

114TH CONGRESS
1ST SESSION

S. 178

To provide justice for the victims of trafficking.

IN THE SENATE OF THE UNITED STATES

JANUARY 13, 2015

Mr. CORNYN (for himself, Ms. KLOBUCHAR, Mr. WYDEN, Mr. KIRK, Mr. HATCH, Mr. GRAHAM, Mr. COONS, Mr. UDALL, Mr. COATS, Mr. CRAPO, Mr. HOEVEN, Mr. CASEY, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide justice for the victims of trafficking.

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Justice for Victims of Trafficking Act of 2015”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Domestic Trafficking Victims’ Fund.
- Sec. 3. Official recognition of American victims of human trafficking.
- Sec. 4. Victim-centered child human trafficking deterrence block grant program.
- Sec. 5. Direct services for victims of child pornography.
- Sec. 6. Increasing compensation and restitution for trafficking victims.
- Sec. 7. Streamlining human trafficking investigations.

- Sec. 8. Enhancing human trafficking reporting.
 Sec. 9. Reducing demand for sex trafficking.
 Sec. 10. Using existing task forces and components to target offenders who exploit children.
 Sec. 11. Targeting child predators.
 Sec. 12. Monitoring all human traffickers as violent criminals.
 Sec. 13. Crime victims' rights.
 Sec. 14. Combat Human Trafficking Act.
 Sec. 15. Grant accountability.

1 **SEC. 2. DOMESTIC TRAFFICKING VICTIMS' FUND.**

2 (a) IN GENERAL.—Chapter 201 of title 18, United
 3 States Code, is amended by adding at the end the fol-
 4 lowing:

5 **“§ 3014. Additional special assessment**

6 “(a) IN GENERAL.—In addition to the assessment
 7 imposed under section 3013, the court shall assess an
 8 amount of \$5,000 on any non-indigent person or entity
 9 convicted of an offense under—

10 “(1) chapter 77 (relating to peonage, slavery,
 11 and trafficking in persons);

12 “(2) chapter 109A (relating to sexual abuse);

13 “(3) chapter 110 (relating to sexual exploitation
 14 and other abuse of children);

15 “(4) chapter 117 (relating to transportation for
 16 illegal sexual activity and related crimes); or

17 “(5) section 274 of the Immigration and Na-
 18 tionality Act (8 U.S.C. 1324) (relating to human
 19 smuggling), unless the person induced, assisted,
 20 abetted, or aided only an individual who at the time
 21 of such action was the alien's spouse, parent, son, or

1 daughter (and no other individual) to enter the
2 United States in violation of law.

3 “(b) SATISFACTION OF OTHER COURT-ORDERED OB-
4 LIGATIONS.—An assessment under subsection (a) shall
5 not be payable until the person subject to the assessment
6 has satisfied all outstanding court-ordered fines and or-
7 ders of restitution arising from the criminal convictions
8 on which the special assessment is based.

9 “(c) ESTABLISHMENT OF DOMESTIC TRAFFICKING
10 VICTIMS’ FUND.—There is established in the Treasury of
11 the United States a fund, to be known as the ‘Domestic
12 Trafficking Victims’ Fund’ (referred to in this section as
13 the ‘Fund’), to be administered by the Attorney General,
14 in consultation with the Secretary of Homeland Security
15 and the Secretary of Health and Human Services.

16 “(d) DEPOSITS.—Notwithstanding section 3302 of
17 title 31, or any other law regarding the crediting of money
18 received for the Government, there shall be deposited in
19 the Fund an amount equal to the amount of the assess-
20 ments collected under this section, which shall remain
21 available until expended.

22 “(e) USE OF FUNDS.—

23 “(1) IN GENERAL.—From amounts in the
24 Fund, in addition to any other amounts available,
25 and without further appropriation, the Attorney

1 General, in coordination with the Secretary of
2 Health and Human Services shall, for each of fiscal
3 years 2016 through 2020, use amounts available in
4 the Fund to award grants or enhance victims' pro-
5 gramming under—

6 “(A) sections 202, 203, and 204 of the
7 Trafficking Victims Protection Reauthorization
8 Act of 2005 (42 U.S.C. 14044a, 14044b, and
9 14044c);

10 “(B) subsections (b)(2) and (f) of section
11 107 of the Trafficking Victims Protection Act
12 of 2000 (22 U.S.C. 7105); and

13 “(C) section 214(b) of the Victims of Child
14 Abuse Act of 1990 (42 U.S.C. 13002(b)).

15 “(2) GRANTS.—Of the amounts in the Fund
16 used under paragraph (1), not less than \$2,000,000
17 shall be used for grants to provide services for child
18 pornography victims under section 214(b) of the
19 Victims of Child Abuse Act of 1990 (42 U.S.C.
20 13002(b)).

21 “(3) LIMITATIONS.—Amounts in the Fund, or
22 otherwise transferred from the Fund, shall be sub-
23 ject to the limitations on the use or expending of
24 amounts described in sections 506 and 507 of divi-
25 sion H of the Consolidated Appropriations Act, 2014

1 (Public Law 113–76; 128 Stat. 409) to the same ex-
2 tent as if amounts in the Fund were funds appro-
3 priated under division H of such Act.

4 “(f) TRANSFERS.—

5 “(1) IN GENERAL.—Effective on the day after
6 the date of enactment of the Justice for Victims of
7 Trafficking Act of 2015, on September 30 of each
8 fiscal year, all unobligated balances in the Fund
9 shall be transferred to the Crime Victims Fund es-
10 tablished under section 1402 of the Victims of Crime
11 Act of 1984 (42 U.S.C. 10601).

12 “(2) AVAILABILITY.—Amounts transferred
13 under paragraph (1)—

14 “(A) shall be available for any authorized
15 purpose of the Crime Victims Fund; and

16 “(B) shall remain available until expended.

17 “(g) COLLECTION METHOD.—The amount assessed
18 under subsection (a) shall, subject to subsection (b), be
19 collected in the manner that fines are collected in criminal
20 cases.

21 “(h) DURATION OF OBLIGATION.—The obligation to
22 pay an assessment imposed on or after the date of enact-
23 ment of the Justice for Victims of Trafficking Act of 2015
24 shall not cease until the assessment is paid in full.”.

