

HUMAN TRAFFICKING PREVENTION, INTERVENTION, AND  
RECOVERY ACT OF 2015

JANUARY 27, 2015.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

Mr. GOODLATTE, from the Committee on the Judiciary,  
submitted the following

R E P O R T

[To accompany H.R. 350]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 350) to direct the Interagency Task Force to Monitor and Combat Trafficking to identify strategies to prevent children from becoming victims of trafficking and review trafficking prevention efforts, to protect and assist in the recovery of victims of trafficking, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

CONTENTS

	Page
Purpose and Summary .....	2
Background and Need for the Legislation .....	2
Hearings .....	3
Committee Consideration .....	3
Committee Votes .....	3
Committee Oversight Findings .....	3
New Budget Authority and Tax Expenditures .....	4
Congressional Budget Office Cost Estimate .....	4
Duplication of Federal Programs .....	4
Disclosure of Directed Rule Makings .....	4
Performance Goals and Objectives .....	4
Advisory on Earmarks .....	4
Section-by-Section Analysis .....	4
Changes in Existing Law Made by the Bill, as Reported .....	5

## Purpose and Summary

H.R. 350 directs the existing Interagency Task Force to Monitor and Combat Trafficking, established under the Trafficking Victims Protection Act of 2000, to review Federal and state activities to prevent children from becoming trafficking victims, survey academic research on the topic, and propose best practices. The bill also directs the Government Accountability Office to review Federal and state efforts, including Federal grants, to combat human trafficking, and clarifies that existing grants may be used to provide shelter services to trafficking victims.

## Background and Need for the Legislation

According to the Federal Bureau of Investigation, sex trafficking is the fastest-growing business of organized crime and the third-largest criminal enterprise in the world.<sup>1</sup> Because this crime usually occurs outside of the public eye, it is difficult to estimate the number of minor victims of sex trafficking.<sup>2</sup>

The problem, however, is extensive. Demand for the prostitution (and other forms of commercial sexual exploitation) of children is steady, and profit to sex pimps (or more aptly called “traffickers”), has increased. One study estimates that over 290,000 American youth are at risk of becoming a victim of sex trafficking, and the National Center for Missing and Exploited Children estimates that one of every seven endangered runaways reported to the Center are likely victims of minor sex trafficking.<sup>3</sup> And, from 2004 through 2008, the Internet Crimes Against Children Task Forces have experienced an increase of more than 900 percent in the number of child victims of prostitution.<sup>4</sup>

Victims of sex trafficking are exploited by traffickers who may operate alone or as part of a criminal network. Shared Hope International estimates that human trafficking in the United States is a \$9.8 billion industry.<sup>5</sup> It is more profitable for a trafficker to sell the sexual services of a child or adult than to commit other crimes such as dealing in drugs—drugs can only be sold once, whereas victims can be, and are, prostituted multiple times a day.<sup>6</sup> In fact, traffickers will often set daily monetary quotas for their victims, usually ranging between \$500 and \$1,000, which goes to the trafficker and not the victim. Failure to meet these quotas can result in violence and other types of retaliation against the victim.<sup>7</sup>

<sup>1</sup> See AMANDA WALKER-RODRIGUEZ & RODNEY HILL, THE FBI, FBI Law Enforcement Bulletin: Human Sex Trafficking, Mar. 2011.

<sup>2</sup> Starting in January 2013, the FBI began collecting data regarding sex trafficking specifically as part of its Uniform Crime Report program. This information should help to provide a more fulsome picture of the impact of minor sex trafficking nationwide. See FBI, UCR Program Continues to Adapt, Evolve, <http://www.fbi.gov/about-us/cjis/cjis-link/september-2011/ucr-program-continues-to-adapt-evolve>.

<sup>3</sup> *Oversight Hearing: The State of Efforts to Stop Human Trafficking*, H. Subcomm. on Commerce, Justice, Science, and Related Agencies of the H. Comm. on Appropriations, 113th Congress (statement of John Ryan, CEO, National Center for Missing and Exploited Children).

<sup>4</sup> U.S. DEPARTMENT OF JUSTICE, *The National Strategy for Child Exploitation Prevention and Interdiction*, 32, 2010, available at <http://www.justice.gov/psc/docs/natsstrategyreport.pdf>.

