

109TH CONGRESS
2^D SESSION

S. 3787

To establish a congressional Commission on the Abolition of Modern-Day Slavery.

IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2006

Mr. SANTORUM (for himself, Mr. PRYOR, and Mrs. DOLE) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To establish a congressional Commission on the Abolition of Modern-Day Slavery.

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 “Congressional Commis-
5 sion on the Abolition of Modern-Day Slavery Act”.

6 **SEC. 2. MODERN-DAY SLAVERY.**

7 In this Act, the term “modern-day slavery” means
8 the recruitment, harboring, transportation, receipt, pro-
9 curement, or control of persons through the use of force,
10 fraud, coercion, abduction, deception, abuse of power, or

1 of a position of vulnerability or of the giving or receiving
2 of payments or benefits to achieve the consent of a person
3 having control over another person, for the purpose of sub-
4 jection to debt bondage, serfdom, involuntary servitude,
5 forced labor, chattel, forced marriage, peonage, sexual ex-
6 ploitation, or trafficking.

7 **SEC. 3. FINDINGS.**

8 Congress makes the following findings:

9 (1) The Declaration of Independence recognizes
10 the inherent dignity and worth of all people and
11 states that all people are created equal and are en-
12 dowed by their Creator with certain unalienable
13 rights, and the right to be free from slavery and in-
14 voluntary servitude is among those unalienable
15 rights.

16 (2) Despite international laws outlawing mod-
17 ern-day slavery, modern-day slavery affects virtually
18 every country in the world, and as many as
19 27,000,000 people are victims. Modern-day slavery
20 is one of the fastest growing areas of international
21 criminal activity and is an increasing concern to the
22 United States Administration, Congress, and the
23 international community; the Federal Bureau of In-
24 vestigation estimated that modern-day slavery gen-
25 erates over \$9,000,000,000 every year.

1 (3) Traffickers use threats, intimidation manip-
2 ulation, coercion, fraud, shame, and violence to force
3 victims into modern-day slavery. Traffickers cap-
4 italize on areas of conflict and post-conflict,
5 transitioning states, sudden political change, eco-
6 nomic collapse, civil unrest, internal armed conflict,
7 chronic unemployment, widespread poverty, personal
8 disaster, lack of economic opportunity, and natural
9 disasters.

10 (4) Modern-day slavery: contributes to the
11 breakdown of societies due to the loss of family sup-
12 port networks; has a negative impact on the labor
13 market in countries; brutalizes men, women, and
14 children and exposes them to rape, torture, HIV/
15 AIDS and other sexually transmitted diseases, vio-
16 lence, dangerous working conditions, poor nutrition,
17 drug and alcohol addiction, severe psychological
18 trauma from separation, coercion, sexual abuse, and
19 depression; and strips human beings of dignity, re-
20 spect, and hope for their future.

21 (5) The United States has given priority to
22 combating human trafficking through the Victims of
23 Trafficking and Violence Protection Act of 2000
24 (Public Law 106–386) and the Trafficking Victims

1 Protection Reauthorization Act of 2005 (Public Law
2 109–164).

3 (6) The State Department issued its sixth con-
4 gressionally mandated Trafficking in Persons Report
5 (TIP) in June, 2006, which categorizes countries
6 into tiered groups according to the efforts they are
7 making to combat trafficking. The countries that do
8 not cooperate in the fight against trafficking (Tier
9 3 Countries) have been made subject to United
10 States sanctions since 2003, under the President’s
11 direction.

12 **SEC. 4. ESTABLISHMENT OF COMMISSION.**

13 (a) ESTABLISHMENT.—There is established a con-
14 gressional Commission on the Abolition of Modern-Day
15 Slavery (referred to in this Act as the “Commission”).

16 (b) MEMBERSHIP.—

17 (1) COMPOSITION.—The Commission shall be
18 composed of 12 members, of whom—

19 (A) 3 shall be appointed by the Speaker of
20 the House of Representatives;

21 (B) 3 shall be appointed by the majority
22 leader of the Senate;

23 (C) 3 shall be appointed by the minority
24 leader of the House of Representatives; and

1 (D) 3 shall be appointed by the minority
2 leader of the Senate.