1 (b) TECHNICAL AND CONFORMING AMENDMENT.—
 2 The table of sections for chapter 201 of title 18, United
 3 States Code, is amended by inserting after the item relat-
 4 ing to section 3013 the following:

“3014. Additional special assessment.”.

5 **SEC. 3. OFFICIAL RECOGNITION OF AMERICAN VICTIMS OF**
 6 **HUMAN TRAFFICKING.**

7 Section 107 of the Trafficking Victims Protection Act
 8 of 2000 (22 U.S.C. 7105) is amended—

9 (1) by redesignating subsection (f) (as origi-
 10 nally enacted), as subsection (h); and

11 (2) in subsection (f) (as added by section
 12 213(a)(1) of the William Wilberforce Trafficking
 13 Victims Protection Reauthorization Act of 2008
 14 (Public Law 110–457)), by adding at the end the
 15 following:

16 “(4) OFFICIAL RECOGNITION OF AMERICAN VIC-
 17 TIMS OF HUMAN TRAFFICKING.—

18 “(A) IN GENERAL.—Upon receiving cred-
 19 ible information that establishes, by a prepon-
 20 derance of the evidence, that a covered indi-
 21 vidual is a victim of a severe form of trafficking
 22 and at the request of the covered individual, the
 23 Secretary of Health and Human Services shall
 24 promptly issue a determination that the covered
 25 individual is a victim of a severe form of traf-

1 ficking. The Secretary shall have exclusive au-
2 thority to make such a determination.

3 “(B) COVERED INDIVIDUAL DEFINED.—In
4 this subsection, the term ‘covered individual’
5 means—

6 “(i) a citizen of the United States; or

7 “(ii) an alien lawfully admitted for
8 permanent residence (as defined in section
9 101(20) of the Immigration and Nation-
10 ality Act (8 U.S.C. 1101(20))).

11 “(C) PROCEDURE.—For purposes of this
12 paragraph, in determining whether a covered
13 individual has provided credible information
14 that the covered individual is a victim of a se-
15 vere form of trafficking, the Secretary of
16 Health and Human Services shall consider all
17 relevant and credible evidence, and if appro-
18 priate, consult with the Attorney General, the
19 Secretary of Homeland Security, or the Sec-
20 retary of Labor.

21 “(D) PRESUMPTIVE EVIDENCE.—For pur-
22 poses of this paragraph, the following forms of
23 evidence shall receive deference in determining
24 whether a covered individual has established

1 that the covered individual is a victim of a se-
2 vere form of trafficking:

3 “(i) A sworn statement by the covered
4 individual or a representative of the cov-
5 ered individual if the covered individual is
6 present at the time of such statement but
7 not able to competently make such sworn
8 statement.

9 “(ii) Police, government agency, or
10 court records or files.

11 “(iii) Documentation from a social
12 services, trafficking, or domestic violence
13 program, child welfare or runaway and
14 homeless youth program, or a legal, clin-
15 ical, medical, or other professional from
16 whom the covered individual has sought as-
17 sistance in dealing with the crime.

18 “(iv) A statement from any other in-
19 dividual with knowledge of the cir-
20 cumstances that provided the basis for the
21 claim.

22 “(v) Physical evidence.

23 “(E) REGULATIONS REQUIRED.—Not later
24 than 18 months after the date of enactment of
25 the Justice for Victims of Trafficking Act of

1 2015, the Secretary of Health and Human
2 Services shall adopt regulations to implement
3 this paragraph.

4 “(F) RULE OF CONSTRUCTION; OFFICIAL
5 RECOGNITION OPTIONAL.—Nothing in this
6 paragraph may be construed to require a cov-
7 ered individual to obtain a determination under
8 this paragraph in order to be defined or classi-
9 fied as a victim of a severe form of trafficking
10 under this section.”.

11 **SEC. 4. VICTIM-CENTERED CHILD HUMAN TRAFFICKING**
12 **DETERRENCE BLOCK GRANT PROGRAM.**

13 (a) IN GENERAL.—Section 203 of the Trafficking
14 Victims Protection Reauthorization Act of 2005 (42
15 U.S.C. 14044b) is amended to read as follows:

16 **“SEC. 203. VICTIM-CENTERED CHILD HUMAN TRAFFICKING**
17 **DETERRENCE BLOCK GRANT PROGRAM.**

18 “(a) GRANTS AUTHORIZED.—The Attorney General
19 may award block grants to an eligible entity to develop,
20 improve, or expand domestic child human trafficking de-
21 terrence programs that assist law enforcement officers,
22 prosecutors, judicial officials, and qualified victims’ serv-
23 ices organizations in collaborating to rescue and restore
24 the lives of victims, while investigating and prosecuting of-
25 fenses involving child human trafficking.

1 “(b) AUTHORIZED ACTIVITIES.—Grants awarded
2 under subsection (a) may be used for—

3 “(1) the establishment or enhancement of spe-
4 cialized training programs for law enforcement offi-
5 cers, first responders, health care officials, child wel-
6 fare officials, juvenile justice personnel, prosecutors,
7 and judicial personnel to—

8 “(A) identify victims and acts of child
9 human trafficking;

10 “(B) address the unique needs of child vic-
11 tims of human trafficking;

12 “(C) facilitate the rescue of child victims of
13 human trafficking;

14 “(D) investigate and prosecute acts of
15 human trafficking, including the soliciting, pa-
16 tronizing, or purchasing of commercial sex acts
17 from children, as well as training to build cases
18 against complex criminal networks involved in
19 child human trafficking;

20 “(E) use laws that prohibit acts of child
21 human trafficking, child sexual abuse, and child
22 rape, and to assist in the development of State
23 and local laws to prohibit, investigate, and pros-
24 ecute acts of child human trafficking; and

1 “(F) implement and provide education on
2 safe harbor laws enacted by States, aimed at
3 preventing the criminalization and prosecution
4 of child sex trafficking victims for prostitution
5 offenses;

6 “(2) the establishment or enhancement of dedi-
7 cated anti-trafficking law enforcement units and
8 task forces to investigate child human trafficking of-
9 fenses and to rescue victims, including—

10 “(A) funding salaries, in whole or in part,
11 for law enforcement officers, including patrol
12 officers, detectives, and investigators, except
13 that the percentage of the salary of the law en-
14 forcement officer paid for by funds from a
15 grant awarded under this section shall not be
16 more than the percentage of the officer’s time
17 on duty that is dedicated to working on cases
18 involving child human trafficking;

