



S.3108 - Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019

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Sponsor: [Sen. Graham, Lindsey \[R-SC\]](#) (Introduced 06/21/2018)

Committees: Senate - Appropriations

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Tracker: **Introduced** Passed Senate Passed House To President Became Law

Summary(2) **Text(1)** Actions(2) Titles(3) Amendments(0) Cosponsors(0) Committees(1) Related Bills(1)

There is one version of the bill.

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Calendar No. 480

115th CONGRESS
2d Session

S. 3108

[Report No. 115-282]

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2019, and for other purposes.

IN THE SENATE OF THE UNITED STATES

June 21, 2018

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

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2019, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2019, and for other purposes, namely:

TITLE I

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

Administration of Foreign Affairs

diplomatic programs

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, \$5,944,440,000, to remain available until September 30, 2020, of which up to \$1,441,777,000 may remain available until expended for Worldwide Security Protection: Provided, That funds made available under this heading shall be allocated in accordance with paragraphs (1) through (4) as follows:

(1) Human resources.--For necessary expenses for training, human resources management, and salaries, including employment without regard to civil service and classification laws of persons on a temporary basis (not to exceed \$700,000), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948, \$2,916,794,000, of which up to \$513,000,000 is for Worldwide Security Protection.

(2) Overseas programs.--For necessary expenses for the regional bureaus of the Department of State and overseas activities as authorized by law, \$1,302,715,000.

(3) Diplomatic policy and support.--For necessary expenses for the functional bureaus of the Department of State, including representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress, general administration, and arms control, nonproliferation and disarmament activities as authorized, \$773,847,000.

(4) Security programs.--For necessary expenses for security activities, \$951,084,000, of which up to \$928,777,000 is for Worldwide Security Protection.

(5) Fees and payments collected.--In addition to amounts otherwise made available under this heading--

(A) as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed \$5,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and

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

(6) Transfer of funds, reprogramming, and other matters

(6) transfer of funds, reprogramming, and other matters.--

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

(B) Of the amount made available under this heading, not to exceed \$10,000,000 may be transferred to, and merged with, funds made available by this Act under the heading ``Emergencies in the Diplomatic and Consular Service'', to be available only for emergency evacuations and rewards, as authorized.

(C) Funds appropriated under this heading are available for acquisition by exchange or purchase of passenger motor vehicles as authorized by law and, pursuant to section 1108(g) of title 31, United States Code, for the field examination of programs and activities in the United States funded from any account contained in this title.

(D) Funds appropriated under this heading that are designated for Worldwide Security Protection shall continue to be made available for support of security-related training at sites in existence prior to the enactment of this Act.

(E) Of the funds made available under this heading, \$1,100,000 shall be transferred to, and merged with, funds made available under the heading ``Payment to the American Institute in Taiwan''.

(7) Clarification.--For purposes of this Act and other Acts making appropriations for the Department of State, foreign operations, and related programs, the ``Diplomatic Programs'' account shall have the same meaning as the ``Diplomatic and Consular Programs'' account.

capital investment fund

For necessary expenses of the Capital Investment Fund, as authorized, \$92,770,000, to remain available until expended.

office of inspector general

For necessary expenses of the Office of Inspector General, \$77,629,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3929(a)(1)), as it relates to post inspections: Provided, That of the funds appropriated under this heading, \$11,644,000 may remain available until September 30, 2020.

educational and cultural exchange programs

For expenses of educational and cultural exchange programs, as authorized, \$690,585,000, to remain available until expended, of which not less than \$242,400,000 shall be for the Fulbright Program and not less than \$112,360,000 shall be for Citizen Exchange Program, including \$4,125,000 for the Congress-Bundestag Youth Exchange: Provided, That fees or other payments received from, or in connection with, English teaching, educational advising and counseling programs, and exchange visitor programs as authorized may be credited to this account, to remain available until expended: Provided further, That a portion of the Fulbright awards from the Eurasia and Central Asia regions shall be designated as Edmund S. Muskie Fellowships, following consultation with the Committees on Appropriations: Provided further, That any substantive modifications from the prior fiscal year to programs funded by this Act under this heading shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

representation expenses

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

protection of foreign missions and officials

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, \$30,890,000, to remain available until September 30, 2020.

embassy security, construction, and maintenance

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292 et seq.), preserving, maintaining, repairing, and planning for buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, \$790,100,000, to remain available until expended, of which not to exceed \$25,000 may be used for domestic and overseas representation expenses as authorized: Provided, That none of the funds appropriated by this Act shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies of the United States Government.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, \$1,126,304,000, to remain available until expended: Provided, That of the funds appropriated under this paragraph in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, not less than \$1,025,304,000 shall be made available for a fiscal year 2019 contribution to the Capital Security Cost Sharing and Maintenance Cost Sharing programs: Provided further, That not later than 45 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations the proposed allocation of funds made available under this heading and the actual and anticipated proceeds of sales for all projects in fiscal year 2019.

emergencies in the diplomatic and consular service

For necessary expenses to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, as authorized, \$7,885,000, to remain available until expended, of which not to exceed \$1,000,000 may be transferred to, and merged with, funds appropriated by this Act under the heading ``Repatriation Loans Program Account'', subject to the same terms and conditions.

repatriation loans program account

For the cost of direct loans, \$1,300,000, as authorized: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$5,686,032.

payment to the american institute in taiwan

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96-8), \$31,963,000.

international center, washington, district of columbia

Not to exceed \$1,806,600 shall be derived from fees collected from other executive agencies for lease or use of facilities at the International Center in accordance with section 4 of the International Center Act (Public Law 90-553), and, in addition, as authorized by section 5 of such Act, \$742,000, to be derived from the reserve

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SECTION 3 OF SUCH ACT, \$143,000, TO BE DERIVED FROM THE RESERVE
authorized by such section, to be used for the purposes set out in that
section.

payment to the foreign service retirement and disability fund

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

International Organizations

contributions to international organizations

For necessary expenses, not otherwise provided for, to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions, or specific Acts of Congress, \$1,344,135,000: Provided, That the Secretary of State shall, at the time of the submission of the President's budget to Congress under section 1105(a) of title 31, United States Code, transmit to the Committees on Appropriations the most recent biennial budget prepared by the United Nations for the operations of the United Nations: Provided further, That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget: Provided further, That not later than June 1, 2019, and 30 days after the end of fiscal year 2019, the Secretary of State shall report to the Committees on Appropriations any credits attributable to the United States, including from the United Nations Tax Equalization Fund, and provide updated fiscal year 2019 and fiscal year 2020 assessment costs including offsets from available credits and updated foreign currency exchange rates: Provided further, That any such credits shall only be available for United States assessed contributions to the United Nations regular budget, and the Committees on Appropriations shall be notified when such credits are applied to any assessed contribution, including any payment of arrearages: Provided further, That any notification regarding funds appropriated or otherwise made available under this heading in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs submitted pursuant to section 7015 of this Act, section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706), or any operating plan submitted pursuant to section 7076 of this Act, shall include an estimate of all known credits currently attributable to the United States and provide updated assessment costs including offsets from available credits and updated foreign currency exchange rates: Provided further, That any payment of arrearages under this heading shall be directed to activities that are mutually agreed upon by the United States and the respective international organization and shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That none of the funds appropriated under this heading shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings: Provided further, That funds appropriated under this heading are made available to pay not less than the full fiscal year 2019 United States assessment for each respective international organization.

contributions for international peacekeeping activities

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, \$716,425,000, of which
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restoration of international peace and security, \$10,425,000, of which 15 percent shall remain available until September 30, 2020: Provided, That none of the funds made available by this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for such mission in the United Nations Security Council (or in an emergency as far in advance as is practicable), the Committees on Appropriations are notified of: (1) the estimated cost and duration of the mission, the objectives of the mission, the national interest that will be served, and the exit strategy; and (2) the sources of funds, including any reprogrammings or transfers, that will be used to pay the cost of the new or expanded mission, and the estimated cost in future fiscal years: Provided further, That none of the funds appropriated under this heading may be made available for obligation unless the Secretary of State certifies and reports to the Committees on Appropriations on a peacekeeping mission-by-mission basis that the United Nations is implementing effective policies and procedures to prevent United Nations employees, contractor personnel, and peacekeeping troops serving in such mission from trafficking in persons, exploiting victims of trafficking, or committing acts of sexual exploitation and abuse or other violations of human rights, and to hold accountable individuals who engage in such acts while participating in such mission, including prosecution in their home countries and making information about such prosecutions publicly available on the website of the United Nations: Provided further, That the Secretary of State shall work with the United Nations and foreign governments contributing peacekeeping troops to implement effective vetting procedures to ensure that such troops have not violated human rights: Provided further, That funds shall be available for peacekeeping expenses unless the Secretary of State determines that United States manufacturers and suppliers are not being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: Provided further, That none of the funds appropriated or otherwise made available under this heading may be used for any United Nations peacekeeping mission that will involve United States Armed Forces under the command or operational control of a foreign national, unless the President's military advisors have submitted to the President a recommendation that such involvement is in the national interest of the United States and the President has submitted to Congress such a recommendation: Provided further, That not later than June 1, 2019, and 30 days after the end of fiscal year 2019, the Secretary of State shall report to the Committees on Appropriations any credits attributable to the United States, including those resulting from United Nations peacekeeping missions or the United Nations Tax Equalization Fund, and provide updated fiscal year 2019 and fiscal year 2020 assessment costs including offsets from available credits: Provided further, That any such credits shall only be available for United States assessed contributions to United Nations peacekeeping missions, and the Committees on Appropriations shall be notified when such credits are applied to any assessed contribution, including any payment of arrearages: Provided further, That any notification regarding funds appropriated or otherwise made available under this heading in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs submitted pursuant to section 7015 of this Act, section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706), or any operating plan submitted pursuant to section 7076 of this Act, shall include an estimate of all known credits currently attributable to the United States and provide updated assessment costs, including offsets from available credits: Provided further, That any payment of arrearages with funds appropriated by this Act shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the Secretary of State shall work with the United Nations and members of the United Nations Security Council to evaluate and prioritize peacekeeping missions, and to consider a draw down when mission goals have been substantially achieved

International Commissions

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

international boundary and water commission, united states and mexico

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed \$6,000 for representation expenses; as follows:

salaries and expenses

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

construction

For detailed plan preparation and construction of authorized projects, \$29,400,000, to remain available until expended, as authorized.

american sections, international commissions

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and the Border Environment Cooperation Commission as authorized by the North American Free Trade Agreement Implementation Act (Public Law 103-182), \$13,258,000: Provided, That of the amount provided under this heading for the International Joint Commission, up to \$500,000 may remain available until September 30, 2020, and \$9,000 may be made available for representation expenses: Provided further, That of the amount provided under this heading for the International Boundary Commission, \$1,000 may be made available for representation expenses.

international fisheries commissions

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, \$50,651,000: Provided, That the United States share of such expenses may be advanced to the respective commissions pursuant to section 3324 of title 31, United States Code.

RELATED AGENCY

Broadcasting Board of Governors

international broadcasting operations

For necessary expenses to enable the Broadcasting Board of Governors (BBG), as authorized, to carry out international

communication activities, and to make and supervise grants for radio, Internet, and television broadcasting to the Middle East, \$804,486,000:

Provided, That in addition to amounts otherwise available for such purposes, up to \$34,508,000 of the amount appropriated under this heading may remain available until expended for satellite transmissions and Internet freedom programs, of which not less than \$13,800,000 shall be for Internet freedom programs: Provided further, That of the total amount appropriated under this heading, not to exceed \$35,000 may be used for representation expenses, of which \$10,000 may be used for such expenses within the United States as authorized, and not to exceed

10/18/2018 Text - S.3108 - 115th Congress (2017-2018): Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 | Congress.gov... expenses within the United States as authorized, and not to exceed \$30,000 may be used for representation expenses of Radio Free Europe/ Radio Liberty: Provided further, That the BBG shall notify the Committees on Appropriations within 15 days of any determination by the BBG that any of its broadcast entities, including its grantee organizations, provides an open platform for international terrorists or those who support international terrorism, or is in violation of the principles and standards set forth in subsections (a) and (b) of section 303 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6202) or the entity's journalistic code of ethics: Provided further, That significant modifications to BBG broadcast hours previously justified to Congress, including changes to transmission platforms (shortwave, medium wave, satellite, Internet, and television), for all BBG language services shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That in addition to funds made available under this heading, and notwithstanding any other provision of law, up to \$5,000,000 in receipts from advertising and revenue from business ventures, up to \$500,000 in receipts from cooperating international organizations, and up to \$1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, shall remain available until expended for carrying out authorized purposes.

broadcasting capital improvements

For the purchase, rent, construction, repair, preservation, and improvement of facilities for radio, television, and digital transmission and reception; the purchase, rent, and installation of necessary equipment for radio, television, and digital transmission and reception, including to Cuba, as authorized; and physical security worldwide, in addition to amounts otherwise available for such purposes, \$9,700,000, to remain available until expended, as authorized.

RELATED PROGRAMS

The Asia Foundation

For a grant to The Asia Foundation, as authorized by The Asia Foundation Act (22 U.S.C. 4402), \$17,000,000, to remain available until expended: Provided, That funds appropriated under this heading shall be apportioned and obligated to the Foundation not later than 45 days after enactment of this Act.

United States Institute of Peace

For necessary expenses of the United States Institute of Peace, as authorized by the United States Institute of Peace Act (22 U.S.C. 4601 et seq.), \$37,884,000, to remain available until September 30, 2020, which shall not be used for construction activities.

Center for Middle Eastern-Western Dialogue Trust Fund

For necessary expenses of the Center for Middle Eastern-Western Dialogue Trust Fund, as authorized by section 633 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004 (22 U.S.C. 2078), the total amount of the interest and earnings accruing to such Fund on or before September 30, 2019, to remain available until expended.

Eisenhower Exchange Fellowship Program

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1980 (20 U.S.C. 5204-5205), all interest and

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exchange fellowship act of 1990 (20 U.S.C. 5204-5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2019, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by section 5376 of title 5, United States Code; or for purposes which are not in accordance with section 200 of title 2 of the Code of Federal Regulations, including the restrictions on compensation for personal services.

Israeli Arab Scholarship Program

For necessary expenses of the Israeli Arab Scholarship Program, as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452 note), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2019, to remain available until expended.

East-West Center

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, \$16,700,000: Provided, That funds appropriated under this heading shall be apportioned and obligated to the Center not later than 45 days after enactment of this Act.

National Endowment for Democracy

For grants made by the Department of State to the National Endowment for Democracy, as authorized by the National Endowment for Democracy Act (22 U.S.C. 4412), \$170,000,000, to remain available until expended, of which \$117,500,000 shall be allocated in the traditional and customary manner, including for the core institutes, and \$52,500,000 shall be for democracy programs: Provided, That funds appropriated under this heading shall be apportioned and obligated to the Endowment not later than 45 days after enactment of this Act.

OTHER COMMISSIONS

Commission for the Preservation of America's Heritage Abroad

salaries and expenses

For necessary expenses for the Commission for the Preservation of America's Heritage Abroad, \$675,000, as authorized by chapter 3123 of title 54, United States Code: Provided, That the Commission may procure temporary, intermittent, and other services notwithstanding paragraph (3) of section 312304(b) of such chapter: Provided further, That such authority shall terminate on October 1, 2019: Provided further, That the Commission shall notify the Committees on Appropriations prior to exercising such authority.

United States Commission on International Religious Freedom

salaries and expenses

For necessary expenses for the United States Commission on International Religious Freedom (USCIRF), as authorized by title II of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 et seq.), \$4,500,000, to remain available until September 30, 2020, including not more than \$4,000 for representation expenses: Provided, That prior to the obligation of \$1,000,000 of the funds appropriated under this heading, the Commission shall consult with the appropriate

10/18/2018 Text - S.3108 - 115th Congress (2017-2018): Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 | Congress.gov...
under this heading, the Commission shall consult with the appropriate congressional committees on the steps taken to implement the recommendations of the Independent Review of USCIRF Mission Effectiveness that was conducted pursuant to the United States Commission on International Religious Freedom Reauthorization Act of 2015 (Public Law 114-71), and such funds shall be subject to the regular notification procedures of the Committees on Appropriations.

Commission on Security and Cooperation in Europe

salaries and expenses

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94-304 (22 U.S.C. 3001 et seq.), \$2,579,000, including not more than \$4,000 for representation expenses, to remain available until September 30, 2020.

Congressional-Executive Commission on the People's Republic of China

salaries and expenses

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized by title III of the U.S.-China Relations Act of 2000 (22 U.S.C. 6911 et seq.), \$2,000,000, including not more than \$3,000 for representation expenses, to remain available until September 30, 2020.

United States-China Economic and Security Review Commission

salaries and expenses

For necessary expenses of the United States-China Economic and Security Review Commission, as authorized by section 1238 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), \$3,500,000, including not more than \$4,000 for representation expenses, to remain available until September 30, 2020: Provided, That the authorities, requirements, limitations, and conditions contained in the second through sixth provisos under this heading in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111-117) shall continue in effect during fiscal year 2019 and shall apply to funds appropriated under this heading as if included in this Act.

TITLE II

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

Funds Appropriated to the President

operating expenses

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, \$1,298,914,000, to remain available until September 30, 2020: Provided, That none of the funds appropriated under this heading and under the heading ``Capital Investment Fund'' in this title may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development, unless the USAID Administrator has identified such proposed use of funds in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of funds for such purposes: Provided further, That contracts or agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through the following fiscal year: Provided further, That the authority of sections 610 and 108 of the Foreign Assistance Act of 1961 may be
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10/18/2018 Text - S.3108 - 115th Congress (2017-2018): Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 | Congress.gov...
SECTIONS 610 AND 109 OF THE FOREIGN ASSISTANCE ACT OF 1961 MAY BE exercised by the Secretary of State to transfer funds appropriated to carry out chapter 1 of part I of such Act to ``Operating Expenses'' in accordance with the provisions of those sections: Provided further, That of the funds appropriated or made available under this heading, not to exceed \$250,000 may be available for representation and entertainment expenses, of which not to exceed \$5,000 may be available for entertainment expenses, and not to exceed \$100,500 shall be for official residence expenses, for USAID during the current fiscal year.

capital investment fund

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments, pursuant to section 667 of the Foreign Assistance Act of 1961, \$225,000,000, to remain available until expended: Provided, That this amount is in addition to funds otherwise available for such purposes: Provided further, That of the funds appropriated under this heading in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, not less than \$220,400,000 shall be made available for a fiscal year 2019 contribution to the Capital Security Cost Sharing and Maintenance Cost Sharing programs: Provided further, That funds appropriated under this heading shall be available subject to the regular notification procedures of the Committees on Appropriations.

office of inspector general

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, \$73,000,000, of which up to \$10,950,000 may remain available until September 30, 2020, for the Office of Inspector General of the United States Agency for International Development.

TITLE III

BILATERAL ECONOMIC ASSISTANCE

Funds Appropriated to the President

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

global health programs

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for global health activities, in addition to funds otherwise available for such purposes, \$3,072,000,000, to remain available until September 30, 2020, and which shall be apportioned directly to the United States Agency for International Development: Provided, That this amount shall be made available for training, equipment, and technical assistance to build the capacity of public health institutions and organizations in developing countries, and for such activities as: (1) child survival and maternal health programs; (2) immunization and oral rehydration programs; (3) other health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assistance for children displaced or orphaned by causes other than AIDS; (5) programs for the prevention, treatment, control of, and research on HIV/AIDS, tuberculosis, polio, malaria, and other infectious diseases including neglected tropical diseases, and for assistance to communities severely affected by HIV/AIDS, including children infected or affected by AIDS; (6) disaster preparedness training for health crises; (7) programs to prevent, prepare for, and respond to unanticipated and emerging global health threats; and (8)

respond to, unanticipated and emerging global health threats; and (8) family planning/reproductive health: Provided further, That funds appropriated under this paragraph may be made available for a United States contribution to the GAVI Alliance: Provided further, That none of the funds made available in this Act nor any unobligated balances from prior appropriations Acts may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: Provided further, That any determination made under the previous proviso must be made not later than 6 months after the date of enactment of this Act, and must be accompanied by the evidence and criteria utilized to make the determination: Provided further, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions: Provided further, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: Provided further, That none of the funds made available under this Act may be used to lobby for or against abortion: Provided further, That in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the USAID Administrator determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: Provided further, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: Provided further, That for purposes of this or any other Act authorizing or appropriating funds for the Department of State, foreign operations, and related programs, the term ``motivate'', as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: Provided further, That information

about all pregnancy options: Provided further, That information provided about the use of condoms as part of projects or activities that are funded from amounts appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use.

In addition, for necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, \$5,720,000,000, to remain available until September 30, 2023, which shall be apportioned directly to the Department of State: Provided, That funds appropriated under this paragraph may be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108-25), for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), and shall be expended at the minimum rate necessary to make timely payment for projects and activities: Provided further, That the amount of such contribution should be \$1,350,000,000: Provided further, That clauses (i) and (vi) of section 202(d)(4)(A) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7622) shall be applied with respect to such funds made available for fiscal years 2015 through 2019 by substituting ``2004'' for ``2009'': Provided further, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2019 may be made available to USAID for technical assistance related to the activities of the Global Fund, subject to the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds appropriated under this paragraph, up to \$17,000,000 may be made available, in addition to amounts otherwise available for such purposes, for administrative expenses of the Office of the United States Global AIDS Coordinator.

development assistance

For necessary expenses to carry out the provisions of sections 103, 105, 106, 214, and sections 251 through 255, and chapter 10 of part I of the Foreign Assistance Act of 1961, \$3,000,000,000, to remain available until September 30, 2020.

international disaster assistance

For necessary expenses to carry out the provisions of section 491 of the Foreign Assistance Act of 1961 for international disaster relief, rehabilitation, and reconstruction assistance, \$3,801,034,000, to remain available until expended: Provided, That such funds shall be apportioned to the United States Agency for International Development not later than 45 days after enactment of this Act.

transition initiatives

For necessary expenses for international disaster rehabilitation and reconstruction assistance administered by the Office of Transition Initiatives, United States Agency for International Development, pursuant to section 491 of the Foreign Assistance Act of 1961, \$30,000,000, to remain available until expended, to support transition to democracy and long-term development of countries in crisis: Provided, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: Provided further, That the USAID Administrator shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance: Provided further, That if the Secretary of State determines that it is important to the national interest of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to \$15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes

10/18/2018 Text - S.3108 - 115th Congress (2017-2018): Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 | Congress.gov...
part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: Provided further, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

complex crises fund

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 to support programs and activities administered by the United States Agency for International Development to prevent or respond to emerging or unforeseen foreign challenges and complex crises overseas, \$30,000,000, to remain available until expended: Provided, That funds appropriated under this heading may be made available on such terms and conditions as are appropriate and necessary for the purposes of preventing or responding to such challenges and crises, except that no funds shall be made available for lethal assistance or to respond to natural disasters: Provided further, That funds appropriated under this heading may be made available notwithstanding any other provision of law, except sections 7007, 7008, and 7018 of this Act and section 620M of the Foreign Assistance Act of 1961: Provided further, That funds appropriated under this heading may be used for administrative expenses, in addition to funds otherwise available for such purposes, except that such expenses may not exceed 5 percent of the funds appropriated under this heading: Provided further, That funds appropriated under this heading shall be apportioned to USAID not later than 45 days after enactment of this Act: Provided further, That funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriations, except that such notifications shall be transmitted at least 5 days prior to the obligation of funds.

development credit authority

For the cost of direct loans and loan guarantees provided by the United States Agency for International Development, as authorized by sections 256 and 635 of the Foreign Assistance Act of 1961, up to \$55,000,000 may be derived by transfer from funds appropriated by this Act to carry out part I of such Act and under the heading ``Assistance for Europe, Eurasia and Central Asia'': Provided, That funds provided under this paragraph and funds provided as a gift that are used for purposes of this paragraph pursuant to section 635(d) of the Foreign Assistance Act of 1961 shall be made available only for micro- and small enterprise programs, urban programs, and other programs which further the purposes of part I of such Act: Provided further, That funds provided as a gift that are used for purposes of this paragraph shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided further, That such costs, including the cost of modifying such direct and guaranteed loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That funds made available by this paragraph may be used for the cost of modifying any such guaranteed loans under this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, and funds used for such cost, including if the cost results in a negative subsidy, shall be subject to the regular

notification procedures of the Committees on Appropriations: Provided further, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this heading, except that the principal amount of loans made or guaranteed under this heading with respect to any single country shall not exceed \$300,000,000: Provided further, That these funds are available to subsidize total loan principal, any portion of

10/18/2018 Text - S.3108 - 115th Congress (2017-2018): Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 | Congress.gov... funds are available to subsidize total loan principal, any portion of which is to be guaranteed, of up to \$1,750,000,000.

In addition, for administrative expenses to carry out credit programs administered by USAID, \$10,000,000, which may be transferred to, and merged with, funds made available under the heading ``Operating Expenses'' in title II of this Act: Provided, That funds made available under this heading shall remain available until September 30, 2021.

economic support fund

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, \$2,853,925,000, to remain available until September 30, 2020.

democracy fund

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the promotion of democracy globally, including to carry out the purposes of section 502(b)(3) and (5) of Public Law 98-164 (22 U.S.C. 4411), \$165,000,000, to remain available until September 30, 2020, which shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor, Department of State: Provided, That funds appropriated under this heading that are made available to the National Endowment for Democracy and its core institutes are in addition to amounts otherwise available by this Act for such purposes: Provided further, That funds appropriated under this paragraph may be used for administrative expenses of the Bureau of Democracy, Human Rights, and Labor, Department of State: Provided further, That the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, shall consult with the Committees on Appropriations prior to the obligation of funds appropriated under this paragraph.

For an additional amount for such purposes, \$67,795,000, to remain available until September 30, 2020, which shall be made available for the Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development.

assistance for europe, eurasia and central asia

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961, the FREEDOM Support Act (Public Law 102-511), and the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101-179), \$770,334,000, to remain available until September 30, 2020, which shall be available, notwithstanding any other provision of law, except section 7067 of this Act, for assistance and related programs for countries identified in section 3 of Public Law 102-511 (22 U.S.C. 5801) and section 3(c) of Public Law 101-179 (22 U.S.C. 5402), in addition to funds otherwise available for such purposes: Provided, That funds appropriated by this Act under the headings ``Global Health Programs'', ``Economic Support Fund'', and ``International Narcotics Control and Law Enforcement'' that are made available for assistance for such countries shall be administered in accordance with the responsibilities of the coordinator designated pursuant to section 102 of Public Law 102-511 and section 601 of Public Law 101-179: Provided further, That funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance.

Department of State

migration and refugee assistance

For necessary expenses not otherwise provided for to enable the

for necessary expenses not otherwise provided for, to enable the Secretary of State to carry out the provisions of section 2(a) and (b) of the Migration and Refugee Assistance Act of 1962, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, \$2,938,024,000, to remain available until expended, of which not less than \$35,000,000 shall be made available to respond to small-scale emergency humanitarian requirements, and \$5,000,000 shall be made available for refugees resettling in Israel.

united states emergency refugee and migration assistance fund

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), \$1,000,000, to remain available until expended: Provided, That amounts in excess of the limitation contained in paragraph (2) of such section shall be transferred to, and merged with, funds made available by this Act under the heading ``Migration and Refugee Assistance''.

