

NO TRAFFICKING ZONES ACT

SEPTEMBER 19, 2022.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

R E P O R T

[To accompany H.R. 7566]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 7566) to amend title 18, United States Code, to increase the punishment for human trafficking in a school zone, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

CONTENTS

	Page
Purpose and Summary	3
Background and Need for the Legislation	3
Hearings	6
Committee Consideration	7
Committee Votes	7
Committee Oversight Findings	15
Committee Estimate of Budgetary Effects	15
New Budget Authority and Congressional Budget Office Cost Estimate	15
Duplication of Federal Programs	16
Performance Goals and Objectives	16
Advisory on Earmarks	16
Section-by-Section Analysis	16
Changes in Existing Law Made by the Bill, as Reported	17

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “No Trafficking Zones Act” or the “NTZ Act”.

SEC. 2. FINDINGS.

Congress finds as follows:

(1) Child sex trafficking can have devastating immediate and long-term consequences, including health impacts, psychological and physical trauma, and even death.

(2) While any child can be targeted by a trafficker, research, data, survivors' lived experiences, and expertise have revealed that traffickers often target vulnerable youth who lack strong support networks, supervision, care, or basic necessities, have low self-esteem, have experienced violence in the past, are experiencing homelessness, are experiencing academic difficulties, or are marginalized by society, and lure them into forced labor and prostitution and other forms of sexual exploitation. Traffickers are masters of manipulation and prey upon vulnerabilities using psychological pressure, intimidation, and drugs to control and sexually exploit the child for their benefit.

(3) The National Center for Missing and Exploited Children (NCMEC) has received reports of child sex trafficking in all 50 States, the District of Columbia, and Puerto Rico. These reports include incidents occurring in every type of community, including suburban, rural, urban, and Tribal lands. In 2021, NCMEC received more than 17,200 reports of possible child sex trafficking.

(4) Of 22,326 trafficking victims and survivors identified through contacts with the National Human Trafficking Hotline in 2019, at least 5,359 were under age 18.

(5) Many underage victims of sex trafficking are students in the United States school system. No community, school, socioeconomic group, or student demographic is immune.

(6) While the internet and social media make up the majority of first encounters, traffickers regularly find young people in shopping malls, through friends, at bus stops, and at schools. Specifically, traffickers systematically target vulnerable children and youth by frequenting locations where young people congregate, including schools. They also use peers or classmates, who befriend the target and slowly groom them for the trafficker by bringing the young person along to parties and other activities.

(7) A 2018 survey reported that 55 percent of young sex trafficking survivors in Texas were trafficked while at school or school activities and 60 percent of trafficked adults say they were first groomed and solicited for trafficking on school campuses.

(8) Schools can and should be safe havens for students. Schools are best positioned to identify and report suspected trafficking and connect affected students to critical services. Students are more likely to report instances of sex trafficking, attempted sex trafficking, or grooming for the purposes of sex trafficking where they feel most safe from harm and threats.

SEC. 3. INCREASED PUNISHMENT FOR HUMAN TRAFFICKING IN SCHOOL ZONES.

Section 1591 of title 18, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

“(e)(1) Whoever violates subsection (a) in a school zone, or on, or within 1,000 feet of, a premises on which a school-sponsored activity is taking place, or on, or within 1,000 feet of a premises owned by an institution of higher education, shall, in addition to the punishment otherwise provided under this section, be imprisoned for not more than 5 years.

“(2) In this subsection:

“(A) The term ‘school zone’ has the meaning given such term in section 921.

“(B) The term ‘school-sponsored activity’ means any activity that is produced, financed, arranged, supervised, or coordinated by a school or a State educational agency or local educational agency or is under the jurisdiction of a State educational agency or local educational agency.

“(C) The terms ‘State educational agency’ and ‘local educational agency’ have the meanings given those terms under section 8101 of the Elementary and Secondary Education Act of 1965.

“(D) The term ‘institution of higher education’ has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).”

SEC. 4. INCREASED PUNISHMENT FOR COERCION AND ENTICEMENT IN SCHOOL ZONES.

