

117TH CONGRESS
2D SESSION

S. 3949

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

IN THE SENATE OF THE UNITED STATES

MARCH 29, 2022

Mr. GRASSLEY (for himself and Mrs. FEINSTEIN) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Trafficking Victims
5 Prevention and Protection Reauthorization Act of 2022”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—COMBATING TRAFFICKING IN PERSONS IN THE UNITED
STATES

Subtitle A—Programs To Support Young Victims Who Are Vulnerable to
Human Trafficking

- Sec. 101. Authority to award competitive grants to enhance collaboration between State child welfare and juvenile justice systems.
- Sec. 102. Employment and education program for trafficking survivors with a history in the State child protection and welfare system.
- Sec. 103. Elimination of sunset for Advisory Council on Human Trafficking.
- Sec. 104. Pilot program for youth at high risk of being trafficked.
- Sec. 105. Facilitating United States investigations into potential human trafficking cases.

Subtitle B—Governmental Efforts To Prevent Human Trafficking

- Sec. 121. Preventing trafficking in persons in Federal contractor supply chains.
- Sec. 122. Ensuring anti-trafficking-in-persons trainings and provisions into Codes of Conduct of all Federal departments and executive agencies.
- Sec. 123. Government Accountability Office study on accessibility of mental health services and substance use disorder services.

Subtitle C—Monitoring Child, Forced, and Slave Labor

- Sec. 131. Transparency in anti-trafficking expenditures.
- Sec. 132. Sense of Congress regarding United States companies adopting counter-trafficking-in-persons policies.
- Sec. 133. Amendments to the Child Abuse Prevention and Treatment Act.
- Sec. 134. Sense of Congress regarding timely submission of Department of Justice reports.
- Sec. 135. Sense of Congress on criteria for classifying victims of child sex trafficking.
- Sec. 136. Missing and abducted foster children and youth.
- Sec. 137. Modification to State plan for foster care and adoption assistance.
- Sec. 138. Survivors' bill of rights.

TITLE II—AUTHORIZATION OF APPROPRIATIONS

- Sec. 201. Extension of authorizations under the Victims of Trafficking and Violence Protection Act of 2000.
- Sec. 202. Extension of authorizations under the International Megan's Law.
- Sec. 203. Extension of authorizations for the Human Exploitation Rescue Operation Child-Rescue Corps Program.
- Sec. 204. Improving enforcement of section 307 of the Tariff Act of 1930.

TITLE III—SEVERABILITY

- Sec. 301. Severability.

1 **TITLE I—COMBATING TRAF-**
 2 **FICKING IN PERSONS IN THE**
 3 **UNITED STATES**

4 **Subtitle A—Programs To Support**
 5 **Young Victims Who Are Vulner-**
 6 **able to Human Trafficking**

7 **SEC. 101. AUTHORITY TO AWARD COMPETITIVE GRANTS TO**
 8 **ENHANCE COLLABORATION BETWEEN STATE**
 9 **CHILD WELFARE AND JUVENILE JUSTICE**
 10 **SYSTEMS.**

11 (a) IN GENERAL.—Subpart 1 of part B of title IV
 12 of the Social Security Act (42 U.S.C. 621 et seq.) is
 13 amended by adding at the end the following:

14 **“SEC. 429A. GRANTS TO STATES TO ENHANCE COLLABORA-**
 15 **TION BETWEEN STATE CHILD WELFARE AND**
 16 **JUVENILE JUSTICE SYSTEMS.**

17 “(a) PURPOSE.—The purpose of this section is to au-
 18 thorize the Secretary, in collaboration with the Attorney
 19 General and the Administrator of the Office of Juvenile
 20 Justice and Delinquency Prevention of the Department of
 21 Justice—

22 “(1) to make grants to State child welfare and
 23 juvenile justice agencies and child- and youth-serving
 24 agencies to collaborate in the collection of data relat-
 25 ing to dual status youth; and

1 “(2) to develop practices, policies, and proto-
2 cols—

3 “(A) to confront the challenges presented
4 and experienced by dual status youth; and

5 “(B) for the development of interoperable
6 data systems.

7 “(b) AUTHORITY TO AWARD GRANTS.—

8 “(1) IN GENERAL.—Subject to the availability
9 of appropriations, from amounts reserved under sec-
10 tion 423(a)(2) for a fiscal year, the Secretary shall
11 award competitive grants jointly to a State child wel-
12 fare agency and a State juvenile justice agency to
13 facilitate or enhance collaboration between the child
14 welfare and juvenile justice systems of the State in
15 order to carry out programs to address the needs of
16 dual status youth and their families.

17 “(2) LENGTH OF GRANTS.—

18 “(A) IN GENERAL.—Subject to subpara-
19 graph (B), a grant shall be awarded under this
20 section for a period of not less than 2 fiscal
21 years and not more than 5 fiscal years.

22 “(B) EXTENSION OF GRANT.—Upon the
23 application of the grantee, the Secretary may
24 extend the period for which a grant is awarded

1 under this section for not more than 2 fiscal
2 years.

