

TEXT OF AMENDMENTS

SA 320. Ms. COLLINS (for herself and Ms. HEITKAMP) submitted an amendment intended to be proposed by her to the bill S. 178, to provide justice for the victims of trafficking; which was ordered to lie on the table; as follows:

Beginning on page 48, strike line 3 and all that follows through page 63, line 2 and insert the following:

SEC. 101. DOMESTIC TRAFFICKING VICTIMS' FUND.

(a) IN GENERAL.—Chapter 201 of title 18, United States Code, is amended by adding at the end the following:

“§ 3014. Additional special assessment

“(a) IN GENERAL.—Beginning on the date of enactment of the Justice for Victims of Trafficking Act of 2015 and ending on September 30, 2019, in addition to the assessment imposed under section 3013, the court shall assess an amount of \$5,000 on any non-indigent person or entity convicted of an offense under—

“(1) chapter 77 (relating to peonage, slavery, and trafficking in persons);

“(2) chapter 109A (relating to sexual abuse);

“(3) chapter 110 (relating to sexual exploitation and other abuse of children);

“(4) chapter 117 (relating to transportation for illegal sexual activity and related crimes); or

“(5) section 274 of the Immigration and Nationality Act (8 U.S.C. 1324) (relating to human smuggling), unless the person induced, assisted, abetted, or aided only an individual who at the time of such action was the alien's spouse, parent, son, or daughter (and no other individual) to enter the United States in violation of law.

“(b) SATISFACTION OF OTHER COURT-ORDERED OBLIGATIONS.—An assessment under subsection (a) shall not be payable until the person subject to the assessment has satisfied all outstanding court-ordered fines and orders of restitution arising from the criminal convictions on which the special assessment is based.

“(c) ESTABLISHMENT OF DOMESTIC TRAFFICKING VICTIMS' FUND.—There is established in the Treasury of the United States a fund, to be known as the ‘Domestic Trafficking Victims' Fund’ (referred to in this section as the ‘Fund’).

“(d) DEPOSITS.—Notwithstanding section 3302 of title 31, or any other law regarding the crediting of money received for the Government, there shall be deposited in the Fund an amount equal to the amount of the assessments collected under this section, which shall remain available until expended.

“(e) APPROPRIATION OF FUNDS.—

“(1) IN GENERAL.—Amounts in the Fund shall be available for obligation or expenditure only when specified in appropriations Acts for each of fiscal years 2016 through 2020.

“(2) EXPENDITURE OF FUNDS.—Amounts in the Fund made available for obligation or expenditure pursuant to paragraph (1) may only be used to award grants or enhance victims' programming under—

“(A) sections 202, 203, and 204 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044a, 14044b, and 14044c);

“(B) subsections (b)(2) and (f) of section 107 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105); and

“(C) section 214(b) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13002(b)).

“(3) GRANTS.—Of the amounts in the Fund made available for obligation or expenditure pursuant to paragraph (1), not less than \$2,000,000, if such amounts are made avail-

able in the Fund during the relevant fiscal year, shall be available for grants to provide services for child pornography victims under section 214(b) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13002(b)), as provided in appropriations Acts.

“(4) LIMITATIONS.—Amounts in the Fund, or otherwise transferred from the Fund, shall be subject to the limitations on the use or expending as provided in appropriations Acts.

“(f) TRANSFERS.—

“(1) IN GENERAL.—Effective on the day after the date of enactment of the Justice for Victims of Trafficking Act of 2015, on September 30 of each fiscal year, all unobligated balances in the Fund shall be transferred to the Crime Victims Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601).

“(2) AVAILABILITY.—Amounts transferred under paragraph (1)—

“(A) shall be available for any authorized purpose of the Crime Victims Fund; and

“(B) shall remain available until expended.

“(g) COLLECTION METHOD.—The amount assessed under subsection (a) shall, subject to subsection (b), be collected in the manner that fines are collected in criminal cases.

“(h) DURATION OF OBLIGATION.—Subject to section 3613(b), the obligation to pay an assessment imposed on or after the date of enactment of the Justice for Victims of Trafficking Act of 2015 shall not cease until the assessment is paid in full.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 201 of title 18, United States Code, is amended by inserting after the item relating to section 3013 the following:

“3014. Additional special assessment.”.

SEC. 102. CLARIFYING THE BENEFITS AND PROTECTIONS OFFERED TO DOMESTIC VICTIMS OF HUMAN TRAFFICKING.

