

Union Calendar No. 166

108TH CONGRESS
1ST SESSION

H. R. 2620

[Report No. 108–264, Parts I and II]

To authorize appropriations for fiscal years 2004 and 2005 for the Trafficking Victims Protection Act of 2000, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2003

Mr. SMITH of New Jersey (for himself, Mr. LANTOS, Mr. PITTS, Ms. SLAUGHTER, and Ms. ESHOO) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

SEPTEMBER 5, 2003

Reported from the Committee on International Relations with an amendment
[Strike out all after the enacting clause and insert the part printed in *italie*]

SEPTEMBER 5, 2003

Referral to the Committee on the Judiciary extended for a period ending not later than September 29, 2003

SEPTEMBER 29, 2003

Additional sponsors: Mr. ABERCROMBIE, Mr. NADLER, Mr. KUCINICH, Mr. PENCE, Ms. WOOLSEY, Mr. MCGOVERN, Ms. ROS-LEHTINEN, Mr. McDERMOTT, Mr. KING of New York, Mr. WEXLER, and Mrs. JO ANN DAVIS of Virginia

SEPTEMBER 29, 2003

Reported from the Committee on the Judiciary with an amendment

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

[For text of introduced bill, see copy of bill as introduced on June 26, 2003]

A BILL

To authorize appropriations for fiscal years 2004 and 2005 for 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 Pro-*
 5 *tection Reauthorization Act of 2003”.*

6 **SEC. 2. FINDINGS.**

7 *Congress finds the following:*

8 (1) *Trafficking in persons continues to victimize*
 9 *countless men, women, and children in the United*
 10 *States and abroad.*

11 (2) *Since the enactment of the Trafficking Vic-*
 12 *tims Protection Act of 2000 (division A of Public*
 13 *Law 106–386), the United States Government has*
 14 *made significant progress in investigating and pros-*
 15 *ecuting acts of trafficking and in responding to the*
 16 *needs of victims of trafficking in the United States*
 17 *and abroad.*

1 (3) *On the other hand, victims of trafficking*
 2 *have faced unintended obstacles in the process of se-*
 3 *curing needed assistance, including admission to the*
 4 *United States under section 101(a)(15)(T)(i) of the*
 5 *Immigration and Nationality Act.*

6 (4) *Additional research is needed to fully under-*
 7 *stand the phenomenon of trafficking in persons and*
 8 *to determine the most effective strategies for com-*
 9 *bating trafficking in persons.*

10 (5) *Corruption among foreign law enforcement*
 11 *authorities continues to undermine the efforts by gov-*
 12 *ernments to investigate, prosecute, and convict traf-*
 13 *fickers.*

14 (6) *International Law Enforcement Academies*
 15 *should be more fully utilized in the effort to train law*
 16 *enforcement authorities, prosecutors, and members of*
 17 *the judiciary to address trafficking in persons-related*
 18 *crimes.*

19 **SEC. 3. ENHANCING PREVENTION OF TRAFFICKING IN PER-**
 20 **SONS.**

21 (a) *BORDER INTERDICTION, PUBLIC INFORMATION*
 22 *PROGRAMS, AND COMBATING INTERNATIONAL SEX TOUR-*
 23 *ISM.—Section 106 of the Trafficking Victims Protection Act*
 24 *of 2000 (22 U.S.C. 7104) is amended—*

1 (1) by redesignating subsection (c) as subsection
2 (f);

3 (2) by inserting after subsection (b) the following
4 new subsections:

5 “(c) *BORDER INTERDICTION.*—*The President shall es-*
6 *tablish and carry out programs of foreign border interdic-*
7 *tion by providing grants to nongovernmental organizations*
8 *that provide for transit shelters operating at key border*
9 *crossings and that help train survivors of trafficking in per-*
10 *sons to educate and train border guards and officials, and*
11 *other local law enforcement officials, to identify traffickers*
12 *and victims of severe forms of trafficking, and the appro-*
13 *priate manner in which to treat such victims, as well as,*
14 *to the extent appropriate, monitoring the implementation*
15 *of border interdiction programs, including helping in the*
16 *identification of such victims to stop the cross-border transit*
17 *of victims. The President shall ensure that any program*
18 *established under this subsection provides the opportunity*
19 *for any trafficking victim who is freed to return to his or*
20 *her previous residence if the victim so chooses.*

