

109TH CONGRESS  
1ST SESSION

# H. R. 972

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## AN ACT

To authorize appropriations for fiscal years 2006 and 2007  
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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
 3 “Trafficking Victims Protection Reauthorization Act of  
 4 2005”.

5 (b) TABLE OF CONTENTS.—The table of contents for  
 6 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

TITLE I—COMBATTING INTERNATIONAL TRAFFICKING IN  
 PERSONS

Sec. 101. Prevention of trafficking in conjunction with post-conflict and human-  
 itarian emergency assistance.

Sec. 102. Protection of victims of trafficking in persons.

Sec. 103. Enhancing prosecutions of trafficking in persons offenses.

Sec. 104. Enhancing United States efforts to combat trafficking in persons.

Sec. 105. Additional activities to monitor and combat forced labor and child  
 labor.

TITLE II—COMBATTING DOMESTIC TRAFFICKING IN PERSONS

Sec. 201. Prevention of domestic trafficking in persons.

Sec. 202. Establishment of grant program to develop, expand, and strengthen  
 assistance programs for certain persons subject to trafficking.

Sec. 203. Protection of juvenile victims of trafficking in persons.

Sec. 204. Enhancing State and local efforts to combat trafficking in persons.

Sec. 205. Report to Congress.

Sec. 206. Senior Policy Operating Group.

Sec. 207. Definitions.

TITLE III—AUTHORIZATIONS OF APPROPRIATIONS

Sec. 301. Authorizations of appropriations.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

9 (1) The United States has demonstrated inter-  
 10 national leadership in combating human trafficking  
 11 and slavery through the enactment of the Traf-  
 12 ficking Victims Protection Act of 2000 (division A of  
 13 Public Law 106–386; 22 U.S.C. 7101 et seq.) and

1 the Trafficking Victims Protection Reauthorization  
2 Act of 2003 (Public Law 108–193).

3 (2) The United States Government currently  
4 estimates that 600,000 to 800,000 individuals are  
5 trafficked across international borders each year and  
6 exploited through forced labor and commercial sex  
7 exploitation. An estimated 80 percent of such indi-  
8 viduals are women and girls.

9 (3) Since the enactment of the Trafficking Vic-  
10 tims Protection Act of 2000, United States efforts  
11 to combat trafficking in persons have focused pri-  
12 marily on the international trafficking in persons,  
13 including the trafficking of foreign citizens into the  
14 United States.

15 (4) Trafficking in persons also occurs within  
16 the borders of a country, including the United  
17 States.

18 (5) No known studies exist that quantify the  
19 problem of trafficking in children for the purpose of  
20 commercial sexual exploitation in the United States.  
21 According to a report issued by researchers at the  
22 University of Pennsylvania in 2001, as many as  
23 300,000 children in the United States are at risk for  
24 commercial sexual exploitation, including trafficking,  
25 at any given time.

1           (6) Runaway and homeless children in the  
2           United States are highly susceptible to being domes-  
3           tically trafficked for commercial sexual exploitation.  
4           According to the National Runaway Switchboard,  
5           every day in the United States, between 1,300,000  
6           and 2,800,000 runaway and homeless youth live on  
7           the streets. One out of every seven children will run  
8           away from home before the age of 18.

9           (7) Following armed conflicts and during hu-  
10          manitarian emergencies, indigenous populations face  
11          increased security challenges and vulnerabilities  
12          which result in myriad forms of violence, including  
13          trafficking for sexual and labor exploitation. Foreign  
14          policy and foreign aid professionals increasingly rec-  
15          ognize the increased activity of human traffickers in  
16          post-conflict settings and during humanitarian emer-  
17          gencies.

18          (8) There is a need to protect populations in  
19          post-conflict settings and humanitarian emergencies  
20          from being trafficked for sexual or labor exploi-  
21          tation. The efforts of aid agencies to address the  
22          protection needs of, among others, internally dis-  
23          placed persons and refugees are useful in this re-  
24          gard. Nonetheless, there is a need for further inte-  
25          grated programs and strategies at the United States

1 Agency for International Development, the Depart-  
2 ment of State, and the Department of Defense to  
3 combat human trafficking, including through protec-  
4 tion and prevention methodologies, in post-conflict  
5 environments and during humanitarian emergencies.

6 (9) International and human rights organiza-  
7 tions have documented a correlation between inter-  
8 national deployments of military and civilian peace-  
9 keepers and aid workers and a resulting increase in  
10 the number of women and girls trafficked into pros-  
11 titution in post-conflict regions.

12 (10) The involvement of employees and contrac-  
13 tors of the United States Government and members  
14 of the Armed Forces in trafficking in persons, facili-  
15 tating the trafficking in persons, or exploiting the  
16 victims of trafficking in persons is inconsistent with  
17 United States laws and policies and undermines the  
18 credibility and mission of United States Government  
19 programs in post-conflict regions.

20 (11) Further measures are needed to ensure  
21 that United States Government personnel and con-  
22 tractors are held accountable for involvement with  
23 acts of trafficking in persons, including by expand-  
24 ing United States criminal jurisdiction to all United  
25 States Government contractors abroad.

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

4 **SEC. 101. PREVENTION OF TRAFFICKING IN CONJUNCTION**  
5 **WITH POST-CONFLICT AND HUMANITARIAN**  
6 **EMERGENCY ASSISTANCE.**

7 (a) AMENDMENT.—Section 106 of the Trafficking  
8 Victims Protection Act of 2000 (22 U.S.C. 7104) is  
9 amended by adding at the end the following new sub-  
10 section:

11 “(h) PREVENTION OF TRAFFICKING IN CONJUNC-  
12 TION WITH POST-CONFLICT AND HUMANITARIAN EMER-  
13 GENCY ASSISTANCE.—The United States Agency for  
14 International Development, the Department of State, and  
15 the Department of Defense shall incorporate anti-traf-  
16 ficking and protection measures for vulnerable popu-  
17 lations, particularly women and children, into their post-  
18 conflict and humanitarian emergency assistance and pro-  
19 gram activities.”.