3 “(c) ADDITIONAL REQUIREMENTS.—

4 “(1) APPLICATION.—In order for a State to be
5 eligible for a grant under this section, the State
6 shall submit an application, subject to the approval
7 of the Secretary, that includes—

8 “(A) a description of the proposed leader-
9 ship collaboration group (including the member-
10 ship of such group), and how such group will
11 manage and oversee a review and analysis of
12 current practices while working to jointly ad-
13 dress enhanced practices to improve outcomes
14 for dual status youth;

15 “(B) a description of how the State pro-
16 poses—

17 “(i) to identify dual status youth;

18 “(ii) to identify individuals who are at
19 risk of becoming dual status youth;

20 “(iii) to identify common characteris-
21 tics shared by dual status youth in the
22 State; and

23 “(iv) to determine the prevalence of
24 dual status youth in the State;

1 “(C) a description of current and proposed
2 practices and procedures that the State intends
3 to use—

4 “(i) to screen and assess dual status
5 youth for risks and treatment needs;

6 “(ii) to provide targeted and evidence-
7 based services, including educational, be-
8 havioral health, and pro-social treatment
9 interventions for dual status youth and
10 their families; and

11 “(iii) to provide for a lawful process
12 to enhance or ensure the abilities of the
13 State and any relevant agencies to share
14 information and data about dual status
15 youth, while maintaining confidentiality
16 and privacy protections under Federal and
17 State law; and

18 “(D) a certification that the State has in-
19 volved local governments, as appropriate, in the
20 development, expansion, modification, oper-
21 ation, or improvement of proposed policy and
22 practice reforms to address the needs of dual
23 status youth.

24 “(2) NO SUPPLANTATION OF OTHER FUNDS.—

25 Any amounts paid to a State under a grant under

1 this section shall be used to supplement and not
2 supplant other State expenditures on dual status
3 youths or children involved with either the child wel-
4 fare or juvenile justice systems.

5 “(3) EVALUATION.—Up to 10 percent of the
6 amount made available to carry out this section for
7 a fiscal year shall be made available to the Secretary
8 to evaluate the effectiveness of the projects funded
9 under this section, using a methodology that—

10 “(A) includes random assignment when-
11 ever feasible, or other research methods that
12 allow for the strongest possible causal infer-
13 ences when random assignment is not feasible;
14 and

15 “(B) generates evidence on the impact of
16 specific projects, or groups of projects with
17 identical (or similar) practices and procedures.

18 “(4) REPORT.—A State child welfare agency
19 and a State juvenile justice agency receiving a grant
20 under this section shall jointly submit to the Sec-
21 retary, the Attorney General, and the Administrator
22 of the Office of Juvenile Justice and Delinquency
23 Prevention of the Department of Justice, a report
24 on the evaluation of the activities carried out under

1 the grant at the end of each fiscal year during the
2 period of the grant. Such report shall include—

3 “(A) a description of the scope and nature
4 of the dual status youth population in the
5 State, including the number of dual status
6 youth;

7 “(B) a description of the evidence-based
8 practices and procedures used by the agencies
9 to carry out the activities described in clauses
10 (i) through (iii) of paragraph (1)(C); and

11 “(C) an analysis of the effects of such
12 practices and procedures, including information
13 regarding—

14 “(i) the collection of data related to
15 individual dual status youths;

16 “(ii) aggregate data related to the
17 dual status youth population, including—

18 “(I) characteristics of dual status
19 youths in the State;

20 “(II) case processing timelines;
21 and

22 “(III) information related to case
23 management, the provision of targeted
24 services, and placements within the

1 foster care or juvenile justice system;
2 and

3 “(iii) the extent to which such prac-
4 tices and procedures have contributed to—

5 “(I) improved educational out-
6 comes for dual status youths;

7 “(II) fewer delinquency referrals
8 for dual status youths;

9 “(III) shorter stays in intensive
10 restrictive placements for dual status
11 youths; or

12 “(IV) such other outcomes for
13 dual status youths as the State child
14 welfare agency and State juvenile jus-
15 tice agency may identify.

16 “(d) TRAINING AND TECHNICAL ASSISTANCE.—The
17 Secretary may support State child welfare agencies and
18 State juvenile justice agencies by offering a program, de-
19 veloped in consultation with organizations and agencies
20 with subject matter expertise, of training and technical as-
21 sistance to assist such agencies in developing programs
22 and protocols that draw on best practices for serving dual
23 status youth in order to facilitate or enhance—

24 “(1) collaboration between State child welfare
25 agencies and State juvenile justice agencies; and

1 “(2) the effectiveness of such agencies with re-
2 spect to working with Federal agencies and child
3 welfare and juvenile justice agencies from other
4 States.

5 “(e) REPORT.—Not later than 3 years after the date
6 of enactment of this section, and every 3 years thereafter,
7 the Secretary, the Attorney General, and the Adminis-
8 trator of the Office of Juvenile Justice and Delinquency
9 Prevention of the Department of Justice shall jointly sub-
10 mit to the Committee on Finance and the Committee on
11 the Judiciary of the Senate and the Committee on Ways
12 and Means and the Committee on Education and Labor
13 of the House of Representatives, a report on the grants
14 provided under this section.

15 “(f) DEFINITIONS.—In this section:

16 “(1) DUAL STATUS YOUTH.—The term ‘dual
17 status youth’ means a child who has come into con-
18 tact with both the child welfare and juvenile justice
19 systems and occupies various statuses in terms of
20 the individual’s relationship to such systems.

21 “(2) LEADERSHIP COLLABORATION GROUP.—
22 The term ‘leadership collaboration group’ means a
23 group composed of senior officials from the State
24 child welfare agency, the State juvenile justice agen-
25 cy, and other relevant youth and family-serving pub-

1 lic agencies and private organizations, including, to
 2 the extent practicable, representatives from the
 3 State judiciary branch.

4 “(3) STATE JUVENILE JUSTICE AGENCY.—The
 5 term ‘State juvenile justice agency’ means the agen-
 6 cy of the State or Indian tribe responsible for ad-
 7 ministering grant funds awarded under the Juvenile
 8 Justice and Delinquency Prevention Act of 1974 (34
 9 U.S.C. 11101 et seq.).

10 “(4) STATE CHILD WELFARE AGENCY.—The
 11 term ‘State child welfare agency’ means the State
 12 agency responsible for administering the program
 13 under this subpart, or, in the case of a tribal organi-
 14 zation that is receiving payments under section 428,
 15 the tribal agency responsible for administering such
 16 program.”.