21 “(d) *INTERNATIONAL MEDIA.*—*The President shall es-*
22 *tablish and carry out programs that support the production*
23 *of television and radio programs, including documentaries,*
24 *to inform vulnerable populations overseas of the dangers of*
25 *trafficking, and to increase awareness of the public in coun-*

1 *tries of destination regarding the slave-like practices and*
 2 *other human rights abuses involved in trafficking, includ-*
 3 *ing fostering linkages between individuals working in the*
 4 *media in different countries to determine the best methods*
 5 *for informing such populations through such media.*

6 “(e) *COMBATING INTERNATIONAL SEX TOURISM.*—

7 “(1) *DEVELOPMENT AND DISSEMINATION OF MA-*
 8 *TERIALS.*—*The President, pursuant to such regula-*
 9 *tions as may be prescribed, shall (A) require that air-*
 10 *lines organized under the laws of the United States*
 11 *and other airlines operating in the United States de-*
 12 *velop and disseminate materials alerting travelers*
 13 *that sex tourism (as defined in section 2423(b-e) of*
 14 *title 18, United States Code) is illegal, will be pros-*
 15 *ecuted, and presents dangers to those involved, and*
 16 *(B) encourage such airlines to work with nongovern-*
 17 *mental organizations in developing these materials.*
 18 *Such materials may include, for example, brochures,*
 19 *public service announcements, and billboards.*

20 “(2) *MONITORING OF COMPLIANCE.*—*The Presi-*
 21 *dent shall monitor compliance with the requirements*
 22 *of paragraph (1).”; and*

23 (3) *in subsection (f) (as redesignated), by strik-*
 24 *ing “initiatives described in subsections (a) and (b)”*

1 and inserting “initiatives and programs described in
2 subsections (a) through (e)”.

3 (b) *TERMINATION OF CERTAIN GRANTS, CONTRACTS*
4 *AND COOPERATIVE AGREEMENTS.*—Section 106 of such Act
5 *(as amended by subsection (a)) is further amended by add-*
6 *ing at the end the following new subsection:*

7 “(g) *TERMINATION OF CERTAIN GRANTS, CONTRACTS*
8 *AND COOPERATIVE AGREEMENTS.*—

9 “(1) *TERMINATION.*—

10 “(A) *IN GENERAL.*—The President shall en-
11 sure that any grant, contract, or cooperative
12 agreement provided or entered into by a Federal
13 department or agency under which funds de-
14 scribed in paragraph (2) are to be provided to
15 a private entity, in whole or in part, shall in-
16 clude a condition that authorizes the department
17 or agency to terminate the grant, contract, or co-
18 operative agreement, without penalty, if the
19 grantee or any subgrantee, or the contractor or
20 any subcontractor (i) engages in severe forms of
21 trafficking in persons or has procured a commer-
22 cial sex act during the period of time that the
23 grant, contract, or cooperative agreement is in
24 effect, or (ii) uses forced labor in the performance
25 of the grant, contract, or cooperative agreement.

1 “(B) *DEFINITION.*—*In subparagraph (A),*
 2 *the term ‘severe forms of trafficking in persons’*
 3 *has the meaning given the term in section 103(8)*
 4 *of the Trafficking Victims Protection Act of 2000*
 5 *(22 U.S.C. 7102(8)).*

6 “(2) *ASSISTANCE DESCRIBED.*—*Funds referred*
 7 *to in paragraph (1) are funds made available to*
 8 *carry out any program, project, or activity funded*
 9 *under major functional budget category 150 (relating*
 10 *to international affairs).’.*

11 **SEC. 4. ENHANCING PROTECTION FOR TRAFFICKING VIC-**
 12 **TIMS.**

13 (a) *AMENDMENTS TO TRAFFICKING VICTIMS PROTEC-*
 14 *TION ACT OF 2000.*—

15 (1) *COOPERATION BETWEEN FOREIGN GOVERN-*
 16 *MENTS AND NONGOVERNMENTAL ORGANIZATIONS.*—
 17 *Section 107(a)(1)(B) of the Trafficking Victims Pro-*
 18 *tection Act of 2000 (22 U.S.C. 7105(a)(1)(B)) is*
 19 *amended by adding at the end before the period the*
 20 *following: “, and by facilitating contact between rel-*
 21 *evant foreign government agencies and such non-*
 22 *governmental organizations to facilitate cooperation*
 23 *between the foreign governments and such organiza-*
 24 *tions’.*

