

118TH CONGRESS  
2D SESSION

# H. R. 9681

To amend title 5, United States Code, to establish a priority for accommodation in places with policies relating to severe forms of human trafficking, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2024

Mr. SMITH of New Jersey (for himself and Mr. KRISHNAMOORTHY) introduced the following bill; which was referred to the Committee on Oversight and Accountability

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## A BILL

To amend title 5, United States Code, to establish a priority for accommodation in places with policies relating to severe forms of human trafficking, 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 “Halting Of Trafficking  
5 and Exploitation in Lodging Act of 2024” or the  
6 “HOTEL Act of 2024”.

1 **SEC. 2. PRIORITY FOR ACCOMMODATION IN PLACES WITH**  
2 **ANTI-TRAFFICKING POLICIES.**

3 (a) IN GENERAL.—Subchapter I of chapter 57 of title  
4 5, United States Code, is amended by adding at the end  
5 the following:

6 **“§ 5712. Priority for accommodation in places with**  
7 **anti-trafficking policies**

8 “(a) DEFINITIONS.—In this section—

9 “(1) the term ‘place of accommodation’ means  
10 a hotel, motel, or other place of public accommoda-  
11 tion that is listed by the Administrator of the Fed-  
12 eral Emergency Management Agency as meeting the  
13 requirements of the fire prevention and control  
14 guidelines described in section 29 of the Federal  
15 Fire Prevention and Control Act of 1974 (15 U.S.C.  
16 2225); and

17 “(2) the term ‘severe forms of trafficking in  
18 persons’ has the meaning given the term in section  
19 103 of the Trafficking Victims Protection Act of  
20 2000 (22 U.S.C. 7102).

21 “(b) REQUIREMENT.—For the purpose of making  
22 payments under this subchapter for lodging expenses, each  
23 agency shall ensure that, to the greatest extent prac-  
24 ticable, commercial-lodging room nights in the United  
25 States for employees of that agency are booked in a pre-  
26 ferred place of accommodation.

1       “(c) ELIGIBILITY AS A PREFERRED PLACE OF AC-  
2 COMMODATION.—To be considered a preferred place of ac-  
3 commodation for the purposes of this section, a place of  
4 accommodation shall—

5               “(1) enforce the zero-tolerance policy regarding  
6 severe forms of trafficking in persons made available  
7 by the Administrator of General Services under sub-  
8 section (d)(1), or a similar zero-tolerance policy de-  
9 veloped by the place of accommodation, which shall  
10 be demonstrated by—

11               “(A) posting that policy in a nonpublic  
12 space within the place of accommodation that is  
13 accessible by all employees of the place of ac-  
14 commodation; or

15               “(B) including that policy in the employee  
16 handbook for the place of accommodation;

17               “(2) have procedures in place, not later than  
18 180 days after the effective date of this section, for  
19 employees of the place of accommodation to—

20               “(A) identify any severe form of trafficking  
21 in persons according to protocol identified in  
22 the employee training based on training mate-  
23 rials developed under subsection (d)(3); and

1           “(B) with respect to any severe form of  
2           trafficking in persons identified under subpara-  
3           graph (A)—

4                   “(i) report that activity to—

5                           “(I) the appropriate law enforce-  
6                           ment authorities;

7                           “(II) management of the place of  
8                           accommodation; or

9                           “(III) the national human traf-  
10                           ficking hotline described in section  
11                           107(b)(1)(B)(ii) of the Trafficking  
12                           Victims Protection Act of 2000 (22  
13                           U.S.C. 7105(b)(1)(B)(ii)); or

14                   “(ii) provide information and re-  
15                   sources to the potential victims of that ac-  
16                   tivity, including—

17                           “(I) contact information for the  
18                           appropriate law enforcement authori-  
19                           ties;

20                           “(II) information regarding the  
21                           hotline described in clause (i)(III); or

22                           “(III) information regarding ap-  
23                           propriate local organizations;

24                   “(3) post the informational materials made  
25                   available under subsection (d)(3) in an appropriate

1 nonpublic space within the place of accommodation  
2 that is accessible by all employees of the place of ac-  
3 commodation;

