

I want to congratulate Congressman PAULSEN and Congresswoman MOORE for their great work on this legislation.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BLACK). The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 3610, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

STOP ADVERTISING VICTIMS OF EXPLOITATION ACT OF 2014

Mr. GOODLATTE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4225) to amend title 18, United States Code, to provide a penalty for knowingly selling advertising that offers certain commercial sex acts, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4225

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Stop Advertising Victims of Exploitation Act of 2014” or the “SAVE Act of 2014”.

SEC. 2. ADVERTISING THAT OFFERS CERTAIN COMMERCIAL SEX ACTS.

(a) IN GENERAL.—Section 1591 of title 18, United States Code, is amended in subsection (a)(1), by inserting after “obtains,” the following: “advertises,”.

(b) MENS REA REQUIREMENT.—Section 1591 of title 18, United States Code, is amended in subsection (a), by inserting after “knowing, or” the following: “, except where, in an offense under paragraph (2), the act constituting the violation of paragraph (1) is advertising,”.

(c) CONFORMING AMENDMENTS.—Section 1591(b) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking “or obtained” and inserting “obtained, or advertised”; and

(2) in paragraph (2), by striking “or obtained” and inserting “obtained, or advertised”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. GOODLATTE).

GENERAL LEAVE

Mr. GOODLATTE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 4225, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Madam Speaker, I yield myself such time as I may consume.

Unfortunately, while the growth of the Internet and smartphones has proved to be of great value in many aspects of our lives, it has also been used by criminals to facilitate the commercial exploitation of children and other victims by providing an easy way for pimps or traffickers to market minor sex trafficking victims to potential purchasers who seek to do them harm.

With the click of a button, individuals can now use Web sites to advertise, schedule, and purchase sexual encounters with minors, just like they would use these services to rent a car or order a pizza.

The SAVE Act, introduced by Congresswoman WAGNER from Missouri, makes a technical correction to an existing Federal sex trafficking statute, 18 U.S.C., section 1591, to make clear that the law extends to traffickers who knowingly sell sex with minors and victims of force, fraud, or coercion through advertising, as well as to people or entities that knowingly benefit from the sale or distribution of such advertising.

While much of the growth in this terrible crime is on the Internet, this bill is technology-neutral and applies to all advertising of children for sex, regardless of the medium.

It is important to note that the bill clarifies the liability for the people or traffickers who place these ads, as well as the people and entities that knowingly profit from them.

It is also important to note that these advertisements, as with all ads and other speech promoting illegal activity, are not protected speech under the First Amendment.

Furthermore, in order to bring a case against a trafficker under this legislation, the government must prove that the defendant knew they were advertising and knew or recklessly disregarded the fact that the ad involved a minor or someone involved through force, fraud, or coercion.

However, this legislation raises the bar even higher for defendants who, while not directly placing the ads, do knowingly benefit from the placement of advertising. Specifically, the bill requires the government to show that these defendants knew the advertisement involved a minor or a coerced adult. Reckless disregard is not sufficient.

H.R. 4225 clarifies that people who advertise sex trafficking can face criminal liability. Under current law, there is the additional possibility of civil liability for defendants who violate the primary sex trafficking statute codified at section 1591.

However, under section 230 of the Communications Decency Act, online publishers of third-party advertisements are generally immune from civil liability for such advertisements. H.R. 4225 does nothing to disrupt or modify the immunity already provided by section 230.

While this legislation will help put more child traffickers in jail where

they belong, this is not a precedent-setting bill. Congress has regulated advertisements, including online advertisements, many times.

There are hundreds of references to advertising or advertisements in the Federal code, including in criminal provisions. Congress has even explicitly criminalized advertising on the Internet.

Just last year, in a bill cosponsored by 127 bipartisan Members of Congress, Congress amended the Stolen Valor Act, which makes it a crime to “advertise for sale” certain fraudulent military medals.

During consideration of that bill, which passed the House by a vote of 390-3 and was signed into law, no Member raised a concern about the propriety of criminal advertising. Surely, saving young children from these horrors is no less deserving than fraudulent medals.

This legislation simply clarifies and modernizes Federal criminal law to keep pace with the evolving trend of exploiting the Internet for criminal gains. The bill has support from more than 90 bipartisan cosponsors and was reported out of the Judiciary Committee by a vote of 24-3.

I want to commend our colleague, Congresswoman WAGNER, for bringing forth this important legislation.

Madam Speaker, I urge my colleagues to support the bill, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, while I support the bipartisan efforts we are taking today with several bills to enhance our effort to prevent, investigate, and prosecute acts of sex trafficking, I must raise serious concerns about H.R. 4225, the Stop Advertising Victims of Exploitation Act of 2014, which I cannot support in its present form.

To be sure, the bill has the laudable goal of prosecuting those who knowingly facilitate sex trafficking by advertising certain prohibited sex acts. However, I must object to the mandatory minimum sentencing provisions which this new offense would trigger under existing statutes.

Under the sex trafficking statute, as amended by this bill, a conviction for advertising of sex trafficking would result in a mandatory penalty of 10 or 15 years of imprisonment, depending on the age of the victim and other circumstances of the crime.

While the acts prohibited by the legislation will usually warrant such long sentences, mandatory minimum sentences are the wrong way to determine punishment under this or any other criminal statute.

Regardless of the nature or the circumstances surrounding the offense, the role of the offender in the particular crime or the history or characteristics of the offender, H.R. 4225 will require a judge to impose a 10- or 15-year sentence.

Even if everyone in the case, from the arresting officer, the prosecutor, the judge, even the victim believes that the mandatory minimum would be an unjust sentence for a particular defendant in a case, this bill still requires the sentence to be imposed.

The imposition of a mandatory minimum sentence is particularly troublesome when one considers the possible scope of defendants who could be prosecuted under this bill.

Notably, the prohibition on advertising does not only apply to the sex trafficker who places the ad, but also applies to individuals and entities who facilitate or have a minor role in publishing the ad, such as someone who works for an Internet Web site which is involved.

Those who are employed by a venture that benefits financially from the ad, but whose role in the organization does not place them in the chain of command with respect to acceptance or publishing the illegal ads could therefore be prosecuted under the bill.

Specifically, there may be circumstances in which all of the employees of a communications company, including receptionists or computer maintenance workers, know that the venture publishes such advertising, but chose to look the other way.

They should be held liable under the provisions of this bill, but many of them would certainly not warrant a mandatory sentence, in certain circumstances, of 15 years, not all of them.

During the Judiciary Committee's markup of the bill, I offered an amendment to remove the application of the mandatory minimum provisions of this new bill and, instead, allow a judge to apply an appropriate sentence under the circumstances of the case, up to a statutory maximum of life imprisonment.

