

112TH CONGRESS
1ST SESSION

H. R. 3589

To authorize appropriations for fiscal years 2012 and 2013 for the Trafficking Victims Protection Act of 2000, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 7, 2011

Mr. SMITH of New Jersey (for himself and Mr. ISSA) 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 2012 and 2013 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 2011”.

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 trafficking.
- Sec. 104. Reports to Congress.
- Sec. 105. Temporary increase in fee for certain consular services.
- Sec. 106. Additional activities to monitor and combat forced labor and child labor.
- Sec. 107. Enhancing protection for children exploited abroad by United States citizens and permanent resident aliens.
- Sec. 108. Sense of Congress on human trafficking in Cambodia.
- Sec. 109. Prohibition on peacekeeping operations assistance to countries that recruit and use child soldiers and revision to national interest waiver under the Child Soldiers Prevention Act of 2008.
- Sec. 110. 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. Transfer of United States programming to the Attorney General.
- Sec. 202. Interagency Task Force To Monitor and Combat Trafficking.
- Sec. 203. Ensuring timely response to requests for continued presence.
- Sec. 204. 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. Enhancing efforts to combat the trafficking of children.
- Sec. 222. Improving local efforts to combat trafficking and sexual exploitation of children.
- Sec. 223. 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 requirements.

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 “OFFICE 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 “Office to Monitor and Combat Mod-

ern Slavery and Other Forms of Human Trafficking”; and

(B) in the second sentence—

(i) by striking “a Director” and inserting “an Ambassador-at-Large for Combating Human Trafficking (referred to in this section as the ‘Ambassador’)”;

(ii) by striking “with the rank” and inserting “with the rank and status”; and

(iii) in the third, fourth, and fifth sentences, by striking “Director” each place it appears and inserting “Ambassador”; and

(3) in paragraph (2)—

(A) by striking “Director” each place it appears and inserting “Ambassador”; and

(B) in subparagraph (B), by striking “Office to Monitor and Combat Trafficking” each place it appears and inserting “Office to Monitor and Combat Modern Slavery and Other Forms of Human Trafficking”.

(b) CONFORMING AMENDMENTS.—Any reference in the Trafficking Victims Protection Act of 2000 or in any other Act to the Office to Monitor and Combat Trafficking or to the Director of the Office to Monitor and Combat Trafficking shall be deemed to be a reference to the Office

1 To Monitor and Combat Modern Slavery and Other Forms
 2 of Human Trafficking or to the Ambassador-at-Large for
 3 Combating Human Trafficking, respectively.

4 **SEC. 103. PREVENTION OF TRAFFICKING.**

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

9 (1) by striking “The President” and inserting
 10 the following:

11 “(1) IN GENERAL.—The President”;

12 (2) in paragraph (1) (as redesignated), by in-
 13 serting “targeted” after “carry out”;

14 (3) by striking “Such initiatives” and inserting
 15 the following:

16 “(2) INITIATIVES.—Such initiatives”;

17 (4) by redesignating paragraphs (1) through
 18 (5) that follow paragraph (2) (as redesignated) as
 19 subparagraphs (A) through (E), respectively, and by
 20 moving the margins two ems to the right;

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

22 (A) in subparagraph (A) (as redesignated),
 23 by inserting “and micro-enterprise” after
 24 “microcredit”;

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

3 (C) in subparagraph (E) (as redesignated),
4 by striking the period at the end and inserting
5 “; and”; and

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

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

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

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

14 “(A) Stateless persons.

15 “(B) Refugees and internally displaced
16 persons.

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

19 “(D) Persons from regions of limited social
20 protections or educational or economic options
21 for women, particularly persons who are victims
22 of sexual abuse or exploitation.

23 “(E) Persons from regions of high undocu-
24 mented migration or displacement resulting
25 from violent conflict or natural disasters.

1 “(F) Persons from regions with high rates
2 of child labor, child abandonment, or child sex
3 tourism.

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

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

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

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

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

15 “(2) AUTHORIZATION OF ASSISTANCE TO SPE-
16 CIFICALLY ADDRESS POST-CONFLICT AND HUMANI-
17 TARIAN EMERGENCIES.—The Secretary of State,
18 acting through the Ambassador-at-Large for Com-
19 bating Human Trafficking, is authorized to provide
20 assistance on an urgent basis for vulnerable popu-
21 lations at risk of severe forms of trafficking in per-
22 sons in conjunction with post-conflict situations and
23 humanitarian emergencies.”.

