

[FULL COMMITTEE PRINT]

NOTICE: This bill is being given out subject to release when consideration of it has been completed by the full Committee. Please check on such action before release in order to be advised of any changes.

Union Calendar No. _____

112TH CONGRESS
2^D SESSION

H. R. _____

[Report No. 112-____]

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2013, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

--, 2012

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

A BILL

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2013, and for other purposes.

1 thorized by section 801 of the United States Infor-
2 mation and Educational Exchange Act of 1948,
3 \$2,318,106,000, to remain available until September
4 30, 2014, of which not less than \$130,178,000 shall
5 be available only for public diplomacy American sal-
6 aries, and up to \$216,963,000 is for Worldwide Se-
7 curity Protection and shall remain available until ex-
8 pended.

9 (2) OVERSEAS PROGRAMS.—For necessary ex-
10 penses for the regional bureaus of the Department
11 of State and overseas activities as authorized by law,
12 \$1,898,176,000, to remain available until September
13 30, 2014, of which not less than \$339,208,000 shall
14 be available only for public diplomacy international
15 information programs.

16 (3) DIPLOMATIC POLICY AND SUPPORT.—For
17 necessary expenses for the functional bureaus of the
18 Department of State, including representation to
19 certain international organizations in which the
20 United States participates pursuant to treaties rati-
21 fied pursuant to the advice and consent of the Sen-
22 ate or specific Acts of Congress, general administra-
23 tion, and arms control, nonproliferation and disar-
24 mament activities as authorized, \$861,188,000, to
25 remain available until September 30, 2014.

1 (4) SECURITY PROGRAMS.—For necessary ex-
2 penses for security activities, \$1,198,581,000, to re-
3 main available until September 30, 2014, of which
4 up to \$1,062,304,000 is for Worldwide Security Pro-
5 tection and shall remain available until expended.

6 (5) FEES AND PAYMENTS COLLECTED.—In ad-
7 dition to amounts otherwise made available under
8 this heading—

9 (A) not to exceed \$1,806,600 shall be de-
10 rived from fees collected from other executive
11 agencies for lease or use of facilities located at
12 the International Center in accordance with sec-
13 tion 4 of the International Center Act, and, in
14 addition, as authorized by section 5 of such
15 Act, \$520,150, to be derived from the reserve
16 authorized by that section, to be used for the
17 purposes set out in that section;

18 (B) as authorized by section 810 of the
19 United States Information and Educational Ex-
20 change Act, not to exceed \$5,000,000, to re-
21 main available until expended, may be credited
22 to this appropriation from fees or other pay-
23 ments received from English teaching, library,
24 motion pictures, and publication programs and

1 from fees from educational advising and coun-
2 seling and exchange visitor programs; and

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

6 (6) TRANSFER, REPROGRAMMING, AND OTHER
7 MATTERS.—

8 (A) Notwithstanding any provision of this
9 Act, funds may be reprogrammed within and
10 between subsections under this heading subject
11 to section 7015 of this Act;

12 (B) Of the amount made available under
13 this heading, not to exceed \$10,000,000 may be
14 transferred to, and merged with, funds made
15 available by this Act under the heading “Emer-
16 gencies in the Diplomatic and Consular Serv-
17 ice”, to be available only for emergency evacu-
18 ations and rewards, as authorized; and

19 (C) Funds appropriated under this heading
20 are available for acquisition by exchange or pur-
21 chase of passenger motor vehicles as authorized
22 by law and, pursuant to 31 U.S.C. 1108(g), for
23 the field examination of programs and activities
24 in the United States funded from any account
25 contained in this title.

1 (D) Of the amount made available under
2 this heading, up to \$15,300,000 may be trans-
3 ferred to, and merged with, funds made avail-
4 able by this Act under the heading “Depart-
5 ment of State, Administration of Foreign Af-
6 fairs, Payment to the American Institute in
7 Taiwan”: *Provided*, That the transfer authority
8 of this subparagraph is in addition to any other
9 transfer authority available to the Secretary of
10 State.

11 (E) Of the amount made available under
12 this heading, up to \$35,000,000, to remain
13 available until expended, may be transferred to,
14 and merged with, funds previously made avail-
15 able under the heading “Conflict Stabilization
16 Operations” in title I of prior acts making ap-
17 propriations for the Department of State, for-
18 eign operations, and related programs.

19 (F) None of the funds appropriated or oth-
20 erwise made available under this heading shall
21 be available for the Ambassador’s Fund for
22 Cultural Preservation.

23 CAPITAL INVESTMENT FUND

24 For necessary expenses of the Capital Investment
25 Fund, \$59,380,000, to remain available until expended,

1 as authorized: *Provided*, That section 135(e) of Public
2 Law 103–236 shall not apply to funds available under this
3 heading.

4 OFFICE OF INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General, \$60,154,000.

7 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

8 For expenses of educational and cultural exchange
9 programs, as authorized, \$586,957,000, to remain avail-
10 able until expended: *Provided*, That not to exceed
11 \$5,000,000, to remain available until expended, may be
12 credited to this appropriation from fees or other payments
13 received from or in connection with English teaching, edu-
14 cational advising and counseling programs, and exchange
15 visitor programs as authorized.

16 REPRESENTATION ALLOWANCES

17 For representation allowances as authorized,
18 \$7,300,000.

19 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

20 For expenses, not otherwise provided, to enable the
21 Secretary of State to provide for extraordinary protective
22 services, as authorized, \$27,000,000, to remain available
23 until September 30, 2014.

1 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

2 For necessary expenses for carrying out the Foreign
3 Service Buildings Act of 1926 (22 U.S.C. 292–303), pre-
4 serving, maintaining, repairing, and planning for buildings
5 that are owned or directly leased by the Department of
6 State, renovating, in addition to funds otherwise available,
7 the Harry S Truman Building, and carrying out the Dip-
8 lomatic Security Construction Program as authorized,
9 \$837,401,000, to remain available until expended as au-
10 thorized, of which not to exceed \$25,000 may be used for
11 domestic and overseas representation as authorized: *Pro-*
12 *vided*, That none of the funds appropriated in this para-
13 graph shall be available for acquisition of furniture, fur-
14 nishings, or generators for other departments and agen-
15 cies.

16 In addition, for the costs of worldwide security up-
17 grades, acquisition, and construction as authorized,
18 \$688,799,000, to remain available until expended: *Pro-*
19 *vided*, That not later than 45 days after enactment of this
20 Act, the Secretary of State shall submit to the Committees
21 on Appropriations the proposed allocation of funds made
22 available under this heading and the actual and antici-
23 pated proceeds of sales for all projects in fiscal year 2013.

1 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
2 DISABILITY FUND

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

5 INTERNATIONAL ORGANIZATIONS

6 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

7 For necessary expenses, not otherwise provided for,
8 to meet annual obligations of membership in international
9 multilateral organizations, pursuant to treaties ratified
10 pursuant to the advice and consent of the Senate, conven-
11 tions or specific Acts of Congress, \$1,310,769,000: *Pro-*
12 *vided*, That the Secretary of State shall, at the time of
13 the submission of the President's budget to Congress
14 under section 1105(a) of title 31, United States Code,
15 transmit to the Committees on Appropriations the most
16 recent biennial budget prepared by the United Nations for
17 the operations of the United Nations: *Provided further*,
18 That the Secretary of State shall notify the Committees
19 on Appropriations at least 15 days in advance (or in an
20 emergency, as far in advance as is practicable) of any
21 United Nations action to increase funding for any United
22 Nations program without identifying an offsetting de-
23 crease elsewhere in the United Nations budget: *Provided*
24 *further*, That the Secretary of State shall report to the
25 Committees on Appropriations not later than May 1,

1 2013, on any credits available to the United States from
2 the United Nations Tax Equalization Fund (TEF) and
3 provide updated fiscal year 2014 assessment costs includ-
4 ing offsets from available TEF credits and updated for-
5 eign currency exchange rates: *Provided further*, That any
6 such credits shall only be available for United States as-
7 sessed contributions to the United Nations and shall be
8 subject to the regular notification procedures of the Com-
9 mittees on Appropriations: *Provided further*, That any
10 payment of arrearages under this heading shall be directed
11 toward activities that are mutually agreed upon by the
12 United States and the respective international organiza-
13 tion: *Provided further*, That none of the funds appro-
14 priated under this heading shall be available for a United
15 States contribution to an international organization for
16 the United States share of interest costs made known to
17 the United States Government by such organization for
18 loans incurred on or after October 1, 1984, through exter-
19 nal borrowings.

20 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
21 ACTIVITIES

22 For necessary expenses to pay assessed and other ex-
23 penses of international peacekeeping activities directed to
24 the maintenance or restoration of international peace and
25 security, \$1,828,182,000, of which 15 percent shall re-

1 main available until September 30, 2014: *Provided*, That
2 none of the funds made available by this Act shall be obli-
3 gated or expended for any new or expanded United Na-
4 tions peacekeeping mission unless, at least 15 days in ad-
5 vance of voting for a new or expanded mission in the
6 United Nations Security Council (or in an emergency as
7 far in advance as is practicable), the Committees on Ap-
8 propriations are notified: (1) of the estimated cost and du-
9 ration of the mission, the national interest that will be
10 served, and the exit strategy; (2) that the United Nations
11 has taken necessary measures to prevent United Nations
12 employees, contractor personnel, and peacekeeping troops
13 serving in the mission from trafficking in persons, exploit-
14 ing victims of trafficking, or committing acts of illegal sex-
15 ual exploitation or other violations of human rights, and
16 to bring to justice individuals who engage in such acts
17 while participating in the peacekeeping mission, including
18 prosecution in their home countries of such individuals in
19 connection with such acts, and to make any relevant infor-
20 mation about such cases publicly available in the country
21 in which an alleged crime occurs and on the United Na-
22 tions' website; and (3) pursuant to section 7015 of this
23 Act, and the procedures therein followed, setting forth the
24 source of funds that will be used to pay the cost of the
25 new or expanded mission: *Provided further*, That funds

1 shall be available for peacekeeping expenses unless the
2 Secretary of State determines that American manufactur-
3 ers and suppliers are not being given opportunities to pro-
4 vide equipment, services, and material for United Nations
5 peacekeeping activities equal to those being given to for-
6 eign manufacturers and suppliers: *Provided further*, That
7 the Secretary of State shall work with the United Nations
8 and foreign governments contributing peacekeeping troops
9 to develop effective vetting procedures to ensure that such
10 troops have not violated human rights: *Provided further*,
11 That none of the funds appropriated or otherwise made
12 available under this heading may be used for any United
13 Nations peacekeeping mission that will involve United
14 States Armed Forces under the command or operational
15 control of a foreign national, unless the President's mili-
16 tary advisors have submitted to the President a rec-
17 ommendation that such involvement is in the national in-
18 terests of the United States and the President has sub-
19 mitted to the Congress such a recommendation: *Provided*
20 *further*, That the Secretary of State shall report to the
21 Committees on Appropriations not later than May 1,
22 2013, of any credits available to the United States result-
23 ing from United Nations peacekeeping missions or the
24 United Nations Tax Equalization Fund: *Provided further*,
25 That any such credits shall only be available for United

1 States assessed contributions to the United Nations and
2 shall be subject to the regular notification procedures of
3 the Committees on Appropriations.

4 INTERNATIONAL COMMISSIONS

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

8 INTERNATIONAL BOUNDARY AND WATER COMMISSION,
9 UNITED STATES AND MEXICO

10 For necessary expenses for the United States Section
11 of the International Boundary and Water Commission,
12 United States and Mexico, and to comply with laws appli-
13 cable to the United States Section, including not to exceed
14 \$6,000 for representation; as follows:

15 SALARIES AND EXPENSES

16 For salaries and expenses, not otherwise provided for,
17 \$44,722,000.

18 CONSTRUCTION

19 For detailed plan preparation and construction of au-
20 thorized projects, \$31,453,000, to remain available until
21 expended, as authorized.

22 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

23 For necessary expenses, not otherwise provided, for
24 the International Joint Commission and the International
25 Boundary Commission, United States and Canada, as au-

1 thORIZED by treaties between the United States and Can-
2 ada or Great Britain, and the Border Environment Co-
3 operation Commission as authorized by Public Law 103-
4 182, \$11,687,000: *Provided*, That of the amount provided
5 under this heading for the International Joint Commis-
6 sion, \$9,000 may be made available for representation ex-
7 penses.

8 INTERNATIONAL FISHERIES COMMISSIONS

9 For necessary expenses for international fisheries
10 commissions, not otherwise provided for, as authorized by
11 law, \$32,468,000: *Provided*, That the United States share
12 of such expenses may be advanced to the respective com-
13 missions pursuant to 31 U.S.C. 3324.

14 RELATED AGENCY

15 BROADCASTING BOARD OF GOVERNORS

16 INTERNATIONAL BROADCASTING OPERATIONS

17 For necessary expenses to enable the Broadcasting
18 Board of Governors (BBG), as authorized, to carry out
19 international communication activities, and to make and
20 supervise grants for radio and television broadcasting to
21 the Middle East, \$740,100,000: *Provided*, That funds ap-
22 propriated under this heading shall be made available to
23 expand unrestricted access to information on the Internet
24 through the development and use of circumvention and se-
25 cure communication technologies: *Provided further*, That

1 the circumvention technologies and programs supported
2 by such funds shall undergo a review, to include an assess-
3 ment of protections against such technologies being used
4 for illicit purposes: *Provided further*, That the BBG shall
5 coordinate the development and use of such technologies
6 with the Secretary of State, as appropriate: *Provided fur-*
7 *ther*, That of the total amount appropriated under this
8 heading, not to exceed \$16,000 may be used for official
9 receptions within the United States as authorized, not to
10 exceed \$35,000 may be used for representation abroad as
11 authorized, and not to exceed \$39,000 may be used for
12 official reception and representation expenses of Radio
13 Free Europe/Radio Liberty: *Provided further*, That the
14 BBG shall notify the Committees on Appropriations with-
15 in 15 days of any determination by the Board that any
16 of its broadcast entities, including its grantee organiza-
17 tions, provides an open platform for international terror-
18 ists or those who support international terrorism, or is in
19 violation of the principles and standards set forth in sub-
20 sections (a) and (b) of section 303 of the United States
21 International Broadcasting Act of 1994 (22 U.S.C. 6202)
22 or the entity's journalistic code of ethics: *Provided further*,
23 That significant modifications to BBG broadcast hours
24 previously justified to Congress, including changes to
25 transmission platforms (shortwave, medium wave, sat-

1 elite, Internet, and television), for all BBG language serv-
2 ices shall be subject to the regular notification procedures
3 of the Committees on Appropriations: *Provided further*,
4 That in addition to funds made available under this head-
5 ing, and notwithstanding any other provision of law, up
6 to \$2,000,000 in receipts from advertising and revenue
7 from business ventures, up to \$500,000 in receipts from
8 cooperating international organizations, and up to
9 \$1,000,000 in receipts from privatization efforts of the
10 Voice of America and the International Broadcasting Bu-
11 reau, to remain available until expended for carrying out
12 authorized purposes.

13 BROADCASTING CAPITAL IMPROVEMENTS

14 For the purchase, rent, construction, and improve-
15 ment of facilities for radio and television transmission and
16 reception, and purchase and installation of necessary
17 equipment for radio and television transmission and recep-
18 tion, including to Cuba, as authorized, \$7,030,000, to re-
19 main available until expended, as authorized.

20 RELATED PROGRAMS

21 THE ASIA FOUNDATION

22 For a grant to The Asia Foundation, as authorized
23 by The Asia Foundation Act (22 U.S.C. 4402),
24 \$15,400,000, to remain available until expended, as au-
25 thorized.

1 UNITED STATES INSTITUTE OF PEACE

2 For necessary expenses of the United States Institute
3 of Peace, as authorized by the United States Institute of
4 Peace Act, \$37,400,000, to remain available until Sep-
5 tember 30, 2014, which shall not be used for construction
6 activities.

7 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

8 TRUST FUND

9 For necessary expenses of the Center for Middle
10 Eastern-Western Dialogue Trust Fund, as authorized by
11 section 633 of the Departments of Commerce, Justice, and
12 State, the Judiciary, and Related Agencies Appropriations
13 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-
14 est and earnings accruing to such Fund on or before Sep-
15 tember 30, 2013, to remain available until expended.

16 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

17 For necessary expenses of Eisenhower Exchange Fel-
18 lowships, Incorporated, as authorized by sections 4 and
19 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
20 U.S.C. 5204–5205), all interest and earnings accruing to
21 the Eisenhower Exchange Fellowship Program Trust
22 Fund on or before September 30, 2013, to remain avail-
23 able until expended: *Provided*, That none of the funds ap-
24 propriated herein shall be used to pay any salary or other
25 compensation, or to enter into any contract providing for

1 the payment thereof, in excess of the rate authorized by
2 5 U.S.C. 5376; or for purposes which are not in accord-
3 ance with OMB Circulars A-110 (Uniform Administrative
4 Requirements) and A-122 (Cost Principles for Non-profit
5 Organizations), including the restrictions on compensation
6 for personal services.

7 ISRAELI ARAB SCHOLARSHIP PROGRAM

8 For necessary expenses of the Israeli Arab Scholar-
9 ship Program, as authorized by section 214 of the Foreign
10 Relations Authorization Act, Fiscal Years 1992 and 1993
11 (22 U.S.C. 2452), all interest and earnings accruing to
12 the Israeli Arab Scholarship Fund on or before September
13 30, 2013, to remain available until expended.

14 NATIONAL ENDOWMENT FOR DEMOCRACY

15 For grants made by the Department of State to the
16 National Endowment for Democracy, as authorized by the
17 National Endowment for Democracy Act, \$122,764,000,
18 to remain available until expended, of which \$104,000,000
19 shall be allocated in the traditional and customary man-
20 ner, including for the core institutes, and \$18,764,000
21 shall be for democracy, human rights, and rule of law pro-
22 grams: *Provided*, That the President of the National En-
23 dowment for Democracy shall submit to the Committees
24 on Appropriations not later than 45 days after the date
25 of enactment of this Act a report on the proposed uses

1 of funds under this heading on a regional and country
2 basis.

3 OTHER COMMISSIONS

4 COMMISSION FOR THE PRESERVATION OF AMERICA'S

5 HERITAGE ABROAD

6 SALARIES AND EXPENSES

7 For necessary expenses for the Commission for the
8 Preservation of America's Heritage Abroad, \$602,000, as
9 authorized by section 1303 of Public Law 99-83.

10 UNITED STATES COMMISSION ON INTERNATIONAL

11 RELIGIOUS FREEDOM

12 SALARIES AND EXPENSES

13 For necessary expenses for the United States Com-
14 mission on International Religious Freedom, as authorized
15 by title II of the International Religious Freedom Act of
16 1998 (Public Law 105-292), as amended, \$3,000,000, to
17 remain available until September 30, 2014.

18 COMMISSION ON SECURITY AND COOPERATION IN

19 EUROPE

20 SALARIES AND EXPENSES

21 For necessary expenses of the Commission on Secu-
22 rity and Cooperation in Europe, as authorized by Public
23 Law 94-304, \$2,579,000, to remain available until Sep-
24 tember 30, 2014.

1 TITLE II
2 UNITED STATES AGENCY FOR INTERNATIONAL
3 DEVELOPMENT
4 FUNDS APPROPRIATED TO THE PRESIDENT
5 OPERATING EXPENSES
6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses to carry out the provisions
8 of section 667 of the Foreign Assistance Act of 1961,
9 \$1,015,706,000, to remain available until September 30,
10 2014: *Provided*, That none of the funds appropriated
11 under this heading and under the heading “Capital Invest-
12 ment Fund” in this title may be made available to finance
13 the construction (including architect and engineering serv-
14 ices), purchase, or long-term lease of offices for use by
15 the United States Agency for International Development
16 (USAID), unless the USAID Administrator has identified
17 such proposed use of funds in a report submitted to the
18 Committees on Appropriations at least 15 days prior to
19 the obligation of funds for such purposes: *Provided fur-*
20 *ther*, That contracts or agreements entered into with funds
21 appropriated under this heading during fiscal year 2014
22 may entail commitments for the expenditure of such funds
23 through the following fiscal year: *Provided further*, That
24 any decision to open a new or reorganized USAID mission,
25 bureau, center, or office or, except where there is a sub-

1 stantial security risk to mission personnel, to close or sig-
2 nificantly reduce the number of personnel of any such mis-
3 sion or office, shall be subject to the regular notification
4 procedures of the Committees on Appropriations: *Provided*
5 *further*, That the authority of sections 610 and 109 of the
6 Foreign Assistance Act of 1961 may be exercised by the
7 Secretary of State to transfer funds appropriated to carry
8 out chapter 1 of part I of such Act to “Operating Ex-
9 penses” in accordance with the provisions of those sec-
10 tions: *Provided further*, That any new program, fellowship
11 or initiative not specifically justified in the fiscal year
12 2013 Congressional budget justification shall be subject
13 to the regular notification procedures of the Committees
14 on Appropriations: *Provided further*, That of the funds ap-
15 propriated or made available under this heading, not to
16 exceed \$250,000 may be available for representation and
17 entertainment allowances, of which not to exceed \$5,000
18 may be available for entertainment allowances, for USAID
19 during the current fiscal year: *Provided further*, That no
20 such entertainment funds may be used for the purposes
21 listed in section 7020 of this Act: *Provided further*, That
22 appropriate steps shall be taken to assure that, to the
23 maximum extent possible, United States-owned foreign
24 currencies are utilized in lieu of dollars: *Provided further*,
25 That the USAID Administrator shall consult with the

1 Committees on Appropriations prior to issuing any guid-
2 ance through a Procurement Information Bulletin that
3 changes current requirements related to USAID acquisi-
4 tion and assistance.

5 CAPITAL INVESTMENT FUND

6 For necessary expenses for overseas construction and
7 related costs, and for the procurement and enhancement
8 of information technology and related capital investments,
9 pursuant to section 667 of the Foreign Assistance Act of
10 1961, \$129,700,000, to remain available until expended:
11 *Provided*, That this amount is in addition to funds other-
12 wise available for such purposes: *Provided further*, That
13 funds appropriated under this heading shall be available
14 for obligation only pursuant to the regular notification
15 procedures of the Committees on Appropriations.

16 OFFICE OF INSPECTOR GENERAL

17 For necessary expenses to carry out the provisions
18 of section 667 of the Foreign Assistance Act of 1961,
19 \$50,500,000, to remain available until September 30,
20 2014, which sum shall be available for the Office of In-
21 spector General of the United States Agency for Inter-
22 national Development.