Given the complicated nature of the Internet communications networks and other forms of advertising which would be affected by this bill, the role of the judge in evaluating each case is particularly important. While long sentences may be appropriate under the facts of a particular case, Congress cannot know the facts of every case in advance.

Removing mandatory minimums, while still permitting the lengthy statutory maximum penalty of life imprisonment, as my amendment would have done, will provide the appropriate spectrum of sentences for culpability and proportionate punishment.

□ 1615

Mandatory minimum penalties are already a major issue of concern for our criminal justice system, and we should not make matters worse by passing a new one with this bill. Studies of mandatory minimums have concluded that they fail to reduce crime, they waste the taxpayers' money, and they often require judges to impose sentences that simply violate common sense.

Therefore, I am pleased that the Judiciary Committee's bipartisan Over-Criminalization Task Force is working diligently to assess our Federal criminal code and make recommendations for improvements. The penalties, including mandatory minimums, in the Federal code are among the issues the task force will consider. And while these issues are under review, we should not be passing new mandatory minimum sentences. In fact, if we ever expect to eliminate mandatory minimums from the code, we must first stop passing new ones.

Now, mandatory minimums did not get into the code all at once but one at a time, each in a bill that otherwise made good sense. So if we are going to stop increasing the number of mandatory minimums, we must oppose bills that contain them.

So while I strongly support the efforts to do more to combat the serious problem of sex trafficking by taking steps such as strengthening our laws and providing additional resources for law enforcement and victims, I must, unfortunately, oppose this bill in its current form because it creates new mandatory minimums which can be expected to require a judge in the future to impose a sentence that violates common sense.

I reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, it is now my pleasure to yield 6 minutes to the gentlewoman from Missouri (Mrs. WAGNER), the chief sponsor of this legislation.

Mrs. WAGNER. I thank the gentleman from Virginia, Chairman GOODLATTE, for his wonderful leadership on this issue and so many others.

Madam Speaker, I rise today in support of my bill, H.R. 4225, the Stop Advertising Victims of Exploitation, SAVE, Act. But, Madam Speaker, I also rise today in support of all the good work done by my colleagues here in Congress on the issue of human trafficking.

Madam Speaker, as a former United States Ambassador, I was exposed firsthand to the horrors of human trafficking on an international level. I reported on the devastating consequences of human trafficking, where innocent women and children were dragged into the dark abyss of sex slavery. But never in my darkest moments did I ever think that human trafficking was so rampant right here in the United States of America.

Madam Speaker, the faces behind me are photographs of actual victims of sex trafficking. These young women and children were forced into sexual slavery by ruthless traffickers. Madam Speaker, right now there are young women being forced into prostitution in virtually every district across the Nation. In fact, I was shocked to learn that my own hometown of St. Louis, Missouri, has been identified as one of the top 20 areas for sex trafficking in the United States.

Madam Speaker, this problem is hiding, hiding in plain sight. However,

there is hope. I take hope from the work done by the law enforcement professionals who are on the front lines every single day, protecting our Nation's children from those who would seek to exploit them; I take hope from those who work in victims' services and their tireless efforts to help survivors recover, heal, and forge new lives out of the horrors of sexual enslavement; but most importantly, I take hope from all the survivors of this hideous crime. Their strength gives us strength; their resolve gives us inspiration; and their steadfast commitment to ending sex trafficking gives us the courage to fight.

Madam Speaker, because of the efforts of many individuals and groups, I am happy to report that Congress has taken notice of this serious problem. Years of work by Representatives SMITH, POE, and PAULSEN, and my co-chair of the Human Trafficking Task Force, Congresswoman MALONEY, among the so many others who have raised awareness of this issue, have laid the foundation for the long overdue action for Congress that they are presently taking.

I am grateful that many of my colleagues have held events in their home districts to raise awareness and education of this crime. Representatives DAVIS, HUDSON, ROSKAM, COFFMAN, HUIZENGA, and HECK, along with so very many others, have all held human trafficking events in their districts to raise awareness and offer solutions to end sexual assault and human trafficking. I applaud these efforts and look forward to continuing this work for years to come.

However, Madam Speaker, there is much work to be done. As legislators, we have an obligation to come together and do something because we can, because we should, and because we must.

Over the last 10 years, prostitution has slowly but persistently migrated to an online marketplace. Classified services, like backpage.com and others, are the vehicles for advertising the victims of the child sex trade to the world. Pimps and traffickers blatantly advertise their victims' sexual services, with provocative photographs and unsubtle messages, complete with per-hour pricing. The traffickers pay Web sites like Backpage to display their messages. These Web sites reportedly reap enormous profits at the expense of the victims of sex trafficking. Revenue from U.S. online prostitution advertising totaled \$45 million just in the year 2013. Many of these ads feature children and trafficking victims. This results in thousands of children every year being openly sold for sex on the Internet.

Madam Speaker, government intervention is necessary to end facilitation of sex trafficking by Web sites like Backpage and others who commercially advertise this criminal activity. Companies that base their business models off of the profits made by selling sex with children should not be allowed to operate. The SAVE Act seeks

to criminalize this behavior, thereby dramatically reducing the victimization of vulnerable children and women forced into sexual slavery in the U.S.

The protections included in the SAVE Act apply to two classes of victims: underage children and those who are being forced to engage in commercial sex acts against their will. The offense created by the SAVE Act applies to any form of advertisement. Online postings, newspaper classifieds, even billboards would be considered unlawful if the advertiser knew it would lead to sex trafficking.

Madam Speaker, there is well-established precedent for Congress to criminalize the advertising of illegal goods or services, including the advertisement of child pornography, weapons of mass destruction, illegal narcotics, and animal fighting. Surely—surely—advertisements offering sex with children should also be subject to the same restrictions. The penalties are 15 years to life if the victim, the child victim, is younger than 14 years old, 10 years to life if the child victim is 14 to 18 years old.

The advertisement of victims is the key link in the human trafficking chain. Businesses make millions of dollars every month connecting johns with pimps and their victims. This link needs to be broken. Criminalizing the advertisement of trafficking victims will stem the flow of money, resulting in a reduction of both demand and supply.

The victims of sex trafficking are not nameless, faceless children. They are our daughters, granddaughters, nieces, and neighbors. They are the vulnerable youth of our society, the ones who should be protected the most, not exploited for money and greed.

I urge my colleagues to support the SAVE Act because it will provide the tools necessary for law enforcement to combat the sexual exploitation and enslavement of women and children in the United States.

Mr. SCOTT of Virginia. Madam Speaker, I yield 3 minutes to the gentlelady from New Hampshire (Ms. KUSTER).

Ms. KUSTER. Madam Speaker, I thank the gentlewoman from Missouri, Representative ANN WAGNER, for her friendship and her leadership, and I thank my colleagues, Representative MALONEY, Representative SCOTT, and others.

