

## Union Calendar No. 112

114TH CONGRESS  
1ST SESSION**H. R. 2772****[Report No. 114–154]**

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2016, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2015

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

---

**A BILL**

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 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,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the  
5       Department of State, foreign operations, and related pro-

1 grams for the fiscal year ending September 30, 2016, and  
2 for other purposes, namely:

3 TITLE I  
4 DEPARTMENT OF STATE AND RELATED  
5 AGENCY

6 DEPARTMENT OF STATE  
7 ADMINISTRATION OF FOREIGN AFFAIRS  
8 DIPLOMATIC AND CONSULAR PROGRAMS

9 For necessary expenses of the Department of State  
10 and the Foreign Service not otherwise provided for,  
11 \$6,529,685,000, of which up to \$630,380,000 may remain  
12 available until September 30, 2017, and of which up to  
13 \$2,327,137,000 may remain available until expended for  
14 Worldwide Security Protection: *Provided*, That funds  
15 made available under this heading shall be allocated in ac-  
16 cordance with paragraphs (1) through (4) as follows:

17 (1) HUMAN RESOURCES.—For necessary ex-  
18 penses for training, human resources management,  
19 and salaries, including employment without regard  
20 to civil service and classification laws of persons on  
21 a temporary basis (not to exceed \$700,000), as au-  
22 thorized by section 801 of the United States Infor-  
23 mation and Educational Exchange Act of 1948,  
24 \$2,316,212,000, of which up to \$358,833,000 is for  
25 Worldwide Security Protection.

1           (2) OVERSEAS PROGRAMS.—For necessary ex-  
2           penses for the regional bureaus of the Department  
3           of State and overseas activities as authorized by law,  
4           \$1,473,829,000.

5           (3) DIPLOMATIC POLICY AND SUPPORT.—For  
6           necessary expenses for the functional bureaus of the  
7           Department of State, including representation to  
8           certain international organizations in which the  
9           United States participates pursuant to treaties rati-  
10          fied pursuant to the advice and consent of the Sen-  
11          ate or specific Acts of Congress, general administra-  
12          tion, and arms control, nonproliferation and disarm-  
13          ament activities as authorized, \$753,170,000.

14          (4) SECURITY PROGRAMS.—For necessary ex-  
15          penses for security activities, \$1,986,474,000, of  
16          which up to \$1,968,304,000 is for Worldwide Secu-  
17          rity Protection.

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

21                (A) not to exceed \$1,806,600 shall be de-  
22                rived from fees collected from other executive  
23                agencies for lease or use of facilities located at  
24                the International Center in accordance with sec-  
25                tion 4 of the International Center Act, and, in

1 addition, as authorized by section 5 of such  
2 Act, \$743,000, to be derived from the reserve  
3 authorized by that section, to be used for the  
4 purposes set out in that section;

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

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

17 (6) TRANSFER, REPROGRAMMING, AND OTHER  
18 MATTERS.—

19 (A) Notwithstanding any other provision of  
20 this Act, funds may be reprogrammed within  
21 and between paragraphs (1) through (4) under  
22 this heading subject to section 7015 of this Act.

23 (B) Of the amount made available under  
24 this heading, not to exceed \$10,000,000 may be  
25 transferred to, and merged with, funds made

1 available by this Act under the heading “Emer-  
2 gencies in the Diplomatic and Consular Serv-  
3 ice”, to be available only for emergency evacu-  
4 ations and rewards, as authorized.

5 (C) Funds appropriated under this heading  
6 are available for acquisition by exchange or pur-  
7 chase of passenger motor vehicles as authorized  
8 by law and, pursuant to 31 U.S.C. 1108(g), for  
9 the field examination of programs and activities  
10 in the United States funded from any account  
11 contained in this title.

12 (D) Of the funds made available under this  
13 heading in this Act, up to \$99,134,000 may be  
14 made available for a Foreign Affairs Security  
15 Training Center (FASTC): *Provided*, That none  
16 of the funds appropriated or otherwise made  
17 available in this Act and in prior Acts making  
18 appropriations for the Department of State,  
19 foreign operations, and related programs may  
20 be obligated or expended for FASTC until such  
21 Center is specifically authorized by a subse-  
22 quent Act of Congress: *Provided further*, That  
23 if FASTC is not specifically authorized before  
24 September 30, 2016, funds designated for  
25 FASTC may be made available to support and

1 expand training at sites in existence prior to  
2 October 1, 2014 and for other embassy security  
3 activities.

4 (E) None of the funds appropriated or oth-  
5 erwise made available under this heading shall  
6 be available for the Ambassador's Fund for  
7 Cultural Preservation.

8 CAPITAL INVESTMENT FUND

9 For necessary expenses of the Capital Investment  
10 Fund, \$56,400,000, to remain available until expended,  
11 as authorized.

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector  
14 General, \$82,400,000, notwithstanding section 209(a)(1)  
15 of the Foreign Service Act of 1980 (Public Law 96-465)  
16 as it relates to post inspections: *Provided*, That of the  
17 funds appropriated under this heading, \$12,400,000 may  
18 remain available until September 30, 2017.

19 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

20 For expenses of educational and cultural exchange  
21 programs, as authorized, \$582,531,000, to remain avail-  
22 able until expended: *Provided*, That fees or other pay-  
23 ments received from or in connection with English teach-  
24 ing, educational advising and counseling programs, and  
25 exchange visitor programs as authorized may be credited

1 to this account, to remain available until expended: *Pro-*  
2 *vided further*, That not later than 45 days after enactment  
3 of this Act, the Secretary of State shall submit a report  
4 to the Committees on Appropriations detailing modifica-  
5 tions made to existing educational and cultural exchange  
6 programs since calendar year 2014, including for special  
7 academic and special professional and cultural exchanges:  
8 *Provided further*, That any further substantive modifica-  
9 tions to programs funded under this heading shall be sub-  
10 ject to prior consultation with, and the regular notification  
11 procedures of, the Committees on Appropriations.

12 REPRESENTATION EXPENSES

13 For representation expenses as authorized,  
14 \$8,030,000.

15 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

16 For expenses, not otherwise provided, to enable the  
17 Secretary of State to provide for extraordinary protective  
18 services, as authorized, \$30,036,000, to remain available  
19 until September 30, 2017.

20 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

21 For necessary expenses for carrying out the Foreign  
22 Service Buildings Act of 1926 (22 U.S.C. 292–303), pre-  
23 serving, maintaining, repairing, and planning for buildings  
24 that are owned or directly leased by the Department of  
25 State, renovating, in addition to funds otherwise available,

1 the Harry S Truman Building, and carrying out the Dip-  
2 lomatic Security Construction Program as authorized,  
3 \$785,097,000, to remain available until expended as au-  
4 thorized, of which not to exceed \$25,000 may be used for  
5 domestic and overseas representation expenses as author-  
6 ized: *Provided*, That none of the funds appropriated in this  
7 paragraph shall be available for acquisition of furniture,  
8 furnishings, or generators for other departments and  
9 agencies.

10 In addition, for the costs of worldwide security up-  
11 grades, acquisition, and construction as authorized,  
12 \$1,300,000,000, to remain available until expended: *Pro-*  
13 *vided*, That not later than 45 days after enactment of this  
14 Act, the Secretary of State shall submit to the Committees  
15 on Appropriations the proposed allocation of funds made  
16 available under this heading and the actual and antici-  
17 pated proceeds of sales for all projects in fiscal year 2016.

18 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR

19 SERVICE

20 For necessary expenses to enable the Secretary of  
21 State to meet unforeseen emergencies arising in the Diplo-  
22 matic and Consular Service, \$7,900,000, to remain avail-  
23 able until expended as authorized, of which not to exceed  
24 \$1,000,000 may be transferred to, and merged with, funds  
25 appropriated by this Act under the heading “Repatriation



1 Loans Program Account”, subject to the same terms and  
2 conditions.

3 REPATRIATION LOANS PROGRAM ACCOUNT

4 For the cost of direct loans, \$1,300,000, as author-  
5 ized: *Provided*, That such costs, including the cost of  
6 modifying such loans, shall be as defined in section 502  
7 of the Congressional Budget Act of 1974: *Provided fur-*  
8 *ther*, That such funds are available to subsidize gross obli-  
9 gations for the principal amount of direct loans not to ex-  
10 ceed \$2,469,136.

11 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

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

14 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND  
15 DISABILITY FUND

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

18 INTERNATIONAL ORGANIZATIONS

19 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

20 For necessary expenses, not otherwise provided for,  
21 to meet annual obligations of membership in international  
22 multilateral organizations, pursuant to treaties ratified  
23 pursuant to the advice and consent of the Senate, conven-  
24 tions or specific Acts of Congress, \$1,399,151,000: *Pro-*  
25 *vided*, That the Secretary of State shall, at the time of

1 the submission of the President's budget to Congress  
2 under section 1105(a) of title 31, United States Code,  
3 transmit to the Committees on Appropriations the most  
4 recent biennial budget prepared by the United Nations for  
5 the operations of the United Nations: *Provided further*,  
6 That the Secretary of State shall notify the Committees  
7 on Appropriations at least 15 days in advance (or in an  
8 emergency, as far in advance as is practicable) of any  
9 United Nations action to increase funding for any United  
10 Nations program without identifying an offsetting de-  
11 crease elsewhere in the United Nations budget: *Provided*  
12 *further*, That not later than May 1, 2016, and 30 days  
13 after the end of fiscal year 2016, the Secretary of State  
14 shall report to the Committees on Appropriations on any  
15 credits available to the United States, including from the  
16 United Nations Tax Equalization Fund, and provide up-  
17 dated fiscal year 2016 and fiscal year 2017 assessment  
18 costs including offsets from available credits and updated  
19 foreign currency exchange rates: *Provided further*, That  
20 any such credits shall only be available for United States  
21 assessed contributions to the United Nations, shall be sub-  
22 ject to the regular notification procedures of the Commit-  
23 tees on Appropriations, and the Committees on Appropria-  
24 tions shall be notified when such credits are applied to  
25 any assessed contribution, including any payment of ar-

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

1 affiliated agencies funded under this heading and, not  
2 later than 180 days after enactment of this Act, submit  
3 a report to the Committees on Appropriations on steps  
4 taken at each agency to eliminate unnecessary administra-  
5 tive costs and duplicative activities and ensure that per-  
6 sonnel practices are transparent and merit-based.

7 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING  
8 ACTIVITIES

9 For necessary expenses to pay assessed and other ex-  
10 penses of international peacekeeping activities directed to  
11 the maintenance or restoration of international peace and  
12 security, \$2,118,891,000, of which 15 percent shall re-  
13 main available until September 30, 2017: *Provided*, That  
14 none of the funds made available by this Act shall be obli-  
15 gated or expended for any new or expanded United Na-  
16 tions peacekeeping mission unless, at least 15 days in ad-  
17 vance of voting for such mission in the United Nations  
18 Security Council (or in an emergency as far in advance  
19 as is practicable), the Committees on Appropriations are  
20 notified: (1) of the estimated cost and duration of the mis-  
21 sion, the objectives of the mission, the national interest  
22 that will be served, and the exit strategy; (2) that the  
23 United Nations has in place measures to prevent United  
24 Nations employees, contractor personnel, and peace-  
25 keeping troops serving in the mission from trafficking in

1 persons, exploiting victims of trafficking, or committing  
2 acts of illegal sexual exploitation or other violations of  
3 human rights, and to bring to justice individuals who en-  
4 gage in such acts while participating in the peacekeeping  
5 mission, including prosecution in their home countries of  
6 such individuals in connection with such acts, and to make  
7 information about such cases publicly available in the  
8 country where an alleged crime occurs and on the United  
9 Nations' Web site; and (3) the source of funds that will  
10 be used to pay the cost of the new or expanded mission,  
11 including whether such source of funds will require re-  
12 programming or transfer of existing funds or additional  
13 appropriations, and the estimated cost in future fiscal  
14 years: *Provided further*, That funds shall be available for  
15 peacekeeping expenses unless the Secretary of State deter-  
16 mines that American manufacturers and suppliers are not  
17 being given opportunities to provide equipment, services,  
18 and material for United Nations peacekeeping activities  
19 equal to those being given to foreign manufacturers and  
20 suppliers: *Provided further*, That the Secretary of State  
21 shall work with the United Nations and foreign govern-  
22 ments contributing peacekeeping troops to implement ef-  
23 fective vetting procedures to ensure that such troops have  
24 not violated human rights: *Provided further*, That none of  
25 the funds appropriated or otherwise made available under

1 this heading may be used for any United Nations peace-  
2 keeping mission that will involve United States Armed  
3 Forces under the command or operational control of a for-  
4 eign national, unless the President's military advisors have  
5 submitted to the President a recommendation that such  
6 involvement is in the national interest of the United States  
7 and the President has submitted to the Congress such a  
8 recommendation: *Provided further*, That not later than  
9 May 1, 2016, and 30 days after the end of fiscal year  
10 2016, the Secretary of State shall report to the Commit-  
11 tees on Appropriations on any credits available to the  
12 United States, including those resulting from United Na-  
13 tions peacekeeping missions or the United Nations Tax  
14 Equalization Fund, and provide updated fiscal year 2016  
15 and fiscal year 2017 assessment costs including offsets  
16 from available credits: *Provided further*, That any such  
17 credits shall only be available for United States assessed  
18 contributions to the United Nations, shall be subject to  
19 the regular notification procedures of the Committees on  
20 Appropriations, and the Committees on Appropriations  
21 shall be notified when such credits are applied to any as-  
22 sessed contribution, including any payment of arrearages:  
23 *Provided further*, That any notification regarding funds  
24 appropriated or otherwise made available under this head-  
25 ing in this Act or prior Acts making appropriations for

1 the Department of State, foreign operations, and related  
2 programs submitted pursuant to section 7015 of this Act,  
3 section 34 of the State Department Basic Authorities Act  
4 of 1956 (22 U.S.C. 2706), or any operating plan sub-  
5 mitted pursuant to section 7076 of this Act, shall include  
6 an estimate of all known credits currently available to the  
7 United States and provide updated assessment costs in-  
8 cluding offsets from available credits: *Provided further*,  
9 That any payment of arrearages under this heading shall  
10 be subject to the regular notification procedures of the  
11 Committees on Appropriations: *Provided further*, That the  
12 Secretary of State shall work with the United Nations and  
13 members of the United Nations Security Council to evalu-  
14 ate and prioritize peacekeeping missions, and consider  
15 phase-out and withdrawal when mission goals have been  
16 substantially achieved: *Provided further*, That the Sec-  
17 retary of State shall report to the Committees on Appro-  
18 priations, not later than 180 days after enactment of this  
19 Act, on efforts and progress made to address these issues.

20 INTERNATIONAL COMMISSIONS

21 For necessary expenses, not otherwise provided for,  
22 to meet obligations of the United States arising under  
23 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 Public Law 103–  
22 182, \$12,330,000: *Provided*, That of the amount provided  
23 under this heading for the International Joint Commis-  
24 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, \$33,181,000: *Provided*, That the United States share  
7   of such expenses may be advanced to the respective com-  
8   missions pursuant to 31 U.S.C. 3324.

9                   RELATED AGENCY

10                   BROADCASTING BOARD OF GOVERNORS

11                   INTERNATIONAL BROADCASTING OPERATIONS

12           For necessary expenses to enable the Broadcasting  
13   Board of Governors (BBG), as authorized, to carry out  
14   international communication activities, and to make and  
15   supervise grants for radio, internet, and television broad-  
16   casting, including to the Middle East, \$737,991,000: *Pro-*  
17   *vided*, That in addition to amounts otherwise available for  
18   such purposes, up to \$28,635,000 of the amount appro-  
19   priated under this heading may remain available until ex-  
20   pende for satellite transmissions and Internet freedom  
21   programs, of which not less than \$17,500,000 shall be for  
22   Internet freedom programs: *Provided further*, That of the  
23   total amount appropriated under this heading, not to ex-  
24   ceed \$35,000 may be used for representation expenses, of  
25   which \$10,000 may be used for representation expenses

1 within the United States as authorized, and not to exceed  
2 \$30,000 may be used for representation expenses of Radio  
3 Free Europe/Radio Liberty: *Provided further*, That the au-  
4 thority provided by section 504(c) of the Foreign Relations  
5 Authorization Act, Fiscal Year 2003 (Public Law 107–  
6 228; 22 U.S.C. 6206 note) shall remain in effect through  
7 September 30, 2016: *Provided further*, That the BBG  
8 shall notify the Committees on Appropriations within 15  
9 days of any determination by the Board that any of its  
10 broadcast entities, including its grantee organizations,  
11 provides an open platform for international terrorists or  
12 those who support international terrorism, or is in viola-  
13 tion of the principles and standards set forth in sub-  
14 sections (a) and (b) of section 303 of the United States  
15 International Broadcasting Act of 1994 (22 U.S.C. 6202)  
16 or the entity’s journalistic code of ethics: *Provided further*,  
17 That significant modifications to BBG broadcast hours  
18 previously justified to Congress, including changes to  
19 transmission platforms (shortwave, medium wave, sat-  
20 ellite, Internet, and television), for all BBG language serv-  
21 ices shall be subject to the regular notification procedures  
22 of the Committees on Appropriations: *Provided further*,  
23 That in addition to funds made available under this head-  
24 ing, and notwithstanding any other provision of law, up  
25 to \$5,000,000 in receipts from advertising and revenue

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

23 UNITED STATES INSTITUTE OF PEACE

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

1 Peace Act, \$35,300,000, to remain available until Sep-  
2 tember 30, 2017, which shall not be used for construction  
3 activities.

4 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE  
5 TRUST FUND

6 For necessary expenses of the Center for Middle  
7 Eastern-Western Dialogue Trust Fund, as authorized by  
8 section 633 of the Departments of Commerce, Justice, and  
9 State, the Judiciary, and Related Agencies Appropriations  
10 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-  
11 est and earnings accruing to such Fund on or before Sep-  
12 tember 30, 2016, to remain available until expended.

13 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

14 For necessary expenses of Eisenhower Exchange Fel-  
15 lowships, Incorporated, as authorized by sections 4 and  
16 5 of the Eisenhower Exchange Fellowship Act of 1990 (20  
17 U.S.C. 5204–5205), all interest and earnings accruing to  
18 the Eisenhower Exchange Fellowship Program Trust  
19 Fund on or before September 30, 2016, to remain avail-  
20 able until expended: *Provided*, That none of the funds ap-  
21 propriated herein shall be used to pay any salary or other  
22 compensation, or to enter into any contract providing for  
23 the payment thereof, in excess of the rate authorized by  
24 5 U.S.C. 5376; or for purposes which are not in accord-  
25 ance with OMB Circulars A–110 (Uniform Administrative

1 Requirements) and A-122 (Cost Principles for Non-profit  
2 Organizations), including the restrictions on compensation  
3 for personal services.

4 ISRAELI ARAB SCHOLARSHIP PROGRAM

5 For necessary expenses of the Israeli Arab Scholar-  
6 ship Program, as authorized by section 214 of the Foreign  
7 Relations Authorization Act, Fiscal Years 1992 and 1993  
8 (22 U.S.C. 2452), all interest and earnings accruing to  
9 the Israeli Arab Scholarship Fund on or before September  
10 30, 2016, to remain available until expended.

11 NATIONAL ENDOWMENT FOR DEMOCRACY

12 For grants made by the Department of State to the  
13 National Endowment for Democracy, as authorized by the  
14 National Endowment for Democracy Act, \$170,000,000,  
15 to remain available until expended, of which \$117,500,000  
16 shall be allocated in the traditional and customary man-  
17 ner, including for the core institutes, and \$52,500,000  
18 shall be for democracy, human rights, and rule of law pro-  
19 grams.

20 OTHER COMMISSIONS

21 COMMISSION FOR THE PRESERVATION OF AMERICA'S

22 HERITAGE ABROAD

23 SALARIES AND EXPENSES

24 For necessary expenses for the Commission for the  
25 Preservation of America's Heritage Abroad, \$676,000, as

1 authorized by chapter 3123 of Public Law 113–287: *Pro-*  
2 *vided*, That the Commission may procure temporary,  
3 intermittent, and other services notwithstanding para-  
4 graph (3) of section 312304(b) of Public Law 113–287:  
5 *Provided*, That such authority shall terminate on October  
6 1, 2016: *Provided further*, That the Commission shall no-  
7 tify the Committees on Appropriations prior to exercising  
8 such authority.

9 UNITED STATES COMMISSION ON INTERNATIONAL  
10 RELIGIOUS FREEDOM  
11 SALARIES AND EXPENSES

12 For necessary expenses for the United States Com-  
13 mission on International Religious Freedom, as authorized  
14 by title II of the International Religious Freedom Act of  
15 1998 (22 U.S.C. 6431 et seq.), \$3,500,000, to remain  
16 available until September 30, 2017, including not more  
17 than \$4,000 for representation expenses.

18 COMMISSION ON SECURITY AND COOPERATION IN  
19 EUROPE  
20 SALARIES AND EXPENSES

21 For necessary expenses of the Commission on Secu-  
22 rity and Cooperation in Europe, as authorized by Public  
23 Law 94–304, \$2,579,000, including not more than \$4,000  
24 for representation expenses, to remain available until Sep-  
25 tember 30, 2017.

1        CONGRESSIONAL-EXECUTIVE COMMISSION ON THE  
2                                PEOPLE’S REPUBLIC OF CHINA  
3                                SALARIES AND EXPENSES

4        For necessary expenses of the Congressional-Execu-  
5 tive Commission on the People’s Republic of China, as au-  
6 thorized by title III of the U.S.-China Relations Act of  
7 2000 (22 U.S.C. 6911–6919), \$2,000,000, including not  
8 more than \$3,000 for representation expenses, to remain  
9 available until September 30, 2017.

10       UNITED STATES-CHINA ECONOMIC AND SECURITY  
11                                REVIEW COMMISSION  
12                                SALARIES AND EXPENSES

13       For necessary expenses of the United States-China  
14 Economic and Security Review Commission, as authorized  
15 by section 1238 of the Floyd D. Spence National Defense  
16 Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),  
17 \$3,500,000, including not more than \$4,000 for represen-  
18 tation expenses, to remain available until September 30,  
19 2017: *Provided*, That the authorities, requirements, limi-  
20 tations, and conditions contained in the second through  
21 sixth provisos under this heading in division F of Public  
22 Law 111–117 shall continue in effect during fiscal year  
23 2016 and shall apply to funds appropriated under this  
24 heading as if included in this Act.

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

6 For necessary expenses to carry out the provisions  
7 of section 667 of the Foreign Assistance Act of 1961,  
8 \$1,058,110,000, of which up to \$159,000,000 may remain  
9 available until September 30, 2017: *Provided*, That none  
10 of the funds appropriated under this heading and under  
11 the heading “Capital Investment Fund” in this title may  
12 be made available to finance the construction (including  
13 architect and engineering services), purchase, or long-term  
14 lease of offices for use by the United States Agency for  
15 International Development (USAID), unless the USAID  
16 Administrator has identified such proposed use of funds  
17 in a report submitted to the Committees on Appropria-  
18 tions at least 15 days prior to the obligation of funds for  
19 such purposes: *Provided further*, That contracts or agree-  
20 ments entered into with funds appropriated under this  
21 heading may entail commitments for the expenditure of  
22 such funds through the following fiscal year: *Provided fur-*  
23 *ther*, That the authority of sections 610 and 109 of the  
24 Foreign Assistance Act of 1961 may be exercised by the  
25 Secretary of State to transfer funds appropriated to carry



1 out chapter 1 of part I of such Act to “Operating Ex-  
2 penses” in accordance with the provisions of those sec-  
3 tions: *Provided further*, That of the funds appropriated or  
4 made available under this heading, not to exceed \$250,000  
5 may be available for representation and entertainment ex-  
6 penses, of which not to exceed \$5,000 may be available  
7 for entertainment expenses, for USAID during the current  
8 fiscal year.

9 CAPITAL INVESTMENT FUND

10 For necessary expenses for overseas construction and  
11 related costs, and for the procurement and enhancement  
12 of information technology and related capital investments,  
13 pursuant to section 667 of the Foreign Assistance Act of  
14 1961, \$169,580,000 to remain available until expended:  
15 *Provided*, That this amount is in addition to funds other-  
16 wise available for such purposes: *Provided further*, That  
17 funds appropriated under this heading shall be available  
18 for obligation only pursuant to the regular notification  
19 procedures of the Committees on Appropriations.

