfare in emergency circumstances, in-
17 cluding undertaking rescue operations: *Provided,*
18 That the first through fifth provisos of paragraph
19 (1), and paragraph (3) of section 7045(a) of the De-
20 partment of State, Foreign Operations, and Related
21 Programs Appropriations Act, 2012 (division I of
22 Public Law 112–74) shall continue in effect during
23 fiscal year 2016 and shall apply to funds appro-
24 priated by this Act and made available for assistance
25 for Colombia as if included in this Act: *Provided fur-*

1 *ther*, That of the funds appropriated by this Act
2 under the heading “Economic Support Fund”, not
3 less than \$133,000,000 shall be apportioned directly
4 to USAID.

5 (2)(A) Of the funds appropriated by this Act
6 under the heading “Foreign Military Financing Pro-
7 gram” for assistance for Colombia, 19 percent shall
8 be withheld from obligation unless the Secretary of
9 State certifies and reports to the Committees on Ap-
10 propriations that—

11 (i) cases involving members of the Colom-
12 bian military who have been credibly alleged to
13 have violated human rights, including through
14 command responsibility, are subject only to ci-
15 vilian jurisdiction, and that the Colombian mili-
16 tary is cooperating with civilian authorities in
17 such cases, and no such military officers hold
18 senior positions in the chain of command;

19 (ii) the Government of Colombia is uphold-
20 ing its international obligations by prosecuting
21 persons responsible for crimes against human-
22 ity, war crimes, and other gross violations of
23 human rights, and is not offering amnesty to
24 such persons; and

1 (iii) the Government of Colombia is dis-
2 mantling illegal armed groups; taking effective
3 steps to protect the rights of human rights de-
4 fenders, journalists, trade unionists, and other
5 social activists; and respecting the rights and
6 territory of indigenous and Afro-Colombian
7 communities.

8 (B) The limitations of this paragraph shall not
9 apply to funds made available under such heading
10 for aviation instruction and maintenance, and mari-
11 time security programs.

12 (3) The Secretary of State shall consult with
13 the appropriation congressional committees on the
14 uses of assistance for Colombia made available by
15 this Act under such heading for programs that sup-
16 port and further peace talks.

17 (c) CUBA.—

18 (1) DEMOCRACY PROGRAMS AND TRANSFER AU-
19 THORITY.—Of the funds appropriated by this Act
20 under the heading “Economic Support Fund”,
21 \$15,000,000 shall be made available for democracy
22 programs for Cuba: *Provided*, That a portion of such
23 funds may be transferred to, and merged with, funds
24 made available by this Act under the heading “Na-
25 tional Endowment for Democracy”, following con-

1 sultation with the appropriate congressional commit-
2 tees.

3 (2) PRIVATE ENTREPRENEUR PROGRAMS AND
4 LIMITATION.—Of the funds appropriated by this Act
5 under the heading “Economic Support Fund”,
6 \$5,000,000 shall be made available for programs to
7 support private Cuban entrepreneurs, notwith-
8 standing any other provision of law, except that no
9 such assistance may be provided for the Government
10 of Cuba: *Provided*, That such funds shall be made
11 available following consultation with the appropriate
12 congressional committees.

13 (d) HAITI.—

14 (1) FUNDING.—Of the funds appropriated by
15 this Act, not more than \$181,413,000 may be made
16 available for assistance for Haiti, as follows—

17 (A) up to \$129,213,000 under the heading
18 “Global Health Programs”;

19 (B) up to \$45,000,000 under the heading
20 “Economic Support Fund”;

21 (C) up to \$6,000,000 under the heading
22 “International Narcotics Control and Law En-
23 forcement”; and

24 (D) up to \$1,200,000 under the heading
25 “Foreign Military Financing Program”.

1 (2) GOVERNANCE CERTIFICATION.—Funds
2 made available in paragraph (1) may not be made
3 available for the central Government of Haiti unless
4 the Secretary of State certifies and reports to the
5 Committees on Appropriations that the Government
6 of Haiti is—

7 (A) holding free and fair parliamentary
8 elections and taking effective steps to seat a
9 new Haitian Parliament;

10 (B) strengthening the rule of law in Haiti,
11 including by selecting judges in a transparent
12 manner; respecting the independence of the ju-
13 diciary; and improving governance through im-
14 plementation of reforms to increase trans-
15 parency and accountability;

16 (C) combating corruption, including by im-
17 plementing the anti-corruption law enacted in
18 2014 and prosecuting corrupt officials; and

19 (D) increasing government revenues, in-
20 cluding by implementing tax reforms and
21 through credible tax collection efforts, and in-
22 creasing expenditures on health care.

23 (3) SECURITY CERTIFICATION.—Prior to the
24 initial obligation of funds made available in para-
25 graph (1) under the headings “International Nar-

1 cotics Control and Law Enforcement” and “Foreign
2 Military Financing Program”, the Secretary of State
3 shall certify and report to the Committees on Appro-
4 priations that the Haitian National Police and other
5 intended recipients of such funds that are part of
6 the Government of Haiti are not controlled by, or
7 otherwise under the influence of, any private organi-
8 zation or individual.

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

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

17 PROHIBITION OF PAYMENTS TO UNITED NATIONS

18 MEMBERS

19 SEC. 7046. None of the funds appropriated or made
20 available pursuant to titles III through VI of this Act for
21 carrying out the Foreign Assistance Act of 1961, may be
22 used to pay in whole or in part any assessments, arrear-
23 ages, or dues of any member of the United Nations or,
24 from funds appropriated by this Act to carry out chapter
25 1 of part I of the Foreign Assistance Act of 1961, the

1 costs for participation of another country's delegation at
2 international conferences held under the auspices of multi-
3 lateral or international organizations.

4 WAR CRIMES TRIBUNALS

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

22 (b) Notwithstanding any other provision of law, funds
23 appropriated by this Act may be made available for train-
24 ing, technical assistance, support for victims, law enforce-
25 ment activity and cooperation, witness protection, and pro-

1 fessional services in support of international judicial inves-
2 tigations, apprehensions, prosecutions, and adjudications
3 of genocide, crimes against humanity, and war crimes con-
4 sistent with section 2015 of the American
5 Servicemembers' Protection Act, 2002, as amended: *Pro-*
6 *vided*, That this subsection shall not apply to nationals
7 of the North Atlantic Treaty Organization (NATO) and
8 major non-NATO allies initially designated pursuant to
9 section 517(b) of the Foreign Assistance Act of 1961.

10 UNITED NATIONS

11 SEC. 7048. (a) TRANSPARENCY AND ACCOUNT-
12 ABILITY.—

13 (1) Of the funds appropriated under title I and
14 under the heading “International Organizations and
15 Programs” in title V of this Act that are available
16 for contributions to the United Nations (including
17 the Department of Peacekeeping Operations), any
18 United Nations agency, or the Organization of
19 American States, 15 percent may not be obligated
20 for such organization, department, or agency until
21 the Secretary of State reports to the Committees on
22 Appropriations that the organization, department, or
23 agency is—

24 (A) posting on a publicly available Web
25 site, consistent with privacy regulations and due

1 process, regular financial and programmatic au-
2 dits of such organization, department, or agen-
3 cy, and providing the United States Govern-
4 ment with necessary access to such financial
5 and performance audits; and

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

10 (i) protection against retaliation for
11 internal and lawful public disclosures;

12 (ii) legal burdens of proof;

13 (iii) statutes of limitation for report-
14 ing retaliation;

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

17 (v) results that eliminate the effects of
18 proven retaliation.

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 under
4 title I of this Act may be used to pay expenses for
5 any United States delegation to any specialized
6 agency, body, or commission of the United Nations
7 if such agency, body, or commission is chaired or
8 presided over by a country, the government of which
9 the Secretary of State has determined, for purposes
10 of section 6(j)(1) of the Export Administration Act
11 of 1979 as continued in effect pursuant to the Inter-
12 national Emergency Economic Powers Act (50
13 U.S.C. App. 2405(j)(1)), supports international ter-
14 rorism.

15 (2) None of the funds made available under
16 title I of this Act may be used by the Secretary of
17 State as a contribution to any organization, agency,
18 commission, or program within the United Nations
19 system if such organization, agency, commission, or
20 program is chaired or presided over by a country the
21 government of which the Secretary of State has de-
22 termined, for purposes of section 620A of the For-
23 eign Assistance Act of 1961, section 40 of the Arms
24 Export Control Act, section 6(j)(1) of the Export
25 Administration Act of 1979, or any other provision

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

3 (3) The Secretary of State may waive the re-
4 striction in this subsection if the Secretary reports
5 to the Committees on Appropriations that to do so
6 is in the national interest of the United States.

7 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—
8 Funds appropriated by this Act may be made available
9 to support the United Nations Human Rights Council only
10 if the Secretary of State determines and reports to the
11 Committees on Appropriations that participation in the
12 Council is in the national interest of the United States
13 and that the Council is taking credible steps to remove
14 Israel as a permanent agenda item: *Provided*, That such
15 report shall include a description of the national interest
16 served and a description of steps taken to remove Israel
17 as a permanent agenda item: *Provided further*, That the
18 Secretary of State shall report to the Committees on Ap-
19 propriations not later than September 30, 2016, on the
20 resolutions considered in the United Nations Human
21 Rights Council during the previous 12 months, and on
22 steps taken to remove Israel as a permanent agenda item.

23 (d) UNITED NATIONS RELIEF AND WORKS AGEN-
24 CY.—The Secretary of State shall submit a report in writ-
25 ing to the Committees on Appropriations not less than 45

1 days after enactment of this Act on whether the United
2 Nations Relief and Works Agency (UNRWA) is—

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

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

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

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

24 (5) taking steps to ensure the content of all
25 educational materials currently taught in UNRWA-

1 administered schools and summer camps is con-
2 sistent with the values of human rights, dignity, and
3 tolerance and does not induce incitement;

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

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

12 (e) UNITED NATIONS CAPITAL MASTER PLAN.—
13 None of the funds made available in this Act may be used
14 for the design, renovation, or construction of the United
15 Nations Headquarters in New York.

16 (f) WITHHOLDING REPORT.—Not later than 45 days
17 after enactment of this Act, the Secretary of State shall
18 submit a report to the Committees on Appropriations de-
19 tailing the amount of funds available for obligation or ex-
20 penditure in fiscal year 2016 for contributions to any or-
21 ganization, department, agency, or program within the
22 United Nations system or any international program that
23 are withheld from obligation or expenditure due to any
24 provision of law: *Provided*, That the Secretary of State
25 shall update such report each time additional funds are

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

6 COMMUNITY-BASED POLICE ASSISTANCE

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

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

23 PROHIBITION ON PROMOTION OF TOBACCO

24 SEC. 7050. None of the funds provided by this Act
25 shall be available to promote the sale or export of tobacco

1 or tobacco products, or to seek the reduction or removal
2 by any foreign country of restrictions on the marketing
3 of tobacco or tobacco products, except for restrictions
4 which are not applied equally to all tobacco or tobacco
5 products of the same type.