17 (b) CONFORMING AMENDMENTS.—Section 423(a) of
 18 such Act (42 U.S.C. 623(a)) is amended—

19 (1) by striking “The sum appropriated” and in-
 20 serting the following:

21 “(1) IN GENERAL.—Subject to paragraph (2),
 22 the sum appropriated”; and

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

24 “(2) GRANTS TO STATES TO ENHANCE COL-
 25 LABORATION BETWEEN STATE CHILD WELFARE AND

1 JUVENILE JUSTICE SYSTEMS.—For each fiscal year
 2 beginning with fiscal year 2022 for which the
 3 amount appropriated under section 425 for the fiscal
 4 year exceeds \$270,000,000—

5 “(A) the Secretary shall reserve from such
 6 excess amount such sums as are necessary for
 7 making grants under section 429A for such fis-
 8 cal year; and

9 “(B) the remainder to be applied under
 10 paragraph (1) for purposes of making allot-
 11 ments to States for such fiscal year shall be de-
 12 termined after the Secretary first allots
 13 \$70,000 to each State under such paragraph
 14 and reserves such sums under subparagraph
 15 (A) of this paragraph.”.

16 **SEC. 102. EMPLOYMENT AND EDUCATION PROGRAM FOR**
 17 **TRAFFICKING SURVIVORS WITH A HISTORY**
 18 **IN THE STATE CHILD PROTECTION AND WEL-**
 19 **FARE SYSTEM.**

20 (a) DEFINITIONS.—In this section:

21 (1) ELIGIBLE INDIVIDUAL.—The term “eligible
 22 individual” means a domestic or foreign victim of
 23 human trafficking who—

1 (A) is eligible to receive services under sec-
2 tion 107 of the Trafficking Victims Protection
3 Act of 2000 (22 U.S.C. 7105); and

4 (B) has a history in the State child protec-
5 tion and welfare system.

6 (2) ELIGIBLE ORGANIZATION.—The term “eligi-
7 ble organization” means a service provider, which
8 may include a nongovernmental organization, that
9 has experience—

10 (A) using national or local anti-trafficking
11 networks to serve victims of human trafficking;

12 (B) qualifying, providing, and coordinating
13 services for survivors of trafficking (as de-
14 scribed in subsection (c)) that are linguistically
15 accessible, culturally responsive, age-appro-
16 priate, developmentally appropriate, and trau-
17 ma-informed; and

18 (C) identifying and assisting victims of
19 labor trafficking and commercial sexual exploi-
20 tation, especially youth and underserved popu-
21 lations.

22 (3) PROGRAM.—The term “Program” means
23 the Human Trafficking Survivors Employment and
24 Education Program established under this section.

1 (4) SECRETARY.—The term “Secretary” means
2 the Secretary of Health and Human Services.

3 (b) EMPLOYMENT AND EDUCATION PROGRAM.—The
4 Secretary of Health and Human Services may carry out
5 a Human Trafficking Survivors Employment and Edu-
6 cation Program to prevent the re-exploitation of eligible
7 individuals who have been removed from trafficking situa-
8 tions, by assisting such individuals to integrate or re-
9 integrate into society through social services support for
10 the attainment of life skills, employment, and education
11 necessary to achieve self-sufficiency.

12 (c) SERVICES PROVIDED.—Services offered, pro-
13 vided, and funded by the Program shall include (as rel-
14 evant to the trafficking survivor)—

15 (1) enrollment and participation in—

16 (A) basic education, including literacy edu-
17 cation and English as a second language edu-
18 cation;

19 (B) job-related skills training;

20 (C) vocational and certificate programs;

21 (D) programs for attaining a regular high
22 school diploma or its recognized equivalent; or

23 (E) training for career opportunities in op-
24 portunity jobs, which shall be defined for pur-
25 poses of this subparagraph as jobs that—

- 1 (i) have a low potential for automa-
2 tion;
- 3 (ii) do not require a college degree;
4 and
- 5 (iii) are projected to grow after the
6 COVID–19 pandemic;
- 7 (2) life-skill training programs, including man-
8 agement of personal finances, self-care, and par-
9 enting classes;
- 10 (3) résumé creation and review;
- 11 (4) interview coaching and counseling;
- 12 (5) assistance with expungement of criminal
13 records when such records are for nonviolent crimes
14 that were committed as a consequence of the eligible
15 individual’s victimization;
- 16 (6) assistance with enrollment in college or
17 technical school;
- 18 (7) scholarship assistance for attending college
19 or technical school;
- 20 (8) professional coaching or professional devel-
21 opment classes;
- 22 (9) case management to develop an individual-
23 ized plan with each survivor, based on each person’s
24 needs and goals;

1 (10) assistance with obtaining victim compensa-
 2 tion, direct victim assistance, or other funds for
 3 mental health care; and

4 (11) other programs and services that help eli-
 5 gible individuals to achieve self-sufficiency, such as
 6 wrap-around social services to assist survivors in
 7 meeting their basic needs.

8 (d) SERVICE PERIOD.—Eligible individuals may re-
 9 ceive services through the Program for a cumulative pe-
 10 riod of 5 years.

11 (e) COOPERATIVE AGREEMENTS.—Subject to the
 12 availability of appropriations, the Secretary shall enter
 13 into cooperative agreements with one or more eligible or-
 14 ganizations to carry out this section.

15 **SEC. 103. ELIMINATION OF SUNSET FOR ADVISORY COUN-**
 16 **CIL ON HUMAN TRAFFICKING.**

17 The Survivors of Human Trafficking Empowerment
 18 Act (section 115 of Public Law 114–22) is amended by
 19 striking subsection (h).

