

114TH CONGRESS
1ST SESSION

S. 553

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 24, 2015

Mr. CORKER (for himself, Mr. MENENDEZ, Mr. RUBIO, Mrs. SHAHEEN, Ms. AYOTTE, Mr. COONS, Mr. MCCAIN, Mr. BLUMENTHAL, Mr. ALEXANDER, Mr. PORTMAN, Mr. KIRK, and Mr. CARDIN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **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—

1 (1) the United States has a long history of do-
2 mestic and international engagement in preventing
3 and responding to modern slavery;

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

7 (3) the United States Government should con-
8 tinue to coordinate across departments and agencies
9 to prevent and respond to this heinous activity that
10 involves over 21,000,000 people worldwide through
11 sustained investment in integrated, interagency anti-
12 trafficking initiatives;

13 (4) while United States Government efforts
14 continue to address many facets of modern slavery,
15 there is an urgent need today for international pub-
16 lic and private cooperation to increase resources
17 available to programs that can make a measureable
18 impact in reducing the prevalence of modern slavery
19 by building the capacity of foreign governments to
20 sustainably deter perpetrators of modern slavery
21 through—

22 (A) establishing and enforcing the rule of
23 law to hold perpetrators of modern slavery ac-
24 countable, including—

1 (i) those who enslave children and
2 adults in the sex trade; and

3 (ii) those who enslave through forced
4 labor and abusive labor recruitment prac-
5 tices and fees;

6 (B) promoting justice for victims of mod-
7 ern slavery;

8 (C) restoring and protecting survivors of
9 modern slavery; and

10 (D) building partnerships between govern-
11 ments, civil society organizations, private sector
12 entities and individuals, and survivors to seek
13 to bring an end to modern slavery; and

14 (5) countries that fall within the first and sec-
15 ond tiers of the United States Department of State's
16 annual Trafficking in Persons report could qualify
17 as partner countries for the purposes of this Act,
18 and many countries that fall within the Tier 2 watch
19 list may also qualify, and therefore should be eligible
20 for funding as partner countries under this Act,
21 along with key jurisdictions of other countries, such
22 as Tier 3 countries.

23 **SEC. 3. POLICY.**

24 It is the policy of the United States Government—

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

11 (2) to allow such a private grant-making insti-
12 tution the flexibility to work in jurisdictions of other
13 countries, where those jurisdictions have dem-
14 onstrated the type of commitment and capabilities
15 otherwise required of partner countries; and

16 (3) to engage other countries with a high preva-
17 lence of modern slavery through the full range of
18 United States Government foreign assistance pro-
19 grams in order to help those countries become eligi-
20 ble as partner countries for the purposes of receiving
21 additional assistance under the End Modern Slavery
22 Initiative established by this Act.

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

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

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

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

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

25 (e) **TAX STATUS ELIGIBILITY.**—The End Modern
26 Slavery Initiative Foundation shall be eligible to be treated

1 as an organization described in section 501(c)(3) of the
2 Internal Revenue Code of 1986 which is exempt from tax-
3 ation under section 501(a) of such code and, if such treat-
4 ment is conferred in accordance with the provisions of
5 such code, shall be subject to all provisions of such code
6 relevant to the conduct of organizations exempt from tax-
7 ation.

8 (f) FUNDING.—The End Modern Slavery Initiative
9 Foundation shall seek to obtain a minimum of
10 \$1,500,000,000 in aggregate funding from foreign govern-
11 ments and private sector organizations and individuals
12 over an initial seven year period, leveraging United States
13 Government grants provided to the Foundation as seed
14 funding and to complement the comprehensive foreign as-
15 sistance programs of the United States Government.

16 (g) ADDITIONAL PRIVATE SECTOR FUNDING
17 PLAN.—The Board of Directors shall, not later than 180
18 days after the date of the enactment of this Act, submit
19 to the appropriate congressional committees a plan to
20 raise an additional \$500,000,000 in commitments from
21 private sector entities to fully fund the End Modern Slav-
22 ery Initiative Foundation.

