

## Manager's Package (Final)

Sponsor	Description
Graham	Technical amendment
Leahy	Bill and report language regarding an outstanding report on Ethiopia from the Department of State
Shaheen, Rubio	Bill language regarding the Office of Global Women's Issues, Department of State
Leahy	Report language regarding funding for biodiversity, conservation, and endangered species
Leahy	Report language regarding funding for Colombian Environmental Crimes Unit
Leahy	Report language regarding funding for the goals of the Anglo-Irish Agreement Support Act of 1986
Shaheen	Bill language regarding the Office of Policy Planning, Department of State
Van Hollen, Collins, Leahy, Durbin, Shaheen	Bill language regarding the position of the Assistant Secretary of State for Population, Migration, and Refugees
Lankford	Report language regarding economic integration and SME investment in Central America
Coons, Murkowski, Leahy	Bill language regarding the Exchange Visitor Program and J-1 Visas
Leahy	Report language instructing World Bank and IDB executive directors to vote against loans to any country whose officials obstruct justice through anti-corruption organs in Guatemala and Honduras
Leahy	Report language on Cameroon human rights
Murkowski	Report language regarding a diplomatic presence in Greenland
Baldwin	Bill and report language regarding funding for the Special Envoy for the Human Rights of LGBTI, Department of State, and the USAID LGBT Coordinator
Lankford	Bill language regarding visa denial for Turkish officials involved in prolonging detention of U.S. citizens in Turkey

Leahy/Durbin	Bill and report language regarding Consular Notification
Leahy	Bill language exempting certain anti-corruption offices from conditions on assistance to Central America
Merkley	Report language regarding a cybersecurity report
Feinstein	Report language regarding the IBWC
Leahy	Report language regarding excess defense articles
Graham	Bill language on Palestinian aid
Leahy	Report language on environment programs
Graham	Bill language on assistance for Syria
Durbin	Bill language on visa restrictions for Azeri officials

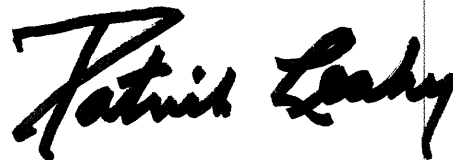


Amendment to be offered by Senator Graham

Viz:

- (1) In the report, on page 26 in the second paragraph under "International Fisheries Commission" strike "\$44,997,000" and insert in lieu thereof "\$23,390,000";
- (2) In the bill, strike the third proviso under the heading "Educational and Cultural Exchange Programs";
- (3) In the report, delete the heading, and all that follows under the heading, entitled "Summer Work Travel and High School Exchange Program.—"

Amendment offered by Mr. Leahy



Viz:

1. On page 207 of the bill, line 3, strike everything after “(3)” through “education.” on line 9, and insert the following:

REPORT.—Of the funds appropriated by this Act that are available for assistance for Ethiopia, 25 percent may only be made available after the Secretary of State submits the report required under this heading in the report accompanying this Act: *Provided*, That such withholding of funds shall not apply to funds made available under the heading “Foreign Military Financing Program”.

2. At the appropriate place in the report, strike the text after “*Ethiopia.—*”, beginning with “Not later than 90 days” through “in the manner described.”, and insert the following:

The Committee notes that the Secretary of State has not submitted the report required under this heading in the Joint Explanatory Statement accompanying division J of Public Law 115–31. The Secretary shall submit such report, and shall also include a description of steps taken or intended to be taken to ensure that U.S. assistance will not be used to violate human rights, including the rights of ethnic minorities, journalists, members of political opposition parties, and civil society organizations, or in any other manner that is inconsistent with the intended uses of such assistance as justified to the Congress.



1 AMENDMENT TO BE OFFERED BY MS. SHAHEEN AND MR. RUBIO

2 At the appropriate place in the bill, insert the following:

3 STRENGTHENING DIPLOMACY AND DEVELOPMENT

4 SEC. \_\_. (a) IN GENERAL.—The Secretary of State shall establish an Office of Global  
5 Women’s Issues (referred to in this section as the “Office”) within the Department of State.

6 (b) PURPOSE.—The Office shall coordinate efforts of the United States Government, as  
7 directed by the Secretary of State, regarding gender equality and advancing the status of  
8 women and girls in United States foreign policy.

