

113TH CONGRESS
1ST SESSION

H. R. 898

To authorize appropriations for fiscal years 2014 through 2017 for the Trafficking Victims Protection Act of 2000, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2013

Mr. SMITH of New Jersey (for himself and Mr. LIPINSKI) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize appropriations for fiscal years 2014 through 2017 for the Trafficking Victims Protection Act of 2000, 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 AND TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Trafficking Victims Protection Reauthorization Act of
6 2013”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for
8 this Act is as follows:

Sec. 1. Short title and table of contents.

TITLE I—COMBATING INTERNATIONAL TRAFFICKING IN
PERSONS

- Sec. 101. Authority to restrict passports.
 Sec. 102. Office To Monitor and Combat Modern Slavery and Other Forms of
 Human Trafficking.
 Sec. 103. Prevention of child marriage.
 Sec. 104. Prevention of trafficking.
 Sec. 105. Minimum standards for the elimination of trafficking.
 Sec. 106. Reports to Congress.
 Sec. 107. Temporary increase in fee for certain consular services.
 Sec. 108. Additional activities to monitor and combat forced labor and child
 labor.
 Sec. 109. Additional activities of the Department of State.
 Sec. 110. Enhancing protection for children exploited abroad by United States
 citizens and permanent resident aliens.
 Sec. 111. Report on Internet-facilitated human trafficking.

TITLE II—COMBATING TRAFFICKING IN PERSONS IN THE
UNITED STATES

Subtitle A—Amendments to the Trafficking Victims Protection Act of 2000

- Sec. 201. Interagency Task Force To Monitor and Combat Trafficking.
 Sec. 202. Ensuring timely response to requests for continued presence.
 Sec. 203. Report to Congress.

Subtitle B—Amendments to Title 18, United States Code

- Sec. 211. Renaming of basic Federal trafficking statute.
 Sec. 212. Clarifying trafficking definitions and prosecution.
 Sec. 213. Fighting sex tourism.
 Sec. 214. Identification documents.
 Sec. 215. Fraud in foreign labor contracting as a Rico Predicate.

Subtitle C—Amendments to Other Laws

- Sec. 221. Domestic minor sex trafficking deterrence and victims support.
 Sec. 222. Enhancing efforts to combat the trafficking of children.
 Sec. 223. Improving local efforts to combat trafficking and sexual exploitation
 of children.
 Sec. 224. Efforts to publicize the National Human Trafficking Resource Center
 hotline.

TITLE III—AUTHORIZATION OF APPROPRIATIONS

- Sec. 301. Trafficking Victims Protection Act of 2000.
 Sec. 302. Trafficking Victims Protection Reauthorization Act of 2005.
 Sec. 303. Eligibility for assistance.
 Sec. 304. Reporting requirement.

1 **TITLE I—COMBATING INTER-**
2 **NATIONAL TRAFFICKING IN**
3 **PERSONS**

4 **SEC. 101. AUTHORITY TO RESTRICT PASSPORTS.**

5 (a) IN GENERAL.—The Secretary of State is author-
6 ized to—

7 (1) limit to 1 year or such period of time as the
8 Secretary of State shall determine appropriate the
9 period of validity of a passport issued to a sex of-
10 fender; and

11 (2) revoke the passport or passport card of an
12 individual who has been convicted by a court of com-
13 petent jurisdiction in a foreign country of a sex of-
14 fense.

15 (b) LIMITATION FOR RETURN TO UNITED STATES.—
16 Notwithstanding subsection (a), in no case shall a United
17 States citizen convicted by a court of competent jurisdic-
18 tion in a foreign country of a sex offense be precluded
19 from entering the United States due to a passport revoca-
20 tion under such subsection.

21 (c) REAPPLICATION.—An individual whose passport
22 or passport card was revoked pursuant to subsection
23 (a)(2) may reapply for a passport or passport card at any
24 time after such individual has returned to the United
25 States.

1 (d) DEFINITIONS.—For purposes of this section:

2 (1) SEX OFFENDER.—The term “sex offender”
3 means an individual who is listed on the National
4 Sex Offender Registry established pursuant to sec-
5 tion 119 of the Sex Offender Registration and Noti-
6 fication Act (42 U.S.C. 16915).

7 (2) SEX OFFENSE.—The term “sex offense”
8 means a sex offense as defined in section 111(5) of
9 the Sex Offender Registration and Notification Act
10 (42 U.S.C. 16915).

11 **SEC. 102. OFFICE TO MONITOR AND COMBAT MODERN**
12 **SLAVERY AND OTHER FORMS OF HUMAN**
13 **TRAFFICKING.**

14 (a) IN GENERAL.—Section 105(e) of the Trafficking
15 Victims Protection Act of 2000 (22 U.S.C. 7103(e)) is
16 amended—

17 (1) in the heading, by striking “OFFICE TO
18 MONITOR AND COMBAT TRAFFICKING” and insert-
19 ing “BUREAU TO MONITOR AND COMBAT MODERN
20 SLAVERY AND OTHER FORMS OF HUMAN TRAF-
21 FICKING”;

22 (2) in paragraph (1)—

23 (A) in the first sentence, by striking “Of-
24 fice to Monitor and Combat Trafficking” and
25 inserting “Bureau To Monitor and Combat

1 Modern Slavery and Other Forms of Human
2 Trafficking”;

3 (B) in the second sentence, by striking
4 “Office” and inserting “Bureau”; and

5 (C) in the sixth sentence, by striking “Of-
6 fice” and inserting “Bureau”; and

7 (3) in paragraph (2)(B), by striking “Office to
8 Monitor and Combat Trafficking” and inserting
9 “Bureau To Monitor and Combat Modern Slavery
10 and Other Forms of Human Trafficking”.

11 (b) CONFORMING AMENDMENTS.—Any reference in
12 the Trafficking Victims Protection Act of 2000 or in any
13 other Act to the Office to Monitor and Combat Trafficking
14 shall be deemed to be a reference to the Bureau to Monitor
15 and Combat Modern Slavery and Other Forms of Human
16 Trafficking.

17 **SEC. 103. PREVENTION OF CHILD MARRIAGE.**

18 (a) IN GENERAL.—Section 106 of the Trafficking
19 Victims Protection Act of 2000 (22 U.S.C. 7104) is
20 amended by adding at the end the following:

21 “(j) PREVENTION OF CHILD TRAFFICKING THROUGH
22 CHILD MARRIAGE.—The Secretary of State shall establish
23 and implement a multi-year, multi-sectoral strategy—

24 “(1) to prevent child marriage;

1 “(2) to promote the protection and empower-
2 ment of girls at risk of child marriage in developing
3 countries;

4 “(3) that targets areas in developing countries
5 with high prevalence of child marriage; and

6 “(4) that includes diplomatic and programmatic
7 initiatives.”.

8 (b) INCLUSION OF CHILD MARRIAGE STATUS IN RE-
9 PORTS.—The Foreign Assistance Act of 1961 (22 U.S.C.
10 2151 et seq.) is amended—

11 (1) in section 116 (22 U.S.C. 2151n), by add-
12 ing at the end the following:

13 “(g) CHILD MARRIAGE STATUS.—

14 “(1) IN GENERAL.—The report required under
15 subsection (d) shall include, for each country in
16 which child marriage is prevalent, a description of
17 the status of the practice of child marriage in such
18 country.

19 “(2) DEFINED TERM.—In this subsection, the
20 term ‘child marriage’ means the marriage of a girl
21 or boy who is—

22 “(A) younger than the minimum age for
23 marriage under the laws of the country in
24 which such girl or boy is a resident; or

1 “(B) younger than 18 years of age, if no
2 such law exists.”; and

3 (2) in section 502B (22 U.S.C. 2304), by add-
4 ing at the end the following:

5 “(j) CHILD MARRIAGE STATUS.—

6 “(1) IN GENERAL.—The report required under
7 subsection (b) shall include, for each country in
8 which child marriage is prevalent, a description of
9 the status of the practice of child marriage in such
10 country.

11 “(2) DEFINED TERM.—In this subsection, the
12 term ‘child marriage’ means the marriage of a girl
13 or boy who is—

14 “(A) younger than the minimum age for
15 marriage under the laws of the country in
16 which such girl or boy is a resident; or

17 “(B) younger than 18 years of age, if no
18 such law exists.”.

19 **SEC. 104. PREVENTION OF TRAFFICKING.**

20 (a) ECONOMIC ALTERNATIVES TO PREVENT AND
21 DETER TRAFFICKING.—Section 106(a) of the Trafficking
22 Victims Protection Act of 2000 (22 U.S.C. 7104(a)) is
23 amended—

24 (1) by striking “The President” and inserting
25 the following:

1 “(1) IN GENERAL.—The President”;

2 (2) in paragraph (1) (as redesignated), by in-
3 sserting “targeted” after “carry out”;

4 (3) by striking “Such initiatives” and inserting
5 the following:

6 “(2) INITIATIVES.—Such initiatives”.

