

# Calendar No. 193

112TH CONGRESS  
1ST SESSION

# S. 1301

To authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 29, 2011

Mr. LEAHY (for himself, Mr. BROWN of Massachusetts, Mr. KERRY, Mrs. BOXER, Mr. CARDIN, Mr. WYDEN, Mrs. FEINSTEIN, Mr. RUBIO, Mr. COCHRAN, Mrs. GILLIBRAND, Ms. LANDRIEU, Mr. SCHUMER, Mr. BROWN of Ohio, Mr. BURR, Mr. COONS, Mr. AKAKA, Mr. UDALL of Colorado, Ms. MIKULSKI, Mr. HELLER, Mr. ISAKSON, Ms. KLOBUCHAR, Mrs. HAGAN, Mr. NELSON of Florida, Ms. STABENOW, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

OCTOBER 13, 2011

Reported by Mr. LEAHY, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

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## A BILL

To authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, 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; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the  
 3 “Trafficking Victims Protection Reauthorization Act of  
 4 2011”.

5 (b) **TABLE OF CONTENTS.**—The table of contents for  
 6 this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—COMBATING INTERNATIONAL TRAFFICKING IN  
 PERSONS**

Sec. 101. Regional strategies for combating trafficking in persons.

Sec. 102. Regional anti-trafficking officers.

Sec. 103. Partnerships against significant trafficking in persons.

Sec. 104. Protection and assistance for victims of trafficking.

Sec. 105. Minimum standards for the elimination of trafficking.

Sec. 106. Best practices in trafficking in persons eradication.

Sec. 107. Protections for domestic workers and other nonimmigrants.

**TITLE II—COMBATING TRAFFICKING IN PERSONS IN THE  
 UNITED STATES**

**Subtitle A—Penalties Against Traffickers and Other Crimes**

Sec. 201. Criminal offenses against traffickers.

Sec. 202. Civil remedies; clarifying definition.

**Subtitle B—Ensuring Availability of Possible Witnesses and Informants**

Sec. 211. Protections for trafficking victims who cooperate with law enforce-  
 ment.

Sec. 212. Protection against fraud in foreign labor contracting.

Sec. 213. Protections for certain derivative beneficiaries of deceased trafficking  
 or crime victims.

Sec. 214. Consultation with the Attorney General on adjustment of status of  
 certain trafficking victims.

**Subtitle C—Ensuring Interagency Coordination and Expanded Reporting**

Sec. 221. Reporting requirements for the Attorney General.

Sec. 222. Reporting requirements for the Secretary of Labor.

Sec. 223. Information sharing to combat child labor and slave labor.

Sec. 224. Government training efforts to include the Department of Labor.

Sec. 225. GAO report on the use of foreign labor contractors.

**Subtitle D—Enhancing State and Local Efforts to Combat Trafficking in  
 Persons**

Sec. 231. Assistance for domestic minor sex trafficking victims.

Sec. 232. Expanding local law enforcement grants for investigations and pros-  
 ecutions of trafficking.

Sec. 233. Model State criminal law protection for child trafficking victims and survivors.

#### TITLE III—AUTHORIZATION OF APPROPRIATIONS

Sec. 301. Adjustment of authorization levels for the Trafficking Victims Protection Act of 2000.

Sec. 302. Adjustment of authorization levels for the Trafficking Victims Protection Reauthorization Act of 2005.

#### TITLE IV—UNACCOMPANIED ALIEN CHILDREN

Sec. 401. Protection for minors seeking asylum.

Sec. 402. Appropriate custodial settings for unaccompanied minors who reach the age of majority while in Federal custody.

Sec. 403. Appointment of child advocates for unaccompanied minors.

Sec. 404. Access to Federal foster care and unaccompanied refugee minor protections for certain U Visa recipients.

Sec. 405. GAO study of the effectiveness of border screenings.

# 1 **TITLE I—COMBATING INTER-** 2 **NATIONAL TRAFFICKING IN** 3 **PERSONS**

## 4 **SEC. 101. REGIONAL STRATEGIES FOR COMBATING TRAF-** 5 **FICKING IN PERSONS.**

6 Section 105 of the Trafficking Victims Protection Act  
7 of 2000 (22 U.S.C. 7103) is amended—

8 (1) in subsection (d)(7)(J), by striking “section  
9 105(f) of this division” and inserting “subsection  
10 (g)”;

11 (2) in subsection (e)(2)—

12 (A) by striking “(2) COORDINATION OF  
13 CERTAIN ACTIVITIES.—” and all that follows  
14 through “exploitation.”;

15 (B) by redesignating subparagraph (B) as  
16 paragraph (2); and

1                   (C) by redesignating clauses (i) and (ii) as  
2                   subparagraphs (A) and (B), respectively;

3                   (3) by redesignating subsection (f) as sub-  
4                   section (g); and

5                   (4) by inserting after subsection (e) the fol-  
6                   lowing:

7                   “(f) REGIONAL STRATEGIES FOR COMBATING TRAF-  
8                   FICKING IN PERSONS.—Each regional bureau in the De-  
9                   partment of State shall contribute to the realization of the  
10                  anti-trafficking goals and objectives of the Secretary of  
11                  State. By June 30 of each year, in cooperation with the  
12                  Office to Monitor and Combat Trafficking, each regional  
13                  bureau shall submit a list of anti-trafficking goals and ob-  
14                  jectives for each country in its geographic area of responsi-  
15                  bility. Host governments shall be informed of the goals  
16                  and objectives for their particular country by June 30 and,  
17                  to the extent possible, host government officials should  
18                  contribute to the drafting of the goals and objectives.”.

19                  **SEC. 102. REGIONAL ANTI-TRAFFICKING OFFICERS.**

20                  Section 106 of the Trafficking Victims Protection Act  
21                  of 2000 (22 U.S.C. 7104) is amended—

22                   (1) by redesignating subsections (e), (f), (g),  
23                   and (h) as subsections (f), (g), (h), and (i), respec-  
24                   tively; and

1           (2) by inserting after subsection (d), the fol-  
2           lowing:

3           “~~(e) REGIONAL ANTI-TRAFFICKING IN PERSONS OF-~~  
4           ~~FICERS.—Under the authority, direction, and control of~~  
5           ~~the President, the Secretary of State, in accordance with~~  
6           ~~the provisions of this Act, and in order to promote effec-~~  
7           ~~tive bilateral and regional anti-trafficking diplomacy, pub-~~  
8           ~~lie diplomacy initiatives, and coordination of programs, is~~  
9           ~~authorized—~~

10           ~~“(1) to appoint, at United States embassies,~~  
11           ~~anti-trafficking in persons officers, who shall collabo-~~  
12           ~~rate with other countries to eliminate human traf-~~  
13           ~~ficking; and~~

14           ~~“(2) to use the officers appointed under para-~~  
15           ~~graph (1) for tasks such as—~~

16           ~~“(A) expanding the anti-trafficking efforts~~  
17           ~~of the Office to Monitor and Combat Traf-~~  
18           ~~ficking in Persons of the Department of State;~~

19           ~~“(B) monitoring trafficking trends in the~~  
20           ~~region;~~

21           ~~“(C) assessing compliance with the provi-~~  
22           ~~sions of this Act; and~~

23           ~~“(D) assisting and advising United States~~  
24           ~~embassies overseas on the preparation of the~~  
25           ~~annual Trafficking in Persons Report.”.~~

1 **SEC. 103. PARTNERSHIPS AGAINST SIGNIFICANT TRAF-**  
 2 **FICKING IN PERSONS.**

3 The Trafficking Victims Protection Act of 2000 is  
 4 amended—

5 (1) in section 105(e)(2) (22 U.S.C.  
 6 7103(e)(2))—

7 (A) by striking “(2) COORDINATION” and  
 8 all that follows through “ASSISTANCE” and in-  
 9 serting the following:

10 “(2) UNITED STATES ASSISTANCE.—”; and

11 (B) by redesignating clauses (i) and (ii) as  
 12 subparagraphs (A) and (B) and moving such  
 13 subparagraphs, as so redesignated, 2 ems to the  
 14 left;

15 (2) by inserting after section 105 (22 U.S.C.  
 16 7103) the following:

17 **“SEC. 105A. CREATING, BUILDING, AND STRENGTHENING**  
 18 **PARTNERSHIPS AGAINST SIGNIFICANT TRAF-**  
 19 **FICKING IN PERSONS.**

20 “(a) DECLARATION OF PURPOSE.—The purpose of  
 21 this section is to promote collaboration and cooperation—

22 “(1) between the United States Government  
 23 and governments listed on the annual Trafficking in  
 24 Persons Report;

25 “(2) between foreign governments and civil so-  
 26 ciety actors; and

1           “(3) between the United States Government  
2           and private sector entities.

3           “(b) PARTNERSHIPS.—The Director, in coordination  
4           and cooperation with other officials at the Department of  
5           State involved in corporate responsibility and global part-  
6           nerships, the Deputy Under Secretary for International  
7           Affairs of the Department of Labor, and other relevant  
8           officials of the United States Government, shall promote,  
9           build, and sustain partnerships between the United States  
10          Government and private entities, including foundations,  
11          universities, corporations, community-based organizations,  
12          and other nongovernmental organizations, to ensure  
13          that—

14           “(1) United States citizens do not use any item,  
15           product, or material produced or extracted with the  
16           use and labor from victims of severe forms of traf-  
17           ficking; and

18           “(2) such entities do not contribute to traf-  
19           ficking in persons involving sexual exploitation.

20           “(c) ADDITIONAL MEASURES TO ENHANCE ANTI-  
21          TRAFFICKING RESPONSE AND CAPACITY.—The President  
22          shall establish and carry out programs with foreign gov-  
23          ernments and civil society to enhance anti-trafficking re-  
24          sponse and capacity, including—

1           “(1) technical assistance and other support to  
2 improve the capacity of foreign governments to in-  
3 vestigate, identify, and carry out inspections of pri-  
4 vate entities, including labor recruitment centers, at  
5 which trafficking victims may be exploited, particu-  
6 larly exploitation involving forced and child labor;

7           “(2) technical assistance and other support for  
8 foreign governments and nongovernmental organiza-  
9 tions to provide immigrant populations with infor-  
10 mation, in the native languages of the major immi-  
11 grant groups of such populations, regarding the  
12 rights of such populations in the foreign country and  
13 local in-country nongovernmental organization-oper-  
14 ated hotlines;

15           “(3) technical assistance to provide legal frame-  
16 works and other programs to foreign governments  
17 and nongovernmental organizations to ensure that—

18                   “(A) foreign migrant workers are provided  
19 the same protection as nationals of the foreign  
20 country;

21                   “(B) labor recruitment firms are regulated;  
22 and

23                   “(C) workers providing domestic services  
24 in households are provided protection under  
25 labor rights laws; and



1           “(4) assistance to foreign governments to reg-  
2           ister vulnerable populations as citizens or nationals  
3           of the country to reduce the ability of traffickers to  
4           exploit such populations.

5           “(d) PROGRAM TO ADDRESS EMERGENCY SITUA-  
6           TIONS.—The Secretary of State, acting through the Am-  
7           bassador-at-Large of the Office to Monitor and Combat  
8           Trafficking in Persons, is authorized to establish a fund  
9           to assist foreign governments in meeting unexpected, ur-  
10          gent needs in prevention of trafficking in persons, protec-  
11          tion of victims, and prosecution of trafficking offenders.

12          “(e) CHILD PROTECTION COMPACTS.—

13           “(1) IN GENERAL.—The Secretary of State,  
14           acting through the Ambassador-at-Large of the Of-  
15           fice to Monitor and Combat Trafficking in Persons  
16           and in consultation with the Bureau of Democracy,  
17           Human Rights, and Labor, the Bureau of Inter-  
18           national Labor Affairs of the Department of Labor,  
19           the United States Agency for International Develop-  
20           ment, and other relevant agencies, is authorized to  
21           provide assistance under this section for each coun-  
22           try that enters into a child protection compact with  
23           the United States to support policies and programs  
24           that—

1           “(A) prevent and respond to violence, ex-  
2           ploitation, and abuse against children; and

3           “(B) measurably reduce severe forms of  
4           trafficking in children by building sustainable  
5           and effective systems of justice and protection.

6           “(2) ELEMENTS.—A child protection compact  
7           under this subsection shall establish a multi-year  
8           plan for achieving shared objectives in furtherance of  
9           the purposes of this Act, and shall describe—

10           “(A) the specific objectives the foreign gov-  
11           ernment and the United States Government ex-  
12           pect to achieve during the term of the compact;

13           “(B) the responsibilities of the foreign gov-  
14           ernment and the United States Government in  
15           the achievement of such objectives;

16           “(C) the particular programs or initiatives  
17           to be undertaken in the achievement of such ob-  
18           jectives and the amount of funding to be allo-  
19           cated to each program or initiative by both  
20           countries;

21           “(D) regular outcome indicators to monitor  
22           and measure progress toward achieving such  
23           objectives; and

24           “(E) a multi-year financial plan, including  
25           the estimated amount of contributions by the

1 United States Government and the foreign gov-  
2 ernment, and proposed mechanisms to imple-  
3 ment the plan and provide oversight.

4 “(3) FORM OF ASSISTANCE.—Assistance under  
5 this subsection may be provided in the form of  
6 grants, cooperative agreements, or contracts to or  
7 with national governments, regional or local govern-  
8 mental units, or non-governmental organizations or  
9 private entities with expertise in the protection of  
10 victims of severe forms of trafficking in persons.

11 “(4) ELIGIBLE COUNTRIES.—The Secretary of  
12 State, acting through the Office to Monitor and  
13 Combat Trafficking in Persons, and in consultation  
14 with the agencies set forth in paragraph (1) and rel-  
15 evant officers of the Department of Justice, shall se-  
16 lect countries with which to enter into child protec-  
17 tion compacts. The selection of countries under this  
18 paragraph shall be based on—

19 “(A) the selection criteria set forth in  
20 paragraph (5); and

21 “(B) objective, documented, and quantifi-  
22 able indicators, to the maximum extent possible.

23 “(5) SELECTION CRITERIA.—A country shall be  
24 selected under paragraph (4) on the basis of—

1           “(A) a documented high prevalence of traf-  
2           ficking in persons within the country; and

3           “(B) demonstrated political will and sus-  
4           tained commitment by the government of such  
5           country to undertake meaningful measures to  
6           address severe forms of trafficking in persons,  
7           including protection of victims and the enact-  
8           ment and enforcement of anti-trafficking laws  
9           against perpetrators.

10          “(6) SUSPENSION AND TERMINATION OF AS-  
11          SISTANCE.—

12           “(A) IN GENERAL.—The Secretary may  
13           suspend or terminate assistance provided under  
14           this subsection in whole or in part for a country  
15           or entity if the Secretary determines that—

16                   “(i) the country or entity is engaged  
17                   in activities that are contrary to the na-  
18                   tional security interests of the United  
19                   States;

20                   “(ii) the country or entity has en-  
21                   gaged in a pattern of actions inconsistent  
22                   with the criteria used to determine the eli-  
23                   gibility of the country or entity, as the case  
24                   may be; or

1                   “(iii) the country or entity has failed  
2                   to adhere to its responsibilities under the  
3                   Compact.

4                   “(B) REINSTATEMENT.—The Secretary  
5                   may reinstate assistance for a country or entity  
6                   suspended or terminated under this paragraph  
7                   only if the Secretary determines that the coun-  
8                   try or entity has demonstrated a commitment  
9                   to correcting each condition for which assist-  
10                  ance was suspended or terminated under sub-  
11                  paragraph (A).”.

12 **SEC. 104. PROTECTION AND ASSISTANCE FOR VICTIMS OF**  
13 **TRAFFICKING.**

14                  (a) TASK FORCE ACTIVITIES.—Section 105(d)(6) of  
15 the Trafficking Victims Protection Act of 2000 (22 U.S.C.  
16 7103(d)(6)) is amended by inserting “, and make reason-  
17 able efforts to distribute information to enable all Federal  
18 Government agencies to publicize the National Human  
19 Trafficking Resource Center Hotline on their websites, in  
20 all headquarters offices, and in all field offices throughout  
21 the United States” before the period at the end.

22                  (b) CONGRESSIONAL BRIEFING.—Section 107(a)(2)  
23 of the Trafficking Victims Protection Act of 2000 (22  
24 U.S.C. 7105(a)(2)) is amended by inserting “and shall

1 brief Congress annually on such efforts” before the period  
2 at the end.

3 **SEC. 105. MINIMUM STANDARDS FOR THE ELIMINATION OF**  
4 **TRAFFICKING.**

5 Section 108(b) of the Trafficking Victims Protection  
6 Act of 2000 (22 U.S.C. 7106(b)) is amended—

7 (1) in paragraph (3)—

8 (A) by striking “peacekeeping” and insert-  
9 ing “diplomatic, peacekeeping,”;

10 (B) by striking “, and measures” and in-  
11 sserting “, a transparent system for remediating  
12 or punishing such public officials as a deter-  
13 rent, measures”; and

14 (C) by inserting “, effective bilateral, mul-  
15 tilateral, or regional information sharing and  
16 cooperation arrangements with source, transit,  
17 or destination countries in its trafficking route,  
18 and effective policies or laws regulating foreign  
19 labor recruiters and holding them civilly and  
20 criminally liable for fraudulent recruiting” be-  
21 fore the period at the end;

22 (2) in paragraph (4), by inserting “and has en-  
23 tered into bilateral, multilateral, or regional law en-  
24 forcement cooperation and coordination arrange-

1       ments with source, transit, and destination countries  
2       in its trafficking route” before the period at the end;

3       (3) in paragraph (7)—

4               (A) by inserting “, including diplomats and  
5       soldiers,” after “public officials”;

6               (B) by striking “peacekeeping” and insert-  
7       ing “diplomatic, peacekeeping,”; and

8               (C) by inserting “A government’s failure to  
9       remediate public allegations against such public  
10       officials, especially once such officials have re-  
11       turned to their home countries, shall be consid-  
12       ered inaction under these criteria.” after “such  
13       trafficking.”;

14       (4) by redesignating paragraphs (9) through  
15       (11) as paragraphs (10) through (12), respectively;  
16       and

17       (5) by inserting after paragraph (8) the fol-  
18       lowing:

19               “(9) Whether the government has entered into  
20       transparent partnerships, cooperative arrangements,  
21       or agreements with—

22                       “(A) domestic civil society organizations or  
23       the private sector to assist the government’s ef-  
24       forts to prevent trafficking, protect victims, and  
25       punish traffickers; or

1           “(B) the United States toward agreed  
2           goals and objectives in the collective fight  
3           against trafficking.”.

4 **SEC. 106. BEST PRACTICES IN TRAFFICKING IN PERSONS**  
5           **ERADICATION.**

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

8           (1) in paragraph (1)—

9           (A) by striking “with respect to the status  
10           of severe forms of trafficking in persons that  
11           shall include—” and inserting “describing the  
12           anti-trafficking efforts of the United States and  
13           foreign governments according to the minimum  
14           standards and criteria enumerated in section  
15           108, and the nature and scope of trafficking in  
16           persons in each country and analysis of the  
17           trend lines for individual governmental efforts.  
18           The report shall include—”;

19           (B) in subparagraph (B), by striking  
20           “compliance;” and inserting “compliance, in-  
21           cluding the identification and mention of gov-  
22           ernments that—

23           “(A) are on such list and have dem-  
24           onstrated exemplary progress in their efforts to  
25           reach the minimum standards; or



1           “(B) have entered into an agreement with  
2           the Secretary to accomplish certain actions be-  
3           fore the subsequent year’s annual report in an  
4           attempt to reach full compliance with the min-  
5           imum standards;”;

6           (C) in subparagraph (E), by striking “;  
7           and”; and inserting a semicolon;

8           (D) in subparagraph (F), by striking the  
9           period at the end and inserting “; and”; and

10          (E) by inserting at the end the following:

11          “(G) a section entitled ‘Exemplary Govern-  
12          ments and Practices in the Eradication of Traf-  
13          ficking in Persons’ to highlight—

14               “(i) effective practices and use of in-  
15               novation and technology in prevention, pro-  
16               tection, prosecution, and partnerships, in-  
17               cluding by foreign governments, the private  
18               sector, and domestic civil society actors;  
19               and

20               “(ii) governments that have shown ex-  
21               emplary overall efforts to combat traf-  
22               ficking in persons.”;

23          (2) by striking paragraph (2); and

24          (3) in paragraph (3), by adding at the end the  
25          following:

1           “(E) PUBLIC NOTICE.—Not later than 30  
 2           days after notifying Congress of each country  
 3           determined to have met the requirements under  
 4           subclauses (I) through (III) of subparagraph  
 5           (A)(iii), the Secretary of State shall provide a  
 6           detailed description of the credible evidence  
 7           supporting such determination on a publicly  
 8           available website maintained by the Department  
 9           of State.”.