1 **SEC. 104. REPORTS TO CONGRESS.**

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

4 (1) in paragraph (1)—

5 (A) in the matter preceding subparagraph
6 (A), by inserting “, acting through the Amba-
7 sador-at-Large for Combating Human Traf-
8 ficking,” after “Secretary of State”;

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

11 (C) by redesignating subparagraph (F) as
12 subparagraph (I); and

13 (D) by inserting after subparagraph (E)
14 the following:

15 “(F) a section entitled ‘Best Practices in
16 Slavery Eradication’ to highlight innovations in
17 prevention, protection, and prosecution of the
18 perpetrators of trafficking, as well as public-pri-
19 vate partnerships;

20 “(G) a section entitled ‘Refugee-Traf-
21 ficking Connection’ to highlight the vulner-
22 ability of refugee populations to human traf-
23 ficking and to make recommendations for the
24 prevention of refugee trafficking;

25 “(H) an assessment of the actions taken
26 by the Department of State and the Depart-

ment of Justice to investigate allegations of trafficking or abuse of nonimmigrants holding an A-3 visa or a G-5 visa (as such terms are defined in section 203(f) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008), results of such investigations; and”; and

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

**SEC. 105. TEMPORARY INCREASE IN FEE FOR CERTAIN
CONSULAR SERVICES.**

Section 239(c) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1351 note) is amended by striking “the date that is 3 years after the first date on which such increased fee is collected” and inserting “September 30, 2015”.

**SEC. 106. ADDITIONAL ACTIVITIES TO MONITOR AND COM-
BAT FORCED LABOR AND CHILD LABOR.**

(a) IN GENERAL.—Section 105(b) of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. 7112(b)) is amended—

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

(2) in paragraph (2)(C)—

1 (A) by inserting “and Congress” after
2 “public”; and

3 (B) by inserting “, including the United
4 States,” after “countries”.

5 (b) ADDITIONAL ACTIVITIES OF THE DEPARTMENT
6 OF STATE.—Section 105 of the Trafficking Victims Pro-
7 tection Reauthorization Act of 2005 (22 U.S.C. 7112) is
8 amended by adding at the end the following:

9 “(c) ADDITIONAL ACTIVITIES OF THE DEPARTMENT
10 OF STATE.—

11 “(1) SHORT TITLE.—This subsection may be
12 cited as the ‘Business Transparency on Trafficking
13 and Slavery Act’.

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

1 and the Worst Forms of Child Labor’ describing to
2 what extent, if any, the person conducts any of the
3 following activities:

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

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

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

21 “(i) describe the greatest risks identi-
22 fied within the supply chain, and the meas-
23 ures taken toward eliminating those risks;

1 “(ii) specify whether the verification
2 was or was not conducted by a third party;
3 and

4 “(iii) specify whether the verification
5 process includes consultations with inde-
6 pendent unions, workers’ associations, or
7 workers within workplaces and incor-
8 porates the resulting certification or writ-
9 ten comments from such independent
10 union, workers’ associations, or workers.

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

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

1 “(F) Requires suppliers in its supply chain
2 to certify that materials incorporated into the
3 product comply with the laws regarding forced
4 labor, slavery, human trafficking, and the worst
5 forms of child labor of the country or countries
6 in which they are doing business.

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

15 “(H) Provides the person’s employees and
16 management who have direct responsibility for
17 supply chain management, training on forced
18 labor, slavery, human trafficking and the worst
19 forms of child labor, particularly with respect to
20 mitigating risks within the supply chains of
21 products.

22 “(I) Ensures that recruitment practices at
23 all suppliers comply with the person’s company
24 standards for eliminating exploitive labor prac-
25 tices that contribute to forced labor, slavery,

1 human trafficking, and the worst forms of child
2 labor, including by conducting audits of labor
3 recruiters and disclosing the results of such au-
4 dits.

5 “(J) In cases where forced labor, slavery,
6 human trafficking, and the worst forms of child
7 labor have been identified within the supply
8 chain, ensures that remediation is provided to
9 those who have been identified as victims.

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

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

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

1 “(C) the term ‘remediation’ means the ac-
2 tivities or systems that a company puts in place
3 to address non-compliance with the standards
4 identified through monitoring or verification,
5 which may apply to individuals adversely af-
6 fected by the non-compliant conduct or address
7 broader systematic processes;

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

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

22 “(i) data gathered through monitoring
23 activities to ensure results are reliable and
24 process is credible; and

1 “(ii) the system established to reme-
 2 diate violations to determine if remediation
 3 is implemented and effective.”.

4 **SEC. 107. ENHANCING PROTECTION FOR CHILDREN EX-**
 5 **PLOITED ABROAD BY UNITED STATES CITI-**
 6 **ZENS AND PERMANENT RESIDENT ALIENS.**

7 Section 2423 of title 18, United States Code, is
 8 amended—

9 (1) in subsection (c)—

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

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

15 (2) by inserting after subsection (g) the fol-
 16 lowing:

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

23 **SEC. 108. SENSE OF CONGRESS ON HUMAN TRAFFICKING**
 24 **IN CAMBODIA.**

25 (a) FINDINGS.—Congress finds the following:

1 (1) According to notable news sources, the
2 Kingdom of Cambodia remains a “magnet” for
3 those who sexually prey on the young.

