

DAV15265

S.L.C.

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

S. _____

To marshal resources to undertake a concerted, transformative effort that seeks to bring an end to modern slavery, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. CORKER

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “End Modern Slavery

5 Initiative Act of 2015”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) the United States has a long history of do-

9 mestic and international engagement in preventing

10 and responding to modern slavery;

1 (2) modern slavery involves extensive criminal
2 activity and demands the full attention and commit-
3 ment of the United States;

4 (3) with at least 100,000 children in the United
5 States commercially sexually exploited, and calls to
6 the National Human Trafficking Resource Center
7 hotline rising from 5,748 in 2008 to 20,579 in 2013,
8 in order to set an example internationally, the
9 United States must exert all efforts to eradicate
10 modern-day slavery domestically, including through
11 increased cooperation among all Federal, state and
12 local governments, local law enforcement, non-profit
13 organizations, and private sector stakeholders;

14 (4) the United States Government should con-
15 tinue to coordinate across departments and agencies
16 to prevent and respond to this heinous activity that
17 involves over 21,000,000 people worldwide through
18 sustained investment in integrated, interagency anti-
19 trafficking initiatives;

20 (5) while United States Government efforts
21 continue to address many facets of modern slavery,
22 there is an urgent need today for international pub-
23 lic and private cooperation to increase resources
24 available to programs that can make a measurable
25 impact in reducing the prevalence of modern slavery

1 by building the capacity of foreign governments to
2 sustainably deter perpetrators of modern slavery
3 through—

4 (A) establishing and enforcing the rule of
5 law to hold perpetrators of modern slavery ac-
6 countable, including—

7 (i) those who enslave children and
8 adults in the sex trade; and

9 (ii) those who enslave through forced
10 labor and abusive labor recruitment prac-
11 tices and fees;

12 (B) promoting justice and dignity for vic-
13 tims of modern slavery;

14 (C) restoring and protecting survivors of
15 modern slavery; and

16 (D) building partnerships between govern-
17 ments, civil society organizations, private sector
18 entities and individuals, and survivors to seek
19 to bring an end to modern slavery; and

20 (6) countries that fall within the first and sec-
21 ond tiers of the United States Department of State's
22 annual Trafficking in Persons report could qualify
23 as partner countries for the purposes of this Act,
24 and many countries that fall within the Tier 2 watch
25 list may also qualify, and therefore should be eligible

1 for funding as partner countries under this Act,
2 along with key jurisdictions of other countries, such
3 as Tier 3 countries.

4 **SEC. 3. POLICY.**

5 It is the policy of the United States Government—

6 (1) to marshal resources to seek to bring to an
7 end modern slavery through the provision of match-
8 ing funds to a private grant-making institution, in
9 partnership with private donors and other govern-
10 ments, that selects and supports innovative strate-
11 gies with the aim of verifiably and sustainably reduc-
12 ing the prevalence of modern slavery by 50 percent
13 in targeted populations within partner countries (or
14 jurisdictions thereof) with a high prevalence of mod-
15 ern slavery;

16 (2) to allow such a private grant making insti-
17 tution the flexibility to work in jurisdictions of other
18 countries, where those jurisdictions have dem-
19 onstrated the type of commitment and capabilities
20 otherwise required of partner countries; and

21 (3) to engage other countries with a high preva-
22 lence of modern slavery through the full range of
23 United States Government foreign assistance pro-
24 grams in order to help those countries become eligi-
25 ble as partner countries for the purposes of receiving

1 additional assistance under the End Modern Slavery
2 Initiative established by this Act.

3 **SEC. 4. THE END MODERN SLAVERY INITIATIVE FOUNDA-**
4 **TION.**

5 (a) **IN GENERAL.**—Not later than 60 days after the
6 date of the enactment of this Act, there shall be estab-
7 lished and incorporated under the laws of the District of
8 Columbia an independent, private nonprofit corporation to
9 be known as “End Modern Slavery Initiative Foundation”.

10 (b) **PURPOSE.**—The purpose of the End Modern
11 Slavery Initiative Foundation shall be to work collabo-
12 ratively with government, civil society, and private institu-
13 tions in partner countries and key jurisdictions of other
14 countries with a high prevalence of modern slavery to iden-
15 tify and fund successful strategies to combat modern slav-
16 ery.

17 (c) **STATUS OF FOUNDATION.**—The End Modern
18 Slavery Initiative Foundation shall not be an agency or
19 establishment of the United States Government.

