

113TH CONGRESS
1ST SESSION

S. 1733

To stop exploitation through trafficking.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 19, 2013

Ms. KLOBUCHAR (for herself, Mr. CORNYN, Ms. HEITKAMP, and Mr. KIRK)
introduced the following bill; which was read twice and referred to the
Committee on the Judiciary

A BILL

To stop exploitation through trafficking.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stop Exploitation
5 Through Trafficking Act of 2013”.

6 **SEC. 2. NATIONAL SAFE HARBOR LAW.**

7 (a) DEFINITIONS.—In this section—

8 (1) the term “commercial sex act” shall have
9 the meaning given the term in section 103 of the
10 Victims of Trafficking and Violence Protection Act
11 of 2000 (22 U.S.C. 7102);

1 (2) the term “minor” means an individual who
2 has not attained the age of 18 years;

3 (3) the term “severe form of trafficking in per-
4 sons” shall have the meaning given the term in sec-
5 tion 103 of the Victims of Trafficking and Violence
6 Protection Act of 2000 (22 U.S.C. 7102); and

7 (4) the term “State” shall have the meaning
8 given the term in section 901 of title I of the Omni-
9 bus Crime Control and Safe Streets Act of 1968 (42
10 U.S.C. 3791).

11 (b) ENACTMENT OF SAFE HARBOR LAW.—On or
12 after the date that is 3 years after the date of enactment
13 of this Act, each State shall have in effect legislation
14 that—

15 (1) treats a minor who has engaged in, or has
16 attempted to engage in, a commercial sex act as a
17 victim of a severe form of trafficking in persons;

18 (2) discourages the charging or prosecution of
19 an individual described in paragraph (1) for a pros-
20 titution or sex trafficking offense, based on the con-
21 duct described in paragraph (1); and

22 (3) encourages the diversion of an individual
23 described in paragraph (1) to child protection serv-
24 ices.

1 (c) ELIGIBILITY FOR BYRNE JUSTICE ASSISTANCE
2 GRANT FUNDS.—

3 (1) IN GENERAL.—If a State fails to comply
4 with subsection (b), the Attorney General may with-
5 hold—

6 (A) during the 2 fiscal years beginning
7 after the 3-year period subsequent to the date
8 of enactment of this Act, 3 percent of the
9 amount that would otherwise be allocated to the
10 State under section 505 of title I of the Omni-
11 bus Crime Control and Safe Streets Act of
12 1968 (42 U.S.C. 3755);

13 (B) during the fiscal year subsequent to
14 the expiration of the period referred to in sub-
15 paragraph (A), 4 percent of the amount that
16 would otherwise be allocated to the State under
17 section 505 of title I of the Omnibus Crime
18 Control and Safe Streets Act of 1968 (42
19 U.S.C. 3755); and

20 (C) during any fiscal year subsequent to
21 the expiration of the period referred to in sub-
22 paragraph (B), 5 percent of the amount that
23 would otherwise be allocated to the State under
24 section 505 of title I of the Omnibus Crime

1 Control and Safe Streets Act of 1968 (42
2 U.S.C. 3755).

3 (2) REALLOCATION.—Any funds under section
4 505 of title I of the Omnibus Crime Control and
5 Safe Streets Act of 1968 (42 U.S.C. 3755) that are
6 not allocated to a State because of the failure of the
7 State to comply with subsection (b) shall be reallo-
8 cated to States that comply with subsection (b).

9 **SEC. 3. CIVIL REMEDIES.**

10 Section 1595(a) of title 18, United States Code, is
11 amended by inserting “treble” before “damages”.

12 **SEC. 4. RESTITUTION.**

13 (a) ESTABLISHMENT OF PROCESS FOR DATA COL-
14 LECTION.—Not later than 180 days after the date of en-
15 actment of this Act, the Attorney General shall establish
16 a process to collect and analyze data relating to the
17 issuance and enforcement of mandatory restitution orders
18 under section 1593 of title 18, United States Code.

