

In the Senate of the United States,

December 17, 2018.

Resolved, That the bill from the House of Representatives (H.R. 2200) entitled “An Act to reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Frederick Douglass Traf-*
3 *ficking Victims Prevention and Protection Reauthorization*
4 *Act of 2018”.*

5 ***SEC. 2. TABLE OF CONTENTS.***

6 *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 Victims and Persons Vulnerable to Human Trafficking

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Sec. 102. Preventing future trafficking in the United States through receipt of complaints abroad.

Sec. 103. Modification to grants for victims services.

Subtitle B—Governmental Efforts to Prevent Human Trafficking

Sec. 111. Required training to prevent human trafficking for certain contracting air carriers.

Sec. 112. Ensuring United States procurement does not fund human trafficking.

Sec. 113. Training course on human trafficking and government contracting.

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Sec. 121. Demand reduction strategies in the United States.

Sec. 122. Designation of a labor prosecutor to enhance State and local efforts to combat trafficking in persons.

Sec. 123. Preventing human trafficking in foreign missions and diplomatic households.

Sec. 124. Actions against significant traffickers in persons.

Subtitle D—Monitoring Child, Forced, and Slave Labor

Sec. 131. Sense of Congress.

Sec. 132. Report on the enforcement of section 307 of the Tariff Act of 1930.

Sec. 133. Modification to list of child-made and slavery-made goods.

TITLE II—FIGHTING HUMAN TRAFFICKING ABROAD

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Sec. 201. Including the Secretary of the Treasury and the United States Trade Representative as a member of the Interagency Task Force to Monitor and Combat Trafficking.

Sec. 202. Encouraging countries to maintain and share data on human trafficking efforts.

Sec. 203. Appropriate listing of governments involved in human trafficking.

Sec. 204. Requirements for strategies to prevent trafficking.

Sec. 205. Briefing on countries with primarily migrant workforces.

Sec. 206. Report on recipients of funding from the United States Agency for International Development.

Subtitle B—Child Soldier Prevention Act of 2018

Sec. 211. Findings.

Sec. 212. Amendments to the Child Soldiers Prevention Act of 2008.

TITLE III—AUTHORIZATION OF APPROPRIATIONS

Sec. 301. Authorization of appropriations under the Trafficking Victims Protection Act of 2000.

Sec. 302. Authorization of appropriations under the International Megan’s Law.

Sec. 303. Authorization of appropriations for airport personnel training to identify and report human trafficking victims.

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

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

7 **SEC. 101. GRANTS TO ASSIST IN THE RECOGNITION OF**
8 **TRAFFICKING.**

9 (a) *GRANTS TO ASSIST IN RECOGNITION OF TRAF-*
10 *FICKING.—Section 106(b) of the Trafficking Victims Protec-*
11 *tion Act of 2000 (22 U.S.C. 7104(b)) is amended—*

12 (1) *by striking “The President” and inserting*
13 *the following:*

14 “(1) *IN GENERAL.—The President*”; and

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

16 “(2) *GRANTS TO ASSIST IN THE RECOGNITION OF*
17 *TRAFFICKING.—*

18 “(A) *DEFINITIONS.—In this paragraph:*

19 “(i) *ESEA TERMS.—The terms ‘ele-*
20 *mentary school’, ‘local educational agency’,*
21 *‘other staff’, and ‘secondary school’ have the*
22 *meanings given the terms in section 8101 of*
23 *the Elementary and Secondary Education*
24 *Act of 1965 (20 U.S.C. 7801).*

1 “(ii) *HIGH-INTENSITY CHILD SEX*
2 *TRAFFICKING AREA.*—*The term ‘high-inten-*
3 *sity child sex trafficking area’ means a met-*
4 *ropolitan area designated by the Director of*
5 *the Federal Bureau of Investigation as hav-*
6 *ing a high rate of children involved in sex*
7 *trafficking.*

8 “(iii) *LABOR TRAFFICKING.*—*The term*
9 *‘labor trafficking’ means conduct described*
10 *in section 103(9)(B) of the Trafficking Vic-*
11 *tims Protection Act of 2000 (22 U.S.C.*
12 *7102(9)(B)).*

13 “(iv) *SCHOOL STAFF.*—*The term*
14 *‘school staff’ means teachers, nurses, school*
15 *leaders and administrators, and other staff*
16 *at elementary schools and secondary schools.*

17 “(v) *SEX TRAFFICKING.*—*The term ‘sex*
18 *trafficking’ means the conduct described in*
19 *section 103(9)(A) of the Trafficking Victims*
20 *Protection Act of 2000 (22 U.S.C.*
21 *7102(9)(A)).*

22 “(B) *IN GENERAL.*—*The Secretary of*
23 *Health and Human Services, in consultation*
24 *with the Secretary of Education and the Sec-*
25 *retary of Labor, may award grants to local edu-*

1 *ational agencies, in partnership with a non-*
2 *profit, nongovernmental agency, to establish, ex-*
3 *pand, and support programs—*

4 *“(i) to educate school staff to recognize*
5 *and respond to signs of labor trafficking*
6 *and sex trafficking; and*

7 *“(ii) to provide age-appropriate infor-*
8 *mation to students on how to avoid becom-*
9 *ing victims of labor trafficking and sex traf-*
10 *ficking.*

11 *“(C) PROGRAM REQUIREMENTS.—Amounts*
12 *awarded under this paragraph shall be used*
13 *for—*

14 *“(i) education regarding—*

15 *“(I) avoiding becoming victims of*
16 *labor trafficking and sex trafficking;*

17 *“(II) indicators that an indi-*
18 *vidual is a victim or potential victim*
19 *of labor trafficking or sex trafficking;*

20 *“(III) options and procedures for*
21 *referring such an individual, as appro-*
22 *prate, to information on such traf-*
23 *ficking and services available for vic-*
24 *tims of such trafficking;*

1 *ignates an employee to be responsible for receiving informa-*
2 *tion from—*

3 (1) *any person who was a victim of a severe*
4 *form of trafficking in persons (as such term is defined*
5 *in section 103(14) of the Trafficking Victims Protec-*
6 *tion Act of 2000 (22 U.S.C. 7102(14))) while present*
7 *in the United States; or*