20 OFFICE OF INSPECTOR GENERAL

21 For necessary expenses to carry out the provisions  
22 of section 667 of the Foreign Assistance Act of 1961,  
23 \$63,000,000, of which up to \$9,500,000 may remain  
24 available until September 30, 2017, for the Office of In-

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

3 TITLE III

4 BILATERAL ECONOMIC ASSISTANCE

5 FUNDS APPROPRIATED TO THE PRESIDENT

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

9 GLOBAL HEALTH PROGRAMS

10 For necessary expenses to carry out the provisions  
11 of chapters 1 and 10 of part I of the Foreign Assistance  
12 Act of 1961, for global health activities, in addition to  
13 funds otherwise available for such purposes,  
14 \$2,783,950,000, to remain available until September 30,  
15 2017, and which shall be apportioned directly to the  
16 United States Agency for International Development  
17 (USAID): *Provided*, That this amount shall be made avail-  
18 able for training, equipment, and technical assistance to  
19 build the capacity of public health institutions and organi-  
20 zations in developing countries, and for such activities as:  
21 (1) child survival and maternal health programs; (2) im-  
22 munization and oral rehydration programs; (3) other  
23 health, nutrition, water and sanitation programs which di-  
24 rectly address the needs of mothers and children, and re-  
25 lated education programs; (4) assistance for children dis-

1 placed or orphaned by causes other than AIDS; (5) pro-  
2 grams for the prevention, treatment, control of, and re-  
3 search on HIV/AIDS, tuberculosis, polio, malaria, and  
4 other infectious diseases including neglected tropical dis-  
5 eases, and for assistance to communities severely affected  
6 by HIV/AIDS, including children infected or affected by  
7 AIDS; and (6) family planning/reproductive health: *Pro-*  
8 *vided further*, That funds appropriated under this para-  
9 graph may be made available for United States contribu-  
10 tions to the GAVI Alliance and to the United Nations  
11 Children's Fund: *Provided further*, That none of the funds  
12 made available in this Act nor any unobligated balances  
13 from prior appropriations Acts may be made available to  
14 any organization or program which, as determined by the  
15 President of the United States, supports or participates  
16 in the management of a program of coercive abortion or  
17 involuntary sterilization: *Provided further*, That any deter-  
18 mination made under the previous proviso must be made  
19 not later than 6 months after the date of enactment of  
20 this Act, and must be accompanied by the evidence and  
21 criteria utilized to make the determination: *Provided fur-*  
22 *ther*, That none of the funds made available under this  
23 Act may be used to pay for the performance of abortion  
24 as a method of family planning or to motivate or coerce  
25 any person to practice abortions: *Provided further*, That

1 nothing in this paragraph shall be construed to alter any  
2 existing statutory prohibitions against abortion under sec-  
3 tion 104 of the Foreign Assistance Act of 1961: *Provided*  
4 *further*, That none of the funds made available under this  
5 Act may be used to lobby for or against abortion: *Provided*  
6 *further*, That in order to reduce reliance on abortion in  
7 developing nations, funds shall be available only to vol-  
8 untary family planning projects which offer, either directly  
9 or through referral to, or information about access to, a  
10 broad range of family planning methods and services, and  
11 that any such voluntary family planning project shall meet  
12 the following requirements: (1) service providers or refer-  
13 ral agents in the project shall not implement or be subject  
14 to quotas, or other numerical targets, of total number of  
15 births, number of family planning acceptors, or acceptors  
16 of a particular method of family planning (this provision  
17 shall not be construed to include the use of quantitative  
18 estimates or indicators for budgeting and planning pur-  
19 poses); (2) the project shall not include payment of incen-  
20 tives, bribes, gratuities, or financial reward to: (A) an indi-  
21 vidual in exchange for becoming a family planning accep-  
22 tor; or (B) program personnel for achieving a numerical  
23 target or quota of total number of births, number of fam-  
24 ily planning acceptors, or acceptors of a particular method  
25 of family planning; (3) the project shall not deny any right

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

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

15       In addition, for necessary expenses to carry out the  
16   provisions of the Foreign Assistance Act of 1961 for the  
17   prevention, treatment, and control of, and research on,  
18   HIV/AIDS, \$5,670,000,000, to remain available until  
19   September 30, 2020, which shall be apportioned directly  
20   to the Department of State: *Provided*, That funds appro-  
21   priated under this paragraph may be made available, not-  
22   withstanding any other provision of law, except for the  
23   United States Leadership Against HIV/AIDS, Tuber-  
24   culosis and Malaria Act of 2003 (Public Law 108–25),  
25   as amended, for a United States contribution to the Global

1 Fund to Fight AIDS, Tuberculosis and Malaria (Global  
 2 Fund), and shall be expended at the minimum rate nec-  
 3 essary to make timely payment for projects and activities:  
 4 *Provided further*, That up to 5 percent of the aggregate  
 5 amount of funds made available to the Global Fund in  
 6 fiscal year 2016 may be made available to USAID for  
 7 technical assistance related to the activities of the Global  
 8 Fund: *Provided further*, That funds made available in the  
 9 previous proviso shall be subject to the regular notification  
 10 procedures of the Committees on Appropriations: *Provided*  
 11 *further*, That of the funds appropriated under this para-  
 12 graph, up to \$17,000,000 may be made available, in addi-  
 13 tion to amounts otherwise available for such purposes, for  
 14 administrative expenses of the Office of the United States  
 15 Global AIDS Coordinator.

16 DEVELOPMENT ASSISTANCE

17 For necessary expenses to carry out the provisions  
 18 of sections 103, 105, 106, 214, and sections 251 through  
 19 255, and chapter 10 of part I of the Foreign Assistance  
 20 Act of 1961, \$2,507,001,000, to remain available until  
 21 September 30, 2017: *Provided*, That of the funds appro-  
 22 priated under this heading, not less than \$26,000,000  
 23 shall be made available for the American Schools and Hos-  
 24 pitals Abroad program, and not less than \$10,500,000  
 25 shall be made available for cooperative development pro-

1 grams of the United States Agency for International De-  
2 velopment.

3 INTERNATIONAL DISASTER ASSISTANCE

4 For necessary expenses to carry out the provisions  
5 of section 491 of the Foreign Assistance Act of 1961 for  
6 international disaster relief, rehabilitation, and recon-  
7 struction assistance, \$1,085,000,000, to remain available  
8 until expended.

9 TRANSITION INITIATIVES

10 For necessary expenses for international disaster re-  
11 habilitation and reconstruction assistance administered by  
12 the Office of Transition Initiatives, United States Agency  
13 for International Development (USAID), pursuant to sec-  
14 tion 491 of the Foreign Assistance Act of 1961,  
15 \$47,000,000, to remain available until expended, to sup-  
16 port transition to democracy and long-term development  
17 of countries in crisis: *Provided*, That such support may  
18 include assistance to develop, strengthen, or preserve  
19 democratic institutions and processes, revitalize basic in-  
20 frastructure, and foster the peaceful resolution of conflict:  
21 *Provided further*, That the USAID Administrator shall  
22 submit a report to the Committees on Appropriations at  
23 least 5 days prior to beginning a new program of assist-  
24 ance: *Provided further*, That if the Secretary of State de-  
25 termines that it is important to the national interest of



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

11 DEVELOPMENT CREDIT AUTHORITY

12 For the cost of direct loans and loan guarantees pro-  
13 vided by the United States Agency for International De-  
14 velopment (USAID), as authorized by sections 256 and  
15 635 of the Foreign Assistance Act of 1961, up to  
16 \$40,000,000 may be derived by transfer from funds ap-  
17 propriated by this Act to carry out part I of such Act:  
18 *Provided*, That funds provided under this paragraph and  
19 funds provided as a gift that are used for purposes of this  
20 paragraph pursuant to section 635(d) of the Foreign As-  
21 sistance Act of 1961 shall be made available only for  
22 micro- and small enterprise programs, urban programs,  
23 and other programs which further the purposes of part  
24 I of such Act: *Provided further*, That such costs, including  
25 the cost of modifying such direct and guaranteed loans,

1 shall be as defined in section 502 of the Congressional  
2 Budget Act of 1974, as amended: *Provided further*, That  
3 funds made available by this paragraph may be used for  
4 the cost of modifying any such guaranteed loans under  
5 this Act or prior Acts making appropriations for the De-  
6 partment of State, foreign operations, and related pro-  
7 grams, and funds used for such costs shall be subject to  
8 the regular notification procedures of the Committees on  
9 Appropriations: *Provided further*, That the provisions of  
10 section 107A(d) (relating to general provisions applicable  
11 to the Development Credit Authority) of the Foreign As-  
12 sistance Act of 1961, as contained in section 306 of H.R.  
13 1486 as reported by the House Committee on Inter-  
14 national Relations on May 9, 1997, shall be applicable to  
15 direct loans and loan guarantees provided under this head-  
16 ing, except that the principal amount of loans made or  
17 guaranteed under this heading with respect to any single  
18 country shall not exceed \$300,000,000: *Provided further*,  
19 That these funds are available to subsidize total loan prin-  
20 cipal, any portion of which is to be guaranteed, of up to  
21 \$1,500,000,000.

22       In addition, for administrative expenses to carry out  
23 credit programs administered by USAID, \$8,120,000,  
24 which may be transferred to, and merged with, funds  
25 made available under the heading “Operating Expenses”

1 in title II of this Act: *Provided*, That funds made available  
2 under this heading shall remain available until September  
3 30, 2018.

4 ECONOMIC SUPPORT FUND

5 For necessary expenses to carry out the provisions  
6 of chapter 4 of part II of the Foreign Assistance Act of  
7 1961, \$1,817,315,000, to remain available until Sep-  
8 tember 30, 2017.

9 DEMOCRACY FUND

10 For necessary expenses to carry out the provisions  
11 of the Foreign Assistance Act of 1961 for the promotion  
12 of democracy globally, \$140,500,000, to remain available  
13 until September 30, 2017, of which \$77,750,000 shall be  
14 made available for the Human Rights and Democracy  
15 Fund of the Bureau of Democracy, Human Rights and  
16 Labor, Department of State, and \$62,750,000 shall be  
17 made available for the Bureau for Democracy, Conflict,  
18 and Humanitarian Assistance, United States Agency for  
19 International Development.

20 DEPARTMENT OF STATE

21 MIGRATION AND REFUGEE ASSISTANCE

22 For necessary expenses not otherwise provided for,  
23 to enable the Secretary of State to carry out the provisions  
24 of section 2(a) and (b) of the Migration and Refugee As-  
25 sistance Act of 1962, and other activities to meet refugee

1 and migration needs; salaries and expenses of personnel  
 2 and dependents as authorized by the Foreign Service Act  
 3 of 1980; allowances as authorized by sections 5921  
 4 through 5925 of title 5, United States Code; purchase and  
 5 hire of passenger motor vehicles; and services as author-  
 6 ized by section 3109 of title 5, United States Code,  
 7 \$2,092,611,000, to remain available until expended, of  
 8 which not less than \$35,000,000 shall be made available  
 9 to respond to small-scale emergency humanitarian require-  
 10 ments, and \$10,000,000 shall be made available for refu-  
 11 gees resettling in Israel.

12 UNITED STATES EMERGENCY REFUGEE AND MIGRATION  
 13 ASSISTANCE FUND

14 For necessary expenses to carry out the provisions  
 15 of section 2(c) of the Migration and Refugee Assistance  
 16 Act of 1962, as amended (22 U.S.C. 2601(c)),  
 17 \$50,000,000, to remain available until expended.

18 INDEPENDENT AGENCIES

19 PEACE CORPS

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses to carry out the provisions  
 22 of the Peace Corps Act (22 U.S.C. 2501–2523), including  
 23 the purchase of not to exceed five passenger motor vehicles  
 24 for administrative purposes for use outside of the United  
 25 States, \$379,500,000, of which \$5,150,000 is for the Of-

1 fice of Inspector General, to remain available until Sep-  
2 tember 30, 2017: *Provided*, That the Director of the Peace  
3 Corps may transfer to the Foreign Currency Fluctuations  
4 Account, as authorized by 22 U.S.C. 2515, an amount not  
5 to exceed \$5,000,000: *Provided further*, That funds trans-  
6 ferred pursuant to the previous proviso may not be derived  
7 from amounts made available for Peace Corps overseas op-  
8 erations: *Provided further*, That of the funds appropriated  
9 under this heading, not to exceed \$104,000 may be avail-  
10 able for representation expenses, of which not to exceed  
11 \$4,000 may be made available for entertainment expenses:  
12 *Provided further*, That any decision to open, close, signifi-  
13 cantly reduce, or suspend a domestic or overseas office or  
14 country program shall be subject to prior consultation  
15 with, and the regular notification procedures of, the Com-  
16 mittees on Appropriations, except that prior consultation  
17 and regular notification procedures may be waived when  
18 there is a substantial security risk to volunteers or other  
19 Peace Corps personnel, pursuant to section 7015(e) of this  
20 Act: *Provided further*, That none of the funds appropriated  
21 under this heading shall be used to pay for abortions: *Pro-*  
22 *vided further*, That notwithstanding the previous proviso,  
23 section 614 of division E of Public Law 113–76 shall  
24 apply to funds appropriated under this heading.

## 1 MILLENNIUM CHALLENGE CORPORATION

2 For necessary expenses to carry out the provisions  
3 of the Millennium Challenge Act of 2003 (MCA),  
4 \$899,500,000 to remain available until expended: *Pro-*  
5 *vided*, That of the funds appropriated under this heading,  
6 up to \$105,000,000 may be available for administrative  
7 expenses of the Millennium Challenge Corporation (the  
8 Corporation): *Provided further*, That up to 5 percent of  
9 the funds appropriated under this heading may be made  
10 available to carry out the purposes of section 616 of the  
11 MCA for fiscal year 2016: *Provided further*, That section  
12 605(e) of the MCA shall apply to funds appropriated  
13 under this heading: *Provided further*, That funds appro-  
14 priated under this heading may be made available for a  
15 Millennium Challenge Compact entered into pursuant to  
16 section 609 of the MCA only if such Compact obligates,  
17 or contains a commitment to obligate subject to the avail-  
18 ability of funds and the mutual agreement of the parties  
19 to the Compact to proceed, the entire amount of the  
20 United States Government funding anticipated for the du-  
21 ration of the Compact: *Provided further*, That the Chief  
22 Executive Officer of the Corporation shall notify the Com-  
23 mittees on Appropriations not later than 15 days prior to  
24 commencing negotiations for any country compact or  
25 threshold country program; signing any such compact or

1 threshold program; or terminating or suspending any such  
2 compact or threshold program: *Provided further*, That  
3 funds appropriated under this heading by this Act and  
4 prior Acts making appropriations for the Department of  
5 State, foreign operations, and related programs that are  
6 available to implement section 609(g) of the MCA shall  
7 be subject to the regular notification procedures of the  
8 Committees on Appropriations: *Provided further*, That no  
9 country should be eligible for a threshold program after  
10 such country has completed a country compact: *Provided*  
11 *further*, That any funds that are deobligated from a Mil-  
12 lennium Challenge Compact shall be subject to the regular  
13 notification procedures of the Committees on Appropria-  
14 tions prior to re-obligation: *Provided further*, That none  
15 of the funds made available by this Act or prior Acts mak-  
16 ing appropriations for the Department of State, foreign  
17 operations, and related programs shall be available for a  
18 threshold program or compact in a country that is not cur-  
19 rently a candidate country: *Provided further*, That of the  
20 funds appropriated under this heading, not to exceed  
21 \$100,000 may be available for representation and enter-  
22 tainment expenses, of which not to exceed \$5,000 may be  
23 available for entertainment expenses.

## 1 INTER-AMERICAN FOUNDATION

2 For necessary expenses to carry out the functions of  
3 the Inter-American Foundation in accordance with the  
4 provisions of section 401 of the Foreign Assistance Act  
5 of 1969, \$22,500,000, to remain available until September  
6 30, 2017: *Provided*, That of the funds appropriated under  
7 this heading, not to exceed \$2,000 may be available for  
8 representation expenses.

## 9 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

10 For necessary expenses to carry out title V of the  
11 International Security and Development Cooperation Act  
12 of 1980 (Public Law 96–533), \$30,000,000, to remain  
13 available until September 30, 2017, of which not to exceed  
14 \$2,000 may be available for representation expenses: *Pro-*  
15 *vided*, That funds made available to grantees may be in-  
16 vested pending expenditure for project purposes when au-  
17 thorized by the Board of Directors of the United States  
18 African Development Foundation (USADF): *Provided fur-*  
19 *ther*, That interest earned shall be used only for the pur-  
20 poses for which the grant was made: *Provided further*,  
21 That notwithstanding section 505(a)(2) of the African De-  
22 velopment Foundation Act, in exceptional circumstances  
23 the Board of Directors of the USADF may waive the  
24 \$250,000 limitation contained in that section with respect  
25 to a project and a project may exceed the limitation by



1 up to 10 percent if the increase is due solely to foreign  
2 currency fluctuation: *Provided further*, That the USADF  
3 shall submit a report to the Committees on Appropriations  
4 after each time such waiver authority is exercised: *Pro-*  
5 *vided further*, That the USADF may make rent or lease  
6 payments in advance from appropriations available for  
7 such purpose for offices, buildings, grounds, and quarters  
8 in Africa as may be necessary to carry out its functions.

9 DEPARTMENT OF THE TREASURY

10 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

11 For necessary expenses to carry out the provisions  
12 of section 129 of the Foreign Assistance Act of 1961,  
13 \$23,500,000, to remain available until September 30,  
14 2018, which shall be available notwithstanding any other  
15 provision of law.

16 TITLE IV

17 INTERNATIONAL SECURITY ASSISTANCE

18 DEPARTMENT OF STATE

19 INTERNATIONAL NARCOTICS CONTROL AND LAW

20 ENFORCEMENT

21 For necessary expenses to carry out section 481 of  
22 the Foreign Assistance Act of 1961, \$935,020,000 to re-  
23 main available until September 30, 2017: *Provided*, That  
24 the Department of State may use the authority of section  
25 608 of the Foreign Assistance Act of 1961, without regard

1 to its restrictions, to receive excess property from an agen-  
2 cy of the United States Government for the purpose of  
3 providing such property to a foreign country or inter-  
4 national organization under chapter 8 of part I of that  
5 Act, subject to the regular notification procedures of the  
6 Committees on Appropriations: *Provided further*, That sec-  
7 tion 482(b) of the Foreign Assistance Act of 1961 shall  
8 not apply to funds appropriated under this heading, except  
9 that any funds made available notwithstanding such sec-  
10 tion shall be subject to the regular notification procedures  
11 of the Committees on Appropriations: *Provided further*,  
12 That the reporting requirements contained in section 1404  
13 of Public Law 110–252 shall apply to funds made avail-  
14 able by this Act until September 30, 2016, including a  
15 description of modifications, if any, to the security strat-  
16 egy of the Palestinian Authority: *Provided further*, That  
17 funds appropriated under this heading shall be made avail-  
18 able to support training and technical assistance for for-  
19 eign law enforcement, corrections, and other judicial au-  
20 thorities, utilizing regional partners.

21 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND  
22 RELATED PROGRAMS

23 For necessary expenses for nonproliferation, anti-ter-  
24 rorism, demining and related programs and activities,  
25 \$588,076,000, to remain available until September 30,

1 2017, to carry out the provisions of chapter 8 of part II  
2 of the Foreign Assistance Act of 1961 for anti-terrorism  
3 assistance, chapter 9 of part II of the Foreign Assistance  
4 Act of 1961, section 504 of the FREEDOM Support Act,  
5 section 23 of the Arms Export Control Act or the Foreign  
6 Assistance Act of 1961 for demining activities, the clear-  
7 ance of unexploded ordnance, the destruction of small  
8 arms, and related activities, notwithstanding any other  
9 provision of law, including activities implemented through  
10 nongovernmental and international organizations, and sec-  
11 tion 301 of the Foreign Assistance Act of 1961 for a vol-  
12 untary contribution to the International Atomic Energy  
13 Agency (IAEA): *Provided*, That funds made available  
14 under this heading for the Nonproliferation and Disar-  
15 mament Fund shall be available notwithstanding any  
16 other provision of law and subject to prior consultation  
17 with, and the regular notification procedures of, the Com-  
18 mittees on Appropriations, to promote bilateral and multi-  
19 lateral activities relating to nonproliferation, disarmament  
20 and weapons destruction, and shall remain available until  
21 expended: *Provided further*, That such funds may also be  
22 used for such countries other than the Independent States  
23 of the former Soviet Union and international organiza-  
24 tions when it is in the national security interest of the  
25 United States to do so: *Provided further*, That funds ap-

1   appropriated under this heading may be made available for  
2   the IAEA unless the Secretary of State determines that  
3   Israel is being denied its right to participate in the activi-  
4   ties of that Agency: *Provided further*, That funds made  
5   available for conventional weapons destruction programs,  
6   including demining and related activities, in addition to  
7   funds otherwise available for such purposes, may be used  
8   for administrative expenses related to the operation and  
9   management of such programs and activities, subject to  
10  the regular notification procedures of the Committees on  
11  Appropriations.

12                                   PEACEKEEPING OPERATIONS

13       For necessary expenses to carry out the provisions  
14  of section 551 of the Foreign Assistance Act of 1961,  
15  \$231,274,000: *Provided*, That funds appropriated under  
16  this heading may be used, notwithstanding section 660 of  
17  such Act, to provide assistance to enhance the capacity  
18  of foreign civilian security forces, including gendarmes, to  
19  participate in peacekeeping operations: *Provided further*,  
20  That of the funds appropriated under this heading, not  
21  less than \$35,000,000 shall be made available for a United  
22  States contribution to the Multinational Force and Ob-  
23  servers mission in the Sinai: *Provided further*, That funds  
24  appropriated under this Act should not be used to support  
25  any military training or operations that include child sol-

1 diers: *Provided further*, That none of the funds appro-  
2 priated under this heading shall be obligated except as  
3 provided through the regular notification procedures of the  
4 Committees on Appropriations.

5 FUNDS APPROPRIATED TO THE PRESIDENT

6 INTERNATIONAL MILITARY EDUCATION AND TRAINING

7 For necessary expenses to carry out the provisions  
8 of section 541 of the Foreign Assistance Act of 1961,  
9 \$108,115,000, of which up to \$4,000,000 may remain  
10 available until September 30, 2017: *Provided*, That the  
11 civilian personnel for whom military education and train-  
12 ing may be provided under this heading may include civil-  
13 ians who are not members of a government whose partici-  
14 pation would contribute to improved civil-military rela-  
15 tions, civilian control of the military, or respect for human  
16 rights: *Provided further*, That of the funds appropriated  
17 under this heading, not to exceed \$55,000 may be avail-  
18 able for entertainment expenses.

19 FOREIGN MILITARY FINANCING PROGRAM

20 For necessary expenses for grants to enable the  
21 President to carry out the provisions of section 23 of the  
22 Arms Export Control Act, \$5,160,559,000: *Provided*,  
23 That to expedite the provision of assistance to foreign  
24 countries and international organizations, the Secretary of  
25 State, following consultation with the Committees on Ap-

1 appropriations and subject to the regular notification proce-  
2 dures of such Committees, may use the funds appro-  
3 priated under this heading to procure defense articles and  
4 services to enhance the capacity of foreign security forces:  
5 *Provided further*, That of the funds appropriated under  
6 this heading, not less than \$3,100,000,000 shall be avail-  
7 able for grants only for Israel, and funds are available for  
8 assistance for Jordan and Egypt subject to section 7041  
9 of this Act: *Provided further*, That the funds appropriated  
10 under this heading for assistance for Israel shall be dis-  
11 bursed within 30 days of enactment of this Act: *Provided*  
12 *further*, That to the extent that the Government of Israel  
13 requests that funds be used for such purposes, grants  
14 made available for Israel under this heading shall, as  
15 agreed by the United States and Israel, be available for  
16 advanced weapons systems, of which not less than  
17 \$815,300,000 shall be available for the procurement in  
18 Israel of defense articles and defense services, including  
19 research and development: *Provided further*, That none of  
20 the funds made available under this heading shall be made  
21 available to support or continue any program initially  
22 funded under the authority of section 1206 of the National  
23 Defense Authorization Act for Fiscal Year 2006 (Public  
24 Law 109–163; 119 Stat. 3456) (or any successor author-  
25 ity, including section 2282 of title 10, United States Code)

1 unless the Secretary of State, in coordination with the Sec-  
2 retary of Defense, has justified such program to the Com-  
3 mittees on Appropriations: *Provided further*, That funds  
4 appropriated or otherwise made available under this head-  
5 ing shall be nonrepayable notwithstanding any require-  
6 ment in section 23 of the Arms Export Control Act: *Pro-*  
7 *vided further*, That funds made available under this head-  
8 ing shall be obligated upon apportionment in accordance  
9 with paragraph (5)(C) of title 31, United States Code, sec-  
10 tion 1501(a).

11       None of the funds made available under this heading  
12 shall be available to finance the procurement of defense  
13 articles, defense services, or design and construction serv-  
14 ices that are not sold by the United States Government  
15 under the Arms Export Control Act unless the foreign  
16 country proposing to make such procurement has first  
17 signed an agreement with the United States Government  
18 specifying the conditions under which such procurement  
19 may be financed with such funds: *Provided*, That all coun-  
20 try and funding level increases in allocations shall be sub-  
21 mitted through the regular notification procedures of sec-  
22 tion 7015 of this Act: *Provided further*, That funds made  
23 available under this heading may be used, notwithstanding  
24 any other provision of law, for demining, the clearance of  
25 unexploded ordnance, and related activities, and may in-

1 clude activities implemented through nongovernmental  
2 and international organizations: *Provided further*, That  
3 only those countries for which assistance was justified for  
4 the “Foreign Military Sales Financing Program” in the  
5 fiscal year 1989 congressional presentation for security as-  
6 sistance programs may utilize funds made available under  
7 this heading for procurement of defense articles, defense  
8 services or design and construction services that are not  
9 sold by the United States Government under the Arms  
10 Export Control Act: *Provided further*, That funds appro-  
11 priated under this heading shall be expended at the min-  
12 imum rate necessary to make timely payment for defense  
13 articles and services: *Provided further*, That not more than  
14 \$70,000,000 of the funds appropriated under this heading  
15 in this Act may be obligated for necessary expenses, in-  
16 cluding the purchase of passenger motor vehicles for re-  
17 placement only for use outside of the United States, for  
18 the general costs of administering military assistance and  
19 sales, except that this limitation may be exceeded only  
20 through the regular notification procedures of the Com-  
21 mittees on Appropriations: *Provided further*, That of the  
22 funds made available under this heading for general costs  
23 of administering military assistance and sales, not to ex-  
24 ceed \$4,000 may be available for entertainment expenses  
25 and not to exceed \$130,000 may be available for represen-



1 tation expenses: *Provided further*, That not more than  
 2 \$904,000,000 of funds realized pursuant to section  
 3 21(e)(1)(A) of the Arms Export Control Act may be obli-  
 4 gated for expenses incurred by the Department of Defense  
 5 during fiscal year 2016 pursuant to section 43(b) of the  
 6 Arms Export Control Act, except that this limitation may  
 7 be exceeded only through the regular notification proce-  
 8 dures of the Committees on Appropriations.

## 9 TITLE V

### 10 MULTILATERAL ASSISTANCE

#### 11 INTERNATIONAL FINANCIAL INSTITUTIONS

#### 12 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT

#### 13 ASSOCIATION

14 For payment to the International Development Asso-  
 15 ciation by the Secretary of the Treasury, \$1,167,850,000,  
 16 to remain available until expended.

#### 17 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

18 For payment to the Asian Development Bank's Asian  
 19 Development Fund by the Secretary of the Treasury,  
 20 \$104,977,000, to remain available until expended.

#### 21 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

22 For payment to the African Development Fund by  
 23 the Secretary of the Treasury, \$175,668,000, to remain  
 24 available until expended.

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

5 For necessary expenses of the Office of Inspector  
6 General in carrying out the provisions of the Inspector  
7 General Act of 1978, as amended, \$6,000,000.

8 PROGRAM ACCOUNT

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

1 paragraph shall not be construed or interpreted to extend  
2 the date specified in section 7 of the Export-Import Bank  
3 Act of 1945.