9 (c) DUTIES.—The Office—

10 (1) shall serve as the principal advisor to the Secretary of State regarding gender  
11 equality, women’s empowerment, and violence against women and girls as a foreign  
12 policy matter;

13 (2) shall represent the United States in diplomatic and multilateral fora on matters  
14 relevant to the status of women and girls;

15 (3) shall advise the Secretary and provide input on all activities, policies, programs,  
16 and funding relating to gender equality and the advancement of women and girls  
17 internationally for all bureaus and offices of the Department of State and in the  
18 international programs of all other Federal departments and agencies;

19 (4) shall work to ensure that efforts to advance gender equality and women’s  
20 empowerment are fully integrated into the programs, structures, processes, and  
21 capacities of all bureaus and offices of the Department of State and in the international  
22 programs of other Federal departments and agencies;

23 (5) shall direct, as appropriate, United States resources to respond to needs for  
24 gender equality and empowerment of women in United States foreign policies and  
25 international programs;

26 (6) may design, support, and implement activities regarding empowerment of  
27 women internationally; and

28 (7) shall conduct regular consultation with civil society organizations working to  
29 advance gender equality and empower women and girls internationally.

30 (d) SUPERVISION.—The Office shall be headed by an Ambassador-at-Large for Global  
31 Women’s Issues who—

32 (1) exercises significant authority;

33 (2) reports to the President or to the Secretary of State; and

34 (3) is appointed by the President or by the Secretary of State, with the advice and  
35 consent of the Senate.

36 (e) REPORT.—Not later than 180 days after the date of the enactment of this Act, the  
37 Secretary of State shall submit a report to the appropriate congressional committees  
38 describing the steps taken to fulfill the duties of the Office set forth in subsection (c).

Amendment to be offered by Mr. Leahy



Viz:

1. At the appropriate place in the report under the heading "Environment Programs", insert the following (and make conforming amendments to the table):

*Biodiversity.*—The Committee recommends not less than \$39,400,000 for the Central Africa Regional Program for the Environment, of which up to \$20,900,000 is for USAID programs and not less than \$18,500,000 is to be provided to the U.S. Fish and Wildlife Service [USFWS] by direct transfer.

The Committee again recommends not less than \$20,000,000 for biodiversity conservation programs in the Andean Amazon and not less than \$10,000,000 for such programs in the Brazilian Amazon.

The Committee again notes the technical expertise of USFWS and the U.S. Forest Service [USFS] and directs that not less than \$5,000,000 be provided to USFS by direct transfer for programs to protect wildlife, biodiversity, and forests in addition to funds otherwise available for USFS through USAID missions, and directs that not less than \$5,000,000 be provided to USFWS by direct transfer for international conservation programs including the Multinational Species Conservation Funds.

The Committee recommends not less than \$5,000,000 for tropical forest conservation and the preservation of archeological sites in Guatemala and Belize, of which not less than \$1,500,000 shall be provided to the Department of the Interior by direct transfer.

The Committee recommends continued funding for wildlife conservation activities in South Sudan.

The Committee recommends not less than \$2,500,000 for implementation of the Lacey Act.

*Endangered Species.*—The Committee recommends not less than \$7,900,000 for programs to protect great apes in Central Africa and Indonesia, to include forest habitat conservation and law enforcement to prevent poaching, of which not less than \$3,000,000 shall be provided to USFWS by direct transfer, which is in addition to other funds provided for USFWS in the act.

The Committee recommends not less than \$500,000 to protect the habitat of migratory birds along the Atlantic flyway and for shorebird habitat protection in Central and South America, and not less than \$50,000 for programs in the Caribbean to protect sea turtle eggs and to develop fishing methods that protect sea turtles. These funds are to be provided to USFWS by direct transfer.

*Ocean and Other Marine Resources.*—The Committee recommends funding for programs that help to protect, maintain, and restore the health of ocean, coastal, and Great Lakes ecosystems and resources. The Committee continues to support efforts to protect and sustainably manage marine resources by U.S. research institutions that have established partnerships with marine science researchers in developing countries that depend on marine ecology and are vulnerable to the impacts of pollution and climate change.

*Toxic Chemicals and Waste Recycling.*—The Committee notes the pervasive and increasing harm caused by toxic pollution, and recommends up to \$10,000,000 for grants to local

governments and community organizations to support efforts to address chemical pollution and to recycle waste that threatens human health and the environment, which shall be awarded on an open and competitive basis following consultation with the Committee.

*U.S. Fish and Wildlife Service, U.S. Forest Service, and the Department of the Interior.*— Funds provided by direct transfer to USFWS, USFS, and the Department of Interior [DoI] shall be transferred pursuant to section 634(a) of the FAA not later than 90 days after enactment of the act, and prior to the expenditure of funds USFWS, USFS, and DoI shall submit spend plans to the Committee and USAID detailing the intended uses of such funds.

2. Under the ESF heading in the report, delete the heading “Oceans and Marine Ecosystems” and the text that follows under that heading.

*Patrick Leahy*

Amendment offered by Mr. Leahy

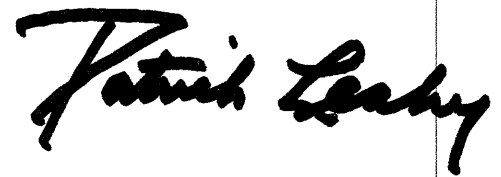
Viz:

In the table entitled "Colombia" in the report, at the appropriate place under "International Narcotics Control and Law Enforcement", insert the following new line:

"of which, Environmental Crimes Unit of the Office of the Attorney General.....3,500".