10 **SEC. 107. PROTECTIONS FOR DOMESTIC WORKERS AND**  
 11 **OTHER NONIMMIGRANTS.**

12           Section 202 of the William Wilberforce Trafficking  
 13 Victims Protection Reauthorization Act of 2008 (8 U.S.C.  
 14 1375b) is amended—

15           (1) in subsection (a)—

16           (A) in the subsection heading, by inserting  
 17           “AND VIDEO FOR CONSULAR WAITING ROOMS”  
 18           after “INFORMATION PAMPHLET”; and

19           (B) in paragraph (1)—

20           (i) by inserting “and video” after “in-  
 21           formation pamphlet”; and

22           (ii) by adding at the end the fol-  
 23           lowing: “The video shall be distributed and  
 24           shown in consular waiting rooms in embas-  
 25           sies and consulates determined to have the

1           greatest concentration of employment or  
2           education-based non-immigrant visa appli-  
3           cants, and where sufficient video facilities  
4           exist in waiting or other rooms where ap-  
5           plicants wait or convene. The Secretary of  
6           State is authorized to augment video facili-  
7           ties in such consulates or embassies in  
8           order to fulfill the purposes of this sec-  
9           tion.”;

10           (2) in subsection (b), by inserting “and video”  
11           after “information pamphlet”;

12           (3) in subsection (c)—

13                 (A) in paragraph (1), by inserting “and  
14                 produce or dub the video” after “information  
15                 pamphlet”; and

16                 (B) in paragraph (2), by inserting “and  
17                 the video produced or dubbed” after “trans-  
18                 lated”; and

19           (4) in subsection (d)—

20                 (A) in paragraph (1), by inserting “and  
21                 video” after “information pamphlet”;

22                 (B) in paragraph (2), by inserting “and  
23                 video” after “information pamphlet”; and

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

1           “(4) DEADLINE FOR VIDEO DEVELOPMENT AND  
 2           DISTRIBUTION.—Not later than 1 year after the  
 3           date of the enactment of the Trafficking Victims  
 4           Protection Reauthorization Act of 2011, the Sec-  
 5           retary of State shall make available the video devel-  
 6           oped under subsection (a) produced or dubbed in all  
 7           the languages referred to in subsection (c).”.

8           **TITLE II—COMBATING TRAF-**  
 9           **FICKING IN PERSONS IN THE**  
 10          **UNITED STATES**

11          **Subtitle A—Penalties Against**  
 12          **Traffickers and Other Crimes**

13          **SEC. 201. CRIMINAL OFFENSES AGAINST TRAFFICKERS.**

14          (a) RICO AMENDMENT.—Section 1961(1)(B) of title  
 15          18, United States Code, is amended by inserting “section  
 16          1351 (relating to fraud in foreign labor contracting),” be-  
 17          fore “section 1425”.

18          (b) ENGAGING IN ILLICIT SEXUAL CONDUCT IN FOR-  
 19          EIGN PLACES.—Section 2423(e) of title 18, United States  
 20          Code, is amended by inserting “or resides, either tempo-  
 21          rarily or permanently, in a foreign country” after “com-  
 22          merce”.

23          (c) UNLAWFUL CONDUCT WITH RESPECT TO DOCU-  
 24          MENTS.—



1       “(c) OBSTRUCTION.—Any person who obstructs, at-  
 2       tempts to obstruct, or in any way interferes with or pre-  
 3       vents the enforcement of this section, shall be subject to  
 4       the penalties described in subsection (b).”.

5           (2) TECHNICAL AND CONFORMING AMEND-  
 6       MENT.—The table of sections for chapter 77 of title  
 7       18, United States Code, is amended by adding at  
 8       the end the following:

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

9       **SEC. 202. CIVIL REMEDIES; CLARIFYING DEFINITION.**

10       (a) CIVIL REMEDY FOR PERSONAL INJURIES.—Sec-  
 11       tion ~~2255~~ of title 18, United States Code, is amended—

12           (1) in subsection (a), by striking “section  
 13       ~~2241(c)~~” and inserting “section 1589, 1590, 1591,  
 14       ~~2241(c)~~”; and

15           (2) in subsection (b), by striking “six years”  
 16       and inserting “10 years”.

17       (b) DEFINITION.—

18           (1) IN GENERAL.—Section 103 of the Traf-  
 19       ficking Victims Protection Act of 2000 (22 U.S.C.  
 20       7102) is amended—

21           (A) by redesignating paragraphs (1)  
 22       through (14) as paragraphs (2) through (15),  
 23       respectively;

24           (B) by inserting before paragraph (2), as  
 25       redesignated, the following:

1           “(1) ABUSE OR THREATENED ABUSE OF LAW  
 2 OR LEGAL PROCESS.—The term ‘abuse or threatened  
 3 abuse of the legal process’ means the use or threat-  
 4 ened use of a law or legal process, whether adminis-  
 5 trative, civil, or criminal, in any manner or for any  
 6 purpose for which the law was not designed, in order  
 7 to exert pressure on another person to cause that  
 8 person to take some action or refrain from taking  
 9 some action.”;

10           (C) in paragraph (14), as redesignated, by  
 11 striking “paragraph (8)” and inserting “para-  
 12 graph (9)”; and

13           (D) in paragraph (15), as redesignated, by  
 14 striking “paragraph (8) or (9)” and inserting  
 15 “paragraph (9) or (10)”.

16           (2) TECHNICAL AND CONFORMING AMEND-  
 17 MENTS.—

18           (A) TRAFFICKING VICTIMS PROTECTION  
 19 ACT OF 2000.—The Trafficking Victims Protec-  
 20 tion Act of 2000 (22 U.S.C. 7101 et seq.) is  
 21 amended—

22           (i) in section 110(e) (22 U.S.C.  
 23 7107(e))—

1 (I) by striking “section  
2 103(7)(A)” and inserting “section  
3 103(8)(A)”; and

4 (II) by striking “section  
5 103(7)(B)” and inserting “section  
6 103(8)(B)”; and

7 (ii) in section 113(g)(2) (22 U.S.C.  
8 7110(g)(2)), by striking “section  
9 103(8)(A)” and inserting “section  
10 103(9)(A)”.

11 (B) NORTH KOREAN HUMAN RIGHTS ACT  
12 OF 2004.—Section 203(b)(2) of the North Ko-  
13 rean Human Rights Act of 2004 (22 U.S.C.  
14 7833(b)(2)) is amended by striking “section  
15 103(14)” and inserting “section 103(15)”.

16 (C) TRAFFICKING VICTIMS PROTECTION  
17 REAUTHORIZATION ACT OF 2005.—Section 207  
18 of the Trafficking Victims Protection Reauthor-  
19 ization Act of 2005 (42 U.S.C. 14044e) is  
20 amended—

21 (i) in paragraph (1), by striking “see-  
22 tion 103(8)” and inserting “section  
23 103(9)”; and



1 (ii) in paragraph (2), by striking “sec-  
 2 tion 103(9)” and inserting “section  
 3 103(10)”; and

4 (iii) in paragraph (3), by striking  
 5 “section 103(3)” and inserting “section  
 6 103(4)”.

7 (D) VIOLENCE AGAINST WOMEN AND DE-  
 8 PARTMENT OF JUSTICE REAUTHORIZATION ACT  
 9 OF 2005.—Section 111(a)(1) of the Violence  
 10 Against Women and Department of Justice Re-  
 11 authorization Act of 2005 (42 U.S.C.  
 12 14044f(a)(1)) is amended by striking “para-  
 13 graph (8)” and inserting “paragraph (9)”.

14 **Subtitle B—Ensuring Availability**  
 15 **of Possible Witnesses and In-**  
 16 **formants**

17 **SEC. 211. PROTECTIONS FOR TRAFFICKING VICTIMS WHO**  
 18 **COOPERATE WITH LAW ENFORCEMENT.**

19 Section 101(a)(15)(T) of the Immigration and Na-  
 20 tionality Act (8 U.S.C. 1101(a)(15)(T)) is amended—

21 (1) in clause (i)—

22 (A) in subclause (H)—

23 (i) by inserting “(aa)” after (H); and

24 (ii) by adding at the end the fol-  
 25 lowing: “or

1           “(bb) had been in the United States  
2           on account of such trafficking, which took  
3           place during the most recent 5-year period,  
4           and fled from the United States—

5                   “(AA) to escape a serious threat  
6                   based on that trafficking; or

7                   “(BB) to protect the life or safe-  
8                   ty of an individual described in clause  
9                   (ii) from a threat posed by the traf-  
10                  fickers or their associates;”;

11           (B) in subclause (III)(bb), by inserting “,  
12           including a reasonable fear of retaliation posed  
13           by the traffickers or their associates against an  
14           individual described in clause (ii)” after “trau-  
15           ma”; and

16           (C) in subclause (IV), by inserting “or by  
17           remaining in, or returning to, the alien’s coun-  
18           try of origin, if the alien had previously fled the  
19           United States under the conditions described in  
20           subclause (II)(bb)” after “removal”; and

21           (2) in clause (ii)(III), by inserting “, or any  
22           adult or minor children of a derivative beneficiary of  
23           the alien, as” after “age”.

1 **SEC. 212. PROTECTION AGAINST FRAUD IN FOREIGN**  
 2 **LABOR CONTRACTING.**

3 Section 101(a)(15)(U)(iii) of the Immigration and  
 4 Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended  
 5 by inserting “fraud in foreign labor contracting (as de-  
 6 fined in section 1351 of title 18, United States Code);”  
 7 after “perjury;”.

8 **SEC. 213. PROTECTIONS FOR CERTAIN DERIVATIVE BENE-**  
 9 **FICIARIES OF DECEASED TRAFFICKING OR**  
 10 **CRIME VICTIMS.**

11 Section 204(l)(2) of the Immigration and Nationality  
 12 Act (8 U.S.C. 1154(l)(2)) is amended—

13 (1) by redesignating subparagraph (F) as sub-  
 14 paragraph (H); and

15 (2) by striking subparagraph (E) and inserting  
 16 the following:

17 “(E) a derivative beneficiary of an alien  
 18 admitted in ‘T’ nonimmigrant status (as de-  
 19 scribed in section 101(a)(15)(T)(ii));

20 “(F) a derivative beneficiary of an alien  
 21 admitted in ‘U’ nonimmigrant status (as de-  
 22 scribed in section 101(a)(15)(U)(ii));

23 “(G) a derivative beneficiary of an alien  
 24 who was a VAWA self-petitioner; or”.

1 **SEC. 214. CONSULTATION WITH THE ATTORNEY GENERAL**  
 2 **ON ADJUSTMENT OF STATUS OF CERTAIN**  
 3 **TRAFFICKING VICTIMS.**

4 Section 245(l)(1) of the Immigration and Nationality  
 5 Act (~~8 U.S.C. 1255(l)(1)~~) is amended, in the matter pre-  
 6 ceding subparagraph (A), by inserting a comma after “ap-  
 7 propriate”.

8 **Subtitle C—Ensuring Interagency**  
 9 **Coordination and Expanded Re-**  
 10 **porting**

11 **SEC. 221. REPORTING REQUIREMENTS FOR THE ATTORNEY**  
 12 **GENERAL.**

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

15 (1) by redesignating subparagraphs (D)  
 16 through (J) as subparagraphs (F) through (L);

17 (2) by striking subparagraph (C) and inserting  
 18 the following:

19 “(C) the number of persons who have ap-  
 20 plied for, been granted, or been denied a visa or  
 21 otherwise provided status under subparagraph  
 22 (T)(i) or (U)(i) of section 101(a)(15) of the Im-  
 23 migration and Nationality Act (~~8 U.S.C.~~  
 24 ~~1101(a)(15)~~) during the preceding fiscal year;

25 “(D) the mean and median time in which  
 26 it takes to adjudicate applications submitted

1 under the provisions of law set forth in sub-  
2 paragraph (C), including the time between the  
3 receipt of an application and the issuance of a  
4 visa and work authorization;

5 “(E) any efforts being taken to reduce the  
6 adjudication and processing time, while ensur-  
7 ing the safe and competent processing of the  
8 applications;”;

9 (3) in subparagraph (I)(iii), by striking “and”  
10 at the end;

11 (4) in subparagraph (J), by striking the period  
12 at the end and inserting “; and”; and

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

14 “(K) the activities undertaken by Federal  
15 agencies to train appropriate State, tribal, and  
16 local government and law enforcement officials  
17 to identify victims of severe forms of traf-  
18 ficking, including both sex and labor traf-  
19 ficking;

20 “(L) the activities undertaken by Federal  
21 agencies in cooperation with State, tribal, and  
22 local law enforcement officials to identify, inves-  
23 tigate, and prosecute offenses under sections  
24 1581, 1583, 1584, 1589, 1590, 1592, and 1594

1 of title 18, United States Code, or equivalent  
2 State offenses, including, in each fiscal year—

3 “(i) the number, age, gender, country  
4 of origin, and citizenship status of victims  
5 identified for each offense;

6 “(ii) the number of individuals  
7 charged, and the number of individuals  
8 convicted, under each offense;

9 “(iii) the number of individuals re-  
10ferred for prosecution for State offenses,  
11 including offenses relating to the pur-  
12 chasing of commercial sex acts;

13 “(iv) the number of victims granted  
14 continued presence in the United States  
15 under section 107(c)(3); and

16 “(v) the number of victims granted a  
17 visa or otherwise provided status under  
18 subparagraph (T)(i) or (U)(i) of section  
19 101(a)(15) of the Immigration and Nation-  
20 ality Act (8 U.S.C. 1101(a)(15)); and

21 “(M) the activities undertaken by the De-  
22 partment of Justice and the Department of  
23 Health and Human Services to meet the spe-  
24 cific needs of minor victims of domestic traf-  
25 ficking, including actions taken pursuant to

1 subsection (f) and section 202(a) of the Traf-  
2 ficking Victims Protection Reauthorization Act  
3 of 2005 (42 U.S.C. 14044(a)); and the steps  
4 taken to increase cooperation among Federal  
5 agencies to ensure the effective and efficient use  
6 of programs for which the victims are eligible.”.

7 **SEC. 222. REPORTING REQUIREMENTS FOR THE SEC-**  
8 **RETARY OF LABOR.**

9 Section 105(b) of the Trafficking Victims Protection  
10 Act of 2005 (22 U.S.C. 7112(b)) is amended by adding  
11 at the end the following:

12 “(3) SUBMISSION TO CONGRESS.—Not later  
13 than December 1, 2012, and every 2 years there-  
14 after, the Secretary of Labor shall submit the list  
15 developed under paragraph (2)(C) to Congress.”.

16 **SEC. 223. INFORMATION SHARING TO COMBAT CHILD**  
17 **LABOR AND SLAVE LABOR.**

18 Section 105(a) of the Trafficking Victims Protection  
19 Act of 2005 (22 U.S.C. 7112(a)) is amended by adding  
20 at the end the following:

21 “(3) INFORMATION SHARING.—The Secretary  
22 of State shall, on a regular basis, provide informa-  
23 tion relating to child labor and forced labor in the  
24 production of goods in violation of international  
25 standards to the Department of Labor to be used in

1 developing the list described in subsection  
2 (b)(2)(C).”.

3 **SEC. 224. GOVERNMENT TRAINING EFFORTS TO INCLUDE**  
4 **THE DEPARTMENT OF LABOR.**

5 Section 107(e)(4) of the Trafficking Victims Protec-  
6 tion Act of 2000 (22 U.S.C. 7105(e)(4)) is amended—

7 (1) in the first sentence, by inserting “the De-  
8 partment of Labor, the Equal Employment Oppor-  
9 tunity Commission,” before “and the Department”;  
10 and

11 (2) in the second sentence, by inserting “, in  
12 consultation with the Secretary of Labor,” before  
13 “shall provide”.

14 **SEC. 225. GAO REPORT ON THE USE OF FOREIGN LABOR**  
15 **CONTRACTORS.**

16 (a) IN GENERAL.—Not later than 2 years after the  
17 date of the enactment of this Act, the Comptroller General  
18 of the United States shall submit a report on the use of  
19 foreign labor contractors to—

20 (1) the Committee on the Judiciary of the Sen-  
21 ate;

22 (2) the Committee on Health, Education,  
23 Labor, and Pensions of the Senate;

24 (3) the Committee on the Judiciary of the  
25 House of Representatives; and



1           (4) the Committee on Education and the Work-  
2           force of the House of Representatives.

3           (b) CONTENTS.—The report under subsection (a)  
4           should, to the extent possible—

5           (1) address the role and practices of United  
6           States employers in—

7           (A) the use of labor recruiters or brokers;

8           or

9           (B) directly recruiting foreign workers;

10          (2) analyze the laws that protect such workers,  
11          both overseas and domestically;

12          (3) describe the oversight and enforcement  
13          mechanisms in Federal departments and agencies  
14          for such laws; and

15          (4) identify any gaps that may exist in these  
16          protections; and

17          (5) recommend possible actions for Federal de-  
18          partments and agencies to combat any abuses.

19          (c) REQUIREMENTS.—The report under subsection  
20          (a) shall—

21          (1) describe the role of labor recruiters or bro-  
22          kers working in countries that are sending workers  
23          and receiving funds, including any identified involve-  
24          ment in labor abuses;

1           (2) describe the role and practices of employers  
2           in the United States that commission labor recruit-  
3           ers or brokers or directly recruit foreign workers;

4           (3) describe the role of Federal departments  
5           and agencies in overseeing and regulating the for-  
6           eign labor recruitment process, including certifying  
7           and enforcing under existing regulations; and

8           (4) based on the information required under  
9           paragraphs (1) through (3), identify any common  
10          abuses of foreign workers and the employment sys-  
11          tem, including the use of fees and debts, and rec-  
12          ommendations of actions that could be taken by  
13          Federal departments and agencies to combat any  
14          identified abuses.

15 **Subtitle D—Enhancing State and**  
16 **Local Efforts to Combat Traf-**  
17 **ficking in Persons**

18 **SEC. 231. ASSISTANCE FOR DOMESTIC MINOR SEX TRAF-**  
19 **FICKING VICTIMS.**

20          (a) **IN GENERAL.**—Section 202 of the Trafficking  
21 Victims Protection Reauthorization Act of 2005 (42  
22 U.S.C. 14044a) is amended to read as follows:

1 **“SEC. 202. ESTABLISHMENT OF A GRANT PROGRAM TO DE-**  
2 **VELOP, EXPAND, AND STRENGTHEN ASSIST-**  
3 **ANCE PROGRAMS FOR CERTAIN PERSONS**  
4 **SUBJECT TO TRAFFICKING.**

5 “(a) DEFINITIONS.—In this section:

6 “(1) ASSISTANT SECRETARY.—The term ‘As-

7 sistant Secretary’ means the Assistant Secretary for

8 Children and Families of the Department of Health

9 and Human Services.

10 “(2) ASSISTANT ATTORNEY GENERAL.—The

11 term ‘Assistant Attorney General’ means the Assist-

12 ant Attorney General for the Office of Justice Pro-

13 grams of the Department of Justice.

14 “(3) ELIGIBLE ENTITY.—The term ‘eligible en-

15 tity’ means a State or unit of local government

16 that—

17 “(A) has significant criminal activity in-

18 volving sex trafficking of minors;

19 “(B) has demonstrated cooperation be-

20 tween Federal, State, local, and, where applica-

21 ble, tribal law enforcement agencies, prosecu-

22 tors, and social service providers in addressing

23 sex trafficking of minors;

24 “(C) has developed a workable, multi-dis-

25 ciplinary plan to combat sex trafficking of mi-

26 nors, including—

1           “(i) building or establishing a residen-  
2           tial care facility for minor victims of sex  
3           trafficking; through;

4           “(ii) the provision of rehabilitative  
5           care to minor victims of sex trafficking;

6           “(iii) the provision of specialized  
7           training for law enforcement officers and  
8           social service providers for all forms of sex  
9           trafficking; with a focus on sex trafficking  
10          of minors;

11          “(iv) prevention, deterrence, and pros-  
12          ecution of offenses involving sex trafficking  
13          of minors;

14          “(v) cooperation or referral agree-  
15          ments with organizations providing out-  
16          reach or other related services to runaway  
17          and homeless youth; and

18          “(vi) law enforcement protocols or  
19          procedures to screen all individuals ar-  
20          rested for prostitution, whether adult or  
21          minor, for victimization by sex trafficking  
22          and by other crimes, such as sexual assault  
23          and domestic violence; and

24          “(D) provides assurance that a minor vic-  
25          tim of sex trafficking shall not be required to

1 collaborate with law enforcement to have access  
 2 to residential care or services provided with a  
 3 grant under this section.

