

114TH CONGRESS
1ST SESSION

S. 178

AN ACT

To provide justice for the victims of trafficking.

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 “Justice for Victims of Trafficking Act of 2015”.

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

Sec. 1. Short title; table of contents.

TITLE I—JUSTICE FOR VICTIMS OF TRAFFICKING

- Sec. 101. Domestic Trafficking Victims’ Fund.
- Sec. 102. Clarifying the benefits and protections offered to domestic victims of human trafficking.
- Sec. 103. Victim-centered child human trafficking deterrence block grant program.
- Sec. 104. Direct services for victims of child pornography.
- Sec. 105. Increasing compensation and restitution for trafficking victims.
- Sec. 106. Streamlining human trafficking investigations.
- Sec. 107. Enhancing human trafficking reporting.
- Sec. 108. Reducing demand for sex trafficking.
- Sec. 109. Sense of Congress.
- Sec. 110. Using existing task forces and components to target offenders who exploit children.
- Sec. 111. Targeting child predators.
- Sec. 112. Monitoring all human traffickers as violent criminals.
- Sec. 113. Crime victims’ rights.
- Sec. 114. Combat Human Trafficking Act.
- Sec. 115. Survivors of Human Trafficking Empowerment Act.
- Sec. 116. Bringing Missing Children Home Act.
- Sec. 117. Grant accountability.
- Sec. 118. SAVE Act.
- Sec. 119. Education and outreach to trafficking survivors.
- Sec. 120. Expanded statute of limitations for civil actions by child trafficking survivors.
- Sec. 121. GAO study and report.

TITLE II—COMBATING HUMAN TRAFFICKING

Subtitle A—Enhancing Services for Runaway and Homeless Victims of Youth Trafficking

Sec. 201. Amendments to the Runaway and Homeless Youth Act.

Subtitle B—Improving the Response to Victims of Child Sex Trafficking

Sec. 211. Response to victims of child sex trafficking.

Subtitle C—Interagency Task Force to Monitor and Combat Trafficking

- Sec. 221. Victim of trafficking defined.
- Sec. 222. Interagency task force report on child trafficking primary prevention.
- Sec. 223. GAO Report on intervention.

Sec. 224. Provision of housing permitted to protect and assist in the recovery of victims of trafficking.

Subtitle D—Expanded Training

Sec. 231. Expanded training relating to trafficking in persons.

TITLE III—HERO ACT

Sec. 301. Short title.

Sec. 302. HERO Act.

Sec. 303. Transportation for illegal sexual activity and related crimes.

TITLE IV—RAPE SURVIVOR CHILD CUSTODY

Sec. 401. Short title.

Sec. 402. Definitions.

Sec. 403. Findings.

Sec. 404. Increased funding for formula grants authorized.

Sec. 405. Application.

Sec. 406. Grant increase.

Sec. 407. Period of increase.

Sec. 408. Allocation of increased formula grant funds.

Sec. 409. Authorization of appropriations.

TITLE V—MILITARY SEX OFFENDER REPORTING

Sec. 501. Short title.

Sec. 502. Registration of sex offenders released from military corrections facilities or upon conviction.

TITLE VI—STOPPING EXPLOITATION THROUGH TRAFFICKING

Sec. 601. Safe Harbor Incentives.

Sec. 602. Report on restitution paid in connection with certain trafficking offenses.

Sec. 603. National human trafficking hotline.

Sec. 604. Job corps eligibility.

Sec. 605. Clarification of authority of the United States Marshals Service.

Sec. 606. Establishing a national strategy to combat human trafficking.

TITLE VII—TRAFFICKING AWARENESS TRAINING FOR HEALTH CARE

Sec. 701. Short title.

Sec. 702. Development of best practices.

Sec. 703. Definitions.

Sec. 704. No additional authorization of appropriations.

TITLE VIII—BETTER RESPONSE FOR VICTIMS OF CHILD SEX TRAFFICKING

Sec. 801. Short title.

Sec. 802. CAPTA amendments.

TITLE IX—ANTI-TRAFFICKING TRAINING FOR DEPARTMENT OF HOMELAND SECURITY PERSONNEL

Sec. 901. Definitions.

Sec. 902. Training for Department personnel to identify human trafficking.
 Sec. 903. Certification and report to Congress.
 Sec. 904. Assistance to non-Federal entities.
 Sec. 905. Expanded use of Domestic Trafficking Victims' Fund.

TITLE X—HUMAN TRAFFICKING SURVIVORS RELIEF AND
 EMPOWERMENT ACT

Sec. 1001. Short title.
 Sec. 1002. Protections for human trafficking survivors.

1 **TITLE I—JUSTICE FOR VICTIMS**
 2 **OF TRAFFICKING**

3 **SEC. 101. DOMESTIC TRAFFICKING VICTIMS' FUND.**

4 (a) IN GENERAL.—Chapter 201 of title 18, United
 5 States Code, is amended by adding at the end the fol-
 6 lowing:

7 **“§ 3014. Additional special assessment**

8 “(a) IN GENERAL.—Beginning on the date of enact-
 9 ment of the Justice for Victims of Trafficking Act of 2015
 10 and ending on September 30, 2019, in addition to the as-
 11 sessment imposed under section 3013, the court shall as-
 12 sess an amount of \$5,000 on any non-indigent person or
 13 entity convicted of an offense under—

14 “(1) chapter 77 (relating to peonage, slavery,
 15 and trafficking in persons);

16 “(2) chapter 109A (relating to sexual abuse);

17 “(3) chapter 110 (relating to sexual exploitation
 18 and other abuse of children);

19 “(4) chapter 117 (relating to transportation for
 20 illegal sexual activity and related crimes); or

1 “(5) section 274 of the Immigration and Na-
2 tionality Act (8 U.S.C. 1324) (relating to human
3 smuggling), unless the person induced, assisted,
4 abetted, or aided only an individual who at the time
5 of such action was the alien’s spouse, parent, son, or
6 daughter (and no other individual) to enter the
7 United States in violation of law.

8 “(b) SATISFACTION OF OTHER COURT-ORDERED OB-
9 LIGATIONS.—An assessment under subsection (a) shall
10 not be payable until the person subject to the assessment
11 has satisfied all outstanding court-ordered fines, orders of
12 restitution, and any other obligation related to victim-com-
13 pensation arising from the criminal convictions on which
14 the special assessment is based.

15 “(c) ESTABLISHMENT OF DOMESTIC TRAFFICKING
16 VICTIMS’ FUND.—There is established in the Treasury of
17 the United States a fund, to be known as the ‘Domestic
18 Trafficking Victims’ Fund’ (referred to in this section as
19 the ‘Fund’), to be administered by the Attorney General,
20 in consultation with the Secretary of Homeland Security
21 and the Secretary of Health and Human Services.

22 “(d) TRANSFERS.—In a manner consistent with sec-
23 tion 3302(b) of title 31, there shall be transferred to the
24 Fund from the General Fund of the Treasury an amount

1 equal to the amount of the assessments collected under
2 this section, which shall remain available until expended.

3 “(e) USE OF FUNDS.—

4 “(1) IN GENERAL.—From amounts in the
5 Fund, in addition to any other amounts available,
6 and without further appropriation, the Attorney
7 General, in coordination with the Secretary of
8 Health and Human Services shall, for each of fiscal
9 years 2016 through 2019, use amounts available in
10 the Fund to award grants or enhance victims’ pro-
11 gramming under—

12 “(A) section 204 of the Trafficking Vic-
13 tims Protection Reauthorization Act of 2005
14 (42 U.S.C. 14044e);

15 “(B) subsections (b)(2) and (f) of section
16 107 of the Trafficking Victims Protection Act
17 of 2000 (22 U.S.C. 7105); and

18 “(C) section 214(b) of the Victims of Child
19 Abuse Act of 1990 (42 U.S.C. 13002(b)).

20 “(2) LIMITATION.—Except as provided in sub-
21 section (h)(2), none of the amounts in the Fund
22 may be used to provide health care or medical items
23 or services.

24 “(f) COLLECTION METHOD.—The amount assessed
25 under subsection (a) shall, subject to subsection (b), be

1 collected in the manner that fines are collected in criminal
2 cases.

3 “(g) DURATION OF OBLIGATION.—Subject to section
4 3613(b), the obligation to pay an assessment imposed on
5 or after the date of enactment of the Justice for Victims
6 of Trafficking Act of 2015 shall not cease until the assess-
7 ment is paid in full.

8 “(h) HEALTH OR MEDICAL SERVICES.—

9 “(1) TRANSFER OF FUNDS.—From amounts
10 appropriated under section 10503(b)(1)(E) of the
11 Patient Protection and Affordable Care Act (42
12 U.S.C. 254b–2(b)(1)(E)), as amended by section
13 221 of the Medicare Access and CHIP Reauthoriza-
14 tion Act of 2015, there shall be transferred to the
15 Fund an amount equal to the amount transferred
16 under subsection (d) for each fiscal year, except that
17 the amount transferred under this paragraph shall
18 not be less than \$5,000,000 or more than
19 \$30,000,000 in each such fiscal year, and such
20 amounts shall remain available until expended.

21 “(2) USE OF FUNDS.—The Attorney General,
22 in coordination with the Secretary of Health and
23 Human Services, shall use amounts transferred to
24 the Fund under paragraph (1) to award grants that
25 may be used for the provision of health care or med-

1 ical items or services to victims of trafficking
2 under—

3 “(A) sections 202, 203, and 204 of the
4 Trafficking Victims Protection Reauthorization
5 Act of 2005 (42 U.S.C. 14044a, 14044b, and
6 14044c);

7 “(B) subsections (b)(2) and (f) of section
8 107 of the Trafficking Victims Protection Act
9 of 2000 (22 U.S.C. 7105); and

10 “(C) section 214(b) of the Victims of Child
11 Abuse Act of 1990 (42 U.S.C. 13002(b)).

12 “(3) GRANTS.—Of the amounts in the Fund
13 used under paragraph (1), not less than \$2,000,000,
14 if such amounts are available in the Fund during
15 the relevant fiscal year, shall be used for grants to
16 provide services for child pornography victims under
17 section 214(b) of the Victims of Child Abuse Act of
18 1990 (42 U.S.C. 13002(b)).

19 “(4) APPLICATION OF PROVISION.—The appli-
20 cation of the provisions of section 221(c) of the
21 Medicare Access and CHIP Reauthorization Act of
22 2015 shall continue to apply to the amounts trans-
23 ferred pursuant to paragraph (1).”.

24 (b) TECHNICAL AND CONFORMING AMENDMENT.—
25 The table of sections for chapter 201 of title 18, United

1 States Code, is amended by inserting after the item relat-
2 ing to section 3013 the following:

“3014. Additional special assessment.”.

3 **SEC. 102. CLARIFYING THE BENEFITS AND PROTECTIONS**
4 **OFFERED TO DOMESTIC VICTIMS OF HUMAN**
5 **TRAFFICKING.**

6 Section 107(b)(1) of the Trafficking Victims Protec-
7 tion Act of 2000 (22 U.S.C. 7105(b)(1)) is amended—
8 (1) by redesignating subparagraphs (F) and
9 (G) as subparagraphs (G) and (H), respectively;
10 (2) by inserting after subparagraph (E) the fol-
11 lowing:

12 “(F) NO REQUIREMENT OF OFFICIAL CER-
13 TIFICATION FOR UNITED STATES CITIZENS AND
14 LAWFUL PERMANENT RESIDENTS.—Nothing in
15 this section may be construed to require United
16 States citizens or lawful permanent residents
17 who are victims of severe forms of trafficking to
18 obtain an official certification from the Sec-
19 retary of Health and Human Services in order
20 to access any of the specialized services de-
21 scribed in this subsection or any other Federal
22 benefits and protections to which they are oth-
23 erwise entitled.”; and

1 (3) in subparagraph (H), as redesignated, by
2 striking “subparagraph (F)” and inserting “sub-
3 paragraph (G)”.

4 **SEC. 103. VICTIM-CENTERED CHILD HUMAN TRAFFICKING**
5 **DETERRENCE BLOCK GRANT PROGRAM.**

6 (a) IN GENERAL.—Section 203 of the Trafficking
7 Victims Protection Reauthorization Act of 2005 (42
8 U.S.C. 14044b) is amended to read as follows:

9 **“SEC. 203. VICTIM-CENTERED CHILD HUMAN TRAFFICKING**
10 **DETERRENCE BLOCK GRANT PROGRAM.**

11 “(a) GRANTS AUTHORIZED.—The Attorney General
12 may award block grants to an eligible entity to develop,
13 improve, or expand domestic child human trafficking de-
14 terrence programs that assist law enforcement officers,
15 prosecutors, judicial officials, and qualified victims’ serv-
16 ices organizations in collaborating to rescue and restore
17 the lives of victims, while investigating and prosecuting of-
18 fenses involving child human trafficking.