20 **SEC. 104. PILOT PROGRAM FOR YOUTH AT HIGH RISK OF**
 21 **BEING TRAFFICKED.**

22 Section 202(b) of the Trafficking Victims Protection
 23 Reauthorization Act of 2005 (34 U.S.C. 20702(b)) is
 24 amended by adding at the end the following:

25 “(5) PILOT DEMONSTRATION PROGRAM.—

1 “(A) ESTABLISHMENT.—The Assistant At-
2 torney General, in consultation with the Assist-
3 ant Secretary, shall establish a pilot demonstra-
4 tion program, through which community-based
5 organizations in underserved communities,
6 prioritizing rural communities, in the United
7 States may apply for funding to develop, imple-
8 ment, and build replicable treatment models for
9 different housing models with supportive serv-
10 ices and innovative care, treatment, and serv-
11 ices.

12 “(B) POPULATION TO BE SERVED.—The
13 program established pursuant to subparagraph
14 (A) shall primarily serve adolescents and youth
15 who—

16 “(i) are transitioning out of foster
17 care;

18 “(ii) struggle with substance use dis-
19 order;

20 “(iii) are pregnant or parenting; or

21 “(iv) have experienced foster care in-
22 volvement or involvement in the child wel-
23 fare system, child poverty, child abuse or
24 neglect, human trafficking, juvenile justice

1 involvement, gang involvement, or home-
 2 lessness.

3 “(C) FUNDING PRIORITY.—The Assistant
 4 Attorney General shall giving funding priority
 5 to community-based programs that provide cri-
 6 sis stabilization, emergency shelter, and addic-
 7 tion treatment for adolescents and transitional
 8 age residential programs that have reputable
 9 outcomes.”.

10 **SEC. 105. FACILITATING UNITED STATES INVESTIGATIONS**
 11 **INTO POTENTIAL HUMAN TRAFFICKING**
 12 **CASES.**

13 (a) FORCED LABOR.—Section 1589 of title 18,
 14 United States Code, is amended by adding at the end the
 15 following:

16 “(e) Whoever knowingly obstructs, or attempts to ob-
 17 struct, the enforcement of this section shall be punished—

18 “(1) by a fine under this title and imprison-
 19 ment for not more than 20 years;

20 “(2) if a violation of this section includes kid-
 21 napping or an attempt to kidnap, aggravated sexual
 22 abuse or the attempt to commit aggravated sexual
 23 abuse, or an attempt to kill, by a fine under this
 24 title and imprisonment for any term or years or for
 25 life; and

1 “(3) if death results from a violation of this
2 section, by a fine under this title and imprisoned for
3 not less than 10 years or for life.”.

4 (b) SEX TRAFFICKING OF CHILDREN OR BY FORCE,
5 FRAUD, OR COERCION.—Section 1591 of title 18, United
6 States Code, is amended—

7 (1) by redesignating subsections (d) and (e) as
8 subsections (e) and (f), respectively; and

9 (2) by inserting before subsection (e), as rededesignated,
10 the following:

11 “(d) Whoever, while being an official involved in an
12 investigation of sex trafficking (as defined in section 103
13 of the Trafficking Victims Protection Act (22 U.S.C.
14 7102)) engages in any sexual act or in sexual contact with
15 any witness or potential witness to such sex trafficking,
16 or victim or person reasonably likely to be the victim of
17 such sex trafficking over the course of the investigation
18 shall be punished—

19 “(1) if the person, witness, or victim had not
20 attained 18 years of age at the time of such sexual
21 act or contact, by a fine under this title and imprisonment
22 for any term of years or for life; or

23 “(2) if the person, witness, or victim is an
24 adult, by a fine under this title and imprisonment
25 for not more than 25 years.”.

1 (c) CIVIL REMEDY.—Section 1595 of title 18, United
2 States Code, is amended by adding at the end the fol-
3 lowing:

4 “(e)(1) It shall be unlawful to retaliate against any
5 victim of a violation of this chapter because such person
6 has—

7 “(A) instituted, caused to be instituted, assisted
8 with, testified or is about to testify in, or partici-
9 pated in any manner in any complaint, investigation,
10 proceeding, or hearing under or related to this chap-
11 ter; or

12 “(B) opposed any behavior that is a violation of
13 this chapter.

14 “(2) In this subsection, the term ‘retaliate against
15 any victim’ means any action that a reasonable person
16 would consider intimidating, threatening, restraining, co-
17 ercive, threatening, harassing, or adversely effecting em-
18 ployment status or assets, including any action directed
19 at a person other than the person who has engaged in
20 one of the activities set forth in paragraph (A) or (B) of
21 paragraph (1).

22 “(3) Any individual who is injured as a result of a
23 violation of paragraph (1)—

24 “(A) may sue the violator in an appropriate dis-
25 trict court of the United States to obtain relief; and

1 “(B) if the court determines that such injury
2 resulted from such violation, shall recover from the
3 defendant—

4 “(i) treble damages sustained by such indi-
5 vidual; and

6 “(ii) reasonable attorneys’ fees, as set
7 forth in this chapter.

8 “(f) In addition to any other remedies set forth in
9 this section, whenever any person has engaged or there
10 are reasonable grounds to believe that any person is about
11 to engage in any act or practice prohibited under section
12 1512 (relating to tampering with a witness, victim, or an
13 informant) or 1513 (relating to retaliation against a wit-
14 ness, victim, or an informant) with regard to a civil action
15 under this chapter, an individual may institute an applica-
16 tion for a permanent or temporary injunction, restraining
17 order, or other order to preclude such act or practice.”.

