

115TH CONGRESS
1ST SESSION

S. 1311

AN ACT

To provide assistance in abolishing human trafficking in
the United States.

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

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

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “Abolish Human Trafficking Act of 2017”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Preserving Domestic Trafficking Victims’ Fund.
- Sec. 3. Mandatory restitution for victims of commercial sexual exploitation.
- Sec. 4. Victim-witness assistance in sexual exploitation cases.
- Sec. 5. Victim protection training for the Department of Homeland Security.
- Sec. 6. Implementing a victim-centered approach to human trafficking.
- Sec. 7. Direct services for child victims of human trafficking.
- Sec. 8. Holistic training for Federal law enforcement officers and prosecutors.
- Sec. 9. Best practices in delivering justice for victims of trafficking.
- Sec. 10. Improving the national strategy to combat human trafficking.
- Sec. 11. Specialized human trafficking training and technical assistance for service providers.
- Sec. 12. Enhanced penalties for human trafficking, child exploitation, and repeat offenders.
- Sec. 13. Targeting organized human trafficking perpetrators.
- Sec. 14. Investigating complex human trafficking networks.
- Sec. 15. Combating sex tourism.
- Sec. 16. Human Trafficking Justice Coordinators.
- Sec. 17. Interagency Task Force to Monitor and Combat Human Trafficking.
- Sec. 18. Additional reporting on crime.
- Sec. 19. Making the Presidential Survivor Council permanent.
- Sec. 20. Strengthening the national human trafficking hotline.
- Sec. 21. Ending Government partnerships with the commercial sex industry.
- Sec. 22. Understanding the effects of severe forms of trafficking in persons.
- Sec. 23. Combating trafficking in persons.
- Sec. 24. Grant accountability.
- Sec. 25. HERO Act improvements.

6 **SEC. 2. PRESERVING DOMESTIC TRAFFICKING VICTIMS’**
7 **FUND.**

8 (a) **SENSE OF CONGRESS.**—It is the sense of Con-
9 gress that the Domestic Trafficking Victims’ Fund estab-
10 lished under section 3014 of title 18, United States
11 Code—

1 (1) is intended to supplement, and not sup-
2 plant, any other funding for domestic trafficking vic-
3 tims; and

4 (2) has achieved the objective described in para-
5 graph (1) since the establishment of the Fund.

6 (b) ENSURING FULL FUNDING.—Section 3014 of
7 title 18, United States Code, is amended—

8 (1) in subsection (a), in the matter preceding
9 paragraph (1), by striking “September 30, 2019”
10 and inserting “September 30, 2023”;

11 (2) in subsection (e)(1), in the matter preceding
12 subparagraph (A), by striking “2019” and inserting
13 “2023”;

14 (3) in subsection (f), by inserting “, including
15 the mandatory imposition of civil remedies for satis-
16 faction of an unpaid fine as authorized under section
17 3613, where appropriate” after “criminal cases”;
18 and

19 (4) in subsection (h)(3), by inserting “and child
20 victims of a severe form of trafficking (as defined in
21 section 103 of the Victims of Trafficking and Vio-
22 lence Protection Act of 2000 (22 U.S.C. 7102))”
23 after “child pornography victims”.

1 **SEC. 3. MANDATORY RESTITUTION FOR VICTIMS OF COM-**
2 **MERCIAL SEXUAL EXPLOITATION.**

3 (a) AMENDMENT.—Chapter 117 of title 18, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 2429. Mandatory restitution**

7 “(a) Notwithstanding section 3663 or 3663A, and in
8 addition to any other civil or criminal penalty authorized
9 by law, the court shall order restitution for any offense
10 under this chapter.

11 “(b)(1) The order of restitution under this section
12 shall direct the defendant to pay the victim (through the
13 appropriate court mechanism) the full amount of the vic-
14 tim’s losses, as determined by the court under paragraph
15 (3), and shall additionally require the defendant to pay
16 the greater of the gross income or value to the defendant
17 of the victim’s services, if the services constitute commer-
18 cial sex acts as defined under section 1591.

19 “(2) An order of restitution under this section shall
20 be issued and enforced in accordance with section 3664
21 in the same manner as an order under section 3663A.

22 “(3) As used in this subsection, the term ‘full amount
23 of the victim’s losses’ has the same meaning as provided
24 in section 2259(b)(3).

25 “(c) The forfeiture of property under this section
26 shall be governed by the provisions of section 413 (other

1 than subsection (d) of such section) of the Controlled Sub-
 2 stances Act (21 U.S.C. 853).

3 “(d) As used in this section, the term ‘victim’ means
 4 the individual harmed as a result of a crime under this
 5 chapter, including, in the case of a victim who is under
 6 18 years of age, incompetent, incapacitated, or deceased,
 7 the legal guardian of the victim or a representative of the
 8 victim’s estate, or another family member, or any other
 9 person appointed as suitable by the court, but in no event
 10 shall the defendant be named such representative or
 11 guardian.”.

12 (b) TABLE OF SECTIONS.—The table of sections for
 13 chapter 117 of title 18, United States Code, is amended
 14 by inserting after the item relating to section 2428 the
 15 following:

“2429. Mandatory restitution.”.

16 **SEC. 4. VICTIM-WITNESS ASSISTANCE IN SEXUAL EXPLOI-**
 17 **TATION CASES.**

18 (a) AVAILABILITY OF DOJ APPROPRIATIONS.—Sec-
 19 tion 524(c)(1)(B) of title 28, United States Code, is
 20 amended by inserting “, chapter 110 of title 18” after
 21 “chapter 77 of title 18”.