8 (2) *any person who has information regarding a*
9 *victim described in paragraph (1).*

10 (b) *PROVISION OF INFORMATION.—Any information*
11 *received pursuant to subsection (a) shall be transmitted to*
12 *the Department of Justice, the Department of Labor, the*
13 *Department of Homeland Security, and to any other rel-*
14 *evant Federal agency for appropriate response. The Attor-*
15 *ney General, the Secretary of Labor, the Secretary of Home-*
16 *land Security, and the head of any other such relevant Fed-*
17 *eral agency shall establish a process to address any actions*
18 *to be taken in response to such information.*

19 (c) *ASSISTANCE FROM FOREIGN GOVERNMENTS.—The*
20 *employee designated for receiving information pursuant to*
21 *subsection (a) should coordinate with foreign governments*
22 *or civil society organizations in the countries of origin of*
23 *victims of severe forms of trafficking in persons, with the*
24 *permission of and without compromising the safety of such*

1 *victims, to ensure that such victims receive any additional*
 2 *support available.*

3 **SEC. 103. MODIFICATION TO GRANTS FOR VICTIMS SERV-**
 4 **ICES.**

5 *Section 107(b)(2)(A) of the Trafficking Victims Protec-*
 6 *tion Act of 2000 (22 U.S.C. 7105(b)(2)(A)) is amended by*
 7 *striking “programs for” and all that follows and inserting*
 8 *the following: “programs for victims of human trafficking,*
 9 *including programs that provide trauma-informed care or*
 10 *housing options to such victims who are—*

11 *“(i)(I) between 12 and 24 years of age;*

12 *and*

13 *“(II) homeless, in foster care, or in-*
 14 *volved in the criminal justice system;*

15 *“(ii) transitioning out of the foster*
 16 *care system; or*

17 *“(iii) women or girls in underserved*
 18 *populations.”.*

19 ***Subtitle B—Governmental Efforts to***
 20 ***Prevent Human Trafficking***

21 **SEC. 111. REQUIRED TRAINING TO PREVENT HUMAN TRAF-**
 22 **FICKING FOR CERTAIN CONTRACTING AIR**
 23 **CARRIERS.**

24 *(a) IN GENERAL.—Section 40118 of title 49, United*
 25 *States Code, is amended by adding at the end the following:*

1 “(g) *TRAINING REQUIREMENTS.*—*The Administrator*
2 *of General Services shall ensure that any contract entered*
3 *into for provision of air transportation with a domestic car-*
4 *rier under this section requires that the contracting air car-*
5 *rier submits to the Administrator of General Services, the*
6 *Secretary of Transportation, the Administrator of the*
7 *Transportation Security Administration, the Secretary of*
8 *Labor and the Commissioner of U.S. Customs and Border*
9 *Protection an annual report regarding—*

10 “(1) *the number of personnel trained in the de-*
11 *tection and reporting of potential human trafficking*
12 *(as described in paragraphs (9) and (10) of section*
13 *103 of the Trafficking Victims Protection Act of 2000*
14 *(22 U.S.C. 7102)), including the training required*
15 *under section 44734(a)(4);*

16 “(2) *the number of notifications of potential*
17 *human trafficking victims received from staff or other*
18 *passengers; and*

19 “(3) *whether the air carrier notified the National*
20 *Human Trafficking Hotline or law enforcement at the*
21 *relevant airport of the potential human trafficking*
22 *victim for each such notification of potential human*
23 *trafficking, and if so, when the notification was*
24 *made.”.*

1 (b) *APPLICABILITY.*—*The amendment made by sub-*
2 *section (a) shall apply to any contract entered into after*
3 *the date of enactment of this Act except for contracts entered*
4 *into by the Secretary of Defense.*

5 **SEC. 112. ENSURING UNITED STATES PROCUREMENT DOES**
6 **NOT FUND HUMAN TRAFFICKING.**

7 *Section 106 of the Trafficking Victims Protection Act*
8 *of 2000 (22 U.S.C. 7104) is amended by adding at the end*
9 *the following:*

10 “(k) *AGENCY ACTION TO PREVENT FUNDING OF*
11 *HUMAN TRAFFICKING.*—

12 “(1) *IN GENERAL.*—*At the end of each fiscal*
13 *year, the Secretary of State, the Secretary of Labor,*
14 *the Administrator of the United States Agency for*
15 *International Development, and the Director of the*
16 *Office of Management and Budget shall each submit*
17 *a report to the Administrator of General Services that*
18 *includes—*

19 “(A) *the name and contact information of*
20 *the individual within the agency’s Office of*
21 *Legal Counsel or Office of Acquisition Policy*
22 *who is responsible for overseeing the implementa-*
23 *tion of—*

24 “(i) *subsection (g);*

1 “(ii) title XVII of the National Defense
2 Authorization Act for Fiscal Year 2013 (22
3 U.S.C. 7104a et seq.); and

4 “(iii) any regulation in the Federal
5 Acquisition Regulation (48 C.F.R. 1 et seq.)
6 that is related to any subject matter referred
7 to in clause (i) or (ii);

8 “(B) agency action to ensure that contrac-
9 tors are educated on the applicable laws and reg-
10 ulations listed in subparagraph (A);

11 “(C) agency action to ensure that the acqui-
12 sition workforce and agency officials understand
13 implementation of the laws and regulations list-
14 ed in subparagraph (A), including best practices
15 for—

16 “(i) ensuring compliance with such
17 laws and regulations;

18 “(ii) assessing the serious, repeated,
19 willful, or pervasive nature of any violation
20 of such laws or regulations; and

21 “(iii) evaluating steps contractors have
22 taken to correct any such violation;

23 “(D)(i) the number of contracts containing
24 language referring to the laws and regulations
25 listed in subparagraph (A); and

1 “(i) the number of contracts that did not
2 contain any language referring to such laws and
3 regulations;