20 (d) **STATUS OF BOARD AND OFFICERS AND EMPLOY-**
21 **EES.**—The members of the Board of Directors of the End
22 Modern Slavery Initiative Foundation shall not, by reason
23 of such membership, be officers or employees of the
24 United States, and the officers or employees of the End

1 Modern Slavery Initiative Foundation shall not be officers
2 or employees of the United States.

3 (e) TAX STATUS ELIGIBILITY.—The End Modern
4 Slavery Initiative Foundation shall be eligible to be treated
5 as an organization described in section 501(c)(3) of the
6 Internal Revenue Code of 1986 which is exempt from tax-
7 ation under section 501(a) of such code and, if such treat-
8 ment is conferred in accordance with the provisions of
9 such code, shall be subject to all provisions of such code
10 relevant to the conduct of organizations exempt from tax-
11 ation.

12 (f) FUNDING.—The End Modern Slavery Initiative
13 Foundation shall seek to obtain a minimum of
14 \$1,500,000,000 in aggregate funding from foreign govern-
15 ments and private sector organizations and individuals
16 over an initial seven year period, leveraging United States
17 Government grants provided to the Foundation as seed
18 funding and to complement the comprehensive foreign as-
19 sistance programs of the United States Government.

20 (g) ADDITIONAL PRIVATE SECTOR FUNDING
21 PLAN.—The Board of Directors shall, not later than 180
22 days after the date of the enactment of this Act, submit
23 to the appropriate congressional committees a plan to
24 raise an additional \$500,000,000 in commitments from

1 private sector entities to fully fund the End Modern Slav-
2 ery Initiative Foundation.

3 (h) AUTHORIZATION FOR THE RECEIPT OF
4 FUNDS.—The End Modern Slavery Initiative Foundation
5 may accept and utilize, consistent with the policies, prior-
6 ities, and purposes of this Act, any gift, donation, bequest,
7 or devise of real or personal property from any govern-
8 ment or private sector individual or organization, includ-
9 ing the provision of voluntary services or in-kind services
10 or products.

11 (i) GOVERNANCE.—

12 (1) BOARD OF DIRECTORS.—

13 (A) IN GENERAL.—The End Modern Slav-
14 ery Initiative Foundation shall be overseen by a
15 Board of Directors—

16 (i) which shall include individuals with
17 recognized relevant professional expertise,
18 at least one survivor of modern slavery,
19 and at least one individual who is a mem-
20 ber of civil society; and

21 (ii) not more than 11 of whom will be
22 voting members.

23 (B) NON-VOTING ADVISORY DIRECTORS.—
24 The voting directors of the Board may appoint,
25 at their discretion, non-voting advisory direc-

1 tors, which may include a representative of the
2 Secretary of State such as the Ambassador-at-
3 Large and Director of the Office to Monitor
4 and Combat Trafficking in Persons.

5 (C) DECISIONS OF THE BOARD OF DIREC-
6 TORS.—Decisions of the Board of Directors
7 shall be made by a simple majority vote of vot-
8 ing directors present.

9 (D) RESPONSIBILITIES.—In addition to
10 other specific responsibilities provided for in
11 this Act, the voting directors of the Board of
12 Directors shall—

13 (i) oversee the monitoring and evalua-
14 tion of the End Modern Slavery Initiative
15 Foundation efforts and supported projects;
16 and

17 (ii) make prioritized program funding
18 decisions.

19 (E) QUORUM OF THE BOARD OF DIREC-
20 TORS.—In order to take official action, the
21 Board shall require a quorum composed of a
22 majority of its voting directors.

23 (F) ADDITIONAL RESPONSIBILITIES OF
24 THE BOARD OF DIRECTORS.—The Board of Di-
25 rectors shall—

1 (i) by majority vote of voting directors
2 delegate relevant authorities to the Chief
3 Executive Officer appointed pursuant to
4 paragraph (2)(A) concerning agreements
5 made with governments or private sector
6 individuals or organizations, programmatic
7 and monitoring and evaluation strategies
8 of the End Modern Slavery Initiative
9 Foundation, and other matters related to
10 the End Modern Slavery Initiative Founda-
11 tion, consistent with the policies, priorities,
12 and purposes of this Act; and

13 (ii) reserve the right of review and ap-
14 proval of major agreements as appropriate.

15 (G) LONG-TERM STRATEGY REVIEW, AP-
16 PROVAL, AND SUBMISSION.—Not later than five
17 years after the date of the enactment of this
18 Act, the Board of Directors shall review, ap-
19 prove, make publicly available, and submit to
20 governments, entities, or individuals providing
21 funding to the End Modern Slavery Initiative
22 Foundation, as well as the appropriate congres-
23 sional committees, the strategy required to be
24 developed pursuant to paragraph (2)(D).