19 “(b) AUTHORIZED ACTIVITIES.—Grants awarded
20 under subsection (a) may be used for—

21 “(1) the establishment or enhancement of spe-
22 cialized training programs for law enforcement offi-
23 cers, first responders, health care officials, child wel-
24 fare officials, juvenile justice personnel, prosecutors,
25 and judicial personnel to—

1 “(A) identify victims and acts of child
2 human trafficking;

3 “(B) address the unique needs of child vic-
4 tims of human trafficking;

5 “(C) facilitate the rescue of child victims of
6 human trafficking;

7 “(D) investigate and prosecute acts of
8 human trafficking, including the soliciting, pa-
9 tronizing, or purchasing of commercial sex acts
10 from children, as well as training to build cases
11 against complex criminal networks involved in
12 child human trafficking; and

13 “(E) utilize, implement, and provide edu-
14 cation on safe harbor laws enacted by States,
15 aimed at preventing the criminalization and
16 prosecution of child sex trafficking victims for
17 prostitution offenses, and other laws aimed at
18 the investigation and prosecution of child
19 human trafficking;

20 “(2) the establishment or enhancement of dedi-
21 cated anti-trafficking law enforcement units and
22 task forces to investigate child human trafficking of-
23 fenses and to rescue victims, including—

24 “(A) funding salaries, in whole or in part,
25 for law enforcement officers, including patrol

1 officers, detectives, and investigators, except
2 that the percentage of the salary of the law en-
3 forcement officer paid for by funds from a
4 grant awarded under this section shall not be
5 more than the percentage of the officer's time
6 on duty that is dedicated to working on cases
7 involving child human trafficking;

8 “(B) investigation expenses for cases in-
9 volving child human trafficking, including—

10 “(i) wire taps;

11 “(ii) consultants with expertise spe-
12 cific to cases involving child human traf-
13 ficking;

14 “(iii) travel; and

15 “(iv) other technical assistance ex-
16 penditures;

17 “(C) dedicated anti-trafficking prosecution
18 units, including the funding of salaries for
19 State and local prosecutors, including assisting
20 in paying trial expenses for prosecution of child
21 human trafficking offenders, except that the
22 percentage of the total salary of a State or local
23 prosecutor that is paid using an award under
24 this section shall be not more than the percent-
25 age of the total number of hours worked by the

1 prosecutor that is spent working on cases in-
2 volving child human trafficking;

3 “(D) the establishment of child human
4 trafficking victim witness safety, assistance,
5 and relocation programs that encourage co-
6 operation with law enforcement investigations
7 of crimes of child human trafficking by
8 leveraging existing resources and delivering
9 child human trafficking victims’ services
10 through coordination with—

11 “(i) child advocacy centers;

12 “(ii) social service agencies;

13 “(iii) State governmental health serv-
14 ice agencies;

15 “(iv) housing agencies;

16 “(v) legal services agencies; and

17 “(vi) nongovernmental organizations
18 and shelter service providers with substan-
19 tial experience in delivering wrap-around
20 services to victims of child human traf-
21 ficking; and

22 “(E) the establishment or enhancement of
23 other necessary victim assistance programs or
24 personnel, such as victim or child advocates,

1 child-protective services, child forensic inter-
2 views, or other necessary service providers;

3 “(3) activities of law enforcement agencies to
4 find homeless and runaway youth, including salaries
5 and associated expenses for retired Federal law en-
6 forcement officers assisting the law enforcement
7 agencies in finding homeless and runaway youth;
8 and

9 “(4) the establishment or enhancement of prob-
10 lem solving court programs for trafficking victims
11 that include—

12 “(A) mandatory and regular training re-
13 quirements for judicial officials involved in the
14 administration or operation of the court pro-
15 gram described under this paragraph;

16 “(B) continuing judicial supervision of vic-
17 tims of child human trafficking, including case
18 worker or child welfare supervision in collabora-
19 tion with judicial officers, who have been identi-
20 fied by a law enforcement or judicial officer as
21 a potential victim of child human trafficking,
22 regardless of whether the victim has been
23 charged with a crime related to human traf-
24 ficking;

1 “(C) the development of a specialized and
2 individualized, court-ordered treatment program
3 for identified victims of child human trafficking,
4 including—

5 “(i) State-administered outpatient
6 treatment;

7 “(ii) life skills training;

8 “(iii) housing placement;

9 “(iv) vocational training;

10 “(v) education;

11 “(vi) family support services; and

12 “(vii) job placement;

13 “(D) centralized case management involv-
14 ing the consolidation of all of each child human
15 trafficking victim’s cases and offenses, and the
16 coordination of all trafficking victim treatment
17 programs and social services;

18 “(E) regular and mandatory court appear-
19 ances by the victim during the duration of the
20 treatment program for purposes of ensuring
21 compliance and effectiveness;

22 “(F) the ultimate dismissal of relevant
23 non-violent criminal charges against the victim,
24 where such victim successfully complies with the

1 terms of the court-ordered treatment program;
2 and

3 “(G) collaborative efforts with child advoca-
4 cacy centers, child welfare agencies, shelters,
5 and nongovernmental organizations with sub-
6 stantial experience in delivering wrap-around
7 services to victims of child human trafficking to
8 provide services to victims and encourage co-
9 operation with law enforcement.

10 “(c) APPLICATION.—

11 “(1) IN GENERAL.—An eligible entity shall sub-
12 mit an application to the Attorney General for a
13 grant under this section in such form and manner
14 as the Attorney General may require.

15 “(2) REQUIRED INFORMATION.—An application
16 submitted under this subsection shall—

17 “(A) describe the activities for which as-
18 sistance under this section is sought;

19 “(B) include a detailed plan for the use of
20 funds awarded under the grant;

21 “(C) provide such additional information
22 and assurances as the Attorney General deter-
23 mines to be necessary to ensure compliance
24 with the requirements of this section; and

25 “(D) disclose—

1 “(i) any other grant funding from the
2 Department of Justice or from any other
3 Federal department or agency for purposes
4 similar to those described in subsection (b)
5 for which the eligible entity has applied,
6 and which application is pending on the
7 date of the submission of an application
8 under this section; and

9 “(ii) any other such grant funding
10 that the eligible entity has received during
11 the 5-year period ending on the date of the
12 submission of an application under this
13 section.

14 “(3) PREFERENCE.—In reviewing applications
15 submitted in accordance with paragraphs (1) and
16 (2), the Attorney General shall give preference to
17 grant applications if—

18 “(A) the application includes a plan to use
19 awarded funds to engage in all activities de-
20 scribed under paragraphs (1) through (3) of
21 subsection (b); or

22 “(B) the application includes a plan by the
23 State or unit of local government to continue
24 funding of all activities funded by the award
25 after the expiration of the award.

1 “(4) ELIGIBLE ENTITIES SOLICITING DATA ON
2 CHILD HUMAN TRAFFICKING.—No eligible entity
3 shall be disadvantaged in being awarded a grant
4 under subsection (a) on the grounds that the eligible
5 entity has only recently begun soliciting data on
6 child human trafficking.

7 “(d) DURATION AND RENEWAL OF AWARD.—

8 “(1) IN GENERAL.—A grant under this section
9 shall expire 3 years after the date of award of the
10 grant.

11 “(2) RENEWAL.—A grant under this section
12 shall be renewable not more than 2 times and for a
13 period of not greater than 2 years.

14 “(e) EVALUATION.—The Attorney General shall—

15 “(1) enter into a contract with a nongovern-
16 mental organization, including an academic or non-
17 profit organization, that has experience with issues
18 related to child human trafficking and evaluation of
19 grant programs to conduct periodic evaluations of
20 grants made under this section to determine the im-
21 pact and effectiveness of programs funded with
22 grants awarded under this section;

23 “(2) instruct the Inspector General of the De-
24 partment of Justice to review evaluations issued

1 under paragraph (1) to determine the methodo-
2 logical and statistical validity of the evaluations; and

3 “(3) submit the results of any evaluation con-
4 ducted pursuant to paragraph (1) to—

5 “(A) the Committee on the Judiciary of
6 the Senate; and

7 “(B) the Committee on the Judiciary of
8 the House of Representatives.

9 “(f) MANDATORY EXCLUSION.—An eligible entity
10 awarded funds under this section that is found to have
11 used grant funds for any unauthorized expenditure or oth-
12 erwise unallowable cost shall not be eligible for any grant
13 funds awarded under the block grant for 2 fiscal years
14 following the year in which the unauthorized expenditure
15 or unallowable cost is reported.

16 “(g) COMPLIANCE REQUIREMENT.—An eligible enti-
17 ty shall not be eligible to receive a grant under this section
18 if within the 5 fiscal years before submitting an applica-
19 tion for a grant under this section, the grantee has been
20 found to have violated the terms or conditions of a Govern-
21 ment grant program by utilizing grant funds for unauthor-
22 ized expenditures or otherwise unallowable costs.

23 “(h) ADMINISTRATIVE CAP.—The cost of admin-
24 istering the grants authorized by this section shall not ex-

1 ceed 5 percent of the total amount expended to carry out
2 this section.

3 “(i) FEDERAL SHARE.—The Federal share of the
4 cost of a program funded by a grant awarded under this
5 section shall be—

6 “(1) 70 percent in the first year;

7 “(2) 60 percent in the second year; and

8 “(3) 50 percent in the third year, and in all
9 subsequent years.

10 “(j) AUTHORIZATION OF FUNDING; FULLY OFF-
11 SET.—For purposes of carrying out this section, the At-
12 torney General, in consultation with the Secretary of
13 Health and Human Services, is authorized to award not
14 more than \$7,000,000 of the funds available in the Do-
15 mestic Trafficking Victims’ Fund, established under sec-
16 tion 3014 of title 18, United States Code, for each of fiscal
17 years 2016 through 2020.

18 “(k) DEFINITIONS.—In this section—

19 “(1) the term ‘child’ means a person under the
20 age of 18;

21 “(2) the term ‘child advocacy center’ means a
22 center created under subtitle A of the Victims of
23 Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.);

24 “(3) the term ‘child human trafficking’ means
25 1 or more severe forms of trafficking in persons (as

1 defined in section 103 of the Trafficking Victims
2 Protection Act of 2000 (22 U.S.C. 7102)) involving
3 a victim who is a child; and

4 “(4) the term ‘eligible entity’ means a State or
5 unit of local government that—

6 “(A) has significant criminal activity in-
7 volving child human trafficking;

8 “(B) has demonstrated cooperation be-
9 tween Federal, State, local, and, where applica-
10 ble, tribal law enforcement agencies, prosecu-
11 tors, and social service providers in addressing
12 child human trafficking;

13 “(C) has developed a workable, multi-
14 disciplinary plan to combat child human traf-
15 ficking, including—

16 “(i) the establishment of a shelter for
17 victims of child human trafficking, through
18 existing or new facilities;

19 “(ii) the provision of trauma-
20 informed, gender-responsive rehabilitative
21 care to victims of child human trafficking;

22 “(iii) the provision of specialized
23 training for law enforcement officers and
24 social service providers for all forms of

1 human trafficking, with a focus on domes-
2 tic child human trafficking;

3 “(iv) prevention, deterrence, and pros-
4 ecution of offenses involving child human
5 trafficking, including soliciting, patron-
6 izing, or purchasing human acts with chil-
7 dren;

8 “(v) cooperation or referral agree-
9 ments with organizations providing out-
10 reach or other related services to runaway
11 and homeless youth;

12 “(vi) law enforcement protocols or
13 procedures to screen all individuals ar-
14 rested for prostitution, whether adult or
15 child, for victimization by sex trafficking
16 and by other crimes, such as sexual assault
17 and domestic violence; and

18 “(vii) cooperation or referral agree-
19 ments with State child welfare agencies
20 and child advocacy centers; and

21 “(D) provides an assurance that, under the
22 plan under subparagraph (C), a victim of child
23 human trafficking shall not be required to col-
24 laborate with law enforcement officers to have

1 access to any shelter or services provided with
2 a grant under this section.

3 “(l) GRANT ACCOUNTABILITY; SPECIALIZED VIC-
4 TIMS’ SERVICE REQUIREMENT.—No grant funds under
5 this section may be awarded or transferred to any entity
6 unless such entity has demonstrated substantial experi-
7 ence providing services to victims of human trafficking or
8 related populations (such as runaway and homeless
9 youth), or employs staff specialized in the treatment of
10 human trafficking victims.”.

11 (b) TABLE OF CONTENTS.—The table of contents in
12 section 1(b) of the Trafficking Victims Protection Reau-
13 thorization Act of 2005 (22 U.S.C. 7101 note) is amended
14 by striking the item relating to section 203 and inserting
15 the following:

“Sec. 203. Victim-centered child human trafficking deterrence block grant pro-
gram.”.

16 **SEC. 104. DIRECT SERVICES FOR VICTIMS OF CHILD POR-**
17 **NOGRAPHY.**

18 The Victims of Child Abuse Act of 1990 (42 U.S.C.
19 13001 et seq.) is amended—

20 (1) in section 212(5) (42 U.S.C. 13001a(5)), by
21 inserting “, including human trafficking and the
22 production of child pornography” before the semi-
23 colon at the end; and

24 (2) in section 214 (42 U.S.C. 13002)—

1 (A) by redesignating subsections (b), (c),
2 and (d) as subsections (c), (d), and (e), respec-
3 tively; and

4 (B) by inserting after subsection (a) the
5 following:

6 “(b) DIRECT SERVICES FOR VICTIMS OF CHILD POR-
7 NOGRAPHY.—The Administrator, in coordination with the
8 Director and with the Director of the Office of Victims
9 of Crime, may make grants to develop and implement spe-
10 cialized programs to identify and provide direct services
11 to victims of child pornography.”.

12 **SEC. 105. INCREASING COMPENSATION AND RESTITUTION**
13 **FOR TRAFFICKING VICTIMS.**

14 (a) AMENDMENTS TO TITLE 18.—Section 1594 of
15 title 18, United States Code, is amended—

16 (1) in subsection (d)—

17 (A) in paragraph (1)—

18 (i) by striking “that was used or” and
19 inserting “that was involved in, used, or”;
20 and

21 (ii) by inserting “, and any property
22 traceable to such property” after “such
23 violation”; and

1 (B) in paragraph (2), by inserting “, or
2 any property traceable to such property” after
3 “such violation”;

4 (2) in subsection (e)(1)(A)—

5 (A) by striking “used or” and inserting
6 “involved in, used, or”; and

7 (B) by inserting “, and any property trace-
8 able to such property” after “any violation of
9 this chapter”;

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

12 (4) by inserting after subsection (e) the fol-
13 lowing:

14 “(f) TRANSFER OF FORFEITED ASSETS.—

15 “(1) IN GENERAL.—Notwithstanding any other
16 provision of law, the Attorney General shall transfer
17 assets forfeited pursuant to this section, or the pro-
18 ceeds derived from the sale thereof, to satisfy victim
19 restitution orders arising from violations of this
20 chapter.

21 “(2) PRIORITY.—Transfers pursuant to para-
22 graph (1) shall have priority over any other claims
23 to the assets or their proceeds.

24 “(3) USE OF NONFORFEITED ASSETS.—Trans-
25 fers pursuant to paragraph (1) shall not reduce or

1 otherwise mitigate the obligation of a person con-
2 victed of a violation of this chapter to satisfy the full
3 amount of a restitution order through the use of
4 non-forfeited assets or to reimburse the Attorney
5 General for the value of assets or proceeds trans-
6 ferred under this subsection through the use of non-
7 forfeited assets.”.