19 “(B) investigation expenses for cases in-
20 volving child human trafficking, including—

21 “(i) wire taps;

22 “(ii) consultants with expertise spe-
23 cific to cases involving child human traf-
24 ficking;

25 “(iii) travel; and

1 “(iv) other technical assistance ex-
2 penditures;

3 “(C) dedicated anti-trafficking prosecution
4 units, including the funding of salaries for
5 State and local prosecutors, including assisting
6 in paying trial expenses for prosecution of child
7 human trafficking offenders, except that the
8 percentage of the total salary of a State or local
9 prosecutor that is paid using an award under
10 this section shall be not more than the percent-
11 age of the total number of hours worked by the
12 prosecutor that is spent working on cases in-
13 volving child human trafficking;

14 “(D) the establishment of child human
15 trafficking victim witness safety, assistance,
16 and relocation programs that encourage co-
17 operation with law enforcement investigations
18 of crimes of child human trafficking by
19 leveraging existing resources and delivering
20 child human trafficking victims’ services
21 through coordination with—

22 “(i) child advocacy centers;

23 “(ii) social service agencies;

24 “(iii) State governmental health serv-
25 ice agencies;

1 “(iv) housing agencies;

2 “(v) legal services agencies; and

3 “(vi) nongovernmental organizations
4 and shelter service providers with substan-
5 tial experience in delivering wrap-around
6 services to victims of child human traf-
7 ficking; and

8 “(E) the establishment or enhancement of
9 other necessary victim assistance programs or
10 personnel, such as victim or child advocates,
11 child-protective services, child forensic inter-
12 views, or other necessary service providers; and

13 “(3) the establishment or enhancement of prob-
14 lem solving court programs for trafficking victims
15 that include—

16 “(A) mandatory and regular training re-
17 quirements for judicial officials involved in the
18 administration or operation of the court pro-
19 gram described under this paragraph;

20 “(B) continuing judicial supervision of vic-
21 tims of child human trafficking who have been
22 identified by a law enforcement or judicial offi-
23 cer as a potential victim of child human traf-
24 ficking, regardless of whether the victim has

1 been charged with a crime related to human
2 trafficking;

3 “(C) the development of a specialized and
4 individualized, court-ordered treatment program
5 for identified victims of child human trafficking,
6 including—

7 “(i) State-administered outpatient
8 treatment;

9 “(ii) life skills training;

10 “(iii) housing placement;

11 “(iv) vocational training;

12 “(v) education;

13 “(vi) family support services; and

14 “(vii) job placement;

15 “(D) centralized case management involv-
16 ing the consolidation of all of each child human
17 trafficking victim’s cases and offenses, and the
18 coordination of all trafficking victim treatment
19 programs and social services;

20 “(E) regular and mandatory court appear-
21 ances by the victim during the duration of the
22 treatment program for purposes of ensuring
23 compliance and effectiveness;

24 “(F) the ultimate dismissal of relevant
25 non-violent criminal charges against the victim,

1 where such victim successfully complies with the
2 terms of the court-ordered treatment program;
3 and

4 “(G) collaborative efforts with child advoca-
5 cacy centers, child welfare agencies, shelters,
6 and nongovernmental organizations with sub-
7 stantial experience in delivering wrap-around
8 services to victims of child human trafficking to
9 provide services to victims and encourage co-
10 operation with law enforcement.

11 “(c) APPLICATION.—

12 “(1) IN GENERAL.—An eligible entity shall sub-
13 mit an application to the Attorney General for a
14 grant under this section in such form and manner
15 as the Attorney General may require.

16 “(2) REQUIRED INFORMATION.—An application
17 submitted under this subsection shall—

18 “(A) describe the activities for which as-
19 sistance under this section is sought;

20 “(B) include a detailed plan for the use of
21 funds awarded under the grant;

22 “(C) provide such additional information
23 and assurances as the Attorney General deter-
24 mines to be necessary to ensure compliance
25 with the requirements of this section; and

1 “(D) disclose—

2 “(i) any other grant funding from the
3 Department of Justice or from any other
4 Federal department or agency for purposes
5 similar to those described in subsection (b)
6 for which the eligible entity has applied,
7 and which application is pending on the
8 date of the submission of an application
9 under this section; and

10 “(ii) any other such grant funding
11 that the eligible entity has received during
12 the 5-year period ending on the date of the
13 submission of an application under this
14 section.

15 “(3) PREFERENCE.—In reviewing applications
16 submitted in accordance with paragraphs (1) and
17 (2), the Attorney General shall give preference to
18 grant applications if—

19 “(A) the application includes a plan to use
20 awarded funds to engage in all activities de-
21 scribed under paragraphs (1) through (3) of
22 subsection (b); or

23 “(B) the application includes a plan by the
24 State or unit of local government to continue

1 funding of all activities funded by the award
2 after the expiration of the award.

3 “(d) DURATION AND RENEWAL OF AWARD.—

4 “(1) IN GENERAL.—A grant under this section
5 shall expire 3 years after the date of award of the
6 grant.

7 “(2) RENEWAL.—A grant under this section
8 shall be renewable not more than 2 times and for a
9 period of not greater than 2 years.

10 “(e) EVALUATION.—The Attorney General shall—

11 “(1) enter into a contract with a nongovern-
12 mental organization, including an academic or non-
13 profit organization, that has experience with issues
14 related to child human trafficking and evaluation of
15 grant programs to conduct periodic evaluations of
16 grants made under this section to determine the im-
17 pact and effectiveness of programs funded with
18 grants awarded under this section; and

19 “(2) submit the results of any evaluation con-
20 ducted pursuant to paragraph (1) to—

21 “(A) the Committee on the Judiciary of
22 the Senate; and

23 “(B) the Committee on the Judiciary of
24 the House of Representatives.

1 “(f) MANDATORY EXCLUSION.—An eligible entity
2 awarded funds under this section that is found to have
3 used grant funds for any unauthorized expenditure or oth-
4 erwise unallowable cost shall not be eligible for any grant
5 funds awarded under the block grant for 2 fiscal years
6 following the year in which the unauthorized expenditure
7 or unallowable cost is reported.