19 (b) REQUIREMENTS.—The process required to be es-
20 tablished under subsection (a) shall—

21 (1) ensure that data is collected for each of-
22 fense charged under chapter 77 of title 18, United
23 States Code; and

1 (2) allow for the tracking of enforcement of
 2 each restitution order under section 1593 of title 18,
 3 United States Code.

4 (c) ANNUAL REPORT.—Section 105(d)(7) of the Vic-
 5 tims Trafficking and Violence Protection Act of 2000 (22
 6 U.S.C. 7103(d)(7)) is amended—

7 (1) in subparagraph (Q)(v), by striking “and”
 8 at the end;

9 (2) in subparagraph (R), by striking the period
 10 at the end and inserting a semicolon; and

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

12 “(S) for the first report submitted under
 13 this paragraph on or after January 1, 2015,
 14 and each report thereafter, the data collected
 15 under section 4 of the Stop Exploitation
 16 Through Trafficking Act of 2013;”.

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

18 Section 107(b)(2) of the Victims of Trafficking and
 19 Violence Protection Act of 2000 (22 U.S.C. 7105(b)(2))
 20 is amended—

21 (1) by redesignating subparagraphs (B) and
 22 (C) as subparagraphs (C) and (D), respectively; and

23 (2) by inserting after subparagraph (A) the fol-
 24 lowing:

1 “(B) NATIONAL HUMAN TRAFFICKING
 2 HOTLINE.—Beginning in fiscal year 2017 and
 3 each fiscal year thereafter, of amounts made
 4 available for grants under this paragraph, the
 5 Secretary of Health and Human Services shall
 6 make grants for a national communication sys-
 7 tem to assist victims of severe forms of traf-
 8 ficking in persons in communicating with serv-
 9 ice providers. The Secretary shall give priority
 10 to grant applicants that have experience in pro-
 11 viding telephone services to victims of severe
 12 forms of trafficking in persons.”.

13 **SEC. 6. JOB CORPS ELIGIBILITY.**

14 Section 144(3) of the Workforce Investment Act of
 15 1998 (29 U.S.C. 2884(3)) is amended by adding at the
 16 end the following:

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

1 **SEC. 7. ESTABLISHING A NATIONAL STRATEGY TO COMBAT**
2 **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 partnership by each United States
13 attorney with other Federal, State, local, and
14 tribal law enforcement partners working in the
15 district of such attorney to implement the Na-
16 tional Strategy;

17 (B) the development by each United States
18 attorney of a district-specific strategic plan to
19 coordinate the investigation and prosecution of
20 human trafficking crimes;

21 (C) the development and implementation of
22 strategies to identify and rescue victims of
23 human trafficking;

24 (D) the appointment of not less than 1 as-
25 sistant United States attorney in each district
26 dedicated to the prosecution of human traf-

1 ficking cases or responsible for implementing
2 the National Strategy;

3 (E) the participation in local training, edu-
4 cational, and awareness programs of human
5 trafficking crimes;

6 (F) the participation in any Federal, State,
7 local, or tribal human trafficking task force op-
8 erating in the district of the United States at-
9 torney; and

10 (G) any other efforts intended to enhance
11 the level of coordination and cooperation, as is
12 to be determined by the Attorney General.

13 (2) Case coordination within the Department of
14 Justice, including specific integration, coordination,
15 and collaboration, as appropriate, on human traf-
16 ficking investigations between and among the United
17 States attorneys, the Human Trafficking Prosecu-
18 tion Unit, the Child Exploitation and Obscenity Sec-
19 tion, and the Federal Bureau of Investigation, in-
20 cluding—

21 (A) the regular and timely notification to
22 the United States attorneys, the Human Traf-
23 ficking Prosecution Unit, and the Child Exploi-
24 tation and Obscenity Section of any sex or labor
25 trafficking investigations opened by the Federal

1 Bureau of Investigation, the Department of
2 Homeland Security, the Department of Labor,
3 or the Human Smuggling and Trafficking Cen-
4 ter under section 1581, 1583, 1584, 1589,
5 1590, 1591, 1592, or 1594 of title 18, United
6 States Code; and

7 (B) the reporting of the number of inves-
8 tigations described in subparagraph (A) in the
9 annual report required under section 105(d)(7)
10 of the Victims Trafficking and Violence Protec-
11 tion Act of 2000 (22 U.S.C. 7103(d)(7)).