Section 2422 of title 18, United States Code, is amended—

(1) in subsection (b), by striking “individual who has not attained the age of 18 years” and inserting “minor”; and

(2) by adding at the end the following:

“(c)(1) Whoever violates subsection (a) or (b) knowing, or having reasonable cause to believe, that the violation is committed against a minor who is enrolled in school and is, at the time of the violation, in a school zone or on, or within 1,000 feet of, a premises on which a school-sponsored activity is taking place, or against a person

who is enrolled in an institution of higher education and is, at the time of the violation on or within 1,000 feet of a premises owned by the institution of higher education, shall, in addition to the punishment otherwise provided under this section, be imprisoned for not more than 5 years.

“(2) Paragraph (1) shall not apply in a case in which a minor’s presence on, or within 1,000 feet of, the premises on which a school-sponsored activity is taking place is not related to such school-sponsored activity, or the person’s presence on or within 1,000 feet of the premises owned by the institution of higher education is not related to their enrollment at such institution.

“(d) In this section:

“(1) The term ‘minor’ means an individual who has not attained 18 years of age.

“(2) The term ‘school’ means a public, parochial, or private school that provides elementary or secondary education.

“(3) The term ‘school zone’ has the meaning given such term in section 921.

“(4) The term ‘school-sponsored activity’ means any activity that is produced, financed, arranged, supervised, or coordinated by a school or a State educational agency or local educational agency or is under the jurisdiction of a State educational agency or local educational agency.

“(5) The terms ‘State educational agency’ and ‘local educational agency’ have the meanings given those terms under section 8101 of the Elementary and Secondary Education Act of 1965.

“(6) The term ‘institution of higher education’ has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).”.

Purpose and Summary

Introduced by Rep. Sheila Jackson Lee (D–TX) on April 25, 2022, H.R. 7566, the “No Trafficking Zones Act,” or the “NTZ”¹ would increase the maximum penalty available under current law for the commission of the offenses of sex trafficking of children and coercion and enticement committed within school zones or on, or within 1,000 feet of, school-sponsored activities or institutions of higher education by up to five years.

Background and Need for the Legislation

I. CHILD SEX TRAFFICKING

The United States has made the global fight against human trafficking a policy priority and employs a whole-of-government approach to stop human traffickers, protect victims, and prevent these crimes. Human trafficking, often referred to in U.S. law as trafficking in persons, is the crime of exploiting a person for compelled labor, services, or commercial sex acts. Human trafficking poses a grave danger to individual well-being, public health, public safety, national security, economic development, and prosperity.

In 2020, there were 11,193 incidents of human trafficking identified through the United States National Human Trafficking Hotline (“Trafficking Hotline”).² While human trafficking comes in many forms, sex trafficking of adults—involving the commercial sexual exploitation of a person over the age of 18 through force, fraud, or coercion—is the most commonly acknowledged. Notably, when a person under 18 years old is induced to perform a commercial sex act, it constitutes the crime of sex trafficking, regardless of whether there is any force, fraud, or coercion.

The National Center for Missing & Exploited Children (NCMEC) has received reports of child sex trafficking in all 50 U.S. States,

¹ The bill was originally introduced as the “Stop Human Trafficking in School Zones Act.”

² See *Department of State Annual Trafficking in Persons Report*, 2021, available at https://www.state.gov/wpcontent/uploads/2021/07/TIP_Report_Final_20210701.pdf.

Washington, D.C., and Puerto Rico. These reports include incidents occurring in every type of community: suburban, rural, urban, and tribal lands. Of 22,326 trafficking victims and survivors identified through contacts with the Trafficking Hotline in 2019, at least 5,359 were under age 18.³ In 2021, NCMEC received more than 17,200 reports of possible child sex trafficking.