<sup>5</sup> SHARED HOPE INTERNATIONAL, Domestic Minor Sex Trafficking in the U.S., <http://sharedhope.org/wp-content/uploads/2013/11/DMSTInfographic.pdf>.

<sup>6</sup> U.S. DEPARTMENT OF JUSTICE, *supra* note 4 at 32–33.

<sup>7</sup> Domestic Sex Trafficking: The Criminal Operations of the American Pimp, Polaris Project, available at [http://www.dcls.virginia.gov/victims/humantrafficking/vs/documents/Domestic\\_Sex\\_Trafficking\\_Guide.pdf](http://www.dcls.virginia.gov/victims/humantrafficking/vs/documents/Domestic_Sex_Trafficking_Guide.pdf).

The average age of minors entering the sex trade is between 12 and 14 years.<sup>8</sup> Traffickers often target vulnerable youth, who are more easily lured into prostitution and other forms of child exploitation. For example, runaways and children in the foster care system are particularly vulnerable to becoming victims of sex trafficking—one federally funded study found that approximately 1.7 million youth had run away from home or were forced to leave their homes at some point in 1999, and that, while away from home, an estimated 38,600 (2.2%) of these youth were sexually assaulted, were in the company of someone known to be sexually abusive, or were engaged in sexual activity in exchange for money, drugs, food, or shelter.<sup>9</sup> Victims of minor sex trafficking, however, are not always runaways or in foster homes. Instead, these victims can and do come from any type of home or socioeconomic background.<sup>10</sup>

The investigation and prosecution of human trafficking has often been carried out by state and local law enforcement. Congress has focused recent attention on domestic sex trafficking of children, which includes commercial sex acts involving children under the age of 18. Under the Victims of Trafficking and Violence Protection Act of 2000 (TVPA), the primary law that addresses trafficking, sex trafficking of children in interstate commerce is a Federal crime.<sup>11</sup> Further, regardless of whether a child is believed to have consented to sex or whether the child represents himself or herself as an adult, the child is considered a trafficking victim under Federal law.<sup>12</sup>

### Hearings

The Committee on the Judiciary held no hearings on H.R. 350.

### Committee Consideration

On January 21, 2015, the Committee met in open session and ordered the bill H.R. 350 favorably reported without amendment, by voice vote, a quorum being present.

### Committee Votes

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that there were no recorded votes during the Committee's consideration of H.R. 350.

### Committee Oversight Findings

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activi-

<sup>8</sup> RIGHTS4GIRLS, <http://www.rights4girls.org/uploads/child%20welfare%20and%20child%20trafficking.pdf>.

<sup>9</sup> HEATHER HAMMER, DAVID FINKELHOR, & ANDREA J. SEDLAK, U.S. DEPARTMENT OF JUSTICE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, OJJDP NISMART Bulletin RUNAWAY/THROWN AWAY CHILDREN: NATIONAL ESTIMATES AND CHARACTERISTICS, Oct. 2002, available at <https://www.ncjrs.gov/pdffiles1/ojjdp/196469.pdf>.

<sup>10</sup> See "You're Pretty—You Could Make Some Money," *Washingtonian Mag.*, June 10, 2013 (discussing the growth of minor sex trafficking victims coming from "the affluent Northern Virginia suburbs").

<sup>11</sup> P.L. 106–386.

<sup>12</sup> 18 U.S.C. § 1591.

ties under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

### **New Budget Authority and Tax Expenditures**

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

### **Congressional Budget Office Cost Estimate**

With respect to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, an estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 was not submitted to the Committee before the filing of the report.

### **Duplication of Federal Programs**

No provision of H.R. 350 establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

### **Disclosure of Directed Rule Makings**

The Committee estimates that H.R. 350 specifically directs to be completed no specific rule makings within the meaning of 5 U.S.C. § 551.

### **Performance Goals and Objectives**

The Committee states that pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 350 directs the existing Interagency Task Force established under the Trafficking Victims Protection Act of 2000 to review Federal and state activities to prevent children from becoming trafficking victims, survey academic research on the topic, and propose best practices; directs the Government Accountability Office to review Federal and state efforts, including Federal grants, to combat human trafficking; and clarifies that existing grants may be used to provide shelter services to trafficking victims.

### **Advisory on Earmarks**

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 350 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of Rule XXI.

### **Section-by-Section Analysis**

The following discussion describes the bill as reported by the Committee.

*Section 1. Short Title.* This section cites the short title of the bill as the “Human Trafficking Prevention, Intervention, and Recovery Act of 2015.”