1 TITLE III
2 BILATERAL ECONOMIC ASSISTANCE
3 FUNDS APPROPRIATED TO THE PRESIDENT

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

7 GLOBAL HEALTH PROGRAMS
8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses to carry out the provisions
10 of chapters 1 and 10 of part I of the Foreign Assistance
11 Act of 1961, for global health activities, in addition to
12 funds otherwise available for such purposes,
13 \$2,474,851,000, to remain available until September 30,
14 2014, and which shall be apportioned directly to the
15 United States Agency for International Development
16 (USAID): *Provided*, That this amount shall be made avail-
17 able for training, equipment, and technical assistance to
18 build the capacity of public health institutions and organi-
19 zations in developing countries, and for such activities as:
20 (1) child survival and maternal health programs; (2) im-
21 munization and oral rehydration programs; (3) other
22 health, nutrition, water and sanitation programs which di-
23 rectly address the needs of mothers and children, and re-
24 lated education programs; (4) assistance for children dis-
25 placed or orphaned by causes other than AIDS; (5) pro-

1 grams for the prevention, treatment, control of, and re-
2 search on HIV/AIDS, tuberculosis, polio, malaria, and
3 other infectious diseases including neglected tropical dis-
4 eases, and for assistance to communities severely affected
5 by HIV/AIDS, including children infected or affected by
6 AIDS; and (6) family planning/reproductive health: *Pro-*
7 *vided further*, That funds appropriated under this para-
8 graph may be made available for a United States contribu-
9 tion to the GAVI Alliance: *Provided further*, That none
10 of the funds made available in this Act nor any unobli-
11 gated balances from prior appropriations Acts may be
12 made available to any organization or program which, as
13 determined by the President of the United States, sup-
14 ports or participates in the management of a program of
15 coercive abortion or involuntary sterilization: *Provided fur-*
16 *ther*, That any determination made under the previous
17 proviso must be made no later than 6 months after the
18 date of enactment of this Act, and must be accompanied
19 by the evidence and criteria utilized to make the deter-
20 mination: *Provided further*, That none of the funds made
21 available under this Act may be used to pay for the per-
22 formance of abortion as a method of family planning or
23 to motivate or coerce any person to practice abortions:
24 *Provided further*, That nothing in this paragraph shall be
25 construed to alter any existing statutory prohibitions

1 against abortion under section 104 of the Foreign Assist-
2 ance Act of 1961: *Provided further*, That none of the funds
3 made available under this Act may be used to lobby for
4 or against abortion: *Provided further*, That in order to re-
5 duce reliance on abortion in developing nations, funds
6 shall be available only to voluntary family planning
7 projects which offer, either directly or through referral to,
8 or information about access to, a broad range of family
9 planning methods and services, and that any such vol-
10 untary family planning project shall meet the following re-
11 quirements: (1) service providers or referral agents in the
12 project shall not implement or be subject to quotas, or
13 other numerical targets, of total number of births, number
14 of family planning acceptors, or acceptors of a particular
15 method of family planning (this provision shall not be con-
16 strued to include the use of quantitative estimates or indi-
17 cators for budgeting and planning purposes); (2) the
18 project shall not include payment of incentives, bribes,
19 gratuities, or financial reward to: (A) an individual in ex-
20 change for becoming a family planning acceptor; or (B)
21 program personnel for achieving a numerical target or
22 quota of total number of births, number of family planning
23 acceptors, or acceptors of a particular method of family
24 planning; (3) the project shall not deny any right or ben-
25 efit, including the right of access to participate in any pro-

1 gram of general welfare or the right of access to health
2 care, as a consequence of any individual's decision not to
3 accept family planning services; (4) the project shall pro-
4 vide family planning acceptors comprehensible information
5 on the health benefits and risks of the method chosen, in-
6 cluding those conditions that might render the use of the
7 method inadvisable and those adverse side effects known
8 to be consequent to the use of the method; and (5) the
9 project shall ensure that experimental contraceptive drugs
10 and devices and medical procedures are provided only in
11 the context of a scientific study in which participants are
12 advised of potential risks and benefits; and, not less than
13 60 days after the date on which the USAID Administrator
14 determines that there has been a violation of the require-
15 ments contained in paragraph (1), (2), (3), or (5) of this
16 proviso, or a pattern or practice of violations of the re-
17 quirements contained in paragraph (4) of this proviso, the
18 Administrator shall submit to the Committees on Appro-
19 priations a report containing a description of such viola-
20 tion and the corrective action taken by the Agency: *Pro-*
21 *vided further,* That in awarding grants for natural family
22 planning under section 104 of the Foreign Assistance Act
23 of 1961 no applicant shall be discriminated against be-
24 cause of such applicant's religious or conscientious com-
25 mitment to offer only natural family planning; and, addi-

1 tionally, all such applicants shall comply with the require-
2 ments of the previous proviso: *Provided further*, That for
3 purposes of this or any other Act authorizing or appro-
4 priating funds for the Department of State, foreign oper-
5 ations, and related programs, the term “motivate”, as it
6 relates to family planning assistance, shall not be con-
7 strued to prohibit the provision, consistent with local law,
8 of information or counseling about all pregnancy options:
9 *Provided further*, That information provided about the use
10 of condoms as part of projects or activities that are funded
11 from amounts appropriated by this Act shall be medically
12 accurate and shall include the public health benefits and
13 failure rates of such use.

14 In addition, for necessary expenses to carry out the
15 provisions of the Foreign Assistance Act of 1961 for the
16 prevention, treatment, and control of, and research on,
17 HIV/AIDS, \$5,542,860,000, to remain available until
18 September 30, 2014, which shall be apportioned directly
19 to the Department of State: *Provided*, That funds appro-
20 priated under this paragraph may be made available, not-
21 withstanding any other provision of law, except for the
22 United States Leadership Against HIV/AIDS, Tuber-
23 culosis and Malaria Act of 2003 (Public Law 108–25),
24 as amended, for a United States contribution to the Global
25 Fund to Fight AIDS, Tuberculosis and Malaria (Global

1 Fund), and shall be expended at the minimum rate nec-
2 essary to make timely payment for projects and activities:
3 *Provided further*, That up to 5 percent of the aggregate
4 amount of funds made available to the Global Fund in
5 fiscal year 2013 may be made available to USAID for
6 technical assistance related to the activities of the Global
7 Fund: *Provided further*, That of the funds appropriated
8 under this paragraph, up to \$14,250,000 may be made
9 available, in addition to amounts otherwise available for
10 such purposes, for administrative expenses of the Office
11 of the United States Global AIDS Coordinator.

12 DEVELOPMENT ASSISTANCE

13 For necessary expenses to carry out the provisions
14 of sections 103, 105, 106, 214, and sections 251 through
15 255, and chapter 10 of part I of the Foreign Assistance
16 Act of 1961, \$2,519,950,000, to remain available until
17 September 30, 2014: *Provided*, That relevant bureaus and
18 offices of the United States Agency for International De-
19 velopment (USAID) that support cross-cutting develop-
20 ment programs shall coordinate such programs on a reg-
21 ular basis: *Provided further*, That of the funds appro-
22 priated under this heading, not less than \$23,000,000
23 shall be made available for the American Schools and Hos-
24 pitals Abroad program, and not less than \$10,000,000

1 shall be made available for USAID cooperative develop-
2 ment programs.

3 INTERNATIONAL DISASTER ASSISTANCE

4 For necessary expenses to carry out the provisions
5 of section 491 of the Foreign Assistance Act of 1961 for
6 international disaster relief, rehabilitation, and recon-
7 struction assistance, \$772,602,000, to remain available
8 until expended.

9 TRANSITION INITIATIVES

10 For necessary expenses for international disaster re-
11 habilitation and reconstruction assistance pursuant to sec-
12 tion 491 of the Foreign Assistance Act of 1961,
13 \$50,141,000, to remain available until expended, to sup-
14 port transition to democracy and to long-term develop-
15 ment of countries in crisis: *Provided*, That such support
16 may include assistance to develop, strengthen, or preserve
17 democratic institutions and processes, revitalize basic in-
18 frastructure, and foster the peaceful resolution of conflict:
19 *Provided further*, That the United States Agency for Inter-
20 national Development shall submit a report to the Com-
21 mittees on Appropriations at least 5 days prior to begin-
22 ning a new program of assistance: *Provided further*, That
23 if the Secretary of State determines that it is important
24 to the national interests of the United States to provide
25 transition assistance in excess of the amount appropriated

1 under this heading, up to \$15,000,000 of the funds appro-
2 priated by this Act to carry out the provisions of part I
3 of the Foreign Assistance Act of 1961 may be used for
4 purposes of this heading and under the authorities appli-
5 cable to funds appropriated under this heading: *Provided*
6 *further*, That funds made available pursuant to the pre-
7 vious proviso shall be made available subject to prior con-
8 sultation with the Committees on Appropriations.

9 DEVELOPMENT CREDIT AUTHORITY

10 (INCLUDING TRANSFER OF FUNDS)

11 For the cost of direct loans and loan guarantees pro-
12 vided by the United States Agency for International De-
13 velopment, as authorized by sections 256 and 635 of the
14 Foreign Assistance Act of 1961, up to \$40,000,000 may
15 be derived by transfer from funds appropriated by this Act
16 to carry out part I of such Act: *Provided*, That funds pro-
17 vided under this paragraph and funds provided as a gift
18 pursuant to section 635(d) of the Foreign Assistance Act
19 of 1961 shall be made available only for micro and small
20 enterprise programs, urban programs, and other programs
21 which further the purposes of part I of such Act: *Provided*
22 *further*, That such costs, including the cost of modifying
23 such direct and guaranteed loans, shall be as defined in
24 section 502 of the Congressional Budget Act of 1974, as
25 amended: *Provided further*, That funds made available by

1 this paragraph may be used for the cost of modifying any
2 such guaranteed loans under this Act or prior Acts, and
3 funds used for such costs shall be subject to the regular
4 notification procedures of the Committees on Appropria-
5 tions: *Provided further*, That the provisions of section
6 107A(d) (relating to general provisions applicable to the
7 Development Credit Authority) of the Foreign Assistance
8 Act of 1961, as contained in section 306 of H.R. 1486
9 as reported by the House Committee on International Re-
10 lations on May 9, 1997, shall be applicable to direct loans
11 and loan guarantees provided under this heading, except
12 that the principal amount of loans made or guaranteed
13 under this heading with respect to any single country shall
14 not exceed \$300,000,000: *Provided further*, That these
15 funds are available to subsidize total loan principal, any
16 portion of which is to be guaranteed, of up to
17 \$750,000,000.

18 In addition, for administrative expenses to carry out
19 credit programs administered by the United States Agency
20 for International Development, \$8,200,000, which may be
21 transferred to, and merged with, funds made available
22 under the heading “Operating Expenses” in title II of this
23 Act: *Provided*, That funds made available under this head-
24 ing shall remain available until September 30, 2015.

1 ECONOMIC SUPPORT FUND

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses to carry out the provisions
4 of chapter 4 of part II of the Foreign Assistance Act of
5 1961, \$2,916,719,000, to remain available until Sep-
6 tember 30, 2014: *Provided*, That of the funds appro-
7 priated under this heading, \$250,000,000 shall be avail-
8 able for assistance for Egypt, including not less than
9 \$35,000,000 for education programs of which not less
10 than \$10,000,000 is for scholarships at not-for-profit in-
11 stitutions for Egyptian students with high financial need:
12 *Provided further*, That of the funds appropriated under
13 this heading, not less than \$360,000,000 shall be available
14 for assistance for Jordan: *Provided further*, That
15 \$12,000,000 of the funds made available for assistance for
16 Lebanon under this heading shall be for scholarships at
17 not-for-profit institutions for students in Lebanon with
18 high financial need: *Provided further*, That of the funds
19 appropriated under this heading, not less than
20 \$155,000,000 shall be apportioned directly to the United
21 States Agency for International Development for alter-
22 native development/institution building programs in Co-
23 lombia: *Provided further*, That of the funds appropriated
24 under this heading that are available for assistance for
25 Colombia, not less than \$7,000,000 shall be transferred

1 to, and merged with, funds appropriated under the head-
2 ing “Migration and Refugee Assistance” and shall be
3 made available only for assistance to nongovernmental and
4 international organizations that provide assistance to Co-
5 lombian refugees in neighboring countries: *Provided fur-*
6 *ther*, That of the funds made available under this heading,
7 \$20,000,000 shall be transferred to, and merged with,
8 funds available under the heading “National Endowment
9 for Democracy” to promote democracy and strengthen
10 civil society in Cuba: *Provided further*, That funds appro-
11 priated under this heading may be made available, not-
12 withstanding any other provision of law, for assistance and
13 related programs for the countries identified in section
14 3(c) of the Support for East European Democracy
15 (SEED) Act of 1989 (Public Law 101–179) and section
16 3 of the FREEDOM Support Act (Public Law 102–511)
17 and may be used to carry out the provisions of those Acts.

18 DEMOCRACY FUND

19 For necessary expenses to carry out the provisions
20 of the Foreign Assistance Act of 1961 for the promotion
21 of democracy globally, \$119,770,000, to remain available
22 until September 30, 2014, of which \$70,500,000 shall be
23 made available for the Human Rights and Democracy
24 Fund of the Bureau of Democracy, Human Rights and
25 Labor, Department of State, and \$49,270,000 shall be

1 made available for the Office of Democracy and Govern-
2 ance of the Bureau for Democracy, Conflict, and Human-
3 itarian Assistance, United States Agency for International
4 Development.

5 DEPARTMENT OF STATE

6 MIGRATION AND REFUGEE ASSISTANCE

7 For necessary expenses not otherwise provided for,
8 to enable the Secretary of State to carry out the provisions
9 of section 2(a) and (b) of the Migration and Refugee As-
10 sistance Act of 1962, and other activities to meet refugee
11 and migration needs; salaries and expenses of personnel
12 and dependents as authorized by the Foreign Service Act
13 of 1980; allowances as authorized by sections 5921
14 through 5925 of title 5, United States Code; purchase and
15 hire of passenger motor vehicles; and services as author-
16 ized by section 3109 of title 5, United States Code,
17 \$1,454,400,000, to remain available until expended, of
18 which \$15,000,000 shall be made available for refugees
19 resettling in Israel, and not less than \$35,000,000 shall
20 be made available to respond to small-scale emergency hu-
21 manitarian requirements.

22 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
23 ASSISTANCE FUND

24 For necessary expenses to carry out the provisions
25 of section 2(c) of the Migration and Refugee Assistance

1 Act of 1962, as amended (22 U.S.C. 2601(c)),
2 \$47,000,000, to remain available until expended.

3 INDEPENDENT AGENCIES

4 PEACE CORPS

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses to carry out the provisions
7 of the Peace Corps Act (22 U.S.C. 2501–2523), including
8 the purchase of not to exceed five passenger motor vehicles
9 for administrative purposes for use outside of the United
10 States, \$375,000,000, of which \$5,150,000 is for the Of-
11 fice of Inspector General, to remain available until Sep-
12 tember 30, 2014: *Provided*, That the Director of the Peace
13 Corps may transfer to the Foreign Currency Fluctuations
14 Account, as authorized by 22 U.S.C. 2515, an amount not
15 to exceed \$5,000,000: *Provided further*, That funds trans-
16 ferred pursuant to the previous proviso may not be derived
17 from amounts made available for Peace Corps overseas op-
18 erations: *Provided further*, That of the funds appropriated
19 under this heading, not to exceed \$4,000 may be made
20 available for entertainment expenses: *Provided further*,
21 That any decision to open, close, significantly reduce, or
22 suspend a domestic or overseas office or country program
23 shall be subject to prior consultation with, and the regular
24 notification procedures of, the Committees on Appropria-
25 tions, except that prior consultation and regular notifica-

1 tion procedures may be waived when there is a substantial
2 security risk to volunteers or other Peace Corps personnel,
3 pursuant to section 7015(e) of this Act: *Provided further*,
4 That none of the funds appropriated under this heading
5 shall be used to pay for abortions.

6 MILLENNIUM CHALLENGE CORPORATION

7 For necessary expenses to carry out the provisions
8 of the Millennium Challenge Act of 2003, \$898,200,000
9 to remain available until expended: *Provided*, That of the
10 funds appropriated under this heading, up to
11 \$105,000,000 may be available for administrative ex-
12 penses of the Millennium Challenge Corporation (the Cor-
13 poration): *Provided further*, That up to 5 percent of the
14 funds appropriated under this heading may be made avail-
15 able to carry out the purposes of section 616 of the Millen-
16 nium Challenge Act of 2003 for fiscal year 2013: *Provided*
17 *further*, That section 605(e) of the Millennium Challenge
18 Act of 2003 shall apply to funds appropriated under this
19 heading: *Provided further*, That funds appropriated under
20 this heading may be made available for a Millennium Chal-
21 lenge Compact entered into pursuant to section 609 of the
22 Millennium Challenge Act of 2003 only if such Compact
23 obligates, or contains a commitment to obligate subject to
24 the availability of funds and the mutual agreement of the
25 parties to the Compact to proceed, the entire amount of

1 the United States Government funding anticipated for the
2 duration of the Compact: *Provided further*, That the Chief
3 Executive Officer of the Corporation shall notify the Com-
4 mittees on Appropriations not later than 15 days prior to
5 signing any new country compact or new threshold coun-
6 try program; terminating or suspending any country com-
7 pact or threshold country program; or commencing nego-
8 tiations for any new compact or threshold country pro-
9 gram: *Provided further*, That any funds that are
10 deobligated from a Millennium Challenge Compact shall
11 be subject to the regular notification procedures of the
12 Committees on Appropriations prior to re-obligation: *Pro-*
13 *vided further*, That notwithstanding section 606(a)(2) of
14 the Millennium Challenge Act of 2003, a country shall be
15 a candidate country for purposes of eligibility for assist-
16 ance for the fiscal year if the country has a per capita
17 income equal to or below the World Bank's lower middle
18 income country threshold for the fiscal year and is among
19 the 75 lowest per capita income countries as identified by
20 the World Bank; and the country meets the requirements
21 of section 606(a)(1)(B) of the Millennium Challenge Act
22 of 2003: *Provided further*, That notwithstanding section
23 606(b)(1) of the Millennium Challenge Act of 2003, in ad-
24 dition to countries described in the preceding proviso, a
25 country shall be a candidate country for purposes of eligi-

1 bility for assistance for the fiscal year if the country has
2 a per capita income equal to or below the World Bank's
3 lower middle income country threshold for the fiscal year
4 and is not among the 75 lowest per capita income coun-
5 tries as identified by the World Bank; and the country
6 meets the requirements of section 606(a)(1)(B) of the Mil-
7 lennium Challenge Act of 2003: *Provided further*, That
8 any Millennium Challenge Corporation candidate country
9 under section 606 of the Millennium Challenge Act of
10 2003 with a per capita income that changes in the fiscal
11 year such that the country would be reclassified from a
12 low income country to a lower middle income country or
13 from a lower middle income country to a low income coun-
14 try shall retain its candidacy status in its former income
15 classification for the fiscal year and the two subsequent
16 fiscal years: *Provided further*, That of the funds appro-
17 priated under this heading, not to exceed \$100,000 may
18 be available for representation and entertainment allow-
19 ances, of which not to exceed \$5,000 may be available for
20 entertainment allowances.

21 INTER-AMERICAN FOUNDATION

22 For necessary expenses to carry out the functions of
23 the Inter-American Foundation in accordance with the
24 provisions of section 401 of the Foreign Assistance Act
25 of 1969, \$18,100,000, to remain available until September

1 30, 2014: *Provided*, That of the funds appropriated under
2 this heading, not to exceed \$2,000 may be available for
3 entertainment and representation allowances.

4 AFRICAN DEVELOPMENT FOUNDATION

5 For necessary expenses to carry out title V of the
6 International Security and Development Cooperation Act
7 of 1980 (Public Law 96–533), \$24,000,000, to remain
8 available until September 30, 2014: *Provided*, That funds
9 made available to grantees may be invested pending ex-
10 penditure for project purposes when authorized by the
11 Board of Directors of the African Development Founda-
12 tion (Foundation): *Provided further*, That interest earned
13 shall be used only for the purposes for which the grant
14 was made: *Provided further*, That notwithstanding section
15 505(a)(2) of the African Development Foundation Act, in
16 exceptional circumstances the Board of Directors of the
17 Foundation may waive the \$250,000 limitation contained
18 in that section with respect to a project and a project may
19 exceed the limitation by up to 10 percent if the increase
20 is due solely to foreign currency fluctuation: *Provided fur-*
21 *ther*, That the Foundation shall provide a report to the
22 Committees on Appropriations after each time such waiver
23 authority is exercised.

1 DEPARTMENT OF TREASURY

2 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

3 For necessary expenses to carry out the provisions
4 of section 129 of the Foreign Assistance Act of 1961,
5 \$25,448,000, to remain available until September 30,
6 2015, which shall be available notwithstanding any other
7 provision of law.

8 TITLE IV

9 INTERNATIONAL SECURITY ASSISTANCE

10 DEPARTMENT OF STATE

11 INTERNATIONAL NARCOTICS CONTROL AND LAW

12 ENFORCEMENT

13 For necessary expenses to carry out section 481 of
14 the Foreign Assistance Act of 1961, \$1,061,100,000 to
15 remain available until September 30, 2014: *Provided*,
16 That during fiscal year 2013, the Department of State
17 may also use the authority of section 608 of the Foreign
18 Assistance Act of 1961, without regard to its restrictions,
19 to receive excess property from an agency of the United
20 States Government for the purpose of providing it to a
21 foreign country or international organization under chap-
22 ter 8 of part I of that Act subject to the regular notifica-
23 tion procedures of the Committees on Appropriations: *Pro-*
24 *vided further*, That the Secretary of State shall provide
25 to the Committees on Appropriations not later than 45

1 days after the date of enactment of this Act and prior
2 to the initial obligation of funds appropriated under this
3 heading, a report on the proposed uses of all funds under
4 this heading on a country-by-country basis for each pro-
5 posed program, project, or activity: *Provided further*, That
6 section 482(b) of the Foreign Assistance Act of 1961 shall
7 not apply to funds appropriated under this heading: *Pro-*
8 *vided further*, That assistance provided with funds appro-
9 priated under this heading that is made available notwith-
10 standing section 482(b) of the Foreign Assistance Act of
11 1961 shall be made available subject to the regular notifi-
12 cation procedures of the Committees on Appropriations:
13 *Provided further*, That none of the funds appropriated
14 under this heading shall be made available for assistance
15 for the Bolivian military and police unless the Secretary
16 of State determines and reports to the Committees on Ap-
17 propriations that such funds are in the national security
18 interest of the United States: *Provided further*, That the
19 reporting requirements contained in section 1404 of Pub-
20 lic Law 110–252 shall apply to funds made available by
21 this Act, including a description of modifications, if any,
22 to the security strategy of the Palestinian Authority.