6 INTERNATIONAL CONFERENCES

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

21 AIRCRAFT TRANSFER AND COORDINATION

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

1 foreign operations, and related programs under the head-
2 ings “Diplomatic and Consular Programs”, “International
3 Narcotics Control and Law Enforcement”, “Andean
4 Counterdrug Initiative”, and “Andean Counterdrug Pro-
5 grams” may be used for any other program and in any
6 region, including for the transportation of active and
7 standby Civilian Response Corps personnel and equipment
8 during a deployment: *Provided*, That the responsibility for
9 policy decisions and justification for the use of such trans-
10 fer authority shall be the responsibility of the Secretary
11 of State and the Deputy Secretary of State and this re-
12 sponsibility shall not be delegated.

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

21 (c) AIRCRAFT COORDINATION.—

22 (1) The uses of aircraft purchased or leased by
23 the Department of State and the United States
24 Agency for International Development (USAID)
25 with funds made available in this Act or prior Acts

1 making appropriations for the Department of State,
2 foreign operations, and related programs shall be co-
3 ordinated under the authority of the appropriate
4 Chief of Mission: *Provided*, That such aircraft may
5 be used to transport, on a reimbursable or non-reim-
6 bursable basis, Federal and non-Federal personnel
7 supporting Department of State and USAID pro-
8 grams and activities: *Provided further*, That official
9 travel for other agencies for other purposes may be
10 supported on a reimbursable basis, or without reim-
11 bursement when traveling on a space available basis:
12 *Provided further*, That funds received by the Depart-
13 ment of State for the use of aircraft owned, leased,
14 or chartered by the Department of State may be
15 credited to the Department Working Capital Fund
16 and shall be available for expenses related to the
17 purchase, lease, maintenance, chartering, or oper-
18 ation of such aircraft.

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

22 PARKING FINES AND REAL PROPERTY TAXES OWED BY
23 FOREIGN GOVERNMENTS

24 SEC. 7053. The terms and conditions of section 7055
25 of the Department of State, Foreign Operations, and Re-

1 lated Programs Appropriations Act, 2011 (division F of
2 Public Law 111–117) shall apply to this Act: *Provided*,
3 That the date “September 30, 2009” in subsection
4 (f)(2)(B) of such section shall be deemed to be “Sep-
5 tember 30, 2015”.

6 LANDMINES AND CLUSTER MUNITIONS

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

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

20 (1) the submunitions of the cluster munitions,
21 after arming, do not result in more than 1 percent
22 unexploded ordnance across the range of intended
23 operational environments, and the agreement appli-
24 cable to the assistance, transfer, or sale of such clus-
25 ter munitions or cluster munitions technology speci-

1 fies that the cluster munitions will only be used
2 against clearly defined military targets and will not
3 be used where civilians are known to be present or
4 in areas normally inhabited by civilians; or

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

8 PROHIBITION ON PUBLICITY OR PROPAGANDA

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

17 CONSULAR IMMUNITY

18 SEC. 7056. The Secretary of State, in consultation
19 with the Attorney General, may, on the basis of reciprocity
20 and under such terms and conditions as the Secretary may
21 determine, specify privileges and immunities for a consular
22 post, the members of a consular post and their families
23 which result in more favorable or less favorable treatment
24 than is provided in the Vienna Convention on Consular

1 Relations, of April 24, 1963 (T.I.A.S. 6820), entered into
2 force for the United States December 24, 1969.

3 UNITED STATES AGENCY FOR INTERNATIONAL
4 DEVELOPMENT MANAGEMENT
5 (INCLUDING TRANSFER OF FUNDS)

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

16 (b) RESTRICTIONS.—

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

20 (2) The authority to hire individuals contained
21 in subsection (a) shall expire on September 30,
22 2017.

23 (c) CONDITIONS.—The authority of subsection (a)
24 should only be used to the extent that an equivalent num-
25 ber of positions that are filled by personal services contrac-

1 tors or other non-direct hire employees of USAID, who
2 are compensated with funds appropriated to carry out part
3 I of the Foreign Assistance Act of 1961, including funds
4 appropriated under the heading “Assistance for Europe,
5 Eurasia and Central Asia”, are eliminated.

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

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

22 (f) DISASTER SURGE CAPACITY.—Funds appro-
23 priated under title III of this Act to carry out part I of
24 the Foreign Assistance Act of 1961, including funds ap-
25 propriated under the heading “Assistance for Europe,

1 Eurasia and Central Asia”, may be used, in addition to
2 funds otherwise available for such purposes, for the cost
3 (including the support costs) of individuals detailed to or
4 employed by USAID whose primary responsibility is to
5 carry out programs in response to natural disasters, or
6 man-made disasters subject to the regular notification
7 procedures of the Committees on Appropriations.

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

24 (h) SMALL BUSINESS.—In entering into multiple
25 award indefinite-quantity contracts with funds appro-

1 priated by this Act, USAID may provide an exception to
2 the fair opportunity process for placing task orders under
3 such contracts when the order is placed with any category
4 of small or small disadvantaged business.

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

14 GLOBAL HEALTH ACTIVITIES

15 SEC. 7058. (a) IN GENERAL.—Funds appropriated
16 by titles III and IV of this Act that are made available
17 for bilateral assistance for child survival activities or dis-
18 ease programs including activities relating to research on,
19 and the prevention, treatment and control of, HIV/AIDS
20 may be made available notwithstanding any other provi-
21 sion of law except for provisions under the heading “Glob-
22 al Health Programs” and the United States Leadership
23 Against HIV/AIDS, Tuberculosis, and Malaria Act of
24 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amend-
25 ed: *Provided*, That of the funds appropriated under title

1 III of this Act, not less than \$577,600,000 shall be made
2 available for family planning/reproductive health, includ-
3 ing in areas where population growth threatens biodiver-
4 sity or endangered species.

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

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

15 (2) providing sufficient resources to maintain
16 an independent OIG that—

17 (A) reports directly to the Board of the
18 Global Fund;

19 (B) maintains a mandate to conduct thor-
20 ough investigations and programmatic audits,
21 free from undue interference; and

22 (C) compiles regular, publicly published
23 audits and investigations of financial, pro-
24 grammatic, and reporting aspects of the Global

1 Fund, its grantees, recipients, sub-recipients,
2 and Local Fund Agents;

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

7 (A) protection against retaliation for inter-
8 nal and lawful public disclosures;

9 (B) legal burdens of proof;

10 (C) statutes of limitation for reporting re-
11 taliation;

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

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

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

20 *Provided*, That such withholding shall not be in addition
21 to funds that are withheld from the Global Fund in fiscal
22 year 2016 pursuant to the application of any other provi-
23 sion contained in this or any other Act.

24 (c) CONTAGIOUS INFECTIOUS DISEASE OUT-
25 BREAKS.—If the Secretary of State determines and re-

1 ports to the Committees on Appropriations that an inter-
2 national infectious disease outbreak is sustained, severe,
3 and is spreading internationally, or that it is in the na-
4 tional interest to respond to a Public Health Emergency
5 of International Concern, funds made available under title
6 III of this Act may be made available to combat such in-
7 fectious disease or public health emergency: *Provided*,
8 That funds made available pursuant to the authority of
9 this subsection shall be subject to prior consultation with,
10 and the regular notification procedures of, the Committees
11 on Appropriations.

12 GENDER EQUALITY

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

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

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

4 (c) GENDER-BASED VIOLENCE.—

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

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

19 (2) Department of State and United States
20 Agency for International Development gender pro-
21 grams shall incorporate coordinated efforts to com-
22 bat a variety of forms of gender-based violence, in-
23 cluding child marriage, rape, female genital cutting
24 and mutilation, and domestic violence, among other

1 forms of gender-based violence in conflict and non-
2 conflict settings.

3 (d) WOMEN, PEACE, AND SECURITY.—Funds appro-
4 priated by this Act under the headings “Development As-
5 sistance”, “Economic Support Fund”, and “International
6 Narcotics Control and Law Enforcement” shall be made
7 available to support a multi-year strategy to expand, and
8 improve coordination of, United States Government ef-
9 forts to empower women as equal partners in conflict pre-
10 vention, peace building, transitional processes, and recon-
11 struction efforts in countries affected by conflict or in po-
12 litical transition, and to ensure the equitable provision of
13 relief and recovery assistance to women and girls.

14 SECTOR ALLOCATIONS

15 SEC. 7060. (a) EDUCATION.—

16 (1) BASIC EDUCATION.—

17 (A) Funds appropriated by this Act that
18 are made available for assistance for basic edu-
19 cation may only be made available for each
20 country at a funding level for basic education
21 that does not exceed that contained in the Con-
22 gressional Budget Justification, Foreign Oper-
23 ations, Summary Tables, Fiscal Year 2016:
24 *Provided*, That such funds may only be used to
25 implement the stated objectives of each Country

1 Development Cooperation Strategy or similar
2 strategy: *Provided further*, That the Adminis-
3 trator of the United States Agency for Inter-
4 national Development (USAID), following con-
5 sultation with the Committees on Appropria-
6 tions, may reprogram funds between countries,
7 except that no such reprogramming may result
8 in an overall funding level for basic education
9 exceeding the total amount justified for fiscal
10 year 2016.

11 (B) If the USAID Administrator deter-
12 mines that any unobligated balances of funds
13 specifically designated for basic education in
14 prior Acts making appropriations for foreign
15 operations, export financing, and related pro-
16 grams are in excess of the absorptive capacity
17 of recipient countries, such funds may be made
18 available for other programs authorized under
19 chapter 1 of part I of the Foreign Assistance
20 Act of 1961, notwithstanding such funding des-
21 ignation: *Provided*, That the authority of this
22 paragraph shall be subject to prior consultation
23 with, and the regular notification procedures of,
24 the Committees on Appropriations.

1 (2) HIGHER EDUCATION.—Of the funds appro-
2 priated by title III of this Act, not less than
3 \$225,000,000 shall be made available for assistance
4 for higher education, of which not less than
5 \$35,000,000 should be to support new partnerships
6 between higher education institutions in the United
7 States and developing countries.