Independent Agencies

peace corps

(including transfer of funds)

For necessary expenses to carry out the provisions of the Peace Corps Act (22 U.S.C. 2501 et seq.), including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States, \$410,000,000, of which \$6,000,000 is for the Office of Inspector General, to remain available until September 30, 2020: Provided, That the Director of the Peace Corps may transfer to the Foreign Currency Fluctuations Account, as authorized by section 16 of the Peace Corps Act (22 U.S.C. 2515), an amount not to exceed \$5,000,000: Provided further, That funds transferred pursuant to the previous proviso may not be derived from amounts made available for Peace Corps overseas operations: Provided further, That of the funds appropriated under this heading, not to exceed \$104,000 may be available for representation expenses, of which not to exceed \$4,000 may be made available for entertainment expenses: Provided further, That any decision to open, close, significantly reduce, or suspend a domestic or overseas office or country program shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, except that prior consultation and regular notification procedures may be waived when there is a substantial security risk to volunteers or other Peace Corps personnel, pursuant to section 7015(e) of this Act: Provided further, That none of the funds appropriated under this heading shall be used to pay for abortions: Provided further, That notwithstanding the previous proviso, section 614 of division E of Public Law 113-76 shall apply to funds appropriated under this heading.

millennium challenge corporation

For necessary expenses to carry out the provisions of the Millennium Challenge Act of 2003 (22 U.S.C. 7701 et seq.) (MCA), \$905,000,000, to remain available until expended: Provided, That of the funds appropriated under this heading, up to \$105,000,000 may be available for administrative expenses of the Millennium Challenge Corporation: Provided further, That section 605(e) of the MCA shall apply to funds appropriated under this heading: Provided further, That funds appropriated under this heading may be made available for a Millennium Challenge Compact entered into pursuant to section 608 of

10/18/2018 Text - S.3108 - 115th Congress (2017-2018): Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 | Congress.gov...
millennium Challenge Compact entered into pursuant to section 609 of the MCA only if such Compact obligates, or contains a commitment to obligate subject to the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding anticipated for the duration of the Compact: Provided further, That no country should be eligible for a threshold program after such country has completed a country compact: Provided further, That of the funds appropriated under this heading, not to exceed \$100,000 may be available for representation and entertainment expenses, of which not to exceed \$5,000 may be available for entertainment expenses.

inter-american foundation

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, \$22,500,000, to remain available until September 30, 2020: Provided, That of the funds appropriated under this heading, not to exceed \$2,000 may be available for representation expenses.

united states african development foundation

For necessary expenses to carry out the African Development Foundation Act (title V of Public Law 96-533; 22 U.S.C. 290h et seq.), \$30,000,000, to remain available until September 30, 2020, of which not to exceed \$2,000 may be available for representation expenses: Provided, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the Board of Directors of the United States African Development Foundation (USADF): Provided further, That interest earned shall be used only for the purposes for which the grant was made: Provided further, That notwithstanding section 505(a)(2) of the African Development Foundation Act (22 U.S.C. 290h-3(a)(2)), in exceptional circumstances the Board of Directors of the USADF may waive the \$250,000 limitation contained in that section with respect to a project and a project may exceed the limitation by up to 10 percent if the increase is due solely to foreign currency fluctuation: Provided further, That the USADF shall submit a report to the appropriate congressional committees after each time such waiver authority is exercised: Provided further, That the USADF may make rent or lease payments in advance from appropriations available for such purpose for offices, buildings, grounds, and quarters in Africa as may be necessary to carry out its functions: Provided further, That the USADF may maintain bank accounts outside the United States Treasury and retain any interest earned on such accounts, in furtherance of the purposes of the African Development Foundation Act: Provided further, That the USADF may not withdraw any appropriation from the Treasury prior to the need of spending such funds for program purposes.

Department of the Treasury

international affairs technical assistance

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961, \$30,000,000, to remain available until expended: Provided, That amounts made available under this heading may be made available to contract for services as described in section 129(d)(3)(A) of the Foreign Assistance Act of 1961, without regard to the location in which such services are performed.

TITLE IV

INTERNATIONAL SECURITY ASSISTANCE

Department of State

international narcotics control and law enforcement

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, \$986,945,000, to remain available until September 30, 2020: Provided, That the Department of State may use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing such property to a foreign country or international organization under chapter 8 of part I of such Act, subject to the regular notification procedures of the Committees on Appropriations: Provided further, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading, except that any funds made available notwithstanding such section shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That funds appropriated under this heading shall be made available to support training and technical assistance for foreign law enforcement, corrections, judges, and other judicial authorities, utilizing regional partners: Provided further, That funds made available under this heading that are transferred to another department, agency, or instrumentality of the United States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of \$5,000,000, and any agreement made pursuant to section 632(a) of such Act, shall be subject to the regular notification procedures of the Committees on Appropriations.

nonproliferation, anti-terrorism, demining and related programs

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, \$640,080,000, to remain available until September 30, 2020, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act, or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission, and for a voluntary contribution to the International Atomic Energy Agency (IAEA): Provided, That funds made available under this heading for the Nonproliferation and Disarmament Fund shall be made available, notwithstanding any other provision of law and subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, to promote bilateral and multilateral activities relating to nonproliferation, disarmament, and weapons destruction, and shall remain available until expended: Provided further, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: Provided further, That funds appropriated under this heading may be made available for the IAEA unless the

Secretary of State determines that Israel is being denied its right to participate in the activities of that Agency: Provided further, That funds made available for conventional weapons destruction programs, including demining and related activities, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of such programs and activities, subject to the regular notification procedures of the Committees on Appropriations: Provided further, That funds appropriated under this heading shall be made available for the

Counterterrorism Partnership Fund, as described in section 8002 of the

peacekeeping operations

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, \$152,212,000, to remain available until September 30, 2020: Provided, That funds appropriated under this heading may be used, notwithstanding section 660 of such Act, to provide assistance to enhance the capacity of foreign civilian security forces, including gendarmes, to participate in peacekeeping operations: Provided further, That of the funds appropriated under this heading, not less than \$31,000,000 shall be made available for a United States contribution to the Multinational Force and Observers mission in the Sinai: Provided further, That none of the funds appropriated under this heading shall be obligated except as provided through the regular notification procedures of the Committees on Appropriations.

Funds Appropriated to the President

international military education and training

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, \$110,680,000, of which up to \$11,000,000 may remain available until September 30, 2020: Provided, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: Provided further, That of the funds appropriated under this heading, not to exceed \$55,000 may be available for entertainment expenses.

foreign military financing program

For necessary expenses for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, \$5,475,613,000: Provided, That to expedite the provision of assistance to foreign countries and international organizations, the Secretary of State, following consultation with the Committees on Appropriations and subject to the regular notification procedures of such Committees, may use the funds appropriated under this heading to procure defense articles and services to enhance the capacity of foreign security forces: Provided further, That of the funds appropriated under this heading, not less than \$3,300,000,000 shall be available for grants only for Israel which shall be disbursed within 30 days of enactment of this Act: Provided further, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel under this heading shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which not less than \$815,300,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: Provided further, That funds appropriated or otherwise made available under this heading shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: Provided further, That funds made available under this heading shall be obligated upon apportionment in accordance with paragraph (5)(C) of section 1501(a) of title 31, United States Code.

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurement has first signed an

foreign country proposing to make such procurement has first signed an agreement with the United States Government specifying the conditions under which such procurement may be financed with such funds: Provided, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 7015 of this Act: Provided further, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: Provided further, That only those countries for which assistance was justified for the ``Foreign Military Sales Financing Program'' in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act: Provided further, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: Provided further, That not more than \$75,000,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds made available under this heading for general costs of administering military assistance and sales, not to exceed \$4,000 may be available for entertainment expenses and not to exceed \$130,000 may be available for representation expenses: Provided further, That not more than \$950,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2019 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations.

TITLE V

MULTILATERAL ASSISTANCE

Funds Appropriated to the President

international organizations and programs

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973 (Public Law 93-188; 87 Stat. 713), \$358,750,000: Provided, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to contributions to the United Nations Democracy Fund.

International Financial Institutions

global environment facility

For payment to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility by the Secretary of the Treasury, \$136,563,000, to remain available until expended, which shall be obligated for payment not later than 45 days after enactment of this Act: Provided, That such funds are only available for the first installment of the seventh replenishment of the Global Environment Facility and to support a multi-year pledge to such replenishment of not less than \$546,252,000.

contribution to the international development association

For payment to the International Development Association by the Secretary of the Treasury, \$1,097,010,000, to remain available until expended.

For an additional amount for payment to the International Development Association by the Secretary of the Treasury, \$2,000,000, to remain available until expended, of which not less than \$1,500,000 is to support the World Bank Inspection Panel and not less than \$500,000 is to support the Office of the Compliance Advisor Ombudsman.

contribution to the asian development fund

For payment to the Asian Development Bank's Asian Development Fund by the Secretary of the Treasury, \$47,395,000, to remain available until expended.

contribution to the african development bank

For payment to the African Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, \$32,417,000, to remain available until expended.

limitation on callable capital subscriptions

The United States Governor of the African Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed \$507,860,806.

contribution to the african development fund

For payment to the African Development Fund by the Secretary of the Treasury, \$171,300,000, to remain available until expended.

contribution to the international fund for agricultural development

For payment to the International Fund for Agricultural Development by the Secretary of the Treasury, \$30,000,000, to remain available until expended, which shall be obligated for payment not later than 45 days after enactment of this Act: Provided, That such funds shall only be available for the first installment of the eleventh replenishment of the International Fund for Agricultural Development and to support a multiyear pledge of not less than \$90,000,000.

TITLE VI

EXPORT AND INVESTMENT ASSISTANCE

Export-Import Bank of the United States

inspector general

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$5,700,000, of which up to \$855,000 may remain available until September 30, 2020.

program account

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 8104 of title 31, United States

10/18/2018 Text - S.3108 - 115th Congress (2017-2018): Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 | Congress.gov...
limitations, as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program for the current fiscal year for such corporation: Provided, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has detonated a nuclear explosive after the date of enactment of this Act.

administrative expenses

For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to exceed \$30,000 for official reception and representation expenses for members of the Board of Directors, not to exceed \$110,000,000, of which up to \$16,500,000 may remain available until September 30, 2020: Provided, That the Export-Import Bank (the Bank) may accept, and use, payment or services provided by transaction participants for legal, financial, or technical services in connection with any transaction for which an application for a loan, guarantee or insurance commitment has been made: Provided further, That the Bank shall charge fees for necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Bank, repossession or sale of pledged collateral or other assets acquired by the Bank in satisfaction of moneys owed the Bank, or the investigation or appraisal of any property, or the evaluation of the legal, financial, or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, or systems infrastructure directly supporting transactions: Provided further, That in addition to other funds appropriated for administrative expenses, such fees shall be credited to this account for such purposes, to remain available until expended.

receipts collected

Receipts collected pursuant to the Export-Import Bank Act of 1945 (Public Law 79-173) and the Federal Credit Reform Act of 1990, in an amount not to exceed the amount appropriated herein, shall be credited as offsetting collections to this account: Provided, That the sums herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis by such offsetting collections so as to result in a final fiscal year appropriation from the General Fund estimated at \$0: Provided further, That amounts collected in fiscal year 2019 in excess of obligations, up to \$10,000,000 shall become available on September 1, 2019, and shall remain available until September 30, 2022.

Overseas Private Investment Corporation

noncredit account

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by section 9104 of title 31, United States Code, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: Provided, That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed \$35,000) shall not exceed \$79,200,000: Provided further, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 224 of the Foreign Assistance Act of

10/18/2018 Text - S.3108 - 115th Congress (2017-2018): Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 | Congress.gov...
investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.

program account

For the cost of direct and guaranteed loans as authorized by section 234 of the Foreign Assistance Act of 1961, \$20,000,000, to be derived by transfer from the Overseas Private Investment Corporation Noncredit Account, to remain available until September 30, 2021: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds so obligated in fiscal year 2019 remain available for disbursement through 2027; funds obligated in fiscal year 2020 remain available for disbursement through 2028; and funds obligated in fiscal year 2021 remain available for disbursement through 2029: Provided further, That notwithstanding any other provision of law, the Overseas Private Investment Corporation is authorized to undertake any program authorized by title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 in Iraq: Provided further, That funds made available pursuant to the authority of the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations.

In addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account.

trade and development agency

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, \$79,500,000, to remain available until September 30, 2020: Provided, That of the funds appropriated under this heading, not more than \$5,000 may be available for representation and entertainment expenses.

TITLE VII

GENERAL PROVISIONS

allowances and differentials

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

unobligated balances report

Sec. 7002. Any department or agency of the United States Government to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting of cumulative unobligated balances and obligated, but unexpended, balances by program, project, and activity, and Treasury Account Fund Symbol of all funds received by such department or agency in fiscal year 2019 or any previous fiscal year, disaggregated by fiscal year: Provided, That the report required by this section shall be submitted not later than 30 days after the end of each fiscal quarter and 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 section 3109 of title 5, United States Code, 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

Sec. 7004. (a) Capital Security Cost Sharing Information.--The Secretary of State shall promptly inform the Committees on Appropriations of each instance in which a Federal department or agency is delinquent in providing the full amount of funding required by section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note).

(b) Exception.--Notwithstanding paragraph (2) of section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106-113 and contained in appendix G of that Act), as amended by section 111 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323), a project to construct a facility of the United States may include office space or other accommodations for members of the United States Marine Corps.

(c) New Diplomatic Facilities.--For the purposes of calculating the fiscal year 2019 costs of providing new United States diplomatic facilities in accordance with section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the Secretary of State, in consultation 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 contribution of the Department of State for this purpose.

(d) Consultation and Notification.--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 United States diplomatic facilities during fiscal year 2019, 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 House Report 115-253 and Senate Report 114-290: Provided further, That any such notification for a new diplomatic facility justified to the Committees on Appropriations in the Congressional Budget Justification, Department of State, Foreign Operations, and Related Programs, Fiscal Year 2019, or not previously justified to such Committees, shall also include confirmation that the Department of State has completed the requisite value engineering studies required pursuant to OMB Circular A-131, Value Engineering December 31, 2013 and the Bureau of Overseas Building Operations Policy and Procedure Directive, P&PD, Cost 02: Value Engineering.

(e) Interim and Temporary Facilities Abroad.--

(1) Security vulnerabilities.--Funds appropriated by this Act under the heading ``Embassy Security, Construction, and Maintenance'' may be made available, following consultation with the appropriate congressional committees, to address security vulnerabilities at interim and temporary United States diplomatic facilities abroad, including physical security upgrades and local guard staffing, except that the amount of funds made available for such purposes from this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be a minimum of \$25,000,000.

(2) Consultation. Notwithstanding any other provision of

(2) CONSULTATION.--NOTWITHSTANDING ANY OTHER PROVISION OF law, the opening, closure, or any significant modification to an interim or temporary United States diplomatic facility shall be subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations, except that such consultation and notification may be waived if there is a security risk to personnel.

(f) Transfer of Funds Authority.--Funds appropriated under the heading ``Diplomatic Programs'', including for Worldwide Security Protection, and under the heading ``Embassy Security, Construction, and Maintenance'' in this Act may be transferred to, and merged with, funds appropriated under such headings if the Secretary of State determines and reports to the Committees on Appropriations that to do so is necessary to implement the recommendations of the Benghazi Accountability Review Board, or to prevent or respond to security situations and requirements, following consultation with, and subject to the regular notification procedures of, such Committees: Provided, That such transfer authority is in addition to any transfer authority otherwise available under any other provision of law.

(g) Soft Targets.--Funds appropriated by this Act under the heading ``Embassy Security, Construction, and Maintenance'' may be made available for security upgrades to soft targets, including schools, recreational facilities, and residences used by United States diplomatic personnel and their dependents, except that the amount made available for such purposes shall be a minimum of \$10,000,000.

(h) Secure Resupply and Maintenance.--The Secretary of State may not grant final approval for the construction of a new facility or substantial construction to improve or expand an existing facility in the United States by or for the Government of the People's Republic of China until the Secretary certifies and reports to the appropriate congressional committees that an agreement has been concluded between the Governments of the United States and the People's Republic of China that permits secure resupply, maintenance, and new construction of United States Government facilities in the People's Republic of China.

(i) New Embassy Compound Kinshasa.--Of the funds appropriated by this Act under the heading ``Peacekeeping Operations'' that are made available for the central Government of the Democratic Republic of the Congo, 25 percent shall be withheld from obligation until the Secretary of State certifies and reports to the Committees on Appropriations that such Government has fully vacated the property purchased by the United States in Kinshasa for the construction of a New Embassy Compound.

personnel actions

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

department of state management

Sec. 7006. (a) Financial Systems Improvement.--Funds appropriated by this Act for the operations of the Department of State under the headings ``Diplomatic Programs'' and ``Capital Investment Fund'' shall be made available to implement the recommendations contained in the Foreign Assistance Data Review Findings Report (FADR) and the Office of Inspector General (OIG) report entitled ``Department Financial Systems Are Insufficient to Track and Report on Foreign Assistance Funds':

Provided, That not later than 45 days after enactment of this Act, the

Provided, That not later than 45 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations an update to the plan required under section 7006 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115-31) for implementing the FADR and OIG recommendations: Provided further, That such funds may not be obligated for enhancements to, or expansions of, the Budget System Modernization Financial System, Central Resource Management System, Joint Financial Management System, or Foreign Assistance Coordination and Tracking System until such updating plan is submitted to the Committees on Appropriations: Provided further, That such funds may not be obligated for new, or expansion of existing, ad hoc electronic systems to track commitments, obligations, or expenditures of funds unless the Secretary of State, following consultation with the Chief Information Officer of the Department of State, has reviewed and certified that such new system or expansion is consistent with the FADR and OIG recommendations.

(b) Working Capital Fund.--Funds appropriated by this Act or otherwise made available to the Department of State for payments to the Working Capital Fund may only be used for the service centers included in the Congressional Budget Justification, Department of State, Foreign Operations, and Related Programs, Fiscal Year 2019: Provided, That the amounts for such service centers shall be the amounts included in such budget justification, except as provided in section 7015(b) of this Act: Provided further, That Federal agency components shall be charged only for their direct usage of each Working Capital Fund service: Provided further, That prior to increasing the percentage charged to Department of State bureaus and offices for procurement-related activities, the Secretary of State shall include the proposed increase in the Department of State budget justification or, at least 60 days prior to the increase, provide the Committees on Appropriations a justification for such increase, including a detailed assessment of the cost and benefit of the services provided by the procurement fee: Provided further, That Federal agency components may only pay for Working Capital Fund services that are consistent with the purpose and authorities of such components: Provided further, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service.

(c) Certification.--

(1) Not later than 45 days after the initial obligation of funds appropriated under titles III and IV of this Act that are made available to a Department of State bureau or office with responsibility for the management and oversight of such funds, the Secretary of State shall certify and report to the Committees on Appropriations, on an individual bureau or office basis, that such bureau or office is in compliance with Department and Federal financial and grants management policies, procedures, and regulations, as applicable.

(2) When making a certification required by paragraph (1), the Secretary of State shall consider the capacity of a bureau or office to--

- (A) account for the obligated funds at the country and program level, as appropriate;
- (B) identify risks and develop mitigation and monitoring plans;
- (C) establish performance measures and indicators;
- (D) review activities and performance; and
- (E) assess final results and reconcile finances.

(3) If the Secretary of State is unable to make a certification required by paragraph (1), the Secretary shall submit a plan and timeline detailing the steps to be taken to bring such bureau or office into compliance.

prohibition against direct funding for certain countries

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

coups d'etat

Sec. 7008. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military coup d'etat or decree or, after the date of enactment of this Act, a coup d'etat or decree in which the military plays a decisive role: Provided, That assistance may be resumed to such government if the Secretary of State certifies and reports to the appropriate congressional committees that subsequent to the termination of assistance a democratically elected government has taken office: Provided further, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: Provided further, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

transfer of funds authority

Sec. 7009. (a) Department of State and Broadcasting Board of Governors.--

(1) Department of state.--Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers, and no such transfer may be made to increase the appropriation under the heading ``Representation Expenses''.

(2) Broadcasting board of governors.--Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers.

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

(b) Title VI Agencies.--Not to exceed 5 percent of any appropriation, other than for administrative expenses made available for fiscal year 2019, for programs under title VI of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: Provided, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) Limitation on Transfers of Funds Between Agencies.--

(1) In general.--None of the funds made available under titles II through V of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer

Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

(2) Allocation and transfers.--Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.

(3) Notification.--Any agreement entered into by the United States Agency for International Development or the Department of State with any department, agency, or instrumentality of the United States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of \$1,000,000 and any agreement made pursuant to section 632(a) of such Act, with funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ``Global Health Programs'', ``Development Assistance'', ``Economic Support Fund'', and ``Assistance for Europe, Eurasia and Central Asia'' shall be subject to the regular notification procedures of the Committees on Appropriations: Provided, That the requirement in the previous sentence shall not apply to agreements entered into between USAID and the Department of State.

(d) Transfer of Funds Between Accounts.--None of the funds made available under titles II through V of this Act may be obligated under an appropriations account to which such funds were not appropriated, except for transfers specifically provided for in this Act, unless the President, not less than 5 days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations.

(e) Audit of Inter-agency Transfers of Funds.--Any agreement for the transfer or allocation of funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations and related programs, entered into between the Department of State or USAID and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall expressly provide that the Inspector General (IG) for the agency receiving the transfer or allocation of such funds, or other entity with audit responsibility if the receiving agency does not have an IG, shall perform periodic program and financial audits of the use of such funds and report to the Department of State or USAID, as appropriate, upon completion of such audits: Provided, That such audits shall be transmitted to the Committees on Appropriations by the Department of State or USAID, as appropriate: Provided further, That funds transferred under such authority may be made available for the cost of such audits.

prohibition on certain operational expenses

Sec. 7010. (a) First-Class Travel.--None of the funds made available by this Act may be used for first-class travel by employees of United States Government departments and agencies funded by this Act in contravention of section 301-10.122 through 301-10.124 of title 41, Code of Federal Regulations.

(b) Computer Networks.--None of the funds made available by this Act for the operating expenses of any United States Government department or agency may be used to establish or maintain a computer network for use by such department or agency unless such network has filters designed to block access to sexually explicit websites: Provided, That nothing in this subsection shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency, or any other entity carrying out the following activities: criminal investigations, prosecutions, and adjudications:

availability of funds

Sec. 7011. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided by this Act: Provided, That funds appropriated for the purposes of chapters 1 and 8 of part I, section 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign Assistance Act of 1961, section 23 of the Arms Export Control Act, and funds provided under the headings ``Development Credit Authority'' and ``Assistance for Europe, Eurasia and Central Asia'' shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: Provided further, That the availability of funds pursuant to the previous proviso shall not be applicable to such funds until the Secretary of State submits the report required under section 7011 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115-141): Provided further, That notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially allocated or obligated before the expiration of their respective periods of availability contained in this Act: Provided further, That the Secretary of State shall provide a report to the Committees on Appropriations not later than October 30, 2019, detailing by account and source year, the use of this authority during the previous fiscal year.

limitation on assistance to countries in default

Sec. 7012. No part of any appropriation provided under titles III through VI in this Act shall be used to furnish assistance to the government of any country which is in default during a period in excess of 1 calendar year in payment to the United States of principal or interest on any loan made to the government of such country by the United States pursuant to a program for which funds are appropriated under this Act unless the President determines, following consultation with the Committees on Appropriations, that assistance for such country is in the national interest of the United States.

prohibition on taxation of united states assistance

Sec. 7013. (a) Prohibition on Taxation.--None of the funds appropriated under titles III through VI of this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that assistance provided by the United States shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State and the Administrator of the United States Agency for International Development shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) Notification and Reimbursement of Foreign Taxes.--An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2019 on funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and

appropriations for the department of state, foreign operations, and related programs by a foreign government or entity against United States assistance programs, either directly or through grantees, contractors, and subcontractors, shall be withheld from obligation from funds appropriated for assistance for fiscal year 2020 and for prior fiscal years and allocated for the central government of such country or for the West Bank and Gaza program, as applicable, if, not later than September 30, 2020, such taxes have not been reimbursed: Provided, That the Secretary of State shall report to the Committees on Appropriations by such date on the foreign governments and entities that have not reimbursed such taxes, including any amount of funds withheld pursuant to this subsection.

(c) De Minimis Exception.--Foreign taxes of a de minimis nature shall not be subject to the provisions of subsection (b).

(d) Reprogramming of Funds.--Funds withheld from obligation for each foreign government or entity pursuant to subsection (b) shall be reprogrammed for assistance for countries which do not assess taxes on United States assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes, and that can reasonably accommodate such assistance in a programmatically responsible manner.

(e) Determinations.--

(1) In general.--The provisions of this section shall not apply to any foreign government or entity that assesses such taxes if the Secretary of State reports to the Committees on Appropriations that--

(A) such foreign government or entity has an effective arrangement that is providing substantial reimbursement of such taxes; or

(B) the foreign policy interests of the United States outweigh the purpose of this section to ensure that United States assistance is not subject to taxation.

(2) Consultation.--The Secretary of State shall consult with the Committees on Appropriations at least 15 days prior to exercising the authority of this subsection with regard to any foreign government or entity.

(f) Implementation.--The Secretary of State shall issue and update rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

(g) Definitions.--As used in this section:

(1) Bilateral agreement.--The term ``bilateral agreement'' refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement.

(2) Taxes and taxation.--The term ``taxes and taxation'' shall include value added taxes and customs duties but shall not include individual income taxes assessed to local staff.

reservations of funds

Sec. 7014. (a) Reprogramming.--Funds appropriated under titles III through VI of this Act which are specifically designated may be reprogrammed for other programs within the same account notwithstanding the designation if compliance with the designation is made impossible by operation of any provision of this or any other Act: Provided, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That assistance that is reprogrammed pursuant to this subsection shall be

10/18/2018 Text - S.3108 - 115th Congress (2017-2018): Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 | Congress.gov... assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) Extension of Availability.--In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the Department of State or the United States Agency for International Development that are specifically designated for particular programs or activities by this or any other Act may be extended for an additional fiscal year if the Secretary of State or the USAID Administrator, as appropriate, determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such designated funds can be obligated during the original period of availability: Provided, That such designated funds that continue to be available for an additional fiscal year shall be obligated only for the purpose of such designation.

(c) Other Acts.--Ceilings and specifically designated funding levels contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs: Provided, That specifically designated funding levels or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

notification requirements

Sec. 7015. (a) Notification of Changes in Programs, Projects, and Activities.--None of the funds made available in titles I and II of this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs to the departments and agencies funded by this Act that remain available for obligation in fiscal year 2019, or provided from any accounts in the Treasury of the United States derived by the collection of fees or of currency reflows or other offsetting collections, or made available by transfer, to the departments and agencies funded by this Act, shall be available for obligation to--

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

unless previously justified to the Committees on Appropriations or such Committees are notified 15 days in advance of such obligation.

