115TH CONGRESS 1ST SESSION H.R. 2200

AN ACT

To reauthorize 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,

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "Frederick Douglass

3 Trafficking Victims Prevention and Protection Reauthor-

4 ization Act of 2017".

5 SEC. 2. TABLE OF CONTENTS.

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1 TITLE I—COMBATING TRAF-

FICKING IN PERSONS IN THE UNITED STATES

- 4 Subtitle A—Programs To Support
- 5 Victims and Persons Vulnerable
- 6 to Human Trafficking

7 SEC. 101. GRANTS TO ASSIST IN THE RECOGNITION OF

8 **TRAFFICKING.**

9 (a) GRANTS TO ASSIST IN RECOGNITION OF TRAF10 FICKING.—Section 106(b) of the Trafficking Victims Pro-

11 tection Act of 2000 (22 U.S.C. 7104(b)) is amended—

1	(1) by striking "The President" and inserting
2	the following:
3	"(1) IN GENERAL.—The President"; and
4	(2) by adding at the end the following:
5	((2) Grants to assist in the recognition
6	OF TRAFFICKING.—
7	"(A) IN GENERAL.—The Secretary of
8	Health and Human Services may award grants
9	to local educational agencies, in partnership
10	with a nonprofit, nongovernmental agency, to
11	establish, expand, and support programs—
12	"(i) to educate school staff to recog-
13	nize and respond to signs of labor traf-
14	ficking and sex trafficking; and
15	"(ii) to provide age-appropriate infor-
16	mation to students on how to avoid becom-
17	ing victims of labor trafficking and sex
18	trafficking.
19	"(B) PROGRAM REQUIREMENTS.—
20	Amounts awarded under this paragraph shall
21	be used for—
22	"(i) education on—
23	"(I) how to avoid becoming vic-
24	tims of labor trafficking and sex traf-
25	ficking;

	J
1	$((\Pi)$ indicators that an indi-
2	vidual is a victim or potential victim
3	of labor trafficking or sex trafficking;
4	"(III) options and procedures for
5	referring such an individual, as appro-
6	priate, to information on such traf-
7	ficking and services available for vic-
8	tims of such trafficking;
9	"(IV) reporting requirements and
10	procedures in accordance with applica-
11	ble Federal and State law; and
12	"(V) how to carry out activities
13	authorized under subparagraph
14	(A)(ii); and
15	"(ii) a plan, developed and imple-
16	mented in consultation with local law en-
17	forcement agencies, to ensure the safety of
18	school staff and students reporting such
19	trafficking.
20	"(C) Priority.—In awarding grants
21	under this paragraph, the Secretary shall give
22	priority to local educational agencies serving a
23	high-intensity child sex trafficking area.
24	"(D) DEFINITIONS.—In this paragraph:

1	"(i) ESEA TERMS.—The terms 'ele-
2	mentary school', 'local educational agency',
3	'other staff', and 'secondary school' have
4	the meanings given the terms in section
5	8101 of the Elementary and Secondary
6	Education Act of 1965 (20 U.S.C. 7801).
7	"(ii) High-intensity child sex
8	TRAFFICKING AREA.—The term 'high-in-
9	tensity child sex trafficking area' means a
10	metropolitan area designated by the Direc-
11	tor of the Federal Bureau of Investigation
12	as a high-intensity child prostitution area.
13	"(iii) Labor trafficking.—The
14	term 'labor trafficking' means conduct de-
15	scribed in section 103(9)(B) of the Traf-
16	ficking Victims Protection Act of 2000 (22)
17	U.S.C. 7102(9)(B)).
18	"(iv) School staff.—The term
19	'school staff' means teachers, nurses,
20	school leaders and administrators, and
21	other staff at elementary schools and sec-
22	ondary schools.
23	"(v) Sex trafficking.—The term
24	'sex trafficking' means the conduct de-
25	scribed in section 103(9)(A) of the Traf-

1	ficking Victims Protection Act of 2000 (22
2	U.S.C. 7102(9)(A)).".

3 (b) INCLUSION IN AUTHORIZATION OF APPROPRIA4 TIONS.—Section 113(b)(1) of the Trafficking Victims Pro5 tection Act of 2000 (22 U.S.C. 7110(b)(1)) is amended
6 by striking "section 107(b)" and inserting "sections
7 106(b) and 107(b)".

8 SEC. 102. PREVENTING FUTURE TRAFFICKING IN THE 9 UNITED STATES THROUGH RECEIPT OF COM10 PLAINTS ABROAD.

11 (a) IN GENERAL.—The Secretary of State shall en-12 sure that each diplomatic or consular post or other mission 13 designates an employee to be responsible for receiving information from any person who was a victim of a severe 14 15 form of trafficking in persons (as such term is defined in section 103(14) of the Trafficking Victims Protection 16 Act of 2000 (22 U.S.C. 7102(14))) while present in the 17 18 United States, or any person who has information regard-19 ing such a victim.

(b) PROVISION OF INFORMATION.—Any information
received pursuant to subsection (a) shall be transmitted
to the Department of Justice, the Department of Labor,
the Department of Homeland Security, and to any other
relevant Federal agency for appropriate response. The Attorney General, the Secretary of Labor, and the head of

any other such relevant Federal agency shall establish a
 process to address any actions to be taken in response to
 such information.

4 (c) Assistance From Foreign Governments.— 5 The employee designated for receiving information pursuant to subsection (a) should coordinate with foreign gov-6 7 ernments or civil society organizations in the countries of 8 origin of victims of severe forms of trafficking in persons, 9 with the permission of and without compromising the safe-10 ty of such victims, to ensure that such victims receive any additional support available. 11

12 SEC. 103. MODIFICATION TO GRANTS FOR VICTIMS SERV-13 ICES.

Section 107(b)(2)(A) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(2)(A)) is amended by striking "programs for" and all that follows and inserting the following: "programs for victims of human trafficking, including programs that provide trauma-informed gare or long-term housing options to such victims who are—

- 21 "(i) between the ages of 12 and 24
 22 and who are homeless, in foster care, or in23 volved in the criminal justice system;
 24 "(ii) transitioning out of the foster
 - care system; or

"(iii) women or girls in underserved
 populations.".
 Subtitle B—Governmental Efforts
 To Prevent Human Trafficking

