

116TH CONGRESS  
1ST SESSION

# H. R. 1427

To amend title 5, United States Code, to provide for priority for making payments for lodging expenses for Federal employees that are booked in places with policies to protect individuals from severe forms of human trafficking, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2019

Mr. SMITH of New Jersey (for himself and Mrs. CAROLYN B. MALONEY of New York) introduced the following bill; which was referred to the Committee on Oversight and Reform

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## A BILL

To amend title 5, United States Code, to provide for priority for making payments for lodging expenses for Federal employees that are booked in places with policies to protect individuals from severe forms of human trafficking, 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,*

1 **SECTION 1. PRIORITY FOR ACCOMMODATION IN PLACES**  
2 **WITH CERTAIN POLICIES RELATING TO SE-**  
3 **VERE FORMS OF HUMAN TRAFFICKING.**

4 (a) IN GENERAL.—Subchapter I of chapter 57 of title  
5 5, United States Code, is amended by adding at the end  
6 the following:

7 **“§ 5712. Priority for accommodation in places with**  
8 **certain policies relating to severe forms**  
9 **of human trafficking**

10 “(a) IN GENERAL.—For the purpose of making pay-  
11 ments under this chapter for lodging expenses each agency  
12 shall ensure that, to the extent practicable, commercial-  
13 lodging room nights in the United States for employees  
14 of that agency are booked in a preferred place of accom-  
15 modation.

16 “(b) ELIGIBILITY AS A PREFERRED PLACE OF AC-  
17 COMMODATION.—To be considered a preferred place of ac-  
18 commodation, a hotel, motel, or other place of public ac-  
19 commodation shall—

20 “(1) enforce a zero-tolerance policy regarding  
21 severe forms of trafficking in persons (as defined in  
22 section 103(11) of the Trafficking Victims Protec-  
23 tion Act of 2000 (22 U.S.C. 7102(11))) developed  
24 by the Administer of the General Services Adminis-  
25 tration under subsection (c)(1), or a similar zero-tol-

1 erance policy developed by the place of accommoda-  
2 tion, demonstrated by—

3 “(A) attesting through the website of the  
4 General Services Administration to the use of a  
5 zero-tolerance policy;

6 “(B) posting such policy in a non-public  
7 space within the place of accommodation that is  
8 accessible by all employees; or

9 “(C) including such policy in the employee  
10 handbook;

11 “(2) have procedures in place for employees to  
12 identify and report any such exploitation to the ap-  
13 propriate law enforcement authorities and to hotel  
14 management;

15 “(3) post the informational materials developed  
16 under subsection (c)(3) in an appropriate non-public  
17 space within the place of accommodation that is ac-  
18 cessible by all employees;

19 “(4) require each employee who is physically lo-  
20 cated at the place of accommodation and who is like-  
21 ly to interact with guests including security, front  
22 desk, housekeeping, room service and bell staff to  
23 complete the training developed under subsection  
24 (c)(2), or a training developed pursuant to sub-  
25 section (d), that shall—

1           “(A) take place not later than 180 days  
2           after the starting date of the employee, or in  
3           the case of an employee starting employment  
4           before the effective date of this section, not  
5           later than 180 days after the date of enactment  
6           of this section; and

7           “(B) include training on the identification  
8           of possible cases of sexual exploitation of chil-  
9           dren and procedures to report suspected abuse  
10          to the appropriate authorities;

11          “(5) include a notice to all independent contrac-  
12          tors in any agreement negotiated or renewed on or  
13          after the date of enactment of this section that  
14          states the following: ‘Federal law prohibits the traf-  
15          ficking of humans under the Trafficking Victims  
16          Protection Act (22 U.S.C. 7101 et seq.).’;

17          “(6) ensure that the place of accommodation  
18          does not retaliate against employees for reporting  
19          suspected cases of such exploitation if reported ac-  
20          cording to protocol identified in the employee train-  
21          ing; and

22          “(7) keep records, to the extent permissible by  
23          law and on an individual hotel property basis, of  
24          each suspected case of such exploitation that is re-  
25          ported to accommodation management or law en-

1 enforcement, including the date, approximate time, and  
2 the name of the accommodation manager or law en-  
3 forcement agency to which the report was made.