4 “(4) require each employee of the place of ac-  
5 commodation who is physically located at the place  
6 of accommodation and who is likely to interact with  
7 guests (including, but not limited to security, front  
8 desk, housekeeping, room service, and bell staff), or  
9 who is responsible for hiring, to complete the train-  
10 ing developed under subsection (d)(2), or a training  
11 developed pursuant to subsection (e), which shall—

12 “(A) take place not later than 90 days  
13 after the starting date of the employee, or, in  
14 the case of an employee hired before the effec-  
15 tive date of this section, not later than 90 days  
16 after the effective date of this section; and

17 “(B) include training on the identification  
18 of all possible cases of severe forms of traf-  
19 ficking in persons;

20 “(5) ensure that the place of accommodation  
21 does not retaliate against an employee of the place  
22 of accommodation for reporting suspected cases of  
23 severe forms of trafficking in persons if reported ac-  
24 cording to protocol identified in the training for the  
25 employee; and

1           “(6) maintain a current record of every em-  
2           ployee who has completed the training program in  
3           subsection (e)—

4                   “(A) if the training is updated in accord-  
5                   ance with subsection (e)(3), the place of accom-  
6                   modation must update the records of the em-  
7                   ployees who retake the training; and

8                   “(B) records for past employees only need  
9                   to be maintained for two years past the end of  
10                  employment or longer at the discretion of the  
11                  place of accommodation.

12          “(d) GSA REQUIREMENTS.—The Administrator of  
13          General Services shall—

14                  “(1) make available on the website of the Gen-  
15                  eral Services Administration a model zero-tolerance  
16                  policy for places of accommodation regarding severe  
17                  forms of trafficking in persons, including informa-  
18                  tional materials regarding that policy to be posted  
19                  within nonpublic spaces;

20                  “(2) make available on the website of the Gen-  
21                  eral Services Administration a list of Department of  
22                  Homeland Security, Department of Health and  
23                  Human Services, Department of Justice, Depart-  
24                  ment of State, and privately produced training pro-  
25                  grams that address the identification of severe forms

1 of trafficking in persons and submit reports to ap-  
2 propriate law enforcement authorities or the Na-  
3 tional Human Trafficking Hotline;

4 “(3) in coordination with the Blue Campaign of  
5 the Secretary of Homeland Security, make available  
6 on the website of the General Services Administra-  
7 tion and the Department of Health and Human  
8 Services training and outreach materials on pre-  
9 venting severe forms of trafficking in persons, infor-  
10 mational materials to be posted in nonpublic spaces  
11 in places of accommodation on identifying the signs  
12 of severe forms of trafficking in persons and report-  
13 ing possible incidences of such exploitation, and in-  
14 formational materials to be posted in public or non-  
15 public spaces in places of accommodation on self-  
16 identifying as a potential victim of severe forms of  
17 trafficking in persons and how to access services and  
18 support as such a victim, except that the Adminis-  
19 trator shall permit the use of substantially similar  
20 training materials or informational materials re-  
21 quired by State or local law on identifying the signs  
22 of severe forms of trafficking in persons and report-  
23 ing possible incidences of severe forms of trafficking  
24 in persons in lieu of materials developed under this  
25 paragraph; and

1           “(4) maintain a list of each preferred place of  
2 accommodation that—

3           “(A) meets the requirements of subsection  
4 (c); and

5           “(B) is—

6           “(i) participating in governmental  
7 lodging programs, such as FedRooms (or  
8 any successor system);

9           “(ii) included on the list maintained  
10 by the Administrator of the Federal Emer-  
11 gency Management Agency pursuant to  
12 section 28 of the Federal Fire Prevention  
13 and Control Act of 1974 (15 U.S.C. 2224);  
14 or

15           “(iii) otherwise known to have re-  
16 ceived governmental travel business during  
17 the 2-year period preceding the effective  
18 date of this section.

19           “(e) TRAINING PROGRAMS.—

20           “(1) IN GENERAL.—A place of accommodation  
21 may use a training program developed or acquired  
22 by that place of accommodation or company to sat-  
23 isfy the requirements of subsection (c)(4) if that  
24 training program—



1           “(A) focuses on identifying and reporting  
2           suspected cases of severe forms of trafficking in  
3           persons; and

4           “(B) was developed in consultation with—

5                   “(i) a State government;

6                   “(ii) survivors or lived experience ex-  
7                   perts of human trafficking;

8                   “(iii) survivor-led anti-trafficking or-  
9                   ganization; or

10                   “(iv) any organization nationally rec-  
11                   ognized for its expertise in anti-trafficking  
12                   initiatives and which actively involves sur-  
13                   vivor-leaders in consultations.