25 (2) CHIEF EXECUTIVE OFFICER.—

1 (A) IN GENERAL.—The day-to-day oper-
2 ations of the End Modern Slavery Initiative
3 Foundation shall be run by a Chief Executive
4 Officer, who shall be a United States citizen
5 and shall be employed at the exclusive discre-
6 tion of the Board of Directors.

7 (B) AUTHORITY OF THE CHIEF EXECU-
8 TIVE OFFICER.—The Chief Executive Officer of
9 the End Modern Slavery Initiative Foundation
10 shall be authorized to take all actions author-
11 ized by the Board of Directors, consistent with
12 the policies, priorities, and purposes of this Act,
13 including the hiring and termination of any em-
14 ployees of the End Modern Slavery Initiative
15 Foundation.

16 (C) RESPONSIBILITIES OF THE CHIEF EX-
17 ECUTIVE OFFICER.—The Chief Executive Offi-
18 cer shall be responsible for—

19 (i) ensuring matching funding require-
20 ments pursuant to this Act are met;

21 (ii) ensuring that foreign government
22 and private sector funding commitments
23 are fully realized;

- 1 (iii) developing all necessary strategies
2 and agreements for the End Modern Slav-
3 ery Initiative Foundation;
- 4 (iv) identifying funding requirements;
- 5 (v) preparing and presenting to the
6 Board of Directors for approval a portfolio
7 of priority projects to be funded;
- 8 (vi) administering the End Modern
9 Slavery Initiative Foundation procurement
10 processes;
- 11 (vii) developing reliable baseline data
12 and ensuring that such data and the proc-
13 ess of obtaining such data are subject to
14 outside, independent audits;
- 15 (viii) developing and administering the
16 monitoring and evaluation of funded pro-
17 grams;
- 18 (ix) complying with all relevant audit-
19 ing, accounting, taxation, and legal re-
20 quirements;
- 21 (x) preparing, publicly publishing, and
22 submitting to each government, private in-
23 dividual, or corporation that has contrib-
24 uted funds an annual report of approxi-
25 mately 50 pages with appropriate annexes

1 on the activities and results of the End
2 Modern Slavery Initiative Foundation;

3 (xi) ensuring the sharing, among ap-
4 propriate governmental and nongovern-
5 mental partners and interested parties in
6 the global anti-slavery community, of cor-
7 porate and nonprofit best practices, includ-
8 ing those developed or identified by the
9 End Modern Slavery Initiative Foundation
10 or others through its supported programs;

11 (xii) working to encourage partner
12 countries to hold accountable those who
13 enslave children and adults in the sex
14 trade;

15 (xiii) working to develop best practices
16 to help ensure that corporate supply chains
17 do not involve the use of victims of modern
18 slavery, including ending forced labor and
19 addressing the role of abusive labor re-
20 cruitment practices and fees; and

21 (xiv) undertaking consultations, as the
22 Chief Executive Officer deems necessary or
23 is directed by the Board of Directors, with
24 appropriate governmental and nongovern-
25 mental partners with respect to End Mod-

1 ern Slavery Initiative Foundation strate-
2 gies, programs, and projects.

3 (D) LONG-TERM STRATEGY DEVELOPMENT
4 AND CONSULTATIONS.—Not later than four
5 years after the date of the enactment of this
6 Act, the Chief Executive Officer, in consultation
7 with the Board of Directors, shall initiate dis-
8 cussions with appropriate governmental and
9 nongovernmental partners and begin develop-
10 ment of a strategy that seeks to end modern
11 slavery globally based on empirical evidence and
12 best practices identified by the End Modern
13 Slavery Initiative Foundation, including funding
14 requirements to fully implement such a strat-
15 egy.

16 (j) LIMITATIONS AND PROHIBITIONS.—

17 (1) ISSUANCE OF STOCK AND DIVIDENDS.—The
18 End Modern Slavery Initiative Foundation may not
19 issue any shares of stock or declare or pay divi-
20 dends.

21 (2) CONFLICTS OF INTEREST.—

22 (A) ASSETS.—No part of the assets of the
23 End Modern Slavery Initiative Foundation shall
24 inure to the benefit of any member of the
25 Board of Directors, any officer or employee of

1 the End Slavery Initiative Foundation, or any
2 other individual, except as reasonable salary or
3 compensation for services for officers and em-
4 ployees, reasonable reimbursement for expenses
5 incurred in the course of such employment, or
6 for other individuals, as specific beneficiaries of
7 services provided pursuant to supported
8 projects.