4 “(4) MINOR VICTIM OF SEX TRAFFICKING.—  
 5 The term ‘minor victim of sex trafficking’ means an  
 6 individual who—

7 “(A) is younger than 18 years of age, and  
 8 is a victim of an offense described in section  
 9 1591(a) of title 18, United States Code, or a  
 10 comparable State law; or

11 “(B)(i) is not younger than 18 years of  
 12 age nor older than 20 years of age;

13 “(ii) on the day before the individual  
 14 reached 18 years of age, was described in sub-  
 15 paragraph (A); and

16 “(iii) was receiving shelter or services as a  
 17 minor victim of sex trafficking.

18 “(5) QUALIFIED NONGOVERNMENTAL ORGANI-  
 19 ZATION.—The term ‘qualified nongovernmental or-  
 20 ganization’ means an organization that—

21 “(A) is not a State or unit of local govern-  
 22 ment, or an agency of a State or unit of local  
 23 government;

24 “(B) has demonstrated experience pro-  
 25 viding services to victims of sex trafficking or

1 related populations (such as runaway and  
2 homeless youth); or employs staff specialized in  
3 the treatment of sex trafficking victims; and

4 “(C) demonstrates a plan to sustain the  
5 provision of services beyond the period of a  
6 grant awarded under this section.

7 “(6) SEX TRAFFICKING OF A MINOR.—The  
8 term ‘sex trafficking of a minor’ means an offense  
9 (described in section 1591(a) of title 18, United  
10 States Code); against a minor.

11 “(b) SEX TRAFFICKING BLOCK GRANTS.—

12 “(1) GRANTS AUTHORIZED.—

13 “(A) IN GENERAL.—The Assistant Attor-  
14 ney General, in consultation with the Assistant  
15 Secretary, may make block grants to 4 eligible  
16 entities located in different regions of the  
17 United States to combat sex trafficking of mi-  
18 nors.

19 “(B) REQUIREMENT.—Not fewer than 1 of  
20 the block grants made under subparagraph (A)  
21 shall be awarded to an eligible entity with a  
22 State population of less than 5,000,000.

23 “(C) GRANT AMOUNT.—Subject to the  
24 availability of appropriations under subsection  
25 (g) to carry out this section, each grant made

1 under this section shall be for an amount not  
2 less than \$1,500,000 and not greater than  
3 \$2,000,000.

4 “(D) DURATION.—

5 “(i) IN GENERAL.—A grant made  
6 under this section shall be for a period of  
7 1 year.

8 “(ii) RENEWAL.—

9 “(I) IN GENERAL.—The Assist-  
10 ant Attorney General may renew a  
11 grant under this section for up to 3 1-  
12 year periods.

13 “(II) PRIORITY.—In making  
14 grants in any fiscal year after the  
15 first fiscal year in which grants are  
16 made under this section, the Assistant  
17 Attorney General shall give priority to  
18 an eligible entity that received a grant  
19 in the preceding fiscal year and is eli-  
20 gible for renewal under this subpara-  
21 graph, taking into account any evalua-  
22 tion of the eligible entity conducted  
23 under paragraph (4), if available.

24 “(E) CONSULTATION.—In carrying out  
25 this section, the Assistant Attorney General

1 shall consult with the Assistant Secretary with  
2 respect to—

3 “(i) evaluations of grant recipients  
4 under paragraph (4);

5 “(ii) avoiding unintentional duplica-  
6 tion of grants; and

7 “(iii) any other areas of shared con-  
8 cern.

9 “(2) USE OF FUNDS.—

10 “(A) ALLOCATION.—Not less than 67 per-  
11 cent of each grant made under paragraph (1)  
12 shall be used by the eligible entity to provide  
13 residential care and services (as described in  
14 clauses (i) through (iv) of subparagraph (B)) to  
15 minor victims of sex trafficking through quali-  
16 fied nongovernmental organizations.

17 “(B) AUTHORIZED ACTIVITIES.—Grants  
18 awarded pursuant to paragraph (2) may be  
19 used for—

20 “(i) providing residential care to  
21 minor victims of sex trafficking, including  
22 temporary or long-term placement as ap-  
23 propriate;



1           “(ii) providing 24-hour emergency so-  
2           cial services response for minor victims of  
3           sex trafficking;

4           “(iii) providing minor victims of sex  
5           trafficking with clothing and other daily  
6           necessities needed to keep such victims  
7           from returning to living on the street;

8           “(iv) case management services for  
9           minor victims of sex trafficking;

10          “(v) mental health counseling for  
11          minor victims of sex trafficking, including  
12          specialized counseling and substance abuse  
13          treatment;

14          “(vi) legal services for minor victims  
15          of sex trafficking;

16          “(vii) specialized training for social  
17          service providers, public sector personnel,  
18          and private sector personnel likely to en-  
19          counter sex trafficking victims on issues  
20          related to the sex trafficking of minors and  
21          severe forms of trafficking in persons;

22          “(viii) outreach and education pro-  
23          grams to provide information about deter-  
24          rence and prevention of sex trafficking of  
25          minors;

1           ~~“(ix)~~ programs to provide treatment  
 2           to individuals charged or cited with pur-  
 3           chasing or attempting to purchase sex acts  
 4           in cases where—

5                   ~~“(I)~~ a treatment program can be  
 6                   mandated as a condition of a sen-  
 7                   tence, fine, suspended sentence, or  
 8                   probation, or is an appropriate alter-  
 9                   native to criminal prosecution; and

10                   ~~“(II)~~ the individual was not  
 11                   charged with purchasing or attempt-  
 12                   ing to purchase sex acts with a minor;  
 13                   and

14                   ~~“(x)~~ screening and referral of minor  
 15                   victims of severe forms of trafficking in  
 16                   persons.

17           ~~“(3)~~ APPLICATION.—

18                   ~~“(A)~~ IN GENERAL.—Each eligible entity  
 19                   desiring a grant under this section shall submit  
 20                   an application to the Assistant Attorney Gen-  
 21                   eral at such time, in such manner, and accom-  
 22                   panied by such information as the Assistant At-  
 23                   torney General may reasonably require.

24                   ~~“(B)~~ CONTENTS.—Each application sub-  
 25                   mitted pursuant to subparagraph (A) shall—

1                   “(i) describe the activities for which  
2                   assistance under this section is sought; and

3                   “(ii) provide such additional assur-  
4                   ances as the Assistant Attorney General  
5                   determines to be essential to ensure com-  
6                   pliance with the requirements of this sec-  
7                   tion.

8                   “(4) EVALUATION.—The Assistant Attorney  
9                   General shall enter into a contract with an academic  
10                  or non-profit organization that has experience in  
11                  issues related to sex trafficking of minors and eval-  
12                  uation of grant programs to conduct an annual eval-  
13                  uation of each grant made under this section to de-  
14                  termine the impact and effectiveness of programs  
15                  funded with the grant.

16                  “(c) MANDATORY EXCLUSION.—An eligible entity  
17                  that receives a grant under this section that is found to  
18                  have utilized grant funds for any unauthorized expendi-  
19                  ture or otherwise unallowable cost shall not be eligible for  
20                  any grant funds awarded under the grant for 2 fiscal years  
21                  following the year in which the unauthorized expenditure  
22                  or unallowable cost is reported.

23                  “(d) COMPLIANCE REQUIREMENT.—An eligible enti-  
24                  ty shall not be eligible to receive a grant under this section  
25                  if, during the 5 fiscal years before the eligible entity sub-

1 mits an application for the grant, the eligible entity has  
2 been found to have violated the terms or conditions of a  
3 Government grant program by utilizing grant funds for  
4 unauthorized expenditures or otherwise unallowable costs.

5       “(e) ADMINISTRATIVE CAP.—The cost of admin-  
6 istering the grants authorized by this section shall not ex-  
7 ceed 3 percent of the total amount appropriated to carry  
8 out this section.

9       “(f) AUDIT REQUIREMENT.—For fiscal years 2014  
10 and 2015, the Inspector General of the Department of  
11 Health and Human Services shall conduct an audit of all  
12 eligible entities that receive block grants under this sec-  
13 tion.

14       “(g) MATCH REQUIREMENT.—An eligible entity that  
15 receives a grant under this section shall provide a non-  
16 Federal match in an amount equal to not less than—

17               “(1) 15 percent of the grant during the first  
18 year;

19               “(2) 25 percent of the grant during the first re-  
20 newal period;

21               “(3) 40 percent of the grant during the second  
22 renewal period; and

23               “(4) 50 percent of the grant during the third  
24 renewal period.

1       “(h) NO LIMITATION ON SECTION 204 GRANTS.—An  
2 entity that applies for a grant under section 204 is not  
3 prohibited from also applying for a grant under this sec-  
4 tion.

5       “(i) AUTHORIZATION OF APPROPRIATIONS.—There  
6 are authorized to be appropriated \$8,000,000 to the At-  
7 torney General for each of the fiscal years 2012 through  
8 2015 to carry out this section.

9       “(j) GAO EVALUATION.—Not later than 30 months  
10 after the date of the enactment of this Act, the Comp-  
11 troller General of the United States shall submit a report  
12 to Congress that contains—

13               “(1) an evaluation of the impact of this section  
14 in aiding minor victims of sex trafficking in the ju-  
15 risdiction of the entity receiving the grant; and

16               “(2) recommendations, if any, regarding any  
17 legislative or administrative action the Comptroller  
18 General determines appropriate.”.

19       “(b) SUNSET PROVISION.—The amendment made by  
20 subsection (a) shall be effective during the 4-year period  
21 beginning on the date of the enactment of this Act.

1 **SEC. 232. EXPANDING LOCAL LAW ENFORCEMENT GRANTS**  
 2 **FOR INVESTIGATIONS AND PROSECUTIONS**  
 3 **OF TRAFFICKING.**

4 Section 204 of the Trafficking Victims Protection Re-  
 5 authorization Act of 2005 (42 U.S.C. 14044e) is amend-  
 6 ed—

7 (1) in subsection (a)(1)—

8 (A) in subparagraph (A), by striking “,  
 9 which involve United States citizens, or aliens  
 10 admitted for permanent residence, and”;

11 (B) by redesignating subparagraphs (B),  
 12 (C), and (D) as subparagraphs (C), (D), and  
 13 (E), respectively; and

14 (C) by inserting after subparagraph (A)  
 15 the following:

16 “(B) to train law enforcement personnel  
 17 how to identify victims of severe forms of traf-  
 18 ficking in persons and related offenses;” and

19 (D) in subparagraph (C), as redesignated,  
 20 by inserting “and prioritize the investigations  
 21 and prosecutions of those cases involving minor  
 22 victims” after “sex acts”;

23 (2) by redesignating subsection (d) as sub-  
 24 section (e);

25 (3) by inserting after subsection (e) the fol-  
 26 lowing:

1       “(d) NO LIMITATION ON SECTION 202 GRANT AP-  
2 PPLICATIONS.—An entity that applies for a grant under  
3 section 202 is not prohibited from also applying for a  
4 grant under this section.”;

5           (4) in subsection (e), as redesignated, by strik-  
6 ing “\$20,000,000 for each of the fiscal years 2008  
7 through 2011” and inserting “\$10,000,000 for each  
8 of the fiscal years 2012 through 2015”; and

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

10       “(f) GAO EVALUATION AND REPORT.—Not later  
11 than 30 months after the date of enactment of this Act,  
12 the Comptroller General of the United States shall con-  
13 duct a study of and submit to Congress a report evalu-  
14 ating the impact of this section on—

15           “(1) the ability of law enforcement personnel to  
16 identify victims of severe forms of trafficking in per-  
17 sons and investigate and prosecute cases against of-  
18 fenders, including offenders who engage in the pur-  
19 chasing of commercial sex acts with a minor; and

20           “(2) recommendations, if any, regarding any  
21 legislative or administrative action the Comptroller  
22 General determines appropriate to improve the abil-  
23 ity described in paragraph (1).”.

1 **SEC. 233. MODEL STATE CRIMINAL LAW PROTECTION FOR**  
2 **CHILD TRAFFICKING VICTIMS AND SUR-**  
3 **VIVORS.**

4 Section 225(b) of the Trafficking Victims Reauthor-  
5 ization Act of 2008 (22 U.S.C. 7101 note) is amended—

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

8 (2) by redesignating paragraph (2) as para-  
9 graph (3); and

10 (3) by inserting after paragraph (1) the fol-  
11 lowing:

12 “(2) protects children exploited through pros-  
13 titution by including safe harbor provisions that—

14 “(A) treat an individual under 18 years of  
15 age who has been arrested for engaging in, or  
16 attempting to engage in, a sexual act with an-  
17 other person in exchange for monetary com-  
18 pensation as a victim of a severe form of traf-  
19 ficking in persons;

20 “(B) prohibit the charging or prosecution  
21 of an individual described in subparagraph (A)  
22 for a prostitution offense;

23 “(C) require the referral of an individual  
24 described in subparagraph (A) to appropriate  
25 service providers, including comprehensive serv-  
26 ice or community-based programs that provide



1 assistance to child victims of commercial sexual  
2 exploitation; and

3 “(D) provide that an individual described  
4 in subparagraph (A) shall not be required to  
5 prove fraud, force, or coercion in order to re-  
6 ceive the protections described under this para-  
7 graph;”.

8 **TITLE III—AUTHORIZATION OF**  
9 **APPROPRIATIONS**

10 **SEC. 301. ADJUSTMENT OF AUTHORIZATION LEVELS FOR**  
11 **THE TRAFFICKING VICTIMS PROTECTION**  
12 **ACT OF 2000.**

13 The Trafficking Victims Protection Act of 2000 (22  
14 U.S.C. 7101 et seq.) is amended—

15 (1) in section 112A(b)(4) (22 U.S.C.  
16 7109a(b)(4)), by striking “2008 through 2011” and  
17 inserting “2012 through 2015”;

18 (2) in section 112B(d) (22 U.S.C. 7109b(d)),  
19 by striking “2008 through 2011” and inserting  
20 “2012 through 2015”; and

21 (3) in section 113 (22 U.S.C. 7110)—

22 (A) subsection (a)—

23 (i) by striking “2008 through 2011”  
24 each place it appears and inserting “2012  
25 through 2015”; and

1 (ii) by inserting “, including regional  
2 trafficking in persons officers,” after “for  
3 additional personnel”;

4 (B) in subsection (b)—

5 (i) in paragraph (1), by striking  
6 “\$12,500,000 for each of the fiscal years  
7 2008 through 2011” and inserting  
8 “\$14,500,000 for each of the fiscal years  
9 2012 through 2015”; and

10 (ii) in paragraph (2), by striking “to  
11 the Secretary of Health and Human Serv-  
12 ices” and all that follows and inserting  
13 “\$7,000,000 to the Secretary of Health  
14 and Human Services for each of the fiscal  
15 years 2012 through 2015.”;

16 (C) in subsection (c)(1)—

17 (i) in subparagraph (A), by striking  
18 “2008 through 2011” each place it ap-  
19 pears and inserting “2012 through 2015”;

20 (ii) in subparagraph (B)—

21 (I) by striking “\$15,000,000 for  
22 fiscal year 2003 and \$10,000,000 for  
23 each of the fiscal years 2008 through  
24 2011” and inserting “\$10,000,000 for

1 each of the fiscal years 2012 through  
2 2015”; and

3 (H) by striking “2008 through  
4 2011” and inserting “2012 through  
5 2015”; and

6 (iii) in subparagraph (C), by striking  
7 “2008 through 2011” and inserting “2012  
8 through 2015”;

9 (D) in subsection (d)—

10 (i) by redesignating subparagraphs  
11 (A) through (C) as paragraphs (1) through  
12 (3), respectively;

13 (ii) in the paragraph (1), as redesign-  
14 dated, by striking “\$10,000,000 for each  
15 of the fiscal years 2008 through 2011”  
16 and inserting “\$12,000,000 for each of the  
17 fiscal years 2012 through 2015”;

18 (iii) in paragraph (2), as redesignated,  
19 by striking “2008 through 2011” and in-  
20 serting “2012 through 2015”; and

21 (iv) in paragraph (3), as redesignated,  
22 by striking “to the Attorney General” and  
23 all that follows and inserting “\$7,000,000  
24 to the Attorney General for each of the fis-  
25 cal years 2012 through 2015.”;

1           (E) in subsection (e), by striking “2008  
2 through 2011” each place it appears and insert-  
3 ing “2012 through 2015”;

4           (F) in subsection (f), by striking “2008  
5 through 2011” and inserting “2012 through  
6 2015”;

7           (G) in subsection (h), by striking “2008  
8 through 2011” and inserting “2012 through  
9 2015”; and

10           (H) in subsection (i), by striking “2008  
11 through 2011” and inserting “2012 through  
12 2015”.

13 **SEC. 302. ADJUSTMENT OF AUTHORIZATION LEVELS FOR**  
14 **THE TRAFFICKING VICTIMS PROTECTION RE-**  
15 **AUTHORIZATION ACT OF 2005.**

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

18           (1) by striking section 102(b)(7); and

19           (2) in section 201(e), by striking “2008  
20 through 2011” each place it appears and inserting  
21 “2012 through 2015”.

1           **TITLE IV—UNACCOMPANIED**  
2                           **ALIEN CHILDREN**

3   **SEC. 401. PROTECTION FOR MINORS SEEKING ASYLUM.**

4           (a) **IN GENERAL.**—Section 208 of the Immigration  
5 and Nationality Act (8 U.S.C. 1158) is amended—

6                   (1) in subsection (a)(2), by amending subpara-  
7 graph (E) to read as follows:

8                           “(E) **APPLICABILITY TO MINORS.**—Sub-  
9 paragraphs (A), (B), and (C) shall not apply to  
10 an applicant who is younger than 18 years of  
11 age on the earlier of—

12                                   “(i) the date on which the asylum ap-  
13 plication is filed; or

14                                   “(ii) the date on which any Notice to  
15 Appear is issued.”; and

16                   (2) in subsection (b)(3)(C), by striking “an un-  
17 accompanied alien child” and all that follows and in-  
18 serting the following: “an applicant who is younger  
19 than 18 years of age on the earlier of—

20                                   “(i) the date on which the asylum ap-  
21 plication is filed; or

22                                   “(ii) the date on which any Notice to  
23 Appear is issued.”.

1 (b) REINSTATEMENT OF REMOVAL.—Section 241(a)  
 2 of the Immigration and Nationality Act (8 U.S.C.  
 3 1231(a)) is amended—

4 (1) in paragraph (5), by striking “If the Attor-  
 5 ney General” and inserting “Except as provided in  
 6 paragraph (8), if the Secretary of Homeland Secu-  
 7 rity”; and

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

9 “(8) APPLICABILITY OF REINSTATEMENT OF  
 10 REMOVAL.—Paragraph (5) shall not apply to an  
 11 alien who has reentered the United States illegally  
 12 after having been removed or having departed volun-  
 13 tarily, under an order of removal, if the alien was  
 14 younger than 18 years of age on the date on which  
 15 the alien was removed or departed voluntarily under  
 16 an order of removal.”.

17 **SEC. 402. APPROPRIATE CUSTODIAL SETTINGS FOR UNAC-**  
 18 **COMPANIED MINORS WHO REACH THE AGE**  
 19 **OF MAJORITY WHILE IN FEDERAL CUSTODY.**

20 Section 235(e)(2) of the William Wilberforce Traf-  
 21 ficking Victims Protection Reauthorization Act of 2008 (8  
 22 U.S.C. 1232(e)(2)) is amended—

23 (1) by striking “Subject to” and inserting the  
 24 following:

1           “(A) MINORS IN DEPARTMENT OF HEALTH  
2           AND HUMAN SERVICES CUSTODY.—Subject to”;

3           and

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

5           “(B) ALIENS TRANSFERRED FROM DE-  
6           PARTMENT OF HEALTH AND HUMAN SERVICES  
7           TO DEPARTMENT OF HOMELAND SECURITY  
8           CUSTODY.—If a minor described in subpara-  
9           graph (A) reaches 18 years of age and is trans-  
10          ferred to the custody of the Secretary of Home-  
11          land Security, the Secretary shall consider  
12          placement in the least restrictive setting avail-  
13          able after taking into account the alien’s danger  
14          to self, danger to the community, and risk of  
15          flight. Such aliens shall be eligible to participate  
16          in alternative to detention programs, utilizing a  
17          continuum of alternatives based on the alien’s  
18          need for supervision, which may include place-  
19          ment of the alien with an individual or an orga-  
20          nizational sponsor, or in a supervised group  
21          home.”.