3 (2) QUALIFICATIONS.—Members of the Com-
4 mission shall be appointed from among individuals
5 with demonstrated expertise and experience in com-
6 bating modern-day slavery and trafficking of per-
7 sons.

8 (3) DATE.—The appointments of the members
9 of the Commission shall be made not later than 30
10 days after the date of enactment of this Act.

11 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-
12 bers shall be appointed for the life of the Commission. Any
13 vacancy in the Commission shall not affect its powers, but
14 shall be filled in the same manner as the original appoint-
15 ment.

16 (d) COCHAIRPERSONS.—The Speaker of the House of
17 Representatives shall designate 1 of the members ap-
18 pointed under subsection (b)(1)(A) as a cochairperson of
19 the Commission. The majority leader of the Senate shall
20 designate 1 of the members appointed under subsection
21 (b)(1)(B) as a cochairperson of the Commission.

22 (e) INITIAL MEETING.—Not later than 60 days after
23 the date of enactment of this Act, the Commission shall
24 hold its first meeting.

1 (f) MEETINGS.—The Commission shall meet at the
2 call of either cochairperson.

3 (g) QUORUM.—A majority of the members of the
4 Commission shall constitute a quorum, but a lesser num-
5 ber of members may hold hearings.

6 **SEC. 5. DUTIES OF THE COMMISSION.**

7 (a) STUDY.—

8 (1) IN GENERAL.—The Commission shall—

9 (A) conduct a thorough and thoughtful
10 study of all matters relating to modern-day
11 slavery, including vulnerabilities of commonly
12 affected populations, such as populations in
13 areas of conflict and post conflict, transitioning
14 states, states undergoing sudden political
15 change, economic collapse, civil unrest, internal
16 armed conflict, chronic unemployment, wide-
17 spread poverty, lack of opportunity, and na-
18 tional disasters;

19 (B) study the roles of the rule of law, lack
20 of enforcement, and corruption within inter-
21 national law enforcement institutions that allow
22 the proliferation of modern-day slavery;

23 (C) review all relevant governmental pro-
24 grams in existence on the date of the beginning
25 of the study, including the United States Agen-

1 cy for International Development, the Depart-
2 ment of State, the Department of Defense, the
3 Department of Labor, the Department of
4 Health and Human Services, the Interagency
5 Task Force to Monitor and Combat Traf-
6 ficking, and the Human Smuggling and Traf-
7 ficking Center; and

8 (D) convene additional experts from rel-
9 evant nongovernmental organizations as part of
10 the Commission's thorough review.

11 (2) GOALS.—In making determinations under
12 paragraph (1), the Commission shall seek to pro-
13 mote goals of—

14 (A) providing a comprehensive and fully
15 integrated evaluation of best practices, to pre-
16 vent modern-day slavery;

17 (B) providing a comprehensive and fully
18 integrated evaluation of the best practices to
19 rescue and rehabilitate victims of modern-day
20 slavery;

21 (C) providing a comprehensive and fully in-
22 tegrated evaluation of the best practices for
23 prosecution of traffickers and increasing ac-
24 countability within countries;

1 (D) providing a comprehensive and fully
2 integrated evaluation of exportable models to
3 prevent modern-day slavery, rescue and reha-
4 bilitate victims of modern-day slavery, prosecute
5 offenders, and increase education and account-
6 ability about modern-day slavery, which could
7 contribute governments, nongovernmental orga-
8 nizations, and institutions;

9 (E) identifying countries which provide the
10 greatest opportunity for abolition of modern-
11 day slavery specific to United States involve-
12 ment;

13 (F) connecting various organizations to fa-
14 cilitate integration of information regarding
15 identifying, extracting, and rehabilitating vic-
16 tims;

17 (G) examining the economic impact on
18 communities and countries that demonstrate
19 measured success in fighting modern-day slav-
20 ery;

21 (H) increasing education and awareness
22 about modern-day slavery throughout the
23 United States to decrease modern-day slavery
24 within the United States and abroad; and

1 (I) providing a comprehensive evaluation of
2 best practices to educate high-risk populations.