8 (3) DEFINITION.—For purposes of funds ap-
9 propriated under title III of this Act, the term “de-
10 mocracy programs” in section 7032(c) of this Act
11 shall also include programs to rescue scholars, and
12 fellowships, scholarships, and exchanges in the Mid-
13 dle East and North Africa for academic profes-
14 sionals and university students from countries in
15 such region, subject to the regular notification pro-
16 cedures of the Committees on Appropriations.

17 (b) DEVELOPMENT ASSISTANCE.—Of the funds ap-
18 propriated by this Act under the heading “Development
19 Assistance”, not less than \$26,000,000 shall be made
20 available for the American Schools and Hospitals Abroad
21 program, and not less than \$12,000,000 shall be made
22 available for cooperative development programs of the
23 United States Agency for International Development
24 (USAID).

25 (c) ENVIRONMENT PROGRAMS.—

1 (1) AUTHORITIES.—

2 (A) Notwithstanding any other provision of
3 law, funds appropriated by this Act or prior
4 Acts making appropriations for the Department
5 of State, foreign operations, and related pro-
6 grams may be made available for the Green Cli-
7 mate Fund, including as a contribution: *Pro-*
8 *vided*, That any such funds made available for
9 such purpose shall be subject to the regular no-
10 tification procedures of the Committees on Ap-
11 propriations.

12 (B) Funds appropriated by this Act may
13 be made available for United States contribu-
14 tions to the Clean Technology Fund and the
15 Strategic Climate Fund.

16 (C) Funds appropriated by this Act to
17 carry out the provisions of section 103 to 106,
18 and chapter 4 of part II, of the Foreign Assist-
19 ance Act of 1961 may be used to support envi-
20 ronment programs, notwithstanding any other
21 provision of law except for the provisions of this
22 subsection: *Provided*, That such funds are sub-
23 ject to the regular notification procedures of the
24 Committees on Appropriations.

1 (2) CONSERVATION PROGRAMS AND LIMITA-
2 TION.—

3 (A) Of the funds appropriated under title
4 III of this Act, \$250,000,000 shall be made
5 available for biodiversity conservation programs.

6 (B) Not less than \$55,000,000 of the
7 funds appropriated under title III and IV of
8 this Act shall be made available to combat the
9 transnational threat of wildlife poaching and
10 trafficking: *Provided*, That none of the funds
11 appropriated under title IV of this Act may be
12 made available for training or other assistance
13 for any military unit or personnel that the Sec-
14 retary of State determines has been credibly al-
15 leged to have participated in wildlife poaching
16 or trafficking, unless the Secretary reports to
17 the Committees on Appropriations that to do so
18 is in the national security interest of the United
19 States.

20 (C) LIMITATION.—Funds appropriated by
21 this Act for biodiversity programs shall not be
22 used to support the expansion of industrial
23 scale logging or any other industrial scale ex-
24 tractive activity into areas that were primary/
25 intact tropical forests as of December 30, 2013,

1 and the Secretary of the Treasury shall instruct
2 the United States executive directors of each
3 international financial institutions (IFI) to vote
4 against any financing of any such activity.

5 (3) LARGE DAMS.—The Secretary of the Treas-
6 ury shall instruct the United States executive direc-
7 tor of each IFI that it is the policy of the United
8 States to vote in relation to any loan, grant, strat-
9 egy, or policy of such institution to support the con-
10 struction of any large dam consistent with the cri-
11 teria set forth in the report accompanying this Act,
12 while also considering whether the project involves
13 important foreign policy objectives.

14 (4) SUSTAINABLE LANDSCAPES.—Of the funds
15 appropriated under title III of this Act,
16 \$123,500,000 shall be made available for sustainable
17 landscape programs.

18 (d) FOOD SECURITY AND AGRICULTURAL DEVELOP-
19 MENT.—

20 (1) Of the funds appropriated by title III of
21 this Act, not less than \$1,000,600,000 should be
22 made available for food security and agricultural de-
23 velopment programs, of which \$32,000,000 shall be
24 made available for the Feed the Future Collabora-
25 tive Research Innovation Lab: *Provided*, That such

1 funds may be made available notwithstanding any
2 other provision of law to prevent or address food
3 shortages, and for a United States contribution to
4 the endowment of the Global Crop Diversity Trust.

5 (2) Funds appropriated under title III of this
6 Act may be made available as a contribution to the
7 Global Agriculture and Food Security Program if
8 such contribution will not cause the United States to
9 exceed 33 percent of the total amount of funds con-
10 tributed to such Program.

11 (e) MICROENTERPRISE AND MICROFINANCE.—Of the
12 funds appropriated by this Act, not less than
13 \$265,000,000 should be made available for microenter-
14 prise and microfinance development programs for the
15 poor, especially women.

16 (f) POWER AFRICA INITIATIVE.—Of the funds appro-
17 priated by this Act, \$76,700,000 shall be made available
18 for the Power Africa initiative, subject to the regular noti-
19 fication procedures of the Committees on Appropriations.

20 (g) PROGRAMS TO COMBAT TRAFFICKING IN PER-
21 SONS AND END MODERN SLAVERY.—

22 (1) TRAFFICKING IN PERSONS.—Of the funds
23 appropriated by this Act under the headings “Devel-
24 opment Assistance”, “Economic Support Fund”,
25 and “International Narcotics Control and Law En-

1 forcement”, not less than \$52,500,000 shall be made
2 available for activities to combat trafficking in per-
3 sons internationally.

4 (2) END MODERN SLAVERY.—Of the funds ap-
5 propriated by this Act under the heading “Develop-
6 ment Assistance”, in addition to funds made avail-
7 able pursuant to paragraph (1), \$25,000,000, to re-
8 main available until expended, shall be made avail-
9 able on a competitive basis for a grant or grants to
10 support innovative strategies, on a cost-matching
11 basis, that reduce the prevalence of modern slavery
12 in targeted populations within partner countries (or
13 jurisdictions thereof) with a high prevalence of mod-
14 ern slavery: *Provided*, That for the purposes of this
15 paragraph the terms “modern slavery” and “partner
16 countries” shall have the same meaning as provided
17 for in section 9 of the End Modern Slavery Initiative
18 Act of 2015 (S. 553), as reported by the Senate
19 Committee on Foreign Relations on February 26,
20 2015: *Provided further*, That the requirements of
21 section 7631(d) of title 22, United States Code,
22 shall apply to such funds.

23 (h) RECONCILIATION PROGRAMS.—Of the funds ap-
24 propriated by this Act under the headings “Economic
25 Support Fund” and “Development Assistance”, not less

1 than \$26,000,000 shall be made available to support peo-
2 ple-to-people reconciliation programs which bring together
3 individuals of different ethnic, religious, and political
4 backgrounds from areas of civil strife and war: *Provided*,
5 That the USAID Administrator shall consult with the
6 Committees on Appropriations, prior to the initial obliga-
7 tion of funds, on the uses of such funds: *Provided further*,
8 That to the maximum extent practicable, such funds shall
9 be matched by sources other than the United States Gov-
10 ernment.

11 (i) WATER AND SANITATION.—Of the funds appro-
12 priated by this Act, not less than \$400,000,000 shall be
13 made available for water supply and sanitation projects
14 pursuant to the Senator Paul Simon Water for the Poor
15 Act of 2005 (Public Law 109–121), of which not less than
16 \$145,000,000 should be for programs in sub-Saharan Af-
17 rica, and of which not less than \$14,000,000 shall be
18 made available for programs to design and build safe, pub-
19 lic latrines in Africa and Asia.

20 (j) NOTIFICATION REQUIREMENTS.—Authorized de-
21 viations from funding levels contained in this section shall
22 be subject to the regular notification procedures of the
23 Committees on Appropriations.

1 OVERSEAS PRIVATE INVESTMENT CORPORATION

2 SEC. 7061. (a) TRANSFER.—Whenever the President
3 determines that it is in furtherance of the purposes of the
4 Foreign Assistance Act of 1961, up to a total of
5 \$20,000,000 of the funds appropriated under title III of
6 this Act may be transferred to, and merged with, funds
7 appropriated by this Act for the Overseas Private Invest-
8 ment Corporation Program Account, to be subject to the
9 terms and conditions of that account: *Provided*, That such
10 funds shall not be available for administrative expenses
11 of the Overseas Private Investment Corporation: *Provided*
12 *further*, That designated funding levels in this Act shall
13 not be transferred pursuant to this section: *Provided fur-*
14 *ther*, That the exercise of such authority shall be subject
15 to the regular notification procedures of the Committees
16 on Appropriations.

17 (b) AUTHORITY.—Notwithstanding section 235(a)(2)
18 of the Foreign Assistance Act of 1961, the authority of
19 subsections (a) through (c) of section 234 of such Act
20 shall remain in effect until September 30, 2016.

21 ARMS TRADE TREATY

22 SEC. 7062. None of the funds appropriated by this
23 Act may be obligated or expended to implement the Arms
24 Trade Treaty until the Senate approves a resolution of
25 ratification for the Treaty.

1 INTERNATIONAL FAMILY PLANNING AND REPRODUCTIVE
2 HEALTH

3 SEC. 7063. (a) UNITED NATIONS POPULATION
4 FUND.—

5 (1) CONTRIBUTION.—Of the amounts made
6 available under the heading “International Organiza-
7 tions and Programs” in this Act for fiscal year
8 2016, \$35,000,000 shall be made available for the
9 United Nations Population Fund (referred to in this
10 section as “UNFPA”).

11 (2) AVAILABILITY OF FUNDS.—Amounts appro-
12 priated by this Act for UNFPA that are not made
13 available for UNFPA because of the operation of
14 any provision of law shall be transferred to the
15 “Global Health Programs” account and shall be
16 made available for family planning, maternal, and
17 reproductive health activities, subject to the regular
18 notification procedures of the Committees on Appro-
19 priations.

20 (3) PROHIBITION ON USE OF FUNDS IN
21 CHINA.—None of the amounts made available under
22 this Act may be used by UNFPA for a country pro-
23 gram in the People’s Republic of China.

1 (4) CONDITIONS ON AVAILABILITY OF
2 FUNDS.—Amounts made available by this Act for
3 UNFPA may not be made available unless—

4 (A) UNFPA maintains such amounts in
5 an account that is separate from other UNFPA
6 accounts and does not commingle such funds
7 with other funds; and

8 (B) UNFPA does not fund abortions.