8 “(g) COMPLIANCE REQUIREMENT.—An eligible enti-
9 ty shall not be eligible to receive a grant under this section
10 if within the 5 fiscal years before submitting an applica-
11 tion for a grant under this section, the grantee has been
12 found to have violated the terms or conditions of a Govern-
13 ment grant program by utilizing grant funds for unauthor-
14 ized expenditures or otherwise unallowable costs.

15 “(h) ADMINISTRATIVE CAP.—The cost of admin-
16 istering the grants authorized by this section shall not ex-
17 ceed 5 percent of the total amount expended to carry out
18 this section.

19 “(i) FEDERAL SHARE.—The Federal share of the
20 cost of a program funded by a grant awarded under this
21 section shall be—

22 “(1) 70 percent in the first year;

23 “(2) 60 percent in the second year; and

24 “(3) 50 percent in the third year, and in all
25 subsequent years.

1 “(j) AUTHORIZATION OF FUNDING; FULLY OFF-
2 SET.—For purposes of carrying out this section, the At-
3 torney General, in consultation with the Secretary of
4 Health and Human Services, is authorized to award not
5 more than \$7,000,000 of the funds available in the Do-
6 mestic Trafficking Victims’ Fund, established under sec-
7 tion 3014 of title 18, United States Code, for each of fiscal
8 years 2016 through 2020.

9 “(k) DEFINITIONS.—In this section—

10 “(1) the term ‘child’ means a person under the
11 age of 18;

12 “(2) the term ‘child advocacy center’ means a
13 center created under subtitle A of the Victims of
14 Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.);

15 “(3) the term ‘child human trafficking’ means
16 1 or more severe forms of trafficking in persons (as
17 defined in section 103 of the Trafficking Victims
18 Protection Act of 2000 (22 U.S.C. 7102)) involving
19 a victim who is a child; and

20 “(4) the term ‘eligible entity’ means a State or
21 unit of local government that—

22 “(A) has significant criminal activity in-
23 volving child human trafficking;

24 “(B) has demonstrated cooperation be-
25 tween Federal, State, local, and, where applica-

1 ble, tribal law enforcement agencies, prosecu-
2 tors, and social service providers in addressing
3 child human trafficking;

4 “(C) has developed a workable, multi-
5 disciplinary plan to combat child human traf-
6 ficking, including—

7 “(i) the establishment of a shelter for
8 victims of child human trafficking, through
9 existing or new facilities;

10 “(ii) the provision of trauma-
11 informed, gender-responsive rehabilitative
12 care to victims of child human trafficking;

13 “(iii) the provision of specialized
14 training for law enforcement officers and
15 social service providers for all forms of
16 human trafficking, with a focus on domes-
17 tic child human trafficking;

18 “(iv) prevention, deterrence, and pros-
19 ecution of offenses involving child human
20 trafficking, including soliciting, patron-
21 izing, or purchasing human acts with chil-
22 dren;

23 “(v) cooperation or referral agree-
24 ments with organizations providing out-

1 reach or other related services to runaway
2 and homeless youth;

3 “(vi) law enforcement protocols or
4 procedures to screen all individuals ar-
5 rested for prostitution, whether adult or
6 child, for victimization by sex trafficking
7 and by other crimes, such as sexual assault
8 and domestic violence; and

9 “(vii) cooperation or referral agree-
10 ments with State child welfare agencies
11 and child advocacy centers; and

12 “(D) provides an assurance that, under the
13 plan under subparagraph (C), a victim of child
14 human trafficking shall not be required to col-
15 laborate with law enforcement officers to have
16 access to any shelter or services provided with
17 a grant under this section.

18 “(I) GRANT ACCOUNTABILITY; SPECIALIZED VIC-
19 TIMS’ SERVICE REQUIREMENT.—No grant funds under
20 this section may be awarded or transferred to any entity
21 unless such entity has demonstrated substantial experi-
22 ence providing services to victims of human trafficking or
23 related populations (such as runaway and homeless
24 youth), or employs staff specialized in the treatment of
25 human trafficking victims.”.

1 (b) TABLE OF CONTENTS.—The table of contents in
 2 section 1(b) of the Trafficking Victims Protection Reau-
 3 thorization Act of 2005 (22 U.S.C. 7101 note) is amended
 4 by striking the item relating to section 203 and inserting
 5 the following:

“Sec. 203. Victim-centered child human trafficking deterrence block grant pro-
 gram.”.

6 **SEC. 5. DIRECT SERVICES FOR VICTIMS OF CHILD PORNOG-**
 7 **RAPHY.**

8 The Victims of Child Abuse Act of 1990 (42 U.S.C.
 9 13001 et seq.) is amended—

10 (1) in section 212(5) (42 U.S.C. 13001a(5)), by
 11 inserting “, including human trafficking and the
 12 production of child pornography” before the semi-
 13 colon at the end; and

14 (2) in section 214 (42 U.S.C. 13002)—

15 (A) by redesignating subsections (b), (c),
 16 and (d) as subsections (c), (d), and (e), respec-
 17 tively; and

18 (B) by inserting after subsection (a) the
 19 following:

20 “(b) DIRECT SERVICES FOR VICTIMS OF CHILD POR-
 21 NOGRAPHY.—The Administrator, in coordination with the
 22 Director and with the Director of the Office of Victims
 23 of Crime, may make grants to develop and implement spe-

1 cialized programs to identify and provide direct services
2 to victims of child pornography.”.

3 **SEC. 6. INCREASING COMPENSATION AND RESTITUTION**
4 **FOR TRAFFICKING VICTIMS.**

5 (a) AMENDMENTS TO TITLE 18.—Section 1594 of
6 title 18, United States Code, is amended—

7 (1) in subsection (d)—

8 (A) in paragraph (1)—

9 (i) by striking “that was used or” and
10 inserting “that was involved in, used, or”;
11 and

12 (ii) by inserting “, and any property
13 traceable to such property” after “such
14 violation”; and

15 (B) in paragraph (2), by inserting “, or
16 any property traceable to such property” after
17 “such violation”;

18 (2) in subsection (e)(1)(A)—

19 (A) by striking “used or” and inserting
20 “involved in, used, or”; and

21 (B) by inserting “, and any property trace-
22 able to such property” after “any violation of
23 this chapter”;

24 (3) by redesignating subsection (f) as sub-
25 section (g); and

1 (4) by inserting after subsection (e) the fol-
2 lowing:

3 “(f) TRANSFER OF FORFEITED ASSETS.—

4 “(1) IN GENERAL.—Notwithstanding any other
5 provision of law, the Attorney General shall transfer
6 assets forfeited pursuant to this section, or the pro-
7 ceeds derived from the sale thereof, to satisfy victim
8 restitution orders arising from violations of this
9 chapter.