*Section 2. Interagency Task Force Report on Child Trafficking Primary Prevention.* This section directs the Interagency Task Force to Monitor and Combat Trafficking, established under the Trafficking Victims Protection Act of 2000 (TVPA), to survey Federal and state activities to prevent children from becoming trafficking victims; review academic literature on deterring individuals from committing trafficking offenses and preventing children from becoming victims; and identify best practices and strategies for prevention, as well as identify any current gaps in research and data that would be helpful to develop effective prevention strategies.

*Section 3. GAO Report on Intervention.* This section requires the Government Accountability Office to submit a report to Congress that includes information on Federal and state law enforcement agencies to combat trafficking in the U.S., including information on each available Federal grant program intended to combat human trafficking or assist victims of trafficking.

*Section 4. Provision of Housing Permitted to Protect and Assist in the Recovery of Victims of Trafficking.* This section clarifies that an existing Justice Department TVPA grant program may be used to provide housing services to trafficking victims.

*Section 5. Victim of Trafficking Defined.* This section provides that the definition of “victim of trafficking” is the same as that in the TVPA.

### **Changes in Existing Law Made by the Bill, as Reported**

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

#### **TRAFFICKING VICTIMS PROTECTION ACT OF 2000**

\* \* \* \* \*

#### **DIVISION A—TRAFFICKING VICTIMS PROTECTION ACT OF 2000**

\* \* \* \* \*

#### **SEC. 107. PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING.**

(a) ASSISTANCE FOR VICTIMS IN OTHER COUNTRIES.—

(1) IN GENERAL.—The Secretary of State and the Administrator of the United States Agency for International Development, in consultation with appropriate nongovernmental organizations, shall establish and carry out programs and initiatives in foreign countries to assist in the safe integration, reintegration, or resettlement, as appropriate, of victims of trafficking. Such programs and initiatives shall be designed to meet the appropriate assistance needs of such persons and their children, as identified by the Task Force, and shall be

carried out in a manner which takes into account the cross-border, regional, and transnational aspects of trafficking in persons. In addition, such programs and initiatives shall, to the maximum extent practicable, include the following:

(A) Support for local in-country nongovernmental organization-operated hotlines, culturally and linguistically appropriate protective shelters, and regional and international nongovernmental organization networks and databases on trafficking, including support to assist nongovernmental organizations in establishing service centers and systems that are mobile and extend beyond large cities.

(B) Support for nongovernmental organizations and advocates to provide legal, social, and other services and assistance to trafficked individuals, particularly those individuals in detention, and by facilitating contact between relevant foreign government agencies and such nongovernmental organizations to facilitate cooperation between the foreign governments and such organizations.

(C) Education and training for trafficked women and girls.

(D) The safe integration or reintegration of trafficked individuals into an appropriate community or family, with full respect for the wishes, dignity, and safety of the trafficked individual.

(E) Support for developing or increasing programs to assist families of victims in locating, repatriating, and treating their trafficked family members, in assisting the voluntary repatriation of these family members or their integration or resettlement into appropriate communities, and in providing them with treatment.

(F) In cooperation and coordination with relevant organizations, such as the United Nations High Commissioner for Refugees, the International Organization for Migration, and private nongovernmental organizations that contract with, or receive grants from, the United States Government to assist refugees and internally displaced persons, support for—

(i) increased protections for refugees and internally displaced persons, including outreach and education efforts to prevent such refugees and internally displaced persons from being exploited by traffickers; and

(ii) performance of best interest determinations for unaccompanied and separated children who come to the attention of the United Nations High Commissioner for Refugees, its partner organizations, or any organization that contracts with the Department of State in order to identify child trafficking victims and to assist their safe integration, reintegration, and resettlement.

(2) **ADDITIONAL REQUIREMENT.**—In establishing and conducting programs and initiatives described in paragraph (1), the Secretary of State and the Administrator of the United States Agency for International Development shall take all ap-

propriate steps to enhance cooperative efforts among foreign countries, including countries of origin of victims of trafficking, to assist in the integration, reintegration, or resettlement, as appropriate, of victims of trafficking, including stateless victims. In carrying out this paragraph, the Secretary and the Administrator shall take all appropriate steps to ensure that cooperative efforts among foreign countries are undertaken on a regional basis and shall brief Congress annually on such efforts.