(b) Notification of Reprogramming of Funds.--None of the funds provided under titles I and II of this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, to the departments and agencies funded under titles I and II of this Act that remain available for obligation in fiscal year 2019, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the department and agency funded under title I of this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$1,000,000 or 10 percent,

whichever is less, that--

- (1) augments or changes existing programs, projects, or activities;
- (2) relocates an existing office or employees;
- (3) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or
- (4) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by

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

(c) Notification Requirement.--None of the funds made available by this Act under the headings ``Global Health Programs'', ``Development Assistance'', ``International Organizations and Programs'', ``Trade and Development Agency'', ``International Narcotics Control and Law Enforcement'', ``Economic Support Fund'', ``Democracy Fund'', ``Assistance for Europe, Eurasia and Central Asia'', ``Peacekeeping Operations'', ``Nonproliferation, Anti-terrorism, Demining and Related Programs'', ``Millennium Challenge Corporation'', ``Foreign Military Financing Program'', ``International Military Education and Training'', and ``Peace Corps'', shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations are notified 15 days in advance of such obligation: Provided, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: Provided further, That requirements of this subsection or any similar provision of this or any other Act shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under titles III through VI of this Act of less than 10 percent of the amount previously justified to Congress for obligation for such activity, program, or project for the current fiscal year: Provided further, That any notification submitted pursuant to subsection (f) of this section shall include information (if known on the date of transmittal of such notification) on the use of notwithstanding authority: Provided further, That if subsequent to the notification of assistance it becomes necessary to rely on notwithstanding authority, the Committees on Appropriations should be informed at the earliest opportunity and to the extent practicable.

(d) Department of Defense Programs and Funding Notifications.--

(1) Programs.--None of the funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available to support or continue any program initially funded under any authority of title 10, United States Code, or any Act making or authorizing appropriations for the Department of Defense, unless the Secretary of State, in consultation with the Secretary of Defense and in accordance with the regular notification procedures of the Committees on Appropriations, submits a justification to such Committees that includes a description of, and the estimated costs associated with, the support or continuation of such program.

(2) Funding.--Notwithstanding any other provision of law, funds transferred by the Department of Defense to the Department of State and the United States Agency for International Development for assistance for foreign countries and international organizations shall be subject to the regular notification procedures of the Committees on Appropriations.

(3) Notification on excess defense equipment.--Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as other committees pursuant to subsection (f) of that section:

Provided, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the

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

(e) Waiver.--The requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: Provided, That in case of any such waiver, notification to the Committees on Appropriations shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: Provided further, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

(f) Country Notification Requirements.--None of the funds appropriated under titles III through VI of this Act may be obligated or expended for assistance for Afghanistan, Bahrain, Burma, Cambodia, Colombia, Cuba, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mexico, Pakistan, Philippines, the Russian Federation, Somalia, South Sudan, Sri Lanka, Sudan, Syria, Uzbekistan, Venezuela, Yemen, and Zimbabwe except as provided through the regular notification procedures of the Committees on Appropriations.

(g) Trust Funds.--Funds appropriated or otherwise made available in title III of this Act and prior Acts making funds available for the Department of State, foreign operations, and related programs that are made available for a trust fund held by an international financial institution shall be subject to the regular notification procedures of the Committees on Appropriations.

(h) Other Program Notification Requirement.--

(1) Diplomatic programs.--Funds appropriated under title I of this Act under the heading ``Diplomatic Programs'' that are made available for a pilot program for lateral entry into the Foreign Service shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(2) Other programs.--Funds appropriated by this Act that are made available for the following programs and activities shall be subject to the regular notification procedures of the Committees on Appropriations--

(A) The Global Engagement Center, except that the Secretary of State shall consult with the appropriate congressional committees prior to submitting such notification;

(B) The Power Africa initiative, or any successor program;

(C) Community-based police assistance conducted pursuant to the authority of section 7049(a)(1) of this Act;

(D) Programs to counter foreign fighters and extremist organizations, pursuant to section 7069(a) of this Act;

(E) The Relief and Recovery Fund;

(F) The Counterterrorism Partnerships Fund;

(G) The Indo-Pacific Strategy;

(H) The Global Security Contingency Fund; and

(H) The Global Security Contingency Fund; and

(I) Programs to end modern slavery.

(i) Withholding of Funds.--Funds appropriated by this Act under titles III and IV that are withheld from obligation or otherwise not programmed as a result of application of a provision of law in this or any other Act shall, if reprogrammed, be subject to the regular notification procedures of the Committees on Appropriations.

(j) Requirement to Inform, Coordinate, and Consult.--

(1) The Secretary of State shall promptly inform the appropriate congressional committees of each instance in which funds appropriated by this Act for assistance for Iraq, Libya, Somalia, Syria, the Counterterrorism Partnership Fund, the Relief and Recovery Fund, or programs to counter extremism and foreign fighters abroad, have been diverted or destroyed, to include the type and amount of assistance, a description of the incident and parties involved, and an explanation of the response of the Department of State or USAID, as appropriate: Provided, That the Secretary shall ensure such funds are coordinated with, and complement, the programs of other United States Government departments and agencies and international partners in such countries and on such activities.

(2) The Secretary of State shall consult with the Committees on Appropriations at least seven days prior to informing a government of, or publically announcing a decision on, the suspension of assistance to a country or a territory, including as a result of an interagency review of such assistance, from funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs.

document requests, records management, and related cybersecurity protections

Sec. 7016. (a) Requests for Documents.--None of the funds appropriated or made available pursuant to titles III through VI of this Act shall be available to a nongovernmental organization, including any contractor, which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the Department of State and the United States Agency for International Development.

(b) Records Management and Related Cybersecurity Protections.--

(1) Limitation.--None of the funds appropriated by this Act under the headings ``Diplomatic Programs'' and ``Capital Investment Fund'' in title I, and ``Operating Expenses'' and ``Capital Investment Fund'' in title II that are made available to the Department of State and USAID may be made available to support the use or establishment of email accounts or email servers created outside the .gov domain or not fitted for automated records management as part of a Federal government records management program in contravention of the Presidential and Federal Records Act Amendments of 2014 (Public Law 113-187).

(2) Directives.--The Secretary of State and USAID Administrator shall--

(A) regularly review and update the policies, directives, and oversight necessary to comply with

Federal statutes, regulations, and presidential executive orders and memoranda concerning the preservation of all records made or received in the conduct of official business, including record emails, instant messaging, and other online tools;

(B) use funds appropriated by this Act under the headings ``Diplomatic Programs'' and ``Capital Investment Fund'' in title I, and ``Operating Expenses'' and ``Capital Investment Fund'' in title II, as appropriate, to improve Federal records management

as appropriate, to improve federal records management pursuant to the Federal Records Act (44 U.S.C. Chapters 21, 29, 31, and 33) and other applicable Federal records management statutes, regulations, or policies for the Department of State and USAID;

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

(D) improve the response time for identifying and retrieving Federal records, including requests made pursuant to section 552 of title 5, United States Code (commonly known as the ``Freedom of Information Act''); and

(E) strengthen cyber security measures to mitigate vulnerabilities, including those resulting from the use of personal email accounts or servers outside the .gov domain, improve the process to identify and remove inactive user accounts, update and enforce guidance related to the control of national security information, and implement the recommendations of the applicable reports of the cognizant Office of Inspector General.

use of funds in contravention of this act

Sec. 7017. If the President makes a determination not to comply with any provision of this Act on constitutional grounds, the head of the relevant Federal agency shall notify the Committees on Appropriations in writing within 5 days of such determination, the basis for such determination and any resulting changes to program and policy.

prohibition on funding for abortions and involuntary sterilization

Sec. 7018. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

allocations and reports

Sec. 7019. (a) Allocation Tables.--Subject to subsection (b), funds appropriated by this Act under titles III through V shall be made available in the amounts specifically designated in the respective tables included in the report accompanying this Act: Provided, That such designated amounts for foreign countries and international organizations shall serve as the amounts for such countries and international organizations transmitted to Congress in the report required by section 653(a) of the Foreign Assistance Act of 1961.

(b) Authorized Deviations.--Unless otherwise provided for by this Act, the Secretary of State and the Administrator of the United States Agency for International Development, as applicable, may only deviate

Agency for International Development, as applicable, may only deviate up to 5 percent from the amounts specifically designated in the respective tables included in the report accompanying this Act: Provided, That such percentage may be exceeded only to respond to significant, exigent, or unforeseen events, or to address other exceptional circumstances directly related to the national interest: Provided further, That deviations pursuant to the previous proviso shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) Limitation.--For specifically designated amounts that are included, pursuant to subsection (a), in the report required by section 653(a) of the Foreign Assistance Act of 1961, no deviations authorized by subsection (b) may take place until submission of such report.

(d) Exceptions.--Subsections (a) and (b) shall not apply to--

- (1) amounts designated for ``International Military Education and Training'' in the respective tables included in the report accompanying this Act;
- (2) funds for which the initial period of availability has expired;
- (3) amounts designated by this Act as minimum or maximum funding requirements;
- (4) funds made available for a country pursuant to section 7043(c) of this Act; and
- (5) funds made available by this Act under the heading ``Foreign Military Financing Program'' that are made available for assistance for Pakistan.

(e) Reports.--The Secretary of State and the USAID Administrator, as appropriate, shall submit the reports required, in the manner described, in the report accompanying this Act.

representation and entertainment expenses

Sec. 7020. (a) Uses of Funds.--Each Federal department, agency, or entity funded in titles I or II of this Act, and the Department of the Treasury and independent agencies funded in titles III or VI of this Act, shall take steps to ensure that domestic and overseas representation and entertainment expenses further official agency business and United States foreign policy interests, and--

- (1) are primarily for fostering relations outside of the Executive Branch;
- (2) are principally for meals and events of a protocol nature;
- (3) are not for employee-only events; and
- (4) do not include activities that are substantially of a recreational character.

(b) Limitations.--None of the funds appropriated or otherwise made available by this Act under the headings ``International Military Education and Training'' or ``Foreign Military Financing Program'' for Informational Program activities or under the headings ``Global Health Programs'', ``Development Assistance'', ``Economic Support Fund'', and ``Assistance for Europe, Eurasia and Central Asia'' may be obligated or expended to pay for--

- (1) alcoholic beverages; or
- (2) entertainment expenses for activities that are substantially of a recreational character, including entrance fees at sporting events, theatrical and musical productions, and amusement parks.

prohibition on assistance to governments supporting international terrorism

Sec. 7021. (a) Lethal Military Equipment Exports.--

- (1) Prohibition.--None of the funds appropriated or otherwise made available under titles III through VI of this Act may be made available to any foreign government which provides lethal military equipment to a country the government

provides lethal military equipment to a country the government of which the Secretary of State has determined supports international terrorism for purposes of section 6(j) of the Export Administration Act of 1979 as continued in effect pursuant to the International Emergency Economic Powers Act: Provided, That the prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment: Provided further, That this section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(2) Determination.--Assistance restricted by paragraph (1) or any other similar provision of law, may be furnished if the President determines that to do so is important to the national interest of the United States.

(3) Report.--Whenever the President makes a determination pursuant to paragraph (2), the President shall submit to the Committees on Appropriations a report with respect to the furnishing of such assistance, including a detailed explanation of the assistance to be provided, the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interest.

(b) Bilateral Assistance.--

(1) Limitations.--Funds appropriated for bilateral assistance in titles III through VI of this Act and funds appropriated under any such title in prior Acts making appropriations for the Department of State, foreign operations, and related programs, shall not be made available to any foreign government which the President determines--

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

(B) otherwise supports international terrorism; or

(C) is controlled by an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(2) Waiver.--The President may waive the application of paragraph (1) to a government if the President determines that national security or humanitarian reasons justify such waiver: Provided, That the President shall publish each such waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

authorization requirements

Sec. 7022. Funds appropriated by this Act, except funds appropriated under the heading ``Trade and Development Agency'', may be obligated and expended notwithstanding section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

definition of program, project, and activity

Sec. 7023. For the purpose of titles II through VI of this Act ``program, project, and activity'' shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts funding directives, ceilings, and limitations with the exception that for the following accounts: ``Economic Support Fund'', ``Assistance for Europe, Eurasia and Central Asia'', and ``Foreign Military Financing Program'' ``program, project, and

foreign military financing program , program, project, and activity'' shall also be considered to include country, regional, and central program level funding within each such account; and for the development assistance accounts of the United States Agency for International Development, ``program, project, and activity'' shall also be considered to include central, country, regional, and program level funding, either as--

- (1) justified to Congress; or
- (2) allocated by the Executive Branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days after enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961 or as modified pursuant to section 7019 of this Act.

authorities for the peace corps, inter-american foundation and united states african development foundation

Sec. 7024. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for the Department of State, foreign operations, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act: Provided, That prior to conducting activities in a country for which assistance is prohibited, the agency shall consult with the Committees on Appropriations and report to such Committees within 15 days of taking such action.

commerce, trade and surplus commodities

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

- (1) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or
- (2) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(b) Exports.--None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: Provided, That this subsection shall not prohibit--

(1) activities designed to increase food security in

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States;

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

(3) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(4) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(c) International Financial Institutions.--The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to use the voice and vote of the United States to oppose any assistance by such institutions, using funds appropriated or made available by this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

separate accounts

Sec. 7026. (a) Separate Accounts for Local Currencies.--

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

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

(B) enter into an agreement with that government which sets forth--

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

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

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

(2) Uses of local currencies.--As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only--

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), for such purposes as--

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

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

(3) Programming accountability.--USAID shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) Termination of assistance programs.--Upon termination of assistance to a country under chapter 1 or 10 of part I or

or assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) Report.--The USAID Administrator shall report as part of the congressional budget justification submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used or to be used for such purpose in each applicable country.

(b) Separate Accounts for Cash Transfers.--

(1) In general.--If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle with any other funds.

(2) Applicability of other provisions of law.--Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98-1159).

(3) Notification.--At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by such assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) Exemption.--Nonproject sector assistance funds may be exempt from the requirements of paragraph (1) only through the regular notification procedures of the Committees on Appropriations.

eligibility for assistance

Sec. 7027. (a) Assistance Through Nongovernmental Organizations.--Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 and from funds appropriated under the heading ``Assistance for Europe, Eurasia and Central Asia'': Provided, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations pursuant to the regular notification procedures, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: Provided further, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) Public Law 480.--During fiscal year 2019, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Food

country shall not be construed to restrict assistance under the Food for Peace Act (Public Law 83-480; 7 U.S.C. 1721 et seq.): Provided, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) Exception.--This section shall not apply--

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

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

local competition

Sec. 7028. (a) Requirements for Exceptions to Competition for Local Entities.--Funds appropriated by this Act that are made available to the United States Agency for International Development may only be made available for limited competitions through local entities if--

(1) prior to the determination to limit competition to local entities, USAID has--

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

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

(2) prior to making an award after limiting competition to local entities--

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

(B) effective monitoring and evaluation systems are in place to ensure that award funding is used for its intended purposes; and

(3) no level of acceptable fraud is assumed.

(b) Report.--In addition to the requirements of subsection (a)(1), the USAID Administrator shall report to the appropriate congressional committees not later than 45 days after the end of fiscal year 2019 on all awards subject to limited or no competition for local entities: Provided, That such report shall be posted on the USAID website: Provided further, That the requirements of this subsection shall only apply to awards in excess of \$3,000,000 and sole source awards to local entities in excess of \$2,000,000.

(c) Extension of Procurement Authority.--Section 7077 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112-74) shall continue in effect during fiscal year 2019.

international financial institutions

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

enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations on steps taken in fiscal year 2018 by the United States executive directors and the international financial institutions consistent with this subsection compared to the previous fiscal year.

(b) Safeguards.--

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

(2) The Secretary of the Treasury should instruct the United States executive director of each international financial institution to vote against loans or other financing for projects unless such projects--

(A) provide for accountability and transparency, including the collection, verification and publication of beneficial ownership information related to extractive industries and on-site monitoring during the life of the project;

(B) will be developed and carried out in accordance with best practices regarding environmental conservation; cultural protection; and empowerment of local populations, including free, prior and informed consent of affected indigenous communities;

(C) do not provide incentives for, or facilitate, forced displacement; and

(D) do not partner with or otherwise involve enterprises owned or controlled by the armed forces.

(c) Compensation.--None of the funds appropriated under title V of this Act may be made as payment to any international financial institution while the United States executive director to such institution is compensated by the institution at a rate which, together with whatever compensation such executive director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States executive director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(d) Human Rights.--The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to promote human rights due diligence and risk management, as appropriate, in connection with any loan, grant, policy, or strategy of such institution in accordance with the criteria specified under this subsection in the report accompanying this Act: Provided, That prior to voting on any such loan, grant, policy, or strategy the executive director shall consult with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, if the executive director has reason to believe that such loan, grant, policy, or strategy could result in forced displacement or other violation of human rights.

(e) **Fraud and Corruption.**--The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to promote in loan, grant, and other financing agreements improvements in borrowing countries' financial management and judicial capacity to investigate, prosecute, and punish fraud and corruption.

(f) **Beneficial Ownership Information.**--The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that such

international financial institution to seek to require that such institution collects, verifies, and publishes, to the maximum extent practicable, beneficial ownership information (excluding proprietary information) for any corporation or limited liability company, other than a publicly listed company, that receives funds from any such financial institution: Provided, That not later than 45 days after enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations on steps taken in fiscal year 2018 by the United States executive directors and the international financial institutions consistent with this subsection compared to the previous fiscal year.

(g) Whistleblower Protections.--The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that each such institution is effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for--

- (1) protection against retaliation for internal and lawful public disclosure;
- (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.

debt-for-development

Sec. 7030. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title III of this Act and, subject to the regular notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

financial management and budget transparency

Sec. 7031. (a) Limitation on Direct Government-to-Government Assistance.--

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

- (A)(i) each implementing agency or ministry to receive assistance has been assessed and is considered to have the systems required to manage such assistance and any identified vulnerabilities or weaknesses of such agency or ministry have been addressed;
- (ii) the recipient agency or ministry employs and utilizes staff with the necessary technical, financial, and management capabilities;
- (iii) the recipient agency or ministry has adopted competitive procurement policies and systems;
- (iv) effective monitoring and evaluation systems are in place to ensure that such assistance is used for its intended purposes;
- (v) no level of acceptable fraud is assumed; and
- (vi) the government of the recipient country is taking steps to publicly disclose on an annual basis its national budget, to include income and expenditures, that are in addition to steps taken in the previous calendar year;

(B) the recipient government is in compliance with

(B) the recipient government is in compliance with the principles set forth in section 7013 of this Act;

(C) the recipient agency or ministry is not headed or controlled by an organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);

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

(E) the recipient government is taking steps to protect the rights of civil society, including freedoms of expression, association, and assembly.

(2) Consultation and notification.--In addition to the requirements in paragraph (1), no funds may be made available for direct government-to-government assistance without prior consultation with, and notification of, the Committees on Appropriations: Provided, That such notification shall contain an explanation of how the proposed activity meets the requirements of paragraph (1): Provided further, That the requirements of this paragraph shall only apply to direct government-to-government assistance in excess of \$10,000,000 and all funds available for cash transfer, budget support, and cash payments to individuals.

(3) Suspension of assistance.--The Administrator of the United States Agency for International Development or the Secretary of State, as appropriate, shall suspend any direct government-to-government assistance if the Administrator or the Secretary has credible information of material misuse of such assistance, unless the Administrator or the Secretary reports to the Committees on Appropriations that it is in the national interest of the United States to continue such assistance, including a justification, or that such misuse has been appropriately addressed.

(4) Submission of information.--The Secretary of State shall submit to the Committees on Appropriations, concurrent with the fiscal year 2020 congressional budget justification materials, amounts planned for assistance described in paragraph (1) by country, proposed funding amount, source of funds, and type of assistance.

(5) Report.--Not later than 90 days after enactment of this Act and every 6 months thereafter until September 30, 2020, the USAID Administrator shall submit to the Committees on Appropriations a report that--

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

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

(6) Debt service payment prohibition.--None of the funds made available by this Act may be used by the government of any foreign country for debt service payments owed by any country to any international financial institution.

(b) National Budget and Contract Transparency.--

(1) Minimum requirements of fiscal transparency.--The Secretary of State shall continue to update and strengthen the ``minimum requirements of fiscal transparency'' for each government receiving assistance appropriated by this Act, as identified in the report required by section 7031(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113-76).

(2) Definition.--For purposes of paragraph (1), ``minimum requirements of fiscal transparency'' are requirements

requirements of fiscal transparency are requirements consistent with those in subsection (a)(1), and the public disclosure of national budget documentation (to include receipts and expenditures by ministry) and government contracts and licenses for natural resource extraction (to include bidding and concession allocation practices).

(3) Determination and report.--For each government identified pursuant to paragraph (1), the Secretary of State, not later than 180 days after enactment of this Act, shall make or update any determination of ``significant progress'' or ``no significant progress'' in meeting the minimum requirements of fiscal transparency, and make such determinations publicly available in an annual ``Fiscal Transparency Report'' to be posted on the Department of State website: Provided, That the Secretary shall identify the significant progress made by each such government to publicly disclose national budget documentation, contracts, and licenses which are additional to such information disclosed in previous fiscal years, and include specific recommendations of short- and long-term steps such government should take to improve fiscal transparency: Provided further, That the annual report shall include a detailed description of how funds appropriated by this Act are being used to improve fiscal transparency, and identify benchmarks for measuring progress.

(4) Assistance.--Funds appropriated under title III of this Act shall be made available for programs and activities to assist governments identified pursuant to paragraph (1) to improve budget transparency and to support civil society organizations in such countries that promote budget transparency: Provided, That such sums shall be in addition to funds otherwise available for such purposes: Provided further, That a description of the uses of such funds shall be included in the annual ``Fiscal Transparency Report'' required by paragraph (3).

(c) Anti-Kleptocracy and Human Rights.--

(1) Ineligibility.--

(A) Officials of foreign governments and their immediate family members about whom the Secretary of State has credible information have been involved in significant corruption, including corruption related to the extraction of natural resources, or a gross violation of human rights shall be ineligible for entry into the United States.

(B) The Secretary shall also publicly or privately designate or identify officials of foreign governments and their immediate family members about whom the Secretary has such credible information without regard to whether the individual has applied for a visa.

(2) Exception.--Individuals shall not be ineligible if entry into the United States would further important United States law enforcement objectives or is necessary to permit the United States to fulfill its obligations under the United Nations Headquarters Agreement: Provided, That nothing in paragraph (1) shall be construed to derogate from United States Government obligations under applicable international agreements.

(3) Waiver.--The Secretary may waive the application of paragraph (1) with respect to an individual, and only if the Secretary determines that the waiver would serve a compelling national interest or that the circumstances which caused the individual to be ineligible have changed sufficiently.

(4) Report.--Not later than 6 months after enactment of this Act, the Secretary of State shall submit a report, including a classified annex if necessary, to the Committees on Appropriations and the Committees on the Judiciary describing the information related to corruption or violation of human

the information related to corruption or violation of human rights concerning each of the individuals found ineligible in the previous 12 months pursuant to paragraph (1)(A) as well as the individuals who the Secretary designated or identified pursuant to paragraph (1)(B), or who would be ineligible but for the application of paragraph (2), a list of any waivers provided under paragraph (3), and the justification for each waiver.

(5) Posting of report.--Any unclassified portion of the report required under paragraph (4) shall be posted on the Department of State website.

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

(d) Extraction of Natural Resources.--

(1) Assistance.--Funds appropriated by this Act shall be made available to promote and support transparency and accountability of expenditures and revenues related to the extraction of natural resources, including by strengthening implementation and monitoring of the Extractive Industries Transparency Initiative, implementing and enforcing section 8204 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 2052) and the amendments made by such section, and to prevent the sale of conflict diamonds, and provide technical assistance to promote independent audit mechanisms and support civil society participation in natural resource management.

(2) United states policy.--

(A) The Secretary of the Treasury shall inform the management of the international financial institutions, and post on the Department of the Treasury website, that it is the policy of the United States to vote against any assistance by such institutions (including any loan, credit, grant, or guarantee) to any country for the extraction and export of a natural resource if the government of such country has in place laws, regulations, or procedures to prevent or limit the public disclosure of company payments as required by United States law, and unless such government has adopted laws, regulations, or procedures in the sector in which assistance is being considered for--

(i) accurately accounting for and public disclosure of payments to the host government by companies involved in the extraction and export of natural resources;

(ii) the independent auditing of accounts receiving such payments and public disclosure of the findings of such audits; and

(iii) public disclosure of such documents as Host Government Agreements, Concession Agreements, and bidding documents, allowing in any such dissemination or disclosure for the redaction of, or exceptions for, information that is commercially proprietary or that would create competitive disadvantage.

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

(e) Foreign Assistance Website.--Funds appropriated by this Act under titles I and II, and funds made available for any independent agency in title III, as appropriate, shall be made available to support the provision of additional information on United States Government foreign assistance on the Department of State foreign assistance

10/18/2018 Text - S.3108 - 115th Congress (2017-2018): Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 | Congress.gov...
foreign assistance on the Department of State foreign assistance
website: Provided, That all Federal agencies funded under this Act
shall provide such information on foreign assistance, upon request, to
the Department of State.

democracy programs

Sec. 7032. (a) Funding.--

(1) In general.--Of the funds appropriated by this Act under the headings ``Development Assistance'', ``Economic Support Fund'', ``Democracy Fund'', ``Assistance for Europe, Eurasia and Central Asia'', and ``International Narcotics Control and Law Enforcement'', not less than \$2,400,000,000 shall be made available for democracy programs.

(2) Programs.--Of the funds made available for democracy programs under the headings ``Economic Support Fund'', ``Assistance for Europe, Eurasia and Central Asia'', and ``International Narcotics Control and Law Enforcement'' pursuant to paragraph (1), not less than \$89,540,000 shall be made available to the Bureau of Democracy, Human Rights, and Labor, Department of State, at not less than the amounts specified in the table under this section in the report accompanying this Act.

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

(c) Definition of Democracy Programs.--For purposes of funds appropriated by this Act, the term ``democracy programs'' means programs that support good governance, credible and competitive elections, freedom of expression, association, assembly, and religion, human rights, labor rights, independent media, and the rule of law, and that otherwise strengthen the capacity of democratic political parties, governments, nongovernmental organizations and institutions, and citizens to support the development of democratic states, and institutions that are responsive and accountable to citizens.

(d) Restriction on Prior Approval.--With respect to the provision of assistance for democracy programs in this Act, the organizations implementing such assistance, the specific nature of that assistance, and the participants in such programs shall not be subject to the prior approval by the government of any foreign country: Provided, That the Secretary of State, in coordination with the USAID Administrator, shall report to the Committees on Appropriations, not later than 120 days after enactment of this Act, detailing steps taken by the Department of State and USAID to comply with the requirements of this subsection.

(e) Continuation of Current Practices.--USAID shall continue to implement civil society and political competition and consensus building programs abroad with funds appropriated by this Act in a manner that recognizes the unique benefits of grants and cooperative agreements in implementing such programs: Provided, That nothing in this paragraph shall be construed to affect the ability of any entity, including United States small businesses, from competing for proposals for USAID-funded civil society and political competition and consensus building programs.