Child and youth sex trafficking can have devastating immediate and long-term consequences, including health impacts, psychological and physical trauma, substance use disorders, mental health disorders, and even death.⁴ While any minor can be targeted by a trafficker, research, data, survivor lived experience, and expertise have revealed that traffickers often target vulnerable youth who lack strong support networks, supervision, care, or basic necessities, have low self-esteem, have experienced violence in the past, are experiencing homelessness, are experiencing academic difficulties, or are marginalized by society. Exploiting these vulnerabilities, traffickers then lure these young people into forced labor, prostitution, and other forms of sexual exploitation.⁵ Traffickers are masters of manipulation who prey upon vulnerabilities using psychological pressure, intimidation, and drugs to control and sexually exploit the child for their benefit. They target children and youth for grooming, often over an extended period. They secure their target's trust, fulfill their needs, isolate them from potential support, and eventually exert total control over them, while normalizing the abuse.⁶ Once traffickers have established sufficient control, they sell their victims at private parties, illicit massage parlors, hotel and motel rooms, strip clubs, truck stops, and other venues.⁷

Recruiting occurs everywhere—in schools, malls, sporting events, parties, in shelters, and at home.⁸ No community, school, socioeconomic group, or student demographic is immune. Recruitment, grooming, and trafficking are conducted both in person and online. The internet and cellular technology offer individuals the opportunity to stay connected around the clock and from any distance, and it offers access—to information, goods, and people—that was previously out of reach. These same benefits support the ease of internet and cell phone usage in sex trafficking. The use of technology by traffickers, victims, and buyers has grown exponentially in recent years.

While the internet and social media make up the majority of first encounters, traffickers regularly find young people in shopping malls, through friends, at bus stops, and at schools. Specifically, traffickers systematically target vulnerable children and youth by

³Polaris Project, *2019 data report: The US National Human Trafficking Hotline* (2020). <https://polarisproject.org/wp-content/uploads/2019/09/Polaris-2019-US-National-HumanTrafficking-Hotline-Data-Report.pdf>.

⁴Fedina, L., Williamson, C., & Perdue, T., *Risk factors for domestic child sex trafficking in the United States*, JOURNAL OF INTERPERSONAL VIOLENCE, 34(13), 2653–2673 (2019) <https://doi.org/10.1177/0886260516662306>.

⁵National Human Trafficking Hotline, *Myths & Facts* available at <https://humantraffickinghotline.org/what-human-trafficking/myths-misconceptions>.

⁶U.S. Dep't of Education, Office of Safe and Healthy Students, *Human Trafficking in America's Schools* (January 2015) <https://safesupportivelearning.ed.gov/sites/default/files/HumanTraffickinginAmericasSchools.pdf>.

⁷National Center for Homeless Education at SERVE, *Sex trafficking of minors: What schools need to know to recognize and respond to the trafficking of students* (2014) <https://nche.ed.gov/wp-content/uploads/2018/10/trafficking.pdf>.

⁸Polaris Project, *Educators and Human Trafficking: In-depth review* (2011). <https://humantraffickinghotline.org/sites/default/files/In%20Depth%20Review%20for%20Educators.pdf>.

frequenting locations where young people congregate, including schools.⁹ Confirmed cases have revealed that trafficking activity occurs on campuses, during school-sponsored events, and among peers.¹⁰ Traffickers also use peers or classmates, who befriend the target and slowly groom them for the trafficker by forming relationships with fellow students, bringing their targets along to parties and other activities to bring more youth into the criminal enterprise.¹¹ Students might also meet traffickers while traveling to or from school.

Trafficked students might continue to attend school, although sporadically. A 2018 survey reported that 55% of young sex trafficking survivors in Texas were in school while they were being trafficked, 33% of those with a trafficker met him or her through a mutual friend, a family member, or at school,¹² and 60% of trafficked adults say they were first groomed and solicited for trafficking on school campuses. And many respondents reported that they were in school at least part of the time that they were “in the life.”