4 (2) Human Rights Watch reports that “human
5 trafficking of women and girls into sex work is a
6 problem in Cambodia, fuelled by corruption and a
7 lack of political will to prosecute traffickers”.

8 (3) According to Human Rights Watch, “Cam-
9 bodia is plagued not only by widespread abuses com-
10 mitted by officials, but impunity for perpetrators.”.

11 (4) The 2011 Department of State’s Traf-
12 ficking in Persons Report (TIP) states that “the
13 Government of Cambodia did not demonstrate
14 progress in law enforcement efforts against traf-
15 ficking crimes during the year”, and that “in some
16 cases, Cambodian police were reportedly unwilling to
17 pursue investigations of several suspected trafficking
18 establishments during the year because the estab-
19 lishments were thought to be owned by or affiliated
20 with high-ranking officials”.

21 (5) The Government of Cambodia convicted
22 only 20 trafficking offenders during 2010, “a de-
23 crease from 36 the previous reporting period”, ac-
24 cording to the 2011 TIP Report.

1 (6) There was no improvement in efforts by the
 2 Government of Cambodia to identify and protect
 3 trafficking victims during the previous reporting pe-
 4 riod, according to the 2011 TIP Report.

5 (7) According to the 2011 TIP Report, “coun-
 6 tries whose governments do not fully comply with
 7 the minimum standards and are not making signifi-
 8 cant efforts to do so”, will be designated as Tier 3
 9 countries pursuant to section 110 of the Trafficking
 10 Victims Protection Act of 2000 (22 U.S.C. 7107).

11 (b) SENSE OF CONGRESS.—It is the sense of Con-
 12 gress that—

13 (1) the measures taken by the Government of
 14 Cambodia are insufficient in addressing the scope of
 15 Cambodia’s human trafficking problem; and

16 (2) Cambodia should be designated as a Tier 3
 17 country pursuant to section 110 of the Trafficking
 18 Victims Protection Act of 2000 (22 U.S.C. 7107).

19 **SEC. 109. PROHIBITION ON PEACEKEEPING OPERATIONS**
 20 **ASSISTANCE TO COUNTRIES THAT RECRUIT**
 21 **AND USE CHILD SOLDIERS AND REVISION TO**
 22 **NATIONAL INTEREST WAIVER UNDER THE**
 23 **CHILD SOLDIERS PREVENTION ACT OF 2008.**

24 (a) PROHIBITION ON PEACEKEEPING OPERATIONS
 25 ASSISTANCE.—

1 (1) IN GENERAL.—Section 404(a) of the Child
2 Soldiers Prevention Act of 2008 (22 U.S.C. 2370c–
3 1(a)) is amended—

4 (A) by striking “or 541” and inserting “,
5 541, or 551”; and

6 (B) by striking “or 2347” and inserting “,
7 2347, or 2348”.

8 (2) EFFECTIVE DATE.—The amendments made
9 by paragraph (1) take effect on the date of the en-
10 actment of this Act and apply with respect to
11 amounts made available for assistance under section
12 551 of the Foreign Assistance Act of 1961 that are
13 unobligated or unexpended on or after such date.

14 (b) NATIONAL INTEREST WAIVER.—Section 404(c)
15 of the Child Soldiers Prevention Act of 2008 (22 U.S.C.
16 2370c–1(c)) is amended to read as follows:

17 “(c) NATIONAL INTEREST WAIVER.—The President
18 may waive the application to a country of the prohibition
19 in subsection (a) if—

20 “(1) the President determines that such waiver
21 is in the national interest of the United States; and

22 “(2) the President provides to the appropriate
23 congressional committees at least 15 days in ad-
24 vance of exercising the waiver a justification for
25 granting such a waiver, including a certification that

1 the government of the country has taken credible
2 and verifiable steps to implement a plan of action to
3 end the recruitment and use of child soldiers, includ-
4 ing the demobilization of child soldiers.”.

5 **SEC. 110. REPORT ON INTERNET-FACILITATED HUMAN**
6 **TRAFFICKING.**

7 (a) IN GENERAL.—Not later than January 1, 2013,
8 the Senior Policy Operating Group, in coordination with
9 the Office to Combat Modern Slavery and Other Forms
10 of Human Trafficking of the Department of State, shall
11 submit to Congress a report on Internet-facilitated human
12 trafficking.

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

15 (1) Statistics and trends relating to Internet-fa-
16 cilitated human trafficking cases over the last 10
17 years. To the extent possible, the statistics and
18 trends should be broken down by Federal depart-
19 ment and agency handling each case.

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

23 (3) Specific challenges faced by Federal depart-
24 ments and agencies in preventing Internet-facilitated
25 trafficking and prosecuting offenders.

1 (4) Proposals to assist the Federal government
2 to prevent Internet-facilitated human trafficking. In
3 drafting the proposals, the Senior Policy Operating
4 Group should examine—

5 (A) adoption of cutting-edge technology;

6 (B) collaboration between the private and
7 public sectors;

8 (C) enforcement of current laws;

9 (D) improved information gathering and
10 interdepartmental collaboration; and

11 (E) development of new laws and policies.