1 and multilateral activities relating to nonproliferation, dis-
2 armament and weapons destruction: *Provided further*,
3 That such funds may also be used for such countries other
4 than the Independent States of the former Soviet Union
5 and international organizations when it is in the national
6 security interest of the United States to do so: *Provided*
7 *further*, That funds appropriated under this heading may
8 be made available for the IAEA only if the Secretary of
9 State determines and so reports to the Congress that the
10 Government of Israel is not being denied its right to par-
11 ticipate in the activities of that Agency: *Provided further*,
12 That of the funds made available for conventional weapons
13 destruction and related activities, not to exceed \$700,000,
14 in addition to funds otherwise available for such purposes,
15 may be used for administrative expenses related to the op-
16 eration and management of the conventional weapons de-
17 struction program: *Provided further*, That funds appro-
18 priated under this heading that are available for “Anti-
19 terrorism Assistance” and “Export Control and Border
20 Security” shall remain available until September 30,
21 2014.

22 PEACEKEEPING OPERATIONS

23 For necessary expenses to carry out the provisions
24 of section 551 of the Foreign Assistance Act of 1961,
25 \$345,000,000: *Provided*, That of the funds appropriated

1 under this heading, not less than \$26,000,000 shall be
2 made available for a United States contribution to the
3 Multinational Force and Observers mission in the Sinai:
4 *Provided further*, That up to \$92,000,000 may be used
5 to pay assessed expenses of international peacekeeping ac-
6 tivities in Somalia and shall be available until September
7 30, 2014: *Provided further*, That additional amounts may
8 be made available by transfer from “Contributions for
9 International Peacekeeping Activities” for the purposes
10 described in the previous proviso, subject to prior con-
11 sultation with, and the regular notification procedures of,
12 the Committees on Appropriations, and shall be available
13 until September 30, 2014: *Provided further*, That funds
14 appropriated under this Act should not be used to support
15 any military training or operations that include child sol-
16 diers: *Provided further*, That none of the funds appro-
17 priated under this heading shall be obligated or expended
18 except as provided through the regular notification proce-
19 dures of the Committees on Appropriations.

20 FUNDS APPROPRIATED TO THE PRESIDENT

21 INTERNATIONAL MILITARY EDUCATION AND TRAINING

22 For necessary expenses to carry out the provisions
23 of section 541 of the Foreign Assistance Act of 1961,
24 \$102,643,000, of which up to \$4,000,000 may remain
25 available until September 30, 2014, and may only be pro-

1 vided through the regular notification procedures of the
2 Committees on Appropriations: *Provided*, That the civilian
3 personnel for whom military education and training may
4 be provided under this heading may include civilians who
5 are not members of a government whose participation
6 would contribute to improved civil-military relations, civil-
7 ian control of the military, or respect for human rights:
8 *Provided further*, That the Secretary of State shall provide
9 to the Committees on Appropriations, not later than 45
10 days after enactment of this Act, a report on the proposed
11 uses of all program funds under this heading on a country-
12 by-country basis, including a detailed description of pro-
13 posed activities: *Provided further*, That of the funds appro-
14 priated under this heading, not to exceed \$55,000 may
15 be available for entertainment allowances.

16 FOREIGN MILITARY FINANCING PROGRAM

17 For necessary expenses for grants to enable the
18 President to carry out the provisions of section 23 of the
19 Arms Export Control Act, \$5,210,000,000: *Provided*,
20 That to expedite the provision of assistance to foreign
21 countries and international organizations, the Secretary of
22 State, following consultation with the Committees on Ap-
23 propriations and subject to the regular notification proce-
24 dures of such Committees, may use the funds appro-
25 priated under this heading to procure defense articles and

1 services to enhance the capacity of foreign security forces:
2 *Provided further*, That of the funds appropriated under
3 this heading, not less than \$3,100,000,000 shall be avail-
4 able for grants only for Israel, and \$1,300,000,000 shall
5 be made available for grants only for Egypt, including for
6 border security programs and activities in the Sinai: *Pro-*
7 *vided further*, That the funds appropriated under this
8 heading for assistance for Israel shall be disbursed within
9 30 days of enactment of this Act: *Provided further*, That
10 to the extent that the Government of Israel requests that
11 funds be used for such purposes, grants made available
12 for Israel under this heading shall, as agreed by the
13 United States and Israel, be available for advanced weap-
14 ons systems, of which not less than \$815,300,000 shall
15 be available for the procurement in Israel of defense arti-
16 cles and defense services, including research and develop-
17 ment: *Provided further*, That funds appropriated under
18 this heading estimated to be outlayed for Egypt during
19 fiscal year 2013 may be transferred to an interest bearing
20 account for Egypt in the Federal Reserve Bank of New
21 York: *Provided further*, That of the funds appropriated
22 under this heading, not less than \$300,000,000 shall be
23 made available for assistance for Jordan: *Provided further*,
24 That none of the funds made available under this heading
25 may be made available to support or continue any program

1 initially funded under the authority of section 1206 of the
2 National Defense Authorization Act for Fiscal Year 2006
3 (Public Law 109–163; 119 Stat. 3456) unless the Sec-
4 retary of State, in coordination with the Secretary of De-
5 fense, has justified such program to the Committees on
6 Appropriations: *Provided further*, That funds appropriated
7 or otherwise made available under this heading shall be
8 nonrepayable notwithstanding any requirement in section
9 23 of the Arms Export Control Act: *Provided further*, That
10 funds made available under this heading shall be obligated
11 upon apportionment in accordance with paragraph (5)(C)
12 of title 31, United States Code, section 1501(a).

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

1 any other provision of law, for demining, the clearance of
2 unexploded ordnance, and related activities, and may in-
3 clude activities implemented through nongovernmental
4 and international organizations: *Provided further*, That
5 only those countries for which assistance was justified for
6 the “Foreign Military Sales Financing Program” in the
7 fiscal year 1989 congressional presentation for security as-
8 sistance programs may utilize funds made available under
9 this heading for procurement of defense articles, defense
10 services or design and construction services that are not
11 sold by the United States Government under the Arms
12 Export Control Act: *Provided further*, That funds appro-
13 priated under this heading shall be expended at the min-
14 imum rate necessary to make timely payment for defense
15 articles and services: *Provided further*, That not more than
16 \$62,800,000 of the funds appropriated under this heading
17 may be obligated for necessary expenses, including the
18 purchase of passenger motor vehicles for replacement only
19 for use outside of the United States, for the general costs
20 of administering military assistance and sales, except that
21 this limitation may be exceeded only through the regular
22 notification procedures of the Committees on Appropria-
23 tions: *Provided further*, That of the funds appropriated
24 under this heading for general costs of administering mili-
25 tary assistance and sales, not to exceed \$4,000 may be

1 available for entertainment expenses and not to exceed
2 \$130,000 may be available for representation allowances:
3 *Provided further*, That not more than \$885,000,000 of
4 funds realized pursuant to section 21(e)(1)(A) of the Arms
5 Export Control Act may be obligated for expenses incurred
6 by the Department of Defense during fiscal year 2013
7 pursuant to section 43(b) of the Arms Export Control Act,
8 except that this limitation may be exceeded only through
9 the regular notification procedures of the Committees on
10 Appropriations.

11

TITLE V

12

MULTILATERAL ASSISTANCE

13

FUNDS APPROPRIATED TO THE PRESIDENT

14

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

15

For necessary expenses to carry out the provisions
16 of section 301 of the Foreign Assistance Act of 1961, and
17 of section 2 of the United Nations Environment Program
18 Participation Act of 1973, \$276,500,000: *Provided*, That
19 none of the funds in this Act may be made available for
20 the Intergovernmental Panel on Climate Change/United
21 Nations Framework Convention on Climate Change: *Pro-*
22 *vided further*, That section 307(a) of the Foreign Assist-
23 ance Act of 1961 shall not apply to contributions to the
24 United Nations Democracy Fund.

1 INTERNATIONAL FINANCIAL INSTITUTIONS

2 GLOBAL ENVIRONMENT FACILITY

3 For payment to the International Bank for Recon-
4 struction and Development as trustee for the Global Envi-
5 ronment Facility by the Secretary of the Treasury,
6 \$64,700,000, to remain available until expended.

7 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT

8 ASSOCIATION

9 For payment to the International Development Asso-
10 ciation by the Secretary of the Treasury, \$1,325,000,000,
11 to remain available until expended.

12 CONTRIBUTION TO THE INTERNATIONAL BANK FOR

13 RECONSTRUCTION AND DEVELOPMENT

14 For payment to the International Bank for Recon-
15 struction and Development by the Secretary of the Treas-
16 ury, for the United States share of the paid-in portion of
17 the increases in capital stock, \$58,682,000, to remain
18 available until expended.

19 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

20 The United States Governor of the International
21 Bank for Reconstruction and Development may subscribe
22 without fiscal year limitation to the callable capital portion
23 of the United States share of increases in capital stock
24 in an amount not to exceed \$919,354,028.

1 GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

2 For payment to the Global Agriculture and Food Se-
3 curity Program by the Secretary of the Treasury,
4 \$99,800,000, to remain available until expended.

5 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT
6 BANK

7 For payment to the Inter-American Development
8 Bank by the Secretary of the Treasury for the United
9 States share of the paid-in portion of the increase in cap-
10 ital stock, \$51,010,000, to remain available until ex-
11 pended.

12 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

13 The United States Governor of the Inter-American
14 Development Bank may subscribe without fiscal year limi-
15 tation to the callable capital portion of the United States
16 share of such capital stock in an amount not to exceed
17 \$2,049,397,417.

18 CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

19 For payment to the Asian Development Bank by the
20 Secretary of the Treasury for the United States share of
21 the paid-in portion of increase in capital stock,
22 \$53,293,000, to remain available until expended.

23 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

24 The United States Governor of the Asian Develop-
25 ment Bank may subscribe without fiscal year limitation

1 to the callable capital portion of the United States share
2 of such capital stock in an amount not to exceed
3 \$1,279,024,385.

4 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

5 For payment to the Asian Development Bank's Asian
6 Development Fund by the Secretary of the Treasury,
7 \$100,000,000, to remain available until expended.

8 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

9 For payment to the African Development Bank by
10 the Secretary of the Treasury for the United States share
11 of the paid-in portion of the increase in capital stock,
12 \$16,209,000, to remain available until expended.

13 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

14 The United States Governor of the African Develop-
15 ment Bank may subscribe without fiscal year limitation
16 to the callable capital portion of the United States share
17 of such capital stock in an amount not to exceed
18 \$253,930,404.

19 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

20 For payment to the African Development Fund by
21 the Secretary of the Treasury, \$172,500,000, to remain
22 available until expended.

1 CONTRIBUTION TO THE INTERNATIONAL FUND FOR
2 AGRICULTURAL DEVELOPMENT

3 For payment to the International Fund for Agricul-
4 tural Development by the Secretary of the Treasury,
5 \$19,850,000, to remain available until expended.

6 TITLE VI
7 EXPORT AND INVESTMENT ASSISTANCE
8 EXPORT-IMPORT BANK OF THE UNITED STATES
9 INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Act of 1978, as amended, \$4,400,000, to remain
13 available until September 30, 2014.

14 PROGRAM ACCOUNT

15 The Export-Import Bank of the United States is au-
16 thorized to make such expenditures within the limits of
17 funds and borrowing authority available to such corpora-
18 tion, and in accordance with law, and to make such con-
19 tracts and commitments without regard to fiscal year limi-
20 tations, as provided by section 104 of the Government
21 Corporation Control Act, as may be necessary in carrying
22 out the program for the current fiscal year for such cor-
23 poration: *Provided*, That none of the funds available dur-
24 ing the current fiscal year may be used to make expendi-
25 tures, contracts, or commitments for the export of nuclear

1 equipment, fuel, or technology to any country, other than
2 a nuclear-weapon state as defined in Article IX of the
3 Treaty on the Non-Proliferation of Nuclear Weapons eligi-
4 ble to receive economic or military assistance under this
5 Act, that has detonated a nuclear explosive after the date
6 of the enactment of this Act: *Provided further*, That not-
7 withstanding section 1(c) of Public Law 103–428, as
8 amended, sections 1(a) and (b) of Public Law 103–428
9 shall remain in effect through October 1, 2013.

10 SUBSIDY APPROPRIATION

11 For the cost of direct loans, loan guarantees, insur-
12 ance, and tied-aid grants as authorized by section 10 of
13 the Export-Import Bank Act of 1945, as amended, not
14 to exceed \$38,000,000: *Provided*, That such costs, includ-
15 ing the cost of modifying such loans, shall be as defined
16 in section 502 of the Congressional Budget Act of 1974:
17 *Provided further*, That such funds shall remain available
18 until September 30, 2028, for the disbursement of direct
19 loans, loan guarantees, insurance and tied-aid grants obli-
20 gated in fiscal years 2013, 2014, 2015, and 2016: *Pro-*
21 *vided further*, That none of the funds appropriated by this
22 Act or any prior Acts appropriating funds for the Depart-
23 ment of State, foreign operations, and related programs
24 for tied-aid credits or grants may be used for any other

1 purpose except through the regular notification procedures
2 of the Committees on Appropriations.

3 ADMINISTRATIVE EXPENSES

4 For administrative expenses to carry out the direct
5 and guaranteed loan and insurance programs, including
6 hire of passenger motor vehicles and services as authorized
7 by 5 U.S.C. 3109, and not to exceed \$30,000 for official
8 reception and representation expenses for members of the
9 Board of Directors, not to exceed \$94,900,000: *Provided*,
10 That the Export-Import Bank may accept, and use, pay-
11 ment or services provided by transaction participants for
12 legal, financial, or technical services in connection with
13 any transaction for which an application for a loan, guar-
14 antee or insurance commitment has been made: *Provided*
15 *further*, That notwithstanding subsection (b) of section
16 117 of the Export Enhancement Act of 1992, subsection
17 (a) thereof shall remain in effect until October 1, 2013:
18 *Provided further*, That the Export-Import Bank shall
19 charge fees for necessary expenses (including special serv-
20 ices performed on a contract or fee basis, but not including
21 other personal services) in connection with the collection
22 of moneys owed the Export-Import Bank, repossession or
23 sale of pledged collateral or other assets acquired by the
24 Export-Import Bank in satisfaction of moneys owed the
25 Export-Import Bank, or the investigation or appraisal of

1 any property, or the evaluation of the legal, financial, or
2 technical aspects of any transaction for which an applica-
3 tion for a loan, guarantee or insurance commitment has
4 been made, or systems infrastructure directly supporting
5 transactions: *Provided further*, That, in addition to other
6 funds appropriated for administrative expenses, such fees
7 shall be credited to this account, to remain available until
8 expended.

9 RECEIPTS COLLECTED

10 Receipts collected pursuant to the Export-Import
11 Bank Act of 1945, as amended, and the Federal Credit
12 Reform Act of 1990, as amended, in an amount not to
13 exceed the amount appropriated herein, shall be credited
14 as offsetting collections to this account: *Provided*, That the
15 sums herein appropriated from the General Fund shall be
16 reduced on a dollar-for-dollar basis by such offsetting col-
17 lections so as to result in a final fiscal year appropriation
18 from the General Fund estimated at \$0: *Provided further*,
19 That amounts collected in fiscal year 2013 in excess of
20 obligations, up to \$50,000,000, shall become available on
21 September 1, 2013, and shall remain available until Sep-
22 tember 30, 2016.

1 of the Congressional Budget Act of 1974: *Provided fur-*
2 *ther*, That such sums shall be available for direct loan obli-
3 gations and loan guaranty commitments incurred or made
4 during fiscal years 2013, 2014, and 2015: *Provided fur-*
5 *ther*, That funds so obligated in fiscal year 2013 remain
6 available for disbursement through 2021; funds obligated
7 in fiscal year 2014 remain available for disbursement
8 through 2022; and funds obligated in fiscal year 2015 re-
9 main available for disbursement through 2023: *Provided*
10 *further*, That notwithstanding any other provision of law,
11 the Overseas Private Investment Corporation is authorized
12 to undertake any program authorized by title IV of chap-
13 ter 2 of part I of the Foreign Assistance Act of 1961 in
14 Iraq: *Provided further*, That funds made available pursu-
15 ant to the authority of the previous proviso shall be subject
16 to the regular notification procedures of the Committees
17 on Appropriations.

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

1 TRADE AND DEVELOPMENT AGENCY

2 For necessary expenses to carry out the provisions
3 of section 661 of the Foreign Assistance Act of 1961,
4 \$50,000,000, to remain available until September 30,
5 2014: *Provided*, That of the funds appropriated under this
6 heading, not more than \$4,000 may be available for rep-
7 resentation and entertainment allowances.

8 TITLE VII

9 GENERAL PROVISIONS

10 ALLOWANCES AND DIFFERENTIALS

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

17 UNOBLIGATED BALANCES REPORT

18 SEC. 7002. Any department or agency of the United
19 States Government to which funds are appropriated or
20 otherwise made available by this Act shall provide to the
21 Committees on Appropriations a quarterly accounting of
22 cumulative unobligated balances and obligated, but unex-
23 pended, balances by program, project, and activity, and
24 Treasury Account Fund Symbol of all funds received by
25 such department or agency in fiscal year 2013 or any pre-

1 vious fiscal year: *Provided*, That the report required by
2 this section should specify by account the amount of funds
3 obligated pursuant to bilateral agreements which have not
4 been further sub-obligated.

5 CONSULTING SERVICES

6 SEC. 7003. The expenditure of any appropriation
7 under title I of this Act for any consulting service through
8 procurement contract, pursuant to 5 U.S.C. 3109, shall
9 be limited to those contracts where such expenditures are
10 a matter of public record and available for public inspec-
11 tion, except where otherwise provided under existing law,
12 or under existing Executive order issued pursuant to exist-
13 ing law.

14 EMBASSY CONSTRUCTION

15 SEC. 7004. (a) Of funds provided under title I of this
16 Act, except as provided in subsection (b), a project to con-
17 struct a diplomatic facility of the United States may not
18 include office space or other accommodations for an em-
19 ployee of a Federal agency or department if the Secretary
20 of State determines that such department or agency has
21 not provided to the Department of State the full amount
22 of funding required by subsection (e) of section 604 of
23 the Secure Embassy Construction and Counterterrorism
24 Act of 1999 (as enacted into law by section 1000(a)(7)
25 of Public Law 106–113 and contained in appendix G of

1 that Act; 113 Stat. 1501A–453), as amended by section
2 629 of the Departments of Commerce, Justice, and State,
3 the Judiciary, and Related Agencies Appropriations Act,
4 2005.

5 (b) Notwithstanding the prohibition in subsection (a),
6 a project to construct a diplomatic facility of the United
7 States may include office space or other accommodations
8 for members of the United States Marine Corps.

9 (c) For the purposes of calculating the fiscal year
10 2013 costs of providing new United States diplomatic fa-
11 cilities in accordance with section 604(e) of the Secure
12 Embassy Construction and Counterterrorism Act of 1999
13 (22 U.S.C. 4865 note), the Secretary of State, in consulta-
14 tion with the Director of the Office of Management and
15 Budget, shall determine the annual program level and
16 agency shares in a manner that is proportional to the De-
17 partment of State’s contribution for this purpose.

18 (d) Funds appropriated by this Act, and any prior
19 Act making appropriations for the Department of State,
20 foreign operations, and related programs, which may be
21 made available for the acquisition of property for diplo-
22 matic facilities in Afghanistan, Pakistan, and Iraq, shall
23 be subject to prior consultation with, and the regular noti-
24 fication procedures of, the Committees on Appropriations.

1 PERSONNEL ACTIONS

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

16 LIMITATION ON THE NEW LONDON EMBASSY

17 SEC. 7006. (a) LIMITATION.—None of the funds ap-
18 propriated under the heading “Embassy Security, Con-
19 struction, and Maintenance” in this Act and in prior Acts
20 making appropriations for the Department of State, for-
21 eign operations, and related programs, made available
22 through Federal agency Capital Security Cost Sharing
23 contributions and reimbursements, or generated from the
24 proceeds of real property sales, other than from real prop-
25 erty sales located in London, United Kingdom, may be

1 made available for site acquisition and mitigation, plan-
2 ning, design, or construction of the New London Embassy.

3 (b) REPORTING REQUIREMENT.—Within 60 days of
4 enactment of this Act and every 6 months thereafter until
5 completion of the New London Embassy, the Secretary of
6 State shall submit to the Committees on Appropriations
7 a report on the project: *Provided*, That such report shall
8 include revenue and cost projections, cost containment ef-
9 forts, project schedule and actual project status, the im-
10 pact of currency exchange rate fluctuations on project rev-
11 enue and costs, and options for modifying the scope of
12 the project in the event that proceeds of real property sales
13 in London fall below the total cost of the project.

14 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
15 COUNTRIES

16 SEC. 7007. None of the funds appropriated or other-
17 wise made available pursuant to titles III through VI of
18 this Act shall be obligated or expended to finance directly
19 any assistance or reparations for the Governments of
20 Cuba, North Korea, Iran, or Syria: *Provided*, That for
21 purposes of this section, the prohibition on obligations or
22 expenditures shall include direct loans, credits, insurance
23 and guarantees of the Export-Import Bank or its agents.

1 COUPS D'ETAT

2 SEC. 7008. None of the funds appropriated or other-
3 wise made available pursuant to titles III through VI of
4 this Act shall be obligated or expended to finance directly
5 any assistance to the government of any country whose
6 duly elected head of government is deposed by military
7 coup d'etat or decree or, after the date of enactment of
8 this Act, a coup d'etat or decree in which the military
9 plays a decisive role: *Provided*, That assistance may be re-
10 sumed to such government if the President determines and
11 certifies to the Committees on Appropriations that subse-
12 quent to the termination of assistance a democratically
13 elected government has taken office: *Provided further*,
14 That the provisions of this section shall not apply to as-
15 sistance to promote democratic elections or public partici-
16 pation in democratic processes: *Provided further*, That
17 funds made available pursuant to the previous provisos
18 shall be subject to the regular notification procedures of
19 the Committees on Appropriations.

20 TRANSFER AUTHORITY

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

23 (1) Not to exceed 5 percent of any appropria-
24 tion made available for the current fiscal year for
25 the Department of State under title I of this Act

1 may be transferred between such appropriations, but
2 no such appropriation, except as otherwise specifi-
3 cally provided, shall be increased by more than 10
4 percent by any such transfers.