(f) Informing the National Endowment for Democracy.--The Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, and the Assistant Administrator for Democracy, Conflict, and Humanitarian Assistance, USAID, shall regularly inform the National Endowment for Democracy of democracy programs that are planned and supported by funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

(g) Protection of Civil Society Activists and Journalists.--Of the funds appropriated by this Act under the headings ``Economic Support Fund'' and ``Democracy Fund'', not less than \$15,000,000 shall be made available for the Human Rights Defenders Fund to support and protect

10/18/2018 Text - S.3108 - 115th Congress (2017-2018): Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 | Congress.gov... available for the human rights defenders fund to support and protect civil society activists who have been threatened, harassed, or attacked, consistent with the action plan required by section 7032(i)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115-141): Provided, That such funds may only be made available following consultation with the Committees on Appropriations: Provided further, That such funds shall be allocated to, and administered by, the Bureau of Democracy, Human Rights, and Labor, Department of State, in consultation, as appropriate, with relevant bureaus and offices of the Department of State and USAID, and are in addition to amounts otherwise made available for such purposes.

international religious freedom

Sec. 7033. (a) International Religious Freedom Office and Special Envoy to Promote Religious Freedom.--

(1) Operations.--Funds appropriated by this Act under the heading ``Diplomatic Programs'' shall be made available for the Office of International Religious Freedom, Bureau of Democracy, Human Rights, and Labor, Department of State, and the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia, as authorized in the Near East and South Central Asia Religious Freedom Act of 2014 (Public Law 113-161), including for support staff at not less than the amounts specified for such offices in the table under such heading in the report accompanying this Act.

(2) Curriculum.--Funds appropriated under the heading ``Diplomatic Programs'' and designated for the Office of International Religious Freedom shall be made available for the development and implementation of an international religious freedom curriculum in accordance with section 708(a)(2) of the Foreign Service Act of 1980 (22 U.S.C. 4028(a)(2)).

(b) Assistance.--

(1) International religious freedom programs.--Of the funds appropriated by this Act under the heading ``Democracy Fund'' and available for the Human Rights and Democracy Fund, not less than \$10,000,000 shall be made available for international religious freedom programs: Provided, That the Ambassador-at-Large for International Religious Freedom shall consult with the Committees on Appropriations on the uses of such funds.

(2) Protection and investigation programs.--Of the funds appropriated by this Act under the heading ``Economic Support Fund'', not less than \$10,000,000 shall be made available for programs to protect vulnerable and persecuted religious minorities: Provided, That a portion of such funds shall be made available for programs to investigate the persecution of such minorities by governments and non-state actors and for the public dissemination of information collected on such persecution, including on the Department of State website.

(3) Humanitarian programs.--Funds appropriated by this Act under the headings ``International Disaster Assistance'' and ``Migration and Refugee Assistance'' shall be made available for humanitarian assistance for vulnerable and persecuted religious minorities, including victims of genocide designated by the Secretary of State and other groups that have suffered crimes against humanity and ethnic cleansing, to--

(A) facilitate the implementation of an immediate, coordinated, and sustained response to provide humanitarian assistance;

(B) enhance protection of conflict victims, including those facing a dire humanitarian crisis and severe persecution because of their faith or ethnicity; and

(C) improve access to secure locations for obtaining humanitarian and resettlement services

obtaining humanitarian and resettlement services.

(4) Transitional justice, reconciliation, and reintegration programs.--Of the funds appropriated by this Act that are made available for the Relief and Recovery Fund, not less than \$5,000,000 shall be made available to support transitional justice, reconciliation, and reintegration programs for vulnerable and persecuted religious minorities, including in the Middle East and North Africa regions: Provided, That such funds shall be matched, to the maximum extent practicable, from sources other than the United States Government.

(5) Responsibility for funds.--Funds made available by paragraphs (1) and (2) shall be the responsibility of the Ambassador-at-Large for International Religious Freedom, in consultation with other relevant United States Government officials.

(c) International Broadcasting.--Funds appropriated by this Act under the heading ``Broadcasting Board of Governors, International Broadcasting Operations'' shall be made available for programs related to international religious freedom, including reporting on the condition of vulnerable and persecuted religious groups.

(d) Funding Clarification.--Funds made available pursuant to subsection (b) are in addition to amounts otherwise made available for such purposes.

special provisions

Sec. 7034. (a) Victims of War, Displaced Children, and Displaced Burmese.--Funds appropriated in titles III and VI of this Act that are made available for victims of war, displaced children, displaced Burmese, and to combat trafficking in persons and assist victims of such trafficking, may be made available notwithstanding any other provision of law.

(b) Atrocities Prevention.--Of the funds appropriated by this Act under the headings ``Economic Support Fund'' and ``International Narcotics Control and Law Enforcement'', not less than \$5,000,000 shall be made available for programs to prevent atrocities, including to implement recommendations of the Atrocities Prevention Board: Provided, That the Under Secretary for Civilian Security, Democracy, and Human Rights, Department of State, shall be responsible for providing the strategic policy direction for, and policy oversight of, funds made available pursuant to this subsection to the Bureau of International Narcotics and Law Enforcement Affairs and Democracy, Human Rights, and Labor, Department of State: Provided further, That funds made available pursuant to this subsection are in addition to amounts otherwise made available for such purposes: Provided further, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) World Food Programme.--Funds managed by the Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development, from this or any other Act, may be made available as a general contribution to the World Food Programme, notwithstanding any other provision of law.

(d) Directives and Authorities.--

(1) Research and training.--Funds appropriated by this Act under the heading ``Assistance for Europe, Eurasia and Central Asia'' shall be made available to carry out the Program for Research and Training on Eastern Europe and the Independent States of the Former Soviet Union as authorized by the Soviet-Eastern European Research and Training Act of 1983 (22 U.S.C. 4501 et seq.).

(2) Genocide victims memorial sites.--Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ``Economic Support Fund'' and ``Assistance for Europe, Eurasia and Central Asia'' may be made available as contributions to establish and maintain memorial sites of

CONTRIBUTIONS TO ESTABLISH AND MAINTAIN MEMORIAL SITES OF genocide, subject to the regular notification procedures of the Committees on Appropriations.

(3) Additional authorities.--Of the amounts made available by title I of this Act under the heading ``Diplomatic Programs'', up to \$500,000 may be made available for grants pursuant to section 504 of the Foreign Relations Authorization Act, Fiscal Year 1979 (22 U.S.C. 2656d), including to facilitate collaboration with indigenous communities, and up to \$1,000,000 may be made available for grants to carry out the activities of the Cultural Antiquities Task Force.

(4) Innovation.--The USAID Administrator may use funds appropriated by this Act under title III to make innovation incentive awards: Provided, That each individual award may not exceed \$100,000: Provided further, That no more than 10 such awards may be made during fiscal year 2019: Provided further, That for purposes of this paragraph the term ``innovation incentive award'' means the provision of funding on a competitive basis that--

(A) encourages and rewards the development of solutions for a particular, well-defined problem related to the alleviation of poverty; or

(B) helps identify and promote a broad range of ideas and practices facilitating further development of an idea or practice by third parties.

(5) Exchange visitor program.--None of the funds made available by this Act may be used to modify the Exchange Visitor Program administered by the Department of State to implement the Mutual Educational and Cultural Exchange Act of 1961, as amended, (Public Law 87-256; 22 U.S.C. 2451 et seq.), except through the formal rulemaking process pursuant to the Administrative Procedure Act and notwithstanding the exceptions to such rulemaking process in such Act: Provided, That funds made available for such purpose shall only be made available after consultation with, and subject to the regular notification procedures of, the Committees on Appropriations, regarding how any proposed modification would affect the public diplomacy goals of, and the estimated economic impact on, the United States.

(6) Report.--The report required by section 502(d) of the Intelligence Authorization Act for Fiscal Year 2017 (division N of Public Law 115-31; 22 U.S.C. 254a note) shall be provided to the Committees on Appropriations.

(7) Private sector partnerships.--Of the funds appropriated by this Act under the headings ``Global Health Programs'', ``Development Assistance'', and ``Economic Support Fund'' that are made available for private sector partnerships, up to \$100,000,000 may remain available until September 30, 2022: Provided, That funds made available pursuant to this paragraph may be reprogrammed after September 30, 2021 for other purposes following prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(e) Partner Vetting.--Prior to initiating a partner vetting program, or making significant changes to the scope of an existing partner vetting program, the Secretary of State and USAID Administrator, as appropriate, shall consult with the Committees on Appropriations: Provided, That USAID partner vetting shall be considered to meet any other requirement to establish, maintain, or implement a partner vetting or similar program.

(f) Contingencies and Evacuations.--

(1) During fiscal year 2019, the President may use up to \$125,000,000 under the authority of section 451 of the Foreign Assistance Act of 1961, notwithstanding any other provision of law.

(2) Of the unobligated balances from amounts available for Worldwide Security Protection under the ``Diplomatic and

worldwide security protection under the Diplomatic and Consular Programs'' heading in the Security Assistance Appropriations Act, 2017 (division B of Public Law 114-254), up to \$301,200,000 may be used to develop and implement emergency evacuation contingency plans: Provided, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That funds made available by this paragraph shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(g) International Child Abductions.--The Secretary of State should withhold funds appropriated under title III of this Act for assistance for the central government of any country that is not taking appropriate steps to comply with the Convention on the Civil Aspects of International Child Abductions, done at the Hague on October 25, 1980: Provided, That the Secretary shall report to the Committees on Appropriations within 15 days of withholding funds under this subsection.

(h) Cultural Preservation Project Determination.--None of the funds appropriated in titles I and III of this Act may be used for the preservation of religious sites unless the Secretary of State or the USAID Administrator, as appropriate, determines and reports to the Committees on Appropriations that such sites are historically, artistically, or culturally significant, that the purpose of the project is neither to advance nor to inhibit the free exercise of religion, and that the project is in the national interest of the United States.

(i) Transfer of Funds for Extraordinary Protection.--The Secretary of State may transfer to, and merge with, funds under the heading ``Protection of Foreign Missions and Officials'' unobligated balances of expired funds appropriated under the heading ``Diplomatic Programs'' for fiscal year 2019, except for funds designated for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, at no later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which appropriated: Provided, That not more than \$50,000,000 may be transferred.

(j) Authority to Counter Extremism.--Funds made available by this Act under the heading ``Economic Support Fund'' to counter extremism may be made available notwithstanding any other provision of law restricting assistance to foreign countries, except sections 502B and 620A of the Foreign Assistance Act of 1961: Provided, That the use of the authority of this subsection shall be subject to prior consultation with the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations.

(k) Protections and Remedies for Employees of Diplomatic Missions and International Organizations.--Section 7034(k) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235) shall continue in effect during fiscal year 2019.

(l) Extension of Authorities.--

(1) Passport fees.--Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by substituting ``September 30, 2019'' for ``September 30, 2010''.

(2) Incentives for critical posts.--The authority contained in section 1115(d) of the Supplemental Appropriations Act, 2009 (Public Law 111-32) shall remain in effect through September 30, 2019.

(3) USAID civil service annuitant waiver.--Section 625(j)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by substituting ``September 30, 2019'' for ``October 1, 2010'' in subparagraph (B).

(4) Overseas pay comparability and limitation.--

(A) Subject to the limitation described in

(A) Subject to the limitation described in subparagraph (B), the authority provided by section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111-32) shall remain in effect through September 30, 2019.

(B) The authority described in subparagraph (A) may not be used to pay an eligible member of the Foreign Service (as defined in section 1113(b) of the Supplemental Appropriations Act, 2009 (Public Law 111-32)) a locality-based comparability payment (stated as a percentage) that exceeds two-thirds of the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such member under section 5304 of title 5, United States Code, if such member's official duty station were in the District of Columbia.

(5) Categorical eligibility.--The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-167) is amended--

(A) in section 599D (8 U.S.C. 1157 note)--

(i) in subsection (b)(3), by striking ``and 2018'' and inserting ``2018, and 2019''; and

(ii) in subsection (e), by striking ``2018'' each place it appears and inserting ``2019''; and

(B) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking ``2018'' and inserting ``2019''.

(6) Inspector general annuitant waiver.--The authorities provided in section 1015(b) of the Supplemental Appropriations Act, 2010 (Public Law 111-212) shall remain in effect through September 30, 2019.

(7) Accountability review boards.--The authority provided by section 301(a)(3) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect for facilities in Afghanistan through September 30, 2019, except that the notification and reporting requirements contained in such section shall include the Committees on Appropriations.

(8) Special inspector general for afghanistan reconstruction competitive status.--Notwithstanding any other provision of law, any employee of the Special Inspector General for Afghanistan Reconstruction (SIGAR) who completes at least 12 months of continuous service after the date of enactment of this Act or who is employed on the date on which SIGAR terminates, whichever occurs first, shall acquire competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications.

(9) Transfer of balances.--Section 7081(h) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115-31) shall continue in effect during fiscal year 2019.

(m) Monitoring and Evaluation.--Funds appropriated by this Act that are available for monitoring and evaluation of assistance under the headings ``Development Assistance'', ``International Disaster

Assistance'' and ``Migration and Refugee Assistance'' shall, as appropriate, be made available for the regular collection of feedback obtained directly from beneficiaries on the quality and relevance of such assistance: Provided, That the Department of State and USAID shall establish procedures for implementing partners that receive funds under such headings for regularly collecting and responding to such feedback, informing the Department of State and USAID of such procedures, and reporting to the Department of State and USAID on actions taken in response to the feedback received: Provided further, That the Department of State and USAID shall regularly conduct

that the Department of State and USAID shall regularly conduct oversight to ensure that such feedback is regularly collected and used by implementing partners to maximize the cost-effectiveness and utility of such assistance.

(n) HIV/AIDS Working Capital Fund.--Funds available in the HIV/AIDS Working Capital Fund established pursuant to section 525(b)(1) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (Public Law 108-447) may be made available for pharmaceuticals and other products for other global health and child survival activities to the same extent as HIV/AIDS pharmaceuticals and other products, subject to the terms and conditions in such section: Provided, That the authority in section 525(b)(5) of the Foreign Operations, Export Financing, and Related Programs Appropriation Act, 2005 (Public Law 108-447) shall be exercised by the Assistant Administrator for Global Health, USAID, with respect to funds deposited for such non-HIV/AIDS pharmaceuticals and other products, and shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the Secretary of State shall include in the congressional budget justification an accounting of budgetary resources, disbursements, balances, and reimbursements related to such fund.

(o) Loans, Consultation, and Notification.--

(1) Loan guarantees.--Funds appropriated under the headings ``Economic Support Fund'' and ``Assistance for Europe, Eurasia and Central Asia'' by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of loan guarantees for Jordan, Tunisia, and Ukraine, which are authorized to be provided: Provided, That amounts made available under this paragraph for the costs of such guarantees shall not be considered assistance for the purposes of provisions of law limiting assistance to a country.

(2) Designation requirement.--Funds made available pursuant to paragraph (1) from prior Acts making appropriations for the Department of State, foreign operations, and related programs that were previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of such Act.

(3) Consultation and notification.--Funds made available pursuant to the authorities of this subsection shall be subject to prior consultation with the appropriate congressional committees, and subject to the regular notification procedures of the Committees on Appropriations.

(p) Local Works.--

(1) Of the funds appropriated by this Act under the headings ``Development Assistance'', ``Economic Support Fund'', and ``Assistance for Europe, Eurasia and Central Asia'', not less than \$50,000,000 shall be made available for Local Works pursuant to section 7080 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235), which may remain available until September 30, 2023.

(2) For the purposes of section 7080 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235), ``eligible entities'' shall be defined as small local, international, and United States-based nongovernmental organizations, educational institutions, and other small entities that have received less than a total of \$5,000,000 from USAID over the previous 5 fiscal years: Provided, That departments or centers of such educational institutions may be considered individually in determining such eligibility.

(3) Not later than 45 days after enactment of this Act, the USAID Administrator shall post on the USAID website--

(A) a description, with illustrative examples, of how Local Works is used to promote locally owned and led development efforts that have as their primary goal the sustainability of results;

(B) the criteria for qualifying for Local Works funding;

(C) simple guidance for submitting proposals for Local Works funding, including unsolicited proposals; and

(D) a copy of the report and strategy required under the heading ``Local Sustainability Awards Program'' in Senate Report 115-152, which shall be retitled ``Local Works''.

(q) Department of State Inspector General Waiver Authority.--The Inspector General of the Department of State may waive the provisions of subsections (a) through (d) of section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064) on a case-by-case basis for an annuitant reemployed by the Inspector General on a temporary basis, subject to the same constraints and in the same manner by which the Secretary of State may exercise such waiver authority pursuant to subsection (g) of such section.

(r) Definitions.--

(1) Appropriate congressional committees.--Unless otherwise defined in this Act, for purposes of this Act the term ``appropriate congressional committees'' means the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives.

(2) Funds appropriated by this act and prior acts.--Unless otherwise defined in this Act, for purposes of this Act the term ``funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs'' means funds that remain available for obligation, and have not expired.

(3) International financial institutions.--In this Act ``international financial institutions'' means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Asian Development Fund, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, the African Development Fund, and the Multilateral Investment Guarantee Agency.

(4) Humanitarian assistance.--For purposes of funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for assistance for Afghanistan, Iraq, Libya, Syria, and Yemen, the term ``humanitarian assistance'' includes creating conditions where locally legitimate authorities and systems can peaceably manage conflict and prevent violence.

(5) Southern kordofan reference.--Any reference to Southern Kordofan in this or any other Act making appropriations for the Department of State, foreign operations, and related programs shall be deemed to include portions of Western Kordofan that were previously part of Southern Kordofan prior to the 2013 division of Southern Kordofan.

(6) USAID.--In this Act, the term ``USAID'' means the United States Agency for International Development.

(7) Spend plan.--In this Act, the term ``spend plan'' means a plan for the uses of funds appropriated for a particular

a plan for the uses of funds appropriated for a particular entity, country, program, purpose, or account and which shall include, at a minimum, a description of--

- (A) realistic and sustainable goals, criteria for measuring progress, and a timeline for achieving such goals;
- (B) amounts and sources of funds by account;
- (C) how such funds will complement other ongoing or planned programs; and
- (D) implementing partners, to the maximum extent practicable.

(8) Stabilization assistance.--In this Act, the term ``stabilization assistance'' has the same meaning as defined by the Stabilization Assistance Review in ``A Framework for Maximizing the Effectiveness of U.S. Government Efforts to Stabilize Conflict-Affected Areas, 2018''.

arab league boycott of israel

Sec. 7035. It is the sense of the Congress that--

- (1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel, is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;
- (2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;
- (3) all Arab League states should normalize relations with their neighbor Israel;
- (4) the President and the Secretary of State should continue to vigorously oppose the Arab League boycott of Israel and find concrete steps to demonstrate that opposition by, for example, taking into consideration the participation of any recipient country in the boycott when determining to sell weapons to said country; and
- (5) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing 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; and
 - (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

enable israel and an independent palestinian state to exist within the context of full and normal relationships, which should include--

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

(B) respect for and acknowledgment of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) Sense of Congress.--It is the sense of Congress that the governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

(c) Waiver.--The President may waive subsection (a) if the President determines that it is important to the national security interest of the United States to do so.

(d) Exemption.--The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or the governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 7040 of this Act ('`Limitation on Assistance for the Palestinian Authority'').

restrictions concerning the palestinian authority

Sec. 7037. None of the funds appropriated under titles II through VI of this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: Provided, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: Provided further, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem: Provided further, That as has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

prohibition on assistance to the palestinian broadcasting corporation

Sec. 7038. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

assistance for the west bank and gaza

Sec. 7039. (a) Oversight.--For fiscal year 2019, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza

the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the Committees on Appropriations that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading ``Economic Support Fund'' for the West Bank and Gaza.

(b) Vetting.--Prior to the obligation of funds appropriated by this Act under the heading ``Economic Support Fund'' for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity nor, with respect to private entities or educational institutions, those that have as a principal officer of the entity's governing board or governing board of trustees any individual that has been determined to be involved in, or advocating terrorist activity or determined to be a member of a designated foreign terrorist organization: Provided, That the Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual, entity, or educational institution which the Secretary has determined to be involved in or advocating terrorist activity.

(c) Prohibition.--

(1) Recognition of acts of terrorism.--None of the funds appropriated under titles III through VI of this Act for assistance under the West Bank and Gaza Program may be made available for--

(A) the purpose of recognizing or otherwise honoring individuals who commit, or have committed acts of terrorism; and

(B) any educational institution located in the West Bank or Gaza that is named after an individual who the Secretary of State determines has committed an act of terrorism.

(2) Security assistance and reporting requirement.--Notwithstanding any other provision of law, none of the funds made available by this or prior appropriations Acts, including funds made available by transfer, may be made available for obligation for security assistance for the West Bank and Gaza until the Secretary of State reports to the Committees on Appropriations on the benchmarks that have been established for security assistance for the West Bank and Gaza and reports on the extent of Palestinian compliance with such benchmarks.

(d) Oversight by the United States Agency for International Development.--

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

(2) Of the funds appropriated by this Act, up to \$1,000,000 may be used by the Office of Inspector General of the United States Agency for International Development for audits, investigations, and other activities in furtherance of the requirements of this subsection: Provided, That such funds are in addition to funds otherwise available for such purposes.

(e) Comptroller General of the United States Audit.--Subsequent to the certification specified in subsection (a), the Comptroller General of the United States shall conduct an audit and an investigation of the treatment, handling, and uses of all funds for the bilateral West Bank and Gaza Program, including all funds provided as cash transfer assistance, in fiscal year 2019 under the heading ``Economic Support Fund'' and such audit shall address

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

(2) an examination of all programs, projects, and activities carried out under such Program, including both obligations and expenditures.

(f) Notification Procedures.--Funds made available in this Act for West Bank and Gaza shall be subject to the regular notification procedures of the Committees on Appropriations.

limitation on assistance for the palestinian authority

Sec. 7040. (a) Prohibition of Funds.--None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(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.

(c) Period of Application of Waiver.--Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(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 Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure.

(e) Certification.--If the President exercises the waiver authority under subsection (b), the Secretary of State must certify and report to the Committees on Appropriations prior to the obligation of funds that the Palestinian Authority has established a single treasury account for all Palestinian Authority financing and all financing mechanisms flow through this account, no parallel financing mechanisms exist outside of the Palestinian Authority treasury account, and there is a single comprehensive civil service roster and payroll, and the Palestinian Authority is acting to counter incitement of violence against Israelis and is supporting activities aimed at promoting peace, coexistence, and security cooperation with Israel.

(f) Prohibition to Hamas and the Palestine Liberation Organization.--

(1) None of the funds appropriated in titles III through VI of this Act may be obligated for salaries of personnel of the Palestinian Authority located in Gaza or may be obligated or expended for assistance to Hamas or any entity effectively controlled by Hamas, any power-sharing government of which Hamas is a member, or that results from an agreement with Hamas and over which Hamas exercises undue influence.

(2) Notwithstanding the limitation of paragraph (1), assistance may be provided to a power-sharing government only if the President certifies and reports to the Committees on

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

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

(4) Whenever the certification pursuant to paragraph (2) is exercised, the Secretary of State shall submit a report to the

exercised, the Secretary of State shall submit a report to the Committees on Appropriations within 120 days of the certification and every quarter thereafter on whether such government, including all of its ministers or such equivalent are continuing to comply with the principles contained in section 620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961, as amended: Provided, That the report shall also detail the amount, purposes and delivery mechanisms for any assistance provided pursuant to the abovementioned certification and a full accounting of any direct support of such government.

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

middle east and north africa

Sec. 7041. (a) Egypt.--

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

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

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

(2) Economic support fund.--

(A) Funding.--Of the funds appropriated by this Act under the heading ``Economic Support Fund'', up to \$75,000,000 may be made available for assistance for Egypt, of which not less than \$35,000,000 should be made available for higher education programs including not less than \$15,000,000 for scholarships for Egyptian students with high financial need to attend not-for-profit institutions of higher education: Provided, That such funds shall be made available for democracy programs, and for development programs in the Sinai: Provided further, That such funds may not be made available for cash transfer assistance or budget support unless the Secretary of State certifies and reports to the appropriate congressional committees that the Government of Egypt is taking consistent and effective steps to stabilize the economy and implement market-based economic reforms.

(B) Withholding.--The Secretary of State shall withhold from obligation funds appropriated by this Act under the heading ``Economic Support Fund'' for assistance for Egypt, an amount of such funds that the Secretary determines to be equivalent to that expended by the United States Government for bail, and by nongovernmental organizations for legal and court fees, associated with democracy-related trials in Egypt until the Secretary certifies and reports to the Committees on Appropriations that the Government of Egypt has dismissed the convictions issued by the Cairo Criminal Court on June 4, 2013, in ``Public Prosecution Case No. 1110 for the Year 2012'', and has not subjected the defendants to further prosecution or if convicted they have been granted full pardons.

(C) Limitation.--None of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading ``Economic Support Fund''

programs under the heading "Economic Support Fund" may be made available for a contribution, voluntary or otherwise, to the "Civil Associations and Foundations Support Fund", or any similar fund, established pursuant to Law 70 on Associations and Other Foundations Working in the Field of Civil Work published in the Official Gazette of Egypt on May 29, 2017.

(3) Foreign military financing program.--

(A) Certification.--Of the funds appropriated by this Act under the heading "Foreign Military Financing Program", up to \$1,000,000,000, to remain available until September 30, 2020, may be made available for assistance for Egypt: Provided, That such funds may be transferred to an interest bearing account in the Federal Reserve Bank of New York, following consultation with the Committees on Appropriations: Provided further, That \$300,000,000 of such funds shall be withheld from obligation until the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Egypt is taking sustained and effective steps, which are in addition to steps taken during the previous calendar year for such purposes, to--

(i) advance democracy and human rights in Egypt, including to govern democratically and protect religious minorities and the rights of women;

(ii) implement reforms that protect freedoms of expression, association, and peaceful assembly, including the ability of civil society organizations, human rights defenders, and the media to function without interference;

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

(iv) hold Egyptian security forces accountable, including officers credibly alleged to have violated human rights;

(v) investigate and prosecute cases of extrajudicial killings and forced disappearances;

(vi) provide regular access for United States officials to monitor such assistance in all areas where the assistance is used; and

(vii) comply with United Nations Security Council Resolution 2270 and other such resolutions regarding North Korea:

Provided further, That the certification requirement of this paragraph shall not apply to funds appropriated by this Act under such heading for counterterrorism, border security, and nonproliferation programs for Egypt.

(B) Waiver.--The Secretary of State may waive the certification requirement in subparagraph (A) if the Secretary determines and reports to the Committees on Appropriations that to do so is important to the national security interest of the United States, and submits a report to such Committees containing a detailed justification for the use of such waiver and the reasons why any of the requirements of subparagraph (A) cannot be met: Provided, That the report required by this paragraph shall be submitted in unclassified form, but may be accompanied by a classified annex.

(4) Oversight requirement.--The Secretary of State shall

(4) Oversight requirement.--The Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of funds made available by this subsection for assistance for Egypt.

(5) Report.--Not later than 30 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees assessing the efforts by the Government of Egypt to provide fair compensation to American citizen April Corely for injuries and losses sustained during an attack by Egyptian armed forces on her tour group on September 13, 2015.

(b) Iran.--

(1) Funding.--Funds appropriated by this Act under the headings ``Diplomatic Programs'', ``Economic Support Fund'', and ``Nonproliferation, Anti-terrorism, Demining and Related Programs'' shall be used by the Secretary of State--

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

(B) to support an expeditious response to any violation of United Nations Security Council Resolutions or other efforts that advance Iran's nuclear program;

(C) to support the implementation and enforcement of sanctions against Iran for support of nuclear weapons development, terrorism, human rights abuses, and ballistic missile and weapons proliferation; and

(D) for democracy programs for Iran, to be administered by the Assistant Secretary for Near Eastern Affairs, Department of State, in consultation with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State.