20 (b) STUDY AND REPORT.—

21 (1) STUDY.—

22 (A) IN GENERAL.—The Secretary of State  
23 and the Administrator of the United States  
24 Agency for International Development, in con-  
25 sultation with the Secretary of Defense, shall

1           conduct a study regarding the threat and prac-  
2           tice of trafficking in persons generated by post-  
3           conflict and humanitarian emergencies in for-  
4           eign countries.

5           (B) FACTORS.—In carrying out the study,  
6           the Secretary of State and the Administrator of  
7           the United States Agency for International De-  
8           velopment shall examine—

9                   (i) the vulnerabilities to human traf-  
10                  ficking of commonly affected populations,  
11                  particularly women and children, generated  
12                  by post-conflict and humanitarian emer-  
13                  gencies;

14                  (ii) the various forms of trafficking in  
15                  persons, both internal and trans-border, in-  
16                  cluding both sexual and labor exploitation;

17                  (iii) a collection of best practices im-  
18                  plemented to date to combat human traf-  
19                  ficking in such areas; and

20                  (iv) proposed recommendations to bet-  
21                  ter combat trafficking in persons in con-  
22                  junction with post-conflict reconstruction  
23                  and humanitarian emergencies assistance.

24           (2) REPORT.—Not later than 180 days after  
25           the date of the enactment of this Act, the Secretary

1 of State and the Administrator of the United States  
2 Agency for International Development, with the con-  
3 currence of the Secretary of Defense, shall transmit  
4 to the Committee on International Relations and the  
5 Committee on Armed Services of the House of Rep-  
6 resentatives and the Committee on Foreign Rela-  
7 tions and the Committee on Armed Services of the  
8 Senate a report that contains the results of the  
9 study conducted pursuant to paragraph (1).

10 **SEC. 102. PROTECTION OF VICTIMS OF TRAFFICKING IN**  
11 **PERSONS.**

12 (a) ACCESS TO INFORMATION.—Section 107(c)(2) of  
13 the Trafficking Victims Protection Act of 2000 (22 U.S.C.  
14 7105(c)(2)) is amended by adding at the end the following  
15 new sentence: “To the extent practicable, victims of severe  
16 forms of trafficking shall have access to information about  
17 federally funded or administered anti-trafficking programs  
18 that provide services to victims of severe forms of traf-  
19 ficking.”.

20 (b) ESTABLISHMENT OF PILOT PROGRAM FOR RESI-  
21 DENTIAL REHABILITATIVE FACILITIES FOR VICTIMS OF  
22 TRAFFICKING.—

23 (1) STUDY.—

24 (A) IN GENERAL.—Not later than 180  
25 days after the date of the enactment of this



1 Act, the Administrator of the United States  
2 Agency for International Development shall  
3 carry out a study to identify best practices for  
4 the rehabilitation of victims of trafficking in  
5 group residential facilities in foreign countries.

6 (B) FACTORS.—In carrying out the study  
7 under subparagraph (A), the Administrator  
8 shall—

9 (i) investigate factors relating to the  
10 rehabilitation of victims of trafficking in  
11 group residential facilities, such as the ap-  
12 propriate size of such facilities, services to  
13 be provided, length of stay, and cost; and

14 (ii) give consideration to ensure the  
15 safety and security of victims of traf-  
16 ficking, provide alternative sources of in-  
17 come for such victims, assess and provide  
18 for the educational needs of such victims,  
19 including literacy, and assess the psycho-  
20 logical needs of such victims and provide  
21 professional counseling, as appropriate.

22 (2) PILOT PROGRAM.—Upon completion of the  
23 study carried out pursuant to paragraph (1), the  
24 Administrator of the United States Agency for  
25 International Development shall establish and carry

1 out a pilot program to establish residential treat-  
2 ment facilities in foreign countries for victims of  
3 trafficking based upon the best practices identified  
4 in the study.

5 (3) PURPOSES.—The purposes of the pilot pro-  
6 gram established pursuant to paragraph (2) are to—

7 (A) provide benefits and services to victims  
8 of trafficking, including shelter, psychological  
9 counseling, and assistance in developing inde-  
10 pendent living skills;

11 (B) assess the benefits of providing resi-  
12 dential treatment facilities for victims of traf-  
13 ficking, as well as the most efficient and cost-  
14 effective means of providing such facilities; and

15 (C) assess the need for and feasibility of  
16 establishing additional residential treatment fa-  
17 cilities for victims of trafficking.

18 (4) SELECTION OF SITES.—The Administrator  
19 of the United States Agency for International Devel-  
20 opment shall select 2 sites at which to operate the  
21 pilot program established pursuant to paragraph (2).

22 (5) FORM OF ASSISTANCE.—In order to carry  
23 out the responsibilities of this subsection, the Ad-  
24 ministrator of the United States Agency for Inter-  
25 national Development shall enter into contracts with,

1 or make grants to, organizations with relevant ex-  
2 pertise in the delivery of services to victims of traf-  
3 ficking.

4 (6) REPORT.—Not later than one year after the  
5 date on which the first pilot program is established  
6 pursuant to paragraph (2), the Administrator of the  
7 United States Agency for International Development  
8 shall submit to the Committee on International Re-  
9 lations of the House of Representatives and the  
10 Committee on Foreign Relations of the Senate a re-  
11 port on the implementation of this subsection.

12 (7) AUTHORIZATION OF APPROPRIATIONS.—  
13 There are authorized to be appropriated to the Ad-  
14 ministrator of the United States Agency for Inter-  
15 national Development to carry out this subsection  
16 \$2,500,000 for each of the fiscal years 2006 and  
17 2007.