Section 107(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(1)) is amended—

(1) by redesignating subparagraphs (F) and (G) as subparagraphs (G) and (H), respectively;

(2) by inserting after subparagraph (E) the following:

“(F) NO REQUIREMENT OF OFFICIAL CERTIFICATION FOR UNITED STATES CITIZENS AND LAWFUL PERMANENT RESIDENTS.—Nothing in this section may be construed to require United States citizens or lawful permanent residents who are victims of severe forms of trafficking to obtain an official certification from the Secretary of Health and Human Services in order to access any of the specialized services described in this subsection or any other Federal benefits and protections to which they are otherwise entitled.”; and

(3) in subparagraph (H), as redesignated, by striking “subparagraph (F)” and inserting “subparagraph (G)”.

SEC. 103. VICTIM-CENTERED CHILD HUMAN TRAFFICKING DETERRENCE BLOCK GRANT PROGRAM.

(a) IN GENERAL.—Section 203 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044b) is amended to read as follows:

“SEC. 203. VICTIM-CENTERED CHILD HUMAN TRAFFICKING DETERRENCE BLOCK GRANT PROGRAM.

“(a) GRANTS AUTHORIZED.—The Attorney General may award block grants to an eligible entity to develop, improve, or expand domestic child human trafficking deterrence programs that assist law enforcement officers, prosecutors, judicial officials, and qualified victims' services organizations in collaborating to rescue and restore the lives of victims, while investigating and pros-

ecuting offenses involving child human trafficking.

“(b) AUTHORIZED ACTIVITIES.—Grants awarded under subsection (a) may be used for—

“(1) the establishment or enhancement of specialized training programs for law enforcement officers, first responders, health care officials, child welfare officials, juvenile justice personnel, prosecutors, and judicial personnel to—

“(A) identify victims and acts of child human trafficking;

“(B) address the unique needs of child victims of human trafficking;

“(C) facilitate the rescue of child victims of human trafficking;

“(D) investigate and prosecute acts of human trafficking, including the soliciting, patronizing, or purchasing of commercial sex acts from children, as well as training to build cases against complex criminal networks involved in child human trafficking; and

“(E) utilize, implement, and provide education on safe harbor laws enacted by States, aimed at preventing the criminalization and prosecution of child sex trafficking victims for prostitution offenses, and other laws aimed at the investigation and prosecution of child human trafficking;

“(2) the establishment or enhancement of dedicated anti-trafficking law enforcement units and task forces to investigate child human trafficking offenses and to rescue victims, including—

“(A) funding salaries, in whole or in part, for law enforcement officers, including patrol officers, detectives, and investigators, except that the percentage of the salary of the law enforcement officer paid for by funds from a grant awarded under this section shall not be more than the percentage of the officer's time on duty that is dedicated to working on cases involving child human trafficking;

“(B) investigation expenses for cases involving child human trafficking, including—

“(i) wire taps;

“(ii) consultants with expertise specific to cases involving child human trafficking;

“(iii) travel; and

“(iv) other technical assistance expenditures;

“(C) dedicated anti-trafficking prosecution units, including the funding of salaries for State and local prosecutors, including assisting in paying trial expenses for prosecution of child human trafficking offenders, except that the percentage of the total salary of a State or local prosecutor that is paid using an award under this section shall be not more than the percentage of the total number of hours worked by the prosecutor that is spent working on cases involving child human trafficking;

“(D) the establishment of child human trafficking victim witness safety, assistance, and relocation programs that encourage cooperation with law enforcement investigations of crimes of child human trafficking by leveraging existing resources and delivering child human trafficking victims' services through coordination with—

“(i) child advocacy centers;

“(ii) social service agencies;

“(iii) State governmental health service agencies;

“(iv) housing agencies;

“(v) legal services agencies; and

“(vi) nongovernmental organizations and shelter service providers with substantial experience in delivering wrap-around services to victims of child human trafficking; and

“(E) the establishment or enhancement of other necessary victim assistance programs

or personnel, such as victim or child advocates, child-protective services, child forensic interviews, or other necessary service providers; and

“(3) the establishment or enhancement of problem solving court programs for trafficking victims that include—

“(A) mandatory and regular training requirements for judicial officials involved in the administration or operation of the court program described under this paragraph;

“(B) continuing judicial supervision of victims of child human trafficking, including case worker or child welfare supervision in collaboration with judicial officers, who have been identified by a law enforcement or judicial officer as a potential victim of child human trafficking, regardless of whether the victim has been charged with a crime related to human trafficking;

“(C) the development of a specialized and individualized, court-ordered treatment program for identified victims of child human trafficking, including—

“(i) State-administered outpatient treatment;

“(ii) life skills training;

“(iii) housing placement;

“(iv) vocational training;

“(v) education;

“(vi) family support services; and

“(vii) job placement;

“(D) centralized case management involving the consolidation of all of each child human trafficking victim’s cases and offenses, and the coordination of all trafficking victim treatment programs and social services;

“(E) regular and mandatory court appearances by the victim during the duration of the treatment program for purposes of ensuring compliance and effectiveness;

“(F) the ultimate dismissal of relevant non-violent criminal charges against the victim, where such victim successfully complies with the terms of the court-ordered treatment program; and

“(G) collaborative efforts with child advocacy centers, child welfare agencies, shelters, and nongovernmental organizations with substantial experience in delivering wrap-around services to victims of child human trafficking to provide services to victims and encourage cooperation with law enforcement.