4 “(E)(i) the number of allegations of severe
5 forms of trafficking in persons received; and

6 “(i) the source type of the allegation (such
7 as contractor, subcontractor, employee of con-
8 tractor or subcontractor, or an individual out-
9 side of the contract);

10 “(F)(i) the number of such allegations in-
11 vestigated by the agency;

12 “(i) a summary of any findings from such
13 investigations; and

14 “(iii) any improvements recommended by
15 the agency to prevent such conduct from recur-
16 ring;

17 “(G)(i) the number of such allegations re-
18 ferred to the Attorney General for prosecution
19 under section 3271 of title 18, United States
20 Code; and

21 “(i) the outcomes of such referrals;

22 “(H) any remedial action taken as a result
23 of such investigation, including whether—

24 “(i) a contractor or subcontractor (at
25 any tier) was debarred or suspended due to

1 *a violation of a law or regulation relating*
2 *to severe forms of trafficking in persons; or*

3 *“(ii) a contract was terminated pursu-*
4 *ant to subsection (g) as a result of such vio-*
5 *lation;*

6 *“(I) any other assistance offered to agency*
7 *contractors to ensure compliance with a law or*
8 *regulation relating to severe forms of trafficking*
9 *in persons;*

10 *“(J) any interagency meetings or data*
11 *sharing regarding suspended or disbarred con-*
12 *tractors or subcontractors (at any tier) for severe*
13 *forms of trafficking in persons; and*

14 *“(K) any contract with a contractor or sub-*
15 *contractor (at any tier) located outside the*
16 *United States and the country location, where*
17 *safe to reveal location, for each such contractor*
18 *or subcontractor.*

19 *“(2) APPROPRIATE CONGRESSIONAL COMMIT-*
20 *TEES.—In this subsection, the term ‘appropriate con-*
21 *gressional committees’ means—*

22 *“(A) the Committee on Foreign Affairs of*
23 *the House of Representatives;*

24 *“(B) the Committee on Armed Services of*
25 *the House of Representatives;*

1 “(C) *the Committee on Education and the*
2 *Workforce of the House of Representatives;*

3 “(D) *the Committee on the Judiciary of the*
4 *House of Representatives;*

5 “(E) *the Committee on Oversight and Gov-*
6 *ernment Reform of the House of Representatives;*

7 “(F) *the Committee on Foreign Relations of*
8 *the Senate;*

9 “(G) *the Committee on Armed Services of*
10 *the Senate;*

11 “(H) *the Committee on the Judiciary of the*
12 *Senate; and*

13 “(I) *the Committee on Health, Education,*
14 *Labor, and Pensions of the Senate.”.*

15 **SEC. 113. TRAINING COURSE ON HUMAN TRAFFICKING AND**
16 **GOVERNMENT CONTRACTING.**

17 *Any curriculum, including any continuing education*
18 *curriculum, for the acquisition workforce used by the Fed-*
19 *eral Acquisition Institute established under section 1201 of*
20 *title 41, United States Code, shall include at least 1 course,*
21 *lasting at least 30 minutes, regarding the law and regula-*
22 *tions relating to human trafficking and contracting with*
23 *the Federal Government.*

1 **SEC. 114. MODIFICATIONS TO THE ADVISORY COUNCIL ON**
2 **HUMAN TRAFFICKING.**

3 *The Survivors of Human Trafficking Empowerment*
4 *Act (section 115 of Public Law 114–22; 129 Stat. 243) is*
5 *amended—*

6 (1) *in subsection (f), by amending paragraph (2)*
7 *to read as follows:*

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

12 (2) *in subsection (h), by striking “2020” and in-*
13 *serting “2021”.*

14 **SEC. 115. SENSE OF CONGRESS ON THE SENIOR POLICY OP-**
15 **ERATING GROUP.**

16 *It is the sense of Congress that the Senior Policy Oper-*
17 *ating Group established under section 105(g) of the Traf-*
18 *ficking Victims Protection Act of 2000 (22 U.S.C. 7103(g))*
19 *should create a working group to examine the role of de-*
20 *mand reduction, both domestically and internationally, in*
21 *achieving the purposes of the Trafficking Victims Protection*
22 *Act of 2000 (22 U.S.C. 7101 et seq.) and the Justice for*
23 *Victims of Trafficking Act (Public Law 114–22; 129 Stat.*
24 *227).*

1 **SEC. 116. BEST PRACTICES TO PREVENT FORCED CHILD**
2 **LABOR TRAFFICKING.**

3 *It is the sense of the Congress that—*

4 *(1) the United States Government condemns, in*
5 *the strongest terms, forced child labor, including in*
6 *situations of trafficking; and*

7 *(2) the President should work with the private*
8 *sector to develop best practices and guidance for pre-*
9 *venting forced child labor and indentured servitude,*
10 *including in situations of trafficking.*

11 ***Subtitle C—Preventing Trafficking***
12 ***in Persons in the United States***

13 **SEC. 121. DEMAND REDUCTION STRATEGIES IN THE**
14 **UNITED STATES.**

15 *(a) DEPARTMENT OF JUSTICE TASK FORCE.—Section*
16 *105(d)(7) of the Trafficking Victims Protection Act of 2000*
17 *(22 U.S.C. 7103(d)(7)) is amended—*

18 *(1) in subparagraph (Q)(vii), by striking “and”*
19 *at the end;*

20 *(2) in subparagraph (R), by striking the period*
21 *at the end and inserting “; and”; and*

22 *(3) by adding at the end the following:*

23 *“(S) tactics and strategies employed by*
24 *human trafficking task forces sponsored by the*
25 *Department of Justice to reduce demand for traf-*
26 *ficking victims.”.*

1 (b) *REPORT ON STATE ENFORCEMENT.*—Subsection
 2 (e)(1)(A) of the *Combat Human Trafficking Act of 2015*
 3 (34 U.S.C. 20709(e)(1)(A)) is amended—

4 (1) in the matter preceding clause (i), by strik-
 5 ing “rates” and inserting “number”;

6 (2) by inserting “, noting the number of covered
 7 offenders” after “covered offense” each place such term
 8 appears;

9 (3) in clause (i), by striking “arrest” and insert-
 10 ing “arrests”;

11 (4) in clause (ii), by striking “prosecution” and
 12 inserting “prosecutions”; and

13 (5) in clause (iii), by striking “conviction” and
 14 inserting “convictions”.