18 **SEC. 103. ENHANCING PROSECUTIONS OF TRAFFICKING IN**  
19 **PERSONS OFFENSES.**

20 (a) EXTRATERRITORIAL JURISDICTION OVER CER-  
21 TAIN TRAFFICKING IN PERSONS OFFENSES.—

22 (1) IN GENERAL.—Part II of title 18, United  
23 States Code, is amended by inserting after chapter  
24 212 the following new chapter:

1 **“CHAPTER 212A—EXTRATERRITORIAL JU-**  
2 **RISDICTION OVER CERTAIN TRAF-**  
3 **FICKING IN PERSONS OFFENSES**

“Sec.

“3271. Trafficking in persons offenses committed by persons employed by or accompanying the Federal Government outside the United States.

“3272. Definitions.

4 **“§ 3271. Trafficking in persons offenses committed by**  
5 **persons employed by or accompanying**  
6 **the Federal Government outside the**  
7 **United States**

8 “(a) Whoever, while employed by or accompanying  
9 the Federal Government outside the United States, en-  
10 gages in conduct outside the United States that would  
11 constitute an offense under chapter 77 or 117 of this title  
12 if the conduct had been engaged in within the United  
13 States or within the special maritime and territorial juris-  
14 diction of the United States shall be punished as provided  
15 for that offense.

16 “(b) No prosecution may be commenced against a  
17 person under this section if a foreign government, in ac-  
18 cordance with jurisdiction recognized by the United  
19 States, has prosecuted or is prosecuting such person for  
20 the conduct constituting such offense, except upon the ap-  
21 proval of the Attorney General or the Deputy Attorney

1 General (or a person acting in either such capacity), which  
2 function of approval may not be delegated.

3 **“§ 3272. Definitions**

4 “As used in this chapter:

5 “(1) The term ‘employed by the Federal Gov-  
6 ernment outside the United States’ means—

7 “(A) employed as a civilian employee of the  
8 Federal Government, as a Federal contractor  
9 (including a subcontractor at any tier), or as an  
10 employee of a Federal contractor (including a  
11 subcontractor at any tier);

12 “(B) present or residing outside the  
13 United States in connection with such employ-  
14 ment; and

15 “(C) not a national of or ordinarily resi-  
16 dent in the host nation.

17 “(2) The term ‘accompanying the Federal Gov-  
18 ernment outside the United States’ means—

19 “(A) a dependant of—

20 “(i) a civilian employee of the Federal  
21 Government; or

22 “(ii) a Federal contractor (including a  
23 subcontractor at any tier) or an employee  
24 of a Federal contractor (including a sub-  
25 contractor at any tier);

1           “(B) residing with such civilian employee,  
2           contractor, or contractor employee outside the  
3           United States; and

4           “(C) not a national of or ordinarily resi-  
5           dent in the host nation.”.

6           (2) CLERICAL AMENDMENT.—The table of  
7           chapters at the beginning of such part is amended  
8           by inserting after the item relating to chapter 212  
9           the following new item:

**“212A. Extraterritorial jurisdiction over certain traf-  
ficking in persons offenses ..... 3271”.**

10          (b) LAUNDERING OF MONETARY INSTRUMENTS.—  
11          Section 1956(c)(7)(B) of title 18, United States Code, is  
12          amended—

13               (1) in clause (v), by striking “or” at the end;

14               (2) in clause (vi), by adding “or” at the end;

15          and

16               (3) by adding at the end the following new  
17          clause:

18                       “(vii) trafficking in persons, selling or  
19                       buying of children, sexual exploitation of  
20                       children, or transporting, recruiting or har-  
21                       boring a person, including a child, for com-  
22                       mercial sex acts;”.

1 (c) DEFINITION OF RACKETEERING ACTIVITY.—Sec-  
2 tion 1961(1)(B) of title 18, United States Code, is amend-  
3 ed by striking “1581–1591” and inserting “1581–1592”.

4 (d) CIVIL AND CRIMINAL FORFEITURES.—

5 (1) IN GENERAL.—Chapter 117 of title 18,  
6 United States Code, is amended by adding at the  
7 end the following new section:

8 **“§ 2428. Forfeitures**

9 “(a) IN GENERAL.—The court, in imposing sentence  
10 on any person convicted of a violation of this chapter, shall  
11 order, in addition to any other sentence imposed and irre-  
12 spective of any provision of State law, that such person  
13 shall forfeit to the United States—

14 “(1) such person’s interest in any property, real  
15 or personal, that was used or intended to be used to  
16 commit or to facilitate the commission of such viola-  
17 tion; and

18 “(2) any property, real or personal, constituting  
19 or derived from any proceeds that such person ob-  
20 tained, directly or indirectly, as a result of such vio-  
21 lation.

22 “(b) PROPERTY SUBJECT TO FORFEITURE.—

23 “(1) IN GENERAL.—The following shall be sub-  
24 ject to forfeiture to the United States and no prop-  
25 erty right shall exist in them:

1           “(A) Any property, real or personal, used  
2           or intended to be used to commit or to facilitate  
3           the commission of any violation of this chapter.

4           “(B) Any property, real or personal, that  
5           constitutes or is derived from proceeds traceable  
6           to any violation of this chapter.

7           “(2) APPLICABILITY OF CHAPTER 46.—The  
8           provisions of chapter 46 of this title relating to civil  
9           forfeitures shall apply to any seizure or civil for-  
10          feiture under this subsection.”.

11          (2) CLERICAL AMENDMENT.—The table of sec-  
12          tions at the beginning of such chapter is amended  
13          by adding at the end the following new item:

“2428. Forfeitures.”.