18 **Subtitle B—Governmental Efforts** 19 **To Prevent Human Trafficking**

20 **SEC. 121. PREVENTING TRAFFICKING IN PERSONS IN FED-** 21 **ERAL CONTRACTOR SUPPLY CHAINS.**

22 The Federal Acquisition Regulation shall be revised
23 to require, with respect to the clause required to be in-
24 cluded in all solicitations and contracts under section
25 52.222–50 of such regulation, that a contractor of the

1 Federal Government certify to the contracting officer an-
2 nually after receiving an award that—

3 (1) to the best of the knowledge and belief of
4 the contractor, neither the contractor, nor any of the
5 agents or subcontractors of the contractor (or any
6 agents and subcontractors thereof at any tier), has
7 engaged during the performance of the contract in
8 any activities prohibited under such clause, including
9 billing the Government for any services or supplies
10 provided under the contract that were obtained or
11 performed in violation of the prohibited activities
12 during the contract period; and

13 (2) if any violations relating to any of the ac-
14 tivities prohibited under such clause have been
15 found, the contractor or subcontractor has taken the
16 appropriate remedial and referral actions.

17 **SEC. 122. ENSURING ANTI-TRAFFICKING-IN-PERSONS**
18 **TRAININGS AND PROVISIONS INTO CODES OF**
19 **CONDUCT OF ALL FEDERAL DEPARTMENTS**
20 **AND EXECUTIVE AGENCIES.**

21 (a) FINDINGS.—Congress finds the following:

22 (1) Human trafficking is inimical to every Fed-
23 eral agency’s core values and inherently harmful and
24 dehumanizing.

1 (2) Through the adoption of a Code of Conduct,
 2 Federal agencies hold their personnel to similar
 3 standards that are required of contractors and sub-
 4 contractors of the agency under Federal law.

5 (3) Human trafficking is a violation of human
 6 rights and against Federal law.

7 (4) The United States Government seeks to
 8 deter activities that would facilitate or support traf-
 9 ficking in persons.

10 (b) SENSE OF CONGRESS ON IMPLEMENTATION OF
 11 ANTI-TRAFFICKING-IN-PERSONS POLICIES.—It is the
 12 sense of Congress that—

13 (1) beginning not later than 18 months after
 14 the date of the enactment of this Act, the head of
 15 every Federal agency should incorporate a module
 16 on human trafficking into its staff training require-
 17 ments and menu of topics to be covered in the an-
 18 nual ethics training of such agency;

19 (2) such staff trainings should—

20 (A) cover both labor and sex trafficking;
 21 and

22 (B) teach employees how to prevent, iden-
 23 tify, and report trafficking in persons;

24 (3) Federal agencies that already provide
 25 counter trafficking-in-persons training for staff

1 should share their curricula with agencies that do
2 not have such curricula;

3 (4) the head of each agency should inform all
4 candidates for employment about the anti-trafficking
5 provisions in the Code of Conduct of the agency;

6 (5) employees of each Federal agency should
7 sign acknowledgment of the agency's Code of Con-
8 duct, which should be kept in the file of the em-
9 ployee; and

10 (6) a violation of the Code of Conduct should
11 lead to disciplinary action, up to and including ter-
12 mination of employment.

13 (c) POLICY FOR EXECUTIVE BRANCH EMPLOYEES.—

14 The President shall take such steps as may be necessary
15 to ensure that each officer and employee (including tem-
16 porary employees, persons stationed abroad while working
17 for the United States, and detailees from other agencies
18 of the Federal Government) of an agency in the executive
19 branch of the Federal Government is subject to a policy
20 with a minimum standard that contains—

21 (1) a prohibition from engaging in sex traf-
22 ficking (as defined in section 103 of the Trafficking
23 Victims Protection Act of 2000 (22 U.S.C. 7102))
24 or labor trafficking while employed by the Govern-
25 ment in a full-time or part-time capacity;

1 (2) a requirement that all Federal personnel,
2 without regard to whether the person is stationed
3 abroad, be sensitized to human trafficking and the
4 ethical conduct requirements that prohibit the pro-
5 curement of trafficking in persons;

6 (3) a requirement that all such personnel be
7 equipped with the necessary knowledge and tools to
8 prevent, recognize, report, and address human traf-
9 ficking offenses through a training for new personnel
10 and through regular refresher courses offered every
11 2 years; and

12 (4) a requirement that all such personnel report
13 to the applicable inspector general and agency traf-
14 ficking in persons point of contact any suspected
15 cases of misconduct, waste, fraud, or abuse relating
16 to trafficking in persons.

17 (d) TIMING.—The policy described in subsection
18 (c)—

19 (1) shall be established or integrated into all
20 applicable employee codes of conduct not later than
21 18 months after the date of the enactment of this
22 Act;

23 (2) may not replace any preexisting code of con-
24 duct that contains more robust requirements than
25 the requirements described in subsection (c); and

1 (3) shall be signed by all personnel described in
 2 subsection (c) not later than 2 years after such date
 3 of enactment.

4 (e) REPORTING.—The Office of Inspector General of
 5 a Federal department or agency, in consultation with the
 6 head of such agency, shall submit an annual report to
 7 Congress, which shall be publicly accessible, containing—

8 (1) the number of suspected violations reported;

9 (2) the number of investigations;

10 (3) the status and outcomes of such investiga-
 11 tions; and

12 (4) any recommended actions to improve the
 13 programs and operations of such agency.

14 **SEC. 123. GOVERNMENT ACCOUNTABILITY OFFICE STUDY**
 15 **ON ACCESSIBILITY OF MENTAL HEALTH**
 16 **SERVICES AND SUBSTANCE USE DISORDER**
 17 **SERVICES.**

18 Not later than 3 years after the date of the enact-
 19 ment of this Act, the Comptroller General of the United
 20 States shall—

21 (1) conduct a study of the accessibility of men-
 22 tal health services and substance use disorder treat-
 23 ment and recovery for survivors of sex and labor
 24 trafficking in the United States of various ages; and

1 (2) submit a report to Congress containing the
 2 findings of such study and recommendations for in-
 3 creased accessibility and affordability for survivors
 4 of trafficking.

