AMENDMENT NO	Calendar No
Purpose: To make technical and for other purposes.	and conforming amendments
IN THE SENATE OF THE UNITH	ED STATES—114th Cong., 2d Sess.
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	for the Department of State and for other purposes.
Referred to the Committee or ordered to	n and o be printed
Ordered to lie on the	table and to be printed
	proposed by Mr. Corker (for Mr. Cardin)
Viz:	
1 On page 4, between 1	lines 16 and 17, insert the fol-
2 lowing:	
3 (E) The Bu	reau of International Organiza-
4 tion Affairs.	
5 On page 7, line 1, str	rike "strict accountability and".
6 On page 9, strike line 7 "(E)" on line 15 and inser	e 1 and all that follows through t "(D)".

8 On page 9, line 24, strike "(F)" and insert "(E)".

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1 On page 10, line 9, strike "(G)" and insert "(F)".

2 On page 11, line 2, strike "ensure" and insert "en-3 hance".

4 On page 12, between lines 14 and 15, insert the fol-5 lowing:

6 (d) OPTIONAL DNA SAMPLING.—The United States7 may encourage a troop- or police-contributing country—

8 (1) to develop its own system to obtain and 9 maintain DNA samples, consistent with the laws of 10 such country, from each national of such country 11 who is a member of a United Nations military con-12 tingent or formed police unit; and

(2) to make the DNA samples referred to in
paragraph (1) available to such country's investigators if there are credible allegations of sexual exploitation or abuse involving nationals described in paragraph (1).

(e) SENSE OF CONGRESS.—It is the sense of Congress that none of the DNA samples contained in the
Armed Forces Repository of Specimen Samples for the
Identification of Remains should be shared with the
United Nations, a United Nations specialized agency, or
a United Nations affiliated organization.

Beginning on page 14, strike line 20 and all that fol lows through page 16, line 22, and insert the following:
 SEC. 103. WITHHOLDING OF ASSISTANCE.

4 (a) STATEMENT OF UNITED STATES POLICY.—It is 5 the policy of the United States that assistance to security 6 forces should not be provided to any unit of the security 7 forces of a foreign country that has engaged in a gross 8 violation of human rights or in acts of sexual exploitation 9 or abuse, including while serving in a United Nations 10 peacekeeping operation.

(b) CLARIFICATION.—A gross violation of human
rights referred to in section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) shall include any
gross violation of human rights committed by a unit serving in a United Nations peacekeeping operation.

16 (c) WITHHOLDING OF ASSISTANCE.—The Secretary
17 is authorized—

18 (1) to withhold any or all of the assistance to 19 security forces described in subsection (d) from any 20 unit of the security forces of a foreign country for 21 which the Secretary has determined that credible in-22 formation exists that the unit has engaged in acts 23 of sexual exploitation or abuse, including while serv-24 ing on a United Nations peacekeeping operation; 25 and

1	(2) to continue to withhold such assistance until
2	effective steps have been taken—
3	(A) to investigate, identify, and punish
4	such exploitation or abuse; and
5	(B) to prevent similar incidents from oc-
6	curring in the future.
7	(d) Assistance Specified.—The assistance to secu-
8	rity forces described in this subsection is the assistance
9	authorized under—
10	(1) sections 481, 516, 524, and 541 of the For-
11	eign Assistance Act of 1961 (22 U.S.C. 2291, 2321j,
12	2344, and 2347);
13	(2) chapter 6 of part II of the Foreign Assist-
14	ance Act of 1961 (22 U.S.C. 2348 et seq.); and
15	(3) section 23 of the Arms Export Control Act
16	(22 U.S.C. 2763).
17	(e) Allocation of Withheld Funds.—If funding
18	is withheld under subsection (c) or a country has been des-
19	ignated as a "peacekeeping abuse country of concern"
20	under section $102(a)(1)$, the President may make such
21	funds available to assist the foreign government to
22	strengthen civilian and military mechanisms of account-
23	ability to bring the responsible members of the security
24	forces to justice and to prevent future incidents provided
25	that a notification is submitted to Congress in accordance

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with the procedures applicable to reprogramming notifica tions under section 34 of the State Department Basic Au thorities Act of 1956 (22 U.S.C. 2706).