14   **SEC. 104. ENHANCING UNITED STATES EFFORTS TO COM-**  
15                           **BAT TRAFFICKING IN PERSONS.**

16          (a) APPOINTMENT TO INTERAGENCY TASK FORCE  
17   TO MONITOR AND COMBAT TRAFFICKING.—Section  
18   105(b) of the Trafficking Victims Protection Act of 2000  
19   (22 U.S.C. 7103(b)) is amended—

20           (1) by striking “the Director of Central Intel-  
21           ligence” and inserting “the Director of National In-  
22           telligence”; and

23           (2) by inserting “, the Secretary of Defense, the  
24           Secretary of Homeland Security” after “the Director



1 of National Intelligence” (as added by paragraph  
2 (1)).

3 (b) MINIMUM STANDARDS FOR THE ELIMINATION OF  
4 TRAFFICKING.—

5 (1) AMENDMENTS.—Section 108(b) of the  
6 Trafficking Victims Protection Act of 2000 (22  
7 U.S.C. 7106(b)) is amended—

8 (A) in paragraph (3), by adding at the end  
9 before the period the following: “, measures to  
10 reduce the demand for commercial sex acts and  
11 for participation in international sex tourism by  
12 nationals of the country, measures to ensure  
13 that its nationals who are deployed abroad as  
14 part of a peacekeeping or other similar mission  
15 do not engage in or facilitate severe forms of  
16 trafficking in persons or exploit victims of such  
17 trafficking, and measures to prevent the use of  
18 forced labor or child labor in violation of inter-  
19 national standards”; and

20 (B) in the first sentence of paragraph (7),  
21 by striking “persons,” and inserting “persons,  
22 including nationals of the country who are de-  
23 ployed abroad as part of a peacekeeping or  
24 other similar mission who engage in or facilitate

1           severe forms of trafficking in persons or exploit  
2           victims of such trafficking,”.

3           (2) EFFECTIVE DATE.—The amendments made  
4           by subparagraphs (A) and (B) of paragraph (1) take  
5           effect beginning two years after the date of the en-  
6           actment of this Act.

7           (c) RESEARCH.—

8           (1) AMENDMENTS.—Section 112A of the Traf-  
9           ficking Victims Protection Act of 2000 (22 U.S.C.  
10          7109a) is amended—

11           (A) in the first sentence of the matter pre-  
12          ceding paragraph (1)—

13                   (i) by striking “The President” and  
14                   inserting “(a) In General.—The Presi-  
15                   dent”; and

16                   (ii) by striking “the Director of Cen-  
17                   tral Intelligence” and inserting “the Direc-  
18                   tor of National Intelligence”;

19           (B) in paragraph (3), by adding at the end  
20          before the period the following: “, particularly  
21          HIV/AIDS”;

22           (C) by adding at the end the following new  
23          paragraphs:

24                   “(4) Subject to subsection (b), the interrelation-  
25          ship between trafficking in persons and terrorism,

1 including the use of profits from trafficking in per-  
2 sons to finance terrorism.

3 “(5) An effective mechanism for quantifying the  
4 number of victims of trafficking on a national, re-  
5 gional, and international basis.

6 “(6) The abduction and enslavement of children  
7 for use as soldiers, including steps taken to elimi-  
8 nate the abduction and enslavement of children for  
9 use as soldiers and recommendations for such fur-  
10 ther steps as may be necessary to rapidly end the  
11 abduction and enslavement of children for use as  
12 soldiers.”; and

13 (D) by further adding at the end the fol-  
14 lowing new subsections:

15 “(b) ROLE OF HUMAN SMUGGLING AND TRAF-  
16 FICKING CENTER.—The research initiatives described in  
17 subsection (a)(4) shall be carried out by the Human  
18 Smuggling and Trafficking Center (established pursuant  
19 to section 7202 of the Intelligence Reform and Terrorism  
20 Prevention Act of 2004 (Public Law 108–458)).

21 “(c) DEFINITIONS.—In this section:

22 “(1) AIDS.—The term ‘AIDS’ means the ac-  
23 quired immune deficiency syndrome.

1           “(2) HIV.—The term ‘HIV’ means the human  
2           immunodeficiency virus, the pathogen that causes  
3           AIDS.

4           “(3) HIV/AIDS.—The term ‘HIV/AIDS’  
5           means, with respect to an individual, an individual  
6           who is infected with HIV or living with AIDS.”.

7           (2) REPORT.—

8                   (A) IN GENERAL.—Not later than one year  
9                   after the date of the enactment of this Act, the  
10                  Human Smuggling and Trafficking Center (es-  
11                  tablished pursuant to section 7202 of the Intel-  
12                  ligence Reform and Terrorism Prevention Act  
13                  of 2004 (Public Law 108–458)) shall submit to  
14                  the appropriate congressional committees a re-  
15                  port on the results of the research initiatives  
16                  carried out pursuant to section 112A(4) of the  
17                  Trafficking Victims Protection Act of 2000 (as  
18                  added by paragraph (1)(C) of this subsection).

19                  (B) DEFINITION.—In this paragraph, the  
20                  term “appropriate congressional committees”  
21                  means—

22                          (i) the Committee on International  
23                          Relations and the Committee on the Judi-  
24                          ciary of the House of Representatives; and

1 (ii) the Committee on Foreign Rela-  
2 tions and the Committee on the Judiciary  
3 of the Senate.

4 (d) FOREIGN SERVICE OFFICER TRAINING.—Section  
5 708(a) of the Foreign Service Act of 1980 (22 U.S.C.  
6 4028(a)) is amended—

7 (1) in the matter preceding paragraph (1), by  
8 inserting “, the Director of the Office to Monitor  
9 and Combat Trafficking,” after “the International  
10 Religious Freedom Act of 1998”;

11 (2) in paragraph (1), by striking “and” at the  
12 end;

13 (3) in paragraph (2), by striking the period at  
14 the end and inserting “; and”; and

15 (4) by adding at the end the following:

16 “(3) instruction on international documents and  
17 United States policy on trafficking in persons, in-  
18 cluding provisions of the Trafficking Victims Protec-  
19 tion Act of 2000 (division A of Public Law 106–386;  
20 22 U.S.C. 7101 et seq.) which may affect the United  
21 States bilateral relationships.”.