7 (4) by redesignating paragraphs (1) through
8 (5) that follow paragraph (2) (as redesignated) as
9 subparagraphs (A) through (E), respectively, and in-
10 dented each such subparagraph (as redesignated)
11 four ems from the left margin;

12 (5) in paragraph (2) (as redesignated)—

13 (A) in subparagraph (A) (as redesignated),
14 by inserting “and micro-enterprise” after
15 “microcredit”;

16 (B) in subparagraph (D) (as redesignated),
17 by striking “and” at the end;

18 (C) in subparagraph (E) (as redesignated),
19 by striking the period at the end and inserting
20 “; and”; and

21 (D) by adding at the end the following:

22 “(F) public-private partnerships to gen-
23 erate youth employment opportunities.”; and

24 (6) by adding at the end the following:

1 “(3) PRIORITY FOR POTENTIAL VICTIMS OF
2 TRAFFICKING.—In carrying out such initiatives, the
3 President may give priority to the following persons
4 who are potential victims of trafficking:

5 “(A) Stateless persons.

6 “(B) Refugees and internally displaced
7 persons.

8 “(C) Persons who lack access to legal rep-
9 resentation or are otherwise marginalized.

10 “(D) Persons from regions of limited social
11 protections or educational or economic options
12 for women, particularly persons who are victims
13 of sexual abuse or exploitation.

14 “(E) Persons from regions of high undocu-
15 mented migration or displacement resulting
16 from violent conflict or natural disasters.

17 “(F) Persons from regions with high rates
18 of child labor, child abandonment, or child sex
19 tourism.

20 “(G) Persons who meet one or more of the
21 criteria in subparagraphs (A) through (F).”.

22 (b) PREVENTION OF TRAFFICKING IN CONJUNCTION
23 WITH POST-CONFLICT AND HUMANITARIAN EMERGENCY
24 ASSISTANCE.—Section 106(h) of the Trafficking Victims
25 Protection Act of 2000 (22 U.S.C. 7104(h)) is amended—

1 (1) by striking “The” and inserting the fol-
2 lowing:

3 “(1) INCORPORATION OF MEASURES INTO EX-
4 ISTING PROGRAMS.—The”; and

5 (2) by adding at the end the following:

6 “(2) AUTHORIZATION OF ASSISTANCE TO SPE-
7 CIFICALLY ADDRESS POST-CONFLICT AND HUMANI-
8 TARIAN EMERGENCIES.—The Secretary of State,
9 acting through the Ambassador-at-Large for Com-
10 bating Human Trafficking, is authorized to provide
11 assistance on an urgent basis for vulnerable popu-
12 lations at risk of severe forms of trafficking in per-
13 sons in conjunction with post-conflict situations and
14 humanitarian emergencies.”.

15 **SEC. 105. MINIMUM STANDARDS FOR THE ELIMINATION OF**
16 **TRAFFICKING.**

17 Section 108(b) of the Trafficking Victims Protection
18 Act of 2000 (22 U.S.C. 7106(b)) is amended—

19 (1) in paragraph (3)—

20 (A) by striking “peacekeeping” and insert-
21 ing “diplomatic, peacekeeping,”;

22 (B) by striking “, and measures” and in-
23 serting “, a transparent system for remediating
24 or punishing such public officials as a deter-
25 rent, measures”; and

1 (C) by inserting “and effective policies or
2 laws regulating foreign labor recruiters and
3 holding them civilly and criminally liable for
4 fraudulent recruiting” before the period at the
5 end; and

6 (2) in paragraph (7)—

7 (A) by inserting “, including diplomats and
8 soldiers,” after “public officials”;

9 (B) by striking “peacekeeping” and insert-
10 ing “diplomatic, peacekeeping,”; and

11 (C) by inserting “A government’s failure to
12 appropriately address public allegations against
13 such public officials, especially once such offi-
14 cials have returned to their home countries,
15 shall be considered inaction under these cri-
16 teria.” after “such trafficking.”.

17 **SEC. 106. REPORTS TO CONGRESS.**

18 Section 110(b) of the Trafficking Victims Protection
19 Act of 2000 (22 U.S.C. 7107(b)(1)) is amended—

20 (1) in paragraph (1)—

21 (A) in the matter preceding subparagraph
22 (A), by inserting “, acting through the Amba-
23 sador-at-Large for Combating Human Traf-
24 ficking,” after “Secretary of State”;

1 (B) in subparagraph (E), by striking
2 “and” at the end;

3 (C) by redesignating subparagraph (F) as
4 subparagraph (I); and

5 (D) by inserting after subparagraph (E)
6 the following:

7 “(F) a section entitled ‘Best Practices in
8 Slavery Eradication’ to highlight innovations in
9 prevention, protection, and prosecution of the
10 perpetrators of trafficking , as well as public-
11 private partnerships;

12 “(G) a section entitled ‘Refugee-Traf-
13 ficking Connection’ to highlight the vulner-
14 ability of refugee populations to human traf-
15 ficking and to make recommendations for the
16 prevention of refugee trafficking;

17 “(H) an assessment of the actions taken
18 by the Department of State and the Depart-
19 ment of Justice to investigate allegations of
20 trafficking or abuse of nonimmigrants holding
21 an A-3 visa or a G-5 visa (as such terms are
22 defined in section 203(f) of the William Wilber-
23 force Trafficking Victims Protection Reauthor-
24 ization Act of 2008), results of such investiga-
25 tions; and”;

1 (2) in paragraph (2), by inserting “, acting
2 through the Ambassador-at-Large for Combating
3 Human Trafficking,” after “Secretary of State”.

4 **SEC. 107. TEMPORARY INCREASE IN FEE FOR CERTAIN**
5 **CONSULAR SERVICES.**

6 Section 239(c) of the William Wilberforce Trafficking
7 Victims Protection Reauthorization Act of 2008 (8 U.S.C.
8 1351 note) is amended by striking “the date that is 3
9 years after the first date on which such increased fee is
10 collected” and inserting “September 30, 2017”.

11 **SEC. 108. ADDITIONAL ACTIVITIES TO MONITOR AND COM-**
12 **BAT FORCED LABOR AND CHILD LABOR.**

13 Section 105(b) of the Trafficking Victims Protection
14 Reauthorization Act of 2005 (22 U.S.C. 7112(b)) is
15 amended—

16 (1) in paragraph (1), by inserting “and the
17 United States” after “foreign countries”; and

18 (2) in paragraph (2)(C)—

19 (A) by inserting “and Congress” after
20 “public”; and

21 (B) by inserting “, including the United
22 States,” after “countries”.

1 **SEC. 109. ADDITIONAL ACTIVITIES OF THE DEPARTMENT**
2 **OF STATE.**

3 Section 105 of the Trafficking Victims Protection Re-
4 authorization Act of 2005 (22 U.S.C. 7112) is amended
5 by adding at the end the following:

6 “(c) **ADDITIONAL ACTIVITIES OF THE DEPARTMENT**
7 **OF STATE.**—

8 “(1) **SHORT TITLE.**—This subsection may be
9 cited as the ‘Business Transparency on Trafficking
10 and Slavery Act’.

11 “(2) **DISCLOSURE.**—The Secretary of State,
12 acting through the Ambassador-at-Large for Com-
13 bating Human Trafficking, shall encourage any per-
14 son described in paragraph (3)(B) to disclose on an
15 annual basis on the person’s website and to the Sec-
16 retary of State any measures such person has taken
17 during the year to identify and address conditions of
18 forced labor, slavery, human trafficking, and the
19 worst forms of child labor within such person’s sup-
20 ply chains. Such disclosure should include the fol-
21 lowing information under a heading ‘Policies to Ad-
22 dress Forced Labor, Slavery, Human Trafficking
23 and the Worst Forms of Child Labor’ describing to
24 what extent, if any, the person conducts any of the
25 following activities:

1 “(A) Maintains a policy to identify and
2 eliminate risks of forced labor, slavery, human
3 trafficking, and the worst forms of child labor
4 within its supply chain. If the person maintains
5 such a policy, the disclosure should include the
6 text of the policy or a substantive description of
7 the elements of the policy.

8 “(B) Maintains a policy prohibiting the use
9 of the person’s corporate products, facilities, or
10 services to obtain or maintain someone under
11 conditions of forced labor, slavery, human traf-
12 ficking, and the worst forms of child labor.

13 “(C) Engages in verification of product
14 supply chains to evaluate and address risks of
15 forced labor, slavery, human trafficking and the
16 worst forms of child labor. The disclosure
17 should—

18 “(i) describe the greatest risks identi-
19 fied within the supply chain, and the meas-
20 ures taken toward eliminating those risks;

21 “(ii) specify whether the verification
22 was or was not conducted by a third party;
23 and

24 “(iii) specify whether the verification
25 process includes consultations with inde-

1 pendent unions, workers’ associations, or
2 workers within workplaces and incor-
3 porates the resulting certification or writ-
4 ten comments from such independent
5 union, workers’ associations, or workers.