22 (b) AMENDMENT TO TITLE 31.—Section
 23 9705(a)(2)(B)(v) of title 31, United States Code, is
 24 amended by inserting “, chapter 109A of title 18 (relating
 25 to sexual abuse), chapter 110 of title 18 (relating to child

1 sexual exploitation), or chapter 117 of title 18 (relating
2 to transportation for illegal sexual activity and related
3 crimes)” after “(relating to human trafficking)”.

4 **SEC. 5. VICTIM PROTECTION TRAINING FOR THE DEPART-**
5 **MENT OF HOMELAND SECURITY.**

6 (a) IN GENERAL.—Title IX of the Justice for Victims
7 of Trafficking Act of 2015 (6 U.S.C. 641 et seq.) is
8 amended by adding at the end the following:

9 **“SEC. 906. VICTIM PROTECTION TRAINING FOR THE DE-**
10 **PARTMENT OF HOMELAND SECURITY.**

11 “(a) DIRECTIVE TO DHS LAW ENFORCEMENT OFFI-
12 CIALS AND TASK FORCES.—

13 “(1) IN GENERAL.—Not later than 180 days
14 after the date of enactment of this section, the Sec-
15 retary shall issue a directive to—

16 “(A) all Federal law enforcement officers
17 and relevant personnel employed by the Depart-
18 ment who may be involved in the investigation
19 of human trafficking offenses; and

20 “(B) members of all task forces led by the
21 Department that participate in the investigation
22 of human trafficking offenses.

23 “(2) REQUIRED INSTRUCTIONS.—The directive
24 required to be issued under paragraph (1) shall in-
25 clude instructions on—

1 “(A) the investigation of individuals who
2 patronize or solicit human trafficking victims as
3 being engaged in severe trafficking in persons
4 and how such individuals should be investigated
5 for their roles in severe trafficking in persons;
6 and

7 “(B) how victims of sex or labor traf-
8 ficking often engage in criminal acts as a direct
9 result of severe trafficking in persons and such
10 individuals are victims of a crime and affirma-
11 tive measures should be taken to avoid arrest-
12 ing, charging, or prosecuting such individuals
13 for any offense that is the direct result of their
14 victimization.

15 “(b) VICTIM SCREENING PROTOCOL.—

16 “(1) IN GENERAL.—Not later than 180 days
17 after the date of enactment of this section, the Sec-
18 retary shall issue a screening protocol for use during
19 all anti-trafficking law enforcement operations in
20 which the Department is involved.

21 “(2) REQUIREMENTS.—The protocol required
22 to be issued under paragraph (1) shall—

23 “(A) require the individual screening of all
24 adults and children who are suspected of engag-
25 ing in commercial sex acts, child labor that is

1 a violation of law, or work in violation of labor
2 standards to determine whether each individual
3 screened is a victim of human trafficking;

4 “(B) require affirmative measures to avoid
5 arresting, charging, or prosecuting human traf-
6 ficking victims for any offense that is the direct
7 result of their victimization;

8 “(C) be developed in consultation with rel-
9 evant interagency partners and nongovern-
10 mental organizations that specialize in the pre-
11 vention of human trafficking or in the identi-
12 fication and support of victims of human traf-
13 ficking and survivors of human trafficking; and

14 “(D) include—

15 “(i) procedures and practices to en-
16 sure that the screening process minimizes
17 trauma or revictimization of the person
18 being screened; and

19 “(ii) guidelines on assisting victims of
20 human trafficking in identifying and re-
21 ceiving restorative services.

22 “(c) MANDATORY TRAINING.—The training de-
23 scribed in sections 902 and 904 shall include training nec-
24 essary to implement—

1 “(1) the directive required under subsection (a);

2 and

3 “(2) the protocol required under subsection

4 (b).”.

5 (b) TABLE OF CONTENTS AMENDMENT.—The table

6 of contents in section 1(b) of the Justice for Victims of

7 Trafficking Act of 2015 (Public Law 114–22; 129 Stat.

8 227) is amended by inserting after the item relating to

9 section 905 the following:

“Sec. 906. Victim protection training for the Department of Homeland Security.”.

10 **SEC. 6. IMPLEMENTING A VICTIM-CENTERED APPROACH**

11 **TO HUMAN TRAFFICKING.**

12 Section 107(b)(2) of the Trafficking Victims Protec-
13 tion Act of 2000 (22 U.S.C. 7105(b)(2)) is amended—

14 (1) in subparagraph (B)(ii); by striking the pe-
15 riod at the end and inserting “; and”; and

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

17 “(D) PRIORITY.—In selecting recipients of
18 grants under this paragraph that are only avail-
19 able for law enforcement operations or task
20 forces, the Attorney General may give priority
21 to any applicant that files an attestation with
22 the Attorney General stating that—

23 “(i) the grant funds—

1 “(I) will be used to assist in the
2 prevention of severe forms of traf-
3 ficking in persons in accordance with
4 Federal law;

5 “(II) will be used to strengthen
6 efforts to investigate and prosecute
7 those who knowingly benefit finan-
8 cially from participation in a venture
9 that has engaged in any act of human
10 trafficking;

11 “(III) will be used to take affirm-
12 ative measures to avoid arresting,
13 charging, or prosecuting victims of
14 human trafficking for any offense that
15 is the direct result of their victimiza-
16 tion; and

17 “(IV) will not be used to require
18 a victim of human trafficking to col-
19 laborate with law enforcement officers
20 as a condition of access to any shelter
21 or restorative services; and

22 “(ii) the applicant will provide dedi-
23 cated resources for anti-human trafficking
24 law enforcement for a period that is longer

1 than the duration of the grant received
2 under this paragraph.”.