23 (h) AUTHORIZATION FOR THE RECEIPT OF
24 FUNDS.—The End Modern Slavery Initiative Foundation
25 may accept and utilize, consistent with the policies, prior-

ities, and purposes of this Act, any gift, donation, bequest,
or devise of real or personal property from any govern-
ment or private sector individual or organization, includ-
ing the provision of voluntary services or in-kind services
or products.

(i) GOVERNANCE.—

(1) BOARD OF DIRECTORS.—

(A) IN GENERAL.—The End Modern Slavery Initiative Foundation shall be overseen by a Board of Directors—

(i) which shall include individuals with recognized relevant professional expertise and a survivor of modern slavery; and

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

(B) NON-VOTING ADVISORY DIRECTORS.—

The voting directors of the Board may appoint, at their discretion, non-voting advisory directors, which may include a representative of the Secretary of State such as the Ambassador-at-Large and Director of the Office to Monitor and Combat Trafficking in Persons.

(C) DECISIONS OF THE BOARD OF DIRECTORS.—Decisions of the Board of Directors

1 shall be made by a simple majority vote of vot-
2 ing directors present.

3 (D) RESPONSIBILITIES.—In addition to
4 other specific responsibilities provided for in
5 this Act, the voting directors of the Board of
6 Directors shall—

7 (i) oversee the monitoring and evalua-
8 tion of the End Modern Slavery Initiative
9 Foundation efforts and supported projects;
10 and

11 (ii) make prioritized program funding
12 decisions.

13 (E) QUORUM OF THE BOARD OF DIREC-
14 TORS.—In order to take official action, the
15 Board shall require a quorum composed of a
16 majority of its voting directors.

17 (F) ADDITIONAL RESPONSIBILITIES OF
18 THE BOARD OF DIRECTORS.—The Board of Di-
19 rectors shall—

20 (i) by majority vote of voting directors
21 delegate relevant authorities to the Chief
22 Executive Officer appointed pursuant to
23 paragraph (2)(A) concerning agreements
24 made with governments or private sector
25 individuals or organizations, programmatic

1 and monitoring and evaluation strategies
2 of the End Modern Slavery Initiative
3 Foundation, and other matters related to
4 the End Modern Slavery Initiative Founda-
5 tion, consistent with the policies, priorities,
6 and purposes of this Act; and

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

9 (G) LONG-TERM STRATEGY REVIEW, AP-
10 PROVAL, AND SUBMISSION.—Not later than five
11 years after the date of the enactment of this
12 Act, the Board of Directors shall review, ap-
13 prove, and submit to governments, entities, or
14 individuals providing funding to the End Mod-
15 ern Slavery Initiative Foundation, as well as the
16 appropriate congressional committees, the strat-
17 egy required to be developed pursuant to para-
18 graph (2)(D).

19 (2) CHIEF EXECUTIVE OFFICER.—

20 (A) IN GENERAL.—The day-to-day oper-
21 ations of the End Modern Slavery Initiative
22 Foundation shall be run by a Chief Executive
23 Officer, who shall be a United States citizen
24 and shall be employed at the exclusive discre-
25 tion of the Board of Directors.

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

10 (C) RESPONSIBILITIES OF THE CHIEF EX-
11 ECUTIVE OFFICER.—The Chief Executive Offi-
12 cer shall be responsible for—

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

15 (ii) ensuring that foreign government
16 and private sector funding commitments
17 are fully realized;

18 (iii) developing all necessary strategies
19 and agreements for the End Modern Slav-
20 ery Initiative Foundation;

21 (iv) identifying funding requirements;

22 (v) preparing and presenting to the
23 Board of Directors for approval a portfolio
24 of priority projects to be funded;

1 (vi) administering the End Modern
2 Slavery Initiative Foundation procurement
3 processes;

4 (vii) developing reliable baseline data
5 and ensuring that such data and the proc-
6 ess of obtaining such data are subject to
7 outside, independent audits;

8 (viii) developing and administering the
9 monitoring and evaluation of funded pro-
10 grams;

11 (ix) complying with all relevant audit-
12 ing, accounting, taxation, and legal re-
13 quirements;

