

118TH CONGRESS
1ST SESSION

H. R. 5856

To reauthorize the Trafficking Victims Protection Act of 2000, and for
other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2023

Mr. SMITH of New Jersey (for himself, Mr. McCAUL, Ms. WILD, Mrs. WAGNER, Ms. MANNING, Ms. SALAZAR, Mr. CUELLAR, Mr. WILSON of South Carolina, Mrs. RADEWAGEN, and Mr. BURGESS) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Education and the Workforce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To reauthorize the Trafficking Victims Protection Act of
2000, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Frederick Douglass
5 Trafficking Victims Prevention and Protection Reauthor-
6 ization Act of 2023”.

1 **SEC. 2. TABLE OF CONTENTS.**

2 The table of contents for this Act is as follows:

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

TITLE I—COMBATING TRAFFICKING IN PERSONS IN THE UNITED STATES

- Sec. 101. Modifications to grants to assist in the recognition of trafficking.
Sec. 102. Human trafficking survivors employment and education program.

TITLE II—FIGHTING HUMAN TRAFFICKING ABROAD

- Sec. 201. Modifications to program to end modern slavery grants.
Sec. 202. Amendments to tier standards.
Sec. 203. Expanding prevention efforts at the United States Agency for International Development.

TITLE III—AUTHORIZATION OF APPROPRIATIONS

- Sec. 301. Extension of authorizations under the Victims of Trafficking and Violence Protection Act of 2000.
Sec. 302. Extension of authorizations under the International Megan’s Law.

3 **TITLE I—COMBATING TRAF-**
4 **FICKING IN PERSONS IN THE**
5 **UNITED STATES**

6 **SEC. 101. MODIFICATIONS TO GRANTS TO ASSIST IN THE**
7 **RECOGNITION OF TRAFFICKING.**

8 (a) AMENDMENTS TO AUTHORITIES TO PREVENT
9 TRAFFICKING.—Section 106(b)(2) of the Victims of Traf-
10 ficking and Violence Protection Act of 2000 (22 U.S.C.
11 7104(b)) is amended—

12 (1) in the heading, by striking “GRANTS TO
13 ASSIST IN THE RECOGNITION OF TRAFFICKING” and
14 inserting “FREDERICK DOUGLASS HUMAN TRAF-
15 FICKING PREVENTION EDUCATION GRANTS”;

16 (2) in subparagraph (B)—

1 (A) in the matter preceding clause (i), by
2 inserting “under a program named ‘Frederick
3 Douglass Human Trafficking Prevention Edu-
4 cation Grants’” after “may award grants”; and

5 (B) in clause (ii), by inserting “, linguis-
6 tically accessible, and culturally responsive”
7 after “age-appropriate”;

8 (3) in the heading of subparagraph (C), by in-
9 sserting “FOR FREDERICK DOUGLASS HUMAN TRAF-
10 FICKING PREVENTION EDUCATION GRANTS” after
11 “PROGRAM REQUIREMENTS”;

12 (4) by amending subparagraph (D) to read as
13 follows:

14 “(D) PRIORITY.—In awarding Frederick
15 Douglass Human Trafficking Prevention Edu-
16 cation Grants under this paragraph, the Sec-
17 retary shall—

18 “(i) give priority to local educational
19 agencies serving a high-intensity child sex
20 trafficking area or an area with significant
21 child labor trafficking;

22 “(ii) give additional priority to local
23 educational agencies that partner with
24 non-profit organizations specializing in
25 human trafficking prevention education,

1 which partner with law enforcement and
2 technology or social media companies, to
3 assist in training efforts to protect children
4 from labor trafficking and sexual exploi-
5 tation and abuse including grooming, ma-
6 terials depicting the sexual abuse of chil-
7 dren, and human trafficking transmitted
8 through technology; and

9 “(iii) consult, as appropriate, with the
10 Secretary of Education, the Secretary of
11 Housing and Urban Development, the Sec-
12 retary of the Interior, the Secretary of
13 Labor, and the Attorney General, to iden-
14 tify the geographic areas in the United
15 States with the highest prevalence of at-
16 risk populations for child trafficking, in-
17 cluding children who are members of a ra-
18 cial or ethnic minority, homeless youth,
19 foster youth, youth involved in the child
20 welfare system, and children and youth
21 who run away from home or an out-of-
22 home placement.”; and

23 (5) by adding at the end the following:

1 “(E) CRITERIA FOR SELECTION.—Grant-
2 ees should be selected based on their dem-
3 onstrated ability to—