(b) VICTIMS IN THE UNITED STATES.—

(1) ASSISTANCE.—

(A) ELIGIBILITY FOR BENEFITS AND SERVICES.—Notwithstanding title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, an alien who is a victim of a severe form of trafficking in persons, or an alien classified as a nonimmigrant under section 101(a)(15)(T)(ii), shall be eligible for benefits and services under any Federal or State program or activity funded or administered by any official or agency described in subparagraph (B) to the same extent as an alien who is admitted to the United States as a refugee under section 207 of the Immigration and Nationality Act.

(B) REQUIREMENT TO EXPAND BENEFITS AND SERVICES.—Subject to subparagraph (C) and, in the case of nonentitlement programs, to the availability of appropriations, the Secretary of Health and Human Services, the Secretary of Labor, the Board of Directors of the Legal Services Corporation, and the heads of other Federal agencies shall expand benefits and services to victims of severe forms of trafficking in persons in the United States, and aliens classified as a nonimmigrant under section 101(a)(15)(T)(ii), without regard to the immigration status of such victims. In the case of nonentitlement programs funded by the Secretary of Health and Human Services, such benefits and services may include services to assist potential victims of trafficking in achieving certification and to assist minor dependent children of victims of severe forms of trafficking in persons or potential victims of trafficking.

(C) DEFINITION OF VICTIM OF A SEVERE FORM OF TRAFFICKING IN PERSONS.—For the purposes of this paragraph, the term “victim of a severe form of trafficking in persons” means only a person—

(i) who has been subjected to an act or practice described in section 103(8) as in effect on the date of the enactment of this Act; and

(ii)(I) who has not attained 18 years of age; or

(II) who is the subject of a certification under subparagraph (E).

(E) CERTIFICATION.—

(i) IN GENERAL.—Subject to clause (ii), the certification referred to in subparagraph (C) is a certification by the Secretary of Health and Human Services, after consultation with the Attorney General and the Sec-

retary of Homeland Security, that the person referred to in subparagraph (C)(ii)(II)—

(I) is willing to assist in every reasonable way in the investigation and prosecution of severe forms of trafficking in persons or is unable to cooperate with such a request due to physical or psychological trauma; and

(II)(aa) has made a bona fide application for a visa under section 101(a)(15)(T) of the Immigration and Nationality Act, as added by subsection (e), that has not been denied; or

(bb) is a person whose continued presence in the United States the Secretary of Homeland Security is ensuring in order to effectuate prosecution of traffickers in persons.

(ii) PERIOD OF EFFECTIVENESS.—A certification referred to in subparagraph (C), with respect to a person described in clause (i)(II)(bb), shall be effective only for so long as the Attorney General and the Secretary of Homeland Security determines that the continued presence of such person is necessary to effectuate prosecution of traffickers in persons.

(iii) INVESTIGATION AND PROSECUTION DEFINED.—For the purpose of a certification under this subparagraph, the term “investigation and prosecution” includes—

(I) identification of a person or persons who have committed severe forms of trafficking in persons;

(II) location and apprehension of such persons;

(III) testimony at proceedings against such persons; and

(IV) responding to and cooperating with requests for evidence and information.

(iv) ASSISTANCE TO INVESTIGATIONS.—In making the certification described in this subparagraph with respect to the assistance to investigation or prosecution described in clause (i)(I), the Secretary of Health and Human Services shall consider statements from State and local law enforcement officials that the person referred to in subparagraph (C)(ii)(II) has been willing to assist in every reasonable way with respect to the investigation and prosecution of State and local crimes such as kidnapping, rape, slavery, or other forced labor offenses, where severe forms of trafficking appear to have been involved.

(F) ELIGIBILITY FOR INTERIM ASSISTANCE OF CHILDREN.—

(i) DETERMINATION.—Upon receiving credible information that a child described in subparagraph (C)(ii)(I) who is seeking assistance under this paragraph may have been subjected to a severe form of trafficking in persons, the Secretary of Health and Human Services shall promptly determine if the child

is eligible for interim assistance under this paragraph. The Secretary shall have exclusive authority to make interim eligibility determinations under this clause. A determination of interim eligibility under this clause shall not affect the independent determination whether a child is a victim of a severe form of trafficking.

(ii) NOTIFICATION.—The Secretary of Health and Human Services shall notify the Attorney General and the Secretary of Homeland Security not later than 24 hours after all interim eligibility determinations have been made under clause (i).