14 (x) preparing, publicly publishing, and
15 submitting to each government, private in-
16 dividual, or corporation that has contrib-
17 uted funds an annual report of approxi-
18 mately 50 pages with appropriate annexes
19 on the activities and results of the End
20 Modern Slavery Initiative Foundation;

21 (xi) ensuring the sharing, among ap-
22 propriate governmental and nongovern-
23 mental partners and interested parties in
24 the global anti-slavery community, of cor-
25 porate and nonprofit best practices, includ-

1 ing those developed or identified by the
2 End Modern Slavery Initiative Foundation
3 or others through its supported programs;

4 (xii) working to encourage partner
5 countries to hold accountable those who
6 enslave children and adults in the sex
7 trade;

8 (xiii) working to develop best practices
9 to help ensure that corporate supply chains
10 do not involve the use of victims of modern
11 slavery, including ending forced labor and
12 addressing the role of abusive labor re-
13 cruitment practices and fees; and

14 (xiv) undertaking consultations, as the
15 Chief Executive Officer deems necessary or
16 is directed by the Board of Directors, with
17 appropriate governmental and nongovern-
18 mental partners with respect to End Mod-
19 ern Slavery Initiative Foundation strate-
20 gies, programs, and projects.

21 (D) LONG-TERM STRATEGY DEVELOPMENT
22 AND CONSULTATIONS.—Not later than four
23 years after the date of the enactment of this
24 Act, the Chief Executive Officer, in consultation
25 with the Board of Directors, shall initiate dis-

1 cussions with appropriate governmental and
2 nongovernmental partners and begin develop-
3 ment of a strategy that seeks to end modern
4 slavery globally based on empirical evidence and
5 best practices identified by the End Modern
6 Slavery Initiative Foundation, including funding
7 requirements to fully implement such a strat-
8 egy.

9 (j) LIMITATIONS AND PROHIBITIONS.—

10 (1) ISSUANCE OF STOCK AND DIVIDENDS.—The
11 End Modern Slavery Initiative Foundation may not
12 issue any shares of stock or declare or pay divi-
13 dends.

14 (2) CONFLICTS OF INTEREST.—

15 (A) ASSETS.—No part of the assets of the
16 End Modern Slavery Initiative Foundation shall
17 inure to the benefit of any member of the
18 Board of Directors, any officer or employee of
19 the End Slavery Initiative Foundation, or any
20 other individual, except as reasonable salary or
21 compensation for services for officers and em-
22 ployees, reasonable reimbursement for expenses
23 incurred in the course of such employment, or
24 for other individuals, as specific beneficiaries of

1 services provided pursuant to supported
2 projects.

3 (B) RELATIONSHIP TO GRANTEES.—No
4 voting director of the Board of Directors may
5 be a member of the board of directors or an of-
6 ficer, employee, or consultant to, any grantee of
7 the End Modern Slavery Initiative Foundation.

8 (C) COMPENSATION.—No director of the
9 Board of Directors may receive compensation
10 for service on the Board of Directors, other
11 than reasonable reimbursement for expenses in-
12 curred in the course of such service.

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

20 (k) RECORDKEEPING, AUDITING, OVERSIGHT, AND
21 REPORTING REQUIREMENTS.—

22 (1) IN GENERAL.—The End Modern Slavery
23 Initiative Foundation shall be subject to the same
24 auditing, recordkeeping, and reporting obligations as
25 required pursuant to subsections (e), (f), (g), and (i)

1 of section 504 of the National Endowment for De-
2 mocracy Act (22 U.S.C. 4413).

3 (2) COMPTROLLER GENERAL AUDIT AUTHOR-
4 ITY.—

5 (A) IN GENERAL.—The Comptroller Gen-
6 eral of the United States may evaluate the fi-
7 nancial transactions of the End Slavery Initia-
8 tive Foundation as well as the programs or ac-
9 tivities the End Slavery Initiative Foundation
10 carries out pursuant to this Act.

11 (B) ACCESS TO RECORDS.—The End Slav-
12 ery Initiative Foundation shall provide the
13 Comptroller General, or his duly authorized
14 representatives, access to such records as the
15 Comptroller General determines necessary to
16 conduct evaluations authorized by this Act.