Amendment offered by Mr. Leahy

A handwritten signature in black ink that reads "Patrick Leahy". The signature is written in a cursive, flowing style.

Viz:

At the appropriate place in the report in the table under the heading "Assistance for Europe, Eurasia and Central Asia", insert: Ireland.....1,500.

At the appropriate place in the report, insert:

*Ireland.*—The Committee recommends \$1,500,000 under the AEECA heading to support the economic and social development and reconciliation goals of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415).



1 AMENDMENT TO BE OFFERED BY MS. SHAHEEN

2 At the appropriate place in section 7083, insert the following:

3 ( ) Office of Policy Planning.— None of the funds appropriated or otherwise made available  
4 by this Act may be used to increase the number of personnel in the Office of Policy Planning,  
5 Department of State, above the number of personnel in such office on September 30, 2017, until  
6 the hiring freeze imposed on the Department of State has been lifted.



AMENDMENT TO BE OFFERED BY MR. VAN HOLLEN (FOR HIMSELF, MRS. COLLINS, MR. LEAHY, MR. DURBIN, AND MRS. SHAHEEN)

Viz:

At the appropriate place in the bill, insert the following:

**STRENGTHENING DIPLOMACY AND DEVELOPMENT**

SEC. \_\_. Section 1(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)) is amended—

- (1) by redesignating paragraph (3) as paragraph (4); and
- (2) by inserting after paragraph (2) the following:

“(3) ASSISTANT SECRETARY OF STATE FOR POPULATION, REFUGEES, AND MIGRATION.—

“(A) There shall be in the Department of State an Assistant Secretary of State for the Bureau of Population, Refugees, and Migration (PRM) who shall be responsible to the Secretary of State for matters pertaining to population, refugees, and migration in the conduct of foreign policy and such other related duties as the Secretary may from time to time designate.

“(B) The Assistant Secretary for Population, Refugees, and Migration shall maintain responsibility and continuous observation and review of all matters pertaining to population, refugees, and migration in the conduct of foreign policy, including the following:

“(i) Directing the Department of State’s population, refugee, and migration policy development.

“(ii) Providing protection, easing suffering, and resolving the plight of persecuted and uprooted people around the world by providing life-sustaining assistance, working through multilateral systems to build global partnerships, promoting best practices in humanitarian response, and ensuring that humanitarian principles are thoroughly integrated into United States foreign and national security policy.

“(iii) Determining the level of United States contributions to international organizations for humanitarian assistance and protection-related programs and participating in governing bodies of international organizations to ensure effective use of United States funds.

“(iv) Working through multilateral systems to build global partnerships promoting best practices in humanitarian response, and ensuring that humanitarian principles are thoroughly integrated into United States policies toward refugees, asylum seekers, internally displaced persons, stateless persons, and other forced migrants.

“(v) Seeking and promoting durable solutions for refugees, including—

“(I) voluntary repatriation in safety and dignity for people who no longer face a well-founded fear of persecution on account of their religion, race, political opinion, or social or ethnic group;

“(II) local integration of refugees in countries of first asylum; and

“(III) voluntary resettlement of refugees in a third country.

“(vi) Developing and implementing refugee resettlement policies for the United States and to promote durable solutions for, and the protection of, refugees.

“(vii) Recommending to the President the number of refugees to be admitted annually to the United States and directing programs for selection, processing, and transportation of refugees to be admitted to the United States.

“(viii) Overseeing efforts to encourage greater participation in refugee assistance and resettlement on the part of foreign governments.

“(ix) Promoting healthy and educated populations.

“(x) Guiding the activities of refugee assistance offices at United States diplomatic missions and of United States missions to international organizations concerned with refugee assistance, protection, and resettlement.

“(xi) Using humanitarian diplomacy to increase access and assistance to those in need in the absence of political solutions, highlighting the humanitarian impact of military and political action, and working with partners to ensure transition from relief to development.

“(xii) Promoting humane and effective migration policies and multilateral migration efforts that advance United States foreign policy.”.



Amendment to be offered by Senator Lankford

Viz:

At the appropriate place in the report, insert:

The Committee recognizes that long-term, sustained economic growth for Central America can be significantly facilitated through regional economic integration, leveraging all of Central America's economies to achieve a globally competitive investment climate.

The Committee recognizes the importance of encouraging small and medium-size enterprise growth in the Northern Triangle of Central America as a crucial generator of employment in the formal economy, to further U.S. interests of economic development and improved security in the region. The Secretary of State and USAID Administrator shall consider positively each countries' respective ease of doing business, especially for small and medium-size enterprises, when allocating funds.

