

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.

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## 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

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## 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-

1           ern Slavery and Other Forms of Human Traf-  
2           ficking”; and

3                   (B) in the second sentence—

4                           (i) by striking “a Director” and in-  
5                           serting “an Ambassador-at-Large for Com-  
6                           bating Human Trafficking (referred to in  
7                           this section as the ‘Ambassador’)”;

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

10                           (iii) in the third, fourth, and fifth sen-  
11                           tences, by striking “Director” each place it  
12                           appears and inserting “Ambassador”; and

13           (3) in paragraph (2)—

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

16                   (B) in subparagraph (B), by striking “Of-  
17                   fice to Monitor and Combat Trafficking” each  
18                   place it appears and inserting “Office to Mon-  
19                   itor and Combat Modern Slavery and Other  
20                   Forms of Human Trafficking”.

21           (b) CONFORMING AMENDMENTS.—Any reference in  
22           the Trafficking Victims Protection Act of 2000 or in any  
23           other Act to the Office to Monitor and Combat Trafficking  
24           or to the Director of the Office to Monitor and Combat  
25           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-

1           ment of Justice to investigate allegations of  
2           trafficking or abuse of nonimmigrants holding  
3           an A-3 visa or a G-5 visa (as such terms are  
4           defined in section 203(f) of the William Wilber-  
5           force Trafficking Victims Protection Reauthor-  
6           ization Act of 2008), results of such investiga-  
7           tions; and”;

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

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

13          Section 239(c) of the William Wilberforce Trafficking  
14 Victims Protection Reauthorization Act of 2008 (8 U.S.C.  
15 1351 note) is amended by striking “the date that is 3  
16 years after the first date on which such increased fee is  
17 collected” and inserting “September 30, 2015”.

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

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

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

25           (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 cepts 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 tigation 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-

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

8           (C) LANGUAGES.—The poster should be  
9           printed in English, Spanish, and any other lan-  
10          guages required by the Voting Rights Act in the  
11          county in which the poster will be posted.

12          (D) NOTICE.—The licensing authority  
13          should provide each mandated establishment  
14          with notice of this section and with the required  
15          poster upon licensing and should place the post-  
16          er on its public Web site for mandated estab-  
17          lishments to print as needed.

18          (3) DEFINITION OF MANDATED ESTABLISH-  
19          MENT.—For purposes of this section, a “mandated  
20          establishment” means—

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

23                 (B) an establishment that receives a liquor  
24                 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 sserting “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 ated), 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 ated), 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 ated), 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).

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