I am so proud to join my colleagues here on the floor of the House today in passing this commonsense bill to strengthen and protect victims of sex trafficking. This legislation would penalize individuals who knowingly host and sell advertisements for the commercial exploitation of minors and trafficking victims.

Just last week, I hosted a roundtable in New Hampshire with advocates, prosecutors, and survivors who confirmed in harrowing detail that human trafficking is a crime that is being committed all too frequently across

this country. It remains a serious problem both here and abroad.

Recently, I was proud to reach across the aisle and work with my colleagues to lead a letter that all House women Representatives signed urging the Obama administration to push the United Nations Security Council to add Boko Haram to the Al-Qaida Sanctions List, following the abduction of nearly 300 schoolgirls threatened to be sold into sexual slavery by this terrorist group. Through this effort, we became a powerful voice against the horrors of this and other instances of human trafficking that are taking place around the world.

Both Democrats and Republicans in this House understand that we must work together to protect our women, girls, boys, and men, and they know that trafficking isn't just a political issue; it is a human issue. And contrary to popular belief, it is one that is happening right here in our backyard.

Domestic child sex trafficking is a serious problem in the United States, with an estimated close to 300,000 American youth at risk of commercial sexual exploitation and trafficking. It is imperative that we help law enforcement officials rescue domestic victims, track down their exploiters, provide additional tools for prosecutors to treat trafficked minors as victims instead of criminals, and ensure that these victims can access protective services.

I applaud House leadership on both sides of the aisle for bringing these five bipartisan bills to the floor to prevent human trafficking and to provide support for victims, both here and abroad.

As a mother, I can't even imagine the pain and anguish that these families are going through as they fight to bring their loved ones back home. It is essential that we pass these bills today and do everything we can in Washington to support Jasmine in New Hampshire and victims all across this country, to support our States' and countries' efforts to eliminate human trafficking for good.

I thank the gentleman from Virginia for yielding.

Mr. GOODLATTE. Madam Speaker, it is now my pleasure to yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I want to thank Chairman GOODLATTE for his leadership, and the committee and all of those who have stood before me and will stand after me to discuss this important issue.

I am proud to rise in support of the SAVE Act. It is one step that brings us closer to our goal of ending domestic and international trafficking, and protecting and helping the victims of trafficking.

Last week, I hosted a human trafficking summit in Champaign, Illinois, to give my constituents the opportunity to speak directly with and learn from experts on this important issue.

It was humbling to hear the personal story of a survivor, Mrs. Aubrey Lloyd, and see the passion of those offering services to help victims of this horrible practice.

As a husband and the father of a 17-year-old daughter, this issue is deeply personal to me. Aubrey talked about how one night, she was doing her French homework, got in an argument with her mother, went to a friend's house and wasn't able to return home because she had become a victim of human trafficking. Aubrey was 16 at the time. That could be any child in America today who is held against their will.

Congress is choosing to look directly at this issue and do our part to raise awareness and offer concrete solutions to end this abhorrent practice.

Somebody else who joined us that day is Chris Baker. Chris has a ministry that removes tattoos, removes brandings of sex trafficking victims. Aubrey still had hers. Chris reminded me of a quote by William Wilberforce, where he said:

You may choose to look the other way, but you can never say again that you did not know.

Let's work together to end this abhorrent practice.

Mr. SCOTT of Virginia. Madam Speaker, I yield 5 minutes to the gentlelady from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I thank the gentleman for yielding and for his incredible, principled work in so many areas, and I want to note his hard work on combating mandatory sentences. I feel that he is right in many ways. But because this crime is so out of control, I am strongly supporting my colleague and cochair, Representative WAGNER's bill.

□ 1640

We cochair the caucus on antitrafficking in the women's caucus, and this bill is designed to stop the advertising of children for exploitation in sex trafficking. And we have tried over and over to stop it.

I will now place in the RECORD a letter that MARSHA BLACKBURN and I wrote addressing the online promotion of human trafficking, meetings, and letters. It went nowhere.

CONGRESS OF THE UNITED STATES

Washington, DC., April 3, 2012.

LARRY PAGE,

Chief Executive Officer, Google, Inc., Mountain View, CA.

DEAR MR. PAGE: As Members of Congress committed to combating all forms of human trafficking, we write to you with concerns about reports of Google's advertising practices. Recently, dozens of human rights groups called on the National Association of Attorneys General to investigate Google's advertising practices that these groups believe contribute to the problem of human trafficking in America and globally.

Whatever Google is doing or is not doing to prevent these sorts of advertisements from appearing on their properties, Google has not satisfied a significant number of human

rights organizations who have a specialized understanding of how these ads contribute to the human trafficking of women and girls. We are particularly concerned that these human rights groups may have identified yet another area where Google profits from illicit activities such as Google's advertising of controlled substances for which your company paid a \$500,000,000 forfeiture to the United States last year.

Accordingly, we request that you provide us with answers to the following initial questions we have regarding these developments:

1. Apart from Google's donations to large human rights organizations, what is your company doing internally to ensure that sexually exploitative advertisements do not appear?

2. What is Google's stated internal policy regarding exploitative advertising? What evidence do you have that those policies are being complied with by both Google's internal and external advertising sales teams?

3. What steps does Google take to instruct its advertising sales managers, consultants, and other employees regarding the evaluation of advertisers of such exploitative marketing?

4. If Google were to determine that it profits from such advertising, what steps would you take to ensure those profits were publicly disclosed and then disgorged? Would that process require restating Google's earnings for past securities filings?

Online markets provide traffickers with the ability to reach untold customers across all political jurisdictions. As a global leader and innovator in internet technologies, Google is in a unique position to do its part to fight human exploitation and trafficking, and we would encourage the company to proactively address these concerns.

We look forward to your reply and to engaging with Google cooperatively to stop human trafficking in America and around the world.

Sincerely,

MARSHA BLACKBURN,
Member of Congress.

CAROLYN MALONEY,
Member of Congress.

REPS. MALONEY AND BLACKBURN JOIN EFFORTS TO ADDRESS ONLINE PROMOTION OF HUMAN TRAFFICKING

APRIL 4, 2012—ISSUES: HUMAN TRAFFICKING
WOMEN'S ISSUES

(Press Contact: Jon Houston (202) 225-7944)

WASHINGTON.—Representatives Marsha Blackburn and Carolyn Maloney yesterday sent a bipartisan letter to Google questioning how the company's advertising practices addresses human trafficking.

Rep. Carolyn Maloney said: "As a leader in technology, I encourage Google also to lead in the fight against online human trafficking. Too many people believe that human trafficking is a problem only in foreign countries but online advertising has opened new markets for the estimated 100,000 children in the United States—most of whom are American citizens—exploited through commercial sex every year, with the average age of first exploitation between 12–13 years old. These are our daughters, their schoolmates, and their friends; everyone—every company—must understand the reality: that sex trafficking is the slavery of the 21st century. I hope Google will look into its practices to make sure it does not contribute to web-based sex trafficking." Rep. Maloney is co-chair of the Congressional Human Trafficking Caucus, working to educate people about the reality of the trade in human lives and toward its elimination.