4 (f) NOTIFICATION.—If the Secretary withholds as5 sistance to security forces from a unit of the security
6 forces of a foreign country pursuant to subsection (c), the
7 Secretary shall—

8 (1) promptly notify the government of such
9 country that such unit is ineligible for certain mili10 tary assistance from the United States; and

(2) provide written notification of such withholding to the appropriate congressional committees
not later than 10 days after the Secretary has determined to withhold such assistance or sales from such
unit.

16 On page 23, line 21, strike "United Nation's" and17 insert "United Nations".

18 On page 29, line 14, strike "State" and insert19 "States".

20 On page 30, between lines 4 and 5, insert the fol-21 lowing:

1	SEC. 112. SENSE OF THE SENATE REGARDING THE RE-
2	LEASE OF INTERNATIONALLY ADOPTED
3	CHILDREN FROM THE DEMOCRATIC REPUB-
4	LIC OF CONGO.
5	(a) FINDINGS.—The Senate makes the following
6	findings:
7	(1) In September 2013, the Government of the
8	Democratic Republic of Congo suspended the
9	issuance of exit permits to children adopted by inter-
10	national parents.
11	(2) In February 2016, after continuous efforts
12	by the Department of State, the President, and Con-
13	gress, the Government of the Democratic Republic
14	of Congo began issuing exit permits to internation-
15	ally adopted children and committed to reviewing all
16	unresolved cases by the end of March 2016.
17	(3) As of March 31, 2016, more than 300 chil-
18	dren had been authorized to apply for exit permits,
19	but many adopted children remain stranded in the
20	Democratic Republic of Congo, including at least
21	two children adopted by Wisconsin families.
22	(b) SENSE OF THE SENATE.—The Senate—
23	(1) urges the Government of the Democratic
24	Republic of Congo to complete its review of all unre-
25	solved international adoption cases as soon as pos-
26	sible; and

	•
1	(2) calls upon the United States Government to
2	continue to treat the release of internationally adopt-
3	ed children from the Democratic Republic of Congo
4	as a priority until all cases have been resolved.
5	SEC. 113. COMMUNICATION WITH GOVERNMENTS OF COUN-
6	TRIES DESIGNATED AS TIER TWO WATCH
7	LIST COUNTRIES ON THE TRAFFICKING IN
8	PERSONS REPORT.
9	(a) IN GENERAL.—Not less frequently than annually,
10	the Secretary shall provide, to the foreign minister of each
11	country that has been designated as a "Tier 2 Watch
12	List" country pursuant to section 110(b) of the Traf-
13	ficking Victims Protection Act of 2000 (22 U.S.C.
14	7107(b))—
15	(1) a copy of the annual Trafficking in Persons
16	Report; and
17	(2) information pertinent to such country's des-
18	ignation, including—
19	(A) confirmation of the country's designa-
20	tion to the Tier 2 Watch List;
21	(B) the implications associated with such
22	designation and the consequences for the coun-
23	try of a downgrade to Tier 3;
24	(C) the factors that contributed to the des-
25	ignation; and

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1 (D) the steps that the country must take 2 to be considered for an upgrade in status of 3 designation.

4 (b) SENSE OF THE CONGRESS REGARDING COMMU5 NICATIONS.—It is the sense of the Congress that, given
6 the gravity of a Tier 2 Watch List designation, the Sec7 retary should communicate the information described in
8 subsection (a) to the foreign minister of any country des9 ignated as being on the Tier 2 Watch List.

10 SEC. 114. ADDRESSING MISCONDUCT IN UNITED NATIONS 11 PEACEKEEPING MISSIONS.

(a) REFORMS.—The President shall direct the United
States Permanent Representative to the United Nations
to use the voice, vote, and influence of the United States
at the United Nations—

(1) to seek to alter the model memorandum of
understanding for troop-contributing countries participating in United Nations peacekeeping missions
to strengthen accountability measures related to the
investigation, prosecution, and discipline of their
troops in cases of misconduct;

(2) to seek to ensure that for each United Nations peacekeeping mission mandate renewal that is
approved and for any new peacekeeping mission, the
memorandum of understanding with the troop-con-