5 (2) Not to exceed 5 percent of any appropria-
6 tion made available for the current fiscal year for
7 the Broadcasting Board of Governors under title I
8 of this Act may be transferred between such appro-
9 priations, but no such appropriation, except as oth-
10 otherwise specifically provided, shall be increased by
11 more than 10 percent by any such transfers.

12 (3) Any transfer pursuant to this section shall
13 be treated as a reprogramming of funds under sub-
14 sections (a) and (b) of section 7015 of this Act and
15 shall not be available for obligation or expenditure
16 except in compliance with the procedures set forth in
17 that section.

18 (b) EXPORT FINANCING TRANSFER AUTHORITIES.—
19 Not to exceed 5 percent of any appropriation other than
20 for administrative expenses made available for fiscal year
21 2013, for programs under title VI of this Act may be
22 transferred between such appropriations for use for any
23 of the purposes, programs, and activities for which the
24 funds in such receiving account may be used, but no such
25 appropriation, except as otherwise specifically provided,

1 shall be increased by more than 25 percent by any such
2 transfer: *Provided*, That the exercise of such authority
3 shall be subject to the regular notification procedures of
4 the Committees on Appropriations.

5 (c) LIMITATION ON TRANSFERS BETWEEN AGEN-
6 CIES.—

7 (1) None of the funds made available under ti-
8 tles II through V of this Act may be transferred to
9 any department, agency, or instrumentality of the
10 United States Government, except pursuant to a
11 transfer made by, or transfer authority provided in,
12 this Act or any other appropriations Act.

13 (2) Notwithstanding paragraph (1), in addition
14 to transfers made by, or authorized elsewhere in,
15 this Act, funds appropriated by this Act to carry out
16 the purposes of the Foreign Assistance Act of 1961
17 may be allocated or transferred to agencies of the
18 United States Government pursuant to the provi-
19 sions of sections 109, 610, and 632 of the Foreign
20 Assistance Act of 1961.

21 (3) Any agreement entered into by the United
22 States Agency for International Development
23 (USAID) or the Department of State with any de-
24 partment, agency, or instrumentality of the United
25 States Government pursuant to section 632(b) of the

1 Foreign Assistance Act of 1961 valued in excess of
2 \$1,000,000 and any agreement made pursuant to
3 section 632(a) of such Act, with funds appropriated
4 by this Act and prior Acts making appropriations
5 for the Department of State, foreign operations, and
6 related programs under the headings “Global Health
7 Programs”, “Development Assistance”, and “Eco-
8 nomic Support Fund” shall be subject to the regular
9 notification procedures of the Committees on Appro-
10 priations: *Provided*, That the requirement in the pre-
11 vious sentence shall not apply to agreements entered
12 into between USAID and the Department of State.

13 (d) TRANSFERS BETWEEN ACCOUNTS.—None of the
14 funds made available under titles II through V of this Act
15 may be obligated under an appropriation account to which
16 they were not appropriated, except for transfers specifi-
17 cally provided for in this Act, unless the President, not
18 less than 5 days prior to the exercise of any authority con-
19 tained in the Foreign Assistance Act of 1961 to transfer
20 funds, consults with and provides a written policy jus-
21 tification to the Committees on Appropriations.

22 (e) AUDIT OF INTER-AGENCY TRANSFERS.—Any
23 agreement for the transfer or allocation of funds appro-
24 priated by this Act, or prior Acts, entered into between
25 the Department of State or USAID and another agency

1 of the United States Government under the authority of
2 section 632(a) of the Foreign Assistance Act of 1961 or
3 any comparable provision of law, shall expressly provide
4 that the Inspector General (IG) for the agency receiving
5 the transfer or allocation of such funds, or other entity
6 with audit responsibility if the receiving agency does not
7 have an IG, shall perform periodic program and financial
8 audits of the use of such funds: *Provided*, That such au-
9 dits shall be transmitted to the Committees on Appropria-
10 tions: *Provided further*, That funds transferred under such
11 authority may be made available for the cost of such au-
12 dits.

13 REPORTING REQUIREMENT

14 SEC. 7010. The Secretary of State shall provide the
15 Committees on Appropriations, not later than April 1,
16 2013, and for each fiscal quarter, a report in writing on
17 the uses of funds made available under the headings “For-
18 eign Military Financing Program”, “International Mili-
19 tary Education and Training”, “Peacekeeping Oper-
20 ations”, and “Pakistan Counterinsurgency Capability
21 Fund” in this Act, or prior acts making appropriations
22 for the Department of State, foreign operations, and re-
23 lated programs: *Provided*, That such report shall include
24 a description of the obligation and expenditure of funds,

1 and the specific country in receipt of, and the use or pur-
2 pose of the assistance provided by such funds.

3 AVAILABILITY OF FUNDS

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

1 tion of their respective periods of availability contained in
2 this Act: *Provided further*, That the Secretary of State
3 shall provide a report to the Committees on Appropria-
4 tions at the beginning of each fiscal year, detailing by ac-
5 count and source year, the use of this authority during
6 the previous fiscal year.

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

19 PROHIBITION ON TAXATION OF UNITED STATES
20 ASSISTANCE

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

1 ance is to be provided unless such agreement includes a
2 provision stating that assistance provided by the United
3 States shall be exempt from taxation, or reimbursed, by
4 the foreign government, and the Secretary of State shall
5 expeditiously seek to negotiate amendments to existing bi-
6 lateral agreements, as necessary, to conform with this re-
7 quirement.

8 (b) REIMBURSEMENT OF FOREIGN TAXES.—An
9 amount equivalent to 200 percent of the total taxes as-
10 sessed during fiscal year 2013 on funds appropriated by
11 this Act by a foreign government or entity against com-
12 modities financed under United States assistance pro-
13 grams for which funds are appropriated by this Act, either
14 directly or through grantees, contractors, and subcontrac-
15 tors shall be withheld from obligation from funds appro-
16 priated for assistance for fiscal year 2014 and allocated
17 for the central government of such country and for the
18 West Bank and Gaza program to the extent that the Sec-
19 retary of State certifies and reports in writing to the Com-
20 mittees on Appropriations that such taxes have not been
21 reimbursed to the Government of the United States.

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

1 (d) REPROGRAMMING OF FUNDS.—Funds withheld
2 from obligation for each country or entity pursuant to sub-
3 section (b) shall be reprogrammed for assistance to coun-
4 tries which do not assess taxes on United States assistance
5 or which have an effective arrangement that is providing
6 substantial reimbursement of such taxes.

7 (e) DETERMINATIONS.—

8 (1) The provisions of this section shall not
9 apply to any country or entity the Secretary of State
10 determines—

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

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

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

23 (f) IMPLEMENTATION.—The Secretary of State shall
24 issue rules, regulations, or policy guidance, as appropriate,

1 to implement the prohibition against the taxation of assist-
2 ance contained in this section.

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

4 (1) the terms “taxes” and “taxation” refer to
5 value added taxes and customs duties imposed on
6 commodities financed with United States assistance
7 for programs for which funds are appropriated by
8 this Act; and

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

20 (h) REPORT.—The Secretary of State shall submit a
21 report to the Committees on Appropriations not later than
22 90 days after the enactment of this Act detailing steps
23 taken by the Department of State to comply with the re-
24 quirements provided in subsections (a) and (f).

1 RESERVATIONS OF FUNDS

2 SEC. 7014. (a) Funds appropriated under titles II
3 through VI of this Act which are specifically designated
4 may be reprogrammed for other programs within the same
5 account notwithstanding the designation if compliance
6 with the designation is made impossible by operation of
7 any provision of this or any other Act: *Provided*, That any
8 such reprogramming shall be subject to the regular notifi-
9 cation procedures of the Committees on Appropriations:
10 *Provided further*, That assistance that is reprogrammed
11 pursuant to this subsection shall be made available under
12 the same terms and conditions as originally provided.

13 (b) In addition to the authority contained in sub-
14 section (a), the original period of availability of funds ap-
15 propriated by this Act and administered by the United
16 States Agency for International Development (USAID)
17 that are specifically designated for particular programs or
18 activities by this or any other Act shall be extended for
19 an additional fiscal year if the USAID Administrator de-
20 termines and reports promptly to the Committees on Ap-
21 propriations that the termination of assistance to a coun-
22 try or a significant change in circumstances makes it un-
23 likely that such designated funds can be obligated during
24 the original period of availability: *Provided*, That such des-
25 ignated funds that continue to be available for an addi-

1 tional fiscal year shall be obligated only for the purpose
2 of such designation.

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

11 NOTIFICATION REQUIREMENTS

12 SEC. 7015. (a) None of the funds made available in
13 title I of this Act, or in prior appropriations Acts to the
14 agencies and departments funded by this Act that remain
15 available for obligation or expenditure in fiscal year 2013,
16 or provided from any accounts in the Treasury of the
17 United States derived by the collection of fees or of cur-
18 rency reflows or other offsetting collections, or made avail-
19 able by transfer, to the agencies and departments funded
20 by this Act, shall be available for obligation or expenditure
21 through a reprogramming of funds that—

22 (1) creates new programs;

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

1 (3) increases funds or personnel by any means
2 for any project or activity for which funds have been
3 denied or restricted;

4 (4) relocates an office or employees;

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

6 (6) creates, reorganizes, or renames bureaus,
7 centers, or offices;

8 (7) reorganizes programs or activities; or

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

11 unless the Committees on Appropriations are notified 15
12 days in advance of such reprogramming of funds: *Pro-*
13 *vided*, That unless previously justified to the Committees
14 on Appropriations, the requirements of this subsection
15 shall apply to all obligations of funds appropriated under
16 title I of this Act for paragraphs (5) and (6) of this sub-
17 section.

18 (b) None of the funds provided under title I of this
19 Act, or provided under previous appropriations Acts to the
20 agency or department funded under title I of this Act that
21 remain available for obligation or expenditure in fiscal
22 year 2013, or provided from any accounts in the Treasury
23 of the United States derived by the collection of fees avail-
24 able to the agency or department funded under title I of
25 this Act, shall be available for obligation or expenditure

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

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

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

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

15 (c) None of the funds made available under titles II
16 through VI and VIII in this Act under the headings
17 “Global Health Programs”, “Development Assistance”,
18 “International Organizations and Programs”, “Trade and
19 Development Agency”, “International Narcotics Control
20 and Law Enforcement”, “Economic Support Fund”, “De-
21 mocracy Fund”, “Peacekeeping Operations”, “Capital In-
22 vestment Fund”, “Operating Expenses”, “Conflict Sta-
23 bilization Operations”, “Office of Inspector General”,
24 “Nonproliferation, Anti-terrorism, Demining and Related
25 Programs”, “Millennium Challenge Corporation”, “For-

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

1 ant to this subsection shall identify when funds are being
2 provided notwithstanding any other provision of law and
3 include justification.

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

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

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

4 (f) None of the funds appropriated under titles III
5 through VI and VIII of this Act shall be obligated or ex-
6 pended for assistance for Serbia, Sudan, South Sudan,
7 Zimbabwe, Afghanistan, Iraq, Pakistan, Cuba, Iran,
8 Haiti, Libya, Ethiopia, Nepal, Lebanon, Egypt, Hon-
9 duras, Burma, Yemen, Kazakhstan, Uzbekistan, the Rus-
10 sian Federation, Somalia, Sri Lanka, Syria, or Cambodia
11 except as provided through the regular notification proce-
12 dures of the Committees on Appropriations.

13 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

14 SEC. 7016. Prior to providing excess Department of
15 Defense articles in accordance with section 516(a) of the
16 Foreign Assistance Act of 1961, the Department of De-
17 fense shall notify the Committees on Appropriations to the
18 same extent and under the same conditions as other com-
19 mittees pursuant to subsection (f) of that section: *Pro-*
20 *vided*, That before issuing a letter of offer to sell excess
21 defense articles under the Arms Export Control Act, the
22 Department of Defense shall notify the Committees on
23 Appropriations in accordance with the regular notification
24 procedures of such Committees if such defense articles are
25 significant military equipment (as defined in section 47(9))

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

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

10 SEC. 7017. Subject to the regular notification proce-
11 dures of the Committees on Appropriations, funds appro-
12 priated under titles III through VI of this Act and prior
13 Acts making appropriations for the Department of State,
14 foreign operations, and related programs, which are re-
15 turned or not made available for organizations and pro-
16 grams because of the implementation of section 307(a) of
17 the Foreign Assistance Act of 1961 or section 7049(a) of
18 this Act, shall remain available for obligation until Sep-
19 tember 30, 2014.

20 PROHIBITION ON FUNDING FOR ABORTIONS AND
21 INVOLUNTARY STERILIZATION

22 SEC. 7018. None of the funds made available to carry
23 out part I of the Foreign Assistance Act of 1961, as
24 amended, may be used to pay for the performance of abor-
25 tions as a method of family planning or to motivate or

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

19 ALLOCATIONS

20 SEC. 7019. (a) Funds provided in this Act shall be
21 made available for programs and countries in the amounts
22 contained in the respective tables included in the report
23 accompanying this Act.

24 (b) For the purposes of implementing this section and
25 only with respect to the tables included in the report ac-

1 companying this Act, the Secretary of State, the Adminis-
2 trator of the United States Agency for International De-
3 velopment, and the Broadcasting Board of Governors, as
4 appropriate, may propose deviations to the amounts ref-
5 erenced in subsection (a), subject to the regular notifica-
6 tion procedures of the Committees on Appropriations.

7 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

8 SEC. 7020. None of the funds appropriated or other-
9 wise made available by this Act under the headings “Inter-
10 national Military Education and Training” or “Foreign
11 Military Financing Program” for Informational Program
12 activities or under the headings “Global Health Pro-
13 grams”, “Development Assistance”, and “Economic Sup-
14 port Fund” may be obligated or expended to pay for—

- 15 (1) alcoholic beverages; or
16 (2) entertainment expenses for activities that
17 are substantially of a recreational character, includ-
18 ing but not limited to entrance fees at sporting
19 events, theatrical and musical productions, and
20 amusement parks.

21 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

22 SUPPORTING INTERNATIONAL TERRORISM

23 SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-
24 PORTS.—

1 (1) None of the funds appropriated or otherwise
2 made available by titles III through VI of this Act
3 may be available to any foreign government which
4 provides lethal military equipment to a country the
5 government of which the Secretary of State has de-
6 termined supports international terrorism for pur-
7 poses of section 6(j) of the Export Administration
8 Act of 1979: *Provided*, That the prohibition under
9 this section with respect to a foreign government
10 shall terminate 12 months after that government
11 ceases to provide such military equipment: *Provided*
12 *further*, That this section applies with respect to le-
13 thal military equipment provided under a contract
14 entered into after October 1, 1997.

15 (2) Assistance restricted by paragraph (1) or
16 any other similar provision of law, may be furnished
17 if the President determines that to do so is impor-
18 tant to the national interests of the United States.

19 (3) Whenever the President makes a determina-
20 tion pursuant to paragraph (2), the President shall
21 submit to the Committees on Appropriations a re-
22 port with respect to the furnishing of such assist-
23 ance, including a detailed explanation of the assist-
24 ance to be provided, the estimated dollar amount of

1 such assistance, and an explanation of how the as-
2 sistance furthers United States national interests.

3 (b) BILATERAL ASSISTANCE.—

4 (1) Funds appropriated for bilateral assistance
5 in titles III through VI of this Act and funds appro-
6 priated under any such title in prior acts making ap-
7 propriations for the Department of State, foreign
8 operations, and related programs, shall not be made
9 available to any foreign government which the Presi-
10 dent determines—

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

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

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

20 (2) The President may waive the application of
21 paragraph (1) to a government if the President de-
22 termines that national security or humanitarian rea-
23 sons justify such waiver: *Provided*, That the Presi-
24 dent shall publish each such waiver in the Federal
25 Register and, at least 15 days before the waiver

1 takes effect, shall notify the Committees on Appro-
2 priations of the waiver (including the justification
3 for the waiver) in accordance with the regular notifi-
4 cation procedures of the Committees on Appropria-
5 tions.

6 AUTHORIZATION REQUIREMENTS

7 SEC. 7022. Funds appropriated by this Act, except
8 funds appropriated under the heading “Trade and Devel-
9 opment Agency”, may be obligated and expended notwith-
10 standing section 10 of Public Law 91–672, section 15 of
11 the State Department Basic Authorities Act of 1956, sec-
12 tion 313 of the Foreign Relations Authorization Act, Fis-
13 cal Years 1994 and 1995 (Public Law 103–236), and sec-
14 tion 504(a)(1) of the National Security Act of 1947 (50
15 U.S.C. 414(a)(1)).

16 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

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

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

6 (1) justified to the Congress; or

7 (2) allocated by the executive branch in accord-
8 ance with a report, to be provided to the Committees
9 on Appropriations within 30 days of the enactment
10 of this Act, as required by section 653(a) of the For-
11 eign Assistance Act of 1961.

12 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN
13 FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION

14 SEC. 7024. Unless expressly provided to the contrary,
15 provisions of this or any other Act, including provisions
16 contained in prior Acts authorizing or making appropria-
17 tions for the Department of State, foreign operations, and
18 related programs, shall not be construed to prohibit activi-
19 ties authorized by or conducted under the Peace Corps
20 Act, the Inter-American Foundation Act or the African
21 Development Foundation Act: *Provided*, That prior to con-
22 ducting activities in a country for which assistance is pro-
23 hibited, the agency shall consult with the Committees on
24 Appropriations and report to such Committees within 15
25 days of taking such action.

1 COMMERCE, TRADE AND SURPLUS COMMODITIES

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

23 (1) activities in a country that is eligible for as-
24 sistance from the International Development Asso-
25 ciation, is not eligible for assistance from the Inter-

1 national Bank for Reconstruction and Development,
2 and does not export on a consistent basis the agri-
3 cultural commodity with respect to which assistance
4 is furnished; or

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

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

18 (1) activities designed to increase food security
19 in developing countries where such activities will not
20 have a significant impact on the export of agricul-
21 tural commodities of the United States;

22 (2) research activities intended primarily to
23 benefit American producers;

24 (3) activities in a country that is eligible for as-
25 sistance from the International Development Asso-

1 ciation, is not eligible for assistance from the Inter-
2 national Bank for Reconstruction and Development,
3 and does not export on a consistent basis the agri-
4 cultural commodity with respect to which assistance
5 is furnished; or

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

9 (c) The Secretary of the Treasury shall instruct the
10 United States Executive Directors of the International
11 Bank for Reconstruction and Development, the Inter-
12 national Development Association, the International Fi-
13 nance Corporation, the Inter-American Development
14 Bank, the International Monetary Fund, the Asian Devel-
15 opment Bank, the Inter-American Investment Corpora-
16 tion, the North American Development Bank, the Euro-
17 pean Bank for Reconstruction and Development, the Afri-
18 can Development Bank, and the African Development
19 Fund to use the voice and vote of the United States to
20 oppose any assistance by these institutions, using funds
21 appropriated or made available pursuant to titles III
22 through VI of this Act, for the production or extraction
23 of any commodity or mineral for export, if it is in surplus
24 on world markets and if the assistance will cause substan-

1 tial injury to United States producers of the same, similar,
2 or competing commodity.

3 SEPARATE ACCOUNTS

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

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

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

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

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

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

23 (C) establish by agreement with that gov-
24 ernment the responsibilities of USAID and that
25 government to monitor and account for deposits

1 into and disbursements from the separate ac-
2 count.

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

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

12 (i) project and sector assistance activi-
13 ties; or

14 (ii) debt and deficit financing; or

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

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

24 (4) TERMINATION OF ASSISTANCE PRO-
25 GRAMS.—Upon termination of assistance to a coun-

1 try under chapter 1 or 10 of part I or chapter 4 of
2 part II of the Foreign Assistance Act of 1961 (as
3 the case may be), any unencumbered balances of
4 funds which remain in a separate account estab-
5 lished pursuant to subsection (a) shall be disposed of
6 for such purposes as may be agreed to by the gov-
7 ernment of that country and the United States Gov-
8 ernment.

9 (5) REPORTING REQUIREMENT.—The USAID
10 Administrator shall report on an annual basis as
11 part of the justification documents submitted to the
12 Committees on Appropriations on the use of local
13 currencies for the administrative requirements of the
14 United States Government as authorized in sub-
15 section (a)(2)(B), and such report shall include the
16 amount of local currency (and United States dollar
17 equivalent) used and/or to be used for such purpose
18 in each applicable country.

19 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

20 (1) If assistance is made available to the gov-
21 ernment of a foreign country, under chapter 1 or 10
22 of part I or chapter 4 of part II of the Foreign As-
23 sistance Act of 1961, as cash transfer assistance or
24 as nonproject sector assistance, that country shall be
25 required to maintain such funds in a separate ac-

1 count and not commingle them with any other
2 funds.

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

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

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

1 ELIGIBILITY FOR ASSISTANCE

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

21 (b) PUBLIC LAW 480.—During fiscal year 2013, re-
22 strictions contained in this or any other Act with respect
23 to assistance for a country shall not be construed to re-
24 strict assistance under the Agricultural Trade Develop-
25 ment and Assistance Act of 1954: *Provided*, That none

1 of the funds appropriated to carry out title I of such Act
2 and made available pursuant to this subsection may be
3 obligated or expended except as provided through the reg-
4 ular notification procedures of the Committees on Appro-
5 priations.

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

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

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

16 IMPACT ON JOBS IN THE UNITED STATES

17 SEC. 7028. None of the funds appropriated under ti-
18 tles III through VI of this Act may be obligated or ex-
19 pended to provide—

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

1 because United States production is being replaced
2 by such enterprise outside the United States;

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

15 (3) any technical assistance or training to an
16 entity outside the United States if such assistance or
17 training would have the purpose of outsourcing jobs
18 from the United States and adversely impacting the
19 domestic labor force.

20 INTERNATIONAL FINANCIAL INSTITUTIONS

21 SEC. 7029. (a) None of the funds appropriated under
22 title V of this Act may be made as payment to any inter-
23 national financial institution while the United States exec-
24 utive director to such institution is compensated by the
25 institution at a rate which, together with whatever com-

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

10 (b) The Secretary of the Treasury shall instruct the
11 United States Executive Director of the International
12 Monetary Fund (the Fund) to use the voice and vote of
13 the United States to oppose any loan, project, agreement,
14 memorandum, instrument, plan, or other program of the
15 Fund to a Heavily Indebted Poor Country that imposes
16 budget caps or restraints that do not allow the mainte-
17 nance of or an increase in governmental spending on
18 healthcare or education; and to promote government
19 spending on healthcare, education, agriculture and food
20 security, or other critical safety net programs in all of the
21 Fund's activities with respect to Heavily Indebted Poor
22 Countries.