17 (l) RULE OF CONSTRUCTION.—Nothing in this Act
18 shall be construed to make the End Modern Slavery Initia-
19 tive Foundation an agency or establishment of the United
20 States Government or to make the members of the Board
21 of Directors of the End Slavery Initiative Foundation, or
22 the officers or employees of the End Slavery Initiative, of-
23 ficers or employees of the United States.

1 **SEC. 5. AUTHORIZATION FOR GRANTS TO END MODERN**
2 **SLAVERY.**

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

9 (1) funds programs and projects in partner
10 countries and key jurisdictions of other countries in
11 order to seek to end modern slavery, including by
12 funding programs and projects that—

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

15 (B) prevent individuals from being subject
16 to modern slavery; or

17 (C) enforce laws that punish both individ-
18 uals and corporate entities that engage in mod-
19 ern slavery; and

20 (2) seeks to receive foreign government con-
21 tributions in a ratio of two-to-one and private sector
22 contributions in a ratio of three-to-one to United
23 States Government funding.

24 (b) AUTHORIZATION OF APPROPRIATIONS FOR FIS-
25 CAL YEARS 2015 THROUGH 2022.—In addition to such
26 sums as may otherwise be available for such purposes,

1 there is authorized to be appropriated to the Department
2 of State for the purpose of making the grants authorized
3 under subsection (a)—

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

5 (2) for each fiscal year from 2016 through
6 2022, \$35,714,285.

7 (c) CONDITIONS FOR UNITED STATES GOVERNMENT
8 FUNDING.—

9 (1) MATCHING GOVERNMENT FUNDING.—Ex-
10 cept as provided under paragraphs (4) and (5),
11 funding provided pursuant to grants authorized
12 under subsection (a) shall only be available for ex-
13 penditure by the grantee during a fiscal year if
14 matching funding equal to twice the total amount of
15 such funding has been obtained from one or more
16 other governments in such fiscal year.

17 (2) MATCHING PRIVATE SECTOR FUNDING.—
18 Except as provided under paragraphs (4) and (5),
19 funding provided pursuant to grants authorized
20 under subsection (a) shall only be available for ex-
21 penditure by the grantee during a fiscal year if
22 matching funding equal to the total amount of such
23 funding has been obtained from private sector enti-
24 ties in such fiscal year.

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

10 (4) INITIAL EXEMPTION.—

11 (A) IN GENERAL.—Notwithstanding the
12 matching funding requirement in paragraphs
13 (1) and (2), funding provided pursuant to
14 grants authorized under subsection (a) shall be
15 available for expenditure by a grantee in fiscal
16 years 2015 and 2016.

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

23 (C) LIMITATION ON FUNDING.—No fund-
24 ing provided pursuant to grants authorized
25 under subsection (a) shall be available for ex-

1 penditure by the grantee during any fiscal year
2 after 2018 until the requirement in subpara-
3 graph (B) is met.

4 (5) ADDITIONAL EXEMPTIONS.—

5 (A) IN GENERAL.—If during any fiscal
6 year the matching requirement described in
7 paragraph (1) or (2) is not achieved, the Sec-
8 retary of State may provide a one-year exemp-
9 tion from fulfillment of such requirement pro-
10 vided that—

11 (i) a plan is in place to make up the
12 funding shortfall during the next fiscal
13 year and to meet the matching require-
14 ments in future years;

15 (ii) the plan is submitted to the ap-
16 propriate congressional committees; and

17 (iii) the grantee has obtained match-
18 ing funding, in the proportion required by
19 such paragraphs, for the total amount of
20 any prior year shortfalls.

21 (B) LIMITATION ON FUNDING.—During an
22 exemption provided pursuant to subparagraph
23 (A), funding provided pursuant to grants au-
24 thorized under subsection (a) shall only be
25 available for expenditure by the grantee during

1 a fiscal year in an amount that is equal in pro-
2 portion to the proportion of matching funds se-
3 cured in accordance with paragraphs (1) and
4 (2).