3 **SEC. 7. DIRECT SERVICES FOR CHILD VICTIMS OF HUMAN**
4 **TRAFFICKING.**

5 Section 214(b) of the Victims of Child Abuse Act of
6 1990 (42 U.S.C. 13002(b)) is amended—

7 (1) in the heading by inserting “CHILD VIC-
8 TIMS OF A SEVERE FORM OF TRAFFICKING IN PER-
9 SONS AND” before “VICTIMS OF CHILD PORNOG-
10 RAPHY”; and

11 (2) by inserting “victims of a severe form of
12 trafficking (as defined in section 103 of the Traf-
13 ficking Victims Protection Act of 2000 (22 U.S.C.
14 7102(9)(A))) who were under the age of 18 at the
15 time of the offense and” before “victims of child
16 pornography”.

17 **SEC. 8. HOLISTIC TRAINING FOR FEDERAL LAW ENFORCE-**
18 **MENT OFFICERS AND PROSECUTORS.**

19 All training required under the Combat Human Traf-
20 ficking Act of 2015 (42 U.S.C. 14044g) and section
21 105(c)(4) of the Trafficking Victims Protection Act of
22 2000 (22 U.S.C. 7105(c)(4)) shall—

23 (1) emphasize that an individual who knowingly
24 solicits or patronizes a commercial sex act from a
25 person who was a minor (consistent with section

1 1591(e) of title 18, United States Code) or was sub-
2 ject to force, fraud, or coercion is guilty of an of-
3 fense under chapter 77 of title 18, United States
4 Code, and is a party to a human trafficking offense;

5 (2) develop specific curriculum for—

6 (A) under appropriate circumstances, ar-
7 resting and prosecuting buyers of commercial
8 sex, child labor that is a violation of law, or
9 forced labor as a form of primary prevention;
10 and

11 (B) investigating and prosecuting individ-
12 uals who knowingly benefit financially from par-
13 ticipation in a venture that has engaged in any
14 act of human trafficking; and

15 (3) specify that any comprehensive approach to
16 eliminating human trafficking shall include a de-
17 mand reduction component.

18 **SEC. 9. BEST PRACTICES IN DELIVERING JUSTICE FOR VIC-**
19 **TIMS OF TRAFFICKING.**

20 Not later than 180 days after the date of enactment
21 of this Act, the Attorney General shall issue guidance to
22 all offices and components of the Department of Justice—

23 (1) emphasizing that an individual who know-
24 ingly solicits or patronizes a commercial sex act
25 from a person who was a minor (consistent with sec-

1 tion 1591(c) of title 18, United States Code) or was
2 subject to force, fraud, or coercion is guilty of an of-
3 fense under chapter 77 of title 18, United States
4 Code, and is a party to a severe form of trafficking
5 in persons, as that term is defined in section 103(9)
6 of the Trafficking Victims Protection Act of 2000
7 (22 U.S.C. 7102(9));

8 (2) recommending and implementing best prac-
9 tices for the collection of special assessments under
10 section 3014 of title 18, United States Code, as
11 added by section 101 of the Justice for Victims of
12 Trafficking Act of 2015 (Public Law 114–22; 129
13 Stat. 228), including a directive that civil liens are
14 an authorized collection method and remedy under
15 section 3613 of title 18, United States Code; and

16 (3) clarifying that commercial sexual exploi-
17 tation is a form of gender-based violence.

18 **SEC. 10. IMPROVING THE NATIONAL STRATEGY TO COMBAT**

19 **HUMAN TRAFFICKING.**

20 Section 606(b) of the Justice for Victims of Traf-
21 ficking Act of 2015 (42 U.S.C. 14044h(b)) is amended
22 by adding at the end the following:

23 “(6) A national strategy to prevent human traf-
24 ficking and reduce demand for human trafficking
25 victims.”.

1 **SEC. 11. SPECIALIZED HUMAN TRAFFICKING TRAINING**
2 **AND TECHNICAL ASSISTANCE FOR SERVICE**
3 **PROVIDERS.**

4 (a) IN GENERAL.—Section 111 of the Violence
5 Against Women and Department of Justice Reauthoriza-
6 tion Act of 2005 (42 U.S.C. 14044f) is amended—

7 (1) in the heading, by striking “**LAW EN-**
8 **FORCEMENT TRAINING PROGRAMS**” and insert-
9 ing “**SPECIALIZED HUMAN TRAFFICKING**
10 **TRAINING AND TECHNICAL ASSISTANCE FOR**
11 **SERVICE PROVIDERS**”;

12 (2) in subsection (a)(2), by striking “means a
13 State or a local government.” and inserting the fol-
14 lowing: “means—

15 “(A) a State or unit of local government;

16 “(B) a federally recognized Indian tribal
17 government, as determined by the Secretary of
18 the Interior;

19 “(C) a victim service provider;

20 “(D) a nonprofit or for-profit organization
21 (including a tribal nonprofit or for-profit orga-
22 nization);

23 “(E) a national organization; or

24 “(F) an institution of higher education (in-
25 cluding tribal institutions of higher edu-
26 cation).”;

1 (3) by striking subsection (b) and inserting the
2 following:

3 “(b) GRANTS AUTHORIZED.—The Attorney General
4 may award grants to eligible entities to—

5 “(1) provide training to identify and protect
6 victims of trafficking;

7 “(2) improve the quality and quantity of serv-
8 ices offered to trafficking survivors; and

9 “(3) improve victim service providers’ partner-
10 ships with Federal, State, tribal, and local law en-
11 forcement agencies and other relevant entities.”; and

12 (4) in subsection (c)—

13 (A) in paragraph (2), by striking “or” at
14 the end;

15 (B) in paragraph (3), by striking the pe-
16 riod at the end and inserting a semicolon; and

17 (C) by inserting after paragraph (3) the
18 following:

19 “(4) provide technical assistance on the range
20 of services available to victim service providers who
21 serve trafficking victims;

22 “(5) develop and distribute materials, including
23 materials identifying best practices in accordance
24 with Federal law and policies, to support victim

1 service providers working with human trafficking
2 victims;

3 “(6) identify and disseminate other publicly
4 available materials in accordance with Federal law
5 to help build capacity of service providers;

6 “(7) provide training at relevant conferences,
7 through webinars, or through other mechanisms in
8 accordance with Federal law; or

9 “(8) assist service providers in developing addi-
10 tional resources such as partnerships with Federal,
11 State, tribal, and local law enforcement agencies and
12 other relevant entities in order to access a range of
13 available services in accordance with Federal law.”.