(2) *ASSISTANCE FOR FAMILY MEMBERS OF VICTIMS OF TRAFFICKING IN UNITED STATES.*—Section 107(b)(1) of the *Trafficking Victims Protection Act of 2000* (22 U.S.C. 7105(b)(1)) is amended—

(A) in subparagraph (A), by inserting “, or an alien classified as a nonimmigrant under section 101(a)(15)(T)(ii),” after “in persons”; and

(B) in subparagraph (B), by inserting “and aliens classified as a nonimmigrant under section 101(a)(15)(T)(ii),” after “United States,”.

(3) *CERTIFICATION OF VICTIMS OF A SEVERE FORM OF TRAFFICKING IN PERSONS.*—Section 107(b)(1)(E)(i)(I) of the *Trafficking Victims Protection Act of 2000* (22 U.S.C. 7105(b)(1)(E)(i)(I)) is amended by striking “the investigation and prosecution” and inserting “any Federal, State, or local investigation or prosecution”.

(4) *PRIVATE RIGHT OF ACTION.*—Section 107(b) of the *Trafficking Victims Protection Act of 2000* (22 U.S.C. 7105(b)) is amended by adding at the end the following new paragraph:

“(3) *CIVIL ACTION.*—An individual who is a victim of a violation of section 1589, 1590, or 1591 of title 18, United States Code, may bring a civil action in any appropriate district court of the United

1 *States. The court may award actual damages, puni-*
 2 *tive damages, reasonable attorneys’ fees, and other*
 3 *litigation costs reasonably incurred.”.*

4 **(b) AMENDMENTS TO IMMIGRATION AND NATIONALITY**
 5 **ACT.—**

6 **(1) DEFINITIONS.—***Section 101(a)(15)(T) of the*
 7 *Immigration and Nationality Act (8 U.S.C.*
 8 *1101(a)(15)(T)) is amended—*

9 **(A)** *in clause (i)(III)(aa), by inserting*
 10 *“from any Federal, State, or local law enforce-*
 11 *ment agency” after “reasonable request”;*

12 **(B)** *in clause (i)(III)(bb), by striking “15*
 13 *years of age,” and inserting “18 years of age,”;*
 14 *and*

15 **(C)** *in clause (ii)(I), by inserting “unmar-*
 16 *ried siblings under 18 years of age,” before “and*
 17 *parents”.*

18 **(2) ADMISSION OF NONIMMIGRANTS.—***Section*
 19 *214(n)(3) of the Immigration and Nationality Act (8*
 20 *U.S.C. 1184(n)(3)) is amended by inserting “sib-*
 21 *lings,” before “or parents”.*

22 **(3) ADJUSTMENT OF STATUS.—***Section 245(l) of*
 23 *the Immigration and Nationality Act (8 U.S.C.*
 24 *1255(l)) (as added by section 107(f) of Public Law*
 25 *106–386) is amended—*

1 (A) in paragraph (1)—

2 (i) by striking “admitted under that
3 section” and inserting “admitted under sec-
4 tion 101(a)(15)(T)(ii)”; and

5 (ii) by inserting “sibling,” after “par-
6 ent,”; and

7 (B) in paragraph (3)(B), by inserting “sib-
8 lings,” after “daughters,”.

9 (c) *WAIVER OF PUBLIC CHARGE GROUND FOR INAD-*
10 *MISSIBILITY; PENALTIES FOR UNLAWFUL DISCLOSURE OF*
11 *INFORMATION.*—Section 214(n) of the Immigration and
12 Nationality Act (8 U.S.C. 1184(n)) is amended by adding
13 at the end the following:

14 “(4) In determining the admissibility of an alien
15 under section 101(a)(15)(T), section 212(a)(4) shall not
16 apply.

17 “(5)(A) Except as otherwise provided in this para-
18 graph, in no case may the Secretary of State, the Secretary
19 of Homeland Security, or any other official or employee of
20 the Department of State or the Department of Homeland
21 Security (including any bureau or agency of either of such
22 Departments) permit use by, or disclosure to, anyone, other
23 than a sworn officer or employee of one of such Departments
24 for legitimate Department purposes, of any information
25 that relates to an alien who has properly filed a bona fide

1 application for, or been granted, a visa or nonimmigrant
2 status under section 101(a)(15)(T)(i).