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tributing countries contains strong provisions that
ensure an investigation and response to allegations
of sexual exploitation and abuse offenses and the
execution of swift and effective disciplinary action
against personnel found to have committed the offenses is taken; and

7 (3) to seek to require the immediate repatri-8 ation of a particular military unit or formed police 9 unit of a troop- or police-contributing country in a 10 United Nations peacekeeping operation when there 11 is credible information of widespread or systemic 12 sexual exploitation or abuse by that unit and to pre-13 vent the deployment of that particular unit in a 14 peacekeeping capacity until demonstrable progress 15 has been made to prevent similar offenses from oc-16 curring in the future, to strengthen command and 17 control, and to investigate and hold accountable 18 those found guilty of sexual exploitation or abuse.

19 (b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after
the date of the enactment of this Act, the Secretary
of State shall submit to Congress a report with recommendations for changing the model memorandum
of understanding for troop-contributing countries
participating in United Nations peacekeeping mis-

1	sions that strengthen accountability measures and
2	prevent sexual exploitation and abuse by United Na-
3	tions personnel.
4	(2) ELEMENTS.—The report required under
5	paragraph (1) shall include the following elements:
6	(A) A plan to ensure the recommendations
7	described in such paragraph are incorporated
8	into the model memorandum of understanding.
9	(B) Specific recommendation on ways to
10	track the progress and process by which a
11	troop-contributing country investigates, pros-
12	ecutes, and holds personnel accountable for mis-
13	conduct.
14	SEC. 115. WHISTLEBLOWER PROTECTIONS FOR UNITED NA-
15	TIONS PERSONNEL.
16	The President shall direct the United States Perma-
17	nent Representative to the United Nations to use the
18	voice, vote, and influence of the United States at the
19	United Nations—
20	(1) to call for the removal of any official at the
21	United Nations whom the Department of State de-
22	termines has failed to uphold the highest standards
23	of ethics, integrity established by the United Na-
24	tions, and whose conduct, with respect to preventing
25	sexual exploitation and abuse by United Nations

1	peacekeepers, has resulted in the erosion of public
2	confidence in the United Nations;
3	(2) to ensure that adequate whistleblower pro-
4	tections are extended to United Nations peace-
5	keepers, United Nations police officers, United Na-
6	tions staff, contractors, and victims of misconduct
7	involving United Nations personnel; and
8	(3) to ensure that the United Nations estab-
9	lishes and implements adequate protection measures
10	for whistleblowers who report significant allegations
11	of wrongdoing by United Nations officials.
12	Beginning on page 34, strike line 5 and all that fol-
13	lows through page 38, line 9.
14	On page 38, line 10, strike "SEC. 205" and insert
15	"SEC. 204".
16	On page 39, line 1, strike "SEC. 206" and insert
	"SEC. 205".
17	SEC. 205 .
10	
18	On page 40, line 16, strike "SEC. 207" and insert
19	"SEC. 206".

On page 41, lines 11 and 12, strike "create an alter native hiring mechanism to".

3 On page 41, line 24, strike "(2)" and insert the fol-4 lowing:

5 (2) is in full comportment with current Foreign
6 Service intake procedures, including the requirement
7 to pass the Foreign Service exam.

8 (3)

9 On page 42, line 3, strike "(3)" and insert "(4)".

10 On page 42, line 6, strike "(4)" and insert (5).

11 On page 42, line 13, strike "(5)" and insert "(6)".

12 On page 44, line 1, strike "SEC. 208" and insert
13 "SEC. 207".

14 On page 44, line 21, strike "SEC. 209" and insert
15 "SEC. 208".

16 On page 45, line 22, strike "SEC. 210" and insert
17 "SEC. 209".

On page 48, line 1, strike "SEC. 211" and insert
 2 "SEC. 210".

3 On page 48, line 6, strike "SEC. 212" and insert
4 "SEC. 211".

5 On page 49, line 4, strike "SEC. 213" and insert
6 "SEC. 212".

7 On page 50, line 8, strike "SEC. 214" and insert
8 "SEC. 213".

9 On page 53, line 1, strike "SEC. 215" and insert
10 "SEC. 214".

11 On page 53, line 13, strike "SEC. 216" and insert
12 "SEC. 215".

13 On page 53, line 22, strike "SEC. 217" and insert
14 "SEC. 216".

15 On page 54, line 17, strike "SEC. 218" and insert
16 "SEC. 217".

On page 56, line 8, strike "SEC. 219" and insert
 2 "SEC. 218".