(iii) DURATION.—Assistance under this paragraph may be provided to individuals determined to be eligible under clause (i) for a period of up to 90 days and may be extended for an additional 30 days.

(iv) LONG-TERM ASSISTANCE FOR CHILDREN.—

(I) ELIGIBILITY DETERMINATION.—Before the expiration of the period for interim assistance under clause (iii), the Secretary of Health and Human Services shall determine if the child referred to in clause (i) is eligible for assistance under this paragraph.

(II) CONSULTATION.—In making a determination under subclause (I), the Secretary shall consult with the Attorney General, the Secretary of Homeland Security, and nongovernmental organizations with expertise on victims of severe form of trafficking.

(III) LETTER OF ELIGIBILITY.—If the Secretary, after receiving information the Secretary believes, taken as a whole, indicates that the child is eligible for assistance under this paragraph, the Secretary shall issue a letter of eligibility. The Secretary may not require that the child cooperate with law enforcement as a condition for receiving such letter of eligibility.

(G) NOTIFICATION OF CHILDREN FOR INTERIM ASSISTANCE.—Not later than 24 hours after a Federal, State, or local official discovers that a person who is under 18 years of age may be a victim of a severe form of trafficking in persons, the official shall notify the Secretary of Health and Human Services to facilitate the provision of interim assistance under subparagraph (F).

(2) GRANTS.—

(A) IN GENERAL.—Subject to the availability of appropriations, the Attorney General may make grants to States, Indian tribes, units of local government, and nonprofit, nongovernmental victims' service organizations to develop, expand, or strengthen victim service programs for victims of trafficking, *including programs that provide housing to victims of trafficking*.

(B) ALLOCATION OF GRANT FUNDS.—Of amounts made available for grants under this paragraph, there shall be set aside—

(i) three percent for research, evaluation, and statistics;

(ii) 5 percent for training and technical assistance, including increasing capacity and expertise on security for and protection of service providers from intimidation or retaliation for their activities.

(iii) one percent for management and administration.

(C) LIMITATION ON FEDERAL SHARE.—The Federal share of a grant made under this paragraph may not exceed 75 percent of the total costs of the projects described in the application submitted.

(c) TRAFFICKING VICTIM REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Attorney General, the Secretary of Homeland Security and the Secretary of State shall promulgate regulations for law enforcement personnel, immigration officials, and Department of State officials to implement the following:

(1) PROTECTIONS WHILE IN CUSTODY.—Victims of severe forms of trafficking, while in the custody of the Federal Government and to the extent practicable, shall—

(A) not be detained in facilities inappropriate to their status as crime victims;

(B) receive necessary medical care and other assistance; and

(C) be provided protection if a victim's safety is at risk or if there is danger of additional harm by recapture of the victim by a trafficker, including—

(i) taking measures to protect trafficked persons and their family members from intimidation and threats of reprisals and reprisals from traffickers and their associates; and

(ii) ensuring that the names and identifying information of trafficked persons and their family members are not disclosed to the public.

(2) ACCESS TO INFORMATION.—Victims of severe forms of trafficking shall have access to information about their rights and translation services. To the extent practicable, victims of severe forms of trafficking shall have access to information about federally funded or administered anti-trafficking programs that provide services to victims of severe forms of trafficking.

(3) AUTHORITY TO PERMIT CONTINUED PRESENCE IN THE UNITED STATES.—

(A) TRAFFICKING VICTIMS.—

(i) IN GENERAL.—If a Federal law enforcement official files an application stating that an alien is a victim of a severe form of trafficking and may be a potential witness to such trafficking, the Secretary of Homeland Security may permit the alien to remain in the United States to facilitate the investigation and prosecution of those responsible for such crime.

(ii) SAFETY.—While investigating and prosecuting suspected traffickers, Federal law enforcement officials described in clause (i) shall endeavor to make reason-

able efforts to protect the safety of trafficking victims, including taking measures to protect trafficked persons and their family members from intimidation, threats of reprisals, and reprisals from traffickers and their associates.

(iii) CONTINUATION OF PRESENCE.—The Secretary shall permit an alien described in clause (i) who has filed a civil action under section 1595 of title 18, United States Code, to remain in the United States until such action is concluded. If the Secretary, in consultation with the Attorney General, determines that the alien has failed to exercise due diligence in pursuing such action, the Secretary may revoke the order permitting the alien to remain in the United States.