Schools can and should be safe havens for students¹³ and even more so for students whose lives are otherwise burdened by instability and a lack of safety and security. A safe learning environment is necessary for overall student success, but general student safety is jeopardized when some students are being exploited and victimized, particularly if students are being used to recruit other students or if a trafficker is connected to student social circles.¹⁴ Educators, faculty, and school officials are best positioned to identify potential victims, report suspected trafficking to the appropriate authorities, and connect affected students to critical services. And students are more likely to report instances of sex trafficking, attempted sex trafficking, or grooming for the purposes of sex trafficking where they feel most safe from harm and threats—circumstances made impossible when traffickers can contact their targets and maintain control over their victims while they are in school or participating in school-sponsored activities. Creating safer campuses can increase the chances for the academic, social, and psychological success of students.¹⁵

II. PROSECUTION OF CHILD SEX TRAFFICKING

Child Sex Trafficking is prohibited by 18 U.S.C. § 1591. This statute makes it a federal offense to knowingly recruit, entice, harbor, transport, provide, obtain, or maintain a minor (defined as someone under 18 years of age) knowing or in reckless disregard of the fact that the victim is a minor and would be caused to engage in a com-

⁹ U.S. Dep’t of Education, Office of Safe and Healthy Students, *Human Trafficking in America’s Schools* (January 2015) <https://safesupportivelearning.ed.gov/sites/default/files/HumanTraffickinginAmericasSchools.pdf>.

¹⁰ ISafe Ventures, U.S. Dep’t of Education, *The Human Trafficking Framework for Instructional Programming in Schools* (2017) https://safesupportivelearning.ed.gov/sites/default/files/USDOE_UseCase_HT_2017.pdf.

¹¹ *Id.*

¹² Bouche, V., *Survivor Insights: The Role of Technology in Domestic Minor Sex Trafficking*, Thorn (Jan. 2018).

¹³ ISafe Ventures, U.S. Dep’t of Education, *The Human Trafficking Framework for Instructional Programming in Schools* (2017) https://safesupportivelearning.ed.gov/sites/default/files/USDOE_UseCase_HT_2017.pdf.

¹⁴ National Center on Safe Supportive Learning Environments, *Impact on the Students and the Learning Environment* (2022) <https://safesupportivelearning.ed.gov/human-trafficking-america-schools/impact-on-students-and-learning-environment>.

¹⁵ *Human Trafficking in America’s Schools*, supra.

mercial sex act. A commercial sex act is defined very broadly to include “any sex act, on account of which anything of value is given to or received by any person.” In other words, it is illegal both to offer and to obtain a child and cause that child to engage in any kind of sexual activity in exchange for anything of value, whether it be money, goods, personal benefit, in-kind favors, or any other kind of benefit. Section 1591 also makes it a crime for individuals to participate in a business venture that obtains minors and causes them to engage in commercial sex acts.

When the victim is a minor, section 1591 does not require proof that the defendant used force, threats of force, fraud, or coercion, or any combination of those means, to cause the minor to engage in a commercial sex act. It also does not require proof that either the defendant or the victim crossed state or international lines. If the victim was under the age of 14 or if force, fraud, or coercion were used, the penalty is not less than 15 years in prison up to life. If the victim was aged 14–17, the penalty shall not be less than 10 years in prison up to life.

Section 2422(b) of title 18 makes it a crime to use the U.S. Mail or certain technology, such as the internet or a telephone (whether cellular or a land line), to persuade, induce, entice, or coerce a minor to engage in prostitution or any other illegal sexual activity. For example, it is a federal crime for an adult to use the mail, a chat room, email, social media, instant messaging, or text messages to persuade a child to meet him or her to engage that child in prostitution or other illegal sexual activity. Under this statute, it is not necessary to prove that either the defendant or the victim crossed state lines. The penalty for this offense is not less than ten years in prison, up to life.

This legislation is meant to protect students from the physical or virtual reach of sex traffickers by establishing a sentencing enhancement of up to five additional years of imprisonment for commission of the offenses of child sex trafficking (under 18 U.S.C. § 1591) and coercion and enticement of a minor (under 18 U.S.C. § 2422(b)) on or within 1,000 feet of a school or premises in which a school sponsored activity is taking place. By creating human-trafficking-free zones in and around the premises of schools and school-sponsored activities, H.R. 7566, the “Stop Human Trafficking in School Zones Act” would ensure that schools are a safe space for learning.