15 **SEC. 122. DESIGNATION OF A LABOR PROSECUTOR TO EN-**
 16 **HANCE STATE AND LOCAL EFFORTS TO COM-**
 17 **BAT TRAFFICKING IN PERSONS.**

18 Section 204(a)(1) of the *Trafficking Victims Protection*
 19 *Reauthorization Act of 2005* (34 U.S.C. 20705(a)(1)) is
 20 amended—

21 (1) in subparagraph (D), by striking “and” at
 22 the end;

23 (2) in subparagraph (E), by striking the period
 24 at the end and inserting “; and”; and

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

1 “(F) as appropriate, to designate at least 1
2 prosecutor for cases of severe forms of trafficking
3 in persons (as such term is defined in section
4 103(9) of the Trafficking Victims Protection Act
5 of 2000 (22 U.S.C. 7102(9)).”.

6 **SEC. 123. PREVENTING HUMAN TRAFFICKING IN FOREIGN**
7 **MISSIONS AND DIPLOMATIC HOUSEHOLDS.**

8 Section 203(a) of the William Wilberforce Trafficking
9 Victims Protection Reauthorization Act of 2008 (8 U.S.C.
10 1375c(a)) is amended—

11 (1) in paragraph (2)—

12 (A) by striking “for such period as the Sec-
13 retary determines necessary” and inserting “for
14 a period of at least 1 year, except if the Sec-
15 retary determines and reports to the appropriate
16 congressional committees, in advance, the reasons
17 a shorter period is in the national interest,”; and

18 (B) by striking “the Secretary determines”
19 and all that follows and inserting “there is an
20 unpaid default or final civil judgement directly
21 or indirectly related to human trafficking
22 against the employer or a family member as-
23 signed to the embassy, or the diplomatic mission
24 or international organization hosting the em-
25 ployer or family member has not responded af-

1 *firmatively to a request to waive immunity*
2 *within 6 weeks of the request in a case brought*
3 *by the United States Government and the coun-*
4 *try that accredited the employer or family mem-*
5 *ber or, in the case of international organizations,*
6 *the country of citizenship, has not initiated pros-*
7 *ecution against the employer or family mem-*
8 *ber.”; and*

9 (2) *in paragraph (3), by striking “a mechanism*
10 *is in place” and inserting “, as applicable, the un-*
11 *paid default judgment or final civil judgement has*
12 *been resolved, the diplomatic mission or international*
13 *organization hosting the employer or family member*
14 *has waived immunity for the employer or family*
15 *member or the country that accredited the employer*
16 *or family member or the country of citizenship of the*
17 *employer or family member completed the prosecution*
18 *of the employer or family member, and the diplomatic*
19 *mission or international organization hosting the em-*
20 *ployer or family member has a mechanism in place”.*

21 **SEC. 124. ACTIONS AGAINST SIGNIFICANT TRAFFICKERS IN**
22 **PERSONS.**

23 *Section 111(a)(1) of the Trafficking Victims Protection*
24 *Act of 2000 (22 U.S.C. 7108(a)(1)) is amended—*

1 (1) *in the matter preceding subparagraph (A),*
2 *by inserting “, or section 1263 of the Global*
3 *Magnitsky Human Rights Accountability Act (sub-*
4 *title F of title XII of Public Law 114–328; 22 U.S.C.*
5 *2656 note),” after “1701)” the second place it ap-*
6 *pears; and*

7 (2) *by adding at the end the following:*

8 “(D) *Officials of a foreign government who*
9 *participate in, facilitate, or condone severe forms*
10 *of trafficking in persons for significant financial*
11 *gain.”.*

12 ***Subtitle D—Monitoring Child,***
13 ***Forced, and Slave Labor***

14 **SEC. 131. SENSE OF CONGRESS.**

15 *It is the sense of Congress that—*

16 (1) *foreign assistance that addresses poverty alle-*
17 *vation and humanitarian disasters reduces the vul-*
18 *nerability of men, women, and children to human*
19 *trafficking and is a crucial part of the response of the*
20 *United States to modern-day slavery;*

21 (2) *the Deputy Under Secretary of the Bureau of*
22 *International Labor Affairs of the Department of*
23 *Labor and the grant programs administered by the*
24 *Deputy Under Secretary play a critical role in pre-*
25 *venting and protecting children from the worst forms*

1 *of child labor, including situations of trafficking, and*
2 *in reducing the vulnerabilities of men and women to*
3 *situations of forced labor and trafficking; and*

4 *(3) the Secretary of Labor also plays a critical*
5 *role in helping other Federal departments and agen-*
6 *cies to prevent goods made with forced and child labor*
7 *from entering the United States by consulting with*
8 *such departments and agencies to reduce forced and*
9 *child labor internationally and ensuring that prod-*
10 *ucts made by forced labor and child labor in violation*
11 *of international standards are not imported into the*
12 *United States.*

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

15 *(a) IN GENERAL.—Not later than 2 years after the*
16 *date of the enactment of this Act, the Comptroller General*
17 *of the United States shall submit a report to the committees*
18 *listed in subsection (b) that describes any obstacles or chal-*
19 *lenges to enforcing section 307 of the Tariff Act of 1930*
20 *(19 U.S.C. 1307).*

21 *(b) COMMITTEES.—The committees listed in this sub-*
22 *section are—*

23 *(1) the Committee on Foreign Affairs of the*
24 *House of Representatives;*

1 (2) *the Committee on Financial Services of the*
2 *House of Representatives;*

3 (3) *the Committee on Energy and Commerce of*
4 *the House of Representatives;*