Rep. Marsha Blackburn stated: "Illicit online advertising threatens more than just the

freedom of the Internet—it denies women and children their fundamental right to human dignity. I have no doubt that if Google was found to profit from online ads that promoted human trafficking, they would immediately stop the placement of those ads. Since Google has a unique ability to help thwart this modern-day form of human slavery, we are looking forward to learning how Google responds to various human rights critics on this issue and whether Google's advertising policies address the exploitation of vulnerable women and girls."

Text of the letter from Representatives Blackburn and Maloney, addressed to Google's CEO, Larry Page can be read here.

Last week, a group of anti-trafficking organizations called on the National Association of Attorneys General to investigate Google for profiting from the sale of online advertisements that contributes to human trafficking in a letter that can be seen here. Last month, 19 U.S. Senators sent a letter to the Village Voice, owner of the controversial website Backpage.com, calling for them to stop using online advertising to promote child prostitution on their website.

Mrs. CAROLYN B. MALONEY of New York. I will now place in the RECORD a letter that Congressman NADLER and I wrote to Web sites of the media trying to stop them from promoting our children as sex objects. They are still doing it.

MALONEY AND NADLER CALL ON VILLAGE VOICE MEDIA TO SHUT DOWN WEBSITE FREQUENTED BY SEX TRAFFICKERS—MAY 7, 2012

NEW YORK, NY.—U.S. Representatives Carolyn B. Maloney (D-NY) and Jerrold L. Nadler (D-NY) today sent a letter to Village Voice Media, LLC expressing concerns about the frequency with which that company's Backpage.com website is used to advertise minors and trafficked persons and urging it to shut down its notorious "adult services" section.

In a statement accompanying the release of the joint letter, whose full text is included below, Congresswoman Maloney said: "Law enforcement authorities and anti-trafficking advocates agree that the adult services section of Village Voice's Backpage.com is the single busiest online marketplace for the sexual trafficking of minors and trafficking victims anywhere in the United States. It is high time the Voice lived up to its reputation as a beacon of progressivism, and shut down this cesspool." Rep. Maloney serves as Co-Chair of the bipartisan Congressional Human Trafficking Caucus, which works to educate people about the reality of the trade in human lives and toward its eradication.

Congressman Jerrold Nadler said, "The Village Voice must ensure that it is not in any way assisting in the horrific business of sex trafficking. Clearly Backpage.com has not done enough to prevent human trafficking on its site. They should shut down their adult services page immediately, before it is used by criminals to further promote human trafficking."

Background:

The sexual trafficking of minors, which is illegal under federal and New York State law, is on the rise in the United States and around the world, with most knowledgeable estimates of the number of domestic underage trafficking victims in the tens of thousands. The U.S. Department of Justice estimates the average age at which minors begin to be exploited by sex traffickers is between the ages of 12 and 14 for girls and between the ages of 11 and 13 for boys.

The William Wilberforce Trafficking Victims Protection Act of 2008 established

criminal penalties for those found guilty of acting with "reckless disregard" for the sexual exploitation of minors. In New York City alone, the District Attorneys of Kings, Queens and Manhattan have all pressed charges against alleged traffickers who used Backpage.com to market sex to potential johns.

Nineteen United States Senators and 51 Attorneys General have joined the growing chorus of calls from non-profit advocates and organizations urging Village Voice Media to remove the adult services section from Backpage.com. On April 25, 2012, S. Res. 439 was introduced expressing the sense of the Senate that Village Voice Media Holdings, LLC should eliminate the "adult entertainment" section of the classified advertising website Backpage.com. A New York City Council hearing on human trafficking held last month included pointed questioning from several Council Members to representatives of Backpage.com, as well as testimony from local district attorneys about the use of the website by a large proportion of the traffickers they have prosecuted.

Text of Letter from Representatives Maloney and Nadler to Village Voice Media, LLC.

MAY 4, 2012.

Mr. JIM LARKIN,
Chairman and Chief Executive Officer, Village Voice Media Holdings, LLC, 1201 E. Jefferson St., Phoenix, AZ.

DEAR MR. LARKIN: We are deeply troubled by information from members of law enforcement that Backpage.com, which is owned by Village Voice Media Holdings, LLC ("Village Voice"), is frequently being used to advertise the sexual exploitation of minors and trafficked persons. Backpage.com can create a significant impact on trafficking by shutting off a major source of advertising for these criminals—the adult services section of its website.

As you may know, estimates as to the number of children being sexually exploited in the United States vary widely; however, most estimates place the number in the tens or hundreds of thousands. Many of these young people are runaways, who were in foster care or from abusive homes. According to the Department of Justice, the estimated average age of entry into prostitution is 12–14 for girls, 11–13 for boys. Trafficking in children is illegal under federal law, and state law, and federal law makes clear that people who benefit from this trade cannot pretend to turn a blind eye. In 2008, the William Wilberforce Trafficking Victims Protection Act amended Title 18, Section 1591 of the United States Code to make it clear that a person can be found guilty for acting with "reckless disregard" of the fact that a child will be used for commercial sexual purposes. Courts have found that ignorance is deliberate if the defendants were presented with facts putting them on notice that criminal activity was particularly likely and yet intentionally failed to investigate. Over and over again, law enforcement has found a link between the sexual exploitation of minors or trafficking victims and Backpage.com.

The National Association of Attorneys General reports that its members have tracked more than 50 instances, in 22 states over three years, of charges filed against those trafficking or attempting to traffic minors on Backpage.com. In our area, on March 8, 2012, Queens District Attorney Richard Brown announced that he was prosecuting defendants in a case involving a 15-year-old Long Island girl who was kidnapped and taken to Queens where she was drugged and gang-raped by thugs who reportedly sold her on Backpage.com. Similarly, on March 13, 2012, Manhattan District Attorney Cyrus Vance announced the indictment of a man

who was forcing a woman to work for him as a prostitute by physical violence, threats and psychological manipulation, and withholding her permanent resident card and birth certificate. The press release announcing the indictment specifically says the defendant “advertised multiple females for prostitution using online advertising on websites such as Backpage.com in order to locate potential clients.”

On April 25, 2012, the New York City Council conducted a hearing on the connection between Backpage.com and sex trafficking. Brooklyn District Attorney Charles J. Hynes testified that, among the 40 cases his sex-trafficking unit has prosecuted in the past two years, “one website, above all, [was] most frequently used to exploit children and advertise trafficked victims—that website is Backpage.com.” Similarly, Daniel Alonso, Chief Assistant District Attorney in Manhattan, testified that “ads placed on Backpage.com have played a part in nearly every other sex trafficking investigation and case seen by my office.” He went on to say that “Backpage.com and web sites like it in effect serve to enable trafficking by providing a place for traffickers—who are, after all, criminals—to drum up demand for what they view as a product.”