14 (b) TECHNICAL AND CONFORMING AMENDMENT.—
15 The table of contents in section 2 of the Violence Against
16 Women and Department of Justice Reauthorization Act
17 of 2005 (Public Law 109–162; 119 Stat. 2960) is amend-
18 ed by striking the item relating to section 111 and insert-
19 ing the following:

“Sec. 111. Grants for specialized human trafficking training and technical as-
sistance for service providers.”.

20 **SEC. 12. ENHANCED PENALTIES FOR HUMAN TRAFFICKING,**
21 **CHILD EXPLOITATION, AND REPEAT OFFEND-**
22 **ERS.**

23 Part I of title 18, United States Code, is amended—
24 (1) in chapter 77—

1 (A) in section 1583(a), in the flush text
2 following paragraph (3), by striking “not more
3 than 20 years” and inserting “not more than
4 30 years”;

5 (B) in section 1587, by striking “four
6 years” and inserting “10 years”; and

7 (C) in section 1591(d), by striking “20
8 years” and inserting “25 years”; and

9 (2) in section 2426—

10 (A) in subsection (a), by striking “twice”
11 and inserting “3 times”; and

12 (B) in subsection (b)(1)(B) by striking
13 “paragraph (1)” and inserting “subparagraph
14 (A)”.

15 **SEC. 13. TARGETING ORGANIZED HUMAN TRAFFICKING**
16 **PERPETRATORS.**

17 Section 521(e) of title 18, United States Code, is
18 amended—

19 (1) in paragraph (2), by striking “and” at the
20 end;

21 (2) by redesignating paragraph (3) as para-
22 graph (4);

23 (3) by inserting after paragraph (2) the fol-
24 lowing:

1 “(3) a Federal offense involving human traf-
 2 ficking, sexual abuse, sexual exploitation, or trans-
 3 portation for prostitution or any illegal sexual activ-
 4 ity; and”;

5 (4) in paragraph (4), as so redesignated, by
 6 striking “(1) or (2)” and inserting “(1), (2), or (3)”.

7 **SEC. 14. INVESTIGATING COMPLEX HUMAN TRAFFICKING**
 8 **NETWORKS.**

9 Section 2516 of title 18, United States Code, is
 10 amended—

11 (1) in subsection (1)(c)—

12 (A) by inserting “section 1582 (vessels for
 13 slave trade), section 1583 (enticement into slav-
 14 ery),” after “section 1581 (peonage),”; and

15 (B) by inserting “section 1585 (seizure,
 16 detention, transportation or sale of slaves), sec-
 17 tion 1586 (service on vessels in slave trade),
 18 section 1587 (possession of slaves aboard ves-
 19 sel), section 1588 (transportation of slaves from
 20 United States),” after “section 1584 (involun-
 21 tary servitude),”; and

22 (2) in subsection (2)—

23 (A) by striking “kidnapping human” and
 24 inserting “kidnapping, human”; and

1 (B) by striking “production, ,” and insert-
2 ing “production, prostitution,”.

3 **SEC. 15. COMBATING SEX TOURISM.**

4 Section 2423 of title 18, United States Code, is
5 amended—

6 (1) in subsection (b), by striking “for the pur-
7 pose” and inserting “with a motivating purpose”;
8 and

9 (2) in subsection (d), by striking “for the pur-
10 pose of engaging” and inserting “with a motivating
11 purpose of engaging”.

12 **SEC. 16. HUMAN TRAFFICKING JUSTICE COORDINATORS.**

13 Section 606 of the Justice for Victims of Trafficking
14 Act of 2015 (42 U.S.C. 14044h) is amended—

15 (1) in subsection (b)(1)—

16 (A) by striking subparagraph (B); and

17 (B) by redesignating subparagraphs (C)
18 and (D) as subparagraphs (B) and (C), respec-
19 tively; and

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

21 “(c) HUMAN TRAFFICKING JUSTICE COORDINA-
22 TORS.—The Attorney General shall designate in each Fed-
23 eral judicial district not less than 1 assistant United
24 States attorney to serve as the Human Trafficking Coordi-
25 nator for the district who, in addition to any other respon-

1 sibilities, works with a human trafficking victim-witness
2 specialist and shall be responsible for—

3 “(1) implementing the National Strategy with
4 respect to all forms of human trafficking, including
5 labor trafficking and sex trafficking;

6 “(2) prosecuting, or assisting in the prosecution
7 of, human trafficking cases;

8 “(3) conducting public outreach and awareness
9 activities relating to human trafficking;

10 “(4) ensuring the collection of data required to
11 be collected under clause (viii) of section
12 105(d)(7)(Q) of the Trafficking Victims Protection
13 Act of 2000 (22 U.S.C. 7103(d)(7)(Q)), as added by
14 section 17 of the Abolish Human Trafficking Act of
15 2017, is sought;

16 “(5) coordinating with other Federal agencies,
17 State, tribal, and local law enforcement agencies,
18 victim service providers, and other relevant non-gov-
19 ernmental organizations to build partnerships on ac-
20 tivities relating to human trafficking; and

21 “(6) ensuring the collection of restitution for
22 victims is sought as required to be ordered under
23 section 1593 of title 18, United States Code, and
24 section 2429 of such title, as added by section 3 of
25 the Abolish Human Trafficking Act of 2017.