1 **SEC. 403. APPOINTMENT OF CHILD ADVOCATES FOR UNAC-**  
 2 **COMPANIED MINORS.**

3 Section 235(e)(6) of the William Wilberforce Traf-  
 4 ficking Victims Protection Reauthorization Act of 2008 (8  
 5 U.S.C. 1232(e)(6)) is amended—

6 (1) by striking “The Secretary” and inserting  
 7 the following:

8 “(A) IN GENERAL.—The Secretary”; and

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

10 “(B) APPOINTMENT OF CHILD ADVOCATES.—  
 11

12 “(i) INITIAL SITES.—Not later than 2  
 13 years after the date of the enactment of  
 14 the Trafficking Victims Protection Reau-  
 15 thorization Act of 2011, the Secretary of  
 16 Health and Human Services shall establish  
 17 child advocate programs at 3 new immigra-  
 18 tion detention sites to provide independent  
 19 child advocates for trafficking victims and  
 20 vulnerable unaccompanied alien children.

21 “(ii) ADDITIONAL SITES.—Not later  
 22 than 3 years after the date of the enact-  
 23 ment of the Trafficking Victims Protection  
 24 Reauthorization Act of 2011, the Secretary  
 25 shall establish and implement child advo-  
 26 cate programs at immigration detention



1 sites at which more than 50 children are  
2 held in immigration custody.

3 “(iii) SELECTION OF SITES.—Sites at  
4 which child advocate programs will be es-  
5 tablished under this subparagraph shall be  
6 selected sequentially, with priority given to  
7 locations with—

8 “(I) the largest number of unac-  
9 companied alien children; and

10 “(II) the most vulnerable popu-  
11 lations of unaccompanied children.

12 “(C) ANNUAL REPORT TO CONGRESS.—

13 Not later than 1 year after the date of the en-  
14 actment of the Trafficking Victims Protection  
15 Reauthorization Act of 2011, and annually  
16 thereafter, the Secretary of Health and Human  
17 Services shall submit a report describing the ac-  
18 tivities undertaken by the Secretary to author-  
19 ize the appointment of independent Child Advo-  
20 cates for trafficking victims and vulnerable un-  
21 accompanied alien children to the Committee on  
22 the Judiciary of the Senate and the Committee  
23 on the Judiciary of the House of Representa-  
24 tives.

1           “(D) ASSESSMENT OF CHILD ADVOCATE  
2 PROGRAM.—

3           “(i) IN GENERAL.—As soon as prac-  
4 ticable after the date of the enactment of  
5 the Trafficking Victims Protection Reau-  
6 thorization Act of 2011, the Comptroller  
7 General of the United States shall conduct  
8 a study regarding the effectiveness of the  
9 Child Advocate Program operated by the  
10 Secretary of Health and Human Services.

11           “(ii) MATTERS TO BE STUDIED.—In  
12 the study required under clause (i), the  
13 Comptroller General shall collect informa-  
14 tion and analyze the following:

15           “(I) analyze the effectiveness of  
16 existing child advocate programs in  
17 improving outcomes for trafficking  
18 victims and other vulnerable unaccom-  
19 panied alien children;

20           “(II) evaluate the implementation  
21 of child advocate programs in new  
22 sites pursuant to subparagraph (B);

23           “(III) evaluate the funds avail-  
24 able to the Secretary of Health and  
25 Human Services and project the addi-

1 tional funds that would be needed to  
2 fully implement effective child advo-  
3 cate programs for all trafficking vic-  
4 tims and other vulnerable unaccom-  
5 panied children;

6 “(IV) evaluate the barriers to im-  
7 proving outcomes for trafficking vic-  
8 tims and other vulnerable unaccom-  
9 panied children; and

10 “(V) make recommendations on  
11 statutory changes to improve the  
12 Child Advocate Program in relation to  
13 the matters analyzed under subclauses  
14 (I) through (IV).

15 “(iii) GAO REPORT.—Not later than  
16 3 years after the date of the enactment of  
17 this Act, the Comptroller General of the  
18 United States shall submit the results of  
19 the study required under this subpara-  
20 graph to—

21 “(I) the Committee on the Judi-  
22 ciary of the Senate;

23 “(II) the Committee on Health,  
24 Education, Labor, and Pensions of  
25 the Senate;

1                   “(III) the Committee on the Ju-  
2                   diary of the House of Representa-  
3                   tives; and

4                   “(IV) the Committee on Edu-  
5                   cation and the Workforce of the  
6                   House of Representatives.

7                   “(E) AUTHORIZATION OF APPROPRIA-  
8                   TIONS.—There are authorized to be appro-  
9                   priated to the Secretary and Human Services to  
10                  carry out this subsection—

11                  “(i) \$1,000,000 for each of the fiscal  
12                  years 2012 and 2013; and

13                  “(ii) \$2,000,000 for each of the fiscal  
14                  years 2014 and 2015.”.

15 **SEC. 404. ACCESS TO FEDERAL FOSTER CARE AND UNAC-**  
16 **COMPANIED REFUGEE MINOR PROTECTIONS**  
17 **FOR CERTAIN U VISA RECIPIENTS.**

18                  Section 235(d)(4) of the William Wilberforce Traf-  
19                  ficking Victims Protection Reauthorization Act of 2008 (8  
20                  U.S.C. 1232(d)(4)) is amended—

21                  (1) in subparagraph (A),

22                          (A) by striking “either”;

23                          (B) by striking “or who” and inserting a  
24                  comma; and

1           (C) by inserting “, or has been granted  
 2           status under section 101(a)(15)(U) of the Im-  
 3           migration and Nationality Act (8 U.S.C.  
 4           1101(a)(15)(U)),” before “, shall be eligible”;  
 5           and

6           (2) in subparagraph (B), by inserting “, or sta-  
 7           tus under section 101(a)(15)(U) of the Immigration  
 8           and Nationality Act (8 U.S.C. 1101(a)(15)(U)),”  
 9           after “(8 U.S.C. 1101(a)(27)(J))”.

10 **SEC. 405. GAO STUDY OF THE EFFECTIVENESS OF BORDER**  
 11 **SCREENINGS.**

12           (a) **STUDY.**—

13           (1) **IN GENERAL.**—The Comptroller General of  
 14           the United States shall conduct a study examining  
 15           the effectiveness of screenings conducted by Depart-  
 16           ment of Homeland Security personnel in carrying  
 17           out section 235(a)(4) of the William Wilberforce  
 18           Trafficking Victims Protection Reauthorization Act  
 19           of 2008 (8 U.S.C. 1232(a)(4)).

20           (2) **STUDY.**—In carrying out paragraph (1), the  
 21           Comptroller General shall take into account the de-  
 22           gree to which Department of Homeland Security  
 23           personnel are adequately ensuring that—

24           (A) all children are being screened to de-  
 25           termine whether they are described in section

1           235(a)(2)(A) of the William Wilberforce Traf-  
2           ficking Victims Protection Reauthorization Act;

3           (B) appropriate and reliable determina-  
4           tions are being made about whether children  
5           are described in section 235(a)(2)(A) of such  
6           Act;

7           (C) children are repatriated in an appro-  
8           priate manner, consistent with clauses (i)  
9           through (iii) of section 235(a)(2)(C) of such  
10          Act;

11          (D) children are appropriately being per-  
12          mitted to withdraw their applications for admis-  
13          sion, in accordance with section 235(a)(2)(B)(i)  
14          of such Act;

15          (E) children are being properly cared for  
16          while they are in the custody of the Department  
17          of Homeland Security and awaiting repatriation  
18          or transfer to the custody of the Secretary of  
19          Health and Human Services; and

20          (F) children are being transferred to the  
21          custody of the Secretary of Health and Human  
22          Services in a manner that is consistent with  
23          such Act.

24          (3) ACCESS TO DEPARTMENT OF HOMELAND  
25          SECURITY OPERATIONS.—

1           (A) **IN GENERAL.**—Except as provided in  
2           subparagraph (B), for the purposes of con-  
3           ducting the study described in subsection (a),  
4           the Secretary shall provide the Comptroller  
5           General with unrestricted access to all stages of  
6           screenings and other interactions between De-  
7           partment of Homeland Security personnel and  
8           children encountered by the Comptroller Gen-  
9           eral.

10           (B) **EXCEPTIONS.**—The Secretary shall  
11           not permit unrestricted access under subpara-  
12           graph (A) if the Secretary determines that the  
13           security of a particular interaction would be  
14           threatened by such access.

15           (b) **REPORT TO CONGRESS.**—Not later than 2 years  
16           after the date of the commencement of the study described  
17           in subsection (a), the Comptroller General of the United  
18           States shall submit a report to the Committee on the Judi-  
19           ciary of the Senate and the Committee on the Judiciary  
20           of the House of Representatives that contains the Com-  
21           mission’s findings and recommendations.

22           **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

23           (a) **SHORT TITLE.**—*This Act may be cited as the*  
24           *“Trafficking Victims Protection Reauthorization Act of*  
25           *2011”.*

1           **(b) TABLE OF CONTENTS.—***The table of contents for*  
 2 *this Act is as follows:*

*Sec. 1. Short title; table of contents.*

**TITLE I—COMBATING INTERNATIONAL TRAFFICKING IN PERSONS**

*Sec. 101. Regional strategies for combating trafficking in persons.*

*Sec. 102. Regional anti-trafficking officers.*

*Sec. 103. Partnerships against significant trafficking in persons.*

*Sec. 104. Protection and assistance for victims of trafficking.*

*Sec. 105. Minimum standards for the elimination of trafficking.*

*Sec. 106. Best practices in trafficking in persons eradication.*

*Sec. 107. Protections for domestic workers and other nonimmigrants.*

*Sec. 108. Prevention of child trafficking through child marriage.*

*Sec. 109. Child soldiers.*

*Sec. 110. Presidential Award for Technological Innovations To Combat Trafficking in Persons.*

*Sec. 111. Contracting requirements.*

*Sec. 112. Department of Defense reporting of trafficking in persons claims and violations.*

**TITLE II—COMBATING TRAFFICKING IN PERSONS IN THE UNITED STATES**

*Subtitle A—Penalties Against Traffickers and Other Crimes*

*Sec. 201. Criminal trafficking offenses.*

*Sec. 202. Civil remedies; clarifying definition.*

*Subtitle B—Ensuring Availability of Possible Witnesses and Informants*

*Sec. 211. Protections for trafficking victims who cooperate with law enforcement.*

*Sec. 212. Protection against fraud in foreign labor contracting.*

*Subtitle C—Ensuring Interagency Coordination and Expanded Reporting*

*Sec. 221. Reporting requirements for the Attorney General.*

*Sec. 222. Reporting requirements for the Secretary of Labor.*

*Sec. 223. Information sharing to combat child labor and slave labor.*

*Sec. 224. Government training efforts to include the Department of Labor.*

*Sec. 225. GAO report on the use of foreign labor contractors.*

*Sec. 226. Oversight of Department of Justice programs.*

*Subtitle D—Enhancing State and Local Efforts to Combat Trafficking in Persons*

*Sec. 231. Assistance for domestic minor sex trafficking victims.*

*Sec. 232. Expanding local law enforcement grants for investigations and prosecutions of trafficking.*

*Sec. 233. Model State criminal law protection for child trafficking victims and survivors.*

**TITLE III—AUTHORIZATION OF APPROPRIATIONS**

*Sec. 301. Adjustment of authorization levels for the Trafficking Victims Protection Act of 2000.*



*Sec. 302. Adjustment of authorization levels for the Trafficking Victims Protection Reauthorization Act of 2005.*

**TITLE IV—UNACCOMPANIED ALIEN CHILDREN**

*Sec. 401. Appropriate custodial settings for unaccompanied minors who reach the age of majority while in Federal custody.*

*Sec. 402. Appointment of child advocates for unaccompanied minors.*

*Sec. 403. Access to Federal foster care and unaccompanied refugee minor protections for certain U Visa recipients.*

*Sec. 404. GAO study of the effectiveness of border screenings.*

**1 TITLE I—COMBATING INTER-**  
**2 NATIONAL TRAFFICKING IN**  
**3 PERSONS**

**4 SEC. 101. REGIONAL STRATEGIES FOR COMBATING TRAF-**  
**5 FICKING IN PERSONS.**

*6 Section 105 of the Trafficking Victims Protection Act*  
*7 of 2000 (22 U.S.C. 7103) is amended—*

*8 (1) in subsection (d)(7)(J), by striking “section*  
*9 105(f) of this division” and inserting “subsection*  
*10 (g)”;*

*11 (2) in subsection (e)(2)—*

*12 (A) by striking “(2) COORDINATION OF CER-*  
*13 TAIN ACTIVITIES.—” and all that follows through*  
*14 “exploitation.”;*

*15 (B) by redesignating subparagraph (B) as*  
*16 paragraph (2), and moving such paragraph, as*  
*17 so redesignated, 2 ems to the left; and*

*18 (C) by redesignating clauses (i) and (ii) as*  
*19 subparagraphs (A) and (B), respectively, and*

1           *moving such subparagraphs, as so redesignated,*  
 2           *2 ems to the left;*

3           *(3) by redesignating subsection (f) as subsection*  
 4           *(g); and*

5           *(4) by inserting after subsection (e) the following:*

6           “(f) *REGIONAL STRATEGIES FOR COMBATING TRAF-*  
 7 *FICKING IN PERSONS.—Each regional bureau in the De-*  
 8 *partment of State shall contribute to the realization of the*  
 9 *anti-trafficking goals and objectives of the Secretary of*  
 10 *State. By June 30 of each year, in cooperation with the*  
 11 *Office to Monitor and Combat Trafficking, each regional*  
 12 *bureau shall submit a list of anti-trafficking goals and ob-*  
 13 *jectives for each country in its geographic area of responsi-*  
 14 *bility. Host governments shall be informed of the goals and*  
 15 *objectives for their particular country by June 30 and, to*  
 16 *the extent possible, host government officials should con-*  
 17 *tribute to the drafting of the goals and objectives.”.*

18 **SEC. 102. REGIONAL ANTI-TRAFFICKING OFFICERS.**

19           *Section 106 of the Trafficking Victims Protection Act*  
 20 *of 2000 (22 U.S.C. 7104) is amended—*

21           *(1) by redesignating subsections (e), (f), (g), (h),*  
 22           *and (i) as subsections (f), (g), (h), (i), and (j), respec-*  
 23           *tively; and*

24           *(2) by inserting after subsection (d), the fol-*  
 25           *lowing:*

1           “(e) *REGIONAL ANTI-TRAFFICKING IN PERSONS OFFI-*  
2 *CERS.—Under the authority, direction, and control of the*  
3 *President, the Secretary of State, in accordance with the*  
4 *provisions of this Act, and in order to promote effective bi-*  
5 *lateral and regional anti-trafficking diplomacy, public di-*  
6 *plomacy initiatives, and coordination of programs, is au-*  
7 *thorized—*

8           “(1) *to appoint, at United States embassies,*  
9 *anti-trafficking in persons officers, who shall collabo-*  
10 *rate with other countries to eliminate human traf-*  
11 *ficking; and*

12           “(2) *to assign the officers appointed under para-*  
13 *graph (1) to fulfill tasks such as—*

14           “(A) *expanding the anti-trafficking efforts*  
15 *of the Office to Monitor and Combat Trafficking*  
16 *in Persons of the Department of State, includ-*  
17 *ing—*

18           “(i) *maintaining direct contact with*  
19 *the Office to Monitor and Combat Traf-*  
20 *ficking in Persons; and*

21           “(ii) *undertaking tasks recommended*  
22 *by the Director of the Office to Monitor and*  
23 *Combat Trafficking in Persons;*

24           “(B) *monitoring trafficking trends in the*  
25 *region;*

1           “(C) assessing compliance with the provi-  
2           sions of this Act;

3           “(D) determining and furthering effective  
4           anti-trafficking programs and partnerships with  
5           foreign governments and foreign nongovern-  
6           mental organizations;

7           “(E) strengthening diplomatic outreach on  
8           trafficking in persons; and

9           “(F) assisting and advising United States  
10          embassies overseas on their input to the Office to  
11          Monitor and Combat Trafficking in Persons for  
12          the preparation of the annual Trafficking in  
13          Persons Report.”.

14 **SEC. 103. PARTNERSHIPS AGAINST SIGNIFICANT TRAF-**  
15 **FICKING IN PERSONS.**

16          *The Trafficking Victims Protection Act of 2000 is*  
17 *amended by inserting after section 105 (22 U.S.C. 7103)*  
18 *the following:*

19 **“SEC. 105A. CREATING, BUILDING, AND STRENGTHENING**  
20 **PARTNERSHIPS AGAINST SIGNIFICANT TRAF-**  
21 **FICKING IN PERSONS.**

22          “(a) *DECLARATION OF PURPOSE.—The purpose of this*  
23 *section is to promote collaboration and cooperation—*

1           “(1) *between the United States Government and*  
2           *governments listed on the annual Trafficking in Per-*  
3           *sons Report;*

4           “(2) *between foreign governments and civil soci-*  
5           *ety actors; and*

6           “(3) *between the United States Government and*  
7           *private sector entities.*

8           “(b) *PARTNERSHIPS.—The Director, in coordination*  
9           *and cooperation with other officials at the Department of*  
10          *State involved in corporate responsibility and global part-*  
11          *nerships, the Deputy Under Secretary for International Af-*  
12          *fairs of the Department of Labor, and other relevant offi-*  
13          *cials of the United States Government, shall promote, build,*  
14          *and sustain partnerships between the United States Gov-*  
15          *ernment and private entities, including foundations, uni-*  
16          *versities, corporations, community-based organizations,*  
17          *and other nongovernmental organizations, to ensure that—*

18           “(1) *United States citizens do not use any item,*  
19           *product, or material produced or extracted with the*  
20           *use and labor from victims of severe forms of traf-*  
21           *ficking; and*

22           “(2) *such entities do not contribute to trafficking*  
23           *in persons involving sexual exploitation.*

24           “(c) *ADDITIONAL MEASURES TO ENHANCE ANTI-TRAF-*  
25          *FICKING RESPONSE AND CAPACITY.—The President shall*

1 *establish and carry out programs with foreign governments*  
2 *and civil society to enhance anti-trafficking response and*  
3 *capacity, including—*

4           “(1) *technical assistance and other support to*  
5 *improve the capacity of foreign governments to inves-*  
6 *tigate, identify, and carry out inspections of private*  
7 *entities, including labor recruitment centers, at which*  
8 *trafficking victims may be exploited, particularly ex-*  
9 *ploitation involving forced and child labor;*

10           “(2) *technical assistance and other support for*  
11 *foreign governments and nongovernmental organiza-*  
12 *tions to provide immigrant populations with infor-*  
13 *mation, in the native languages of the major immi-*  
14 *grant groups of such populations, regarding the rights*  
15 *of such populations in the foreign country and local*  
16 *in-country nongovernmental organization-operated*  
17 *hotlines;*

18           “(3) *technical assistance to provide legal frame-*  
19 *works and other programs to foreign governments and*  
20 *nongovernmental organizations to ensure that—*

21                   “(A) *foreign migrant workers are provided*  
22 *the same protection as nationals of the foreign*  
23 *country;*

24                   “(B) *labor recruitment firms are regulated;*  
25 *and*

1           “(C) workers providing domestic services in  
2           households are provided protection under labor  
3           rights laws; and

4           “(4) assistance to foreign governments to register  
5           vulnerable populations as citizens or nationals of the  
6           country to reduce the ability of traffickers to exploit  
7           such populations, where possible under domestic law.