9 (B) RELATIONSHIP TO GRANTEES.—No
10 voting director of the Board of Directors may
11 be a member of the board of directors or an of-
12 ficer, employee, or consultant to, any grantee of
13 the End Modern Slavery Initiative Foundation.

14 (C) COMPENSATION.—No director of the
15 Board of Directors may receive compensation
16 for service on the Board of Directors, other
17 than reasonable reimbursement for expenses in-
18 curred in the course of such service.

19 (3) LOBBYING RESTRICTION.—Any Federal
20 funds provided to the End Modern Slavery Initiative
21 Foundation or any other nonprofit organization pur-
22 suant to the authorization of funding provided under
23 this Act shall be subject to the restrictions and pro-
24 hibitions of section 1352 of title 31, United States
25 Code.

1 (k) RECORDKEEPING, AUDITING, OVERSIGHT, AND
2 REPORTING REQUIREMENTS.—

3 (1) IN GENERAL.—The End Modern Slavery
4 Initiative Foundation shall be subject to the same
5 auditing, recordkeeping, and reporting obligations as
6 required pursuant to subsections (e), (f), (g), and (i)
7 of section 504 of the National Endowment for De-
8 mocracy Act (22 U.S.C. 4413).

9 (2) COMPTROLLER GENERAL AUDIT AUTHOR-
10 ITY.—

11 (A) IN GENERAL.—The Comptroller Gen-
12 eral of the United States may evaluate the fi-
13 nancial transactions of the End Slavery Initia-
14 tive Foundation as well as the programs or ac-
15 tivities the End Slavery Initiative Foundation
16 carries out pursuant to this Act.

17 (B) ACCESS TO RECORDS.—The End Slav-
18 ery Initiative Foundation shall provide the
19 Comptroller General, or his duly authorized
20 representatives, access to such records as the
21 Comptroller General determines necessary to
22 conduct evaluations authorized by this Act.

23 (l) RULE OF CONSTRUCTION.—Nothing in this Act
24 shall be construed to make the End Modern Slavery Initia-
25 tive Foundation an agency or establishment of the United

1 States Government or to make the members of the Board
2 of Directors of the End Slavery Initiative Foundation, or
3 the officers or employees of the End Slavery Initiative, of-
4 ficers or employees of the United States.

5 **SEC. 5. AUTHORIZATION FOR GRANTS TO END MODERN**
6 **SLAVERY.**

7 (a) GRANT AUTHORIZATION.—The Secretary of
8 State is authorized, subject to the availability of appro-
9 priations and on an annual basis, to make grants of fund-
10 ing for purposes of this Act in the amounts authorized
11 in subsection (b) to the End Modern Slavery Initiative
12 Foundation or other nonprofit organization that—

13 (1) funds programs and projects in partner
14 countries and key jurisdictions of other countries in
15 order to seek to end modern slavery, including by
16 funding programs and projects that—

17 (A) contribute to the freeing and sustain-
18 able recovery of victims of modern slavery;

19 (B) prevent individuals from being subject
20 to modern slavery; or

21 (C) enforce laws that punish both individ-
22 uals and corporate entities that engage in mod-
23 ern slavery; and

24 (2) seeks to receive foreign government con-
25 tributions in a ratio of two-to-one and private sector

1 contributions in a ratio of three-to-one to United
2 States Government funding.

3 (b) AUTHORIZATION OF APPROPRIATIONS FOR FIS-
4 CAL YEARS 2015 THROUGH 2022.—In addition to such
5 sums as may otherwise be available for such purposes,
6 there is authorized to be appropriated to the Department
7 of State for the purpose of making the grants authorized
8 under subsection (a)—

9 (1) for fiscal year 2015, \$1,000,000; and

10 (2) for each fiscal year from 2016 through
11 2022, \$35,714,285.

12 (c) CONDITIONS FOR UNITED STATES GOVERNMENT
13 FUNDING.—

14 (1) MATCHING GOVERNMENT FUNDING.—Ex-
15 cept as provided under paragraphs (5) and (6),
16 funding provided pursuant to grants authorized
17 under subsection (a) shall only be available for ex-
18 penditure by the grantee during a fiscal year if
19 matching funding equal to twice the total amount of
20 such funding has been obtained from one or more
21 other governments in such fiscal year.