6 “(D) Ensures that audits of suppliers are
7 conducted to evaluate supplier compliance with
8 the person’s company standards for eliminating
9 forced labor, slavery, human trafficking, and
10 the worst forms of child labor in supply chains.
11 The disclosure should specify if the verification
12 was not an independent, unannounced audit.

13 “(E) Assesses supply chain management
14 and procurement systems of suppliers in the
15 person’s supply chain, to verify whether said
16 suppliers have in place appropriate systems to
17 identify risks of forced labor, slavery, human
18 trafficking, and the worst forms of child labor
19 within their own supply chain.

20 “(F) Requires suppliers in its supply chain
21 to certify that materials incorporated into the
22 product comply with the laws regarding forced
23 labor, slavery, human trafficking, and the worst
24 forms of child labor of the country or countries
25 in which they are doing business.

1 “(G) Maintains internal accountability
2 standards, supply chain management and pro-
3 curement systems, and procedures for employ-
4 ees or contractors failing to meet the person’s
5 company standards regarding forced labor, slav-
6 ery, human trafficking, and the worst forms of
7 child labor. The disclosure should describe such
8 standards and systems.

9 “(H) Provides the person’s employees and
10 management who have direct responsibility for
11 supply chain management, training on forced
12 labor, slavery, human trafficking and the worst
13 forms of child labor, particularly with respect to
14 mitigating risks within the supply chains of
15 products.

16 “(I) Ensures that recruitment practices at
17 all suppliers comply with the person’s company
18 standards for eliminating exploitive labor prac-
19 tices that contribute to forced labor, slavery,
20 human trafficking, and the worst forms of child
21 labor, including by conducting audits of labor
22 recruiters and disclosing the results of such au-
23 dits.

24 “(J) In cases where forced labor, slavery,
25 human trafficking, and the worst forms of child

1 labor have been identified within the supply
2 chain, ensures that remediation is provided to
3 those who have been identified as victims.

4 “(3) DEFINITIONS.—In this subsection—

5 “(A) the term ‘forced labor, slavery,
6 human trafficking and the worst forms of child
7 labor’ means child labor in violation of inter-
8 national standards including International
9 Labor Organization Convention No. 182 and
10 acts that would violate the criminal provisions
11 related to slavery and human trafficking under
12 chapter 77 of title 18 if they had been com-
13 mitted within the jurisdiction of the United
14 States;

15 “(B) the term ‘person’ means any publicly
16 traded or private entity wherever located, car-
17 rying out business operations in the United
18 States, and having annual worldwide global re-
19 ceipts in excess of \$100,000,000;

20 “(C) the term ‘remediation’ means the ac-
21 tivities or systems that a company puts in place
22 to address non-compliance with the standards
23 identified through monitoring or verification,
24 which may apply to individuals adversely af-

1 fected by the non-compliant conduct or address
2 broader systematic processes;

3 “(D) the term ‘supply chain’, with respect
4 to a person making the disclosure described in
5 subsection (a), means all suppliers of products,
6 component parts of products, and raw materials
7 used by such person in the manufacturing of
8 such person’s products or the provision of such
9 person’s services, whether or not such person
10 has a direct relationship with the supplier; and

11 “(E) the term ‘verification’ means the
12 process by which a company is evaluated to de-
13 termine compliance with its documented pro-
14 gram, including standards on forced labor, slav-
15 ery, human trafficking, and the worst forms of
16 child labor, including an evaluation of—

17 “(i) data gathered through monitoring
18 activities to ensure results are reliable and
19 process is credible; and

20 “(ii) the system established to reme-
21 diate violations to determine if remediation
22 is implemented and effective.”.

1 **SEC. 110. ENHANCING PROTECTION FOR CHILDREN EX-**
2 **PLOITED ABROAD BY UNITED STATES CITI-**
3 **ZENS AND PERMANENT RESIDENT ALIENS.**

4 Section 2423 of title 18, United States Code, is
5 amended—

6 (1) in subsection (c)—

7 (A) by inserting “or engages in travel af-
8 fecting” before “foreign commerce”; and

9 (B) by inserting “(even if residing, whether
10 temporarily or permanently, in a foreign juris-
11 diction)” after “foreign commerce”; and

12 (2) by inserting after subsection (g) the fol-
13 lowing:

14 “(h) NON-DEFENSES.—It is not a defense to a pros-
15 ecution under subsection (c), based on illicit sexual con-
16 duct, that the defendant is not criminally liable or is sub-
17 ject to reduced criminal liability due to the de jure or de
18 facto acceptance of the illicit conduct in the foreign juris-
19 diction in which the defendant travels or resides.”.

20 **SEC. 111. REPORT ON INTERNET-FACILITATED HUMAN**
21 **TRAFFICKING.**

22 (a) IN GENERAL.—Not later than January 1, 2013,
23 the Senior Policy Operating Group, in coordination with
24 the Office to Combat Modern Slavery and Other Forms
25 of Human Trafficking of the Department of State, shall

1 submit to Congress a report on Internet-facilitated human
2 trafficking.

3 (b) MATTERS TO BE INCLUDED.—The report shall
4 include the following:

5 (1) Statistics and trends relating to Internet-fa-
6 cilitated human trafficking cases over the last 10
7 years. To the extent possible, the statistics and
8 trends should be broken down by Federal depart-
9 ment and agency handling each case.

10 (2) Factors that impact the prevalence of Inter-
11 net-facilitated trafficking, such as geography, sea-
12 son, and large events.

13 (3) Specific challenges faced by Federal depart-
14 ments and agencies in preventing Internet-facilitated
15 trafficking and prosecuting offenders.

16 (4) Proposals to assist the Federal Government
17 to prevent Internet-facilitated human trafficking. In
18 drafting the proposals, the Senior Policy Operating
19 Group should examine—

20 (A) adoption of cutting-edge technology;

21 (B) collaboration between the private and
22 public sectors;

23 (C) enforcement of current laws;

24 (D) improved information gathering and
25 interdepartmental collaboration; and

1 (E) development of new laws and policies.

2 (c) CONSULTATION.—In preparing the report, the
3 Senior Policy Operating Group should consult with local
4 law enforcement and private-sector and non-profit agen-
5 cies that have demonstrated a commitment to ending
6 Internet-facilitated human trafficking.

7 (d) DEFINITIONS.—In this section—

8 (1) the term “Internet-facilitated human traf-
9 ficking” means the use of the Internet to engage in
10 severe forms of trafficking in persons;

11 (2) the term “Senior Policy Operating Group”
12 means the Senior Policy Operating Group—

13 (A) established under section 105(f) of the
14 Trafficking Victims Protection Act of 2000 (22
15 U.S.C. 7103(f)); and

16 (B) chaired by the Ambassador-at-Large
17 for Combating Human Trafficking; and

18 (3) the term “severe forms of trafficking in per-
19 sons” has the meaning given such term in section
20 103(8) of the Trafficking Victims Protection Act of
21 2000 (22 U.S.C. 7102(8)).

1 **TITLE II—COMBATING TRAF-**
2 **FICKING IN PERSONS IN THE**
3 **UNITED STATES**

4 **Subtitle A—Amendments to the**
5 **Trafficking Victims Protection**
6 **Act of 2000**

7 **SEC. 201. INTERAGENCY TASK FORCE TO MONITOR AND**
8 **COMBAT TRAFFICKING.**

9 (a) APPOINTMENT.—Section 105(b) of the Traf-
10 ficking Victims Protection Act of 2000 (22 U.S.C.
11 7103(b)) is amended by inserting after “Education,” the
12 following: “the Director of the Peace Corps,”.

13 (b) REPORTING REQUIREMENTS FOR THE ATTORNEY
14 GENERAL.—Section 105(d)(7) of the Trafficking Victims
15 Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amend-
16 ed—

17 (1) by redesignating subparagraphs (D)
18 through (J) as subparagraphs (I) through (O);

19 (2) by striking subparagraphs (B) and (C) and
20 inserting the following:

21 “(B) the number of persons who have been
22 granted continued presence in the United
23 States under section 107(c)(3) during the pre-
24 ceding fiscal year and the mean and median
25 time taken to adjudicate applications submitted

1 under such section, including the time from the
2 receipt of an application by law enforcement to
3 the issuance of continued presence, and a de-
4 scription of any efforts being taken to reduce
5 the adjudication and processing time while en-
6 suring the safe and competent processing of the
7 applications;

8 “(C) the number of persons who have ap-
9 plied for, been granted, or been denied a visa or
10 otherwise provided status under subparagraph
11 (T)(i) or (U)(i) of section 101(a)(15) of the Im-
12 migration and Nationality Act (8 U.S.C.
13 1101(a)(15)) during the preceding fiscal year;

14 “(D) the number of persons who have ap-
15 plied for, been granted, or been denied a visa or
16 status under clause (ii) of section
17 101(a)(15)(T) of the Immigration and Nation-
18 ality Act (8 U.S.C. 1101(a)(15)(T)) during the
19 preceding fiscal year, broken down by the num-
20 ber of such persons described in subclauses (I),
21 (II), and (III) of such clause (ii);