Hearings

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop H.R. 7566: “Oversight Hearing on Federal Efforts to Combat Human Trafficking,” held on April 27, 2022, before the Subcommittee on Crime, Terrorism, and Homeland Security. The Subcommittee heard testimony from:

- Evelyn Chumbow, Greater Washington, DC Area;
- Shamere McKenzie, Greater Washington, DC Area;
- Cristian Eduardo, Greater New York City Area;
- Terry FitzPatrick, Director, Alliance to End Slavery and Trafficking (ATEST);
- Martina E. Vandenberg, Founder and President, The Human Trafficking Legal Center;
- Jacquelyn Aluotto, Co-Founder, No Trafficking Zone;

- Sheriff Mark Dannels, Cochise County, Arizona; and
- Jessica M. Vaughan, Director of Policy Studies, Center for Immigration Studies.

The hearing addressed child sex trafficking and factors that make children vulnerable to sex trafficking. The Subcommittee received expert testimony on statistics related to the prevalence of child sex trafficking, and the recruiting tactics used by traffickers to entice, persuade, and coerce child sex trafficking victims.

Committee Consideration

On July 13, 2022, the Committee met in open session and ordered the bill, H.R. 7566, favorably reported as amended, by a voice vote, a quorum being present.

Committee Votes

In compliance with clause 3(b) of House rule XIII, the following rollcall votes occurred during the Committee's consideration of H.R. 7566:

1. An amendment by Mr. Biggs, to increase the maximum penalty of imprisonment by up to five years for an individual who: brings or attempts to bring a minor who is not a citizen of the U.S. to a place other than a designated port of entry or another place designated by the Homeland Security Department, regardless of whether the individual has received prior authorization to come to, enter or reside in the U.S. and regardless of any future official action that could be taken with respect to the individual; knowingly transports or attempts to transport an undocumented minor within the U.S.; conceals, harbors, or shields from detection, an undocumented minor, or attempts to do so; encourages or induces an undocumented minor to come to, enter, or reside in the U.S.; or engages in any conspiracy to commit any such offense or aids or abets the commission of such an offense, was defeated by a rollcall vote of 17 to 20. The vote was as follows:

Roll Call No. 3

Date: 7/13/22

COMMITTEE ON THE JUDICIARY

House of Representatives

117th Congress

Amendment # 1 (Am) to HR 7566 offered by Rep. Biggs

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)			
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)			
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)			
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)			
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)	✓		
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)			
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)			
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)			
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	17	20	

2. An amendment by Mr. Fitzgerald, to increase the maximum penalty of imprisonment by up to five years for an individual who violates section 1591 of title 18 and is not a citizen or national of the U.S. who entered the U.S. legally, was defeated by a rollcall vote of 19 to 19. The vote was as follows:

Roll Call No. 4

Date: 7/13/22

COMMITTEE ON THE JUDICIARY

House of Representatives

117th Congress

Amendment # 2 (AM) to HR 7566 offered by Rep. Fitzgerald

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)			
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)			
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)			
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)	✓		
Madeleine Dean (PA-04)			
Veronica Escobar (TX-16)			
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)			
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)	✓		
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	19	19	

3. An amendment by Mr. Roy, to increase the minimum imprisonment period for an individual who sex trafficked a child under age 14 from at least 15 years to at least 20 years. For a child between ages 15 to 17, it would increase the minimum imprisonment period from at least 10 years to at least 15 years. It would also increase the maximum imprisonment period from up to 25 years to up to 30 years for someone who obstructed, attempted to obstruct or in any way interfere with or prevent the enforcement of current laws concerning child sex trafficking. It would also increase the maximum imprisonment period from up to 20 years to up to 25 years for an individual who knowingly persuaded, induced, enticed, or coerced any individual to travel in interstate or foreign commerce to engage in prostitution or a criminal sexual activity. It would also increase the minimum imprisonment period from at least 10 years to at least 15 years for an individual who used the mail or interstate or foreign commerce, including phone, email, or internet chat rooms, to knowingly persuade, induce, entice, or coerce any minor to engage in prostitution or any criminal sexual activity. The amendment was defeated by a rollcall vote of 16 to 22. The vote was as follows:

Roll Call No. 5

Date: 7/13/22

COMMITTEE ON THE JUDICIARY

House of Representatives

117th Congress

Amendment # 3 (Am) to HR 7566 offered by Rep. Roy

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)			
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)			
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)			
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)			
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)			
Thomas Massie (KY-04)		✓	
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)			
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	16	22	

4. An amendment by Mr. Johnson of Louisiana, to increase the maximum penalty of imprisonment by up to five years for an individual who knowingly persuades, induces, entices, or coerces any individual—regardless of their age—to travel in interstate or foreign commerce to engage in prostitution or a criminal sexual activity, or who uses the mail or interstate commerce to commit such crimes, if the victim is enrolled in school and in a school zone or within 1,000 feet of a school-sponsored activity, was defeated by a rollcall vote of 16 to 21. The vote was follows:

Roll Call No. 6

Date: 7/13/22

COMMITTEE ON THE JUDICIARY

House of Representatives
117th Congress

Amendment # 4 (AM) to HR 7566 offered by Rep. Johnson (LA)

PASSED
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)			
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)			
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)			
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)			
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)	✓		
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)	✓		
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)			
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)			
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)			
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	16	21	

Committee Oversight Findings

In compliance with clause 3(c)(1) of House rule XIII, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of House Rule X, are incorporated in the descriptive portions of this report.

Committee Estimate of Budgetary Effects

Pursuant to clause 3(d)(1) of House rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

New Budget Authority and Congressional Budget Office Cost Estimate

Pursuant to clause 3(c)(2) of House rule XIII and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause (3)(c)(3) of House rule XIII and section 402 of the Congressional Budget Act of 1974, the Committee sets forth, with respect to the bill, H.R. 7566, the following analysis and estimate prepared by the Director of the Congressional Budget Office:

H.R. 7566, Stop Human Trafficking in School Zones Act			
As ordered reported by the House Committee on the Judiciary on July 13, 2022			
By Fiscal Year, Millions of Dollars	2022	2022-2027	2022-2032
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	not estimated
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2033?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 7566 would increase the prison sentence for individuals convicted of child sex trafficking for offenses that occur within 1,000 feet of a school zone or a school-sponsored activity. Specifically, the bill would increase the minimum sentence from 15 years to up to 20 years for sex trafficking offenses effected through force or coercion or against children under the age of 14. It would also raise the minimum penalty from 10 years to up to 15 years for offenses committed without force or coercion against those between the ages of 14 and 18.

Under H.R. 7566, new offenders could face longer prison sentences. Using information from the Department of Justice (DOJ), CBO estimates that a few hundred defendants are convicted of sex trafficking annually but only a small number would meet the bill's criteria for an enhanced sentence. In addition, CBO expects that

any costs to the federal prison system or savings from reduced federal benefits paid to individuals resulting from longer sentences would not occur for several years. As a result, CBO estimates that the costs to DOJ to implement new policies and procedures in response to H.R. 7566 would be less than \$500,000 over the 2022–2027 period; such spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Jeremy Crimm. The estimate was reviewed by Leo Lex, Deputy Director of Budget Analysis.

Duplication of Federal Programs

Pursuant to clause 3(c)(5) of House rule XIII, no provision of H.R. 7566 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program.

Performance Goals and Objectives

The Committee states that pursuant to clause 3(c)(4) of House rule XIII, H.R. 7566 would increase the maximum penalty of imprisonment by up to five years for commission of the offense of sex trafficking of children within a school zone or on, or within 1,000 feet of, a school-sponsored activity, and for contacting a minor to persuade or entice a minor to engage in illegal sexual activity using a facility or means of interstate or foreign commerce, such as cellular technology or the internet, including social media platforms, while the minor is within a school zone or on, or within 1,000 feet of, a school-sponsored activity.

Advisory on Earmarks

In accordance with clause 9 of House rule XXI, H.R. 7566 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of House rule XXI.