22 (2) MATCHING PRIVATE SECTOR FUNDING.—
23 Except as provided under paragraphs (5) and (6),
24 funding provided pursuant to grants authorized
25 under subsection (a) shall only be available for ex-

1 penditure by the grantee during a fiscal year if
2 matching funding equal to the total amount of such
3 funding has been obtained from private sector enti-
4 ties in such fiscal year.

5 (3) LIMITATION ON MATCHING PRIVATE SEC-
6 TOR FUNDING.—No Federal funds awarded to a pri-
7 vate entity may be used by that private entity to
8 contribute to the matching funding requirement
9 under paragraph (2).

10 (4) LIMITATION ON ADMINISTRATIVE COSTS.—
11 Funding provided pursuant to the grants authorized
12 under subsection (a) shall only be available for ex-
13 penditure by the grantee for a fiscal year in which
14 the prior fiscal year administrative costs are no more
15 than 10 percent of modified total direct costs or oth-
16 erwise meet the administrative cost requirements of
17 section 200.414 of title 2, Code of Federal Regula-
18 tions.

19 (5) INITIAL EXEMPTION.—

20 (A) IN GENERAL.—Notwithstanding the
21 matching funding requirement in paragraphs
22 (1) and (2), funding provided pursuant to
23 grants authorized under subsection (a) shall be
24 available for expenditure by a grantee in fiscal
25 years 2015 and 2016.

1 (B) ADDITIONAL MATCHING REQUIRE-
2 MENT.—To the extent that matching funding is
3 not obtained in fiscal years 2015 or 2016, as
4 generally required by paragraphs (1) and (2),
5 the grantee must obtain such funding no later
6 than September 30, 2018.

7 (C) LIMITATION ON FUNDING.—No fund-
8 ing provided pursuant to grants authorized
9 under subsection (a) shall be available for ex-
10 penditure by the grantee during any fiscal year
11 after 2018 until the requirement in subpara-
12 graph (B) is met.

13 (6) ADDITIONAL EXEMPTIONS.—

14 (A) IN GENERAL.—If during any fiscal
15 year the matching requirement described in
16 paragraph (1) or (2) is not achieved, the Sec-
17 retary of State may provide a one-year exemp-
18 tion from fulfillment of such requirement pro-
19 vided that—

20 (i) a plan is in place to make up the
21 funding shortfall during the next fiscal
22 year and to meet the matching require-
23 ments in future years;

24 (ii) the plan is submitted to the ap-
25 propriate congressional committees; and

1 (iii) the grantee has obtained match-
2 ing funding, in the proportion required by
3 such paragraphs, for the total amount of
4 any prior year shortfalls.

5 (B) LIMITATION ON FUNDING.—During an
6 exemption provided pursuant to subparagraph
7 (A), funding provided pursuant to grants au-
8 thorized under subsection (a) shall only be
9 available for expenditure by the grantee during
10 a fiscal year in an amount that is equal in pro-
11 portion to the proportion of matching funds se-
12 cured in accordance with paragraphs (1) and
13 (2).

14 (C) LIMITED QUANTITY.—The Secretary of
15 State may provide no more than a total of two
16 exemptions pursuant to subparagraph (A) dur-
17 ing fiscal years 2017 through 2022.

18 (7) AVAILABILITY OF ADDITIONAL FUNDS.—In
19 fiscal years in which the grantee obtains matching
20 funding to address a shortfall of funding required by
21 paragraph (1) or (2) from a prior year, the funds
22 previously restricted as a result of such shortfall
23 shall be available for expenditure by the grantee in
24 such later fiscal year in an amount that is equal in

1 proportion, pursuant to such paragraphs, to the
2 amount obtained.

3 (8) **FUNDING ADDITIONAL TO EXISTING AU-**
4 **THORIZATIONS.**—Amounts authorized by this section
5 are in addition to funds otherwise authorized to be
6 appropriated for combatting trafficking in persons,
7 forced labor, or related programs.

8 (d) **DURATION OF FUNDING.**—Funds appropriated
9 pursuant to subsection (b) shall remain available until ex-
10 pended subject to the conditions on such funds described
11 in subsection (c).

12 (e) **IMPLEMENTATION OF POLICIES, PRIORITIES,**
13 **AND PURPOSES.**—No funds received pursuant to the pro-
14 visions of this section may be obligated or expended by
15 the Secretary of State or the End Modern Slavery Initia-
16 tive Foundation or other nonprofit organization except to
17 the extent that such obligation and expenditure is con-
18 sistent with the policies, priorities, and purposes of this
19 Act.