(2) Continuation of prohibition.--The terms and conditions of section 7041(c)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112-74) shall continue in effect during fiscal year 2019.

(3) Report.--The Secretary of State shall submit to the Committees on Appropriations the semi-annual report required by section 135 of the Atomic Energy Act of 1954 (42 U.S.C. 2160e(d)(4)), as added by section 2 of the Iran Nuclear Agreement Review Act of 2015 (Public Law 114-17).

(c) Iraq.--Funds appropriated under titles III and IV of this Act shall be made available for assistance for Iraq for--

(1) bilateral economic assistance and international security assistance, including for the Marla Ruzicka Iraqi War Victims Fund;

(2) stabilization assistance at not less than the amounts specified for such purpose in the table under this subsection in the report accompanying this Act;

(3) humanitarian assistance, including in the Kurdistan Region of Iraq; and

(4) programs to protect and assist religious and ethnic minority populations in Iraq.

(d) Jordan.--Of the funds appropriated by this Act under titles III and IV, not less than \$1,525,000,000 shall be made available for

assistance for Jordan, of which: not less than \$1,082,400,000 shall be made available under the heading ``Economic Support Fund'', of which not less than \$745,100,000 shall be made available for budget support for the Government of Jordan; and not less than \$425,000,000 shall be made available under the heading ``Foreign Military Financing Program''.

(e) Lebanon.--

(1) Limitation.--None of the funds appropriated by this Act may be made available for the Lebanese Internal Security Forces (ISEF) or the Lebanese Armed Forces (LAF) if the ISEF or the LAF

(1) OF THE LEBANESE ARMED FORCES (LAF) IS THE ISF OF THE LAF is controlled by a foreign terrorist organization, as designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(2) Consultation.--Funds appropriated by this Act under the headings ``International Narcotics Control and Law Enforcement'' and ``Foreign Military Financing Program'' that are available for assistance for Lebanon may be made available for programs and equipment for the ISF and the LAF to address security and stability requirements in areas affected by the conflict in Syria, following consultation with the appropriate congressional committees.

(3) Economic support fund.--Funds appropriated by this Act under the heading ``Economic Support Fund'' that are available for assistance for Lebanon may be made available notwithstanding section 1224 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228; 22 U.S.C. 2346 note).

(4) Foreign military financing program.--In addition to the activities described in paragraph (2), funds appropriated by this Act under the heading ``Foreign Military Financing Program'' for assistance for Lebanon may be made available only to professionalize the LAF and to strengthen border security and combat terrorism, including training and equipping the LAF to secure Lebanon's borders, interdicting arms shipments, preventing the use of Lebanon as a safe haven for terrorist groups, and to implement United Nations Security Council Resolution 1701: Provided, That funds may not be obligated for assistance for the LAF until the Secretary of State submits to the Committees on Appropriations a spend plan, including actions to be taken to ensure equipment provided to the LAF is only used for the intended purposes, except such plan may not be considered as meeting the notification requirements under section 7015 of this Act or under section 634A of the Foreign Assistance Act of 1961, and shall be submitted not later than September 1, 2019: Provided further, That any notification submitted pursuant to such sections shall include any funds specifically intended for lethal military equipment.

(f) Libya.--

(1) Assistance.--Of the funds appropriated under titles III and IV of this Act, not less than \$30,000,000 shall be made available for stabilization assistance, including border security: Provided, That the limitation on the uses of funds for certain infrastructure projects in section 7041(f)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113-76) shall apply to such funds.

(2) Cooperation on the september 2012 attack on united states personnel and facilities.--None of the funds appropriated by this Act may be made available for assistance for the central Government of Libya unless the Secretary of State certifies and reports to the Committees on Appropriations that such government is cooperating with United States Government efforts to investigate and bring to justice those responsible for the attack on United States personnel and facilities in Benghazi, Libya in September 2012: Provided, That the limitation in this paragraph shall not apply to funds made available for the purpose of protecting United States Government personnel or facilities.

(g) Morocco.--Funds appropriated by this Act under the heading ``Foreign Military Financing Program'' that are available for assistance for Morocco may only be used for the purposes requested in the Congressional Budget Justification, Foreign Operations, Fiscal Year 2017.

(h) Syria.--

(1) Non lethal assistance. Funds appropriated by this Act

(1) Non-lethal assistance.--Funds appropriated by this Act under the headings ``Economic Support Fund'', ``International Narcotics Control and Law Enforcement'', and ``Peacekeeping Operations'' shall be made available, notwithstanding any other provision of law, for non-lethal assistance for Syria, of which not less than \$150,000,000, to remain available until expended, shall be made available for stabilization assistance.

(2) Syrian organizations.--Funds appropriated by this Act that are made available for assistance for Syria shall be made available, on an open and competitive basis, to continue to strengthen the capability of Syrian civil society organizations to address the immediate and long-term needs of the Syrian people in Syria in a manner that supports the sustainability of such organizations in implementing Syrian-led humanitarian and development programs: Provided, That funds made available by this paragraph shall be administered by the Bureau for Democracy, Human Rights, and Labor, Department of State.

(3) Limitation.--None of the funds appropriated by this Act for assistance for Syria may be made available for a project or activity that supports or otherwise legitimizes the Government of Iran, foreign terrorist organizations (as designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189)), or a proxy of Iran in Syria.

(4) Consultation and notification.--Funds made available pursuant to this subsection may only be made available following consultation with the appropriate congressional committees, and shall be subject to the regular notification procedures of the Committees on Appropriations.

(i) Tunisia.--Of the funds appropriated under titles III and IV of this Act, not less than \$165,400,000 shall be made available for assistance for Tunisia.

(j) West Bank and Gaza.--

(1) Report on assistance.--Prior to the initial obligation of funds made available by this Act under the heading ``Economic Support Fund'' for assistance for the West Bank and Gaza, the Secretary of State shall report to the Committees on Appropriations that the purpose of such assistance is to--

- (A) advance Middle East peace;
- (B) improve security in the region;
- (C) continue support for transparent and accountable government institutions;
- (D) promote a private sector economy; or
- (E) address urgent humanitarian needs.

(2) Limitations.--

(A)(i) None of the funds appropriated under the heading ``Economic Support Fund'' in this Act may be made available for assistance for the Palestinian Authority, if after the date of enactment of this Act--

(I) the Palestinians obtain the same standing as member states or full membership as a state in the United Nations or any specialized agency thereof outside an agreement negotiated between Israel and the Palestinians; or

(II) the Palestinians initiate an International Criminal Court (ICC) judicially authorized investigation, or actively support such an investigation, that subjects Israeli nationals to an investigation for alleged crimes against Palestinians.

(ii) The Secretary of State may waive the restriction in clause (i) of this subparagraph resulting from the application of subclause (I) of such clause if the Secretary certifies to the Committees on Appropriations that to do so is in the national security interest of the United States and submits a

security interest of the United States, and submits a report to such Committees detailing how the waiver and the continuation of assistance would assist in furthering Middle East peace.

(B)(i) The President may waive the provisions of section 1003(1) and (2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100-204) if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the appropriate congressional committees that it is important to the national security interest of the United States or the conduct of diplomacy: Provided, That such waiver shall be effective for no more than a period of six months at a time.

(ii) Upon written certification to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the appropriate congressional committees, the President may waive the provisions of section 1003(3) of Public Law 100-204.

(3) Private sector partnership programs.--

(A) Assistance.--Of the funds appropriated by this Act under the heading ``Economic Support Fund'' not less than \$50,000,000 shall be made available, following consultation with the Committees on Appropriations, for assistance for the West Bank and Gaza to--

(i) promote the integration of the Palestinian economy into the international business system through private sector engagement between Palestinian entrepreneurs and businesses and the private sector in the United States, Europe, and the Middle East; and

(ii) support exchanges, cooperation, dialogue, shared community-building, and reconciliation between Palestinians and Israelis.

(B) Administration of funds.--Funds made available pursuant to subparagraph (A) shall be administered by the United States Agency for International Development, and may be made available for a Palestinian Partnership Fund to be established and managed by USAID: Provided, That the USAID Administrator shall seek additional contributions for such Fund from other international donors, including from the Middle East.

(C) Limitations.--None of the funds made available pursuant to subparagraph (A) may be made available for--

(i) assistance for the Palestinian Authority; and

(ii) assistance for any individual or group that the USAID Administrator, in consultation with the heads of relevant Federal agencies, determines to be involved in, or advocating, terrorist activity or a member of a foreign terrorist organization, as designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(4) Security report.--The reporting requirements in section 1404 of the Supplemental Appropriations Act, 2008 (Public Law 110-252) shall apply to funds made available by this Act, including a description of modifications, if any, to the security strategy of the Palestinian Authority.

(5) Obligations and disbursements.--Not later than 45 days after enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report

submit to the appropriate congressional committees a report detailing assistance for the West Bank and Gaza appropriated in prior Acts making appropriations for the Department of State, foreign operations, and related programs by fiscal year, account, and program that are withheld from obligation or disbursement, the specific reason for such withholding, and the impact of such withholding on the welfare of the Palestinian people and the national interests of the United States, Israel, and Jordan: Provided, That such report shall also include a description of any policy review on assistance for the West Bank and Gaza undertaken by the Department of State, USAID, or any other Federal entity, including the date on which the review was initiated, the participants in the review, any consultations by such participants with foreign or nongovernmental entities, and the findings of the review, if concluded.

(k) Western Sahara.--Funds appropriated under title III of this Act shall be made available for assistance for the Western Sahara: Provided, That not later than 90 days after enactment of this Act and prior to the obligation of such funds, the Secretary of State, in consultation with the USAID Administrator, shall consult with the Committees on Appropriations on the planned uses of such funds: Provided further, That nothing in this Act shall be construed to change the policy of the United States to support the United Nations-led process to monitor the ceasefire and bring about a peaceful, sustainable, and mutually agreed upon solution for the Western Sahara.

(l) Yemen.--Of the funds appropriated by this Act under the heading ``Economic Support Fund'', not less than \$15,000,000 shall be made available for stabilization assistance for Yemen.

africa

Sec. 7042. (a) African Great Lakes Region Assistance Restriction.--Funds appropriated by this Act under the heading ``International Military Education and Training'' for the central government of a country in the African Great Lakes region may be made available only for Expanded International Military Education and Training and professional military education until the Secretary of State determines and reports to the Committees on Appropriations that such government is not facilitating or otherwise participating in destabilizing activities in a neighboring country, including aiding and abetting armed groups.

(b) Central African Republic.--Funds made available by this Act for assistance for the Central African Republic shall be made available for reconciliation and peacebuilding programs, including activities to promote inter-faith dialogue at the national and local levels, and for programs to prevent crimes against humanity.

(c) Ethiopia.--

(1) Forced evictions.--Funds appropriated by this Act for assistance for Ethiopia may not be made available for any activity that supports forced evictions.

(2) Consultation.--Programs and activities to improve livelihoods shall include prior consultation with, and the participation of, affected communities, including in the South Omo and Gambella regions.

(d) Lake Chad Basin Countries.--

(1) Assistance.--Funds appropriated under titles III and IV of this Act shall be made available, following consultation with the Committees on Appropriations, for assistance for Cameroon, Chad, Niger, and Nigeria for--

(A) democracy, development, and global health programs;

(B) assistance for individuals who are targeted by foreign terrorist organizations, including Boko Haram, consistent with the provisions of section 7059 of this Act;

(C) assistance for individuals displaced by violent

(C) assistance for individuals displaced by violent conflict; and

(D) counterterrorism programs.

(2) Personnel.--Funds appropriated under the headings ``Operating Expenses'' in title II and ``Development Assistance'' and ``Economic Support Fund'' in title III of this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be made available to increase the number of United States Agency for International Development personnel, including contractors, in Cameroon, Chad, and Niger, including to establish or increase the size of each respective USAID mission, as applicable, to effectively manage democracy and development programs made available pursuant to this Act: Provided, That not later than 180 days after enactment of this Act, the USAID Administrator, in consultation with the Secretary of State, shall submit a report to the appropriate congressional committees detailing steps taken as of such date, and steps planned to be taken, to increase the presence of USAID personnel, including United States Direct Hire personnel, in Cameroon, Chad, and Niger.

(e) Counter Lord's Resistance Army.--Of the funds appropriated by this Act under the heading ``Economic Support Fund'', not less than \$10,000,000 shall be made available for programs and activities in areas affected by the Lord's Resistance Army (LRA) consistent with the goals of the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009 (Public Law 111-172), including to improve physical access, telecommunications infrastructure, and early-warning mechanisms and to support the disarmament, demobilization, and reintegration of former LRA combatants, especially child soldiers.

(f) South Sudan.--Funds appropriated by this Act that are made available for assistance for the central Government of South Sudan may only be made available, following consultation with the Committees on Appropriations, for--

- (1) humanitarian assistance;
- (2) assistance to support South Sudan peace negotiations or to advance or implement a peace agreement; and
- (3) assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement and mutual arrangements related to such agreement:

Provided, That funds appropriated by this Act for assistance for South Sudan that are made available for peacebuilding and conflict mitigation shall be made available at not less than the fiscal year 2017 levels: Provided further, That prior to the initial obligation of funds made available pursuant to paragraphs (2) and (3), the Secretary of State shall consult with the Committees on Appropriations on the intended uses of such funds and steps taken by such government to advance or implement a peace agreement.

(g) Sudan.--

(1) Limitations.--

(A) Assistance.--Notwithstanding any other provision of law, none of the funds appropriated by this Act may be made available for assistance for the Government of Sudan.

(B) Loans.--None of the funds appropriated by this Act may be made available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees held by the Government of Sudan, including the cost of selling, reducing, or canceling amounts owed to the United States, and modifying concessional loans, guarantees, and credit agreements.

(2) Exclusions.--The limitations of paragraph (1) shall not apply to--

- (A) humanitarian assistance;
- (B) assistance for democracy programs;
- (C) assistance for the Darfur region, Southern

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

(D) assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement, mutual arrangements related to post-referendum issues associated with such Agreement, or any other internationally recognized viable peace agreement in Sudan.

(h) Zimbabwe.--Funds appropriated by this Act shall be made available for assistance for Zimbabwe following consultation with the appropriate congressional committees: Provided, That such funds may only be made available for assistance for the central Government of Zimbabwe if the Secretary of State certifies and reports to such committees that such Government has--

(1) restored the rule of law, including respect for ownership and title to property, and freedoms of expression, association, and assembly;

(2) taken steps to publicly disclose revenues from the extraction of natural resources; and

(3) held free and fair presidential and parliamentary elections:

Provided further, That the limitation of the previous proviso shall not apply to funds made available for health and education programs.

east asia and the pacific

Sec. 7043. (a) Burma.--

(1) Bilateral economic assistance.--

(A) Economic support fund.--Funds appropriated by this Act under the heading ``Economic Support Fund'' for assistance for Burma may be made available notwithstanding any other provision of law, except for this subsection, and following consultation with the appropriate congressional committees.

(B) Uses.--Funds appropriated under title III of this Act for assistance for Burma--

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

(ii) shall be made available for community-based organizations operating in Thailand to provide food, medical, and other humanitarian assistance to internally displaced persons in eastern Burma, in addition to assistance for Burmese refugees from funds appropriated by this Act under the heading ``Migration and Refugee Assistance'';

(iii) shall be made available for programs to promote ethnic and religious tolerance and to combat gender-based violence, including in Rakhine, Shan, Kachin, and Karen states;

(iv) shall be made available to promote rural economic development in Burma, including through microfinance programs;

(v) shall be made available to increase opportunities for foreign direct investment by strengthening the rule of law, transparency, and accountability;

(vi) shall be made available for programs to investigate and document allegations of ethnic cleansing and other gross violations of human rights committed against the Rohingya people in Rakhine state: Provided, That such funds shall be made available for civil society organizations in Bangladesh and Burma for such

organizations in Bangladesh and Burma for such purposes: Provided further, That prior to the obligation of such funds, the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, shall ensure the establishment of a standard documentation format and documentation procedures for use by such organizations, and shall identify an appropriate repository for such information: Provided further, That such sums shall be in addition to funds otherwise made available for such purposes;

(vii) shall be made available for programs to investigate and document allegations of gross violations of human rights committed in Burma, particularly in areas of conflict: Provided, That such funds shall be made available for civil society and international organizations, including those in countries bordering Burma;

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

(ix) may not be made available to any organization or entity controlled by the armed forces of Burma;

(x) may be made available for ethnic groups and civil society in Burma to help sustain ceasefire agreements and further prospects for reconciliation and peace, which may include support to representatives of ethnic armed groups for this purpose; and

(xi) may only be made available for programs to support the return of Rohingya, Karen, and other refugees and internally displaced persons to their locations of origin or preference in Burma if such returns are voluntary and consistent with international law.

(2) International security assistance.--None of the funds appropriated by this Act under the headings ``International Military Education and Training'' and ``Foreign Military Financing Program'' may be made available for assistance for Burma: Provided, That the Department of State may continue consultations with the armed forces of Burma only on human rights and disaster response in a manner consistent with the prior fiscal year, and following consultation with the appropriate congressional committees.

(3) Certification and waiver.--

(A) Notwithstanding any provision of this subsection, of the funds appropriated by this Act under the heading ``Economic Support Fund'' that are made available for assistance for Burma, 15 percent may not be obligated until the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Burma--

(i) has terminated military cooperation with North Korea;

(ii) is respecting human rights and the rule of law, including the arrest and prosecution of journalists;

prosecution of journalists;

(iii) is revising, updating, or repealing colonial-era and other oppressive laws that are used in such prosecutions, including the Unlawful Associations Act; and

(iv) is credibly investigating the murder of U Ko Ni, and is taking steps to protect and defend the security and safety of other activists.

(B) The Secretary of State may waive the requirements of this paragraph if the Secretary determines and reports to the Committees on Appropriations that do so is in the national interest.

(4) Programs, position, and responsibilities.--

(A) Any new program or activity in Burma initiated in fiscal year 2019 shall be subject to prior consultation with the appropriate congressional committees.

(B) Section 7043(b)(7) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235) shall continue in effect during fiscal year 2019.

(C) The United States Chief of Mission in Burma, in consultation with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, shall be responsible for democracy and human rights programs in Burma.

(b) Cambodia.--

(1) Assistance.--

(A) None of the funds appropriated by this Act that are made available for assistance for the Government of Cambodia may be obligated or expended unless the Secretary of State certifies and reports to the Committees on Appropriations that such Government is taking effective steps to--

(i) strengthen regional security and stability, particularly regarding territorial disputes in the South China Sea and the enforcement of international sanctions with respect to North Korea; and

(ii) respect the rights and responsibilities enshrined in the Constitution of the Kingdom of Cambodia as enacted in 1993, including through the--

(I) restoration of the civil and political rights of the opposition Cambodia National Rescue Party, media, and civil society organizations;

(II) restoration of all elected officials to their elected offices; and

(III) release of all political prisoners, including journalists, civil society activists, and members of the opposition political party.

(B) Funds appropriated under title III of this Act for assistance for Cambodia shall be made available for--

(i) democracy programs, including research and education programs associated with the Khmer Rouge in Cambodia, except that no funds for such purposes may be made available to the Extraordinary Chambers in the Court of Cambodia; and

(ii) programs in the Khmer language to counter the influence of the People's Republic of China in Cambodia.

OF CHINA IN CAMBODIA.

(C) Section 307(a) of the Foreign Assistance Act of 1961 shall be deemed to apply to funds appropriated by this Act and made available for assistance for Cambodia, except the Secretary of State may waive the requirement of this paragraph if the Secretary certifies and reports to the Committees on Appropriations that the Government of Cambodia has held free and fair elections.

(2) Visa restriction.--Funds appropriated under title I of this Act shall be made available to continue to implement the policy announced by the Department of State on December 6, 2017, to restrict the issuance of visas to enter the United States to individuals involved in undermining democracy in Cambodia, including the family members of such individuals, as appropriate: Provided, That not later than 30 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees describing the implementation of such policy.

(c) Indo-Pacific Strategy.--Of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, not less than \$160,000,000 shall be made available for democracy; economic governance and trade; natural resource security, energy, and governance; and, law enforcement and security programs to support the implementation of the Indo-Pacific Strategy, as follows--

- (1) \$65,000,000 under the heading ``Development Assistance'';
- (2) \$50,000,000 under the heading ``Economic Support Fund'';
- (3) \$30,000,000 under the heading ``International Narcotics Control and Law Enforcement''; and
- (4) \$15,000,000 under the heading ``Foreign Military Financing Program'':

Provided, That such funds are in addition to amounts otherwise made available for such purposes.

(d) Laos.--Of the funds appropriated by this Act under the heading ``Nonproliferation, Anti-terrorism, Demining and Related Programs'', not less than \$40,000,000 shall be made available to continue to clear unexploded ordnance in Laos.

(e) North Korea.--

(1) Cybersecurity.--None of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for assistance for the central government of a country the Secretary of State determines and reports to the appropriate congressional committees engages in significant transactions contributing materially to the malicious cyber-intrusion capabilities of the Government of North Korea: Provided, That the Secretary of State shall submit the report required by section 209 of the North Korea Sanctions and Policy Enhancement Act of 2016 (Public Law 114-122; 22 U.S.C. 9229), as amended, to the Committees on Appropriations in the manner described in subparagraph (2)(A) of such section: Provided further, That the Secretary of State may waive the application of the restriction in this paragraph with respect to assistance for the central government of a country if the Secretary determines and reports to the appropriate congressional committees that to do so is important to the national security interest of the United States, including a description of such interest served.

(2) Broadcasts.--Funds appropriated by this Act under the heading ``International Broadcasting Operations'' shall be made available to maintain broadcasting hours into North Korea at levels not less than the prior fiscal year.

(3) Refugees.--Funds appropriated by this Act under the

(3) Refugees.--Funds appropriated by this Act under the heading ``Migration and Refugee Assistance'' should be made available for assistance for refugees from North Korea, including protection activities in the People's Republic of China and other countries in Asia.

(4) Human rights promotion, database, and limitation on use of funds.--

(A) Human rights promotion.--Of the funds appropriated by this Act under the headings ``Economic Support Fund'' and ``Democracy Fund'', not less than \$8,000,000 shall be made available for the promotion of human rights in North Korea: Provided, That such funds shall be administered by the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State: Provided further, That the authority of section 7032(b) of this Act shall apply to such funds.

(B) Database.--Funds appropriated by this Act under title III shall be made available to maintain a database of prisons and gulags in North Korea, in accordance with section 7032(i) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113-76).

(C) Limitation.--None of the funds appropriated by this Act under the heading ``Economic Support Fund'' may be made available for assistance for the Government of North Korea.

(f) People's Republic of China.--

(1) Limitation on use of funds.--None of the funds appropriated under the heading ``Diplomatic Programs'' in this Act may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China (PRC) unless, at least 15 days in advance, the Committees on Appropriations are notified of such proposed action.

(2) People's liberation army.--The terms and requirements of section 620(h) of the Foreign Assistance Act of 1961 shall apply to foreign assistance projects or activities of the People's Liberation Army (PLA) of the PRC, to include such projects or activities by any entity that is owned or controlled by, or an affiliate of, the PLA: Provided, That none of the funds appropriated or otherwise made available pursuant to this Act may be used to finance any grant, contract, or cooperative agreement with the PLA, or any entity that the Secretary of State has reason to believe is owned or controlled by, or an affiliate of, the PLA.

(3) Counter influence programs.--Funds appropriated by this Act for public diplomacy under title I and for assistance under titles III and IV shall be made available to counter the influence of the PRC, in accordance with the strategy required by section 7043(e)(3) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113-76), following consultation with the Committees on Appropriations.

(4) Authority and notification requirement.--

(A) Authority.--The uses of funds made available by this Act for the promotion of democracy in the PRC, except for funds made available under subsection (f), shall be the responsibility of the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State.

(B) Notification.--Funds appropriated by this Act that are made available for trilateral programs conducted with the PRC shall be subject to the regular notification procedures of the Committees on

notification procedures of the committees on
Appropriations.

(g) Philippines.--None of the funds appropriated by this Act under the heading ``International Narcotics Control and Law Enforcement'' may be made available for counternarcotics assistance for the Philippines, except for drug demand reduction, maritime law enforcement, or transnational interdiction.

(h) Tibet.--

(1) Financing of projects in Tibet.--The Secretary of the Treasury should instruct the United States executive director of each international financial institution to use the voice and vote of the United States to support financing of projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans, are based on a thorough needs-assessment, foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions, and are subject to effective monitoring.

(2) Programs for Tibetan communities.--

(A) Tibet autonomous region.--Notwithstanding any other provision of law, of the funds appropriated by this Act under the heading ``Economic Support Fund'', not less than \$8,000,000 shall be made available to nongovernmental organizations to support activities which preserve cultural traditions and promote sustainable development, education, and environmental conservation in Tibetan communities in the Tibet Autonomous Region and in other Tibetan communities in China.

(B) India and Nepal.--Of the funds appropriated by this Act under the heading ``Economic Support Fund'', not less than \$6,000,000 shall be made available for programs to promote and preserve Tibetan culture, development, and the resilience of Tibetan communities in India and Nepal, and to assist in the education and development of the next generation of Tibetan leaders from such communities: Provided, That such funds are in addition to amounts made available in subparagraph (A) for programs inside Tibet.

(C) Tibetan governance.--Of the funds appropriated by this Act under the heading ``Economic Support Fund'', not less than \$3,000,000 shall be made available for programs to strengthen the capacity of Tibetan institutions and governance.

(i) Vietnam.--

(1) Dioxin remediation.--Notwithstanding any other provision of law, of the funds appropriated by this Act under the heading ``Economic Support Fund'', not less than \$20,000,000 shall be made available for activities related to the remediation of dioxin contaminated sites in Vietnam and may be made available for assistance for the Government of Vietnam, including the military, for such purposes.

(2) Health and disability programs.--Of the funds appropriated by this Act under the heading ``Development Assistance'', not less than \$12,500,000 shall be made available for health and disability programs in areas sprayed with Agent Orange and otherwise contaminated with dioxin, to assist individuals with severe upper or lower body mobility impairment or cognitive or developmental disabilities.

(3) Unexploded ordnance.--Of the funds appropriated by this Act under the heading ``Nonproliferation, Anti-terrorism, Demining and Related Programs'', not less than \$15,000,000 shall be made available to clear unexploded ordnance (UXO) in Vietnam, including to conduct UXO surveys.

(4) Foreign assistance.--Of the funds appropriated by this

(4) forensic assistance.--Of the funds appropriated by this Act under the heading ``Economic Support Fund'' that are made available for assistance for Vietnam, not less than \$2,500,000 shall be made available for forensic assistance related to the identification of remains from conflict, regardless of the affiliation of such remains with North or South Vietnam.