5 (4) *the Committee on the Judiciary of the House*
6 *of Representatives;*

7 (5) *the Committee on Ways and Means of the*
8 *House of Representatives;*

9 (6) *the Committee on Foreign Relations of the*
10 *Senate;*

11 (7) *the Committee on Health, Education, Labor,*
12 *and Pensions of the Senate;*

13 (8) *the Committee on Commerce, Science, and*
14 *Transportation of the Senate;*

15 (9) *the Committee on the Judiciary of the Sen-*
16 *ate; and*

17 (10) *the Committee on Finance of the Senate.*

18 (c) *REQUIREMENTS.—The report required under sub-*
19 *section (a) shall—*

20 (1) *describe the role and best practices of private*
21 *sector employers in the United States in complying*
22 *with the provisions of section 307 of the Tariff Act of*
23 *1930;*

24 (2) *describe any efforts or programs undertaken*
25 *by relevant Federal, State, or local government agen-*

1 *cies to encourage employers, directly or indirectly, to*
2 *comply with such provisions;*

3 *(3) describe the roles of the relevant Federal de-*
4 *partments and agencies in overseeing and regulating*
5 *such provisions, and the oversight and enforcement*
6 *mechanisms used by such departments or agencies;*

7 *(4) provide concrete, actual case studies or exam-*
8 *ples of how such provisions are enforced;*

9 *(5) identify the number of petitions received and*
10 *cases initiated (whether by petition or otherwise) or*
11 *investigated by each relevant Federal department or*
12 *agency charged with implementing and enforcing*
13 *such provisions, as well as the dates petitions were re-*
14 *ceived or investigations were initiated, and their cur-*
15 *rent statuses;*

16 *(6) identify any enforcement actions during the*
17 *most recent 10 years, including—*

18 *(A) the issuance of Withhold Release Orders;*

19 *(B) the detention of shipments;*

20 *(C) the issuance of civil penalties; and*

21 *(D) the formal charging with criminal*
22 *charges relating to the forced labor scheme taken*
23 *as a result of petitions and investigations identi-*
24 *fied pursuant to paragraph (5), organized by*

1 *type of action, date of action, commodity, and*
2 *country of origin;*

3 *(7) with respect to any relevant petition filed*
4 *during the 10-year period immediately preceding the*
5 *date of the enactment of this Act with the relevant*
6 *Federal departments and agencies tasked with imple-*
7 *menting such provisions, list the specific products,*
8 *country of origin, manufacturer, importer, end-user*
9 *or retailer, and outcomes of any investigation;*

10 *(8) identify any gaps that may exist in enforce-*
11 *ment of such provisions;*

12 *(9) describe the engagement of the relevant Fed-*
13 *eral departments and agencies with stakeholders, in-*
14 *cluding the engagement of importers, forced labor ex-*
15 *perts, and nongovernmental organizations; and*

16 *(10) based on the information required under*
17 *paragraphs (1) through (9)—*

18 *(A) identify any regulatory obstacles or*
19 *challenges to enforcement of such provisions; and*

20 *(B) provide recommendations for actions*
21 *that could be taken by the relevant Federal de-*
22 *partments and agencies to overcome such obsta-*
23 *cles.*

1 **SEC. 133. MODIFICATION TO LIST OF CHILD-MADE AND**
2 **SLAVERY-MADE GOODS.**

3 (a) *IN GENERAL.*—Section 105(b)(2)(C) of the Traf-
4 ficking Victims Protection Reauthorization Act of 2005 (22
5 U.S.C. 7112(b)(2)(C)) is amended by inserting “, including,
6 to the extent practicable, goods that are produced with in-
7 puts that are produced with forced labor or child labor”
8 after “international standards”.

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

1 **TITLE II—FIGHTING HUMAN**
2 **TRAFFICKING ABROAD**
3 **Subtitle A—Efforts to Combat**
4 **Trafficking**

5 **SEC. 201. INCLUDING THE SECRETARY OF THE TREASURY**
6 **AND THE UNITED STATES TRADE REP-**
7 **RESENTATIVE AS A MEMBER OF THE INTER-**
8 **AGENCY TASK FORCE TO MONITOR AND COM-**
9 **BAT TRAFFICKING.**

10 *Section 105(b) of the Trafficking Victims Protection*
11 *Act of 2000 (22 U.S.C. 7103(b)) is amended by inserting*
12 *“the Secretary of the Treasury, the United States Trade*
13 *Representative,” after “the Secretary of Education,”.*

14 **SEC. 202. ENCOURAGING COUNTRIES TO MAINTAIN AND**
15 **SHARE DATA ON HUMAN TRAFFICKING EF-**
16 **FORTS.**

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

- 19 *(1) in paragraph (1)—*
20 *(A) by striking “the capacity” and insert-*
21 *ing “a demonstrably increasing capacity”; and*
22 *(B) by striking the last sentence; and*
23 *(2) in paragraph (7)—*
24 *(A) by striking “consistent with its re-*
25 *sources” and inserting “, consistent with a de-*

1 *monstrably increasing capacity of such govern-*
2 *ment to obtain such data,”; and*

3 *(B) by striking the last sentence.*

4 **SEC. 203. APPROPRIATE LISTING OF GOVERNMENTS IN-**
5 **VOLVED IN HUMAN TRAFFICKING.**

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 (2)—*

9 *(A) in subparagraph (A)(iii)(I)—*

10 *(i) by striking “absolute” and insert-*
11 *ing “estimated”; and*

12 *(ii) by inserting “and the country is*
13 *not taking proportional concrete actions”*
14 *before the semicolon at the end; and*

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

16 *“(F) SPECIAL RULE FOR CERTAIN COUN-*
17 *TRIES ON SPECIAL WATCH LIST THAT ARE DOWN-*
18 *GRADED AND REINSTATED ON SPECIAL WATCH*
19 *LIST.—Notwithstanding subparagraphs (D) and*
20 *(E), a country may not be included on the spe-*
21 *cial watch list described in subparagraph*
22 *(A)(iii) for more than 1 consecutive year after*
23 *the country—*

1 “(i) was included on the special watch
2 list described in subparagraph (A)(iii)
3 for—