3 “(B) The limitation under subparagraph (A) shall ter-
4 minate when the application described in such subpara-
5 graph is denied and all opportunities for appeal of the de-
6 nial have been exhausted.

7 “(C) The Secretary of State and the Secretary of
8 Homeland Security may each provide, in each Secretary’s
9 discretion, for the disclosure of information described in
10 subparagraph (A) in the same manner and circumstances
11 as census information may be disclosed by the Secretary
12 of Commerce under section 8 of title 13, United States Code.

13 “(D) The Secretary of State and the Secretary of
14 Homeland Security may each provide, in each Secretary’s
15 discretion, for the disclosure of information described in
16 subparagraph (A) to law enforcement officials to be used
17 solely for a legitimate law enforcement purpose, such as the
18 implementation of section 105(a) of this Act, section 414(c)
19 of the Uniting and Strengthening America by Providing
20 Appropriate Tools Required to Intercept and Obstruct Ter-
21 rorism (USA PATRIOT ACT) Act of 2001 (8 U.S.C. 1365a
22 note), and the interoperable electronic data system described
23 in section 202 of the Enhanced Border Security and Visa
24 Entry Reform Act of 2002 (8 U.S.C. 1722).

1 “(E) Subparagraph (A) shall not be construed as pre-
 2 venting disclosure of information in connection with judi-
 3 cial review of a determination in a manner that protects
 4 the confidentiality of such information.

5 “(F) Subparagraph (A) shall not be construed to su-
 6 persede section 222(f).

7 “(G) Subparagraph (A) shall not apply if the alien
 8 is an adult and has waived the restrictions of such subpara-
 9 graph.

10 “(H) Whoever willfully uses, publishes, or permits in-
 11 formation to be disclosed in violation of this paragraph
 12 shall be subject to appropriate disciplinary action and sub-
 13 ject to a civil money penalty of not more than \$5,000 for
 14 each such violation.”.

15 **SEC. 5. ENHANCING PROSECUTIONS OF TRAFFICKERS.**

16 (a) *SEX TRAFFICKING OF CHILDREN OR BY FORCE,*
 17 *FRAUD, OR COERCION.*—Section 1591 of title 18, United
 18 States Code, is amended—

19 (1) in the heading, by inserting a comma after
 20 **“FRAUD”**;

21 (2) in subsection (a)(1), by striking “in or affect-
 22 ing interstate commerce” and inserting “in or affect-
 23 ing interstate or foreign commerce, or within the spe-
 24 cial maritime and territorial jurisdiction of the
 25 United States”; and

1 (3) in subsection (b), by striking “the person
2 transported” each place it appears and inserting “the
3 person recruited, enticed, harbored, transported, pro-
4 vided, or obtained”.

5 (b) *DEFINITION OF RACKETEERING ACTIVITY.*—Sec-
6 tion 1961(1) of title 18, United States Code, is amended
7 by inserting after “peonage and slavery),” the following:
8 “section 1589 (relating to forced labor), section 1590 (relat-
9 ing to trafficking with respect to peonage, slavery, involun-
10 tary servitude, or forced labor), section 1591 (relating to
11 sex trafficking of children or by force, fraud, or coercion),”.

12 **SEC. 6. ENHANCING UNITED STATES EFFORTS TO COMBAT**
13 **TRAFFICKING.**

14 (a) *REPORT.*—

15 (1) *IN GENERAL.*—Section 105(d) of the Victims
16 of Trafficking and Violence Protection Act of 2000
17 (22 U.S.C. 7103(d)) is amended by adding at the end
18 the following new paragraph:

19 “(7) Not later than February 1, 2004, and 2005,
20 the Task Force, acting through the Office to Monitor
21 and Combat Trafficking of the Department of State
22 (established under subsection (e)), shall submit to the
23 Committee on Ways and Means, the Committee on
24 International Relations, and the Committee on the
25 Judiciary of the House of Representatives and the

1 *Committee on Finance, the Committee on Foreign Re-*
2 *lations, and the Committee on the Judiciary of the*
3 *Senate, a report on Federal agencies that are imple-*
4 *menting any provision of this division, or any*
5 *amendment made by this division, which shall in-*
6 *clude, at a minimum, information on—*