4 ADMINISTRATIVE EXPENSES

5 For administrative expenses to carry out the direct  
6 and guaranteed loan and insurance programs, including  
7 hire of passenger motor vehicles and services as authorized  
8 by 5 U.S.C. 3109, and not to exceed \$30,000 for official  
9 reception and representation expenses for members of the  
10 Board of Directors, not to exceed \$106,250,000: *Provided*,  
11 That none of the funds appropriated or otherwise made  
12 available under this heading by this Act may be made  
13 available for any function of the Export-Import Bank of  
14 the United States (the Bank), including to acquire new  
15 obligations, after June 30, 2015 or after the date specified  
16 in section 7 of the Export-Import Bank Act of 1945,  
17 whichever is later, except as permitted by section 7 of such  
18 Act: *Provided further*, That this paragraph shall not be  
19 construed or interpreted to extend the date specified in  
20 section 7 of the Export-Import Bank Act of 1945: *Pro-*  
21 *vided further*, That the Bank may accept, and use, pay-  
22 ment or services provided by transaction participants for  
23 legal, financial, or technical services in connection with  
24 any transaction for which an application for a loan, guar-  
25 antee or insurance commitment has been made: *Provided*

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

16 RECEIPTS COLLECTED

17 Receipts collected pursuant to the Export-Import  
18 Bank Act of 1945, as amended, and the Federal Credit  
19 Reform Act of 1990, as amended, in an amount not to  
20 exceed the amount appropriated herein, shall be credited  
21 as offsetting collections to this account: *Provided*, That the  
22 sums herein appropriated from the General Fund shall be  
23 reduced on a dollar-for-dollar basis by such offsetting col-  
24 lections so as to result in a final fiscal year appropriation  
25 from the General Fund estimated at \$0: *Provided further*,

1 That this paragraph shall not be construed or interpreted  
2 to extend the date specified in section 7 of the Export-  
3 Import Bank Act of 1945.

4 OVERSEAS PRIVATE INVESTMENT CORPORATION  
5 NONCREDIT ACCOUNT

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

22 PROGRAM ACCOUNT

23 For the cost of direct and guaranteed loans,  
24 \$20,000,000, as authorized by section 234 of the Foreign  
25 Assistance Act of 1961, to be derived by transfer from

1 the Overseas Private Investment Corporation Noncredit  
2 Account: *Provided*, That such costs, including the cost of  
3 modifying such loans, shall be as defined in section 502  
4 of the Congressional Budget Act of 1974: *Provided fur-*  
5 *ther*, That such sums shall be available for direct loan obli-  
6 gations and loan guaranty commitments incurred or made  
7 during fiscal years 2016, 2017 and 2018: *Provided fur-*  
8 *ther*, That funds so obligated in fiscal year 2016 remain  
9 available for disbursement through 2024; funds obligated  
10 in fiscal year 2017 remain available for disbursement  
11 through 2025; and funds obligated in fiscal year 2018 re-  
12 main available for disbursement through 2026: *Provided*  
13 *further*, That notwithstanding any other provision of law,  
14 the Overseas Private Investment Corporation is authorized  
15 to undertake any program authorized by title IV of chap-  
16 ter 2 of part I of the Foreign Assistance Act of 1961 in  
17 Iraq: *Provided further*, That funds made available pursu-  
18 ant to the authority of the previous proviso shall be subject  
19 to the regular notification procedures of the Committees  
20 on Appropriations.

21 In addition, such sums as may be necessary for ad-  
22 ministrative expenses to carry out the credit program may  
23 be derived from amounts available for administrative ex-  
24 penses to carry out the credit and insurance programs in

1 the Overseas Private Investment Corporation Noncredit  
2 Account and merged with said account.

3 TRADE AND DEVELOPMENT AGENCY

4 For necessary expenses to carry out the provisions  
5 of section 661 of the Foreign Assistance Act of 1961,  
6 \$60,000,000, to remain available until September 30,  
7 2017: *Provided*, That of the amounts made available  
8 under this heading, up to \$2,500,000 may be made avail-  
9 able to provide comprehensive procurement advice to for-  
10 eign governments to support local procurements funded by  
11 the United States Agency for International Development,  
12 the Millennium Challenge Corporation, and the Depart-  
13 ment of State: *Provided further*, That of the funds appro-  
14 priated under this heading, not more than \$4,000 may be  
15 available for representation and entertainment expenses.

16 TITLE VII

17 GENERAL PROVISIONS

18 ALLOWANCES AND DIFFERENTIALS

19 SEC. 7001. Funds appropriated under title I of this  
20 Act shall be available, except as otherwise provided, for  
21 allowances and differentials as authorized by subchapter  
22 59 of title 5, United States Code; for services as author-  
23 ized by 5 U.S.C. 3109; and for hire of passenger transpor-  
24 tation pursuant to 31 U.S.C. 1343(b).

## UNOBLIGATED BALANCES REPORT

SEC. 7002. Any department or agency of the United States Government to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting of cumulative unobligated balances and obligated, but unexpended, balances by program, project, and activity, and Treasury Account Fund Symbol of all funds received by such department or agency in fiscal year 2016 or any previous fiscal year, disaggregated by fiscal year: *Provided*, That the report required by this section should specify by account the amount of funds obligated pursuant to bilateral agreements which have not been further sub-obligated.

## CONSULTING SERVICES

SEC. 7003. The expenditure of any appropriation under title I of this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.



## DIPLOMATIC FACILITIES

1  
2 SEC. 7004. (a) Of funds provided under title I of this  
3 Act, except as provided in subsection (b), a project to con-  
4 struct a diplomatic facility of the United States may not  
5 include office space or other accommodations for an em-  
6 ployee of a Federal agency or department if the Secretary  
7 of State determines that such department or agency has  
8 not provided to the Department of State the full amount  
9 of funding required by subsection (e) of section 604 of  
10 the Secure Embassy Construction and Counterterrorism  
11 Act of 1999 (as enacted into law by section 1000(a)(7)  
12 of Public Law 106–113 and contained in appendix G of  
13 that Act; 113 Stat. 1501A–453), as amended by section  
14 629 of the Departments of Commerce, Justice, and State,  
15 the Judiciary, and Related Agencies Appropriations Act,  
16 2005.

17 (b) Notwithstanding the prohibition in subsection (a),  
18 a project to construct a diplomatic facility of the United  
19 States may include office space or other accommodations  
20 for members of the United States Marine Corps.

21 (c) For the purposes of calculating the fiscal year  
22 2016 costs of providing new United States diplomatic fa-  
23 cilities in accordance with section 604(e) of the Secure  
24 Embassy Construction and Counterterrorism Act of 1999  
25 (22 U.S.C. 4865 note), the Secretary of State, in consulta-

tion with the Director of the Office of Management and Budget, shall determine the annual program level and agency shares in a manner that is proportional to the Department of State's contribution for this purpose.

(d) Funds appropriated by this Act, and prior Acts making appropriations for the Department of State, foreign operations, and related programs, which may be made available for the acquisition of property or award of construction contracts for overseas diplomatic facilities during fiscal year 2016, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided*, That notifications pursuant to this subsection shall include the information enumerated under the heading "Embassy Security, Construction, and Maintenance" in the report accompanying this Act.

(e)(1) None of the funds appropriated under the heading "Embassy Security, Construction, and Maintenance" in this Act and in prior Acts making appropriations for the Department of State, foreign operations, and related programs, made available through Federal agency Capital Security Cost Sharing contributions and reimbursements, or generated from the proceeds of real property sales, other than from real property sales located in London, United Kingdom, may be made available for site

1 acquisition and mitigation, planning, design, or construc-  
2 tion of the New London Embassy: *Provided*, That the re-  
3 porting requirement contained in section 7004(f)(2) of di-  
4 vision I of Public Law 112–74 shall remain in effect dur-  
5 ing fiscal year 2016.

6 (2) Funds appropriated or otherwise made  
7 available by this Act and prior Acts making appro-  
8 priations for the Department of State, foreign oper-  
9 ations, and related programs, under the heading  
10 “Embassy Security, Construction, and Maintenance”  
11 may be obligated for the relocation of the United  
12 States Embassy to the Holy See only if the Sec-  
13 retary of State reports in writing to the Committees  
14 on Appropriations that such relocation continues to  
15 be consistent with the conditions of section  
16 7004(e)(2) of division K of Public Law 113–76.

17 (3) Within 45 days of enactment of this Act  
18 and every 4 months thereafter until September 30,  
19 2016, the Secretary of State shall submit to the  
20 Committees on Appropriations a report on the new  
21 Mexico City Embassy project: *Provided*, That such  
22 report shall include cost projections, cost contain-  
23 ment efforts, project schedule and actual project sta-  
24 tus, the impact of currency exchange rate fluctua-  
25 tions on project costs, revenues derived from, or esti-

1 mated to be derived from, real property sales in  
2 Mexico City, Mexico, and options for modifying the  
3 scope of the project in the event that costs escalate  
4 above amounts justified to the Committees on Ap-  
5 propriations in Appendix 1 of the Congressional  
6 Budget Justification, Department of State Oper-  
7 ations, Fiscal Year 2015.

8 (4) Within 45 days of enactment of this Act  
9 and every 4 months thereafter until September 30,  
10 2016, the Secretary of State shall submit to the  
11 Committees on Appropriations a report on the new  
12 Beirut Embassy project: *Provided*; That such report  
13 shall include cost projections, cost containment ef-  
14 forts, project schedule and actual project status, the  
15 impact of currency exchange rate fluctuations on  
16 project costs, revenues derived, or estimated to be  
17 derived, from, real property sales in Beirut, Leb-  
18 anon, and options for modifying the scope of the  
19 project in the event that costs escalate above  
20 amounts justified to the Committees on Appropria-  
21 tions in Appendix 1 of the Congressional Budget  
22 Justification, Department of State, Diplomatic En-  
23 gagement, Fiscal Year 2016.

24 (f) None of the funds appropriated or otherwise made  
25 available by this Act and prior Acts making appropriations

1 for the Department of State, foreign operations, and re-  
2 lated programs, under the heading “Embassy Security,  
3 Construction, and Maintenance” may be obligated for the  
4 award of a construction contract for a new diplomatic fa-  
5 cility justified to the Committees on Appropriations in Ap-  
6 pendix 1 of the Congressional Budget Justification, De-  
7 partment of State, Diplomatic Engagement, Fiscal Year  
8 2016, or not previously justified to the Committees on Ap-  
9 propriations, unless as part of the notification required by  
10 subsection (d) of this section the Secretary of State re-  
11 ports in such notification that the Department of State  
12 has completed the requisite Value Engineering studies re-  
13 quired pursuant to the Bureau of Overseas Buildings Op-  
14 erations Policy and Procedure Directive, P&PD PE/DE  
15 03: Value Engineering, May 26, 2004.

16 (g) Funds appropriated under the heading “Diplo-  
17 matic and Consular Programs”, including for Worldwide  
18 Security Protection, and under the heading “Embassy Se-  
19 curity, Construction, and Maintenance” in titles I and  
20 VIII of this Act may be transferred to, and merged with,  
21 funds appropriated by such titles under such headings if  
22 the Secretary of State determines and reports to the Com-  
23 mittees on Appropriations that to do so is necessary to  
24 implement the recommendations of the Benghazi Account-  
25 ability Review Board, or to prevent or respond to security

1 situations and requirements, following consultation with,  
2 and subject to the regular notification procedures of, such  
3 Committees: *Provided*, That such transfer authority is in  
4 addition to any transfer authority otherwise available  
5 under any other provision of law.

6 PERSONNEL ACTIONS

7 SEC. 7005. Any costs incurred by a department or  
8 agency funded under title I of this Act resulting from per-  
9 sonnel actions taken in response to funding reductions in-  
10 cluded in this Act shall be absorbed within the total budg-  
11 etary resources available under title I to such department  
12 or agency: *Provided*, That the authority to transfer funds  
13 between appropriations accounts as may be necessary to  
14 carry out this section is provided in addition to authorities  
15 included elsewhere in this Act: *Provided further*, That use  
16 of funds to carry out this section shall be treated as a  
17 reprogramming of funds under section 7015 of this Act  
18 and shall not be available for obligation or expenditure ex-  
19 cept in compliance with the procedures set forth in that  
20 section.

21 LOCAL GUARD CONTRACTS

22 SEC. 7006. In evaluating proposals for local guard  
23 contracts, the Secretary of State shall award contracts in  
24 accordance with section 136 of the Foreign Relations Au-  
25 thorization Act, Fiscal Years 1990 and 1991 (22 U.S.C.

1 4864), except that the Secretary may grant authorization  
2 to award such contracts on the basis of best value as de-  
3 termined by a cost-technical tradeoff analysis (as de-  
4 scribed in Federal Acquisition Regulation part 15.101),  
5 notwithstanding subsection (c)(3) of such section, for high  
6 risk, high threat posts: *Provided*, That the authority in  
7 this section shall apply to any options for renewal that  
8 may be exercised under such contracts that are awarded  
9 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  
 19 the Department of State under title I of this Act  
 20 may be transferred between, and merged with, such  
 21 appropriations, but no such appropriation, except as  
 22 otherwise specifically provided, shall be increased by  
 23 more than 10 percent by any such transfers.

24 (2) Not to exceed 5 percent of any appropria-  
 25 tion made available for the current fiscal year for



1 the Broadcasting Board of Governors under title I  
2 of this Act may be transferred between, and merged  
3 with, such appropriations, but no such appropria-  
4 tion, except as otherwise specifically provided, shall  
5 be increased by more than 10 percent by any such  
6 transfers.

7 (3) Any transfer pursuant to this section shall  
8 be treated as a reprogramming of funds under sec-  
9 tion 7015 (a) and (b) of this Act and shall not be  
10 available for obligation or expenditure except in com-  
11 pliance with the procedures set forth in that section.

12 (b) LIMITATION ON TRANSFERS BETWEEN AGEN-  
13 CIES.—

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

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

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

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

22        (c) TRANSFERS BETWEEN ACCOUNTS.—None of the  
23       funds made available under titles II through V of this Act  
24       may be obligated under an appropriation account to which  
25       such funds were not appropriated, except for transfers

1 specifically provided for in this Act, unless the President,  
2 not less than 5 days prior to the exercise of any authority  
3 contained in the Foreign Assistance Act of 1961 to trans-  
4 fer funds, consults with and provides a written policy jus-  
5 tification to the Committees on Appropriations.

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

24 (e) PROHIBITION AND REPORT.—None of the funds  
25 appropriated by this Act may be transferred from the De-

1 partment of State or USAID to another agency of the  
2 United States Government pursuant to section 632(a) and  
3 632(b) of the Foreign Assistance Act of 1961 until the  
4 Secretary of State or the USAID Administrator, as appro-  
5 priate, submits a report to the Committees on Appropria-  
6 tions on all transfers made with funds provided in the De-  
7 partment of State, Foreign Operations, and Related Pro-  
8 grams Appropriations Act, 2015 (Public Law 113-235) as  
9 of the date of enactment of this Act: *Provided*, That such  
10 reports shall include a list of each transfer made pursuant  
11 to section 632(a) and 632(b) of the Foreign Assistance  
12 Act of 1961 with the respective funding level, appropria-  
13 tion account, and the receiving agency.

14 SECURITY ASSISTANCE REPORT

15 SEC. 7010. Not later than 120 days after enactment  
16 of this Act, the Secretary of State shall submit to the  
17 Committees on Appropriations a report on funds obligated  
18 and expended during fiscal year 2015 under the headings  
19 “International Military Education and Training”, “Peace-  
20 keeping Operations”, and “Foreign Military Financing  
21 Program”, including the specific countries and military  
22 services that received assistance and the amounts and pur-  
23 poses of such assistance.

## 1 AVAILABILITY OF FUNDS

2 SEC. 7011. No part of any appropriation contained  
3 in this Act shall remain available for obligation after the  
4 expiration of the current fiscal year unless expressly so  
5 provided in this Act: *Provided*, That funds appropriated  
6 for the purposes of chapters 1 and 8 of part I, section  
7 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign  
8 Assistance Act of 1961, section 23 of the Arms Export  
9 Control Act, and funds provided under the heading “De-  
10 velopment Credit Authority” shall remain available for an  
11 additional 4 years from the date on which the availability  
12 of such funds would otherwise have expired, if such funds  
13 are initially obligated before the expiration of their respec-  
14 tive periods of availability contained in this Act: *Provided*  
15 *further*, That notwithstanding any other provision of this  
16 Act, any funds made available for the purposes of chapter  
17 1 of part I and chapter 4 of part II of the Foreign Assist-  
18 ance Act of 1961 which are allocated or obligated for cash  
19 disbursements in order to address balance of payments or  
20 economic policy reform objectives, shall remain available  
21 for an additional 4 years from the date on which the avail-  
22 ability of such funds would otherwise have expired, if such  
23 funds are initially allocated or obligated before the expira-  
24 tion of their respective periods of availability contained in  
25 this Act: *Provided further*, That the Secretary of State

1 shall provide a report to the Committees on Appropria-  
2 tions not later than October 30, 2016, detailing by ac-  
3 count and source year, the use of this authority during  
4 fiscal year 2016.

5 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

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

17 PROHIBITION ON TAXATION OF UNITED STATES

18 ASSISTANCE

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

1 States shall be exempt from taxation, or reimbursed, by  
2 the foreign government, and the Secretary of State shall  
3 expeditiously seek to negotiate amendments to existing bi-  
4 lateral agreements, as necessary, to conform with this re-  
5 quirement.

6 (b) REIMBURSEMENT OF FOREIGN TAXES.—An  
7 amount equivalent to 200 percent of the total taxes as-  
8 sessed during fiscal year 2016 on funds appropriated by  
9 this Act by a foreign government or entity against United  
10 States assistance programs for which funds are appro-  
11 priated by this Act, either directly or through grantees,  
12 contractors, and subcontractors shall be withheld from ob-  
13 ligation from funds appropriated for assistance for fiscal  
14 year 2017 and allocated for the central government of  
15 such country and for the West Bank and Gaza program  
16 to the extent that the Secretary of State certifies and re-  
17 ports in writing to the Committees on Appropriations, not  
18 later than September 30, 2017 that such taxes have not  
19 been reimbursed to the Government of the United States.

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

23 (d) REPROGRAMMING OF FUNDS.—Funds withheld  
24 from obligation for each country or entity pursuant to sub-  
25 section (b) shall be reprogrammed for assistance for coun-

1 tries which do not assess taxes on United States assistance  
2 or which have an effective arrangement that is providing  
3 substantial reimbursement of such taxes, and that can  
4 reasonably accommodate such assistance in a program-  
5 matically responsible manner.

6 (e) DETERMINATIONS.—

7 (1) The provisions of this section shall not  
8 apply to any country or entity the Secretary of State  
9 reports to the Committees on Appropriations—

10 (A) does not assess taxes on United States  
11 assistance or which has an effective arrange-  
12 ment that is providing substantial reimburse-  
13 ment of such taxes; or

14 (B) the foreign policy interests of the  
15 United States outweigh the purpose of this sec-  
16 tion to ensure that United States assistance is  
17 not subject to taxation.

18 (2) The Secretary of State shall consult with  
19 the Committees on Appropriations at least 15 days  
20 prior to exercising the authority of this subsection  
21 with regard to any country or entity.

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



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

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

13 (2) the term “taxes and taxation” shall include  
14 value added taxes and customs duties but shall not  
15 include individual income taxes assessed to local  
16 staff.

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

23 RESERVATIONS OF FUNDS

24 SEC. 7014. (a) Funds appropriated under titles III  
25 through VI of this Act which are specifically designated

1 may be reprogrammed for other programs within the same  
2 account notwithstanding the designation if compliance  
3 with the designation is made impossible by operation of  
4 any provision of this or any other Act: *Provided*, That any  
5 such reprogramming shall be subject to the regular notifi-  
6 cation procedures of the Committees on Appropriations:  
7 *Provided further*, That assistance that is reprogrammed  
8 pursuant to this subsection shall be made available under  
9 the same terms and conditions as originally provided.

10 (b) In addition to the authority contained in sub-  
11 section (a), the original period of availability of funds ap-  
12 propriated by this Act and administered by the Depart-  
13 ment of State or the United States Agency for Inter-  
14 national Development (USAID) that are specifically des-  
15 ignated for particular programs or activities by this or any  
16 other Act may be extended for an additional fiscal year  
17 if the Secretary of State or the USAID Administrator, as  
18 appropriate, determines and reports promptly to the Com-  
19 mittees on Appropriations that the termination of assist-  
20 ance to a country or a significant change in circumstances  
21 makes it unlikely that such designated funds can be obli-  
22 gated during the original period of availability: *Provided*,  
23 That such designated funds that continue to be available  
24 for an additional fiscal year shall be obligated only for the  
25 purpose of such designation.

1 (c) Ceilings and specifically designated funding levels  
2 contained in this Act shall not be applicable to funds or  
3 authorities appropriated or otherwise made available by  
4 any subsequent Act unless such Act specifically so directs:  
5 *Provided*, That specifically designated funding levels or  
6 minimum funding requirements contained in any other  
7 Act shall not be applicable to funds appropriated by this  
8 Act.

9 NOTIFICATION REQUIREMENTS

10 SEC. 7015. (a) None of the funds made available in  
11 titles I and II of this Act, or in prior appropriations Acts  
12 to the agencies and departments funded by this Act that  
13 remain available for obligation or expenditure in fiscal  
14 year 2016, or provided from any accounts in the Treasury  
15 of the United States derived by the collection of fees or  
16 of currency reflows or other offsetting collections, or made  
17 available by transfer, to the agencies and departments  
18 funded by this Act, shall be available for obligation or ex-  
19 penditure of funds that—

- 20 (1) creates new programs;
- 21 (2) eliminates a program, project, or activity;
- 22 (3) increases funds or personnel by any means  
23 for any project or activity for which funds have been  
24 denied or restricted;
- 25 (4) relocates an office or employees;

1 (5) closes or opens a mission or post;

2 (6) creates, closes, reorganizes, or renames bu-  
3 reaus, centers, or offices;

4 (7) reorganizes programs or activities; or

5 (8) contracts out or privatizes any functions or  
6 activities presently performed by Federal employees;

7 unless the Committees on Appropriations are notified 15  
8 days in advance of such reprogramming of funds: *Pro-*  
9 *vided*, That unless previously justified to the Committees  
10 on Appropriations, the requirements of this subsection  
11 shall apply to all obligations of funds appropriated under  
12 titles I and II of this Act for paragraphs (1), (2), (5),  
13 and (6) of this subsection.

14 (b) None of the funds provided under titles I and II  
15 of this Act, or provided under previous appropriations  
16 Acts to the agency or department funded under titles I  
17 and II of this Act that remain available for obligation or  
18 expenditure in fiscal year 2016, or provided from any ac-  
19 counts in the Treasury of the United States derived by  
20 the collection of fees available to the agency or department  
21 funded under title I of this Act, shall be available for obli-  
22 gation or expenditure for activities, programs, or projects  
23 through a reprogramming of funds in excess of  
24 \$1,000,000 or 10 percent, whichever is less, that—

1           (1) augments existing programs, projects, or ac-  
2       tivities;

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

6           (3) results from any general savings, including  
7       savings from a reduction in personnel, which would  
8       result in a change in existing programs, activities, or  
9       projects as approved by Congress; unless the Com-  
10      mittees on Appropriations are notified 15 days in  
11      advance of such reprogramming of funds.

12      (c) None of the funds made available by this Act  
13      under the headings “Global Health Programs”, “Develop-  
14      ment Assistance”, “Trade and Development Agency”,  
15      “International Narcotics Control and Law Enforcement”,  
16      “Economic Support Fund”, “Democracy Fund”, “Peace-  
17      keeping Operations”, “Nonproliferation, Anti-terrorism,  
18      Demining and Related Programs”, “Millennium Challenge  
19      Corporation”, “Foreign Military Financing Program”,  
20      “International Military Education and Training”, and  
21      “Peace Corps”, shall be available for obligation for activi-  
22      ties, programs, projects, type of materiel assistance, coun-  
23      tries, or other operations not justified or in excess of the  
24      amount justified to the Committees on Appropriations for  
25      obligation under any of these specific headings unless the

1 Committees on Appropriations are notified 15 days in ad-  
2 vance: *Provided*, That the President shall not enter into  
3 any commitment of funds appropriated for the purposes  
4 of section 23 of the Arms Export Control Act for the pro-  
5 vision of major defense equipment, other than conven-  
6 tional ammunition, or other major defense items defined  
7 to be aircraft, ships, missiles, or combat vehicles, not pre-  
8 viously justified to Congress or 20 percent in excess of  
9 the quantities justified to Congress unless the Committees  
10 on Appropriations are notified 15 days in advance of such  
11 commitment: *Provided further*, That requirements of this  
12 subsection or any similar provision of this or any other  
13 Act shall not apply to any reprogramming for an activity,  
14 program, or project for which funds are appropriated  
15 under titles III through VI of this Act of less than 10  
16 percent of the amount previously justified to the Congress  
17 for obligation for such activity, program, or project for the  
18 current fiscal year: *Provided further*, That any notification  
19 submitted pursuant to subsection (f) of this section shall  
20 include information (if known on the date of transmittal  
21 of such notification) on the use of notwithstanding author-  
22 ity: *Provided further*, That if subsequent to the notification  
23 of assistance it becomes necessary to rely on notwith-  
24 standing authority, the Committees on Appropriations

1 should be informed at the earliest opportunity and to the  
2 extent practicable.

3 (d) Notwithstanding any other provision of law, with  
4 the exception of funds transferred to, and merged with,  
5 funds appropriated under title I of this Act, funds trans-  
6 ferred by the Department of Defense to the Department  
7 of State and the United States Agency for International  
8 Development for assistance for foreign countries and  
9 international organizations, and funds made available for  
10 programs authorized by section 1206 of the National De-  
11 fense Authorization Act for Fiscal Year 2006 (Public Law  
12 109–163) (or any successor authority, including section  
13 2282 of title 10, United States Code), shall be subject to  
14 the regular notification procedures of the Committees on  
15 Appropriations.

16 (e) The requirements of this section or any similar  
17 provision of this Act or any other Act, including any prior  
18 Act requiring notification in accordance with the regular  
19 notification procedures of the Committees on Appropria-  
20 tions, may be waived if failure to do so would pose a sub-  
21 stantial risk to human health or welfare: *Provided*, That  
22 in case of any such waiver, notification to the Committees  
23 on Appropriations shall be provided as early as prac-  
24 ticable, but in no event later than 3 days after taking the  
25 action to which such notification requirement was applica-

1 ble, in the context of the circumstances necessitating such  
2 waiver: *Provided further*, That any notification provided  
3 pursuant to such a waiver shall contain an explanation  
4 of the emergency circumstances.