5 **Subtitle C—Monitoring Child,**
 6 **Forced, and Slave Labor**

7 **SEC. 131. TRANSPARENCY IN ANTI-TRAFFICKING EXPENDI-**
 8 **TURES.**

9 (a) IN GENERAL.—Not later than 90 days after the
 10 date of the enactment of this Act, and not later than Octo-
 11 ber 1 of each of the following 5 years, the head of each
 12 Federal department or agency to which amounts are ap-
 13 propriated for the purpose of awarding grants for anti-
 14 trafficking in persons, and the head of each Federal de-
 15 partment and agency contributing to the annual congres-
 16 sional earmark for counter-trafficking in persons, shall
 17 publish on the public website of the department or agency,
 18 with respect to the prior fiscal year—

19 (1) each obligation or expenditure of Federal
 20 funds for the purpose of combating human traf-
 21 ficking and forced labor; and

22 (2) subject to subsection (b), and with respect
 23 to each such obligation or expenditure, the name of
 24 a primary recipient, and any subgrantees, and their

1 project location, activity, award amounts, and award
2 periods.

3 (b) EXCEPTION FOR SECURITY CONCERNS.—If the
4 head of a Federal department or agency determines that
5 a primary recipient or subgrantee for purposes of sub-
6 section (a) has a security concern—

7 (1) the award recipients shall not be publicly
8 identified pursuant to subsection (a)(2); and

9 (2) only the activity, award amounts, and
10 award periods shall be publicly listed pursuant to
11 such subsection.

12 **SEC. 132. SENSE OF CONGRESS REGARDING UNITED**
13 **STATES COMPANIES ADOPTING COUNTER-**
14 **TRAFFICKING-IN-PERSONS POLICIES.**

15 It is the sense of Congress that—

16 (1) companies headquartered or doing business
17 in the United States that are not small business con-
18 cerns (as defined in section 3 of the Small Business
19 Act (15 U.S.C. 632)) should adopt a written policy
20 not later than 18 months after the date of the enact-
21 ment of this Act that—

22 (A) prohibits trafficking in persons;

23 (B) is published annually; and

24 (C) is accessible in a prominent place on
25 their public website;

1 (2) such policy should expressly prohibit the
2 company, its employees, or agents from—

3 (A) engaging in severe forms of trafficking
4 in persons;

5 (B) using forced labor for the development,
6 production, shipping, or sale of its goods or
7 services;

8 (C) destroying, concealing, confiscating, or
9 otherwise denying access by an employee to the
10 employee's identity or immigration documents,
11 such as passports or drivers' licenses, regardless
12 of issuing authority;

13 (D) using misleading or fraudulent prac-
14 tices during the recruitment of employees or of-
15 fering of employment, such as—

16 (i) failing to disclose, in a format and
17 language understood by the employee or
18 potential employee, basic information; or

19 (ii) making material misrepresenta-
20 tions during the recruitment of employees
21 regarding the key terms and conditions of
22 employment, including—

23 (I) wages and fringe benefits;

24 (II) the location of work;

25 (III) the living conditions;

1 (IV) housing and associated costs
2 (if employer- or agent-provided or ar-
3 ranged);

4 (V) any significant costs to be
5 charged to the employee or potential
6 employee; and

7 (VI) the hazardous nature of the
8 work, if applicable;

9 (E) using recruiters that do not comply
10 with local labor laws of the country in which the
11 recruiting takes place;

12 (F) charging employees or potential em-
13 ployees recruitment fees;

14 (G) providing or arranging housing that
15 fails to meet the host country housing and safe-
16 ty standards; and

17 (H) failing to provide an employment con-
18 tract, recruitment agreement, or other required
19 work document in writing in a language the em-
20 ployee understands (and is provided to the em-
21 ployee not later than 5 days before the em-
22 ployee relocates, if relocation is required to per-
23 form the work), that includes details about
24 work description, wages, prohibition on charg-
25 ing recruitment fees, work locations, living ac-

1 commodations and associated costs, time off,
2 round-trip transportation arrangements, griev-
3 ance processes, and the content of applicable
4 laws and regulations that prohibit trafficking in
5 persons; and

6 (3) contracting officers should consider the risk
7 that the contract or subcontract will involve services
8 or supplies susceptible to trafficking in persons, and
9 the number of non-United States citizens expected
10 to be employed, when deciding whether to require
11 work documents in the contract.

12 **SEC. 133. AMENDMENTS TO THE CHILD ABUSE PREVEN-**
13 **TION AND TREATMENT ACT.**

14 Section 111(b)(1) of the Child Abuse Prevention and
15 Treatment Act (42 U.S.C. 5106g(b)(1)) is amended by
16 striking “a victim of” and all that follows and inserting
17 “a victim of ‘child abuse and neglect’ and of ‘sexual abuse’
18 if the child is identified, by a State or local agency em-
19 ployee of the State or locality involved, as being a victim
20 of sex or labor trafficking in accordance with severe forms
21 of trafficking in persons, as such terms are defined in sec-
22 tion 103 of the Trafficking Victims Protection Act of 2000
23 (22 U.S.C. 7102).”.