3 On page 58, line 218, strike "SEC. 220" and insert
4 "SEC. 219".

5 On page 59, between lines 7 and 8, insert the fol-6 lowing:

7 SEC. 220. FOREIGN SERVICE WORKFORCE STUDY.

8 Not later than 180 days after the date of the enact-9 ment of this Act, the Secretary shall submit a report to 10 the appropriate congressional committees that contains 11 the results of a study on workforce issues and challenges 12 to career opportunities pertaining to tandem couples in the 13 Foreign Service.

14 SEC. 221. REPORT ON DIVERSITY RECRUITMENT, EMPLOY15 MENT, RETENTION, AND PROMOTION.

(a) IN GENERAL.—The Secretary should provide
oversight to the employment, retention, and promotion of
underrepresented groups.

(b) ADDITIONAL RECRUITMENT AND OUTREACH RE20 QUIRED.—The Department should conduct recruitment
21 activities that—

(1) develop and implement effective mechanismsto ensure that the Department is able effectively to

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recruit and retain highly qualified candidates from
 minority-serving institutions; and

3 (2) improve and expand recruitment and out4 reach programs at minority-serving institutions.

5 (c) REPORT.—Not later than 180 days after the date of the enactment of this Act, and quadrennially thereafter, 6 7 the Secretary of State shall submit a comprehensive report 8 to Congress that describes the efforts, consistent with ex-9 isting law, including procedures, effects, and results of the 10 Department since the period covered by the prior such re-11 port, to promote equal opportunity and inclusion for all 12 American employees in direct hire and personal service 13 contractors status, particularly employees of the Foreign Service, to include equal opportunity for all races, 14 15 ethnicities, ages, genders, and service-disabled veterans, with a focus on traditionally underrepresented minority 16 17 groups.

18 On page 62, line 1, insert ", including authorities19 used by Consular Affairs," after "visa fee structure".

20 On page 62, line 6, strike ", which shall be returned21 to General Fund of" and insert "to be returned to".

1 On page 69, line 24, strike "2012" and insert 2 "2017".

3 On page 70, line 3, strike "2012" and insert "2017".

4 On page 70, after line 19, insert the following: 5 **TITLE IV—MISCELLANEOUS**6 **PROVISIONS**

7 SEC. 401. REPORTS ON EMBASSY CONSTRUCTION AND SE8 CURITY UPGRADE PROJECTS.

9 (a) INITIAL REPORT.—Not later than 180 days after 10 the date of the enactment of this Act, the Secretary shall submit a comprehensive report to the appropriate congres-11 12 sional committees regarding all embassy construction projects and major embassy security upgrade projects 13 14 completed during the 10-year period ending on the date of the enactment of this Act, including, for each such 15 16 project-

17 (1) the initial cost estimate;

18 (2) the amount actually expended on the19 project;

20 (3) any additional time required to complete the21 project beyond the initial timeline; and

22 (4) any cost overruns incurred by the project.

(b) SEMI-ANNUAL REPORTS.—Not later than 180 1 2 days after the submission of the report required under 3 subsection (a), and semi-annually thereafter, the Secretary 4 shall submit a comprehensive report to the appropriate 5 congressional committees on the status of all ongoing and recently completed embassy construction projects and 6 7 major embassy security upgrade projects, including, for 8 each project— 9 (1) the initial cost estimate; 10 (2) the amount expended on the project to date; 11 (3) the projected timeline for completing the 12 project; and 13 (4) any cost overruns incurred by the project. 14 SEC. 402. UNITED STATES HUMAN RIGHTS DIALOGUE RE-15 VIEW. 16 (a) IN GENERAL.—Not later than 1 year after the 17 date of the enactment of this Act, the Secretary, in con-18 sultation with other appropriate departments and agen-19 cies, shall—

20 (1) conduct a review of all human rights dia-21 logues; and

(2) submit a report to the appropriate congressional committees containing the findings of the review conducted under paragraph (1).