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

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

9 DEBT-FOR-DEVELOPMENT

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

22 FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

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

1 (1) None of the funds made available by this
2 Act may be used for direct Government-to-Govern-
3 ment assistance unless the Secretary of State cer-
4 tifies to the Committees on Appropriations that—

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

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

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

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

22 (iv) no level of acceptable fraud is as-
23 sumed.

1 (B) the Government of the United States
2 and the government of the recipient country
3 have agreed, in writing—

4 (i) on clear and achievable objectives
5 for the use of such assistance;

6 (ii) that such assistance should be
7 made on a cost-reimbursable basis; and

8 (iii) that the government of the recipi-
9 ent country will publicly disclose on an an-
10 nual basis its national budget, to include
11 income and expenditures.

12 (C) the recipient country has demonstrated
13 a commitment to democracy and democratic
14 principles.

15 (D) the recipient agency or ministry is not
16 headed or controlled by an organization des-
17 ignated as a terrorist organization under sec-
18 tion 219 of the Immigration and Nationality
19 Act.

20 (2) In addition to the requirements in sub-
21 section (a), no funds may be made available for such
22 assistance without prior consultation with, and noti-
23 fication of, the Committees on Appropriations: *Pro-*
24 *vided*, That such notification shall contain an expla-
25 nation of how the proposed activity meets the re-

1 requirements of paragraph (1): *Provided further*, That
2 the requirements of this paragraph shall only apply
3 to direct Government-to-Government assistance in
4 excess of \$10,000,000 and all funds available for
5 cash transfer, budget support, and cash payments to
6 individuals.

7 (3) The USAID Administrator or the Secretary
8 of State, as appropriate, shall suspend any such as-
9 sistance if the Administrator or the Secretary has
10 credible information of material misuse of such as-
11 sistance, unless the Administrator or the Secretary
12 determines and reports to the Committees on Appro-
13 priations that it is in the national interest of the
14 United States to continue such assistance.

15 (4) None of the funds made available in this
16 Act may be used to pay the United Nations dues or
17 assessments for any foreign country or for debt serv-
18 ice payments owed by any country to any inter-
19 national financial institution: *Provided*, That for
20 purposes of this subsection, the term “international
21 financial institution” has the meaning given the
22 term in section 7029(c) of this Act.

23 (5) Not later than 90 days after the enactment
24 of this Act and 6 months thereafter, the USAID Ad-

1 administrator shall submit to the Committees on Ap-
2 propriations a report that—

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

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

11 (6) The USAID Administrator shall submit to
12 the Committees on Appropriations, concurrent with
13 the fiscal year 2014 Congressional budget justifica-
14 tion materials, amounts planned for assistance de-
15 scribed in subsection (a) by country, proposed fund-
16 ing amount, source of funds, and type of assistance.

17 (b) NATIONAL BUDGET AND CONTRACT TRANS-
18 PARENCY.—

19 (1) LIMITATION ON FUNDING.—None of the
20 funds appropriated under titles III and IV of this
21 Act may be made available to the central govern-
22 ment of any country that does not meet minimum
23 standards of fiscal transparency: *Provided*, That the
24 Secretary of State shall develop “minimum stand-
25 ards of fiscal transparency” to be updated and

1 strengthened, as appropriate, to reflect best prac-
2 tices: *Provided further*, That the Secretary shall
3 make an annual determination of “progress” or “no
4 progress” for countries that do not meet minimum
5 standards of fiscal transparency and make those de-
6 terminations publicly available in an annual “Fiscal
7 Transparency Report”.

8 (2) MINIMUM STANDARDS OF FISCAL TRANS-
9 PARENCY.—For purposes of paragraph (1), “min-
10 imum standards of fiscal transparency” shall include
11 standards for the public disclosure of budget docu-
12 mentation, including receipts and expenditures by
13 ministry, and government contracts and licenses for
14 natural resource extraction, to include bidding and
15 concession allocation practices.

16 (3) WAIVER.—The Secretary of State may
17 waive the limitation on funding in paragraph (1) on
18 a country-by-country basis if the Secretary reports
19 to the Committees on Appropriations that the waiver
20 is important to the national interest of the United
21 States: *Provided*, That such waiver shall identify any
22 steps taken by the government of the country to
23 publicly disclose its national budget and contracts
24 which are additional to those which were undertaken
25 in previous fiscal years, include specific rec-

1 ommendations of short- and long-term steps such
2 government can take to improve budget trans-
3 parency, and identify benchmarks for measuring
4 progress.

5 (4) ASSISTANCE.—Of the funds appropriated
6 under title III of this Act, not less than \$5,000,000
7 should be made available for programs and activities
8 to assist the central governments of countries named
9 in the list required by paragraph (1) to improve
10 budget transparency or to support civil society orga-
11 nizations in such countries that promote budget
12 transparency: *Provided*, That such sums shall be in
13 addition to funds otherwise made available for such
14 purposes.

15 (c) ANTI-KLEPTOCRACY.—

16 (1) Officials of foreign governments and their
17 immediate family members who the Secretary of
18 State has credible information have been involved in
19 significant corruption, including corruption related
20 to the extraction of natural resources, shall be ineli-
21 gible for entry into the United States.

22 (2) Individuals shall not be ineligible if entry
23 into the United States would further important
24 United States law enforcement objectives or is nec-
25 essary to permit the United States to fulfill its obli-

1 gations under the United Nations Headquarters
2 Agreement: *Provided*, That nothing in this provision
3 shall be construed to derogate from United States
4 Government obligations under applicable inter-
5 national agreements.

6 (3) The Secretary of State may waive the appli-
7 cation of paragraph (1) if the Secretary determines
8 that the waiver would serve a compelling national in-
9 terest or that the circumstances which caused the in-
10 dividual to be ineligible have changed sufficiently.

11 (4) Not later than 90 days after enactment of
12 this Act and 180 days thereafter, the Secretary of
13 State shall submit a report, in classified form if nec-
14 essary, to the Committees on Appropriations describ-
15 ing the information regarding corruption concerning
16 each of the individuals found ineligible pursuant to
17 paragraph (1), a list of any waivers provided under
18 subsection (3), and the justification for each waiver.

19 PROMOTION OF DEMOCRACY

20 SEC. 7032. (a)(1) Of the funds appropriated in this
21 Act, not less than \$2,839,000,000 should be made avail-
22 able for the promotion of democracy as defined in para-
23 graph (3).

24 (2) Funds made available by this Act that are
25 made available for the promotion of democracy may

1 be made available notwithstanding any other provi-
2 sion of law, and with regard to the National Endow-
3 ment for Democracy, any regulation.

4 (3) For the purposes of funds appropriated by
5 this Act, the term “promotion of democracy” means
6 programs that support good governance, human
7 rights, independent media, and the rule of law, and
8 otherwise strengthen the capacity of democratic po-
9 litical parties, governments, nongovernmental organi-
10 zations and institutions, and citizens to support the
11 development of democratic states, institutions, and
12 practices that are responsive and accountable to citi-
13 zens.

14 (4) With respect to the provision of assistance
15 for democracy, human rights, and governance activi-
16 ties in this Act, the organizations implementing such
17 assistance and the specific nature of that assistance
18 shall not be subject to the prior approval by the gov-
19 ernment of any foreign country: *Provided*, That the
20 Secretary of State, in coordination with the Admin-
21 istrator of the United States Agency for Inter-
22 national Development (USAID), shall report to the
23 Committees on Appropriations, not later than 120
24 days after enactment of this Act, detailing steps

1 taken by the Department of State and USAID to
2 comply with the requirements of this subsection.

3 (5) With respect to the provision of assistance
4 to build institutional capacity of a government, as-
5 sistance should only be available if such government
6 is sincere in the pursuit of democracy.

7 (6) Funds appropriated by this Act that are
8 made available to promote democracy and human
9 rights shall also be made available to support free-
10 dom of religion, especially in the Middle East and
11 North Africa.

12 (b) None of the funds appropriated or otherwise
13 made available by title III of this Act may be obligated
14 for direct Government-to-Government assistance if such
15 assistance is to a government that is actively and signifi-
16 cantly interfering with the operation of civil society organi-
17 zations.

18 MULTI-YEAR COMMITMENTS

19 SEC. 7033. None of the funds appropriated by this
20 Act may be used to make a future year funding pledge
21 for any multilateral or bilateral program funded in titles
22 III through VI of this Act unless such pledge was—

23 (1) previously justified in a congressional budg-
24 et justification;

1 bility may be deemed to mean support for regional, dis-
2 trict, municipal, or other sub-national entity emerging
3 from instability, as well as a nation emerging from insta-
4 bility.

5 (c) WORLD FOOD PROGRAM.—Funds managed by
6 the Bureau for Democracy, Conflict, and Humanitarian
7 Assistance, United States Agency for International Devel-
8 opment (USAID), from this or any other Act, may be
9 made available as a general contribution to the World
10 Food Program, notwithstanding any other provision of
11 law.

12 (d) DISARMAMENT, DEMOBILIZATION AND RE-
13 INTEGRATION.—Notwithstanding any other provision of
14 law, regulation or Executive order, funds appropriated by
15 this Act and prior Acts making appropriations for the De-
16 partment of State, foreign operations, and related pro-
17 grams under the headings “Economic Support Fund”,
18 “Peacekeeping Operations”, “International Disaster As-
19 sistance”, and “Transition Initiatives” may be made avail-
20 able to support programs to disarm, demobilize, and re-
21 integrate into civilian society former members of foreign
22 terrorist organizations: *Provided*, That the Secretary of
23 State shall consult with the Committees on Appropriations
24 prior to the obligation of funds pursuant to this sub-
25 section: *Provided further*, That for the purposes of this

1 subsection the term “foreign terrorist organization”
2 means an organization designated as a terrorist organiza-
3 tion under section 219 of the Immigration and Nationality
4 Act.

5 (e) RESEARCH AND TRAINING.—Funds appropriated
6 by this Act under the heading “Economic Support Fund”
7 may be made available to carry out the Program for Re-
8 search and Training on Eastern Europe and the Inde-
9 pendent States of the Former Soviet Union (title VIII)
10 as authorized by the Soviet-Eastern European Research
11 and Training Act of 1983 (22 U.S.C. 4501–4508).

12 (f) PARTNER VETTING.—Funds appropriated in this
13 Act or any prior Acts making appropriations for the De-
14 partment of State, foreign operations, and related pro-
15 grams shall be used by the Secretary of State and the Ad-
16 ministrator of the United States Agency for International
17 Development (USAID), as appropriate, to support the
18 continued implementation of the Partner Vetting System
19 (PVS) pilot program: *Provided*, That the Secretary of
20 State and the Administrator of USAID shall jointly sub-
21 mit a report to the Committees on Appropriations, not
22 later than 30 days after completion of the pilot program,
23 on the estimated timeline and criteria for evaluating the
24 PVS for expansion: *Provided further*, That such report
25 shall include a description of consultations with govern-

1 mental and nongovernmental stakeholders affected by the
2 pilot program, concerns raised during such consultations,
3 and any changes USAID and the Department of State
4 plan to make in response to such concerns: *Provided fur-*
5 *ther*, That such report may be delivered in classified form,
6 if necessary.

7 ARAB LEAGUE BOYCOTT OF ISRAEL

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

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

14 (2) the Arab League boycott, which was regret-
15 tably reinstated in 1997, should be immediately and
16 publicly terminated, and the Central Office for the
17 Boycott of Israel immediately disbanded;

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

20 (4) the President and the Secretary of State
21 should continue to vigorously oppose the Arab
22 League boycott of Israel and find concrete steps to
23 demonstrate that opposition by, for example, taking
24 into consideration the participation of any recipient

1 country in the boycott when determining to sell
2 weapons to said country; and

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

12 PALESTINIAN STATEHOOD

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

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

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

22 (B) is taking appropriate measures to
23 counter terrorism and terrorist financing in the
24 West Bank and Gaza, including the dismantling
25 of terrorist infrastructures, and is cooperating

1 with appropriate Israeli and other appropriate
2 security organizations; and

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

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

13 (B) respect for and acknowledgment of the
14 sovereignty, territorial integrity, and political
15 independence of every state in the area through
16 measures including the establishment of demili-
17 tarized zones;

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

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

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

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

7 (c) WAIVER.—The President may waive subsection
8 (a) if the President determines that it is important to the
9 national security interests of the United States to do so.

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

17 RESTRICTIONS CONCERNING THE PALESTINIAN
18 AUTHORITY

19 SEC. 7037. None of the funds appropriated under ti-
20 tles II through VI of this Act may be obligated or ex-
21 pended to create in any part of Jerusalem a new office
22 of any department or agency of the United States Govern-
23 ment for the purpose of conducting official United States
24 Government business with the Palestinian Authority over
25 Gaza and Jericho or any successor Palestinian governing

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

17 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN

18 BROADCASTING CORPORATION

19 SEC. 7038. None of the funds appropriated or other-
20 wise made available by this Act may be used to provide
21 equipment, technical support, consulting services, or any
22 other form of assistance to the Palestinian Broadcasting
23 Corporation.

1 ASSISTANCE FOR THE WEST BANK AND GAZA

2 SEC. 7039. (a) OVERSIGHT.—For fiscal year 2013,
3 30 days prior to the initial obligation of funds for the bi-
4 lateral West Bank and Gaza Program, the Secretary of
5 State shall certify to the Committees on Appropriations
6 that procedures have been established to assure the Comp-
7 troller General of the United States will have access to
8 appropriate United States financial information in order
9 to review the uses of United States assistance for the Pro-
10 gram funded under the heading “Economic Support
11 Fund” for the West Bank and Gaza.

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

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

7 (c) PROHIBITION.—

8 (1) None of the funds appropriated under titles
9 III through VI of this Act for assistance under the
10 West Bank and Gaza Program may be made avail-
11 able for the purpose of recognizing or otherwise hon-
12 oring individuals who commit, or have committed
13 acts of terrorism.

14 (2) Notwithstanding any other provision of law,
15 none of the funds made available by this or prior ap-
16 propriations Acts, including funds made available by
17 transfer, may be made available for obligation for se-
18 curity assistance for the West Bank and Gaza until
19 the Secretary of State reports to the Committees on
20 Appropriations on the benchmarks that have been
21 established for security assistance for the West
22 Bank and Gaza and reports on the extent of Pales-
23 tinian compliance with such benchmarks.

24 (d) AUDITS.—

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

9 (2) Of the funds appropriated by this Act up to
10 \$500,000 may be used by the Office of Inspector
11 General of the United States Agency for Inter-
12 national Development for audits, inspections, and
13 other activities in furtherance of the requirements of
14 this subsection: *Provided*, That such funds are in ad-
15 dition to funds otherwise available for such pur-
16 poses.

17 (e) Subsequent to the certification specified in sub-
18 section (a), the Comptroller General of the United States
19 shall conduct an audit and an investigation of the treat-
20 ment, handling, and uses of all funds for the bilateral
21 West Bank and Gaza Program, including all funds pro-
22 vided as cash transfer assistance, in fiscal year 2013
23 under the heading “Economic Support Fund”, and such
24 audit shall address—

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

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

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

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

15 (h) Prior to the obligation of any assistance appro-
16 priated in title III of this Act for the West Bank and
17 Gaza, the Secretary of State shall certify and report to
18 the Committees on Appropriations that—

19 (1) such assistance is—

20 (A) advancing Middle East peace;

21 (B) improving security in the region; or

22 (C) supporting critical and immediate hu-
23 manitarian needs; and

24 (2) the Palestinian Authority is moving to halt
25 anti-Israel incitement and is engaged in activities

1 aimed at promoting peace and coexistence with
2 Israel.

3 LIMITATION ON ASSISTANCE FOR THE PALESTINIAN
4 AUTHORITY

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

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

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

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

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

4 (e) CERTIFICATION.—If the President exercises the
5 waiver authority under subsection (b), the Secretary of
6 State must certify and report to the Committees on Ap-
7 propriations prior to the obligation of funds that the Pal-
8 estinian Authority has established a single treasury ac-
9 count for all Palestinian Authority financing and all fi-
10 nancing mechanisms flow through this account, no parallel
11 financing mechanisms exist outside of the Palestinian Au-
12 thority treasury account, and there is a single comprehen-
13 sive civil service roster and payroll.

14 (f) PROHIBITION TO HAMAS AND THE PALESTINE
15 LIBERATION ORGANIZATION.—

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

24 (2) Notwithstanding the limitation of subsection
25 (1), assistance may be provided to a power-sharing

1 government only if the President certifies and re-
2 ports to the Committees on Appropriations that such
3 government, including all of its ministers or such
4 equivalent, has publicly accepted and is complying
5 with the principles contained in section 620K(b)(1)
6 (A) and (B) of the Foreign Assistance Act of 1961,
7 as amended.

8 (3) The President may exercise the authority in
9 section 620K(e) of the Foreign Assistance Act as
10 added by the Palestinian Anti-Terrorism Act of
11 2006 (Public Law 109–446) with respect to this
12 subsection.

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

1 cation and a full accounting of any direct support of
2 such government.

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

6 LIMITATIONS

7 SEC. 7041. (a) None of the funds appropriated under
8 the heading “Economic Support Fund” in this Act may
9 be made available for assistance for the Palestinian Au-
10 thority if the Palestinians obtain, after the date of enact-
11 ment of this Act, the same standing as member states or
12 full membership as a state in the United Nations or any
13 specialized agency thereof outside an agreement nego-
14 tiated between Israel and the Palestinians.

15 (b)(1) The President may waive the provisions of sec-
16 tion 1003 of Public Law 100–204 if the President deter-
17 mines and certifies in writing to the Speaker of the House
18 of Representatives, the President pro tempore of the Sen-
19 ate, and the Committees on Appropriations that the Pal-
20 estinians have not, after the date of enactment of this Act,
21 obtained in the United Nations or any specialized agency
22 thereof the same standing as member states or full mem-
23 bership as a state outside an agreement negotiated be-
24 tween Israel and the Palestinians.

1 of Egypt unless the Secretary of State certifies to
2 the Committees on Appropriations that such govern-
3 ment is meeting its obligations under the 1979
4 Egypt-Israel Peace Treaty.

5 (B) Prior to the obligation of funds appro-
6 priated by this Act under the headings “Eco-
7 nomic Support Fund” and “Foreign Military
8 Financing Program” for assistance for the cen-
9 tral Government of Egypt, the Secretary of
10 State shall certify to the Committees on Appro-
11 priations that the Government of Egypt—

12 (i) has completed the transition to ci-
13 vilian government, including holding free
14 and fair elections; and

15 (ii) is implementing policies to protect
16 freedom of expression, association, and re-
17 ligion, and due process of law.

18 (C) The Secretary of State may waive the
19 requirements of paragraph (B) if the Secretary
20 determines and reports to the Committees on
21 Appropriations that to do so is in the national
22 security interest of the United States: *Provided*,
23 That such determination and report shall in-
24 clude a detailed justification for such waiver:
25 *Provided further*, That the Secretary of State

1 shall consult with the Committees on Appro-
2 priations prior to waiving such requirements.

3 (2) The Secretary of State shall consult with
4 the Committees on Appropriations prior to the
5 transfer of funds appropriated by this Act under the
6 heading “Foreign Military Financing Program” to
7 an interest-bearing account for Egypt.

8 (b) IRAN.—

9 (1) It is the policy of the United States to seek
10 to prevent Iran from achieving the capability to
11 produce or otherwise manufacture nuclear weapons,
12 including by supporting international diplomatic ef-
13 forts to halt Iran’s uranium enrichment program,
14 and the President should fully implement and en-
15 force the Iran Sanctions Act of 1996, as amended
16 (Public Law 104–172) as a means of encouraging
17 foreign governments to require state-owned and pri-
18 vate entities to cease all investment in, and support
19 of, Iran’s energy sector and all exports of refined pe-
20 troleum products to Iran.

21 (2) None of the funds appropriated or otherwise
22 made available in this Act under the heading “Ex-
23 port-Import Bank of the United States” may be
24 used by the Export-Import Bank of the United
25 States to provide any new financing (including loans,

1 guarantees, other credits, insurance, and reinsur-
2 ance) to any person that is subject to sanctions
3 under paragraph (2) or (3) of section 5(a) of the
4 Iran Sanctions Act of 1996 (Public Law 104–172).

5 (3) The reporting requirements in section
6 7043(c) in division F of Public Law 111–117 shall
7 continue in effect during fiscal year 2013 as if part
8 of this Act: *Provided*, That the date in subsection
9 (c)(1) shall be deemed to be “September 30, 2013”.

10 (c) IRAQ.—

11 (1) Funds appropriated or otherwise made
12 available by this Act for assistance for Iraq shall be
13 made available in a manner that utilizes Iraqi enti-
14 ties to the maximum extent practicable, and in ac-
15 cordance with the cost-matching and other require-
16 ments in the Department of State’s April 9, 2009,
17 “Guidelines for Government of Iraq Financial Par-
18 ticipation in United States Government-Funded Ci-
19 vilian Foreign Assistance Programs and Projects”.

20 (2) None of the funds appropriated or otherwise
21 made available by this Act may be used by the Gov-
22 ernment of the United States to enter into a perma-
23 nent basing rights agreement between the United
24 States and Iraq.

1 (3)(A) Amounts obligated from funds appro-
2 priated for fiscal year 2013 by this Act for security
3 assistance for Iraq shall not exceed the amounts ob-
4 ligated for security assistance for Iraq in fiscal year
5 2012 until the Secretary of State certifies and re-
6 ports to the Committees on Appropriations that the
7 Government of Iraq has demonstrated a commitment
8 to—

9 (i) adequately build the logistics and
10 maintenance capacity of the Iraqi security
11 forces;

12 (ii) develop the institutional capacity
13 to manage such forces independently; and

14 (iii) develop a culture of sustainment
15 for equipment provided by the United
16 States or acquired with United States as-
17 sistance.

18 (B) The report required under subpara-
19 graph (A) shall include a description of the ac-
20 tions taken by the Government of Iraq that, in
21 the determination of the Secretary, support the
22 certification.