4 “(i) engage stakeholders, including
5 survivors of human trafficking, and Fed-
6 eral, State, local, or Tribal partners, to de-
7 velop the programs;

8 “(ii) train the trainers, guardians, K-
9 12 students, teachers, and other school
10 personnel in a linguistically accessible, cul-
11 turally responsive, age-appropriate, and
12 trauma-informed fashion; and

13 “(iii) create a scalable, repeatable pro-
14 gram to prevent child labor trafficking and
15 sexual exploitation and abuse including
16 grooming, child sexual abuse materials,
17 and trafficking transmitted through tech-
18 nology that—

19 “(I) uses evidence-based (as such
20 term is defined in section
21 8101(21)(A) of the Elementary and
22 Secondary Education Act of 1965 (20
23 U.S.C. 7801(21)(A))) best practices;
24 and

1 “(II) employs appropriate techno-
2 logical tools and methodologies, in-
3 cluding linguistically accessible, cul-
4 turally responsive, age-appropriate,
5 and trauma-informed approaches for
6 trainers, guardians, educators, and
7 K–12 students.

8 “(F) TRAIN THE TRAINERS.—For pur-
9 poses of subparagraph (E), the term ‘train the
10 trainers’ means having experienced or master
11 trainers coach new trainers who are less experi-
12 enced with a particular topic or skill, or with
13 training overall, who can then teach the mate-
14 rial to others, creating a broader reach, sustain-
15 ability, and making efforts cost- and time-effi-
16 cient (commonly referred to as ‘training of
17 trainers’).

18 “(G) DATA COLLECTION.—The Secretary
19 shall consult with the Secretary of Education,
20 the Secretary of Housing and Urban Develop-
21 ment, and the Secretary of the Interior to de-
22 termine the appropriate demographics of the re-
23 cipients or of students at risk of being traf-
24 ficked or exploited, to be collected and reported
25 with respect to grants under this paragraph,

1 which shall include data collection of, at a min-
2 imum, students who are economically disadvan-
3 taged, members of a racial or ethnic minority,
4 homeless youth, foster youth, youth involved in
5 the child welfare system, and children and
6 youth who run away from home or an out-of-
7 home placement.

8 “(H) REPORT.—Not later than 540 days
9 after the date of the enactment of this Act, and
10 annually thereafter, the Secretary of Health
11 and Human Services shall submit to the Com-
12 mittees on Education and Labor, Energy and
13 Commerce, and the Judiciary of the House of
14 Representatives and the Committees on the Ju-
15 diciary and Health, Education, Labor, and Pen-
16 sions of the Senate and make available to the
17 public a report, including data on the following:

18 “(i) The total number of entities that
19 received a Frederick Douglass Human
20 Trafficking Prevention Education Grant
21 over the past year.

22 “(ii) The total number of partnerships
23 or consultants that included survivors,
24 non-profit organizations specialized in
25 human trafficking prevention education,

1 law enforcement, and technology or social
2 media companies.

3 “(iii) The total number of elementary
4 and secondary schools that established and
5 implemented evidence-based (as such term
6 is defined in section 8101(21)(A) of the
7 Elementary and Secondary Education Act
8 of 1965 (20 U.S.C. 7801(21)(A))) best
9 practices through programs developed
10 using such grants.

11 “(iv) The total number and geo-
12 graphic distribution of trainers, guardians,
13 students, teachers, and other school per-
14 sonnel trained using such grants pursuant
15 to this paragraph.

16 “(v) The results of pre-training and
17 post-training surveys to gauge trainees’ in-
18 creased understanding of the scope and
19 signs of child trafficking and child sexual
20 exploitation and abuse; how to interact
21 with potential victims and survivors of
22 child trafficking and child sexual exploi-
23 tation and abuse using age-appropriate
24 and trauma-informed approach; and the
25 manner in which to respond to potential

1 child trafficking and child sexual exploi-
2 tation and abuse.

3 “(vi) The number of potential victims
4 and survivors of child trafficking and child
5 sexual exploitation and abuse identified
6 and served by grantees, excluding any indi-
7 vidually identifiable information about such
8 children and acting in full compliance with
9 all applicable privacy laws and regulations.

10 “(vii) The number of students in ele-
11 mentary or secondary school identified by
12 grantees as being at risk of being traf-
13 ficked or sexually exploited and abused, ex-
14 cluding any individually identifiable infor-
15 mation about such children.

16 “(viii) The demographic characteris-
17 ties of child trafficking survivors and vic-
18 tims, sexually exploited and abused chil-
19 dren, and students at risk of being traf-
20 ficked or sexually exploited and abused de-
21 scribed in clauses (vi) and (vii), excluding
22 any individually identifiable information
23 about such children.

