

113TH CONGRESS
2D SESSION

H. R. 5081

IN THE SENATE OF THE UNITED STATES

JULY 28, 2014

Received; read twice and referred to the Committee on Health, Education,
Labor, and Pensions

AN ACT

To amend the Child Abuse Prevention and Treatment Act to enable State child protective services systems to improve the identification and assessment of child victims of sex trafficking, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Strengthening Child
3 Welfare Response to Trafficking Act of 2014”.

4 **SEC. 2. CAPTA AMENDMENTS.**

5 Section 106 of the Child Abuse Prevention and
6 Treatment Act (42 U.S.C. 5106a) is amended—

7 (1) in subsection (b)—

8 (A) in paragraph (2)(B)—

9 (i) by striking “and” at the end of
10 clause (xxii); and

11 (ii) by adding at the end the fol-
12 lowing:

13 “(xxiv) provisions and procedures to
14 identify and assess reports involving chil-
15 dren who are sex trafficking victims, and
16 which may include provisions and proce-
17 dures to identify and assess reports involv-
18 ing children who are victims of severe
19 forms of trafficking in persons described in
20 section of 103(9)(B) of the Trafficking
21 Victims Protection Act of 2000 (22 U.S.C.
22 7102(9)(B));

23 “(xxv) provisions and procedures for
24 training representatives of the State child
25 protective services systems about identi-
26 fying and assessing children who are sex

1 trafficking victims, and which may include
2 provisions and procedures for such training
3 with respect to children who are victims of
4 severe forms of trafficking in persons de-
5 scribed in section of 103(9)(B) of the
6 Trafficking Victims Protection Act of 2000
7 (22 U.S.C. 7102(9)(B)); and

8 “(xxvi) provisions and procedures for
9 identifying services (including the services
10 provided by State law enforcement offi-
11 cials, the State juvenile justice system, and
12 social service agencies, such as runaway
13 and homeless youth shelters) and proce-
14 dures for appropriate referral to address
15 the needs of children who are sex traf-
16 ficking victims, and which may include
17 provisions and procedures for the identi-
18 fication of such services and procedures
19 with respect to children who are victims of
20 severe forms of trafficking in persons de-
21 scribed in section of 103(9)(B) of the
22 Trafficking Victims Protection Act of 2000
23 (22 U.S.C. 7102(9)(B));”;
24 (B) in paragraph (2)(D)—

1 (i) by striking “and” at the end of
2 clause (v);

3 (ii) by inserting “and” at the end of
4 clause (vi); and

5 (iii) by adding at the end the fol-
6 lowing:

7 “(vii) the provisions and procedures
8 described in clauses (xxiv) and (xxvi) of
9 subparagraph (B);”; and
10 (C) in paragraph (4)—

11 (i) by striking “and” at the end of
12 subparagraph (A);

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

16 (iii) by adding at the end the fol-
17 lowing:

18 “(C) SEX TRAFFICKING VICTIM.—The
19 term ‘sex trafficking victim’ means a victim
20 of—

21 “(i) sex trafficking (as defined in sec-
22 tion 103(10) of the Trafficking Victims
23 Protection Act of 2000 (22 U.S.C.
24 7102(10))); or

1 “(ii) a severe form of trafficking in
2 persons described in section 103(9)(A) of
3 such Act (22 U.S.C. 7102(9)(A)).”; and
4 (2) in subsection (d), by adding at the end the
5 following:

6 “(17) The number of children identified under
7 clause (xxiv) of subsection (b)(2)(B), and of such
8 children—

9 “(A) the number identified as sex traf-
10 ficking victims (as defined in subsection
11 (b)(4)(C)); and

12 “(B) in the case of a State that has provi-
13 sions and procedures to identify children who
14 are victims of severe forms of trafficking in per-
15 sons described in section 103(9)(B) of the Traf-
16 ficking Victims Protection Act of 2000 (22
17 U.S.C. 7102(9)(B)), the number so identified.”.

18 **SEC. 3. REPORT TO CONGRESS.**

19 (a) REPORT.—Not later than 1 year after the date
20 of the enactment of this Act, the Secretary of Health and
21 Human Services shall submit to the Committee on Edu-
22 cation and the Workforce of the House of Representatives
23 and the Committee on Health, Education, Labor, and
24 Pension of the Senate, a report that—

1 (1) describes the specific type and prevalence of
2 severe form of trafficking in persons to which chil-
3 dren who are identified for services or intervention
4 under the placement, care, or supervision of State,
5 Indian tribe, or tribal organization child welfare
6 agencies have been subjected as of the date of enact-
7 ment of this Act;

8 (2) summarizes the practices and protocols uti-
9 lized by States to identify and serve—

10 (A) under section 106(b)(2)(B) of the
11 Child Abuse Prevention and Treatment Act (42
12 U.S.C. 5106a(b)(2)(B)), children who are vic-
13 tims of trafficking; and

14 (B) children who are at risk of becoming
15 victims of trafficking; and

16 (3) specifies any barriers in Federal laws or
17 regulations that may prevent identification and as-
18 sessment of children who are victims of trafficking,
19 including an evaluation of the extent to which States
20 are able to address the needs of such trafficked chil-
21 dren without altering the definition of child abuse
22 and neglect under section 3 of the Child Abuse Pre-
23 vention and Treatment Act (42 U.S.C. 5101 note).

24 (b) DEFINITIONS.—For purposes of this section:

1 (1) SEVERE FORM OF TRAFFICKING IN PER-
2 SONS.—The term “severe form of trafficking in per-
3 sons” has the meaning given the term in section
4 103(9) of the Trafficking Victims Protection Act of
5 2000 (22 U.S.C. 7102(9)).

6 (2) VICTIM OF TRAFFICKING.—The term “vic-
7 tim of trafficking” has the meaning given the term
8 in section 103(15) of the Trafficking Victims Protec-
9 tion Act of 2000 (22 U.S.C. 7102(15)).

Passed the House of Representatives July 25, 2014.

Attest:

KAREN L. HAAS,

Clerk.