23 (d) LEBANON.—

24 (1) None of the funds appropriated by this Act
25 under the heading “Foreign Military Financing Pro-

1 gram” may be made available for assistance for Leb-
2 anon unless the Secretary of State certifies and re-
3 ports to the Committees on Appropriations that—

4 (A) the Lebanese Armed Forces (LAF) is
5 not headed, controlled by, or closely collabo-
6 rating with Hezbollah or any other foreign ter-
7 rorist organization designated pursuant to sec-
8 tion 219 of the Immigration and Nationality
9 Act; and

10 (B) such assistance will only be used to—

11 (i) professionalize the LAF;

12 (ii) strengthen border security and
13 combat terrorism, including training and
14 equipping the LAF to secure Lebanon’s
15 borders against infiltration, interdicting
16 arms shipments, and preventing the use of
17 Lebanon as a safe haven for terrorist
18 groups; and

19 (iii) implement United Nations Secu-
20 rity Council Resolution 1701.

21 (2) If the Secretary of State makes the certifi-
22 cation contained in paragraph (1), funds may not be
23 made available for obligation until a detailed spend
24 plan is submitted to the Committees on Appropria-
25 tions, except such plan may not be considered as

1 meeting the notification requirements under section
2 7015 of this Act or under section 634A of the For-
3 eign Assistance Act of 1961, and shall be submitted
4 not later than September 1, 2013: *Provided*, That
5 any notification submitted pursuant to section 634A
6 of the Foreign Assistance Act of 1961 or section
7 7015 of this Act shall include any funds specifically
8 intended for lethal military equipment: *Provided fur-*
9 *ther*, That the Secretary of State shall regularly con-
10 sult with the Committees on Appropriations on the
11 activities of the LAF and assistance provided by the
12 United States: *Provided further*, That not later than
13 90 days after enactment of this Act, the Secretary
14 of State shall submit a report to the Committees on
15 Appropriations detailing the actions taken to ensure
16 that equipment provided to the LAF is used only for
17 intended purposes.

18 (e) LIBYA.—

19 (1) None of the funds appropriated by this Act
20 under the heading “Economic Support Fund” may
21 be made available for assistance for Libya unless the
22 Secretary of State reports to the Committees on Ap-
23 propriations—

24 (A) that such funds shall only be made
25 available to support programs that promote de-

1 mocracy, transparent and accountable govern-
2 ance, human rights, transitional justice, and the
3 rule of law;

4 (B) that such funds shall be made avail-
5 able, to the maximum extent practicable, on a
6 cost-matching basis; and

7 (C) the amounts the Government of Libya
8 plans to contribute during fiscal year 2013 to
9 their development priorities.

10 (2) None of the funds appropriated by this Act
11 under the headings “International Narcotics Control
12 and Law Enforcement” and “Foreign Military Fi-
13 nancing Program” may be made available to Libya
14 unless the notification required by section 7015 of
15 this Act contains a detailed justification and the vet-
16 ting procedures in place for all such assistance.

17 (f) YEMEN.—None of the funds appropriated by this
18 Act under the heading “Foreign Military Financing Pro-
19 gram” for assistance for Yemen may be made available
20 until the Secretary of State reports to the Committees on
21 Appropriations that the Armed Forces of Yemen—

22 (1) are not controlled by a foreign terrorist or-
23 ganization, designated pursuant to section 219 of
24 the Immigration and Nationality Act; and

1 made available for assistance for the Government of
2 Sudan.

3 (2) None of the funds appropriated by this Act
4 may be made available for the cost, as defined in
5 section 502 of the Congressional Budget Act of
6 1974, of modifying loans and loan guarantees held
7 by the Government of Sudan, including the cost of
8 selling, reducing, or canceling amounts owed to the
9 United States, and modifying concessional loans,
10 guarantees, and credit agreements.

11 (3) The limitations of paragraphs (1) and (2)
12 shall not apply to—

13 (A) humanitarian assistance;

14 (B) assistance for the Darfur region,
15 Southern Kordofan/Nuba Mountains State,
16 Blue Nile State, other marginalized populations
17 in Sudan, and Abyei; and

18 (C) assistance to support implementation
19 of outstanding issues of the Comprehensive
20 Peace Agreement (CPA), mutual arrangements
21 related to post-referendum issues associated
22 with the CPA, or any other internationally rec-
23 ognized viable peace agreement.

24 (d) SOUTH SUDAN.—

1 (1) Funds appropriated by this Act should be
2 made available for assistance for South Sudan, in-
3 cluding to increase agricultural productivity, expand
4 educational opportunities especially for girls,
5 strengthen democratic institutions and the rule of
6 law, and enhance the capacity of the Federal Legis-
7 lative Assembly to conduct oversight over govern-
8 ment revenues and expenditures.

9 (2) Not less than 15 days prior to the obliga-
10 tion of funds appropriated by this Act that are avail-
11 able for assistance for the Government of South
12 Sudan, the Secretary of State shall submit a report
13 to the Committees on Appropriations detailing the
14 extent to which the Government of South Sudan
15 is—

16 (A) supporting freedom of expression, the
17 establishment of democratic institutions, includ-
18 ing an independent judiciary, parliament, and
19 security forces that are accountable to civilian
20 authority; and

21 (B) investigating and punishing members
22 of security forces who have violated human
23 rights.

24 (3) The Secretary of State shall seek to obtain
25 regular audits of the financial accounts of the Gov-

1 ernment of South Sudan to ensure transparency and
2 accountability of funds, including revenues from the
3 extraction of oil and gas, and the timely, public dis-
4 closure of such audits: *Provided*, That the Secretary
5 should assist the Government of South Sudan in
6 conducting such audits, and by providing technical
7 assistance to enhance the capacity of the National
8 Auditor Chamber to carry out its responsibilities,
9 and shall submit a report not later than 90 days
10 after enactment of this Act to the Committees on
11 Appropriations detailing the steps that will be taken
12 by the Government of South Sudan, which are addi-
13 tional to those taken in the previous fiscal year, to
14 improve resource management and ensure trans-
15 parency and accountability of funds.

16 (e) LORD'S RESISTANCE ARMY.—Funds appro-
17 priated by this Act shall be made available for programs
18 and activities in areas affected by the Lord's Resistance
19 Army (LRA), including to support the goals of the Lord's
20 Resistance Army Disarmament and Northern Uganda Re-
21 covery Act (Public Law 111-172): *Provided*, That not later
22 than 90 days after enactment of this Act, the Secretary
23 of State, in consultation with the Secretary of Defense and
24 the Administrator of the United States Agency for Inter-
25 national Development, shall submit a report to the Com-

1 mittees on Appropriations detailing progress toward im-
2 plementation of the Administration's counter-LRA strat-
3 egy and the policy objectives included in Public Law 111-
4 172: *Provided further*, That such report shall include the
5 amounts and description of United States assistance pro-
6 vided for such purposes.

7 (f) WAR CRIMES IN AFRICA.—

8 (1) The Congress reaffirms its support for the
9 efforts of the International Criminal Tribunal for
10 Rwanda (ICTR) and the Special Court for Sierra
11 Leone (SCSL) to bring to justice individuals respon-
12 sible for war crimes and crimes against humanity in
13 a timely manner.

14 (2) Funds appropriated by this Act may be
15 made available for assistance for the central govern-
16 ment of a country in which individuals indicted by
17 the ICTR and the SCSL are credibly alleged to be
18 living, if the Secretary of State determines and re-
19 ports to the Committees on Appropriations that such
20 government is cooperating with the ICTR and the
21 SCSL, including the apprehension, surrender, and
22 transfer of indictees in a timely manner: *Provided*,
23 That this subsection shall not apply to assistance
24 provided under section 551 of the Foreign Assist-
25 ance Act of 1961 or to project assistance under title

1 VI of this Act: *Provided further*, That the United
2 States shall use its voice and vote in the United Na-
3 tions Security Council to fully support efforts by the
4 ICTR and the SCSL to bring to justice individuals
5 indicted by such tribunals in a timely manner.

6 (3) The prohibition in paragraph (2) may be
7 waived on a country-by-country basis if the Presi-
8 dent determines that doing so is in the national se-
9 curity interest of the United States: *Provided*, That
10 prior to exercising such waiver authority, the Presi-
11 dent shall submit a report to the Committees on Ap-
12 propriations, in classified form if necessary, on—

13 (A) the steps being taken to obtain the co-
14 operation of the government in apprehending
15 and surrendering the indictee in question to the
16 court of jurisdiction;

17 (B) a strategy, including a timeline, for
18 bringing the indictee before such court; and

19 (C) the justification for exercising the
20 waiver authority.

21 (g) ZIMBABWE.—

22 (1) The Secretary of the Treasury shall instruct
23 the United States executive director of each inter-
24 national financial institution to vote against any ex-
25 tension by the respective institution of any loans or

1 grants to the Government of Zimbabwe, except to
2 meet basic human needs or to promote democracy,
3 unless the Secretary of State determines and reports
4 in writing to the Committees on Appropriations that
5 the rule of law has been restored in Zimbabwe, in-
6 cluding respect for ownership and title to property,
7 and freedom of speech and association.

8 (2) None of the funds appropriated by this Act
9 shall be made available for assistance for the central
10 Government of Zimbabwe, except for health, edu-
11 cation, and macroeconomic growth assistance, unless
12 the Secretary of State makes the determination re-
13 quired in paragraph (1).

14 ASIA

15 SEC. 7044. (a) TIBET.—

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

1 betan culture and traditions, and are subject to ef-
2 fective monitoring.

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

12 (b) BURMA.—

13 (1) The Secretary of the Treasury should in-
14 struct the United States executive directors of the
15 appropriate international financial institutions to
16 vote against any loan, agreement, or other financial
17 support for Burma.

18 (2) Funds appropriated by this Act under the
19 heading “Economic Support Fund” may be made
20 available for assistance for Burma notwithstanding
21 any other provision of law, except no such funds
22 shall be made available to the State Peace and De-
23 velopment Council, or its successor, and its affiliated
24 organizations: *Provided*, That such funds shall be
25 made available for programs along Burma’s borders

1 and for Burmese groups and organizations located
2 outside Burma, and may be made available to sup-
3 port programs in Burma: *Provided further*, That in
4 addition to assistance for Burmese refugees appro-
5 priated under the heading “Migration and Refugee
6 Assistance” in this Act, funds shall be made avail-
7 able for community-based organizations operating in
8 Thailand to provide food, medical, and other human-
9 itarian assistance to internally displaced persons in
10 eastern Burma: *Provided further*, That any new pro-
11 gram or activity initiated with funds made available
12 by this Act shall be subject to prior consultation
13 with the Committees on Appropriations, and all such
14 funds shall be subject to the regular notification pro-
15 cedures of the Committees on Appropriations.

16 (c) CAMBODIA.—Funds made available in this Act for
17 a United States contribution to a Khmer Rouge tribunal
18 may only be made available if the Secretary of State cer-
19 tifies to the Committees on Appropriations that the
20 United Nations and the Government of Cambodia are tak-
21 ing credible steps to address allegations of corruption and
22 mismanagement within the tribunal.

23 (d) NORTH KOREA.—None of the funds made avail-
24 able by this Act under the heading “Economic Support

1 Fund” may be made available for assistance for the gov-
2 ernment of North Korea.

3 (e) PEOPLE’S REPUBLIC OF CHINA.—(1) None of the
4 funds appropriated under the heading “Diplomatic and
5 Consular Programs” in this Act may be obligated or ex-
6 pended for processing licenses for the export of satellites
7 of United States origin (including commercial satellites
8 and satellite components) to the People’s Republic of
9 China unless, at least 15 days in advance, the Committees
10 on Appropriations are notified of such proposed action.

11 (2) The terms and requirements of section
12 620(h) of the Foreign Assistance Act of 1961 shall
13 apply to foreign assistance projects or activities of
14 the People’s Liberation Army (PLA) of the People’s
15 Republic of China, to include such projects or activi-
16 ties by any entity that is owned or controlled by, or
17 an affiliate of, the PLA: *Provided*, That none of the
18 funds appropriated or otherwise made available pur-
19 suant to this Act may be used to finance any grant,
20 contract, or cooperative agreement with the PLA, or
21 any entity that the Secretary of State has reason to
22 believe is owned or controlled by, or an affiliate of,
23 the PLA.

24 (3)(A) None of the funds appropriated by this
25 Act under the headings “Global Health Programs”,

1 “Development Assistance”, and “Economic Support
2 Fund” may be made available for assistance for the
3 government of the People’s Republic of China.

4 (B) The limitation of subparagraph (A)
5 shall not apply to assistance described in para-
6 graph (2) of subsection (a) and for programs to
7 detect, prevent, and treat infectious disease.

8 WESTERN HEMISPHERE

9 SEC. 7045. (a) COLOMBIA.—

10 (1) The matter preceding the first proviso and
11 the first through fifth provisos of paragraph (1), and
12 paragraph (3), of section 7045(a) of division I of
13 Public Law 112–74 shall continue in effect during
14 fiscal year 2013 and shall apply to funds appro-
15 priated in this Act and made available for assistance
16 for Colombia as if included in this Act.

17 (2) The Secretary of State shall submit to the
18 Committees on Appropriations, not later than 60
19 days after enactment of this Act, the report de-
20 scribed under the heading “International Narcotics
21 Control and Law Enforcement” in the report accom-
22 panying this Act.

23 (b) HAITI.—The Government of Haiti shall be eligi-
24 ble to purchase defense articles and services under the

1 Arms Export Control Act (22 U.S.C. 2751 et seq.) for
2 the Coast Guard.

3 (c) HONDURAS.—Prior to the obligation of 20 per-
4 cent of the funds appropriated by this Act that are avail-
5 able for assistance for Honduran military and police
6 forces, the Secretary of State shall report in writing to
7 the Committees on Appropriations that: the Government
8 of Honduras is implementing policies to protect freedom
9 of expression and association, and due process of law; and
10 is investigating and prosecuting in the civilian justice sys-
11 tem, in accordance with Honduran and international law,
12 military and police personnel who are credibly alleged to
13 have violated human rights, and the Honduran military
14 and police are cooperating with civilian judicial authorities
15 in such cases: *Provided*, That the restriction in this sub-
16 section shall not apply to assistance to combat drug traf-
17 ficking and related violence, and to promote transparency,
18 anti-corruption and the rule of law within the military and
19 police forces.

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

1 the anticipated impact of the with-
2 drawal of United States Armed
3 Forces in Afghanistan on such envi-
4 ronment;

5 (II) detailed plans for all diplo-
6 matic locations in the country, to in-
7 clude—

8 (aa) an assessment of the
9 security requirements at each
10 current and planned facility;

11 (bb) the number of United
12 States Government personnel an-
13 ticipated at each facility, a gen-
14 eral description of the duties of
15 such personnel, and the number
16 and cost of contractors antici-
17 pated at each facility required for
18 operational and other support;

19 (cc) the expected timeline of
20 occupancy for each facility;

21 (dd) the plans for, and sta-
22 tus of, corresponding land rights
23 agreements with the host govern-
24 ment for each facility;

1 (ee) the types of non-tradi-
2 tional equipment to be used by
3 the Department of State to meet
4 the security requirements at each
5 facility and whether agreement
6 exists with the host government
7 to use such equipment;

8 (ff) a description of contin-
9 gency plans, including evacu-
10 ation, at each facility for United
11 States Government personnel and
12 contractors; and

13 (gg) the extent to which lo-
14 cally engaged staff will be used
15 for logistical, medical, and secu-
16 rity requirements.

17 (ii) The report required by clause (i)
18 may be submitted in classified form if nec-
19 essary.

20 (iii) The report required by clause (i)
21 shall also include benchmarks and mile-
22 stones, including quantitative and quali-
23 tative metrics, for the diplomatic and de-
24 velopment programs supported by the

1 United States Government presence at
2 each facility.

3 (B) SECURITY.—Of the funds appropriated
4 under the heading “Economic Support Fund”
5 in title VIII of this Act that are made available
6 for assistance for the central Government of Af-
7 ghanistan, 15 percent shall be withheld from
8 obligation until the Secretary of State, in con-
9 sultation with the Administrator of USAID,
10 certifies and reports to the Committees on Ap-
11 propriations that all USAID projects imple-
12 mented by organizations requiring security in
13 Afghanistan have the needed contracts and
14 services in place: *Provided*, That such certifi-
15 cation shall include each project requiring secu-
16 rity subcontracts and that each subcontract is
17 deemed to have—

18 (i) qualified and reliable security per-
19 sonnel, equipment, and services;

20 (ii) reasonable cost requirements; and

21 (iii) reasonable terms that meet the
22 needs of the prime contractor.

23 (C) SUSTAINABILITY AND TRANS-
24 PARENCY.—None of the funds appropriated or
25 otherwise made available by this Act under the

1 headings “Economic Support Fund” and
2 “International Narcotics Control and Law En-
3 forcement” may be obligated for assistance for
4 the Government of Afghanistan until the Sec-
5 retary of State, in consultation with the Admin-
6 istrator of USAID, certifies to the Committees
7 on Appropriations that—

8 (i) The funds will be used to design
9 and support programs in accordance with
10 the June 2011 “Administrator’s Sustain-
11 ability Guidance for USAID in Afghani-
12 stan”.

13 (ii) The Government of Afghanistan
14 is—

15 (I) reducing corruption and im-
16 proving governance, including by in-
17 vestigating, prosecuting, sanctioning,
18 or removing corrupt officials from of-
19 fice and implementing financial trans-
20 parency and accountability measures
21 for government institutions and offi-
22 cials (including the Central Bank) as
23 well as conducting oversight of public
24 resources;

1 (II) taking credible steps to pro-
2 tect the human rights of Afghan
3 women; and

4 (III) taking significant steps to
5 facilitate active public participation in
6 governance and oversight.

7 (iii) Funds will be used to support
8 and strengthen the capacity of Afghan
9 public and private institutions and entities
10 to reduce corruption and to improve trans-
11 parency and accountability of national,
12 provincial, and local governments.

13 (iv) Representatives of Afghan na-
14 tional, provincial, or local governments,
15 and local communities and civil society or-
16 ganizations, including women-led organiza-
17 tions, will be consulted and participate in
18 the design of programs, projects, and ac-
19 tivities, including participation in imple-
20 mentation and oversight, and the develop-
21 ment of specific benchmarks to measure
22 progress and outcomes.

23 (2) ASSISTANCE AND OPERATIONS.—

24 (A) Funds appropriated or otherwise made
25 available by this Act for assistance for Afghani-

1 stan may be made available as a United States
2 contribution to the Afghanistan Reconstruction
3 Trust Fund (ARTF) unless the Secretary of
4 State determines and reports to the Committees
5 on Appropriations that the World Bank Moni-
6 toring Agent of the ARTF is unable to conduct
7 its financial control and audit responsibilities.

8 (B) Funds appropriated under the head-
9 ings “Economic Support Fund” and “Inter-
10 national Narcotics Control and Law Enforce-
11 ment” in this Act that are available for assist-
12 ance for Afghanistan—

13 (i) shall be made available, to the
14 maximum extent practicable, in a manner
15 that emphasizes the participation of Af-
16 ghan women, and directly improves the se-
17 curity, economic and social well-being, and
18 political status, and protects the rights of,
19 Afghan women and girls and complies with
20 sections 7060 and 7061 of this Act, includ-
21 ing support for the Afghan Independent
22 Human Rights Commission, the Afghan
23 Ministry of Women’s Affairs, and women-
24 led organizations;

1 (ii) may be made available for a
2 United States contribution to an inter-
3 nationally managed fund to support the
4 reconciliation with and disarmament, de-
5 mobilization, and reintegration into Afghan
6 society of former combatants who have re-
7 nounced violence against the Government
8 of Afghanistan: *Provided*, That funds may
9 be made available to support reconciliation
10 and reintegration activities only if:

11 (I) Afghan women are partici-
12 pating at national, provincial, and
13 local levels of government in the de-
14 sign, policy formulation, and imple-
15 mentation of the reconciliation or re-
16 integration process, and such process
17 upholds steps taken by the Govern-
18 ment of Afghanistan to protect the
19 human rights of Afghan women; and

20 (II) such funds will not be used
21 to support any pardon or immunity
22 from prosecution, or any position in
23 the Government of Afghanistan or se-
24 curity forces, for any leader of an
25 armed group responsible for crimes

1 against humanity, war crimes, or acts
2 of terrorism; and

3 (iii) may be made available for a
4 United States contribution to the North
5 Atlantic Treaty Organization/International
6 Security Assistance Force Post-Operations
7 Humanitarian Relief Fund.

8 (C) The authority contained in section
9 1102(c) of Public Law 111–32 shall continue in
10 effect during fiscal year 2013 and shall apply
11 as if part of this Act.

12 (D) The Coordinator for Rule of Law at
13 the United States Embassy in Kabul, Afghani-
14 stan, shall be consulted on the use of all funds
15 appropriated by this Act for rule of law pro-
16 grams in Afghanistan.

17 (E) None of the funds made available by
18 this Act may be used by the United States Gov-
19 ernment to enter into a permanent basing
20 rights agreement between the United States
21 and Afghanistan.

22 (F) Any significant modification to the
23 scope, objectives, or implementation mecha-
24 nisms of United States assistance programs in
25 Afghanistan shall be subject to prior consulta-

1 tion with, and the regular notification proce-
2 dures of, the Committees on Appropriations, ex-
3 cept that the prior consultation requirement
4 may be waived in a manner consistent with sec-
5 tion 7015(e) of this Act.

6 (G) Funds appropriated under titles III
7 through VI of this Act that are made available
8 for assistance for Afghanistan may be made
9 available notwithstanding section 7012 of this
10 Act or any similar provision of law and section
11 660 of the Foreign Assistance Act of 1961.

12 (3) REPORTS.—Not later than 90 days after
13 enactment of this Act, the Secretary of State shall
14 submit to the Committees on Appropriations—

15 (A) a report on the International Monetary
16 Fund (IMF) country program for Afghanistan,
17 including actions requested by the IMF and
18 taken by the Government of Afghanistan to ad-
19 dress the Kabul Bank crisis and restore con-
20 fidence in Afghanistan’s banking sector; and

21 (B) a report on the costs to support agree-
22 ments and programs related to the Afghan
23 Strategic Partnership, including contributions
24 from the Government of Afghanistan.

1 (4) OVERSIGHT.—The Special Inspector Gen-
2 eral for Afghanistan Reconstruction, the Inspector
3 General of the Department of State, and the Inspec-
4 tor General of USAID, shall jointly develop and sub-
5 mit to the Committees on Appropriations within 45
6 days of enactment of this Act a coordinated audit
7 and inspection plan of United States assistance for,
8 and civilian operations in, Afghanistan.