9 (b) ASSISTANCE FOR FOREIGN NONGOVERNMENTAL
10 ORGANIZATIONS.—The Foreign Assistance Act of 1961 is
11 amended by inserting after section 104C the following:

12 **“SEC. 104D. ELIGIBILITY FOR ASSISTANCE.**

13 “Notwithstanding any other provision of law, regula-
14 tion, or policy, in determining eligibility for assistance
15 under sections 104, 104A, 104B, and 104C, a foreign non-
16 governmental organization—

17 “(1) shall not be ineligible for such assistance
18 solely on the basis of health or medical services, in-
19 cluding counseling and referral services, provided by
20 such organization with non-United States Govern-
21 ment funds if such services—

22 “(A) are permitted in the country in which
23 they are being provided; and

24 “(B) would not violate United States law if
25 provided in the United States; and

1 “(2) shall not be subject to requirements relat-
2 ing to the use of non-United States Government
3 funds for advocacy and lobbying activities other than
4 those that apply to United States nongovernmental
5 organizations receiving assistance under this part.”.

6 REPORTING REQUIREMENTS CONCERNING INDIVIDUALS

7 DETAINED AT NAVAL STATION, GUANTÁNAMO BAY, CUBA

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

20 CONSULAR AND BORDER SECURITY PROGRAMS

21 SEC. 7065. (a) There is established in the Treasury
22 a separate fund to be known as the “Consular and Border
23 Security Programs” account into which the following fees
24 shall be deposited for the purposes of the consular and
25 border security programs.

1 (b) MACHINE-READABLE VISA FEE.—Section 103(d)
2 of Public Law 107–173 (8 U.S.C. 1713) is amended by
3 striking “credited as an offsetting collection to any appro-
4 priation for the Department of State” and inserting “de-
5 posited in the Consular and Border Security Programs ac-
6 count”.

7 (c) PASSPORT AND IMMIGRANT VISA SECURITY SUR-
8 CHARGES.—

9 (1) The fourth paragraph under the heading
10 “Diplomatic and Consular Programs” in title IV of
11 division B of Public Law 108–447 (8 U.S.C. 1714)
12 is amended—

13 (A) by inserting “and the consular protec-
14 tion of U.S. citizens and their interests over-
15 seas” after “in support of enhanced border se-
16 curity”; and

17 (B) by striking “credited to this account”
18 and inserting “deposited in the Consular and
19 Border Security Programs account”.

20 (2) Section 6 of Public Law 109–472 (8 U.S.C.
21 1714 note) is amended by inserting “and the con-
22 sular protection of U.S. citizens and their interests
23 overseas” after “in support of enhanced border secu-
24 rity” each place it appears.

1 (d) DIVERSITY IMMIGRANT LOTTERY FEE.—Section
2 636 of title VI, division C of Public Law 104–208 (8
3 U.S.C. 1153 note) is amended by striking “as an offset-
4 ting collection to any Department of State appropriation”
5 and inserting “in the Consular and Border Security Pro-
6 grams account”.

7 (e) AFFIDAVIT OF SUPPORT FEE.—Section 232(c) of
8 title II of division A of H.R. 3427 (106th Congress) (in-
9 corporated by reference by section 1000(a)(7) of division
10 B of Public 106–113, as amended (8 U.S.C. 1183a note),
11 is further amended by striking “as an offsetting collection
12 to any Department of State appropriation” and inserting
13 “in the Consular and Border Security Programs account”.

14 (f) WESTERN HEMISPHERE TRAVEL INITIATIVE
15 SURCHARGE.—Subsection (b)(1) of section 1 of the Pass-
16 port Act of June 4, 1920 (22 U.S.C. 214(b)(1)) is amend-
17 ed by striking “as an offsetting collection to the appro-
18 priate Department of State appropriation” and inserting
19 “in the Consular and Border Security Programs account”.

20 (g) EXPEDITED PASSPORT FEE.—The first proviso
21 under the heading “Diplomatic and Consular Programs”
22 in title V of Public Law 103–317 (22 U.S.C. 214 note)
23 is amended by inserting “or in the Consular and Border
24 Security Programs account” after “offsetting collection”.

1 (h) TRANSFER OF BALANCES.—The unobligated bal-
2 ances of amounts available from fees referenced under this
3 section may be transferred to the Consular and Border
4 Security Programs account.

5 (i) Funds deposited in or transferred to the Consular
6 and Border Security Programs account may be trans-
7 ferred between funds appropriated under the heading “Ad-
8 ministration of Foreign Affairs”.

9 (j) The transfer authorities in this section shall be
10 in addition to any other transfer authority available to the
11 Department of State.

12 (k) The amendments made by this section shall take
13 effect not later than October 1, 2016, and shall be imple-
14 mented in a manner that ensures the fees collected, trans-
15 ferred, and used in fiscal year 2016 can be readily tracked.

16 PROHIBITION ON USE OF TORTURE

17 SEC. 7066. (a) LIMITATION.—None of the funds
18 made available in this Act may be used to support or jus-
19 tify the use of torture, cruel, or inhumane treatment by
20 any official or contract employee of the United States Gov-
21 ernment.

22 (b) ASSISTANCE TO ELIMINATE TORTURE.—Funds
23 appropriated under titles III and IV of this Act shall be
24 made available, notwithstanding section 660 of the For-
25 eign Assistance Act of 1961 and following consultation

1 with the Committees on Appropriations, for assistance to
2 eliminate torture by foreign police, military or other secu-
3 rity forces in countries receiving assistance from funds ap-
4 propriated by this Act.

5
6 EXTRADITION

6 SEC. 7067. (a) LIMITATION.—None of the funds ap-
7 propriated in this Act may be used to provide assistance
8 (other than funds provided under the headings “Inter-
9 national Disaster Assistance”, “Complex Crises Fund”,
10 “International Narcotics Control and Law Enforcement”,
11 “Migration and Refugee Assistance”, “United States
12 Emergency Refugee and Migration Assistance Fund”, and
13 “Nonproliferation, Anti-terrorism, Demining and Related
14 Assistance”) for the central government of a country
15 which has notified the Department of State of its refusal
16 to extradite to the United States any individual indicted
17 for a criminal offense for which the maximum penalty is
18 life imprisonment without the possibility of parole or for
19 killing a law enforcement officer, as specified in a United
20 States extradition request.

21 (b) CLARIFICATION.—Subsection (a) shall only apply
22 to the central government of a country with which the
23 United States maintains diplomatic relations and with
24 which the United States has an extradition treaty and the

1 government of that country is in violation of the terms
2 and conditions of the treaty.

3 (c) WAIVER.—The Secretary of State may waive the
4 restriction in subsection (a) on a case-by-case basis if the
5 Secretary certifies to the Committees on Appropriations
6 that such waiver is important to the national interests of
7 the United States.

8 COMMERCIAL LEASING OF DEFENSE ARTICLES

9 SEC. 7068. Notwithstanding any other provision of
10 law, and subject to the regular notification procedures of
11 the Committees on Appropriations, the authority of sec-
12 tion 23(a) of the Arms Export Control Act may be used
13 to provide financing to Israel, Egypt, and the North Atlan-
14 tic Treaty Organization (NATO), and major non-NATO
15 allies for the procurement by leasing (including leasing
16 with an option to purchase) of defense articles from
17 United States commercial suppliers, not including Major
18 Defense Equipment (other than helicopters and other
19 types of aircraft having possible civilian application), if the
20 President determines that there are compelling foreign
21 policy or national security reasons for those defense arti-
22 cles being provided by commercial lease rather than by
23 government-to-government sale under such Act.

1 INDEPENDENT STATES OF THE FORMER SOVIET UNION

2 SEC. 7069. (a) LIMITATION.—None of the funds ap-
3 propriated by this Act may be made available for assist-
4 ance for a government of an independent state of the
5 former Soviet Union if that government directs any action
6 in violation of the territorial integrity or national sov-
7 ereignty of any other independent state of the former So-
8 viet Union, such as those violations included in the Hel-
9 sinki Final Act: *Provided*, That except as otherwise pro-
10 vided in section 7070(a) of this Act, funds may be made
11 available without regard to the restriction in this sub-
12 section if the President determines that to do so is in the
13 national security interest of the United States: *Provided*
14 *further*, That prior to executing the authority contained
15 in this subsection the Department of State shall consult
16 with the Committees on Appropriations on how such as-
17 sistance supports the national interest of the United
18 States.

19 (b) SECTION 907 OF THE FREEDOM SUPPORT
20 ACT.—Section 907 of the FREEDOM Support Act shall
21 not apply to—

22 (1) activities to support democracy or assist-
23 ance under title V of the FREEDOM Support Act
24 and section 1424 of the Defense Against Weapons

1 of Mass Destruction Act of 1996 (50 U.S.C. 2333)
2 or non-proliferation assistance;

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

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

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

14 (5) any financing provided under the Export-
15 Import Bank Act of 1945; or

16 (6) humanitarian assistance.

17 RUSSIA

18 SEC. 7070. (a) LIMITATION.—None of the funds ap-
19 propriated by this Act may be made available for assist-
20 ance for the central Government of the Russian Federa-
21 tion.

22 (b) DETERMINATION AND CONDITIONS.—

23 (1) None of the funds appropriated by this Act
24 may be made available for assistance for the central
25 government of a country that the Secretary of State

1 determines and reports to the Committees on Appro-
2 priations has taken affirmative steps intended to
3 support or be supportive of the Russian Federation
4 annexation of Crimea: *Provided*, That except as oth-
5 erwise provided in subsection (a), the Secretary may
6 waive the restriction on assistance required by this
7 paragraph if the Secretary certifies to such Commit-
8 tees that to do so is in the national interest of the
9 United States, and includes a justification for such
10 interest.

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

13 (A) the implementation of any action or
14 policy that recognizes the sovereignty of the
15 Russian Federation over Crimea;

16 (B) the facilitation, financing, or guarantee
17 of United States Government investments in
18 Crimea, if such activity includes the participa-
19 tion of Russian Government officials, and Rus-
20 sian owned and controlled banks, or other Rus-
21 sian Government owned and controlled financial
22 entities; or

23 (C) assistance for Crimea, if such assist-
24 ance includes the participation of Russian Gov-
25 ernment officials, and Russian owned and con-

1 trolled banks, and other Russian Government
2 owned and controlled financial entities.

3 (3) The Secretary of the Treasury shall instruct
4 the United States executive directors of each inter-
5 national financial institution to vote against any as-
6 sistance by such institution (including but not lim-
7 ited to any loan, credit, or guarantee) for any pro-
8 gram that violates the sovereignty or territorial in-
9 tegrity of Ukraine.

10 (4) The requirements and limitations of sub-
11 section (b) shall cease to be in effect if the Secretary
12 of State certifies and reports to the Committees on
13 Appropriations that the Government of Ukraine has
14 reestablished sovereignty over Crimea.

