

will develop and implement protocols that meet the following reporting requirements:

(i) The requirement to report immediately, and in no case later than 24 hours after receiving, information on children who have been identified as being a victim of a severe form of trafficking in persons to law enforcement authorities under paragraph (34)(A) of section 471(a) of the Social Security Act (42 U.S.C. 671(a)).

(ii) The requirement to report immediately, and in no case later than 24 hours after receiving, information on missing or abducted children to law enforcement authorities, including children classified as “runaways”, for entry into the National Crime Information Center (NCIC) database of the Federal Bureau of Investigation, and to the National Center for Missing and Exploited Children, under paragraph (35)(B) of such section [42 U.S.C. 671(a)(35)(B)].

(iii) The requirement to report to the Secretary of Health and Human Services the total number of children who are victims of child human trafficking under paragraph (34)(B) of such section [42 U.S.C. 671(a)(34)(B)].

(D) Trafficking-specific protocol

The State has developed and implemented or will develop and implement a specialized protocol for responding to a child who is, or is at risk of being, a trafficking victim to ensure the response focuses on the child’s specific safety needs as a victim of trafficking, and that includes the development and use of an alternative mechanism for investigating and responding to cases of child human trafficking in which the alleged offender is not the child’s parent or caregiver without utilizing existing processes for investigating and responding to other forms of child abuse or neglect that require the filing of an abuse or neglect petition.

(3) Indian tribe; tribal organization

The term “Indian tribe” and “tribal organization” have the meanings given those terms in section 5304 of title 25.

(4) State

The term “State” means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. Such term includes an Indian tribe, tribal organization, or tribal consortium with a plan approved under section 479B of the Social Security Act (42 U.S.C. 679c), or which is receiving funding to provide foster care under part E of title IV of such Act [42 U.S.C. 670 et seq.] pursuant to a cooperative agreement or contract with a State.

(Pub. L. 109–164, title II, §204A, as added Pub. L. 117–347, title I, §104(a)(1), Jan. 5, 2023, 136 Stat. 6201.)

Editorial Notes

REFERENCES IN TEXT

The Social Security Act, referred to in subsec. (b)(2)(C), (4), is act Aug. 14, 1935, ch. 531, 49 Stat. 620.

Part E of title IV of the Act is classified generally to part E (§670 et seq.) of subchapter IV of chapter 7 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

§ 20706. Senior Policy Operating Group

Each Federal department or agency involved in grant activities related to combatting trafficking or providing services to persons subjected to trafficking inside the United States shall apprise the Senior Policy Operating Group established by section 105(f)¹ of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103(f)), under the procedures established by the Senior Policy Operating Group, of such activities of the department or agency to ensure that the activities are consistent with the purposes of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.).

(Pub. L. 109–164, title II, §206, Jan. 10, 2006, 119 Stat. 3571; Pub. L. 110–457, title II, §233, Dec. 23, 2008, 122 Stat. 5074.)

Editorial Notes

REFERENCES IN TEXT

Section 105(f) of the Victims of Trafficking and Violence Protection Act of 2000, referred to in text, was redesignated 105(g) of the Victims of Trafficking and Violence Protection Act of 2000 by Pub. L. 113–4, title XII, §1201(3), Mar. 7, 2013, 127 Stat. 136.

The Trafficking Victims Protection Act of 2000, referred to in text, is div. A of Pub. L. 106–386, Oct. 28, 2000, 114 Stat. 1466, which is classified principally to chapter 78 (§7101 et seq.) of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 7101 of Title 22 and Tables.

CODIFICATION

Section was formerly classified to section 14044d of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2008—Pub. L. 110–457 struck out “, as the department or agency determines appropriate,” before “apprise the Senior Policy Operating Group”.

§ 20707. Definitions

In this chapter:

(1) Severe forms of trafficking in persons

The term “severe forms of trafficking in persons” has the meaning given the term in section 7102(9)¹ of title 22.

(2) Sex trafficking

The term “sex trafficking” has the meaning given the term in section 7102(10)¹ of title 22.

(3) Commercial sex act

The term “commercial sex act” has the meaning given the term in section 7102(4) of title 22.

(Pub. L. 109–164, title II, §207, Jan. 10, 2006, 119 Stat. 3572; Pub. L. 113–4, title XII, §1212(b)(2)(C), Mar. 7, 2013, 127 Stat. 144.)

