

110TH CONGRESS
1ST SESSION

H. R. 270

To authorize appropriations for fiscal years 2008 through 2010 for the
Trafficking Victims Protection Act of 2000, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 2007

Mr. SMITH of New Jersey (for himself and Mr. WOLF) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary 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 2008 through
2010 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Trafficking Victims Protection Reauthorization Act of
6 2007”.

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

Sec. 1. Short title; table of contents.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

- Sec. 101. Authorization of appropriations in support of the Interagency Task Force to Monitor and Combat Trafficking.
- Sec. 102. Authorization of appropriations to the Secretary of Health and Human Services.
- Sec. 103. Authorization of appropriations to the Secretary of State.
- Sec. 104. Authorization of appropriations to the Attorney General.
- Sec. 105. Authorization of appropriations to the President.
- Sec. 106. Authorization of appropriations to the Secretary of Labor.
- Sec. 107. Authorization of appropriations to the Director of the Federal Bureau of Investigation.
- Sec. 108. Authorization of appropriations to the Secretary of Homeland Security.
- Sec. 109. Authorization of appropriations to the Administrator of the United States Agency for International Development.
- Sec. 110. Effective date; rule of construction.

TITLE II—OTHER PROVISIONS

- Sec. 201. Eligibility of juvenile victims of trafficking in persons for interim assistance.
- Sec. 202. Model State legislation to define and prohibit acts relating to prostitution of children and trafficking in children.
- Sec. 203. Technical and conforming amendments.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

SEC. 101. AUTHORIZATION OF APPROPRIATIONS IN SUPPORT OF THE INTERAGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING.

Section 113(a) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7110(a)) is amended to read as follows:

“(a) AUTHORIZATION OF APPROPRIATIONS IN SUPPORT OF THE TASK FORCE.—To carry out the purposes of sections 116(f) and 502B(h) of the Foreign Assistance Act of 1961 (as added by section 104), and sections 105(e), 105(f) and 110, there are authorized to be appro-

1 priated to the Secretary of State \$5,500,000 for each of
 2 the fiscal years 2008 through 2010. In addition, there are
 3 authorized to be appropriated to the Office to Monitor and
 4 Combat Trafficking for official reception and representa-
 5 tion expenses \$3,000 for each of the fiscal years 2008
 6 through 2010.”.

7 **SEC. 102. AUTHORIZATION OF APPROPRIATIONS TO THE**
 8 **SECRETARY OF HEALTH AND HUMAN SERV-**
 9 **ICES.**

10 (a) PROTECTION AND ASSISTANCE FOR VICTIMS OF
 11 TRAFFICKING IN THE UNITED STATES.—Section 113(b)
 12 of the Trafficking Victims Protection Act of 2000 (22
 13 U.S.C. 7110(b)) is amended to read as follows:

14 “(b) AUTHORIZATION OF APPROPRIATIONS TO THE
 15 SECRETARY OF HEALTH AND HUMAN SERVICES.—To
 16 carry out the purposes of section 107(b) of this title, there
 17 are authorized to be appropriated to the Secretary of
 18 Health and Human Services \$15,000,000 for each of the
 19 fiscal years 2008 through 2010.”.

20 (b) GRANT PROGRAM TO DEVELOP, EXPAND, AND
 21 STRENGTHEN ASSISTANCE PROGRAMS FOR CERTAIN
 22 PERSONS SUBJECT TO TRAFFICKING.—Section 202(d) of
 23 the Trafficking Victims Protection Reauthorization Act of
 24 2005 (42 U.S.C. 14044a(d)) is amended to read as fol-
 25 lows:

1 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
 2 are authorized to be appropriated \$10,000,000 for each
 3 of the fiscal years 2008 through 2010 to carry out the
 4 activities described in this section.”.

5 (c) PROTECTION OF JUVENILE VICTIMS OF TRAF-
 6 FICKING IN PERSONS.—Section 203(g) of the Trafficking
 7 Victims Protection Reauthorization Act of 2005 (42
 8 U.S.C. 14044b(g)) is amended to read as follows:

9 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
 10 are authorized to be appropriated to the Secretary of
 11 Health and Human Services to carry out this section
 12 \$5,000,000 for each of the fiscal years 2008 through
 13 2010.”.