Chris Coons  
Lisa Murkowski  
Patrick Leahy

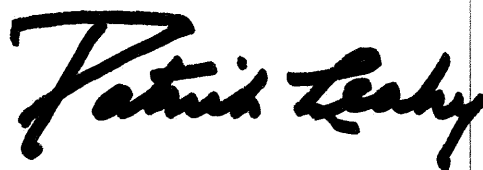
Amendment to be offered by Mr. Coons, Mrs. Murkowski, and Mr. Leahy

Viz:

At the appropriate place in the bill, insert the following:

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

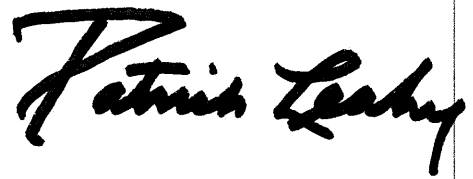
Amendment offered by Mr. Leahy

A handwritten signature in black ink that reads "Patrick Leahy". The signature is written in a cursive, slightly slanted style.

Viz:

On page 86 of the report, after the third full paragraph, insert the following:

The Secretary of the Treasury shall instruct the United States executive directors to the World Bank and the Inter-American Development Bank to vote against any loan, credit, guarantee, or other financing, except to meet basic human needs, for the central government of a country whose officials act to obstruct justice or otherwise impede the functions of CICIG, the CICIG Commissioner, the MACCIH, or the MACCIH Spokesman.

A handwritten signature in black ink that reads "Patrick Leahy". The signature is written in a cursive, flowing style.

Amendment offered by Mr. Leahy

Viz:

At the appropriate place in the report, insert the following:

*Cameroon.*—Not later than 30 days after enactment of the act, the Secretary of State shall submit a report to the Committee on steps taken by the Government of Cameroon to credibly investigate and address allegations of torture and extrajudicial killings by such government's security forces, including those alleged to have taken place in Salak, Cameroon. The report shall also describe any assistance proposed to be provided to such security forces in fiscal year 2018 and how the use of such assistance will be monitored



Amendment to be offered by Ms. Murkowski

A handwritten signature in blue ink, appearing to read "Joe Neuhardt", is located in the upper right quadrant of the page.

Viz:

At the appropriate place in the report under heading "Diplomatic and Consular Programs", insert the following:

*Diplomatic Presence in Greenland.*—Not later than 180 days after the enactment of the act, the Secretary of State shall submit to the Committee a report assessing the costs and benefits of establishing a diplomatic presence in Greenland. The study shall consider the future benefits and challenges for the United States should Greenland become an independent nation within the next decade.

Amendment offered by Ms. Baldwin

Viz:

At the appropriate place in the bill under section 7083(a)(1), insert the following:

( ) the Special Envoy for the Human Rights of LGBTI Persons, Department of State;

At the appropriate place in the report in the table under title I, insert the following:

of which, Special Envoy for the Human Rights of LGBTI Persons..... 250

At the appropriate place in the report in the table under title II, insert the following:

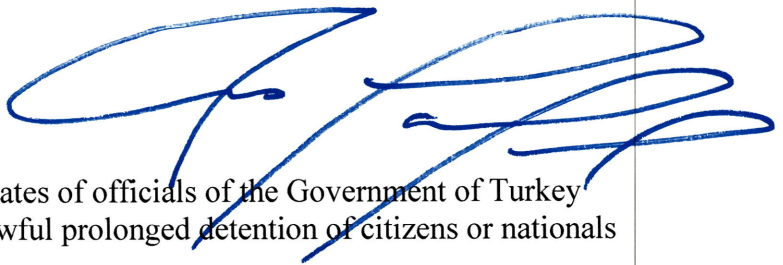
Human Rights Division LGBTI Portfolio..... 400

At the appropriate place in the report in the Development Assistance table under title III, insert the following:

Human Rights Division LGBTI Portfolio..... 3,000

At the appropriate place in the report, insert the following:

*Discrimination Against LGBTI Persons.*—The Committee directs the Department to continue to include in its annual country human rights reports descriptions of official government discrimination of LGBTI persons and consider such discrimination in assistance decisions, and urges the Department and USAID to continue to allocate funding for the Global Equality Fund and the LGBTI Portfolio within USAID’s Human Rights Division.



1 Purpose: To prohibit the entry into the United States of officials of the Government of Turkey  
2 who have been involved in the wrongful or unlawful prolonged detention of citizens or nationals  
3 of the United States, with limited exceptions.  
4  
5

6 S. \_\_\_\_\_  
7

8 Making appropriations for the Department of State, foreign  
9 operations, and related programs for the fiscal year ending  
10 September 30, 2018, and for other purposes.  
11

12 Referred to the Committee on \_\_\_\_\_ and ordered to be  
13 printed

14 Ordered to lie on the table and to be printed

15 AMENDMENT INTENDED TO BE PROPOSED BY MR. LANKFORD  
16 AND MS. SHAHEEN

17 Viz:

18 At the end of section 7046, add the following:

19 (d) Restriction on Entry Into the United States by Turkish Officials.—(1) The Secretary of  
20 State shall deny entry into the United States to any senior official of the Government of Turkey  
21 about whom the Secretary has credible information is knowingly responsible for the wrongful or  
22 unlawful prolonged detention of citizens or nationals of the United States.