14           “(2) REVIEW.—Training program materials de-  
15           scribed in paragraph (1) shall be—

16                   “(A) not less frequently than once every 2  
17                   years, reviewed by the applicable place of ac-  
18                   commodation and, if necessary, updated based  
19                   on that review; and

20                   “(B) delivered to employees of the place of  
21                   accommodation after any update under sub-  
22                   paragraph (A).

23           “(f) PREVIOUSLY TRAINED EMPLOYEES.—

24                   “(1) TRAINING PRIOR TO EFFECTIVE DATE.—

25           Any employee of a place of accommodation who has

1       been trained to identify and report potential cases of  
2       severe forms of trafficking in persons before the ef-  
3       fective date of this section shall be considered to  
4       have satisfied the training requirement under sub-  
5       section (c)(4) with respect to any employment at  
6       that place of accommodation or at any another place  
7       of accommodation managed by the same entity.

8           “(2) TRAINING PRIOR TO A TRANSFER OF EM-  
9       PLOYMENT.—Any employee of a place of accommo-  
10      dation who has met the training requirements under  
11      subsection (c)(4) shall be considered to have satis-  
12      fied those requirements with respect to any employ-  
13      ment at a place of accommodation managed by the  
14      same entity.

15      “(g) PROPERTY-BY-PROPERTY IMPLEMENTATION.—

16           “(1) SELF-CERTIFICATION.—

17           “(A) IN GENERAL.—Not later than 1 year  
18           after the effective date of this section, and bien-  
19           nially thereafter, each preferred place of accom-  
20           modation shall submit to the Administrator of  
21           General Services a written self-certification that  
22           the place of accommodation is in compliance  
23           with the requirements of this section.

24           “(B) NOTICE; REPORTING.—The Adminis-  
25           trator of General Services shall—

1           “(i) provide notice to each place of ac-  
2           commodation regarding any self-certifi-  
3           cation that the place of accommodation is  
4           required to submit under this subsection  
5           not later than the date that is 60 days be-  
6           fore the date on which that such self-cer-  
7           tification is required; and

8           “(ii) not later than 1 year after the  
9           effective date of this section, and biennially  
10          thereafter, submit to the Committee on  
11          Homeland Security and Governmental Af-  
12          fairs of the Senate and the Committee on  
13          Oversight and Reform of the House of  
14          Representatives a report regarding each  
15          preferred places of accommodation that,  
16          for the period covered by the report, sub-  
17          mitted and did not submit the self-certifi-  
18          cations required under this subsection.

19          “(2) GROUP CERTIFICATION.—A person or enti-  
20          ty that manages or franchises multiple places of ac-  
21          commodation may provide a single notice with re-  
22          spect to self-certification under paragraph (1) that  
23          each such place of accommodation is in compliance  
24          with the requirements of this section. The notice  
25          must list all the places of accommodation that are

1 in compliance with the requirements in subsection  
2 (c).

3 “(h) STATUTORY CONSTRUCTION.—No provision in  
4 this section that applies to an employee of a place of ac-  
5 commodation may be construed to apply to an individual  
6 who is an independent contractor of, or is otherwise not  
7 directly employed by, that place of accommodation, unless  
8 the applicable contract is for housekeeping, catering, con-  
9 cierge, or security services, in which case the applicable  
10 service provider shall ensure compliance with the require-  
11 ments of this section.

12 “(i) REGULATIONS REQUIRED.—The Administrator  
13 of General Services shall issue such regulations as are nec-  
14 essary to carry out this section.”.

15 (b) CLERICAL AMENDMENT.—The table of sections  
16 for subchapter I of chapter 57 of title 5, United States  
17 Code, is amended by adding at the end the following:

“5712. Priority for accommodation in places with anti-trafficking policies.”.

18 (c) EFFECTIVE DATE.—The amendments made by  
19 this section shall take effect on the date that is 180 days  
20 after the date of the enactment of this Act.

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