15 (c) ASSISTANCE TO REDUCE VULNERABILITY AND
16 PRESSURE.—Funds appropriated by this Act for assist-
17 ance for the Eastern Partnership countries shall be made
18 available to advance the implementation of Association
19 Agreements, trade agreements, and visa liberalization
20 agreements with the European Union, and to reduce their
21 vulnerability to external economic and political pressure
22 from the Russian Federation.

23 (d) DEMOCRACY PROGRAMS.—Funds appropriated
24 by this Act shall be made available to support the advance-
25 ment of democracy and the rule of law in the Russian Fed-

1 eration, including to promote Internet freedom, and shall
2 also be made available to support the democracy and rule
3 of law strategy required by section 7071(d) of the Depart-
4 ment of State, Foreign Operations, and Related Programs
5 Appropriations Act, 2014 (division K of Public Law 113–
6 76).

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

13 INTERNATIONAL MONETARY FUND

14 SEC. 7071. (a) TRANSPARENCY AND ACCOUNT-
15 ABILITY.—The terms and conditions of sections 7086(b)
16 (1) and (2) and 7090(a) of the Department of State, For-
17 eign Operations, and Related Programs Appropriations
18 Act, 2010 (division F of Public Law 111–117) shall apply
19 to this Act.

20 (b) REPAYMENT.—The Secretary of the Treasury
21 shall instruct the United States Executive Director of the
22 International Monetary Fund (IMF) to seek to ensure
23 that any loan will be repaid to the IMF before other pri-
24 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, 2018: *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 VIOLENT EXTREMISM

11 SEC. 7073. (a) STRENGTHENING THE STATE SYS-
12 TEM.—Funds appropriated by this Act for counterter-
13 rorism programs shall include programs to strengthen
14 governance in states whose stability and legitimacy are
15 threatened by Islamic or other extremist groups.

16 (b) COUNTERING FOREIGN TERRORIST FIGHTERS.—
17 Funds appropriated by this Act shall be made available
18 for programs to counter the flow of foreign terrorist fight-
19 ers to countries in which Islamic or other extremist groups
20 operate.

21 (c) COUNTERING VIOLENT EXTREMISM.—Funds ap-
22 propriated by this Act shall be made available for pro-
23 grams to reduce support for non-state entities that engage
24 in terrorist activities through messaging campaigns to
25 damage their appeal; programs to engage communities

1 and populations at risk of violent extremist radicalization
2 and recruitment; counter radicalization, rehabilitation,
3 and reintegration programs for potential and former vio-
4 lent extremists, including in prisons; law enforcement
5 training programs; and capacity building for civil society
6 organizations to combat radicalization in local commu-
7 nities.

8 (d) ASSISTANCE FOR FRAGILE STATES.—Funds ap-
9 propriated by this Act shall be made available for pro-
10 grams that strengthen governance and security in fragile
11 states bordering countries whose stability and legitimacy
12 are threatened by Islamic or other extremists, as deter-
13 mined by the Secretary of State.

14 (e) COORDINATOR AND REPORT.—

15 (1) The Secretary of State shall designate,
16 within the Bureau of Counterterrorism, Department
17 of State, a Countering Violent Extremism Assistance
18 Coordinator (the Coordinator) who shall be respon-
19 sible, consistent with the requirements of this sec-
20 tion, for—

21 (A) designing an overall assistance and co-
22 operation strategy for countering violent extre-
23 mism, including strengthening governance;

24 (B) ensuring program and policy coordina-
25 tion among bureaus of the Department and

1 other agencies of the United States Government
2 in countering extremism, implementing security
3 sector and governance reform programs, and in-
4 tegrating all security sector and civilian assist-
5 ance authorities and initiatives to counter vio-
6 lent extremism;

7 (C) pursuing coordination with other coun-
8 tries and international organizations with re-
9 spect to assistance for countering extremism;

10 (D) ensuring United States assistance pro-
11 grams for countering violent extremism funded
12 by this Act and prior Acts making appropria-
13 tions for the Department of State, foreign oper-
14 ations, and related programs are consistent
15 with all applicable laws, regulations and policies
16 regarding the use of foreign assistance;

17 (E) ensuring proper management, imple-
18 mentation, and oversight by agencies respon-
19 sible for assistance programs for countering vio-
20 lent extremism, including consistent policy
21 standards and metrics; and

22 (F) coordinating the uses of funds made
23 available pursuant to subsections (a) through
24 (d) under titles III and IV of this Act and prior
25 Acts making appropriations for the Department

1 of State, foreign operations, and related pro-
2 grams:

3 *Provided*, That the Secretary of State, in consulta-
4 tion with the Administrator of the United States
5 Agency for International Development (USAID),
6 shall designate a deputy coordinator, from within
7 USAID, to assist such coordinator.

8 (2) The Coordinator shall report to the Coordi-
9 nator for Counterterrorism, Department of State:
10 *Provided*, That the Coordinator for Counterterrorism
11 shall be deemed to be the equivalent rank of Assist-
12 ant Secretary of State.

13 (3) Not later than September 30, 2016, the
14 Secretary of State shall submit a report to the ap-
15 propriate congressional committees detailing coordi-
16 nation mechanisms for programs to counter ter-
17 rorism and violent extremism abroad across United
18 States Government agencies, and a list of all such
19 programs conducted by such agencies, which may be
20 submitted in classified form, if necessary.

21 (f) COMPONENTS OF THE STRATEGY.—The strategy
22 required by subsection (e)(1)(A) shall include the coherent
23 integration of counterterrorism, governance and security
24 sector reform programs proposed to be implemented from
25 funds appropriated by this Act under titles III and IV,

1 including programs to counter violent extremism in coun-
2 tries in which state systems are threatened by Islamic and
3 other extremists groups, programs to support states bor-
4 dering such countries, programs to strengthen governance
5 in such states, and programs to counter the radicalization
6 and flow of foreign terrorist fighters: *Provided*, That such
7 strategy shall include details on funding by country, ac-
8 count, and amount for each program: *Provided further*,
9 That such strategy shall also include a description of
10 counterterrorism training and equipment proposed to be
11 provided: *Provided further*, That the Secretary of State
12 shall submit such strategy, in classified form if necessary,
13 to the appropriate congressional committees not later than
14 180 days after enactment of this Act, and shall include
15 appropriate funding detail on programs supporting such
16 strategy in the report required by section 653(a) of the
17 Foreign Assistance Act of 1961.

18 (g) MONITORING AND OVERSIGHT.—(1) Prior to the
19 obligation of funds appropriated by this Act to implement
20 such strategy, the Secretary of State shall take all prac-
21 ticable steps to ensure that mechanisms are in place for
22 monitoring, oversight, and control of such assistance: *Pro-*
23 *vided*, That the Secretary of State shall inform the appro-
24 priate congressional committee of each significant instance
25 in which assistance provided pursuant to this subsection

1 has been compromised, to include the amount and type
2 of assistance affected, a description of the incident and
3 parties involved, and an explanation of the response of the
4 Department of Department.

5 (2) Not later than 90 days after the Secretary
6 of State designates the Coordinator, the Coordinator
7 shall submit a report to the Committees on Appro-
8 priations detailing procedures and mechanism for
9 end-use monitoring, vetting procedures, and over-
10 sight of security sector and civilian assistance made
11 available to implement the requirements of this sec-
12 tion: *Provided*, That such report shall include a de-
13 scription of the limitations of United States Govern-
14 ment personnel to areas in which assistance is pro-
15 vided, and the oversight procedures for such assist-
16 ance in areas where access by such personnel is lim-
17 ited.

18 ENTERPRISE FUNDS

19 SEC. 7074. (a) NOTIFICATION REQUIREMENT.—
20 None of the funds made available under titles III through
21 VI of this Act may be made available for Enterprise Funds
22 unless the appropriate congressional committees are noti-
23 fied at least 15 days in advance.

24 (b) DISTRIBUTION OF ASSETS PLAN.—Prior to the
25 distribution of any assets resulting from any liquidation,

1 dissolution, or winding up of an Enterprise Fund, in whole
2 or in part, the President shall submit to the appropriate
3 congressional committees a plan for the distribution of the
4 assets of the Enterprise Fund.

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

11 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

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

19 BUDGET DOCUMENTS

20 SEC. 7076. (a) OPERATING PLANS.—Not later than
21 45 days after the date of enactment of this Act, each de-
22 partment, agency, or organization funded in titles I, II,
23 and VI of this Act, and the Department of the Treasury
24 and Independent Agencies funded in title III of this Act,
25 including the Inter-American Foundation and the United

1 States African Development Foundation, shall submit to
2 the Committees on Appropriations an operating plan for
3 funds appropriated to such department, agency, or organi-
4 zation in such titles of this Act, or funds otherwise avail-
5 able for obligation in fiscal year 2016, that provides de-
6 tails of the uses of such funds at the program, project,
7 and activity level: *Provided*, That such plans shall include,
8 as applicable, a comparison between the most recent con-
9 gressional directives or approved funding levels and the
10 funding levels proposed by the department or agency; and
11 a clear, concise, and informative description/justification:
12 *Provided further*, That operating plans for funds for such
13 department, agency, or organization in titles I, II, or III
14 and title VIII, shall simultaneously submit the operating
15 plans for, and integrated information on, enduring and
16 Overseas Contingency Operations funds: *Provided further*,
17 That operating plans that include changes in levels of
18 funding specified in this Act or in the report accom-
19 panying this Act shall be subject to the regular notifica-
20 tion procedures of the Committees on Appropriations.

21 (b) SPEND PLANS.—

22 (1) Prior to the initial obligation of funds, the
23 Secretary of State or Administrator of the United
24 States Agency for International Development
25 (USAID), as appropriate, shall submit to the Com-

1 mittees on Appropriations a detailed spend plan for
2 funds made available by this Act, for—

3 (A) assistance for Afghanistan, Colombia,
4 Egypt, Haiti, Iraq, Lebanon, Libya, Mexico,
5 Pakistan, the West Bank and Gaza, and
6 Yemen;

7 (B) the Caribbean Basin Security Initia-
8 tive; the Central America Regional Security Ini-
9 tiative; the Trans-Sahara Counterterrorism
10 Partnership; the Partnership for Regional East
11 Africa Counterterrorism; the West Africa Re-
12 gional Security Initiative; the Global Peace Op-
13 erations Initiative, including Africa Contingency
14 Operations Training and Assistance; the Afri-
15 can Peacekeeping Rapid Response Partnership;
16 the Africa Conflict Stabilization and Border Se-
17 curity program; the African Military Education
18 Program; the Africa Maritime Security Initia-
19 tive; the Security Governance Initiative; the Af-
20 rica Regional Counter-Terrorism Fund; the
21 Counterterrorism Partnerships Fund; the Re-
22 gional Security Initiative; the Africa Capacity
23 for Immediate Crisis Response program; and
24 the Southeast Asia Maritime Security Law En-
25 forcement Initiative: *Provided*, That the spend

1 plan for such programs shall include the
2 amount of assistance planned for each country
3 by account; and

4 (C) democracy programs and each sector
5 enumerated in section 7060 of this Act.