12 (3) Interagency coordination regarding the pre-
13 vention, investigation, and apprehension of individ-
14 uals targeting and exploiting adults and children for
15 human trafficking, including collaboration and co-
16 operation with—

17 (A) the Department of Homeland Security;

18 (B) the Department of Labor;

19 (C) the Department of State;

20 (D) the Department of Health and Human
21 Services;

22 (E) the Bureau of Indian Affairs; and

23 (F) other appropriate Federal agencies.

1 (4) Measurable objectives and long-term, quan-
2 tifiable goals that the Attorney General determines
3 may be achieved.

4 (5) Annual budget priorities and Federal efforts
5 dedicated to preventing and combating human traf-
6 ficking, including resources dedicated to the Human
7 Trafficking Prosecution Unit, the Child Exploitation
8 and Obscenity Section, the Federal Bureau of Inves-
9 tigation, and all other entities that receive Federal
10 support that have a goal or mission to combat the
11 exploitation of adults and children.

12 (6) An ongoing assessment of the future trends,
13 challenges, and opportunities, including new inves-
14 tigative strategies, techniques, and technologies, that
15 will enhance Federal, State, local, and tribal efforts
16 to combat human trafficking.

17 (7) Encouragement of cooperation, coordina-
18 tion, and mutual support between private sector and
19 other entities and organizations and Federal agen-
20 cies to combat human trafficking, including the in-
21 volvement of State, local, and tribal government
22 agencies to the extent Federal programs are in-
23 volved.

1 **SEC. 8. ENHANCING LAW ENFORCEMENT COORDINATION.**

2 Section 105(d)(7) of the Victims of Trafficking and
3 Violence Protection Act of 2000 (22 U.S.C. 7103(d)(7)),
4 as amended by section 4, is amended by adding at the
5 end the following:

6 “(T) the number of sex and labor traf-
7 ficking investigations opened by the Federal
8 Bureau of Investigation, the Department of
9 Homeland Security, the Department of Labor,
10 or the Human Smuggling and Trafficking Cen-
11 ter under section 1581, 1583, 1584, 1589,
12 1590, 1591, 1592, or 1594 of title 18, United
13 States Code, during the preceding fiscal year;
14 and

15 “(U) the number of the sex and labor traf-
16 ficking investigations described in subparagraph
17 (T) that were reported to the United States at-
18 torneys, the Human Trafficking Prosecution
19 Unit in the Civil Rights Division of the Depart-
20 ment of Justice, and the Child Exploitation and
21 Obscenity Section in the Criminal Division of
22 the Department of Justice.”.

23 **SEC. 9. SEX OFFENDER REGISTRY.**

24 Section 111 of the Sex Offender Registration and No-
25 tification Act (42 U.S.C. 16911) is amended—

26 (1) in paragraph (3)(A)—

1 (A) by striking clause (i); and
 2 (B) by redesignating clauses (ii), (iii), and
 3 (iv) as clauses (i), (ii), and (iii), respectively;
 4 and
 5 (2) in paragraph (4)—

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

9 (B) by inserting after subparagraph (A)
 10 the following:

11 “(B) is comparable to or more severe than
 12 sex trafficking (as described in section 1591 of
 13 title 18, United States Code), when committed
 14 against a minor, or an attempt or conspiracy to
 15 commit such an offense against a minor;”.

16 **SEC. 10. SEVERABILITY.**

17 If any provision of this Act, or an amendment made
 18 by this Act, or the application of such provision to any
 19 person or circumstance, is held to be invalid, the remain-
 20 der of this Act, or an amendment made by this Act, or
 21 the application of such provision to other persons or cir-
 22 cumstances, shall not be affected.

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