22 (e) PREVENTION OF TRAFFICKING BY PEACE-  
23 KEEPERS.—

24 (1) INCLUSION IN TRAFFICKING IN PERSONS  
25 REPORT.—Section 110(b)(1) of the Trafficking Vic-

1       tims Protection Act of 2000 (22 U.S.C. 7107(b)(1))  
2       is amended—

3               (A) in subparagraph (B), by striking  
4       “and” at the end;

5               (B) in subparagraph (C), by striking the  
6       period at the end and inserting “; and”; and

7               (C) by adding at the end the following new  
8       subparagraph:

9               “(D) information on the measures taken  
10       by the United Nations, the Organization for Se-  
11       curity and Cooperation in Europe, the North  
12       Atlantic Treaty Organization and, as appro-  
13       priate, other multilateral organizations in which  
14       the United States participates, to prevent the  
15       involvement of the organization’s employees,  
16       contractor personnel, and peacekeeping forces  
17       in trafficking in persons or the exploitation of  
18       victims of trafficking.”.

19       (2) REPORT BY SECRETARY OF STATE.—At  
20       least 15 days prior to voting for a new or reauthor-  
21       ized peacekeeping mission under the auspices of the  
22       United Nations, the North Atlantic Treaty Organi-  
23       zation, or any other multilateral organization in  
24       which the United States participates (or in an emer-  
25       gency, as far in advance as is practicable), the Sec-

retary of State shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, and any other appropriate congressional committee a report that contains—

(A) a description of measures taken by the organization to prevent the organization’s employees, contractor personnel, and peacekeeping forces serving in the peacekeeping mission from trafficking in persons, exploiting victims of trafficking, or committing acts of sexual exploitation or abuse, and the measures in place to hold accountable any such individuals who engage in any such acts while participating in the peacekeeping mission; and

(B) an analysis of the effectiveness of each of the measures referred to in subparagraph (A).

**SEC. 105. ADDITIONAL ACTIVITIES TO MONITOR AND COMBAT FORCED LABOR AND CHILD LABOR.**

(a) ACTIVITIES OF THE DEPARTMENT OF STATE.—

(1) FINDING.—Congress finds that in the report submitted to Congress by the Secretary of State in June 2005 pursuant to section 110(b) of the Trafficking Victims Protection Act of 2000 (22

1 U.S.C. 7107(b)), the list of countries whose govern-  
2 ments do not comply with the minimum standards  
3 for the elimination of trafficking and are not making  
4 significant efforts to bring themselves into compli-  
5 ance was composed of a large number of countries  
6 in which the trafficking involved forced labor, includ-  
7 ing the trafficking of women into domestic servitude.

8 (2) SENSE OF CONGRESS.—It is the sense of  
9 Congress that the Director of the Office to Monitor  
10 and Combat Trafficking of the Department of State  
11 should intensify the focus of the Office on forced  
12 labor in the countries described in paragraph (1)  
13 and other countries in which forced labor continues  
14 to be a serious human rights concern.

15 (b) ACTIVITIES OF THE DEPARTMENT OF LABOR.—

16 (1) IN GENERAL.—The Secretary of Labor, act-  
17 ing through the head of the Bureau of International  
18 Labor Affairs of the Department of Labor, shall  
19 carry out additional activities to monitor and combat  
20 forced labor and child labor in foreign countries as  
21 described in paragraph (2).

22 (2) ADDITIONAL ACTIVITIES DESCRIBED.—The  
23 additional activities referred to in paragraph (1)  
24 are—



1 (A) to monitor the use of forced labor and  
2 child labor in violation of international stand-  
3 ards;

4 (B) to provide information regarding traf-  
5 ficking in persons for the purpose of forced  
6 labor to the Office to Monitor and Combat  
7 Trafficking of the Department of State for in-  
8 clusion in trafficking in persons report required  
9 by section 110(b) of the Trafficking Victims  
10 Protection Act of 2000 (22 U.S.C. 7107(b));

11 (C) to develop and make available to the  
12 public a list of goods from countries that the  
13 Bureau of International Labor Affairs has rea-  
14 son to believe are produced by forced labor or  
15 child labor in violation of international stand-  
16 ards;

17 (D) to work with persons who are involved  
18 in the production of goods on the list described  
19 in subparagraph (C) to create a standard set of  
20 practices that will reduce the likelihood that  
21 such persons will produce goods using the labor  
22 described in such subparagraph; and

23 (E) to consult with other departments and  
24 agencies of the United States Government to  
25 reduce forced and child labor internationally

and ensure that products made by forced labor and child labor in violation of international standards are not imported into the United States.