24 “(ix) Any service gaps and best prac-
25 tices identified by grantees.”

1 **SEC. 102. HUMAN TRAFFICKING SURVIVORS EMPLOYMENT**
2 **AND EDUCATION PROGRAM.**

3 (a) IN GENERAL.—The Secretary of Health and
4 Human Services may carry out a Human Trafficking Sur-
5 vivors Employment and Education Program to prevent the
6 re-exploitation of eligible individuals who have been vic-
7 tims of trafficking, by assisting such individuals to inte-
8 grate or reintegrate into society through social services
9 support for the attainment of life-skills, employment, and
10 education necessary to achieve self-sufficiency.

11 (b) SERVICES PROVIDED.—Services offered, pro-
12 vided, and funded by the Program shall include (as rel-
13 evant to the victim of trafficking)—

14 (1) enrollment and participation in—

15 (A) basic education, including literacy edu-
16 cation and English as a second language edu-
17 cation;

18 (B) job-related skills training;

19 (C) vocational and certificate programs;

20 and

21 (D) programs for attaining a regular high
22 school diploma or its recognized equivalent;

23 (2) life-skill training programs, including man-
24 agement of personal finances, self-care, and par-
25 enting classes;

26 (3) résumé creation and review;

1 (4) interview coaching and counseling;

2 (5) assistance with expungement of criminal
3 records when such records are for nonviolent crimes
4 that were committed as a consequence of the eligible
5 individual's victimization, including assistance with
6 credit repair;

7 (6) assistance with enrollment in college or
8 technical school;

9 (7) scholarship assistance for attending college
10 or technical school;

11 (8) professional coaching or professional devel-
12 opment classes;

13 (9) case management to develop an individual-
14 ized plan with each victim of trafficking, based on
15 each person's needs and goals; and

16 (10) assistance with obtaining victim compensa-
17 tion, direct victim assistance, or other funds for
18 mental health care.

19 (c) SERVICE PERIOD.—Eligible individuals may re-
20 ceive services through the Program for a cumulative pe-
21 riod of 5 years.

22 (d) COOPERATIVE AGREEMENTS.—Subject to the
23 availability of appropriations, the Secretary shall enter
24 into cooperative agreements with one or more eligible or-
25 ganizations to carry out this section.

1 (e) DEFINITIONS.—In this section:

2 (1) ELIGIBLE INDIVIDUAL.—The term “eligible
3 individual” means a domestic or foreign victim of
4 trafficking who—

5 (A) has attained the age of 18 years; and

6 (B) is eligible to receive services under sec-
7 tion 107(b) of the Trafficking Victims Protec-
8 tion Act of 2000 (22 U.S.C. 7105(b)).

9 (2) ELIGIBLE ORGANIZATION.—The “eligible
10 organization” may include a non-governmental orga-
11 nization and means a service provider that meets the
12 following criteria:

13 (A) Experience in using national or local
14 anti-trafficking networks to serve victims of
15 trafficking.

16 (B) Experience qualifying, providing, and
17 coordinating services for victims of trafficking,
18 as described in subsection (b), that is linguis-
19 tically accessible, culturally responsive, age-ap-
20 propriate, and trauma-informed.

21 (C) With respect to a service provider for
22 victims of trafficking served by the Program
23 who are not United States citizens, a provider
24 that has experience in identifying and assisting
25 foreign-born victims of trafficking, including

1 helping them qualify for Continued Presence,
2 T-Visas, and other Federal, State, and local
3 services and funding.

4 (D) With respect to a service provider for
5 victims of trafficking served by the Program
6 who are United States citizens and legal perma-
7 nent residents, a provider that has experience
8 identifying and assisting victims of trafficking,
9 as such term is defined in section 103 of the
10 Trafficking Victims Protection Act of 2000 (22
11 U.S.C. 7102), especially youth and underserved
12 populations.

13 (3) PROGRAM.—The term “Program” means
14 the Human Trafficking Survivors Employment and
15 Education Program established under this section.

16 (4) SECRETARY.—The term “Secretary” means
17 the Secretary of Health and Human Services.

18 **TITLE II—FIGHTING HUMAN**

19 **TRAFFICKING ABROAD**

20 **SEC. 201. MODIFICATIONS TO PROGRAM TO END MODERN** 21 **SLAVERY GRANTS.**

22 (a) IN GENERAL.—Section 1298 of the National De-
23 fense Authorization Act of 2017 (22 U.S.C. 7114) is
24 amended as follows:

1 (1) In subsection (g)(2), by striking “2020”
2 and inserting “2028”.