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

9 (6) AVAILABILITY OF ADDITIONAL FUNDS.—In
10 fiscal years in which the grantee obtains matching
11 funding to address a shortfall of funding required by
12 paragraph (1) or (2) from a prior year, the funds
13 previously restricted as a result of such shortfall
14 shall be available for expenditure by the grantee in
15 such later fiscal year in an amount that is equal in
16 proportion, pursuant to such paragraphs, to the
17 amount obtained.

18 (7) FUNDING ADDITIONAL TO EXISTING AU-
19 THORIZATIONS.—Amounts authorized by this section
20 are in addition to funds otherwise authorized to be
21 appropriated for combatting trafficking in persons,
22 forced labor, or related programs.

23 (d) DURATION OF FUNDING.—Funds appropriated
24 pursuant to subsection (b) shall remain available until ex-

1 pended subject to the conditions on such funds described
2 in subsection (c).

3 (e) IMPLEMENTATION OF POLICIES, PRIORITIES,
4 AND PURPOSES.—No funds received pursuant to the pro-
5 visions of this section may be obligated or expended by
6 the Secretary of State or the End Modern Slavery Initia-
7 tive Foundation or other nonprofit organization except to
8 the extent that such obligation and expenditure is con-
9 sistent with the policies, priorities, and purposes of this
10 Act.

11 **SEC. 6. ADDITIONAL SUPPORT FROM MEMBER GOVERN-**
12 **MENTS.**

13 (a) IN GENERAL.—The United States Government
14 shall seek, and shall encourage other foreign governments
15 providing support to the End Modern Slavery Initiative
16 Foundation, consistent with the individual priorities and
17 policies of such governments, to provide additional support
18 for projects in partner countries and key jurisdictions of
19 other countries supported by the End Modern Slavery Ini-
20 tiative Foundation through the commitment of new re-
21 sources, or the redirection of existing resources, including
22 funding and personnel as appropriate, to efforts that are
23 consistent with the policies, priorities, and purposes of this
24 Act, including the provision of economic, development, law
25 enforcement, rule of law, and training assistance that is

1 aimed, among other things, at strengthening government
2 institutions and providing appropriate services to victims
3 of modern slavery.

4 (b) DIPLOMATIC EFFORTS.—The United States Gov-
5 ernment shall also seek, and shall encourage other foreign
6 governments providing support to the End Modern Slavery
7 Initiative Foundation, consistent with the individual prior-
8 ities and policies of such governments, to undertake diplo-
9 matic efforts in partner countries and key jurisdictions of
10 other countries with a high prevalence of modern slavery
11 that support the policies, priorities, and purposes of this
12 Act and End Modern Slavery Initiative supported projects.

13 (c) PRIORITIZATION OF ADDITIONAL EFFORTS.—
14 The United States Government shall also seek, and shall
15 encourage other foreign governments providing support to
16 the End Modern Slavery Initiative Foundation, consistent
17 with the individual priorities and policies of such govern-
18 ments, to undertake efforts to support partner countries
19 and key jurisdictions of other countries in their efforts to
20 address the areas of key concern highlighted by the De-
21 partment of State’s annual Trafficking in Persons Report.

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

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

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

3 (2) to provide support for programs and
4 projects that collectively or individually seek to
5 achieve a measurable and sustainable reduction of
6 modern slavery in targeted populations within part-
7 ner countries (or jurisdictions thereof) and key juris-
8 dictions of other countries of at least 50 percent in
9 the prevalence of modern slavery over a seven year
10 period and that are based on goals and outcomes
11 that are capable of being empirically measured;

12 (3) to prioritize programs and projects con-
13 sistent with this Act;

14 (4) to work with partner countries and entities
15 funded by the End Modern Slavery Initiative to col-
16 laboratively establish budgeted national plans that
17 identify and leverage partner country public and pri-
18 vate funding and institutions, and leverage current
19 and expected outside assistance, including programs
20 supported by the End Modern Slavery Initiative
21 Foundation; and

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

24 (b) SELECTION OF PARTNER COUNTRIES.—In select-
25 ing partner countries, the End Modern Slavery Initiative

1 shall consider and prioritize the funding of projects and
2 programs in countries and jurisdictions where there is—