20 **SEC. 6. ADDITIONAL SUPPORT FROM MEMBER GOVERN-**
21 **MENTS.**

22 (a) **IN GENERAL.**—The United States Government
23 shall seek, and shall encourage other foreign governments
24 providing support to the End Modern Slavery Initiative
25 Foundation, consistent with the individual priorities and

1 policies of such governments, to provide additional support
2 for projects in partner countries and key jurisdictions of
3 other countries supported by the End Modern Slavery Ini-
4 tiative Foundation through the commitment of new re-
5 sources, or the redirection of existing resources, including
6 funding and personnel as appropriate, to efforts that are
7 consistent with the policies, priorities, and purposes of this
8 Act, including the provision of economic, development, law
9 enforcement, rule of law, and training assistance that is
10 aimed, among other things, at strengthening government
11 institutions and providing appropriate services to victims
12 of modern slavery.

13 (b) **DIPLOMATIC EFFORTS.**—The United States Gov-
14 ernment shall also seek, and shall encourage other foreign
15 governments providing support to the End Modern Slavery
16 Initiative Foundation, consistent with the individual prior-
17 ities and policies of such governments, to undertake diplo-
18 matic efforts in partner countries and key jurisdictions of
19 other countries with a high prevalence of modern slavery
20 that support the policies, priorities, and purposes of this
21 Act and End Modern Slavery Initiative supported projects.

22 (c) **PRIORITIZATION OF ADDITIONAL EFFORTS.**—
23 The United States Government shall also seek, and shall
24 encourage other foreign governments providing support to
25 the End Modern Slavery Initiative Foundation, consistent

1 with the individual priorities and policies of such govern-
2 ments, to undertake efforts to support partner countries
3 and key jurisdictions of other countries in their efforts to
4 address the areas of key concern highlighted by the De-
5 partment of State's annual Trafficking in Persons Report.

6 **SEC. 7. PRIORITIES AND POLICIES OF THE END MODERN**
7 **SLAVERY INITIATIVE.**

8 (a) IN GENERAL.—The key priorities of the End
9 Modern Slavery Initiative shall be—

10 (1) to select partner countries and key jurisdic-
11 tions in other countries;

12 (2) to provide support for programs and
13 projects that collectively or individually seek to
14 achieve a measurable and sustainable reduction of
15 modern slavery in targeted populations within part-
16 ner countries (or jurisdictions thereof) and key juris-
17 dictions of other countries of at least 50 percent in
18 the prevalence of modern slavery over a seven year
19 period and that are based on goals and outcomes
20 that are capable of being empirically measured;

21 (3) to prioritize programs and projects con-
22 sistent with this Act;

23 (4) to work with partner countries and entities
24 funded by the End Modern Slavery Initiative to col-
25 laboratively establish budgeted national plans that

1 identify and leverage partner country public and pri-
2 vate funding and institutions, and leverage current
3 and expected outside assistance, including programs
4 supported by the End Modern Slavery Initiative
5 Foundation; and

6 (5) to establish national coordinators and lead-
7 ership councils in partner countries.

8 (b) SELECTION OF PARTNER COUNTRIES.—In select-
9 ing partner countries, the End Modern Slavery Initiative
10 shall consider and prioritize the funding of projects and
11 programs in countries and jurisdictions where there is—

12 (1) a documented high prevalence of modern
13 slavery within the country as evidenced by assess-
14 ments in the Department of State’s annual Traf-
15 ficking in Persons Report; and

16 (2)(A) a demonstrated political motivation and
17 sustained commitment by government entities of
18 such country to undertake meaningful measures to
19 address severe forms of trafficking in persons, in-
20 cluding prevention, protection of victims, and the en-
21 actment and enforcement of anti-trafficking laws
22 against perpetrators; or

23 (B) a demonstrated presence of an active and
24 independent civil society that can and will support
25 the efforts of the End Modern Slavery Initiative.

1 (c) SELECTION OF KEY JURISDICTIONS OF OTHER
2 COUNTRIES.—In selecting key jurisdictions of other coun-
3 tries, the End Modern Slavery Initiative shall consider and
4 prioritize the funding of projects and programs in key ju-
5 risdictions where there is—

6 (1) a documented high prevalence of modern
7 slavery within the jurisdiction as evidenced by as-
8 sessments in the Department of State’s annual Traf-
9 ficking in Persons Report; and

10 (2)(A) a demonstrated political motivation and
11 sustained commitment by government entities of
12 such jurisdiction to undertake meaningful measures
13 to address severe forms of trafficking in persons, in-
14 cluding prevention, protection of victims, and the en-
15 actment and enforcement of anti-trafficking laws
16 against perpetrators; or

17 (B) a demonstrated presence of an active and
18 independent civil society that can and will support
19 the efforts of the End Modern Slavery Initiative.