23 (2) The Secretary shall also identify officials of the Government of Turkey about whom the  
24 Secretary has such credible information without regard to whether the individual has applied for  
25 a visa.

26 (3) Individuals shall not be subject to paragraph (1) if their entry into the United States would  
27 further important United States national security or law enforcement objectives or is necessary to  
28 permit the United States to fulfill its obligations under the United Nations Headquarters  
29 Agreement or other international obligations: Provided, That nothing in paragraph (1) may be  
30 construed to derogate from United States Government international obligations.

31 (4) The Secretary may waive the application of paragraph (1) if the Secretary determines that  
32 the waiver would serve a United States national interest or that the circumstances which caused  
33 the individual to be denied entry have changed sufficiently.

34 (5) Not later than 6 months after the date of the enactment of this Act, the Secretary shall  
35 submit a report, including a classified annex if necessary, to the Committees on Appropriations  
36 describing the information related to the prolonged detention of United States citizens or

1 nationals described in paragraph (1) and the individuals identified by the Secretary pursuant to  
2 paragraph (2), or who would be subject to paragraph (1) but for the application of paragraph (3),  
3 and containing a list of any waivers provided under paragraph (4) and the justification for each  
4 waiver.

5 (6) Any unclassified portion of the report required under paragraph (5) shall be posted on the  
6 Department of State website.  
7

*Patrick Leahy*

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: \_\_\_\_\_

**IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.**

(no.) \_\_\_\_\_

(title) \_\_\_\_\_

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. LEAHY (for  
himself and Mr. DURBIN)

Viz:

1 At the appropriate place, insert the following:

2 CONSULAR NOTIFICATION COMPLIANCE

3 **SEC. \_\_\_\_.(a) PETITION FOR REVIEW.—**

4 (1) JURISDICTION.—Notwithstanding any other

5 provision of law, a Federal court shall have jurisdic-

6 tion to review the merits of a petition claiming viola-

7 tion of Article 36(1)(b) or (c) of the Vienna Conven-

8 tion on Consular Relations, done at Vienna April 24,

9 1963, or a comparable provision of a bilateral inter-

10 national agreement addressing consular notification

11 and access, filed by an individual convicted and sen-

1       tenced to death by any Federal or State court before  
2       the date of enactment of this Act.

3           (2) STANDARD.—To obtain relief, an individual  
4       described in paragraph (1) must make a showing of  
5       actual prejudice to the criminal conviction or sen-  
6       tence as a result of the violation. The court may  
7       conduct an evidentiary hearing if necessary to sup-  
8       plement the record and, upon a finding of actual  
9       prejudice, shall order a new trial or sentencing pro-  
10      ceeding.

11           (3) LIMITATIONS.—

12           (A) INITIAL SHOWING.—To qualify for re-  
13      view under this subsection, a petition must  
14      make an initial showing that—

15           (i) a violation of Article 36(1)(b) or  
16           (c) of the Vienna Convention on Consular  
17      Relations, done at Vienna April 24, 1963,  
18      or a comparable provision of a bilateral  
19      international agreement addressing con-  
20      sular notification and access, occurred with  
21      respect to the individual described in para-  
22      graph (1); and

23           (ii) if such violation had not occurred,  
24      the consulate would have provided assist-  
25      ance to the individual.

1           (B) EFFECT OF PRIOR ADJUDICATION.—A  
2           petition for review under this subsection shall  
3           not be granted if the claimed violation described  
4           in paragraph (1) has previously been adju-  
5           dicated on the merits by a Federal or State  
6           court of competent jurisdiction in a proceeding  
7           in which no Federal or State procedural bars  
8           were raised with respect to such violation and  
9           in which the court provided review equivalent to  
10          the review provided in this subsection, unless  
11          the adjudication of the claim resulted in a deci-  
12          sion that was based on an unreasonable deter-  
13          mination of the facts in light of the evidence  
14          presented in the prior Federal or State court  
15          proceeding.

16          (C) FILING DEADLINE.—A petition for re-  
17          view under this subsection shall be filed within  
18          1 year of the later of—

19                 (i) the date of enactment of this Act;

20                 (ii) the date on which the Federal or  
21                 State court judgment against the indi-  
22                 vidual described in paragraph (1) became  
23                 final by the conclusion of direct review or  
24                 the expiration of the time for seeking such  
25                 review; or

1 (iii) the date on which the impediment  
2 to filing a petition created by Federal or  
3 State action in violation of the Constitu-  
4 tion or laws of the United States is re-  
5 moved, if the individual described in para-  
6 graph (1) was prevented from filing by  
7 such Federal or State action.