Section-by-Section Analysis

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

Sec. 1. Short Title. Section 1 of the bill sets forth the short title of the bill as the “No Trafficking Zones Act” or the “NTZ Act.”

Sec. 2. Findings. Section 2 of the bill provides findings related to child sex trafficking, including the impact of sex trafficking on child victims, factors that make children vulnerable to sex trafficking, statistics related to the occurrence and prevalence of child sex trafficking, and the recruiting tactics used by traffickers.

Sec. 3. Increased Punishment for Human Trafficking in School Zones. Section 3 of the bill would amend section 1591 of title 18 to add a sentencing enhancement of not more than five years imprisonment to be imposed, in addition to the punishment otherwise provided, for committing the offense in a school zone, or on, or within 1,000 feet of, a premises where a school-sponsored activity is taking place or premises owned by an institution of higher education. A “school zone” takes the meaning set forth in section 921 of title 18. This section also defines “school-sponsored activity” as

any activity that is produced, financed, arranged, supervised, or coordinated by a school or state or local educational agency or is under the jurisdiction of a state or local educational agency. State and local educational agencies have the meanings given in section 8101 of the Elementary and Secondary Education Act of 1965. “Institution of higher education” has the meaning given in section 101 of the Higher Education Act of 1965.

Sec. 4. Increased Punishment for Coercion and Enticement. Section 4 of the bill would amend section 2422 of title 18 to add a sentencing enhancement of not more than five years imprisonment to the underlying punishment, if a minor, who is enrolled in school, is contacted while in a school zone, or on, or within 1,000 feet of, a premises where a school-sponsored activity is taking place, or a person enrolled in an institution of higher education is contacted while on, or within 1,000 feet of, a premises owned by an institution of higher education to persuade, induce, entice, or coerce the minor or person to travel in interstate or foreign commerce to engage in prostitution or illegal sexual activity; or, if using the mail or any facility or means of interstate or foreign commerce, a minor, who is enrolled in school, is contacted while in a school zone, or on, or within 1,000 feet of, a premises where a school-sponsored activity is taking place, or a person enrolled in an institute of higher education is contacted while on or within 1,000 feet of a premises owned by the institution of higher is contacted to persuade, induce, entice, or coerce the minor or person to engage in prostitution or any illegal sexual activity. This section makes clear that the enhancement does not apply if the minor’s presence at or near a school-sponsored activity is unrelated to the activity or a person’s presence on or near an institution of higher education is not related to their enrollment at the institution. This section also changes existing language in the underlying statute that refers to a potential victim of the offense involving use of the mail or any facility or means of interstate or foreign commerce as “any individual who has not attained the age of 18 years” to “a minor.”

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 (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

TITLE 18, UNITED STATES CODE

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PART I—CRIMES

* * * * *

CHAPTER 77—PEONAGE, SLAVERY, AND TRAFFICKING IN PERSONS

* * * * *

§ 1591. Sex trafficking of children or by force, fraud, or coercion

(a) Whoever knowingly—

(1) in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States, recruits, entices, harbors, transports, provides, obtains, advertises, maintains, patronizes, or solicits by any means a person; or

(2) benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in violation of paragraph (1),

knowing, or, except where the act constituting the violation of paragraph (1) is advertising, in reckless disregard of the fact, that means of force, threats of force, fraud, coercion described in subsection (e)(2), or any combination of such means will be used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act, shall be punished as provided in subsection (b).

(b) The punishment for an offense under subsection (a) is—

(1) if the offense was effected by means of force, threats of force, fraud, or coercion described in subsection (e)(2), or by any combination of such means, or if the person recruited, enticed, harbored, transported, provided, obtained, advertised, patronized, or solicited had not attained the age of 14 years at the time of such offense, by a fine under this title and imprisonment for any term of years not less than 15 or for life; or

(2) if the offense was not so effected, and the person recruited, enticed, harbored, transported, provided, obtained, advertised, patronized, or solicited had attained the age of 14 years but had not attained the age of 18 years at the time of such offense, by a fine under this title and imprisonment for not less than 10 years or for life.