(5) Fulbright university vietnam.--Of the funds appropriated by this Act under the heading ``Educational and Cultural Exchange Programs'' and ``Economic Support Fund'', not less than \$10,000,000 shall be made available for Fulbright University Vietnam, which shall not be used for construction activities.

south and central asia

Sec. 7044. (a) Afghanistan.--

(1) Operations.--

(A) Embassy branch office.--Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading ``Diplomatic Programs'' and ``Embassy Security, Construction, and Maintenance'' may be made available to reestablish and maintain one or more Embassy Branch Offices in Afghanistan, following consultation with the Committees on Appropriations and subject to the regular notification procedures of such Committees.

(B) Embassy air.--The requirements of section 7052(c) of this Act relating to reimbursement for aircraft use by Federal and non-Federal personnel supporting Department of State and United States Agency for International Development programs and activities in Afghanistan may include less than full cost recovery if the Secretary of State determines and reports to the Committees on Appropriations that such action is important to safeguard the welfare and security of United States personnel in Afghanistan.

(2) Assistance and transfer of funds.--Funds appropriated under titles III and IV of this Act shall be made available to implement the South Asia Strategy, the Revised Strategy for United States Engagement in Afghanistan, and the United States Agency for International Development Country Development Cooperation Strategy for Afghanistan: Provided, That funds appropriated by this Act under the heading ``Economic Support Fund'' that are made available for the Fulbright program for Afghanistan shall be transferred to, and merged with, funds appropriated in title I of this Act under the heading ``Educational and Cultural Exchange Programs''.

(3) Oversight and anti-corruption activities.--

(A) Oversight.--Of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading ``Economic Support Fund'' for assistance for Afghanistan, up to \$2,800,000 may be transferred to, and merged with, funds appropriated in title II of this Act under the heading ``Office of Inspector General'' for audits, investigations, and other activities for the purposes of conducting effective oversight of assistance for Afghanistan: Provided, That any such funds transferred are in addition to funds otherwise available for such purposes.

(B) Anti-corruption activities.--

(i) Funds appropriated by this Act that are made available for assistance for Afghanistan may not be made available to any Afghan

may not be made available to any Afghan individual, organization, or government entity if the Secretary of State has credible information that such individual, organization, or entity is knowingly involved in acts of grand corruption, illicit narcotics production or trafficking, or has committed a gross violation of human rights: Provided, That such requirement shall not apply to any United States citizen or lawful permanent resident associated with such organization or entity.

(ii) The Special Inspector General for Afghanistan Reconstruction shall update the assessment of the implementation of the Afghanistan National Strategy for Combatting Corruption by the Government of Afghanistan, including efforts to prosecute individuals alleged to be involved in corrupt or illegal activities.

(4) Taxation.--None of the funds appropriated by this Act for assistance for Afghanistan may be made available for direct government-to-government assistance unless the Secretary of State certifies and reports to the Committees on Appropriations that--

(A) the United States Government and the Government of Afghanistan have in place the agreements necessary to ensure compliance with the principles set forth in section 7013 of this Act; and

(B) United States companies and organizations that are implementing United States assistance programs in Afghanistan in a manner consistent with United States laws and regulations are not subjected by the Government of Afghanistan to taxes or other fees in contravention of the agreements referenced in subparagraph (A), and are not subjected to retaliation by the Government of Afghanistan for the nonpayment of such taxes or fees imposed in the past: Provided, That not later than 90 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations an assessment of the dollar value of improper taxes or fees levied by such government against such companies and organizations in fiscal year 2018.

(5) Authorities.--

(A) Funds appropriated by this Act under title III through VI that are made available for assistance for Afghanistan may be made available--

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

(ii) for reconciliation programs and disarmament, demobilization, and reintegration activities for former combatants who have renounced violence against the Government of Afghanistan, including in accordance with section 7046(a)(2)(B)(ii) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112-74), except that no such funds may be made available for direct monetary payment to demobilized combatants; and

(B) Section 7046(a)(2)(A) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112-74) shall apply to funds appropriated by this Act for assistance for Afghanistan.

(6) Prior acts.--Funds appropriated by prior Acts making appropriations for the Department of State, foreign operations, and related programs and made available for assistance for Afghanistan shall be made available pursuant to this subsection.

(7) Afghan allies.--It is the sense of the Senate that the Afghan Special Immigrant Visa program is important to the national interests of the United States, and that the Department of State should develop a system of prioritization for the processing of Afghan Special Immigrant Visas.

(b) Nepal.--

(1) Assistance.--Of the funds appropriated under titles III and IV of this Act, not less than \$121,730,000 shall be made available for assistance for Nepal, including for earthquake recovery and reconstruction programs.

(2) Foreign military financing program.--Funds appropriated by this Act under the heading ``Foreign Military Financing Program'' shall only be made available for humanitarian and disaster relief and reconstruction activities in Nepal, and in support of international peacekeeping operations: Provided, That such funds may only be made available for any additional uses if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Nepal is investigating and prosecuting violations of human rights and the laws of war, and the Nepal Army is cooperating fully with civilian judicial authorities in such cases.

(c) Pakistan.--

(1) International security assistance.--

(A) Limitation.--Funds appropriated by this Act under the heading ``Foreign Military Financing Program'' for assistance for Pakistan may be made available only to support counterterrorism and counterinsurgency capabilities in Pakistan.

(B) Consultation.--Not later than 30 days after enactment of this Act, and prior to the submission of the report required by section 653(a) of the Foreign Assistance Act of 1961, the Secretary of State shall consult with the Committees on Appropriations on the amount of funds appropriated by this Act under the heading ``Foreign Military Financing Program'' that is anticipated to be subject to the January 2018 policy decision of the United States to suspend security assistance for Pakistan, or any subsequent policy decision affecting such assistance: Provided, That the Secretary shall promptly inform the appropriate congressional committees in writing of any changes to such policy, the justification for such changes, and the progress made by the Government of Pakistan in meeting the counterterrorism objectives described under this section in the report accompanying this Act.

(C) Reprogramming.--Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading ``Foreign Military Financing Program'' for assistance for Pakistan that are withheld from obligation or expenditure by the Department of State may be reprogrammed by the Secretary of State, except that no such funds may be reprogrammed that are required to complete payment on existing and previously approved contracts: Provided, That such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations.

(2) Bilateral economic assistance report.--Prior to the obligation of funds made available by this Act under the heading ``Economic Support Fund'' for assistance for the

heading Economic Support Fund for assistance for the central Government of Pakistan, the Secretary of State shall submit a report to the appropriate congressional committees detailing--

(A) the amount of financing and other support, if any, provided by the Government of Pakistan to schools supported by, affiliated with, or run by the Taliban or any domestic or foreign terrorist organization in Pakistan;

(B) the extent of cooperation by such government in issuing visas in a timely manner for United States visitors, including officials and representatives of nongovernmental organizations, engaged in assistance and security programs in Pakistan;

(C) the extent to which such government is providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by conflict in Pakistan and the region; and

(D) the extent to which such government is strengthening democracy in Pakistan.

(3) Authority and uses of funds.--

(A) Funds appropriated by this Act for assistance for Pakistan may be made available notwithstanding any other provision of law, except for section 620M of the Foreign Assistance Act of 1961.

(B) Funds appropriated by this Act for assistance for Pakistan that are made available for infrastructure projects shall be implemented in a manner consistent with section 507(6) of the Trade Act of 1974 (19 U.S.C. 2467(6)).

(C) The authorities and directives of section 7044(d)(4) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235) regarding scholarships for women shall apply to funds appropriated by this Act for assistance for Pakistan, following consultation with the Committees on Appropriations.

(D) Funds appropriated by this Act under the headings ``Economic Support Fund'' and ``Nonproliferation, Anti-terrorism, Demining and Related Programs'' that are made available for assistance for Pakistan shall be made available to interdict precursor materials from Pakistan to Afghanistan that are used to manufacture improvised explosive devices and for agriculture extension programs that encourage alternative fertilizer use among Pakistani farmers to decrease the dual use of fertilizer in the manufacturing of improvised explosive devices.

(E) Of the funds appropriated by this Act under the heading ``International Narcotics Control and Law Enforcement'' that are made available for assistance for Pakistan, not less than \$15,000,000 shall be made available for border security programs in Pakistan, following consultation with the Committees on Appropriations.

(F) Of the funds appropriated by this Act under the heading ``Economic Support Fund'' that are made available for assistance for Pakistan, not less than \$19,500,000 shall be transferred to, and merged with, funds made available in title I of this Act under the heading ``Educational and Cultural Exchange Programs'' for the Fulbright program for Pakistan: Provided, That such transfer and merge shall take place not later than

such transfer and merge shall take place not later than 45 days after enactment of this Act.

(4) Withholding.--Of the funds appropriated under titles III and IV of this Act that are made available for assistance for Pakistan, \$33,000,000 shall be withheld from obligation until the Secretary of State reports to the Committees on Appropriations that Dr. Shakil Afridi has been released from prison and cleared of all charges relating to the assistance provided to the United States in locating Osama bin Laden.

(5) Prohibition on entry.--Section 7031(c) of this Act shall be applied to officials of the Government of Pakistan about whom the Secretary of State has credible information have been involved in the wrongful imprisonment of Aasiya Noreen, known as Asia Bibi, who was sentenced to death for allegedly violating Pakistani blasphemy laws.

(d) Sri Lanka.--

(1) Bilateral economic assistance.--Of the funds appropriated under title III of this Act, not less than \$35,000,000 shall be made available for assistance for Sri Lanka for economic development and democracy programs, particularly in areas recovering from ethnic and religious conflict: Provided, That such funds shall be made available for programs to assist in the identification and resolution of cases of missing persons.

(2) Certification.--Funds appropriated by this Act for assistance for the central Government of Sri Lanka, except for funds made available for humanitarian assistance and victims of trauma, may be made available only if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Sri Lanka is--

(A) repealing laws that do not comply with international standards for arrest and detention by security forces, and ensuring that any successor legislation meets such standards;

(B) increasing accountability and transparency in governance;

(C) investigating allegations of arbitrary arrest and torture, and supporting a credible justice mechanism in compliance with United Nations Human Rights Council Resolution (A/HCR/RES/30/1) of October 2015;

(D) returning military occupied lands in former conflict zones to their rightful owners or compensating those whose land was confiscated without due process, and which is in addition to steps taken during the previous calendar year;

(E) establishing a functioning office of missing persons and assisting its investigations of cases of missing persons from Sri Lanka's internal armed conflicts with the cooperation of the armed forces of Sri Lanka; and

(F) substantially reducing the presence of the armed forces in former conflict zones and implementing a plan for restructuring the armed forces to adopt a peacetime role that contributes to post-conflict reconciliation and regional security.

(3) International security assistance.--Funds appropriated under title IV of this Act that are available for assistance for Sri Lanka shall be subject to the following conditions--

(A) funds under the heading ``Foreign Military Financing Program'' may only be made available for programs to support humanitarian and disaster response preparedness and maritime security, including professionalization and training for the navy and coast guard; and

(B) funds under the heading ``Peacekeeping

(B) funds under the heading "Peacekeeping

Operations" may only be made available for training and equipment related to international peacekeeping operations and improvements to peacekeeping-related facilities, and only if the Government of Sri Lanka is taking effective steps to bring to justice Sri Lankan peacekeeping troops who have engaged in sexual exploitation and abuse.

(e) Regional Programs.--

(1) Cross border programs.--Funds appropriated by this Act under the heading "Economic Support Fund" for assistance for Afghanistan and Pakistan may be provided, notwithstanding any other provision of law that restricts assistance to foreign countries, for cross border stabilization and development programs between Afghanistan and Pakistan, or between either country and the Central Asian countries.

(2) Security and justice programs.--Funds appropriated by this Act that are made available for assistance for countries in South and Central Asia shall be made available to accelerate the recruitment and enhance the retention and professionalism of women in the judiciary, police, and other security forces.

latin america and the caribbean

Sec. 7045. (a) Central America.--Of the funds appropriated under titles III and IV of this Act, \$515,465,000 should be made available for assistance for countries in Central America to implement the United States Strategy for Engagement in Central America: Provided, That such funds shall be provided under the same terms and conditions contained in section 7045(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115-141), except that--

(1) no funds shall be made available for the Award for Extraordinary Progress; and

(2) the funding limitation of this subsection and similar limitations in prior Acts making appropriations for the Department of State, foreign operations, and related programs shall not apply to funds made available for humanitarian, food security, and anti-corruption programs for countries in Central America.

(b) Colombia.--Of the funds appropriated under titles III and IV of this Act, not less than \$391,253,000 shall be made available for assistance for Colombia: Provided, That such funds shall be provided under the same terms and conditions contained in section 7045(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115-141).

(c) Cuba.--Of the funds appropriated by this Act under the heading "Economic Support Fund", not less than \$15,000,000 shall be made available for democracy programs for Cuba.

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

(e) Mexico.--Of the funds appropriated by this Act under the heading "Economic Support Fund" that are made available for assistance for Mexico, not less than \$18,000,000 shall be transferred to, and merged with, funds appropriated by this Act under the heading "Migration and Refugee Assistance" and made available to process the asylum applications of Central Americans in Mexico: Provided, That of such funds, not less than \$3,000,000 shall be made available for assistance to improve the capacity of the Comision Mexicana de Ayuda a Refugiados to process such applications: Provided further, That not less than 30 days after enactment of this Act, the Assistant Secretary for the Bureau of Population, Refugees, and Migration, Department of State, shall consult with the Committees on Appropriations on the uses of such funds.

(f) Venezuela.--Of the funds appropriated by this Act under the

(1) venezuela.--Of the funds appropriated by this Act under the heading ``Economic Support Fund'', not less than \$20,000,000 shall be made available for programs to promote democracy and the rule of law in Venezuela.

europa and eurasia

Sec. 7046. (a) Assistance.--

(1) Georgia.--Of the funds appropriated by this Act under titles III and IV, not less than \$125,325,000 shall be made available for assistance for Georgia.

(2) Ukraine.--Of the funds appropriated by this Act under titles III and IV, not less than \$425,700,000 shall be made available for assistance for Ukraine.

(b) Limitation.--None of the funds appropriated by this Act may be made available for assistance for a government of an Independent State of the former Soviet Union if such government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: Provided, That except as otherwise provided in section 7067(a) of this Act, funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States: Provided further, That prior to executing the authority contained in the previous proviso, the Secretary of State shall consult with the Committees on Appropriations on how such assistance supports the national security interest of the United States.

(c) Section 907 of the Freedom Support Act.--Section 907 of the FREEDOM Support Act (22 U.S.C. 5812 note) shall not apply to--

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act (22 U.S.C. 5851 et seq.) and section 1424 of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2333) or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

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

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

(5) any financing provided under the Export-Import Bank Act of 1945 (Public Law 79-173); or

(6) humanitarian assistance.

(d) Turkey.--

(1) Prolonged detention of United States citizens in Turkey.--The Secretary of State shall identify senior officials of the Government of Turkey with respect to whom the Secretary has credible information are knowingly responsible for the wrongful or unlawful prolonged detention of citizens or nationals of the United States currently held in Turkey: Provided, That the Secretary may not issue to any such officials a visa to enter the United States: Provided further,

That the restriction in this paragraph shall not apply to individuals described in section 7031(c)(2) of this Act: Provided further, That the Secretary may waive the application of this paragraph if the Secretary determines and reports to the appropriate congressional committees that to do so is in the national interest or that the circumstances which caused the individual or individuals to be denied a visa have sufficiently changed: Provided further, That not later than 90 days after enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees the report

submit to the appropriate congressional committees the report regarding Americans held under wrongful or unlawful prolonged detention in Turkey under this heading in the report accompanying this Act, in classified form if necessary.

(2) Turkish presidential protection directorate.--None of the funds made available by this Act may be used to facilitate or support the sale of defense articles or defense services to the Turkish Presidential Protection Directorate (TPPD) under chapter 2 of the Arms Export Control Act (22 U.S.C. 2761 et seq.), unless the Secretary of State determines and reports to the appropriate congressional committees that members of the TPPD that are named in the July 17, 2017 indictment by the Superior Court of the District of Columbia, and against whom charges are pending, have returned to the United States to stand trial in connection with the offenses contained in such indictment or have otherwise been brought to justice: Provided, That the limitation in this paragraph shall not apply to the use of fund made available by this Act for border security purposes, for North Atlantic Treaty Organization or coalition operations, or to enhance the protection of United States officials and facilities in Turkey.

(3) Restriction on funds.--None of the funds appropriated or otherwise made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, may be made available to transfer, or to facilitate the transfer of, F-35 aircraft to Turkey, including any defense articles or services related to such aircraft, until the Secretary of State certifies to the appropriate congressional committees that the Government of Turkey is not purchasing the S-400 missile defense system from Russia and will not accept the delivery of such system.

war crimes tribunals

Sec. 7047. (a) If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961 of up to \$30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: Provided, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): Provided further, That funds made available pursuant to this section shall be made available subject to the regular notification procedures of the Committees on Appropriations.

(b) None of the funds appropriated by this Act may be made available for a United States contribution to the International Criminal Court: Provided, That funds may be made available for technical assistance, training, assistance for victims, protection of witnesses, and law enforcement support related to international investigations, apprehensions, prosecutions, and adjudications of genocide, crimes against humanity, and war crimes: Provided further, That the previous proviso shall not apply to American service members and other United States citizens or nationals, or to nationals of the North Atlantic Treaty Organization (NATO) or major non-NATO allies initially designated pursuant to section 517(b) of the Foreign Assistance Act of 1961.

united nations

Sec. 7048. (a) Transparency and Accountability.--

(1) Restrictions. Of the funds appropriated by this Act

(1) Restrictions.--Of the funds appropriated by this Act under the headings ``Contributions to International Organizations'' and ``International Organizations and Programs'' that are available for contributions to the United Nations (including the Department of Peacekeeping Operations), any United Nations agency, or the Organization of American States, 15 percent may not be obligated for such organization, department, or agency until the Secretary of State determines and reports to the Committees on Appropriations that the organization, department, or agency is--

(A) posting on a publicly available website, 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;

(B) effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for--

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

(ii) legal burdens of proof;

(iii) statutes of limitation for reporting retaliation;

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

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

(C) effectively implementing and enforcing policies and procedures on the appropriate use of travel funds, including restrictions on first class and business class travel.

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

(b) Restrictions on United Nations Delegations and Organizations.--

(1) Restrictions on United States delegations.--None of the funds made available by this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or commission of the United Nations if such agency, body, or commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. App. 2405(j)(1)), supports international terrorism.

(2) Restrictions on contributions.--None of the funds made available by this Act may be used by the Secretary of State as a contribution to any organization, agency, commission, or program within the United Nations system if such organization, agency, commission, or program is chaired or presided over by a country the government of which the Secretary of State has determined, for purposes of section 620A of the Foreign

Assistance Act of 1961, section 40 of the Arms Export Control Act, section 6(j)(1) of the Export Administration Act of 1979, or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.

(3) Waiver.--The Secretary of State may waive the restriction in this subsection if the Secretary determines and reports to the Committees on Appropriations that to do so is in the national interest of the United States, including a description of the national interest served

description of the national interest served.

(c) United Nations Relief and Works Agency.--Not later than 45 days after enactment of this Act, the Secretary of State shall submit a report in writing to the Committees on Appropriations on whether UNRWA is--

(1) utilizing Operations Support Officers in the West Bank, Gaza, and other fields of operation to inspect UNRWA installations and reporting any inappropriate use;

(2) acting promptly to address any staff or beneficiary violation of its own policies (including the policies on neutrality and impartiality of employees) and the legal requirements under section 301(c) of the Foreign Assistance Act of 1961;

(3) implementing procedures to maintain the neutrality of its facilities, including implementing a no-weapons policy, and conducting regular inspections of its installations, to ensure they are only used for humanitarian or other appropriate purposes;

(4) taking necessary and appropriate measures to ensure it is operating in compliance with the conditions of section 301(c) of the Foreign Assistance Act of 1961 and continuing regular reporting to the Department of State on actions it has taken to ensure conformance with such conditions;

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

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

(7) in compliance with the United Nations Board of Auditors' biennial audit requirements and is implementing in a timely fashion the Board's recommendations.

(d) Prohibition of Payments to United Nations Members.--None of the funds appropriated or made available pursuant to titles III through VI of this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.

(e) Report.--Not later than 45 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the amount of funds available for obligation or expenditure in fiscal year 2019 for contributions to any organization, department, agency, or program within the United Nations system or any international program that are withheld from obligation or expenditure due to any provision of law: Provided, That the Secretary shall update such report each time additional funds are withheld by operation of any provision of law: Provided further, That the reprogramming of any withheld funds identified in such report, including updates thereof, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(f) Sexual Exploitation and Abuse in Peacekeeping Operations.--

(1) In general.--Funds appropriated by this Act shall be made available to implement section 301 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323).

(2) Withholding of funds.--The Secretary of State should withhold assistance to any unit of the security forces of a foreign country if the Secretary has credible information that such unit has engaged in sexual exploitation or abuse, including while serving in a United Nations peacekeeping operation, until the Secretary determines that the government

operation, until the Secretary determines that the government of such country is taking effective steps to hold the responsible members of such unit accountable and to prevent future incidents: Provided, That the Secretary shall promptly notify the government of each country subject to any withholding of assistance pursuant to this paragraph, and shall notify the appropriate congressional committees of such withholding not later than 10 days after a determination to withhold such assistance is made: Provided further, That the Secretary shall, to the maximum extent practicable, assist such government in bringing the responsible members of such unit to justice.

(g) Additional Availability.--Funds appropriated under titles I and V of this Act which are returned or not made available due to the implementation of subsection (a) or the second proviso under the heading ``Contributions for International Peacekeeping Activities'' of such title shall remain available for obligation until September 30, 2020.

(h) National Security Interest Withholding.--

(1) Withholding.--The Secretary of State shall withhold 5 percent of the funds appropriated by this Act under the heading ``Contributions to International Organizations'' for a specialized agency or other entity of the United Nations if the Secretary, in consultation with the United States Ambassador to the United Nations, determines and reports to the Committees on Appropriations that such agency or entity has taken an official action that is against the national security interest of the United States or an ally of the United States, including Israel.

(2) Release of funds.--The Secretary of State, in consultation with the United States Ambassador to the United Nations, may release funds withheld pursuant to paragraph (1) if the Secretary determines and reports to the Committees on Appropriations that such agency or entity is taking steps to address the action that resulted in the withholding of such funds.

(3) Reprogramming.--Should the Secretary of State be unable to make a determination pursuant to paragraph (2) regarding the release of withheld funds, such funds may be reprogrammed for other purposes under the heading ``Contributions to International Organizations''.

(4) Waiver.--The Secretary of State, following consultation with the Committees on Appropriations, may waive the requirements of this subsection if the Secretary determines that to do so in the national interest.

(i) Limitation on Availability of Funds for International Organizations and Programs.--Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under titles I and III through V of this Act, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961, shall remain available for obligation until September 30, 2020: Provided, That the requirement to withhold funds for programs in Burma under section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated by this Act.

law enforcement and security

Sec. 7049. (a) Assistance.--

(1) Community-based police assistance.--Funds made available under titles III and IV of this Act to carry out the provisions of chapter 1 of part I and chapters 4 and 6 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority through training and technical assistance in human rights, the

through training and technical assistance in human rights, the rule of law, anti-corruption, strategic planning, and through assistance to foster civilian police roles that support democratic governance, including assistance for programs to prevent conflict, respond to disasters, address gender-based violence, and foster improved police relations with the communities they serve.

(2) Combat casualty care.--

(A) Consistent with the objectives of the Foreign Assistance Act of 1961 and the Arms Export Control Act, funds appropriated by this Act under the headings ``Peacekeeping Operations'' and ``Foreign Military Financing Program'' shall be made available for combat casualty training and equipment.

(B) The Secretary of State shall offer combat casualty care training and equipment as a component of any package of lethal assistance funded by this Act with funds appropriated under the headings ``Peacekeeping Operations'' and ``Foreign Military Financing Program': Provided, That the requirement of this subparagraph shall apply to a country in conflict, unless the Secretary determines that such country has in place, to the maximum extent practicable, functioning combat casualty care treatment and equipment that meets or exceeds the standards recommended by the Committee on Tactical Combat Casualty Care: Provided further, That any such training and equipment for combat casualty care shall be made available through an open and transparent process.

(3) Forensic assistance.--

(A) Of the funds appropriated by this Act under the heading ``Economic Support Fund'', not less than \$10,000,000 shall be made available for forensic anthropology assistance related to the exhumation and identification of victims of war crimes, crimes against humanity, and genocide, which shall be administered by the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State: Provided, That such funds shall be in addition to funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs for assistance for countries.

(B) Of the funds appropriated by this Act under the heading ``International Narcotics Control and Law Enforcement'', not less than \$2,000,000 shall be made available for DNA forensic technology programs to combat human trafficking in Central America and Mexico.

(4) Foreign military sales and foreign military financing program.--Funds appropriated by this Act under the heading ``Foreign Military Financing Program'' for the general costs of administering military assistance and sales shall be made available to increase the efficiency and effectiveness of programs authorized by Chapter 2 of the Arms Export Control Act: Provided, That prior to the obligation of funds for such purposes, the Secretary of State shall consult with the Committees on Appropriations.

(5) Training related to international humanitarian law.--Funds appropriated by this Act under the headings ``Foreign Military Financing Program'' and ``Peacekeeping Operations'' that are made available for lethal assistance shall include an offer by the Secretary of State for training related to the requirements of international humanitarian law as a component of such assistance, except that this paragraph shall not apply to a country that--

(A) is a member of the North Atlantic Treaty

(A) is a member of the North Atlantic Treaty Organization (NATO);

(B) is a major non-NATO ally initially designated pursuant to section 517(b) of the Foreign Assistance Act of 1961; or

(C) the Secretary of State determines is complying with international humanitarian law.

(6) Security force professionalization.--Of the funds appropriated by this Act under the headings ``International Narcotics Control and Law Enforcement'' and ``Peacekeeping Operations'', not less than \$15,000,000 shall be made available to increase the capacity of foreign security forces to operate in accordance with appropriate standards for human rights and the protection of civilians: Provided, That such funds shall be made available to increase partner capacity to collect, track, and analyze civilian casualty data caused by such operations, including to apply lessons learned to future operations, and to enhance investigate capacity and transparent accountability mechanisms: Provided further, That such funds shall be subject to prior consultation with the Committees on Appropriations.

(b) Authorities.--

(1) Reconstituting civilian police authority.--In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other sub-national entity emerging from instability, as well as a nation emerging from instability.

(2) Disarmament, demobilization, and reintegration.--Section 7034(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235) shall continue in effect during fiscal year 2019.

(3) International prison conditions.--Section 7065 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235) shall continue in effect during fiscal year 2019: Provided, That of the funds appropriated by this Act under the heading ``International Narcotics Control and Law Enforcement'', not less than \$5,000,000 shall be made available to implement such section.

(4) Extension of war reserves stockpile authority.--

(A) Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108-287; 118 Stat. 1011) is amended by striking ``2019'' and inserting ``2020''.

(B) Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking ``and 2019'' and inserting ``2019, and 2020''.

(5) Public disclosure.--For the purposes of funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for assistance for units of foreign security forces, the term ``to the maximum extent practicable'' in section 620M(d)(7) of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) means that the identify of such units shall be made publicly available unless such disclosure would endanger the safety of human sources or reveal sensitive intelligence sources and methods.

(c) Limitations.--

(1) Child soldiers.--Funds appropriated by this Act should not be used to support any military training or operations that include child soldiers.