22 “(E) the amount of Federal funds ex-
23 pended in direct benefits paid to individuals de-
24 scribed in subparagraph (D) in conjunction
25 with T visa status;

1 “(F) the number of persons who have ap-
2 plied for, been granted, or been denied a visa or
3 status under section 101(a)(15)(U)(i) of the
4 Immigration and Nationality Act (8 U.S.C.
5 1101(a)(15)(U)(i)) during the preceding fiscal
6 year;

7 “(G) the mean and median time in which
8 it takes to adjudicate applications submitted
9 under the provisions of law set forth in sub-
10 paragraph (C), including the time between the
11 receipt of an application and the issuance of a
12 visa and work authorization;

13 “(H) any efforts being taken to reduce the
14 adjudication and processing time, while ensur-
15 ing the safe and competent processing of the
16 applications;”;

17 (3) in subparagraph (N)(iii), as redesignated,
18 by striking “and” at the end;

19 (4) in subparagraph (O), as redesignated, by
20 striking the period at the end and inserting “; and”;
21 and

22 (5) by adding at the end the following:

23 “(P) the activities undertaken by Federal
24 agencies to train appropriate State, tribal, and
25 local government and law enforcement officials

1 to identify victims of severe forms of traf-
2 ficking, including both sex and labor traf-
3 ficking;

4 “(Q) the activities undertaken by Federal
5 agencies in cooperation with State, tribal, and
6 local law enforcement officials to identify, inves-
7 tigate, and prosecute offenses under sections
8 1581, 1583, 1584, 1589, 1590, 1592, and 1594
9 of title 18, United States Code, or equivalent
10 State offenses, including, in each fiscal year—

11 “(i) the number, age, gender, country
12 of origin, and citizenship status of victims
13 identified for each offense;

14 “(ii) the number of individuals
15 charged, and the number of individuals
16 convicted, under each offense;

17 “(iii) the number of individuals re-
18 ferred for prosecution for State offenses,
19 including offenses relating to the pur-
20 chasing of commercial sex acts;

21 “(iv) the number of victims granted
22 continued presence in the United States
23 under section 107(c)(3); and

24 “(v) the number of victims granted a
25 visa or otherwise provided status under

1 subparagraph (T)(i) or (U)(i) of section
2 101(a)(15) of the Immigration and Nation-
3 ality Act (8 U.S.C. 1101(a)(15)); and

4 “(R) the activities undertaken by the De-
5 partment of Justice and the Department of
6 Health and Human Services to meet the spe-
7 cific needs of minor victims of domestic traf-
8 ficking, including actions taken pursuant to
9 subsection (f) and section 202(a) of the Traf-
10 ficking Victims Protection Reauthorization Act
11 of 2005 (42 U.S.C. 14044(a)), and the steps
12 taken to increase cooperation among Federal
13 agencies to ensure the effective and efficient use
14 of programs for which the victims are eligible.”.

15 (c) REPORT ON ACTIVITIES OF GOVERNMENT CON-
16 TRACTORS AND SUBCONTRACTORS.—Section 105(d)(7) of
17 the Trafficking Victims Protection Act of 2000 (22 U.S.C.
18 7103(d)(7)) is amended—

19 (1) in subparagraph (M)(iii), as redesignated by
20 subsection (b), by striking the semicolon at the end
21 and inserting the following: “, including whether—

22 “(I) employee handbooks or
23 handbook equivalents of such govern-
24 ment contractors and subcontractors
25 describe the United States Govern-

1 ment’s zero-tolerance policy regarding
2 trafficking in persons and the actions,
3 up to and including termination, that
4 the employer will take against its em-
5 ployees for violations of the zero-toler-
6 ance policy; and

7 “(II) any employees of such gov-
8 ernment contractors or subcontractors
9 have been disciplined or terminated or
10 prosecuted for violation of the zero-
11 tolerance policy;” and

12 (2) in subparagraph (N)(i), as redesignated by
13 subsection (b), by adding at the end before the semi-
14 colon the following: “, including the extent to which
15 Federal departments and agencies have terminated
16 any contracts of United States Government’s con-
17 tractors or subcontractors based on a trafficking in
18 persons offense and whether any employees of any
19 United States Government’s contractor or subcon-
20 tractor have been disciplined, terminated, or pros-
21 ecuted for violation of the zero-tolerance policy”.

22 (d) REPORT ON ACTIVITIES OF BUREAU OF JUSTICE
23 ASSISTANCE.—Section 105(d)(7) of the Trafficking Vic-
24 tims Protection Act of 2000 (22 U.S.C. 7103(d)(7)), as

1 amended by subsection (b) of this section, is further
2 amended—

3 (1) in subparagraph (N), as redesignated by
4 subsection (b), by striking “and” at the end;

5 (2) in subparagraph (O), as redesignated by
6 subsection (b), by striking the period at the end and
7 inserting “; and”; and

8 (3) by adding the following:

9 “(K) with regard to grant activities of the
10 Bureau of Justice Assistance—

11 “(i) for each human trafficking
12 taskforce whose operations are supported
13 by grants from the Department of Justice,
14 the number of reports of trafficking, inves-
15 tigation of trafficking, T- and U-visa cer-
16 tifications requested and granted in con-
17 nection with instances of trafficking, re-
18 quests for continuation of presence under
19 107(c)(A)(iii) and grants of the same;

20 “(ii) a description of the data de-
21 scribed in clause (i) classified by certain
22 identifying information of each trafficking
23 victim including sex, age, citizenship, and
24 whether that individual was the victim of

1 trafficking for purposes of labor or for
2 commercial sex; and

3 “(iii) an outline of the content of any
4 existing protocols of the human trafficking
5 taskforce for reporting trafficking and
6 points of entry into the criminal investiga-
7 tion and service provision collaboration.”.

8 **SEC. 202. ENSURING TIMELY RESPONSE TO REQUESTS FOR**
9 **CONTINUED PRESENCE.**

10 Section 107(c)(3)(A)(i) of the Trafficking Victims
11 Protection Act of 2000 (22 U.S.C. 7105 (c)(3)(A)(i)) is
12 amended—

13 (1) by inserting “or may be a victim of a severe
14 form of trafficking” before “and may be a potential
15 witness”; and

16 (2) by adding after the period at the end the
17 following: “If a request for continued presence is
18 made to a Federal law enforcement official, such of-
19 ficial shall respond to the request not later than 15
20 days after the date on which such request was made,
21 stating whether the official has filed the application
22 for continued presence with the Secretary of Home-
23 land Security and, if not, whether the official expects
24 to do so. Not later than one month after the date
25 on which such an application is filed, the Secretary

1 of Homeland Security shall approve or deny that ap-
 2 plication.”.

3 **SEC. 203. REPORT TO CONGRESS.**

4 Section 110(b) of the Trafficking Victims Protection
 5 Act of 2000 (7107(b)) is amended by adding at the end
 6 the following:

7 “(5) **ADDITIONAL REPORTING REQUIREMENT.**—

8 In addition to the information required in the an-
 9 nual report under paragraph (1) and the interim re-
 10 port under paragraph (2), the Secretary of State
 11 shall include in each such report a description of ef-
 12 forts of the United States to comply with minimum
 13 standards for the elimination of trafficking.”.

14 **Subtitle B—Amendments to Title**
 15 **18, United States Code**

16 **SEC. 211. RENAMING OF BASIC FEDERAL TRAFFICKING**
 17 **STATUTE.**

18 (a) **IN GENERAL.**—The section heading for section
 19 2422 of title 18, United States Code, is amended by strik-
 20 ing “**Coercion and enticement**” and inserting “**Sex**
 21 **trafficking and related offenses**”.

22 (b) **CLERICAL AMENDMENT.**—The table of sections
 23 at the beginning of chapter 117 of title 18, United States
 24 Code, is amended so that the item relating to section 2422
 25 reads as follows:

“2422. Sex trafficking and related offenses.”.

1 **SEC. 212. CLARIFYING TRAFFICKING DEFINITIONS AND**
2 **PROSECUTION.**

3 (a) IN GENERAL.—The section heading for section
4 1591 of title 18, United States Code, is amended in the
5 section heading, by striking “**Sex trafficking of chil-**
6 **dren or by force, fraud, or coercion**” and insert-
7 ing “**Severe forms of trafficking in persons**”.

8 (b) CLERICAL AMENDMENT.—The table of sections
9 at the beginning of chapter 77 of title 18, United States
10 Code, is amended so that the item relating to section 1591
11 reads as follows:

“1591. Severe forms of trafficking in persons.”.

12 **SEC. 213. FIGHTING SEX TOURISM.**

13 The heading for subsection (d) of section 2423 of title
14 18, United States Code, is amended by striking “**Ancil-**
15 **lary offenses**” and inserting “**Child sex tourism**”.