## **TITLE II—COMBATTING DOMESTIC TRAFFICKING IN PERSONS**

### **SEC. 201. PREVENTION OF DOMESTIC TRAFFICKING IN PERSONS.**

(a) PROGRAM TO REDUCE TRAFFICKING IN PERSONS AND DEMAND FOR COMMERCIAL SEX ACTS IN THE UNITED STATES.—

(1) COMPREHENSIVE RESEARCH AND STATISTICAL REVIEW AND ANALYSIS OF INCIDENTS OF TRAFFICKING IN PERSONS AND COMMERCIAL SEX ACTS.—

(A) IN GENERAL.—The Attorney General shall use available data from State and local authorities as well as research data to carry out a biennial comprehensive research and statistical review and analysis of severe forms of trafficking in persons, and a biennial comprehensive research and statistical review and analysis of sex trafficking and unlawful commercial sex acts in the United States, and shall submit to

1 Congress separate biennial reports on the find-  
2 ings.

3 (B) CONTENTS.—The research and statis-  
4 tical review and analysis under this paragraph  
5 shall consist of two separate studies, utilizing  
6 the same statistical data where appropriate, as  
7 follows:

8 (i) The first study shall address severe  
9 forms of trafficking in persons in the  
10 United States and shall include, but need  
11 not be limited to—

12 (I) the estimated number and de-  
13 mographic characteristics of persons  
14 engaged in acts of severe forms of  
15 trafficking in persons; and

16 (II) the number of investigations,  
17 arrests, prosecutions, and incarcer-  
18 ations of persons engaged in acts of  
19 severe forms of trafficking in persons  
20 by States and their political subdivi-  
21 sions.

22 (ii) The second study shall address  
23 sex trafficking and unlawful commercial  
24 sex acts in the United States and shall in-  
25 clude, but need not be limited to—

1 (I) the estimated number and de-  
2 mographic characteristics of persons  
3 engaged in sex trafficking and com-  
4 mercial sex acts, including purchasers  
5 of commercial sex acts;

6 (II) the estimated value in dollars  
7 of the commercial sex economy, in-  
8 cluding the estimated average annual  
9 personal income derived from acts of  
10 sex trafficking;

11 (III) the number of investiga-  
12 tions, arrests, prosecutions, and incar-  
13 cerations of persons engaged in sex  
14 trafficking and unlawful commercial  
15 sex acts, including purchasers of com-  
16 mercial sex acts, by States and their  
17 political subdivisions; and

18 (IV) a description of the dif-  
19 ferences in the enforcement of laws  
20 relating to unlawful commercial sex  
21 acts across the United States.

22 (2) TRAFFICKING CONFERENCE.—

23 (A) IN GENERAL.—The Attorney General,  
24 in consultation and cooperation with the Sec-  
25 retary of Health and Human Services, shall

1           conduct an annual conference in each of the fis-  
2           cal years 2006, 2007, and 2008, and thereafter  
3           conduct a biennial conference, addressing severe  
4           forms of trafficking in persons and commercial  
5           sex acts that occur, in whole or in part, within  
6           the territorial jurisdiction of the United States.  
7           At each such conference, the Attorney General,  
8           or his designee, shall—

9                   (i) announce and evaluate the findings  
10                  contained in the research and statistical  
11                  reviews carried out under paragraph (1);

12                  (ii) disseminate best methods and  
13                  practices for enforcement of laws prohib-  
14                  iting acts of severe forms of trafficking in  
15                  persons and other laws related to acts of  
16                  trafficking in persons, including, but not  
17                  limited to, best methods and practices for  
18                  training State and local law enforcement  
19                  personnel on the enforcement of such laws;

20                  (iii) disseminate best methods and  
21                  practices for training State and local law  
22                  enforcement personnel on the enforcement  
23                  of laws prohibiting sex trafficking and  
24                  commercial sex acts, including, but not  
25                  limited to, best methods for investigating

1 and prosecuting exploiters and persons  
2 who solicit or purchase an unlawful com-  
3 mercial sex act; and

4 (iv) disseminate best methods and  
5 practices for training State and local law  
6 enforcement personnel on collaborating  
7 with social service providers and relevant  
8 nongovernmental organizations and estab-  
9 lishing trust of persons subjected to com-  
10 mercial sex acts or severe forms of traf-  
11 ficking in persons.

12 (B) PARTICIPATION.—Each annual con-  
13 ference conducted under this paragraph shall  
14 involve the participation of persons with exper-  
15 tise or professional responsibilities with rel-  
16 evance to trafficking in persons, including, but  
17 not limited to—

18 (i) Federal Government officials, in-  
19 cluding law enforcement and prosecutorial  
20 officials;

21 (ii) State and local government offi-  
22 cials, including law enforcement and pros-  
23 ecutorial officials;

1 (iii) persons who have been subjected  
2 to severe forms of trafficking in persons or  
3 commercial sex acts;

4 (iv) medical personnel;

5 (v) social service providers and rel-  
6 evant nongovernmental organizations; and

7 (vi) academic experts.

8 (C) REPORTS.—The Attorney General and  
9 the Secretary of Health and Human Services  
10 shall prepare and post on the respective Inter-  
11 net Web sites of the Department of Justice and  
12 the Department of Health and Human Services  
13 reports on the findings and best practices iden-  
14 tified and disseminated at the conference de-  
15 scribed in this paragraph.

16 (b) TERMINATION OF CERTAIN GRANTS, CON-  
17 TRACTS, AND COOPERATIVE AGREEMENTS.—Section  
18 106(g) of the Trafficking Victims Protection Act of 2000  
19 (22 U.S.C. 7104) is amended—

20 (1) by striking “COOPERATIVE AGREEMENTS.—  
21 ” and all that follows through “The President shall”  
22 and inserting “COOPERATIVE AGREEMENTS.—The  
23 President shall”;

24 (2) by striking “described in paragraph (2)”;  
25 and

1 (3) by striking paragraph (2).

2 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
3 are authorized to be appropriated—

4 (1) \$2,500,000 for each of the fiscal years 2006  
5 and 2007 to carry out the activities described in  
6 subsection (a)(1)(B)(i) and \$2,500,000 for each of  
7 the fiscal years 2006 and 2007 to carry out the ac-  
8 tivities described in subsection (a)(1)(B)(ii); and

9 (2) \$1,000,000 for each of the fiscal years 2006  
10 through 2007 to carry out the activities described in  
11 subsection (a)(2).