8           “(d) PROGRAM TO ADDRESS EMERGENCY SITUA-  
9           TIONS.—The Secretary of State, acting through the Director  
10          of the Office to Monitor and Combat Trafficking in Persons,  
11          is authorized to establish a fund to assist foreign govern-  
12          ments in meeting unexpected, urgent needs in prevention  
13          of trafficking in persons, protection of victims, and prosecu-  
14          tion of trafficking offenders.

15          “(e) CHILD PROTECTION COMPACTS.—

16                 “(1) IN GENERAL.—The Secretary of State, act-  
17                 ing through the Director of the Office to Monitor and  
18                 Combat Trafficking in Persons and in consultation  
19                 with the Bureau of Democracy, Human Rights, and  
20                 Labor, the Bureau of International Labor Affairs of  
21                 the Department of Labor, the United States Agency  
22                 for International Development, and other relevant  
23                 agencies, is authorized to provide assistance under  
24                 this section for each country that enters into a child

1       *protection compact with the United States to support*  
2       *policies and programs that—*

3               “(A) *prevent and respond to violence, ex-*  
4               *ploitation, and abuse against children; and*

5               “(B) *measurably reduce severe forms of traf-*  
6               *ficking in children by building sustainable and*  
7               *effective systems of justice and protection.*

8               “(2) *ELEMENTS.—A child protection compact*  
9               *under this subsection shall establish a multi-year plan*  
10              *for achieving shared objectives in furtherance of the*  
11              *purposes of this Act, and shall describe—*

12              “(A) *the specific objectives the foreign gov-*  
13              *ernment and the United States Government ex-*  
14              *pect to achieve during the term of the compact;*

15              “(B) *the responsibilities of the foreign gov-*  
16              *ernment and the United States Government in*  
17              *the achievement of such objectives;*

18              “(C) *the particular programs or initiatives*  
19              *to be undertaken in the achievement of such ob-*  
20              *jectives and the amount of funding to be allo-*  
21              *cated to each program or initiative by both coun-*  
22              *tries;*

23              “(D) *regular outcome indicators to monitor*  
24              *and measure progress toward achieving such ob-*  
25              *jectives; and*



1           “(E) a multi-year financial plan, including  
2           the estimated amount of contributions by the  
3           United States Government and the foreign gov-  
4           ernment, and proposed mechanisms to imple-  
5           ment the plan and provide oversight.

6           “(3) *FORM OF ASSISTANCE.*—Assistance under  
7           this subsection may be provided in the form of grants,  
8           cooperative agreements, or contracts to or with na-  
9           tional governments, regional or local governmental  
10          units, or non-governmental organizations or private  
11          entities with expertise in the protection of victims of  
12          severe forms of trafficking in persons.

13          “(4) *ELIGIBLE COUNTRIES.*—The Secretary of  
14          State, acting through the Office to Monitor and Com-  
15          bat Trafficking in Persons, and in consultation with  
16          the agencies set forth in paragraph (1) and relevant  
17          officers of the Department of Justice, shall select coun-  
18          tries with which to enter into child protection com-  
19          pacts. The selection of countries under this paragraph  
20          shall be based on—

21                 “(A) the selection criteria set forth in para-  
22                 graph (5); and

23                 “(B) objective, documented, and quantifi-  
24                 able indicators, to the maximum extent possible.

1           “(5) *SELECTION CRITERIA.*—*A country shall be*  
2           *selected under paragraph (4) on the basis of—*

3                   “(A) *a documented high prevalence of traf-*  
4                   *ficking in persons within the country; and*

5                   “(B) *demonstrated political will and sus-*  
6                   *tained commitment by the government of such*  
7                   *country to undertake meaningful measures to ad-*  
8                   *dress severe forms of trafficking in persons, in-*  
9                   *cluding protection of victims and the enactment*  
10                  *and enforcement of anti-trafficking laws against*  
11                  *perpetrators.*

12           “(6) *SUSPENSION AND TERMINATION OF ASSIST-*  
13           *ANCE.*—

14                   “(A) *IN GENERAL.*—*The Secretary may sus-*  
15                   *pend or terminate assistance provided under this*  
16                   *subsection in whole or in part for a country or*  
17                   *entity if the Secretary determines that—*

18                           “(i) *the country or entity is engaged in*  
19                           *activities that are contrary to the national*  
20                           *security interests of the United States;*

21                           “(ii) *the country or entity has engaged*  
22                           *in a pattern of actions inconsistent with the*  
23                           *criteria used to determine the eligibility of*  
24                           *the country or entity, as the case may be;*  
25                           *or*

1                   “(iii) the country or entity has failed  
2                   to adhere to its responsibilities under the  
3                   Compact.

4                   “(B) REINSTATEMENT.—The Secretary may  
5                   reinstate assistance for a country or entity sus-  
6                   pended or terminated under this paragraph only  
7                   if the Secretary determines that the country or  
8                   entity has demonstrated a commitment to cor-  
9                   recting each condition for which assistance was  
10                  suspended or terminated under subparagraph  
11                  (A).”.

12 **SEC. 104. PROTECTION AND ASSISTANCE FOR VICTIMS OF**  
13 **TRAFFICKING.**

14                  (a) *TASK FORCE ACTIVITIES.*—Section 105(d)(6) of  
15 *the Trafficking Victims Protection Act of 2000 (22 U.S.C.*  
16 *7103(d)(6)) is amended by inserting “, and make reason-*  
17 *able efforts to distribute information to enable all relevant*  
18 *Federal Government agencies to publicize the National*  
19 *Human Trafficking Resource Center Hotline on their*  
20 *websites, in all headquarters offices, and in all field offices*  
21 *throughout the United States” before the period at the end.*

22                  (b) *CONGRESSIONAL BRIEFING.*—Section 107(a)(2) of  
23 *the Trafficking Victims Protection Act of 2000 (22 U.S.C.*  
24 *7105(a)(2)) is amended by inserting “and shall brief Con-*  
25 *gress annually on such efforts” before the period at the end.*

1 **SEC. 105. 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—*

5 *(1) in paragraph (3)—*

6 *(A) by striking “peacekeeping” and insert-*  
7 *ing “diplomatic, peacekeeping,”;*

8 *(B) by striking “, and measures” and in-*  
9 *serting “, a transparent system for remediating*  
10 *or punishing such public officials as a deterrent,*  
11 *measures”; and*

12 *(C) by inserting “, effective bilateral, multi-*  
13 *lateral, or regional information sharing and co-*  
14 *operation arrangements with source, transit, or*  
15 *destination countries in its trafficking route, and*  
16 *effective policies or laws regulating foreign labor*  
17 *recruiters and holding them civilly and crimi-*  
18 *nally liable for fraudulent recruiting” before the*  
19 *period at the end;*

20 *(2) in paragraph (4), by inserting “and has en-*  
21 *tered into bilateral, multilateral, or regional law en-*  
22 *forcement cooperation and coordination arrangements*  
23 *with source, transit, and destination countries in its*  
24 *trafficking route” before the period at the end;*

25 *(3) in paragraph (7)—*

1           (A) by inserting “, including diplomats and  
2           soldiers,” after “public officials”;

3           (B) by striking “peacekeeping” and insert-  
4           ing “diplomatic, peacekeeping,”; and

5           (C) by inserting “A government’s failure to  
6           appropriately address public allegations against  
7           such public officials, especially once such officials  
8           have returned to their home countries, shall be  
9           considered inaction under these criteria.” after  
10          “such trafficking.”;

11          (4) by redesignating paragraphs (9) through (11)  
12          as paragraphs (10) through (12), respectively; and

13          (5) by inserting after paragraph (8) the fol-  
14          lowing:

15                 “(9) Whether the government has entered into  
16                 transparent partnerships, cooperative arrangements,  
17                 or agreements with—

18                         “(A) domestic civil society organizations or  
19                         the private sector to assist the government’s ef-  
20                         forts to prevent trafficking, protect victims, and  
21                         punish traffickers; or

22                         “(B) the United States toward agreed goals  
23                         and objectives in the collective fight against traf-  
24                         ficking.”.

1 **SEC. 106. BEST PRACTICES IN TRAFFICKING IN PERSONS**  
2 **ERADICATION.**

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

5 *(1) in paragraph (1)—*

6 *(A) by striking “with respect to the status*  
7 *of severe forms of trafficking in persons that*  
8 *shall include—” and inserting “describing the*  
9 *anti-trafficking efforts of governments according*  
10 *to the minimum standards and criteria enumer-*  
11 *ated in section 108, and the nature and scope of*  
12 *trafficking in persons in each country and anal-*  
13 *ysis of the trend lines for individual govern-*  
14 *mental efforts. The report should include—”;*

15 *(B) in subparagraph (B), by striking “com-*  
16 *pliance;” and inserting “compliance, including*  
17 *the identification and mention of governments*  
18 *that—*

19 *“(A) are on such list and have demonstrated*  
20 *exemplary progress in their efforts to reach the*  
21 *minimum standards; or*

22 *“(B) have committed to the Secretary to ac-*  
23 *complish certain actions before the subsequent*  
24 *year’s annual report in an attempt to reach full*  
25 *compliance with the minimum standards;”;*

1           (C) in subparagraph (E), by striking “;  
2           and”; and inserting a semicolon;

3           (D) in subparagraph (F), by striking the  
4           period at the end and inserting “; and”; and

5           (E) by inserting at the end the following:

6           “(G) a section entitled ‘Exemplary Govern-  
7           ments and Practices in the Eradication of Traf-  
8           ficking in Persons’ to highlight—

9                   “(i) effective practices and use of inno-  
10                   vation and technology in prevention, protec-  
11                   tion, prosecution, and partnerships, includ-  
12                   ing by foreign governments, the private sec-  
13                   tor, and domestic civil society actors; and

14                   “(ii) governments that have shown ex-  
15                   emplary overall efforts to combat trafficking  
16                   in persons.”;

17           (2) by striking paragraph (2);

18           (3) by redesignating paragraphs (3) and (4) as  
19           paragraphs (2) and (3), respectively; and

20           (4) in paragraph (2), as redesignated, by adding  
21           at the end the following:

22                   “(E) PUBLIC NOTICE.—Not later than 30  
23                   days after notifying Congress of each country de-  
24                   termined to have met the requirements under  
25                   subclauses (I) through (III) of subparagraph

1           (D)(ii), the Secretary of State shall provide a de-  
 2           tailed description of the credible evidence sup-  
 3           porting such determination on a publicly avail-  
 4           able website maintained by the Department of  
 5           State.”.

6   **SEC. 107. PROTECTIONS FOR DOMESTIC WORKERS AND**  
 7                                   **OTHER NONIMMIGRANTS.**

8           Section 202 of the William Wilberforce Trafficking  
 9   *Victims Protection Reauthorization Act of 2008* (8 U.S.C.  
 10 *1375b*) is amended—

11           (1) in subsection (a)—

12                           (A) in the subsection heading, by inserting  
 13           “AND VIDEO FOR CONSULAR WAITING ROOMS”  
 14           after “INFORMATION PAMPHLET”; and

15                           (B) in paragraph (1)—

16                                   (i) by inserting “and video” after “in-  
 17           formation pamphlet”; and

18                                   (ii) by adding at the end the following:

19           “The video shall be distributed and shown  
 20           in consular waiting rooms in embassies and  
 21           consulates determined to have the greatest  
 22           concentration of employment or education-  
 23           based non-immigrant visa applicants, and  
 24           where sufficient video facilities exist in  
 25           waiting or other rooms where applicants



1           *wait or convene. The Secretary of State is*  
2           *authorized to augment video facilities in*  
3           *such consulates or embassies in order to ful-*  
4           *fill the purposes of this section.”;*

5           (2) *in subsection (b), by inserting “and video”*  
6           *after “information pamphlet”;*

7           (3) *in subsection (c)—*

8                 (A) *in paragraph (1), by inserting “and*  
9                 *produce or dub the video” after “information*  
10                *pamphlet”; and*

11               (B) *in paragraph (2), by inserting “and the*  
12                *video produced or dubbed” after “translated”;*  
13                *and*

14           (4) *in subsection (d)—*

15                 (A) *in paragraph (1), by inserting “and*  
16                 *video” after “information pamphlet”;*

17                 (B) *in paragraph (2), by inserting “and*  
18                 *video” after “information pamphlet”; and*

19                 (C) *by adding at the end the following:*

20                 “(4) *DEADLINE FOR VIDEO DEVELOPMENT AND*  
21                 *DISTRIBUTION.—Not later than 1 year after the date*  
22                 *of the enactment of the Trafficking Victims Protection*  
23                 *Reauthorization Act of 2011, the Secretary of State*  
24                 *shall make available the video developed under sub-*



1           (1) in section 116 (22 U.S.C. 2151n), by adding  
2           at the end the following:

3           “(g) *CHILD MARRIAGE STATUS*.—

4           “(1) *IN GENERAL*.—The report required under  
5           subsection (d) shall include, for each country in which  
6           child marriage is prevalent, a description of the sta-  
7           tus of the practice of child marriage in such country.

8           “(2) *DEFINED TERM*.—In this subsection, the  
9           term ‘child marriage’ means the marriage of a girl or  
10          boy who is—

11          “(3) younger than the minimum age for mar-  
12          riage under the laws of the country in which such girl  
13          or boy is a resident; or

14          “(4) younger than 18 years of age, if no such  
15          law exists.”; and

16          (2) in section 502B (22 U.S.C. 2304), by adding  
17          at the end the following:

18          “(i) *CHILD MARRIAGE STATUS*.—

19          “(1) *IN GENERAL*.—The report required under  
20          subsection (b) shall include, for each country in which  
21          child marriage is prevalent, a description of the sta-  
22          tus of the practice of child marriage in such country.

23          “(2) *DEFINED TERM*.—In this subsection, the  
24          term ‘child marriage’ means the marriage of a girl or  
25          boy who is—

1           “(3) younger than the minimum age for mar-  
2           riage under the laws of the country in which such girl  
3           or boy is a resident; or

4           “(4) younger than 18 years of age, if no such  
5           law exists.”.

6 **SEC. 109. CHILD SOLDIERS.**

7           Section 404 of the William Wilberforce Trafficking  
8 *Victims Protection Reauthorization Act of 2008* (22 U.S.C.  
9 2370c-1) is amended—

10           (1) in subsection (a), by striking “(b), (c), and  
11           (d), the authorities contained in section 516 or 541  
12           of the *Foreign Assistance Act of 1961* (22 U.S.C.  
13           2321j or 2347)” and inserting “(b) through (f), the  
14           authorities contained in sections 516, 541, and 551 of  
15           the *Foreign Assistance Act of 1961* (22 U.S.C. 2321j,  
16           2347, and 2348)”; and

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

18           “(f) **EXCEPTION FOR PEACEKEEPING OPERATIONS.**—  
19 *The limitation set forth in subsection (a) that relates to sec-*  
20 *tion 551 of the Foreign Assistance Act of 1961 shall not*  
21 *apply to programs that support military*  
22 *professionalization, security sector reform, heightened re-*  
23 *spect for human rights, peacekeeping preparation, or the*  
24 *demobilization and reintegration of child soldiers.”.*

1 **SEC. 110. PRESIDENTIAL AWARD FOR TECHNOLOGICAL IN-**  
2 **NOVATIONS TO COMBAT TRAFFICKING IN**  
3 **PERSONS.**

4 *Section 112B(a) of the Trafficking Victims Protection*  
5 *Act of 2000 (22 U.S.C. 7109b(a)) is amended—*

6 *(1) in the section heading, by inserting “AND*  
7 **TECHNOLOGICAL INNOVATIONS”** after “EX-  
8 **TRAORDINARY EFFORTS”**;

9 *(2) by inserting “and technological innovations”*  
10 *after “extraordinary efforts.”*;

11 *(3) in paragraph (1), by striking “and” at the*  
12 *end;*

13 *(4) in paragraph (2), by striking the period at*  
14 *the end and inserting a semicolon; and*

15 *(5) by adding at the end the following:*

16 *“(3) private sector entities; and*

17 *“(4) national governments or regional and local*  
18 *governmental units.”*

19 **SEC. 111. CONTRACTING REQUIREMENTS.**

20 *Section 106(h) of the Trafficking Victims Protection*  
21 *Act of 2000 (22 U.S.C. 7104(h)), as redesignated by section*  
22 *102, is amended—*

23 *(1) by striking “The President” and inserting*  
24 *the following:*

25 *“(1) IN GENERAL.—The President”*;

1           (2) *by striking “subcontractor (i)” and all that*  
2 *follows and inserting the following: “subcontractor en-*  
3 *gages in, or uses labor recruiters or brokers who en-*  
4 *gage in, acts related to trafficking in persons, the pro-*  
5 *urement of commercial sex acts, or the use of forced*  
6 *labor in the performance of the grant, contract, or co-*  
7 *operative agreement, including, if in furtherance of*  
8 *such acts—*

9                   (A) *destroying, concealing, removing, or*  
10 *confiscating an employee’s immigration docu-*  
11 *ments without the employee’s consent;*

12                   (B) *failing to assist with the repatriation of*  
13 *an employee upon the end of employment, unless*  
14 *the employee is a victim of human trafficking*  
15 *seeking victim services or legal redress in the*  
16 *country of employment;*

17                   (C) *placing an employee in a location or*  
18 *occupation other than the location or occupation*  
19 *that was indicated to the employee when the em-*  
20 *ployee was recruited, without the concurrence of*  
21 *the employee;*

22                   (D) *charging recruited employees placement*  
23 *fees equal to or greater than the employee’s an-*  
24 *nual salary or half the employee’s total antici-*  
25 *pated pay, whichever is less; and*

1           (E) any other activities that support or  
2 promote trafficking in persons, the procurement  
3 of commercial sex acts, or the use of forced labor  
4 in the performance of the grant, contract, or co-  
5 operative agreement.”; and

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

7 “(2) CONTRACT COMPLIANCE PLAN.—

8           “(A) COMPLIANCE PLAN AND CERTIFICATION  
9 OF SUBCONTRACT REVIEW.—The head of a Fed-  
10 eral department or agency may not make or  
11 enter into a grant, contract, or cooperative agree-  
12 ment valued at \$1,000,000 or more if perform-  
13 ance will predominantly be conducted overseas  
14 in support of contingency operations, unless a  
15 duly designated representative of the entity re-  
16 ceiving such grant, contract, or cooperative  
17 agreement certifies to the contracting officer,  
18 after having conducted due diligence, that—

19           “(i) the contracting entity has imple-  
20 mented a plan to prevent the activities de-  
21 scribed in subparagraphs (A) through (E) of  
22 paragraph (1) and is in compliance with  
23 such plan; and

24           “(ii) to the best of such representative’s  
25 knowledge, neither the contracting entity

1            *nor any subgrantee or subcontractor holding*  
2            *a subgrant or subcontract under such grant,*  
3            *contract, or cooperative agreement valued at*  
4            *\$1,000,000 or more, is engaged in any of*  
5            *the activities described in such subpara-*  
6            *graphs.*

7            *“(B) CONTRACT EVALUATION.—*

8                    *“(i) IN GENERAL.—If the contracting*  
9                    *officer for a grant, contract, or cooperative*  
10                   *agreement described under subparagraph*  
11                   *(A) receives any report that a contracting*  
12                   *entity, or any subcontractor or subgrantee,*  
13                   *has engaged in an activity described in*  
14                   *paragraph (1), including reports from a*  
15                   *contracting officer representative, an inspec-*  
16                   *tor general, an auditor, or any other official*  
17                   *source, the contracting officer may, before*  
18                   *renewing any remaining options for such*  
19                   *grant, contract, or cooperative agreement, or*  
20                   *the grant, contract, or cooperative agree-*  
21                   *ment itself, attempt to resolve the areas of*  
22                   *noncompliance or unsatisfactory perform-*  
23                   *ance and modify such grant, contract, or*  
24                   *cooperative agreement to prevent future oc-*



1                    *currences of such noncompliance or unsatis-*  
2                    *factory performance.*

3                    “(ii) *EFFECT OF CONTINUED NON-*  
4                    *COMPLIANCE.—If the contracting officer de-*  
5                    *termines that the noncompliance or unsatis-*  
6                    *factory performance under the grant, con-*  
7                    *tract, or cooperative agreement described in*  
8                    *clause (i) cannot be resolved and prevented*  
9                    *in the future, the contracting officer—*

10                    “(I) *may not renew any remain-*  
11                    *ing options for such grant, contract, or*  
12                    *cooperative agreement, or the grant,*  
13                    *contract, or cooperative agreement*  
14                    *itself, with such contracting entity;*  
15                    *and*

16                    “(II) *may terminate the grant,*  
17                    *contract, or cooperative agreement*  
18                    *without penalty if such grant, contract,*  
19                    *or cooperative agreement was made or*  
20                    *entered into after the effective date of*  
21                    *this paragraph.*

22                    “(iii) *INCLUSION OF CREDIBLE RE-*  
23                    *PORTS.—A contracting officer may enter in*  
24                    *the past performance evaluation of a con-*  
25                    *tractor any reports, determined to be cred-*

1           ible by the contracting officer, that any en-  
 2           tity has engaged in any activity described  
 3           in subparagraphs (A) through (E) of para-  
 4           graph (1), including reports from a con-  
 5           tracting officer representative, an inspector  
 6           general, an auditor, or any other official  
 7           source.

