

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.

2018, 132 Stat. 5254; renumbered §208 of Pub. L. 109-164 and amended Pub. L. 117-347, title I, §§101(a), 106(a), Jan. 5, 2023, 136 Stat. 6200, 6204.)

Editorial Notes

REFERENCES IN TEXT

Paragraph (9) of section 7102 of title 22, referred to in subsec. (a)(1), was redesignated par. (11) of section 7102 of title 22 by Pub. L. 115-427, §2(1), Jan. 9, 2019, 132 Stat. 5503.

CODIFICATION

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

AMENDMENTS

2023—Subsec. (c)(1). Pub. L. 117-347, §101(a), inserted before semicolon at end “, 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”.

2018—Pub. L. 115-392, §10(a)(1), substituted “specialized human trafficking training and technical assistance for service providers” for “law enforcement training programs” in section catchline.

Subsec. (a)(2). Pub. L. 115-392, §10(a)(2), substituted “means—” and subpars. (A) to (F) for “means a State or a local government.”

Subsec. (b). Pub. L. 115-392, §10(a)(3), added subsec. (b) and struck out former subsec. (b). Prior to amendment, text read as follows: “The Attorney General may award grants to eligible entities to provide training to State and local law enforcement personnel to identify and protect victims of trafficking.”

Subsec. (c)(4) to (8). Pub. L. 115-392, §10(a)(4), added pars. (4) to (8).

2013—Subsec. (a)(1). Pub. L. 113-4 substituted “paragraph (9)” for “paragraph (8)”.

§ 20709. Combat Human Trafficking Act

(a) Short title

This section may be cited as the “Combat Human Trafficking Act of 2015”.

(b) Definitions

In this section:

(1) Commercial sex act; severe forms of trafficking in persons; state; task force

The terms “commercial sex act”, “severe forms of trafficking in persons”, “State”, and “Task Force” have the meanings given those terms in section 7102 of title 22.

(2) Covered offender

The term “covered offender” means an individual who obtains, patronizes, or solicits a commercial sex act involving a person subject to severe forms of trafficking in persons.

(3) Covered offense

The term “covered offense” means the provision, obtaining, patronizing, or soliciting of a commercial sex act involving a person subject to severe forms of trafficking in persons.

(4) Federal law enforcement officer

The term “Federal law enforcement officer” has the meaning given the term in section 115 of title 18.

(5) Local law enforcement officer

The term “local law enforcement officer” means any officer, agent, or employee of a

unit of local government authorized by law or by a local government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law.

(6) State law enforcement officer

The term “State law enforcement officer” means any officer, agent, or employee of a State authorized by law or by a State government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law.

(c) Department of Justice training and policy for law enforcement officers, prosecutors, and judges

(1) Training

(A) Law enforcement officers

The Attorney General shall ensure that each anti-human trafficking program operated by the Department of Justice, including each anti-human trafficking training program for Federal, State, or local law enforcement officers, includes technical training on—

(i) effective methods for investigating and prosecuting covered offenders;

(ii) facilitating the provision of physical and mental health services by health care providers to persons subject to severe forms of trafficking in persons;

(iii) individually screening all adults and children who are suspected of engaging in commercial sex acts or who are subject to labor exploitation that may be in violation of child labor laws to determine whether each individual screened is a victim of human trafficking; and

(iv) how—

(I) victims of sex or labor trafficking often engage in criminal acts as a direct result of severe trafficking in persons; and

(II) such individuals are victims of a crime and affirmative measures should be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization.

(B) Federal prosecutors

The Attorney General shall ensure that each anti-human trafficking program operated by the Department of Justice for United States attorneys or other Federal prosecutors includes training on seeking restitution for offenses under chapter 77 of title 18 to ensure that each United States attorney or other Federal prosecutor, upon obtaining a conviction for such an offense, requests a specific amount of restitution for each victim of the offense without regard to whether the victim requests restitution.

(C) Judges

The Federal Judicial Center shall provide training to judges relating to the application of section 1593 of title 18 with respect to ordering restitution for victims of offenses under chapter 77 of such title.