1 “(d) DEPARTMENT OF JUSTICE COORDINATOR.—
2 Not later than 60 days after the date of enactment of the
3 Abolish Human Trafficking Act of 2017, the Attorney
4 General shall designate an official who shall coordinate
5 human trafficking efforts within the Department of Jus-
6 tice who, in addition to any other responsibilities, shall be
7 responsible for—

8 “(1) coordinating, promoting, and supporting
9 the work of the Department of Justice relating to
10 human trafficking, including investigation, prosecu-
11 tion, training, outreach, victim support, grant-mak-
12 ing, and policy activities;

13 “(2) in consultation with survivors of human
14 trafficking, or anti-human trafficking organizations,
15 producing and disseminating, including making pub-
16 licly available when appropriate, replication guides
17 and training materials for law enforcement officers,
18 prosecutors, judges, emergency responders, individ-
19 uals working in victim services, adult and child pro-
20 tective services, social services, and public safety,
21 medical personnel, mental health personnel, financial
22 services personnel, and any other individuals whose
23 work may bring them in contact with human traf-
24 ficking regarding how to—

25 “(A) identify signs of human trafficking;

1 “(B) conduct investigations in human traf-
2 ficking cases;

3 “(C) address evidentiary issues and other
4 legal issues; and

5 “(D) appropriately assess, respond to, and
6 interact with victims and witnesses in human
7 trafficking cases, including in administrative,
8 civil, and criminal judicial proceedings; and

9 “(3) carrying out such other duties as the At-
10 torney General determines necessary in connection
11 with enhancing the understanding, prevention, and
12 detection of, and response to, human trafficking.”.

13 **SEC. 17. INTERAGENCY TASK FORCE TO MONITOR AND**
14 **COMBAT HUMAN TRAFFICKING.**

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

18 (1) in clause (vi), by striking “and” at the end;

19 and

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

21 “(viii) the number of convictions ob-
22 tained under chapter 77 of title 18, United
23 States Code, aggregated separately by the
24 form of offense committed with respect to
25 the victim, including recruiting, enticing,

1 harboring, transporting, providing, obtain-
2 ing, advertising, maintaining, patronizing,
3 or soliciting a human trafficking victim;
4 and”.

5 **SEC. 18. ADDITIONAL REPORTING ON CRIME.**

6 Section 237(b) of the William Wilberforce Trafficking
7 Victims Protection Reauthorization Act of 2008 (28
8 U.S.C. 534 note) is amended—

9 (1) in paragraph (2), by striking “and” at the
10 end;

11 (2) in paragraph (3), by striking the period at
12 the end and inserting a semicolon; and

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

14 “(4) incidents of assisting or promoting pros-
15 titution, child labor that is a violation of law, or
16 forced labor of an individual under the age of 18 as
17 described in paragraph (1); and

18 “(5) incidents of purchasing or soliciting com-
19 mercial sex acts, child labor that is a violation of
20 law, or forced labor with an individual under the age
21 of 18 as described in paragraph (2).”.

1 **SEC. 19. MAKING THE PRESIDENTIAL SURVIVOR COUNCIL**
2 **PERMANENT.**

3 Section 115 of the Justice for Victims of Trafficking
4 Act of 2015 (Public Law 114–22; 129 Stat. 243) is
5 amended by striking subsection (h).

6 **SEC. 20. STRENGTHENING THE NATIONAL HUMAN TRAF-**
7 **FICKING HOTLINE.**

8 (a) **REPORTING REQUIREMENT.**—Section 105(d)(3)
9 of the Victims of Trafficking and Violence Protection Act
10 of 2000 (22 U.S.C. 7103(d)(3)) is amended—

11 (1) by inserting “and providing an annual re-
12 port on the case referrals received from the national
13 human trafficking hotline by Federal departments
14 and agencies” after “international trafficking”; and

15 (2) by inserting “and reporting requirements”
16 after “Any data collection procedures”.

17 (b) **HOTLINE INFORMATION.**—Section
18 107(b)(1)(B)(ii) of such Act (22 U.S.C.
19 7105(b)(1)(B)(ii)) is amended by adding at the end the
20 following: “The number of the national human trafficking
21 hotline described in this clause shall be posted in a visible
22 place in all Federal buildings.”.

23 **SEC. 21. ENDING GOVERNMENT PARTNERSHIPS WITH THE**
24 **COMMERCIAL SEX INDUSTRY.**

25 No Federal funds or resources may be used for the
26 operation of, participation in, or partnership with any pro-

1 gram that involves the provision of funding or resources
2 to an organization that—

3 (1) has the primary purpose of providing adult
4 entertainment; and

5 (2) derives profits from the commercial sex
6 trade.

7 **SEC. 22. UNDERSTANDING THE EFFECTS OF SEVERE**
8 **FORMS OF TRAFFICKING IN PERSONS.**

9 (a) IN GENERAL.—Title VI of the Justice for Victims
10 of Trafficking Act of 2015 (Public Law 114–22; 129 Stat.
11 258) is amended by adding at the end the following:

12 **“SEC. 607. UNDERSTANDING THE PHYSICAL AND PSYCHO-**
13 **LOGICAL EFFECTS OF SEVERE FORMS OF**
14 **TRAFFICKING IN PERSONS.**

15 “(a) IN GENERAL.—The National Institute of Jus-
16 tice and the Centers for Disease Control and Prevention
17 shall jointly conduct a study on the short-term and long-
18 term physical and psychological effects of serious harm (as
19 that term is defined in section 1589(c)(2) and section
20 1591(e)(4) of title 18, United States Code, as amended
21 by the William Wilberforce Trafficking Victims Protection
22 Reauthorization Act of 2008 (Public Law 110–457; 122
23 Stat. 5044)) in order to determine the most effective types
24 of services for individuals who are identified as victims of
25 these crimes, including victims in cases that were not in-

1 vestigated or prosecuted by any law enforcement agency,
 2 and how new or current treatment and programming op-
 3 tions should be tailored to address the unique needs and
 4 barriers associated with these victims.