8 (D) TOLLING.—The time during which a  
9 properly filed application for State post-convic-  
10 tion or other collateral review with respect to  
11 the pertinent judgment or claim is pending  
12 shall not be counted toward the 1-year period of  
13 limitation.

14 (E) TIME LIMIT FOR REVIEW.—A Federal  
15 court shall give priority to a petition for review  
16 filed under this subsection over all noncapital  
17 matters. With respect to a petition for review  
18 filed under this subsection and claiming only a  
19 violation described in paragraph (1), a Federal  
20 court shall render a final determination and  
21 enter a final judgment not later than one year  
22 after the date on which the petition is filed.

23 (4) HABEAS PETITION.—A petition for review  
24 under this subsection shall be part of the first Fed-  
25 eral habeas corpus application or motion for Federal



1 collateral relief under chapter 153 of title 28, United  
2 States Code, filed by an individual, except that if an  
3 individual filed a Federal habeas corpus application  
4 or motion for Federal collateral relief before the date  
5 of enactment of this Act or if such application is re-  
6 quired to be filed before the date that is 1 year after  
7 the date of enactment of this Act, such petition for  
8 review under this subsection shall be filed not later  
9 than 1 year after the enactment date or within the  
10 period prescribed by paragraph (3)(C)(iii), whichever  
11 is later. No petition filed in conformity with the re-  
12 quirements of the preceding sentence shall be consid-  
13 ered a second or successive habeas corpus applica-  
14 tion or subjected to any bars to relief based on  
15 preenactment proceedings other than as specified in  
16 paragraph (2).

17 (5) REFERRAL TO MAGISTRATE.—A Federal  
18 court acting under this subsection may refer the pe-  
19 tition for review to a Federal magistrate for pro-  
20 posed findings and recommendations pursuant to  
21 section 636(b)(1)(B) of title 28, United States Code.

22 (6) APPEAL.—

23 (A) IN GENERAL.—A final order on a peti-  
24 tion for review under paragraph (1) shall be  
25 subject to review on appeal by the court of ap-

1 peals for the circuit in which the proceeding is  
2 held.

3 (B) APPEAL BY PETITIONER.—An indi-  
4 vidual described in paragraph (1) may appeal a  
5 final order on a petition for review under para-  
6 graph (1) only if a district or circuit judge  
7 issues a certificate of appealability. A district or  
8 circuit court judge shall issue or deny a certifi-  
9 cate of appealability not later than 30 days  
10 after an application for a certificate of  
11 appealability is filed. A district judge or circuit  
12 judge may issue a certificate of appealability  
13 under this subparagraph if the individual has  
14 made a substantial showing of actual prejudice  
15 to the criminal conviction or sentence of the in-  
16 dividual as a result of a violation described in  
17 paragraph (1).

18 (b) VIOLATION.—

19 (1) IN GENERAL.—An individual not covered by  
20 subsection (a) who is arrested, detained, or held for  
21 trial on a charge that would expose the individual to  
22 a capital sentence if convicted may raise a claim of  
23 a violation of Article 36(1)(b) or (c) of the Vienna  
24 Convention on Consular Relations, done at Vienna  
25 April 24, 1963, or of a comparable provision of a bi-

1 lateral international agreement addressing consular  
2 notification and access, at a reasonable time after  
3 the individual becomes aware of the violation, before  
4 the court with jurisdiction over the charge. Upon a  
5 finding of such a violation—

6 (A) the consulate of the foreign state of  
7 which the individual is a national shall be noti-  
8 fied immediately by the detaining authority,  
9 and consular access to the individual shall be  
10 afforded in accordance with the provisions of  
11 the Vienna Convention on Consular Relations,  
12 done at Vienna April 24, 1963, or the com-  
13 parable provisions of a bilateral international  
14 agreement addressing consular notification and  
15 access; and

16 (B) the court—

17 (i) shall postpone any proceedings to  
18 the extent the court determines necessary  
19 to allow for adequate opportunity for con-  
20 sular access and assistance; and

21 (ii) may enter necessary orders to fa-  
22 cilitate consular access and assistance.

23 (2) EVIDENTIARY HEARINGS.—The court may  
24 conduct evidentiary hearings if necessary to resolve  
25 factual issues.

1           (3) **RULE OF CONSTRUCTION.**—Nothing in this  
2           subsection shall be construed to create any addi-  
3           tional remedy.

4           (c) **DEFINITIONS.**—In this section the term “State”  
5           means any State of the United States, the District of Co-  
6           lumbia, the Commonwealth of Puerto Rico, and any terri-  
7           tory or possession of the United States.

8           (d) **APPLICABILITY.**—The provisions of this section  
9           shall apply during the current fiscal year and hereafter.