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

17 (d) DEFINITIONS.—In this section—

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

21 (2) the term “Senior Policy Operating Group”
22 means the Senior Policy Operating Group—

23 (A) established under section 105(f) of the
24 Trafficking Victims Protection Act of 2000 (22
25 U.S.C. 7103(f)); and

1 (B) chaired by the Ambassador-at-Large
 2 for Combating Human Trafficking; and
 3 (3) the term “severe forms of trafficking in per-
 4 sons” has the meaning given such term in section
 5 103(8) of the Trafficking Victims Protection Act of
 6 2000 (22 U.S.C. 7102(8)).

7 **TITLE II—COMBATING TRAF-**
 8 **FICKING IN PERSONS IN THE**
 9 **UNITED STATES**
 10 **Subtitle A—Amendments to the**
 11 **Trafficking Victims Protection**
 12 **Act of 2000**

13 **SEC. 201. TRANSFER OF UNITED STATES PROGRAMMING TO**
 14 **THE ATTORNEY GENERAL.**

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

19 (1) in subsection (b), by striking “the Secretary
 20 of Health and Human Services,”; and

21 (2) in subsection (d)(7)(A), by striking “the
 22 Secretary of Health and Human Services,”.

23 (b) PREVENTION OF TRAFFICKING THROUGH PUB-
 24 LIC AWARENESS.—Section 106(b) of the Trafficking Vic-
 25 tims Protection Act of 2000 (22 U.S.C. 7104(b)) is

1 amended by striking “the Secretary of Health and Human
2 Services,”.

3 (c) ASSISTANCE FOR VICTIMS IN THE UNITED
4 STATES.—Section 107(b)(1) of the Trafficking Victims
5 Protection Act of 2000 (22 U.S.C. 7105(b)(1)) is amend-
6 ed—

7 (1) in subparagraph (B), by striking “the Sec-
8 retary of Health and Human Services” each place it
9 appears and inserting “the Attorney General”; and

10 (2) in subparagraph (E)—

11 (A) in clause (i)—

12 (i) by striking “the Secretary of
13 Health and Human Services” and insert-
14 ing “the Attorney General”; and

15 (ii) by striking “the Attorney General
16 and”; and

17 (B) in clause (iv), by striking “the Sec-
18 retary of Health and Human Services” and in-
19 serting “the Attorney General”.

20 (d) TRAFFICKING VICTIM REGULATIONS.—Section
21 107(c)(4) of the Trafficking Victims Protection Act of
22 2000 (22 U.S.C. 7105(c)(4)) is amended by striking “the
23 Secretary of Health and Human Services” and inserting
24 “the Secretary of Homeland Security”.

1 (e) ASSISTANCE FOR UNITED STATES CITIZENS AND
 2 LAWFUL PERMANENT RESIDENTS.—Section 107(f) of the
 3 Trafficking Victims Protection Act of 2000 (22 U.S.C.
 4 7105(f)) is amended—

5 (1) in paragraph (1)—

6 (A) by striking “The Secretary of Health
 7 and Human Services and the” and inserting
 8 “The”; and

9 (B) by striking “the Secretary and”; and

10 (2) in paragraph (3)(A), by striking “The Sec-
 11 retary of Health and Human Services and the” and
 12 inserting “The”.

13 (f) RESEARCH ON DOMESTIC AND INTERNATIONAL
 14 TRAFFICKING IN PERSONS.—Section 112A of the Traf-
 15 ficking Victims Protection Act of 2000 (22 U.S.C. 7109a))
 16 is amended by striking “the Secretary of Health and
 17 Human Services,”.

18 **SEC. 202. INTERAGENCY TASK FORCE TO MONITOR AND**
 19 **COMBAT TRAFFICKING.**

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

24 (b) REPORT ON ACTIVITIES OF GOVERNMENT CON-
 25 TRACTORS AND SUBCONTRACTORS.—Section 105(d)(7) of

1 the Trafficking Victims Protection Act of 2000 (22 U.S.C.
2 7103(d)(7)) is amended—

3 (1) in subparagraph (H)(iii), by striking the
4 semicolon at the end and inserting the following: “,
5 including whether—

6 “(I) employee handbooks or
7 handbook equivalents of such govern-
8 ment contractors and subcontractors
9 describe the United States Govern-
10 ment’s zero-tolerance policy regarding
11 trafficking in persons and the actions,
12 up to and including termination, that
13 the employer will take against its em-
14 ployees for violations of the zero-toler-
15 ance policy; and

16 “(II) any employees of such gov-
17 ernment contractors or subcontractors
18 have been disciplined or terminated or
19 prosecuted for violation of the zero-
20 tolerance policy;” and

21 (2) in subparagraph (I)(i), by adding at the end
22 before the semicolon the following: “, including the
23 extent to which Federal departments and agencies
24 have terminated any contracts of United States Gov-
25 ernment’s contractors or subcontractors based on a

1 trafficking in persons offense and whether any em-
 2 ployees of any United States Government’s con-
 3 tractor or subcontractor have been disciplined, ter-
 4 minated, or prosecuted for violation of the zero-toler-
 5 ance policy”.