5 SEC. 111. REQUIRED TRAINING TO PREVENT HUMAN TRAF-

6 FICKING FOR CERTAIN CONTRACTING AIR 7 CARRIERS.

8 (a) IN GENERAL.—Section 40118 of title 49, United
9 States Code, is amended by adding at the end the fol10 lowing:

11 "(g) TRAINING REQUIREMENTS.—The Administrator of General Services shall ensure that any contract entered 12 into for provision of air transportation with a domestic 13 carrier under this section requires that the contracting air 14 15 carrier provides to the Administrator of General Services, the Secretary of Transportation, the Administrator of the 16 17 Transportation Security Administration, and the Commis-18 sioner of U.S. Customs and Border Protection an annual report regarding-19

"(1) the number of personnel trained in the detection and reporting of potential human trafficking
(as described in paragraphs (9) and (10) of section
103 of the Trafficking Victims Protection Act of
2000 (22 U.S.C. 7102)), including the training required under section 44734(a)(4);

"(2) the number of notifications of potential
 human trafficking victims received from staff or
 other passengers; and

4 "(3) whether the air carrier notified the Na5 tional Human Trafficking Hotline or law enforce6 ment at the relevant airport of the potential human
7 trafficking victim for each such notification of poten8 tial human trafficking, and if so, when the notifica9 tion was made.".

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to any contract entered into after
the date of enactment of this Act.

(c) EXCEPTION.—The amendment made by subsection (a) shall not apply to any contract entered into
by the Secretary of Defense.

16 SEC. 112. PRIORITY FOR USE OF FUNDS FOR LODGING EX17 PENSES AT ACCOMMODATIONS LACKING
18 CERTAIN POLICIES RELATING TO CHILD SEX19 UAL EXPLOITATION.

20 (a) IN GENERAL.—Subchapter I of chapter 57 of title
21 5, United States Code, is amended by adding at the end
22 the following:

"§ 5713. Priority for use of funds for lodging expenses 1 2 at accommodations lacking certain poli-3 cies relating to child sexual exploitation. "(a) IN GENERAL.—For the purpose of making pay-4 5 ments under this chapter for lodging expenses each agency shall ensure that, to the extent practicable and within the 6 7 United States, any commercial-lodging room nights for employees of that agency are booked in a preferred place 8 9 of accommodation. "(b) PREFERRED PLACE OF ACCOMMODATION DE-10 11 FINED.—In this section, 'preferred place of accommoda-12 tion' means a commercial place of accommodation that— "(1) has a zero-tolerance policy in place regard-13 14 ing the sexual exploitation of children (as described in section 103(9)(A) of the Trafficking Victims Pro-15 16 tection Act of 2000 (22 U.S.C. 7102(9)(A))) within 17 the accommodation; 18 "(2) has procedures in place to identify and re-19 port any such exploitation to the appropriate au-20 thorities; 21 "(3) makes training materials available to all 22 employees to prevent such exploitation; "(4) has trained all employees annually on the 23

identification of possible cases of such exploitation
and procedures to report suspected abuse to the appropriate authorities;

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1	"(5) protects employees who report suspected
2	cases of such exploitation according to the protocol
3	identified in training; and
4	"(6) keeps records of the number of suspected
5	cases of such exploitation, including the reasons for
6	suspicion, title of employee who reported the sus-
7	picion, and where the report was made.
8	"(c) Regulations Required.—The Administrator
9	of General Services shall—
10	"(1) maintain a list of each preferred place of
11	accommodation; and
12	((2) issue such regulations as are necessary to
13	carry out this section.".
14	(b) Conforming Amendment.—The table of sec-
15	tions for subchapter I of chapter 57 of title 5, United
16	States Code, is amended by adding at the end the fol-
17	lowing new item:
	"5713. Priority for use of funds for lodging expenses at accommodations lacking certain policies relating to child sexual exploitation.".
18	SEC. 113. ENSURING UNITED STATES PROCUREMENT DOES
19	NOT FUND HUMAN TRAFFICKING.
20	Section 106 of the Trafficking Victims Protection Act
21	of 2000 (22 U.S.C. 7104) is amended by adding at the
22	end the following new subsection:
23	"(k) Agency Action To Prevent Funding of
24	HUMAN TRAFFICKING.—

1	"(1) IN GENERAL.—The Secretary of State,
2	Secretary of Labor, Administrator of the United
3	States Agency for International Development, and
4	Director of the Office of Management and Budget
5	shall each submit to the Administrator of General
6	Services (who shall submit the reports to the appro-
7	priate congressional committees), at the end of each
8	fiscal year, a report that includes each of the fol-
9	lowing:
10	"(A) The name and contact information of
11	the individual within the agency's office of legal
12	counsel or office of acquisition policy who is re-
13	sponsible for overseeing the implementation of
14	subsection (g) of this section, title XVII of the
15	National Defense Authorization Act for Fiscal
16	Year 2013 (22 U.S.C. 7104a et seq.), and any
17	related regulation in the Federal Acquisition
18	Regulation (including the Federal Acquisition
19	Regulation; Ending Trafficking in Persons (48
20	CFR Parts 1, 2, 9, 12, 22, 42, and 52)).
21	"(B) Agency action to ensure contractors
22	are educated on the applicable laws and regula-
23	tions listed in subparagraph (A).
24	"(C) Agency action to ensure the acquisi-
25	tion workforce and agency officials understand

1	implementation of the laws and regulations list-
2	ed in subparagraph (A), including best practices
3	for—
4	"(i) ensuring compliance with such
5	laws and regulations;
6	"(ii) assessing the serious, repeated,
7	willful, or pervasive nature of any violation
8	of such laws or regulations; and
9	"(iii) evaluating steps contractors
10	have taken to correct any such violation.
11	"(D) The number of contracts containing
12	language referring to the laws and regulations
13	listed in subparagraph (A) and the number of
14	contracts that did not contain any language re-
15	ferring to the laws and regulations listed in
16	subparagraph (A).
17	"(E) The number of allegations of severe
18	forms of trafficking in persons received and the
19	source type of the allegation (contractor, sub-
20	contractor, employee of contractor or subcon-
21	tractor, or an individual outside of the con-
22	tract).
23	"(F) The number of such allegations inves-
24	tigated by the agency, a summary of any find-
25	ings of such investigation, and any improve-