6 (2) Not later than 45 days after enactment of
7 this Act, the Secretary of the Treasury shall submit
8 to the Committees on Appropriations a detailed
9 spend plan for funds made available by this Act
10 under the headings “Department of the Treasury”
11 in title III and “International Financial Institu-
12 tions” in title V.

13 (c) SPENDING REPORT.—Not later than 45 days
14 after enactment of this Act, the USAID Administrator
15 shall submit to the Committees on Appropriations a de-
16 tailed report on spending of funds made available during
17 fiscal year 2015 under the heading “Development Credit
18 Authority”.

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

23 (e) CONGRESSIONAL BUDGET JUSTIFICATION.—The
24 Secretary of State and the USAID Administrator shall in-
25 clude in the congressional budget justification a detailed

1 justification for multi-year availability for any funds re-
2 quested under the headings “Diplomatic and Consular
3 Programs” and “Operating Expenses”.

4 RECORDS MANAGEMENT, REQUESTS, AND REPORTS

5 SEC. 7077. (a)(1) RECORDS MANAGEMENT.—Funds
6 appropriated by this Act under the headings “Diplomatic
7 and Consular Programs” and “Operating Expenses” shall
8 be made available for purposes of Federal records manage-
9 ment pursuant to the Federal Records Act (44 U.S.C.
10 Chapters 21, 29, 31, and 33) and other applicable Federal
11 records management statutes, regulations, or policies for
12 the Department of State and the United States Agency
13 for International Development (USAID): *Provided*, That
14 no such funds may be made available to such agencies to
15 support the use or establishment of email accounts or
16 email servers created outside the .gov domain or not fitted
17 for automated records management as part of a Federal
18 government records management program.

19 (2)(A) REPORTS.—Not later than 90 days after en-
20 actment of this Act, the Secretary of State and USAID
21 Administrator shall each submit a report to the appro-
22 priate congressional committees and to the National Ar-
23 chives and Records Administration (NARA) detailing—

24 (i) the policy of each agency regarding the
25 use or establishment of email accounts or email

1 servers created outside the .gov domain or not
2 fitted for automated records management as
3 part of a Federal government records manage-
4 ment program;

5 (ii) the extent to which each agency is in
6 compliance with applicable Federal records
7 management statutes, regulations, or policies;
8 and

9 (iii) a description of existing cyber security
10 measures to mitigate vulnerabilities resulting
11 from the use of email accounts or email servers
12 outside the .gov domain.

13 (B) REPORTS ASSESSMENT.—Not later than
14 120 days after the submission of the reports re-
15 quired in subparagraph (A), the Comptroller General
16 of the United States, in consultation with NARA, as
17 appropriate, shall conduct an assessment of such re-
18 ports, and shall consult with the Committees on Ap-
19 propriations on the scope and requirements of such
20 assessment.

21 (b) REQUESTS FOR DOCUMENTS.—None of the funds
22 appropriated or made available pursuant to title III
23 through VI of this Act shall be available to a nongovern-
24 mental organization, including any contractor, which fails
25 to provide upon timely request any document, file, or

1 record necessary to the auditing requirements of the De-
2 partment of State and USAID.

3 (c) PUBLIC POSTING OF REPORTS.—

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

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

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

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

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

1 information from the submitting agency on whether
2 such report will be publicly posted.

3 (d) SUNSET OF REPORTS.—

4 (1) Effective September 30, 2017, each report
5 described in paragraph (2) that is still required to
6 be submitted to Congress as of such effective date
7 shall no longer be required to be submitted to Con-
8 gress upon notification of the Committees on Appro-
9 priations, unless otherwise directed by a subsequent
10 Act.

11 (2) A report described in this subsection is a re-
12 port that is required to be submitted at regular peri-
13 odic intervals to Congress by any prior Act making
14 appropriations for the Department of State, foreign
15 operations, and related programs and that is pre-
16 pared primarily by the Department of State,
17 USAID, or by any officer, official, component, or
18 element of the Department or USAID, by a provi-
19 sion of statute (including title 22, United States
20 Code, and any annual appropriations or authoriza-
21 tion Act) as of April 1, 2015.

22 (3) This subsection shall not apply to reports
23 required to be submitted by the Department of State
24 or USAID Office of the Inspector General.

GLOBAL INTERNET FREEDOM

1
2 SEC. 7078. (a) FUNDING.—Of the funds available for
3 obligation during fiscal year 2016 under the headings
4 “International Broadcasting Operations”, “Economic
5 Support Fund”, and “Democracy Fund”, not less than
6 \$50,500,000 shall be made available for programs to pro-
7 mote Internet freedom globally: *Provided*, That such pro-
8 grams shall be prioritized for countries whose governments
9 restrict freedom of expression on the Internet, and that
10 are important to the national interests of the United
11 States: *Provided further*, That funds made available pursu-
12 ant to this section shall be matched, to the maximum ex-
13 tent practicable, by sources other than the United States
14 Government, including from the private sector.

15 (b) REQUIREMENTS.—Funds made available pursu-
16 ant to subsection (a) shall be—

17 (1) coordinated with other democracy, govern-
18 ance, and broadcasting programs funded by this Act
19 under the headings “International Broadcasting Op-
20 erations”, “Economic Support Fund”, “Democracy
21 Fund”, “Complex Crises Fund”, and “Assistance
22 for Europe, Eurasia and Central Asia”, and shall be
23 incorporated into country assistance, democracy pro-
24 motion, and broadcasting strategies, as appropriate;

1 (2) made available to the Bureau of Democracy,
2 Human Rights, and Labor, Department of State for
3 programs to implement the May 2011, International
4 Strategy for Cyberspace and the comprehensive
5 strategy to promote Internet freedom and access to
6 information in Iran, as required by section 414 of
7 the Iran Threat Reduction and Syria Human Rights
8 Act of 2012 (22 U.S.C. 8754);

9 (3) made available to the Broadcasting Board
10 of Governors (BBG) to provide tools and techniques
11 to access the Web sites of BBG broadcasters that
12 are censored, and to work with such broadcasters to
13 promote and distribute such tools and techniques,
14 including digital security techniques;

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

23 (5) made available for research of key threats
24 to Internet freedom; the continued development of
25 technologies that provide or enhance access to the

1 Internet, including circumvention tools that bypass
2 Internet blocking, filtering, and other censorship
3 techniques used by authoritarian governments; and
4 maintenance of the United States Government tech-
5 nological advantage over such censorship techniques:
6 *Provided*, That the Secretary of State, in consulta-
7 tion with the BBG, shall coordinate any such re-
8 search and development programs with other rel-
9 evant United States Government departments and
10 agencies in order to share information, technologies,
11 and best practices, and to assess the effectiveness of
12 such technologies.

13 (c) COORDINATION AND SPEND PLANS.—After con-
14 sultation among the relevant agency heads to coordinate
15 and de-conflict planned activities, but not later than 90
16 days after enactment of this Act, the Secretary of State
17 and the BBG Chairman shall submit to the Committees
18 on Appropriations spend plans for funds made available
19 by this Act for programs to promote Internet freedom
20 globally, which shall include a description of safeguards
21 established by relevant agencies to ensure that such pro-
22 grams are not used for illicit purposes.

23 DISABILITY PROGRAMS

24 SEC. 7079. (a) ASSISTANCE.—Funds appropriated by
25 this Act under the heading “Economic Support Fund”

1 shall be made available for programs and activities admin-
2 istered by the United States Agency for International De-
3 velopment (USAID) to address the needs and protect and
4 promote the rights of people with disabilities in developing
5 countries, including initiatives that focus on independent
6 living, economic self-sufficiency, advocacy, education, em-
7 ployment, transportation, sports, and integration of indi-
8 viduals with disabilities, including for the cost of trans-
9 lation.

10 (b) MANAGEMENT, OVERSIGHT, AND TECHNICAL
11 SUPPORT.—Of the funds made available pursuant to this
12 section, 5 percent may be used for USAID for manage-
13 ment, oversight, and technical support.

14 IMPACT ON JOBS IN THE UNITED STATES

15 SEC. 7080. None of the funds appropriated or other-
16 wise made available under titles III through VI of this
17 Act or any other Act making appropriations for the De-
18 partment of State, foreign operations, and related pro-
19 grams may be obligated or expended to provide—

20 (1) for fiscal year 2016, any financial incentive
21 to a business enterprise currently located in the
22 United States for the purpose of inducing such an
23 enterprise to relocate outside the United States if
24 such incentive or inducement is likely to reduce the
25 number of employees of such business enterprise in

1 the United States because United States production
2 is being replaced by such enterprise outside the
3 United States;

4 (2) for fiscal year 2016, assistance for any pro-
5 gram, project, or activity that contributes to the vio-
6 lation of internationally recognized workers rights,
7 as defined in section 507(4) of the Trade Act of
8 1974, of workers in the recipient country, including
9 any designated zone or area in that country: *Pro-*
10 *vided*, That the application of section 507(4)(D) and
11 (E) of such Act should be commensurate with the
12 level of development of the recipient country and
13 sector, and shall not preclude assistance for the in-
14 formal sector in such country, micro and small-scale
15 enterprise, and smallholder agriculture;

16 (3) for fiscal year 2016, any assistance to an
17 entity outside the United States if such assistance is
18 for the purpose of directly relocating or transferring
19 jobs from the United States to other countries and
20 adversely impacts the labor force in the United
21 States; or

22 (4) for fiscal year 2016, for the enforcement of
23 any rule, regulation, or policy, or guidelines imple-
24 mented pursuant to—

1 (A) the third proviso of subsection 7079(b)
2 of the Department of State, Foreign Oper-
3 ations, and Related Programs Appropriations
4 Act, 2010 (division F of Public Law 111–117);

5 (B) the modification proposed by the Over-
6 seas Private Investment Corporation in Novem-
7 ber 2013 to the Corporation’s Environmental
8 and Social Policy Statement relating to coal;

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

13 (D) the World Bank Group’s Directions
14 for the World Bank Group’s Energy Sector re-
15 leased on July 16, 2013,

16 when enforcement of such rule, regulation, policy, or
17 guidelines would prohibit, or have the effect of pro-
18 hibiting, any coal-fired or other power-generation
19 project the purpose of which is to increase exports
20 of goods and services from the United States and
21 provide affordable electricity to people who lack ac-
22 cess to electricity, or prevent the loss of jobs in the
23 United States.