8           “(3) *RULE OF CONSTRUCTION.*—Nothing in this  
 9           subsection may be construed as superseding, restrict-  
 10          ing, or limiting the application of any Federal con-  
 11          tracting law or regulation.”.

12 **SEC. 112. DEPARTMENT OF DEFENSE REPORTING OF TRAF-**  
 13 **FICKING IN PERSONS CLAIMS AND VIOLA-**  
 14 **TIONS.**

15          Section 105(d)(7)(H) of the Trafficking Victims Pro-  
 16          tection Act of 2000 (22 U.S.C. 7103(d)(7)(H)) is amend-  
 17          ed—

18               (1) in clause (ii), by striking “; and” and insert-  
 19               ing a semicolon;

20               (2) by redesignating clause (iii) as clause (iv);

21               (3) by inserting after clause (ii) the following  
 22               new clause:

23                       “(iii) all known trafficking in persons  
 24                       cases reported to the Under Secretary of De-  
 25                       fense for Personnel and Readiness;”;

1           (4) *in clause (iv), as redesignated by paragraph*  
 2           (2), *by striking the semicolon at the end and inserting*  
 3           “; and”; *and*

4           (5) *by adding at the end the following new*  
 5           *clause:*

6                           “(v) *all trafficking in persons activities*  
 7                           *of contractors reported to the Under Sec-*  
 8                           *retary of Defense for Acquisition Technology*  
 9                           *and Logistics;”.*

10 **TITLE II—COMBATING TRAF-**  
 11 **FICKING IN PERSONS IN THE**  
 12 **UNITED STATES**

13 **Subtitle A—Penalties Against**  
 14 **Traffickers and Other Crimes**

15 **SEC. 201. CRIMINAL TRAFFICKING OFFENSES.**

16           (a) *RICO AMENDMENT.*—*Section 1961(1)(B) of title*  
 17 *18, United States Code, is amended by inserting “section*  
 18 *1351 (relating to fraud in foreign labor contracting),” be-*  
 19 *fore “section 1425”.*

20           (b) *ENGAGING IN ILLICIT SEXUAL CONDUCT IN FOR-*  
 21 *EIGN PLACES.*—*Section 2423(c) of title 18, United States*  
 22 *Code, is amended by inserting “or resides, either tempo-*  
 23 *rarily or permanently, in a foreign country” after “com-*  
 24 *merce”.*

1       (c) *UNLAWFUL CONDUCT WITH RESPECT TO DOCU-*  
 2 *MENTS.—*

3           (1) *IN GENERAL.—Chapter 77 of title 18, United*  
 4 *States Code, is amended by adding at the end the fol-*  
 5 *lowing:*

6       **“§1597. Unlawful conduct with respect to immigra-**  
 7 **tion documents**

8       “(a) *DESTRUCTION, CONCEALMENT, REMOVAL, CON-*  
 9 *FISCATION, OR POSSESSION OF IMMIGRATION DOCU-*  
 10 *MENTS.—It shall be unlawful for any person to knowingly*  
 11 *destroy, conceal, remove, confiscate, or possess, an actual*  
 12 *or purported passport or other immigration document of*  
 13 *another individual —*

14           “(1) *in the course of violating section 1351 of*  
 15 *this title or section 274 of the Immigration and Na-*  
 16 *tionality Act (8 U.S.C. 1324);*

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

20           “(3) *in order to, without lawful authority, main-*  
 21 *tain, prevent, or restrict the labor of services of the*  
 22 *individual.*

23       “(b) *PENALTY.—Any person who violates subsection*  
 24 *(a) shall be fined under this title, imprisoned for not more*  
 25 *than 1 year, or both.*

1       “(c) *OBSTRUCTION*.—Any person who knowingly ob-  
 2       *structs, attempts to obstruct, or in any way interferes with*  
 3       *or prevents the enforcement of this section, shall be subject*  
 4       *to the penalties described in subsection (b).*”.

5               (2) *TECHNICAL AND CONFORMING AMEND-*  
 6       *MENT*.—The table of sections for chapter 77 of title  
 7       18, United States Code, is amended by adding at the  
 8       end the following:

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

9       **SEC. 202. CIVIL REMEDIES; CLARIFYING DEFINITION.**

10       (a) *CIVIL REMEDY FOR PERSONAL INJURIES*.—Sec-  
 11       tion 2255 of title 18, United States Code, is amended—

12               (1) in subsection (a), by striking “section  
 13       2241(c)” and inserting “section 1589, 1590, 1591,  
 14       2241(c)”; and

15               (2) in subsection (b), by striking “six years” and  
 16       inserting “10 years”.

17       (b) *DEFINITION*.—

18               (1) *IN GENERAL*.—Section 103 of the *Trafficking*  
 19       *Victims Protection Act of 2000 (22 U.S.C. 7102)* is  
 20       amended—

21               (A) by redesignating paragraphs (1)  
 22       through (14) as paragraphs (2) through (15), re-  
 23       spectively;

24               (B) by inserting before paragraph (2), as  
 25       redesignated, the following:

1           “(1) *ABUSE OR THREATENED ABUSE OF LAW OR*  
 2           *LEGAL PROCESS.*—*The term ‘abuse or threatened*  
 3           *abuse of the legal process’ means the use or threatened*  
 4           *use of a law or legal process, whether administrative,*  
 5           *civil, or criminal, in any manner or for any purpose*  
 6           *for which the law was not designed, in order to exert*  
 7           *pressure on another person to cause that person to*  
 8           *take some action or refrain from taking some ac-*  
 9           *tion.’;*”

10                   (C) *in paragraph (14), as redesignated, by*  
 11                   *striking “paragraph (8)” and inserting “para-*  
 12                   *graph (9)”;* and

13                   (D) *in paragraph (15), as redesignated, by*  
 14                   *striking “paragraph (8) or (9)” and inserting*  
 15                   *“paragraph (9) or (10)”.*

16           (2) *TECHNICAL AND CONFORMING AMEND-*  
 17           *MENTS.*—

18                   (A) *TRAFFICKING VICTIMS PROTECTION ACT*  
 19                   *OF 2000.*—*The Trafficking Victims Protection Act*  
 20                   *of 2000 (22 U.S.C. 7101 et eq.) is amended—*

21                           (i) *in section 110(e) (22 U.S.C.*  
 22                           *7107(e))—*

23                                   (I) *by striking “section*  
 24                                   *103(7)(A)” and inserting “section*  
 25                                   *103(8)(A)”;* and

1                   (ii) by striking “section  
2                   103(7)(B)” and inserting “section  
3                   103(8)(B)”; and

4                   (i) in section 113(g)(2) (22 U.S.C.  
5                   7110(g)(2)), by striking “section 103(8)(A)”  
6                   and inserting “section 103(9)(A)”.

7                   (B) NORTH KOREAN HUMAN RIGHTS ACT OF  
8                   2004.—Section 203(b)(2) of the North Korean  
9                   Human Rights Act of 2004 (22 U.S.C.  
10                  7833(b)(2)) is amended by striking “section  
11                  103(14)” and inserting “section 103(15)”.

12                  (C) TRAFFICKING VICTIMS PROTECTION RE-  
13                  AUTHORIZATION ACT OF 2005.—Section 207 of  
14                  the Trafficking Victims Protection Reauthoriza-  
15                  tion Act of 2005 (42 U.S.C. 14044e) is amend-  
16                  ed—

17                         (i) in paragraph (1), by striking “sec-  
18                         tion 103(8)” and inserting “section 103(9)”;

19                         (ii) in paragraph (2), by striking “sec-  
20                         tion 103(9)” and inserting “section  
21                         103(10)”; and

22                         (iii) in paragraph (3), by striking  
23                         “section 103(3)” and inserting “section  
24                         103(4)”.

1                   (D) *VIOLENCE AGAINST WOMEN AND DE-*  
2                   *PARTMENT OF JUSTICE REAUTHORIZATION ACT*  
3                   *OF 2005.—Section 111(a)(1) of the Violence*  
4                   *Against Women and Department of Justice Re-*  
5                   *authorization Act of 2005 (42 U.S.C.*  
6                   *14044f(a)(1)) is amended by striking “para-*  
7                   *graph (8)” and inserting “paragraph (9)”.*

8                   ***Subtitle B—Ensuring Availability***  
9                   ***of Possible Witnesses and In-***  
10                   ***formants***

11                   ***SEC. 211. PROTECTIONS FOR TRAFFICKING VICTIMS WHO***  
12                   ***COOPERATE WITH LAW ENFORCEMENT.***

13                   *Section 101(a)(15)(T)(ii)(III) of the Immigration and*  
14                   *Nationality Act (8 U.S.C. 1101(a)(15)(T)(ii)(III) is*  
15                   *amended by inserting “, or any adult or minor children*  
16                   *of a derivative beneficiary of the alien, as” after “age”.*

17                   ***SEC. 212. PROTECTION AGAINST FRAUD IN FOREIGN LABOR***  
18                   ***CONTRACTING.***

19                   *Section 101(a)(15)(U)(iii) of the Immigration and*  
20                   *Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended*  
21                   *by inserting “fraud in foreign labor contracting (as defined*  
22                   *in section 1351 of title 18, United States Code);” after “per-*  
23                   *jury;”.*



1 ***Subtitle C—Ensuring Interagency***  
2 ***Coordination and Expanded Re-***  
3 ***porting***

4 **SEC. 221. REPORTING REQUIREMENTS FOR THE ATTORNEY**

5 **GENERAL.**

6 *Section 105(d)(7) of the Trafficking Victims Protection*  
7 *Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—*

8 *(1) by redesignating subparagraphs (D) through*  
9 *(J) as subparagraphs (I) through (O);*

10 *(2) by striking subparagraphs (B) and (C) and*  
11 *inserting the following:*

12 *“(B) the number of persons who have been*  
13 *granted continued presence in the United States*  
14 *under section 107(c)(3) during the preceding fis-*  
15 *cal year and the mean and median time taken*  
16 *to adjudicate applications submitted under such*  
17 *section, including the time from the receipt of an*  
18 *application by law enforcement to the issuance of*  
19 *continued presence, and a description of any ef-*  
20 *forts being taken to reduce the adjudication and*  
21 *processing time while ensuring the safe and com-*  
22 *petent processing of the applications;*

23 *“(C) the number of persons who have ap-*  
24 *plied for, been granted, or been denied a visa or*  
25 *otherwise provided status under subparagraph*

1           *(T)(i) or (U)(i) of section 101(a)(15) of the Im-*  
2           *migration and Nationality Act (8 U.S.C.*  
3           *1101(a)(15)) during the preceding fiscal year;*

4           *“(D) the number of persons who have ap-*  
5           *plied for, been granted, or been denied a visa or*  
6           *status under clause (ii) of section 101(a)(15)(T)*  
7           *of the Immigration and Nationality Act (8*  
8           *U.S.C. 1101(a)(15)(T)) during the preceding fis-*  
9           *cal year, broken down by the number of such*  
10           *persons described in subclauses (I), (II), and*  
11           *(III) of such clause (ii);*

12           *“(E) the amount of Federal funds expended*  
13           *in direct benefits paid to individuals described*  
14           *in subparagraph (D) in conjunction with T visa*  
15           *status;*

16           *“(F) the number of persons who have ap-*  
17           *plied for, been granted, or been denied a visa or*  
18           *status under section 101(a)(15)(U)(i) of the Im-*  
19           *migration and Nationality Act (8 U.S.C.*  
20           *1101(a)(15)(U)(i)) during the preceding fiscal*  
21           *year;*

22           *“(G) the mean and median time in which*  
23           *it takes to adjudicate applications submitted*  
24           *under the provisions of law set forth in subpara-*  
25           *graph (C), including the time between the receipt*

1           *of an application and the issuance of a visa and*  
2           *work authorization;*

3           *“(H) any efforts being taken to reduce the*  
4           *adjudication and processing time, while ensuring*  
5           *the safe and competent processing of the applica-*  
6           *tions;”;*

7           *(3) in subparagraph (N)(iii), as redesignated, by*  
8           *striking “and” at the end;*

9           *(4) in subparagraph (O), as redesignated, by*  
10          *striking the period at the end and inserting “; and”;*  
11          *and*

12          *(5) by adding at the end the following:*

13           *“(P) the activities undertaken by Federal*  
14           *agencies to train appropriate State, tribal, and*  
15           *local government and law enforcement officials to*  
16           *identify victims of severe forms of trafficking, in-*  
17           *cluding both sex and labor trafficking;*

18           *“(Q) the activities undertaken by Federal*  
19           *agencies in cooperation with State, tribal, and*  
20           *local law enforcement officials to identify, inves-*  
21           *tigate, and prosecute offenses under sections*  
22           *1581, 1583, 1584, 1589, 1590, 1592, and 1594 of*  
23           *title 18, United States Code, or equivalent State*  
24           *offenses, including, in each fiscal year—*

1           “(i) the number, age, gender, country  
2           of origin, and citizenship status of victims  
3           identified for each offense;

4           “(ii) the number of individuals  
5           charged, and the number of individuals con-  
6           victed, under each offense;

7           “(iii) the number of individuals re-  
8           ferred for prosecution for State offenses, in-  
9           cluding offenses relating to the purchasing  
10          of commercial sex acts;

11          “(iv) the number of victims granted  
12          continued presence in the United States  
13          under section 107(c)(3); and

14          “(v) the number of victims granted a  
15          visa or otherwise provided status under sub-  
16          paragraph (T)(i) or (U)(i) of section  
17          101(a)(15) of the Immigration and Nation-  
18          ality Act (8 U.S.C. 1101(a)(15)); and

19          “(R) the activities undertaken by the De-  
20          partment of Justice and the Department of  
21          Health and Human Services to meet the specific  
22          needs of minor victims of domestic trafficking,  
23          including actions taken pursuant to subsection  
24          (f) and section 202(a) of the Trafficking Victims  
25          Protection Reauthorization Act of 2005 (42

1           *U.S.C. 14044(a)), and the steps taken to increase*  
2           *cooperation among Federal agencies to ensure the*  
3           *effective and efficient use of programs for which*  
4           *the victims are eligible.”.*

5   **SEC. 222. REPORTING REQUIREMENTS FOR THE SEC-**  
6           **RETARY OF LABOR.**

7           *Section 105(b) of the Trafficking Victims Protection*  
8   *Act of 2005 (22 U.S.C. 7112(b)) is amended by adding at*  
9   *the end the following:*

10           “(3) *SUBMISSION TO CONGRESS.—Not later than*  
11           *December 1, 2012, and every 2 years thereafter, the*  
12           *Secretary of Labor shall submit the list developed*  
13           *under paragraph (2)(C) to Congress.”.*

14   **SEC. 223. INFORMATION SHARING TO COMBAT CHILD**  
15           **LABOR AND SLAVE LABOR.**

16           *Section 105(a) of the Trafficking Victims Protection*  
17   *Act of 2005 (22 U.S.C. 7112(a)) is amended by adding at*  
18   *the end the following:*

19           “(3) *INFORMATION SHARING.—The Secretary of*  
20           *State shall, on a regular basis, provide information*  
21           *relating to child labor and forced labor in the produc-*  
22           *tion of goods in violation of international standards*  
23           *to the Department of Labor to be used in developing*  
24           *the list described in subsection (b)(2)(C).”.*

1 **SEC. 224. GOVERNMENT TRAINING EFFORTS TO INCLUDE**  
2 **THE DEPARTMENT OF LABOR.**

3 *Section 107(c)(4) of the Trafficking Victims Protection*  
4 *Act of 2000 (22 U.S.C. 7105(c)(4)) is amended—*

5 *(1) in the first sentence, by inserting “the De-*  
6 *partment of Labor, the Equal Employment Oppor-*  
7 *tunity Commission,” before “and the Department”;*  
8 *and*

9 *(2) in the second sentence, by inserting “, in con-*  
10 *sultation with the Secretary of Labor,” before “shall*  
11 *provide”.*

12 **SEC. 225. GAO REPORT ON THE USE OF FOREIGN LABOR**  
13 **CONTRACTORS.**

14 *(a) IN GENERAL.—Not later than 2 years after the*  
15 *date of the enactment of this Act, the Comptroller General*  
16 *of the United States shall submit a report on the use of*  
17 *foreign labor contractors to—*

18 *(1) the Committee on the Judiciary of the Sen-*  
19 *ate;*

20 *(2) the Committee on Health, Education, Labor,*  
21 *and Pensions of the Senate;*

22 *(3) the Committee on the Judiciary of the House*  
23 *of Representatives; and*

24 *(4) the Committee on Education and the Work-*  
25 *force of the House of Representatives.*

1       (b) *CONTENTS.*—*The report under subsection (a)*  
2 *should, to the extent possible—*

3           (1) *address the role and practices of United*  
4 *States employers in—*

5               (A) *the use of labor recruiters or brokers; or*

6               (B) *directly recruiting foreign workers;*

7           (2) *analyze the laws that protect such workers,*  
8 *both overseas and domestically;*

9           (3) *describe the oversight and enforcement mech-*  
10 *anisms in Federal departments and agencies for such*  
11 *laws; and*

12           (4) *identify any gaps that may exist in these*  
13 *protections; and*

14           (5) *recommend possible actions for Federal de-*  
15 *partments and agencies to combat any abuses.*

16       (c) *REQUIREMENTS.*—*The report under subsection (a)*  
17 *shall—*

18           (1) *describe the role of labor recruiters or brokers*  
19 *working in countries that are sending workers and re-*  
20 *ceiving funds, including any identified involvement*  
21 *in labor abuses;*

22           (2) *describe the role and practices of employers*  
23 *in the United States that commission labor recruiters*  
24 *or brokers or directly recruit foreign workers;*

1           (3) describe the role of Federal departments and  
2 agencies in overseeing and regulating the foreign  
3 labor recruitment process, including certifying and  
4 enforcing under existing regulations;

5           (4) describe the type of jobs and the numbers of  
6 positions in the United States that have been filled  
7 through foreign workers during each of the last 8  
8 years, including positions within the Federal Govern-  
9 ment;

10          (5) describe any efforts or programs undertaken  
11 by Federal, State and local government entities to en-  
12 courage employers, directly or indirectly, to use for-  
13 eign workers or to reward employers for using foreign  
14 workers; and

15          (6) based on the information required under  
16 paragraphs (1) through (3), identify any common  
17 abuses of foreign workers and the employment system,  
18 including the use of fees and debts, and recommenda-  
19 tions of actions that could be taken by Federal depart-  
20 ments and agencies to combat any identified abuses.

21 **SEC. 226. OVERSIGHT OF DEPARTMENT OF JUSTICE PRO-**  
22 **GRAMS.**

23          All grants awarded by the Attorney General under this  
24 Act shall be subject to the following accountability provi-  
25 sions:



1           (1) *AUDIT REQUIREMENT.*—Beginning in fiscal  
2           year 2012, and in each fiscal year thereafter, the In-  
3           spector General of the Department of Justice shall  
4           conduct an audit of not fewer than 10 percent of all  
5           recipients of grants under this Act to prevent waste,  
6           fraud, and abuse of funds by grantees.

7           (2) *MANDATORY EXCLUSION.*—A recipient of  
8           grant funds under this Act that is found to have an  
9           unresolved audit finding shall not be eligible to re-  
10          ceive grant funds under this Act during the 2 fiscal  
11          years beginning after the 6-month period described in  
12          paragraph (5).

13          (3) *PRIORITY.*—In awarding grants under this  
14          Act, the Attorney General shall give priority to eligi-  
15          ble entities that, during the 3 fiscal years before sub-  
16          mitting an application for a grant under this Act,  
17          did not have an unresolved audit finding showing a  
18          violation in the terms or conditions of a Department  
19          of Justice grant program.