1	ments recommended by the agency to prevent
2	such conduct from recurring.
3	"(G) The number of such allegations re-
4	ferred to the Attorney General for prosecution
5	under section 3271 of title 18, United States
6	Code, and the outcomes of such referrals.
7	"(H) Any remedial action taken as a result
8	of such investigation, including whether—
9	"(i) a contractor or subcontractor (at
10	any tier) was debarred or suspended due to
11	a violation of a law or regulation relating
12	to severe forms of trafficking in persons;
13	OF
14	"(ii) a contract was terminated pursu-
15	ant to subsection (g) as a result of such
16	violation.
17	"(I) Any other assistance offered to agency
18	contractors to ensure compliance with a law or
19	regulation relating to severe forms of traf-
20	ficking in persons.
21	"(J) Any interagency meetings or data
22	sharing regarding suspended or disbarred con-
23	tractors or subcontractors (at any tier) for se-
24	vere forms of trafficking in persons.

1	"(K) Any contract with a contractor or
2	subcontractor (at any tier) located outside the
3	United States and the country location for each
4	such contractor or subcontractor.
5	"(2) Appropriate congressional commit-
6	TEES.—In this subsection, the term 'appropriate
7	congressional committees' means—
8	"(A) the Committee on Foreign Affairs,
9	the Committee on Armed Services, the Com-
10	mittee on Education and the Workforce, the
11	Committee on the Judiciary, and the Com-
12	mittee on Oversight and Government Reform of
13	the House of Representatives; and
14	"(B) the Committee on Foreign Relations,
15	the Committee on Armed Services, the Com-
16	mittee on the Judiciary, and the Committee on
17	Health, Education, Labor, and Pensions of the
18	Senate.".
19	SEC. 114. TRAINING COURSE ON HUMAN TRAFFICKING AND
20	GOVERNMENT CONTRACTING.
21	Any curriculum (including any continuing education
22	curriculum) for the acquisition workforce used by the Fed-
23	eral Acquisition Institute established under section 1201
24	of title 41, United States Code, shall include at least one

16

25 course, which shall be at least 30 minutes, on the law and

3 SEC. 115. MODIFICATIONS TO THE ADVISORY COUNCIL ON 4 HUMAN TRAFFICKING.

5 Section 115 of the Justice for Victims of Trafficking
6 Act of 2015 (Public Law 114–22; 129 Stat. 243) is
7 amended—

8 (1) in subsection (f)(2), to read as follows:

9 "(2) shall receive travel expenses, including per
10 diem in lieu of subsistence, in accordance with the
11 applicable provisions under subchapter I of chapter
12 57 of title 5, United States Code."; and

13 (2) in subsection (h), by striking "2020" and14 inserting "2021".

15 SEC. 116. SENSE OF CONGRESS ON STRENGTHENING FED-

16

ERAL EFFORTS TO REDUCE DEMAND.

17 It is the sense of Congress that—

18 (1) all Federal anti-trafficking training (includ-19 ing training under section 114(c) of the Justice for 20 Victims of Trafficking Act of 2015 (42 U.S.C. 21 14044g(c)) and under section 107(c)(4) of the Traf-22 ficking Victims Protection Act of 2000 (22 U.S.C. 23 7105(c)(4)) provided to Federal judges, prosecu-24 tors, and State and local law enforcement officials 25 should—

1	(A) explain the circumstances under which
2	sex buyers are considered parties to the crime
3	of trafficking;
4	(B) provide best practices for arresting or
5	prosecuting buyers of illegal sex acts as a form
6	of sex trafficking prevention; and
7	(C) specify that any comprehensive ap-
8	proach to eliminating sex and labor trafficking
9	must include a demand reduction component;
10	and
11	(2) any request for proposals for grants or co-
12	operative agreement opportunities issued by the At-
13	torney General with respect to the prevention of
14	trafficking should include specific language with re-
15	spect to demand reduction.
16	SEC. 117. SENSE OF CONGRESS ON THE SENIOR POLICY OP-
17	ERATING GROUP.
18	It is the sense of Congress that the Senior Policy Op-
19	erating Group established under section $105(g)$ of the
20	Trafficking Victims Protection Act of 2000 (22 U.S.C.
21	7103(g)) should create a working group to examine the
22	role of demand reduction, both domestically and inter-
23	nationally, in achieving the purposes of the Justice for
24	Victims of Trafficking Act (Public Law 114–22; 129 Stat.

227) and Trafficking Victims Protection Act of 2000 (22 1 2 U.S.C. 7101 et seq.). Subtitle C—Preventing Trafficking 3 in Persons in the United States 4 5 SEC. 121. DEMAND REDUCTION STRATEGIES IN THE 6 UNITED STATES. 7 (a) DEPARTMENT OF JUSTICE TASK FORCE.—Sec-8 tion 105(d)(7) of the Trafficking Victims Protection Act 9 of 2000 (22 U.S.C. 7103(d)(7)) is amended— 10 (1) in subparagraph (Q)(vii), by striking "and" 11 at the end; 12 (2) in subparagraph (R), by striking the period 13 at the end and inserting "; and"; and 14 (3) by adding at the end the following new sub-15 paragraph: "(S) tactics and strategies employed by 16 17 human trafficking task forces sponsored by the 18 Department of Justice to reduce demand for 19 trafficking victims.". 20 (b) REPORT ON STATE ENFORCEMENT.—Section 21 114(e)(1)(A) of the Justice for Victims of Trafficking Act 22 of 2015 (42 U.S.C. 14044g(e)(1)(A)) is amended— (1) by inserting ", noting the number of cov-23 24 ered offenders" after "covered offense" in each place 25 it occurs;

1	(2) in the matter preceding clause (i), by strik-
2	ing "rates" and inserting "number";
3	(3) in clause (i), by striking "arrest" and in-
4	serting "arrests";
5	(4) in clause (ii), by striking "prosecution" and
6	inserting "prosecutions"; and
7	(5) in clause (iii), by striking "conviction" and
8	inserting "convictions".
9	SEC. 122. DESIGNATION OF A LABOR PROSECUTOR TO EN-
10	HANCE STATE AND LOCAL EFFORTS TO COM-
11	BAT TRAFFICKING IN PERSONS.
12	Section 204(a)(1) of the Trafficking Victims Protec-
13	tion Reauthorization Act of 2005 is amended—
14	(1) in subparagraph (D), by striking "and" at
15	the end;
16	(2) in subparagraph (E), by striking the period
17	at the end and inserting "; and"; and
18	(3) by adding at the end the following new sub-
19	paragraph:
20	"(F) where appropriate, to designate at
21	least one prosecutor for cases of severe forms of
22	trafficking in persons (as such term is defined
23	in section $103(9)$ of the Trafficking Victims
24	Protection Act of 2000 (22 U.S.C. 7102(9)).".