(2) Landmines and cluster munitions.--

(A) Landmines. Notwithstanding any other provision

(A) Landmines.--Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the Secretary of State may prescribe.

(B) Cluster munitions.--No military assistance shall be furnished for cluster munitions, no defense export license for cluster munitions may be issued, and no cluster munitions or cluster munitions technology shall be sold or transferred, unless--

(i) the submunitions of the cluster munitions, after arming, do not result in more than 1 percent unexploded ordnance across the range of intended operational environments, and the agreement applicable to the assistance, transfer, or sale of such cluster munitions or cluster munitions technology specifies that the cluster munitions will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians; or

(ii) such assistance, license, sale, or transfer is for the purpose of demilitarizing or permanently disposing of such cluster munitions.

(3) Crowd control items.--Funds appropriated by this Act should not be used for tear gas, small arms, lights weapons, ammunition, or other items for crowd control purposes for foreign security forces that use excessive force to repress peaceful expression, association, or assembly in countries that the Secretary of State determines are undemocratic or are undergoing democratic transitions.

(d) Reports.--

(1) Vetting report.--

(A) In general.--Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees on foreign assistance cases submitted for vetting for purposes of section 620M of the Foreign Assistance Act of 1961 during the preceding fiscal year, including--

(i) the total number of cases submitted, approved, suspended, or rejected for human rights reasons; and

(ii) for cases rejected, a description of the steps taken to assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice, in accordance with section 620M(c) of the Foreign Assistance Act of 1961.

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

(2) Annual foreign military training report.--For the purposes of implementing section 656 of the Foreign Assistance Act of 1961, the term "military training provided to foreign military personnel by the Department of Defense and the Department of State" shall be deemed to include all military training provided by foreign governments with funds appropriated to the Department of Defense or the Department of State, except for training provided by the government of a country designated by section 517(b) of such Act as a major

disability programs

Sec. 7050. (a) Assistance.--Funds appropriated by this Act under the heading ``Economic Support Fund'' shall be made available for programs and activities administered by the United States Agency for International Development to address the needs and protect and promote the rights of people with disabilities in developing countries, including initiatives that focus on independent living, economic self-sufficiency, advocacy, education, employment, transportation, sports, and integration of individuals with disabilities, including for the cost of translation.

(b) Management, Oversight, and Technical Support.--Of the funds made available pursuant to this section, 5 percent may be used for USAID for management, oversight, and technical support.

international conferences

Sec. 7051. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of agencies or departments of the United States Government who are stationed in the United States, at any single international conference occurring outside the United States, unless the Secretary of State reports to the Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: Provided, That for purposes of this section the term ``international conference'' shall mean a conference attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

aircraft transfer, coordination, and use

Sec. 7052. (a) Transfer Authority.--Notwithstanding any other provision of law or regulation, aircraft procured with funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ``Diplomatic Programs'', ``International Narcotics Control and Law Enforcement'', ``Andean Counterdrug Initiative'', and ``Andean Counterdrug Programs'' may be used for any other program and in any region.

(b) Property Disposal.--The authority provided in subsection (a) shall apply only after the Secretary of State determines and reports to the Committees on Appropriations that the equipment is no longer required to meet programmatic purposes in the designated country or region: Provided, That any such transfer shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) Aircraft Coordination.--

(1) Authority.--The uses of aircraft purchased or leased by the Department of State and the United States Agency for International Development with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be coordinated under the authority of the appropriate Chief of Mission: Provided, That such aircraft may be used to

transport, on a reimbursable or non-reimbursable basis, Federal and non-Federal personnel supporting Department of State and USAID programs and activities: Provided further, That official travel for other agencies for other purposes may be supported on a reimbursable basis, or without reimbursement when traveling on a space available basis: Provided further, That funds received by the Department of State in connection with the use of aircraft owned, leased, or chartered by the Department of State may be credited to the Working Capital Fund of the Department and shall be available for expenses related

of the department and shall be available for expenses related to the purchase, lease, maintenance, chartering, or operation of such aircraft.

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

(d) Aircraft Operations and Maintenance.--To the maximum extent practicable, the costs of operations and maintenance, including fuel, of aircraft funded by this Act shall be borne by the recipient country.

parking fines and real property taxes owed by foreign governments

Sec. 7053. The terms and conditions of section 7055 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111-117) shall apply to this Act: Provided, That the date ``September 30, 2009'' in subsection (f)(2)(B) of such section shall be deemed to be ``September 30, 2018''.

arms trade treaty

Sec. 7054. None of the funds appropriated by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

prohibition on publicity or propaganda

Sec. 7055. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by Congress: Provided, That not to exceed \$25,000 may be made available to carry out the provisions of section 316 of the International Security and Development Cooperation Act of 1980 (Public Law 96-533; 22 U.S.C. 2151a note).

commercial leasing of defense articles

Sec. 7056. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt, the North Atlantic Treaty Organization (NATO), and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reason for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

united states agency for international development management

Sec. 7057. (a) Authority.--Up to \$93,000,000 of the funds made available in title III of this Act pursuant to or to carry out the provisions of part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ``Assistance for Europe, Eurasia and Central Asia'', may be used by the United States Agency for International Development to hire and employ individuals in the United States and overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980 (22 U.S.C. 3948 and 3949).

(b) Restrictions.--

(1) The number of individuals hired in any fiscal year pursuant to the authority contained in subsection (a) may not exceed 175.

(2) The authority to hire individuals contained in subsection (a) shall expire on September 30, 2020.

(c) Conditions.--The authority of subsection (a) should only be used to the extent that an equivalent number of positions that are filled by personal services contractors or other non-direct hire employees of USAID, who are compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ``Assistance for Europe, Eurasia and Central Asia'', are eliminated.

(d) Program Account Charged.--The account charged for the cost of an individual hired and employed under the authority of this section shall be the account to which the responsibilities of such individual primarily relate: Provided, That funds made available to carry out this section may be transferred to, and merged with, funds appropriated by this Act in title II under the heading ``Operating Expenses''.

(e) Foreign Service Limited Extensions.--Individuals hired and employed by USAID, with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, pursuant to the authority of section 309 of the Foreign Service Act of 1980 (22 U.S.C. 3949), may be extended for a period of up to 4 years notwithstanding the limitation set forth in such section.

(f) Disaster Surge Capacity.--Funds appropriated under title III of this Act to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ``Assistance for Europe, Eurasia and Central Asia'', may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by USAID whose primary responsibility is to carry out programs in response to natural disasters, or man-made disasters subject to the regular notification procedures of the Committees on Appropriations.

(g) Personal Services Contractors.--Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Food for Peace Act (Public Law 83-480; 7 U.S.C. 1721 et seq.), may be used by USAID to employ up to 40 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: Provided, That not more than 15 of such contractors shall be assigned to any bureau or office: Provided further, That such funds appropriated to carry out title II of the Food for Peace Act (Public Law 83-480; 7 U.S.C. 1721 et seq.), may be made available only for personal services contractors assigned to the Office of Food for Peace.

(h) Small Business.--In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, USAID may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(i) Senior Foreign Service Limited Appointments.--Individuals hired pursuant to the authority provided by section 7059(o) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111-117) may be assigned to or support programs in Afghanistan or Pakistan with funds made available in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

global health activities

Sec. 7058. (a) In General.--Funds appropriated under titles III and IV of this Act that are made available for global health programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any other provision of law except for provisions under

notwithstanding any other provision of law except for provisions under the heading ``Global Health Programs'' and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: Provided, That of the funds appropriated under title III of this Act, not less than \$595,050,000 shall be made available for family planning and reproductive health activities, including in areas where population growth threatens biodiversity and endangered species.

(b) Global Fund.--Of the funds appropriated by this Act that are available for a contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), 10 percent should be withheld from obligation until the Secretary of State determines and reports to the Committees on Appropriations that the Global Fund is--

(1) maintaining and implementing a policy of transparency, including the authority of the Global Fund Office of the Inspector General (OIG) to publish OIG reports on a public website;

(2) providing sufficient resources to maintain an independent OIG that--

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

(B) maintains a mandate to conduct thorough investigations and programmatic audits, free from undue interference; and

(C) compiles regular, publicly published audits and investigations of financial, programmatic, and reporting aspects of the Global Fund, its grantees, recipients, sub-recipients, and Local Fund Agents;

(3) effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for--

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

(B) legal burdens of proof;

(C) statutes of limitation for reporting retaliation;

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

(E) results that eliminate the effects of proven retaliation:

Provided, That such withholding shall not be in addition to funds that are withheld from the Global Fund in fiscal year 2019 pursuant to the application of any other provision contained in this or any other Act.

(c) Contagious Infectious Disease Outbreaks.--

(1) Extraordinary measures.--If the Secretary of State determines and reports to the Committees on Appropriations that an international infectious disease outbreak is sustained, severe, and is spreading internationally, or that it is in the national interest to respond to a Public Health Emergency of International Concern, funds appropriated by this Act under the headings ``Global Health Programs'', ``Development Assistance'', ``International Disaster Assistance'', ``Complex Crises Fund'', ``Economic Support Fund'', ``Democracy Fund'', ``Assistance for Europe, Eurasia and Central Asia'', ``Migration and Refugee Assistance'', and ``Millennium

Challenge Corporation'' may be made available to combat such infectious disease or public health emergency, and may be transferred to, and merged with, funds appropriated under such headings for the purposes of this paragraph.

(2) Consultation and notification.--Funds made available by this subsection shall be subject to prior consultation with the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations.

(d) Repurposed Funds.--

(1) Uses. Of the unobligated balances available under the

(1) uses.--Of the unobligated balances available under the heading ``Bilateral Economic Assistance'' in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235)--

(A) \$27,450,000 shall be for programs to accelerate the capabilities of targeted countries to prevent, detect, and respond to infectious disease outbreaks; and

(B) the remaining balances shall be made available for the Emergency Reserve Fund established pursuant to section 7058(c)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115-31) and shall be made available under the same terms and conditions of such section: Provided, That the second proviso of such paragraph is amended by striking ``Secretary of State'' and inserting in lieu thereof ``Administrator of the United States Agency for International Development''.

(2) Consultation and notification.--Funds made available by this subsection shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(3) Transfer between accounts.--Funds made available pursuant to this subsection under the headings ``Global Health Programs'' and ``International Disaster Assistance'' may be transferred to, and merged with, funds made available under such headings: Provided, That such transfer authority is in addition to any other transfer authority provided by law.

(4) Designation.--The amounts repurposed under this subsection are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

gender equality

Sec. 7059. (a) Gender Equality.--Funds appropriated by this Act shall be made available to promote gender equality in United States Government diplomatic and development efforts by raising the status, increasing the participation, and protecting the rights of women and girls worldwide.

(b) Women's Leadership.--Of the funds appropriated by title III of this Act, not less than \$50,000,000 shall be made available for programs specifically designed to increase leadership opportunities for women in countries where women and girls suffer discrimination due to law, policy, or practice, by strengthening protections for women's political status, expanding women's participation in political parties and elections, and increasing women's opportunities for leadership positions in the public and private sectors at the local, provincial, and national levels.

(c) Gender-Based Violence.--

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

(B) Funds appropriated under titles III and IV of this Act that are available to train foreign police, judicial, and military personnel, including for international peacekeeping operations, shall address, where appropriate, prevention and response to gender-based violence and trafficking in persons, and shall promote the integration of women into the police and other security forces.

(2) Department of State and United States Agency for

(2) Department of State and United States Agency for

International Development gender programs shall incorporate coordinated efforts to combat a variety of forms of gender-based violence, including child marriage, rape, female genital cutting and mutilation, and domestic violence, among other forms of gender-based violence in conflict and non-conflict settings.

(d) Women, Peace, and Security.--Funds appropriated by this Act under the headings ``Development Assistance'', ``Economic Support Fund'', ``Assistance for Europe, Eurasia and Central Asia'', and ``International Narcotics Control and Law Enforcement'' should be made available to support a multi-year strategy to expand, and improve coordination of, United States Government efforts to empower women as equal partners in conflict prevention, peace building, transitional processes, and reconstruction efforts in countries affected by conflict or in political transition, and to ensure the equitable provision of relief and recovery assistance to women and girls.

(e) Women and Girls at Risk From Extremism.--Of the funds appropriated by this Act under the heading ``Economic Support Fund'', not less than \$15,000,000 shall be made available to support women and girls who are at risk from extremism and conflict, and for the activities described in section 7059(e)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115-141): Provided, That such funds are in addition to amounts otherwise made available by this Act for such purposes, and shall be made available following consultation with, and the regular notification procedures of, the Committees on Appropriations.

sector allocations

Sec. 7060. (a) Basic Education and Higher Education.--

(1) Basic education.--

(A) Of the funds appropriated under title III of this Act, up to \$515,000,000 may be made available for assistance for basic education, and such funds may be made available notwithstanding any other provision of law that restricts assistance to foreign countries: Provided, That such funds shall also be used for secondary education activities: Provided further, That the USAID Administrator, following consultation with the Committees on Appropriations, may reprogram such funds between countries.

(B) If the USAID Administrator determines that any unobligated balances of funds specifically designated for assistance for basic education in prior Acts making appropriations for the Department of State, foreign operations, and related programs are in excess of the absorptive capacity of recipient countries, such funds may be made available for other programs authorized under chapter 1 of part I of the Foreign Assistance Act of 1961, notwithstanding such funding designation: Provided, That the authority of the previous proviso shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(C) Of the funds appropriated under title III of this Act for assistance for basic education programs, not less than \$90,000,000 shall be made available for a contribution to multilateral partnerships that support education.

(2) Higher education.--Of the funds appropriated by title III of this Act, not less than \$235,000,000 shall be made available for assistance for higher education: Provided, That such funds may be made available notwithstanding any other provision of law that restricts assistance to foreign

provision of law that restricts assistance to foreign countries, and shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That of such amount, not less than \$35,000,000 shall be made available for human and institutional capacity building partnerships between higher education institutions in the United States and developing countries, of which not less than \$15,000,000 shall be for new partnerships which should be competed and awarded not later than one year after enactment of this Act: Provided further, That not later than 45 days after enactment of this Act, the USAID Administrator shall consult with the Committees on Appropriations on the proposed uses of funds for such partnerships.

(3) McCain scholars program.--Funds appropriated by this Act under the heading ``Educational and Cultural Exchange Programs'' that are made available for the Benjamin Gilman International Scholarships Program shall also be made available for the McCain Scholars Program, pursuant to section 303 of the International Academic Opportunity Act of 2000 (Public Law 106-309), to include the dependents of active United States military personnel who are receiving any form of Federal Financial Aid under title IV of the Higher Education Act of 1965.

(b) Development Programs.--Of the funds appropriated by this Act under the heading ``Development Assistance'', not less than \$30,000,000 shall be made available for the American Schools and Hospitals Abroad program, and not less than \$12,000,000 shall be made available for cooperative development programs of USAID.

(c) Environment and Energy Programs.--

(1) In general.--Of the funds appropriated under title III of this Act, not less than \$942,563,000 shall be made available for environment and renewable energy programs, of which not less than \$179,000,000 shall be for renewable energy programs and not less than \$177,000,000 shall be for adaptation programs.

(2) Authority and notification.--

(A) Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, except for the provisions of this subsection, to support environment programs.

(B) Funds made available pursuant to this subsection shall be subject to the regular notification procedures of the Committees on Appropriations.

(3) Conservation programs and limitations.--

(A) Of the funds appropriated under title III of this Act, not less than \$295,000,000 shall be made available for biodiversity conservation programs.

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

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

(D) Funds appropriated by this Act for biodiversity programs shall not be used to support the expansion of industrial scale logging or any other industrial scale extractive activity into areas that were primary/intact tropical forests as of December 30, 2012, and the

tropical forests as of December 30, 2013, and the Secretary of the Treasury shall instruct the United States executive directors of each international financial institutions (IFI) to vote against any financing of any such activity.

(4) Large dams.--The Secretary of the Treasury shall instruct the United States executive director of each IFI that it is the policy of the United States to vote in relation to any loan, grant, strategy, or policy of such institution to support the construction of any large dam consistent with the criteria set forth in Senate Report 114-79, while also considering whether the project involves important foreign policy objectives.

(5) Sustainable landscapes.--Of the funds appropriated under title III of this Act, not less than \$135,000,000 shall be made available for sustainable landscapes programs.

(6) Strategies.--The Secretary of State shall submit the strategies in the manner described under this heading in this section in the report accompanying this Act.

(d) Food Security and Agricultural Development.--Of the funds appropriated by title III of this Act, not less than \$1,000,600,000 shall be made available for food security and agricultural development programs to carry out the purposes of the Global Food Security Act of 2016 (Public Law 114-195), of which not less than \$315,960,000 shall be made available for the Bureau for Food Security, USAID, including not less than \$55,000,000 for the Feed the Future Innovation Labs: Provided, That funds may be made available for a contribution as authorized by section 3202 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246), as amended by section 3206 of the Agricultural Act of 2014 (Public Law 113-79).

(e) Micro- and Small Enterprises.--Of the funds appropriated by this Act, not less than \$265,000,000 shall be made available to support the development of, and access to financing for, micro- and small enterprises that benefit the poor, especially women.

(f) Programs To Combat Trafficking in Persons.--Of the funds appropriated by this Act under the headings ``Development Assistance'', ``Economic Support Fund'', ``Assistance for Europe, Eurasia and Central Asia'', and ``International Narcotics Control and Law Enforcement'', not less than \$65,000,000 shall be made available for activities to combat trafficking in persons internationally, of which not less than \$40,000,000 shall be from funds made available under the heading ``International Narcotics Control and Law Enforcement': Provided, That funds appropriated by this Act that are made available for programs to end modern slavery shall be in addition to funds made available by this subsection to combat trafficking in persons.

(g) Reconciliation Programs.--Of the funds appropriated by this Act under the headings ``Economic Support Fund'' and ``Development Assistance'', not less than \$30,000,000 shall be made available to support people-to-people reconciliation programs which bring together individuals of different ethnic, religious, and political backgrounds from areas of civil strife and war: Provided, That the USAID Administrator shall consult with the Committees on Appropriations, prior to the initial obligation of funds, on the uses of such funds, and such funds shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That to the maximum extent practicable, such funds shall be matched by sources other than the United States Government: Provided further, That such funds shall be administered by the Office of Conflict Management and Mitigation, USAID.

(h) Water and Sanitation.--

(1) Of the funds appropriated by this Act, not less than \$435,000,000 shall be made available for water supply and sanitation projects pursuant to section 136 of the Foreign Assistance Act of 1961, of which not less than \$195,000,000 shall be for programs in sub-Saharan Africa, and of which not less than \$15,000,000 shall be made available to support

less than \$15,000,000 shall be made available to support initiatives by local communities in developing countries to build and maintain safe latrines.

(2) In furtherance of the mandate of the Water for the World Act to provide sustainable access to clean water and sanitation for the world's poorest people and in order to promote transparency and accountability, not later than 45 days after enactment of this Act the USAID Administrator shall submit to the appropriate congressional committees the specific weighting of criteria in the WASH Needs Index and an explanation of how it is used to prioritize funding that is proportionate to the needs of a country for water, sanitation, and hygiene projects.

overseas private investment corporation

Sec. 7061. (a) Transfer of Funds.--Whenever the President determines that it is in furtherance of the purposes of the Foreign Assistance Act of 1961, up to a total of \$20,000,000 of the funds appropriated under title III of this Act may be transferred to, and merged with, funds appropriated by this Act for the Overseas Private Investment Corporation Program Account, to be subject to the terms and conditions of that account: Provided, That such funds shall not be available for administrative expenses of the Overseas Private Investment Corporation: Provided further, That designated funding levels in this Act shall not be transferred pursuant to this section: Provided further, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(b) Authority.--Notwithstanding section 235(a)(2) of the Foreign Assistance Act of 1961, the authority of subsections (a) through (c) of section 234 of such Act shall remain in effect until September 30, 2019.

inspectors general

Sec. 7062. (a) Prohibition on Use of Funds.--None of the funds appropriated by this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency of the United States Government over which such Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede the access of such Inspector General to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to such Inspector General and expressly limits the right of access of such Inspector General.

(b) Timely Access.--A department or agency of the United States Government covered by this section shall provide its Inspector General access to all records, documents, and other materials in a timely manner.

(c) Compliance.--Each Inspector General covered by this section shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Report.--Each Inspector General covered by this section shall report to the Committees on Appropriations within 5 calendar days of any failure by any department or agency of the United States Government to provide its Inspector General access to all requested records, documents, and other materials.

individuals detained at united states naval station, guantanamo bay,
cuba

Sec. 7063. Not later than 5 days after the conclusion of an agreement with a country, including a state with a compact of free

10/18/2018 Text - S.3108 - 115th Congress (2017-2018): Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 | Congress.gov...
agreement with a country, including a state with a compact of free association with the United States, to receive by transfer or release individuals detained at United States Naval Station, Guantanamo Bay, Cuba, the Secretary of State shall notify the Committees on Appropriations in writing of the terms of the agreement, including whether funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs will be made available for assistance for such country pursuant to such agreement.

multi-year pledges

Sec. 7064. None of the funds appropriated by this Act may be used to make any pledge for future year funding for any multilateral or bilateral program funded in titles III through VI of this Act unless such pledge was--

- (1) previously justified, including the projected future year costs, in a congressional budget justification;
- (2) included in an Act making appropriations for the Department of State, foreign operations, and related programs or previously authorized by an Act of Congress;
- (3) notified in accordance with the regular notification procedures of the Committees on Appropriations, including the projected future year costs; or
- (4) the subject of prior consultation with the Committees on Appropriations and such consultation was conducted at least 7 days in advance of the pledge.

torture and other cruel, inhuman, or degrading treatment or punishment

Sec. 7065. (a) Limitation.--None of the funds made available by this Act may be used to support or justify the use of torture and other cruel, inhuman, or degrading treatment or punishment by any official or contract employee of the United States Government.

(b) Assistance.--Funds appropriated under titles III and IV of this Act shall be made available, notwithstanding section 660 of the Foreign Assistance Act of 1961 and following consultation with the Committees on Appropriations, for assistance to eliminate torture and other cruel, inhuman, or degrading treatment or punishment by foreign police, military or other security forces in countries receiving assistance from funds appropriated by this Act.

extradition

Sec. 7066. (a) Limitation.--None of the funds appropriated in this Act may be used to provide assistance (other than funds provided under the headings ``International Disaster Assistance'', ``Complex Crises Fund'', ``International Narcotics Control and Law Enforcement'', ``Migration and Refugee Assistance'', ``United States Emergency Refugee and Migration Assistance Fund'', and ``Nonproliferation, Anti-terrorism, Demining and Related Assistance'') for the central government of a country which has notified the Department of State of its refusal to extradite to the United States any individual indicted for a criminal offense for which the maximum penalty is life imprisonment without the possibility of parole or for killing a law enforcement officer, as specified in a United States extradition request.

(b) Clarification.--Subsection (a) shall only apply to the central government of a country with which the United States maintains diplomatic relations and with which the United States has an extradition treaty and the government of that country is in violation of the terms and conditions of the treaty.

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

countering russian influence and aggression

Sec. 7067. (a) Limitation.--None of the funds appropriated by this Act may be made available for assistance for the central Government of the Russian Federation.

(b) Annexation of Crimea.--

(1) None of the funds appropriated by this Act may be made available for assistance for the central government of a country that the Secretary of State determines and reports to the Committees on Appropriations has taken affirmative steps intended to support or be supportive of the Russian Federation annexation of Crimea or other territory in Ukraine: Provided, That except as otherwise provided in subsection (a), the Secretary may waive the restriction on assistance required by this paragraph if the Secretary determines and reports to such Committees that to do so is in the national interest of the United States, and includes a justification for such interest.

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

(A) the implementation of any action or policy that recognizes the sovereignty of the Russian Federation over Crimea or other territory in Ukraine;

(B) the facilitation, financing, or guarantee of United States Government investments in Crimea or other territory in Ukraine under the control of Russian-backed separatists, if such activity includes the participation of Russian Government officials, or other Russian owned or controlled financial entities; or

(C) assistance for Crimea or other territory in Ukraine under the control of Russian-backed separatists, if such assistance includes the participation of Russian Government officials, or other Russian owned or controlled financial entities.

(3) The Secretary of the Treasury shall instruct the United States executive directors of each international financial institution to vote against any assistance by such institution (including any loan, credit, or guarantee) for any program that violates the sovereignty or territorial integrity of Ukraine.

(4) The requirements and limitations of this subsection shall cease to be in effect if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Ukraine has reestablished sovereignty over Crimea and other territory in Ukraine under the control of Russian-backed separatists.

(c) Occupation of the Georgian Territories of Abkhazia and Tskhinvali Region/South Ossetia.--

(1) None of the funds appropriated by this Act may be made available for assistance for the central government of a country that the Secretary of State determines and reports to the Committees on Appropriations has recognized the independence of, or has established diplomatic relations with, the Russian occupied Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia: Provided, That the Secretary shall publish on the Department of State website a list of any such central governments in a timely manner: Provided further, That the Secretary may waive the restriction on assistance required by this paragraph if the Secretary determines and reports to the Committees on Appropriations that to do so is in the national interest of the United States, and includes a justification for such interest.

(2) None of the funds appropriated by this Act may be made available to support the Russian occupation of the Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia.

(3) The Secretary of the Treasury shall instruct the United

(c) The Secretary of the Treasury shall instruct the United States executive directors of each international financial institution to vote against any assistance by such institution (including any loan, credit, or guarantee) for any program that violates the sovereignty and territorial integrity of Georgia.

(d) Countering Russian Influence Fund.--

(1) Of the funds appropriated by this Act under the headings ``Assistance for Europe, Eurasia and Central Asia'', ``International Narcotics Control and Law Enforcement'', ``International Military Education and Training'', and ``Foreign Military Financing Program'', not less than \$300,000,000 shall be made available to carry out the purposes of the Countering Russian Influence Fund, as authorized by section 254 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (Public Law 115-44; 22 U.S.C. 9543), and programs to enhance the capacity of law enforcement and security forces in countries in Europe and Eurasia and strengthen security cooperation between such countries and the United States and the North Atlantic Treaty Organization, as appropriate.

(2) Of the funds appropriated in prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for the Countering Russian Influence Fund, not less than the following amounts shall be made available--

(A) \$25,000,000 for assistance for Ukraine;

(B) \$15,000,000 for the assistance for the Baltic states;

(C) \$25,000,000 for assistance for Georgia; and

(D) \$15,000,000 for assistance for the countries of the Balkan Peninsula:

Provided, That such funds are in addition to amounts otherwise made available by this Act for such countries.

(3) Funds appropriated by this Act and made available for assistance for the Eastern Partnership countries shall be made available to advance the implementation of Association Agreements and trade agreements with the European Union, and to reduce their vulnerability to external economic and political pressure from the Russian Federation.

(e) Democracy Programs.--Funds appropriated by this Act shall be made available to support democracy programs in the Russian Federation, including to promote Internet freedom, and shall also be made available to support the democracy and rule of law strategy required by section 7071(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113-76).

international monetary fund

Sec. 7068. (a) Extensions.--The terms and conditions of sections 7086(b) (1) and (2) and 7090(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111-117) shall apply to this Act.