7 “(A) *the number of persons who received*
8 *benefits or other services under section 107(b) in*
9 *connection with programs or activities funded or*
10 *administered by the Secretary of Health and*
11 *Human Services, the Secretary of Labor, the*
12 *Board of Directors of the Legal Services Cor-*
13 *poration, and other appropriate Federal agencies*
14 *during the preceding fiscal year;*

15 “(B) *the number of persons who have been*
16 *granted continued presence in the United States*
17 *under section 107(c)(3) during the preceding fis-*
18 *cal year;*

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

1 “(D) the number of persons who have been
 2 charged or convicted under one or more of sec-
 3 tions 1581, 1583, 1584, 1589, 1590, 1591, 1592,
 4 or 1594 of title 18, United States Code, during
 5 the preceding fiscal year and the sentences im-
 6 posed against each such person;

7 “(E) the amount, recipient, and purpose of
 8 each grant issued by any Federal agency to
 9 carry out the purposes of sections 106 and 107
 10 of this Act, or section 134 of the Foreign Assist-
 11 ance Act of 1961, during the preceding fiscal
 12 year;

13 “(F) the nature of training conducted pur-
 14 suant to section 107(c)(4) during the preceding
 15 fiscal year; and

16 “(G) the activities undertaken by the Senior
 17 Policy Operating Group to carry out its respon-
 18 sibilities under section 105(f) of this division.”.

19 (2) CONFORMING AMENDMENT.—Section
 20 107(b)(1) of the Victims of Trafficking and Violence
 21 Protection Act of 2000 (22 U.S.C. 7105(b)(1)) is
 22 amended by striking subparagraph (D).

23 (b) SUPPORT FOR THE TASK FORCE.—

24 (1) AMENDMENT.—The second sentence of section
 25 105(e) of the Victims of Trafficking and Violence Pro-

1 ~~tection Act of 2000 (22 U.S.C. 7103(e)) is amended~~
 2 ~~by inserting at the end before the period the following:~~
 3 ~~“; who shall be appointed by the President, by and~~
 4 ~~with the advice and consent of the Senate, with the~~
 5 ~~rank of Ambassador-at-Large”.~~

6 (2) *APPLICABILITY.*—*The individual who holds*
 7 ~~the position of Director of the Office to Monitor and~~
 8 ~~Combat Trafficking of the Department of State may~~
 9 ~~continue to hold such position notwithstanding the~~
 10 ~~amendment made by paragraph (1).~~

11 (c) *SENIOR POLICY OPERATING GROUP.*—

12 (1) *AMENDMENT.*—*Section 105 of the Victims of*
 13 ~~Trafficking and Violence Protection Act of 2000 (22~~
 14 ~~U.S.C. 7103) is amended by adding at the end the fol-~~
 15 ~~lowing new subsection:~~

16 “(f) *SENIOR POLICY OPERATING GROUP.*—

17 “(1) *ESTABLISHMENT.*—*There shall be estab-*
 18 ~~lished within the Task Force a Senior Policy Oper-~~
 19 ~~ating Group.~~

20 “(2) *MEMBERSHIP; RELATED MATTERS.*—

21 “(A) *IN GENERAL.*—*The Operating Group*
 22 ~~shall consist of the senior officials designated as~~
 23 ~~representatives of the appointed members of the~~
 24 ~~Task Force (pursuant to Executive Order 13257~~
 25 ~~of February 13, 2002).~~

1 “(B) *CHAIRPERSON.*—*The Operating Group*
2 *shall be chaired by the Director of the Office to*
3 *Monitor and Combat Trafficking of the Depart-*
4 *ment of State.*

5 “(C) *MEETINGS.*—*The Operating Group*
6 *shall meet on a regular basis at the call of the*
7 *Chairperson.*

8 “(3) *DUTIES.*—*The Operating Group shall co-*
9 *ordinate activities of Federal departments and agen-*
10 *cies regarding policies (including grants and grant*
11 *policies) involving the international trafficking in*
12 *persons and the implementation of this division.*

13 “(4) *AVAILABILITY OF INFORMATION.*—*Each*
14 *Federal department or agency represented on the Op-*
15 *erating Group shall fully share all information with*
16 *such Group regarding the department or agency’s*
17 *plans, before and after final agency decisions are*
18 *made, on all matters relating to grants, grant poli-*
19 *cies, and other significant actions regarding the inter-*
20 *national trafficking in persons and the implementa-*
21 *tion of this division.*