9 (b) PAKISTAN.—

10 (1) CERTIFICATION.—None of the funds appro-
11 priated or otherwise made available by this Act
12 under the headings “Economic Support Fund”,
13 “International Narcotics Control and Law Enforce-
14 ment”, and “Foreign Military Financing Program”,
15 or by transfer to “Pakistan Counterinsurgency Ca-
16 pability Fund” for assistance for the Government of
17 Pakistan may be made available unless the Secretary
18 of State certifies to the Committees on Appropria-
19 tions that the Government of Pakistan is—

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

1 such groups and prevent them from basing and
2 operating in Pakistan and carrying out cross
3 border attacks into neighboring countries;

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

10 (C) dismantling improvised explosive device
11 (IED) networks and interdicting precursor
12 chemicals used in the manufacture of IEDs;

13 (D) preventing the proliferation of nuclear-
14 related material and expertise;

15 (E) issuing visas in a timely manner for
16 United States visitors engaged in counterter-
17 rorism efforts and assistance programs in Paki-
18 stan; and

19 (F) providing humanitarian organizations
20 access to detainees, internally displaced per-
21 sons, and other Pakistani civilians affected by
22 the conflict.

23 (2) ASSISTANCE.—Funds appropriated by this
24 Act under the heading “Foreign Military Financing
25 Program” for assistance for Pakistan may be made

1 available only to support counterterrorism and coun-
2 terinsurgency capabilities in Pakistan, and are sub-
3 ject to section 620M of the Foreign Assistance Act
4 of 1961, as amended by this Act.

5 (3) REPORTS.—

6 (A)(i) The spend plan required by section
7 7076 of this Act for assistance for Pakistan
8 shall include achievable and sustainable goals,
9 benchmarks for measuring progress, and ex-
10 pected results regarding furthering development
11 in Pakistan, countering extremism, and estab-
12 lishing conditions conducive to the rule of law
13 and transparent and accountable governance:
14 *Provided*, That such benchmarks may incor-
15 porate those required in title III of Public Law
16 111–73, as appropriate: *Provided further*, That
17 not later than 6 months after submission of
18 such spend plan, and each 6 months thereafter
19 until September 30, 2014, the Secretary of
20 State shall submit a report to the Committees
21 on Appropriations on the status of achieving
22 the goals and benchmarks in the spend plan.

23 (ii) The Secretary of State should suspend
24 assistance for the Government of Pakistan if
25 any report required by subparagraph (A)(i) in-

1 dicates that Pakistan is failing to make measur-
2 able progress in meeting these goals or bench-
3 marks.

4 (B) Not later than 90 days after enact-
5 ment of this Act, the Secretary of State shall
6 submit a report to the Committees on Appro-
7 priations detailing the costs and objectives asso-
8 ciated with significant infrastructure projects
9 supported by the United States in Pakistan,
10 and an assessment of the extent to which such
11 projects achieve such objectives.

12 (c) REGIONAL CROSS BORDER PROGRAMS.—Funds
13 appropriated by this Act under the heading “Economic
14 Support Fund” for assistance for Afghanistan and Paki-
15 stan may be provided, notwithstanding any other provision
16 of law that restricts assistance to foreign countries, for
17 cross border stabilization and development programs be-
18 tween Afghanistan and Pakistan, or between either coun-
19 try and the Central Asian republics.

20 PROHIBITION OF PAYMENTS TO UNITED NATIONS

21 MEMBERS

22 SEC. 7047. None of the funds appropriated or made
23 available pursuant to titles III through VI of this Act for
24 carrying out the Foreign Assistance Act of 1961, may be
25 used to pay in whole or in part any assessments, arrear-

1 ages, or dues of any member of the United Nations or,
2 from funds appropriated by this Act to carry out chapter
3 1 of part I of the Foreign Assistance Act of 1961, the
4 costs for participation of another country's delegation at
5 international conferences held under the auspices of multi-
6 lateral or international organizations.

7 WAR CRIMES TRIBUNALS DRAWDOWN

8 SEC. 7048. If the President determines that doing so
9 will contribute to a just resolution of charges regarding
10 genocide or other violations of international humanitarian
11 law, the President may direct a drawdown pursuant to sec-
12 tion 552(c) of the Foreign Assistance Act of 1961 of up
13 to \$30,000,000 of commodities and services for the United
14 Nations War Crimes Tribunal established with regard to
15 the former Yugoslavia by the United Nations Security
16 Council or such other tribunals or commissions as the
17 Council may establish or authorize to deal with such viola-
18 tions, without regard to the ceiling limitation contained
19 in paragraph (2) thereof: *Provided*, That the determina-
20 tion required under this section shall be in lieu of any de-
21 terminations otherwise required under section 552(c): *Pro-*
22 *vided further*, That funds made available pursuant to this
23 section shall be made available subject to the regular noti-
24 fication procedures of the Committees on Appropriations.

1 LIMITATIONS ON THE UNITED NATIONS

2 SEC. 7049. (a) TRANSPARENCY AND ACCOUNT-
3 ABILITY.—Not more than 70 percent of the funds made
4 available in this Act for a contribution to any organization,
5 agency, or program within the United Nations system or
6 any international organization may be provided to such
7 organization, agency, or program or such international or-
8 ganization until the Secretary of State certifies that the
9 organization—

10 (1) provides the United States Government with
11 full and unfettered access to financial and perform-
12 ance audits regarding the implementation of funds
13 of that organization; and

14 (2) is publishing on a publicly available website
15 regular, financial, programmatic, and reporting au-
16 dits of the organization and its grantees.

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

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

1 port Administration Act of 1979 (50 U.S.C. App.
2 2405(j)(1)), supports international terrorism.

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

16 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—
17 None of the funds appropriated by this Act may be made
18 available in support of the United Nations Human Rights
19 Council unless the Secretary of State determines and re-
20 ports to the Committees on Appropriations that participa-
21 tion in the Council is in the national security interest of
22 the United States and that the Council is taking steps to
23 remove Israel as a permanent agenda item: *Provided*, That
24 such report shall include a justification for making the de-

1 termination and a description of the steps taken to remove
2 Israel as a permanent agenda item.

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

10 (1) utilizing Operations Support Officers in the
11 West Bank and Gaza to inspect UNRWA installa-
12 tions and reporting any inappropriate use;

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

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

1 (4) taking steps to improve the transparency of
2 all educational materials currently in use in
3 UNRWA-administered schools;

4 (5) using curriculum materials in UNRWA-sup-
5 ported schools and summer camps designed to pro-
6 mote tolerance, non-violent conflict resolution, and
7 human rights;

8 (6) not engaging in operations with financial in-
9 stitutions or related entities in violation of relevant
10 United States law, is enhancing its transparency and
11 financial due diligence, and working to diversify its
12 banking operations in the region; and

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

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

21 (f) WAIVER.—The restrictions imposed by or pursu-
22 ant to subsections (a) and (d) may be waived on a case-
23 by-case basis by the Secretary of State if the Secretary
24 determines and reports to the Committees on Appropria-

1 tions that such waiver is necessary to avert a humani-
2 tarian crisis.

3 (g) REPORTING REQUIREMENT.—Not later than 30
4 days after enactment of this Act, the Secretary of State
5 shall submit a report to the Committees on Appropriation
6 detailing the amount of funds available for obligation or
7 expenditure in fiscal year 2013 under the headings “Con-
8 tributions to International Organizations” and “Inter-
9 national Organizations and Programs” that are withheld
10 from obligation or expenditure due to any provision of law:
11 *Provided*, That the Secretary of State shall update such
12 report each time additional funds are withheld by oper-
13 ation of any provision of law: *Provided further*, That the
14 reprogramming of any withheld funds identified in such
15 report, including updates thereof, shall be subject to prior
16 consultation with, and the regular notification procedures
17 of, the Committees on Appropriations.

18 COMMUNITY-BASED POLICE ASSISTANCE

19 SEC. 7050. (a) AUTHORITY.—Funds made available
20 by titles III and IV of this Act to carry out the provisions
21 of chapter 1 of part I and chapters 4 and 6 of part II
22 of the Foreign Assistance Act of 1961, may be used, not-
23 withstanding section 660 of that Act, to enhance the effec-
24 tiveness and accountability of civilian police authority
25 through training and technical assistance in human rights,

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

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

10 ATTENDANCE AT INTERNATIONAL CONFERENCES

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

1 AIRCRAFT TRANSFER AND COORDINATION

2 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-
3 standing any other provision of law or regulation, aircraft
4 procured with funds appropriated by this Act and prior
5 Acts making appropriations for the Department of State,
6 foreign operations, and related programs under the head-
7 ings “Diplomatic and Consular Programs”, “International
8 Narcotics Control and Law Enforcement”, “Andean
9 Counterdrug Initiative” and “Andean Counterdrug Pro-
10 grams” may be used for any other program and in any
11 region, including for the transportation of active and
12 standby Civilian Response Corps personnel and equipment
13 during a deployment: *Provided*, That the responsibility for
14 policy decisions and justification for the use of such trans-
15 fer authority shall be the responsibility of the Secretary
16 of State and the Deputy Secretary of State and this re-
17 sponsibility shall not be delegated.

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

1 (c) AIRCRAFT COORDINATION.—

2 (1) The uses of aircraft purchased or leased by
3 the Department of State and the United States
4 Agency for International Development (USAID)
5 with funds made available in this Act or prior Acts
6 making appropriations for the Department of State,
7 foreign operations, and related programs shall be co-
8 ordinated under the authority of the appropriate
9 Chief of Mission: *Provided*, That such aircraft may
10 be used to transport, on a reimbursable or non-reim-
11 bursable basis, Federal and non-Federal personnel
12 supporting Department of State and USAID pro-
13 grams and activities: *Provided further*, That official
14 travel for other agencies for other purposes may be
15 supported on a reimbursable basis, or without reim-
16 bursement when traveling on a space available basis.

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

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

22 SEC. 7053. The terms and conditions of section 7055
23 of division F of Public Law 111–117 shall apply to this
24 Act: *Provided*, That the date “September 30, 2009” in

1 subsection (f)(2)(B) shall be deemed to be “September 30,
2 2012”.

3 LANDMINES AND CLUSTER MUNITIONS

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

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

17 (1) the submunitions of the cluster munitions,
18 after arming, do not result in more than 1 percent
19 unexploded ordnance across the range of intended
20 operational environments; and

21 (2) the agreement applicable to the assistance,
22 transfer, or sale of such cluster munitions or cluster
23 munitions technology specifies that the cluster muni-
24 tions will only be used against clearly defined mili-
25 tary targets and will not be used where civilians are

1 known to be present or in areas normally inhabited
2 by civilians.

3 PROHIBITION ON PUBLICITY OR PROPAGANDA

4 SEC. 7055. No part of any appropriation contained
5 in this Act shall be used for publicity or propaganda pur-
6 poses within the United States not authorized before the
7 date of the enactment of this Act by the Congress: *Pro-*
8 *vided*, That not to exceed \$25,000 may be made available
9 to carry out the provisions of section 316 of Public Law
10 96-533.

11 LIMITATION ON RESIDENCE EXPENSES

12 SEC. 7056. Of the funds appropriated or made avail-
13 able pursuant to title II of this Act, not to exceed
14 \$100,500 shall be for official residence expenses of the
15 United States Agency for International Development dur-
16 ing the current fiscal year: *Provided*, That appropriate
17 steps shall be taken to assure that, to the maximum extent
18 possible, United States-owned foreign currencies are uti-
19 lized in lieu of dollars.

20 UNITED STATES AGENCY FOR INTERNATIONAL

21 DEVELOPMENT MANAGEMENT

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 7057. (a) AUTHORITY.—Up to \$93,000,000 of
24 the funds made available in title III of this Act to carry
25 out the provisions of part I of the Foreign Assistance Act

1 of 1961 may be used by the United States Agency for
2 International Development (USAID) to hire and employ
3 individuals in the United States and overseas on a limited
4 appointment basis pursuant to the authority of sections
5 308 and 309 of the Foreign Service Act of 1980.

6 (b) RESTRICTIONS.—

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

10 (2) The authority to hire individuals contained
11 in subsection (a) shall expire on September 30,
12 2014.

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

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

1 priated by this Act in title II under the heading “Oper-
2 ating Expenses”.

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

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

20 (g) PERSONAL SERVICES CONTRACTORS.—Funds ap-
21 propriated by this Act to carry out chapter 1 of part I,
22 chapter 4 of part II, and section 667 of the Foreign As-
23 sistance Act of 1961, and title II of the Agricultural Trade
24 Development and Assistance Act of 1954, may be used
25 by USAID to employ up to 40 personal services contrac-

1 tors in the United States, notwithstanding any other pro-
2 vision of law, for the purpose of providing direct, interim
3 support for new or expanded overseas programs and ac-
4 tivities managed by the agency until permanent direct hire
5 personnel are hired and trained: *Provided*, That not more
6 than 15 of such contractors shall be assigned to any bu-
7 reau or office: *Provided further*, That such funds appro-
8 priated to carry out title II of the Agricultural Trade De-
9 velopment and Assistance Act of 1954, may be made avail-
10 able only for personal services contractors assigned to the
11 Office of Food for Peace.

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

18 (i) SENIOR FOREIGN SERVICE LIMITED APPOINT-
19 MENTS.—Individuals hired pursuant to the authority pro-
20 vided by section 7059(o) of division F of Public Law 111–
21 117 may be assigned to or support programs in Iraq, Af-
22 ghanistan, or Pakistan with funds made available in this
23 Act and prior Acts making appropriations for the Depart-
24 ment of State, foreign operations, and related programs.

1 GLOBAL HEALTH ACTIVITIES

2 SEC. 7058. (a) Funds appropriated by titles III and
3 IV of this Act that are made available for bilateral assist-
4 ance for child survival activities or disease programs in-
5 cluding activities relating to research on, and the preven-
6 tion, treatment and control of, HIV/AIDS may be made
7 available notwithstanding any other provision of law ex-
8 cept for provisions under the heading “Global Health Pro-
9 grams” and the United States Leadership Against HIV/
10 AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat.
11 711; 22 U.S.C. 7601 et seq.), as amended.

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

15 (c) GLOBAL FUND REFORMS.—

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

22 (A) the Global Fund is maintaining and
23 implementing a policy of transparency, includ-
24 ing the authority of the Global Fund Office of

1 the Inspector General (OIG) to publish OIG re-
2 ports on a public Web site;

3 (B) the Global Fund is providing sufficient
4 resources to maintain an independent OIG
5 that—

6 (i) reports directly to the Board of the
7 Global Fund;

8 (ii) maintains a mandate to conduct
9 thorough investigations and programmatic
10 audits, free from undue interference; and

11 (iii) compiles regular, publicly pub-
12 lished audits and investigations of finan-
13 cial, programmatic, and reporting aspects
14 of the Global Fund, its grantees, recipi-
15 ents, sub-recipients, and Local Fund
16 Agents; and

17 (C) the Global Fund maintains an effective
18 whistleblower policy to protect whistleblowers
19 from retaliation, including confidential proce-
20 dures for reporting possible misconduct or
21 irregularities.

22 (2) The withholding required by this subsection
23 shall not be in addition to funds that are withheld
24 from the Global Fund in fiscal year 2013 pursuant

1 to the application of any other provision contained
2 in this or any other Act.

3 PROHIBITION ON PROMOTION OF TOBACCO

4 SEC. 7059. None of the funds provided by this Act
5 shall be available to promote the sale or export of tobacco
6 or tobacco products, or to seek the reduction or removal
7 by any foreign country of restrictions on the marketing
8 of tobacco or tobacco products, except for restrictions
9 which are not applied equally to all tobacco or tobacco
10 products of the same type.

11 PROGRAMS TO PROMOTE GENDER EQUALITY

12 SEC. 7060. (a) Programs funded under title III of
13 this Act shall include, where appropriate, efforts to im-
14 prove the status of women, including through gender con-
15 siderations in the planning, assessment, implementation,
16 monitoring, and evaluation of such programs.

17 (b) Funds appropriated under title III of this Act
18 shall be made available to support programs to expand
19 economic opportunities for poor women in developing
20 countries, including increasing the number and capacity
21 of women-owned enterprises, improving property rights for
22 women, increasing women's access to financial services
23 and capital, enhancing the role of women in economic deci-
24 sionmaking at the local, national and international levels,

1 and improving women's ability to participate in the global
2 economy.

3 (c) Funds appropriated under title III of this Act
4 shall be made available to increase political opportunities
5 for women, including strengthening protections for wom-
6 en's personal status, increasing women's participation in
7 elections, and enhancing women's positions in government
8 and role in government decisionmaking.

9 (d) Funds appropriated under in title III of this Act
10 for food security and agricultural development shall take
11 into consideration the unique needs of women, and tech-
12 nical assistance for women farmers should be a priority.

13 (e) The Department of State and the United States
14 Agency for International Development shall fully integrate
15 gender into all diplomatic and development efforts through
16 the inclusion of gender in strategic planning and budget
17 allocations, and the development of indicators and evalua-
18 tion mechanisms to measure the impact of United States
19 policies and programs on women and girls in foreign coun-
20 tries.

21 GENDER-BASED VIOLENCE

22 SEC. 7061. (a) Funds appropriated under the head-
23 ings "Global Health Programs", "Development Assist-
24 ance", "Economic Support Fund", and "International
25 Narcotics Control and Law Enforcement" in this Act shall

1 be made available for gender-based violence prevention
2 and response efforts, and funds appropriated under the
3 headings “International Disaster Assistance” and “Migra-
4 tion and Refugee Assistance” should be made available for
5 such efforts.

6 (b) Programs and activities funded under titles III
7 and IV of this Act to train foreign police, judicial, and
8 military personnel, including for international peace-
9 keeping operations, shall address, where appropriate, pre-
10 vention and response to gender-based violence and traf-
11 ficking in persons.

12 SECTOR ALLOCATIONS

13 SEC. 7062. (a) BASIC EDUCATION.—

14 (1) Of the funds appropriated by title III of
15 this Act, not less than \$800,000,000 shall be made
16 available for assistance for basic education, of which
17 not less than \$260,000,000 should be made available
18 under the heading “Development Assistance”.

19 (2) The United States Agency for International
20 Development shall ensure that programs supported
21 with funds appropriated for basic education in this
22 Act and prior Acts making appropriations for the
23 Department of State, foreign operations, and related
24 programs are integrated, when appropriate, with
25 health, agriculture, governance, and economic devel-

1 opment activities to address the economic and social
2 needs of the broader community.

3 (3) Funds appropriated by title III of this Act
4 for basic education may be made available for a con-
5 tribution to the Global Partnership for Education.

6 (b) FOOD SECURITY AND AGRICULTURE DEVELOP-
7 MENT.—Funds appropriated by title III of this Act may
8 be made available for food security and agriculture devel-
9 opment programs notwithstanding any other provision of
10 law to address critical food shortages.

11 (c) MICROENTERPRISE AND MICROFINANCE.—Of the
12 funds appropriated by this Act, not less than
13 \$265,000,000 should be made available for microenter-
14 prise and microfinance development programs for the
15 poor, especially women.

16 (d) RECONCILIATION PROGRAMS.—Of the funds ap-
17 propriated by title III of this Act under the headings
18 “Economic Support Fund” and “Development Assist-
19 ance”, \$26,000,000 shall be made available to support
20 people-to-people reconciliation programs which bring to-
21 gether individuals of different ethnic, religious, and polit-
22 ical backgrounds from areas of civil strife and war, of
23 which \$10,000,000 shall be made available for such pro-
24 grams in the Middle East: *Provided*, That the Adminis-
25 trator of the United States Agency for International De-

1 velopment shall consult with the Committees on Appro-
2 priations, prior to the initial obligation of funds, on the
3 uses of such funds.

4 (e) **TRAFFICKING IN PERSONS.**—Of the funds appro-
5 priated by this Act under the headings “Development As-
6 sistance”, “Economic Support Fund”, and “International
7 Narcotics Control and Law Enforcement” not less than
8 \$38,000,000 shall be made available for activities to com-
9 bat trafficking in persons internationally.

10 (f) **WATER.**—Of the funds appropriated by this Act,
11 not less than \$315,000,000 shall be made available for
12 water and sanitation supply projects pursuant to the Sen-
13 ator Paul Simon Water for the Poor Act of 2005 (Public
14 Law 109–121).

15 (g) **WOMEN’S LEADERSHIP CAPACITY.**—Of the funds
16 appropriated by title III of this Act, not less than
17 \$20,000,000 shall be made available for programs to im-
18 prove women’s leadership capacity in recipient countries.

19 (h) **NOTIFICATION REQUIREMENTS.**—Authorized de-
20 viations from funding levels contained in this section shall
21 be subject to the regular notification procedures of the
22 Committees on Appropriations.

23 **CENTRAL ASIA**

24 **SEC. 7063.** The terms and conditions of subsections

25 (a) through (e) of section 7076 of the Department of

1 State, Foreign Operations, and Related Programs Appro-
2 priations Act, 2009 (division H of Public Law 111–8)
3 shall apply to funds appropriated by this Act, except that
4 the Secretary of State may waive the application of section
5 7076(a) for a period of not more than 6 months and every
6 6 months thereafter until September 30, 2014, if the Sec-
7 retary certifies to the Committees on Appropriations that
8 the waiver is in the national security interest and nec-
9 essary to obtain access to and from Afghanistan for the
10 United States, and the waiver includes an assessment of
11 progress, if any, by the Government of Uzbekistan in
12 meeting the requirements in section 7076(a): *Provided*,
13 That the Secretary of State, in consultation with the Sec-
14 retary of Defense, shall submit a report to the Committees
15 on Appropriations not later than 180 days after enactment
16 of this Act and 12 months thereafter, on all United States
17 Government assistance provided to the Government of Uz-
18 bekistan and expenditures made in support of the North-
19 ern Distribution Network in Uzbekistan, including any
20 credible information that such assistance or expenditures
21 are being diverted for corrupt purposes: *Provided further*,
22 That information provided in the report required by the
23 previous proviso may be provided in a classified annex and
24 such annex shall indicate the basis for such classification:
25 *Provided further*, That for the purposes of the application

1 INTERNATIONAL PRISON CONDITIONS

2 SEC. 7066. Funds appropriated by this Act to carry
3 out the provisions of chapters 1 and 11 of part I and chap-
4 ter 4 of part II of the Foreign Assistance Act of 1961,
5 and the Support for East European Democracy (SEED)
6 Act of 1989, may be made available, notwithstanding sec-
7 tion 660 of the Foreign Assistance Act of 1961, for assist-
8 ance to eliminate inhumane conditions in foreign prisons
9 and other detention facilities.

10 PROHIBITION ON USE OF TORTURE

11 SEC. 7067. None of the funds made available in this
12 Act may be used in any way whatsoever to support or jus-
13 tify the use of torture, cruel, or inhumane treatment by
14 any official or contract employee of the United States Gov-
15 ernment.