SEC. 123. PREVENTING HUMAN TRAFFICKING IN FOREIGN

accredited the employer or family member."; 1 2 and (2) in paragraph (3)— 3 4 (A) by striking "is in place"; and (B) by inserting ", as applicable, the de-5 6 fault judgment has been resolved, the employer 7 or family member has agreed to meet with 8 United States law enforcement, the diplomatic 9 mission or international organization hosting 10 the employer or family member has waived im-11 munity for the employer or family member or 12 agreed to prosecute the case in the country that 13 accredited the employer or family member, or 14 the diplomatic mission or international organi-15 zation hosting the employer or family member has in place" after "appropriate congressional 16 17 committees that". 18 SEC. 124. ENSURING THAT TRAFFICKERS HELP PAY FOR 19 CARE FOR VICTIMS. 20 Section 3014(a) of title 18, United States Code, is amended by striking "2019" and inserting "2021". 21 Subtitle D—Monitoring Child, 22 Forced, and Slave Labor 23 24 SEC. 131. SENSE OF CONGRESS. 25 It is the sense of Congress that(1) foreign assistance that addresses poverty al leviation and humanitarian disasters reduces the vul nerability of men, women, and children to human
 trafficking and is a crucial part of the response of
 the United States to modern-day slavery;

6 (2) the Deputy Under Secretary of the Bureau 7 of International Labor Affairs of the Department of 8 Labor and the grant programs administered by the 9 Deputy Under Secretary play a critical role in pre-10 venting and protecting children from the worst 11 forms of child labor, including situations of traf-12 ficking, and in reducing the vulnerabilities of men 13 and women to situations of forced labor and traf-14 ficking; and

15 (3) the Secretary of Labor also plays a critical 16 role in helping other Federal departments and agen-17 cies to prevent goods made with forced and child 18 labor from entering the United States by consulting 19 with such departments and agencies to reduce forced 20 and child labor internationally and ensuring that 21 products made by forced labor and child labor in vio-22 lation of international standards are not imported 23 into the United States.

SEC. 132. REPORT ON THE ENFORCEMENT OF SECTION 307 OF THE TARIFF ACT OF 1930.

3 (a) IN GENERAL.—Not later than 2 years after the
4 date of the enactment of this Act, the Comptroller General
5 of the United States shall submit to the committees listed
6 in subsection (b) a report describing any obstacles or chal7 lenges to enforcing section 307 of the Tariff Act of 1930
8 (19 U.S.C. 1307).

9 (b) COMMITTEES.—The committees listed in this sub-10 section are—

(1) the Committee on Foreign Affairs, the
Committee on Financial Services, the Committee on
Energy and Commerce, the Committee on the Judiciary, and the Committee on Ways and Means of the
House of Representatives; and

16 (2) the Committee on Foreign Relations, the
17 Committee on Health, Education, Labor, and Pen18 sions, the Committee on Commerce, Science, and
19 Transportation, the Committee on the Judiciary,
20 and the Committee on Finance of the Senate.

21 (c) REQUIREMENTS.—The report required under sub22 section (a) shall—

(1) describe the role and best practices of private-sector employers in the United States in complying with the provisions of section 307 of the Tariff Act of 1930;

1	(2) describe any efforts or programs under-
2	taken by relevant Federal, State, or local govern-
3	ment agencies to encourage employers, directly or
4	indirectly, to comply with such provisions;
5	(3) describe the roles of the relevant Federal
6	departments and agencies in overseeing and regu-
7	lating such provisions, and the oversight and en-
8	forcement mechanisms used by such departments or
9	agencies;
10	(4) provide concrete, actual case studies or ex-
11	amples of how such provisions are enforced;
12	(5) identify the number of petitions received
13	and cases initiated (whether by petition or other-
14	wise) or investigated by each relevant Federal de-
15	partment or agency charged with implementing and
16	enforcing such provisions, as well as the dates peti-
17	tions were received or investigations were initiated,
18	and their current statuses;
19	(6) identify any enforcement actions, including,
20	but not limited to, the issuance of Withhold Release
21	Orders, the detention of shipments, the issuance of
22	civil penalties, and the formal charging with criminal
23	charges relating to the forced labor scheme, taken as
24	a result of these petitions and investigations by type

1	of action, date of action, commodity, and country of
2	origin in the past 10 years;
3	(7) with respect to any relevant petition filed
4	during the 10-year period prior to the date of the
5	enactment of this Act with the relevant Federal de-
6	partments and agencies tasked with implementing
7	such provisions, list the specific products, country of
8	origin, manufacturer, importer, end-user or retailer,
9	and outcomes of any investigation;
10	(8) identify any gaps that may exist in enforce-
11	ment of such provisions;
12	(9) describe the engagement of the relevant
13	Federal departments and agencies with stakeholders,
14	including the engagement of importers, forced labor
15	experts, and nongovernmental organizations; and
16	(10) based on the information required by para-
17	graphs (1) through (9), identify any regulatory ob-
18	stacles or challenges to enforcement of such provi-
19	sions and provide recommendations for actions that
20	could be taken by the relevant Federal departments
21	and agencies to overcome these obstacles.
22	SEC. 133. MODIFICATION TO LIST OF CHILD-MADE AND
23	SLAVERY-MADE GOODS.
24	(a) IN GENERAL.—Section 105(b)(2)(C) of the Traf-
25	ficking Victims Protection Reauthorization Act of 2005

(22 U.S.C. 7112(b)(2)(C)) is amended by inserting ", in cluding, to the extent practicable, goods that are produced
 with inputs that are produced with forced labor or child
 labor" after "international standards".

