

AMENDMENT NO. _____ Calendar No. _____

Purpose: To authorize the Department of State for Fiscal Year 2018, and for other purposes.

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

S. _____

To authorize the Department of State for Fiscal Year 2018,
and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Mr. CORKER

Viz:

1 On page 6, line 11, strike “March 31, 2017” and in-
2 sert “March 13, 2017”.

3 Beginning on page 6, strike line 17 and all that fol-
4 lows through page 7, line 3, and insert the following:

5 (b) ELEMENTS.—The report referred to in subsection
6 (a) may be a brief or a written report and shall include
7 the following elements:

8 (1) The principles and goals of such reorganiza-
9 tion, including the timeline under which the pro-
10 posed organizational changes will be implemented.

1 (2) The justification for the reorganization, spe-
2 cifically with reference to the bureaus, offices, or po-
3 sitions of the Department or of USAID that would
4 be proposed to be eliminated, created, or altered by
5 such reorganization.

6 (3) An assessment of the projected impact of
7 the reorganization on United States diplomacy and
8 development efforts.

9 (4) Recommendations for any legislative au-
10 thorities required to implement the proposed reorga-
11 nization.

12 On page 7, strike lines 19 through 22 and insert the
13 following:

14 (e) TEMPORARY LIMITATION.—The Department and
15 USAID shall not implement any provisions of the Govern-
16 ment-wide Reform Plan until—

17 ⁶⁰
17 (1) ~~30~~ days after it is submitted by OMB; ~~or~~
18 ~~(2) 90 days after such submission if it includes~~
19 ~~a proposed merger of USAID into the Department.~~

20 On page 8, between lines 2 and 3, insert the fol-
21 lowing:

1 **SEC. 103. SENSE OF CONGRESS REGARDING NEED FOR**
2 **CONGRESSIONAL AUTHORIZATION PRIOR TO**
3 **USAID REORGANIZATION.**

4 It is the sense of Congress that, pursuant to section
5 1413 of the Foreign Affairs Reform and Restructuring
6 Act of 1998 (22 U.S.C. 6563), congressional authorization
7 is a prerequisite to any reorganization of the United
8 States Agency for International Development that would
9 change its current status as an independent establishment
10 within the Executive branch.

11 On page 26, line 7, strike “and” and all that follows
12 through line 9, and insert the following:

13 (3) reasonable assumptions about the strategic
14 importance of the post over the life of the building;
15 and

16 (4) any other data that would be helpful in pro-
17 jecting the future growth of the post.

18 On page 26, strike lines 17 through 22 and insert
19 the following:

20 (d) CONGRESSIONAL NOTIFICATION.—Any congres-
21 sional notification of site selection for a NEC or NCC sub-
22 mitted after the date of enactment of this Act shall include
23 the growth assumption used pursuant to subsection (c).

1 On page 36, line 23, insert “(except the position au-
2 thorized by section 621 of Public Law 107–228 (22 U.S.C.
3 6901 note))” after “Congress”.

4 On page 44, between lines 16 and 17, insert the fol-
5 lowing:

6 **SEC. 307. SENSE OF CONGRESS REGARDING CERTAIN FEL-**
7 **LOWSHIP PROGRAMS.**

8 It is the Sense of Congress that—

9 (1) the Charles B. Rangel International Affairs
10 Graduate Fellowship Program, the Thomas R. Pick-
11 ering Foreign Affairs Fellowship Program, and the
12 Donald M. Payne International Development Fellow-
13 ship Program represent smart investments vital for
14 building a strong, capable, and representative na-
15 tional security workforce; and

16 (2) the Secretary of State and the Adminis-
17 trator of the United States Agency for International
18 Development should fulfill their obligations to each
19 of the Fellows as defined in their original contrac-
20 tual agreement with each Fellow.

21 On page 66, between lines 10 and 11, insert the fol-
22 lowing:

1 **SEC. 507. PROHIBITION ON CONTRACTING WITH CERTAIN**
2 **TELECOMMUNICATIONS PROVIDERS.**

3 (a) LIST OF COVERED CONTRACTORS.—Not later
4 than 30 days after the date of the enactment of this Act,
5 the Secretary, in consultation with the Director of Na-
6 tional Intelligence, shall develop a list of covered contrac-
7 tors to be updated as frequently as the Secretary deter-
8 mines appropriate.

9 (b) PROHIBITION ON CONTRACTS.—The Secretary
10 may not enter into a contract with a covered contractor
11 on the list described under subsection (a).

12 (c) REMOVAL FROM LIST.—To be removed from the
13 list described in subsection (a), a covered contractor may
14 submit a request to the Secretary in such manner as the
15 Secretary determines appropriate. The Secretary, in con-
16 sultation with the Director of National Intelligence, shall
17 determine a process for removing covered contractors from
18 the list as appropriate.

19 (d) WAIVERS.—

20 (1) IN GENERAL.—The President, or the Assist-
21 ant to the President for National Security Affairs,
22 may waive the requirements under subsection (b) if
23 the President, or the Assistant to the President, de-
24 termines that such waiver is justified for national se-
25 curity reasons.

1 (2) SECRETARY OF STATE.—The Secretary may
2 waive the requirements under subsection (b) for
3 United States diplomatic posts or diplomatic per-
4 sonnel overseas if the Secretary, in consultation with
5 the Director of National Intelligence, determines
6 that no suitable alternatives are available.

7 (c) COVERED CONTRACTOR DEFINED.—In this sec-
8 tion, the term “covered contractor” means a provider of
9 telecommunications, telecommunications equipment, or in-
10 formation technology equipment, including hardware, soft-
11 ware and services, that has knowingly assisted or facili-
12 tated a cyber attack or conducted surveillance, including
13 passive or active monitoring, carried out against the
14 United States by, or on behalf of, any government, or per-
15 sons associated with such government, listed as a cyber
16 threat actor in the United States Intelligence Commu-
17 nity’s 2017 assessment of worldwide threats to United
18 States national security or any following worldwide threat
19 assessment of the United States intelligence community.

20 (f) EFFECTIVE DATE.—This section shall apply with
21 respect to contracts of a covered contractor entered into
22 on or after the date of the enactment of this Act.