16 **SEC. 214. IDENTIFICATION DOCUMENTS.**

17 (a) IN GENERAL.—Chapter 77 of title 18, United
18 State Code, is amended by adding at the end the following:

19 “**SEC. 1597. UNLAWFUL CONDUCT WITH RESPECT TO IMMI-**
20 **GRATION DOCUMENTS.**

21 “(a) DESTRUCTION, CONCEALMENT, REMOVAL, CON-
22 FISCATION, OR POSSESSION OF IMMIGRATION DOCU-
23 MENTS.—It shall be unlawful for any person to knowingly
24 destroy, or, for a period of more than 48 hours, conceal,
25 remove, confiscate, or possess, an actual or purported

1 passport, other immigration, or personal identification
2 document of another individual—

3 “(1) in the course of a violation of section 1351
4 of this title or section 274 of the Immigration and
5 Nationality Act (8 U.S.C. 1324);

6 “(2) with intent to violate section 1351 of this
7 title or section 274 of the Immigration and Nation-
8 ality Act (8 U.S.C. 1324); or

9 “(3) in order to, without lawful authority,
10 maintain, prevent, or restrict the labor of services of
11 the individual.

12 “(b) PENALTY.—Whoever violates subsection (a)
13 shall be fined under this title, imprisoned for not more
14 than 1 year, or both.

15 “(c) OBSTRUCTION.—Whoever obstructs, attempts to
16 obstruct, or in any way interferes with or prevents the en-
17 forcement of this section, shall be subject to the penalties
18 described in subsection (b).”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of chapter 77 of title 18, United States
21 Code, is amended by adding at the end the following:

“1597. Unlawful conduct with respect to immigration documents.”.

22 **SEC. 215. FRAUD IN FOREIGN LABOR CONTRACTING AS A**
23 **RICO PREDICATE.**

24 Section 1961 of title 18, United States Code, is
25 amended in paragraph (1)(B) by inserting “section 1351

1 (fraud in foreign labor contracting),” after “section 1344
2 (relating to financial institution fraud),”.

3 **Subtitle C—Amendments to Other**
4 **Laws**

5 **SEC. 221. DOMESTIC MINOR SEX TRAFFICKING DETER-**
6 **RENCE AND VICTIMS SUPPORT.**

7 (a) SENSE OF CONGRESS.—It is the sense of the Con-
8 gress that—

9 (1) the Attorney General should implement
10 changes to the National Crime Information Center
11 database to ensure that—

12 (A) a child entered into the database will
13 be automatically designated as an endangered
14 juvenile if the child has been reported missing
15 not less than 3 times in a 1-year period;

16 (B) the database is programmed to cross-
17 reference newly entered reports with historical
18 records already in the database; and

19 (C) the database is programmed to include
20 a visual cue on the record of a child designated
21 as an endangered juvenile to assist law enforce-
22 ment officers in recognizing the child and pro-
23 viding the child with appropriate care and serv-
24 ices;

1 (2) funds awarded under subpart 1 of part E
2 of title I of the Omnibus Crime Control and Safe
3 Streets Act of 1968 (42 U.S.C. 3750 et seq.) (com-
4 monly known as Byrne Grants) should be used to
5 provide education, training, deterrence, and preven-
6 tion programs relating to sex trafficking of minors;

7 (3) States should—

8 (A) treat minor victims of sex trafficking
9 as crime victims rather than as criminal defend-
10 ants or juvenile delinquents;

11 (B) adopt laws that—

12 (i) establish the presumption that a
13 child under the age of 18 who is charged
14 with a prostitution offense is a minor vic-
15 tim of sex trafficking;

16 (ii) avoid the criminal charge of pros-
17 titution for such a child, and instead con-
18 sider such a child a victim of crime and
19 provide the child with appropriate services
20 and treatment; and

21 (iii) strengthen criminal provisions
22 prohibiting the purchasing of commercial
23 sex acts, especially with minors; and

24 (C) amend State statutes and regula-
25 tions—

1 (i) relating to crime victim compensa-
2 tion to make eligible for such compensation
3 any individual who is a victim of sex traf-
4 ficking as defined in section 1591(a) of
5 title 18, United States Code, or a com-
6 parable State law against commercial sex-
7 ual exploitation of children, and who would
8 otherwise be ineligible for such compensa-
9 tion due to participation in prostitution ac-
10 tivities because the individual is deter-
11 mined to have contributed to, consented to,
12 benefitted from, or otherwise participated
13 as a party to the crime for which the indi-
14 vidual is claiming injury; and

15 (ii) relating to law enforcement re-
16 porting requirements to provide for excep-
17 tions to such requirements for victims of
18 sex trafficking in the same manner as ex-
19 ceptions are provided to victims of domes-
20 tic violence or related crimes; and

21 (4) demand for commercial sex with sex traf-
22 ficking victims must be deterred through consistent
23 enforcement of criminal laws against purchasing
24 commercial sex.

1 (b) IN GENERAL.—Section 202 of the Trafficking
2 Victims Protection Reauthorization Act of 2005 (42
3 U.S.C. 14044a) is amended to read as follows:

4 **“SEC. 202. ESTABLISHMENT OF A GRANT PROGRAM TO DE-**
5 **VELOP, EXPAND, AND STRENGTHEN ASSIST-**
6 **ANCE PROGRAMS FOR CERTAIN PERSONS**
7 **SUBJECT TO TRAFFICKING.**

8 “(a) DEFINITIONS.—In this section—

9 “(1) the term ‘Assistant Attorney General’
10 means the Assistant Attorney General for the Office
11 of Justice Programs of the Department of Justice;

12 “(2) the term ‘eligible entity’ means a State or
13 unit of local government that—

14 “(A) has significant criminal activity in-
15 volving sex trafficking of minors;

16 “(B) has demonstrated cooperation be-
17 tween State and local law enforcement agencies,
18 prosecutors, and social service providers in ad-
19 dressing sex trafficking of minors;

20 “(C) has developed a workable, multi-dis-
21 ciplinary plan to combat sex trafficking of mi-
22 nors, including—

23 “(i) the establishment of a shelter for
24 minor victims of sex trafficking, through
25 existing or new facilities;

1 “(ii) the provision of rehabilitative
2 care to minor victims of sex trafficking;

3 “(iii) the provision of specialized
4 training for law enforcement officers and
5 social service providers for all forms of sex
6 trafficking, with a focus on sex trafficking
7 of minors;

8 “(iv) prevention, deterrence, and pros-
9 ecution of offenses involving sex trafficking
10 of minors;

11 “(v) cooperation or referral agree-
12 ments with organizations providing out-
13 reach or other related services to runaway
14 and homeless youth; and

15 “(vi) law enforcement protocols or
16 procedures to screen all individuals ar-
17 rested for prostitution, whether adult or
18 minor, for victimization by sex trafficking
19 and by other crimes, such as sexual assault
20 and domestic violence;

21 “(D) has a victim certification process for
22 eligibility and access to State-administered
23 medical care to ensure that minor victims of sex
24 trafficking who are not eligible for interim as-
25 sistance under section 107(b)(1)(F) of the

1 Trafficking Victims Protection Act of 2000 (22
2 U.S.C. 7105(b)(1)(F)) are granted eligibility
3 for, and have access to, State-administered
4 medical care immediately upon certification as
5 such a victim, or as soon as practicable there-
6 after but not later than the period determined
7 by the Assistant Attorney General in consulta-
8 tion with the Assistant Secretary for Children
9 and Families of the Department of Health and
10 Human Services; and

11 “(E) provides an assurance that, under the
12 plan under subparagraph (C), a minor victim of
13 sex trafficking shall not be required to collabo-
14 rate with law enforcement to have access to any
15 shelter or services provided with a grant under
16 this section;

17 “(3) the term ‘minor victim of sex trafficking’
18 means an individual who is—

19 “(A) under the age of 18 years old, and is
20 a victim of an offense described in section
21 1591(a) of title 18, United States Code, or a
22 comparable State law; or

23 “(B) at least 18 years old but not more
24 than 20 years old, and who, on the day before
25 the individual attained 18 years of age, was de-

1 scribed in subparagraph (A) and was receiving
2 shelter or services as a minor victim of sex traf-
3 ficking;

4 “(4) the term ‘qualified non-governmental orga-
5 nization’ means an organization that—

6 “(A) is not a State or unit of local govern-
7 ment, or an agency of a State or unit of local
8 government;

9 “(B) has demonstrated experience pro-
10 viding services described in paragraph (3)(B) to
11 victims of sex trafficking or related populations
12 (such as runaway and homeless youth), or em-
13 ploys staff specialized in the treatment of sex
14 trafficking victims; and

15 “(C) demonstrates a plan to sustain the
16 provision of services beyond the period of a
17 grant awarded under this section; and

18 “(5) the term ‘sex trafficking of a minor’ means
19 an offense described in subsection (a) of section
20 1591 of title 18, United States Code, the victim of
21 which is a minor.