22 “(5) *REGULATIONS.*—*Not later than 90 days*
23 *after the date of the enactment of the Trafficking Vic-*
24 *tims Protection Reauthorization Act of 2003, the*
25 *President shall promulgate regulations to implement*

1 *this section, including regulations to carry out para-*
 2 *graph (4).”.*

3 (2) *CONFORMING AMENDMENT.*—*Section 406 of*
 4 *the Department of State and Related Agency Appro-*
 5 *priations Act, 2003 (as contained in division B of*
 6 *Public Law 108–7) is hereby repealed.*

7 (d) *MINIMUM STANDARDS FOR THE ELIMINATION OF*
 8 *TRAFFICKING.*—*Section 108(b) of the Victims of Trafficking*
 9 *and Violence Protection Act of 2000 (22 U.S.C. 7106(b))*
 10 *is amended—*

11 (1) *in paragraph (1)—*

12 (A) *by striking “that take place wholly or*
 13 *partly within the territory of the country” and*
 14 *inserting “, and convicts and sentences persons*
 15 *responsible for such acts, that take place wholly*
 16 *or partly within the territory of the country”;*
 17 *and*

18 (B) *by adding at the end the following new*
 19 *sentence: “After reasonable requests from the De-*
 20 *partment of State for data regarding investiga-*
 21 *tions, prosecutions, convictions, and sentences, a*
 22 *government which does not provide such data*
 23 *consistent with its resources shall be presumed*
 24 *not to have vigorously investigated, prosecuted,*
 25 *convicted or sentenced such acts.”; and*

1 (2) *in paragraph (7)—*

2 (A) *by striking “and prosecutes” and in-*
 3 *serting “, prosecutes, convicts, and sentences”;*
 4 *and*

5 (B) *by adding at the end the following new*
 6 *sentence: “After reasonable requests from the De-*
 7 *partment of State for data regarding such inves-*
 8 *tigations, prosecutions, convictions, and sen-*
 9 *tences, a government which does not provide such*
 10 *data consistent with its resources shall be pre-*
 11 *sumed not to have vigorously investigated, pros-*
 12 *ecuted, convicted, or sentenced such acts.”.*

13 (e) *ENHANCING UNITED STATES ASSISTANCE.—Sec-*
 14 *tion 134(b) of the Foreign Assistance Act of 1961 (22 U.S.C.*
 15 *2152d(b)) is amended by adding at the end the following*
 16 *new sentence: “Assistance may be provided under this sec-*
 17 *tion notwithstanding section 660 of this Act.”.*

18 (f) *RESEARCH RELATING TO TRAFFICKING IN PER-*
 19 *SONS.—*

20 (1) *IN GENERAL.—The Victims of Trafficking*
 21 *and Violence Protection Act of 2000 (22 U.S.C. 7101*
 22 *et seq.) is amended by inserting after section 112 the*
 23 *following new section:*

1 **“SEC. 112A. RESEARCH ON DOMESTIC AND INTERNATIONAL**
 2 **TRAFFICKING IN PERSONS.**

3 *“The President, acting through the Council of Eco-*
 4 *nomics Advisors, the National Research Council of the Na-*
 5 *tional Academies, the Secretary of Labor, the Secretary of*
 6 *Health and Human Services, the Attorney General, the Sec-*
 7 *retary of State, the Administrator of the United States*
 8 *Agency for International Development, and the Director of*
 9 *Central Intelligence, shall carry out research, including by*
 10 *providing grants to nongovernmental organizations, which*
 11 *further the purposes of this division and provides data to*
 12 *address the problems identified in the findings of this divi-*
 13 *sion. Such research initiatives shall, to the maximum extent*
 14 *practicable, include, but not be limited to, the following:*

15 *“(1) The economic causes and consequences of*
 16 *trafficking in persons.*

17 *“(2) The effectiveness of programs and initiatives*
 18 *funded or administered by Federal agencies to prevent*
 19 *trafficking in persons and to protect and assist vic-*
 20 *tims of trafficking.*

21 *“(3) The interrelationship between trafficking in*
 22 *persons and global health risks.”.*

23 *(2) CONFORMING AMENDMENT.—The table of*
 24 *contents of the Victims of Trafficking and Violence*
 25 *Protection Act of 2000 is amended by inserting after*

1 *the item relating to section 112 the following new*
 2 *item:*

“Sec. 112A. Research on domestic and international trafficking in persons.”.