(b) Repayment.--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.

stabilization and development in regions impacted by extremism and conflict

Sec. 7069. (a) Countering Foreign Fighters and Extremist Organizations.--Funds appropriated under titles III and IV of this Act shall be made available for programs and activities to counter and defeat violent extremism and foreign fighters abroad, consistent with the strategy required by section 7073(a)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017

10/18/2018 Text - S.3108 - 115th Congress (2017-2018): Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 | Congress.gov...
foreign operations, and related programs appropriations act, 2017
(division J of Public Law 115-31): Provided, That the Secretary of State shall ensure such programs are coordinated with and complement the efforts of other United States Government agencies and international partners, and that information gained through the conduct of such programs is shared in a timely manner with relevant departments and agencies of the United States Government, other international partners, and the appropriate congressional committees, as appropriate.

(b) Relief and Recovery Fund.--

(1) Funds and transfer authority.--Of the funds appropriated by this Act under the headings ``Economic Support Fund'', ``International Narcotics Control and Law Enforcement'', ``Nonproliferation, Anti-terrorism, Demining and Related Programs'', ``Peacekeeping Operations'', and ``Foreign Military Financing Program'', not less than \$250,000,000 shall be made available for the Relief and Recovery Fund for assistance for areas liberated or at risk from, or under the control of, the Islamic State of Iraq and Syria, other terrorist organizations, or violent extremist organizations, including for stabilization assistance for vulnerable ethnic and religious minority communities affected by conflict: Provided, That such funds are in addition to amounts otherwise made available for such purposes and to amounts specifically designated in this Act or in the report accompanying this Act for assistance for countries: Provided further, That such funds appropriated under such headings may be transferred to, and merged with, funds appropriated under such headings: Provided further, That such transfer authority is in addition to any other transfer authority provided by this Act or any other Act, and is subject to the regular notification procedures of the Committees on Appropriations.

(2) Transitional justice.--Of the funds appropriated by this Act under the heading ``International Narcotics Control and Law Enforcement'' that are made available for the Relief and Recovery Fund, not less than \$5,000,000 shall be made available for programs to promote accountability in Iraq and Syria for genocide, crimes against humanity, and war crimes, which shall be in addition to any other funds made available by this Act for such purposes: Provided, That such programs shall include components to develop local investigative and judicial skills, and to collect and preserve evidence and maintain the chain of custody of evidence, including for use in prosecutions: Provided further, That such funds shall be administered by the Special Coordinator for the Office of Global Criminal Justice, Department of State: Provided further, That funds made available by this paragraph shall only be made available on an open and competitive basis.

(3) Cost-matching basis.--Funds appropriated pursuant to paragraph (1) shall be made available to the maximum extent practicable on a cost-matching basis from sources other than the United States Government.

(4) Of the funds appropriated in prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for the Relief and Recovery Fund, not less than the following amounts shall be made available--

- (A) \$100,000,000 for assistance for Iraq;
- (B) \$100,000,000 for assistance for Syria;
- (C) \$50,000,000 for assistance for Jordan;
- (D) \$50,000,000 for assistance for Libya;
- (E) \$50,000,000 for assistance for Tunisia;
- (F) \$50,000,000 for countries of the Lake Chad Basin region;
- (G) \$25,000,000 for assistance for Lebanon;
- (H) \$25,000,000 for assistance for countries in West Africa;

west Africa;

(I) \$25,000,000 for assistance for countries in East Africa; and

(J) \$25,000,000 for assistance for the countries of the Sahel region:

Provided, That such funds are in addition to amounts otherwise made available by this Act for such countries.

(c) Prevention of Failed States Through Public-Private Partnerships.--

(1) Of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for the Relief and Recovery Fund, up to \$20,000,000 shall be made available to implement the program described in paragraph (2), which shall be apportioned to USAID not later than 90 days after enactment of this Act: Provided, That such funds shall be in addition to funds made available for bilateral assistance for such countries, and shall remain available until expended: Provided further, That in addition to funds otherwise made available for such purposes, up to \$1,500,000 of the funds made available by this paragraph may be used by USAID for administrative expenses related to the design and implementation of the program described in paragraph (2).

(2) To prevent the failing of states and susceptibility to radicalization that threatens the security of the United States, the Secretary of State and USAID Administrator, in coordination with the heads of other relevant Federal agencies and United Nations entities, as appropriate, shall develop and implement a public-private partnerships program to accelerate a coherent approach to development in fragile states and those states threatened or adversely impacted by economic and political instability or violent extremism: Provided, That the Secretary and Administrator shall, as appropriate--

(A) develop criteria for countries to be encompassed in the program, including to--

(i) ensure that any such program is fully integrated and consistent with the development strategy for recipient countries; and

(ii) require the central government of countries to commit to implementation of such program in a transparent and accountable manner, including through the signing of compacts or memoranda of understanding, as appropriate, as a precondition for participation in such program;

(B) prioritize local organizations in the participating countries as implementers, and ensure any grants, cooperative agreements, or contracts awarded to international implementers contain provisions for the training and mentoring of local organizations to sustain all activities by the end of such award;

(C) review existing bilateral and regional programs funded by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are implemented in such countries to ensure complementarity with such program; and

(D) coordinate such program with other development and security programs conducted in recipient countries by other United States Government agencies, including the Department of Defense, and international donors, as appropriate.

(3) Prior to the obligation of funds made available by paragraph (1), the Secretary of State and USAID Administrator shall jointly submit a report to the Committees on Appropriations detailing the fragile states potentially eligible for the public-private partnership program required by

eligible for the public-private partnership program required by this section; the requirements of the central governments for participation in the program and program conditionality, if any; and benchmarks to measures the effectiveness of such program.

(d) Counter Violent Extremism in Asia.--Of the funds appropriated by this Act under the heading ``Economic Support Fund'', not less than \$5,000,000 shall be made available for programs to counter violent extremism in Asia, including within the Buddhist community and between Buddhist and Muslim communities: Provided, That such funds shall be administered by the Mission Director of the Regional Development Mission for Asia, USAID: Provided further, That such funds are in addition to funds otherwise made available for such purposes.

(e) Fragile States and Extremism.--Funds appropriated by this Act shall be made available for the purposes of section 7080 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115-31), subject to the regular notification procedures of the Committees on Appropriations.

(f) Global Concessional Financing Facility.--Funds appropriated by this Act under the heading ``Economic Support Fund'' shall be made available for the Concessional Finance Facility of the World Bank to provide financing to support refugees and host communities: Provided, That such funds shall be in addition to funds made available for bilateral assistance in the report required by section 653(a) of the Foreign Assistance Act of 1961, and may only be made available subject to prior to consultation with the Committees on Appropriations.

enterprise funds

Sec. 7070. (a) Notification.--None of the funds made available under titles III through VI of this Act may be made available for Enterprise Funds unless the appropriate congressional committees are notified at least 15 days in advance.

(b) Distribution of Assets Plan.--Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the appropriate congressional committees a plan for the distribution of the assets of the Enterprise Fund.

(c) Transition or Operating Plan.--Prior to a transition to and operation of any private equity fund or other parallel investment fund under an existing Enterprise Fund, the President shall submit such transition or operating plan to the appropriate congressional committees.

international family planning and women's health

Sec. 7071. (a) Assistance for Nongovernmental Organizations.--

(1) Notwithstanding any other provision of law, regulation, or policy, a foreign nongovernmental organization--

(A) shall not be ineligible for assistance appropriated or otherwise made available by this Act solely on the basis of health or medical services, including counseling and referral services, provided by such organization with non-United States Government funds if such services--

(i) are permitted in the country in which they are being provided; and

(ii) would not violate United States law if provided in the United States; and

(B) shall not be subject to requirements relating to the use of non-United States Government funds for advocacy and lobbying activities other than those that apply to United States nongovernmental organizations receiving assistance appropriated or otherwise made available by this Act.

(b) United Nations Population Fund.--

(1) Contribution.--Of the funds appropriated by this Act under the heading ``International Organizations and Programs'', not less than \$37,500,000 shall be made available for the United Nations Population Fund (referred to in this subsection as ``UNFPA').

(2) Availability of funds.--Funds appropriated for UNFPA under this Act that are not made available for UNFPA because of the operation of any provision of law--

(A) shall be transferred to, and merged with, funds appropriated under the heading ``Global Health Programs''; and

(B) shall be made available for family planning, maternal, and reproductive health activities, subject to the regular notification procedures of the Committees on Appropriations.

(3) Prohibition on use of funds in china.--None of the funds made available under this Act may be used by UNFPA for a country program in the People's Republic of China.

(4) Conditions on availability of funds.--Funds made available under this Act for UNFPA may not be made available unless--

(A) UNFPA maintains funds received under this Act in an account separate from other UNFPA accounts and does not commingle such funds with other funds; and

(B) UNFPA does not fund abortions.

global internet freedom

Sec. 7072. (a) Funding.--Of the funds available for obligation during fiscal year 2019 under the headings ``International Broadcasting Operations'', ``Economic Support Fund'', ``Democracy Fund'', and ``Assistance for Europe, Eurasia and Central Asia'', not less than \$60,500,000 shall be made available for programs to promote Internet freedom globally: Provided, That such programs shall be prioritized for countries whose governments restrict freedom of expression on the Internet, and that are important to the national interest of the United States: Provided further, That funds made available pursuant to this section shall be matched, to the maximum extent practicable, by sources other than the United States Government, including from the private sector.

(b) Requirements.--

(1) Funds appropriated by this Act under the headings ``Economic Support Fund'', ``Democracy Fund'', and ``Assistance for Europe, Eurasia and Central Asia'' that are made available pursuant to subsection (a) shall be--

(A) coordinated with other democracy programs funded by this Act under such headings, and shall be incorporated into country assistance and democracy promotion strategies, as appropriate;

(B) for programs to implement the May 2011, International Strategy for Cyberspace; the Department of State International Cyberspace Policy Strategy required by section 402 of the Cybersecurity Act of 2015 (division N of Public Law 114-113); and the comprehensive strategy to promote Internet freedom and access to information in Iran, as required by section 414 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8754);

(C) made available for programs that support the efforts of civil society to counter the development of repressive Internet-related laws and regulations, including countering threats to Internet freedom at international organizations; to combat violence against bloggers and other users; and to enhance digital

bloggers and other users; and to enhance digital security training and capacity building for democracy activists;

(D) made available for research of key threats to Internet freedom; the continued development of technologies that provide or enhance access to the Internet, including circumvention tools that bypass Internet blocking, filtering, and other censorship techniques used by authoritarian governments; and maintenance of the technological advantage of the United States Government over such censorship techniques: Provided, That the Secretary of State, in consultation with the Chief Executive Officer (CEO) of the Broadcasting Board of Governors (BBG), shall coordinate any such research and development programs with other relevant United States Government departments and agencies in order to share information, technologies, and best practices, and to assess the effectiveness of such technologies; and

(E) made available only after the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, concurs that such funds are allocated consistent with--

(i) the strategies referenced in subparagraph (B) of this paragraph;

(ii) best practices regarding security for, and oversight of, Internet freedom programs; and

(iii) sufficient resources and support for the development and maintenance of anti-censorship technology and tools.

(2) Funds appropriated by this Act under the heading ``International Broadcasting Operations'' that are made available pursuant to subsection (a) shall be--

(A) made available only for tools and techniques to securely develop and distribute BBG digital content; facilitate audience access to such content on websites that are censored; coordinate the distribution of BBG digital content to targeted regional audiences; and to promote and distribute such tools and techniques, including digital security techniques;

(B) coordinated with programs funded by this Act under the heading ``International Broadcasting Operations'', and shall be incorporated into country broadcasting strategies, as appropriate;

(C) coordinated by the BBG CEO to provide Internet circumvention tools and techniques for audiences in countries that are strategic priorities for the BBG and in a manner consistent with the BBG Internet freedom strategy; and

(D) made available for the research and development of new tools or techniques authorized in paragraph (A) only after the BBG CEO, in consultation with the Secretary of State and other relevant United States Government departments and agencies, evaluates the risks and benefits of such new tools or techniques, and establishes safeguards to minimize the use of such new tools or techniques for illicit purposes.

(c) Coordination and Spend Plans.--After consultation among the relevant agency heads to coordinate and de-conflict planned activities, but not later than 90 days after enactment of this Act, the Secretary of State and the BBG CEO shall submit to the Committees on Appropriations spend plans for funds made available by this Act for programs to promote Internet freedom globally, which shall include a description of safeguards established by relevant agencies to ensure that such programs are not used for illicit purposes. Provided, That

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that such programs are not used for illicit purposes: Provided, That the Department of State spend plan shall include funding for all such programs for all relevant Department of State and USAID offices and bureaus.

(d) Security Audits.--Funds made available pursuant to this section to promote Internet freedom globally may only be made available to support technologies that undergo comprehensive security audits conducted by the Bureau of Democracy, Human Rights, and Labor, Department of State to ensure that such technology is secure and has not been compromised in a manner detrimental to the interest of the United States or to individuals and organizations benefiting from programs supported by such funds: Provided, That the security auditing procedures used by such Bureau shall be reviewed and updated periodically to reflect current industry security standards.

(e) Surge.--Of the funds appropriated by this Act under the heading ``Economic Support Fund'', up to \$2,500,000 may be made available to surge Internet freedom programs in closed societies if the Secretary of State determines and reports to the appropriate congressional committees that such use of funds is in the national interest: Provided, That such funds are in addition to amounts made available for such purposes: Provided further, That such funds may be transferred to, and merged with, funds appropriated by this Act under the heading ``International Broadcasting Operations'' following consultation with, and the regular notification procedures of, the Committees on Appropriations.

impact on jobs in the united states

Sec. 7073. None of the funds appropriated or otherwise made available under titles III through VI of this Act may be obligated or expended to provide--

(1) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States;

(2) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers' rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: Provided, That the application of section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture;

(3) any assistance to an entity outside the United States if such assistance is for the purpose of directly relocating or transferring jobs from the United States to other countries and adversely impacts the labor force in the United States; or

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

(A) the third proviso of subsection 7079(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111-117);

(B) the modification proposed by the Overseas Private Investment Corporation in November 2013 to the Corporation's Environmental and Social Policy Statement relating to coal; or

(C) the Supplemental Guidelines for High Carbon Intensity Projects approved by the Export-Import Bank of the United States on December 12, 2013,

when enforcement of such rule, regulation, policy, or

when enforcement of such rule, regulation, policy, or guidelines would prohibit, or have the effect of prohibiting, any coal-fired or other power-generation project the purpose of which is to: (i) provide affordable electricity in International Development Association (IDA)-eligible countries and IDA-blend countries; and (ii) increase exports of goods and services from the United States or prevent the loss of jobs from the United States.

special defense acquisition fund

Sec. 7074. Not to exceed \$900,000,000 may be obligated pursuant to section 51(c)(2) of the Arms Export Control Act for the purposes of the Special Defense Acquisition Fund (the Fund), to remain available for obligation until September 30, 2021: Provided, That the provision of defense articles and services to foreign countries or international organizations from the Fund shall be subject to the concurrence of the Secretary of State.

reorganization

Sec. 7075. (a) Limitations.--

(1) Bureau of population, refugees, and migration, department of state.--None of the funds appropriated by this Act, prior Acts making appropriations for the Department of State, foreign operations, and related programs, or any other Act may be used to downsize, downgrade, consolidate, close, move, or relocate the Bureau of Population, Refugees, and Migration, Department of State, to another Federal agency.

(2) Administration of funds.--Funds made available by this Act--

(A) under the heading ``Migration and Refugee Assistance'' shall be administered by the Assistant Secretary for Population, Refugees, and Migration, Department of State, and this responsibility shall not be delegated; and

(B) that are made available for the Office of Global Women's Issues shall be administered by the United States Ambassador-at-Large for Global Women's Issues, Department of State, and this responsibility shall not be delegated.

(b) Requirements.--

(1) Cost analysis and implementation plan.--None of the funds appropriated by this Act, prior Acts making appropriations for the Department of State, foreign operations, and related programs, or any other Act may be used to implement a reorganization plan for an agency, organization, or entity funded by this Act unless the appropriate congressional committees receive, not less than 60 days prior to the date of the implementation of such plan, a--

(A) comprehensive analysis of the short- and long-term costs associated with such reorganization, including for implementation, facilities and personnel, for the current fiscal year and subsequent fiscal years; and

(B) specific plan for implementing such reorganization, including realistic timelines and benchmarks.

(2) Prior consultation.--Funds appropriated by this Act, prior Acts making appropriations for the Department of State, foreign operations, and related programs, or any other Act may not be used to implement a reorganization by the Department of State, United States Agency for International Development, any other Federal agency, or organization funded by this Act without prior consultation by the head of such department, agency, or organization with the appropriate congressional

(3) Notification.--Funds made available by this Act that are made available for the reorganization of the Department of State, USAID, or any other Federal agency, or organization funded by this Act shall be subject to the regular notification procedures of the Committees on Appropriations.

(4) Operating plans.--Operating plans submitted pursuant to section 7076(a) of this Act shall reflect, as applicable, the costs associated with any reorganization planned during fiscal year 2019.

(c) Fiscal Year 2019 Personnel Endstrength Levels.--Funds appropriated by this Act and made available for the Department of State and USAID shall be made available to fund the full cost of the personnel requirements necessary to carry out the diplomatic, development, and national security missions of the Department of State and USAID: Provided, That as of September 30, 2019 the on-board, full-time career/permanent personnel levels of the Foreign Service and Civil Service of--

(1) the Department of State supported by such funds in title I of this Act under the heading ``Diplomatic Programs'' shall be not less than 12,900 and 8,400, respectively; and

(2) USAID supported by such funds in title II of this Act under the heading ``Operating Expenses'' shall not be less than 1,850 and 1,600, respectively.

(d) Definition.--For the purpose of this section, the term ``reorganization'' means any step taken to--

(1) expand, eliminate, consolidate, or downsize departments, agencies, or organizations, including bureaus and offices within or between such departments, agencies, or organizations, including the transfer to other agencies of the authorities and responsibilities of such bureaus and offices; and

(2) expand, eliminate, consolidate, or downsize the United States official presence overseas including at bilateral, regional, and multilateral diplomatic facilities and other platforms.

budget documents

Sec. 7076. (a) Operating and Reorganization Plans.--Not later than 45 days after the date of enactment of this Act, each department, agency, or organization funded in titles I, II, and VI of this Act, and the Department of the Treasury and Independent Agencies funded in title III of this Act, including the Inter-American Foundation and the United States African Development Foundation, shall submit to the Committees on Appropriations an operating plan for funds appropriated to such department, agency, or organization in such titles of this Act, or funds otherwise available for obligation in fiscal year 2019, that provides details of the uses of such funds at the program, project, and activity level: Provided, That such plans shall include, as applicable, a comparison between the congressional budget justification funding levels, the most recent congressional directives or approved funding levels, and the funding levels proposed by the department or agency; and a clear, concise, and informative description/ justification: Provided further, That if such department, agency, or organization receives an additional amount under the same heading in title VIII of this Act, operating plans required by this subsection shall include consolidated information on all such funds: Provided further, That operating plans that include changes in levels of funding for programs, projects, and activities specified in the congressional budget justification, in this Act, or amounts specifically designated in the respective tables included in the report accompanying this Act, as applicable, shall be subject to the notification and reprogramming requirements of section 7015 of this Act.

(b) Spend Plans

(b) Spend plans.--

(1) Prior to the initial obligation of funds, the Secretary of State or Administrator of the United States Agency for International Development, as appropriate, shall submit to the Committees on Appropriations a spend plan for funds made available by this Act, for--

(A) assistance for Afghanistan, Iraq, Lebanon, Pakistan, and the West Bank and Gaza;

(B) assistance made available pursuant to section 7067(d) of this Act to counter Russian influence and aggression, except that such plan shall be on a country-by-country basis;

(C) assistance made available pursuant to section 7059 of this Act;

(D) Power Africa and the regional security initiatives listed under this section in Senate Report 115-152: Provided, That the spend plan for such initiatives shall include the amount of assistance planned for each country by account, to the maximum extent practicable; and

(E) democracy programs, programs to support section 7069(a) of this Act, and sectors enumerated in subsections (a), (c), (d), (e), (f), and (h) of section 7060 of this Act.

(2) Not later than 45 days after enactment of this Act, the Secretary of the Treasury shall submit to the Committees on Appropriations a detailed spend plan for funds made available by this Act under the heading ``Department of the Treasury, International Affairs Technical Assistance'' in title III.

(3) Notwithstanding paragraph (1), up to 10 percent of the funds contained in a spend plan required by this subsection may be obligated prior to the submission of such spend plan if the Secretary of State or the USAID Administrator, as appropriate, determines that the obligation of such funds is necessary to avoid significant programmatic disruption: Provided, That not less than seven days prior to such obligation, the Secretary or Administrator, as appropriate, shall consult with the Committees on Appropriations on the justification for such obligation and the proposed uses of such funds.

(c) Spending Report.--Not later than 45 days after enactment of this Act, the USAID Administrator shall submit to the Committees on Appropriations a detailed report on spending of funds made available during fiscal year 2018 under the heading ``Development Credit Authority''.

(d) Clarification.--The spend plans referenced in subsection (b) shall not be considered as meeting the notification requirements in this Act or under section 634A of the Foreign Assistance Act of 1961.

(e) Congressional Budget Justification.--

(1) The congressional budget justification for Department of State operations and foreign operations shall be provided to the Committees on Appropriations concurrent with the date of submission of the President's budget for fiscal year 2019: Provided, That the appendices for such justification shall be provided to the Committees on Appropriations not later than 10 calendar days thereafter.

(2) The Secretary of State and the USAID Administrator shall include in the congressional budget justification a detailed justification for multi-year availability for any funds requested under the headings ``Diplomatic Programs'' and ``Operating Expenses''.

rescissions

(including rescission of funds)

Sec. 7077. (a) Of the unobligated balances available under the

sec. 1077. (a) Of the unobligated balances available under the heading ``International Narcotics Control and Law Enforcement'', as identified by Treasury Appropriation Fund Symbol 11 X 1022, \$14,000,000 are rescinded.

(b) Of the grant balances in the Foreign Military Sales Trust Fund, identified by Treasury Appropriation Fund Symbol 97-11 X 8242, which are not currently applied to an active FMS case and which were appropriated prior to fiscal year 2009, \$11,000,000 shall be deobligated, as appropriate, and shall be permanently rescinded.

TITLE VIII

OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM

DEPARTMENT OF STATE

Administration of Foreign Affairs

diplomatic programs

(including transfer of funds)

For an additional amount for ``Diplomatic Programs'', \$2,975,971,000, to remain available until September 30, 2020, of which \$2,376,122,000 is for Worldwide Security Protection and shall remain available until expended: Provided, That the Secretary of State may transfer up to \$5,000,000 of the total funds made available under this heading to any other appropriation of any department or agency of the United States, upon the concurrence of the head of such department or agency, to support operations in, and assistance for, Afghanistan and to carry out the provisions of the Foreign Assistance Act of 1961: Provided further, That any such transfer shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

office of inspector general

For an additional amount for ``Office of Inspector General'', \$68,100,000, to remain available until September 30, 2020, of which \$54,900,000 shall be for the Special Inspector General for Afghanistan Reconstruction (SIGAR) for reconstruction oversight: Provided, That printing and reproduction costs of SIGAR shall not exceed amounts for such costs during fiscal year 2018: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

International Organizations

contributions to international organizations

For an additional amount for ``Contributions to International Organizations'', \$96,240,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

contributions for international peacekeeping activities

For an additional amount for ``Contributions for International Peacekeeping Activities'', \$967,456,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

Funds Appropriated to the President

operating expenses

For an additional amount for ``Operating Expenses'', \$158,067,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

office of inspector general

For an additional amount for ``Office of Inspector General'', \$2,500,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BILATERAL ECONOMIC ASSISTANCE

Funds Appropriated to the President

international disaster assistance

For an additional amount for ``International Disaster Assistance'', \$584,278,000, to remain available until expended: Provided, That such funds shall be apportioned to the United States Agency for International Development not later than 45 days after enactment of this Act: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

transition initiatives

For an additional amount for ``Transition Initiatives'', \$62,043,000, to remain available until expended: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

economic support fund

For an additional amount for ``Economic Support Fund'', \$1,167,622,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Department of State

migration and refugee assistance

For an additional amount for ``Migration and Refugee Assistance'' to respond to refugee crises, including in Africa, the Near East, South and Central Asia, and Europe and Eurasia, \$493,976,000, to remain available until expended, except that such funds shall not be made available for the resettlement costs of refugees in the United States: Provided, That such amount is designated by the Congress for Overseas
<https://www.congress.gov/bill/115th-congress/senate-bill/3108/text?format=txt>

10/18/2018 Text - S.3108 - 115th Congress (2017-2018): Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 | Congress.gov...
Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

Department of State

international narcotics control and law enforcement

For an additional amount for ``International Narcotics Control and Law Enforcement'', \$417,951,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

nonproliferation, anti-terrorism, demining and related programs

For an additional amount for ``Nonproliferation, Anti-terrorism, Demining and Related Programs'', \$220,583,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

peacekeeping operations

For an additional amount for ``Peacekeeping Operations'', \$325,213,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That funds available for obligation under this heading in this Act may be used to pay assessed expenses of international peacekeeping activities in Somalia, subject to the regular notification procedures of the Committees on Appropriations.

Funds Appropriated to the President

foreign military financing program

For an additional amount for ``Foreign Military Financing Program'', \$460,000,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS

additional appropriations

Sec. 8001. Notwithstanding any other provision of law, funds appropriated in this title are in addition to amounts appropriated or otherwise made available in this Act for fiscal year 2019.

extension of authorities and conditions

Sec. 8002. Unless otherwise provided for in this Act, the additional amounts appropriated by this title to appropriations accounts in this Act shall be available under the authorities and conditions applicable to such appropriations accounts.

transfer of funds

TRANSFER OF FUNDS

Sec. 8003. (a) Transfer of Funds Between Accounts.--

(1) Funds appropriated by this title in this Act under the headings ``Transition Initiatives'', ``Economic Support Fund'', and ``Assistance for Europe, Eurasia and Central Asia'' may be transferred to, and merged with, funds appropriated by this title under such headings.

(2) Funds appropriated by this title in this Act under the headings ``International Narcotics Control and Law Enforcement'', ``Nonproliferation, Anti-terrorism, Demining and Related Programs'', ``Peacekeeping Operations'', and ``Foreign Military Financing Program'' may be transferred to, and merged with, funds appropriated by this title under such headings.

(b) Global Security Contingency Fund.--Notwithstanding any other provision of this section, up to \$7,500,000 from funds appropriated under the headings ``International Narcotics Control and Law Enforcement'', ``Peacekeeping Operations'', and ``Foreign Military Financing Program'' by this title in this Act may be transferred to, and merged with, funds previously made available under the heading ``Global Security Contingency Fund''.

(c) Limitation.--The transfer authority provided in subsection (a) may only be exercised to address contingencies.

(d) Notification.--The transfer authority provided by this section shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided, That such transfer authority is in addition to any transfer authority otherwise available under any other provision of law, including section 610 of the Foreign Assistance Act of 1961 which may be exercised by the Secretary of State for the purposes of this title.

designation requirement

Sec. 8004. Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

This Act may be cited as the ``Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019''.

Calendar No. 480

115th CONGRESS

2d Session

S. 3108

[Report No. 115-282]

A BILL

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2019, and for other purposes.

June 21, 2018

Read twice and placed on the calendar