20          (4) *REIMBURSEMENT.*—If an entity is awarded  
21          grant funds under this Act during the 2-fiscal-year  
22          period in which the entity is barred from receiving  
23          grants under paragraph (2), the Attorney General  
24          shall—

1           (A) deposit an amount equal to the grant  
2 funds that were improperly awarded to the  
3 grantee into the General Fund of the Treasury;  
4 and

5           (B) seek to recoup the costs of the repay-  
6 ment to the fund from the grant recipient that  
7 was erroneously awarded grant funds.

8           (5) *DEFINED TERM.*—In this subsection, the  
9 term “unresolved audit finding” means an audit re-  
10 port finding, statement, or recommendation that the  
11 grantee has utilized grant funds for an unauthorized  
12 expenditure or otherwise unallowable cost that is not  
13 closed or resolved within a 6-month period beginning  
14 on the date of an initial notification of the finding  
15 or recommendation.

16           (6) *MATCHING REQUIREMENT.*—

17           (A) *IN GENERAL.*—Unless otherwise explic-  
18 itly provided, no funds may be expended for  
19 grants to non-federal entities until a 25 percent  
20 non-Federal match has been secured by the  
21 grantee to carry out this subsection.

22           (B) *CASH REQUIREMENT.*—Not less than 60  
23 percent of the matching requirement described in  
24 subparagraph (A) shall be in cash.

1           (C) *IN-KIND CONTRIBUTIONS.*—No more  
2           than 40 percent of the matching requirement de-  
3           scribed in subparagraph (A) may be in-kind  
4           contributions. In this subparagraph, the term  
5           “in-kind contributions” means legal or other re-  
6           lated professional services and office space that  
7           directly relate to the purpose for which the grant  
8           was awarded.

9           (7) *NONPROFIT ORGANIZATION REQUIRE-*  
10          *MENTS.*—

11           (A) *DEFINITION.*—For purposes of this sec-  
12           tion and the grant programs described in this  
13           Act, the term “nonprofit organization” means an  
14           organization that is described in section  
15           501(c)(3) of the Internal Revenue Code of 1986  
16           and is exempt from taxation under section  
17           501(a) of such Code.

18           (B) *PROHIBITION.*—The Attorney General  
19           may not award a grant under any grant pro-  
20           gram described in this Act to a nonprofit organi-  
21           zation that holds money in offshore accounts for  
22           the purpose of avoiding paying the tax described  
23           in section 511(a) of the Internal Revenue Code  
24           of 1986.

1           (C) *DISCLOSURE.*—(C) *DISCLOSURE.*—  
2           *Each nonprofit organization that is awarded a*  
3           *grant under a grant program described in this*  
4           *Act and uses the procedures prescribed in regula-*  
5           *tions to create a rebuttable presumption of rea-*  
6           *sonableness for the compensation of its officers,*  
7           *directors, trustees and key employees, shall dis-*  
8           *close to the Attorney General, in the application*  
9           *for the grant, the process for determining such*  
10           *compensation, including the independent persons*  
11           *involved in reviewing and approving such com-*  
12           *penensation, the comparability data used, and con-*  
13           *temporaneous substantiation of the deliberation*  
14           *and decision. Upon request, the Attorney General*  
15           *shall make the information disclosed under this*  
16           *subsection available for public inspection.*

17           (8) *ADMINISTRATIVE EXPENSES.*—*Not more than*  
18           *5 percent of the amounts authorized to be appro-*  
19           *priated in any fiscal year under subsections (b)(2)*  
20           *and (f) of section 107(f) of the Trafficking Victims*  
21           *Protection Act of 2000, section 204 of the Trafficking*  
22           *Victims Protection Reauthorization Act of 2005, and*  
23           *section 231 of this Act may be used by the Attorney*  
24           *General for salaries and administrative expenses of*  
25           *the Department of Justice.*

1 (9) *CONFERENCE EXPENDITURES.*—

2 (A) *LIMITATION.*—No amounts authorized  
3 to be appropriated to the Department of Justice  
4 under this Act may be used by the Attorney Gen-  
5 eral, or by any individual or organization  
6 awarded funds under this Act, to host or support  
7 any expenditure for conferences, unless the Dep-  
8 uty Attorney General or the appropriate Assist-  
9 ant Attorney General provides prior written au-  
10 thorization that the funds may be expended to  
11 host a conference.

12 (B) *WRITTEN APPROVAL.*—Written ap-  
13 proval under subparagraph (A) may not be dele-  
14 gated and shall include a written estimate of all  
15 costs associated with the conference, including  
16 the cost of all food and beverages, audio/visual  
17 equipment, honoraria for speakers, and any en-  
18 tertainment.

19 (C) *REPORT.*—The Deputy Attorney Gen-  
20 eral shall submit an annual report to the Com-  
21 mittee on the Judiciary of the Senate and the  
22 Committee on the Judiciary of the House of Rep-  
23 resentatives on all conference expenditures ap-  
24 proved and denied.

25 (10) *PROHIBITION ON LOBBYING ACTIVITY.*—

1           (A) *IN GENERAL.*—Amounts authorized to  
2           be appropriated under this Act may not be uti-  
3           lized by any grant recipient to—

4                   (i) lobby any representative of the De-  
5                   partment of Justice regarding the award of  
6                   grant funding; or

7                   (ii) lobby any representative of a fed-  
8                   eral, state, local, or tribal government re-  
9                   garding the award of grant funding.

10           (B) *PENALTY.*—If the Attorney General de-  
11           termines that any recipient of a grant under this  
12           Act has violated subparagraph (A), the Attorney  
13           General shall—

14                   (i) require the grant recipient to repay  
15                   the grant in full; and

16                   (ii) prohibit the grant recipient from  
17                   receiving another grant under this Act for  
18                   not less than 5 years.

19           (11) *ANNUAL CERTIFICATION.*—Beginning in the  
20           first fiscal year beginning after the date of the enact-  
21           ment of this Act, the Assistant Attorney General for  
22           the Office of Justice Programs shall submit, to Com-  
23           mittee on the Judiciary of the Senate , the Committee  
24           on Appropriations of the Senate, the Committee on  
25           the Judiciary of the House of Representatives, and the

1        *Committee on Appropriations of the House of Rep-*  
2        *resentatives, an annual certification that—*

3                *(A) all audits issued by the Office of the In-*  
4                *pector General under paragraph (1) have been*  
5                *completed and reviewed by the Assistant Attor-*  
6                *ney General for the Office of Justice Programs;*

7                *(B) all mandatory exclusions required*  
8                *under paragraph (2) have been issued;*

9                *(C) all reimbursements required under*  
10               *paragraph (4) have been made; and*

11               *(D) includes a list of any grant recipients*  
12               *excluded under paragraph (2) from the previous*  
13               *year.*

14        ***Subtitle D—Enhancing State and***  
15        ***Local Efforts to Combat Traf-***  
16        ***ficking in Persons***

17        ***SEC. 231. ASSISTANCE FOR DOMESTIC MINOR SEX TRAF-***  
18        ***FICKING VICTIMS.***

19               *(a) IN GENERAL.—Section 202 of the Trafficking Vic-*  
20               *tims Protection Reauthorization Act of 2005 (42 U.S.C.*  
21               *14044a) is amended to read as follows:*

1 **“SEC. 202. ESTABLISHMENT OF A GRANT PROGRAM TO DE-**  
2 **VELOP, EXPAND, AND STRENGTHEN ASSIST-**  
3 **ANCE PROGRAMS FOR CERTAIN PERSONS**  
4 **SUBJECT TO TRAFFICKING.**

5 “(a) *DEFINITIONS.—In this section:*

6 “(1) *ASSISTANT SECRETARY.—The term ‘Assist-*  
7 *ant Secretary’ means the Assistant Secretary for Chil-*  
8 *dren and Families of the Department of Health and*  
9 *Human Services.*

10 “(2) *ASSISTANT ATTORNEY GENERAL.—The term*  
11 *‘Assistant Attorney General’ means the Assistant At-*  
12 *torney General for the Office of Justice Programs of*  
13 *the Department of Justice.*

14 “(3) *ELIGIBLE ENTITY.—The term ‘eligible enti-*  
15 *ty’ means a State or unit of local government that—*

16 “(A) *has significant criminal activity in-*  
17 *volving sex trafficking of minors;*

18 “(B) *has demonstrated cooperation between*  
19 *Federal, State, local, and, where applicable, trib-*  
20 *al law enforcement agencies, prosecutors, and so-*  
21 *cial service providers in addressing sex traf-*  
22 *ficking of minors;*

23 “(C) *has developed a workable, multi-dis-*  
24 *ciplinary plan to combat sex trafficking of mi-*  
25 *nors, including—*



1           “(i) building or establishing a residen-  
2           tial care facility for minor victims of sex  
3           trafficking;

4           “(ii) the provision of rehabilitative  
5           care to minor victims of sex trafficking;

6           “(iii) the provision of specialized  
7           training for law enforcement officers and  
8           social service providers for all forms of sex  
9           trafficking, with a focus on sex trafficking  
10          of minors;

11          “(iv) prevention, deterrence, and pros-  
12          ecution of offenses involving sex trafficking  
13          of minors;

14          “(v) cooperation or referral agreements  
15          with organizations providing outreach or  
16          other related services to runaway and home-  
17          less youth; and

18          “(vi) law enforcement protocols or pro-  
19          cedures to screen all individuals arrested for  
20          prostitution, whether adult or minor, for  
21          victimization by sex trafficking and by  
22          other crimes, such as sexual assault and do-  
23          mestic violence; and

24          “(D) provides assurance that a minor vic-  
25          tim of sex trafficking shall not be required to col-

1           *laborate with law enforcement to have access to*  
2           *residential care or services provided with a grant*  
3           *under this section.*

4           “(4) *MINOR VICTIM OF SEX TRAFFICKING.*—*The*  
5           *term ‘minor victim of sex trafficking’ means an indi-*  
6           *vidual who—*

7                   “(A) *is younger than 18 years of age, and*  
8                   *is a victim of an offense described in section*  
9                   *1591(a) of title 18, United States Code, or a*  
10                  *comparable State law; or*

11                   “(B)(i) *is not younger than 18 years of age*  
12                   *nor older than 20 years of age;*

13                   “(ii) *before the individual reached 18 years*  
14                   *of age, was described in subparagraph (A); and*

15                   “(iii) *was receiving shelter or services as a*  
16                   *minor victim of sex trafficking.*

17           “(5) *QUALIFIED NONGOVERNMENTAL ORGANIZA-*  
18           *TION.*—*The term ‘qualified nongovernmental organi-*  
19           *zation’ means an organization that—*

20                   “(A) *is not a State or unit of local govern-*  
21                   *ment, or an agency of a State or unit of local*  
22                   *government;*

23                   “(B) *has demonstrated experience providing*  
24                   *services to victims of sex trafficking or related*  
25                   *populations (such as runaway and homeless*

1 youth), or employs staff specialized in the treat-  
2 ment of sex trafficking victims; and

3 “(C) demonstrates a plan to sustain the  
4 provision of services beyond the period of a grant  
5 awarded under this section.

6 “(6) *SEX TRAFFICKING OF A MINOR.*—The term  
7 ‘sex trafficking of a minor’ means an offense described  
8 in section 1591(a) of title 18, United States Code, or  
9 a comparable State law, against a minor.

10 “(b) *SEX TRAFFICKING BLOCK GRANTS.*—

11 “(1) *GRANTS AUTHORIZED.*—

12 “(A) *IN GENERAL.*—The Assistant Attorney  
13 General, in consultation with the Assistant Sec-  
14 retary, may make block grants to 4 eligible enti-  
15 ties located in different regions of the United  
16 States to combat sex trafficking of minors.

17 “(B) *REQUIREMENT.*—Not fewer than 1 of  
18 the block grants made under subparagraph (A)  
19 shall be awarded to an eligible entity with a  
20 State population of less than 5,000,000.

21 “(C) *GRANT AMOUNT.*—Subject to the avail-  
22 ability of appropriations under subsection (g) to  
23 carry out this section, each grant made under  
24 this section shall be for an amount not less than  
25 \$1,500,000 and not greater than \$2,000,000.

1                   “(D) *DURATION.*—

2                   “(i) *IN GENERAL.*—*A grant made*  
3                   *under this section shall be for a period of 1*  
4                   *year.*

5                   “(ii) *RENEWAL.*—

6                   “(I) *IN GENERAL.*—*The Assistant*  
7                   *Attorney General may renew a grant*  
8                   *under this section for up to 3 1-year*  
9                   *periods.*

10                  “(II) *PRIORITY.*—*In making*  
11                  *grants in any fiscal year after the first*  
12                  *fiscal year in which grants are made*  
13                  *under this section, the Assistant Attor-*  
14                  *ney General shall give priority to an*  
15                  *eligible entity that received a grant in*  
16                  *the preceding fiscal year and is eligible*  
17                  *for renewal under this subparagraph,*  
18                  *taking into account any evaluation of*  
19                  *the eligible entity conducted under*  
20                  *paragraph (4), if available.*

21                  “(E) *CONSULTATION.*—*In carrying out this*  
22                  *section, the Assistant Attorney General shall con-*  
23                  *sult with the Assistant Secretary with respect*  
24                  *to—*

1                   “(i) evaluations of grant recipients  
2                   under paragraph (4);

3                   “(ii) avoiding unintentional duplica-  
4                   tion of grants; and

5                   “(iii) any other areas of shared con-  
6                   cern.

7                   “(2) USE OF FUNDS.—

8                   “(A) ALLOCATION.—Not less than 67 per-  
9                   cent of each grant made under paragraph (1)  
10                  shall be used by the eligible entity to provide res-  
11                  idential care and services (as described in  
12                  clauses (i) through (iv) of subparagraph (B)) to  
13                  minor victims of sex trafficking through quali-  
14                  fied nongovernmental organizations.

15                  “(B) AUTHORIZED ACTIVITIES.—Grants  
16                  awarded pursuant to paragraph (2) may be used  
17                  for—

18                         “(i) providing residential care to  
19                         minor victims of sex trafficking, including  
20                         temporary or long-term placement as ap-  
21                         propriate;

22                         “(ii) providing 24-hour emergency so-  
23                         cial services response for minor victims of  
24                         sex trafficking;

1           “(iii) providing minor victims of sex  
2 trafficking with clothing and other daily ne-  
3 cessities needed to keep such victims from  
4 returning to living on the street;

5           “(iv) case management services for  
6 minor victims of sex trafficking;

7           “(v) mental health counseling for  
8 minor victims of sex trafficking, including  
9 specialized counseling and substance abuse  
10 treatment;

11           “(vi) legal services for minor victims of  
12 sex trafficking;

13           “(vii) specialized training for social  
14 service providers, public sector personnel,  
15 and private sector personnel likely to en-  
16 counter sex trafficking victims on issues re-  
17 lated to the sex trafficking of minors and se-  
18 vere forms of trafficking in persons;

19           “(viii) outreach and education pro-  
20 grams to provide information about deter-  
21 rence and prevention of sex trafficking of  
22 minors;

23           “(ix) programs to provide treatment to  
24 individuals charged or cited with pur-

1           *chasing or attempting to purchase sex acts*  
2           *in cases where—*

3                   “(I) *a treatment program can be*  
4                   *mandated as a condition of a sentence,*  
5                   *fine, suspended sentence, or probation,*  
6                   *or is an appropriate alternative to*  
7                   *criminal prosecution; and*

8                   “(II) *the individual was not*  
9                   *charged with purchasing or attempting*  
10                   *to purchase sex acts with a minor; and*

11                   “(x) *screening and referral of minor*  
12                   *victims of severe forms of trafficking in per-*  
13                   *sons.*

14           “(3) *APPLICATION.—*

15                   “(A) *IN GENERAL.—Each eligible entity de-*  
16                   *siring a grant under this section shall submit an*  
17                   *application to the Assistant Attorney General at*  
18                   *such time, in such manner, and accompanied by*  
19                   *such information as the Assistant Attorney Gen-*  
20                   *eral may reasonably require.*

21                   “(B) *CONTENTS.—Each application sub-*  
22                   *mitted pursuant to subparagraph (A) shall—*

23                   “(i) *describe the activities for which*  
24                   *assistance under this section is sought; and*

1                   “(ii) provide such additional assur-  
2                   ances as the Assistant Attorney General de-  
3                   termines to be essential to ensure compli-  
4                   ance with the requirements of this section.

5                   “(4) *EVALUATION.*—The Assistant Attorney Gen-  
6                   eral shall enter into a contract with an academic or  
7                   non-profit organization that has experience in issues  
8                   related to sex trafficking of minors and evaluation of  
9                   grant programs to conduct an annual evaluation of  
10                  each grant made under this section to determine the  
11                  impact and effectiveness of programs funded with the  
12                  grant.

13                  “(c) *MANDATORY EXCLUSION.*—An eligible entity that  
14                  receives a grant under this section that is found to have  
15                  utilized grant funds for any unauthorized expenditure or  
16                  otherwise unallowable cost shall not be eligible for any grant  
17                  funds awarded under the grant for 2 fiscal years following  
18                  the year in which the unauthorized expenditure or unallow-  
19                  able cost is reported.

20                  “(d) *COMPLIANCE REQUIREMENT.*—An eligible entity  
21                  shall not be eligible to receive a grant under this section  
22                  if, during the 5 fiscal years before the eligible entity submits  
23                  an application for the grant, the eligible entity has been  
24                  found to have violated the terms or conditions of a Govern-



1 *ment grant program by utilizing grant funds for unauthor-*  
2 *ized expenditures or otherwise unallowable costs.*

3       “(e) *ADMINISTRATIVE CAP.*—*The cost of administering*  
4 *the grants authorized by this section shall not exceed 3 per-*  
5 *cent of the total amount appropriated to carry out this sec-*  
6 *tion.*

7       “(f) *AUDIT REQUIREMENT.*—*For fiscal years 2014 and*  
8 *2015, the Inspector General of the Department of Justice*  
9 *shall conduct an audit of all 4 eligible entities that receive*  
10 *block grants under this section.*

11       “(g) *MATCH REQUIREMENT.*—*An eligible entity that*  
12 *receives a grant under this section shall provide a non-Fed-*  
13 *eral match in an amount equal to not less than—*

14               “(1) *15 percent of the grant during the first*  
15 *year;*

16               “(2) *25 percent of the grant during the first re-*  
17 *newal period;*

18               “(3) *40 percent of the grant during the second*  
19 *renewal period; and*

20               “(4) *50 percent of the grant during the third re-*  
21 *newal period.*

22       “(h) *NO LIMITATION ON SECTION 204 GRANTS.*—*An*  
23 *entity that applies for a grant under section 204 is not pro-*  
24 *hibited from also applying for a grant under this section.*

1       “(i) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*  
2 *authorized to be appropriated \$8,000,000 to the Attorney*  
3 *General for each of the fiscal years 2012 through 2015 to*  
4 *carry out this section.*

5       “(j) *GAO EVALUATION.*—*Not later than 30 months*  
6 *after the date of the enactment of this Act, the Comptroller*  
7 *General of the United States shall submit a report to Con-*  
8 *gress that contains—*

9               “(1) *an evaluation of the impact of this section*  
10 *in aiding minor victims of sex trafficking in the ju-*  
11 *risdiction of the entity receiving the grant; and*

12               “(2) *recommendations, if any, regarding any*  
13 *legislative or administrative action the Comptroller*  
14 *General determines appropriate.”.*

15       “(b) *SUNSET PROVISION.*—*The amendment made by*  
16 *subsection (a) shall be effective during the 4-year period be-*  
17 *ginning on the date of the enactment of this Act.*

18 **SEC. 232. EXPANDING LOCAL LAW ENFORCEMENT GRANTS**  
19 **FOR INVESTIGATIONS AND PROSECUTIONS**  
20 **OF TRAFFICKING.**

21       *Section 204 of the Trafficking Victims Protection Re-*  
22 *authorization Act of 2005 (42 U.S.C. 14044c) is amended—*

23               (1) *in subsection (a)(1)—*

1           (A) in subparagraph (A), by striking “,  
2           which involve United States citizens, or aliens  
3           admitted for permanent residence, and”;

4           (B) by redesignating subparagraphs (B),  
5           (C), and (D) as subparagraphs (C), (D), and  
6           (E), respectively; and

7           (C) by inserting after subparagraph (A) the  
8           following:

9           “(B) to train law enforcement personnel  
10           how to identify victims of severe forms of traf-  
11           ficking in persons and related offenses;”;

12           (D) in subparagraph (C), as redesignated,  
13           by inserting “and prioritize the investigations  
14           and prosecutions of those cases involving minor  
15           victims” after “sex acts”;

16           (2) by redesignating subsection (d) as subsection  
17           (e);

18           (3) by inserting after subsection (c) the fol-  
19           lowing:

20           “(d) NO LIMITATION ON SECTION 202 GRANT APPLI-  
21           CATIONS.—An entity that applies for a grant under section  
22           202 is not prohibited from also applying for a grant under  
23           this section.”;

24           (4) in subsection (e), as redesignated, by striking  
25           “\$20,000,000 for each of the fiscal years 2008 through

1       2011” and inserting “\$10,000,000 for each of the fis-  
2       cal years 2012 through 2015”; and

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

4       “(f) *GAO EVALUATION AND REPORT.*—Not later than  
5       30 months after the date of enactment of this Act, the Comp-  
6       troller General of the United States shall conduct a study  
7       of and submit to Congress a report evaluating the impact  
8       of this section on—

9               “(1) the ability of law enforcement personnel to  
10       identify victims of severe forms of trafficking in per-  
11       sons and investigate and prosecute cases against of-  
12       fenders, including offenders who engage in the pur-  
13       chasing of commercial sex acts with a minor; and

14              “(2) recommendations, if any, regarding any  
15       legislative or administrative action the Comptroller  
16       General determines appropriate to improve the abil-  
17       ity described in paragraph (1).”.

