

118TH CONGRESS
1ST SESSION

S. 959

To amend the Justice for Victims of Trafficking Act of 2015 to require abortion providers to notify the National Human Trafficking Hotline of victims of trafficking, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 23, 2023

Mr. BUDD (for himself, Mr. SCOTT of Florida, Mr. MARSHALL, Mr. RISCH, Mr. RUBIO, Mr. LANKFORD, Mrs. HYDE-SMITH, and Mr. HAWLEY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Justice for Victims of Trafficking Act of 2015 to require abortion providers to notify the National Human Trafficking Hotline of victims of 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stopping Traffickers
5 and Their Accomplices Act of 2023”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Slavery and involuntary servitude are in-
2 compatible with the society and law of the United
3 States.

4 (2) The 13th Amendment to the Constitution of
5 the United States abolished legal slavery and invol-
6 untary servitude in the United States.

7 (3) Despite slavery being abolished in 1865,
8 modern forms of slavery still exist throughout the
9 United States.

10 (4) Every year, hundreds of thousands of peo-
11 ple of the United States and immigrants are coerced
12 into commercial sex acts against their will.

13 (5) In addition to sexual exploitation, victims of
14 trafficking suffer repeated physical, mental, and
15 emotional abuse at the hands of their traffickers.

16 (6) Abortion providers and facilities aid sex
17 traffickers by turning a blind eye to the plight of
18 abused women.

19 (7) The Department of State's 2017 Traf-
20 ficking in Persons Report indicated that sex traf-
21 fickers coerce women into receiving abortions against
22 their will.

23 (8) Research conducted by Laura J. Lederer
24 and Christopher A. Wetzel entitled "The Health
25 Consequences of Sex Trafficking and Their Implica-

1 tions for Identifying Victims in Healthcare Facili-
2 ties” and published in the *Annals of Health Law*
3 *Journal* indicated that 71 percent of women coerced
4 into commercial sex acts reported at least 1 preg-
5 nancy, and 21 percent reported 5 or more preg-
6 nancies while being trafficked.

7 (9) Lederer and Wetzel’s research found that
8 almost a third of trafficked women reported under-
9 going numerous abortions as victims of trafficking.
10 More than half of respondents answered that their
11 abortion while a victim of sex trafficking was a re-
12 sult of coercion. One victim of sex trafficking re-
13 counted, “[in most of my 6 abortions], I was under
14 serious pressure from my pimps to abort the ba-
15 bies”.

16 (10) A moral obligation exists to report sus-
17 pected instances of sex trafficking to authorities.

18 (11) Section 2 of the 13th Amendment to the
19 Constitution of the United States empowers Con-
20 gress to enact appropriate legislation to combat all
21 forms of slavery and involuntary servitude, including
22 forced sex trafficking.

1 **SEC. 3. COMBAT HUMAN TRAFFICKING.**

2 Section 114 of the Justice for Victims of Trafficking
3 Act of 2015 (34 U.S.C. 20709) is amended by adding at
4 the end the following:

5 “(g) NATIONAL HUMAN TRAFFICKING HOTLINE NO-
6 TIFICATION BY ABORTION PROVIDERS.—

7 “(1) DEFINITIONS.—In this subsection:

8 “(A) ABORTION PROVIDER.—The term
9 ‘abortion provider’ means a person who per-
10 forms an abortion, including by providing to a
11 pregnant woman a drug that induces abortion.

12 “(B) VICTIM OF TRAFFICKING.—The term
13 ‘victim of trafficking’ has the meaning given the
14 term in section 103 of the Trafficking Victims
15 Protection Act of 2000 (22 U.S.C. 7102).

16 “(2) REQUIREMENT.—

17 “(A) NOTIFICATION TO NATIONAL HUMAN
18 TRAFFICKING HOTLINE.—Not later than 24
19 hours after consulting with a patient, an abor-
20 tion provider shall notify the National Human
21 Trafficking Hotline if the provider has a rea-
22 sonable suspicion that the patient is a victim of
23 trafficking.

24 “(B) REPORT TO ATTORNEY GENERAL
25 AND LOCAL LAW ENFORCEMENT.—

1 “(i) NOTIFICATION TO ATTORNEY
2 GENERAL.—Not later than 24 hours after
3 an abortion provider notifies the national
4 human trafficking hotline under subpara-
5 graph (A), the Secretary of Health and
6 Human Services shall notify the Attorney
7 General of the notification.

8 “(ii) NOTIFICATION TO LAW EN-
9 FORCEMENT AGENCIES.—Not later than
10 24 hours after receipt of a notification
11 from the Secretary of Health and Human
12 Services under clause (i), the Attorney
13 General shall notify the appropriate State
14 and local law enforcement agencies.

15 “(C) PENALTY.—An abortion provider who
16 violates subparagraph (A) shall be fined
17 \$10,000 for each violation, imprisoned not more
18 than 6 months, or both.

19 “(3) TRAINING.—

20 “(A) AVAILABILITY.—The Secretary of
21 Health and Human Services shall make avail-
22 able to abortion providers the training entitled
23 ‘Foundational (101) Human Trafficking
24 Trainings—SOAR For Health Care’ (or any
25 substantially similar successor training).

1 “(B) REQUIREMENT.—On an annual basis
2 and not later than January 30 of each year,
3 each abortion provider shall—

4 “(i) require each employee of the
5 abortion provider to complete the training
6 provided under subparagraph (A);

7 “(ii) submit to the Director of the Of-
8 fice on Trafficking in Persons of the De-
9 partment of Health and Human Services a
10 certification of the completion of the train-
11 ing required under clause (i); and

12 “(iii) include in the certification re-
13 quired under clause (ii) the protocols that
14 the abortion provider has in place to iden-
15 tify and assist victims of trafficking.

16 “(C) PENALTY.—An abortion provider who
17 fails to comply with subparagraph (B) shall be
18 subject to a fine in an amount of \$1,000 for
19 each day of noncompliance.

20 “(4) STATE ENFORCEMENT.—

21 “(A) IN GENERAL.—In any case in which
22 the attorney general of a State has reason to
23 believe that an interest of the residents of the
24 State has been or is threatened or adversely af-
25 fected by an action of an abortion provider that

1 violates this subsection, the attorney general of
2 the State may, as *parens patriae*, bring a civil
3 action on behalf of the residents of the State in
4 an appropriate district court of the United
5 States.

6 “(B) JURISDICTION.—The attorney gen-
7 eral of a State may bring a civil action under
8 subparagraph (A) against any abortion provider
9 that violates paragraph (2)(A) or (3)(B) within
10 that State.

11 “(C) RELIEF.—In a civil action under sub-
12 paragraph (A), the court may fine an abortion
13 provider—

14 “(i) in the case of a violation of para-
15 graph (2)(A), \$10,000 for each violation;
16 and

17 “(ii) in the case of a violation of para-
18 graph (3)(B), \$1,000 for each day during
19 which the abortion provider is in violation
20 of that paragraph.

21 “(5) RULES OF CONSTRUCTION.—

22 “(A) NO REQUIREMENT FOR VICTIMS OF
23 TRAFFICKING TO SELF-REPORT.—Nothing in
24 this subsection may be construed to require a
25 victim of trafficking to self-report.

1 “(B) NO RIGHT TO ABORTION.—Nothing
2 in this subsection may be construed to provide
3 a right to an abortion.”.

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