6 (c) REPORT ON ACTIVITIES OF BUREAU OF JUSTICE
 7 ASSISTANCE.—Section 105(d)(7) of the Trafficking Vic-
 8 tims Protection Act of 2000 (22 U.S.C. 7103(d)(7)), as
 9 amended by subsection (b) of this section, is further
 10 amended—

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

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

15 (3) by adding the following:

16 “(K) with regard to grant activities of the
 17 Bureau of Justice Assistance—

18 “(i) for each human trafficking
 19 taskforce whose operations are supported
 20 by grants from the Department of Justice,
 21 the number of reports of trafficking, inves-
 22 tigations of trafficking, T- and U-visa cer-
 23 tifications requested and granted in con-
 24 nection with instances of trafficking, re-

1 quests for continuation of presence under
2 107(c)(A)(iii) and grants of the same;

3 “(ii) a description of the data de-
4 scribed in clause (i) classified by certain
5 identifying information of each trafficking
6 victim including sex, age, citizenship, and
7 whether that individual was the victim of
8 trafficking for purposes of labor or for
9 commercial sex; and

10 “(iii) an outline of the content of any
11 existing protocols of the human trafficking
12 taskforce for reporting trafficking and
13 points of entry into the criminal investiga-
14 tion and service provision collaboration.”.

15 **SEC. 203. ENSURING TIMELY RESPONSE TO REQUESTS FOR**
16 **CONTINUED PRESENCE.**

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

20 (1) by inserting “or may be a victim of a severe
21 form of trafficking” before “and may be a potential
22 witness”; and

23 (2) by adding after the period at the end the
24 following: “If a request for continued presence is
25 made to a Federal law enforcement official, such of-

1 ficial shall respond to the request not later than 15
2 days after the date on which such request was made,
3 stating whether the official has filed the application
4 for continued presence with the Secretary of Home-
5 land Security and, if not, whether the official expects
6 to do so. Not later than one month after the date
7 on which such an application is filed, the Secretary
8 of Homeland Security shall approve or deny that ap-
9 plication.”.

10 **SEC. 204. REPORT TO CONGRESS.**

11 Section 110(b) of the Trafficking Victims Protection
12 Act of 2000 (7107(b)) is amended by adding at the end
13 the following:

14 “(5) ADDITIONAL REPORTING REQUIREMENT.—
15 In addition to the information required in the an-
16 nual report under paragraph (1) and the interim re-
17 port under paragraph (2), the Secretary of State
18 shall include in each such report a description of ef-
19 forts of the United States to comply with minimum
20 standards for the elimination of trafficking.”.

1 **Subtitle B—Amendments to Title**
2 **18, United States Code**

3 **SEC. 211. RENAMING OF BASIC FEDERAL TRAFFICKING**
4 **STATUTE.**

5 (a) IN GENERAL.—The section heading for section
6 2422 of title 18, United States Code, is amended by strik-
7 ing “**Coercion and enticement**” and inserting “**Sex**
8 **trafficking and related offenses**”.

9 (b) CLERICAL AMENDMENT.—The table of sections
10 at the beginning of chapter 117 of title 18, United States
11 Code, is amended so that the item relating to section 2422
12 reads as follows:

“2422. Sex trafficking and related offenses.”.

13 **SEC. 212. CLARIFYING TRAFFICKING DEFINITIONS AND**
14 **PROSECUTION.**

15 (a) IN GENERAL.—The section heading for section
16 1591 of title 18, United States Code, is amended by strik-
17 ing “**Sex trafficking of children or by force,**
18 **fraud, or coercion**” and inserting “**Severe forms**
19 **of trafficking in persons**”.

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

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

1 **SEC. 213. FIGHTING SEX TOURISM.**

2 The heading for subsection (d) of section 2423 of title
3 18, United States Code, is amended by striking “**Ancil-**
4 **lary offenses**” and inserting “**Child sex tourism**”.

5 **SEC. 214. IDENTIFICATION DOCUMENTS.**

6 (a) IN GENERAL.—Chapter 77 of title 18, United
7 States Code, is amended by adding at the end the fol-
8 lowing:

9 “§ 1597. Unlawful conduct with respect to immigra-
10 **tion documents**

11 “(a) DESTRUCTION, CONCEALMENT, REMOVAL, CON-
12 FISCATION, OR POSSESSION OF IMMIGRATION DOCU-
13 MENTS.—It shall be unlawful for any person to knowingly
14 destroy, or, for a period of more than 48 hours, conceal,
15 remove, confiscate, or possess, an actual or purported
16 passport, other immigration, or personal identification
17 document of another individual—

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

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

24 “(3) in order to, without lawful authority,
25 maintain, prevent, or restrict the labor of services of
26 the individual.