3 (b) RECOMMENDATIONS.—The Commission shall de-
4 velop recommendations on how to best combat modern-
5 day slavery, including an economic, social, and judicial
6 evaluation.

7 (c) REPORT.—Not later than 11 months after the
8 date of enactment of this Act, the Commission shall sub-
9 mit a report to the Speaker and minority leader of the
10 House of Representatives and the majority leader and mi-
11 nority leader of the Senate, which shall contain a detailed
12 statement of the legislation and administrative actions as
13 it considers appropriate.

14 **SEC. 6. POWERS OF THE COMMISSION.**

15 (a) HEARINGS.—The Commission may hold such
16 hearings, sit and act at such times and places, take such
17 testimony, and receive such evidence as the Commission
18 considers necessary to carry out this Act.

19 (b) INFORMATION FROM GOVERNMENTAL AGEN-
20 CIES.—The Commission may secure directly from any de-
21 partment or agency such information as the Commission
22 considers necessary to carry out this Act. Upon request
23 of either cochairperson of the Commission, the head of
24 such department or agency shall furnish such information
25 to the Commission.

1 **SEC. 7. COMMISSION PERSONNEL MATTERS.**

2 (a) **COMPENSATION OF MEMBERS.**—Each member of
3 the Commission who is not an officer or employee of the
4 Federal Government shall be compensated at a rate equal
5 to the daily equivalent of the annual rate of basic pay pre-
6 scribed for level IV of the Executive Schedule under sec-
7 tion 5313 of title 5, United States Code, for each day (in-
8 cluding travel time) during which such member is engaged
9 in the performance of the duties of the Commission. All
10 members of the Commission who are officers or employees
11 of the United States shall serve without compensation in
12 addition to that received for their services as officers or
13 employees of the United States.

14 (b) **TRAVEL EXPENSES.**—The members of the Com-
15 mission shall be allowed travel expenses, including per
16 diem in lieu of subsistence, at rates authorized for employ-
17 ees of agencies under subchapter I of chapter 57 of title
18 5, United States Code, while away from their homes or
19 regular places of business in the performance of services
20 for the Commission.

21 (c) **STAFF.**—

22 (1) **IN GENERAL.**—The cochairpersons of the
23 Commission, acting jointly, may, without regard to
24 the civil service laws and regulations, appoint and
25 terminate an executive director and such other addi-
26 tional personnel as may be necessary to enable the

1 Commission to perform its duties. The employment
2 of an executive director shall be subject to confirma-
3 tion by the Commission.

4 (2) COMPENSATION.—The cochairpersons of
5 the Commission, acting jointly, may fix the com-
6 pensation of the executive director and other per-
7 sonnel without regard to chapter 51 and subchapter
8 III of chapter 53 of title 5, United States Code, re-
9 lating to classification of positions and General
10 Schedule pay rates, except that the rate of pay for
11 the executive director and other personnel may not
12 exceed the rate payable for level V of the Executive
13 Schedule under section 5316 of such title.

14 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Federal
15 Government employees may be detailed to the Commission
16 without reimbursement, and such detail shall be without
17 interruption or loss of civil service status or privilege.

18 (e) PROCUREMENT OF TEMPORARY AND INTERMIT-
19 TENT SERVICES.—The cochairpersons of the Commission,
20 acting jointly, may procure temporary and intermittent
21 services under section 3109(b) of title 5, United States
22 Code, at rates for individuals which do not exceed the daily
23 equivalent of the annual rate of basic pay prescribed for
24 level V of the Executive Schedule under section 5316 of
25 such title.

1 **SEC. 8. TERMINATION OF THE COMMISSION.**

2 The Commission shall terminate 90 days after the
3 date on which the Commission submits its report under
4 section 5.

5 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

6 (a) IN GENERAL.—There are authorized to be appro-
7 priated to the Commission for fiscal year 2007 such sums
8 as may be necessary to carry out this Act.

9 (b) AVAILABILITY.—Any sums appropriated under
10 the authorization contained in this section shall remain
11 available, without fiscal year limitation, until expensed.

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