5 (f) None of the funds appropriated under titles III  
6 through VI of this Act shall be obligated or expended for  
7 assistance for Afghanistan, Bolivia, Burma, Cambodia,  
8 Cuba, Ecuador, El Salvador, Ethiopia, Guatemala, Haiti,  
9 Honduras, Iran, Iraq, Lebanon, Libya, Pakistan, the Rus-  
10 sian Federation, Serbia, Somalia, South Sudan, Sri  
11 Lanka, Sudan, Syria, Uzbekistan, Venezuela, Yemen, and  
12 Zimbabwe except as provided through the regular notifica-  
13 tion procedures of the Committees on Appropriations.

14 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

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



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

9           LIMITATION ON AVAILABILITY OF FUNDS FOR  
10          INTERNATIONAL ORGANIZATIONS AND PROGRAMS

11       SEC. 7017. Subject to the regular notification proce-  
12 dures of the Committees on Appropriations, funds appro-  
13 priated under titles I and III through V of this Act, which  
14 are returned or not made available for organizations and  
15 programs because of the implementation of section 307(a)  
16 of the Foreign Assistance Act of 1961 or section 7048(a)  
17 of this Act, shall remain available for obligation until Sep-  
18 tember 30, 2017: *Provided*, That the requirement to with-  
19 hold funds for programs in Burma under section 307(a)  
20 of the Foreign Assistance Act of 1961 shall not apply to  
21 funds appropriated by this Act.

22           PROHIBITION ON FUNDING FOR ABORTIONS AND  
23                           INVOLUNTARY STERILIZATION

24       SEC. 7018. None of the funds made available to carry  
25 out part I of the Foreign Assistance Act of 1961, as

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

#### 21 ALLOCATIONS

22 SEC. 7019. Funds provided by this Act shall be made  
23 available for programs and countries in the amounts con-  
24 tained in the respective tables included in the report ac-  
25 companying this Act.

1       REPRESENTATION AND ENTERTAINMENT EXPENSES

2       SEC. 7020. (a) Each Federal department, agency, or  
3       entity funded in titles I or II of this Act, and the Depart-  
4       ment of the Treasury and independent agencies funded in  
5       titles III or VI of this Act, shall take steps to ensure that  
6       domestic and overseas representation and entertainment  
7       expenses further official agency business and United  
8       States foreign policy interest and are—

9               (1) primarily for fostering relations outside of  
10       the Executive Branch;

11              (2) principally for meals and events of a pro-  
12       tocol nature;

13              (3) not for employee-only events; and

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

16       (b) None of the funds appropriated or otherwise  
17       made available by this Act under the headings “Inter-  
18       national Military Education and Training” or “Foreign  
19       Military Financing Program” for Informational Program  
20       activities or under the headings “Global Health Pro-  
21       grams”, “Development Assistance”, and “Economic Sup-  
22       port Fund” may be obligated or expended to pay for—

23              (1) alcoholic beverages; or

24              (2) entertainment expenses for activities that  
25       are substantially of a recreational character, includ-

1 ing but not limited to entrance fees at sporting  
2 events, theatrical and musical productions, and  
3 amusement parks.

4 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

5 SUPPORTING INTERNATIONAL TERRORISM

6 SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-  
7 PORTS.—

8 (1) None of the funds appropriated or otherwise  
9 made available by titles III through VI of this Act  
10 may be available to any foreign government which  
11 provides lethal military equipment to a country the  
12 government of which the Secretary of State has de-  
13 termined supports international terrorism for pur-  
14 poses of section 6(j) of the Export Administration  
15 Act of 1979 as continued in effect pursuant to the  
16 International Emergency Economic Powers Act: *Pro-*  
17 *vided*, That the prohibition under this section with  
18 respect to a foreign government shall terminate 12  
19 months after that government ceases to provide such  
20 military equipment: *Provided further*, That this sec-  
21 tion applies with respect to lethal military equipment  
22 provided under a contract entered into after October  
23 1, 1997.

24 (2) Assistance restricted by paragraph (1) or  
25 any other similar provision of law, may be furnished

1 if the President determines that to do so is impor-  
2 tant to the national interests of the United States.

3 (3) Whenever the President makes a determina-  
4 tion pursuant to paragraph (2), the President shall  
5 submit to the Committees on Appropriations a re-  
6 port with respect to the furnishing of such assist-  
7 ance, including a detailed explanation of the assist-  
8 ance to be provided, the estimated dollar amount of  
9 such assistance, and an explanation of how the as-  
10 sistance furthers United States national interests.

11 (b) BILATERAL ASSISTANCE.—

12 (1) Funds appropriated for bilateral assistance  
13 in titles III through VI of this Act and funds appro-  
14 priated under any such title in prior Acts making  
15 appropriations for the Department of State, foreign  
16 operations, and related programs, shall not be made  
17 available to any foreign government which the Presi-  
18 dent determines—

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

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

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

1           tion 219 of the Immigration and Nationality  
2           Act.

3           (2) The President may waive the application of  
4           paragraph (1) to a government if the President de-  
5           termines that national security or humanitarian rea-  
6           sons justify such waiver: *Provided*, That the Presi-  
7           dent shall publish each such waiver in the Federal  
8           Register and, at least 15 days before the waiver  
9           takes effect, shall notify the Committees on Appro-  
10          priations of the waiver (including the justification  
11          for the waiver) in accordance with the regular notifi-  
12          cation procedures of the Committees on Appropria-  
13          tions.

14                   PROHIBITION ON FIRST-CLASS TRAVEL

15          SEC. 7022. 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                   DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

21          SEC. 7023. For the purpose of titles II through VI  
22          of this Act “program, project, and activity” shall be de-  
23          fined at the appropriations Act account level and shall in-  
24          clude all appropriations and authorizations Acts funding  
25          directives, ceilings, and limitations with the exception that

1 for the following accounts: “Economic Support Fund” and  
 2 “Foreign Military Financing Program”, “program,  
 3 project, and activity” shall also be considered to include  
 4 country, regional, and central program level funding with-  
 5 in each such account; and for the development assistance  
 6 accounts of the United States Agency for International  
 7 Development, “program, project, and activity” shall also  
 8 be considered to include central, country, regional, and  
 9 program level funding, either as—

10 (1) justified to the Congress; or

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

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

19 SEC. 7024. Unless expressly provided to the contrary,  
 20 provisions of this or any other Act, including provisions  
 21 contained in prior Acts authorizing or making appropria-  
 22 tions for the Department of State, foreign operations, and  
 23 related programs, shall not be construed to prohibit activi-  
 24 ties authorized by or conducted under the Peace Corps  
 25 Act, the Inter-American Foundation Act or the African

1 Development Foundation Act: *Provided*, That prior to con-  
2 ducting activities in a country for which assistance is pro-  
3 hibited, the agency shall consult with the Committees on  
4 Appropriations and report to such Committees within 15  
5 days of taking such action.

6 COMMERCE, TRADE AND SURPLUS COMMODITIES

7 SEC. 7025. (a) None of the funds appropriated or  
8 made available pursuant to titles III through VI of this  
9 Act for direct assistance and none of the funds otherwise  
10 made available to the Export-Import Bank and the Over-  
11 seas Private Investment Corporation shall be obligated or  
12 expended to finance any loan, any assistance or any other  
13 financial commitments for establishing or expanding pro-  
14 duction of any commodity for export by any country other  
15 than the United States, if the commodity is likely to be  
16 in surplus on world markets at the time the resulting pro-  
17 ductive capacity is expected to become operative and if the  
18 assistance will cause substantial injury to United States  
19 producers of the same, similar, or competing commodity:  
20 *Provided*, That such prohibition shall not apply to the Ex-  
21 port-Import Bank if in the judgment of its Board of Direc-  
22 tors the benefits to industry and employment in the  
23 United States are likely to outweigh the injury to United  
24 States producers of the same, similar, or competing com-  
25 modity, and the Chairman of the Board so notifies the



1 Committees on Appropriations: *Provided further*, That this  
2 subsection shall not prohibit—

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

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

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

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

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

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

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

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

15        (c) The Secretary of the Treasury shall instruct the  
16        United States executive directors of the international fi-  
17        nancial institutions, as defined in section 7029(e) of this  
18        Act, to use the voice and vote of the United States to op-  
19        pose any assistance by such institutions, using funds ap-  
20        propriated or made available by this Act, for the produc-  
21        tion or extraction of any commodity or mineral for export,  
22        if it is in surplus on world markets and if the assistance  
23        will cause substantial injury to United States producers  
24        of the same, similar, or competing commodity.

## 1 SEPARATE ACCOUNTS

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

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

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

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

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

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

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

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

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

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

12                   (ii) debt and deficit financing; or

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

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

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

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

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

17 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

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

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

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

20          (4) EXEMPTION.—Nonproject sector assistance  
21      funds may be exempt from the requirements of sub-  
22      section (b)(1) only through the regular notification  
23      procedures of the Committees on Appropriations.

## ELIGIBILITY FOR ASSISTANCE

1  
2 SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERN-  
3 MENTAL ORGANIZATIONS.—Restrictions contained in this  
4 or any other Act with respect to assistance for a country  
5 shall not be construed to restrict assistance in support of  
6 programs of nongovernmental organizations from funds  
7 appropriated by this Act to carry out the provisions of  
8 chapters 1, 10, 11, and 12 of part I and chapter 4 of  
9 part II of the Foreign Assistance Act of 1961: *Provided*,  
10 That before using the authority of this subsection to fur-  
11 nish assistance in support of programs of nongovern-  
12 mental organizations, the President shall notify the Com-  
13 mittees on Appropriations pursuant to the regular notifi-  
14 cation procedures, including a description of the program  
15 to be assisted, the assistance to be provided, and the rea-  
16 sons for furnishing such assistance: *Provided further*, That  
17 nothing in this subsection shall be construed to alter any  
18 existing statutory prohibitions against abortion or involun-  
19 tary sterilizations contained in this or any other Act.

20 (b) PUBLIC LAW 480.—During fiscal year 2016, re-  
21 strictions contained in this or any other Act with respect  
22 to assistance for a country shall not be construed to re-  
23 strict assistance under the Food for Peace Act (Public  
24 Law 83–480): *Provided*, That none of the funds appro-  
25 priated to carry out title I of such Act and made available

1 pursuant to this subsection may be obligated or expended  
2 except as provided through the regular notification proce-  
3 dures of the Committees on Appropriations.

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

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

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

14 LOCAL COMPETITION

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

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

23 (A) assessed the level of local capacity to  
24 effectively implement, manage, and account for  
25 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) In addition to the requirements of paragraph (1),  
13 the Administrator of USAID shall report, on a semi-an-  
14 nual basis during fiscal year 2016, 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 INTERNATIONAL FINANCIAL INSTITUTIONS

22 SEC. 7029. (a) The Secretary of the Treasury shall  
23 instruct the United States executive director of each inter-  
24 national financial institution to seek to require that such  
25 institution adopts and implements a publicly available pol-

1 icy, including the strategic use of peer reviews and exter-  
2 nal experts, to conduct independent, in-depth evaluations  
3 of the effectiveness of at least 25 percent of all loans,  
4 grants, programs, and significant analytical non-lending  
5 activities in advancing the institution's goals of reducing  
6 poverty and promoting equitable economic growth, con-  
7 sistent with relevant safeguards, to ensure that decisions  
8 to support such loans, grants, programs, and activities are  
9 based on accurate data and objective analysis: *Provided*,  
10 That not later than 180 days after enactment of this Act,  
11 the Secretary shall submit a report to the Committees on  
12 Appropriations on steps taken by the United States execu-  
13 tive directors and the international financial institutions  
14 consistent with this paragraph.

15 (b) None of the funds appropriated under title V of  
16 this Act may be made as payment to any international  
17 financial institution while the United States executive di-  
18 rector to such institution is compensated by the institution  
19 at a rate which, together with whatever compensation such  
20 executive director receives from the United States, is in  
21 excess of the rate provided for an individual occupying a  
22 position at level IV of the Executive Schedule under sec-  
23 tion 5315 of title 5, United States Code, or while any al-  
24 ternate United States executive director to such institution  
25 is compensated by the institution at a rate in excess of

1 the rate provided for an individual occupying a position  
2 at level V of the Executive Schedule under section 5316  
3 of title 5, United States Code.

4 (c) The Secretary of the Treasury shall instruct the  
5 United States executive director of each international fi-  
6 nancial institution to promote in loan, grant, and other  
7 financing agreements improvements in borrowing coun-  
8 tries' financial management and judicial capacity to inves-  
9 tigate, prosecute, and punish fraud and corruption.

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

23 (e) For the purposes of this Act, "international finan-  
24 cial institutions" shall mean the International Bank for  
25 Reconstruction and Development, the International Devel-

1 opment Association, the International Finance Corpora-  
2 tion, the Inter-American Development Bank, the Inter-  
3 national Monetary Fund, the Asian Development Bank,  
4 the Asian Development Fund, the Inter-American Invest-  
5 ment Corporation, the North American Development  
6 Bank, the European Bank for Reconstruction and Devel-  
7 opment, the African Development Bank, the African De-  
8 velopment Fund and the Multilateral Investment Guar-  
9 antee Agency.

10 DEBT-FOR-DEVELOPMENT

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

23 FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

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

1           (1) Funds appropriated by this Act may be  
2       made available for direct government-to-government  
3       assistance only if—

4           (A) each implementing agency or ministry  
5       to receive assistance has been assessed and is  
6       considered to have the systems required to  
7       manage such assistance and any identified  
8       vulnerabilities or weaknesses of such agency or  
9       ministry have been addressed; and

10           (i) the recipient agency or ministry  
11       employs and utilizes staff with the nec-  
12       essary technical, financial, and manage-  
13       ment capabilities;

14           (ii) the recipient agency or ministry  
15       has adopted competitive procurement poli-  
16       cies and systems;

17           (iii) effective monitoring and evalua-  
18       tion systems are in place to ensure that  
19       such assistance is used for its intended  
20       purposes;

21           (iv) no level of acceptable fraud is as-  
22       sumed; and

23           (v) the government of the recipient  
24       country is taking steps to publicly disclose

1           on an annual basis its national budget, to  
2           include income and expenditures;

3           (B) the recipient government is in compli-  
4           ance with the principles set forth in section  
5           7013 of this Act;

6           (C) the recipient agency or ministry is not  
7           headed or controlled by an organization des-  
8           ignated as a foreign terrorist organization  
9           under section 219 of the Immigration and Na-  
10          tionality Act;

11          (D) the Government of the United States  
12          and the government of the recipient country  
13          have agreed, in writing, on clear and achievable  
14          objectives for the use of such assistance, which  
15          should be made available on a cost-reimbursable  
16          basis; and

17          (E) the recipient government is taking  
18          steps to protect the rights of civil society, in-  
19          cluding freedoms of expression, association and  
20          assembly.

21          (2) In addition to the requirements in sub-  
22          section (a), no funds may be made available for di-  
23          rect government-to-government assistance without  
24          prior consultation with, and notification of, the Com-  
25          mittees on Appropriations: *Provided*, That such noti-

1        fication shall contain an explanation of how the pro-  
2        posed activity meets the requirements of paragraph  
3        (1): *Provided further*, That the requirements of this  
4        paragraph shall only apply to direct government-to-  
5        government assistance in excess of \$10,000,000 and  
6        all funds available for cash transfer, budget support,  
7        and cash payments to individuals.

8            (3) The Administrator of the United States  
9        Agency for International Development (USAID) or  
10       the Secretary of State, as appropriate, shall suspend  
11       any direct government-to-government assistance if  
12       the Administrator or the Secretary has credible in-  
13       formation of material misuse of such assistance, un-  
14       less the Administrator or the Secretary reports to  
15       the Committees on Appropriations that it is in the  
16       national interest of the United States to continue  
17       such assistance, including a justification, or that  
18       such misuse has been appropriately addressed.

19           (4) The Secretary of State shall submit to the  
20       Committees on Appropriations, concurrent with the  
21       fiscal year 2017 congressional budget justification  
22       materials, amounts planned for assistance described  
23       in subsection (a) by country, proposed funding  
24       amount, source of funds, and type of assistance.

1           (5) Not later than 90 days after the enactment  
2 of this Act and 6 months thereafter until September  
3 30, 2016, the USAID Administrator shall submit to  
4 the Committees on Appropriations a report that—

5           (A) details all assistance described in sub-  
6 section (a) provided during the previous 6-  
7 month period by country, funding amount,  
8 source of funds, and type of such assistance;  
9 and

10           (B) the type of procurement instrument or  
11 mechanism utilized and whether the assistance  
12 was provided on a reimbursable basis.

13           (6) None of the funds made available by this  
14 Act may be used for any foreign country for debt  
15 service payments owed by any country to any inter-  
16 national financial institution: *Provided*, That for  
17 purposes of this subsection, the term “international  
18 financial institution” has the meaning given the  
19 term in section 7029(e) of this Act.

20           (b) NATIONAL BUDGET AND CONTRACT TRANS-  
21 PARENCY.—

22           (1) MINIMUM REQUIREMENTS OF FISCAL  
23 TRANSPARENCY.—The Secretary of State shall con-  
24 tinue to update and strengthen the “minimum re-  
25 quirements of fiscal transparency” for each govern-



1       ment receiving assistance appropriated by this Act,  
2       as identified in the report required by section  
3       7031(b) of division K of Public Law 113–76.

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

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

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

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

19      (c) CORRUPTION AND HUMAN RIGHTS VIOLA-  
 20      TIONS.—

21              (1)(A) Officials of foreign governments and  
 22      their immediate family members about whom the  
 23      Secretary of State has credible information have  
 24      been involved in significant corruption, including  
 25      corruption related to the extraction of natural re-

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

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

9 (2) Individuals shall not be ineligible if entry  
10 into the United States would further important  
11 United States law enforcement objectives or is nec-  
12 essary to permit the United States to fulfill its obli-  
13 gations under the United Nations Headquarters  
14 Agreement: *Provided*, That nothing in paragraph (1)  
15 shall be construed to derogate from United States  
16 Government obligations under applicable inter-  
17 national agreements.

18 (3) The Secretary may waive the application of  
19 paragraph (1) if the Secretary determines that the  
20 waiver would serve a compelling national interest or  
21 that the circumstances which caused the individual  
22 to be ineligible have changed sufficiently.

23 (4) Not later than 6 months after enactment of  
24 this Act, the Secretary of State shall submit a re-  
25 port, including a classified annex if necessary, to the

1 Committees on Appropriations and the Committees  
2 on the Judiciary describing the information related  
3 to corruption or violation of human rights con-  
4 cerning each of the individuals found ineligible in the  
5 previous 12 months pursuant to paragraph (1)(A) as  
6 well as the individuals who the Secretary designated  
7 or identified pursuant to paragraph (1)(B), or who  
8 would be ineligible but for the application of para-  
9 graph (2), a list of any waivers provided under para-  
10 graph (3), and the justification for each waiver.

11 (5) Any unclassified portion of the report re-  
12 quired under paragraph (4) shall be posted on the  
13 Department of State's Web site.

14 (6) For purposes of paragraphs (1)(B), (4),  
15 and (5), the records of the Department of State and  
16 of diplomatic and consular offices of the United  
17 States pertaining to the issuance or refusal of visas  
18 or permits to enter the United States shall not be  
19 considered confidential.

20 (7) The waiver authority contained in para-  
21 graph (3) shall not apply with respect to officials  
22 and their immediate family members from Cuba:  
23 *Provided*, That the term "officials of foreign govern-  
24 ments" in paragraph (1) shall be construed to in-

1 include members of the Cuban military and high level  
2 officials of the Cuban Communist Party.

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

13 DEMOCRACY PROGRAMS

14 SEC. 7032. (a) Of the funds appropriated by this Act,  
15 not less than \$2,264,986,000 shall be made available for  
16 democracy programs, as defined in subsection (c), of which  
17 not less than \$312,000,000 shall be made available to sup-  
18 port such programs in Africa.

19 (b) Funds made available by this Act for democracy  
20 programs may be made available notwithstanding any  
21 other provision of law, and with regard to the National  
22 Endowment for Democracy (NED), any regulation.

23 (c) For purposes of funds appropriated by this Act,  
24 the term “democracy programs” means programs that  
25 support good governance, credible and competitive elec-

1 tions, civil society, freedom of expression, association, as-  
2 sembly, and religion, human rights, independent media,  
3 and the rule of law, and that otherwise strengthen the ca-  
4 pacity of democratic political parties, governments, non-  
5 governmental organizations and institutions, and citizens  
6 to support the development of democratic states, and insti-  
7 tutions that are responsive and accountable to citizens.

8 (d) Funds appropriated by this Act that are made  
9 available for governance programs shall be made available  
10 only to support institutions and individuals that dem-  
11 onstrate a commitment to democracy.

12 (e) With respect to the provision of assistance for de-  
13 mocracy, human rights, and governance activities in this  
14 Act, the organizations implementing such assistance, the  
15 specific nature of that assistance, and the participants in  
16 such programs shall not be subject to the prior approval  
17 by the government of any foreign country: *Provided*, That  
18 the Secretary of State, in coordination with the Adminis-  
19 trator of the United States Agency for International De-  
20 velopment (USAID), shall report to the Committees on  
21 Appropriations, not later than 120 days after enactment  
22 of this Act, detailing steps taken by the Department of  
23 State and USAID to comply with the requirements of this  
24 subsection.

1 (f) Funds appropriated by this Act that are made  
2 available for democracy programs shall be made available  
3 to support freedom of religion, including in the Middle  
4 East and North Africa.

5 (g) Funds appropriated by this Act in title III shall  
6 be allocated and administered according to the require-  
7 ments under this subsection in the report accompanying  
8 this Act for Western Hemisphere democracy promotion.

9 (h) The Bureau of Democracy, Human Rights, and  
10 Labor, Department of State and the Bureau for Democ-  
11 racy, Conflict, and Humanitarian Assistance, USAID,  
12 shall regularly communicate their planned programs to the  
13 NED.

14 (i) The Secretary of State and the USAID Adminis-  
15 trator shall notify the Committees on Appropriations with-  
16 in 30 days of a decision to change the objectives or the  
17 content of a democracy and governance program or to  
18 close a program due to the increasingly repressive nature  
19 of the host country government: *Provided*, That the notifi-  
20 cation shall also include a strategy for continuing support  
21 for democracy promotion if there are plans to close the  
22 program.

23 MULTI-YEAR PLEDGES

24 SEC. 7033. None of the funds appropriated by this  
25 Act may be used to make any pledge for future year fund-

1 ing for any multilateral or bilateral program funded in ti-  
2 tles III through VI of this Act unless such pledge was—

3 (1) previously justified, including the projected  
4 future year costs, in a congressional budget justifica-  
5 tion;

6 (2) included in an Act making appropriations  
7 for the Department of State, foreign operations, and  
8 related programs or previously authorized by an Act  
9 of Congress;

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

13 (4) the subject of prior consultation with the  
14 Committees on Appropriations and such consultation  
15 was conducted at least 7 days in advance of the  
16 pledge.

17 SPECIAL PROVISIONS

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



1 (b) RECONSTITUTING CIVILIAN POLICE AUTHOR-  
2 ITY.—In providing assistance with funds appropriated by  
3 this Act under section 660(b)(6) of the Foreign Assistance  
4 Act of 1961, support for a nation emerging from insta-  
5 bility may be deemed to mean support for regional, dis-  
6 trict, municipal, or other sub-national entity emerging  
7 from instability, as well as a nation emerging from insta-  
8 bility.

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

17 (d) PUBLIC POSTING OF REPORTS.—(1) Any agency  
18 receiving funds made available by this Act shall, subject  
19 to paragraphs (2) and (3), post on the public Web site  
20 of such agency any report required by this Act to be sub-  
21 mitted to the Committees on Appropriations, upon a de-  
22 termination by the head of such agency that to do so is  
23 in the national interest.

24 (2) Paragraph (1) shall not apply to a report  
25 if—

1 (A) the public posting of such report would  
2 compromise national security, including the  
3 conduct of diplomacy; or

4 (B) the report contains proprietary, privi-  
5 leged, or sensitive information.

6 (3) The head of the agency posting such report  
7 shall do so only after such report has been made  
8 available to the Committees on Appropriations for  
9 not less than 45 days.

10 (e) DIRECTIVES AND AUTHORITIES.—(1) Funds ap-  
11 propriated by this Act under the heading “Economic Sup-  
12 port Fund” shall be made available to carry out the Pro-  
13 gram for Research and Training on Eastern Europe and  
14 the Independent States of the Former Soviet Union as au-  
15 thorized by the Soviet-Eastern European Research and  
16 Training Act of 1983 (22 U.S.C. 4501–4508).

17 (2) Funds appropriated by this Act, and prior  
18 Acts making appropriations for the Department of  
19 State, foreign operations, and related programs,  
20 under the heading “Economic Support Fund” may  
21 be made available as a contribution to establish and  
22 maintain memorial sites of genocide, subject to the  
23 regular notification procedures of the Committees on  
24 Appropriations.

1       (f) PARTNER VETTING.—Funds appropriated by this  
2 Act or in titles I through IV of prior Acts making appro-  
3 priations for the Department of State, foreign operations,  
4 and related programs shall be used by the Secretary of  
5 State and the USAID Administrator, as appropriate, to  
6 support the continued implementation of the Partner Vet-  
7 ting System (PVS) pilot program: *Provided*, That the Sec-  
8 retary of State and the USAID Administrator shall jointly  
9 submit a report to the Committees on Appropriations, not  
10 later than 30 days after completion of the pilot program,  
11 on the estimated timeline and criteria for evaluating the  
12 PVS for possible expansion: *Provided further*, That such  
13 report shall include the requirements under this subsection  
14 in the report accompanying this Act: *Provided further*,  
15 That such report may be delivered in classified form, if  
16 necessary.

17       (g) CONTINGENCIES.—During fiscal year 2016, the  
18 President may use up to \$100,000,000 under the author-  
19 ity of section 451 of the Foreign Assistance Act of 1961,  
20 notwithstanding any other provision of law.