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

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

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

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

11 **SEC. 215. FRAUD IN FOREIGN LABOR CONTRACTING AS A**
 12 **RICO PREDICATE.**

13 Section 1961 of title 18, United States Code, is
 14 amended in paragraph (1)(B) by inserting “section 1351
 15 (fraud in foreign labor contracting),” after “section 1344
 16 (relating to financial institution fraud),”.

17 **Subtitle C—Amendments to Other**
 18 **Laws**

19 **SEC. 221. ENHANCING EFFORTS TO COMBAT THE TRAF-**
 20 **FICKING OF CHILDREN.**

21 (a) COMBATING CHILD TRAFFICKING AT THE BOR-
 22 DER AND PORTS OF ENTRY OF THE UNITED STATES.—

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

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

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

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

6 “(iv) the return of such child to the
7 child’s country of nationality or of last ha-
8 bitual residence would not endanger the
9 life or safety of such child.”.

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

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

21 (B) by adding at the end the following: “In
22 the course of building or remodeling existing
23 immigration facilities, consideration should be
24 given to including separate child-friendly space

1 conducive to disclosing information relating to
2 human trafficking or exploitation.”.

3 (3) Section 235(a)(5) of the William Wilber-
4 force Trafficking Victims Protection Reauthorization
5 Act of 2008 (8 U.S.C. 1232(a)(5)) is amended by
6 adding at the end the following:

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

15 “(i) The number of alien children en-
16 countered by U.S. Customs and Border
17 Protection.

18 “(ii) The number of alien children
19 screened for severe forms of human traf-
20 ficking.

21 “(iii) Whether the screening was con-
22 ducted by an individual with expertise in
23 child welfare.

1 “(iv) How many of these children
2 were repatriated and how many were di-
3 verted into services.”.

4 (b) COMBATING CHILD TRAFFICKING AND EXPLOI-
5 TATION IN THE UNITED STATES.—Section 235(b)(2) of
6 the William Wilberforce Trafficking Victims Protection
7 Reauthorization Act of 2008 (8 U.S.C. 1232(b)(2)) is
8 amended by striking “within 48 hours” and inserting
9 “within 24 hours”.

10 (c) PROVIDING SAFE AND SECURE PLACEMENTS FOR
11 CHILDREN.—

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

19 “(A) has been placed under this paragraph
20 as a child;

21 “(B) has demonstrated that he or she is
22 not a danger to the community or a flight risk;
23 and

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

1 (2) Section 235(c)(3)(B) of the William Wilber-
2 force Trafficking Victims Protection Reauthorization
3 Act of 2008 (8 U.S.C. 1232(c)(3)(B)) is amended as
4 follows:

5 (A) After “is first necessary.” insert the
6 following: “If the sponsor is a parent, a home
7 study shall be conducted where there are allega-
8 tions of current or past abuse or neglect of the
9 child by the parent or where, based on all avail-
10 able objective evidence, the parent clearly pre-
11 sents a risk of abuse, maltreatment, exploi-
12 tation, or trafficking to the child.”.

13 (B) Strike “A home study” and insert the
14 following: “If the sponsor is anyone other than
15 the parent, a home study”.

16 (C) Strike “shall conduct follow-up serv-
17 ices” and all that follows through “for whom a
18 home study was conducted” and insert the fol-
19 lowing: “shall provide at least 1 visit for follow-
20 up services on all children not later than 45
21 days after placement,”.

1 **SEC. 222. IMPROVING LOCAL EFFORTS TO COMBAT TRAF-**
2 **FICKING AND SEXUAL EXPLOITATION OF**
3 **CHILDREN.**

4 Section 471(a) of the Social Security Act (42 U.S.C.
5 671(a)) is amended—

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

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

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

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

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

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

1 “(C) jurisdictional limits and other issues
2 that hinder State child welfare response to aid
3 child victims of human trafficking;

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

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

12 **SEC. 223. EFFORTS TO PUBLICIZE THE NATIONAL HUMAN**
13 **TRAFFICKING RESOURCE CENTER HOTLINE.**

14 (a) GRANTEE HOTLINE INFORMATION.—The Attor-
15 ney General shall consult with the Secretary of Health and
16 Human Services to make reasonable efforts to distribute
17 information to enable grantees under section 107(b) of the
18 Trafficking Victims Protection Act of 2000 to publicize
19 the National Human Trafficking Resource Center hotline
20 on their Web sites, within the program’s headquarters as
21 well as field offices across the United States.

22 (b) HOTLINE INFORMATION.—

23 (1) IN GENERAL.—The Secretary of Health and
24 Human Services, in coordination with the Attorney
25 General, shall make reasonable efforts to encourage

1 States to adopt legislation to raise public awareness
2 of the National Human Trafficking Resource Center
3 hotline in every mandated establishment where vic-
4 tims of human trafficking may possibly work or
5 visit.