4 “(I) 2 consecutive years after the
5 date of the enactment of subparagraph
6 (D); and

7 “(II) any additional years after
8 such date of enactment as a result of
9 the President exercising the waiver au-
10 thority under subparagraph (D)(ii);
11 and

12 “(ii) was subsequently included on the
13 list of countries described in paragraph
14 (1)(C).”; and

15 (2) in paragraph (3)—

16 (A) by redesignating subparagraphs (A),
17 (B), and (C) as clauses (i), (ii), and (iii) and
18 moving such clauses 2 ems to the right;

19 (B) in the matter preceding clause (i), as
20 redesignated, by striking “In determinations”
21 and inserting the following:

22 “(A) IN GENERAL.—In determinations”;

23 and

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

1 “(B) *PROOF OF FAILURE TO MAKE SIGNIFI-*
2 *CANT EFFORTS.*—*In addition to the consider-*
3 *ations described in clauses (i), (ii), and (iii) of*
4 *subparagraph (A), in determinations under*
5 *paragraph (1)(C) as to whether the government*
6 *of a country is not making significant efforts to*
7 *bring itself into compliance with the minimum*
8 *standards for the elimination of trafficking, the*
9 *Secretary of State shall consider, as proof of fail-*
10 *ure to make significant efforts, a government*
11 *policy or pattern of—*

12 “(i) *trafficking;*

13 “(ii) *trafficking in government-funded*
14 *programs;*

15 “(iii) *forced labor (in government-af-*
16 *filiated medical services, agriculture, for-*
17 *estry, mining, construction, or other sec-*
18 *tors);*

19 “(iv) *sexual slavery in government*
20 *camps, compounds, or outposts; or*

21 “(v) *employing or recruiting child sol-*
22 *diers.*”.

1 **SEC. 204. REQUIREMENTS FOR STRATEGIES TO PREVENT**
2 **TRAFFICKING.**

3 (a) *REPORT ON NEW PRACTICES TO COMBAT TRAF-*
4 *FICKING.*—

5 (1) *IN GENERAL.*—*Not later than 120 days after*
6 *the date of the enactment of this Act, and annually*
7 *thereafter for 7 years, the Secretary of State, in con-*
8 *sultation with the Administrator of the United States*
9 *Agency for International Development, shall submit a*
10 *report to the Committee on Foreign Relations of the*
11 *Senate and the Committee on Foreign Affairs of the*
12 *House of Representatives that—*

13 (A) *describes any practices adopted by the*
14 *Department of State or the United States Agency*
15 *for International Development to better combat*
16 *trafficking in persons, in accordance with the re-*
17 *port submitted under section 101(b)(4) of the*
18 *Trafficking Victims Protection Reauthorization*
19 *Act of 2005, in order to reduce the risk of traf-*
20 *ficking in post-conflict or post-disaster areas; or*

21 (B) *if no practices referred to in subpara-*
22 *graph (A) have been adopted, includes a strategy*
23 *to reduce the risk of trafficking in such areas.*

24 (2) *PUBLIC AVAILABILITY.*—*Each report sub-*
25 *mitted under paragraph (1) shall be posted on a pub-*

1 *licly available internet website of the Department of*
2 *State.*

3 *(b) CHILD PROTECTION STRATEGIES IN WATCH LIST*
4 *COUNTRIES.—*

5 *(1) IN GENERAL.—The Administrator of the*
6 *United States Agency for International Development*
7 *shall incorporate into the relevant country develop-*
8 *ment cooperation strategy for each country on the list*
9 *described in paragraph (1)(C) of section 110(b) of the*
10 *Trafficking Victims Protection Act of 2000 (22 U.S.C.*
11 *7107(b)) or the special watch list described in para-*
12 *graph (2)(A)(iii) of such section, strategies for the*
13 *protection of children and the reduction of the risk of*
14 *trafficking.*

15 *(2) COMPONENTS.—The child protection and*
16 *trafficking reduction strategies required under para-*
17 *graph (1) shall—*

18 *(A) address the root causes of insecurity*
19 *that leave children and youth vulnerable to traf-*
20 *ficking; and*

21 *(B) include common metrics and indicators*
22 *to monitor progress across Federal agencies to*
23 *prevent, address, and end violence against chil-*
24 *dren and youth globally in post-conflict and*
25 *post-disaster areas.*

1 **SEC. 205. BRIEFING ON COUNTRIES WITH PRIMARILY MI-**
2 **GRANT WORKFORCES.**

3 *Not later than 30 days after the date of the enactment*
4 *of this Act, the Secretary of State shall provide a briefing*
5 *to the Committee on Foreign Relations of the Senate, the*
6 *Committee on the Judiciary of the Senate, the Committee*
7 *on Foreign Affairs of the House of Representatives, and the*
8 *Committee on the Judiciary of the House of Representatives*
9 *that includes, with respect to each country that has a do-*
10 *mestic workforce of which more than 80 percent are third-*
11 *country nationals—*

12 *(1) an assessment of the progress made by the*
13 *government of such country toward implementing the*
14 *recommendations with respect to such country con-*
15 *tained in the most recent Trafficking in Persons Re-*
16 *port submitted by the Secretary under section 110(b)*
17 *of the Trafficking Victims Protection Act of 2000 (22*
18 *U.S.C. 7107(b)), as amended by section 203 of this*
19 *Act; and*

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

1 **SEC. 206. REPORT ON RECIPIENTS OF FUNDING FROM THE**
2 **UNITED STATES AGENCY FOR INTER-**
3 **NATIONAL DEVELOPMENT.**

4 *Not later than 90 days after the date of the enactment*
5 *of this Act, and by October 1 of each of the following 4*
6 *years, the Administrator of the United States Agency for*
7 *International Development shall submit a report to the*
8 *Committee on Foreign Relations of the Senate, the Com-*
9 *mittee on Appropriations of the Senate, the Committee on*
10 *Foreign Affairs of the House of Representatives, and the*
11 *Committee on Appropriations of the House of Representa-*
12 *tives that describes, with respect to the prior fiscal year—*