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

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

5 (i) REPORTS REPEALED.—Section 616(c) of the De-  
6 partments of Commerce, Justice, and State, the Judiciary,  
7 and Related Agencies Appropriations Act, 1999 (division  
8 A of Public Law 105–277) and section 570(d) of the For-  
9 eign Operations, Export Financing, and Related Programs  
10 Appropriations Act, 1997 (division A of Public Law 104–  
11 208) are hereby repealed.

12 (j) TRANSFERS FOR EXTRAORDINARY PROTEC-  
13 TION.—The Secretary of State may transfer to, and merge  
14 with, funds under the heading “Protection of Foreign Mis-  
15 sions and Officials” unobligated balances of expired funds  
16 appropriated under the heading “Diplomatic and Consular  
17 Programs” for fiscal year 2016, except for funds des-  
18 ignated for Overseas Contingency Operations/Global War  
19 on Terrorism pursuant to section 251(b)(2)(A) of the Bal-  
20 anced Budget and Emergency Deficit Control Act of 1985,  
21 at no later than the end of the fifth fiscal year after the  
22 last fiscal year for which such funds are available for the  
23 purposes for which appropriated: *Provided*, That not more  
24 than \$50,000,000 may be transferred.

25 (k) EXTENSION OF AUTHORITIES.—

1           (1) The authority contained in section 1115(d)  
2           of Public Law 111–32 shall remain in effect through  
3           September 30, 2016.

4           (2) Section 824(g) of the Foreign Service Act  
5           of 1980 (22 U.S.C. 4064(g)) shall be applied by  
6           substituting “September 30, 2016” for “October 1,  
7           2010” in paragraph (2).

8           (3) Section 61(a) of the State Department  
9           Basic Authorities Act of 1956 (22 U.S.C. 2733(a))  
10          shall be applied by substituting “September 30,  
11          2016” for “October 1, 2010” in paragraph (2).

12          (4) Section 625(j)(1) of the Foreign Assistance  
13          Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied  
14          by substituting “September 30, 2016” for “October  
15          1, 2010” in subparagraph (B).

16          (5) The authorities provided in section 1015(b)  
17          of Public Law 111–212 shall remain in effect  
18          through September 30, 2016.

19          (6) The Foreign Operations, Export Financing,  
20          and Related Programs Appropriations Act, 1990  
21          (Public Law 101–167) is amended—

22                  (A) in section 599D (8 U.S.C. 1157  
23                  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 (l) LOAN GUARANTEES.—Funds appropriated under  
11 the heading “Economic Support Fund” only in title III  
12 of this Act and prior Acts making appropriations for the  
13 Department of State, foreign operations, and related pro-  
14 grams may be made available for the costs, as defined in  
15 section 502 of the Congressional Budget Act of 1974, of  
16 loan guarantees for Jordan, Ukraine, and Tunisia, which  
17 are authorized to be provided: *Provided*, That amounts  
18 made available under this paragraph for the costs of such  
19 guarantees shall not be considered assistance for the pur-  
20 poses of provisions of law limiting assistance to a country:  
21 *Provided further*, That funds made available pursuant to  
22 this subsection shall be subject to prior consultation with,  
23 and the regular notification procedures of, the Committees  
24 on Appropriations.

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

22       (n) PROTECTIONS AND REMEDIES FOR EMPLOYEES  
23 OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANI-  
24 ZATIONS.—The Secretary of State shall implement section  
25 203(a)(2) of the William Wilberforce Trafficking Victims

1 Protection Reauthorization Act of 2008 (Public Law 110-  
2 457): *Provided*, That in determining whether to suspend  
3 the issuance of A-3 or G-5 visas under such section, the  
4 Secretary should consider the following as “credible evi-  
5 dence”: (1) a final court judgment (including a default  
6 judgment) issued against a current or former employee of  
7 such mission or organization (for which the time period  
8 for appeal has expired); (2) the issuance of a T-visa to  
9 the victim; or (3) a request by the Department of State  
10 to the sending state that immunity of individual diplomats  
11 or family members be waived to permit criminal prosecu-  
12 tion: *Provided further*, That the Secretary should assist  
13 in obtaining payment of final court judgments awarded  
14 to A-3 and G-5 visa holders, including encouraging the  
15 sending states to provide compensation directly to victims:  
16 *Provided further*, That the Secretary shall include in the  
17 Trafficking in Persons annual report a concise summary  
18 of each trafficking case involving an A- 3 or G-5 visa hold-  
19 er which meets one or more of the items in the first pro-  
20 viso of this subsection.

21 (o) DEFINITIONS.—

22 (1) Unless otherwise defined in this Act, for  
23 purposes of this Act the term “appropriate congress-  
24 sional committees” shall mean the Committees on  
25 Appropriations and Foreign Relations of the Senate



1 and the Committees on Appropriations and Foreign  
2 Affairs of the House of Representatives.

3 (2) Unless otherwise defined in this Act, for  
4 purposes of this Act the term “funds appropriated  
5 in this Act and prior Acts making appropriations for  
6 the Department of State, foreign operations, and re-  
7 lated programs” shall mean funds that remain avail-  
8 able for obligation, and have not expired, and shall  
9 not include amounts that were designated by Con-  
10 gress for Overseas Contingency Operations/Global  
11 War on Terrorism or as an emergency requirement  
12 pursuant to a concurrent resolution on the budget or  
13 the Balanced Budget and Emergency Deficit Control  
14 Act of 1985.

15 (3) Any reference to Southern Kordofan in this  
16 or any other Act making appropriations for the De-  
17 partment of State, foreign operations, and related  
18 programs shall be deemed to include portions of  
19 Western Kordofan that were previously part of  
20 Southern Kordofan prior to the 2013 division of  
21 Southern Kordofan.

22 ARAB LEAGUE BOYCOTT OF ISRAEL

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

24 (1) the Arab League boycott of Israel, and the  
25 secondary boycott of American firms that have com-

1       mercials ties with Israel, is an impediment to peace  
2       in the region and to United States investment and  
3       trade in the Middle East and North Africa;

4               (2) the Arab League boycott, which was regret-  
5       tably reinstated in 1997, should be immediately and  
6       publicly terminated, and the Central Office for the  
7       Boycott of Israel immediately disbanded;

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

10              (4) the President and the Secretary of State  
11       should continue to vigorously oppose the Arab  
12       League boycott of Israel and find concrete steps to  
13       demonstrate that opposition by, for example, taking  
14       into consideration the participation of any recipient  
15       country in the boycott when determining to sell  
16       weapons to said country; and

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

## PALESTINIAN STATEHOOD

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

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

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

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

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

1 (A) termination of all claims or states of  
2 belligerency;

3 (B) respect for and acknowledgment of the  
4 sovereignty, territorial integrity, and political  
5 independence of every state in the area through  
6 measures including the establishment of demili-  
7 tarized zones;

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

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

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

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

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

24 (d) EXEMPTION.—The restriction in subsection (a)  
25 shall not apply to assistance intended to help reform the

1 Palestinian Authority and affiliated institutions, or the  
2 governing entity, in order to help meet the requirements  
3 of subsection (a), consistent with the provisions of section  
4 7040 of this Act (“Limitation on Assistance for the Pales-  
5 tinian Authority”).

6           RESTRICTIONS CONCERNING THE PALESTINIAN  
7                                   AUTHORITY

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

1 true in the past, officers and employees of the United  
2 States Government may continue to meet in Jerusalem on  
3 other subjects with Palestinians (including those who now  
4 occupy positions in the Palestinian Authority), have social  
5 contacts, and have incidental discussions.

6 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN  
7 BROADCASTING CORPORATION

8 SEC. 7038. None of the funds appropriated or other-  
9 wise made available by this Act may be used to provide  
10 equipment, technical support, consulting services, or any  
11 other form of assistance to the Palestinian Broadcasting  
12 Corporation.

13 ASSISTANCE FOR THE WEST BANK AND GAZA

14 SEC. 7039. (a) OVERSIGHT.—For fiscal year 2016,  
15 30 days prior to the initial obligation of funds for the bi-  
16 lateral West Bank and Gaza Program, the Secretary of  
17 State shall certify to the Committees on Appropriations  
18 that procedures have been established to assure the Comp-  
19 troller General of the United States will have access to  
20 appropriate United States financial information in order  
21 to review the uses of United States assistance for the Pro-  
22 gram funded under the heading “Economic Support  
23 Fund” for the West Bank and Gaza.

24 (b) VETTING.—Prior to the obligation of funds ap-  
25 propriated by this Act under the heading “Economic Sup-

1 port Fund” for assistance for the West Bank and Gaza,  
2 the Secretary of State shall take all appropriate steps to  
3 ensure that such assistance is not provided to or through  
4 any individual, private or government entity, or edu-  
5 cational institution that the Secretary knows or has reason  
6 to believe advocates, plans, sponsors, engages in, or has  
7 engaged in, terrorist activity nor, with respect to private  
8 entities or educational institutions, those that have as a  
9 principal officer of the entity’s governing board or gov-  
10 erning board of trustees any individual that has been de-  
11 termined to be involved in, or advocating terrorist activity  
12 or determined to be a member of a designated foreign ter-  
13 rorist organization: *Provided*, That the Secretary of State  
14 shall, as appropriate, establish procedures specifying the  
15 steps to be taken in carrying out this subsection and shall  
16 terminate assistance to any individual, entity, or edu-  
17 cational institution which the Secretary has determined to  
18 be involved in or advocating terrorist activity.

19 (c) PROHIBITION.—

20 (1) None of the funds appropriated under titles  
21 III through VI of this Act for assistance under the  
22 West Bank and Gaza Program may be made avail-  
23 able for the purpose of recognizing or otherwise hon-  
24 oring individuals who commit, or have committed  
25 acts of terrorism.

1           (2) Notwithstanding any other provision of law,  
2       none of the funds made available by this or prior ap-  
3       propriations Acts, including funds made available by  
4       transfer, may be made available for obligation for se-  
5       curity assistance for the West Bank and Gaza until  
6       the Secretary of State reports to the Committees on  
7       Appropriations on the benchmarks that have been  
8       established for security assistance for the West  
9       Bank and Gaza and reports on the extent of Pales-  
10      tinian compliance with such benchmarks.

11      (d) AUDITS.—

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

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



1       dition to funds otherwise available for such pur-  
2       poses.

3       (e) Subsequent to the certification specified in sub-  
4       section (a), the Comptroller General of the United States  
5       shall conduct an audit and an investigation of the treat-  
6       ment, handling, and uses of all funds for the bilateral  
7       West Bank and Gaza Program, including all funds pro-  
8       vided as cash transfer assistance, in fiscal year 2016  
9       under the heading “Economic Support Fund”, and such  
10      audit shall address—

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

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

17      (f) Funds made available in this Act for West Bank  
18      and Gaza shall be subject to the regular notification proce-  
19      dures of the Committees on Appropriations.

20      (g) Not later than 180 days after enactment of this  
21      Act, the Secretary of State shall submit a report to the  
22      Committees on Appropriations updating the report con-  
23      tained in section 2106 of chapter 2 of title II of Public  
24      Law 109–13.

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

(d) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the justification for the waiver, the purposes for which the funds will be spent, and the accounting procedures in place to ensure that the funds are properly disbursed: *Provided*, That the report shall also detail the steps the Pres-

1 tinian Authority has taken to arrest terrorists, confiscate  
2 weapons and dismantle the terrorist infrastructure.

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

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

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

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

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

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

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

9 NEAR EAST

(1) IN GENERAL.—Funds appropriated or otherwise made available by this Act that are made available for assistance for the Government of Egypt may be made available notwithstanding any provision of law restricting assistance for Egypt, except such funds may only be made available if the Secretary of State certifies and reports to the appropriate congressional committees that such government is—

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

(2) REPORT ON GOVERNANCE.—(A) Not later than 90 days after enactment of this Act and every

1 90 days thereafter until September 30, 2016, the  
2 Secretary of State shall report to the Committees on  
3 Appropriations on steps taken by the Government of  
4 Egypt to—

5 (i) hold parliamentary elections;

6 (ii) protect and advance the rights of  
7 women and religious minorities;

8 (iii) implement laws or policies to gov-  
9 ern democratically, protect the rights of in-  
10 dividuals, and uphold due process of law;

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

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

18 (B) The report required by subparagraph (A)  
19 may be provided in classified form if necessary.

20 (3) ECONOMIC SUPPORT FUND.—Of the funds  
21 appropriated by this Act under the heading “Eco-  
22 nomic Support Fund”, up to \$150,000,000 may be  
23 made available for assistance for Egypt, subject to  
24 prior consultation with the appropriate congressional  
25 committees and the regular notification procedures

1 of the Committees on Appropriations and section  
2 634A of the Foreign Assistance Act of 1961: *Pro-*  
3 *vided*, That such funds may be made available for  
4 democracy programs: *Provided further*, That such  
5 funds may not be made available for cash transfer  
6 assistance or budget support unless the Secretary of  
7 State certifies to the appropriate congressional com-  
8 mittees that the Government of Egypt is taking con-  
9 sistent and effective steps to stabilize the economy  
10 and implement market-based economic reforms.

11 (4) FOREIGN MILITARY FINANCING PRO-  
12 GRAM.—Of the funds appropriated by this Act under  
13 the heading “Foreign Military Financing Program”,  
14 up to \$1,300,000,000, to remain available until Sep-  
15 tember 30, 2017, shall be made available for assist-  
16 ance for Egypt which may be transferred to an in-  
17 terest bearing account in the Federal Reserve Bank  
18 of New York, following consultation with the Com-  
19 mittees on Appropriations: *Provided*, That not later  
20 than 90 days after enactment of this Act, the Sec-  
21 retary shall consult with the Committees on Appro-  
22 priations on any plans to restructure military assist-  
23 ance for Egypt.

24 (5) EXTENSION OF PROTECTIONS.—No convic-  
25 tion issued by the Cairo Criminal Court on June 4,

1       2013, in “Public Prosecution Case No. 1110 for the  
2       Year 2012”, against a citizen or national of the  
3       United States or an alien lawfully admitted for per-  
4       manent residence in the United States, shall be con-  
5       sidered a conviction for purposes of United States  
6       law or for any activity undertaken within the juris-  
7       diction of the United States.

8       (b) IRAN.—

9           (1) The terms and conditions of paragraphs (1)  
10       and (2) of section 7041(c) in division I of Public  
11       Law 112-74 shall continue in effect during fiscal  
12       year 2016 as if part of this Act.

13       (2)(A) The Secretary of State shall submit to  
14       the Committees on Appropriations, not later than 90  
15       days after the date of enactment of this Act and at  
16       the end of each 90-day period thereafter until Sep-  
17       tember 30, 2016, a report on the status of the bilat-  
18       eral and multilateral efforts aimed at curtailing the  
19       pursuit by Iran of nuclear weapons technology.

20       (B) The Secretary of State, in consultation with  
21       the Secretary of the Treasury, shall submit to the  
22       Committees on Appropriations, not later than 180  
23       days after the date of enactment of this Act, a re-  
24       port on the status of bilateral United States and  
25       multilateral sanctions against Iran and actions taken



1 by the United States and the international commu-  
2 nity to enforce sanctions against Iran, including for  
3 proliferation, terrorism, and human rights violations:  
4 *Provided*, That the report shall include the require-  
5 ments described under this subsection in the report  
6 accompanying this Act and may be submitted in  
7 classified form if necessary.

8 (C) The Secretary of State shall submit to  
9 the appropriate congressional committees, not  
10 later than 30 days after enactment of this Act  
11 and at the end of each 30-day period thereafter  
12 until September 30, 2016, a report on the im-  
13 plementation of the Joint Plan of Action be-  
14 tween the P5+1 and the Government of Iran  
15 concluded on November 24, 2013, and any ex-  
16 tension of or successor to that agreement: *Pro-*  
17 *vided*, That the report shall include the require-  
18 ments under this subsection in the report ac-  
19 companying this Act, and may be submitted in  
20 classified form if necessary.

21 (c) IRAQ.—

22 (1) Funds appropriated by this Act shall be  
23 made available for assistance for Iraq to promote  
24 governance, security, and internal and regional sta-  
25 bility, including in Kurdistan and other areas im-

1       pacted by the conflict in Syria, and among Iraq’s re-  
2       ligious and ethnic minority populations.

3           (2) None of the funds appropriated by this Act  
4       may be made available for construction, rehabilita-  
5       tion, or other improvements to United States facili-  
6       ties in Iraq on property for which no land-use agree-  
7       ment has been entered into by the Governments of  
8       the United States and Iraq: *Provided*, That the re-  
9       strictions in this paragraph shall not apply if such  
10      funds are necessary to protect United States Gov-  
11      ernment facilities or the security, health, and welfare  
12      of United States personnel.

13          (3) Funds appropriated by this Act under the  
14      headings “International Narcotics Control and Law  
15      Enforcement” and “Foreign Military Financing Pro-  
16      gram” that are available for assistance for Iraq  
17      should be made available to enhance the capacity of  
18      Kurdistan Regional Government security services  
19      and for security programs in Kurdistan to address  
20      requirements arising from the violence in Syria and  
21      Iraq: *Provided*, That the Secretary of State shall  
22      consult with the Committees on Appropriations prior  
23      to obligating such funds.

24          (4) None of the funds appropriated or otherwise  
25      made available by this Act may be used by the Gov-

1       ernment of the United States to enter into a perma-  
2       nent basing rights agreement between the United  
3       States and Iraq.

4       (d) JORDAN.—Of the funds appropriated by this Act  
5       under the headings “Economic Support Fund” and “For-  
6       eign Military Financing Program”, not less than  
7       \$1,000,000,000 shall be made available for assistance for  
8       Jordan.

9       (e) LEBANON.—

10           (1) None of the funds appropriated by this Act  
11       may be made available for the Lebanese Internal Se-  
12       curity Forces (ISF) or the Lebanese Armed Forces  
13       (LAF) if the ISF or the LAF is controlled by a for-  
14       eign terrorist organization, as designated pursuant  
15       to section 219 of the Immigration and Nationality  
16       Act.

17           (2) Funds appropriated by this Act under the  
18       headings “International Narcotics Control and Law  
19       Enforcement” and “Foreign Military Financing Pro-  
20       gram” that are available for assistance for Lebanon  
21       may be made available for programs and equipment  
22       for the ISF and LAF to address security and sta-  
23       bility requirements in areas affected by the conflict  
24       in Syria, following consultation with the appropriate  
25       congressional committees.

1           (3) In addition to the activities described in  
2       paragraph (2), funds appropriated by this Act under  
3       the heading “Foreign Military Financing Program”  
4       for assistance for Lebanon may be made available  
5       only to professionalize the LAF and to strengthen  
6       border security and combat terrorism, including  
7       training and equipping the LAF to secure Lebanon’s  
8       borders, interdicting arms shipments, preventing the  
9       use of Lebanon as a safe haven for terrorist groups,  
10      and to implement United Nations Security Council  
11      Resolution 1701: *Provided*, That funds may not be  
12      obligated for assistance for the LAF until the Sec-  
13      retary of State submits to the Committees on Appro-  
14      priations a detailed spend plan, including actions to  
15      be taken to ensure equipment provided to the LAF  
16      is only used for the intended purposes, except such  
17      plan may not be considered as meeting the notifica-  
18      tion requirements under section 7015 of this Act or  
19      under section 634A of the Foreign Assistance Act of  
20      1961, and shall be submitted not later than Sep-  
21      tember 1, 2016: *Provided further*, That any notifica-  
22      tion submitted pursuant to such sections shall in-  
23      clude any funds specifically intended for lethal mili-  
24      tary equipment.

25      (f) LIBYA.—

1           (1) None of the funds appropriated by this Act  
2           may be made available for the Government of Libya  
3           (GOL) if the GOL is controlled by a foreign ter-  
4           rorist organization, as designated pursuant to sec-  
5           tion 219 of the Immigration and Nationality Act.

6           (2) None of the funds appropriated by this Act  
7           may be made available for assistance for the GOL  
8           unless the Secretary of State reports to the Commit-  
9           tees on Appropriations that such government is co-  
10          operating with United States Government efforts to  
11          investigate and bring to justice those responsible for  
12          the attack on United States personnel and facilities  
13          in Benghazi, Libya in September 2012: *Provided*,  
14          That the limitation in this paragraph shall not apply  
15          to funds made available for the purpose of pro-  
16          tecting United States Government personnel or fa-  
17          cilities.

18          (3)(A) Any notification required for assistance  
19          for Libya for funds appropriated under title IV of  
20          this Act shall include a detailed justification for such  
21          assistance, and a description of the vetting proce-  
22          dures used for any individual or unit receiving such  
23          assistance.

24          (B) Any notification required for assistance for  
25          Libya for funds appropriated under title III of this

1 Act shall include a detailed description of how reg-  
2 ular oversight will be provided by the Department of  
3 State or the United States Agency for International  
4 Development.

5 (g) MOROCCO.—Funds appropriated by this Act  
6 under title III that are available for assistance for Morocco  
7 shall also be made available for any region or territory  
8 administered by Morocco, including the Western Sahara:  
9 *Provided*, That not later than 45 days after enactment of  
10 this Act, the Secretary of State shall consult with the  
11 Committees on Appropriations on the requirements de-  
12 scribed under this section in the report accompanying this  
13 Act.

14 (h) SYRIA.—

15 (1) Funds appropriated under title III of this  
16 Act and prior Acts making appropriations for the  
17 Department of State, foreign operations, and related  
18 programs may be made available notwithstanding  
19 any other provision of law for non-lethal assistance  
20 for programs to address the needs of civilians af-  
21 fected by conflict in Syria, and for programs that  
22 seek to—

23 (A) establish governance in Syria that is  
24 representative, inclusive, and accountable;

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

4 (C) develop and implement political proc-  
5 esses that are democratic, transparent, and ad-  
6 here to the rule of law;

7 (D) further the legitimacy of the Syrian  
8 opposition through cross-border programs;

9 (E) develop civil society and an inde-  
10 pendent media in Syria;

11 (F) promote economic development in  
12 Syria;

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

17 (H) counter extremist ideologies; and

18 (I) assist Syrian refugees whose education  
19 has been interrupted by the ongoing conflict to  
20 complete higher education requirements at re-  
21 gional academic institutions.

22 (2) Prior to the obligation of funds appro-  
23 priated by this Act and made available for assistance  
24 for Syria, the Secretary of State shall take all prac-  
25 ticable steps to ensure that mechanisms are in place

1 for monitoring, oversight, and control of such assist-  
2 ance inside Syria: *Provided*, That the Secretary shall  
3 promptly inform the appropriate congressional com-  
4 mittees of any instance in which assistance provided  
5 pursuant to the authority of this subsection has been  
6 compromised, to include the type and amount of as-  
7 sistance affected, a description of the incident and  
8 parties involved, and an explanation of the Depart-  
9 ment of State's response.

10 (3) Funds appropriated by this Act that are  
11 made available for assistance for Syria pursuant to  
12 the authority of this subsection may only be made  
13 available after the Secretary of State, in consultation  
14 with the heads of relevant United States Govern-  
15 ment agencies, submits, in classified form if nec-  
16 essary, an update to the comprehensive strategy re-  
17 quired in section 7041(i)(3) of Public Law 113–76.

18 (4) Funds made available pursuant to this sub-  
19 section may only be made available following con-  
20 sultation with the appropriate congressional commit-  
21 tees, and shall be subject to the regular notification  
22 procedures of the Committees on Appropriations.

23 (i) WEST BANK AND GAZA.—

24 (1) REPORT ON ASSISTANCE.—Prior to the ini-  
25 tial obligation of funds made available by this Act



1 under the heading “Economic Support Fund” for  
2 assistance for the West Bank and Gaza, the Sec-  
3 retary of State shall report to the Committees on  
4 Appropriations that the purpose of such assistance  
5 is to—

6 (A) advance Middle East peace;

7 (B) improve security in the region;

8 (C) continue support for transparent and  
9 accountable government institutions;

10 (D) promote a private sector economy; or

11 (E) address urgent humanitarian needs.

12 (2) LIMITATIONS.—

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

18 (i) the Palestinians obtain the same  
19 standing as member states or full member-  
20 ship as a state in the United Nations or  
21 any specialized agency thereof outside an  
22 agreement negotiated between Israel and  
23 the Palestinians; or

24 (ii) the Palestinians initiate an Inter-  
25 national Criminal Court judicially author-

1            ized investigation, or actively support such  
2            an investigation, that subjects Israeli na-  
3            tionals to an investigation for alleged  
4            crimes against Palestinians.

5            (B)(i) The President may waive the provi-  
6            sions of section 1003 of Public Law 100–204 if  
7            the President determines and certifies in writ-  
8            ing to the Speaker of the House of Representa-  
9            tives, the President pro tempore of the Senate,  
10           and the appropriate congressional committees  
11           that the Palestinians have not, after the date of  
12           enactment of this Act, obtained in the United  
13           Nations or any specialized agency thereof the  
14           same standing as member states or full mem-  
15           bership as a state outside an agreement nego-  
16           tiated between Israel and the Palestinians, and  
17           the Palestinians have not, after the date of en-  
18           actment of this Act, initiated or actively sup-  
19           ported an International Criminal Court inves-  
20           tigation against Israeli nationals for alleged  
21           crimes against Palestinians.

22            (ii) Not less than 90 days after the  
23            President is unable to make the certifi-  
24            cation pursuant to clause (i), the President  
25            may waive section 1003 of Public Law

1           100–204 if the President determines and  
2           certifies in writing to the Speaker of the  
3           House of Representatives, the President  
4           pro tempore of the Senate, and the Com-  
5           mittees on Appropriations that the Pal-  
6           estinians have entered into direct and  
7           meaningful negotiations with Israel: *Pro-*  
8           *vided*, That any waiver of the provisions of  
9           section 1003 of Public Law 100–204 under  
10          clause (i) of this subparagraph or under  
11          previous provisions of law must expire be-  
12          fore the waiver under the preceding sen-  
13          tence may be exercised.

14                 (iii) Any waiver pursuant to this sub-  
15          paragraph shall be effective for no more  
16          than a period of 6 months at a time and  
17          shall not apply beyond 12 months after the  
18          enactment of this Act.