22 “(b) GRANTS AUTHORIZED.—

23 “(1) IN GENERAL.—The Assistant Attorney
24 General, in consultation with the Assistant Secretary
25 for Children and Families of the Department of

1 Health and Human Services, is authorized to award
2 block grants to not more than 6 eligible entities in
3 different regions of the United States to combat sex
4 trafficking, and not fewer than 1 of the block grants
5 shall be awarded to an eligible entity with a State
6 population of less than 5,000,000.

7 “(2) GRANT AMOUNT.—Subject to the avail-
8 ability of appropriations under subsection (f) to
9 carry out this subsection, each grant awarded under
10 this subsection shall be for an amount not less than
11 \$1,500,000 and not greater than \$2,000,000.

12 “(3) DURATION.—

13 “(A) IN GENERAL.—A grant awarded
14 under this section shall be for a period of 1
15 year.

16 “(B) RENEWAL.—

17 “(i) IN GENERAL.—The Assistant At-
18 torney General may renew a grant under
19 this section for two 1-year periods.

20 “(ii) PRIORITY.—In awarding grants
21 in any fiscal year after the first fiscal year
22 in which grants are awarded under this
23 section, the Assistant Attorney General
24 shall give priority to applicants that re-
25 ceived a grant in the preceding fiscal year

1 and are eligible for renewal under this sub-
2 paragraph, taking into account any evalua-
3 tion of such applicant conducted pursuant
4 to subsection (e), if available.

5 “(4) CONSULTATION.—In carrying out this sub-
6 section, consultation by the Assistant Attorney Gen-
7 eral with the Assistant Secretary for Children and
8 Families of the Department of Health and Human
9 Services shall include consultation with respect to
10 grantee evaluations, the avoidance of unintentional
11 duplication of grants, and any other areas of shared
12 concern.

13 “(c) USE OF FUNDS.—

14 “(1) ALLOCATION.—For each grant awarded
15 under subsection (b)—

16 “(A) not less than 50 percent of the funds
17 shall be used by the eligible entity to provide
18 shelter and services (as described in subpara-
19 graphs (A) through (D) of paragraph (2)) to
20 minor victims of sex trafficking through quali-
21 fied nongovernmental organizations; and

22 “(B) not less than 10 percent of the funds
23 shall be awarded by the eligible entity to one or
24 more qualified nongovernmental organizations
25 with annual revenues of less than \$750,000, to

1 provide services to minor victims of sex traf-
2 ficking or training for service providers related
3 to sex trafficking of minors.

4 “(2) AUTHORIZED ACTIVITIES.—Grants award-
5 ed pursuant to subsection (b) may be used for—

6 “(A) providing shelter to minor victims of
7 trafficking, including temporary or long-term
8 placement as appropriate;

9 “(B) providing 24-hour emergency social
10 services response for minor victims of sex traf-
11 ficking;

12 “(C) providing minor victims of sex traf-
13 ficking with clothing and other daily necessities
14 needed to keep such victims from returning to
15 living on the street;

16 “(D) case management services for minor
17 victims of sex trafficking;

18 “(E) mental health counseling for minor
19 victims of sex trafficking, including specialized
20 counseling and substance abuse treatment;

21 “(F) legal services for minor victims of sex
22 trafficking;

23 “(G) specialized training for law enforce-
24 ment personnel and social service providers,

1 specific to issues related to sex trafficking, in-
2 cluding sex trafficking of minors;

3 “(H) funding salaries, in whole or in part,
4 for law enforcement officers, including patrol
5 officers, detectives, and investigators, except
6 that the percentage of the salary of the law en-
7 forcement officer paid for by funds from a
8 grant awarded under subsection (b) shall not be
9 more than the percentage of the officer’s time
10 on duty that is dedicated to working on cases
11 involving sex trafficking of minors;

12 “(I) funding salaries for State and local
13 prosecutors, including assisting in paying trial
14 expenses for prosecution of sex trafficking of-
15 fenders;

16 “(J) investigation expenses for cases in-
17 volving sex trafficking of minors, including—

18 “(i) wire taps;

19 “(ii) consultants with expertise spe-
20 cific to cases involving sex trafficking of
21 minors;

22 “(iii) travel; and

23 “(iv) any other technical assistance
24 expenditures;

1 “(K) outreach and education programs to
2 provide information about deterrence and pre-
3 vention of sex trafficking of minors; and

4 “(L) start up costs for self-sustaining pro-
5 grams to provide treatment to individuals
6 charged or cited with purchasing or attempting
7 to purchase sex acts in cases where—

8 “(i) a treatment program can be man-
9 dated as a condition of a sentence, fine,
10 suspended sentence, or probation, or is an
11 appropriate alternative to criminal prosecu-
12 tion; and

13 “(ii) the individual was not charged
14 with purchasing or attempting to purchase
15 sex acts with a minor.

16 “(3) PROHIBITED ACTIVITIES.—Grants award-
17 ed pursuant to paragraph (2) shall not be used for
18 medical care (as defined in section 2791(a)(2) of the
19 Public Health Service Act (42 U.S.C. 300gg–91)),
20 except that grants may be used for mental health
21 counseling as authorized under paragraph (2)(E).

22 “(d) APPLICATION.—

23 “(1) IN GENERAL.—Each eligible entity desir-
24 ing a grant under this Act shall submit an applica-
25 tion to the Assistant Attorney General at such time,

1 in such manner, and accompanied by such informa-
2 tion as the Assistant Attorney General may reason-
3 ably require.

4 “(2) CONTENTS.—Each application submitted
5 pursuant to paragraph (1) shall—

6 “(A) describe the activities for which as-
7 sistance under this section is sought; and

8 “(B) provide such additional assurances as
9 the Assistant Attorney General determines to
10 be essential to ensure compliance with the re-
11 quirements of this Act.

12 “(e) EVALUATION.—The Assistant Attorney General
13 shall, in consultation with the Comptroller General of the
14 United States, enter into a contract with an academic or
15 non-profit organization that has experience in issues re-
16 lated to sex trafficking of minors and evaluation of grant
17 programs to conduct an annual evaluation of grants made
18 under this section to determine the impact and effective-
19 ness of programs funded with grants awarded under sub-
20 section (b).

21 “(f) AUTHORIZATION OF APPROPRIATIONS.—For
22 each of the fiscal years 2014 through 2017, there are au-
23 thorized to be appropriated \$8,000,000 to the Attorney
24 General to carry out the provisions of this section.”.

25 (c) REPORTING REQUIREMENTS.—

1 (1) REPORTING REQUIREMENT FOR STATE
2 CHILD WELFARE AGENCIES.—

3 (A) REQUIREMENT FOR STATE CHILD
4 WELFARE AGENCIES TO REPORT CHILDREN
5 MISSING OR ABDUCTED.—Section 471(a) of the
6 Social Security Act (42 U.S.C. 671(a)) is
7 amended—

8 (i) in paragraph (32), by striking
9 “and” after the semicolon;

10 (ii) in paragraph (33), by striking the
11 period and inserting “; and”; and

12 (iii) by inserting after paragraph (33)
13 the following:

14 “(34) provides that the State has in effect pro-
15 cedures that require the State agency to promptly
16 report information on missing or abducted children
17 to the law enforcement authorities for entry into the
18 National Crime Information Center (NCIC) data-
19 base of the Federal Bureau of Investigation, estab-
20 lished pursuant to section 534 of title 28, United
21 States Code.”.

22 (B) REGULATIONS.—The Secretary of
23 Health and Human Services shall promulgate
24 regulations implementing the amendments
25 made by subparagraph (A). The regulations

1 promulgated under this subsection shall include
2 provisions to withhold Federal funds from any
3 State that fails to substantially comply with the
4 requirement imposed under the amendments
5 made by subparagraph (A).

6 (C) EFFECTIVE DATE.—The amendment
7 made by subparagraph (A) shall take effect on
8 the date that is 6 months after the date of the
9 enactment of this Act, without regard to wheth-
10 er final regulations required under subpara-
11 graph (B) have been promulgated.

12 (2) ANNUAL STATISTICAL SUMMARY.—Section
13 3701(e) of the Crime Control Act of 1990 (42
14 U.S.C. 5779(e)) is amended by inserting “, which
15 shall include the total number of reports received
16 and the total number of entries made to the Na-
17 tional Crime Information Center (NCIC) database of
18 the Federal Bureau of Investigation, established
19 pursuant to section 534 of title 28, United States
20 Code.” after “this title”.

21 (3) STATE REPORTING.—Section 3702 of the
22 Crime Control Act of 1990 (42 U.S.C. 5780) is
23 amended in paragraph (4)—

24 (A) by striking “(2)” and inserting “(3)”;

1 (B) in subparagraph (A), by inserting “,
2 and a photograph taken within the previous
3 180 days” after “dental records”;

4 (C) in subparagraph (B), by striking
5 “and” after the semicolon;

6 (D) by redesignating subparagraph (C) as
7 subparagraph (D); and

8 (E) by inserting after subparagraph (B)
9 the following:

10 “(C) notify the National Center for Miss-
11 ing and Exploited Children of each report re-
12 ceived relating to a child reported missing from
13 a foster care family home or childcare institu-
14 tion; and”.