8 (b) AMENDMENT TO TITLE 28.—Section
9 524(c)(1)(B) of title 28, United States Code, is amended
10 by inserting “chapter 77 of title 18,” after “criminal drug
11 laws of the United States or of”.

12 (c) AMENDMENTS TO TITLE 31.—

13 (1) IN GENERAL.—Chapter 97 of title 31,
14 United States Code, is amended—

15 (A) by redesignating section 9703 (as
16 added by section 638(b)(1) of the Treasury,
17 Postal Service, and General Government Appro-
18 priations Act, 1993 (Public Law 102–393; 106
19 Stat. 1779)) as section 9705; and

20 (B) in section 9705(a), as redesignated—

21 (i) in paragraph (1)—

22 (I) in subparagraph (I)—

23 (aa) by striking “payment”
24 and inserting “Payment”; and

1 (bb) by striking the semi-
2 colon at the end and inserting a
3 period; and

4 (II) in subparagraph (J), by
5 striking “payment” and inserting
6 “Payment”; and

7 (ii) in paragraph (2)—

8 (I) in subparagraph (B)—

9 (aa) in clause (iii)—

10 (AA) in subclause (I),
11 by striking “or” and insert-
12 ing “of”; and

13 (BB) in subclause (III),
14 by striking “and” at the
15 end;

16 (bb) in clause (iv), by strik-
17 ing the period at the end and in-
18 serting “; and”; and

19 (cc) by inserting after clause
20 (iv) the following:

21 “(v) United States Immigration and
22 Customs Enforcement with respect to a
23 violation of chapter 77 of title 18 (relating
24 to human trafficking);”;

- 1 (II) in subparagraph (G), by add-
2 ing “and” at the end; and
3 (III) in subparagraph (H), by
4 striking “; and” and inserting a pe-
5 riod.

6 (2) TECHNICAL AND CONFORMING AMEND-
7 MENTS.—

8 (A) CROSS REFERENCES.—

- 9 (i) TITLE 28.—Section 524(c) of title
10 28, United States Code, is amended—

11 (I) in paragraph (4)(C), by strik-
12 ing “section 9703(g)(4)(A)(ii)” and
13 inserting “section 9705(g)(4)(A)”;

14 (II) in paragraph (10), by strik-
15 ing “section 9703(p)” and inserting
16 “section 9705(o)”; and

17 (III) in paragraph (11), by strik-
18 ing “section 9703” and inserting
19 “section 9705”.

- 20 (ii) TITLE 31.—Title 31, United
21 States Code, is amended—

22 (I) in section 312(d), by striking
23 “section 9703” and inserting “section
24 9705”; and

1 (II) in section 5340(1), by strik-
 2 ing “section 9703(p)(1)” and insert-
 3 ing “section 9705(o)”.

4 (iii) TITLE 39.—Section 2003(e)(1) of
 5 title 39, United States Code, is amended
 6 by striking “section 9703(p)” and insert-
 7 ing “section 9705(o)”.

8 (B) TABLE OF SECTIONS.—The table of
 9 sections for chapter 97 of title 31, United
 10 States Code, is amended to read as follows:

“9701. Fees and charges for Government services and things of value.

“9702. Investment of trust funds.

“9703. Managerial accountability and flexibility.

“9704. Pilot projects for managerial accountability and flexibility.

“9705. Department of the Treasury Forfeiture Fund.”.

11 **SEC. 106. STREAMLINING HUMAN TRAFFICKING INVES-**
 12 **TIGATIONS.**

13 Section 2516 of title 18, United States Code, is
 14 amended—

15 (1) in paragraph (1)—

16 (A) in subparagraph (a), by inserting a
 17 comma after “weapons”;

18 (B) in subparagraph (c)—

19 (i) by inserting “section 1581 (peon-
 20 age), section 1584 (involuntary servitude),
 21 section 1589 (forced labor), section 1590
 22 (trafficking with respect to peonage, slav-

1 ery, involuntary servitude, or forced
2 labor),” before “section 1591”;

3 (ii) by inserting “section 1592 (unlaw-
4 ful conduct with respect to documents in
5 furtherance of trafficking, peonage, slav-
6 ery, involuntary servitude, or forced
7 labor),” before “section 1751”;

8 (iii) by inserting a comma after
9 “virus”;

10 (iv) by striking “,, section” and in-
11 serting a comma;

12 (v) by striking “or” after “misuse of
13 passports),”; and

14 (vi) by inserting “or” before “section
15 555”;

16 (C) in subparagraph (j), by striking “pipe-
17 line,)” and inserting “pipeline),”; and

18 (D) in subparagraph (p), by striking “doc-
19 uments, section 1028A (relating to aggravated
20 identity theft))” and inserting “documents),
21 section 1028A (relating to aggravated identity
22 theft)”; and

23 (2) in paragraph (2), by inserting “human traf-
24 ficking, child sexual exploitation, child pornography
25 production,” after “kidnapping”.

1 **SEC. 107. ENHANCING HUMAN TRAFFICKING REPORTING.**

2 Section 505 of title I of the Omnibus Crime Control
3 and Safe Streets Act of 1968 (42 U.S.C. 3755) is amend-
4 ed by adding at the end the following:

5 “(i) **PART 1 VIOLENT CRIMES TO INCLUDE HUMAN**
6 **TRAFFICKING.**—For purposes of this section, the term
7 ‘part 1 violent crimes’ shall include severe forms of traf-
8 ficking in persons (as defined in section 103 of the Traf-
9 ficking Victims Protection Act of 2000 (22 U.S.C.
10 7102)).”.

11 **SEC. 108. REDUCING DEMAND FOR SEX TRAFFICKING.**

12 (a) **IN GENERAL.**—Section 1591 of title 18, United
13 States Code, is amended—

14 (1) in subsection (a)(1), by striking “or main-
15 tains” and inserting “maintains, patronizes, or solie-
16 its”;

17 (2) in subsection (b)—

18 (A) in paragraph (1), by striking “or ob-
19 tained” and inserting “obtained, patronized, or
20 solicited”; and

21 (B) in paragraph (2), by striking “or ob-
22 tained” and inserting “obtained, patronized, or
23 solicited”; and

24 (3) in subsection (c)—

1 (A) by striking “or maintained” and in-
2 serting “, maintained, patronized, or solicited”;
3 and

4 (B) by striking “knew that the person”
5 and inserting “knew, or recklessly disregarded
6 the fact, that the person”.

7 (b) DEFINITION AMENDED.—Section 103(10) of the
8 Trafficking Victims Protection Act of 2000 (22 U.S.C.
9 7102(10)) is amended by striking “or obtaining” and in-
10 serting “obtaining, patronizing, or soliciting”.

11 (c) PURPOSE.—The purpose of the amendments
12 made by this section is to clarify the range of conduct pun-
13 ished as sex trafficking.

14 **SEC. 109. SENSE OF CONGRESS.**

15 It is the sense of Congress that—

16 (1) section 1591 of title 18, United States
17 Code, defines a sex trafficker as a person who
18 “knowingly. . .recruits, entices, harbors, transports,
19 provides, obtains, or maintains by any means a per-
20 son. . .knowing, or in reckless disregard of the fact,
21 that means of force, threats of force, fraud, coer-
22 cion. . .or any combination of such means will be
23 used to cause the person to engage in a commercial
24 sex act, or that the person has not attained the age

1 of 18 years and will be caused to engage in a com-
2 mercial sex act”;

3 (2) while use of the word “obtains” in section
4 1591, United States Code, has been interpreted,
5 prior to the date of enactment of this Act, to encom-
6 pass those who purchase illicit sexual acts from traf-
7 ficking victims, some confusion persists;

8 (3) in *United States vs. Jungers*, 702 F.3d
9 1066 (8th Cir. 2013), the United States Court of
10 Appeals for the Eighth Circuit ruled that section
11 1591 of title 18, United States Code, applied to per-
12 sons who purchase illicit sexual acts with trafficking
13 victims after the United States District Court for
14 the District of South Dakota erroneously granted
15 motions to acquit these buyers in two separate cases;
16 and

17 (4) section 108 of this title amends section
18 1591 of title 18, United States Code, to add the
19 words “solicits or patronizes” to the sex trafficking
20 statute making absolutely clear for judges, juries,
21 prosecutors, and law enforcement officials that
22 criminals who purchase sexual acts from human
23 trafficking victims may be arrested, prosecuted, and
24 convicted as sex trafficking offenders when this is
25 merited by the facts of a particular case.

1 **SEC. 110. USING EXISTING TASK FORCES AND COMPO-**
2 **NENTS TO TARGET OFFENDERS WHO EX-**
3 **PLOIT CHILDREN.**

4 Not later than 180 days after the date of enactment
5 of this Act, the Attorney General shall ensure that—

6 (1) all task forces and working groups within
7 the Innocence Lost National Initiative engage in ac-
8 tivities, programs, or operations to increase the in-
9 vestigative capabilities of State and local law en-
10 forcement officers in the detection, investigation,
11 and prosecution of persons who patronize, or solicit
12 children for sex; and

13 (2) all components and task forces with juris-
14 diction to detect, investigate, and prosecute cases of
15 child labor trafficking engage in activities, programs,
16 or operations to increase the capacity of such compo-
17 nents to deter and punish child labor trafficking.

18 **SEC. 111. TARGETING CHILD PREDATORS.**

19 (a) **CLARIFYING THAT CHILD PORNOGRAPHY PRO-**
20 **DUCERS ARE HUMAN TRAFFICKERS.**—Section 2423(f) of
21 title 18, United States Code, is amended—

22 (1) by striking “means (1) a” and inserting the
23 following: “means—

24 “(1) a”;

25 (2) by striking “United States; or (2) any” and
26 inserting the following: “United States;

1 “(2) any”; and

2 (3) by striking the period at the end and insert-
3 ing the following: “; or

4 “(3) production of child pornography (as de-
5 fined in section 2256(8)).”.

6 (b) **HOLDING SEX TRAFFICKERS ACCOUNTABLE.**—

7 Section 2423(g) of title 18, United States Code, is amend-
8 ed by striking “a preponderance of the evidence” and in-
9 serting “clear and convincing evidence”.

10 **SEC. 112. MONITORING ALL HUMAN TRAFFICKERS AS VIO-**
11 **LENT CRIMINALS.**

12 Section 3156(a)(4)(C) of title 18, United States
13 Code, is amended by inserting “77,” after “chapter”.

14 **SEC. 113. CRIME VICTIMS’ RIGHTS.**

15 (a) **IN GENERAL.**—Section 3771 of title 18, United
16 States Code, is amended—

17 (1) in subsection (a), by adding at the end the
18 following:

19 “(9) The right to be informed in a timely man-
20 ner of any plea bargain or deferred prosecution
21 agreement.

22 “(10) The right to be informed of the rights
23 under this section and the services described in sec-
24 tion 503(c) of the Victims’ Rights and Restitution
25 Act of 1990 (42 U.S.C. 10607(c)) and provided con-

1 tact information for the Office of the Victims’
2 Rights Ombudsman of the Department of Justice.”;

3 (2) in subsection (d)(3), in the fifth sentence,
4 by inserting “, unless the litigants, with the approval
5 of the court, have stipulated to a different time pe-
6 riod for consideration” before the period; and

7 (3) in subsection (e)—

8 (A) by striking “this chapter, the term”
9 and inserting the following: “this chapter:

10 “(1) COURT OF APPEALS.—The term ‘court of
11 appeals’ means—

12 “(A) the United States court of appeals for
13 the judicial district in which a defendant is
14 being prosecuted; or

15 “(B) for a prosecution in the Superior
16 Court of the District of Columbia, the District
17 of Columbia Court of Appeals.

18 “(2) CRIME VICTIM.—

19 “(A) IN GENERAL.—The term”;

20 (B) by striking “In the case” and inserting
21 the following:

22 “(B) MINORS AND CERTAIN OTHER VIC-
23 TIMS.—In the case”;

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

1 “(3) DISTRICT COURT; COURT.—The terms
2 ‘district court’ and ‘court’ include the Superior
3 Court of the District of Columbia.”.

4 (b) CRIME VICTIMS FUND.—Section
5 1402(d)(3)(A)(i) of the Victims of Crime Act of 1984 (42
6 U.S.C. 10601(d)(3)(A)(i)) is amended by inserting “sec-
7 tion” before “3771”.

8 (c) APPELLATE REVIEW OF PETITIONS RELATING TO
9 CRIME VICTIMS’ RIGHTS.—

10 (1) IN GENERAL.—Section 3771(d)(3) of title
11 18, United States Code, as amended by subsection
12 (a)(2) of this section, is amended by inserting after
13 the fifth sentence the following: “In deciding such
14 application, the court of appeals shall apply ordinary
15 standards of appellate review.”.

16 (2) APPLICATION.—The amendment made by
17 paragraph (1) shall apply with respect to any peti-
18 tion for a writ of mandamus filed under section
19 3771(d)(3) of title 18, United States Code, that is
20 pending on the date of enactment of this Act.

21 **SEC. 114. COMBAT HUMAN TRAFFICKING ACT.**

22 (a) SHORT TITLE.—This section may be cited as the
23 “Combat Human Trafficking Act of 2015”.

24 (b) DEFINITIONS.—In this section:

1 (1) COMMERCIAL SEX ACT; SEVERE FORMS OF
2 TRAFFICKING IN PERSONS; STATE; TASK FORCE.—
3 The terms “commercial sex act”, “severe forms of
4 trafficking in persons”, “State”, and “Task Force”
5 have the meanings given those terms in section 103
6 of the Trafficking Victims Protection Act of 2000
7 (22 U.S.C. 7102).

8 (2) COVERED OFFENDER.—The term “covered
9 offender” means an individual who obtains, patron-
10 izes, or solicits a commercial sex act involving a per-
11 son subject to severe forms of trafficking in persons.

12 (3) COVERED OFFENSE.—The term “covered
13 offense” means the provision, obtaining, patronizing,
14 or soliciting of a commercial sex act involving a per-
15 son subject to severe forms of trafficking in persons.

16 (4) FEDERAL LAW ENFORCEMENT OFFICER.—
17 The term “Federal law enforcement officer” has the
18 meaning given the term in section 115 of title 18,
19 United States Code.