5 (b) INCLUSION IN AUTHORIZATION OF APPROPRIA-TIONS.—Amounts appropriated pursuant to the authoriza-6 7 tion of appropriations under section 113(f) of the Traf-8 ficking Victims Protection Act of 2000 (22 U.S.C. 9 7110(f)), as amended by section 301(a) of this Act, are 10 authorized to be made available to carry out the purposes described in section 105(b)(2) of the Trafficking Victims 11 Protection Reauthorization Act of 2005 (22 U.S.C. 12 7112(b)(2), as amended by subsection (a). 13

14 TITLE II—FIGHTING HUMAN 15 TRAFFICKING ABROAD 16 Subtitle A—Efforts To Combat 17 Trafficking

18 SEC. 201. INCLUDING THE SECRETARY OF THE TREASURY 19 AND THE UNITED STATES TRADE REP-

19AND THE UNITED STATES TRADE REP-20RESENTATIVE AS A MEMBER OF THE INTER-21AGENCY TASK FORCE TO MONITOR AND COM-22BAT TRAFFICKING.

23 Section 105(b) of the Trafficking Victims Protection
24 Act of 2000 (22 U.S.C. 7103(b)) is amended by inserting

1	"the Secretary of the Treasury, the United States Trade
2	Representative," after "the Secretary of Education,".
3	SEC. 202. ENCOURAGING COUNTRIES TO MAINTAIN AND
4	SHARE DATA ON HUMAN TRAFFICKING EF-
5	FORTS.
6	Paragraphs (1) and (7) of section $108(b)$ of the Traf-
7	ficking Victims Protection Act of 2000 (22 U.S.C.
8	7106(b)(1) and $(b)(7)$) are each amended by striking the
9	final sentence of such paragraphs.
10	SEC. 203. APPROPRIATE LISTING OF GOVERNMENTS IN-
11	VOLVED IN HUMAN TRAFFICKING.
12	Subsection (b) of section 110 of the Trafficking Vic-
13	tims Protection Act of 2000 (22 U.S.C. 7107(b)) is
13 14	tims Protection Act of 2000 (22 U.S.C. 7107(b)) is amended as follows:
14	amended as follows:
14 15	amended as follows: (1) In paragraph (1)—
14 15 16	amended as follows: (1) In paragraph (1)— (A) in subparagraph (C)—
14 15 16 17	amended as follows: (1) In paragraph (1)— (A) in subparagraph (C)— (i) by striking "and whose govern-
14 15 16 17 18	amended as follows: (1) In paragraph (1)— (A) in subparagraph (C)— (i) by striking "and whose govern- ments do not" and inserting the following:
14 15 16 17 18 19	amended as follows: (1) In paragraph (1)— (A) in subparagraph (C)— (i) by striking "and whose govern- ments do not" and inserting the following: "and whose governments—
 14 15 16 17 18 19 20 	amended as follows: (1) In paragraph (1)— (A) in subparagraph (C)— (i) by striking "and whose govern- ments do not" and inserting the following: "and whose governments— "(i) do not"; and
 14 15 16 17 18 19 20 21 	amended as follows: (1) In paragraph (1)— (A) in subparagraph (C)— (i) by striking "and whose govern- ments do not" and inserting the following: "and whose governments— "(i) do not"; and (ii) by adding at the end the following
 14 15 16 17 18 19 20 21 22 	<pre>amended as follows: (1) In paragraph (1)— (A) in subparagraph (C)—</pre>

1	"(iii) have a government-supported
2	practice of—
3	"(I) trafficking;
4	"(II) facilitating the use of
5	forced labor (such as in agriculture,
6	forestry, mining, or construction);
7	"(III) permitting sexual slavery
8	in government camps, compounds, or
9	outposts; or
10	"(IV) employing child soldiers;";
11	(B) in subparagraph (F), by striking
12	"and" at the end;
13	(C) in subparagraph (G), by striking the
14	period at the end and inserting "; and"; and
15	(D) by adding at the end the following:
16	"(H) for each country included in a dif-
17	ferent list than the country had been placed in
18	the previous annual report, a detailed expla-
19	nation of how the concrete actions (or lack of
20	such actions) undertaken by the country during
21	the previous reporting period contributed to
22	such change, including a clear linkage between
23	such actions and the minimum standards enu-
24	merated in section 108.".

25 (2) In paragraph (2)—

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1	(A) in subparagraph (A)(iii)—
2	(i) in subclause (I)—
3	(I) by inserting "and the country
4	is not taking steps commensurate with
5	the size of the trafficking problem"
6	before the semicolon at the end; and
7	(II) by adding "or" at the end;
8	(ii) in subclause (II), by striking ";
9	or" and inserting a period; and
10	(iii) by striking subclause (III);
11	(B) in subparagraph (B), by striking "the
12	last annual report" and inserting "April 1 of
13	the previous year'';
14	(C) in subparagraph (D)—
15	(i) in clause (i), by striking "the date
16	of the enactment of this subparagraph,"
17	and all that follows and inserting—
18	"the date of the enactment of this
19	subparagraph—
20	"(I) shall be included on the list
21	of countries described in paragraph
22	(1)(C); and
23	"(II) shall be required to meet
24	the requirements specified in para-
25	graph $(1)(B)$ before the country may

	-
1	be removed from the list of countries
2	described in paragraph (1)(C).";
3	(ii) in clause (ii)—
4	(I) by striking "2 years" and in-
5	serting "1 year";
6	(II) in subclause (II), by striking
7	"and";
8	(III) in subclause (III), by strik-
9	ing the period at the end and insert-
10	ing "; and"; and
11	(IV) by adding at the end the fol-
12	lowing:
13	"(IV) the country has taken con-
14	crete actions to implement the prin-
15	cipal recommendations of the most re-
16	cent annual report on trafficking in
17	persons with respect to that coun-
18	try."; and
19	(iii) by adding at the end the fol-
20	lowing:
21	"(iii) WRITTEN PLAN.—The Secretary
22	of State shall endeavor to work with each
23	country that receives a waiver under clause
24	(ii) and with civil society organizations in