5 “(b) REPORT.—Not later than 3 years after the date
 6 of enactment of the Abolish Human Trafficking Act of
 7 2017, the National Institute of Justice and the Centers
 8 for Disease Control and Prevention shall make available
 9 to the public the results, including any associated rec-
 10 ommendations, of the study conducted under subsection
 11 (a).”.

12 (b) TABLE OF CONTENTS AMENDMENT.—The table
 13 of contents in section 1(b) of the Justice for Victims of
 14 Trafficking Act of 2015 (Public Law 114–22; 129 Stat.
 15 227) is amended by inserting after the item relating to
 16 section 606 the following:

“Sec. 607. Understanding the physical and psychological effects of severe forms
 of trafficking in persons.”.

17 **SEC. 23. COMBATING TRAFFICKING IN PERSONS.**

18 (a) TRAFFICKING VICTIMS PREVENTION ACT OF
 19 2000 PROGRAMS.—Section 113 of the Trafficking Victims
 20 Prevention Act of 2000 (22 U.S.C. 7110) is amended—

21 (1) in subsection (b)—

22 (A) in paragraph (1), by striking “2014
 23 through 2017” and inserting “2018 through
 24 2022.”; and

1 (B) in paragraph (2), by striking “2014
2 through 2017” and inserting “2018 through
3 2022”; and

4 (2) in subsection (i), by striking “2014 through
5 2017” and inserting “2018 through 2022”.

6 (b) REINSTATEMENT AND REAUTHORIZATION OF
7 GRANTS TO COMBAT CHILD SEX TRAFFICKING.—

8 (1) REINSTATEMENT OF EXPIRED PROVI-
9 SION.—

10 (A) IN GENERAL.—Section 202 of the
11 Trafficking Victims Protection Reauthorization
12 Act of 2005 (42 U.S.C. 14044a) is amended to
13 read as such section read on March 6, 2017.

14 (B) CONFORMING AMENDMENT.—Section
15 1241(b) of the Violence Against Women Reau-
16 thorization Act of 2013 (42 U.S.C. 14044a
17 note) is repealed.

18 (2) EFFECTIVE DATE.—The amendments made
19 by paragraph (1) shall take effect as though enacted
20 on March 6, 2017.

21 (3) REAUTHORIZATION.—Section 202(i) of the
22 Trafficking Victims Protection Reauthorization Act
23 of 2005, as amended by paragraph (1), is amended
24 to read as follows:

1 “(i) FUNDING.—For each of the fiscal years 2018
2 through 2022, the Attorney General is authorized to allo-
3 cate up to \$8,000,000 of the amounts appropriated pursu-
4 ant to section 113(d)(1) of the Trafficking Victims Pre-
5 vention Act of 2000 (22 U.S.C. 7110(d)(1)) to carry out
6 this section.”.

7 **SEC. 24. GRANT ACCOUNTABILITY.**

8 (a) DEFINITIONS.—In this section—

9 (1) the term “covered agency” means an agency
10 authorized to award grants under this Act;

11 (2) the term “covered grant” means a grant au-
12 thORIZED to be awarded under this Act; and

13 (3) the term “covered official” means the head
14 of a covered agency.

15 (b) ACCOUNTABILITY.—All covered grants shall be
16 subject to the following accountability provisions:

17 (1) AUDIT REQUIREMENT.—

18 (A) DEFINITION.—In this paragraph, the
19 term “unresolved audit finding” means a find-
20 ing in the final audit report of the Inspector
21 General of a covered agency that the audited
22 grantee has utilized funds under a covered
23 grant for an unauthorized expenditure or other-
24 wise unallowable cost that is not closed or re-

1 solved within 12 months from the date when
2 the final audit report is issued.

3 (B) AUDITS.—Beginning in the first fiscal
4 year beginning after the date of enactment of
5 this Act, and in each fiscal year thereafter, the
6 Inspector General of a covered agency shall
7 conduct audits of recipients of covered grants to
8 prevent waste, fraud, and abuse of funds by
9 grantees. The Inspector General shall determine
10 the appropriate number of grantees to be au-
11 dited each year.

12 (C) MANDATORY EXCLUSION.—A recipient
13 of funds under a covered grant that is found to
14 have an unresolved audit finding shall not be el-
15 igible to receive funds under a covered grant
16 during the first 2 fiscal years beginning after
17 the end of the 12-month period described in
18 subparagraph (A).

19 (D) PRIORITY.—In awarding covered
20 grants, a covered official shall give priority to
21 eligible applicants that did not have an unre-
22 solved audit finding during the 3 fiscal years
23 before submitting an application for the covered
24 grant.

1 (E) REIMBURSEMENT.—If an entity is
2 awarded funds under a covered grant during
3 the 2-fiscal-year period during which the entity
4 is barred from receiving covered grants under
5 subparagraph (C), a covered official shall—

6 (i) deposit an amount equal to the
7 amount of the grant funds that were im-
8 properly awarded to the grantee into the
9 General Fund of the Treasury; and

10 (ii) seek to recoup the costs of the re-
11 payment to the fund from the recipient of
12 the covered grant that was erroneously
13 awarded grant funds.

14 (2) NONPROFIT ORGANIZATION REQUIRE-
15 MENTS.—

16 (A) DEFINITION.—For purposes of this
17 paragraph and each covered grant program, the
18 term “nonprofit organization” means an organi-
19 zation that is described in section 501(c)(3) of
20 the Internal Revenue Code of 1986 and is ex-
21 empt from taxation under section 501(a) of
22 such Code.