6 (2) POSTING OF MODEL HOTLINE INFORMA-
7 TION.—The legislation described in paragraph (1)
8 should include a requirement that information relat-
9 ing to the National Human Trafficking Resource
10 Center hotline be posted in accordance with the fol-
11 lowing specifications:

12 (A) POSTER LOCATION.—The poster
13 should be publicly displayed in a conspicuous
14 place near the entrance of mandated establish-
15 ments or where such posters and notices are
16 customarily posted in such establishments.

17 (B) POSTER SPECIFICATIONS.—The poster
18 should be no smaller than 8½ by 11 inches in
19 size and state the following: “If you or someone
20 you know is being forced to engage in any activ-
21 ity and cannot leave—whether it is commercial
22 sex, housework, farm work, or any other activ-
23 ity—call the National Human Trafficking Re-
24 source Center Hotline at 1-888-373-7888 to
25 access help and services. Victims of human traf-

ficking are protected under United States and State law. The Hotline is: Available 24 hours a day, 7 days a week. Toll-free. Operated by a non-profit, nongovernmental organization. Anonymous & Confidential. Accessible in 170 languages. Able to provide help, referral to services, training, and general information.”.

(C) LANGUAGES.—The poster should be printed in English, Spanish, and any other languages required by the Voting Rights Act in the county in which the poster will be posted.

(D) NOTICE.—The licensing authority should provide each mandated establishment with notice of this section and with the required poster upon licensing and should place the poster on its public Web site for mandated establishments to print as needed.

(3) DEFINITION OF MANDATED ESTABLISHMENT.—For purposes of this section, a “mandated establishment” means—

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

(B) an establishment that receives a liquor license;

- 1 (C) a strip club or other sexually oriented
- 2 business;
- 3 (D) a restaurant;
- 4 (E) an airport;
- 5 (F) a train station;
- 6 (G) a bus station;
- 7 (H) a highway truck stop;
- 8 (I) a highway rest stop;
- 9 (J) a hospital, HMO, or urgent care cen-
- 10 ter;
- 11 (K) a farm;
- 12 (L) a high school; or
- 13 (M) a job recruitment center.

14 **TITLE III—AUTHORIZATION OF**

15 **APPROPRIATIONS**

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

17 (a) HUMAN SMUGGLING AND TRAFFICKING CEN-
 18 TER.—Section 112A(b)(4) of the Trafficking Victims Pro-
 19 tection Act of 2000 (22 U.S.C. 7109a(b)(4)) is amended
 20 by striking “fiscal years 2008 through 2011” and insert-
 21 ing “fiscal years 2012 and 2013”.

22 (b) AUTHORIZATIONS OF APPROPRIATIONS.—

23 (1) Section 112B(d) of the Trafficking Victims
 24 Protection Act of 2000 (22 U.S.C. 7109b(d)) is
 25 amended by striking “for each of the fiscal years

1 2008 through 2011, such sums as may be necessary
2 to carry out this section” and inserting “\$500,000
3 for each of the fiscal years 2012 and 2013”.

4 (2) Section 113 of the Trafficking Victims Pro-
5 tection Act of 2000 (22 U.S.C. 7110) is amended—

6 (A) in subsection (a)—

7 (i) in the first sentence—

8 (I) by striking “104,”; and

9 (II) by striking “fiscal years

10 2008 through 2011” and inserting

11 “fiscal years 2012 and 2013”; and

12 (ii) in the second sentence, by striking

13 “fiscal years 2008 through 2011” and in-

14 serting “fiscal years 2012 and 2013”;

15 (B) by striking subsection (b);

16 (C) in subsection (c)(1)—

17 (i) in subparagraph (A), by striking

18 “fiscal years 2008 through 2011” and in-

19 serting “fiscal years 2012 and 2013”;

20 (ii) in subparagraph (B), by striking

21 “fiscal years 2008 through 2011” each

22 place it appears and inserting “fiscal years

23 2012 and 2013”; and

1 (iii) in subparagraph (C), by striking
2 “fiscal years 2008 through 2011” and in-
3 serting “fiscal years 2012 and 2013”;

4 (D) in subsection (d)—

5 (i) by redesignating subparagraphs
6 (A) through (C) as paragraphs (1) through
7 (3), respectively;

8 (ii) in paragraph (1) (as redesign-
9 nated), by striking “\$10,000,000 for each
10 of the fiscal years 2008 through 2011”
11 and inserting “\$22,500,000 for each of the
12 fiscal years 2012 and 2013”;

13 (iii) in paragraph (2) (as redesign-
14 nated), by striking “fiscal years 2008
15 through 2011” and inserting “fiscal years
16 2012 and 2013”; and

17 (iv) in paragraph (3) (as redesign-
18 nated), by striking “Attorney General” and
19 all that follows and inserting “Attorney
20 General \$14,000,000 for each of the fiscal
21 years 2012 and 2013.”;