“(c) APPLICATION.—

“(1) IN GENERAL.—An eligible entity shall submit an application to the Attorney General for a grant under this section in such form and manner as the Attorney General may require.

“(2) REQUIRED INFORMATION.—An application submitted under this subsection shall—

“(A) describe the activities for which assistance under this section is sought;

“(B) include a detailed plan for the use of funds awarded under the grant;

“(C) provide such additional information and assurances as the Attorney General determines to be necessary to ensure compliance with the requirements of this section; and

“(D) disclose—

“(i) any other grant funding from the Department of Justice or from any other Federal department or agency for purposes similar to those described in subsection (b) for which the eligible entity has applied, and which application is pending on the date of the submission of an application under this section; and

“(ii) any other such grant funding that the eligible entity has received during the 5-year period ending on the date of the submission of an application under this section.

“(3) PREFERENCE.—In reviewing applications submitted in accordance with para-

graphs (1) and (2), the Attorney General shall give preference to grant applications if—

“(A) the application includes a plan to use awarded funds to engage in all activities described under paragraphs (1) through (3) of subsection (b); or

“(B) the application includes a plan by the State or unit of local government to continue funding of all activities funded by the award after the expiration of the award.

“(d) DURATION AND RENEWAL OF AWARD.—

“(1) IN GENERAL.—A grant under this section shall expire 3 years after the date of award of the grant.

“(2) RENEWAL.—A grant under this section shall be renewable not more than 2 times and for a period of not greater than 2 years.

“(e) EVALUATION.—The Attorney General shall—

“(1) enter into a contract with a nongovernmental organization, including an academic or nonprofit organization, that has experience with issues related to child human trafficking and evaluation of grant programs to conduct periodic evaluations of grants made under this section to determine the impact and effectiveness of programs funded with grants awarded under this section;

“(2) instruct the Inspector General of the Department of Justice to review evaluations issued under paragraph (1) to determine the methodological and statistical validity of the evaluations; and

“(3) submit the results of any evaluation conducted pursuant to paragraph (1) to—

“(A) the Committee on the Judiciary of the Senate; and

“(B) the Committee on the Judiciary of the House of Representatives.

“(f) MANDATORY EXCLUSION.—An eligible entity awarded funds under this section that is found to have used grant funds for any unauthorized expenditure or otherwise unallowable cost shall not be eligible for any grant funds awarded under the block grant for 2 fiscal years following the year in which the unauthorized expenditure or unallowable cost is reported.

“(g) COMPLIANCE REQUIREMENT.—An eligible entity shall not be eligible to receive a grant under this section if within the 5 fiscal years before submitting an application for a grant under this section, the grantee has been found to have violated the terms or conditions of a Government grant program by utilizing grant funds for unauthorized expenditures or otherwise unallowable costs.

“(h) ADMINISTRATIVE CAP.—The cost of administering the grants authorized by this section shall not exceed 5 percent of the total amount expended to carry out this section.

“(i) FEDERAL SHARE.—The Federal share of the cost of a program funded by a grant awarded under this section shall be—

“(1) 70 percent in the first year;

“(2) 60 percent in the second year; and

“(3) 50 percent in the third year, and in all subsequent years.

“(j) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out this section, there is authorized to be appropriated not more than \$7,000,000 of the funds available in the Domestic Trafficking Victims’ Fund, established under section 3014 of title 18, United States Code, for each of fiscal years 2016 through 2020.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. BLUNT. Mr. President, I ask unanimous consent that the Committee on Armed Services be author-

ized to meet during the session of the Senate on March 19, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BLUNT. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 19, 2015, at 10 a.m., to conduct a hearing entitled “Examining the Regulatory Regime for Regional Banks.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BLUNT. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 19, 2015, at 10 a.m., in room SR-253 of the Russell Senate Office Building to conduct a Subcommittee hearing entitled “Examining the Evolving Cyber Insurance Marketplace.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BLUNT. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on March 19, 2015, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. BLUNT. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on March 19, 2015, at 9:30 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Affordable Care Act at Five Years.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. BLUNT. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on March 19, 2015, at 10 a.m., to conduct a hearing entitled “Patent Reform: Protecting Innovation and Entrepreneurship.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BLUNT. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 19, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.