20 (5) LOCAL LAW ENFORCEMENT OFFICER.—The
21 term “local law enforcement officer” means any offi-
22 cer, agent, or employee of a unit of local government
23 authorized by law or by a local government agency
24 to engage in or supervise the prevention, detection,

1 investigation, or prosecution of any violation of
2 criminal law.

3 (6) STATE LAW ENFORCEMENT OFFICER.—The
4 term “State law enforcement officer” means any of-
5 ficer, agent, or employee of a State authorized by
6 law or by a State government agency to engage in
7 or supervise the prevention, detection, investigation,
8 or prosecution of any violation of criminal law.

9 (c) DEPARTMENT OF JUSTICE TRAINING AND POL-
10 ICY FOR LAW ENFORCEMENT OFFICERS, PROSECUTORS,
11 AND JUDGES.—

12 (1) TRAINING.—

13 (A) LAW ENFORCEMENT OFFICERS.—The
14 Attorney General shall ensure that each anti-
15 human trafficking program operated by the De-
16 partment of Justice, including each anti-human
17 trafficking training program for Federal, State,
18 or local law enforcement officers, includes tech-
19 nical training on—

20 (i) effective methods for investigating
21 and prosecuting covered offenders; and

22 (ii) facilitating the provision of phys-
23 ical and mental health services by health
24 care providers to persons subject to severe
25 forms of trafficking in persons.

1 (B) FEDERAL PROSECUTORS.—The Attor-
2 ney General shall ensure that each anti-human
3 trafficking program operated by the Depart-
4 ment of Justice for United States attorneys or
5 other Federal prosecutors includes training on
6 seeking restitution for offenses under chapter
7 77 of title 18, United States Code, to ensure
8 that each United States attorney or other Fed-
9 eral prosecutor, upon obtaining a conviction for
10 such an offense, requests a specific amount of
11 restitution for each victim of the offense with-
12 out regard to whether the victim requests res-
13 titution.

14 (C) JUDGES.—The Federal Judicial Center
15 shall provide training to judges relating to the
16 application of section 1593 of title 18, United
17 States Code, with respect to ordering restitution
18 for victims of offenses under chapter 77 of such
19 title.

20 (2) POLICY FOR FEDERAL LAW ENFORCEMENT
21 OFFICERS.—The Attorney General shall ensure that
22 Federal law enforcement officers are engaged in ac-
23 tivities, programs, or operations involving the detec-
24 tion, investigation, and prosecution of covered of-
25 fenders.

1 (d) MINIMUM PERIOD OF SUPERVISED RELEASE FOR
2 CONSPIRACY TO COMMIT COMMERCIAL CHILD SEX TRAF-
3 FICKING.—Section 3583(k) of title 18, United States
4 Code, is amended by inserting “1594(c),” after “1591,”.

5 (e) BUREAU OF JUSTICE STATISTICS REPORT ON
6 STATE ENFORCEMENT OF HUMAN TRAFFICKING PROHI-
7 BITIONS.—The Director of the Bureau of Justice Statis-
8 tics shall—

9 (1) prepare an annual report on—

10 (A) the rates of—

11 (i) arrest of individuals by State law
12 enforcement officers for a covered offense;

13 (ii) prosecution (including specific
14 charges) of individuals in State court sys-
15 tems for a covered offense; and

16 (iii) conviction of individuals in State
17 court systems for a covered offense; and

18 (B) sentences imposed on individuals con-
19 victed in State court systems for a covered of-
20 fense; and

21 (2) submit the annual report prepared under
22 paragraph (1) to—

23 (A) the Committee on the Judiciary of the
24 House of Representatives;

1 (B) the Committee on the Judiciary of the
2 Senate;

3 (C) the Task Force;

4 (D) the Senior Policy Operating Group es-
5 tablished under section 105(g) of the Traf-
6 ficking Victims Protection Act of 2000 (22
7 U.S.C. 7103(g)); and

8 (E) the Attorney General.

9 **SEC. 115. SURVIVORS OF HUMAN TRAFFICKING EMPOWER-**
10 **MENT ACT.**

11 (a) **SHORT TITLE.**—This section may be cited as the
12 “Survivors of Human Trafficking Empowerment Act”.

13 (b) **ESTABLISHMENT.**—There is established the
14 United States Advisory Council on Human Trafficking
15 (referred to in this section as the “Council”), which shall
16 provide advice and recommendations to the Senior Policy
17 Operating Group established under section 105(g) of the
18 Trafficking Victims Protection Act of 2000 (22 U.S.C.
19 7103(g)) (referred to in this section as the “Group”) and
20 the President’s Interagency Task Force to Monitor and
21 Combat Trafficking established under section 105(a) of
22 such Act (referred to in this section as the “Task Force”).

23 (c) **MEMBERSHIP.**—

1 (1) COMPOSITION.—The Council shall be com-
2 posed of not less than 8 and not more than 14 indi-
3 viduals who are survivors of human trafficking.

4 (2) REPRESENTATION OF SURVIVORS.—To the
5 extent practicable, members of the Council shall be
6 survivors of trafficking, who shall accurately reflect
7 the diverse backgrounds of survivors of trafficking,
8 including—

9 (A) survivors of sex trafficking and sur-
10 vivors of labor trafficking; and

11 (B) survivors who are United States citi-
12 zens and survivors who are aliens lawfully
13 present in the United States.

14 (3) APPOINTMENT.—Not later than 180 days
15 after the date of enactment of this Act, the Presi-
16 dent shall appoint the members of the Council.

17 (4) TERM; REAPPOINTMENT.—Each member of
18 the Council shall serve for a term of 2 years and
19 may be reappointed by the President to serve 1 addi-
20 tional 2-year term.

21 (d) FUNCTIONS.—The Council shall—

22 (1) be a nongovernmental advisory body to the
23 Group;

24 (2) meet, at its own discretion or at the request
25 of the Group, not less frequently than annually to

1 review Federal Government policy and programs in-
2 tended to combat human trafficking, including pro-
3 grams relating to the provision of services for vic-
4 tims and serve as a point of contact for Federal
5 agencies reaching out to human trafficking survivors
6 for input on programming and policies relating to
7 human trafficking in the United States;

8 (3) formulate assessments and recommenda-
9 tions to ensure that policy and programming efforts
10 of the Federal Government conform, to the extent
11 practicable, to the best practices in the field of
12 human trafficking prevention; and

13 (4) meet with the Group not less frequently
14 than annually, and not later than 45 days before a
15 meeting with the Task Force, to formally present
16 the findings and recommendations of the Council.

17 (e) REPORTS.—Not later than 1 year after the date
18 of enactment of this Act and each year thereafter until
19 the date described in subsection (h), the Council shall sub-
20 mit a report that contains the findings derived from the
21 reviews conducted pursuant to subsection (d)(2) to—

22 (1) the chair of the Task Force;

23 (2) the members of the Group;

1 (3) the Committees on Foreign Affairs, Home-
2 land Security, Appropriations, and the Judiciary of
3 the House of Representatives; and

4 (4) the Committees on Foreign Relations, Ap-
5 propriations, Homeland Security and Governmental
6 Affairs, and the Judiciary of the Senate.

7 (f) EMPLOYEE STATUS.—Members of the Council—

8 (1) shall not be considered employees of the
9 Federal Government for any purpose; and

10 (2) shall not receive compensation other than
11 reimbursement of travel expenses and per diem al-
12 lowance in accordance with section 5703 of title 5,
13 United States Code.

14 (g) NONAPPLICABILITY OF FACA.—The Council
15 shall not be subject to the requirements under the Federal
16 Advisory Committee Act (5 U.S.C. App.).

17 (h) SUNSET.—The Council shall terminate on Sep-
18 tember 30, 2020.

19 **SEC. 116. BRINGING MISSING CHILDREN HOME ACT.**

20 (a) SHORT TITLE.—This section may be cited as the
21 “Bringing Missing Children Home Act”.

22 (b) CRIME CONTROL ACT AMENDMENTS.—Section
23 3702 of the Crime Control Act of 1990 (42 U.S.C. 5780)
24 is amended—

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

3 (2) in paragraph (3)—

4 (A) by redesignating subparagraphs (B)
5 and (C) as subparagraphs (C) and (D), respec-
6 tively; and

7 (B) by inserting after subparagraph (A)
8 the following:

9 “(B) a recent photograph of the child, if
10 available;”; and

11 (3) in paragraph (4)—

12 (A) in the matter preceding subparagraph
13 (A), by striking “paragraph (2)” and inserting
14 “paragraph (3)”;

15 (B) in subparagraph (A)—

16 (i) by striking “60 days” and insert-
17 ing “30 days”; and

18 (ii) by inserting “and a photograph
19 taken during the previous 180 days” after
20 “dental records”;

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

23 (D) by redesignating subparagraph (C) as
24 subparagraph (D);

1 (E) by inserting after subparagraph (B)
2 the following:

3 “(C) notify the National Center for Miss-
4 ing and Exploited Children of each report re-
5 ceived relating to a child reported missing from
6 a foster care family home or childcare institu-
7 tion;”;

8 (F) in subparagraph (D), as redesign-
9 nated—

10 (i) by inserting “State and local child
11 welfare systems and” before “the National
12 Center for Missing and Exploited Chil-
13 dren”; and

14 (ii) by striking the period at the end
15 and inserting “; and”; and

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

17 “(E) grant permission to the National
18 Crime Information Center Terminal Contractor
19 for the State to update the missing person
20 record in the National Crime Information Cen-
21 ter computer networks with additional informa-
22 tion learned during the investigation relating to
23 the missing person.”.

1 **SEC. 117. GRANT ACCOUNTABILITY.**

2 (a) DEFINITION.—In this section, the term “covered
3 grant” means a grant awarded by the Attorney General
4 under section 203 of the Trafficking Victims Protection
5 Reauthorization Act of 2005 (42 U.S.C. 14044b), as
6 amended by section 103.

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

9 (1) AUDIT REQUIREMENT.—

10 (A) IN GENERAL.—Beginning in the first
11 fiscal year beginning after the date of enact-
12 ment of this Act, and in each fiscal year there-
13 after, the Inspector General of the Department
14 of Justice shall conduct audits of recipients of
15 a covered grant to prevent waste, fraud, and
16 abuse of funds by grantees. The Inspector Gen-
17 eral shall determine the appropriate number of
18 grantees to be audited each year.

19 (B) DEFINITION.—In this paragraph, the
20 term “unresolved audit finding” means a find-
21 ing in the final audit report of the Inspector
22 General that the audited grantee has utilized
23 grant funds for an unauthorized expenditure or
24 otherwise unallowable cost that is not closed or
25 resolved within 12 months from the date when
26 the final audit report is issued.

1 (C) MANDATORY EXCLUSION.—A recipient
2 of a covered grant that is found to have an un-
3 resolved audit finding shall not be eligible to re-
4 ceive a covered grant during the following 2 fis-
5 cal years.

6 (D) PRIORITY.—In awarding covered
7 grants the Attorney General shall give priority
8 to eligible entities that did not have an unre-
9 solved audit finding during the 3 fiscal years
10 prior to submitting an application for a covered
11 grant.

12 (E) REIMBURSEMENT.—If an entity is
13 awarded a covered grant during the 2-fiscal-
14 year period in which the entity is barred from
15 receiving grants under subparagraph (C), the
16 Attorney General shall—

17 (i) deposit an amount equal to the
18 grant funds that were improperly awarded
19 to the grantee into the General Fund of
20 the Treasury; and

21 (ii) seek to recoup the costs of the re-
22 payment to the fund from the grant recipi-
23 ent that was erroneously awarded grant
24 funds.

1 (2) NONPROFIT ORGANIZATION REQUIRE-
2 MENTS.—

3 (A) DEFINITION.—For purposes of this
4 paragraph and covered grants, the term “non-
5 profit organization” means an organization that
6 is described in section 501(c)(3) of the Internal
7 Revenue Code of 1986 and is exempt from tax-
8 ation under section 501(a) of such Code.

9 (B) PROHIBITION.—The Attorney General
10 may not award a covered grant to a nonprofit
11 organization that holds money in offshore ac-
12 counts for the purpose of avoiding paying the
13 tax described in section 511(a) of the Internal
14 Revenue Code of 1986.

15 (C) DISCLOSURE.—Each nonprofit organi-
16 zation that is awarded a covered grant and uses
17 the procedures prescribed in regulations to cre-
18 ate a rebuttable presumption of reasonableness
19 for the compensation of its officers, directors,
20 trustees and key employees, shall disclose to the
21 Attorney General, in the application for the
22 grant, the process for determining such com-
23 pensation, including the independent persons
24 involved in reviewing and approving such com-
25 pensation, the comparability data used, and

1 contemporaneous substantiation of the delibera-
2 tion and decision. Upon request, the Attorney
3 General shall make the information disclosed
4 under this subsection available for public in-
5 spection.

6 (3) CONFERENCE EXPENDITURES.—

7 (A) LIMITATION.—No amounts transferred
8 to the Department of Justice under this title, or
9 the amendments made by this title, may be
10 used by the Attorney General, or by any indi-
11 vidual or organization awarded discretionary
12 funds through a cooperative agreement under
13 this title, or the amendments made by this title,
14 to host or support any expenditure for con-
15 ferences that uses more than \$20,000 in De-
16 partment funds, unless the Deputy Attorney
17 General or such Assistant Attorney Generals,
18 Directors, or principal deputies as the Deputy
19 Attorney General may designate, provides prior
20 written authorization that the funds may be ex-
21 pended to host a conference.

22 (B) WRITTEN APPROVAL.—Written ap-
23 proval under subparagraph (A) shall include a
24 written estimate of all costs associated with the
25 conference, including the cost of all food and

1 beverages, audiovisual equipment, honoraria for
2 speakers, and any entertainment.

3 (C) REPORT.—The Deputy Attorney Gen-
4 eral shall submit an annual report to the Com-
5 mittee on the Judiciary of the Senate and the
6 Committee on the Judiciary of the House of
7 Representatives on all approved conference ex-
8 penditures referenced in this paragraph.