1 (b) CONTENTS.—The report submitted under sub-2 section (a)(2) shall include— 3 (1) a list of all human rights dialogues held 4 during the prior year; 5 (2) a list of all bureaus and Senate confirmed 6 officials of the Department of State that partici-7 pated in each dialogue; 8 (3) a list of all the countries that have refused 9 to hold human rights dialogues with the United 10 States; and 11 (4) for each human rights dialogue held the 12 prior year, an assessment of the role of the dialogue 13 in advancing United States foreign policy goals. 14 (c) DEFINED TERM.—In this section, the term 15 "human rights dialogue" means an agreed upon and regular bilateral meeting between the Department of State 16 17 and a foreign government for the primary purpose of pur-18 suing a defined agenda on the subject of human rights. 19 SEC. 403. SENSE OF CONGRESS ON FOREIGN CYBERSECU-20 **RITY THREATS.** 21 (a) FINDINGS.—Congress makes the following find-22 ings:

(1) The Department of State International
Cyberspace Policy Strategy (referred to in this sec-

1	tion as the "Strategy"), which was released in
2	March 2016, states—
3	(A) "Cyber threats to United States na-
4	tional and economic security are increasing in
5	frequency, scale, sophistication, and severity";
6	and
7	(B) "The United States works to counter
8	threats in cyberspace through a whole-of-gov-
9	ernment approach that brings to bear its full
10	range of instruments of national power and cor-
11	responding policy tools – diplomatic, informa-
12	tional, military, economic, intelligence, and law
13	enforcement – as appropriate and consistent
14	with applicable law".
15	(2) The 2016 Worldwide Threat Assessment of
16	the U.S. Intelligence Community ("Threat Assess-
17	ment"), released on February 6, 2016—
18	(A) names Russia, China, Iran, and North
19	Korea as "leading threat actors" in cyberspace;
20	(B) states "China continues to have suc-
21	cess in cyber espionage against the US Govern-
22	ment, our allies, and US companies"; and
23	(C) states "North Korea probably remains
24	capable and willing to launch disruptive or de-

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1	structive cyberattacks to support its political
2	objectives".
3	(3) On April 1, 2015, the President issued Ex-
4	ecutive Order 13694, entitled "Blocking the Prop-
5	erty of Certain Persons Engaging in Significant Ma-
6	licious Cyber-Enabled Activities''.
7	(4) On February 18, 2016, the President
8	signed into law the 2016 North Korea Sanctions and
9	Policy Enhancement Act of 2016 (Public Law 114–
10	122), which codified into law the policy set forth in
11	Executive Order 13694.
12	(b) SENSE OF CONGRESS.—It is the sense of Con-
13	gress that—
14	(1) threats in cyberspace from state and
15	nonstate actors have emerged as a serious threat to
16	the national security of the United States;
17	(2) the United States Government should use
18	all diplomatic, economic, legal, and military tools to
19	counter cyber threats; and
20	(3) the United States Government should im-
21	pose economic sanctions under existing authorities
22	against state and nonstate actors that have engaged
23	in malicious cyber-enabled activities.
24	(c) Semi-annual Reports on Cybersecurity

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CHINA.—Not later than 90 days after the date of the en-1 2 actment of this Act, and every 180 days thereafter, the 3 Secretary shall submit a report to the appropriate congres-4 sional committees, with a classified annex if necessary, 5 that describes the status of the implementation of the cy-6 bersecurity agreement between the United States and the 7 People's Republic of China, which was concluded on Sep-8 tember 25, 2015, including an assessment of the People's 9 Republic of China's compliance with its commitments 10 under the agreement.

(d) RULE OF CONSTRUCTION.—Nothing in this Act
or any amendment made by this Act may be construed
as authorizing the use of military force for any purpose,
including as a specific authorization for the use of military
force under the War Powers Resolution (Public Law 93–
148; 50 U.S.C. 1541 et seq.), or as congressional intent
to provide such authorization.