We are strong supporters of the First Amendment, but its free speech protections do not extend to the facilitation of criminal activity, such as the sexual exploitation of minors on the Internet. We are aware that Backpage.com argues that it cooperates with law enforcement and that its efforts have led to successful prosecutions of some traffickers; we also know, however, that countless other criminals have posted advertisements of minors and trafficked women without being brought to the attention of law enforcement.

If Backpage.com’s procedures were sufficient to interdict the majority of cases in which minors are trafficked, then we would be more inclined to accept your protestations that Backpage.com serves a valuable function in assisting law enforcement in protecting minors. In fact, the 51 Attorneys General who have expressed their concern about Backpage.com argue that Backpage.com is “a hub for such activity,” i.e., for the sexual exploitation of children and prostitution.

Backpage.com has argued that if it were to shut down its adult services section, the business would simply transfer to other, darker places on the Internet. While that may be true, it is also true that if the business transferred to a less prominent location, it might be harder for the casual user to find and, therefore, might make this business less lucrative. Furthermore, when a company like the Village Voice is engaged in selling children or trafficking victims for sex, it legitimizes the industry. Given the magnitude of the business done by Backpage.com involving trafficked persons, it is hard to believe that your controls are as comprehensive as you claim.

We join the 19 United States Senators, including New York Senator Kirsten Gillibrand, 51 Attorneys General, dozens of human rights and sexual assault organizations, faith leaders, elected officials and more than a quarter of a million Americans who contacted you or signed a petition on this issue, urging you to remove the adult services section from Backpage.com. Too many children and too many trafficking victims have been sold on your website for us to accept any more excuses.

We await your prompt response.

Very truly yours,

CAROLYN B. MALONEY,
Member of Congress.
JERROLD L. NADLER,
Member of Congress.

Mrs. CAROLYN B. MALONEY of New York. I don’t know how to do it unless we have a concrete law. And this law is not without precedent. Congress has passed laws to criminalize the advertising of illegal goods. They have passed laws to criminalize the advertising of child pornography, of weapons of mass destruction, and of narcotics. Surely, we can pass a law that criminalizes selling children as sex objects. We have tried meetings, we have tried letters, we have tried sanctions, and we have tried press. We have tried everything. I don’t know how we stop it unless we pass a law that says it is illegal.

I want to tell a story. I first got involved in combating sex trafficking because a company in my district called Big Apple Tours was advertising online, publishing pamphlets of going to Thailand, to the Philippines or upstate New York with pictures of children. You can have as many as you want. I wrote a letter complaining. This is how brazen they were. They took my letter and put it on the Internet along with their advertising and made fun of it. Why is she complaining about the parties we are having?

So it has been out of control, and this is a step towards bringing it into control. The attorney general of New York went after them and took down their site. It no longer is up. But it shows how brazen these exploiters are. And it is big business. It is the third most profitable form of organized crime in our Nation preceded only by the selling of narcotics and the selling of illegal guns. But the selling of the human body can happen again and again until the person is sick and dies. You sell a gun once, and you sell a drug once. You can sell a young child over and over again.

We really have to do everything we can to stop it. This act adds advertising to the types of conduct that constitutes sex trafficking. It is common sense that if they are advertising the selling of a young child, it is sex trafficking. And we can stop it. This is something we can do that will literally save lives.

The FBI ranks this type of rape as preceded only by murder in terms of the destruction of what it does to an individual, and often the inability of that individual to live a normal life afterwards. It is a horrific crime, the 21st century form of slavery. I can’t think of anything more abusive. And it is what is happening now in Nigeria to those young women.

It is happening right here in our backyard. My colleagues on both sides of the aisle and the women’s caucus have heard testimony of foster children—of American children—that have been captured, tricked, and drugged. We heard a story on the floor today of a constituent’s child, a child in his neighborhood, that was exploited.

By passing this bill, we can stop this advertising. We can cut off this form of exploitation and this abuse. I think

that it is an important bill, and I am supporting it with reservation on the mandatory sentencing, which I hope will be cut out in the Senate, but it is important that we take steps to prevent it.

If we pass laws to stop the advertising of child pornography, we can certainly pass a law that stops the selling of a child in sex abuse.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. SCOTT of Virginia. I yield the gentlelady an additional 1 minute.

Mrs. CAROLYN B. MALONEY of New York. I could go on all day. My time is expired. I thank the gentleman for his leadership. I know that many others want to speak on this important issue.

I congratulate Congresswoman WAGNER on her persistence on this bill, and I am proud to support her.

Mr. GOODLATTE. Madam Speaker, at this time, I yield 1 minute to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. I thank the chairman.

Madam Speaker, I rise today in strong support of the Stop Advertising Victims of Exploitation Act, which will make the advertising of a trafficking victim for a commercial sex act a crime.

Human trafficking is despicable and unacceptable. It is horrific that millions of victims worldwide are trafficked each year, and it is happening in our local communities. Last month, I hosted a trafficking roundtable in Ross Township, Pennsylvania, with community organizations and law enforcement agencies to discuss ways to combat trafficking in western Pennsylvania. Sadly, this problem exists in cities and towns across America, and together we can do something to eliminate it.

As a father of six, I cannot imagine the horrible situations to which trafficking victims are exposed. We must put a stop to these crimes, and today’s bill is an important way to do this.

I thank my friend, Congresswoman WAGNER, for her efforts on the SAVE Act, as well as the sponsors of today’s bills, as we work to raise awareness about and combat human trafficking.

Mr. SCOTT of Virginia. Madam Speaker, I yield 3 minutes to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentleman very much.

Again, this is a historic day, Madam Speaker, and it is a day, tragically, when we wish we had been able to stamp out this dastardly act, if you will, collective act of trafficking of our children, the advertising and the sheer slavery of it all, holding people against their will, using them over and over again.

I, too, have had the opportunity to see firsthand the devastation of ones who have been trafficked and then ultimately feel that their life’s career can only be in prostitution. These may be adults, but they started being abused

and exploited as children. Just about a year or 2 ago, we had Attorney General Holder in my district, with all of those who were gathered around the issue of trafficking, human slavery, and had a meeting in the district, and the outpouring of the crisis was enormously overwhelming.

This morning in a markup in the Border and Maritime Security Subcommittee, of which I am the ranking member, Madam Miller is the chairwoman, we discussed unaccompanied minors coming across the border, victims-to-be, if you will, 60,000 coming across our border, children who are unaccompanied who are clearly potentially victims in this horrible human trafficking.