(iv) EXCEPTION.—Notwithstanding clause (iii), an alien described in such clause may be deported before the conclusion of the administrative and legal proceedings related to a complaint described in such clause if such alien is inadmissible under paragraph (2)(A)(i)(II), (2)(B), (2)(C), (2)(E), (2)(H), (2)(I), (3)(A)(i), (3)(A)(iii), (3)(B), or (3)(C) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)).

(B) PAROLE FOR RELATIVES.—Law enforcement officials may submit written requests to the Secretary of Homeland Security, in accordance with section 240A(b)(6) of the Immigration and Nationality Act (8 U.S.C. 1229b(b)(6)), to permit the parole into the United States of certain relatives of an alien described in subparagraph (A)(i).

(C) STATE AND LOCAL LAW ENFORCEMENT.—The Secretary of Homeland Security, in consultation with the Attorney General, shall—

(i) develop materials to assist State and local law enforcement officials in working with Federal law enforcement to obtain continued presence for victims of a severe form of trafficking in cases investigated or prosecuted at the State or local level; and

(ii) distribute the materials developed under clause (i) to State and local law enforcement officials.

(4) TRAINING OF GOVERNMENT PERSONNEL.—Appropriate personnel of the Department of State, the Department of Homeland Security, the Department of Health and Human Services, the Department of Labor, the Equal Employment Opportunity Commission, and the Department of Justice shall be trained in identifying victims of severe forms of trafficking and providing for the protection of such victims, including juvenile victims. The Attorney General and the Secretary of Health and Human Services, in consultation with the Secretary of Labor, shall provide training to State and local officials to improve the identification and protection of such victims.

(d) CONSTRUCTION.—Nothing in subsection (c) shall be construed as creating any private cause of action against the United States or its officers or employees.

(e) PROTECTION FROM REMOVAL FOR CERTAIN CRIME VICTIMS.—

(5) STATUTORY CONSTRUCTION.—Nothing in this section, or in the amendments made by this section, shall be construed as prohibiting the Secretary of Homeland Security from instituting removal proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a) against an alien admitted as a nonimmigrant under section 101(a)(15)(T)(i) of that Act, as added by subsection (e), for conduct committed after the alien's admission into the United States, or for conduct or a condition that was not disclosed to the Secretary of Homeland Security prior to the alien's admission as a nonimmigrant under such section 101(a)(15)(T)(i).

(f) ASSISTANCE FOR UNITED STATES CITIZENS AND LAWFUL PERMANENT RESIDENTS.—

(1) IN GENERAL.—The Secretary of Health and Human Services and the Attorney General, in consultation with the Secretary of Labor, shall establish a program to assist United States citizens and aliens lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20))) who are victims of severe forms of trafficking. In determining the assistance that would be most beneficial for such victims, the Secretary and the Attorney General shall consult with nongovernmental organizations that provide services to victims of severe forms of trafficking in the United States.

(2) USE OF EXISTING PROGRAMS.—In addition to specialized services required for victims described in paragraph (1), the program established pursuant to paragraph (1) shall—

(A) facilitate communication and coordination between the providers of assistance to such victims;

(B) provide a means to identify such providers; and

(C) provide a means to make referrals to programs for which such victims are already eligible, including programs administered by the Department of Justice and the Department of Health and Human Services.

(3) GRANTS.—

(A) IN GENERAL.—The Secretary of Health and Human Services and the Attorney General may award grants to States, Indian tribes, units of local government, and nonprofit, nongovernmental victim service organizations to develop, expand, and strengthen victim service programs authorized under this subsection.

(B) MAXIMUM FEDERAL SHARE.—The Federal share of a grant awarded under this paragraph may not exceed 75 percent of the total costs of the projects described in the application submitted by the grantee.

(g) ANNUAL REPORTS.—On or before October 31 of each year, the Attorney General or the Secretary of Homeland Security shall submit a report to the appropriate congressional committees setting forth, with respect to the preceding fiscal year, the number, if any, of otherwise eligible applicants who did not receive visas under section 101(a)(15)(T) of the Immigration and Nationality Act, as added by subsection (e), or who were unable to adjust their status under section 245(l) of such Act, solely on account of the un-

availability of visas due to a limitation imposed by section 214(o)(2)  
or 245(l)(4)(A) of such Act.

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