10 “(2) PRIORITY.—Transfers pursuant to para-
11 graph (1) shall have priority over any other claims
12 to the assets or their proceeds.

13 “(3) USE OF NON-FORFEITED ASSETS.—Trans-
14 fers pursuant to paragraph (1) shall not reduce or
15 otherwise mitigate the obligation of a person con-
16 victed of a violation of this chapter to satisfy the full
17 amount of a restitution order through the use of
18 non-forfeited assets or to reimburse the Attorney
19 General for the value of assets or proceeds trans-
20 ferred under this subsection through the use of non-
21 forfeited assets.”.

22 (b) AMENDMENT TO TITLE 28.—Section
23 524(e)(1)(B) of title 28, United States Code, is amended
24 by inserting “chapter 77 of title 18,” after “criminal drug
25 laws of the United States or of”.

1 (c) AMENDMENTS TO TITLE 31.—

2 (1) IN GENERAL.—Chapter 97 of title 31,
3 United States Code, is amended—

4 (A) by redesignating section 9703 (as
5 added by section 638(b)(1) of the Treasury,
6 Postal Service, and General Government Appro-
7 priations Act, 1993 (Public Law 102–393; 106
8 Stat. 1779)) as section 9705; and

9 (B) in section 9705(a), as redesignated—

10 (i) in paragraph (1)—

11 (I) in subparagraph (I)—

12 (aa) by striking “payment”
13 and inserting “Payment”; and

14 (bb) by striking the semi-
15 colon at the end and inserting a
16 period; and

17 (II) in subparagraph (J), by
18 striking “payment” and inserting
19 “Payment”; and

20 (ii) in paragraph (2)—

21 (I) in subparagraph (B)—

22 (aa) in clause (iii)—

23 (AA) in subclause (I),
24 by striking “or” and insert-
25 ing “of”; and

1 (BB) in subclause (III),
 2 by striking “and” at the
 3 end;

4 (bb) in clause (iv), by strik-
 5 ing the period at the end and in-
 6 serting “; and”; and

7 (cc) by inserting after clause
 8 (iv) the following:

9 “(v) U.S. Immigration and Customs
 10 Enforcement with respect to a violation of
 11 chapter 77 of title 18 (relating to human
 12 trafficking);”;

13 (II) in subparagraph (G), by add-
 14 ing “and” at the end; and

15 (III) in subparagraph (H), by
 16 striking “; and” and inserting a pe-
 17 riod.

18 (2) TECHNICAL AND CONFORMING AMEND-
 19 MENTS.—

20 (A) CROSS REFERENCES.—

21 (i) TITLE 28.—Section 524(c) of title
 22 28, United States Code, is amended—

23 (I) in paragraph (4)(C), by strik-
 24 ing “section 9703(g)(4)(A)(ii)” and
 25 inserting “section 9705(g)(4)(A)”;

1 (II) in paragraph (10), by strik-
 2 ing “section 9703(p)” and inserting
 3 “section 9705(p)”; and

4 (III) in paragraph (11), by strik-
 5 ing “section 9703” and inserting
 6 “section 9705”.

7 (ii) TITLE 31.—Title 31, United
 8 States Code, is amended—

9 (I) in section 312(d), by striking
 10 “section 9703” and inserting “section
 11 9705”; and

12 (II) in section 5340(1), by strik-
 13 ing “section 9703(p)(1)” and insert-
 14 ing “section 9705(p)(1)”.

15 (iii) TITLE 39.—Section 2003(e)(1) of
 16 title 39, United States Code, is amended
 17 by striking “section 9703(p)” and insert-
 18 ing “section 9705(p)”.

19 (B) TABLE OF SECTIONS.—The table of
 20 sections for chapter 97 of title 31, United
 21 States Code, is amended to read as follows:

“9701. Fees and charges for Government services and things of value.

“9702. Investment of trust funds.

“9703. Managerial accountability and flexibility.

“9704. Pilot projects for managerial accountability and flexibility.

“9705. Department of the Treasury Forfeiture Fund.”.

1 **SEC. 7. STREAMLINING HUMAN TRAFFICKING INVESTIGA-**
2 **TIONS.**

3 Section 2516 of title 18, United States Code, is
4 amended—

5 (1) in paragraph (1)—

6 (A) in subparagraph (a), by inserting a
7 comma after “weapons”;

8 (B) in subparagraph (c)—

9 (i) by inserting “section 1581 (peon-
10 age), section 1584 (involuntary servitude),
11 section 1589 (forced labor), section 1590
12 (trafficking with respect to peonage, slav-
13 ery, involuntary servitude, or forced
14 labor),” before “section 1591”;

15 (ii) by inserting “section 1592 (unlaw-
16 ful conduct with respect to documents in
17 furtherance of trafficking, peonage, slav-
18 ery, involuntary servitude, or forced
19 labor),” before “section 1751”;

20 (iii) by inserting a comma after
21 “virus”;

22 (iv) by striking “,, section” and in-
23 serting a comma;

24 (v) by striking “or” after “misuse of
25 passports),”; and

1 (vi) by inserting “or” before “section
2 555”;

3 (C) in subparagraph (j), by striking “pipe-
4 line,)” and inserting “pipeline,”; and

5 (D) in subparagraph (p), by striking “doc-
6 uments, section 1028A (relating to aggravated
7 identity theft))” and inserting “documents),
8 section 1028A (relating to aggravated identity
9 theft)”;

10 (2) in paragraph (2), by inserting “human traf-
11 ficking, child sexual exploitation, child pornography
12 production,” after “kidnapping”.