So I am a cosponsor of the Stop Advertising Victims of Exploitation Act and am well aware of the heinousness of depicting and advertising for these sex acts with children under 14 and those over 14. And I know for a fact that this is the beginning of the end of many of their lives. We know that there are ultimate acts that are so terrible that a child cannot overcome, that the sexual acts that are being advertised, in whatever means, are life-ending in many instances. And so the idea of making this the kind of crime that shows the concern of the American public is important.

I would also say to you that I am one that is concerned about mandatory minimums, and I hope that as we make our way through, there will be further discussions of this legislation. But at this time I stand in support of it. I have always said that the weakness on the mandatory minimums for me is when you involve undermining, destroying, killing, using in an abusive sexual manner, trafficking, and holding against their will children. They are vulnerable. They are without the resources to help themselves. And let me say this. Many runaways in this country fall victim to this. Many unaccompanied children that come across the border fall victim to this. Many children who are in conditions where they do not have a family structure fall victim to this. But they fall victim to this because there are so many who will exploit.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. SCOTT of Virginia. I yield the gentlelady an additional 1 minute.

Ms. JACKSON LEE. I thank the gentleman again for his leadership.

But there are many who exploit, continue to exploit from the comfort of their home. How terrible it is to go into workplaces and find that individuals are using their computers to engage in this. How horrible it is to go into homes and find computers filled with this kind of trash, and how horrible it is to see that people will profit from the advertising and the selling of commercial acts in whatever way they do.

So I would thank the sponsors of this legislation and recognize that we have

opportunities to look at how we construct this kind of remedy for these tragic and horrible acts that ultimately result in the death of our children, either at their own hand, tragically, or by those who would abuse them through commercial sex acts. This should be something that we should stamp out of our society, out of our system, and out of this Nation. We need to begin to do it as we make our way through these bills today.

Madam Speaker, this bill, of which I am a cosponsor, the SAVE Act, has a commendable purpose and I am convinced that it will help in our efforts to end exploitation of children.

H.R. 4225, the "Stop Advertising Victims of Exploitation Act of 2014," amends title 18 of the United States Code to impose a criminal penalty for knowingly selling advertising that offers certain commercial sex acts.

Specifically, it provides for criminal liability for the advertisements of commercial sex acts that are prohibited under existing 18 U.S.C. § 1591 if the advertiser either: (a) benefits financially or receives anything of value from that advertising, or (b) distributes the advertising.

It provides for a statutory maximum of five years' imprisonment or a fine. It does not mandate a statutory minimum sentence or fine.

And while I strongly agree with the purpose of the bill—I do wish it had gone through regular order in the Judiciary Committee on which I serve.

It is critically important that the bill allows those who might have concerns because of certain unintended consequences to voice those issues before the full committee.

My wish is that going forward; we would assume regular order in the Judiciary Committee and yield to the conventions which have made our Committee a force and one with prestige and honor throughout its history.

I ask my colleagues to support this important legislation which helps end exploitation of our precious children.

Mr. GOODLATTE. Madam Speaker, at this time, it is my pleasure to yield 1 minute to the gentlewoman from North Carolina (Mrs. ELLMERS).

Mrs. ELLMERS. Madam Speaker, thank you to the chairman for bringing this very important legislation forward. I am pleased to be able to speak in strong support of the number of bills that we have today that will combat the problem of human sex trafficking.

I would like to emphasize the urgency that this issue requires. Just this morning, one of our local papers in Fayetteville, North Carolina, was reporting that a local mother and son have been arrested and charged with human trafficking of a child victim, sexual servitude of a child and promoting the prostitution of a minor. This issue is real, and it is happening in our own backyards and across our Nation and across the world.

This is only the beginning of this very important mission, and I, for one, will not rest until we find a way to stop this. This is just, again, the beginning of our fight, and I am proud to have cosponsored these bills today to stop this

horrifying practice and help these victims. We will continue to do more until we eradicate this form of slavery in the United States and throughout the world.

Mr. SCOTT of Virginia. Madam Speaker, I reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, at this time, I yield 2 minutes to the gentleman from Florida (Mr. YOH).

Mr. YOH. I would like to thank Mr. GOODLATTE.

Madam Speaker, I rise in complete support of erasing human trafficking from the face of the Earth. I am a proud cosponsor of all the bipartisan bills before us today, bills that will give us, the courts, and law enforcement the tools and resources we need to combat the plague that is human trafficking.

It is unacceptable that today, in 2014, the 21st century, human beings are being sold, owned, and held against their will living a life that is, for lack of a better term, hell on Earth. Human trafficking is defined by the Department of Homeland Security as "a modern-day form of slavery involving the illegal trade of people for exploitation or commercial gain."

The victims of human trafficking are the most vulnerable among us: the poor, immigrants in search of a better life—a better life for their families—women, and even children. These exploited persons are victimized by the traffickers who lure them in with false promises of a better life and then are coerced into unspeakable acts, domestic servitude, or other types of forced labor.

The traffickers only see the victims as a means to make a profit, no different from a commodity or livestock on a farm, and certainly not as the human beings that they are. Too often in our communities, there is a lack of pushback or even awareness that this terrible practice of modern-day servitude exists. It does, and it happens within our own neighborhoods, towns, and counties.

Even when the problem of trafficking is realized, law enforcement does not have the tools it needs to go after the criminals or take care of the victims.

Americans need to take a hard stance, lead on the issue, and let it be known that there is zero tolerance for this horrendous practice. The first step is educating entire communities, since a lack of awareness is our foremost threat. Second, we must provide the resources to law enforcement and make this a priority among the legal community. Finally, we need to recognize and treat the victims of trafficking not as criminals but as victims.

My office in Florida's Third District has been taking steps and will continue to do so to make north central Florida a zero tolerance zone for human trafficking. We have brought together representatives from the Department of Homeland Security. I just want to say that we stand in support of all of these

bills, and we urge all of our Members to.

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Mr. SCOTT of Virginia. Madam Speaker, I continue to reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, at this time, it is my pleasure to yield 1 minute to the gentlewoman from Washington (Ms. HERRERA BEUTLER).

Ms. HERRERA BEUTLER. Madam Speaker, I thank the chairman.

There is no faster growing form of organized crime in the world than human sex trafficking, and unfortunately, it is happening right here in the United States. More than 100,000 girls are caught up in sex trafficking every year in the United States. Just last month, my local paper reported on a couple being charged with prostituting a 17-year-old girl who was under their control. As you have heard today, that is hardly an isolated story.

We are here not just to discuss the problem, but the solutions. We are seeking to disable Web sites like backpage.com that advertise children for commercial sex and make it a Federal crime for a company to knowingly post advertisements for sex with minors.

These bills will also increase funding for services to victims—these girls are victims—and give prosecutors better tools to go after the traffickers.

We cannot close our eyes and pretend this crime does not exist. We must take responsibility and be the voice for these children and defend those who cannot defend themselves.