19                 (3) FUNDING REDUCTION.—If the requirements  
20          for the obligation of assistance in subsection 7040(f)  
21          of this Act are met, the Secretary of State shall re-  
22          duce the amount of assistance made available by this  
23          Act under the heading “Economic Support Fund”  
24          for the Palestinian Authority by an amount the Sec-  
25          retary determines is equivalent to that expended by

1 the Palestinian Authority in payments to individuals  
2 and the families of such individuals that are impris-  
3 oned for acts of terrorism or who died committing  
4 such acts during the previous calendar year: *Pro-*  
5 *vided*, That the Secretary shall report to the Com-  
6 mittees on Appropriations on the amount reduced  
7 for fiscal year 2016 prior to the obligation of funds  
8 for the Palestinian Authority: *Provided further*, That  
9 the report in the previous proviso shall also include  
10 steps taken to prevent any such payments.

11 AFRICA

12 SEC. 7042. (a) CENTRAL AFRICAN REPUBLIC.—  
13 Funds made available by this Act for assistance for the  
14 Central African Republic shall be made available for rec-  
15 onciliation and peacebuilding programs, including activi-  
16 ties to promote inter-faith dialogue at the national and  
17 local levels, and for programs to prevent crimes against  
18 humanity.

19 (b) COUNTERTERRORISM PROGRAMS.—Of the funds  
20 appropriated by this Act, not less than \$69,821,000  
21 should be made available for the Trans-Sahara Counter-  
22 terrorism Partnership program, and not less than  
23 \$24,150,000 should be made available for the Partnership  
24 for Regional East Africa Counterterrorism program.

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

11      (d) NATURAL RESOURCE TRANSPARENCY.—Funds  
12      appropriated by this Act that are available for assistance  
13      for Liberia, Sierra Leone, Nigeria, Cote d’Ivoire, Senegal,  
14      Ghana, and the countries participating in the Congo Basin  
15      Forest Partnership should be made available to promote  
16      and support transparency and accountability in relation  
17      to the extraction of timber, oil and gas, cacao, and other  
18      natural resources, including by strengthening implementa-  
19      tion and monitoring of the Extractive Industries Trans-  
20      parency Initiative and the Kimberley Process Certification  
21      Scheme.

22      (e) NIGERIA.—Funds appropriated by this Act that  
23      are made available for assistance for Nigeria—

24          (1) shall be made available for assistance for women  
25      and girls who are targeted by the terrorist organization

1 Boko Haram, consistent with the provisions of section  
2 7059 of this Act; and

3 (2) may be made available for counterterrorism pro-  
4 grams to combat the terrorist organization Boko Haram.

5 (f) SOUTH SUDAN.—

6 (1) Funds appropriated by this Act that are  
7 made available for assistance for South Sudan  
8 should—

9 (A) be prioritized for programs that re-  
10 spond to urgent humanitarian needs and the  
11 delivery of basic services and to mitigate con-  
12 flict and promote stability, including to address  
13 protection needs and prevent and respond to  
14 gender-based violence;

15 (B) support programs that build resilience  
16 of communities to address food insecurity,  
17 maintain educational opportunities, and en-  
18 hance local governance;

19 (C) be used to advance democratic prin-  
20 ciples, including support for civil society, inde-  
21 pendent media, and other means to strengthen  
22 the rule of law;

23 (D) continue to support transparency and  
24 accountability measures, including in the oil  
25 and gas sector; and

1 (E) support the professionalization of secu-  
2 rity forces, including human rights and ac-  
3 countability to civilian authorities.

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

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

12 (B) end the use of child soldiers;

13 (C) support a cessation of hostilities agree-  
14 ment;

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

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

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

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

24 (A) humanitarian assistance;

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

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

8 (g) SUDAN.—

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

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

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

23 (A) humanitarian assistance;

24 (B) assistance for the Darfur region,  
25 Southern Kordofan State, Blue Nile State,



1           other marginalized areas and populations in  
2           Sudan, and Abyei; and

3           (C) assistance to support implementation  
4           of outstanding issues of the CPA, mutual ar-  
5           rangements related to post-referendum issues  
6           associated with the CPA, or any other inter-  
7           nationally recognized viable peace agreement in  
8           Sudan.

9           (h) ZIMBABWE.—

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

21           (2) None of the funds appropriated by this Act  
22           shall be made available for assistance for the central  
23           Government of Zimbabwe, except for health and  
24           education, unless the Secretary of State certifies and  
25           reports as required in paragraph (1), and funds may

1 be made available for macroeconomic growth assist-  
2 ance if the Secretary reports to the Committees on  
3 Appropriations that such government is imple-  
4 menting transparent fiscal policies, including public  
5 disclosure of revenues from the extraction of natural  
6 resources.

7 EAST ASIA AND THE PACIFIC

8 SEC. 7043. (a) BURMA.—

9 (1) Funds appropriated by this Act under the  
10 heading “Economic Support Fund” may be made  
11 available for assistance for Burma notwithstanding  
12 any other provision of law: *Provided*, That no such  
13 funds shall be made available to any successor or af-  
14 filiated organization of the State Peace and Develop-  
15 ment Council (SPDC) controlled by former SPDC  
16 members that promotes the repressive policies of the  
17 SPDC, or to any individual or organization credibly  
18 alleged to have committed gross violations of human  
19 rights, including against Rohingyas and other minor-  
20 ity groups: *Provided further*, That such funds may  
21 be made available for programs administered by the  
22 Office of Transition Initiatives, United States Agen-  
23 cy for International Development, for ethnic groups  
24 and civil society in Burma to help sustain ceasefire  
25 agreements and further prospects for reconciliation

1 and peace, which may include support to representa-  
2 tives of ethnic armed groups for this purpose.

3 (2) Funds appropriated under title III of this  
4 Act for assistance for Burma—

5 (A) may not be made available for budget  
6 support for the Government of Burma;

7 (B) shall be provided to strengthen civil so-  
8 ciety organizations in Burma, including as core  
9 support for such organizations;

10 (C) 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 (D) shall be made available for parliamen-  
19 tary strengthening programs; and

20 (E) shall be made available for ethnic and  
21 religious reconciliation programs, including in  
22 ceasefire areas, as appropriate, and to address  
23 the Rohingya and Kachin crises.

24 (3) None of the funds appropriated by this Act  
25 under the headings “International Military Edu-

1 cation and Training’” and “Foreign Military Fi-  
2 nancing Program” may be made available for assist-  
3 ance for Burma: *Provided*, That the Department of  
4 State may continue consultations with the armed  
5 forces of Burma only on human rights and disaster  
6 response in a manner consistent with the prior fiscal  
7 year, and following consultation with the appropriate  
8 congressional committees.

9 (4) Funds appropriated by this Act shall only  
10 be made available for assistance for the central Gov-  
11 ernment of Burma if the Secretary of State certifies  
12 and reports to the appropriate congressional com-  
13 mittees that such government has implemented re-  
14 forms, in consultation with Burma’s political opposi-  
15 tion and ethnic groups, providing for free and fair  
16 presidential and parliamentary elections, to include  
17 participation as voters and candidates: *Provided*,  
18 That the Secretary of State may waive the require-  
19 ments of this paragraph if the Secretary certifies  
20 and reports to the Committees on Appropriations  
21 that to do so is important to the democratic develop-  
22 ment of Burma, including a detailed justification for  
23 such waiver.

24 (5) Any new program or activity in Burma ini-  
25 tiated in fiscal year 2016 shall be subject to prior

1 consultation with the appropriate congressional com-  
2 mittees.

3 (b) NORTH KOREA.—None of the funds made avail-  
4 able by this Act under the heading “Economic Support  
5 Fund” may be made available for assistance for the gov-  
6 ernment of North Korea.

7 (c) PEOPLE’S REPUBLIC OF CHINA.—

8 (1) None of the funds appropriated under the  
9 heading “Diplomatic and Consular Programs” in  
10 this Act may be obligated or expended for processing  
11 licenses for the export of satellites of United States  
12 origin (including commercial satellites and satellite  
13 components) to the People’s Republic of China un-  
14 less, at least 15 days in advance, the Committees on  
15 Appropriations are notified of such proposed action.

16 (2) The terms and requirements of section  
17 620(h) of the Foreign Assistance Act of 1961 shall  
18 apply to foreign assistance projects or activities of  
19 the People’s Liberation Army (PLA) of the People’s  
20 Republic of China, to include such projects or activi-  
21 ties by any entity that is owned or controlled by, or  
22 an affiliate of, the PLA: *Provided*, That none of the  
23 funds appropriated or otherwise made available pur-  
24 suant to this Act may be used to finance any grant,  
25 contract, or cooperative agreement with the PLA, or

1 any entity that the Secretary of State has reason to  
2 believe is owned or controlled by, or an affiliate of,  
3 the PLA.

4 (3)(A) None of the funds appropriated by this  
5 Act under the headings “Global Health Programs”,  
6 “Development Assistance”, and “Economic Support  
7 Fund” may be made available for assistance for the  
8 government of the People’s Republic of China.

9 (B) The limitation of subparagraph (A)  
10 shall not apply to assistance described in para-  
11 graph (2) of subsection (d) of this section and  
12 for programs to detect, prevent, and treat infec-  
13 tious disease.

14 (d) TIBET.—

15 (1) The Secretary of the Treasury should in-  
16 struct the United States executive director of each  
17 international financial institution to use the voice  
18 and vote of the United States to support financing  
19 of projects in Tibet if such projects do not provide  
20 incentives for the migration and settlement of non-  
21 Tibetans into Tibet or facilitate the transfer of own-  
22 ership of Tibetan land and natural resources to non-  
23 Tibetans, are based on a thorough needs-assessment,  
24 foster self-sufficiency of the Tibetan people and re-

1 spect Tibetan culture and traditions, and are subject  
2 to effective monitoring.

3 (2) Notwithstanding any other provision of law,  
4 funds appropriated by this Act under the heading  
5 “Economic Support Fund” shall be made available  
6 to nongovernmental organizations to support activi-  
7 ties which preserve cultural traditions and promote  
8 sustainable development, education, and environ-  
9 mental conservation in Tibetan communities in the  
10 Tibetan Autonomous Region and in other Tibetan  
11 communities in China.

12 SOUTH AND CENTRAL ASIA

13 SEC. 7044. (a) AFGHANISTAN.—

14 (1) OPERATIONS AND REPORTS.—

15 (A) Funds appropriated by this Act under  
16 the headings “Diplomatic and Consular Pro-  
17 grams”, “Embassy Security, Construction, and  
18 Maintenance”, and “Operating Expenses” that  
19 are available for the construction and renova-  
20 tion of United States Government facilities in  
21 Afghanistan may not be made available if the  
22 purpose is to accommodate Federal employee  
23 positions or to expand aviation facilities or as-  
24 sets above those notified by the Department of  
25 State and the United States Agency for Inter-

1 national Development (USAID) to the Commit-  
2 tees on Appropriations, or contractors in addi-  
3 tion to those in place on the date of enactment  
4 of this Act: *Provided*, That the limitations in  
5 this paragraph shall not apply if funds are nec-  
6 essary to protect such facilities or the security,  
7 health, and welfare of United States personnel.

8 (B) Of the funds appropriated by this Act  
9 under the headings “Diplomatic and Consular  
10 Programs” and “Operating Expenses” that are  
11 available for operations in Afghanistan, 15 per-  
12 cent shall be withheld from obligation until the  
13 Secretary of State, in consultation with the Sec-  
14 retary of Defense, and the USAID Adminis-  
15 trator, submits to the Committees on Appro-  
16 priations, in classified form if necessary, the re-  
17 port described under this section in the report  
18 accompanying this Act.

19 (2) ASSISTANCE.—Funds appropriated by this  
20 Act under the headings “Economic Support Fund”  
21 and “International Narcotics Control and Law En-  
22 forcement” for assistance for Afghanistan—

23 (A) may not be used to support any pro-  
24 gram, project, or activity that—



1 (i) does not have regular oversight by  
2 the Department of State or USAID, as ap-  
3 propriate, to include site visits;

4 (ii) involves any individual or organi-  
5 zation that the Secretary of State deter-  
6 mines to be involved in corrupt practices;  
7 or

8 (iii) initiates new major infrastruc-  
9 ture;

10 (B) shall only be made available for pro-  
11 grams that the Government of Afghanistan or  
12 other Afghan entity is capable of sustaining, as  
13 appropriate and as determined by the United  
14 States Chief of Mission;

15 (C) shall be prioritized for programs that  
16 promote women's economic and political em-  
17 powerment, strengthen and protect the rights of  
18 women and girls, and to implement the United  
19 States Embassy Kabul Gender Strategy; and

20 (D) shall be implemented in accordance  
21 with all applicable audit policies of the Depart-  
22 ment of State and USAID.

23 (3) NOTIFICATION AND CERTIFICATION RE-  
24 QUIREMENT.—Funds appropriated by this Act under  
25 the headings “Economic Support Fund” and “Inter-

1 national Narcotics Control and Law Enforcement”  
2 for assistance for the central Government of Afghan-  
3 istan shall be subject to the regular notification pro-  
4 cedures of the Committees on Appropriations, and  
5 may not be obligated unless the Secretary of State  
6 certifies and reports to the Committees on Appro-  
7 priations that the Government of Afghanistan is—

8 (A) continuing to implement laws and poli-  
9 cies to govern democratically and protect the  
10 rights of individuals and civil society, including  
11 taking consistent steps to protect and advance  
12 the rights of women and girls in Afghanistan;

13 (B) maintaining the strategic relationship  
14 with the United States, including implementing  
15 the Bilateral Security Agreement with the  
16 United States;

17 (C) improving the public reporting of the  
18 national budget of the Government of Afghani-  
19 stan, including revenues and expenditures; and

20 (D) reducing corruption and prosecuting  
21 individuals alleged to be involved in illegal ac-  
22 tivities in Afghanistan.

23 (4) AUTHORITIES.—

24 (A) Funds appropriated under titles III  
25 through VI of this Act that are made available

1 for assistance for Afghanistan may be made  
2 available notwithstanding section 7012 of this  
3 Act or any similar provision of law and section  
4 660 of the Foreign Assistance Act of 1961.

5 (B) The authority of section 7046(a)(2)(A)  
6 of division I of Public Law 112–74 shall apply  
7 to funds appropriated by this Act for assistance  
8 for Afghanistan.

9 (C) The authority of section 1102(c) of  
10 title IX of Public Law 111-32 shall apply to  
11 funds appropriated by this Act for assistance  
12 for Afghanistan.

13 (D) The authority of section 7044(a)(7) of  
14 division J of Public Law 113-235 shall apply to  
15 funds appropriated by this Act for assistance  
16 for Afghanistan: *Provided*, that the Secretary of  
17 State or the USAID Administrator, as appro-  
18 priate, shall consult with the appropriate con-  
19 gressional committees prior to the use of such  
20 authority on the goals, strategy and impact of  
21 the program.

22 (5) FUNDING REDUCTION.—Funds appro-  
23 priated by this Act and prior Acts making appro-  
24 priations for the Department of State, foreign oper-  
25 ations, and related programs that are available for

1 assistance for the Government of Afghanistan shall  
2 be reduced by \$5 for every \$1 that such government  
3 imposes in taxes, duties, penalties, or other fees on  
4 the transport of property of the United States Gov-  
5 ernment (including the United States Armed  
6 Forces), entering or leaving Afghanistan.

7 (6) BASE RIGHTS.—None of the funds made  
8 available by this Act may be used by the United  
9 States Government to enter into a permanent basing  
10 rights agreement between the United States and Af-  
11 ghanistan.

12 (7) SPEND PLAN.—The spend plan required by  
13 section 7076 of this Act for assistance for Afghani-  
14 stan shall include achievable and sustainable goals,  
15 benchmarks for measuring progress, and expected  
16 results regarding combating poverty and furthering  
17 development in Afghanistan, countering terrorism,  
18 and establishing conditions conducive to the rule of  
19 law and transparent and accountable governance:  
20 *Provided*, That not later than 6 months after sub-  
21 mission of such spend plan, and each 6 months  
22 thereafter until September 30, 2016, the Secretary  
23 of State shall submit a report to the Committees on  
24 Appropriations on the status of achieving the goals  
25 and benchmarks in such plan.

1 (b) PAKISTAN.—

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

12 (A) cooperating with the United States in  
13 counterterrorism efforts against the Haqqani  
14 Network, the Quetta Shura Taliban, Lashkar e-  
15 Tayyiba, Jaish-e-Mohammed, Al Qaeda, and  
16 other domestic and foreign terrorist organiza-  
17 tions, including taking steps to end support for  
18 such groups and prevent them from basing and  
19 operating in Pakistan and carrying out cross  
20 border attacks into neighboring countries;

21 (B) not supporting terrorist activities  
22 against United States or coalition forces in Af-  
23 ghanistan, and Pakistan’s military and intel-  
24 ligence agencies are not intervening extra-judi-

1 cially into political and judicial processes in  
2 Pakistan;

3 (C) dismantling improvised explosive device  
4 (IED) networks and interdicting precursor  
5 chemicals used in the manufacture of IEDs;

6 (D) preventing the proliferation of nuclear-  
7 related material and expertise;

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

12 (F) providing humanitarian organizations  
13 access to detainees, internally displaced per-  
14 sons, and other Pakistani civilians affected by  
15 the conflict.

16 (2) WAIVER.—The Secretary of State, after  
17 consultation with the Secretary of Defense, may  
18 waive the certification requirement of paragraph (1)  
19 if the Secretary of State determines that to do so is  
20 important to the national security interest of the  
21 United States and the Secretary submits a report to  
22 the Committees on Appropriations, in classified form  
23 if necessary, on the justification for the waiver and  
24 the reasons why any part of the certification require-  
25 ment of paragraph (1) has not been met.

1           (3) ASSISTANCE.—Funds appropriated by this  
2    Act under the heading “Foreign Military Financing  
3    Program” for assistance for Pakistan may be made  
4    available only to support counterterrorism and coun-  
5    terinsurgency capabilities in Pakistan, and are sub-  
6    ject to section 620M of the Foreign Assistance Act  
7    of 1961.

8           (4) SCHOLARSHIPS FOR WOMEN.—The author-  
9    ity and directives of section 7044(d)(4) of division J  
10   of Public Law 113-235 shall apply to funds appro-  
11   priated by this Act for assistance for Pakistan.

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       terrorism, and establishing conditions conducive  
20       to the rule of law and transparent and account-  
21       able governance: *Provided*, That such bench-  
22       marks may incorporate those required in title  
23       III of Public Law 111-73, as appropriate: *Pro-*  
24       *vided further*, That not later than 6 months  
25       after submission of such spend plan, and each

1           6 months thereafter until September 30, 2016,  
2           the Secretary of State shall submit a report to  
3           the Committees on Appropriations on the status  
4           of achieving the goals and benchmarks in such  
5           plan.

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

11          (B) Not later than 90 days after enact-  
12          ment of this Act, the Secretary of State shall  
13          submit a report to the Committees on Appro-  
14          priations detailing the costs and objectives asso-  
15          ciated with significant infrastructure projects  
16          supported by the United States in Pakistan,  
17          and an assessment of the extent to which such  
18          projects achieve such objectives.

19          (c) REGIONAL CROSS BORDER PROGRAMS.—

20          (1) Funds appropriated by this Act under the head-  
21          ing “Economic Support Fund” for assistance for Afghani-  
22          stan and Pakistan may be provided, notwithstanding any  
23          other provision of law that restricts assistance to foreign  
24          countries, for cross border stabilization and development



1 programs between Afghanistan and Pakistan, or between  
2 either country and the Central Asian countries.

3 (2) Funds appropriated by this Act under the head-  
4 ing “International Narcotics Control and Law Enforce-  
5 ment” that are available for assistance for Afghanistan  
6 and Pakistan should be made available to enhance the re-  
7 cruitment, retention, and professionalism of women in po-  
8 lice and other security forces.

9 WESTERN HEMISPHERE

10 SEC. 7045. (a) CENTRAL AMERICA.—

11 (1) STRATEGY.—

12 (A) Not later than 30 days after enactment of  
13 this Act, the Secretary of State, in consultation with  
14 the Administrator of the United States Agency for  
15 International Development (USAID), shall submit to  
16 the Committees on Appropriations a multi-year  
17 strategy for assistance to Central America: *Provided*,  
18 That such assistance shall address the key factors in  
19 the countries in Central America contributing to the  
20 migration of unaccompanied, undocumented minors  
21 to the United States.

22 (B) The strategy required by this paragraph  
23 shall include—

24 (i) a clear mission statement;

1 (ii) achievable goals and objectives and as-  
2 sociated benchmarks and timelines;

3 (iii) a spend plan that describes how funds  
4 appropriated by this Act and prior Acts making  
5 appropriations for the Department of State,  
6 foreign operations, and related programs will  
7 achieve such goals and objectives; and

8 (iv) a description of host country actions  
9 and commitments, including host country fund-  
10 ing.

11 (C) The Secretary of State shall consult with  
12 the Committees on Appropriations prior to the devel-  
13 opment of the strategy required by this paragraph.

14 (D) The Secretary of State shall provide quar-  
15 terly updates to the Committees on Appropriations  
16 on the implementation of the strategy in this para-  
17 graph and funding to implement such strategy.

18 (E) Funds made available to implement the  
19 strategy in this paragraph shall be subject to the  
20 regular notification procedures of the Committees on  
21 Appropriations, and such strategy shall be submitted  
22 prior to the notification of funds.

23 (2) PURPOSES.—Funds appropriated under titles III  
24 and IV of this Act and prior Acts making appropriations  
25 for the Department of State, foreign operations, and re-

1 lated programs that are made available to implement the  
2 strategy described in paragraph (1) shall be made avail-  
3 able for programs to—

4 (A) improve border security;

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

7 (C) combat human smuggling and trafficking;  
8 and

9 (D) repatriate and reintegrate migrants return-  
10 ing from the United States.

11 (3) SUSPENSION OF ASSISTANCE.—The Secretary of  
12 State shall suspend further obligation of funds provided  
13 for programs and activities described in the strategy re-  
14 quired by paragraph (1) for a country if the Secretary de-  
15 termines and reports to the Committees on Appropriations  
16 that the government of such country is not taking steps  
17 to—

18 (A) improve border security;

19 (B) enforce laws and policies to reduce the flow  
20 of illegal migrants to the United States, including to  
21 increase penalties for human smuggling;

22 (C) conduct public outreach campaigns to ex-  
23 plain the dangers of the journey to the southwest  
24 border of the United States, and to inform potential

1 migrants of relevant United States immigration  
2 laws; and

3 (D) cooperate with United States Federal agen-  
4 cies to facilitate and expedite the return, repatri-  
5 ation, and reintegration of illegal migrants arriving  
6 at the southwest border of the United States.

7 (4) FORENSIC TECHNOLOGY PROGRAMS.—Funds ap-  
8 propriated by this Act under the heading “International  
9 Narcotics Control and Law Enforcement” shall be made  
10 available for DNA forensic technology programs to combat  
11 human trafficking in Central America as described under  
12 such heading in the report accompanying this Act.

13 (b) COLOMBIA.—

14 (1) ASSISTANCE.—Funds appropriated by this  
15 Act and made available to the Department of State  
16 for assistance for the Government of Colombia may  
17 be used to support a unified campaign against nar-  
18 cotics trafficking, organizations designated as For-  
19 eign Terrorist Organizations, and other criminal or  
20 illegal armed groups, and to take actions to protect  
21 human health and welfare in emergency cir-  
22 cumstances, including undertaking rescue oper-  
23 ations: *Provided*, That the first through fifth pro-  
24 visos of paragraph (1), and paragraph (3) of section  
25 7045(a) of division I of Public Law 112–74 shall

1 continue in effect during fiscal year 2016 and shall  
2 apply to funds appropriated by this Act and made  
3 available for assistance for Colombia as if included  
4 in this Act: *Provided further*, That of the funds ap-  
5 propriated by this Act under the heading “Economic  
6 Support Fund”, not less than \$133,000,000 shall be  
7 apportioned directly to the United States Agency for  
8 International Development.

9 (2) REPORT.—The Secretary of State shall sub-  
10 mit to the Committees on Appropriations, not later  
11 than 60 days after enactment of this Act, the report  
12 described under the heading “International Nar-  
13 cotics Control and Law Enforcement” in the report  
14 accompanying this Act.

15 (c) CUBA.—

16 (1) DEMOCRACY PROMOTION.—Of the funds appro-  
17 priated by this Act under the heading “Economic Support  
18 Fund”, \$30,000,000 shall be made available to promote  
19 democracy and strengthen civil society in Cuba: *Provided*,  
20 That no funds shall be obligated for business promotion,  
21 economic reform, entrepreneurship, or any other assist-  
22 ance that is not democracy-building as expressly author-  
23 ized in the Cuban Liberty and Solidarity (LIBERTAD)  
24 Act of 1996 and the Cuban Democracy Act (CDA) of  
25 1992.

1       (2) OFFICE OF CUBA BROADCASTING.—None of the  
2 funds appropriated or otherwise made available by this  
3 Act under the heading “International Broadcasting Oper-  
4 ations” may be used to establish an independent grantee  
5 organization, as a private nonprofit organization, to carry  
6 out any and all broadcasting and related programs to the  
7 Latin America and Caribbean region, including Cuba, or  
8 otherwise substantively alter the structure of the Office  
9 of Cuba Broadcasting unless specifically authorized by a  
10 subsequent act of Congress: *Provided*, That the prohibi-  
11 tion of this paragraph shall be construed to include the  
12 merger of the Office of Cuba Broadcasting and the Voice  
13 of America Latin America Division.

14       (3) DIPLOMATIC FACILITIES.—

15           (A) None of the funds appropriated or other-  
16 wise made available by this Act or prior acts making  
17 appropriations for the Department of State, foreign  
18 operations, and related programs may be obligated  
19 or expended—

20                   (i) for the establishment or operations of a  
21 United States diplomatic presence, including an  
22 Embassy, Consulate, or liaison office, in Cuba  
23 beyond that which was in existence prior to De-  
24 cember 17, 2014; or

1           (ii) to facilitate the establishment or oper-  
2           ation of a diplomatic mission of Cuba, including  
3           an Embassy, Consulate, or liaison office, in the  
4           United States beyond that which was in exist-  
5           ence prior to December 17, 2014.

6           (B) The prohibition of subparagraph (A) shall  
7           not apply if the President determines and reports to  
8           the appropriate congressional committees that the  
9           government in Cuba has met the requirements and  
10          factors specified in section 205 of the Cuban Liberty  
11          and Democratic Solidarity (LIBERTAD) Act of  
12          1996 (22 U.S.C. 6065).