9 (D) ANNUAL CERTIFICATION.—Beginning
10 in the first fiscal year beginning after the date
11 of enactment of this title, the Attorney General
12 shall submit, to the Committee on the Judiciary
13 and the Committee on Appropriations of the
14 Senate and the Committee on the Judiciary and
15 the Committee on Appropriations of the House
16 of Representatives, an annual certification
17 that—

18 (i) all audits issued by the Office of
19 the Inspector General under paragraph (1)
20 have been completed and reviewed by the
21 appropriate Assistant Attorney General or
22 Director;

23 (ii) all mandatory exclusions required
24 under paragraph (1)(C) have been issued;

1 (iii) all reimbursements required
2 under paragraph (1)(E) have been made;
3 and

4 (iv) includes a list of any grant recipi-
5 ents excluded under paragraph (1) from
6 the previous year.

7 (4) PROHIBITION ON LOBBYING ACTIVITY.—

8 (A) IN GENERAL.—Amounts awarded
9 under this title, or any amendments made by
10 this title, may not be utilized by any grant re-
11 cipient to—

12 (i) lobby any representative of the De-
13 partment of Justice regarding the award of
14 grant funding; or

15 (ii) lobby any representative of a Fed-
16 eral, State, local, or tribal government re-
17 garding the award of grant funding.

18 (B) PENALTY.—If the Attorney General
19 determines that any recipient of a covered grant
20 has violated subparagraph (A), the Attorney
21 General shall—

22 (i) require the grant recipient to repay
23 the grant in full; and

1 (ii) prohibit the grant recipient from
2 receiving another covered grant for not less
3 than 5 years.

4 **SEC. 118. SAVE ACT.**

5 (a) **SHORT TITLE.**—This section may be cited as the
6 “Stop Advertising Victims of Exploitation Act of 2015”
7 or the “SAVE Act of 2015”.

8 (b) **ADVERTISING THAT OFFERS CERTAIN COMMER-**
9 **CIAL ACTS.**—

10 (1) **IN GENERAL.**—Section 1591(a)(1) of title
11 18, United States Code, as amended by this Act, is
12 further amended by inserting “advertises,” after
13 “obtains,”.

14 (2) **MENS REA REQUIREMENT.**—Section
15 1591(a) of title 18, United States Code, is amended
16 in the undesignated matter following paragraph (2),
17 by inserting “, except where the act constituting the
18 violation of paragraph (1) is advertising,” after
19 “knowing, or”.

20 (3) **CONFORMING AMENDMENTS.**—Section
21 1591(b) of title 18, United States Code, as amended
22 by this Act, is further amended—

23 (A) in paragraph (1), by inserting “adver-

24 tised,” after “obtained,”; and

1 (B) in paragraph (2), by inserting “adver-
2 tised,” after “obtained,”.

3 **SEC. 119. EDUCATION AND OUTREACH TO TRAFFICKING**
4 **SURVIVORS.**

5 The Attorney General shall make available, on the
6 website of the Office of Juvenile Justice and Delinquency
7 Prevention, a database for trafficking victim advocates,
8 crisis hotline personnel, foster parents, law enforcement
9 personnel, and crime survivors that contains information
10 on—

- 11 (1) counseling and hotline resources;
12 (2) housing resources;
13 (3) legal assistance; and
14 (4) other services for trafficking survivors.

15 **SEC. 120. EXPANDED STATUTE OF LIMITATIONS FOR CIVIL**
16 **ACTIONS BY CHILD TRAFFICKING SUR-**
17 **VIVORS.**

18 Section 1595(c) of title 18, United States Code, is
19 amended by striking “not later than 10 years after the
20 cause of action arose.” and inserting “not later than the
21 later of—

22 “(1) 10 years after the cause of action arose;
23 or

1 “(2) 10 years after the victim reaches 18 years
2 of age, if the victim was a minor at the time of the
3 alleged offense.”.

4 **SEC. 121. GAO STUDY AND REPORT.**

5 (a) STUDY.—The Comptroller General of the United
6 States shall conduct a study on each program or initiative
7 authorized under this Act and the following statutes and
8 evaluate whether any program or initiative is duplicative:

9 (1) Trafficking Victims Protection Reauthoriza-
10 tion Act of 2005 (Public Law 109–164; 119 Stat.
11 3558).

12 (2) Trafficking Victims Protection Act of 2000
13 (22 U.S.C. 7101 et seq.).

14 (3) Victims of Child Abuse Act of 1990 (42
15 U.S.C. 13001 et seq.).

16 (4) Runaway and Homeless Youth Act (42
17 U.S.C. 5701 et seq.).

18 (5) Missing Children’s Assistance Act (42
19 U.S.C. 5771 et seq.).

20 (b) REPORT.—Not later than 180 days after the date
21 of enactment of this Act, the Comptroller General of the
22 United States shall submit to the Committee on the Judi-
23 ciary of the Senate and the Committee on the Judiciary
24 of the House of Representatives a report on the study con-
25 ducted under subsection (a), which shall include—

1 (1) a description of the cost of any duplicative
2 program or initiative studied under subsection (a);
3 and

4 (2) recommendations on how to achieve cost
5 savings with respect to each duplicative program or
6 initiative studied under subsection (a).

7 **TITLE II—COMBATING HUMAN**
8 **TRAFFICKING**

9 **Subtitle A—Enhancing Services for**
10 **Runaway and Homeless Victims**
11 **of Youth Trafficking**

12 **SEC. 201. AMENDMENTS TO THE RUNAWAY AND HOMELESS**
13 **YOUTH ACT.**

14 The Runaway and Homeless Youth Act (42 U.S.C.
15 5701 et seq.) is amended—

16 (1) in section 343(b)(5) (42 U.S.C. 5714–
17 23(b)(5))—

18 (A) in subparagraph (A) by inserting “, se-
19 vere forms of trafficking in persons (as defined
20 in section 103(9) of the Trafficking Victims
21 Protection Act of 2000 (22 U.S.C. 7102(9))),
22 and sex trafficking (as defined in section
23 103(10) of such Act (22 U.S.C. 7102(10)))”
24 before the semicolon at the end;

1 (B) in subparagraph (B) by inserting “,
2 severe forms of trafficking in persons (as de-
3 fined in section 103(9) of the Trafficking Vic-
4 tims Protection Act of 2000 (22 U.S.C.
5 7102(9))), or sex trafficking (as defined in sec-
6 tion 103(10) of such Act (22 U.S.C.
7 7102(10)))” after “assault”; and

8 (C) in subparagraph (C) by inserting “, in-
9 cluding such youth who are victims of traf-
10 ficking (as defined in section 103(15) of the
11 Trafficking Victims Protection Act of 2000 (22
12 U.S.C. 7102(15)))” before the semicolon at the
13 end; and

14 (2) in section 351(a) (42 U.S.C. 5714–41(a))
15 by striking “or sexual exploitation” and inserting
16 “sexual exploitation, severe forms of trafficking in
17 persons (as defined in section 103(9) of the Traf-
18 ficking Victims Protection Act of 2000 (22 U.S.C.
19 7102(9))), or sex trafficking (as defined in section
20 103(10) of such Act (22 U.S.C. 7102(10)))”.

1 **Subtitle B—Improving the Re-**
 2 **response to Victims of Child Sex**
 3 **Trafficking**

4 **SEC. 211. RESPONSE TO VICTIMS OF CHILD SEX TRAF-**
 5 **FICKING.**

6 Section 404(b)(1)(P)(iii) of the Missing Children’s
 7 Assistance Act (42 U.S.C. 5773(b)(1)(P)(iii)) is amended
 8 by striking “child prostitution” and inserting “child sex
 9 trafficking, including child prostitution”.

10 **Subtitle C—Interagency Task**
 11 **Force to Monitor and Combat**
 12 **Trafficking**

13 **SEC. 221. VICTIM OF TRAFFICKING DEFINED.**

14 In this subtitle, the term “victim of trafficking” has
 15 the meaning given such term in section 103 of the Traf-
 16 ficking Victims Protection Act of 2000 (22 U.S.C. 7102).

17 **SEC. 222. INTERAGENCY TASK FORCE REPORT ON CHILD**
 18 **TRAFFICKING PRIMARY PREVENTION.**

19 (a) REVIEW.—The Interagency Task Force to Mon-
 20 itor and Combat Trafficking, established under section
 21 105 of the Trafficking Victims Protection Act of 2000 (22
 22 U.S.C. 7103), shall conduct a review that, with regard to
 23 trafficking in persons in the United States—

24 (1) in consultation with nongovernmental orga-
 25 nizations that the Task Force determines appro-

1 piate, surveys and catalogs the activities of the
2 Federal Government and State governments—

3 (A) to deter individuals from committing
4 trafficking offenses; and

5 (B) to prevent children from becoming vic-
6 tims of trafficking;

7 (2) surveys academic literature on—

8 (A) deterring individuals from committing
9 trafficking offenses;

10 (B) preventing children from becoming vic-
11 tims of trafficking;

12 (C) the commercial sexual exploitation of
13 children; and

14 (D) other similar topics that the Task
15 Force determines to be appropriate;

16 (3) identifies best practices and effective strate-
17 gies—

18 (A) to deter individuals from committing
19 trafficking offenses; and

20 (B) to prevent children from becoming vic-
21 tims of trafficking; and

22 (4) identifies current gaps in research and data
23 that would be helpful in formulating effective strate-
24 gies—

1 (A) to deter individuals from committing
2 trafficking offenses; and

3 (B) to prevent children from becoming vic-
4 tims of trafficking.

5 (b) REPORT.—Not later than 1 year after the date
6 of the enactment of this Act, the Interagency Task Force
7 to Monitor and Combat Trafficking shall provide to Con-
8 gress, and make publicly available in electronic format, a
9 report on the review conducted pursuant to subparagraph
10 (a).

11 **SEC. 223. GAO REPORT ON INTERVENTION.**

12 On the date that is 1 year after the date of the enact-
13 ment of this Act, the Comptroller General of the United
14 States shall submit a report to Congress that includes in-
15 formation on—

16 (1) the efforts of Federal and select State law
17 enforcement agencies to combat human trafficking
18 in the United States; and

19 (2) each Federal grant program, a purpose of
20 which is to combat human trafficking or assist vic-
21 tims of trafficking, as specified in an authorizing
22 statute or in a guidance document issued by the
23 agency carrying out the grant program.

1 **SEC. 224. PROVISION OF HOUSING PERMITTED TO PRO-**
 2 **TECT AND ASSIST IN THE RECOVERY OF VIC-**
 3 **TIMS OF TRAFFICKING.**

4 Section 107(b)(2)(A) of the Trafficking Victims Pro-
 5 tection Act of 2000 (22 U.S.C. 7105(b)(2)(A)) is amended
 6 by inserting “, including programs that provide housing
 7 to victims of trafficking” before the period at the end.

8 **Subtitle D—Expanded Training**

9 **SEC. 231. EXPANDED TRAINING RELATING TO TRAF-**
 10 **FICKING IN PERSONS.**

11 Section 105(c)(4) of the Trafficking Victims Protec-
 12 tion Act of 2000 (22 U.S.C. 7105(c)(4)) is amended—

13 (1) by striking “Appropriate personnel” and in-
 14 serting the following:

15 “(A) IN GENERAL.—Appropriate per-
 16 sonnel”;

17 (2) in subparagraph (A), as redesignated, by in-
 18 serting “, including members of the Service (as such
 19 term is defined in section 103 of the Foreign Service
 20 Act of 1980 (22 U.S.C. 3903))” after “Department
 21 of State”; and

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

23 “(B) TRAINING COMPONENTS.—Training
 24 under this paragraph shall include—

25 “(i) a distance learning course on
 26 trafficking-in-persons issues and the De-

1 partment of State’s obligations under this
2 Act, which shall be designed for embassy
3 reporting officers, regional bureaus’ traf-
4 ficking-in-persons coordinators, and their
5 superiors;

6 “(ii) specific trafficking-in-persons
7 briefings for all ambassadors and deputy
8 chiefs of mission before such individuals
9 depart for their posts; and

10 “(iii) at least annual reminders to all
11 personnel referred to in clauses (i) and (ii),
12 including appropriate personnel from other
13 Federal departments and agencies, at each
14 diplomatic or consular post of the Depart-
15 ment of State located outside the United
16 States of—

17 “(I) key problems, threats, meth-
18 ods, and warning signs of trafficking
19 in persons specific to the country or
20 jurisdiction in which each such post is
21 located; and

22 “(II) appropriate procedures to
23 report information that any such per-
24 sonnel may acquire about possible
25 cases of trafficking in persons.”.

1 **TITLE III—HERO ACT**

2 **SEC. 301. SHORT TITLE.**

3 This title may be cited as the “Human Exploitation
4 Rescue Operations Act of 2015” or the “HERO Act of
5 2015”.

6 **SEC. 302. HERO ACT.**

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

8 (1) The illegal market for the production and
9 distribution of child abuse imagery is a growing
10 threat to children in the United States. International
11 demand for this material creates a powerful incen-
12 tive for the rape, abuse, and torture of children
13 within the United States.

14 (2) The targeting of United States children by
15 international criminal networks is a threat to the
16 homeland security of the United States. This threat
17 must be fought with trained personnel and highly
18 specialized counter-child-exploitation strategies and
19 technologies.

20 (3) The United States Immigration and Cus-
21 toms Enforcement of the Department of Homeland
22 Security serves a critical national security role in
23 protecting the United States from the growing inter-
24 national threat of child exploitation and human traf-
25 ficking.

1 (4) The Cyber Crimes Center of the United
2 States Immigration and Customs Enforcement is a
3 vital national resource in the effort to combat inter-
4 national child exploitation, providing advanced ex-
5 pertise and assistance in investigations, computer
6 forensics, and victim identification.

7 (5) The returning military heroes of the United
8 States possess unique and valuable skills that can
9 assist law enforcement in combating global sexual
10 and child exploitation, and the Department of
11 Homeland Security should use this national resource
12 to the maximum extent possible.

13 (6) Through the Human Exploitation Rescue
14 Operative (HERO) Child Rescue Corps program, the
15 returning military heroes of the United States are
16 trained and hired to investigate crimes of child ex-
17 ploitation in order to target predators and rescue
18 children from sexual abuse and slavery.