12 **SEC. 202. ESTABLISHMENT OF GRANT PROGRAM TO DE-**  
13 **VELOP, EXPAND, AND STRENGTHEN ASSIST-**  
14 **ANCE PROGRAMS FOR CERTAIN PERSONS**  
15 **SUBJECT TO TRAFFICKING.**

16 (a) GRANT PROGRAM.—The Secretary of Health and  
17 Human Services may make grants to States, Indian tribes,  
18 units of local government, and nonprofit, nongovernmental  
19 victims' service organizations to establish, develop, ex-  
20 pand, and strengthen assistance programs for United  
21 States citizens or aliens admitted for permanent residence  
22 who are the subject of sex trafficking or severe forms of  
23 trafficking in persons that occurs, in whole or in part,  
24 within the territorial jurisdiction of the United States.



1       (b) **SELECTION FACTOR.**—In selecting among appli-  
2 cants for grants under subsection (a), the Secretary shall  
3 give priority to applicants with experience in the delivery  
4 of services to persons who have been subjected to sexual  
5 abuse or commercial sexual exploitation and to applicants  
6 who would employ survivors of sexual abuse or commercial  
7 sexual exploitation as a part of their proposed project.

8       (c) **LIMITATION ON FEDERAL SHARE.**—The Federal  
9 share of a grant made under this section may not exceed  
10 75 percent of the total costs of the projects described in  
11 the application submitted.

12       (d) **AUTHORIZATION OF APPROPRIATIONS.**—There  
13 are authorized to be appropriated \$10,000,000 for each  
14 of the fiscal years 2006 and 2007 to carry out the activi-  
15 ties described in this section.

16 **SEC. 203. PROTECTION OF JUVENILE VICTIMS OF TRAF-**  
17 **FICKING IN PERSONS.**

18       (a) **ESTABLISHMENT OF PILOT PROGRAM.**—Not  
19 later than 180 days after the date of the enactment of  
20 this Act, the Secretary of Health and Human Services  
21 shall establish and carry out a pilot program to establish  
22 residential treatment facilities in the United States for ju-  
23 veniles subjected to trafficking.

24       (b) **PURPOSES.**—The purposes of the pilot program  
25 established pursuant to subsection (a) are to—

1           (1) provide benefits and services to juveniles  
2           subjected to trafficking, including shelter, psycho-  
3           logical counseling, and assistance in developing inde-  
4           pendent living skills;

5           (2) assess the benefits of providing residential  
6           treatment facilities for juveniles subjected to traf-  
7           ficking, as well as the most efficient and cost-effec-  
8           tive means of providing such facilities; and

9           (3) assess the need for and feasibility of estab-  
10          lishing additional residential treatment facilities for  
11          juveniles subjected to trafficking.

12          (c) SELECTION OF SITES.—The Secretary of Health  
13          and Human Services shall select three sites at which to  
14          operate the pilot program established pursuant to sub-  
15          section (a).

16          (d) FORM OF ASSISTANCE.—In order to carry out the  
17          responsibilities of this section, the Secretary of Health and  
18          Human Services shall enter into contracts with, or make  
19          grants to, organizations that—

20                (1) have relevant expertise in the delivery of  
21                services to juveniles who have been subjected to sex-  
22                ual abuse or commercial sexual exploitation; or

23                (2) have entered into partnerships with organi-  
24                zations that have expertise as described in para-

1 graph (1) for the purpose of implementing the con-  
2 tracts or grants.

3 (e) REPORT.—Not later than one year after the date  
4 on which the first pilot program is established pursuant  
5 to subsection (a), the Secretary of Health and Human  
6 Services shall submit to Congress a report on the imple-  
7 mentation of this section.

8 (f) DEFINITION.—In this section, the term “juvenile  
9 subjected to trafficking” means a United States citizen,  
10 or alien admitted for permanent residence, who is the sub-  
11 ject of sex trafficking or severe forms of trafficking in per-  
12 sons that occurs, in whole or in part, within the territorial  
13 jurisdiction of the United States and who has not attained  
14 18 years of age at the time the person is identified as  
15 having been the subject of sex trafficking or severe forms  
16 of trafficking in persons.

17 (g) AUTHORIZATION OF APPROPRIATIONS.—There  
18 are authorized to be appropriated to the Secretary of  
19 Health and Human Services to carry out this section  
20 \$5,000,000 for each of the fiscal years 2006 and 2007.

21 **SEC. 204. ENHANCING STATE AND LOCAL EFFORTS TO**  
22 **COMBAT TRAFFICKING IN PERSONS.**

23 (a) ESTABLISHMENT OF GRANT PROGRAM FOR LAW  
24 ENFORCEMENT.—

1           (1) IN GENERAL.—The Attorney General may  
2       make grants to States and local law enforcement  
3       agencies to establish, develop, expand, or strengthen  
4       programs—

5           (A) to investigate and prosecute acts of se-  
6       vere forms of trafficking in persons, and related  
7       offenses, which involve United States citizens,  
8       or aliens admitted for permanent residence, and  
9       that occur, in whole or in part, within the terri-  
10      torial jurisdiction of the United States;

11          (B) to investigate and prosecute persons  
12      who engage in the purchase of commercial sex  
13      acts;

14          (C) to educate persons charged with, or  
15      convicted of, purchasing or attempting to pur-  
16      chase commercial sex acts; and

17          (D) to educate and train law enforcement  
18      personnel in how to establish trust of persons  
19      subjected to trafficking and encourage coopera-  
20      tion with prosecution efforts.

21          (2) DEFINITION.—In this subsection, the term  
22      “related offenses” includes violations of tax laws,  
23      transacting in illegally derived proceeds, money laun-  
24      dering, racketeering, and other violations of criminal

1 laws committed in connection with an act of sex  
 2 trafficking or a severe form of trafficking in persons.