20 (d) POLICIES FOR END MODERN SLAVERY INITIA-
21 TIVE OPERATIONS AND SUPPORTED PROGRAMS IN PART-
22 NER COUNTRIES.—End Modern Slavery Initiative pro-
23 grams in partner programs shall include strategies that—

24 (1) develop the capacity of national and local
25 government institutions to enforce the law, end im-

1 punity of perpetrators, and sustainably deter the
2 crime;

3 (2) contribute to the freeing and sustainable re-
4 covery of victims of modern slavery, prevent individ-
5 uals from being subject to modern slavery, or create
6 and enforce laws that punish both individual and
7 corporate perpetrators of modern slavery; and

8 (3) set out clear, defined goals and outcomes
9 that are capable of empirical measurement against
10 baseline data.

11 (e) CONSULTATION WITH STATE DEPARTMENT.—In
12 selecting partner countries and key jurisdictions of other
13 countries and funding programs in such countries and ju-
14 risdictions, the End Modern Slavery Initiative shall con-
15 sult with the Department of State, including the Office
16 to Monitor and Combat Trafficking in Persons.

17 (f) INTERAGENCY CONSULTATION.—In providing the
18 views of the United States Government to the End Modern
19 Slavery Initiative pursuant to subsection (e), the Depart-
20 ment of State, including the Office to Monitor and Combat
21 Trafficking in Persons, shall consult with the United
22 States Department of Justice, the United States Agency
23 for International Development, the United States Depart-
24 ment of Labor, and any other appropriate Federal depart-
25 ments and agencies.

1 **SEC. 8. MONITORING AND EVALUATION OF SUPPORTED**
2 **PROGRAMS.**

3 (a) **IN GENERAL.**—The Board of Directors shall re-
4 view, on a no less than annual basis, specific and detailed
5 criteria for the monitoring and evaluation of End Modern
6 Slavery Initiative supported projects.

7 (b) **REQUIREMENTS FOR CRITERIA.**—The criteria re-
8 quired to be established pursuant to subsection (a) shall
9 be designed to measure progress against baseline data and
10 shall be rigorously designed based on international cor-
11 porate and nongovernmental best practices.

12 (c) **SUPPORTED PROJECT REQUIREMENTS.**—Each
13 supported project shall be regularly and rigorously mon-
14 itored and evaluated, on a not less than biennial basis,
15 by an independent monitoring and evaluation entity,
16 against the specific and detailed criteria established pursu-
17 ant to subsection (a), and shall have its progress towards
18 its stated goals measured by such entity against baseline
19 data.

20 (d) **SURVEY METHODOLOGY.**—The End Modern
21 Slavery Initiative shall support the development of a sci-
22 entifically sound, representative survey methodology for
23 measuring prevalence with reference to existing research
24 and experience and shall apply the methodology consist-
25 ently to determine the baseline prevalence in target popu-

1 lations and outcomes in order to periodically assess
2 progress in reducing prevalence.

3 (e) **SUSPENSION AND TERMINATION OF SUPPORTED**
4 **PROJECTS.**—The Board of Directors shall establish, and
5 revise on a no less than annual basis, specific and detailed
6 criteria for the suspension and termination, as appro-
7 priate, of projects supported by the End Modern Slavery
8 Initiative Foundation that regularly or consistently fail to
9 meet the criteria required by this section.

10 **SEC. 9. GAO REVIEW OF EXISTING PROGRAMS AND THE**
11 **END SLAVERY INITIATIVE.**

12 (a) **EXISTING PROGRAMS REPORT.**—Not later than
13 September 30, 2017, and September 30, 2021, the Comp-
14 troller General of the United States shall submit to Con-
15 gress a report on all of the programs conducted by the
16 Department of State, the United States Agency for Inter-
17 national Development, the Department of Labor, the De-
18 partment of Defense, and the Department of the Treasury
19 that address human trafficking and modern slavery, in-
20 cluding a detailed analysis of the effectiveness of such pro-
21 grams in limiting human trafficking and modern slavery
22 and specific recommendations on which programs are not
23 effective at reducing the prevalence of human trafficking
24 and modern slavery and how the funding for such pro-
25 grams may be redirected to more effective efforts.