19 (b) CYBER CRIMES CENTER, CHILD EXPLOITATION
20 INVESTIGATIONS UNIT, AND COMPUTER FORENSICS
21 UNIT.—

22 (1) IN GENERAL.—Subtitle H of title VIII of
23 the Homeland Security Act of 2002 (6 U.S.C. 451
24 et seq.) is amended by adding at the end the fol-
25 lowing:

1 **“SEC. 890A. CYBER CRIMES CENTER, CHILD EXPLOITATION**
2 **INVESTIGATIONS UNIT, COMPUTER**
3 **FORENSICS UNIT, AND CYBER CRIMES UNIT.**

4 “(a) CYBER CRIMES CENTER.—

5 “(1) IN GENERAL.—The Secretary shall oper-
6 ate, within United States Immigration and Customs
7 Enforcement, a Cyber Crimes Center (referred to in
8 this section as the ‘Center’).

9 “(2) PURPOSE.—The purpose of the Center
10 shall be to provide investigative assistance, training,
11 and equipment to support United States Immigra-
12 tion and Customs Enforcement’s domestic and inter-
13 national investigations of cyber-related crimes.

14 “(b) CHILD EXPLOITATION INVESTIGATIONS
15 UNIT.—

16 “(1) IN GENERAL.—The Secretary shall oper-
17 ate, within the Center, a Child Exploitation Inves-
18 tigation Unit (referred to in this subsection as the
19 ‘CEIU’).

20 “(2) FUNCTIONS.—The CEIU—

21 “(A) shall coordinate all United States Im-
22 migration and Customs Enforcement child ex-
23 ploitation initiatives, including investigations
24 into—

25 “(i) child exploitation;

26 “(ii) child pornography;

1 “(iii) child victim identification;

2 “(iv) traveling child sex offenders; and

3 “(v) forced child labor, including the

4 sexual exploitation of minors;

5 “(B) shall, among other things, focus on—

6 “(i) child exploitation prevention;

7 “(ii) investigative capacity building;

8 “(iii) enforcement operations; and

9 “(iv) training for Federal, State, local,

10 tribal, and foreign law enforcement agency

11 personnel, upon request;

12 “(C) shall provide training, technical ex-

13 pertise, support, or coordination of child exploi-

14 tation investigations, as needed, to cooperating

15 law enforcement agencies and personnel;

16 “(D) shall provide psychological support

17 and counseling services for United States Immi-

18 gration and Customs Enforcement personnel

19 engaged in child exploitation prevention initia-

20 tives, including making available other existing

21 services to assist employees who are exposed to

22 child exploitation material during investigations;

23 “(E) is authorized to collaborate with the

24 Department of Defense and the National Asso-

25 ciation to Protect Children for the purpose of

1 the recruiting, training, equipping and hiring of
2 wounded, ill, and injured veterans and
3 transitioning service members, through the
4 Human Exploitation Rescue Operative (HERO)
5 Child Rescue Corps program; and

6 “(F) shall collaborate with other govern-
7 mental, nongovernmental, and nonprofit entities
8 approved by the Secretary for the sponsorship
9 of, and participation in, outreach and training
10 activities.

11 “(3) DATA COLLECTION.—The CEIU shall col-
12 lect and maintain data concerning—

13 “(A) the total number of suspects identi-
14 fied by United States Immigration and Customs
15 Enforcement;

16 “(B) the number of arrests by United
17 States Immigration and Customs Enforcement,
18 disaggregated by type, including—

19 “(i) the number of victims identified
20 through investigations carried out by
21 United States Immigration and Customs
22 Enforcement; and

23 “(ii) the number of suspects arrested
24 who were in positions of trust or authority
25 over children;

1 “(C) the number of cases opened for inves-
2 tigation by United States Immigration and Cus-
3 toms Enforcement; and

4 “(D) the number of cases resulting in a
5 Federal, State, foreign, or military prosecution.

6 “(4) AVAILABILITY OF DATA TO CONGRESS.—In
7 addition to submitting the reports required under
8 paragraph (7), the CEIU shall make the data col-
9 lected and maintained under paragraph (3) available
10 to the committees of Congress described in para-
11 graph (7).

12 “(5) COOPERATIVE AGREEMENTS.—The CEIU
13 is authorized to enter into cooperative agreements to
14 accomplish the functions set forth in paragraphs (2)
15 and (3).

16 “(6) ACCEPTANCE OF GIFTS.—

17 “(A) IN GENERAL.—The Secretary is au-
18 thorized to accept monies and in-kind donations
19 from the Virtual Global Taskforce, national lab-
20 oratories, Federal agencies, not-for-profit orga-
21 nizations, and educational institutions to create
22 and expand public awareness campaigns in sup-
23 port of the functions of the CEIU.

24 “(B) EXEMPTION FROM FEDERAL ACQUISI-
25 TION REGULATION.—Gifts authorized under

1 subparagraph (A) shall not be subject to the
2 Federal Acquisition Regulation for competition
3 when the services provided by the entities re-
4 ferred to in such subparagraph are donated or
5 of minimal cost to the Department.

6 “(7) REPORTS.—Not later than 1 year after the
7 date of the enactment of the HERO Act of 2015,
8 and annually for the following 4 years, the CEIU
9 shall—

10 “(A) submit a report containing a sum-
11 mary of the data collected pursuant to para-
12 graph (3) during the previous year to—

13 “(i) the Committee on Homeland Se-
14 curity and Governmental Affairs of the
15 Senate;

16 “(ii) the Committee on the Judiciary
17 of the Senate;

18 “(iii) the Committee on Appropria-
19 tions of the Senate;

20 “(iv) the Committee on Homeland Se-
21 curity of the House of Representatives;

22 “(v) the Committee on the Judiciary
23 of the House of Representatives; and

24 “(vi) the Committee on Appropria-
25 tions of the House of Representatives; and

1 “(B) make a copy of each report submitted
2 under subparagraph (A) publicly available on
3 the website of the Department.

4 “(c) COMPUTER FORENSICS UNIT.—

5 “(1) IN GENERAL.—The Secretary shall oper-
6 ate, within the Center, a Computer Forensics Unit
7 (referred to in this subsection as the ‘CFU’).

8 “(2) FUNCTIONS.—The CFU—

9 “(A) shall provide training and technical
10 support in digital forensics to—

11 “(i) United States Immigration and
12 Customs Enforcement personnel; and

13 “(ii) Federal, State, local, tribal, mili-
14 tary, and foreign law enforcement agency
15 personnel engaged in the investigation of
16 crimes within their respective jurisdictions,
17 upon request and subject to the availability
18 of funds;

19 “(B) shall provide computer hardware,
20 software, and forensic licenses for all computer
21 forensics personnel within United States Immi-
22 gration and Customs Enforcement;

23 “(C) shall participate in research and de-
24 velopment in the area of digital forensics, in co-

1 ordination with appropriate components of the
2 Department; and

3 “(D) is authorized to collaborate with the
4 Department of Defense and the National Asso-
5 ciation to Protect Children for the purpose of
6 recruiting, training, equipping, and hiring
7 wounded, ill, and injured veterans and
8 transitioning service members, through the
9 Human Exploitation Rescue Operative (HERO)
10 Child Rescue Corps program.

11 “(3) COOPERATIVE AGREEMENTS.—The CFU
12 is authorized to enter into cooperative agreements to
13 accomplish the functions set forth in paragraph (2).

14 “(4) ACCEPTANCE OF GIFTS.—

15 “(A) IN GENERAL.—The Secretary is au-
16 thorized to accept monies and in-kind donations
17 from the Virtual Global Task Force, national
18 laboratories, Federal agencies, not-for-profit or-
19 ganizations, and educational institutions to cre-
20 ate and expand public awareness campaigns in
21 support of the functions of the CFU.

22 “(B) EXEMPTION FROM FEDERAL ACQUISI-
23 TION REGULATION.—Gifts authorized under
24 subparagraph (A) shall not be subject to the
25 Federal Acquisition Regulation for competition

1 when the services provided by the entities re-
2 ferred to in such subparagraph are donated or
3 of minimal cost to the Department.

4 “(d) CYBER CRIMES UNIT.—

5 “(1) IN GENERAL.—The Secretary shall oper-
6 ate, within the Center, a Cyber Crimes Unit (re-
7 ferred to in this subsection as the ‘CCU’).

8 “(2) FUNCTIONS.—The CCU—

9 “(A) shall oversee the cyber security strat-
10 egy and cyber-related operations and programs
11 for United States Immigration and Customs
12 Enforcement;

13 “(B) shall enhance United States Immi-
14 gration and Customs Enforcement’s ability to
15 combat criminal enterprises operating on or
16 through the Internet, with specific focus in the
17 areas of—

18 “(i) cyber economic crime;

19 “(ii) digital theft of intellectual prop-
20 erty;

21 “(iii) illicit e-commerce (including hid-
22 den marketplaces);

23 “(iv) Internet-facilitated proliferation
24 of arms and strategic technology; and

1 “(v) cyber-enabled smuggling and
2 money laundering;

3 “(C) shall provide training and technical
4 support in cyber investigations to—

5 “(i) United States Immigration and
6 Customs Enforcement personnel; and

7 “(ii) Federal, State, local, tribal, mili-
8 tary, and foreign law enforcement agency
9 personnel engaged in the investigation of
10 crimes within their respective jurisdictions,
11 upon request and subject to the availability
12 of funds;

13 “(D) shall participate in research and de-
14 velopment in the area of cyber investigations, in
15 coordination with appropriate components of
16 the Department; and

17 “(E) is authorized to recruit participants
18 of the Human Exploitation Rescue Operative
19 (HERO) Child Rescue Corps program for inves-
20 tigative and forensic positions in support of the
21 functions of the CCU.

22 “(3) COOPERATIVE AGREEMENTS.—The CCU is
23 authorized to enter into cooperative agreements to
24 accomplish the functions set forth in paragraph (2).

1 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the Secretary such
3 sums as are necessary to carry out this section.”.

4 (2) TABLE OF CONTENTS AMENDMENT.—The
5 table of contents in section 1(b) of the Homeland
6 Security Act of 2002 (6 U.S.C. 101 note) is amend-
7 ed by adding after the item relating to section 890
8 the following:

“Sec. 890A. Cyber crimes center, child exploitation investigations unit, com-
puter forensics unit, and cyber crimes unit.”.

9 (c) HERO CORPS HIRING.—It is the sense of Con-
10 gress that Homeland Security Investigations of the United
11 States Immigration and Customs Enforcement should
12 hire, recruit, train, and equip wounded, ill, or injured mili-
13 tary veterans (as defined in section 101, title 38, United
14 States Code) who are affiliated with the HERO Child Res-
15 cue Corps program for investigative, intelligence, analyst,
16 and forensic positions.

17 (d) INVESTIGATING CHILD EXPLOITATION.—Section
18 307(b)(3) of the Homeland Security Act of 2002 (6
19 U.S.C. 187(b)(3)) is amended—

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

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

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

1 “(D) conduct research and development for
2 the purpose of advancing technology for the in-
3 vestigation of child exploitation crimes, includ-
4 ing child victim identification, trafficking in
5 persons, and child pornography, and for ad-
6 vanced forensics.”.

7 **SEC. 303. TRANSPORTATION FOR ILLEGAL SEXUAL ACTIV-**
8 **ITY AND RELATED CRIMES.**

9 Chapter 117 of title 18, United States Code, is
10 amended by striking section 2421 and inserting the fol-
11 lowing:

12 **“§ 2421. Transportation generally**

13 “(a) IN GENERAL.—Whoever knowingly transports
14 any individual in interstate or foreign commerce, or in any
15 Territory or Possession of the United States, with intent
16 that such individual engage in prostitution, or in any sex-
17 ual activity for which any person can be charged with a
18 criminal offense, or attempts to do so, shall be fined under
19 this title or imprisoned not more than 10 years, or both.

20 “(b) REQUESTS TO PROSECUTE VIOLATIONS BY
21 STATE ATTORNEYS GENERAL.—

22 “(1) IN GENERAL.—The Attorney General shall
23 grant a request by a State attorney general that a
24 State or local attorney be cross designated to pros-
25 ecute a violation of this section unless the Attorney

1 General determines that granting the request would
2 undermine the administration of justice.

3 “(2) REASON FOR DENIAL.—If the Attorney
4 General denies a request under paragraph (1), the
5 Attorney General shall submit to the State attorney
6 general a detailed reason for the denial not later
7 than 60 days after the date on which a request is
8 received.”.

9 **TITLE IV—RAPE SURVIVOR**
10 **CHILD CUSTODY**

11 **SEC. 401. SHORT TITLE.**

12 This title may be cited as the “Rape Survivor Child
13 Custody Act”.

14 **SEC. 402. DEFINITIONS.**

15 In this title:

16 (1) COVERED FORMULA GRANT.—The term
17 “covered formula grant” means a grant under—

18 (A) part T of title I of the Omnibus Crime
19 Control and Safe Streets Act of 1968 (42
20 U.S.C. 3796gg et seq.) (commonly referred to
21 as the “STOP Violence Against Women For-
22 mula Grant Program”); or

23 (B) section 41601 of the Violence Against
24 Women Act of 1994 (42 U.S.C. 14043g) (com-

1 monly referred to as the “Sexual Assault Serv-
2 ices Program”).

3 (2) **TERMINATION.**—

4 (A) **IN GENERAL.**—The term “termi-
5 nation” means, when used with respect to pa-
6 rental rights, a complete and final termination
7 of the parent’s right to custody of, guardianship
8 of, visitation with, access to, and inheritance
9 from a child.

10 (B) **RULE OF CONSTRUCTION.**—Nothing in
11 this paragraph shall be construed to require a
12 State, in order to receive an increase in the
13 amount provided to the State under the covered
14 formula grants under this title, to have in place
15 a law that terminates any obligation of a person
16 who fathered a child through rape to support
17 the child.

18 **SEC. 403. FINDINGS.**

19 Congress finds the following:

20 (1) Men who father children through rape
21 should be prohibited from visiting or having custody
22 of those children.

23 (2) Thousands of rape-related pregnancies
24 occur annually in the United States.

1 (3) A substantial number of women choose to
2 raise their child conceived through rape and, as a re-
3 sult, may face custody battles with their rapists.