¹ See References in Text note below.

¹ See References in Text note below.

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title II of Pub. L. 109-164, Jan. 10, 2006, 119 Stat. 3567, which is classified principally to this chapter. For complete classification of title II to the Code, see Tables.

Section 7102(9) and (10) of title 22, referred to in pars. (1) and (2), was redesignated section 7102(11) and (12), respectively, of title 22 by Pub. L. 115-427, §2(1), Jan. 9, 2019, 132 Stat. 5503.

CODIFICATION

Section was formerly classified to section 14044e of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2013—Par. (1). Pub. L. 113-4, §1212(b)(2)(C)(i), substituted “section 7102(9)” for “section 7102(8)”.

Par. (2). Pub. L. 113-4, §1212(b)(2)(C)(ii), substituted “section 7102(10)” for “section 7102(9)”.

Par. (3). Pub. L. 113-4, §1212(b)(2)(C)(iii), substituted “section 7102(4)” for “section 7102(3)”.

§ 20708. Grants for specialized human trafficking training and technical assistance for service providers

(a) Definitions

In this section:

(1) Act of trafficking

The term “act of trafficking” means an act or practice described in paragraph (9)¹ of section 7102 of title 22.

(2) Eligible entity

The term “eligible entity” means—

- (A) a State or unit of local government;
- (B) a federally recognized Indian tribal government, as determined by the Secretary of the Interior;
- (C) a victim service provider;
- (D) a nonprofit or for-profit organization (including a tribal nonprofit or for-profit organization);
- (E) a national organization; or
- (F) an institution of higher education (including tribal institutions of higher education).

(3) State

The term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, American Samoa, and any other territory or possession of the United States.

(4) Victim of trafficking

The term “victim of trafficking” means a person subjected to an act of trafficking.

(b) Grants authorized

The Attorney General may award grants to eligible entities to—

- (1) provide training to identify and protect victims of trafficking;
- (2) improve the quality and quantity of services offered to trafficking survivors; and

- (3) improve victim service providers’ partnerships with Federal, State, tribal, and local law enforcement agencies and other relevant entities.

(c) Use of funds

A grant awarded under this section shall be used to—

- (1) train law enforcement personnel to identify and protect victims of trafficking, including training such personnel to utilize Federal, State, or local resources to assist victims of trafficking, which may include programs to build law enforcement capacity to identify and respond to human trafficking that are funded through the Office of Community Oriented Policing Services of the Department of Justice, such as the Interdiction for the Protection of Children Program;

- (2) train law enforcement or State or local prosecutors to identify, investigate, or prosecute acts of trafficking;

- (3) train law enforcement or State or local prosecutors to utilize laws that prohibit acts of trafficking and to assist in the development of State and local laws to prohibit acts of trafficking;

- (4) provide technical assistance on the range of services available to victim service providers who serve trafficking victims;

- (5) develop and distribute materials, including materials identifying best practices in accordance with Federal law and policies, to support victim service providers working with human trafficking victims;

- (6) identify and disseminate other publicly available materials in accordance with Federal law to help build capacity of service providers;

- (7) provide training at relevant conferences, through webinars, or through other mechanisms in accordance with Federal law; or

- (8) assist service providers in developing additional resources such as partnerships with Federal, State, tribal, and local law enforcement agencies and other relevant entities in order to access a range of available services in accordance with Federal law.

(d) Restrictions**(1) Administrative expenses**

An eligible entity that receives a grant under this section may use not more than 5 percent of the total amount of such grant for administrative expenses.

(2) Nonexclusivity

Nothing in this section may be construed to restrict the ability of an eligible entity to apply for or obtain funding from any other source to carry out the training described in subsection (c).

(e) Authorization of appropriations

There are authorized to be appropriated \$10,000,000 for each of the fiscal years 2007 through 2011 to carry out the provisions of this section.

(Pub. L. 109-164, title II, §208, formerly Pub. L. 109-162, title I, §111, Jan. 5, 2006, 119 Stat. 2984; Pub. L. 113-4, title XII, §1212(b)(2)(D), Mar. 7, 2013, 127 Stat. 144; Pub. L. 115-392, §10(a), Dec. 21,

¹ See References in Text note below.