18       **SEC. 233. MODEL STATE CRIMINAL LAW PROTECTION FOR**  
19                       **CHILD TRAFFICKING VICTIMS AND SUR-**  
20                       **VIVORS.**

21       Section 225(b) of the Trafficking Victims Reauthoriza-  
22       tion Act of 2008 (22 U.S.C. 7101 note) is amended—

23              (1) in paragraph (1), by striking “and” at the  
24       end;

1           (2) by redesignating paragraph (2) as para-  
2 graph (3); and

3           (3) by inserting after paragraph (1) the fol-  
4 lowing:

5           “(2) protects children exploited through prostitu-  
6 tion by including safe harbor provisions that—

7                 “(A) treat an individual under 18 years of  
8 age who has been arrested for engaging in, or at-  
9 tempting to engage in, a sexual act with another  
10 person in exchange for monetary compensation  
11 as a victim of a severe form of trafficking in per-  
12 sons;

13                 “(B) prohibit the charging or prosecution of  
14 an individual described in subparagraph (A) for  
15 a prostitution offense;

16                 “(C) require the referral of an individual  
17 described in subparagraph (A) to appropriate  
18 service providers, including comprehensive serv-  
19 ice or community-based programs that provide  
20 assistance to child victims of commercial sexual  
21 exploitation; and

22                 “(D) provide that an individual described  
23 in subparagraph (A) shall not be required to  
24 prove fraud, force, or coercion in order to receive  
25 the protections described under this paragraph;”.

1 **TITLE III—AUTHORIZATION OF**  
 2 **APPROPRIATIONS**

3 **SEC. 301. ADJUSTMENT OF AUTHORIZATION LEVELS FOR**  
 4 **THE TRAFFICKING VICTIMS PROTECTION ACT**  
 5 **OF 2000.**

6 *The Trafficking Victims Protection Act of 2000 (22*  
 7 *U.S.C. 7101 et seq.) is amended—*

8 (1) *in section 112A(b)(4) (22 U.S.C.*  
 9 *7109a(b)(4))—*

10 (A) *by striking “\$2,000,000” and inserting*  
 11 *“\$1,000,000”; and*

12 (B) *by striking “2008 through 2011” and*  
 13 *inserting “2012 through 2015”; and*

14 (2) *in section 113 (22 U.S.C. 7110)—*

15 (A) *subsection (a)—*

16 (i) *by striking “\$5,500,000 for each of*  
 17 *the fiscal years 2008 through 2011” each*  
 18 *place it appears and inserting “\$2,000,000*  
 19 *for each of the fiscal years 2012 through*  
 20 *2015”;*

21 (ii) *by inserting “, including regional*  
 22 *trafficking in persons officers,” after “for*  
 23 *additional personnel,”; and*

24 (iii) *by striking “, and \$3,000 for offi-*  
 25 *cial reception and representation expenses”;*

1 (B) in subsection (b)—

2 (i) in paragraph (1), by striking  
3 “\$12,500,000 for each of the fiscal years  
4 2008 through 2011” and inserting  
5 “\$14,500,000 for each of the fiscal years  
6 2012 through 2015”; and

7 (ii) in paragraph (2), by striking “to  
8 the Secretary of Health and Human Serv-  
9 ices” and all that follows and inserting  
10 “\$8,000,000 to the Secretary of Health and  
11 Human Services for each of the fiscal years  
12 2012 through 2015.”;

13 (C) in subsection (c)(1)—

14 (i) in subparagraph (A), by striking  
15 “2008 through 2011” each place it appears  
16 and inserting “2012 through 2015”;

17 (ii) in subparagraph (B)—

18 (I) by striking “\$15,000,000 for  
19 fiscal year 2003 and \$10,000,000 for  
20 each of the fiscal years 2008 through  
21 2011” and inserting “\$10,000,000 for  
22 each of the fiscal years 2012 through  
23 2015”; and

1                   (ii) by striking “2008 through  
2                   2011” and inserting “2012 through  
3                   2015”; and

4                   (iii) in subparagraph (C), by striking  
5                   “2008 through 2011” and inserting “2012  
6                   through 2015”;

7                   (D) in subsection (d)—

8                   (i) by redesignating subparagraphs (A)  
9                   through (C) as paragraphs (1) through (3),  
10                  respectively, and moving such paragraphs 2  
11                  ems to the left;

12                  (ii) in the paragraph (1), as redesign-  
13                  ated, by striking “\$10,000,000 for each of  
14                  the fiscal years 2008 through 2011” and in-  
15                  serting “\$11,000,000 for each of the fiscal  
16                  years 2012 through 2015”; and

17                  (iii) in paragraph (3), as redesignated,  
18                  by striking “to the Attorney General” and  
19                  all that follows and inserting “\$11,000,000  
20                  to the Attorney General for each of the fiscal  
21                  years 2012 through 2015.”;

22                  (E) in subsection (e)—

23                  (i) in paragraph (1), by striking  
24                  “\$15,000,000 for each of the fiscal years  
25                  2008 through 2011” and inserting



1           “\$7,500,000 for each of the fiscal years 2012  
2           through 2015”; and

3           (ii) in paragraph (2), by striking  
4           “\$15,000,000 for each of the fiscal years  
5           2008 through 2011” and inserting  
6           “\$7,500,000 for each of the fiscal years 2012  
7           through 2015”;

8           (F) in subsection (f), by striking  
9           “\$10,000,000 for each of the fiscal years 2008  
10          through 2011” and inserting “\$5,000,000 for  
11          each of the fiscal years 2012 through 2015”; and

12          (G) in subsection (i), by striking  
13          “\$18,000,000 for each of the fiscal years 2008  
14          through 2011” and inserting “\$10,000,000 for  
15          each of the fiscal years 2012 through 2015”.

16 **SEC. 302. ADJUSTMENT OF AUTHORIZATION LEVELS FOR**  
17                   **THE TRAFFICKING VICTIMS PROTECTION RE-**  
18                   **AUTHORIZATION ACT OF 2005.**

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

21           (1) by striking section 102(b)(7); and

22           (2) in section 201(c)(2), by striking “\$1,000,000  
23           for each of the fiscal years 2008 through 2011” and  
24           inserting “\$250,000 for each of the fiscal years 2012  
25           through 2015”.

1           **TITLE IV—UNACCOMPANIED**  
 2                           **ALIEN CHILDREN**

3   **SEC. 401. APPROPRIATE CUSTODIAL SETTINGS FOR UNAC-**  
 4                           **COMPANIED MINORS WHO REACH THE AGE**  
 5                           **OF MAJORITY WHILE IN FEDERAL CUSTODY.**

6           *Section 235(c)(2) of the William Wilberforce Traf-*  
 7   *ficking Victims Protection Reauthorization Act of 2008 (8*  
 8   *U.S.C. 1232(c)(2)) is amended—*

9                   (1) *by striking “Subject to” and inserting the*  
 10           *following:*

11                           “(A) *MINORS IN DEPARTMENT OF HEALTH*  
 12                           *AND HUMAN SERVICES CUSTODY.—Subject to”;*  
 13                           *and*

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

15                           “(B) *ALIENS TRANSFERRED FROM DEPART-*  
 16                           *MENT OF HEALTH AND HUMAN SERVICES TO DE-*  
 17                           *PARTMENT OF HOMELAND SECURITY CUSTODY.—*  
 18                           *If a minor described in subparagraph (A)*  
 19                           *reaches 18 years of age and is transferred to the*  
 20                           *custody of the Secretary of Homeland Security,*  
 21                           *the Secretary shall consider placement in the*  
 22                           *least restrictive setting available after taking*  
 23                           *into account the alien’s danger to self, danger to*  
 24                           *the community, and risk of flight. Such aliens*  
 25                           *shall be eligible to participate in alternative to*

1           *detention programs, utilizing a continuum of al-*  
 2           *ternatives based on the alien’s need for super-*  
 3           *vision, which may include placement of the alien*  
 4           *with an individual or an organizational sponsor,*  
 5           *or in a supervised group home.”.*

6   **SEC. 402. APPOINTMENT OF CHILD ADVOCATES FOR UNAC-**  
 7                                   **COMPANIED MINORS.**

8           *Section 235(c)(6) of the William Wilberforce Traf-*  
 9           *ficking Victims Protection Reauthorization Act of 2008 (8*  
 10          *U.S.C. 1232(c)(6)) is amended—*

11                   *(1) by striking “The Secretary” and inserting*  
 12          *the following:*

13                                   *“(A) IN GENERAL.—The Secretary”; and*

14                                   *(2) by striking “and criminal”; and*

15                                   *(3) by adding at the end the following:*

16                                   *“(B) APPOINTMENT OF CHILD ADVO-*  
 17                                   *CATES.—*

18   *“(i) INITIAL SITES.—Not later than 2*  
 19   *years after the date of the enactment of the*  
 20   *Trafficking Victims Protection Reauthoriza-*  
 21   *tion Act of 2011, the Secretary of Health*  
 22   *and Human Services shall appoint child*  
 23   *advocates at 3 new immigration detention*  
 24   *sites to provide independent child advocates*

1           *for trafficking victims and vulnerable unac-*  
2           *companied alien children.*

3           “(ii) *ADDITIONAL SITES.*—*Not later*  
4           *than 3 years after the date of the enactment*  
5           *of the Trafficking Victims Protection Reau-*  
6           *thorization Act of 2011, the Secretary shall*  
7           *appoint child advocates at not more than 3*  
8           *additional immigration detention sites.*

9           “(iii) *SELECTION OF SITES.*—*Sites at*  
10           *which child advocate programs will be es-*  
11           *tablished under this subparagraph shall be*  
12           *located at immigration detention sites at*  
13           *which more than 50 children are held in*  
14           *immigration custody, and shall be selected*  
15           *sequentially, with priority given to loca-*  
16           *tions with—*

17                   “(I) *the largest number of unac-*  
18                   *companied alien children; and*

19                   “(II) *the most vulnerable popu-*  
20                   *lations of unaccompanied children.*

21           “(C) *RESTRICTIONS.*—

22                   “(i) *ADMINISTRATIVE EXPENSES.*—*A*  
23                   *child advocate program may not use more*  
24                   *than 10 percent of the Federal funds received*

1           *under this section for administrative ex-*  
2           *penses.*

3           “(ii) *NONEXCLUSIVITY.*—*Nothing in*  
4           *this section may be construed to restrict the*  
5           *ability of a child advocate program under*  
6           *this section to apply for or obtain funding*  
7           *from any other source to carry out the pro-*  
8           *grams described in this section.*

9           “(iii) *CONTRIBUTION OF FUNDS.*—*A*  
10          *child advocate program selected under this*  
11          *section shall contribute non-Federal funds,*  
12          *either directly or through in-kind contribu-*  
13          *tions, to the costs of the child advocate pro-*  
14          *gram in an amount that is not less than 25*  
15          *percent of the total amount of Federal funds*  
16          *received by the child advocate program*  
17          *under this section. In-kind contributions*  
18          *may not exceed 40 percent of the matching*  
19          *requirement under this clause.*

20          “(D) *ANNUAL REPORT TO CONGRESS.*—*Not*  
21          *later than 1 year after the date of the enactment*  
22          *of the Trafficking Victims Protection Reauthor-*  
23          *ization Act of 2011, and annually thereafter, the*  
24          *Secretary of Health and Human Services shall*  
25          *submit a report describing the activities under-*

1           *taken by the Secretary to authorize the appoint-*  
2           *ment of independent Child Advocates for traf-*  
3           *ficking victims and vulnerable unaccompanied*  
4           *alien children to the Committee on the Judiciary*  
5           *of the Senate and the Committee on the Judici-*  
6           *ary of the House of Representatives.*

7           “(E) *ASSESSMENT OF CHILD ADVOCATE*  
8           *PROGRAM.—*

9           “(i) *IN GENERAL.—As soon as prac-*  
10           *ticable after the date of the enactment of the*  
11           *Trafficking Victims Protection Reauthoriza-*  
12           *tion Act of 2011, the Comptroller General of*  
13           *the United States shall conduct a study re-*  
14           *garding the effectiveness of the Child Advo-*  
15           *cate Program operated by the Secretary of*  
16           *Health and Human Services.*

17           “(ii) *MATTERS TO BE STUDIED.—In*  
18           *the study required under clause (i), the*  
19           *Comptroller General shall— collect infor-*  
20           *mation and analyze the following:*

21           “(I) *analyze the effectiveness of ex-*  
22           *isting child advocate programs in im-*  
23           *proving outcomes for trafficking vic-*  
24           *tims and other vulnerable unaccom-*  
25           *panied alien children;*

1           “(II) evaluate the implementation  
2 of child advocate programs in new sites  
3 pursuant to subparagraph (B);

4           “(III) evaluate the extent to which  
5 eligible trafficking victims and other  
6 vulnerable unaccompanied children are  
7 receiving child advocate services and  
8 assess the possible budgetary implica-  
9 tions of increased participation in the  
10 program;

11           “(IV) evaluate the barriers to im-  
12 proving outcomes for trafficking vic-  
13 tims and other vulnerable unaccom-  
14 panied children; and

15           “(V) make recommendations on  
16 statutory changes to improve the Child  
17 Advocate Program in relation to the  
18 matters analyzed under subclauses (I)  
19 through (IV).

20           “(iii) GAO REPORT.—Not later than 3  
21 years after the date of the enactment of this  
22 Act, the Comptroller General of the United  
23 States shall submit the results of the study  
24 required under this subparagraph to—

1                   “(I) the Committee on the Judici-  
2                   ary of the Senate;

3                   “(II) the Committee on Health,  
4                   Education, Labor, and Pensions of the  
5                   Senate;

6                   “(III) the Committee on the Judi-  
7                   ciary of the House of Representatives;  
8                   and

9                   “(IV) the Committee on Edu-  
10                  cation and the Workforce of the House  
11                  of Representatives.

12                  “(F) AUTHORIZATION OF APPROPRIA-  
13                  TIONS.—There are authorized to be appropriated  
14                  to the Secretary and Human Services to carry  
15                  out this subsection—

16                         “(i) \$1,000,000 for each of the fiscal  
17                         years 2012 and 2013; and

18                         “(ii) \$2,000,000 for each of the fiscal  
19                         years 2014 and 2015.”.

20 **SEC. 403. ACCESS TO FEDERAL FOSTER CARE AND UNAC-**  
21 **COMPANIED REFUGEE MINOR PROTECTIONS**  
22 **FOR CERTAIN U VISA RECIPIENTS.**

23                  Section 235(d)(4) of the William Wilberforce Traf-  
24                  ficking Victims Protection Reauthorization Act of 2008 (8  
25                  U.S.C. 1232(d)(4)) is amended—



1           (1) *in subparagraph (A),*  
 2                 *(A) by striking “either”;*  
 3                 *(B) by striking “or who” and inserting a*  
 4                 *comma; and*  
 5                 *(C) by inserting “, or has been granted sta-*  
 6                 *tus under section 101(a)(15)(U) of the Immigra-*  
 7                 *tion and Nationality Act (8 U.S.C.*  
 8                 *1101(a)(15)(U)),” before “, shall be eligible”;* and  
 9           (2) *in subparagraph (B), by inserting “, or sta-*  
 10           *tus under section 101(a)(15)(U) of the Immigration*  
 11           *and Nationality Act (8 U.S.C. 1101(a)(15)(U)),”*  
 12           *after “(8 U.S.C. 1101(a)(27)(J))”.*

13 **SEC. 404. GAO STUDY OF THE EFFECTIVENESS OF BORDER**  
 14                 **SCREENINGS.**

15           (a) *STUDY.—*

16                 (1) *IN GENERAL.—The Comptroller General of*  
 17                 *the United States shall conduct a study examining*  
 18                 *the effectiveness of screenings conducted by Depart-*  
 19                 *ment of Homeland Security personnel in carrying out*  
 20                 *section 235(a)(4) of the William Wilberforce Traf-*  
 21                 *ficking Victims Protection Reauthorization Act of*  
 22                 *2008 (8 U.S.C. 1232(a)(4)).*

23                 (2) *STUDY.—In carrying out paragraph (1), the*  
 24                 *Comptroller General shall take into account—*

1           (A) *the degree to which Department of*  
2 *Homeland Security personnel are adequately en-*  
3 *sureing that—*

4           (i) *all children are being screened to*  
5 *determine whether they are described in sec-*  
6 *tion 235(a)(2)(A) of the William Wilber-*  
7 *force Trafficking Victims Protection Reau-*  
8 *thorization Act;*

9           (ii) *appropriate and reliable deter-*  
10 *minations are being made about whether*  
11 *children are described in section*  
12 *235(a)(2)(A) of such Act, including deter-*  
13 *minations of the age of such children;*

14           (iii) *children are repatriated in an ap-*  
15 *propriate manner, consistent with clauses*  
16 *(i) through (iii) of section 235(a)(2)(C) of*  
17 *such Act;*

18           (iv) *children are appropriately being*  
19 *permitted to withdraw their applications*  
20 *for admission, in accordance with section*  
21 *235(a)(2)(B)(i) of such Act;*

22           (v) *children are being properly cared*  
23 *for while they are in the custody of the De-*  
24 *partment of Homeland Security and await-*  
25 *ing repatriation or transfer to the custody*

1           *of the Secretary of Health and Human*  
2           *Services; and*

3                   *(vi) children are being transferred to*  
4           *the custody of the Secretary of Health and*  
5           *Human Services in a manner that is con-*  
6           *sistent with such Act; and*

7                   *(B) the number of such children that have*  
8           *been transferred to the custody of the Department*  
9           *of Health and Human Services, the Federal*  
10          *funds expended to maintain custody of such chil-*  
11          *dren, and the Federal benefits available to such*  
12          *children, if any.*

13                   *(3) ACCESS TO DEPARTMENT OF HOMELAND SE-*  
14          *CURITY OPERATIONS.—*

15                   *(A) IN GENERAL.—Except as provided in*  
16          *subparagraph (B), for the purposes of conducting*  
17          *the study described in subsection (a), the Sec-*  
18          *retary shall provide the Comptroller General*  
19          *with unrestricted access to all stages of*  
20          *screenings and other interactions between De-*  
21          *partment of Homeland Security personnel and*  
22          *children encountered by the Comptroller General.*

23                   *(B) EXCEPTIONS.—The Secretary shall not*  
24          *permit unrestricted access under subparagraph*  
25          *(A) if the Secretary determines that the security*

1           *of a particular interaction would be threatened*  
2           *by such access.*

3           **(b) REPORT TO CONGRESS.**—*Not later than 2 years*  
4 *after the date of the commencement of the study described*  
5 *in subsection (a), the Comptroller General of the United*  
6 *States shall submit a report to the Committee on the Judici-*  
7 *ary of the Senate and the Committee on the Judiciary of*  
8 *the House of Representatives that contains the Commis-*  
9 *sion's findings and recommendations.*



**Calendar No. 193**

112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 1301**

**A BILL**

To authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

OCTOBER 13, 2011

Reported with an amendment