*Patrick Leahy*

Amendment offered by Mr. Leahy

Viz:

On page 250, line 16, after the period, insert the following:

(4) EXEMPTION.—The conditions specified in subparagraph (3)(B) shall not apply to funds made available for the International Commission against Impunity in Guatemala or the Mission to Support the Fight against Corruption and Impunity in Honduras.

Handwritten signature of Jeffrey A. Merkley in blue ink.

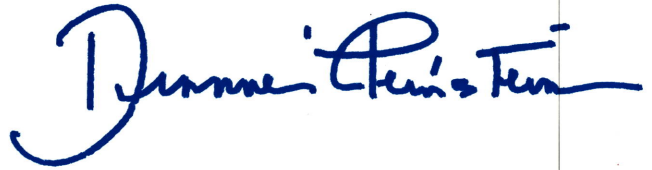
Amendment by Senator Merkley

Viz:

Insert in the report where appropriate:

*Cybersecurity Report.*—Not later than 90 days after enactment of the act, the Secretary of State shall submit to the appropriate congressional committees an unclassified report, which may include a classified annex, that describes: (1) the steps the Department of State has taken since January 1, 2017 to improve the security of its classified and unclassified networks; (2) the cyber defense practices used by the Department; (3) the accountability structure for preventing intrusions into the Department’s network and protecting the confidentiality of information on government-issued mobile devices abroad; (4) the intrusions into the Department’s classified and unclassified networks during the previous 2 years, and steps the Department of State has taken to reduce the risk of subsequent intrusions; and (5) the steps taken by the Secretary of State to engage the global community on expected and acceptable cyber practices in the conduct of diplomacy.

Amendment to be offered by Mrs. Feinstein:



Viz:

At the appropriate place in the report, insert the following:

Southwest Border Pollution.— The Committee is concerned that, despite millions of dollars of U.S. infrastructure investments on both sides of the U.S.-Mexico border over the past two decades, wastewater, trash, and sediment continues to flow from Tijuana, Mexico into San Diego County, resulting in unsanitary water conditions, pollution, and beach closures in coastal communities. The Secretary of State shall work with the IBWC Commissioner and the Government of Mexico to enhance efforts to mitigate pollution in the Tijuana River Valley, including to implement the recommendations from the IBWC’s “Report of Transboundary Bypass Flows into the Tijuana River” (April 2017) and to encourage the Government of Mexico to make additional investments to halt the discharge of waste into the United States.

Amendment offered by Mr. Leahy



Viz:

At the appropriate place in the report, insert the following:

Not later than 60 days after enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense, shall submit a report to the Committees on Appropriations including: (1) a list of countries for which an implementation note restricting or prohibiting the transfer of excess defense articles to a unit of a foreign security force was included in an LOA signed during fiscal years 2015 through 2017, in addition to a description of each such restriction or prohibition; (2) an explanation of the process and criteria used to determine which such units are subject to such implementation notes; (3) steps taken to monitor compliance with such implementation notes; and (4) a description of steps taken if a unit prohibited from receiving assistance under U.S. law receives excess defense articles transferred pursuant to section 516 of the FAA, including steps to recover such equipment, hold the recipient government accountable, and prevent future such transfers.



*Long* S.L.C. *Hill*

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To provide restrictions on assistance benefitting the Palestinian Authority.

**IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.**

(no.) \_\_\_\_\_

(title) \_\_\_\_\_

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. GRAYHAM

Viz:

1 In section 7041(k), strike paragraph (3) and insert  
2 the following:

3 (3) PAYMENTS FOR ACTS OF TERRORISM.—

4 (A) LIMITATION.—

5 (i) IN GENERAL.—Funds appropriated  
6 by this Act under the heading “Economic  
7 Support Fund” that are made available for  
8 assistance for the West Bank and Gaza  
9 and that directly benefit the Palestinian  
10 Authority may only be made available if  
11 the Secretary of State certifies and reports

1 to the appropriate congressional commit-  
2 tees that the Palestinian Authority—

3 (I) is taking credible steps to end  
4 acts of violence against Israeli citizens  
5 and United States citizens that are  
6 perpetrated by individuals under its  
7 jurisdictional control, such as the  
8 March 2016 attack that killed former  
9 United States Army officer Taylor  
10 Force, a veteran of the wars in Iraq  
11 and Afghanistan;

12 (II) has terminated payments for  
13 acts of terrorism against Israeli citi-  
14 zens and United States citizens to any  
15 individual, after being fairly tried,  
16 who has been imprisoned for such acts  
17 of terrorism and to any individual who  
18 died committing such acts of ter-  
19 rorism, including to a family member  
20 of such individuals;

21 (III) has revoked any law, decree,  
22 regulation, or document authorizing  
23 or implementing a system of com-  
24 pensation for imprisoned individuals  
25 that uses the sentence or period of in-

1                   carceration of an individual to deter-  
2                   mine the level of compensation paid;  
3                   and

4                   (IV) is publicly condemning such  
5                   acts of violence and is taking steps to  
6                   investigate or is cooperating in inves-  
7                   tigations of such acts of terrorism to  
8                   bring the perpetrators to justice.