13 **SEC. 8. ENHANCING HUMAN TRAFFICKING REPORTING.**

14 (a) IN GENERAL.—Section 505 of title I of the Omni-
15 bus Crime Control and Safe Streets Act of 1968 (42
16 U.S.C. 3755) is amended by adding at the end the fol-
17 lowing:

18 “(i) PART 1 VIOLENT CRIMES TO INCLUDE HUMAN
19 TRAFFICKING.—For purposes of this section, the term
20 ‘part 1 violent crimes’ shall include severe forms of traf-
21 ficking in persons (as defined in section 103 of the Traf-
22 ficking Victims Protection Act of 2000 (22 U.S.C.
23 7102)).”.

1 (b) CRIME CONTROL ACT AMENDMENTS.—Section
2 3702 of the Crime Control Act of 1990 (42 U.S.C. 5780)
3 is amended—

4 (1) in paragraph (2), by striking “and” at the
5 end; and

6 (2) in paragraph (4)—

7 (A) in the matter preceding subparagraph
8 (A), by striking “paragraph (2)” and inserting
9 “paragraph (3)”;

10 (B) in subparagraph (A), by inserting
11 “and a photograph taken within the previous
12 180 days” after “dental records”;

13 (C) in subparagraph (B), by striking
14 “and” at the end;

15 (D) by redesignating subparagraph (C) as
16 subparagraph (D); and

17 (E) by inserting after subparagraph (B)
18 the following:

19 “(C) notify the National Center for Miss-
20 ing and Exploited Children of each report re-
21 ceived relating to a child reported missing from
22 a foster care family home or childcare institu-
23 tion; and”.

1 **SEC. 9. REDUCING DEMAND FOR SEX TRAFFICKING.**

2 (a) IN GENERAL.—Section 1591 of title 18, United
3 States Code, is amended—

4 (1) in subsection (a)(1), by striking “or main-
5 tains” and inserting “maintains, patronizes, or solici-
6 its”;

7 (2) in subsection (b)—

8 (A) in paragraph (1), by striking “or ob-
9 tained” and inserting “obtained, patronized, or
10 solicited”; and

11 (B) in paragraph (2), by striking “or ob-
12 tained” and inserting “obtained, patronized, or
13 solicited”; and

14 (3) in subsection (c)—

15 (A) by striking “or maintained” and in-
16 serting “, maintained, patronized, or solicited”;
17 and

18 (B) by striking “knew that the person”
19 and inserting “knew, or recklessly disregarded
20 the fact, that the person”.

21 (b) DEFINITION AMENDED.—Section 103(10) of the
22 Trafficking Victims Protection Act of 2000 (22 U.S.C.
23 7102(10)) is amended by striking “or obtaining” and in-
24 serting “obtaining, patronizing, or soliciting”.

1 (c) PURPOSE.—The purpose of the amendments
2 made by this section is to clarify the range of conduct pun-
3 ished as sex trafficking.

4 **SEC. 10. USING EXISTING TASK FORCES AND COMPONENTS**
5 **TO TARGET OFFENDERS WHO EXPLOIT CHIL-**
6 **DREN.**

7 Not later than 180 days after the date of enactment
8 of this Act, the Attorney General shall ensure that—

9 (1) all task forces and working groups within
10 the Innocence Lost National Initiative engage in ac-
11 tivities, programs, or operations to increase the in-
12 vestigative capabilities of State and local law en-
13 forcement officers in the detection, investigation,
14 and prosecution of persons who patronize, or solicit
15 children for sex; and

16 (2) all components and task forces with juris-
17 diction to detect, investigate, and prosecute cases of
18 child labor trafficking engage in activities, programs,
19 or operations to increase the capacity of such compo-
20 nents to deter and punish child labor trafficking.

21 **SEC. 11. TARGETING CHILD PREDATORS.**

22 (a) CLARIFYING THAT CHILD PORNOGRAPHY PRO-
23 DUCERS ARE HUMAN TRAFFICKERS.—Section 2423(f) of
24 title 18, United States Code, is amended—

1 (1) by striking “means (1) a” and inserting the
2 following: “means—
3 “(1) a”;
4 (2) by striking “United States; or (2) any” and
5 inserting the following: “United States;
6 “(2) any”; and
7 (3) by striking the period at the end and insert-
8 ing the following: “; or
9 “(3) production of child pornography (as de-
10 fined in section 2256(8)).”.

11 (b) **HOLDING SEX TRAFFICKERS ACCOUNTABLE.**—
12 Section 2423(g) of title 18, United States Code, is amend-
13 ed by striking “a preponderance of the evidence” and in-
14 serting “clear and convincing evidence”.

15 **SEC. 12. MONITORING ALL HUMAN TRAFFICKERS AS VIO-**
16 **LENT CRIMINALS.**

17 Section 3156(a)(4)(C) of title 18, United States
18 Code, is amended by inserting “77,” after “chapter”.

19 **SEC. 13. CRIME VICTIMS’ RIGHTS.**

20 (a) **IN GENERAL.**—Section 3771 of title 18, United
21 States Code, is amended—

22 (1) in subsection (a), by adding at the end the
23 following:

1 “(9) The right to be informed in a timely man-
2 ner of any plea bargain or deferred prosecution
3 agreement.

4 “(10) The right to be informed of the rights
5 under this section and the services described in sec-
6 tion 503(c) of the Victims’ Rights and Restitution
7 Act of 1990 (42 U.S.C. 10607(c)) and provided con-
8 tact information for the Office of the Victims’
9 Rights Ombudsman of the Department of Justice.”;

10 (2) in subsection (d)(3), in the fifth sentence,
11 by inserting “, unless the litigants, with the approval
12 of the court, have stipulated to a different time pe-
13 riod for consideration” before the period; and

14 (3) in subsection (e)—

15 (A) by striking “this chapter, the term”
16 and inserting the following: “this chapter:

17 “(1) COURT OF APPEALS.—The term ‘court of
18 appeals’ means—

19 “(A) the United States court of appeals for
20 the judicial district in which a defendant is
21 being prosecuted; or

22 “(B) for a prosecution in the Superior
23 Court of the District of Columbia, the District
24 of Columbia Court of Appeals.

25 “(2) CRIME VICTIM.—

1 “(A) IN GENERAL.—The term”;

2 (B) by striking “In the case” and inserting
3 the following:

4 “(B) MINORS AND CERTAIN OTHER VIC-
5 TIMS.—In the case”; and

6 (C) by adding at the end the following:

7 “(3) DISTRICT COURT; COURT.—The terms
8 ‘district court’ and ‘court’ include the Superior
9 Court of the District of Columbia.”.