1 **SEC. 134. SENSE OF CONGRESS REGARDING TIMELY SUB-**
 2 **MISSION OF DEPARTMENT OF JUSTICE RE-**
 3 **PORTS.**

4 It is the sense of Congress that—

5 (1) the Department of Justice has failed to
 6 meet its reporting requirements under title IV of the
 7 Trafficking Victims Protection Act of 2017 (34
 8 U.S.C. 10101 et seq.); and

9 (2) progress on critical data collection about
 10 human trafficking and crime reporting are in jeop-
 11 ardy as a result of such failure and must be ad-
 12 dressed immediately.

13 **SEC. 135. SENSE OF CONGRESS ON CRITERIA FOR**
 14 **CLASSIFYING VICTIMS OF CHILD SEX TRAF-**
 15 **FICKING.**

16 It is the sense of Congress that—

17 (1) all States (including the District of Colum-
 18 bia) and territories should eliminate the requirement
 19 for third-party control to properly qualify a child as
 20 a victim of sex trafficking, to—

21 (A) aid in the identification and prevention
 22 of child sex trafficking;

23 (B) protect children; and

24 (C) appropriately prosecute perpetrators to
 25 the fullest extent of the law; and

1 (2) a person is qualified as a victim of child sex
2 trafficking if the person is a victim, as a child, of
3 severe forms of trafficking in persons, as defined in
4 section 103 of the Trafficking Victims Protection
5 Act of 2000 (22 U.S.C. 7102).

6 **SEC. 136. MISSING AND ABDUCTED FOSTER CHILDREN AND**
7 **YOUTH.**

8 It is the sense of Congress that—

9 (1) each State child welfare agency should—

10 (A) prioritize developing and implementing
11 protocols to comply with section 471(a)(35) of
12 the Social Security Act (42 U.S.C. 671(a)(35)),
13 as amended by section 137; and

14 (B) report the information the agency re-
15 ceives about missing or abducted foster children
16 and youth to the National Center on Missing
17 and Exploited Children and to law enforcement
18 authorities for inclusion in the Federal Bureau
19 of Investigation's National Crime Information
20 Center database, in accordance with section
21 471(a)(34) of the Social Security Act (42
22 U.S.C. 671(a)(34));

23 (2) the reports described in paragraph (1)(B)—

1 (A) should be made immediately (and in
 2 no case later than 24 hours) after the informa-
 3 tion is received; and

4 (B) were required to be provided to the
 5 Secretary of Health and Human Services begin-
 6 ning on September 30, 2016; and

7 (3) according to section 471(a)(34) of such Act,
 8 each State child welfare agency was required to sub-
 9 mit annual reports to the Secretary of Health and
 10 Human Services beginning on September 30, 2017,
 11 to notify the Secretary of the total number of chil-
 12 dren and youth who are victims of a severe form of
 13 trafficking in persons, as defined in section 103 of
 14 the Trafficking Victims Protection Act of 2000 (22
 15 U.S.C. 7102).

16 **SEC. 137. MODIFICATION TO STATE PLAN FOR FOSTER**
 17 **CARE AND ADOPTION ASSISTANCE.**

18 (a) STATE PLAN AMENDMENT.—Section
 19 471(a)(35)(B) of the Social Security Act (42 U.S.C.
 20 671(a)(35)(B)) is amended by striking the semicolon at
 21 the end and inserting the following: “(referred to in this
 22 subparagraph as “NCMEC”), and that the State agency
 23 shall maintain regular communication with law enforce-
 24 ment agencies and NCMEC in efforts to provide a safe
 25 recovery of a missing or abducted child or youth, including

1 by sharing information pertaining to the child's or youth's
 2 recovery and circumstances related to the recovery, and
 3 that the State report submitted to law enforcement agen-
 4 cies and NCMEC shall include where reasonably pos-
 5 sible—

6 “(i) a photo of the missing or ab-
 7 ducted child or youth;

8 “(ii) a description of the child's or
 9 youth's physical features, such as height,
 10 weight, sex, ethnicity, race, hair color, and
 11 eye color; and

12 “(iii) endangerment information, such
 13 as the child's or youth's pregnancy status,
 14 prescription medications, suicidal ten-
 15 dencies, vulnerability to being sex traf-
 16 ficked, and other health or risk factors;”.

17 (b) EFFECTIVE DATE.—

18 (1) IN GENERAL.—Except as provided in para-
 19 graph (2), the amendment made by subsection (a)
 20 shall take effect on the date of enactment of this
 21 Act.

22 (2) DELAY IF STATE LEGISLATION RE-
 23 QUIRED.—In the case of a State plan under part E
 24 of title IV of the Social Security Act which the Sec-
 25 retary of Health and Human Services determines re-

1 quires State legislation (other than legislation appro-
2 priating funds) in order for the plan to meet the ad-
3 ditional requirements imposed by the amendment
4 made by subsection (a), the State plan shall not be
5 regarded as failing to comply with the requirements
6 of such part solely on the basis of the failure of the
7 plan to meet such additional requirements before the
8 first day of the first calendar quarter beginning
9 after the close of the first regular session of the
10 State legislature that begins after the date of enact-
11 ment of this Act. For purposes of the previous sen-
12 tence, in the case of a State that has a 2-year legis-
13 lative session, each year of the session shall be
14 deemed to be a separate regular session of the State
15 legislature.

16 **SEC. 138. SURVIVORS' BILL OF RIGHTS.**

17 (a) DEFINITION OF COVERED FORMULA GRANT.—
18 In this section, the term “covered formula grant” means
19 a grant under part T of title I of the Omnibus Crime Con-
20 trol and Safe Streets Act of 1968 (34 U.S.C. 10441 et
21 seq.) (commonly referred to as the “STOP Violence
22 Against Women Formula Grant Program”).

23 (b) GRANT INCREASE.—The Attorney General shall
24 increase the amount of the covered formula grant provided
25 to a State in accordance with this section if the State has

1 in effect a law that provides to sexual assault survivors
 2 the rights, at a minimum, under section 3772 of title 18,
 3 United States Code.