3 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS; RELATED**
 4 **MATTERS.**

5 *Section 113 of the Trafficking Victims Protection Act*
 6 *of 2000 (22 U.S.C. 7110) is amended—*

7 *(1) in subsection (a)—*

8 *(A) by striking “105” and inserting*
 9 *“105(e), 105(f)”;* and

10 *(B) by striking “and \$3,000,000 for each of*
 11 *the fiscal years 2002 and 2003” and inserting “,*
 12 *\$3,000,000 for each of the fiscal years 2002 and*
 13 *2003, and \$5,000,000 for each of the fiscal years*
 14 *2004 and 2005”;*

15 *(2) in subsection (b), by adding at the end before*
 16 *the period the following: “and \$15,000,000 for each of*
 17 *the fiscal years 2004 and 2005”;*

18 *(3) in subsection (c)—*

19 *(A) in paragraph (1) to read as follows:*

20 *“(1) BILATERAL ASSISTANCE TO COMBAT TRAF-*
 21 *FICKING.—*

22 *“(A) PREVENTION.—To carry out the pur-*
 23 *poses of section 106, there are authorized to be*
 24 *appropriated to the Secretary of State*

1 \$10,000,000 for each of the fiscal years 2004 and
2 2005.

3 “(B) *PROTECTION.*—To carry out the pur-
4 poses of section 107(a), there are authorized to be
5 appropriated to the Secretary of State
6 \$15,000,000 for fiscal year 2003 and \$10,000,000
7 for each of the fiscal years 2004 and 2005.

8 “(C) *PROSECUTION AND MEETING MINIMUM*
9 *STANDARDS.*—To carry out the purposes of sec-
10 tion 134 of the Foreign Assistance Act of 1961,
11 there are authorized to be appropriated
12 \$10,000,000 for each of the fiscal years 2004 and
13 2005 to assist in promoting prosecution of traf-
14 fickers and otherwise to assist countries in meet-
15 ing the minimum standards described in section
16 108 of this Act, including \$250,000 for each such
17 fiscal year to carry out training activities for
18 law enforcement officers, prosecutors, and mem-
19 bers of the judiciary with respect to trafficking
20 in persons at the International Law Enforce-
21 ment Academies.”; and

22 (B) in paragraph (2), by striking “for each
23 of the fiscal years 2001, 2002, and 2003” and in-
24 serting “for each of the fiscal years 2001 through
25 2005”;

1 (4) in subsection (d)—

2 (A) by adding at the end before the period
3 the following: “and \$15,000,000 for each of the
4 fiscal years 2004 and 2005”; and

5 (B) by adding at the end the following new
6 sentence: “To carry out the purposes of section
7 134 of the Foreign Assistance Act of 1961 (as
8 added by section 109), there are authorized to be
9 appropriated to the President, acting through the
10 Attorney General, \$250,000 for each of fiscal
11 years 2004 and 2005 to carry out training ac-
12 tivities for law enforcement officers, prosecutors,
13 and members of the judiciary with respect to
14 trafficking in persons at the International Law
15 Enforcement Academies.”;

16 (5) in subsection (e)—

17 (A) in paragraphs (1) and (2), by striking
18 “for fiscal year 2003” each place it appears and
19 inserting “for each of the fiscal years 2003
20 through 2005”; and

21 (B) by adding at the end the following new
22 paragraph:

23 “(3) RESEARCH.—To carry out the purposes of
24 section 112A, there are authorized to be appropriated

1 to the President \$300,000 for fiscal year 2004 and
2 \$300,000 for fiscal year 2005.”;

3 (6) in subsection (f), by adding at the end before
4 the period the following: “and \$10,000,000 for each of
5 the fiscal years 2004 and 2005”; and

6 (7) by adding at the end the following new sub-
7 section:

8 “(g) *LIMITATION ON USE OF FUNDS.*—

9 “(1) *RESTRICTION ON PROGRAMS.*—No funds
10 made available to carry out this division, or any
11 amendment made by this division, may be used to
12 promote, support, or advocate the legalization or
13 practice of prostitution. Nothing in the preceding sen-
14 tence shall be construed to preclude assistance de-
15 signed to promote the purposes of this Act by amelio-
16 rating the suffering of, or health risks to, victims
17 while they are being trafficked or after they are out
18 of the situation that resulted from such victims being
19 trafficked.