23 (B) PROHIBITION.—A covered grant may
24 not be awarded to a nonprofit organization that
25 holds money in offshore accounts for the pur-

1 pose of avoiding paying the tax described in
2 section 511(a) of the Internal Revenue Code of
3 1986.

4 (C) DISCLOSURE.—Each nonprofit organi-
5 zation that is awarded a covered grant and uses
6 the procedures prescribed in regulations to cre-
7 ate a rebuttable presumption of reasonableness
8 for the compensation of its officers, directors,
9 trustees, and key employees, shall disclose to
10 the applicable covered official, in the application
11 for the covered grant, the process for deter-
12 mining such compensation, including the inde-
13 pendent persons involved in reviewing and ap-
14 proving such compensation, the comparability
15 data used, and contemporaneous substantiation
16 of the deliberation and decision. Upon request,
17 a covered official shall make the information
18 disclosed under this subparagraph available for
19 public inspection.

20 (3) CONFERENCE EXPENDITURES.—

21 (A) LIMITATION.—No amounts made
22 available to a covered agency to carry out a cov-
23 ered grant program may be used by a covered
24 official, or by any individual or entity awarded
25 discretionary funds through a cooperative

1 agreement under a covered grant program, to
2 host or support any expenditure for conferences
3 that uses more than \$20,000 in funds made
4 available by the covered agency, unless the cov-
5 ered official provides prior written authorization
6 that the funds may be expended to host the
7 conference.

8 (B) WRITTEN APPROVAL.—Written ap-
9 proval under subparagraph (A) shall include a
10 written estimate of all costs associated with the
11 conference, including the cost of all food, bev-
12 erages, audio-visual equipment, honoraria for
13 speakers, and entertainment.

14 (C) REPORT.—

15 (i) DEPARTMENT OF JUSTICE.—The
16 Deputy Attorney General shall submit an
17 annual report to the appropriate commit-
18 tees of Congress on all conference expendi-
19 tures approved under this paragraph.

20 (ii) DEPARTMENT OF HEALTH AND
21 HUMAN SERVICES.—The Deputy Secretary
22 of Health and Human Services shall sub-
23 mit to the appropriate committees of Con-
24 gress an annual report on all conference

1 expenditures approved under this para-
2 graph.

3 (iii) DEPARTMENT OF HOMELAND SE-
4 CURITY.—The Deputy Secretary of Home-
5 land Security shall submit to the appro-
6 priate committees of Congress an annual
7 report on all conference expenditures ap-
8 proved under this paragraph.

9 (4) ANNUAL CERTIFICATION.—Beginning in the
10 first fiscal year beginning after the date of enact-
11 ment of this Act, each covered official shall submit
12 to the appropriate committees of Congress an an-
13 nual certification—

14 (A) indicating whether—

15 (i) all audits issued by the Office of
16 the Inspector General of the applicable
17 covered agency under paragraph (1) have
18 been completed and reviewed by the appro-
19 priate official;

20 (ii) all mandatory exclusions required
21 under paragraph (1)(C) have been issued;
22 and

23 (iii) all reimbursements required
24 under paragraph (1)(E) have been made;
25 and

1 (B) that includes a list of any recipients of
2 a covered grant excluded under paragraph (1)
3 from the previous year.

4 (c) PREVENTING DUPLICATIVE GRANTS.—

5 (1) IN GENERAL.—Before a covered official
6 awards a covered grant, the covered official shall
7 compare potential awards under the covered grant
8 program with other covered grants awarded to deter-
9 mine if duplicate grant awards are awarded for the
10 same purpose.

11 (2) REPORT.—If a covered official awards du-
12 plicate covered grants to the same applicant for the
13 same purpose the covered official shall submit to the
14 appropriate committees of Congress a report that in-
15 cludes—

16 (A) a list of all duplicate covered grants
17 awarded, including the total dollar amount of
18 any duplicate covered grants awarded; and

19 (B) the reason the covered official awarded
20 the duplicate covered grants.

21 **SEC. 25. HERO ACT IMPROVEMENTS.**

22 (a) IN GENERAL.—Section 890A of the Homeland
23 Security Act of 2002 (6 U.S.C. 473) is amended—

24 (1) in subsection (a)—

1 (A) in paragraph (1), by inserting “Home-
2 land Security Investigations,” after “Customs
3 Enforcement,”; and

4 (B) by striking paragraph (2) and insert-
5 ing the following:

6 “(2) PURPOSE.—The Center shall provide in-
7 vestigative assistance, training, and equipment to
8 support domestic and international investigations of
9 cyber-related crimes by the Department.”;

10 (2) in subsection (b)—

11 (A) in paragraph (2)(C), by inserting after
12 “personnel” the following: “, which shall in-
13 clude participating in training for Homeland
14 Security Investigations personnel conducted by
15 Internet Crimes Against Children Task
16 Forces”; and

17 (B) in paragraph (3)—

18 (i) in subparagraph (B)—

19 (I) in the matter preceding clause
20 (i), by inserting “in child exploitation
21 investigations” after “Enforcement”;
22 and

23 (II) in clause (i), by inserting
24 “child” before “victims”;

1 (ii) in subparagraph (C), by inserting
2 “child exploitation” after “number of”;
3 and

4 (iii) in subparagraph (D), by inserting
5 “child exploitation” after “number of”;
6 and

7 (3) in subsection (c)(2)—

8 (A) in subparagraph (A), in the matter
9 preceding clause (i), by inserting “and admin-
10 ister the Digital Forensics and Document and
11 Media Exploitation program” after “forensics”;

12 (B) in subparagraph (C), by inserting
13 “and emerging technologies” after “forensics”;
14 and

15 (C) in subparagraph (D), by striking “and
16 the National Association to Protect Children”
17 and inserting “, the National Association to
18 Protect Children, and other governmental enti-
19 ties”.