4 (4) Rape is one of the most under-prosecuted
5 serious crimes, with estimates of criminal conviction
6 occurring in less than 5 percent of rapes.

7 (5) The clear and convincing evidence standard
8 is the most common standard for termination of pa-
9 rental rights among the 50 States, territories, and
10 the District of Columbia.

11 (6) The Supreme Court established that the
12 clear and convincing evidence standard satisfies due
13 process for allegations to terminate or restrict pa-
14 rental rights in *Santosky v. Kramer* (455 U.S. 745
15 (1982)).

16 (7) Currently only 10 States have statutes al-
17 lowing rape survivors to petition for the termination
18 of parental rights of the rapist based on clear and
19 convincing evidence that the child was conceived
20 through rape.

21 (8) A rapist pursuing parental or custody rights
22 causes the survivor to have continued interaction
23 with the rapist, which can have traumatic psycho-
24 logical effects on the survivor, and can make it more
25 difficult for her to recover.

1 (9) These traumatic effects on the mother can
2 severely negatively impact her ability to raise a
3 healthy child.

4 (10) Rapists may use the threat of pursuing
5 custody or parental rights to coerce survivors into
6 not prosecuting rape, or otherwise harass, intimi-
7 date, or manipulate them.

8 **SEC. 404. INCREASED FUNDING FOR FORMULA GRANTS AU-**
9 **THORIZED.**

10 The Attorney General shall increase the amount pro-
11 vided to a State under the covered formula grants in ac-
12 cordance with this title if the State has in place a law
13 that allows the mother of any child that was conceived
14 through rape to seek court-ordered termination of the pa-
15 rental rights of her rapist with regard to that child, which
16 the court is authorized to grant upon clear and convincing
17 evidence of rape.

18 **SEC. 405. APPLICATION.**

19 A State seeking an increase in the amount provided
20 to the State under the covered formula grants shall in-
21 clude in the application of the State for each covered for-
22 mula grant such information as the Attorney General may
23 reasonably require, including information about the law
24 described in section 404.

1 **SEC. 406. GRANT INCREASE.**

2 The amount of the increase provided to a State under
3 the covered formula grants under this title shall be equal
4 to not more than 10 percent of the average of the total
5 amount of funding provided to the State under the covered
6 formula grants under the 3 most recent awards to the
7 State.

8 **SEC. 407. PERIOD OF INCREASE.**

9 (a) IN GENERAL.—The Attorney General shall pro-
10 vide an increase in the amount provided to a State under
11 the covered formula grants under this title for a 2-year
12 period.

13 (b) LIMIT.—The Attorney General may not provide
14 an increase in the amount provided to a State under the
15 covered formula grants under this title more than 4 times.

16 **SEC. 408. ALLOCATION OF INCREASED FORMULA GRANT**
17 **FUNDS.**

18 The Attorney General shall allocate an increase in the
19 amount provided to a State under the covered formula
20 grants under this title such that—

21 (1) 25 percent the amount of the increase is
22 provided under the program described in section
23 402(1)(A); and

24 (2) 75 percent the amount of the increase is
25 provided under the program described in section
26 402(1)(B).

1 **SEC. 409. AUTHORIZATION OF APPROPRIATIONS.**

2 There is authorized to be appropriated to carry out
3 this title \$5,000,000 for each of fiscal years 2015 through
4 2019.

5 **TITLE V—MILITARY SEX**
6 **OFFENDER REPORTING**

7 **SEC. 501. SHORT TITLE.**

8 This title may be cited as the “Military Sex Offender
9 Reporting Act of 2015”.

10 **SEC. 502. REGISTRATION OF SEX OFFENDERS RELEASED**
11 **FROM MILITARY CORRECTIONS FACILITIES**
12 **OR UPON CONVICTION.**

13 (a) IN GENERAL.—The Sex Offender Registration
14 and Notification Act is amended by inserting after section
15 128 (42 U.S.C. 16928) the following:

16 **“SEC. 128A. REGISTRATION OF SEX OFFENDERS RELEASED**
17 **FROM MILITARY CORRECTIONS FACILITIES**
18 **OR UPON CONVICTION.**

19 “The Secretary of Defense shall provide to the Attor-
20 ney General the information described in section 114 to
21 be included in the National Sex Offender Registry and the
22 Dru Sjodin National Sex Offender Public Website regard-
23 ing persons—

24 “(1)(A) released from military corrections facili-
25 ties; or

1 “(B) convicted if the sentences adjudged by
2 courts-martial under chapter 47 of title 10, United
3 States Code (the Uniform Code of Military Justice),
4 do not include confinement; and

5 “(2) required to register under this title.”.

6 (b) TECHNICAL AND CONFORMING AMENDMENT.—
7 The table of contents of the Adam Walsh Child Protection
8 and Safety Act is amended by inserting after the item re-
9 lating to section 128 the following:

 “Sec. 128A. Registration of sex offenders released from military corrections fa-
 cilities or upon conviction.”.

10 **TITLE VI—STOPPING EXPLOI-**
11 **TATION THROUGH TRAF-**
12 **FICKING**

13 **SEC. 601. SAFE HARBOR INCENTIVES.**

14 Part Q of title I of the Omnibus Crime Control and
15 Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.) is
16 amended—

17 (1) in section 1701(c), by striking “where fea-
18 sible” and all that follows, and inserting the fol-
19 lowing: “where feasible, to an application—

20 “(1) for hiring and rehiring additional career
21 law enforcement officers that involves a non-Federal
22 contribution exceeding the 25 percent minimum
23 under subsection (g); or

1 “(2) from an applicant in a State that has in
2 effect a law that—

3 “(A) treats a minor who has engaged in,
4 or has attempted to engage in, a commercial
5 sex act as a victim of a severe form of traf-
6 ficking in persons;

7 “(B) discourages or prohibits the charging
8 or prosecution of an individual described in sub-
9 paragraph (A) for a prostitution or sex traf-
10 ficking offense, based on the conduct described
11 in subparagraph (A); and

12 “(C) encourages the diversion of an indi-
13 vidual described in subparagraph (A) to appro-
14 priate service providers, including child welfare
15 services, victim treatment programs, child advo-
16 cacy centers, rape crisis centers, or other social
17 services.”; and

18 (2) in section 1709, by inserting at the end the
19 following:

20 “(5) ‘commercial sex act’ has the meaning given
21 the term in section 103 of the Victims of Trafficking
22 and Violence Protection Act of 2000 (22 U.S.C.
23 7102).

24 “(6) ‘minor’ means an individual who has not
25 attained the age of 18 years.

1 “(7) ‘severe form of trafficking in persons’ has
2 the meaning given the term in section 103 of the
3 Victims of Trafficking and Violence Protection Act
4 of 2000 (22 U.S.C. 7102).”.

5 **SEC. 602. REPORT ON RESTITUTION PAID IN CONNECTION**
6 **WITH CERTAIN TRAFFICKING OFFENSES.**

7 Section 105(d)(7)(Q) of the Victims of Trafficking
8 and Violence Protection Act of 2000 (22 U.S.C.
9 7103(d)(7)(Q)) is amended—

10 (1) by inserting after “1590,” the following:

11 “1591,”;

12 (2) by striking “and 1594” and inserting

13 “1594, 2251, 2251A, 2421, 2422, and 2423”;

14 (3) in clause (iv), by striking “and” at the end;

15 (4) in clause (v), by striking “and” at the end;

16 and

17 (5) by inserting after clause (v) the following:

18 “(vi) the number of individuals re-
19 quired by a court order to pay restitution
20 in connection with a violation of each of-
21 fense under title 18, United States Code,
22 the amount of restitution required to be
23 paid under each such order, and the
24 amount of restitution actually paid pursu-
25 ant to each such order; and

1 “(vii) the age, gender, race, country of
2 origin, country of citizenship, and descrip-
3 tion of the role in the offense of individuals
4 convicted under each offense; and”.

5 **SEC. 603. NATIONAL HUMAN TRAFFICKING HOTLINE.**

6 Section 107(b)(1)(B) of the Victims of Crime Traf-
7 ficking and Violence Protection Act of 2000 (22 U.S.C.
8 7105(b)(1)(B)) is amended—

9 (1) by striking “Subject” and inserting the fol-
10 lowing:

11 “(i) IN GENERAL.—Subject”; and

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

13 “(ii) NATIONAL HUMAN TRAFFICKING
14 HOTLINE.—Beginning in fiscal year 2017,
15 and in each fiscal year thereafter, of
16 amounts made available for grants under
17 paragraph (2), the Secretary of Health and
18 Human Services shall make grants for a
19 national communication system to assist
20 victims of severe forms of trafficking in
21 persons in communicating with service pro-
22 viders. The Secretary shall give priority to
23 grant applicants that have experience in
24 providing telephone services to victims of
25 severe forms of trafficking in persons.”.

1 **SEC. 604. JOB CORPS ELIGIBILITY.**

2 Section 144(a)(3) of the Workforce Innovation and
3 Opportunity Act (29 U.S.C. 3194(a)(3)) is amended by
4 adding at the end the following:

5 “(F) A victim of a severe form of traf-
6 ficking in persons (as defined in section 103 of
7 the Victims of Trafficking and Violence Protec-
8 tion Act of 2000 (22 U.S.C. 7102)). Notwith-
9 standing paragraph (2), an individual described
10 in this subparagraph shall not be required to
11 demonstrate eligibility under such paragraph.”.

12 **SEC. 605. CLARIFICATION OF AUTHORITY OF THE UNITED**
13 **STATES MARSHALS SERVICE.**

14 Section 566(e)(1) of title 28, United States Code, is
15 amended—

16 (1) in subparagraph (B), by striking “and” at
17 the end;

18 (2) in subparagraph (C), by striking the period
19 at the end and inserting “; and”; and

20 (3) by inserting after subparagraph (C) the fol-
21 lowing:

22 “(D) assist State, local, and other Federal
23 law enforcement agencies, upon the request of
24 such an agency, in locating and recovering
25 missing children.”.

1 **SEC. 606. ESTABLISHING A NATIONAL STRATEGY TO COM-**
2 **BAT HUMAN TRAFFICKING.**

3 (a) IN GENERAL.—The Attorney General shall imple-
4 ment and maintain a National Strategy for Combating
5 Human Trafficking (referred to in this section as the “Na-
6 tional Strategy”) in accordance with this section.

7 (b) REQUIRED CONTENTS OF NATIONAL STRAT-
8 EGY.—The National Strategy shall include the following:

9 (1) Integrated Federal, State, local, and tribal
10 efforts to investigate and prosecute human traf-
11 ficking cases, including—

12 (A) the development by each United States
13 attorney, in consultation with State, local, and
14 tribal government agencies, of a district-specific
15 strategic plan to coordinate the identification of
16 victims and the investigation and prosecution of
17 human trafficking crimes;

18 (B) the appointment of not fewer than 1
19 assistant United States attorney in each district
20 dedicated to the prosecution of human traf-
21 ficking cases or responsible for implementing
22 the National Strategy;

23 (C) the participation in any Federal, State,
24 local, or tribal human trafficking task force op-
25 erating in the district of the United States at-
26 torney; and

1 (D) any other efforts intended to enhance
2 the level of coordination and cooperation, as de-
3 termined by the Attorney General.

4 (2) Case coordination within the Department of
5 Justice, including specific integration, coordination,
6 and collaboration, as appropriate, on human traf-
7 ficking investigations between and among the United
8 States attorneys, the Human Trafficking Prosecu-
9 tion Unit, the Child Exploitation and Obscenity Sec-
10 tion, and the Federal Bureau of Investigation.

11 (3) Annual budget priorities and Federal efforts
12 dedicated to preventing and combating human traf-
13 ficking, including resources dedicated to the Human
14 Trafficking Prosecution Unit, the Child Exploitation
15 and Obscenity Section, the Federal Bureau of Inves-
16 tigation, and all other entities that receive Federal
17 support that have a goal or mission to combat the
18 exploitation of adults and children.

19 (4) An ongoing assessment of the future trends,
20 challenges, and opportunities, including new inves-
21 tigative strategies, techniques, and technologies, that
22 will enhance Federal, State, local, and tribal efforts
23 to combat human trafficking.

24 (5) Encouragement of cooperation, coordina-
25 tion, and mutual support between private sector and

1 other entities and organizations and Federal agen-
2 cies to combat human trafficking, including the in-
3 volvement of State, local, and tribal government
4 agencies to the extent Federal programs are in-
5 volved.

6 **TITLE VII—TRAFFICKING**
7 **AWARENESS TRAINING FOR**
8 **HEALTH CARE**

9 **SEC. 701. SHORT TITLE.**

10 This title may be cited as the “Trafficking Awareness
11 Training for Health Care Act of 2015”.

12 **SEC. 702. DEVELOPMENT OF BEST PRACTICES.**

13 (a) GRANT OR CONTRACT FOR DEVELOPMENT OF
14 BEST PRACTICES.—

15 (1) IN GENERAL.—Not later than 1 year after
16 the date of enactment of this Act, the Secretary of
17 Health and Human Services acting through the Ad-
18 ministrator of the Health Resources and Services
19 Administration, and in consultation with the Admin-
20 istration on Children and Families and other agen-
21 cies with experience in serving victims of human
22 trafficking, shall award, on a competitive basis, a
23 grant or contract to an eligible entity to train health
24 care professionals to recognize and respond to vic-
25 tims of a severe form of trafficking.

1 (2) DEVELOPMENT OF EVIDENCE-BASED BEST
2 PRACTICES.—An entity receiving a grant under
3 paragraph (1) shall develop evidence-based best
4 practices for health care professionals to recognize
5 and respond to victims of a severe form of traf-
6 ficking, including—

7 (A) consultation with law enforcement offi-
8 cials, social service providers, health profes-
9 sionals, experts in the field of human traf-
10 ficking, and other experts, as appropriate, to in-
11 form the development of such best practices;

12 (B) the identification of any existing best
13 practices or tools for health professionals to rec-
14 ognize potential victims of a severe form of traf-
15 ficking; and

16 (C) the development of educational mate-
17 rials to train health care professionals on the
18 best practices developed under this subsection.