1 each country to draft and implement a 2 written plan described in such clause."; (D) in subparagraph (E)— 3 (i) by striking "through (III)" and in-4 serting "through (IV)"; and 5 6 (ii) by striking "shall provide" and all 7 that follows and inserting the following: "shall provide, on a publicly available 8 9 website maintained by the Department of 10 State— "(i) a detailed description of the cred-11 12 ible evidence supporting such determination; 13 14 "(ii) the written plan submitted by 15 the country under subparagraph (D)(ii)(I); 16 and 17 "(iii) supporting documentation pro-18 viding credible evidence of— 19 "(I) each concrete action by the 20 country to bring itself into compliance 21 with the minimum standards for the 22 elimination of trafficking, including 23 copies of relevant laws or regulations 24 adopted or modified; and

1	"(II) any actions taken by that
2	country to enforce the minimum
3	standards for the elimination of traf-
4	ficking, as appropriate.".
5	(E) by adding at the end the following new
6	subparagraph:
7	"(F) Special rule for certain coun-
8	TRIES ON SPECIAL WATCH LIST THAT ARE
9	DOWNGRADED AND REINSTATED ON SPECIAL
10	WATCH LIST.—Notwithstanding subparagraphs
11	(D) and (E), a country that—
12	"(i) was included on the special watch
13	list described in subparagraph (A) for—
14	"(I) two consecutive years after
15	the date of the enactment of subpara-
16	graph (D); and
17	"(II) any additional years after
18	such date of enactment by reason of
19	the President exercising the waiver
20	authority under clause (ii) of subpara-
21	graph (D); and
22	"(ii) was subsequently included on the
23	list of countries described in paragraph
24	(1)(C),

1	may not thereafter be included on the special
2	watch list described in subparagraph (A) for
3	more than 1 consecutive year.".
4	(3) In paragraph (3)—
5	(A) in subparagraph (B), by striking
6	"and" at the end;
7	(B) in subparagraph (C), by striking the
8	period at the end and inserting a semicolon;
9	and
10	(C) by adding at the end the following:
11	"(D) the extent to which the government
12	of the country is devoting sufficient budgetary
13	resources—
14	"(i) to investigate and prosecute acts
15	of severe trafficking in persons;
16	"(ii) to convict and sentence persons
17	responsible for such acts; and
18	"(iii) to obtain restitution for victims
19	of human trafficking;
20	"(E) the extent to which the government
21	of the country is devoting sufficient budgetary
22	resources—
23	"(i) to protect and rehabilitate victims
24	of trafficking in persons; and
25	"(ii) to prevent trafficking in persons;

"(F) the extent to which the government of
the country has consulted with domestic and
international civil society organizations to im-
prove the provision of services to victims of
trafficking in persons; and
"(G) whether—
"(i) government officials participate in
or facilitate forced labor and human traf-
ficking; and
"(ii) the government maintains poli-
cies that provide incentives for or otherwise
support the participation in or facilitation
of forced labor and human trafficking by
officials at any level of government.".
(4) By adding at the end the following:
"(4) Special rule for changes in certain
DETERMINATIONS.—Not later than 90 days after
the submission of each annual report under para-
graph (1), the Secretary of State shall submit a de-
tailed description of the credible evidence supporting
a change in listing of a country, accompanied by
copies of documents providing such evidence, as ap-
propriate, to the appropriate congressional commit-
tees not later than 90 days after the submission of
that report if—

1	"(A) a country is included on a list of
2	countries described in paragraph $(1)(C)$ in an
3	annual report submitted in calendar year 2015
4	or in any calendar year thereafter; and
5	"(B) in the annual report submitted in the
6	next calendar year, the country is listed on a
7	list of countries described in paragraph $(1)(B)$.
8	"(5) WRITTEN PLAN.—The Secretary of State
9	shall endeavor to work with each country that has
10	been listed pursuant to paragraph $(1)(C)$ in the
11	most recent annual report and civil society organiza-
12	tions to draft and implement the written plan de-
13	scribed in paragraph (2)(D)(ii).
14	"(6) DEFINITIONS.—In this subsection:
15	"(A) CONCRETE ACTIONS.—The term 'con-
16	crete actions' means any of the following ac-
17	tions that demonstrably improve the condition
18	of a substantial number of victims of human
19	trafficking and persons vulnerable to human
20	trafficking:
21	"(i) Enforcement actions taken.
22	"(ii) Investigations actively underway.
23	"(iii) Prosecutions conducted.
24	"(iv) Convictions attained.
25	"(v) Training provided.

1	"(vi) Programs and partnerships ac-
2	tively underway.
3	"(vii) Victim services offered, includ-
4	ing immigration services and restitution.
5	"(viii) The amount of money the gov-
6	ernment in question has committed to the
7	actions described in clauses (i) through
8	(vii).
9	"(ix) An assessment of the impact of
10	such actions on the prevalence of human
11	trafficking in the country.
12	"(B) CREDIBLE EVIDENCE.—The term
13	'credible evidence' means information relied
14	upon by the Department of State to make de-
15	terminations relating to the provisions set forth
16	in this division, including—
17	"(i) reports by the Department of
18	State;
19	"(ii) reports of other Federal agen-
20	cies, including the Department of Labor's
21	List of Goods Produced by Child Labor or
22	Forced Labor and List of Products Pro-
23	duced by Forced Labor or Indentured
24	Child Labor;

1	
1	"(iii) documentation provided by a
2	foreign country, including copies of rel-
3	evant laws, regulations, policies adopted or
4	modified, enforcement actions taken and
5	judicial proceedings, training conducted,
6	consultations conducted, programs and
7	partnerships launched, and services pro-
8	vided;
9	"(iv) materials developed by civil soci-
10	ety organizations;
11	"(v) information from survivors of
12	human trafficking, vulnerable persons, and
13	whistleblowers;
14	"(vi) all relevant media and academic
15	reports that, in light of reason and com-
16	mon sense, are worthy of belief; and
17	"(vii) information developed by multi-
18	lateral institutions.".
19	SEC. 204. REQUIREMENTS FOR STRATEGIES TO PREVENT
20	TRAFFICKING.
21	(a) Report on New Practices To Combat Traf-
22	FICKING.—
23	(1) IN GENERAL.—Not later than 120 days
24	after the date of the enactment of this Act, and an-
25	nually thereafter for 7 years, the Secretary of State,