16 EXTRADITION

17 SEC. 7068. (a) None of the funds appropriated in this
18 Act may be used to provide assistance (other than funds
19 provided under the headings “International Narcotics
20 Control and Law Enforcement”, “Migration and Refugee
21 Assistance”, “Emergency Migration and Refugee Assist-
22 ance”, and “Nonproliferation, Anti-terrorism, Demining
23 and Related Assistance”) for the central government of
24 a country which has notified the Department of State of
25 its refusal to extradite to the United States any individual

1 indicted for a criminal offense for which the maximum
2 penalty is life imprisonment without the possibility of pa-
3 role or for killing a law enforcement officer, as specified
4 in a United States extradition request.

5 (b) Subsection (a) shall only apply to the central gov-
6 ernment of a country with which the United States main-
7 tains diplomatic relations and with which the United
8 States has an extradition treaty and the government of
9 that country is in violation of the terms and conditions
10 of the treaty.

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

16 COMMERCIAL LEASING OF DEFENSE ARTICLES

17 SEC. 7069. Notwithstanding any other provision of
18 law, and subject to the regular notification procedures of
19 the Committees on Appropriations, the authority of sec-
20 tion 23(a) of the Arms Export Control Act may be used
21 to provide financing to Israel, Egypt, and NATO, and
22 major non-NATO allies for the procurement by leasing
23 (including leasing with an option to purchase) of defense
24 articles from United States commercial suppliers, not in-
25 cluding Major Defense Equipment (other than helicopters

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

6 INDEPENDENT STATES OF THE FORMER SOVIET UNION

7 SEC. 7070. (a) None of the funds appropriated in
8 title III of this Act shall be made available for assistance
9 for a government of an Independent State of the former
10 Soviet Union if that government directs any action in vio-
11 lation of the territorial integrity or national sovereignty
12 of any other Independent State of the former Soviet
13 Union, such as those violations included in the Helsinki
14 Final Act: *Provided*, That such funds may be made avail-
15 able without regard to the restriction in this subsection
16 if the President determines that to do so is in the national
17 security interest of the United States.

18 (b)(1) Of the funds made available in title III of this
19 Act for assistance for the Government of the Russian Fed-
20 eration, 60 percent shall be withheld from obligation until
21 the President determines and certifies in writing to the
22 Committees on Appropriations that the Government of the
23 Russian Federation—

24 (A) has terminated implementation of arrange-
25 ments to provide Iran with technical expertise, train-

1 ing, technology, or equipment necessary to develop a
2 nuclear reactor, related nuclear research facilities or
3 programs, or ballistic missile capability; and

4 (B) is providing full access to international non-
5 government organizations providing humanitarian
6 relief to refugees and internally displaced persons in
7 Chechnya.

8 (2) Paragraph (1) shall not apply to—

9 (A) assistance to combat infectious diseases,
10 child survival activities, or assistance for victims of
11 trafficking in persons; and

12 (B) activities authorized under title V (Non-
13 proliferation and Disarmament Programs and Ac-
14 tivities) of the FREEDOM Support Act.

15 (c) Section 907 of the FREEDOM Support Act shall
16 not apply to—

17 (1) activities to support democracy or assist-
18 ance under title V of the FREEDOM Support Act
19 and section 1424 of Public Law 104–201 or non-
20 proliferation assistance;

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

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

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

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

11 (6) humanitarian assistance.

12 INTERNATIONAL MONETARY FUND

13 SEC. 7071. (a) The terms and conditions of sections
14 7086(b) (1) and (2) and 7090(a) of division F of Public
15 Law 111–117 shall apply to this Act.

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

20 (c) The Secretary of the Treasury shall report to the
21 Committees on Appropriations, not later than 45 days
22 after enactment of this Act, a description and estimate
23 of IMF surcharges on outstanding and new loans by cal-
24 endar year; the IMF's internal use of funds derived from

1 such surcharges; and details of the IMF's internal budget
2 for the calendar years 2010, 2011, and 2012.

3 REPRESSSION IN THE RUSSIAN FEDERATION

4 SEC. 7072. (a) None of the funds appropriated in
5 title III of this Act may be made available for the Govern-
6 ment of the Russian Federation, after 180 days from the
7 date of the enactment of this Act, unless the Secretary
8 of State certifies to the Committees on Appropriations
9 that the Government of the Russian Federation—

10 (1) has implemented no statute, Executive
11 order, regulation or similar government action that
12 would discriminate, or which has as its principal ef-
13 fect discrimination, against religious groups or reli-
14 gious communities in the Russian Federation in vio-
15 lation of accepted international agreements on
16 human rights and religious freedoms to which the
17 Russian Federation is a party;

18 (2) is honoring its international obligations re-
19 garding freedom of expression, assembly, and press,
20 as well as due process;

21 (3) is investigating and prosecuting law enforce-
22 ment personnel credibly alleged to have committed
23 human rights abuses against political leaders, activ-
24 ists and journalists; and

1 the International Criminal Tribunal for the former Yugo-
2 slavia, including apprehending and transferring indictees
3 and providing investigators access to witnesses, docu-
4 ments, and other information.

5 (d) This section shall not apply to humanitarian as-
6 sistance or assistance to promote democracy.

7 ENTERPRISE FUNDS

8 SEC. 7075. (a) Prior to the distribution of any assets
9 resulting from any liquidation, dissolution, or winding up
10 of an Enterprise Fund, in whole or in part, the President
11 shall submit to the Committees on Appropriations, in ac-
12 cordance with the regular notification procedures of the
13 Committees on Appropriations, a plan for the distribution
14 of the assets of the Enterprise Fund.

15 (b) None of the funds made available under titles III
16 through VI of this Act may be made available for Enter-
17 prise Funds unless the Committees on Appropriations are
18 notified at least fifteen days in advance.

19 OPERATING AND SPEND PLANS

20 SEC. 7076. (a) OPERATING PLANS.—Not later than
21 30 days after the date of enactment of this Act, each de-
22 partment, agency, or organization funded in titles I and
23 II, and the Department of the Treasury and Independent
24 Agencies funded in title III of this Act shall submit to
25 the Committees on Appropriations an operating plan for

1 funds appropriated to such department, agency, or organi-
2 zation in such titles of this Act, or funds otherwise avail-
3 able for obligation in fiscal year 2013, that provides de-
4 tails of the use of such funds at the program, project, and
5 activity level.

6 (b) SPEND PLANS.—Prior to the initial obligation of
7 funds, the Secretary of State, in consultation with the Ad-
8 ministrator of the United States Agency for International
9 Development, shall submit to the Committees on Appro-
10 priations a detailed spend plan for the following—

11 (1) funds made available in titles III and IV of
12 this Act for assistance for Iraq, Haiti, Colombia,
13 and Mexico, for the Caribbean Basin Security Initia-
14 tive, and for the Central American Regional Security
15 Initiative;

16 (2) funds made available for assistance for
17 countries or programs and activities referenced in—

18 (A) section 7032;

19 (B) sections 7039 and 7040;

20 (C) section 7042(a), (d), (e), and (f);

21 (D) section 7043(b); and

22 (E) section 7046(a) and (b);

23 (3) funds appropriated in title III for food secu-
24 rity and agriculture development programs;

1 emergency requirement or for Overseas Contingency Oper-
2 ations/Global War on Terrorism pursuant to a concurrent
3 resolution on the budget or the Balanced Budget and
4 Emergency Deficit Control Act of 1985.

5 (c) The Secretary of State, as appropriate, shall con-
6 sult with the Committees on Appropriations at least 15
7 days prior to implementing the rescissions made in this
8 section.

9 REFORMS RELATED TO GENERAL CAPITAL INCREASES

10 SEC. 7078. Funds appropriated by this Act may not
11 be disbursed for a United States contribution to the gen-
12 eral capital increases of the International Bank for Recon-
13 struction and Development (World Bank), the African De-
14 velopment Bank (AfDB), or the Inter-American Develop-
15 ment Bank (IDB) until the Secretary of the Treasury cer-
16 tifies and reports to the Committees on Appropriations
17 that such institution, as appropriate, is successfully imple-
18 menting each of the following reforms—

19 (1) implementing specific reform commitments
20 agreed to by the World Bank and the AfDB as de-
21 scribed in the Pittsburgh Leaders' Statement issued
22 at the Pittsburgh G20 Summit in September 2009
23 concerning sound finances, effective management
24 and governance, transparency and accountability,
25 focus on core mission, and results;

1 (2) implementing specific reform commitments
2 agreed to by the IDB in Resolution AG-7/10 “Re-
3 port on the Ninth General Capital Increase in the
4 resources of the Inter-American Development Bank”
5 as approved by the Governors on July 12, 2010, in-
6 cluding transfers of at least \$200,000,000 annually
7 to a grant facility for Haiti;

8 (3) implementing procurement guidelines that
9 maximize international competitive bidding in ac-
10 cordance with sound procurement practices, includ-
11 ing transparency, competition, and cost-effective re-
12 sults for borrowers;

13 (4) implementing best practices for the protec-
14 tion of whistleblowers from retaliation, including
15 best practices for legal burdens of proof, access to
16 independent adjudicative bodies, results that elimi-
17 nate the effects of retaliation, and statutes of limita-
18 tion for reporting retaliation;

19 (5) requiring that each candidate for budget
20 support or development policy loans provides an as-
21 sessment of reforms needed to budgetary and pro-
22 curement processes to encourage transparency, in-
23 cluding budget publication and public scrutiny, prior
24 to loan approval;

1 (6) making publicly available external and in-
2 ternal performance and financial audits of such in-
3 stitution's projects on the institution's Web site;

4 (7) adopting policies concerning the World
5 Bank's proposed Program for Results (P4R) includ-
6 ing to: require that projects with potentially signifi-
7 cant adverse social or environmental impacts and
8 projects that affect indigenous peoples are either ex-
9 cluded from P4R or subject to the World Bank's
10 own policies; require that at the close of the pilot
11 there will be a thorough, independent evaluation,
12 with input from civil society and the private sector,
13 to provide guidance concerning next steps for the
14 pilot; and fully staff the World Bank Group's Integ-
15 rity Vice Presidency, with agreement from Bor-
16 rowers on the World Bank's jurisdiction and author-
17 ity to investigate allegations of fraud and corruption
18 in any of the World Bank's lending programs includ-
19 ing P4R; and

20 (8) concerning the World Bank, making pub-
21 licly available information regarding International
22 Finance Corporation (IFC) subprojects when the
23 IFC is funding a financial intermediary, including—

1 (A) requiring that higher-risk subprojects
2 comply with the relevant Performance Standard
3 requirements; and

4 (B) agreeing to periodically disclose on the
5 IFC Web site a listing of the name, location,
6 and sector of high-risk subprojects supported by
7 IFC investments through private equity funds.

8 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

9 SEC. 7079. If the Executive Branch makes a deter-
10 mination not to comply with any provision of this Act on
11 constitutional grounds, the head of the relevant Federal
12 agency shall notify the Committees on Appropriations in
13 writing within 5 days of such determination, the basis for
14 such determination and any resulting changes to program
15 and policy.

16 LIMITATION ON POLITICAL DISCLOSURE REQUIREMENTS

17 SEC. 7080. None of the funds made available by this
18 Act may be used to implement any rule, regulation, or ex-
19 ecutive order regarding the disclosure of political contribu-
20 tions that takes effect on or after the date of enactment
21 of this Act.

22 LIMITATION RELATING TO INDIVIDUALS DETAINED AT
23 NAVAL STATION, GUANTANAMO BAY, CUBA

24 SEC. 7081. None of the funds made available in this
25 Act, or any prior Act making appropriations for the De-

1 partment of State, foreign operations, and related pro-
2 grams, may be obligated for any country, including a state
3 with a compact of free association with the United States,
4 that concludes an agreement with the United States to
5 receive by transfer or release individuals detained at Naval
6 Station, Guantanamo Bay, Cuba, unless, not later than
7 five days after the conclusion of the agreement, but prior
8 to implementation of the agreement, the Secretary of
9 State notifies the Committees on Appropriations in writ-
10 ing of the terms of the agreement.

11 LIMITATIONS ON CERTAIN AWARDS

12 SEC. 7082. (a) CONVICTIONS.—None of the funds
13 made available by this Act may be used to enter into a
14 contract, memorandum of understanding, or cooperative
15 agreement with, make a grant to, or provide a loan or
16 loan guarantee to any corporation that was convicted (or
17 had an officer or agent of such corporation acting on be-
18 half of the corporation convicted) of a felony criminal vio-
19 lation under any Federal law within the preceding 24
20 months, where the awarding agency is aware of the convic-
21 tion, unless the agency has considered suspension or de-
22 barment of the corporation, or such officer or agent, and
23 made a determination that this further action is not nec-
24 essary to protect the interests of the Government.

1 (b) UNPAID TAXES.—None of the funds made avail-
2 able by this Act may be used to enter into a contract,
3 memorandum of understanding, or cooperative agreement
4 with, make a grant to, or provide a loan or loan guarantee
5 to, any corporation that any unpaid Federal tax liability
6 that has been assessed, for which all judicial and adminis-
7 trative remedies have been exhausted or have lapsed, and
8 that is not being paid in a timely manner pursuant to an
9 agreement with the authority responsible for collecting the
10 tax liability, where the awarding agency is aware of the
11 unpaid tax liability, unless the agency has considered sus-
12 pension or debarment of the corporation and made a de-
13 termination that this further action is not necessary to
14 protect the interests of the Government.

15 BUDGET PRESENTATIONS

16 SEC. 7083. (a) PRESENTATION OF CONGRESSIONAL
17 BUDGET JUSTIFICATION.—None of the funds appro-
18 priated by title I of this Act under the heading “Diplo-
19 matic and Consular Programs” in paragraph (3) (Diplo-
20 matic policy and support), not previously obligated before
21 the date of the submission of the President’s budget for
22 fiscal year 2014, shall be obligated until the Secretary of
23 State submits to the Committees on Appropriations the—
24 (1) Congressional Budget Justification for Depart-
25 ment of State Operations for fiscal year 2014; and

1 (a) and (b) of section 7015 of this Act and shall not be
2 available for obligation or expenditure except in compli-
3 ance with the procedures set forth in that section: *Pro-*
4 *vided further*, That such amount is designated by the Con-
5 gress for Overseas Contingency Operations/Global War on
6 Terrorism pursuant to section 251(b)(2)(A) of the Bal-
7 anced Budget and Emergency Deficit Control Act of 1985.

8 CONFLICT STABILIZATION OPERATIONS

9 For an additional amount for “Conflict Stabilization
10 Operations”, \$8,500,000, to remain available until ex-
11 pended: *Provided*, That such amount is designated by the
12 Congress for Overseas Contingency Operations/Global
13 War on Terrorism pursuant to section 251(b)(2)(A) of the
14 Balanced Budget and Emergency Deficit Control Act of
15 1985.

16 OFFICE OF INSPECTOR GENERAL

17 For an additional amount for “Office of Inspector
18 General”, \$58,619,000, to remain available until Sep-
19 tember 30, 2014, of which \$55,369,000 shall be for the
20 Special Inspector General for Afghanistan Reconstruction
21 for reconstruction oversight: *Provided*, That such amount
22 is designated by the Congress for Overseas Contingency
23 Operations/Global War on Terrorism pursuant to section
24 251(b)(2)(A) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985.

1 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

2 For an additional amount for “Embassy Security,
3 Construction, and Maintenance”, \$10,800,000, to remain
4 available until expended: *Provided*, That such amount is
5 designated by the Congress for Overseas Contingency Op-
6 erations/Global War on Terrorism pursuant to section
7 251(b)(2)(A) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985.

9 INTERNATIONAL ORGANIZATIONS

10 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

11 For an additional amount for “Contributions to
12 International Organizations”, \$101,300,000: *Provided*,
13 That such amount is designated by the Congress for Over-
14 seas Contingency Operations/Global War on Terrorism
15 pursuant to section 251(b)(2)(A) of the Balanced Budget
16 and Emergency Deficit Control Act of 1985.

17 UNITED STATES AGENCY FOR INTERNATIONAL
18 DEVELOPMENT

19 FUNDS APPROPRIATED TO THE PRESIDENT

20 OPERATING EXPENSES

21 For an additional amount for “Operating Expenses”,
22 \$258,407,000, to remain available until September 30,
23 2014: *Provided*, That such amount is designated by the
24 Congress for Overseas Contingency Operations/Global
25 War on Terrorism pursuant to section 251(b)(2)(A) of the

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

3 BILATERAL ECONOMIC ASSISTANCE
4 FUNDS APPROPRIATED TO THE PRESIDENT
5 INTERNATIONAL DISASTER ASSISTANCE

6 For an additional amount for “International Disaster
7 Assistance”, \$150,000,000, to remain available until Sep-
8 tember 30, 2014: *Provided*, That such amount is des-
9 ignated by the Congress for Overseas Contingency Oper-
10 ations/Global War on Terrorism pursuant to section
11 251(b)(2)(A) of the Balanced Budget and Emergency
12 Deficit Control Act of 1985.

13 TRANSITION INITIATIVES

14 For an additional amount for “Transition Initia-
15 tives”, \$6,554,000, to remain available until September
16 30, 2014: *Provided*, That such amount is designated by
17 the Congress for Overseas Contingency Operations/Global
18 War on Terrorism pursuant to section 251(b)(2)(A) of the
19 Balanced Budget and Emergency Deficit Control Act of
20 1985.

21 ECONOMIC SUPPORT FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 For an additional amount for “Economic Support
24 Fund”, \$2,293,259,000, to remain available until Sep-
25 tember 30, 2014: *Provided*, That up to \$4,400,000 of the

1 funds appropriated under this heading may be transferred
2 to and merged with funds available under the heading
3 “Broadcasting Board of Governors, International Broad-
4 casting Operations” for the support of broadcasting to the
5 border-region of Afghanistan and Pakistan: *Provided fur-*
6 *ther*, That such amount is designated by the Congress for
7 Overseas Contingency Operations/Global War on Ter-
8 rorism pursuant to section 251(b)(2)(A) of the Balanced
9 Budget and Emergency Deficit Control Act of 1985.

10

DEPARTMENT OF STATE

11

MIGRATION AND REFUGEE ASSISTANCE

12 For an additional amount for “Migration and Ref-
13 ugee Assistance”, \$229,000,000, to remain available until
14 September 30, 2014: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/Global War on Terrorism pursuant to section
17 251(b)(2)(A) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19

INTERNATIONAL SECURITY ASSISTANCE

20

DEPARTMENT OF STATE

21

INTERNATIONAL NARCOTICS CONTROL AND LAW

22

ENFORCEMENT

23 For an additional amount for “International Nar-
24 cotics Control and Law Enforcement”, \$1,297,000,000, to
25 remain available until September 30, 2014: *Provided*,

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

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

7 For an additional amount for “Nonproliferation,
8 Anti-terrorism, Demining and Related Programs”,
9 \$75,351,000, to remain available until September 30,
10 2014: *Provided*, That such amount is designated by the
11 Congress for Overseas Contingency Operations/Global
12 War on Terrorism pursuant to section 251(b)(2)(A) of the
13 Balanced Budget and Emergency Deficit Control Act of
14 1985.

15 FUNDS APPROPRIATED TO THE PRESIDENT

16 FOREIGN MILITARY FINANCING PROGRAM

17 For an additional amount for “Foreign Military Fi-
18 nancing Program”, \$1,102,000,000, to remain available
19 until September 30, 2014: *Provided*, That such amount
20 is designated by the Congress for Overseas Contingency
21 Operations/Global War on Terrorism pursuant to section
22 251(b)(2)(A) of the Balanced Budget and Emergency
23 Deficit Control Act of 1985.

1 GENERAL PROVISIONS—THIS TITLE

2 SEC. 8001. Notwithstanding any other provision of
3 law, funds appropriated in this title are in addition to
4 amounts appropriated or otherwise made available in this
5 Act for fiscal year 2013.

6 SEC. 8002. Unless otherwise provided for in this Act,
7 the additional amounts appropriated by this title to appro-
8 priations accounts in this Act shall be available under the
9 authorities and conditions applicable to such appropria-
10 tions accounts.

11 SEC. 8003. Of the funds appropriated in prior Acts
12 making appropriations for the Department of State, for-
13 eign operations, and related programs and designated by
14 Congress for Overseas Contingency Operations/Global
15 War on Terrorism pursuant to section 251(b)(2)(A) of the
16 Balanced Budget and Emergency Deficit Control Act of
17 1985 under the heading “Diplomatic and Consular Pro-
18 grams”, \$54,000,000 are rescinded.

19 SEC. 8004. Funds appropriated by this title under
20 the headings “International Narcotics Control and Law
21 Enforcement” and “Foreign Military Financing Program”
22 may be transferred to, and merged with, appropriations
23 made in prior Acts under the heading “Pakistan Counter-
24 insurgency Capability Fund”: *Provided*, That funds made
25 available pursuant to such transfer shall remain available

1 until September 30, 2014: *Provided further*, That the Sec-
2 retary of State shall, not later than 15 days prior to mak-
3 ing any such transfer, notify the Committees on Appro-
4 priations: *Provided further*, That such notification shall in-
5 clude the source of funds, detailed justification, implemen-
6 tation plan, and timeline for obligating such funds: *Pro-*
7 *vided further*, That any obligation of funds pursuant to
8 such transfer shall be subject to section 7046(b) of this
9 Act.

10 SEC. 8005. Each amount designated in this Act by
11 the Congress for Overseas Contingency Operations/Global
12 War on Terrorism pursuant to section 251(b)(2)(A) of the
13 Balanced Budget and Emergency Deficit Control Act of
14 1985 shall be available (or rescinded, if applicable) only
15 if the President subsequently so designates all such
16 amounts and transmits such designations to the Congress.

17 TITLE IX

18 ADDITIONAL GENERAL PROVISION

19 SPENDING REDUCTION ACCOUNT

20 SEC. 9001. The amount by which the applicable allo-
21 cation of new budget authority made by the Committee
22 on Appropriations of the House of Representatives under
23 section 302(b) of the Congressional Budget Act of 1974
24 exceeds the amount of proposed new budget authority is
25 \$0.

1 This Act may be cited as the “Department of State,
2 Foreign Operations, and Related Programs Appropria-
3 tions Act, 2013”.

H:\FISCAL YEAR 2013\BILL\SFOP-13-5-7-SUBTC.XML

[FULL COMMITTEE PRINT]

Union Calendar No. _____

112TH CONGRESS
2^D SESSION

H. R. _____

[Report No. 112-_____] _____

A BILL

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2013, and for other purposes.

, 2012

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