3 (1) a documented high prevalence of modern
4 slavery within the country as evidenced by assess-
5 ments in the Department of State’s annual Traf-
6 ficking in Persons Report; and

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

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

17 (c) SELECTION OF KEY JURISDICTIONS OF OTHER
18 COUNTRIES.—In selecting key jurisdictions of other coun-
19 tries, the End Modern Slavery Initiative shall consider and
20 prioritize the funding of projects and programs in key ju-
21 risdictions where there is—

22 (1) a documented high prevalence of modern
23 slavery within the jurisdiction as evidenced by as-
24 sessments in the Department of State’s annual Traf-
25 ficking in Persons Report; and

1 (2)(A) a demonstrated political motivation and
2 sustained commitment by government entities of
3 such jurisdiction to undertake meaningful measures
4 to address severe forms of trafficking in persons, in-
5 cluding prevention, protection of victims, and the en-
6 actment and enforcement of anti-trafficking laws
7 against perpetrators; or

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

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

15 (1) develop the capacity of national and local
16 government institutions to enforce the law, end im-
17 punity of perpetrators, and sustainably deter the
18 crime;

19 (2) contribute to the freeing and sustainable re-
20 covery of victims of modern slavery, prevent individ-
21 uals from being subject to modern slavery, or create
22 and enforce laws that punish both individual and
23 corporate perpetrators of modern slavery; and

1 (b) REQUIREMENTS FOR CRITERIA.—The criteria re-
2 quired to be established pursuant to subsection (a) shall
3 be designed to measure progress against baseline data and
4 shall be rigorously designed based on international cor-
5 porate and nongovernmental best practices.

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

14 (d) SURVEY METHODOLOGY.—The End Modern
15 Slavery Initiative shall support the development of a sci-
16 entifically sound, representative survey methodology for
17 measuring prevalence with reference to existing research
18 and experience and shall apply the methodology consist-
19 ently to determine the baseline prevalence in target popu-
20 lations and outcomes in order to periodically assess
21 progress in reducing prevalence.

22 (e) SUSPENSION AND TERMINATION OF SUPPORTED
23 PROJECTS.—The Board of Directors shall establish, and
24 revise on a no less than annual basis, specific and detailed
25 criteria for the suspension and termination, as appro-

1 priate, of projects supported by the End Modern Slavery
2 Initiative Foundation that regularly or consistently fail to
3 meet the criteria required by this section.

4 **SEC. 9. DEFINITIONS.**

5 In this Act:

6 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
7 **TEES.**—The term “appropriate congressional com-
8 mittees” means—

9 (A) the Committees on Foreign Relations
10 and Appropriations of the Senate; and

11 (B) the Committees on Foreign Affairs
12 and Appropriations of the House of Representa-
13 tives.

14 (2) **KEY JURISDICTIONS OF OTHER COUN-**
15 **TRIES.**—The term “key jurisdictions of other coun-
16 tries” means specific jurisdictions, located in coun-
17 tries that do not qualify to be partner countries, that
18 have a demonstrated commitment to, and institu-
19 tions capable of, achieving a significant reduction in
20 the incidence of modern slavery within a period of
21 seven years and have been determined to be appro-
22 priate to receive funds by the Board of Directors
23 pursuant to the criteria and priorities set forth in
24 this Act.

1 (3) MODERN SLAVERY.—The term “modern
2 slavery” means—

3 (A) the recruitment, harboring, transpor-
4 tation, provision, or obtaining of a person for
5 the purpose of a commercial sex act in which
6 such commercial sex act is induced by force,
7 fraud, or coercion, or in which the person in-
8 duced to perform such act has not attained 18
9 years of age; or

10 (B) the recruitment, harboring, transpor-
11 tation, provision, or obtaining of a person for
12 labor or services, through the use of force,
13 fraud, or coercion for the purpose of subjection
14 to involuntary servitude, peonage, debt bondage,
15 or slavery.

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

24 (5) TERMS DEFINED IN TITLE 18, UNITED
25 STATES CODE.—Terms defined in title 18, United

- 1 States Code, and not otherwise defined in this sec-
- 2 tion shall have the meaning provided in such title.

○