15 **SEC. 222. ENHANCING EFFORTS TO COMBAT THE TRAF-**
16 **FICKING OF CHILDREN.**

17 (a) **COMBATING CHILD TRAFFICKING AT THE BOR-**
18 **DER AND PORTS OF ENTRY OF THE UNITED STATES.—**

19 (1) Section 235(a)(2)(A) of the William Wilber-
20 force Trafficking Victims Protection Reauthorization
21 Act of 2008 (8 U.S.C. 1232(a)(2)(A)) is amended—

22 (A) in clause (ii), by striking “and” at the
23 end;

24 (B) in clause (iii), by striking the period at
25 the end and inserting “; and”; and

1 (C) by adding at the end the following:

2 “(iv) the return of such child to the
3 child’s country of nationality or of last ha-
4 bitual residence would not endanger the
5 life or safety of such child.”.

6 (2) Section 235(a)(4) of the William Wilber-
7 force Trafficking Victims Protection Reauthorization
8 Act of 2008 (8 U.S.C. 1232(a)(4)) is amended—

9 (A) by inserting “To the extent feasible,
10 unaccompanied alien children should be housed
11 and screened by an immigration officer with ex-
12 pertise in child welfare in separate child-friend-
13 ly facilities conducive to disclosing information
14 related to human trafficking or exploitation.”
15 before “If the child does not meet such cri-
16 teria”; and

17 (B) by adding at the end the following: “In
18 the course of building or remodeling existing
19 immigration facilities, consideration should be
20 given to including separate child-friendly space
21 conducive to disclosing information relating to
22 human trafficking or exploitation.”.

23 (3) Section 235(a)(5) of the William Wilber-
24 force Trafficking Victims Protection Reauthorization

1 Act of 2008 (8 U.S.C. 1232(a)(5)) is amended by
2 adding at the end the following:

3 “(E) REPORT TO CONGRESS.—Not later
4 than 180 days after the date of enactment of
5 the Trafficking Victims Protection Reauthoriza-
6 tion Act of 2011, and annually thereafter, the
7 Secretary of Homeland Security, in consultation
8 with the Secretary of Health and Human Serv-
9 ices and Secretary of State, shall report to Con-
10 gress the following:

11 “(i) The number of alien children en-
12 countered by U.S. Customs and Border
13 Protection.

14 “(ii) The number of alien children
15 screened for severe forms of human traf-
16 ficking.

17 “(iii) Whether the screening was con-
18 ducted by an individual with expertise in
19 child welfare.

20 “(iv) How many of these children
21 were repatriated and how many were di-
22 verted into services.”.

23 (b) COMBATING CHILD TRAFFICKING AND EXPLOI-
24 TATION IN THE UNITED STATES.—Section 235(b)(2) of
25 the William Wilberforce Trafficking Victims Protection

1 Reauthorization Act of 2008 (8 U.S.C. 1232(b)(2)) is
2 amended by striking “within 48 hours” and inserting
3 “within 24 hours”.

4 (c) PROVIDING SAFE AND SECURE PLACEMENTS FOR
5 CHILDREN.—

6 (1) Section 235(c)(2) of the William Wilber-
7 force Trafficking Victims Protection Reauthorization
8 Act of 2008 (8 U.S.C. 1232(c)(2)) is amended by
9 adding at the end the following: “The Secretary of
10 Homeland Security shall either release, pursuant to
11 the Secretary’s sole discretion, or place in the least
12 restrictive setting an alien who—”

13 “(A) has been placed under this paragraph
14 as a child;

15 “(B) has demonstrated that he or she is
16 not a danger to the community or a flight risk;
17 and

18 “(C) has become ineligible, by reason of
19 age, for placement as a child.”.

20 (2) Section 235(c)(3)(B) of the William Wilber-
21 force Trafficking Victims Protection Reauthorization
22 Act of 2008 (8 U.S.C. 1232(c)(3)(B)) is amended by
23 striking “shall conduct follow-up services” and all
24 that follows through “for whom a home study was
25 conducted” and inserting the following: “shall pro-

1 vide at least 1 visit for follow-up services on all chil-
2 dren not later than 45 days after placement,”.

3 **SEC. 223. IMPROVING LOCAL EFFORTS TO COMBAT TRAF-**
4 **FICKING AND SEXUAL EXPLOITATION OF**
5 **CHILDREN.**

6 Section 471(a) of the Social Security Act (42 U.S.C.
7 671(a)) is amended—

8 (1) in paragraph (32), by striking “and” at the
9 end;

10 (2) in paragraph (33), by striking the period at
11 the end and inserting “; and”; and

12 (3) by adding at the end the following:

13 “(34) not later than January 1, 2013, describes
14 State child welfare existing practice and any future
15 plans regarding prevention measures and victim as-
16 sistance related to the human trafficking and com-
17 mercial sexual exploitation of foreign, United States
18 citizen and legal resident children including—

19 “(A) collaborations with local and State
20 agencies and non-profit organizations to iden-
21 tify and care for children believed or confirmed
22 to be, or at-risk of becoming victims of a severe
23 form of human trafficking;

1 “(B) training for the child welfare employ-
2 ees who are likely to come into contact with
3 child victims of human trafficking;

4 “(C) jurisdictional limits and other issues
5 that hinder State child welfare response to aid
6 child victims of human trafficking;

7 “(D) data collection regarding children
8 identified by child welfare services as victims of
9 trafficking and, if known, relationship to ex-
10 ploiter; and

11 “(E) prevention education to families and
12 at-risk children, including runaway and home-
13 less youth, regarding human trafficking and
14 commercial sexual exploitation.”.

15 **SEC. 224. EFFORTS TO PUBLICIZE THE NATIONAL HUMAN**
16 **TRAFFICKING RESOURCE CENTER HOTLINE.**

17 (a) **TASK FORCE ACTIVITIES.**—Section 105(d)(6) of
18 the Trafficking Victims Protection Act of 2000 (22 U.S.C.
19 7103(d)(6)) is amended by inserting “, and make reason-
20 able efforts to distribute information to enable all relevant
21 Federal Government agencies to publicize the National
22 Human Trafficking Resource Center Hotline on their
23 websites, in all headquarters offices, and in all field offices
24 throughout the United States” before the period at the
25 end.

1 (b) GRANTEE HOTLINE INFORMATION.—The Attor-
2 ney General shall consult with the Secretary of Health and
3 Human Services to make reasonable efforts to distribute
4 information to enable grantees under section 107(b) of the
5 Trafficking Victims Protection Act of 2000 to publicize
6 the National Human Trafficking Resource Center hotline
7 on their Web sites, within the program’s headquarters as
8 well as field offices across the United States.

9 (c) HOTLINE INFORMATION.—

10 (1) IN GENERAL.—The Secretary of Health and
11 Human Services, in coordination with the Attorney
12 General, shall make reasonable efforts to encourage
13 States to adopt legislation to raise public awareness
14 of the National Human Trafficking Resource Center
15 hotline in every mandated establishment where vic-
16 tims of human trafficking may possibly work or
17 visit.

18 (2) POSTING OF MODEL HOTLINE INFORMA-
19 TION.—The legislation described in paragraph (1)
20 should include a requirement that information relat-
21 ing to the National Human Trafficking Resource
22 Center hotline be posted in accordance with the fol-
23 lowing specifications:

24 (A) POSTER LOCATION.—The poster
25 should be publicly displayed in a conspicuous

1 place near the entrance of mandated establish-
2 ments or where such posters and notices are
3 customarily posted in such establishments.

4 (B) POSTER SPECIFICATIONS.—The poster
5 should be no smaller than 8½ by 11 inches in
6 size and state the following: “If you or someone
7 you know is being forced to engage in any activ-
8 ity and cannot leave—whether it is commercial
9 sex, housework, farm work, or any other activ-
10 ity—call the National Human Trafficking Re-
11 source Center Hotline at 1-888-373-7888 to
12 access help and services. Victims of human traf-
13 ficking are protected under United States and
14 State law. The Hotline is: Available 24 hours a
15 day, 7 days a week. Toll-free. Operated by a
16 non-profit, nongovernmental organization.
17 Anonymous & Confidential. Accessible in 170
18 languages. Able to provide help, referral to serv-
19 ices, training, and general information.”.

20 (C) LANGUAGES.—The poster should be
21 printed in English, Spanish, and any other lan-
22 guages required by the Voting Rights Act in the
23 county in which the poster will be posted.

24 (D) NOTICE.—The licensing authority
25 should provide each mandated establishment

1 with notice of this section and with the required
2 poster upon licensing and should place the post-
3 er on its public Web site for mandated estab-
4 lishments to print as needed.