1	in consultation with the Administrator of the United
2	States Agency for International Development, shall
3	submit to the Committee on Foreign Affairs of the
4	House of Representatives and the Committee on
5	Foreign Relations of the Senate a report—
6	(A) describing any practices adopted by
7	the Department or the Agency to better combat
8	trafficking in persons, in accordance with the
9	report submitted under section $101(b)(4)$ of the
10	Trafficking Victims Protection Reauthorization
11	Act of 2005, in order to reduce the risk of traf-
12	ficking in post-conflict or post-disaster areas; or
13	(B) if no such practices have been adopted,
14	including a strategy to reduce the risk of traf-
15	ficking in such areas.
16	(2) Public availability.—Each report sub-
17	mitted under paragraph (1) shall be posted on a
18	publicly available internet website of the Department
19	of State.
20	(b) CHILD PROTECTION STRATEGIES IN WATCH
21	LIST COUNTRIES.—The Administrator of the United
22	States Agency for International Development shall incor-
23	porate into the relevant country development cooperation

25 scribed in section 110(b)(2)(A) or the list described in sec-

strategy for each country on the special watch list de-

24

tion 110(b)(1)(C) of the Trafficking Victims Protection
 Act of 2000 (22 U.S.C. 7107(b)(2)(A) and (b)(1)(C)), as
 amended by section 203 of this Act, strategies for the pro tection of children and the reduction of the risk of traf ficking.

6 SEC. 205. EXPANSION OF DEPARTMENT OF STATE RE-7 WARDS PROGRAM.

8 Paragraph (5) of section 36(k) of the State Depart9 ment Basic Authorities Act of 1956 (22 U.S.C. 2708(k))
10 is amended—

(1) in the matter preceding subparagraph (A),
by striking "means";

(2) by redesignating subparagraphs (A) and
(B) as clauses (i) and (ii), respectively, and moving
such clauses, as so redesignated, two ems to the
right;

17 (3) by inserting before clause (i), as so redesig-18 nated, the following:

19 "(A) means—";

20 (4) in clause (ii), as so redesignated, by striking
21 the period at the end and inserting "; and"; and

(5) by adding at the end following new subpara-graph:

24 "(B) includes severe forms of trafficking in25 persons, as such term is defined in section 103

1	of the Trafficking Victims Protection Act of
2	2000 (22 U.S.C. 7102).".

3 SEC. 206. BRIEFING ON COUNTRIES WITH PRIMARILY MI-4 GRANT WORKFORCES.

5 Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall provide to 6 the Committee on Foreign Affairs and the Committee on 7 8 the Judiciary of the House and the Committee on Foreign 9 Relations and the Committee on the Judiciary of the Sen-10 ate a briefing that includes, with respect to each country that has a domestic workforce of which more than 80 per-11 12 cent are third-country nationals, each of the following:

13 (1) An assessment of the progress made by the 14 government of such country toward implementing 15 the recommendations with respect to such country contained in the most recent "Trafficking in Persons 16 17 Report" submitted by the Secretary under section 18 110(b) of the Trafficking Victims Protection Act of 19 2000 (22 U.S.C. 7107(b)), as amended by section 20 203 of this Act.

(2) A description of the efforts made by the
United States to ensure that any domestic worker
brought into the United States by an official of such
country is not a victim of trafficking.

1SEC. 207. REPORT ON RECIPIENTS OF FUNDING FROM THE2UNITED STATES AGENCY FOR INTER-3NATIONAL DEVELOPMENT.

4 Not later than 90 days after the date of the enact-5 ment of this Act, and by October 1 of each of the following 4 years, the Administrator of the United States Agency 6 7 for International Development shall submit to the Com-8 mittee on Foreign Affairs and the Committee on Appro-9 priations of the House and the Committee on Foreign Relations and the Committee on Appropriations of the Sen-10 ate a report describing, with respect to the prior fiscal 11 12 year-

(1) each obligation or expenditure of Federal
funds by the Agency for the purpose of combating
human trafficking and forced labor; and

16 (2) with respect to each such obligation or ex17 penditure, the program, project, activity, primary re18 cipient, and any sub-grantees or sub-contractors.

Subtitle B—Child Soldier Prevention Act of 2017

21 SEC. 211. FINDINGS.

22 Congress finds the following:

(1) The recruitment or use of children in armed
conflict is unacceptable for any government or government-supported entity receiving United States assistance.

1	(2) The recruitment or use of children in armed
2	conflict, including direct combat, support roles, and
3	sexual slavery, occurred during 2015–2016 in Af-
4	ghanistan, South Sudan, Sudan, Burma, the Demo-
5	cratic Republic of the Congo, Iraq, Nigeria, Rwanda,
6	Somalia, Syria, and Yemen.
7	(3) Entities of the Government of Afghanistan,
8	particularly the Afghan Local Police and Afghan
9	National Police, continue to recruit children to serve
10	as combatants or as servants, including as sex
11	slaves.
12	(4) Police forces of the Government of Afghani-
13	stan participate in counterterrorism operations, di-
14	rect and indirect combat, security operations, fight
15	alongside regular armies, and are targeted for vio-
16	lence by the Taliban as well as by other opposition
17	groups.
18	(5) In February 2016, a 10-year-old boy was
19	assassinated by the Taliban after he had been pub-
20	lically honored by Afghan local police forces for his
21	assistance in combat operations against the Taliban.
22	(6) Recruitment and use of children in armed
23	conflict by government forces has continued in 2016
24	in South Sudan with the return to hostilities.

1 (7) At least 650 children have been recruited 2 and used in armed conflict in South Sudan in 2016, 3 and at least 16,000 have been recruited since that 4 country's civil war began in 2013. 5 SEC. 212. AMENDMENTS TO THE CHILD SOLDIERS PREVEN-6 TION ACT OF 2008. 7 (a) DEFINITIONS.—Section 402(2)(A) of the Child 8 Soldiers Prevention Act of 2008 (22 U.S.C. 2370c(2)(A)) is amended by inserting ", police, or other security forces" 9 after "governmental armed forces" each place it appears. 10 11 (b) PROHIBITION.—Section 404 of the Child Soldiers Prevention Act of 2008 (22 U.S.C. 2370c-1) is amend-12 13 ed— 14 (1) in subsection (a)— (A) by inserting ", police, or other security 15 forces" after "governmental armed forces"; and 16 17 (B) by striking "recruit and use child sol-18 diers" and inserting "recruit or use child sol-19 diers"; 20 (2) by amending subsection (b)(2) to read as 21 follows: 22 "(2) NOTIFICATION.— 23 "(A) IN GENERAL.—Not later than 45 24 days after the date of submission of each report 25 required under section 110(b) of the Traf-