1 COUNTRIES IMPACTED BY SIGNIFICANT REFUGEE
2 POPULATIONS OR INTERNALLY DISPLACED PERSONS

3 SEC. 7081. (a) PROGRAMS.—Funds appropriated by
4 this Act under the headings “Development Assistance”
5 and “Economic Support Fund” shall be made available
6 for programs to assist significant populations of internally
7 displaced persons or refugees in countries in conflict: *Pro-*
8 *vided*, That such funds shall be made available for pro-
9 grams to leverage increased assistance from donors other
10 than the United States Government for central govern-
11 ments and local communities in such countries: *Provided*
12 *further*, That the purposes of such assistance shall include
13 activities to—

14 (1) expand and improve host government social
15 services and basic infrastructure to accommodate the
16 needs of such populations and persons;

17 (2) alleviate the social and economic strains
18 placed on host communities; and

19 (3) improve coordination of such assistance in
20 a more effective and sustainable manner.

21 (b) REPORT ON EXPANDING ACCESS TO FINANCING
22 FOR CERTAIN MIDDLE INCOME COUNTRIES.—Not later
23 than 90 days after enactment of this Act, the Secretary
24 of State, in consultation with the Secretary of the Treas-
25 ury, the Administrator of the United States Agency for

1 International Development, and the Chief Executive Offi-
2 cer of the Millennium Challenge Corporation (MCC), shall
3 submit a report to the Committees on Appropriations on
4 the economic and developmental impact of significant ref-
5 ugee populations or internally displaced persons on host
6 communities and national economies in affected countries:

7 *Provided*, That such report shall include—

8 (1) specific recommendations for expanding ac-
9 cess for middle income countries to grants and
10 concessional financing on favorable terms from inter-
11 national financial institutions to mitigate such im-
12 pacts;

13 (2) an assessment of hybrid financial models
14 that combine international financial institution lend-
15 ing programs with bilateral grant resources to accel-
16 erate development-led solutions to such impacts; and

17 (3) an assessment of the implications for the
18 MCC of modifying MCC eligibility requirements for
19 new and ongoing projects that mutually benefit ref-
20 ugee populations and host communities in such
21 countries:

22 *Provided further*, That following the submission of the re-
23 port, the Secretary of State shall regularly update the ap-
24 propriate congressional committees on implementation of
25 the recommendations in paragraph (1).

1 NORTH AMERICAN DEVELOPMENT BANK

2 SEC. 7082. Part 2 of Subtitle D of title V of Public
3 Law 103–182, as amended (22 U.S.C. 290m et seq.), is
4 further amended by adding at the end thereof the fol-
5 lowing new section:

6 **“SEC. 547. FIRST CAPITAL INCREASE.**

7 “(a) SUBSCRIPTION AUTHORIZED.—

8 “(1) The Secretary of the Treasury may sub-
9 scribe on behalf of the United States to 150,000 ad-
10 ditional shares of the capital stock of the Bank.

11 “(2) Any subscription by the United States to
12 the capital stock of the Bank shall be effective only
13 to such extent and in such amounts as are provided
14 in advance in appropriations Act.

15 “(b) LIMITATIONS ON AUTHORIZATION OF APPRO-
16 PRIATIONS.—

17 “(1) In order to pay for the increase in the
18 United States subscription to the Bank under sub-
19 section (a), there are authorized to be appropriated,
20 without fiscal year limitation, \$1,500,000,000 for
21 payment by the Secretary of the Treasury.

22 “(2) Of the amount authorized to be appro-
23 priated under paragraph (1)—

24 “(A) \$225,000,000 shall be for paid in
25 shares of the Bank; and

1 “(B) \$1,275,000,000 shall be callable
2 shares of the Bank.”.

3 COUNTRY FOCUS AND SELECTIVITY

4 SEC. 7083. (a) TRANSITION PLAN REQUIREMENT.—

5 Any country assistance strategy developed after the date
6 of enactment of this Act for the provision of assistance
7 for a foreign country shall include a transition plan for
8 such assistance to be provided through other international
9 donor support and budget support by the respective for-
10 eign government: *Provided*, That such transition plan shall
11 be developed by the Department of State and United
12 States Agency for International Development (USAID), in
13 consultation with such foreign government and local civil
14 society, as appropriate.

15 (b) PILOT PROGRAM.—Not later than 180 days after
16 enactment of this Act, the Secretary of State, in consulta-
17 tion with the USAID Administrator and the appropriate
18 congressional committees, shall develop and implement a
19 pilot program to gradually decrease assistance for at least
20 two countries receiving assistance under this Act and prior
21 Acts making appropriations for the Department of State,
22 foreign operations, and related programs that—

23 (1) are historical or long-time recipients of such
24 assistance;

1 (c) LIMITATION.—None of the amounts in this sec-
2 tion may be rescinded from amounts that were designated
3 by Congress as an emergency requirement or for Overseas
4 Contingency Operations/Global War on Terrorism pursu-
5 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
6 and Emergency Deficit Control Act of 1985.

7 TITLE VIII

8 OVERSEAS CONTINGENCY OPERATIONS

9 DEPARTMENT OF STATE

10 ADMINISTRATION OF FOREIGN AFFAIRS

11 DIPLOMATIC AND CONSULAR PROGRAMS

12 (INCLUDING TRANSFER OF FUNDS)

13 For an additional amount for “Diplomatic and Con-
14 sular Programs”, \$1,884,569,000, to remain available
15 until September 30, 2017, of which \$1,300,393,000 is for
16 Worldwide Security Protection and shall remain available
17 until expended: *Provided*, That the Secretary of State may
18 transfer up to \$10,000,000 of the total funds made avail-
19 able under this heading to any other appropriation of any
20 department or agency of the United States, upon the con-
21 currence of the head of such department or agency, to sup-
22 port operations in and assistance for Afghanistan and to
23 carry out the provisions of the Foreign Assistance Act of
24 1961: *Provided further*, That any such transfer shall be
25 treated as a reprogramming of funds under subsections

1 (a) and (b) of section 7015 of this Act and shall not be
2 available for obligation or expenditure except in compli-
3 ance with the procedures set forth in that section: *Pro-*
4 *vided further*, That such amount is designated by Congress
5 for Overseas Contingency Operations/Global War on Ter-
6 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
7 anced Budget and Emergency Deficit Control Act of 1985.

8 CONFLICT STABILIZATION OPERATIONS

9 For an additional amount for “Conflict Stabilization
10 Operations”, \$10,000,000, to remain available until ex-
11 pended: *Provided*, That such amount is designated by
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 OFFICE OF INSPECTOR GENERAL

17 For an additional amount for “Office of Inspector
18 General”, \$66,600,000, to remain available until Sep-
19 tember 30, 2017, of which \$56,900,000 shall be for the
20 Special Inspector General for Afghanistan Reconstruction
21 (SIGAR) for reconstruction oversight: *Provided*, That
22 printing and reproduction costs shall not exceed amounts
23 for such costs during fiscal year 2015: *Provided further*,
24 That notwithstanding any other provision of law, any em-
25 ployee of SIGAR who completes at least 12 months of con-

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

10 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

11 For an additional amount for “Embassy Security,
12 Construction, and Maintenance”, \$134,800,000, to re-
13 main available until expended, of which \$124,000,000
14 shall be for Worldwide Security Upgrades, acquisition, and
15 construction as authorized: *Provided*, That such amount
16 is designated by Congress for Overseas Contingency Oper-
17 ations/Global War on Terrorism pursuant to section
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

20 INTERNATIONAL ORGANIZATIONS

21 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

22 For an additional amount for “Contributions to
23 International Organizations”, \$52,100,000: *Provided*,
24 That such amount is designated by Congress for Overseas
25 Contingency Operations/Global War on Terrorism pursu-

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

3 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
4 ACTIVITIES

5 For an additional amount for “Contributions for
6 International Peacekeeping Activities”, \$505,000,000, to
7 remain available until September 30, 2017: *Provided*,
8 That such amount is designated by Congress for Overseas
9 Contingency Operations/Global War on Terrorism pursu-
10 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
11 and Emergency Deficit Control Act of 1985.

12 RELATED AGENCY

13 BROADCASTING BOARD OF GOVERNORS
14 INTERNATIONAL BROADCASTING OPERATIONS

15 For an additional amount for “International Broad-
16 casting Operations”, \$6,300,000, to remain available until
17 September 30, 2017: *Provided*, That such amount is des-
18 ignated by Congress for Overseas Contingency Operations/
19 Global War on Terrorism pursuant to section
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985.

1 UNITED STATES AGENCY FOR INTERNATIONAL
2 DEVELOPMENT

3 FUNDS APPROPRIATED TO THE PRESIDENT

4 OPERATING EXPENSES

5 For an additional amount for “Operating Expenses”,
6 \$139,262,000, to remain available until September 30,
7 2017: *Provided*, That such amount is designated by Con-
8 gress for Overseas Contingency Operations/Global War on
9 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
10 anced Budget and Emergency Deficit Control Act of 1985.

11 BILATERAL ECONOMIC ASSISTANCE

12 FUNDS APPROPRIATED TO THE PRESIDENT

13 INTERNATIONAL DISASTER ASSISTANCE

14 For an additional amount for “International Disaster
15 Assistance”, \$1,037,000,000, to remain available until ex-
16 pended: *Provided*, That such amount is designated by
17 Congress for Overseas Contingency Operations/Global
18 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
19 the Balanced Budget and Emergency Deficit Control Act
20 of 1985.

21 TRANSITION INITIATIVES

22 For an additional amount for “Transition Initia-
23 tives”, \$20,000,000, to remain available until expended:
24 *Provided*, That such amount is designated by Congress for
25 Overseas Contingency Operations/Global War on Ter-

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

3 ECONOMIC SUPPORT FUND

4 For an additional amount for “Economic Support
5 Fund”, \$2,019,034,000, to remain available until Sep-
6 tember 30, 2017: *Provided*, That such amount is des-
7 ignated by Congress for Overseas Contingency Operations/
8 Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

12 For an additional amount for “Assistance for Eu-
13 rope, Eurasia and Central Asia”, \$410,869,000, to remain
14 available until September 30, 2017: *Provided*, That such
15 amount is designated by Congress for Overseas Contin-
16 gency Operations/Global War on Terrorism pursuant to
17 section 251(b)(2)(A)(ii) of the Balanced Budget and
18 Emergency Deficit Control Act of 1985.