19 (3) REQUIREMENTS.—Best practices developed
20 under this subsection shall address—

21 (A) risk factors and indicators to recognize
22 victims of a severe form of trafficking;

23 (B) patient safety and security;

1 (C) the management of medical records of
2 patients who are victims of a severe form of
3 trafficking;

4 (D) public and private social services avail-
5 able for rescue, food, clothing, and shelter refer-
6 rals;

7 (E) the hotlines for reporting human traf-
8 ficking maintained by the National Human
9 Trafficking Resource Center and the Depart-
10 ment of Homeland Security;

11 (F) validated assessment tools for the iden-
12 tification of victims of a severe form of traf-
13 ficking; and

14 (G) referral options and procedures for
15 sharing information on human trafficking with
16 a patient and making referrals for legal and so-
17 cial services as appropriate.

18 (4) PILOT PROGRAM.—An entity receiving a
19 grant under paragraph (1) shall design and imple-
20 ment a pilot program to test the best practices and
21 educational materials identified or developed with re-
22 spect to the recognition of victims of human traf-
23 ficking by health professionals at health care sites
24 located near an established anti-human trafficking
25 task force initiative in each of the 10 administrative

1 regions of the Department of Health and Human
2 Services.

3 (5) ANALYSIS AND REPORT.—Not later than 24
4 months after the date on which an entity implements
5 a pilot program under paragraph (4), the entity
6 shall—

7 (A) analyze the results of the pilot pro-
8 grams, including through an assessment of—

9 (i) changes in the skills, knowledge,
10 and attitude of health care professionals
11 resulting from the implementation of the
12 program;

13 (ii) the number of victims of a severe
14 form of trafficking who were identified
15 under the program;

16 (iii) of those victims identified, the
17 number who received information or refer-
18 rals for services offered; and

19 (iv) of those victims who received such
20 information or referrals—

21 (I) the number who participated
22 in follow up services; and

23 (II) the type of follow up services
24 received;

1 (B) determine, using the results of the
2 analysis conducted under subparagraph (A), the
3 extent to which the best practices developed
4 under this subsection are evidence-based; and

5 (C) submit to the Secretary of Health and
6 Human Services a report concerning the pilot
7 program and the analysis of the pilot program
8 under subparagraph (A), including an identi-
9 fication of the best practices that were identi-
10 fied as effective and those that require further
11 review.

12 (b) DISSEMINATION.—Not later than 30 months
13 after date on which a grant is awarded to an eligible entity
14 under subsection (a), the Secretary of Health and Human
15 Services shall—

16 (1) collaborate with appropriate professional as-
17 sociations and health care professional schools to
18 disseminate best practices identified or developed
19 under subsection (a) for purposes of recognizing po-
20 tential victims of a severe form of trafficking; and

21 (2) post on the public website of the Depart-
22 ment of Health and Human Services the best prac-
23 tices that are identified by the as effective under
24 subsection (a)(5).

1 **SEC. 703. DEFINITIONS.**

2 In this title:

3 (1) The term “eligible entity” means an accred-
4 ited school of medicine or nursing with experience in
5 the study or treatment of victims of a severe form
6 of trafficking.

7 (2) The term “eligible site” means a health cen-
8 ter that is receiving assistance under section 330,
9 399Z-1, or 1001 of the Public Health Service Act
10 (42 U.S.C. 254b, 280h-5, and 300).

11 (3) The term “health care professional” means
12 a person employed by a health care provider who
13 provides to patients information (including informa-
14 tion not related to medical treatment), scheduling,
15 services, or referrals.

16 (4) The term “HIPAA privacy and security
17 law” has the meaning given to such term in section
18 3009 of the Public Health Service Act (42 U.S.C.
19 300jj-19).

20 (5) The term “victim of a severe form of traf-
21 ficking” has the meaning given to such term in sec-
22 tion 103 of the Trafficking Victims Protection Act
23 of 2000 (22 U.S.C. 7102).

1 **SEC. 704. NO ADDITIONAL AUTHORIZATION OF APPROPRIA-**
2 **TIONS.**

3 No additional funds are authorized to be appro-
4 priated to carry out this title, and this title shall be carried
5 out using amounts otherwise available for such purpose.

6 **TITLE VIII—BETTER RESPONSE**
7 **FOR VICTIMS OF CHILD SEX**
8 **TRAFFICKING**

9 **SEC. 801. SHORT TITLE.**

10 This title may be cited as the “Ensuring a Better
11 Response for Victims of Child Sex Trafficking”.

12 **SEC. 802. CAPTA AMENDMENTS.**

13 (a) IN GENERAL.—The amendments to the Child
14 Abuse Prevention and Treatment Act (42 U.S.C. 5101 et
15 seq.) made by this section shall take effect 2 years after
16 the date of the enactment of this Act.

17 (b) STATE PLANS.—Section 106 of the Child Abuse
18 Prevention and Treatment Act (42 U.S.C. 5106a) is
19 amended—

20 (1) in subsection (b)(2)(B)—

21 (A) in clause (xxii), by striking “and” at
22 the end; and

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

24 “(xxiv) provisions and procedures re-
25 quiring identification and assessment of all
26 reports involving children known or sus-

1 pected to be victims of sex trafficking (as
2 defined in section 103(10) of the Traf-
3 ficking Victims Protection Act of 2000 (22
4 U.S.C. 7102 (10)); and

5 “(xxv) provisions and procedures for
6 training child protective services workers
7 about identifying, assessing, and providing
8 comprehensive services for children who
9 are sex trafficking victims, including ef-
10 forts to coordinate with State law enforce-
11 ment, juvenile justice, and social service
12 agencies such as runaway and homeless
13 youth shelters to serve this population;”;
14 and

15 (2) in subsection (d), by adding at the end the
16 following:

17 “(17) The number of children determined to be
18 victims described in subsection (b)(2)(B)(xxiv).”.

19 (c) SPECIAL RULE.—

20 (1) IN GENERAL.—Section 111 of the Child
21 Abuse Prevention and Treatment Act (42 U.S.C.
22 5106g) is amended—

23 (A) by striking “For purposes” and insert-
24 ing the following:

25 “(a) DEFINITIONS.—For purposes”; and

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

2 “(b) SPECIAL RULE.—

3 “(1) IN GENERAL.—For purposes of section
4 3(2) and subsection (a)(4), a child shall be consid-
5 ered a victim of ‘child abuse and neglect’ and of
6 ‘sexual abuse’ if the child is identified, by a State or
7 local agency employee of the State or locality in-
8 volved, as being a victim of sex trafficking (as de-
9 fined in paragraph (10) of section 103 of the Traf-
10 ficking Victims Protection Act of 2000 (22 U.S.C.
11 7102)) or a victim of severe forms of trafficking in
12 persons described in paragraph (9)(A) of that sec-
13 tion.

14 “(2) STATE OPTION.—Notwithstanding the def-
15 inition of ‘child’ in section 3(1), a State may elect
16 to define that term for purposes of the application
17 of paragraph (1) to section 3(2) and subsection
18 (a)(4) as a person who has not attained the age of
19 24.”.

20 (2) CONFORMING AMENDMENT.—Section 3(2)
21 of the Child Abuse Prevention and Treatment Act
22 (42 U.S.C. 5101 note) is amended by inserting “(in-
23 cluding sexual abuse as determined under section
24 111)” after “sexual abuse or exploitation”.

1 (3) TECHNICAL CORRECTION.—Paragraph
 2 (5)(C) of subsection (a), as so designated, of section
 3 111 of the Child Abuse Prevention and Treatment
 4 Act (42 U.S.C. 5106g) is amended by striking “in-
 5 humane;” and inserting “inhumane.”.

6 **TITLE IX—ANTI-TRAFFICKING**
 7 **TRAINING FOR DEPARTMENT**
 8 **OF HOMELAND SECURITY**
 9 **PERSONNEL**

10 **SEC. 901. DEFINITIONS.**

11 In this title:

12 (1) DEPARTMENT.—The term “Department”
 13 means the Department of Homeland Security.

14 (2) HUMAN TRAFFICKING.—The term “human
 15 trafficking” means an act or practice described in
 16 paragraph (9) or (10) of section 103 of the Traf-
 17 ficking Victims Protection Act of 2000 (22 U.S.C.
 18 7102).

19 (3) SECRETARY.—The term “Secretary” means
 20 the Secretary of Homeland Security.

21 **SEC. 902. TRAINING FOR DEPARTMENT PERSONNEL TO**
 22 **IDENTIFY HUMAN TRAFFICKING.**

23 (a) IN GENERAL.—Not later than 180 days after the
 24 date of the enactment of this Act, the Secretary shall im-
 25 plement a program to—

1 (1) train and periodically retrain relevant
2 Transportation Security Administration, U.S. Cus-
3 toms and Border Protection, and other Department
4 personnel that the Secretary considers appropriate,
5 with respect to how to effectively deter, detect, and
6 disrupt human trafficking, and, where appropriate,
7 interdict a suspected perpetrator of human traf-
8 ficking, during the course of their primary roles and
9 responsibilities; and

10 (2) ensure that the personnel referred to in
11 paragraph (1) regularly receive current information
12 on matters related to the detection of human traf-
13 ficking, including information that becomes available
14 outside of the Department's initial or periodic re-
15 training schedule, to the extent relevant to their offi-
16 cial duties and consistent with applicable informa-
17 tion and privacy laws.

18 (b) TRAINING DESCRIBED.—The training referred to
19 in subsection (a) may be conducted through in-class or
20 virtual learning capabilities, and shall include—

21 (1) methods for identifying suspected victims of
22 human trafficking and, where appropriate, perpetra-
23 tors of human trafficking;

24 (2) for appropriate personnel, methods to ap-
25 proach a suspected victim of human trafficking,

1 where appropriate, in a manner that is sensitive to
2 the suspected victim and is not likely to alert a sus-
3 pected perpetrator of human trafficking;

4 (3) training that is most appropriate for a par-
5 ticular location or environment in which the per-
6 sonnel receiving such training perform their official
7 duties;

8 (4) other topics determined by the Secretary to
9 be appropriate; and

10 (5) a post-training evaluation for personnel re-
11 ceiving the training.

12 (c) TRAINING CURRICULUM REVIEW.—The Secretary
13 shall annually reassess the training program established
14 under subsection (a) to ensure it is consistent with current
15 techniques, patterns, and trends associated with human
16 trafficking.

17 **SEC. 903. CERTIFICATION AND REPORT TO CONGRESS.**

18 (a) CERTIFICATION.—Not later than 1 year after the
19 date of the enactment of this Act, the Secretary shall cer-
20 tify to Congress that all personnel referred to in section
21 402(a) have successfully completed the training required
22 under that section.

23 (b) REPORT TO CONGRESS.—Not later than 1 year
24 after the date of the enactment of this Act and annually
25 thereafter, the Secretary shall report to Congress with re-

1 spect to the overall effectiveness of the program required
2 by this title, the number of cases reported by Department
3 personnel in which human trafficking was suspected, and,
4 of those cases, the number of cases that were confirmed
5 cases of human trafficking.

6 **SEC. 904. ASSISTANCE TO NON-FEDERAL ENTITIES.**

7 The Secretary may provide training curricula to any
8 State, local, or tribal government or private organization
9 to assist the government or organization in establishing
10 a program of training to identify human trafficking, upon
11 request from the government or organization.

12 **SEC. 905. EXPANDED USE OF DOMESTIC TRAFFICKING VIC-**
13 **TIMS' FUND.**

14 Section 3014(e)(1) of title 18, United States Code,
15 as added by section 101 of this Act, is amended—

16 (1) in subparagraph (B), by striking “and” at
17 the end;

18 (2) in subparagraph (C), by striking the period
19 at the end and inserting “; and”; and

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

21 “(D) section 106 of the PROTECT Our
22 Children Act of 2008 (42 U.S.C. 17616).”.

1 **TITLE X—HUMAN TRAFFICKING**
2 **SURVIVORS RELIEF AND EM-**
3 **POWERMENT ACT**

4 **SEC. 1001. SHORT TITLE.**

5 This title may be cited as the “Human Trafficking
6 Survivors Relief and Empowerment Act of 2015”.

7 **SEC. 1002. PROTECTIONS FOR HUMAN TRAFFICKING SUR-**
8 **VIVORS.**

9 Section 1701(c) of title I of the Omnibus Crime Con-
10 trol and Safe Streets Act of 1968 (42 U.S.C. 3796dd(e))
11 is amended by striking “where feasible” and all that fol-
12 lows, and inserting the following: “where feasible, to an
13 application—

14 “(1) for hiring and rehiring additional career
15 law enforcement officers that involves a non-Federal
16 contribution exceeding the 25 percent minimum
17 under subsection (g); or

18 “(2) from an applicant in a State that has in
19 effect a law—

20 “(A) that—

21 “(i) provides a process by which an
22 individual who is a human trafficking sur-
23 vivor can move to vacate any arrest or con-
24 viction records for a non-violent offense
25 committed as a direct result of human

1 trafficking, including prostitution or lewd-
2 ness;

3 “(ii) establishes a rebuttable presump-
4 tion that any arrest or conviction of an in-
5 dividual for an offense associated with
6 human trafficking is a result of being traf-
7 ficked, if the individual—

8 “(I) is a person granted non-
9 immigrant status pursuant to section
10 101(a)(15)(T)(i) of the Immigration
11 and Nationality Act (8 U.S.C.
12 1101(a)(15)(T)(i));

13 “(II) is the subject of a certifi-
14 cation by the Secretary of Health and
15 Human Services under section
16 107(b)(1)(E) of the Trafficking Vic-
17 tims Protection Act of 2000 (22
18 U.S.C. 7105(b)(1)(E)); or

19 “(III) has other similar docu-
20 mentation of trafficking, which has
21 been issued by a Federal, State, or
22 local agency; and

23 “(iii) protects the identity of individ-
24 uals who are human trafficking survivors
25 in public and court records; and

1 “(B) that does not require an individual
2 who is a human trafficking survivor to provide
3 official documentation as described in subclause
4 (I), (II), or (III) of subparagraph (A)(ii) in
5 order to receive protection under the law.”.

Passed the Senate April 22, 2015.

Attest:

Secretary.

114TH CONGRESS
1ST SESSION

S. 178

AN ACT

To provide justice for the victims of trafficking.