13          (d) HAITI.—

14          (1) ASSISTANCE.—None of the funds appropriated by  
15          this Act may be made available for assistance for the cen-  
16          tral Government of Haiti until the Secretary of State cer-  
17          tifies and reports to the Committees on Appropriations  
18          that the Government of Haiti—

19                (A) is taking steps to hold free and fair par-  
20                liamentary elections and to seat a new Haitian Par-  
21                liament;

22                (B) is selecting judges in a transparent manner  
23                and respecting the independence of the judiciary;

1           (C) is combating corruption, including imple-  
2           menting the anti-corruption law by prosecuting cor-  
3           rupt officials; and

4           (D) is improving governance and implementing  
5           financial transparency and accountability require-  
6           ments for government institutions.

7           (2) The Government of Haiti shall be eligible to pur-  
8           chase defense articles and services under the Arms Export  
9           Control Act (22 U.S.C. 2751 et seq.) for the Coast Guard.

10          (e) HONDURAS.—The Secretary of State shall submit  
11          a report to the Committees on Appropriations, not later  
12          than 45 days after this Act, on steps being taken by the  
13          Government of Honduras to address the matters described  
14          under the heading “International Narcotics Control and  
15          Law Enforcement” in the report accompanying this Act.

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

20          (g) TRADE CAPACITY.—Funds appropriated by this  
21          Act under the headings “Development Assistance” and  
22          “Economic Support Fund” should be made available for  
23          capacity building activities relating to free trade agree-  
24          ments with countries of Central America, Colombia, Peru,  
25          and the Dominican Republic.



13 WAR CRIMES TRIBUNALS

•HR 2772 RH

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

# LIMITATIONS ON THE UNITED NATIONS

SEC. 7048. (a) TRANSPARENCY AND ACCOUNT-  
 ABILITY.—Of the funds appropriated under title I of this  
 Act that are available for contributions to the United Na-  
 tions (including the Department of Peacekeeping Oper-  
 ations), any United Nations agency, or the Organization  
 of American States, 15 percent may not be obligated for  
 such organization, department, or agency until the Sec-  
 retary of State reports to the Committees on Appropria-  
 tions that the organization, department, or agency is—

(1) posting on a publicly available Web site,  
 consistent with privacy regulations and due process,  
 regular financial and programmatic audits of such  
 organization, department, or agency, and providing  
 the United States Government with necessary access  
 to such financial and performance audits; and

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

1 (A) protection against retaliation for inter-  
2 nal and lawful public disclosures;

3 (B) legal burdens of proof;

4 (C) statutes of limitation for reporting re-  
5 taliation;

6 (D) access to independent adjudicative  
7 bodies, including external arbitration; and

8 (E) results that eliminate the effects of  
9 proven retaliation.

10 (b) RESTRICTIONS ON UNITED NATIONS DELEGA-  
11 TIONS AND ORGANIZATIONS.—

12 (1) None of the funds made available by this  
13 Act may be used to pay expenses for any United  
14 States delegation to any specialized agency, body, or  
15 commission of the United Nations if such commis-  
16 sion is chaired or presided over by a country, the  
17 government of which the Secretary of State has de-  
18 termined, for purposes of section 6(j)(1) of the Ex-  
19 port Administration Act of 1979 as continued in ef-  
20 fect pursuant to the International Emergency Eco-  
21 nomic Powers Act (50 U.S.C. App. 2405(j)(1)), sup-  
22 ports international terrorism.

23 (2) None of the funds made available by this  
24 Act may be used by the Secretary of State as a con-  
25 tribution to any organization, agency, commission,

1 or program within the United Nations system if  
2 such organization, agency, commission, or program  
3 is chaired or presided over by a country the govern-  
4 ment of which the Secretary of State has deter-  
5 mined, for purposes of section 620A of the Foreign  
6 Assistance Act of 1961, section 40 of the Arms Ex-  
7 port Control Act, section 6(j)(1) of the Export Ad-  
8 ministration Act of 1979, or any other provision of  
9 law, is a government that has repeatedly provided  
10 support for acts of international terrorism.

11 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—  
12 None of the funds appropriated by this Act may be made  
13 available in support of the United Nations Human Rights  
14 Council unless the Secretary of State determines and re-  
15 ports to the Committees on Appropriations that participa-  
16 tion in the Council is in the national security interest of  
17 the United States and that the Council is taking signifi-  
18 cant steps to remove Israel as a permanent agenda item:  
19 *Provided*, That such report shall include a justification for  
20 making the determination and a description of the steps  
21 taken to remove Israel as a permanent agenda item: *Pro-*  
22 *vided further*, That the Secretary of State shall report to  
23 the Committees on Appropriations not later than Sep-  
24 tember 30, 2016, on the resolutions considered in the  
25 United Nations Human Rights Council during the pre-

1 vious 12 months, and on steps taken to remove Israel as  
2 a permanent agenda item.

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

10 (1) utilizing Operations Support Officers in the  
11 West Bank, Gaza, and other fields of operation to  
12 inspect UNRWA installations and reporting any in-  
13 appropriate use;

14 (2) acting promptly to address any staff or ben-  
15 eficiary violation of its own policies (including the  
16 policies on neutrality and impartiality of employees)  
17 and the legal requirements under section 301(c) of  
18 the Foreign Assistance Act of 1961;

19 (3) implementing procedures to maintain the  
20 neutrality of its facilities, including implementing a  
21 no-weapons policy, and conducting regular inspec-  
22 tions of its installations, to ensure they are only  
23 used for humanitarian or other appropriate pur-  
24 poses;

1           (4) taking necessary and appropriate measures  
2           to ensure it is operating in compliance with the con-  
3           ditions of section 301(c) of the Foreign Assistance  
4           Act of 1961 and continuing regular reporting to the  
5           Department of State on actions it has taken to en-  
6           sure conformance with such conditions;

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

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

16          (7) in compliance with the United Nations  
17          Board of Auditors' biennial audit requirements and  
18          is implementing in a timely fashion the Board's rec-  
19          ommendations.

20          (e) UNITED NATIONS CAPITAL MASTER PLAN.—  
21          None of the funds made available in this Act may be used  
22          for the design, renovation, or construction of the United  
23          Nations Headquarters in New York.

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

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

5 (g) REPORT.—Not later than 45 days after enact-  
6 ment of this Act, the Secretary of State shall submit a  
7 report to the Committees on Appropriations detailing the  
8 amount of funds available for obligation or expenditure in  
9 fiscal year 2016 for contributions to any organization, de-  
10 partment, agency, or program within the United Nations  
11 system or any international program that are withheld  
12 from obligation or expenditure due to any provision of law:  
13 *Provided*, That the Secretary of State shall update such  
14 report each time additional funds are withheld by oper-  
15 ation of any provision of law: *Provided further*, That the  
16 reprogramming of any withheld funds identified in such  
17 report, including updates thereof, shall be subject to prior  
18 consultation with, and the regular notification procedures  
19 of, the Committees on Appropriations.

20 COMMUNITY-BASED POLICE ASSISTANCE

21 SEC. 7049. (a) AUTHORITY.—Funds made available  
22 by titles III and IV of this Act to carry out the provisions  
23 of chapter 1 of part I and chapters 4 and 6 of part II  
24 of the Foreign Assistance Act of 1961, may be used, not-  
25 withstanding section 660 of that Act, to enhance the effec-

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

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

12 RESCISSION

13 (INCLUDING RESCISSION OF FUNDS)

14 SEC. 7050. Of the unexpended balances available to  
15 the President for bilateral economic assistance under the  
16 heading “Economic Support Fund” from prior Acts mak-  
17 ing appropriations for the Department of State, foreign  
18 operations, and related programs, \$200,000,000 are re-  
19 scinded: *Provided*, That no amounts may be rescinded  
20 from amounts that were designated by Congress as an  
21 emergency requirement or for Overseas Contingency Oper-  
22 ations/Global War on Terrorism pursuant to a concurrent  
23 resolution on the budget or the Balanced Budget and  
24 Emergency Deficit Control Act of 1985.



## 1 INTERNATIONAL CONFERENCES

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

## 16 AIRCRAFT TRANSFER AND COORDINATION

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

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

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

16 (c) AIRCRAFT COORDINATION.—(1) The uses of air-  
17 craft purchased or leased by the Department of State and  
18 the United States Agency for International Development  
19 (USAID) with funds made available in this Act or prior  
20 Acts making appropriations for the Department of State,  
21 foreign operations, and related programs shall be coordi-  
22 nated under the authority of the appropriate Chief of Mis-  
23 sion: *Provided*, That such aircraft may be used to trans-  
24 port, on a reimbursable or non-reimbursable basis, Fed-  
25 eral and non-Federal personnel supporting Department of

1 State and USAID programs and activities: *Provided fur-*  
 2 *ther*, That official travel for other agencies for other pur-  
 3 poses may be supported on a reimbursable basis, or with-  
 4 out reimbursement when traveling on a space available  
 5 basis: *Provided further*, That funds received by the De-  
 6 partment of State for the use of aircraft owned, leased,  
 7 or chartered by the Department of State may be credited  
 8 to the Department's Working Capital Fund and shall be  
 9 available for expenses related to the purchase, lease, main-  
 10 tenance, chartering, or operation of such aircraft.

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

14 PARKING FINES AND REAL PROPERTY TAXES OWED BY  
 15 FOREIGN GOVERNMENTS

16 SEC. 7053. The terms and conditions of section 7055  
 17 of division F of Public Law 111–117 shall apply to this  
 18 Act: *Provided*, That the date “September 30, 2009” in  
 19 subsection (f)(2)(B) shall be deemed to be “September 30,  
 20 2015”.

21 LANDMINES AND CLUSTER MUNITIONS

22 SEC. 7054. (a) LANDMINES.—Notwithstanding any  
 23 other provision of law, demining equipment available to  
 24 the United States Agency for International Development  
 25 and the Department of State and used in support of the

1 clearance of landmines and unexploded ordnance for hu-  
2 manitarian purposes may be disposed of on a grant basis  
3 in foreign countries, subject to such terms and conditions  
4 as the Secretary of State may prescribe.

5 (b) CLUSTER MUNITIONS.—No military assistance  
6 shall be furnished for cluster munitions, no defense export  
7 license for cluster munitions may be issued, and no cluster  
8 munitions or cluster munitions technology shall be sold or  
9 transferred, unless—

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

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

23 PROHIBITION ON PUBLICITY OR PROPAGANDA

24 SEC. 7055. No part of any appropriation contained  
25 in this Act shall be used for publicity or propaganda pur-

1 poses within the United States not authorized before the  
2 date of the enactment of this Act by the Congress: *Pro-*  
3 *vided*, That not to exceed \$25,000 may be made available  
4 to carry out the provisions of section 316 of Public Law  
5 96-533.

6                   LIMITATION ON RESIDENCE EXPENSES

7           SEC. 7056. Of the funds appropriated or made avail-  
8 able pursuant to title II of this Act, not to exceed  
9 \$100,500 shall be for official residence expenses of the  
10 United States Agency for International Development dur-  
11 ing the current fiscal year.

12                   UNITED STATES AGENCY FOR INTERNATIONAL  
13                   DEVELOPMENT MANAGEMENT  
14                   (INCLUDING TRANSFER OF FUNDS)

15           SEC. 7057. (a) AUTHORITY.—Up to \$93,000,000 of  
16 the funds made available in title III of this Act pursuant  
17 to or to carry out the provisions of part I of the Foreign  
18 Assistance Act of 1961 may be used by the United States  
19 Agency for International Development (USAID) to hire  
20 and employ individuals in the United States and overseas  
21 on a limited appointment basis pursuant to the authority  
22 of sections 308 and 309 of the Foreign Service Act of  
23 1980.

24           (b) RESTRICTIONS.—

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

4           (2) The authority to hire individuals contained  
5           in subsection (a) shall expire on September 30,  
6           2017.

7           (c) CONDITIONS.—The authority of subsection (a)  
8           should only be used to the extent that an equivalent num-  
9           ber of positions that are filled by personal services contrac-  
10          tors or other non-direct hire employees of USAID, who  
11          are compensated with funds appropriated to carry out part  
12          I of the Foreign Assistance Act of 1961, are eliminated.

13          (d) PROGRAM ACCOUNT CHARGED.—The account  
14          charged for the cost of an individual hired and employed  
15          under the authority of this section shall be the account  
16          to which such individual's responsibilities primarily relate:  
17          *Provided*, That funds made available to carry out this sec-  
18          tion may be transferred to, and merged with, funds appro-  
19          priated by this Act in title II under the heading “Oper-  
20          ating Expenses”.

21          (e) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-  
22          viduals hired and employed by USAID, with funds made  
23          available in this Act or prior Acts making appropriations  
24          for the Department of State, foreign operations, and re-  
25          lated programs, pursuant to the authority of section 309

1 of the Foreign Service Act of 1980, may be extended for  
2 a period of up to 4 years notwithstanding the limitation  
3 set forth in such section.

4 (f) DISASTER SURGE CAPACITY.—Funds appro-  
5 priated under title III of this Act to carry out part I of  
6 the Foreign Assistance Act of 1961 may be used, in addi-  
7 tion to funds otherwise available for such purposes, for  
8 the cost (including the support costs) of individuals de-  
9 tailed to or employed by USAID whose primary responsi-  
10 bility is to carry out programs in response to natural dis-  
11 asters, or man-made disasters subject to the regular notifi-  
12 cation procedures of the Committees on Appropriations.

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

1 II of the Food for Peace Act (Public Law 83–480), may  
2 be made available only for personal services contractors  
3 assigned to the Office of Food for Peace.

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

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

17 GLOBAL HEALTH ACTIVITIES

18 SEC. 7058. (a) Funds appropriated by titles III and  
19 IV of this Act that are made available for bilateral assist-  
20 ance for child survival activities or disease programs in-  
21 cluding activities relating to research on, and the preven-  
22 tion, treatment and control of, HIV/AIDS may be made  
23 available notwithstanding any other provision of law ex-  
24 cept for provisions under the heading “Global Health Pro-  
25 grams” and the United States Leadership Against HIV/



1 AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat.  
2 711; 22 U.S.C. 7601 et seq.), as amended.

3 (b) Of the funds appropriated by this Act, not more  
4 than \$461,000,000 may be made available for family plan-  
5 ning/reproductive health.

6 (c) GLOBAL FUND.—

7 (1) Of the funds appropriated by this Act that  
8 are available for a contribution to the Global Fund  
9 to Fight AIDS, Tuberculosis and Malaria (Global  
10 Fund), 10 percent should be withheld from obliga-  
11 tion until the Secretary of State determines and re-  
12 ports to the Committees on Appropriations that—

13 (A) the Global Fund is maintaining and  
14 implementing a policy of transparency, includ-  
15 ing the authority of the Global Fund Office of  
16 the Inspector General (OIG) to publish OIG re-  
17 ports on a public Web site;

18 (B) the Global Fund is providing sufficient  
19 resources to maintain an independent OIG  
20 that—

21 (i) reports directly to the Board of the  
22 Global Fund;

23 (ii) maintains a mandate to conduct  
24 thorough investigations and programmatic  
25 audits, free from undue interference; and

1 (iii) compiles regular, publicly pub-  
2 lished audits and investigations of finan-  
3 cial, programmatic, and reporting aspects  
4 of the Global Fund, its grantees, recipi-  
5 ents, sub-recipients, and Local Fund  
6 Agents;

7 (C) the Global Fund maintains an effective  
8 whistleblower policy to protect whistleblowers  
9 from retaliation, including confidential proce-  
10 dures for reporting possible misconduct or  
11 irregularities; and

12 (D) the Global Fund is implementing the  
13 recommendations contained in the Consolidated  
14 Transformation Plan approved by the Board of  
15 the Global Fund on November 21, 2011.

16 (2) The withholding required by this subsection  
17 shall not be in addition to funds that are withheld  
18 from the Global Fund in fiscal year 2016 pursuant  
19 to the application of any other provision contained  
20 in this or any other Act.

21 GENDER EQUALITY

22 SEC. 7059. (a) GENDER EQUALITY.—Funds appro-  
23 priated by this Act shall be made available to promote gen-  
24 der equality in United States Government diplomatic and  
25 development efforts by raising the status, increasing the

1 participation, and protecting the rights of women and girls  
2 worldwide.

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

13 (c) GENDER-BASED VIOLENCE.—

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

20 (B) Funds appropriated by titles III and  
21 IV of this Act that are available to train foreign  
22 police, judicial, and military personnel, includ-  
23 ing for international peacekeeping operations,  
24 shall address, where appropriate, prevention  
25 and response to gender-based violence and traf-

1           ficking in persons, and shall promote the inte-  
2           gration of women into the police and other se-  
3           curity forces.

4           (2) Department of State and United States  
5       Agency for International Development gender pro-  
6       grams shall incorporate coordinated efforts to com-  
7       bat a variety of forms of gender-based violence, in-  
8       cluding child marriage, rape, female genital cutting  
9       and mutilation, and domestic violence, among other  
10      forms of gender-based violence in conflict and non-  
11      conflict settings.

12      (d) WOMEN, PEACE, AND SECURITY.—Funds appro-  
13   priated by this Act under the headings “Development As-  
14   sistance”, “Economic Support Fund”, and “International  
15   Narcotics Control and Law Enforcement” should be made  
16   available to support a multi-year strategy to expand, and  
17   improve coordination of, United States Government ef-  
18   forts to empower women as equal partners in conflict pre-  
19   vention, peace building, transitional processes, and recon-  
20   struction efforts in countries affected by conflict or in po-  
21   litical transition, and to ensure the equitable provision of  
22   relief and recovery assistance to women and girls.

23                                   SECTOR ALLOCATIONS

24      SEC. 7060. (a) BASIC EDUCATION AND HIGHER  
25   EDUCATION.—

(1) BASIC EDUCATION.—

(A) Of the funds appropriated under title III of this Act, not less than \$800,000,000 shall be made available for assistance for basic education, and such funds may be made available notwithstanding any provision of law that restricts assistance to foreign countries, except for the conditions provided in this subsection: *Provided*, That not later than 30 days after enactment of this Act, the Administrator of the United States Agency for International Development (USAID) shall report to the Committees on Appropriations on the status of cumulative unobligated balances and obligated, but unexpended, balances in each country where USAID provides basic education assistance and such report shall also include details on the types of contracts and grants provided and the goals and objectives of such assistance: *Provided further*, That the USAID Administrator shall update such report on a monthly basis during fiscal year 2016.

(B) USAID shall ensure that programs supported with funds appropriated for basic education in this Act and prior Acts making ap-

1           appropriations for the Department of State, for-  
2           eign operations, and related programs are inte-  
3           grated, as appropriate, with health, agriculture,  
4           governance, and economic and social develop-  
5           ment activities to address the broader needs of  
6           target populations: *Provided*, That USAID shall  
7           work to achieve quality universal basic edu-  
8           cation by—

9                   (i) assisting foreign governments, non-  
10                  governmental, and multilateral organiza-  
11                  tions working in developing countries to  
12                  provide children with a quality basic edu-  
13                  cation, including through strengthening  
14                  host country educational systems; and

15                  (ii) promoting basic education as the  
16                  foundation for comprehensive community  
17                  development programs.

18           (C) Of the funds appropriated by this Act  
19           under title III for basic education, not less than  
20           \$70,000,000 shall be made available for a con-  
21           tribution to multilateral partnerships that sup-  
22           port education.

23           (2) HIGHER EDUCATION.—Of the funds appro-  
24           priated by title III of this Act, not less than  
25           \$225,000,000 shall be made available for assistance

1 for higher education, including not less than  
2 \$25,000,000 for new institutional capacity develop-  
3 ment partnerships between developing nations and  
4 United States higher education institutions.

5 (b) CONSERVATION.—

6 (1) Of the funds appropriated by title III of  
7 this Act, \$250,000,000 shall be made available for  
8 biodiversity conservation programs.

9 (2)(A) Not less than \$55,000,000 of the funds  
10 appropriated under titles III and IV of this Act shall  
11 be made available to combat the transnational threat  
12 of wildlife poaching and trafficking.

13 (B) None of the funds appropriated under  
14 title IV of this Act may be made available for  
15 training or other assistance for any military  
16 unit or personnel that the Secretary of State  
17 determines has been credibly alleged to have  
18 participated in wildlife poaching or trafficking,  
19 unless the Secretary reports to the Committees  
20 on Appropriations that to do so is in the na-  
21 tional security interests of the United States.

22 (c) FOOD SECURITY AND AGRICULTURE DEVELOP-  
23 MENT.—Funds appropriated by this Act under title III  
24 should be made available for food security and agriculture  
25 development programs and may be made available not-

1 withstanding any other provision of law to address food  
2 shortages: *Provided*, That up to \$65,000,000 shall be  
3 made available for the Feed the Future Innovation Labs.

4 (d) MICROENTERPRISE AND MICROFINANCE.—Of the  
5 funds appropriated by this Act, not less than  
6 \$265,000,000 should be made available for microenter-  
7 prise and microfinance development programs for the  
8 poor, especially women.

9 (e) TRAFFICKING IN PERSONS.—

10 (1) Of the funds appropriated by this Act under the  
11 headings “Development Assistance”, “Economic Support  
12 Fund”, and “International Narcotics Control and Law  
13 Enforcement”, not less than \$58,000,000 shall be made  
14 available for activities to combat trafficking in persons  
15 internationally.

16 (2) Funds made available in the previous paragraph  
17 shall be made available to support a multifaceted approach  
18 to combat human trafficking in Guatemala: *Provided*,  
19 That the Secretary of State shall consult with the Com-  
20 mittees on Appropriations, not later than 30 days after  
21 enactment of this Act, on the use of such funds.

22 (f) WATER AND SANITATION.—Of the funds appro-  
23 priated by this Act, not less than \$382,500,000 shall be  
24 made available for water and sanitation supply projects  
25 pursuant to the Senator Paul Simon Water for the Poor



1 Act of 2005 (Public Law 109–121), of which not less than  
2 \$135,000,000 shall be for programs in sub-Saharan Afri-  
3 ca.

4 (g) NOTIFICATION REQUIREMENTS.—Deviations  
5 from funding levels contained in this section shall be sub-  
6 ject to prior consultation with, and the regular notification  
7 procedures of, the Committees on Appropriations.

8 REQUESTS FOR DOCUMENTS

9 SEC. 7061. None of the funds appropriated or made  
10 available pursuant to titles III through VI of this Act shall  
11 be available to a nongovernmental organization, including  
12 any contractor, which fails to provide upon timely request  
13 any document, file, or record necessary to the auditing re-  
14 quirements of the United States Agency for International  
15 Development.

16 ARMS TRADE TREATY

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

21 LIMITATIONS ON FAMILY PLANNING/REPRODUCTIVE

22 HEALTH

23 SEC. 7063. (a) None of the funds appropriated or  
24 otherwise made available by this Act may be made avail-  
25 able for the United Nations Population Fund.

1 (b) None of the funds appropriated or otherwise  
2 made available by this Act for population planning activi-  
3 ties or other population assistance may be made available  
4 to any foreign nongovernmental organization that pro-  
5 motes or performs abortion, except in cases of rape or in-  
6 cest or when the life of the mother would be endangered  
7 if the fetus were carried to term.

8 LIMITATION RELATING TO INDIVIDUALS DETAINED AT  
9 NAVAL STATION, GUANTANAMO BAY, CUBA

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

22 (b) The Secretary of State shall report to the Com-  
23 mittees on Appropriations, not more than 45 days after  
24 enactment of this Act, and every 45 days thereafter  
25 through fiscal year 2016, on negotiations over the previous

1 45 days between Department of State personnel and offi-  
2 cials of Foreign governments over the potential transfer  
3 to such governments of an individual, or individuals, de-  
4 tained at United States Naval Station, Guantanamo Bay,  
5 Cuba: *Provided*, That such reports may be provided in  
6 classified form if necessary.

7 INTERNATIONAL PRISON CONDITIONS

8 SEC. 7065. Funds appropriated under the headings  
9 “Development Assistance”, “Economic Support Fund”,  
10 and “International Narcotics Control and Law Enforce-  
11 ment” in this Act may be made available, notwithstanding  
12 section 660 of the Foreign Assistance Act of 1961, for  
13 assistance to eliminate inhumane conditions in foreign  
14 prisons and other detention facilities.

15 PROHIBITION ON USE OF TORTURE

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

20 EXTRADITION

21 SEC. 7067. (a) None of the funds appropriated in this  
22 Act may be used to provide assistance (other than funds  
23 provided under the headings “International Disaster As-  
24 sistance”, “International Narcotics Control and Law En-  
25 forcement”, “Migration and Refugee Assistance”, “United

1 States Emergency Refugee and Migration Assistance”,  
2 and “Nonproliferation, Anti-terrorism, Demining and Re-  
3 lated Assistance”) for the central government of a country  
4 which has notified the Department of State of its refusal  
5 to extradite to the United States any individual indicted  
6 for a criminal offense for which the maximum penalty is  
7 life imprisonment without the possibility of parole or for  
8 killing a law enforcement officer, as specified in a United  
9 States extradition request.

10 (b) Subsection (a) shall only apply to the central gov-  
11 ernment of a country with which the United States main-  
12 tains diplomatic relations and with which the United  
13 States has an extradition treaty and the government of  
14 that country is in violation of the terms and conditions  
15 of the treaty.

16 (c) The Secretary of State may waive the restriction  
17 in subsection (a) on a case-by-case basis if the Secretary  
18 certifies to the Committees on Appropriations that such  
19 waiver is important to the national interests of the United  
20 States.

21 COMMERCIAL LEASING OF DEFENSE ARTICLES

22 SEC. 7068. Notwithstanding any other provision of  
23 law, and subject to the regular notification procedures of  
24 the Committees on Appropriations, the authority of sec-  
25 tion 23(a) of the Arms Export Control Act may be used

1 to provide financing to Israel, Egypt, and the North Atlan-  
2 tic Treaty Organization (NATO), and major non-NATO  
3 allies for the procurement by leasing (including leasing  
4 with an option to purchase) of defense articles from  
5 United States commercial suppliers, not including Major  
6 Defense Equipment (other than helicopters and other  
7 types of aircraft having possible civilian application), if the  
8 President determines that there are compelling foreign  
9 policy or national security reasons for those defense arti-  
10 cles being provided by commercial lease rather than by  
11 government-to-government sale under such Act.