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

16 *(2) with respect to each such obligation or ex-*
17 *penditure, the program, project, activity, primary re-*
18 *cipient, and any subgrantees or subcontractors.*

19 ***Subtitle B—Child Soldier***
20 ***Prevention Act of 2018***

21 **SEC. 211. FINDINGS.**

22 *Congress finds the following:*

23 *(1) The recruitment or use of children in armed*
24 *conflict is unacceptable for any government or govern-*
25 *ment-supported entity receiving United States assist-*
26 *ance.*

1 (2) *The recruitment or use of children in armed*
2 *conflict, including direct combat, support roles, and*
3 *sexual slavery, occurred during 2016 or 2017 in Af-*
4 *ghanistan, Iran, Mali, Niger, South Sudan, Sudan,*
5 *Burma, the Democratic Republic of the Congo, Iraq,*
6 *Nigeria, Rwanda, Somalia, Syria, and Yemen.*

7 (3) *Entities of the Government of Afghanistan,*
8 *particularly the Afghan Local Police and Afghan Na-*
9 *tional Police, continue to recruit children to serve as*
10 *combatants or as servants, including as sex slaves.*

11 (4) *Police forces of the Government of Afghani-*
12 *stan participate in counterterrorism operations, di-*
13 *rect and indirect combat, security operations, fight*
14 *alongside regular armies, and are targeted for vio-*
15 *lence by the Taliban and other opposition groups.*

16 (5) *In February 2016, a 10-year-old boy was as-*
17 *sassinated by the Taliban after he had been publicly*
18 *honored by Afghan local police forces for his assist-*
19 *ance in combat operations against the Taliban.*

20 (6) *Recruitment and use of children in armed*
21 *conflict by government forces has continued in South*
22 *Sudan with the return to hostilities.*

23 (7) *At least 19,000 children have been recruited*
24 *since South Sudan's civil war began in 2013.*

1 **SEC. 212. AMENDMENTS TO THE CHILD SOLDIERS PREVEN-**
2 **TION ACT OF 2008.**

3 (a) *DEFINITIONS.*—Section 402(2) of the Child Sol-
4 *diers Prevention Act of 2008 (22 U.S.C. 2370c(2)) is*
5 *amended—*

6 (1) *in subparagraph (A), by inserting “, police,*
7 *or other security forces” after “governmental armed*
8 *forces” each place such term appears; and*

9 (2) *in subparagraph (B), by striking “clauses”*
10 *and inserting “clause”.*

11 (b) *PROHIBITION.*—Section 404 of the Child Soldiers
12 *Prevention Act of 2008 (22 U.S.C. 2370c–1) is amended—*

13 (1) *in subsection (a)—*

14 (A) *by inserting “, police, or other security*
15 *forces,” after “governmental armed forces”; and*

16 (B) *by striking “recruit and use child sol-*
17 *diers” and inserting “recruit or use child sol-*
18 *diers”;*

19 (2) *in subsection (b), by amending paragraph*
20 *(2) to read as follows:*

21 “(2) *NOTIFICATION.*—

22 “(A) *IN GENERAL.*—Not later than 45 days
23 after the date on which each report is submitted
24 under section 110(b) of the Trafficking Victims
25 Protection Act of 2000 (22 U.S.C. 7107(b)), the
26 Secretary of State shall formally notify each gov-

1 *ernment included in the list under paragraph*
2 *(1) that such government is included in such list.*

3 *“(B) CONGRESSIONAL NOTIFICATION.—As*
4 *soon as practicable after making all of the notifi-*
5 *cations required under subparagraph (A) with*
6 *respect to a report, the Secretary of State shall*
7 *notify the appropriate congressional committees*
8 *that the requirements of subparagraph (A) have*
9 *been met.”;*

10 *(3) in subsection (c)(1), by inserting before the*
11 *period at the end the following: “and certifies to the*
12 *appropriate congressional committees that the govern-*
13 *ment of such country is taking effective and con-*
14 *tinuing steps to address the problem of child soldiers”;*
15 *and*

16 *(4) in subsection (e)(1), in the matter preceding*
17 *subparagraph (A), by striking “to a country” and all*
18 *that follows through “subsection (a)” and inserting*
19 *“under section 541 of the Foreign Assistance Act of*
20 *1961 (22 U.S.C. 2347) through the Defense Institute*
21 *for International Legal Studies or the Center for*
22 *Civil-Military Relations at the Naval Post-Graduate*
23 *School, and may provide nonlethal supplies (as de-*
24 *defined in section 2557(d)(1)(B) of title 10, United*

1 *States Code), to a country subject to the prohibition*
2 *under subsection (a)”.*

3 (c) *REPORTS.*—*Section 405 of the Child Soldiers Pre-*
4 *vention Act of 2008 (22 U.S.C. 2370c-2) is amended—*

5 (1) *in subsection (c)—*

6 (A) *in the matter preceding paragraph*

7 (1)—

8 (i) *by striking “, during any of the 5*
9 *years following the date of the enactment of*
10 *this Act,”; and*

11 (ii) *by striking “wavier” and inserting*
12 *“waiver”;*

13 (B) *by redesignating paragraphs (2), (3),*
14 *and (4) as paragraphs (3), (4), and (5), respec-*
15 *tively;*

16 (C) *by inserting after paragraph (1) the fol-*
17 *lowing:*

18 “*(2) a description and the amount of any assist-*
19 *ance withheld under this title pursuant to the appli-*
20 *cation to those countries of the prohibition in section*
21 *404(a);”;* and

22 (D) *in paragraph (5), as redesignated, by*
23 *inserting “and the amount” after “a descrip-*
24 *tion”; and*

25 (2) *by adding at the end the following:*

1 “(d) *INFORMATION TO BE INCLUDED IN ANNUAL*
2 *TRAFFICKING IN PERSONS REPORT.*—*If the Secretary of*
3 *State notifies a country pursuant to section 404(b)(2), or*
4 *the President grants a waiver pursuant to section 404(c)(1),*
5 *the Secretary of State shall include, in each report required*
6 *under section 110(b) of the Trafficking Victims Protection*
7 *Act of 2000 (22 U.S.C. 7107(b)), the information required*
8 *to be included in the annual report to Congress under para-*
9 *graphs (1) through (5) of subsection (c).”.*