3 (2) In subsection (h)(1), by striking “Not later
4 than September 30, 2018, and September 30, 2020”
5 and inserting “Not later than September 30, 2024,
6 and September 30, 2028”.

7 (b) AWARD OF FUNDS.—All grants shall be awarded
8 on a competitive basis.

9 **SEC. 202. AMENDMENTS TO TIER STANDARDS.**

10 (a) MODIFICATIONS TO TIER 2 WATCH LIST.—Sub-
11 section (b)(2) of section 110 of the Trafficking Victims
12 Protection Act of 2000 (22 U.S.C. 7107), is amended—

13 (1) in the heading, by striking “SPECIAL” and
14 inserting “TIER 2”; and

15 (2) by amending subparagraph (A) to read as
16 follows:

17 “(A) SUBMISSION OF LIST.—Not later
18 than the date on which the determinations de-
19 scribed in subsections (c) and (d) are submitted
20 to the appropriate congressional committees in
21 accordance with such subsections, the Secretary
22 of State shall submit to the appropriate con-
23 gressional committees a list of countries that
24 the Secretary determines requires special scru-
25 tiny during the following year. The list shall be

1 composed of countries that have been listed
2 pursuant to paragraph (1)(B) pursuant to the
3 current annual report because—

4 “(i) the estimated number of victims
5 of severe forms of trafficking is very sig-
6 nificant or is significantly increasing and
7 the country is not taking proportional con-
8 crete actions; or

9 “(ii) there is a failure to provide evi-
10 dence of increasing efforts to combat se-
11 vere forms of trafficking in persons from
12 the previous year, including increased in-
13 vestigations, prosecutions and convictions
14 of trafficking crimes, increased assistance
15 to victims, and decreasing evidence of com-
16 plicity in severe forms of trafficking by
17 government officials.”.

18 (b) MODIFICATION TO SPECIAL RULE FOR DOWN-
19 GRADED AND REINSTATED COUNTRIES.—Subsection
20 (b)(2)(F) of such section 110 is amended—

21 (1) in the matter preceding clause (i), by strik-
22 ing “the special watch list” and all that follows
23 through “the country—” and inserting “the Tier 2
24 watchlist described in subparagraph (A) for more

1 than 1 year immediately after the country consecu-
2 tively—”;

3 (2) in clause (i), in the matter preceding sub-
4 clause (I), by striking “the special watch list de-
5 scribed in subparagraph (A)(iii)” and inserting “the
6 Tier 2 watch list described in subparagraph (A)”;
7 and

8 (3) in clause (ii), by inserting “in the year fol-
9 lowing such waiver under subparagraph (D)(ii)” be-
10 fore the period at the end.

11 (c) CONFORMING AMENDMENTS.—Subsection (b) of
12 such section 110 is amended as follows:

13 (1) In paragraph (2), as amended by subsection
14 (a)—

15 (A) in subparagraph (B), by striking “spe-
16 cial watch list” and inserting “Tier 2 watch
17 list”;

18 (B) in subparagraph (C), by striking “spe-
19 cial watch list” and inserting “Tier 2 watch
20 list”; and

21 (C) in subparagraph (D)—

22 (i) in the heading, by striking “SPE-
23 CIAL WATCH LIST” and inserting “TIER 2
24 WATCH LIST”; and

1 (ii) in clause (i), by striking “special
2 watch list” and inserting “Tier 2 watch
3 list”.

4 (2) In paragraph (3)(B), in the matter pre-
5 ceding clause (i), by striking “clauses (i), (ii), and
6 (iii) of”.

7 (3) In paragraph (4)—

8 (A) in subparagraph (A), in the matter
9 preceding clause (i), by striking “each country
10 described in paragraph (2)(A)(ii)” and inserting
11 “each country described in paragraph (2)(A)”;
12 and

13 (B) in subparagraph (D)(ii), by striking
14 “the Special Watch List under paragraph (2)”
15 and inserting “the Tier 2 watch list under para-
16 graph (2)”.