20 “(2) *RESTRICTION ON ORGANIZATIONS.*—No
21 funds made available to carry out this division, or
22 any amendment made by this division, may be used
23 to implement any program that targets victims of se-
24 vere forms of trafficking in persons described in sec-
25 tion 103(8)(A) of this Act through any organization

1 *that has not stated in either a grant application, a*
 2 *grant agreement, or both, that it does not promote,*
 3 *support, or advocate the legalization or practice of*
 4 *prostitution. The preceding sentence shall not apply*
 5 *to organizations that provide services to individuals*
 6 *solely after they are no longer engaged in activities*
 7 *that resulted from such victims being trafficked.”.*

8 **SEC. 8. TECHNICAL CORRECTIONS.**

9 *(a) IMMIGRATION AND NATIONALITY ACT.—*

10 *(1) CLASSES OF NONIMMIGRANT ALIENS.—Section*
 11 *101(a)(15) of the Immigration and Nationality*
 12 *Act (8 U.S.C. 1101(a)(15)) is amended—*

13 *(A) by moving the margins of subpara-*
 14 *graphs (T) and (U) 2 ems to the left;*

15 *(B) in subparagraph (T), by striking*
 16 *“214(n),” and inserting “214(o),”;*

17 *(C) in subparagraph (U), by striking*
 18 *“214(o),” and inserting “214(p),”; and*

19 *(D) in subparagraph (V), by striking*
 20 *“214(o),” and inserting “214(q),”.*

21 *(2) CLASSES OF ALIENS INELIGIBLE FOR VISAS*
 22 *AND ADMISSION.—Section 212(d) of the Immigration*
 23 *and Nationality Act (8 U.S.C. 1182(d)) is amended*
 24 *by redesignating the paragraph (13) added by section*
 25 *1513(e) of the Battered Immigrant Women Protection*

1 *Act of 2000 (title V of division B of Public Law 106–*
2 *386; 114 Stat. 1536) as paragraph (14).*

3 (3) *ADMISSION OF NONIMMIGRANTS.—Section*
4 *214 of the Immigration and Nationality Act (8*
5 *U.S.C. 1184) is amended by redesignating subsections*
6 *(m) (as added by section 105 of Public Law 106–*
7 *313), (n) (as added by section 107(e) of Public Law*
8 *106–386), (o) (as added by section 1513(c) of Public*
9 *Law 106–386), (o) (as added by section 1102(b) of the*
10 *Legal Immigration Family Equity Act), and (p) (as*
11 *added by section 1503(b) of the Legal Immigration*
12 *Family Equity Act) as subsections (n), (o), (p), (q),*
13 *and (r), respectively.*

14 (4) *ADJUSTMENT OF STATUS OF NON-*
15 *IMMIGRANTS.—Section 245 of the Immigration and*
16 *Nationality Act (8 U.S.C. 1255) is amended—*

17 (A) *in the subsection (l) added by section*
18 *107(f) of Public Law 106–386, by redesignating*
19 *the second paragraph (2), and paragraphs (3)*
20 *and (4), as paragraphs (3), (4), and (5), respec-*
21 *tively; and*

22 (B) *by redesignating the subsection (l)*
23 *added by section 1513(f) of Public Law 106–386*
24 *as subsection (m).*

1 (b) *TRAFFICKING VICTIMS PROTECTION ACT OF*
2 *2000.—(1) Section 103(7)(A)(i) of the Trafficking Victims*
3 *Protection Act of 2000 (22 U.S.C. 7102(7)(A)(i)) is amend-*
4 *ed by inserting after “part II of that Act” the following:*
5 *“in support of programs of nongovernmental organiza-*
6 *tions”.*

7 (2) *Section 107(g) of the Trafficking Victims Protec-*
8 *tion Act of 2000 (22 U.S.C. 7105(g)) is amended by striking*
9 *“214(n)(1)” and inserting “214(o)(2)”.*

Union Calendar No. 166

108TH CONGRESS
1ST SESSION

H. R. 2620

[Report No. 108–264, Parts I and II]

A BILL

To authorize appropriations for fiscal years 2004
and 2005 for the Trafficking Victims Protection
Act of 2000, and for other purposes.

SEPTEMBER 29, 2003

Reported from the Committee on the Judiciary with an
amendment