10 (b) CRIME VICTIMS FUND.—Section
11 1402(d)(3)(A)(i) of the Victims of Crime Act of 1984 (42
12 U.S.C. 10601(d)(3)(A)(i)) is amended by inserting “sec-
13 tion” before “3771”.

14 (c) APPELLATE REVIEW OF PETITIONS RELATING TO
15 CRIME VICTIMS’ RIGHTS.—

16 (1) IN GENERAL.—Section 3771(d)(3) of title
17 18, United States Code, as amended by subsection
18 (a)(2) of this section, is amended by inserting after
19 the fifth sentence the following: “In deciding such
20 application, the court of appeals shall apply ordinary
21 standards of appellate review.”.

22 (2) APPLICATION.—The amendment made by
23 paragraph (1) shall apply with respect to any peti-
24 tion for a writ of mandamus filed under section

1 3771(d)(3) of title 18, United States Code, that is
2 pending on the date of enactment of this Act.

3 **SEC. 14. COMBAT HUMAN TRAFFICKING ACT.**

4 (a) **SHORT TITLE.**—This section may be cited as the
5 “Combat Human Trafficking Act of 2015”.

6 (b) **DEFINITIONS.**—In this section:

7 (1) **COMMERCIAL SEX ACT; SEVERE FORMS OF**
8 **TRAFFICKING IN PERSONS; STATE.**—The terms
9 “commercial sex act”, “severe forms of trafficking in
10 persons”, and “State” have the meanings given
11 those terms in section 103 of the Trafficking Vic-
12 tims Protection Act of 2000 (22 U.S.C. 7102).

13 (2) **COVERED OFFENDER.**—The term “covered
14 offender” means an individual who obtains, patron-
15 izes, or solicits a commercial sex act involving a per-
16 son subject to severe forms of trafficking in persons.

17 (3) **COVERED OFFENSE.**—The term “covered
18 offense” means the provision, obtaining, patronizing,
19 or soliciting of a commercial sex act involving a per-
20 son subject to severe forms of trafficking in persons.

21 (4) **FEDERAL LAW ENFORCEMENT OFFICER.**—
22 The term “Federal law enforcement officer” has the
23 meaning given the term in section 115 of title 18,
24 United States Code.

1 (5) LOCAL LAW ENFORCEMENT OFFICER.—The
2 term “local law enforcement officer” means any offi-
3 cer, agent, or employee of a unit of local government
4 authorized by law or by a local government agency
5 to engage in or supervise the prevention, detection,
6 investigation, or prosecution of any violation of
7 criminal law.

8 (6) STATE LAW ENFORCEMENT OFFICER.—The
9 term “State law enforcement officer” means any of-
10 ficer, agent, or employee of a State authorized by
11 law or by a State government agency to engage in
12 or supervise the prevention, detection, investigation,
13 or prosecution of any violation of criminal law.

14 (c) DEPARTMENT OF JUSTICE TRAINING AND POL-
15 ICY FOR LAW ENFORCEMENT OFFICERS, PROSECUTORS,
16 AND JUDGES.—

17 (1) TRAINING.—

18 (A) LAW ENFORCEMENT OFFICERS.—The
19 Attorney General shall ensure that each anti-
20 human trafficking program operated by the De-
21 partment of Justice, including each anti-human
22 trafficking training program for Federal, State,
23 or local law enforcement officers, includes tech-
24 nical training on—

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

3 (ii) facilitating the provision of phys-
4 ical and mental health services by health
5 care providers to persons subject to severe
6 forms of trafficking in persons.

7 (B) FEDERAL PROSECUTORS.—The Attor-
8 ney General shall ensure that each anti-human
9 trafficking program operated by the Depart-
10 ment of Justice for United States attorneys or
11 other Federal prosecutors includes training on
12 seeking restitution for offenses under chapter
13 77 of title 18, United States Code, to ensure
14 that each United States attorney or other Fed-
15 eral prosecutor, upon obtaining a conviction for
16 such an offense, requests a specific amount of
17 restitution for each victim of the offense with-
18 out regard to whether the victim requests res-
19 titution.

20 (C) JUDGES.—The Federal Judicial Center
21 shall provide training to judges relating to the
22 application of section 1593 of title 18, United
23 States Code, with respect to ordering restitution
24 for victims of offenses under chapter 77 of such
25 title.

1 (2) POLICY FOR FEDERAL LAW ENFORCEMENT
2 OFFICERS.—The Attorney General shall ensure that
3 Federal law enforcement officers are engaged in ac-
4 tivities, programs, or operations involving the detec-
5 tion, investigation, and prosecution of covered of-
6 fenders.

7 (d) MINIMUM PERIOD OF SUPERVISED RELEASE FOR
8 CONSPIRACY TO COMMIT COMMERCIAL CHILD SEX TRAF-
9 FICKING.—Section 3583(k) of title 18, United States
10 Code, is amended by inserting “1594(c),” after “1591,”.

11 (e) BUREAU OF JUSTICE STATISTICS REPORT ON
12 STATE ENFORCEMENT OF HUMAN TRAFFICKING PROHI-
13 BITIONS.—The Director of the Bureau of Justice Statis-
14 tics shall—

15 (1) prepare an annual report on—

16 (A) the rates of—

17 (i) arrest of individuals by State law
18 enforcement officers for a covered offense;

19 (ii) prosecution (including specific
20 charges) of individuals in State court sys-
21 tems for a covered offense; and

22 (iii) conviction of individuals in State
23 court systems for a covered offense; and

1 (B) sentences imposed on individuals con-
2 victed in State court systems for a covered of-
3 fense; and

4 (2) submit the annual report prepared under
5 paragraph (1) to—

6 (A) the Committee on the Judiciary of the
7 House of Representatives;

8 (B) the Committee on the Judiciary of the
9 Senate;

10 (C) the Task Force;

11 (D) the Senior Policy Operating Group es-
12 tablished under section 105(g) of the Traf-
13 ficking Victims Protection Act of 2000 (22
14 U.S.C. 7103(g)); and

15 (E) the Attorney General.