4 “(c) GSA REQUIREMENTS.—The Administrator of  
5 General Services shall—

6 “(1) develop, and make available on the Inter-  
7 net website of the General Services Administration,  
8 a zero-tolerance policy for places of accommodation  
9 regarding severe forms of trafficking in persons (as  
10 defined in section 103(11) of the Trafficking Victims  
11 Protection Act of 2000 (22 U.S.C. 7102(11))), in-  
12 cluding informational materials regarding such pol-  
13 icy to be posted in places of accommodation in non-  
14 public spaces;

15 “(2) make available on its Internet website a  
16 list of Federal Government and privately produced  
17 training programs that address the identification of  
18 severe forms of human trafficking and reporting to  
19 law enforcement authorities;

20 “(3) in coordination with the Secretary of  
21 Homeland Security’s Blue Campaign, develop train-  
22 ing materials on preventing severe forms of human  
23 trafficking and informational materials to be posted  
24 in non-public spaces in places of accommodation on  
25 spotting the signs of severe forms of human traf-

1       ficking and reporting possible incidences of such ex-  
2       ploitation; and

3               “(4) maintain a list of each preferred place of  
4       accommodation that meets the requirements of sub-  
5       section (b), beginning by examining places of accom-  
6       modation that are—

7                       “(A) enrolled in government travel pro-  
8       grams such as FedRooms;

9                       “(B) included on the FEMA Fire Safe  
10      List; or

11                      “(C) otherwise known to have received gov-  
12      ernment travel business in the 2 years prior to  
13      enactment of this section.

14      “(d) TRAINING PROGRAMS.—A place of accommoda-  
15      tion or lodging company may use a training program de-  
16      veloped or acquired by such place of accommodation or  
17      company to satisfy the requirements of subsection (b)(4)  
18      if such training program—

19                      “(1) focuses on identifying and reporting sus-  
20      pected cases of severe forms of human trafficking;  
21      and

22                      “(2) was developed in consultation with a glob-  
23      ally or nationally recognized organization with exper-  
24      tise in anti-trafficking initiatives.

25      “(e) PREVIOUSLY TRAINED EMPLOYEES.—

1           “(1) TRAINING PRIOR TO EFFECTIVE DATE.—  
2           Any employee of a place of accommodation who has  
3           been trained to identify and report potential cases of  
4           severe forms of human trafficking prior to the effec-  
5           tive date of this section shall be considered to have  
6           met the training requirement in subsection (b)(4)  
7           with respect to any employment at that place of ac-  
8           commodation or at any another place of accommoda-  
9           tion managed by the same entity.

10           “(2) TRAINING PRIOR TO A TRANSFER OF EM-  
11           PLOYMENT.—Any employee of a place of accommo-  
12           dation who has met the training requirements under  
13           subsection (b)(4) shall be considered to have met  
14           such requirements with respect to any employment  
15           at a place of accommodation managed by the same  
16           entity.

17           “(f) PROPERTY-BY-PROPERTY IMPLEMENTATION.—  
18           Compliance with the requirements of this section shall be  
19           assessed and enforced separately for each individual place  
20           of accommodation. Lack of compliance by one place of ac-  
21           commodation shall not impact the eligibility of affiliated  
22           places of accommodation to receive funds from Federal  
23           employee travel. Lack of compliance by a franchisee shall  
24           not impact the eligibility of the respective franchisor for

1 other places of accommodation affiliated with that  
2 franchisor.

3 “(g) STATUTORY CONSTRUCTION.—No provision in  
4 this Act that applies to an employee of a place of accom-  
5 modation shall be construed to apply to an individual who  
6 is an independent contractor or otherwise not directly em-  
7 ployed by a place of accommodation, unless the contract  
8 is for housekeeping services.

9 “(h) REGULATIONS REQUIRED.—The Administrator  
10 of General Services shall issue such regulations as are nec-  
11 essary to carry out this section.”.

12 (b) EFFECTIVE DATE.—Section 5712(a) of title 5,  
13 United States Code (as added by subsection (a)), shall  
14 take effect on the later of—

15 (1) the date that is 1 year after the date of en-  
16 actment of this Act; and

17 (2) 60 days after the completion of the require-  
18 ments under subsections (c) and (d) of such section.

19 (c) CONFORMING AMENDMENT.—The table of sec-  
20 tions for subchapter I of chapter 57 of title 5, United  
21 States Code, is amended by adding at the end the fol-  
22 lowing new item:

“5712. Priority for accommodation in places with certain policies relating to se-  
vere forms of human trafficking.”.

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