19 DEPARTMENT OF STATE

20 MIGRATION AND REFUGEE ASSISTANCE

21 For an additional amount for “Migration and Ref-
22 ugee Assistance”, \$1,251,114,000, to remain available
23 until expended: *Provided*, That such amount is designated
24 by Congress for Overseas Contingency Operations/Global
25 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

1 the Balanced Budget and Emergency Deficit Control Act
2 of 1985.

3 INTERNATIONAL SECURITY ASSISTANCE

4 DEPARTMENT OF STATE

5 INTERNATIONAL NARCOTICS CONTROL AND LAW

6 ENFORCEMENT

7 For an additional amount for “International Nar-
8 cotics Control and Law Enforcement”, \$284,000,000, to
9 remain available until September 30, 2017: *Provided*,
10 That such amount is designated by Congress for Overseas
11 Contingency Operations/Global War on Terrorism pursu-
12 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
13 and Emergency Deficit Control Act of 1985.

14 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND

15 RELATED PROGRAMS

16 For an additional amount for “Nonproliferation,
17 Anti-terrorism, Demining and Related Programs”,
18 \$262,521,000, to remain available until September 30,
19 2017: *Provided*, That such amount is designated by Con-
20 gress for Overseas Contingency Operations/Global War on
21 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
22 anced Budget and Emergency Deficit Control Act of 1985.

23 PEACEKEEPING OPERATIONS

24 For an additional amount for “Peacekeeping Oper-
25 ations”, \$210,000,000, to remain available until Sep-

1 tember 30, 2017: *Provided*, That such amount is des-
2 ignated by Congress for Overseas Contingency Operations/
3 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 FUNDS APPROPRIATED TO THE PRESIDENT

7 FOREIGN MILITARY FINANCING PROGRAM

8 For an additional amount for “Foreign Military Fi-
9 nancing Program”, \$1,186,868,000, to remain available
10 until September 30, 2017: *Provided*, That such amount
11 is designated by Congress for Overseas Contingency Oper-
12 ations/Global War on Terrorism pursuant to section
13 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985.

15 GENERAL PROVISIONS

16 ADDITIONAL APPROPRIATIONS

17 SEC. 8001. Notwithstanding any other provision of
18 law, funds appropriated in this title are in addition to
19 amounts appropriated or otherwise made available in this
20 Act for fiscal year 2016.

21 EXTENSION OF AUTHORITIES AND CONDITIONS

22 SEC. 8002. Unless otherwise provided for in this Act,
23 the additional amounts appropriated by this title to appro-
24 priations accounts in this Act shall be available under the

1 authorities and conditions applicable to such appropria-
2 tions accounts.

3 TRANSFER AND ADDITIONAL AUTHORITY

4 SEC. 8003. (a) Funds appropriated by this title in
5 this Act under the headings “Transition Initiatives”,
6 “Economic Support Fund”, “Assistance for Europe, Eur-
7 asia and Central Asia”, “International Narcotics Control
8 and Law Enforcement”, “Nonproliferation, Anti-ter-
9 rorism, Demining and Related Programs”, “Peacekeeping
10 Operations”, and “Foreign Military Financing Program”
11 may be transferred to, and merged with—

12 (1) funds appropriated by this title under such
13 headings; and

14 (2) funds appropriated by this title under the
15 headings “International Disaster Assistance” and
16 “Migration and Refugee Assistance”.

17 (b) Notwithstanding any other provision of this sec-
18 tion, not to exceed \$15,000,000 from funds appropriated
19 under the headings “International Narcotics Control and
20 Law Enforcement”, “Peacekeeping Operations”, and
21 “Foreign Military Financing Program” by this title in this
22 Act may be transferred to, and merged with, funds pre-
23 viously made available under the heading “Global Security
24 Contingency Fund”: *Provided*, That not later than 15
25 days prior to making any such transfer, the Secretary of

1 State shall notify the Committees on Appropriations on
2 a country basis, including the implementation plan and
3 timeline for each proposed use of such funds.

4 (c) The transfer authority provided in subsections (a)
5 and (b) may only be exercised to address contingencies.

6 (d) The transfer authority provided in subsections (a)
7 and (b) shall be subject to prior consultation with, and
8 the regular notification procedures of, the Committees on
9 Appropriations: *Provided*, That such transfer authority is
10 in addition to any transfer authority otherwise available
11 under any other provision of law, including section 610
12 of the Foreign Assistance Act of 1961 which may be exer-
13 cised by the Secretary of State for the purposes of this
14 title.

15 DESIGNATION REQUIREMENT

16 SEC. 8004. Each amount designated in this title of
17 this Act by Congress for Overseas Contingency Oper-
18 ations/Global War on Terrorism pursuant to section
19 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985 shall be available (or re-
21 scinded, if applicable) only if the President subsequently
22 so designates all such amounts and transmits such des-
23 ignations to Congress.

RESCISSION OF FUNDS

1
2 SEC. 8005. (a) BILATERAL ECONOMIC ASSIST-
3 ANCE.—Of the funds appropriated in prior Acts making
4 appropriations for the Department of State, foreign oper-
5 ations, and related programs under the heading “Bilateral
6 Economic Assistance, Funds Appropriated to the Presi-
7 dent, Economic Support Fund” and designated by Con-
8 gress for Overseas Contingency Operations/Global War on
9 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
10 anced Budget and Emergency Deficit Control Act of 1985,
11 \$194,540,000 are rescinded.

12 (b) INTERNATIONAL SECURITY ASSISTANCE.—Of the
13 funds appropriated in prior Acts making appropriations
14 for the Department of State, foreign operations, and re-
15 lated programs under the heading “International Security
16 Assistance, Department of State, International Narcotics
17 Control and Law Enforcement” and designated by Con-
18 gress for Overseas Contingency Operations/Global War on
19 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
20 anced Budget and Emergency Deficit Control Act of 1985,
21 \$27,497,000 are rescinded.

1 TITLE IX
2 HUMANITARIAN EMERGENCY RESPONSE
3 BILATERAL ECONOMIC ASSISTANCE
4 FUNDS APPROPRIATED TO THE PRESIDENT
5 INTERNATIONAL DISASTER ASSISTANCE

6 For an additional amount for “International Disaster
7 Assistance”, \$298,000,000, to remain available until ex-
8 pended, for necessary expenses to address humanitarian
9 crises globally: *Provided*, That of the funds appropriated
10 under this heading, up to \$150,000,000 may be made
11 available for assistance for Nepal for earthquake relief, re-
12 covery, and reconstruction: *Provided further*, That such
13 amount is designated by Congress as an emergency re-
14 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
15 anced Budget and Emergency Deficit Control Act of 1985.

16 MIGRATION AND REFUGEE ASSISTANCE

17 For an additional amount for “Migration and Ref-
18 ugee Assistance”, \$461,000,000, to remain available until
19 expended, for necessary expenses to address humanitarian
20 crises globally: *Provided*, That such amount is designated
21 by Congress as an emergency requirement pursuant to
22 section 251(b)(2)(A)(i) of the Balanced Budget and
23 Emergency Deficit Control Act of 1985.

1 *Provided further*, That for purposes of the previous pro-
2 viso, the discount rate for purposes of the present value
3 calculation shall be the appropriate interest rate on mar-
4 ketable Treasury securities: *Provided further*, That section
5 251(b)(2)(A) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985, as amended, shall not apply
7 to amounts under this heading.

8 LOANS TO THE INTERNATIONAL MONETARY FUND
9 DIRECT LOAN PROGRAM ACCOUNT
10 (INCLUDING RESCISSION OF FUNDS)

11 Of the amounts provided under the heading “Inter-
12 national Assistance Programs—International Monetary
13 Programs—Loans to International Monetary Fund” in
14 the Supplemental Appropriations Act, 2009 (Public Law
15 111–32), the dollar equivalent of 40,871,800,000 Special
16 Drawing Rights is hereby permanently cancelled as of the
17 date when the rollback of the United States credit ar-
18 rangement in the New Arrangements to Borrow of the
19 International Monetary Fund is effective, but no earlier
20 than when the increase of the United States quota author-
21 ized in section 72 of the Bretton Woods Agreements Act
22 (22 U.S.C. 286 et seq.) becomes effective: *Provided*, That
23 notwithstanding the second through fourth provisos under
24 the heading “International Assistance Programs—Inter-
25 national Monetary Programs—Loans to International

1 Monetary Fund” in Public Law 111–32, the costs of the
2 amounts under this heading in this Act and in Public Law
3 111–32 shall be estimated on a present value basis, ex-
4 cluding administrative costs and any incidental effects on
5 governmental receipts or outlays: *Provided further*, That
6 for purposes of the previous proviso, the discount rate for
7 purposes of the present value calculation shall be the ap-
8 propriate interest rate on marketable Treasury securities:
9 *Provided further*, That section 251(b)(2)(A) of the Bal-
10 anced Budget and Emergency Deficit Control Act of 1985,
11 as amended, shall not apply to amounts under this head-
12 ing.

13 GENERAL PROVISIONS

14 AMENDMENTS TO THE BRETTON WOODS

15 AGREEMENTS ACT

16 SEC. 10001. (a) Section 17 of the Bretton Woods
17 Agreements Act (22 U.S.C. 286e–2) is amended in sub-
18 sections (b)(1) and (b)(2) by adding at the end in both
19 subsections, after “Fund”, “only to the extent that such
20 amounts are not subject to cancellation”.

21 (b) The Bretton Woods Agreements Act (22 U.S.C.
22 286 et seq.) is amended by adding at the end the fol-
23 lowing:

1 **“SEC. 71. ACCEPTANCE OF AMENDMENTS TO THE ARTI-**
2 **CLES OF AGREEMENT OF THE FUND.**

3 “The United States Governor of the Fund may ac-
4 cept the amendments to the Articles of Agreement of the
5 Fund as proposed in resolution 66–2 of the Board of Gov-
6 ernors of the Fund.

7 **“SEC. 72. QUOTA INCREASE.**

8 “(a) IN GENERAL.—The United States Governor of
9 the Fund may consent to an increase in the quota of the
10 United States in the Fund equivalent to 40,871,800,000
11 Special Drawing Rights.

12 “(b) SUBJECT TO APPROPRIATIONS.—The authority
13 provided by subsection (a) shall be effective only to such
14 extent or in such amounts as are provided in advance in
15 appropriations Acts.”.

16 This division may be cited as the “Department of
17 State, Foreign Operations, and Related Programs Appro-
18 priations Act, 2016”.

Calendar No. 249

114TH CONGRESS
1ST Session

S. 2130

A BILL

Making appropriations for Department of Defense, energy and water development, Department of Homeland Security, military construction, Department of Veterans Affairs, and Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2016, and for other purposes.

OCTOBER 6, 2015

Read the second time and placed on the calendar