5 (3) DEFINITION OF MANDATED ESTABLISH-
6 MENT.—For purposes of this section, a “mandated
7 establishment” means—

8 (A) a massage parlor, spa, or other similar
9 establishment;

10 (B) an establishment that receives a liquor
11 license;

12 (C) a strip club or other sexually oriented
13 business;

14 (D) a restaurant;

15 (E) an airport;

16 (F) a train station;

17 (G) a bus station;

18 (H) a highway truck stop;

19 (I) a highway rest stop;

20 (J) a hospital, HMO, or urgent care cen-
21 ter;

22 (K) a farm;

23 (L) a high school; or

24 (M) a job recruitment center.

1 **TITLE III—AUTHORIZATION OF**
2 **APPROPRIATIONS**

3 **SEC. 301. TRAFFICKING VICTIMS PROTECTION ACT OF 2000.**

4 (a) HUMAN SMUGGLING AND TRAFFICKING CEN-
5 TER.—Section 112A(b)(4) of the Trafficking Victims Pro-
6 tection Act of 2000 (22 U.S.C. 7109a(b)(4)) is amend-
7 ed—

8 (1) by striking “\$2,000,000” and inserting
9 “\$1,000,000”; and

10 (2) by striking “fiscal years 2008 through
11 2011” and inserting “fiscal years 2014 through
12 2017”.

13 (b) AUTHORIZATIONS OF APPROPRIATIONS.—

14 (1) Section 113 of the Trafficking Victims Pro-
15 tection Act of 2000 (22 U.S.C. 7110) is amended—

16 (A) in subsection (a)—

17 (i) in the first sentence—

18 (I) by striking “104,”; and

19 (II) by striking “fiscal years
20 2008 through 2011” and inserting
21 “fiscal years 2014 through 2017”;

22 and

23 (ii) in the second sentence—

1 (I) by striking “fiscal years 2008
2 through 2011” and inserting “fiscal
3 years 2014 through 2017”; and

4 (II) by striking “, and \$3,000 for
5 official reception and presentation ex-
6 penses”;

7 (B) in subsection (b)—

8 (i) in paragraph (1)—

9 (I) by striking “fiscal years 2008
10 through 2011” and inserting “fiscal
11 years 2014 through 2017”; and

12 (II) by adding at the end the fol-
13 lowing: “Of the amount made avail-
14 able to carry out the purposes of sec-
15 tion 107(b) for a fiscal year, not less
16 than two-thirds of such amount shall
17 be used to provide services for victims
18 under such section.”; and

19 (ii) in paragraph (2), by striking
20 “Secretary of Health and Human Serv-
21 ices” and all that follows and inserting
22 “Secretary of Health and Human Services
23 \$7,000,000 for each of the fiscal years
24 2014 through 2017.”;

25 (C) in subsection (c)(1)—

1 (i) in subparagraph (A), by striking
2 “fiscal years 2008 through 2011” and in-
3 sserting “fiscal years 2014 through 2017”;

4 (ii) in subparagraph (B), by striking
5 “fiscal years 2008 through 2011” each
6 place it appears and inserting “fiscal years
7 2014 through 2017”; and

8 (iii) in subparagraph (C), by striking
9 “fiscal years 2008 through 2011” and in-
10 sserting “fiscal years 2014 through 2017”;
11 (D) in subsection (d)—

12 (i) by redesignating subparagraphs
13 (A) through (C) as paragraphs (1) through
14 (3), respectively;

15 (ii) in paragraph (1) (as redesign-
16 ated), by striking “fiscal years 2008
17 through 2011” and inserting “fiscal years
18 2014 through 2017”; and

19 (iii) in paragraph (3) (as redesign-
20 ated), by striking “Attorney General” and
21 all that follows and inserting “Attorney
22 General \$7,000,000 for each of the fiscal
23 years 2014 through 2017.”;

24 (E) in subsection (e)—

1 (i) in paragraph (1), by striking
2 “\$15,000,000 for each of the fiscal years
3 2008 through 2011” and inserting
4 “\$7,500,000 for each of the fiscal years
5 2014 through 2017”; and

6 (ii) in paragraph (2), by striking
7 “\$15,000,000 for each of the fiscal years
8 2008 through 2011” and inserting
9 “\$7,500,000 for each of the fiscal years
10 2014 through 2017”;

11 (F) in subsection (f), by striking
12 “\$10,000,000 for each of the fiscal years 2008
13 through 2011” and inserting “\$5,000,000 for
14 each of the fiscal years 2014 through 2017”;
15 and

16 (G) in subsection (i), by striking
17 “\$18,000,000 for each of the fiscal years 2008
18 through 2011” and inserting “\$10,000,000 for
19 each of the fiscal years 2014 through 2017”.

20 **SEC. 302. TRAFFICKING VICTIMS PROTECTION REAUTHOR-**
21 **IZATION ACT OF 2005.**

22 Section 204(d) of the Trafficking Victims Protection
23 Reauthorization Act of 2005 (42 U.S.C. 14044c(d)) is
24 amended by striking “\$20,000,000 for each of the fiscal

1 years 2008 through 2011” and inserting “\$10,000,000 for
2 each of the fiscal years 2014 through 2017”.

3 **SEC. 303. ELIGIBILITY FOR ASSISTANCE.**

4 (a) PROHIBITION AGAINST DISCRIMINATION.—

5 (1) IN GENERAL.—An organization, including a
6 faith-based organization, that is otherwise eligible to
7 receive assistance under any provision of law ref-
8 erenced in subsection (d) shall not be—

9 (A) required, as a condition of receiving
10 such assistance, to endorse, utilize, provide,
11 make a referral to, become integrated with, or
12 otherwise participate in any program, project,
13 or activity to which the organization has a reli-
14 gious or moral objection; or

15 (B) discriminated against in the sollicita-
16 tion or issuance of grants, contracts, coopera-
17 tive agreements, or other Federal funding
18 under any provision of law referenced in sub-
19 section (d) for refusing to meet any require-
20 ments described in subparagraph (A).

21 (2) RULE OF CONSTRUCTION.—Nothing in this
22 subsection shall be construed to prohibit the Federal
23 Government from making alternative arrangements
24 for any program, project, or activity to which an or-

1 ganization has a moral or religious objection, if such
2 arrangements—

3 (A) do not violate the provisions of para-
4 graph (1); and

5 (B) are not made for any program, project,
6 or activity for which Federal funding is other-
7 wise prohibited.

8 (b) REMEDIES.—

9 (1) IN GENERAL.—The courts of the United
10 States shall have jurisdiction to prevent and redress
11 actual or threatened violations of this section by
12 issuing any form of legal or equitable relief, includ-
13 ing—

14 (A) injunctions prohibiting conduct that
15 violates this section; and

16 (B) orders preventing the disbursement of
17 all or a portion of Federal financial assistance
18 to a specific offending department, agency, or
19 program, project, or activity until such time as
20 the conduct prohibited by this section has
21 ceased.

22 (2) COMMENCEMENT OF ACTION.—An action
23 under this section may be instituted by—

1 (A) any organization that has standing to
2 complain of an actual or threatened violation of
3 this section; or

4 (B) the Attorney General of the United
5 States.

6 (3) RELATION TO ADMINISTRATIVE REM-
7 EDIES.—A party may commence or continue an ac-
8 tion and obtain relief under this subsection without
9 regard to whether a complaint under subsection (c)
10 has been filed or is pending.

11 (c) ADMINISTRATION.—The President shall designate
12 an official within each Federal department or agency that
13 receives funding to carry out any provision of law ref-
14 erenced in subsection (d)—

15 (1) to receive complaints alleging a violation of
16 this section; and

17 (2) to pursue the investigation of such com-
18 plaints, in coordination with the Attorney General.

19 (d) PROVISIONS OF LAW.—The provisions of law ref-
20 erenced in this subsection are the following:

21 (1) This Act or any amendment made by this
22 Act.

23 (2) The Trafficking Victims Protection Act of
24 2000.

1 (3) The Trafficking Victims Protection Reau-
2 thorization Act of 2005.

3 (4) The William Wilberforce Trafficking Vic-
4 tims Protection Reauthorization Act of 2008.

5 **SEC. 304. REPORTING REQUIREMENT.**

6 Not later than March 31 of 2014 through 2017, the
7 President shall submit to Congress a report for the prior
8 fiscal year that shall include—

9 (1) the amount of appropriations that each de-
10 partment or agency for which such appropriations
11 were authorized under the Trafficking Victims Pro-
12 tection Act of 2000 or the Trafficking Victims Pro-
13 tection Reauthorization Act of 2005 directed to ac-
14 tivities described in such Acts;

15 (2) a list of the activities funded through the
16 appropriations identified in paragraph (1), including
17 the responsible department or agency and the sec-
18 tion of the Trafficking Victims Protection Act of
19 2000 or the Trafficking Victims Protection Reau-
20 thorization Act of 2005 that authorizes such activ-
21 ity; and

22 (3) the appropriations account from which each
23 activity described in paragraph (2) was funded and

- 1 the amount contributed from such account for each
- 2 activity.

○