1 (b) **END MODERN SLAVERY INITIATIVE REPORT.**—
2 Not later than September 30, 2021, the Comptroller Gen-
3 eral of the United States shall submit to the appropriate
4 congressional committees a report on the specific activities
5 conducted by entities, programs, and projects funded
6 under this Act, including the End Modern Slavery Initia-
7 tive Foundation, including detailed analysis of the effec-
8 tiveness of such activities in limiting human trafficking
9 and modern slavery and specific recommendations on
10 which activities are not effective at reducing the preva-
11 lence of human trafficking and modern slavery and how
12 the funding for such activities may be redirected to more
13 effective efforts.

14 (c) **CONSIDERATION OF GAO REPORTS.**—The Comp-
15 troller General of the United States shall brief the appro-
16 priate congressional committees on the reports submitted
17 under subsections (a) and (b). The appropriate congres-
18 sional committees shall review and consider such reports
19 and shall, as appropriate, consider modifications to au-
20 thorization levels and programs within the jurisdiction of
21 such committees to address the recommendations made in
22 the reports.

23 **SEC. 10. ANNUAL REPORT.**

24 Not later than one year after the date of the enact-
25 ment of this Act, and annually thereafter, the Board of

1 Directors shall submit a report to the appropriate congres-
2 sional committees that contains, for the reporting pe-
3 riod—

4 (1) a detailed accounting of the Federal fund-
5 ing expended by the End Modern Slavery Initiative
6 Foundation;

7 (2) the names of each of the projects receiving
8 such funding; and

9 (3) the amount of such funding provided for
10 each such project.

11 **SEC. 11. DEFINITIONS.**

12 In this Act:

13 (1) APPROPRIATE CONGRESSIONAL COMMIT-
14 TEES.—The term “appropriate congressional com-
15 mittees” means—

16 (A) the Committees on Foreign Relations
17 and Appropriations of the Senate; and

18 (B) the Committees on Foreign Affairs
19 and Appropriations of the House of Representa-
20 tives.

21 (2) DEBT BONDAGE.—The term “debt bond-
22 age” has the meaning given the term in section 103
23 of the Victims of Trafficking and Violence Protec-
24 tion Act of 2000 (22 U.S.C. 7102).

1 (3) FORCED LABOR.—The term “forced labor”
2 has the meaning attributed to such term pursuant to
3 section 1589 of title 18, United States Code.

4 (4) INVOLUNTARY SERVITUDE.—The term “in-
5 voluntary servitude” has the meaning given the term
6 in section 103 of the Victims of Trafficking and Vio-
7 lence Protection Act of 2000 (22 U.S.C. 7102).

8 (5) KEY JURISDICTIONS OF OTHER COUN-
9 TRIES.—The term “key jurisdictions of other coun-
10 tries” means specific jurisdictions, located in coun-
11 tries that do not qualify to be partner countries, that
12 have a demonstrated commitment to, and institu-
13 tions capable of, achieving a significant reduction in
14 the incidence of modern slavery within a period of
15 seven years and have been determined to be appro-
16 priate to receive funds by the Board of Directors
17 pursuant to the criteria and priorities set forth in
18 this Act, but does not include local government enti-
19 ties identified by the Department of State’s annual
20 Human Rights Report as “corrupt entities.”

21 (6) MODERN SLAVERY.—The term “modern
22 slavery” means—

23 (A) the recruitment, harboring, transpor-
24 tation, provision, or obtaining of a person for
25 the purpose of a commercial sex act in which

1 such commercial sex act is induced by force,
2 fraud, or coercion, or in which the person in-
3 duced to perform such act has not attained 18
4 years of age; or

5 (B) the recruitment, harboring, transpor-
6 tation, provision, or obtaining of a person for
7 labor or services, through the use of force,
8 fraud, or coercion for the purpose of subjection
9 to involuntary servitude, peonage, debt bondage,
10 or slavery.

11 (7) PARTNER COUNTRIES.—The term “partner
12 countries” means countries that have a dem-
13 onstrated commitment to, and institutions capable
14 of, achieving a significant reduction in the incidence
15 of modern slavery within a period of seven years and
16 have been determined to be appropriate to receive
17 funds by the Board of Directors pursuant to the cri-
18 teria and priorities set forth in this Act.

19 (8) TERMS DEFINED IN TITLE 18, UNITED
20 STATES CODE.—Terms defined in title 18, United
21 States Code, and not otherwise defined in this sec-
22 tion shall have the meaning provided in such title.