14 **SEC. 103. AUTHORIZATION OF APPROPRIATIONS TO THE**
 15 **SECRETARY OF STATE.**

16 Section 113(c) of the Trafficking Victims Protection
 17 Act of 2000 (22 U.S.C. 7110(c)) is amended to read as
 18 follows:

19 “(c) AUTHORIZATION OF APPROPRIATIONS TO THE
 20 SECRETARY OF STATE.—

21 “(1) BILATERAL ASSISTANCE TO COMBAT TRAF-
 22 FICKING.—

23 “(A) PREVENTION.—To carry out the pur-
 24 poses of section 106, there are authorized to be
 25 appropriated to the Secretary of State

1 \$10,000,000 for each of the fiscal years 2008
2 through 2010.

3 “(B) PROTECTION.—To carry out the pur-
4 poses of section 107(a), there are authorized to
5 be appropriated to the Secretary of State
6 \$10,000,000 for each of the fiscal years 2008
7 through 2010.

8 “(C) PROSECUTION AND MEETING MIN-
9 IMUM STANDARDS.—To carry out the purposes
10 of section 134 of the Foreign Assistance Act of
11 1961 (as added by section 109), there are au-
12 thorized to be appropriated \$10,000,000 for
13 each of the fiscal years 2008 through 2010 to
14 assist in promoting prosecution of traffickers
15 and otherwise to assist countries in meeting the
16 minimum standards described in section 108 of
17 this Act, including \$250,000 for each such fis-
18 cal year to carry out training activities for law
19 enforcement officers, prosecutors, and members
20 of the judiciary with respect to trafficking in
21 persons at the International Law Enforcement
22 Academies.

23 “(2) PREPARATION OF ANNUAL COUNTRY RE-
24 PORTS ON HUMAN RIGHTS.—To carry out the pur-
25 poses of sections 116(f) and 502B(h) of the Foreign

1 Assistance Act of 1961 (as added by section 104),
2 there are authorized to be appropriated to the Sec-
3 retary of State such sums as may be necessary to
4 include the additional information required by that
5 section in the annual Country Reports on Human
6 Rights Practices, including the preparation and pub-
7 lication of the list described in subsection (a)(1) of
8 that section.”.

9 **SEC. 104. AUTHORIZATION OF APPROPRIATIONS TO THE**
10 **ATTORNEY GENERAL.**

11 (a) PROTECTION AND ASSISTANCE FOR VICTIMS OF
12 TRAFFICKING IN THE UNITED STATES; ASSISTANCE TO
13 FOREIGN COUNTRIES TO MEET MINIMUM STANDARDS
14 FOR THE ELIMINATION OF TRAFFICKING.—Section
15 113(d) of the Trafficking Victims Protection Act of 2000
16 (22 U.S.C. 7110(d)) is amended to read as follows:

17 “(d) AUTHORIZATION OF APPROPRIATIONS TO AT-
18 TORNEY GENERAL.—To carry out the purposes of section
19 107(b), there are authorized to be appropriated to the At-
20 torney General \$15,000,000 for each of the fiscal years
21 2008 through 2010. To carry out the purposes of section
22 134 of the Foreign Assistance Act of 1961 (as added by
23 section 109), there are authorized to be appropriated to
24 the President, acting through the Attorney General and
25 the Secretary of State, \$250,000 for each of fiscal years

1 2008 through 2010 to carry out training activities for law
2 enforcement officers, prosecutors, and members of the ju-
3 diciary with respect to trafficking in persons at the Inter-
4 national Law Enforcement Academies.”.

5 (b) PROGRAM TO REDUCE TRAFFICKING IN PER-
6 SONS AND DEMAND FOR COMMERCIAL SEX ACTS IN THE
7 UNITED STATES.—Section 201(c) of the Trafficking Vic-
8 tims Protection Reauthorization Act of 2005 (42 U.S.C.
9 14044(c)) is amended to read as follows:

10 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated—

12 “(1) \$2,500,000 for each of the fiscal years
13 2008 and 2010 to carry out the activities described
14 in subsection (a)(1)(B)(i) and \$2,500,000 for each
15 of the fiscal years 2008 and 2010 to carry out the
16 activities described in subsection (a)(1)(B)(ii); and

17 “(2) \$1,000,000 for each of the fiscal years
18 2008 and 2010 to carry out the activities described
19 in subsection (a)(2).”.