12 INDEPENDENT STATES OF THE FORMER SOVIET UNION

13 SEC. 7069. (a) None of the funds appropriated by  
14 this Act may be made available for assistance for a govern-  
15 ment of an Independent State of the former Soviet Union  
16 if that government directs any action in violation of the  
17 territorial integrity or national sovereignty of any other  
18 Independent State of the former Soviet Union, such as  
19 those violations included in the Helsinki Final Act: *Pro-*  
20 *vided*, That except as otherwise provided in section  
21 7070(a) of this Act, funds may be made available without  
22 regard to the restriction in this subsection if the President  
23 determines that to do so is in the national security interest  
24 of the United States: *Provided further*, That prior to exe-  
25 cuting the authority contained in this subsection the De-

1 partment of State shall consult with the Committees on  
2 Appropriations on how such assistance supports the na-  
3 tional interests of the United States.

4 (b) Funds appropriated by this Act under the heading  
5 “Economic Support Fund” may be made available, not-  
6 withstanding any other provision of law, except for the  
7 limitation contained in section 7070(a) of this Act, for as-  
8 sistance and related programs for the countries identified  
9 in section 3(c) of the Support for Eastern European De-  
10 mocracy (SEED) Act of 1989 (Public Law 101–179) and  
11 section 3 of the FREEDOM Support Act (Public Law  
12 102–511) and may be used to carry out the provisions  
13 of those Acts: *Provided*, That such assistance and related  
14 programs from funds appropriated by this Act under the  
15 headings “Global Health Programs”, “Economic Support  
16 Fund”, and “International Narcotics Control and Law  
17 Enforcement” shall be administered in accordance with  
18 the responsibilities of the coordinator designated pursuant  
19 to section 601 of the Support for Eastern European De-  
20 mocracy (SEED) Act of 1989 (Public Law 101–179) and  
21 section 102 of the FREEDOM Support Act (Public Law  
22 102–511).

23 (c) Section 907 of the FREEDOM Support Act shall  
24 not apply to—

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

16 (5) any financing provided under the Export-  
17 Import Bank Act of 1945; or

(d) Of the funds appropriated by this Act under titles III through VI, not less than \$524,000,000 shall be made available for assistance for Ukraine.

SEC. 7070. (a) None of the funds appropriated by  
this Act may be made available for assistance for the cen-  
tral Government of the Russian Federation.

1       (b)(1) None of the funds appropriated by this Act  
2 may be made available for assistance for the central gov-  
3 ernment of a country that the Secretary of State deter-  
4 mines and reports to the Committees on Appropriations  
5 has taken affirmative steps intended to support or be sup-  
6 portive of the Russian Federation annexation of Crimea:  
7 *Provided*, That except as otherwise provided in subsection  
8 (a), the Secretary may waive the restriction on assistance  
9 required by this paragraph if the Secretary certifies to  
10 such Committees that to do so is in the national interest  
11 of the United States, and includes a justification for such  
12 interest.

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

15           (A) the implementation of any action or policy  
16 that recognizes the sovereignty of the Russian Fed-  
17 eration over Crimea;

18           (B) the facilitation, financing, or guarantee of  
19 United States Government investments in Crimea, if  
20 such activity includes the participation of Russian  
21 Government officials, and Russian owned and con-  
22 trolled banks, or other Russian Government owned  
23 and controlled financial entities; or

24           (C) assistance for Crimea, if such assistance in-  
25 cludes the participation of Russian Government offi-



1 cials, and Russian owned and controlled banks, and  
2 other Russian Government owned and controlled fi-  
3 nancial entities.

4 (3) The Secretary of the Treasury shall instruct the  
5 United States executive directors of each international fi-  
6 nancial institution to vote against any assistance by such  
7 institution (including but not limited to any loan, credit,  
8 or guarantee) for any program that violates the sov-  
9 ereignty or territorial integrity of Ukraine.

10 (4) The requirements of subsection (b) shall cease to  
11 be in effect if the Secretary of State certifies and reports  
12 to the Committees on Appropriations that the Government  
13 of Ukraine has reestablished sovereignty over Crimea.

14 (c) Funds appropriated by this Act for assistance for  
15 the Eastern Partnership countries shall be made available  
16 to advance the implementation of Association Agreements,  
17 trade agreements, and visa liberalization agreements with  
18 the European Union, and to reduce their vulnerability to  
19 external economic and political pressure from the Russian  
20 Federation.

21 (d) Not later than 45 days after enactment of this  
22 Act, the Secretary of State shall update the reports re-  
23 quired by section 7071(b)(2), (c), and (e) of division K  
24 of Public Law 113–76.

## INTERNATIONAL MONETARY FUND

SEC. 7071. (a) The terms and conditions of sections 7086(b) (1) and (2) and 7090(a) of division F of Public Law 111–117 shall apply to this Act.

(b) The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund (IMF) to seek to ensure that any loan will be repaid to the IMF before other private creditors.

(c) The Secretary of the Treasury shall seek to require that the IMF implements and enforces policies and procedures which reflect best practices as defined in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) for the protection of whistleblowers from retaliation, including best practices for—

(1) protection against retaliation for internal and lawful public disclosures;

(2) legal burdens of proof;

(3) statutes of limitation for reporting retaliation;

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

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

## 1 SPECIAL DEFENSE ACQUISITION FUND

2 SEC. 7072. Not to exceed \$100,000,000 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 FOREIGN TERRORIST FIGHTERS

11 SEC. 7073. (a) Funds appropriated by this Act under  
12 the headings “Economic Support Fund”, “Nonprolifera-  
13 tion, Anti-terrorism, Demining and Related Programs”,  
14 and “International Narcotics Control and Law Enforce-  
15 ment” shall be made available for programs to counter the  
16 flow of foreign terrorist fighters, including by supporting  
17 efforts of partner governments and multilateral organiza-  
18 tions to—

- 19 (1) counter recruitment;  
20 (2) detect and disrupt foreign terrorist fighter travel  
21 and secure ports of entry;  
22 (3) implement and establish criminal laws and poli-  
23 cies to counter foreign terrorist fighters;  
24 (4) arrest, investigate, prosecute, and incarcerate ter-  
25 rorist suspects, facilitators, and financiers.

1 (b) Prior to the initial obligation of funds made avail-  
2 able under paragraph (1), but not later than 45 days after  
3 enactment of this Act, the Secretary of State, in consulta-  
4 tion with the heads of other appropriate departments and  
5 agencies, as appropriate, shall submit to the Committees  
6 on Appropriations, in classified form if necessary, a strat-  
7 egy for countering foreign fighters: *Provided*, That such  
8 strategy shall include a summary of activities and funding  
9 provided to date to counter foreign terrorist fighters, and  
10 a clear mission statement and goals.

11 ENTERPRISE FUNDS

12 SEC. 7074. (a) None of the funds made available  
13 under titles III through VI of this Act may be made avail-  
14 able for Enterprise Funds unless the appropriate congres-  
15 sional committees are notified at least 15 days in advance.

16 (b) Prior to the distribution of any assets resulting  
17 from any liquidation, dissolution, or winding up of an En-  
18 terprise Fund, in whole or in part, the President shall sub-  
19 mit to the appropriate congressional committees a plan for  
20 the distribution of the assets of the Enterprise Fund.

21 (c) Prior to a transition to and operation of any pri-  
22 vate equity fund or other parallel investment fund under  
23 an existing Enterprise Fund, the President shall submit  
24 such transition or operating plan to the appropriate con-  
25 gressional committees.

1       USE OF FUNDS IN CONTRAVENTION OF THIS ACT

2       SEC. 7075. If the President makes a determination  
3 not to comply with any provision of this Act on constitu-  
4 tional grounds, the head of the relevant Federal agency  
5 shall notify the Committees on Appropriations in writing  
6 within 5 days of such determination, the basis for such  
7 determination and any resulting changes to program and  
8 policy.

9                               BUDGET DOCUMENTS

10       SEC. 7076. (a) OPERATING PLANS.—Not later than  
11 45 days after the date of enactment of this Act, each de-  
12 partment, agency, or organization funded in titles I II,  
13 and VI of this Act, and the Department of the Treasury  
14 and Independent Agencies funded in title III of this Act,  
15 including the Inter-American Foundation and the United  
16 States African Development Foundation, shall submit to  
17 the Committees on Appropriations an operating plan for  
18 funds appropriated to such department, agency, or organi-  
19 zation in such titles of this Act, or funds otherwise avail-  
20 able for obligation in fiscal year 2016, that provides de-  
21 tails of the uses of such funds at the program, project,  
22 and activity level: *Provided*, That such plans shall include,  
23 as applicable, a comparison between the most recent con-  
24 gressional directives or approved funding levels and the  
25 funding levels proposed by the department or agency; and

1 a clear, concise, and informative description/justification:  
2 *Provided further*, That operating plans that include  
3 changes in levels of funding specified in this Act or in the  
4 report accompanying this Act shall be subject to the reg-  
5 ular notification procedures of the Committees on Appro-  
6 priations.

7 (b) SPEND PLANS.—

8 (1) Prior to the initial obligation of funds, the  
9 Secretary of State shall submit to the Committees  
10 on Appropriations a detailed spend plan for funds  
11 made available by this Act, for—

12 (A) assistance for Afghanistan, Colombia,  
13 Egypt, Haiti, Iraq, Lebanon, Libya, Mexico,  
14 Pakistan, and the West Bank and Gaza;

15 (B) the Caribbean Basin Security Initia-  
16 tive, the Central American Regional Security  
17 Initiative, the Trans-Sahara Counterterrorism  
18 Partnership program, and the Partnership for  
19 Regional East Africa Counterterrorism pro-  
20 gram; and

21 (C) democracy programs, each sector enu-  
22 merated in section 7060, and the programs de-  
23 scribed in section 7073 of this Act.

24 (2) Not later than 45 days after enactment of  
25 this Act, the Secretary of the Treasury shall submit

1 to the Committees on Appropriations a detailed  
2 spend plan for funds made available by this Act  
3 under the headings “Department of the Treasury”  
4 in title III and “International Financial Institu-  
5 tions” in title V.

6 (c) SPENDING REPORT.—Not later than 45 days  
7 after enactment of this Act, the Administrator of the  
8 United States Agency for International Development  
9 (USAID) shall submit to the Committees on Appropria-  
10 tions a detailed report on spending of funds made avail-  
11 able during fiscal year 2015 under the heading “Develop-  
12 ment Credit Authority”.

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

17 (e) CONGRESSIONAL BUDGET JUSTIFICATIONS.—

18 (1) The congressional budget justifications for  
19 Department of State operations and foreign oper-  
20 ations shall be provided to the Committees on Ap-  
21 propriations concurrent with the date of submission  
22 of the President’s budget for fiscal year 2017.

23 (2) The Secretary of State and the USAID Ad-  
24 ministrator shall include in the congressional budget  
25 justification a detailed justification for multi-year

1       availability for any funds requested under the head-  
2       ings “Diplomatic and Consular Programs” and “Op-  
3       erating Expenses”.

4       PRESERVATION AND TRANSPARENCY OF DEPARTMENT OF  
5       STATE RECORDS

6       SEC. 7077. Of the funds appropriated or otherwise  
7       made available by this Act under the heading “Diplomatic  
8       and Consular Programs” and not designated for World-  
9       wide Security Protection, 15 percent shall be withheld  
10      from obligation until the Secretary of State—

11      (a) certifies and reports to the Committees on Appro-  
12      priations in writing that the Department of State has up-  
13      dated policies, directives, and oversight necessary to com-  
14      ply with Federal statutes, regulations, and presidential ex-  
15      ecutive orders and memorandum concerning the preserva-  
16      tion of all records made or received in the conduct of offi-  
17      cial business, including record emails, instant messaging,  
18      and other online tools, and has taken steps to improve the  
19      response time for identifying and retrieving such records:  
20      *Provided*, That the certification required by this section  
21      shall include at a minimum that—

22      (1) all employees at every level of the Department  
23      have been directed to ensure that the documentation of  
24      their official duties is captured, preserved, managed, pro-  
25      tected, and accessible in official Government systems;



1       (2) all departing employees at every level have been  
2 directed that all Federal records generated by employees,  
3 including senior officials, belong to the Department;

4       (3) the Department has implemented all rec-  
5 ommendations of the Office of the Inspector General of  
6 the Department in the March 2015 Review of State Mes-  
7 saging and Archive Retrieval Toolset and Record Email  
8 (ISP-1-15-15);

9       (4) the Department has developed and is imple-  
10 menting a plan to both reduce the backlog of Freedom  
11 of Information Act and Congressional oversight requests  
12 and measurably improve the response time for answering  
13 such requests; and

14       (5) updated policies for Department employees have  
15 been codified in the Foreign Affairs Manual; and

16       (b) requests from the Committees on Appropriations  
17 in writing the authority to obligate such funds and such  
18 Committees issue an approval, or absent a response, a pe-  
19 riod of 15 days has elapsed.

20                                   GLOBAL INTERNET FREEDOM

21       SEC. 7078. (a) Of the funds available for obligation  
22 during fiscal year 2016 under the headings “International  
23 Broadcasting Operations”, “Economic Support Fund”,  
24 and “Democracy Fund”, not less than \$50,500,000 shall  
25 be made available for programs to promote Internet free-

1 dom globally: *Provided*, That such programs shall be  
2 prioritized for countries whose governments restrict free-  
3 dom of expression on the Internet, and that are important  
4 to the national interests of the United States: *Provided*  
5 *further*, That funds made available pursuant to this sec-  
6 tion shall be matched, to the maximum extent practicable,  
7 by sources other than the United States Government, in-  
8 cluding from the private sector.

9 (b) Funds made available pursuant to subsection (a)  
10 shall be—

11 (1) coordinated with other democracy, govern-  
12 ance, and broadcasting programs funded by this Act  
13 under the headings “International Broadcasting Op-  
14 erations”, “Economic Support Fund”, and “Democ-  
15 racy Fund”, and shall be incorporated into country  
16 assistance, democracy promotion, and broadcasting  
17 strategies, as appropriate;

18 (2) made available to the Bureau of Democracy,  
19 Human Rights, and Labor, Department of State for  
20 programs to implement the May 2011, International  
21 Strategy for Cyberspace and the comprehensive  
22 strategy to promote Internet freedom and access to  
23 information in Iran, as required by section 414 of  
24 Public Law 112–158;

1           (3) made available to the Broadcasting Board  
2 of Governors (BBG) to provide tools and techniques  
3 to access the Internet Web sites of BBG broad-  
4 casters that are censored, and to work with such  
5 broadcasters to promote and distribute such tools  
6 and techniques, including digital security techniques;

7           (4) made available for programs that support  
8 the efforts of civil society to counter the development  
9 of repressive Internet-related laws and regulations,  
10 including countering threats to Internet freedom at  
11 international organizations; to combat violence  
12 against bloggers and other users; and to enhance  
13 digital security training and capacity building for de-  
14 mocracy activists; and

15          (5) made available for research of key threats  
16 to Internet freedom; the continued development of  
17 technologies that provide or enhance access to the  
18 Internet, including circumvention tools that bypass  
19 Internet blocking, filtering, and other censorship  
20 techniques used by authoritarian governments; and  
21 maintenance of the United States Government's  
22 technological advantage over such censorship tech-  
23 niques: *Provided*, That the Secretary of State, in  
24 consultation with the BBG, shall coordinate any  
25 such research and development programs with other

1 relevant United States Government departments and  
2 agencies in order to share information, technologies,  
3 and best practices, and to assess the effectiveness of  
4 such technologies.

5 (c) After consultation among the relevant agency  
6 heads to coordinate and de-conflict planned activities, but  
7 not later than 90 days after enactment of this Act, the  
8 Secretary of State and the BBG Chairman shall submit  
9 to the Committees on Appropriations spend plans for  
10 funds made available by this Act for programs to promote  
11 Internet freedom globally, which shall include a descrip-  
12 tion of safeguards established by relevant agencies to en-  
13 sure that such programs are not used for illicit purposes.

14 PROHIBITION ON PROMOTION OF TOBACCO

15 SEC. 7079. None of the funds provided by this Act  
16 shall be available to promote the sale or export of tobacco  
17 or tobacco products, or to seek the reduction or removal  
18 by any foreign country of restrictions on the marketing  
19 of tobacco or tobacco products, except for restrictions  
20 which are not applied equally to all tobacco or tobacco  
21 products of the same type.

22 IMPACT ON JOBS IN THE UNITED STATES

23 SEC. 7080. None of the funds appropriated or other-  
24 wise made available under titles III through VI of this  
25 Act or any other Act making appropriations for the De-

1 partment of State, foreign operations, and related pro-  
2 grams, may be obligated or expended to provide—

3           (1) for fiscal year 2016, any financial incentive  
4       to a business enterprise currently located in the  
5       United States for the purpose of inducing such an  
6       enterprise to relocate outside the United States if  
7       such incentive or inducement is likely to reduce the  
8       number of employees of such business enterprise in  
9       the United States because United States production  
10      is being replaced by such enterprise outside the  
11      United States;

12           (2) for fiscal year 2016, assistance for any pro-  
13      gram, project, or activity that contributes to the vio-  
14      lation of internationally recognized workers rights,  
15      as defined in section 507(4) of the Trade Act of  
16      1974, of workers in the recipient country, including  
17      any designated zone or area in that country: *Pro-*  
18      *vided*, That the application of section 507(4)(D) and  
19      (E) of such Act should be commensurate with the  
20      level of development of the recipient country and  
21      sector, and shall not preclude assistance for the in-  
22      formal sector in such country, micro and small-scale  
23      enterprise, and smallholder agriculture;

24           (3) for fiscal year 2016, any assistance to an  
25      entity outside the United States if such assistance is

1 for the purpose of directly relocating or transferring  
2 jobs from the United States to other countries and  
3 adversely impacts the labor force in the United  
4 States; or

5 (4) for fiscal year 2016, or any fiscal year  
6 thereafter, for the enforcement of any rule, regula-  
7 tion, or policy, or guidelines implemented pursuant  
8 to—

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

11 (B) the modification proposed by the Over-  
12 seas Private Investment Corporation in Novem-  
13 ber 2013 to the Corporation's Environmental  
14 and Social Policy Statement relating to coal;

15 (C) the Supplemental Guidelines for High  
16 Carbon Intensity Projects approved by the Ex-  
17 port-Import Bank of the United States on De-  
18 cember 12, 2013; or

19 (D) the World Bank Group's Directions  
20 for the World Bank Group's Energy Sector re-  
21 leased on July 16, 2013,

22 when enforcement of such rule, regulation, policy, or  
23 guidelines would prohibit, or have the effect of pro-  
24 hibiting, any coal-fired or other power-generation  
25 project the purpose of which is to increase exports

1 of goods and services from the United States or pre-  
2 vent the loss of jobs in the United States.

3 TITLE VIII

4 GLOBAL WAR ON TERRORISM

5 DEPARTMENT OF STATE

6 ADMINISTRATION OF FOREIGN AFFAIRS

7 DIPLOMATIC AND CONSULAR PROGRAMS

8 (INCLUDING TRANSFER OF FUNDS)

9 For an additional amount for “Diplomatic and Con-  
10 sular Programs”, \$1,507,422,000, to remain available  
11 until September 30, 2017, of which \$1,067,963,000 is for  
12 Worldwide Security Protection and shall remain available  
13 until expended: *Provided*, That the Secretary of State may  
14 transfer up to \$10,000,000 of the total funds made avail-  
15 able under this heading to any other appropriation of any  
16 department or agency of the United States, upon the con-  
17 currence of the head of such department or agency, to sup-  
18 port operations in and assistance for Afghanistan and to  
19 carry out the provisions of the Foreign Assistance Act of  
20 1961: *Provided further*, That any such transfer shall be  
21 treated as a reprogramming of funds under subsections  
22 (a) and (b) of section 7015 of this Act and shall not be  
23 available for obligation or expenditure except in compli-  
24 ance with the procedures set forth in that section: *Pro-*  
25 *vided further*, That such amount is designated by the Con-

gress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General”, \$56,900,000, to remain available until September 30, 2017, which shall be for the Special Inspector General for Afghanistan Reconstruction (SIGAR) for reconstruction oversight: *Provided*, That printing and reproduction costs shall not exceed amounts for such costs during fiscal year 2015: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for “Embassy Security, Construction, and Maintenance”, \$134,800,000, to remain available until expended, of which \$124,000,000 shall be for Worldwide Security Upgrades, acquisition, and construction as authorized: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.



## 1 INTERNATIONAL ORGANIZATIONS

## 2 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

3 For an additional amount for “Contributions to  
4 International Organizations”, \$74,400,000: *Provided*,  
5 That such amount is designated by the Congress for Over-  
6 seas Contingency Operations/Global War on Terrorism  
7 pursuant to section 251(b)(2)(A) of the Balanced Budget  
8 and Emergency Deficit Control Act of 1985.

## 9 RELATED AGENCY

## 10 BROADCASTING BOARD OF GOVERNORS

## 11 INTERNATIONAL BROADCASTING OPERATIONS

12 For an additional amount for “International Broad-  
13 casting Operations”, \$8,796,000, to remain available until  
14 September 30, 2017: *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) of the Balanced Budget and Emergency  
18 Deficit Control Act of 1985.

19 UNITED STATES AGENCY FOR INTERNATIONAL  
20 DEVELOPMENT

## 21 FUNDS APPROPRIATED TO THE PRESIDENT

## 22 OPERATING EXPENSES

23 For an additional amount for “Operating Expenses”,  
24 \$65,000,000, to remain available until September 30,  
25 2017: *Provided*, That such amount is designated by the

1 Congress for Overseas Contingency Operations/Global  
2 War on Terrorism pursuant to section 251(b)(2)(A) of the  
3 Balanced Budget and Emergency Deficit Control Act of  
4 1985.

5 BILATERAL ECONOMIC ASSISTANCE

6 FUNDS APPROPRIATED TO THE PRESIDENT

7 INTERNATIONAL DISASTER ASSISTANCE

8 For an additional amount for “International Disaster  
9 Assistance”, \$810,000,000, to remain available until Sep-  
10 tember 30, 2017: *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) of the Balanced Budget and Emergency  
14 Deficit Control Act of 1985.

15 TRANSITION INITIATIVES

16 For an additional amount for “Transition Initia-  
17 tives”, \$20,000,000, to remain available until September  
18 30, 2017: *Provided*, That such amount is designated by  
19 the Congress for Overseas Contingency Operations/Global  
20 War on Terrorism pursuant to section 251(b)(2)(A) of the  
21 Balanced Budget and Emergency Deficit Control Act of  
22 1985.

23 ECONOMIC SUPPORT FUND

24 For an additional amount for “Economic Support  
25 Fund”, \$2,106,775,000, to remain available until Sep-

1   tember 30, 2017: *Provided*, That such amount is des-  
2   ignated by the Congress for Overseas Contingency Oper-  
3   ations/Global War on Terrorism pursuant to section  
4   251(b)(2)(A) of the Balanced Budget and Emergency  
5   Deficit Control Act of 1985.

6                               DEPARTMENT OF STATE

7                               MIGRATION AND REFUGEE ASSISTANCE

8           For an additional amount for “Migration and Ref-  
9   ugee Assistance”, \$966,389,000, to remain available until  
10   September 30, 2017: *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) of the Balanced Budget and Emergency  
14   Deficit Control Act of 1985.

15                           INTERNATIONAL SECURITY ASSISTANCE

16                           DEPARTMENT OF STATE

17                           INTERNATIONAL NARCOTICS CONTROL AND LAW

18                           ENFORCEMENT

19           For an additional amount for “International Nar-  
20   cotics Control and Law Enforcement”, \$366,650,000, to  
21   remain available until September 30, 2017: *Provided*,  
22   That such amount is designated by the Congress for Over-  
23   seas Contingency Operations/Global War on Terrorism  
24   pursuant to section 251(b)(2)(A) of the Balanced Budget  
25   and Emergency Deficit Control Act of 1985.

11 PEACEKEEPING OPERATIONS

•HR 2772 RH

## 1 FUNDS APPROPRIATED TO THE PRESIDENT

## 2 FOREIGN MILITARY FINANCING PROGRAM

3 For an additional amount for “Foreign Military Fi-  
4 nancing Program”, \$740,000,000, to remain available  
5 until September 30, 2017: *Provided*, That such amount  
6 is designated by the Congress for Overseas Contingency  
7 Operations/Global War on Terrorism pursuant to section  
8 251(b)(2)(A) of the Balanced Budget and Emergency  
9 Deficit Control Act of 1985.

## 10 GENERAL PROVISIONS

## 11 ADDITIONAL APPROPRIATIONS

12 SEC. 8001. Notwithstanding any other provision of  
13 law, funds appropriated in this title are in addition to  
14 amounts appropriated or otherwise made available in this  
15 Act for fiscal year 2016.

## 16 EXTENSION OF AUTHORITIES AND CONDITIONS

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

## 22 TRANSFER AUTHORITY

23 SEC. 8003. Of the funds made available by this Act  
24 in this title under the heading “Economic Support Fund”,  
25 not less than \$1,500,000 shall be transferred to, and

1 merged with, funds available under the heading “United  
2 States Agency for International Development, Funds Ap-  
3 propriated to the President, Office of Inspector General”:  
4 *Provided*, That such transfer authority is in addition to  
5 any other transfer authority provided by this or any other  
6 Act, and shall be subject to the regular notification proce-  
7 dures of the Committees on Appropriations.

8 DESIGNATION

9 SEC. 8004. Each amount designated in this Act by  
10 the Congress for Overseas Contingency Operations/Global  
11 War on Terrorism pursuant to section 251(b)(2)(A) of the  
12 Balanced Budget and Emergency Deficit Control Act of  
13 1985 shall be available (or rescinded, if applicable) only  
14 if the President subsequently so designates all such  
15 amounts and transmits such designations to the Congress.

16 TITLE IX—ADDITIONAL GENERAL PROVISION

17 SPENDING REDUCTION ACCOUNT

18 SEC. 9001. The amount by which the applicable allo-  
19 cation of new budget authority made by the Committee  
20 on Appropriations of the House of Representatives under  
21 section 302(b) of the Congressional Budget Act of 1974  
22 exceeds the amount of proposed new budget authority is  
23 \$0.

1       This Act may be cited as the “Department of State,  
2 Foreign Operations, and Related Programs Appropria-  
3 tions Act, 2016”.

Union Calendar No. 112

114TH CONGRESS  
1ST Session

**H. R. 2772**

[Report No. 114-154]

**A BILL**

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2016, and for other purposes.

JUNE 15, 2015

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