3 (b) MULTI-DISCIPLINARY APPROACH REQUIRED.—

4 Grants under subsection (a) may be made only for pro-  
 5 grams in which the State or local law enforcement agency  
 6 works collaboratively with social service providers and rel-  
 7 evant nongovernmental organizations, including organiza-  
 8 tions with experience in the delivery of services to persons  
 9 who are the subject of trafficking in persons.

10 (c) LIMITATION ON FEDERAL SHARE.—The Federal  
 11 share of a grant made under this section may not exceed  
 12 75 percent of the total costs of the projects described in  
 13 the application submitted.

14 (d) AUTHORIZATION OF APPROPRIATIONS.—There  
 15 are authorized to be appropriated to the Attorney General  
 16 to carry out this section \$25,000,000 for each of the fiscal  
 17 years 2006 and 2007.

18 **SEC. 205. REPORT TO CONGRESS.**

19 Section 105(d)(7) of the Trafficking Victims Protec-  
 20 tion Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

21 (1) in subparagraph (F), by striking “and” at  
 22 the end;

23 (2) by redesignating subparagraph (G) as sub-  
 24 paragraph (H); and

1           (3) by inserting after subparagraph (F) the fol-  
2           lowing new subparagraph:

3                   “(G) the amount, recipient, and purpose of  
4           each grant under sections 202 and 204 of the  
5           Trafficking Victims Protection Act of 2005;  
6           and”.

7   **SEC. 206. SENIOR POLICY OPERATING GROUP.**

8           Each Federal department or agency involved in grant  
9   activities related to combatting trafficking or providing  
10  services to persons subjected to trafficking inside the  
11  United States shall, as the department or agency deter-  
12  mines appropriate, apprise the Senior Policy Operating  
13  Group established by section 105(f) of the Victims of Traf-  
14  ficking and Violence Protection Act of 2000 (22 U.S.C.  
15  7103(f)), under the procedures established by the Senior  
16  Policy Operating Group, of such activities of the depart-  
17  ment or agency to ensure that the activities are consistent  
18  with the purposes of the Trafficking Victims Protection  
19  Act of 2000 (22 U.S.C. 7101 et seq.).

20   **SEC. 207. DEFINITIONS.**

21           In this title:

22                   (1) SEVERE FORMS OF TRAFFICKING IN PER-  
23           SONS.—The term “severe forms of trafficking in  
24           persons” has the meaning given the term in section

1       103(8) of the Trafficking Victims Protection Act of  
2       2000 (22 U.S.C. 7102(8)).

3           (2) SEX TRAFFICKING.—The term “sex traf-  
4       ficking” has the meaning given the term in section  
5       103(9) of the Trafficking Victims Protection Act of  
6       2000 (22 U.S.C. 7102(9)).

7           (3) COMMERCIAL SEX ACT.—The term “com-  
8       mercial sex act” has the meaning given the term in  
9       section 103(3) of the Trafficking Victims Protection  
10      Act of 2000 (22 U.S.C. 7102(3)).

## 11   **TITLE III—AUTHORIZATIONS OF** 12   **APPROPRIATIONS**

### 13   **SEC. 301. AUTHORIZATIONS OF APPROPRIATIONS.**

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

16           (1) in subsection (a)—

17                (A) by striking “and \$5,000,000” and in-  
18                serting “\$5,000,000”;

19                (B) by adding at the end before the period  
20                the following: “, and \$5,500,000 for each of the  
21                fiscal years 2006 and 2007”; and

22                (C) by further adding at the end the fol-  
23                lowing new sentence: “In addition, there are au-  
24                thorized to be appropriated to the Office to  
25                Monitor and Combat Trafficking for official re-

1           ception and representation expenses \$3,000 for  
2           each of the fiscal years 2006 and 2007.”;

3           (2) in subsection (b), by striking “2004 and  
4           2005” and inserting “2004, 2005, 2006, and 2007”;

5           (3) in subsection (c)(1), by striking “2004 and  
6           2005” each place it appears and inserting “2004,  
7           2005, 2006, and 2007”;

8           (4) in subsection (d), by striking “2004 and  
9           2005” each place it appears and inserting “2004,  
10          2005, 2006, and 2007”;

11          (5) in subsection (e)—

12                (A) in paragraphs (1) and (2), by striking  
13                “2003 through 2005” and inserting “2003  
14                through 2007”; and

15                (B) in paragraph (3), by striking  
16                “\$300,000 for fiscal year 2004 and \$300,000  
17                for fiscal year 2005” and inserting “\$300,000  
18                for each of the fiscal years 2004 through  
19                2007”;

20          (6) in subsection (f), by striking “2004 and  
21          2005” and inserting “2004, 2005, 2006, and 2007”;  
22          and

23          (7) by adding at the end the following new sub-  
24          sections:



1       “(h) AUTHORIZATION OF APPROPRIATIONS TO DI-  
2 RECTOR OF THE FBI.—There are authorized to be appro-  
3 priated to the Director of the Federal Bureau of Investiga-  
4 tion \$15,000,000 for fiscal year 2006, to remain available  
5 until expended, to investigate severe forms of trafficking  
6 in persons.

7       “(i) AUTHORIZATION OF APPROPRIATIONS TO THE  
8 SECRETARY OF HOMELAND SECURITY.—There are au-  
9 thorized to be appropriated to the Secretary of Homeland  
10 Security, \$18,000,000 for each of the fiscal years 2006  
11 and 2007, to remain available until expended, for inves-  
12 tigation by the Bureau of Immigration and Customs En-  
13 forcement of severe forms of trafficking in persons.”.

Passed the House of Representatives December 14,  
2005.

Attest:

*Clerk.*

109TH CONGRESS  
1ST SESSION

# H. R. 972

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## AN ACT

To authorize appropriations for fiscal years 2006  
and 2007 for the Trafficking Victims Protection  
Act of 2000, and for other purposes.