20 (c) ENHANCING STATE AND LOCAL EFFORTS TO
21 COMBAT TRAFFICKING IN PERSONS.—Section 204(d) of
22 the Trafficking Victims Protection Reauthorization Act of
23 2005 (42 U.S.C. 14044c(d)) is amended to read as fol-
24 lows:

1 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the Attorney General
3 to carry out this section \$25,000,000 for each of the fiscal
4 years 2008 through 2010.”.

5 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS TO THE**
6 **PRESIDENT.**

7 Section 113(e) of the Trafficking Victims Protection
8 Act of 2000 (22 U.S.C. 7110(e)) is amended to read as
9 follows:

10 “(e) AUTHORIZATION OF APPROPRIATIONS TO
11 PRESIDENT.—

12 “(1) FOREIGN VICTIM ASSISTANCE.—To carry
13 out the purposes of section 106, there are authorized
14 to be appropriated to the President \$15,000,000 for
15 each of the fiscal years 2008 through 2010.

16 “(2) ASSISTANCE TO FOREIGN COUNTRIES TO
17 MEET MINIMUM STANDARDS.—To carry out the pur-
18 poses of section 134 of the Foreign Assistance Act
19 of 1961 (as added by section 109), there are author-
20 ized to be appropriated to the President
21 \$15,000,000 for each of the fiscal years 2008
22 through 2010.

23 “(3) RESEARCH.—To carry out the purposes of
24 section 112A, there are authorized to be appro-

1 priated to the President \$300,000 for each of the
2 fiscal years 2008 through 2010.”.

3 **SEC. 106. AUTHORIZATION OF APPROPRIATIONS TO THE**
4 **SECRETARY OF LABOR.**

5 Section 113(f) of the Trafficking Victims Protection
6 Act of 2000 (22 U.S.C. 7110(f)) is amended to read as
7 follows:

8 “(f) AUTHORIZATION OF APPROPRIATIONS TO THE
9 SECRETARY OF LABOR.—To carry out the purposes of
10 section 107(b), there are authorized to be appropriated to
11 the Secretary of Labor \$10,000,000 for each of the fiscal
12 years 2008 through 2010.”.

13 **SEC. 107. AUTHORIZATION OF APPROPRIATIONS TO THE DI-**
14 **RECTOR OF THE FEDERAL BUREAU OF IN-**
15 **VESTIGATION.**

16 Section 113(h) of the Trafficking Victims Protection
17 Act of 2000 (22 U.S.C. 7110(h)) is amended to read as
18 follows:

19 “(h) AUTHORIZATION OF APPROPRIATIONS TO DI-
20 RECTOR OF THE FBI.—There are authorized to be appro-
21 priated to the Director of the Federal Bureau of Investiga-
22 tion, \$15,000,000 for each of the fiscal years 2008
23 through 2010, to remain available until expended, to in-
24 vestigate severe forms of trafficking in persons.”.

1 **SEC. 108. AUTHORIZATION OF APPROPRIATIONS TO THE**
2 **SECRETARY OF HOMELAND SECURITY.**

3 Section 113(i) of the Trafficking Victims Protection
4 Act of 2000 (22 U.S.C. 7110(i)) is amended to read as
5 follows:

6 “(i) AUTHORIZATION OF APPROPRIATIONS TO THE
7 SECRETARY OF HOMELAND SECURITY.—There are au-
8 thorized to be appropriated to the Secretary of Homeland
9 Security, \$18,000,000 for each of the fiscal years 2008
10 through 2010, to remain available until expended, for in-
11 vestigations by the Bureau of Immigration and Customs
12 Enforcement of severe forms of trafficking in persons.”.

13 **SEC. 109. AUTHORIZATION OF APPROPRIATIONS TO THE**
14 **ADMINISTRATOR OF THE UNITED STATES**
15 **AGENCY FOR INTERNATIONAL DEVELOP-**
16 **MENT.**

17 Section 102(b)(7) of the Trafficking Victims Protec-
18 tion Reauthorization Act of 2005 (22 U.S.C. 7105(b)(7)
19 note) is amended to read as follows:

20 “(7) AUTHORIZATION OF APPROPRIATIONS.—
21 There are authorized to be appropriated to the Ad-
22 ministrator of the United States Agency for Inter-
23 national Development to carry out this subsection
24 \$2,500,000 for each of the fiscal years 2008 through
25 2010.”.