(c) In a prosecution under subsection (a)(1) in which the defendant had a reasonable opportunity to observe the person so recruited, enticed, harbored, transported, provided, obtained, maintained, patronized, or solicited, the Government need not prove that the defendant knew, or recklessly disregarded the fact, that the person had not attained the age of 18 years.

(d) Whoever obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be fined under this title, imprisoned for a term not to exceed 25 years, or both.

(e)(1) Whoever violates subsection (a) in a school zone, or on, or within 1,000 feet of, a premises on which a school-sponsored activity is taking place, or on, or within 1,000 feet of a premises owned by an institution of higher education, shall, in addition to the punishment otherwise provided under this section, be imprisoned for not more than 5 years.

(2) In this subsection:

(A) The term “school zone” has the meaning given such term in section 921.

(B) The term “school-sponsored activity” means any activity that is produced, financed, arranged, supervised, or coordinated by a school or a State educational agency or local educational

agency or is under the jurisdiction of a State educational agency or local educational agency.

(C) The terms “State educational agency” and “local educational agency” have the meanings given those terms under section 8101 of the Elementary and Secondary Education Act of 1965.

(D) The term “institution of higher education” has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

[(e)] (f) In this section:

(1) The term “abuse or threatened abuse of law or legal process” means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.

(2) The term “coercion” means—

(A) threats of serious harm to or physical restraint against any person;

(B) any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or

(C) the abuse or threatened abuse of law or the legal process.

(3) The term “commercial sex act” means any sex act, on account of which anything of value is given to or received by any person.

(4) The term “participation in a venture” means knowingly assisting, supporting, or facilitating a violation of subsection (a)(1).

(5) The term “serious harm” means any harm, whether physical or nonphysical, including psychological, financial, or reputational harm, that is sufficiently serious, under all the surrounding circumstances, to compel a reasonable person of the same background and in the same circumstances to perform or to continue performing commercial sexual activity in order to avoid incurring that harm.

(6) The term “venture” means any group of two or more individuals associated in fact, whether or not a legal entity.

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CHAPTER 117—TRANSPORTATION FOR ILLEGAL SEXUAL ACTIVITY AND RELATED CRIMES

* * * * *

§ 2422. Coercion and enticement

(a) Whoever knowingly persuades, induces, entices, or coerces any individual to travel in interstate or foreign commerce, or in any Territory or Possession of the United States, to engage in prostitution, or in any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both.

(b) Whoever, using the mail or any facility or means of interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States knowingly persuades, induces, entices, or coerces any [individual who has not attained the age of 18 years] *minor*, to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title and imprisoned not less than 10 years or for life.

(c)(1) *Whoever violates subsection (a) or (b) knowing, or having reasonable cause to believe, that the violation is committed against a minor who is enrolled in school and is, at the time of the violation, in a school zone or on, or within 1,000 feet of, a premises on which a school-sponsored activity is taking place, or against a person who is enrolled in an institution of higher education and is, at the time of the violation on or within 1,000 feet of a premises owned by the institution of higher education, shall, in addition to the punishment otherwise provided under this section, be imprisoned for not more than 5 years.*

(2) *Paragraph (1) shall not apply in a case in which a minor's presence on, or within 1,000 feet of, the premises on which a school-sponsored activity is taking place is not related to such school-sponsored activity, or the person's presence on or within 1,000 feet of the premises owned by the institution of higher education is not related to their enrollment at such institution.*

(d) *In this section:*

(1) *The term "minor" means an individual who has not attained 18 years of age.*

(2) *The term "school" means a public, parochial, or private school that provides elementary or secondary education.*

(3) *The term "school zone" has the meaning given such term in section 921.*

(4) *The term "school-sponsored activity" means any activity that is produced, financed, arranged, supervised, or coordinated by a school or a State educational agency or local educational agency or is under the jurisdiction of a State educational agency or local educational agency.*

(5) *The terms "State educational agency" and "local educational agency" have the meanings given those terms under section 8101 of the Elementary and Secondary Education Act of 1965.*

(6) *The term "institution of higher education" has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).*

* * * * *