22 (E) in subsection (e)—

23 (i) in paragraph (1), by striking “fis-
24 cal years 2008 through 2011” and insert-
25 ing “fiscal years 2012 and 2013”;

1 (ii) in paragraph (2), by striking “fis-
2 cal years 2008 through 2011” and insert-
3 ing “fiscal years 2012 and 2013”; and

4 (iii) in paragraph (3), by striking “fis-
5 cal years 2008 through 2011” and insert-
6 ing “fiscal years 2012 and 2013”;

7 (F) in subsection (f), by striking “fiscal
8 years 2008 through 2011” and inserting “fiscal
9 years 2012 and 2013”;

10 (G) in subsection (h), by striking “fiscal
11 years 2008 through 2011” and inserting “fiscal
12 years 2012 and 2013”; and

13 (H) in subsection (i), by striking “fiscal
14 years 2008 through 2011” and inserting “fiscal
15 years 2012 and 2013”.

16 **SEC. 302. TRAFFICKING VICTIMS PROTECTION REAUTHOR-**
17 **IZATION ACT OF 2005.**

18 The Trafficking Victims Protection Reauthorization
19 Act of 2005 (Public Law 109–164) is amended—

20 (1) in section 102(b)(7), by striking
21 “\$2,500,000 for each of the fiscal years 2008
22 through 2011” and inserting “\$1,500,000 for each
23 of the fiscal years 2012 and 2013”;

1 (2) in section 201(c) by striking “fiscal years
2 2008 through 2011” each place it appears and in-
3 serting “fiscal years 2012 and 2013”;

4 (3) in section 202—

5 (A) in subsection (a), by striking “The
6 Secretary of Health and Human Services” and
7 inserting “The Attorney General”;

8 (B) in subsection (b), by striking “the Sec-
9 retary” and inserting “the Attorney General”;
10 and

11 (C) in subsection (d), by striking “fiscal
12 years 2008 through 2011” and inserting “fiscal
13 years 2012 and 2013”;

14 (4) in section 203—

15 (A) by striking “the Secretary of Health
16 and Human Services” each place it appears and
17 inserting “the Attorney General”; and

18 (B) by striking “\$5,000,000 for each of
19 the fiscal years 2008 through 2011” and insert-
20 ing “\$3,000,000 for each of the fiscal years
21 2012 and 2013”; and

22 (5) in section 204(d), by striking “\$20,000,000
23 for each of the fiscal years 2008 through 2011” and
24 inserting “\$10,000,000 for each of the fiscal years
25 2012 and 2013”.

1 **SEC. 303. ELIGIBILITY FOR ASSISTANCE.**

2 (a) PROHIBITION AGAINST DISCRIMINATION.—

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

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

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

19 (2) RULE OF CONSTRUCTION.—Nothing in this
20 subsection shall be construed to prohibit the Federal
21 government from making alternative arrangements
22 for any program, project, or activity to which an or-
23 ganization has a moral or religious objection, if such
24 arrangements—

25 (A) do not violate the provisions of para-
26 graph (1); and

1 (B) are not made for any program, project,
2 or activity for which Federal funding is other-
3 wise prohibited.

4 (b) REMEDIES.—

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

10 (A) injunctions prohibiting conduct that
11 violates this section; and

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

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

20 (A) any organization that has standing to
21 complain of an actual or threatened violation of
22 this section; or

23 (B) the Attorney General of the United
24 States.

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

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

10 (1) to receive complaints alleging a violation of
11 this section; and

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

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

16 (1) This Act or any amendment made by this
17 Act.

18 (2) The Trafficking Victims Protection Act of
19 2000.

20 (3) The Trafficking Victims Protection Reau-
21 thorization Act of 2005.

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

1 **SEC. 304. REPORTING REQUIREMENTS.**

2 (a) APPROPRIATIONS.—Not later than March 31 of
3 2012 and 2013, the President shall submit to Congress
4 a report for the prior fiscal year that shall include—

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

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

18 (3) the appropriations account from which each
19 activity described in paragraph (2) was funded and
20 the amount contributed from such account for each
21 activity.

22 (b) NONDISCRIMINATION.—

23 (1) INITIAL REPORT.—Not later than 90 days
24 after the enactment of this Act, the President shall
25 submit to Congress a report indicating the official

1 designated in accordance with the requirement set
2 forth in section 303(c).

3 (2) SUBSEQUENT REPORTS.—Not later than
4 one year after the enactment of this Act, and every
5 year thereafter for 4 years, the President shall sub-
6 mit to Congress a report indicating—

7 (A) any actions filed pursuant to section
8 303(b);

9 (B) any complaints filed pursuant to sec-
10 tion 303(c)(1); and

11 (C) the status and results, if available, of
12 any investigation undertaken pursuant to sec-
13 tion 303(c)(2).

○