Mr. SCOTT of Virginia. Madam Speaker, I continue to reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, I am pleased to yield 1 minute to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Madam Speaker, the statistics associated with human trafficking are nothing short of staggering. Studies have estimated that it is a nearly \$10 billion industry in the United States, and it affects over 300,000 young men and women that are victims of human trafficking. The human toll is real and significant. The SAVE Act changes the idea that the Internet can be used as a marketplace for those purposes.

The SAVE Act does what 47 State attorneys general have done and asked us to do. The SAVE Act makes it a Federal crime to knowingly advertise for the sexual exploitation of minors and trafficking victims.

While this is not the end of human trafficking and sexual exploitation of minors, it is a necessary and long overdue step.

I want to commend my colleague, Mrs. WAGNER, for her leadership on this very important issue and for constructing a very thoughtful piece of legislation.

Mr. SCOTT of Virginia. I continue to reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, I just have one speaker remaining, if the gentleman is prepared to close.

Mr. SCOTT of Virginia. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, mandatory minimums have resulted in bizarre sentences being imposed today. Girlfriends of drug dealers are serving decades behind bars because their sentences were based on the weight of the drugs involved in their boyfriend's drug dealings. Many other people are serving times clearly longer than required because of mandatory minimums.

Under this bill, if a Web site is raided, this bill could require the judge to impose 15-year sentences on each and every employee, from the receptionist to computer maintenance personnel, no discretion, no consideration of an individual's role in the enterprise, everybody gets 15 years.

So if a sentence violates common sense, mandatory minimums require the judge to impose it any way, so if we are ever going to try to address the problems created by mandatory minimums, we have to stop passing bills like this one that can require sentences of at least 10–15 years, regardless of the facts in an individual case, even when the bill is otherwise worthy.

This is how so many mandatory minimums got into the code to begin with, one by one, each one in an otherwise worthy bill. The only way to begin to put an end to mandatory minimums is to stop passing new ones.

I yield back the balance of my time.

Mr. GOODLATTE. Madam Speaker, I am pleased to yield 1 minute to the gentleman from Pennsylvania (Mr. FITZPATRICK) to close the debate for our side of the aisle.

Mr. FITZPATRICK. Madam Speaker, I thank the chairman and Mrs. WAGNER for bringing about an increased awareness of the stark realities of human trafficking and modern day slavery in our world.

While these tragedies have focused us on the issue at hand, the terrible crime of human trafficking is sadly not a new phenomenon, nor is it a concern solely outside our borders.

During our fight against this heart-breaking epidemic, we must recognize and support the invaluable work of nonprofit groups and law enforcement agencies who are giving their all to prevent this crime and protect its victims.

I am proud to report that today, in my district in Pennsylvania, the Bensalem Police Department and the Bucks County District Attorney's Office are being presented with an award for their proactive pursuit of human trafficking crimes over the past year. We are all thankful for the persistent efforts of these organizations and law enforcement organizations.

A remarkable nonprofit in Pennsylvania known as Worthwhile Wear is opening an 83-acre property in the greater Philadelphia area, as a long-

term housing and aftercare facility for sexually exploited and trafficked women. The work of this group sheds light on the importance of providing a compassionate environment for those affected by this deplorable crime.

We are all encouraged to see this work on both sides of the aisle, people coming together to address this growing problem. The passage of these bills will bring us closer to our goals of ending both domestic and international trafficking, an objective we should never abandon. I encourage passage of all these bills under suspension.

Madam Speaker, recent events have brought about an increased awareness of the stark realities of human trafficking and modern day slavery in our world.

While these tragedies have focused us on the issue at hand, the heinous crime of Human Trafficking is sadly not a new phenomenon—nor is it a concern solely outside our borders. As a member of the Victims' Rights Caucus, I've been monitoring the growth of this problem in communities across the United States, including my home district in Pennsylvania.

During our fight against this heart-breaking epidemic, we must recognize and support the invaluable work of non-profit groups and law enforcement agencies who are giving their all to prevent this crime and protect its victims. I am honored to have the opportunity to work closely with organizations in my district such as the Network of Victims Assistance and the Bucks County Anti-Trafficking Coalition as they diligently formulate effective responses to local issues.

I am proud to report that today in Pennsylvania's 8th district, the Special Investigations Unit of the Bensalem Police Department and the Bucks County District Attorney's Office are being presented with a LEAD Award for their proactive pursuit of human trafficking crimes over the past year. As a legislator, a parent, and an active member of my community, I am grateful for their persistent efforts.

Additionally, a remarkable non-profit known as Worthwhile Wear, has announced that they will be opening a new 83 acre property in the Greater Philadelphia area, as a long-term housing and aftercare facility for sexually exploited and trafficked women. The honorable work of this group sheds light on the importance of providing a compassionate environment for those affected by this deplorable crime.

I am encouraged to see my colleagues on both sides of the aisle coming together to address this growing problem. The five bipartisan bills under consideration today will help provide support to trafficking victims, fortify law enforcement efforts, and codify prevention tactics. The passage of these bills will bring us closer to our goals of ending both domestic and international trafficking, an objective that we should never abandon.

I urge for quick passage of this legislation in both the House and Senate, and call on the President to sign these bills into law and join the House in making putting an end to human trafficking a priority.

Mr. GOODLATTE. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr.

GOODLATTE) that the House suspend the rules and pass the bill, H.R. 4225, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mrs. WAGNER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PREVENTING SEX TRAFFICKING AND IMPROVING OPPORTUNITIES FOR YOUTH IN FOSTER CARE ACT

Mr. REICHERT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4058) to prevent and address sex trafficking of youth in foster care, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4058

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Preventing Sex Trafficking and Improving Opportunities for Youth in Foster Care Act”.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Findings.

TITLE I—IDENTIFYING AND PROTECTING YOUTH AT RISK OF SEX TRAFFICKING

- Sec. 101. Identifying and screening youth at risk of sex trafficking.
- Sec. 102. Documenting and reporting instances of sex trafficking.
- Sec. 103. State plan requirement to locate and respond to children who run away from foster care.
- Sec. 104. Increasing information on youth in foster care to prevent sex trafficking.

TITLE II—IMPROVING OPPORTUNITIES FOR YOUTH IN FOSTER CARE AND SUPPORTING PERMANENCY

- Sec. 201. Supporting normalcy for children in foster care.
- Sec. 202. Improvements to another planned permanent living arrangement as a permanency option.
- Sec. 203. Empowering foster youth age 14 and older in the development of their own case plan and transition planning for a successful adulthood.
- Sec. 204. Ensuring foster youth have a birth certificate, Social Security card, health insurance information, medical records, and a bank account.

TITLE III—IMPROVING DATA COLLECTION AND REPORTING ON CHILD SEX TRAFFICKING

- Sec. 301. Including sex trafficking data in the Adoption and Foster Care Analysis and Reporting System.
- Sec. 302. Information on children in foster care in annual reports using AFCARS data; consultation.