18 SEC. 404. FOREIGN RELATIONS EXCHANGE PROGRAMS.

(a) EXCHANGES AUTHORIZED.—Title I of the State
Department Basic Authorities Act of 1956 (22 U.S.C.
2651a et seq.) is amended by adding at the end the following new section:

23 "SEC. 63. FOREIGN RELATIONS EXCHANGE PROGRAMS.

24 "(a) AUTHORITY.—The Secretary may establish ex-25 change programs under which officers or employees of the

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Department of State, including individuals appointed 1 2 under title 5, United States Code, and members of the 3 Foreign Service (as defined in section 103 of the Foreign 4 Service Act of 1980 (22 U.S.C. 3903)), may be assigned, 5 for not more than one year, to a position with any foreign 6 government or international entity that permits an em-7 ployee to be assigned to a position with the Department 8 of State.

9 "(b) SALARY AND BENEFITS.—

10 "(1) MEMBERS OF FOREIGN SERVICE.—During 11 a period in which a member of the Foreign Service 12 is participating in an exchange program authorized 13 pursuant to subsection (a), the member shall be en-14 titled to the salary and benefits to which the mem-15 ber would receive but for the assignment under this 16 section.

17 "(2) NON-FOREIGN SERVICE EMPLOYEES OF 18 DEPARTMENT.—An employee of the Department of 19 State other than a member of the Foreign Service 20 participating in an exchange program authorized 21 pursuant to subsection (a) shall be treated in all re-22 spects as if detailed to an international organization 23 pursuant to section 3343(c) of title 5, United States Code. 24

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"(3) FOREIGN PARTICIPANTS.—The salary and 1 2 benefits of an employee of a foreign government or 3 international entity participating in a program es-4 tablished under this section shall be paid by such 5 government or entity during the period in which 6 such employee is participating in the program, and 7 shall not be reimbursed by the Department of State. "(c) NON-RECIPROCAL ASSIGNMENT.—The Secretary 8 9 may authorize a non-reciprocal assignment of personnel 10 pursuant to this section, with or without reimbursement 11 from the foreign government or international entity for all 12 or part of the salary and other expenses payable during 13 the assignment, if it is in the interests of the United States. 14 15 "(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to— 16 17 "(1) authorize the appointment as an officer or 18 employee of the United States of— 19 "(A) an individual whose allegiance is to 20 any country, government, or foreign or inter-21 national entity other than to the United States 22 of America; or 23 "(B) an individual who has not met the re-24 quirements of sections 3331, 3332, 3333, and 25 7311 of title 5, United States Code, or any other provision of law concerning eligibility for
 appointment as, and continuation of employ ment as, an officer or employee of the United
 States.".

5 SEC. 405. REPEAL OF OBSOLETE REPORTS.

6 (a) ANNUAL REPORT ON THE ISRAELI-PALESTINIAN
7 PEACE, RECONCILIATION AND DEMOCRACY FUND.—Sec8 tion 10 of the Palestinian Anti-Terrorism Act of 2006
9 (Public Law 109–446; 22 U.S.C. 2378b note) is amend10 ed—

11 (1) by striking subsection (b); and

12 (2) by redesignating subsection (c) as sub-13 section (b).

(b) ANNUAL REPORT ON ASSISTANCE PROVIDED FOR
INTERDICTION ACTIONS OF FOREIGN COUNTRIES.—Section 1012 of the National Defense Authorization Act for
Fiscal Year 1995 (22 U.S.C. 2291–4) is amended—

18 (1) by striking subsection (c); and

19 (2) by redesignating subsection (d) as sub-20 section (b).

21 (c) REPORTS RELATING TO SUDAN.—The Sudan
22 Peace Act (Public Law 107–245; 50 U.S.C. 1701 note)
23 is amended—

24 (1) by striking section 8; and

25 (2) in section 11, by striking subsection (b).

(d) ANNUAL REPORT ON OUTSTANDING EXPROPRIA TION CLAIMS.—Section 527 of the Foreign Relations Au thorization Act, Fiscal Years 1994 and 1995 (Public Law
 103–236; 22 U.S.C. 2370a) is amended—
 (1) by striking subsection (f); and

6 (2) by redesignating subsections (g), (h), and

7 (i) as subsections (f), (g), and (h), respectively.