4 (c) APPLICATION.—A State seeking an increase to a
 5 covered formula grant under this section shall submit an
 6 application to the Attorney General at such time, in such
 7 manner, and containing such information as the Attorney
 8 General may reasonably require, including information
 9 about the law described in subsection (b).

10 (d) PERIOD OF INCREASE.—The Attorney General
 11 may not provide an increase in the amount of the covered
 12 formula grant provided to a State under this section more
 13 than 4 times.

14 (e) AUTHORIZATION OF APPLICATION.—There are
 15 authorized to be appropriated \$20,000,000 for each of fis-
 16 cal years 2022 through 2027 to carry out this section.

17 **TITLE II—AUTHORIZATION OF** 18 **APPROPRIATIONS**

19 **SEC. 201. EXTENSION OF AUTHORIZATIONS UNDER THE** 20 **VICTIMS OF TRAFFICKING AND VIOLENCE** 21 **PROTECTION ACT OF 2000.**

22 Section 113 of the Victims of Trafficking and Vio-
 23 lence Protection Act of 2000 (22 U.S.C. 7110) is amend-
 24 ed—

25 (1) in subsection (a)—

1 (A) by striking “2018 through 2021,
2 \$13,822,000” and inserting “2022 through
3 2027, \$16,000,000”; and

4 (B) by striking “7103(f)” and inserting
5 “7103(g)”;

6 (2) in subsection (b)—

7 (A) in paragraph (1)—

8 (i) by striking “To carry out the pur-
9 poses of sections 106(b) and 107(b),” and
10 inserting “To carry out the purposes of
11 sections 106(b) and 107(b) of this Act and
12 section 429A of the Social Security Act,”;
13 and

14 (ii) by striking “\$19,500,000” and all
15 that follows, and inserting “\$23,000,000
16 for each of the fiscal years 2022 through
17 2027, of which \$5,000,000 is authorized to
18 be appropriated in each fiscal year for the
19 National Human Trafficking Hotline and
20 for cybersecurity and public education
21 campaigns, in consultation with the Sec-
22 retary of Homeland Security, for identi-
23 fying and responding as needed to cases of
24 human trafficking.”; and

1 (B) in paragraph (2), by striking “2018
2 through 2021” and inserting “2022 through
3 2027”;

4 (3) in subsection (c)(1)—

5 (A) in the matter preceding subparagraph
6 (A), by striking “2018 through 2021,
7 \$65,000,000” and inserting “2022 through
8 2027, \$99,000,000, of which \$22,000,000 shall
9 be made available each fiscal year to the United
10 States Agency for International Development”;

11 (B) in subparagraph (C), by striking
12 “and” at the end;

13 (C) in subparagraph (D), by striking the
14 period at the end and inserting “; and”; and

15 (D) by adding at the end the following:

16 “(E) to fund programs to end modern slav-
17 ery, in an amount not to exceed \$37,500,000
18 for each of the fiscal years 2022 through
19 2027.”;

20 (4) in subsection (d)—

21 (A) in paragraph (1), by striking “2018
22 through 2021” and inserting “2022 through
23 2027, of which \$35,000,000 shall be made
24 available each fiscal year for the Office of Vic-

tims of Crime Housing Assistance Grants for
Victims of Human Trafficking”; and

(B) in paragraph (3), by striking
“\$11,000,000 to the Attorney General for each
of the fiscal years 2018 through 2021” and in-
serting “\$11,000,000 to the Attorney General
for each of the fiscal years 2022 through
2027”;

(5) in subsection (f), by striking “2018 through
2021.” and inserting “2022 through 2027”; and

(6) in subsection (i)—

(A) by striking “2018 through 2021” and
inserting “2022 through 2027”; and

(B) by inserting “of which \$2,000,000
shall be made available each fiscal year for the
establishment of a labor trafficking investiga-
tion team within the Department of Homeland
Security Center for Countering Human Traf-
ficking, and the remaining funds shall be used”
after “expended,”.

**SEC. 202. EXTENSION OF AUTHORIZATIONS UNDER THE
INTERNATIONAL MEGAN’S LAW.**

Section 11 of the International Megan’s Law to Pre-
vent Child Exploitation and Other Sexual Crimes Through
Advanced Notification of Traveling Sex Offenders (34

1 U.S.C. 21509) is amended by striking “2018 through
2 2021” and inserting “2022 through 2027”.

3 **SEC. 203. EXTENSION OF AUTHORIZATIONS FOR THE**
4 **HUMAN EXPLOITATION RESCUE OPERATION**
5 **CHILD-RESCUE CORPS PROGRAM.**

6 Section 890A(g)(2) of the Homeland Security Act of
7 2002 (6 U.S.C. 473(g)(2)) is amended by striking “2019
8 through 2022” and inserting “2022 through 2027”.

9 **SEC. 204. IMPROVING ENFORCEMENT OF SECTION 307 OF**
10 **THE TARIFF ACT OF 1930.**

11 There is authorized to be appropriated \$20,000,000,
12 for each of fiscal years 2022 to 2027, to the Commissioner
13 of U.S. Customs and Border Protection to strengthen the
14 enforcement of section 307 of the Tariff Act of 1930 (19
15 U.S.C. 1307).

16 **TITLE III—SEVERABILITY**

17 **SEC. 301. SEVERABILITY.**

18 If any provision of this Act or amendment made by
19 this Act, or the application of such provision or amend-
20 ment to any person or circumstance, is held to be uncon-
21 stitutional, the remainder of this Act and the amendments
22 made by this Act, and the application of the provision or
23 amendment to any other person or circumstance, shall not
24 be affected.