16 **SEC. 15. GRANT ACCOUNTABILITY.**

17 (a) DEFINITION.—In this section, the term “covered
18 grant” means a grant awarded by the Attorney General
19 under section 203 of the Trafficking Victims Protection
20 Reauthorization Act of 2005 (42 U.S.C. 14044b), as
21 amended by section 4.

22 (b) ACCOUNTABILITY.—All covered grants shall be
23 subject to the following accountability provisions:

24 (1) AUDIT REQUIREMENT.—

1 (A) IN GENERAL.—Beginning in the first
2 fiscal year beginning after the date of enact-
3 ment of this Act, and in each fiscal year there-
4 after, the Inspector General of the Department
5 of Justice shall conduct audits of recipients of
6 a covered grant to prevent waste, fraud, and
7 abuse of funds by grantees. The Inspector Gen-
8 eral shall determine the appropriate number of
9 grantees to be audited each year.

10 (B) DEFINITION.—In this paragraph, the
11 term “unresolved audit finding” means a find-
12 ing in the final audit report of the Inspector
13 General that the audited grantee has utilized
14 grant funds for an unauthorized expenditure or
15 otherwise unallowable cost that is not closed or
16 resolved within 12 months from the date when
17 the final audit report is issued.

18 (C) MANDATORY EXCLUSION.—A recipient
19 of a covered grant that is found to have an un-
20 resolved audit finding shall not be eligible to re-
21 ceive a covered grant during the following 2 fis-
22 cal years.

23 (D) PRIORITY.—In awarding covered
24 grants the Attorney General shall give priority
25 to eligible entities that did not have an unre-

1 solved audit finding during the 3 fiscal years
2 prior to submitting an application for a covered
3 grant.

4 (E) REIMBURSEMENT.—If an entity is
5 awarded a covered grant during the 2-fiscal-
6 year period in which the entity is barred from
7 receiving grants under subparagraph (C), the
8 Attorney General shall—

9 (i) deposit an amount equal to the
10 grant funds that were improperly awarded
11 to the grantee into the General Fund of
12 the Treasury; and

13 (ii) seek to recoup the costs of the re-
14 payment to the fund from the grant recipi-
15 ent that was erroneously awarded grant
16 funds.

17 (2) NONPROFIT ORGANIZATION REQUIRE-
18 MENTS.—

19 (A) DEFINITION.—For purposes of this
20 paragraph and covered grants, the term “non-
21 profit organization” means an organization that
22 is described in section 501(c)(3) of the Internal
23 Revenue Code of 1986 and is exempt from tax-
24 ation under section 501(a) of such Code.

1 (B) PROHIBITION.—The Attorney General
2 may not award a covered grant to a nonprofit
3 organization that holds money in offshore ac-
4 counts for the purpose of avoiding paying the
5 tax described in section 511(a) of the Internal
6 Revenue Code of 1986.

7 (C) DISCLOSURE.—Each nonprofit organi-
8 zation that is awarded a covered grant and uses
9 the procedures prescribed in regulations to cre-
10 ate a rebuttable presumption of reasonableness
11 for the compensation of its officers, directors,
12 trustees and key employees, shall disclose to the
13 Attorney General, in the application for the
14 grant, the process for determining such com-
15 pensation, including the independent persons
16 involved in reviewing and approving such com-
17 pensation, the comparability data used, and
18 contemporaneous substantiation of the delibera-
19 tion and decision. Upon request, the Attorney
20 General shall make the information disclosed
21 under this subsection available for public in-
22 spection.

23 (3) CONFERENCE EXPENDITURES.—

24 (A) LIMITATION.—No amounts transferred
25 to the Department of Justice under this Act, or

1 the amendments made by this Act, may be used
2 by the Attorney General, or by any individual
3 or organization awarded discretionary funds
4 through a cooperative agreement under this
5 Act, or the amendments made by this Act, to
6 host or support any expenditure for conferences
7 that uses more than \$20,000 in Department
8 funds, unless the Deputy Attorney General or
9 such Assistant Attorney Generals, Directors, or
10 principal deputies as the Deputy Attorney Gen-
11 eral may designate, provides prior written au-
12 thorization that the funds may be expended to
13 host a conference.

14 (B) WRITTEN APPROVAL.—Written ap-
15 proval under subparagraph (A) shall include a
16 written estimate of all costs associated with the
17 conference, including the cost of all food and
18 beverages, audiovisual equipment, honoraria for
19 speakers, and any entertainment.

20 (C) REPORT.—The Deputy Attorney Gen-
21 eral shall submit an annual report to the Com-
22 mittee on the Judiciary of the Senate and the
23 Committee on the Judiciary of the House of
24 Representatives on all approved conference ex-
25 penditures referenced in this paragraph.

1 (D) ANNUAL CERTIFICATION.—Beginning
2 in the first fiscal year beginning after the date
3 of enactment of this Act, the Attorney General
4 shall submit, to the Committee on the Judiciary
5 and the Committee on Appropriations of the
6 Senate and the Committee on the Judiciary and
7 the Committee on Appropriations of the House
8 of Representatives, an annual certification
9 that—

10 (i) all audits issued by the Office of
11 the Inspector General under paragraph (1)
12 have been completed and reviewed by the
13 appropriate Assistant Attorney General or
14 Director;

15 (ii) all mandatory exclusions required
16 under paragraph (1)(C) have been issued;

17 (iii) all reimbursements required
18 under paragraph (1)(E) have been made;
19 and

20 (iv) includes a list of any grant recipi-
21 ents excluded under paragraph (1) from
22 the previous year.

23 (4) PROHIBITION ON LOBBYING ACTIVITY.—

24 (A) IN GENERAL.—Amounts awarded
25 under this Act, or any amendments made by

1 this Act, may not be utilized by any grant re-
2 cipient to—

3 (i) lobby any representative of the De-
4 partment of Justice regarding the award of
5 grant funding; or

6 (ii) lobby any representative of a Fed-
7 eral, State, local, or tribal government re-
8 garding the award of grant funding.

9 (B) PENALTY.—If the Attorney General
10 determines that any recipient of a covered grant
11 has violated subparagraph (A), the Attorney
12 General shall—

13 (i) require the grant recipient to repay
14 the grant in full; and

15 (ii) prohibit the grant recipient from
16 receiving another covered grant for not less
17 than 5 years.

○