1 **SEC. 110. EFFECTIVE DATE; RULE OF CONSTRUCTION.**

2 (a) **EFFECTIVE DATE.**—The amendments made by
3 this title take effect on October 1, 2007, or the date of
4 the enactment of this Act, whichever occurs later.

5 (b) **RULE OF CONSTRUCTION.**—The amendments
6 made by this title shall not be construed to affect the avail-
7 ability of funds appropriated pursuant to the authoriza-
8 tions of appropriations under the Trafficking Victims Pro-
9 tection Act of 2000 (division A of Public Law 106–386;
10 22 U.S.C. 7101 et seq.) and the Trafficking Victims Pro-
11 tection Reauthorization Act of 2005 (Public Law 109–
12 164) before the date of the enactment of this Act.

13 **TITLE II—OTHER PROVISIONS**

14 **SEC. 201. ELIGIBILITY OF JUVENILE VICTIMS OF TRAF-**
15 **FICKING IN PERSONS FOR INTERIM ASSIST-**
16 **ANCE.**

17 Section 107(b)(1) of the Trafficking Victims Protec-
18 tion Act of 2000 (22 U.S.C. 7105(b)(1)) is amended by
19 adding at the end the following new subparagraph:

20 “(F) **ELIGIBILITY OF JUVENILE VICTIMS**
21 **OF TRAFFICKING IN PERSONS FOR INTERIM AS-**
22 **SISTANCE.**—

23 “(i) **DETERMINATION.**—With respect
24 to a person referred to in subparagraph
25 (C)(ii)(I) who is seeking assistance under
26 this paragraph, if credible evidence is pre-

1 sented on behalf of the person that the
 2 person has been subjected to an act or
 3 practice described in section 103(8), the
 4 Secretary of Health and Human Services
 5 shall promptly make a determination of the
 6 person’s eligibility for assistance under this
 7 paragraph.

8 “(ii) EXCLUSIVE AUTHORITY.—The
 9 Secretary of Health and Human Services
 10 shall have exclusive authority in making
 11 determinations of eligibility under clause
 12 (i).”.

13 **SEC. 202. MODEL STATE LEGISLATION TO DEFINE AND**
 14 **PROHIBIT ACTS RELATING TO PROSTITUTION**
 15 **OF CHILDREN AND TRAFFICKING IN CHIL-**
 16 **DREN.**

17 (a) REQUIREMENT.—The Attorney General shall pre-
 18 pare model legislation for use by the States to define and
 19 prohibit all acts relating to prostitution of children and
 20 trafficking in children for the purpose of labor or sexual
 21 exploitation.

22 (b) AVAILABILITY.—Not later than 180 days after
 23 the date of the enactment of this Act, the Attorney Gen-
 24 eral shall disseminate the model legislation prepared pur-
 25 suant to subsection (a) to appropriate officials of each

1 State and others, including the chief executive officer and
 2 legislative leaders of each State, and shall post the model
 3 legislation on the Web site of the Department of Justice
 4 for a period of not less than 2 years.

5 (c) STATE DEFINED.—In this section, the term
 6 “State” means each of the several States, the District of
 7 Columbia, Puerto Rico, the Northern Mariana Islands, the
 8 Virgin Islands, Guam, and American Samoa.

9 **SEC. 203. TECHNICAL AND CONFORMING AMENDMENTS.**

10 (a) DIVISION A OF PUBLIC LAW 106–386.—Sections
 11 103(1) and 105(d)(7) of the Trafficking Victims Protec-
 12 tion Act of 2000 (division A of Public Law 106–386) are
 13 each amended by striking “Committee on International
 14 Relations” and inserting “Committee on Foreign Affairs”.

15 (b) PUBLIC LAW 109–164.—Section 102(b)(6) and
 16 subsections (c)(2)(B)(i) and (e)(2) of section 104 of the
 17 Trafficking Victims Protection Reauthorization Act of
 18 2005 (Public Law 109–164) are each amended by striking
 19 “Committee on International Relations” and inserting
 20 “Committee on Foreign Affairs”.

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