TITLE IV—IMPROVING THE USE OF TECHNOLOGY TO INCREASE CHILD SUPPORT COLLECTIONS

- Sec. 401. Required electronic processing of income withholding.

SEC. 3. FINDINGS.

The Congress makes the following findings:

- (1) Recent reports on sex trafficking estimate that thousands of children are at risk for domestic sex trafficking.
- (2) The risk is compounded every year for the up to 30,000 young people who are “emancipated” from foster care.
- (3) The current child welfare system does not effectively identify, prevent, or intervene when a child presents as trafficked or at risk for trafficking.
- (4) Within the foster care system, many young adults are housed in congregate care facilities or group homes, which often are targeted by traffickers.
- (5) Within the foster care system, children are routinely denied the opportunity to participate in normal, age or developmentally-appropriate activities such as joining 4-H and other clubs, participating in school plays, playing sports, going to camp, and visiting a friend.
- (6) A lack of normalcy and barriers to participation in age or developmentally-appropriate activities contribute to increased vulnerability to trafficking, homelessness, and other negative outcomes for children in foster care.
- (7) The latest research in adolescent brain development indicates that young people learn through experience and through trial and error, and that as part of healthy brain development young people need to take on increasing levels of decisionmaking through their teenage years.
- (8) In order to combat domestic sex trafficking and to improve outcomes for children in foster care, systemic changes need to be made to the child welfare system that focus on—
 - (A) the reduction of children in long-term foster care;
 - (B) greater child engagement in case planning while in foster care;
 - (C) improved efforts to locate and respond to children who have run away from foster care and to reduce the number of foster children who are on the run;
 - (D) improved policies and procedures that encourage age or developmentally-appropriate activities for children in foster care and that permit more opportunities for such children to make meaningful and permanent connections with caring adults; and
 - (E) with regard to domestic sex trafficking, improved identification, prevention, and intervention by the child welfare agency in collaboration with the courts, State and local law enforcement agencies, schools, juvenile justice agencies, and other social service providers.

(8) In order to combat domestic sex trafficking and to improve outcomes for children in foster care, systemic changes need to be made to the child welfare system that focus on—

- (A) the reduction of children in long-term foster care;
- (B) greater child engagement in case planning while in foster care;
- (C) improved efforts to locate and respond to children who have run away from foster care and to reduce the number of foster children who are on the run;
- (D) improved policies and procedures that encourage age or developmentally-appropriate activities for children in foster care and that permit more opportunities for such children to make meaningful and permanent connections with caring adults; and
- (E) with regard to domestic sex trafficking, improved identification, prevention, and intervention by the child welfare agency in collaboration with the courts, State and local law enforcement agencies, schools, juvenile justice agencies, and other social service providers.

(B) greater child engagement in case planning while in foster care;

(C) improved efforts to locate and respond to children who have run away from foster care and to reduce the number of foster children who are on the run;

(D) improved policies and procedures that encourage age or developmentally-appropriate activities for children in foster care and that permit more opportunities for such children to make meaningful and permanent connections with caring adults; and

(E) with regard to domestic sex trafficking, improved identification, prevention, and intervention by the child welfare agency in collaboration with the courts, State and local law enforcement agencies, schools, juvenile justice agencies, and other social service providers.

TITLE I—IDENTIFYING AND PROTECTING YOUTH AT RISK OF SEX TRAFFICKING

SEC. 101. IDENTIFYING AND SCREENING YOUTH AT RISK OF SEX TRAFFICKING.

Section 471(a)(9) of the Social Security Act (42 U.S.C. 671(a)(9)) is amended—

- (1) in subparagraph (A), by striking “and”;
- (2) in subparagraph (B), by inserting “and” after the semicolon; and
- (3) by adding at the end the following:

“(C) not later than—

“(i) 1 year after the date of the enactment of this subparagraph, demonstrate to the Secretary that the State agency has developed, in consultation with organizations with experience in dealing with at-risk youth, policies and procedures for identifying and screening (including relevant training for caseworkers), and for deter-

mining appropriate State action and services with respect to—

“(I) any child over whom the State agency has responsibility for placement, care, or supervision (including children for whom a State child welfare agency has an open case file but who have not been removed from the home and youth who are not in foster care but are receiving services under section 477 of this Act) who the State has reasonable cause to believe—

“(aa) is a victim of sex trafficking (as defined in section 103(10) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(10))) or a severe form of trafficking in persons described in section 103(9)(A) of such Act (22 U.S.C. 7102(9)(A)); or

“(bb) is at risk of being a victim of either kind of trafficking; and

“(II) at the option of the State, any individual, without regard to whether the individual is or was in foster care under the responsibility of the State, who has not attained 26 years of age; and

“(ii) 2 years after such date of enactment, demonstrate to the Secretary that the State agency is implementing, in consultation with the child protective services agency or unit for the State, the policies and procedures referred to in clause (i).”.

SEC. 102. DOCUMENTING AND REPORTING INSTANCES OF SEX TRAFFICKING.

(a) STATE PLAN REQUIREMENTS.—Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is amended—

- (1) by striking “and” at the end of paragraph (32);
- (2) by striking the period at the end of paragraph (33) and inserting a semicolon; and
- (3) by adding at the end the following:

“(34) provides that, for each child over whom the State agency has responsibility for placement, care, or supervision (including any child for whom a State child welfare agency has an open case file but who has not been removed from the home, and any youth who is not in foster care but is receiving services under section 477), the State agency shall—

“(A) not later than 2 years after the date of the enactment of this paragraph, identify and document appropriately in agency records each child who is identified as being a victim of sex trafficking (as defined in section 103(10) of the Trafficking Victims Protection Act of 2000) or as being a victim of severe forms of trafficking in persons described in section 103(9)(A) of such Act, as such a victim; and

“(B) report immediately, and in no case later than 24 hours after receiving—

“(i) information on children who have been identified as being victims of sex trafficking (as defined in subparagraph (A) of this paragraph) to the law enforcement authorities; and

“(ii) information on missing or abducted children to the law enforcement authorities for entry into the National Crime Information Center (NCIC) database of the Federal Bureau of Investigation, established pursuant to section 534 of title 28, United States Code, and to the National Center for Missing and Exploited Children; and

“(35) not later than 2 years after the date of the enactment of this paragraph, contains a regularly updated description, made available to the public on the Internet website of the State agency, of the specific measures taken by the State agency to protect and provide services to children who are victims of sex trafficking (as defined in section 103(10) of the Trafficking Victims Protection Act of 2000), or victims of severe forms of trafficking in persons described in section 103(9)(A) of such Act, including efforts to coordinate with State and local law enforcement, schools, juvenile justice agencies, and