20 (b) HERO CHILD-RESCUE CORPS.—Section 890A of
21 the Homeland Security Act of 2002 (6 U.S.C. 473) is
22 amended—

23 (1) by redesignating subsection (e) as sub-
24 section (g);

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

3 “(e) HERO CHILD-RESCUE CORPS.—

4 “(1) ESTABLISHMENT.—

5 “(A) IN GENERAL.—There is established
6 within the Center a Human Exploitation Res-
7 cue Operation Child-Rescue Corps Program (re-
8 ferred to in this section as the ‘HERO Child-
9 Rescue Corps Program’), which shall be a De-
10 partment-wide program, in collaboration with
11 the Department of Defense and the National
12 Association to Protect Children.

13 “(B) PRIVATE SECTOR COLLABORATION.—

14 As part of the HERO Child-Rescue Corps Pro-
15 gram, the National Association to Protect Chil-
16 dren shall provide logistical support for pro-
17 gram participants.

18 “(2) PURPOSE.—The purpose of the HERO
19 Child-Rescue Corps Program shall be to recruit,
20 train, equip, and employ members of the Armed
21 Forces on active duty and wounded, ill, and injured
22 veterans to combat and prevent child exploitation,
23 including in investigative, intelligence, analyst, in-
24 spection, and forensic positions or any other posi-

1 tions determined appropriate by the employing agen-
2 cy.

3 “(3) FUNCTIONS.—The HERO Child-Rescue
4 Program shall—

5 “(A) provide, recruit, train, and equip par-
6 ticipants of the Program in the areas of digital
7 forensics, investigation, analysis, intelligence,
8 and victim identification, as determined by the
9 Center and the needs of the Department; and

10 “(B) ensure that during the internship pe-
11 riod, participants of the Program are assigned
12 to investigate and analyze—

13 “(i) child exploitation;

14 “(ii) child pornography;

15 “(iii) unidentified child victims;

16 “(iv) human trafficking;

17 “(v) traveling child sex offenders; and

18 “(vi) forced child labor, including the
19 sexual exploitation of minors.

20 “(f) PAID INTERNSHIP AND HIRING PROGRAM.—

21 “(1) IN GENERAL.—The Secretary shall estab-
22 lish a paid internship and hiring program for the
23 purpose of placing participants of the HERO Child-
24 Rescue Corps Program (in this subsection referred
25 to as ‘participants’) into paid internship positions,

1 for the subsequent appointment of the participants
2 to permanent positions, as described in the guide-
3 lines promulgated under paragraph (3).

4 “(2) INTERNSHIP POSITIONS.—Under the paid
5 internship and hiring program required to be estab-
6 lished under paragraph (1), the Secretary shall as-
7 sign or detail participants to positions within United
8 States Immigration and Customs Enforcement or
9 any other Federal agency in accordance with the
10 guidelines promulgated under paragraph (3).

11 “(3) PLACEMENT.—

12 “(A) IN GENERAL.—The Secretary shall
13 promulgate guidelines for assigning or detailing
14 participants to positions within United States
15 Immigration and Customs Enforcement and
16 other Federal agencies, which shall include re-
17 quirements for internship duties and agree-
18 ments regarding the subsequent appointment of
19 the participants to permanent positions.

20 “(B) PREFERENCE.—The Secretary shall
21 give a preference to Homeland Security Inves-
22 tigations in assignments or details under the
23 guidelines promulgated under subparagraph
24 (A).

1 “(4) TERM OF INTERNSHIP.—An appointment
2 to an internship position under this subsection shall
3 be for a term not to exceed 12 months.

4 “(5) RATE AND TERM OF PAY.—After comple-
5 tion of initial group training and upon beginning
6 work at an assigned office, a participant appointed
7 to an internship position under this subsection who
8 is not receiving monthly basic pay as a member of
9 the Armed Forces on active duty shall receive com-
10 pensation at a rate that is—

11 “(A) not less than the minimum rate of
12 basic pay payable for a position at level GS-5
13 of the General Schedule; and

14 “(B) not more than the maximum rate of
15 basic pay payable for a position at level GS-7
16 of the General Schedule.

17 “(6) ELIGIBILITY.—In establishing the paid in-
18 ternship and hiring program required under para-
19 graph (1), the Secretary shall ensure that the eligi-
20 bility requirements for participation in the intern-
21 ship program are the same as the eligibility require-
22 ments for participation in the HERO Child-Rescue
23 Corps Program.

24 “(7) HERO CORPS HIRING.—The Secretary
25 shall establish within Homeland Security Investiga-

1 tions positions, which shall be in addition to any po-
2 sitions in existence on the date of enactment of this
3 subsection, for the hiring and permanent employ-
4 ment of graduates of the paid internship program
5 required to be established under paragraph (1).”;
6 and

7 (3) in subsection (g), as so redesignated—

8 (A) by striking “There are authorized”
9 and inserting the following:

10 “(1) IN GENERAL.—There are authorized”; and

11 (B) by adding at the end the following:

12 “(2) ALLOCATION.—Of the amount made avail-
13 able pursuant to paragraph (1) in each of fiscal
14 years 2018 through 2022, not more than
15 \$10,000,000 shall be used to carry out subsection
16 (e) and not less than \$2,000,000 shall be used to
17 carry out subsection (f).”.

18 (c) TECHNICAL AND CONFORMING AMENDMENT.—

19 Section 302 of the HERO Act of 2015 (Public Law 114-
20 22; 129 Stat. 255) is amended—

21 (1) by striking subsection (c); and

1 (2) by redesignating subsection (d) as sub-
2 section (c).

Passed the Senate September 11, 2017.

Attest:

Secretary.

115TH CONGRESS
1ST SESSION

S. 1311

AN ACT

To provide assistance in abolishing human
trafficking in the United States.