17 **SEC. 203. EXPANDING PREVENTION EFFORTS AT THE**
18 **UNITED STATES AGENCY FOR INTER-**
19 **NATIONAL DEVELOPMENT.**

20 In order to increase the prevention efforts by the
21 United States abroad, the Administrator of the United
22 States Agency for International Development shall encour-
23 age incorporation of activities to counter trafficking in
24 persons (C-TIP) into broader assistance programming.
25 The Administrator shall—

1 (1) determine a reasonable definition for the
2 term “C–TIP Incorporated Development Programs”,
3 which shall at a minimum include any programming
4 to address economic development, education, democ-
5 racy and governance, food security, and humani-
6 tarian assistance that the Administrator determines
7 includes a sufficient counter-trafficking in persons
8 element incorporated in the program design or deliv-
9 ery;

10 (2) encourage that any program design or deliv-
11 ery that may directly serve victims of trafficking in
12 persons is age-appropriate, linguistically accessible,
13 culturally responsive, and survivor- and trauma-in-
14 formed, and provides opportunities for anonymous
15 and voluntary feedback from the beneficiaries receiv-
16 ing such services;

17 (3) encourage that each USAID mission incor-
18 porates a counter-trafficking in persons perspective
19 and specific approaches into development programs,
20 project design, and methods for program monitoring
21 and evaluation, when addressing a range of develop-
22 ment issues, including—

23 (A) economic development;

24 (B) education;

25 (C) democracy and governance;

1 (D) food security; and
2 (E) humanitarian assistance;
3 (4) implement robust training and disseminate
4 tools around the incorporation of a counter-trafficking
5 perspective and awareness in the day-to-day
6 work of development professionals; and
7 (5) encourage subsequent Country Development
8 Cooperation Strategies include a counter-trafficking
9 in persons analytic component to guide future
10 project design and promote the inclusion of counter-
11 trafficking elements in project design, implementa-
12 tion, monitoring, and evaluation required for Tier 2
13 Watch List and Tier 3 countries (as such terms are
14 defined for purposes of section 110 of the Traf-
15 ficking Victims Protection Act of 2000 (22 U.S.C.
16 7107), as amended).

17 **TITLE III—AUTHORIZATION OF** 18 **APPROPRIATIONS**

19 **SEC. 301. EXTENSION OF AUTHORIZATIONS UNDER THE** 20 **VICTIMS OF TRAFFICKING AND VIOLENCE** 21 **PROTECTION ACT OF 2000.**

22 Section 113 of the Victims of Trafficking and Vio-
23 lence Protection Act of 2000 (22 U.S.C. 7110) is amend-
24 ed—

1 (1) in subsection (a), by striking “2018 through
2 2021, \$13,822,000” and inserting “2024 through
3 2028, \$17,000,000”;

4 (2) in subsection (b)(1)—

5 (A) by striking “To carry out the purposes
6 of sections 106(b) and 107(b),” and inserting
7 “To carry out the purposes of sections 106(b)
8 and 107(b) of this Act and sections 101 and
9 102 of the Frederick Douglass Trafficking Vic-
10 tims Prevention and Protection Reauthorization
11 Act of 2023,”; and

12 (B) by striking “\$19,500,000” and all that
13 follows, and inserting “\$25,000,000 for each of
14 the fiscal years 2024 through 2028, of which
15 \$5,000,000 is authorized to be appropriated in
16 each fiscal year for the National Human Traf-
17 ficking Hotline and for cybersecurity and public
18 education campaigns, in consultation with the
19 Secretary of Homeland Security, for identifying
20 and responding as needed to cases of human
21 trafficking.”;

22 (3) in subsection (c)(1)—

23 (A) in the matter preceding subparagraph
24 (A), by striking “2018 through 2021,

1 \$65,000,000” and inserting “2024 through
2 2028, \$89,500,000”;

3 (B) in subparagraph (C), by striking “;
4 and” and inserting a semicolon;

5 (C) in subparagraph (D), by striking the
6 period at the end and inserting “; and”; and

7 (D) by adding at the end the following new
8 subparagraph:

9 “(E) to fund programs to end modern slav-
10 ery, in an amount not to exceed \$37,500,000
11 for each of the fiscal years 2024 through
12 2028.”; and

13 (4) in subsection (d) in paragraph (1), by strik-
14 ing “2018 through 2021” and inserting “2024
15 through 2028, of which \$35,000,000 is authorized to
16 be appropriated for each fiscal year for the Office of
17 Victims of Crime Housing Assistance Grants for
18 Victims of Human Trafficking”.

19 **SEC. 302. EXTENSION OF AUTHORIZATIONS UNDER THE**
20 **INTERNATIONAL MEGAN’S LAW.**

21 Section 11 of the International Megan’s Law to Pre-
22 vent Child Exploitation and Other Sexual Crimes Through
23 Advanced Notification of Traveling Sex Offenders (34

1 U.S.C. 21509) is amended by striking “2018 through
2 2021” and inserting “2024 through 2028”.

○