1	ficking Victims Protection Act of 2000, the Sec-
2	retary of State shall formally notify each gov-
3	ernment included in the list required under
4	paragraph (1) that such government is so in-
5	cluded.
6	"(B) Congressional notification.—As
7	soon as practicable after making all of the noti-

soon as practicable after making all of the notifications required under subparagraph (A) with
respect to a report, the Secretary of State shall
notify the appropriate congressional committees
that the requirements of subparagraph (A) have
been met.";

(3) in subsection (c)(1), by adding at the end
before the period the following: "and certifies to the
appropriate congressional committees that the government of such country is taking effective and continuing steps to address the problem of child soldiers"; and

(4) in subsection (e)(1), by striking "to a country" and all that follows through "subsection (a)"
and inserting "under section 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347) through the
Defense Institute for International Legal Studies or
the Center for Civil-Military Relations at the Naval
Post-Graduate School, and may provide nonlethal

1	supplies (as defined in section 2557(d)(1)(B) of title
2	10), to a country subject to the prohibition under
3	subsection (a)".
4	(c) REPORTS.—Section 405 of the Child Soldiers Pre-
5	vention Act of 2008 (22 U.S.C. 2370c-2) is amended—
6	(1) in subsection (c)—
7	(A) in the matter preceding paragraph (1),
8	by striking ", during any of the 5 years fol-
9	lowing the date of the enactment of this Act,";
10	(B) by redesignating paragraphs (2)
11	through (4) as paragraphs (3) through (5) , re-
12	spectively;
13	(C) by inserting after paragraph (1) the
14	following:
15	((2) a description and the amount of any as-
16	sistance withheld under this title pursuant to the ap-
17	plication to those countries of the prohibition in sec-
18	tion 404(a);"; and
19	(D) in paragraph (5) (as so redesignated),
20	by inserting "and the amount" after "a descrip-
21	tion"; and
22	(2) by adding at the end the following:
23	"(d) Information To Be Included in Annual
24	TRAFFICKING IN PERSONS REPORT.—If a country is noti-
25	fied pursuant to section $404(b)(2)$, or a waiver is granted

pursuant to section 404(c)(1), the Secretary of State shall
 include in each report required under section 110(b) of
 the Trafficking Victims Protection Act of 2000 (22 U.S.C.
 7107(b)) the information required to be included in the
 annual report to Congress under paragraphs (1) through
 (5) of subsection (c) of this section.".

7 TITLE III—AUTHORIZATION OF 8 APPROPRIATIONS

9 SEC. 301. AUTHORIZATION OF APPROPRIATIONS UNDER

10THE TRAFFICKING VICTIMS PROTECTION11ACT OF 2000.

(a) IN GENERAL.—Section 113 of the Trafficking
Victims Protection Act of 2000 (22 U.S.C. 7110) is
amended by striking "2017" each place it appears and
inserting "2021".

(b) HUMAN SMUGGLING AND TRAFFICKING CENTER.—Section 112A(b)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7109a(b)(4)) is amended
by striking "2017" and inserting "2021".

20 SEC. 302. AUTHORIZATION OF APPROPRIATIONS UNDER 21 THE TRAFFICKING VICTIMS PROTECTION RE-

22 AUTHORIZATION ACT OF 2005.

(a) IN GENERAL.—Section 201(c)(2) of the Trafficking Victims Protection Reauthorization Act of 2005

(42 U.S.C. 14044(c)(2)) is amended by striking "2017"
 and inserting "2021".

3 (b) Assistance Programs for Certain Persons 4 SUBJECT TO TRAFFICKING.— 5 (1) IN GENERAL.—Section 202(i) of the Traf-6 ficking Victims Protection Reauthorization Act of 2005 is amended by striking "2017" and inserting 7 "2021". 8 9 (2) REPEAL OF SUNSET.—Section 1241 of the 10 Violence Against Women Reauthorization Act of 11 2013 (Public Law 113-4; 127 Stat. 149) is amend-12 ed— 13 (A) by striking subsection (b); and 14 (B) by striking "(a) IN GENERAL.—Sec-15 tion 202" and inserting "Section 202". 16 (c) CHILD TRAFFICKING DETERRENCE PROGRAM.— 17 Section 203(i) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044b) is amended 18 by striking "2020" and inserting "2021". 19 20 (d) ENHANCING STATE AND LOCAL EFFORTS.—Sec-21 tion 204(e) of the Trafficking Victims Protection Reau-22 thorization Act of 2005 (42 U.S.C. 14044c(e)) is amended

23 by striking "2017" and inserting "2021".

1	SEC. 303. AUTHORIZATION OF APPROPRIATIONS FOR EN-
2	HANCING EFFORTS TO COMBAT THE TRAF-
3	FICKING OF CHILDREN.
4	Section $235(c)(6)(F)$ of the William Wilberforce
5	Trafficking Victims Protection Reauthorization Act of
6	2008 (8 U.S.C. 1232(c)(6)(F)) is amended—
7	(1) in the matter preceding clause (i), by insert-
8	ing "of Health" after "Secretary"; and
9	(2) in clause (ii), by striking "and 2017" and
10	inserting "through 2021".
11	SEC. 304. AUTHORIZATION OF APPROPRIATIONS UNDER
12	THE INTERNATIONAL MEGAN'S LAW.
13	Section 11 of the International Megan's Law to Pre-
14	vent Child Exploitation and Other Sexual Crimes Through
15	Advanced Notification of Traveling Sex Offenders (42
16	U.S.C. 16935h) is amended by striking "and 2018" and
17	inserting "through 2021".
18	SEC. 305. AUTHORIZATION OF APPROPRIATIONS FOR AIR-
19	PORT PERSONNEL TRAINING TO IDENTIFY
20	AND REPORT HUMAN TRAFFICKING VICTIMS.
21	There is authorized to be appropriated to the Com-
22	missioner of U.S. Customs and Border Protection
23	\$250,000 for each of fiscal years 2017 through 2021 to

- 1 expand outreach and live on-site anti-trafficking training
- 2 for airport and airline personnel.

Passed the House of Representatives July 12, 2017. Attest:

Clerk.

115TH CONGRESS H. R. 2200

AN ACT

To reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes.