

115TH CONGRESS  
2D SESSION

# H. R. 2219

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IN THE SENATE OF THE UNITED STATES

APRIL 11, 2018

Received; read twice and referred to the Committee on Banking, Housing, and  
Urban Affairs

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## AN ACT

To increase the role of the financial industry in combating  
human trafficking.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “End Banking for  
3 Human Traffickers Act of 2018”.

4 **SEC. 2. INCREASING THE ROLE OF THE FINANCIAL INDUS-**  
5 **TRY IN COMBATING HUMAN TRAFFICKING.**

6 (a) **TREASURY AS A MEMBER OF THE PRESIDENT’S**  
7 **INTERAGENCY TASK FORCE TO MONITOR AND COMBAT**  
8 **TRAFFICKING.**—Section 105(b) of the Victims of Traf-  
9 ficking and Violence Protection Act of 2000 (22 U.S.C.  
10 7103(b)) is amended by inserting “the Secretary of the  
11 Treasury,” after “the Secretary of Education,”.

12 (b) **REQUIRED REVIEW OF PROCEDURES.**—Not later  
13 than 180 days after the date of the enactment of this Act,  
14 the Financial Institutions Examination Council, in con-  
15 sultation with the Secretary of the Treasury, the private  
16 sector, and appropriate law enforcement agencies, shall—

17 (1) review and enhance training and examina-  
18 tions procedures to improve the capabilities of anti-  
19 money laundering and countering the financing of  
20 terrorism programs to detect financial transactions  
21 relating to severe forms of trafficking in persons;

22 (2) review and enhance procedures for referring  
23 potential cases relating to severe forms of trafficking  
24 in persons to the appropriate law enforcement agen-  
25 cy; and

1           (3) determine, as appropriate, whether require-  
2           ments for financial institutions are sufficient to de-  
3           tect and deter money laundering relating to severe  
4           forms of trafficking in persons.

5           (c) INTERAGENCY TASK FORCE RECOMMENDATIONS  
6 TARGETING MONEY LAUNDERING RELATED TO HUMAN  
7 TRAFFICKING.—

8           (1) IN GENERAL.—Not later than 270 days  
9           after the date of the enactment of this Act, the  
10          Interagency Task Force to Monitor and Combat  
11          Trafficking shall submit to the Committee on Finan-  
12          cial Services and the Committee on the Judiciary of  
13          the House of Representatives, the Committee on  
14          Banking, Housing, and Urban Affairs and the Com-  
15          mittee on the Judiciary of the Senate, and the head  
16          of each appropriate Federal banking agency—

17                (A) an analysis of anti-money laundering  
18                efforts of the United States Government and  
19                United States financial institutions relating to  
20                severe forms of trafficking in persons; and

21                (B) appropriate legislative, administrative,  
22                and other recommendations to strengthen ef-  
23                forts against money laundering relating to se-  
24                vere forms of trafficking in persons.

1           (2) REQUIRED RECOMMENDATIONS.—The rec-  
2           ommendations under paragraph (1) shall include—

3                   (A) feedback from financial institutions on  
4                   best practices of successful programs to combat  
5                   severe forms of trafficking in persons currently  
6                   in place that may be suitable for broader adop-  
7                   tion by similarly situated financial institutions;

8                   (B) feedback from stakeholders, including  
9                   victims of severe forms of trafficking in persons  
10                  and financial institutions, on policy proposals  
11                  derived from the analysis conducted by the task  
12                  force referred to in paragraph (1) that would  
13                  enhance the efforts and programs of financial  
14                  institutions to detect and deter money laun-  
15                  dering relating to severe forms of trafficking in  
16                  persons, including any recommended changes to  
17                  internal policies, procedures, and controls relat-  
18                  ing to severe forms of trafficking in persons;

19                  (C) any recommended changes to training  
20                  programs at financial institutions to better  
21                  equip employees to deter and detect money  
22                  laundering relating to severe forms of traf-  
23                  ficking in persons;

24                  (D) any recommended changes to expand  
25                  information sharing relating to severe forms of

1           trafficking in persons among financial institu-  
2           tions and between such financial institutions,  
3           appropriate law enforcement agencies, and ap-  
4           propriate Federal agencies; and

5                   (E) recommended changes, if necessary, to  
6           existing statutory law to more effectively detect  
7           and deter money laundering relating to severe  
8           forms of trafficking in persons, where such  
9           money laundering involves the use of emerging  
10          technologies and virtual currencies.

11          (d) LIMITATION.—Nothing in this Act shall be con-  
12        strued to grant rulemaking authority to the Interagency  
13        Task Force to Monitor and Combat Trafficking.