10 (d) *ELIMINATION OF CHILD SEXUAL ASSAULT BY AF-*
11 *GHAN SECURITY FORCES.*—

12 (1) *SENSE OF CONGRESS.*—*It is the sense of*
13 *Congress that the Department of State and the De-*
14 *partment of Defense should fully implement the rec-*
15 *ommendations in the Special Inspector General for*
16 *Afghanistan Reconstruction’s 2017 report on Child*
17 *Sexual Assault in Afghanistan.*

18 (2) *REPORT ON STATUS OF IMPLEMENTATION OF*
19 *RECOMMENDATIONS.*—*Not later than 90 days after*
20 *the date of the enactment of this Act, the Secretary of*
21 *State and the Secretary of Defense shall report to the*
22 *appropriate congressional committees on the status of*
23 *implementation, within their respective departments,*
24 *of each recommendation included in the report ref-*
25 *erenced in paragraph (1).*

1 (3) *REPORT ON INTERAGENCY EFFORTS TO MON-*
2 *ITOR ABUSES.*—Not later than 180 days after the date
3 of the enactment of this Act, the Secretary of State
4 and the Secretary of Defense shall report to the ap-
5 propriate congressional committees on the status of
6 interagency efforts to establish effective, coherent, and
7 discrete reporting by United States personnel on child
8 sexual abuse by Afghan security forces with whom
9 they train or advise or to whom they provide assist-
10 ance.

11 (4) *PRIORITIZATION AT MINISTERIAL CON-*
12 *FERENCE ON AFGHANISTAN.*—The Department of
13 State shall ensure that the issue of child sexual as-
14 sault by Afghan security forces is incorporated and
15 elevated as an issue of international concern and
16 focus at the next Ministerial Conference on Afghani-
17 stan, scheduled for November 27-28, 2018, in Geneva,
18 Switzerland, with the goal of ending the illegal but
19 ongoing practice known as “bacha bazi”.

20 (5) *APPROPRIATE CONGRESSIONAL COMMITTEES*
21 *DEFINED.*—In this subsection, the term “appropriate
22 congressional committees” means—

23 (A) *the Committee on Foreign Relations*
24 *and the Committee on Armed Services of the*
25 *Senate; and*

1 (B) the Committee on Foreign Affairs and
2 the Committee on Armed Services of the House
3 of Representatives.

4 **TITLE III—AUTHORIZATION OF**
5 **APPROPRIATIONS**

6 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS UNDER**
7 **THE TRAFFICKING VICTIMS PROTECTION ACT**
8 **OF 2000.**

9 Section 113 of the Trafficking Victims Prevention Act
10 of 2000 (22 U.S.C. 7110) is amended—

11 (1) by amending subsection (a) to read as fol-
12 lows:

13 “(a) *AUTHORIZATION OF APPROPRIATIONS IN SUP-*
14 *PORT OF THE TASK FORCE.—There are authorized to be*
15 *appropriated to the Department of State, for each of the*
16 *fiscal years 2018 through 2021, \$13,822,000 for Diplomatic*
17 *and Consular Programs of the Office to Monitor and Com-*
18 *bat Trafficking in Persons, which shall be used to carry*
19 *out sections 105(e), 105(f), and 110, including for addi-*
20 *tional personnel.”;*

21 (2) in subsection (b)(1), by striking “\$14,500,000
22 for each of the fiscal years 2014 through 2017” and
23 inserting “\$19,500,000 for each of the fiscal years
24 2018 through 2021, of which \$3,500,000 is authorized

1 *to be appropriated for each fiscal year for the Na-*
2 *tional Human Trafficking Hotline.”;*

3 *(3) in subsection (c), by amending paragraph*
4 *(1) to read as follows:*

5 *“(1) ASSISTANCE TO COMBAT TRAFFICKING.—*
6 *There are authorized to be appropriated to the De-*
7 *partment of State, for each of the fiscal years 2018*
8 *through 2021, \$65,000,000, which shall be used—*

9 *“(A) to carry out sections 106 and 107(a);*

10 *“(B) to carry out section 134 of the Foreign*
11 *Assistance Act of 1961 (22 U.S.C. 2152d);*

12 *“(C) to assist countries in meeting the min-*
13 *imum standards described in section 108; and*

14 *“(D) for programs and activities on preven-*
15 *tion, protection, and prosecution to combat all*
16 *forms of trafficking in persons internationally,*
17 *including training activities for law enforcement*
18 *officers, prosecutors, and members of the judici-*
19 *ary with respect to trafficking in persons at the*
20 *International Law Enforcement Academies.”;*
21 *and*

22 *(4) in subsection (f), by striking “2014 through*
23 *2017” and inserting “2018 through 2021.”.*

1 **SEC. 302. AUTHORIZATION OF APPROPRIATIONS UNDER**
2 **THE INTERNATIONAL MEGAN’S LAW.**

3 *Section 11 of the International Megan’s Law to Pre-*
4 *vent Child Exploitation and Other Sexual Crimes Through*
5 *Advanced Notification of Traveling Sex Offenders (34*
6 *U.S.C. 21509) is amended by striking “2017 and 2018” and*
7 *inserting “2018 through 2021”.*

8 **SEC. 303. AUTHORIZATION OF APPROPRIATIONS FOR AIR-**
9 **PORT PERSONNEL TRAINING TO IDENTIFY**
10 **AND REPORT HUMAN TRAFFICKING VICTIMS.**

11 *There is authorized to be appropriated to the Commis-*
12 *sioner of U.S. Customs and Border Protection \$250,000 for*
13 *each of the fiscal years 2018 through 2021 to expand out-*
14 *reach and live on-site anti-trafficking training for airport*
15 *and airline personnel.*

Attest:

Secretary.

115TH CONGRESS
2^D SESSION

H.R. 2200

AMENDMENT