9                   (ii) EXCEPTION.—The limitation of  
10                  this paragraph shall not apply to funds  
11                  made available to the East Jerusalem Eye  
12                  Network.

13                  (iii) RULE OF CONSTRUCTION.—  
14                  Amounts withheld pursuant to this para-  
15                  graph shall be deemed to satisfy any simi-  
16                  lar withholding or reduction required under  
17                  any other provision of law.

18                  (B) AVAILABILITY.—Funds appropriated  
19                  by this Act under the heading “Economic Sup-  
20                  port Fund” that are made available for assist-  
21                  ance for the West Bank and Gaza that directly  
22                  benefit the Palestinian Authority may only be  
23                  made available for such purpose if, not later  
24                  than 180 days after the date of the enactment  
25                  of this Act, and every 180 days thereafter, the

1 Secretary of States certifies and reports to the  
2 appropriate congressional committees that the  
3 Palestinian Authority is taking credible and  
4 verifiable steps to end acts of violence against  
5 Israeli citizens and United States citizens that  
6 are perpetrated by individuals under its juris-  
7 dictional control.

8 (C) PALESTINIAN AUTHORITY ACCOUNT-  
9 ABILITY FUND.—

10 (i) ESTABLISHMENT.—There is estab-  
11 lished in the Treasury a fund to be known  
12 as the “Palestinian Authority Account-  
13 ability Fund” (PAAF), which shall consists  
14 of funds withheld pursuant to subpara-  
15 graphs (A) and (B).

16 (ii) USE OF FUNDS.—Funds from the  
17 PAAF may be made available upon a cer-  
18 tification by the Secretary of State to the  
19 appropriate congressional committees that  
20 the Palestinian Authority has met the con-  
21 ditions set forth in subparagraph (A).

22 (iii) DISPOSITION OF UNUSED  
23 FUNDS.—On the date that is one year  
24 after the date of the enactment of this Act,  
25 and annually thereafter, all funds that are

1 in the PAAF shall be withdrawn and made  
2 available to the Department of State for  
3 the purposes of assistance other than that  
4 deemed benefitting the Palestinian Author-  
5 ity.

6 (D) REPORTING REQUIREMENT.—Not  
7 later than 180 days after enactment of this Act,  
8 the Secretary of State shall submit to the ap-  
9 propriate congressional committees a report,  
10 which shall be submitted in unclassified form  
11 but may include a classified annex, including at  
12 a minimum—

13 (i) an estimate of the amount ex-  
14 pended by the Palestinian Authority dur-  
15 ing the previous calendar year as payments  
16 for acts of terrorism by individuals who are  
17 imprisoned for such acts;

18 (ii) an estimate of the amount ex-  
19 pended by the Palestinian Authority dur-  
20 ing the previous calendar year as payments  
21 to the families of deceased individuals who  
22 committed an act of terrorism;

23 (iii) an overview of Palestinian laws,  
24 decrees, regulations, or documents in effect  
25 during the previous calendar year that au-

1           thorize or implement any payments re-  
2           ported under clauses (i) and (ii);

3                   (iv) a description of United States  
4           Government policy, efforts, and engage-  
5           ment with the Palestinian Authority in  
6           order to confirm the revocation of any law,  
7           decree, regulation, or document in effect  
8           the previous calendar year that authorizes  
9           or implements any payments reported  
10          under clauses (i) and (ii); and

11                   (v) a description of United States  
12          Government policy, efforts, and engage-  
13          ment with other governments, and the  
14          United Nations, to highlight the issue of  
15          Palestinian payments for acts of terrorism  
16          and to urge other nations to join the  
17          United States in calling on the Palestinian  
18          Authority to end this system immediately.

*Patrick Leahy*

Amendment offered by Mr. Leahy

Viz:

On page 40 of the report, in the table entitled "Environment Programs", strike "\$265,000" and insert "269,000" and strike "\$879,000" and insert "\$883,000".



Amendment to be offered by Senator Graham

At the appropriate place under Section 7041 regarding Syria, insert the following:

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



*Dick Durbin*

Amendment to be offered by Mr. Durbin

Viz:

On page 259, between lines 8 and 9, insert the following:

(d) RESTRICTION ON ENTRY INTO THE UNITED STATES BY AZERBAIJANI OFFICIALS.—Section 7031(c) of this Act shall be applied to officials of the Government of Azerbaijan about whom the Secretary of State has credible information have been involved in the wrongful imprisonment of Mehman Aliyev, the director of Turan, Azerbaijan's last remaining independent news outlet.