14          (e) DEFINITIONS.—As used in this section—

15                (1) the term “appropriate Federal banking  
16                agency” has the meaning given the term in section  
17                3(q) of the Federal Deposit Insurance Act (12  
18                U.S.C. 1813(q));

19                (2) the term “severe forms of trafficking in per-  
20                sons” has the meaning given such term in section  
21                103 of the Trafficking Victims Protection Act of  
22                2000 (22 U.S.C. 7102);

23                (3) the term “Interagency Task Force to Mon-  
24                itor and Combat Trafficking” means the Interagency  
25                Task Force to Monitor and Combat Trafficking es-

1        established by the President pursuant to section 105  
2        of the Victims of Trafficking and Violence Protec-  
3        tion Act of 2000 (22 U.S.C. 7103); and

4            (4) the term “law enforcement agency” means  
5        an agency of the United States, a State, or a polit-  
6        ical subdivision of a State, authorized by law or by  
7        a government agency to engage in or supervise the  
8        prevention, detection, investigation, or prosecution of  
9        any violation of criminal or civil law.

10 **SEC. 3. COORDINATION OF HUMAN TRAFFICKING ISSUES**

11                    **BY THE OFFICE OF TERRORISM AND FINAN-**  
12                    **CIAL INTELLIGENCE.**

13        (a) **FUNCTIONS.**—Section 312(a)(4) of title 31,  
14 United States Code, is amended—

15            (1) by redesignating subparagraphs (E), (F),  
16        and (G) as subparagraphs (F), (G), and (H), respec-  
17        tively; and

18            (2) by inserting after subparagraph (D) the fol-  
19        lowing:

20                    “(E) combating illicit financing relating to  
21                    severe forms of trafficking in persons;”.

22        (b) **INTERAGENCY COORDINATION.**—Section 312(a)  
23 of title 31, United States Code, is amended by adding at  
24 the end the following:

1           “(8) INTERAGENCY COORDINATION.—The Sec-  
2           retary of the Treasury, after consultation with the  
3           Undersecretary for Terrorism and Financial Crimes,  
4           shall designate an office within the OTFI that shall  
5           coordinate efforts to combat the illicit financing of  
6           severe forms of trafficking in persons with—

7                   “(A) other offices of the Department of the  
8           Treasury;

9                   “(B) other Federal agencies, including—

10                          “(i) the Office to Monitor and Combat  
11                          Trafficking in Persons of the Department  
12                          of State; and

13                          “(ii) the Interagency Task Force to  
14                          Monitor and Combat Trafficking;

15                   “(C) State and local law enforcement agen-  
16           cies; and

17                   “(D) foreign governments.”.

18           (c) DEFINITION.—Section 312(a) of title 31, United  
19           States Code, as amended by this section, is further amend-  
20           ed by adding at the end the following:

21                   “(9) DEFINITION.—In this subsection, the term  
22           ‘severe forms of trafficking in persons’ has the  
23           meaning given such term in section 103 of the Traf-  
24           ficking Victims Protection Act of 2000 (22 U.S.C.  
25           7102).”.

1 **SEC. 4. ADDITIONAL REPORTING REQUIREMENT UNDER**  
2 **THE TRAFFICKING VICTIMS PROTECTION**  
3 **ACT OF 2000.**

4 Section 105(d)(7) of the Trafficking Victims Protec-  
5 tion Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

6 (1) in the matter preceding subparagraph (A)—

7 (A) by inserting “the Committee on Finan-  
8 cial Services,” after “the Committee on Foreign  
9 Affairs,”; and

10 (B) by inserting “the Committee on Bank-  
11 ing, Housing, and Urban Affairs,” after “the  
12 Committee on Foreign Relations,”;

13 (2) in subparagraph (Q)(vii), by striking “;  
14 and” and inserting a semicolon;

15 (3) in subparagraph (R), by striking the period  
16 at the end and inserting “; and”; and

17 (4) by adding at the end the following:

18 “(S) the efforts of the United States to  
19 eliminate money laundering relating to severe  
20 forms of trafficking in persons and the number  
21 of investigations, arrests, indictments, and con-  
22 victions in money laundering cases with a nexus  
23 to severe forms of trafficking in persons.”.



1 **SEC. 5. MINIMUM STANDARDS FOR THE ELIMINATION OF**  
2 **TRAFFICKING.**

3 Section 108(b) of the Trafficking Victims Protection  
4 Act of 2000 (22 U.S.C. 7106(b)) is amended by adding  
5 at the end the following new paragraph:

6 “(13) Whether the government of the country,  
7 consistent with the capacity of the country, has in  
8 effect a framework to prevent financial transactions  
9 involving the proceeds of severe forms of trafficking  
10 in persons, and is taking steps to implement such a  
11 framework, including by investigating, prosecuting,  
12 convicting, and sentencing individuals who attempt  
13 or conduct such transactions.”.

Passed the House of Representatives April 10, 2018.

Attest:

KAREN L. HAAS,

*Clerk.*