

HUMAN TRAFFICKING PREVENTION ACT OF 2022

SEPTEMBER 19, 2022.—Ordered to be printed

Mr. NADLER, from the Committee on the Judiciary,
submitted the following

R E P O R T

[To accompany H.R. 7181]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 7181) to amend the Trafficking Victims Protection Act of 2000 to direct the Secretary of Transportation to seek to provide for the posting of contact information of the national human trafficking hotline in the restrooms of each aircraft, airport, over-the-road bus, bus station, passenger train, and passenger railroad station operating within the United States, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Human Trafficking Prevention Act of 2022”.

SEC. 2. POSTING OF NATIONAL HUMAN TRAFFICKING PHONE NUMBER IN CERTAIN RESTROOMS.

Section 107(b)(1)(B)(ii) of the Trafficking Victims Protection Act of 2000 (enacted as division A of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7105(b)(1)(B)(ii))) is amended by—

(1) striking the third sentence; and

(2) inserting after the period at the end the following: “The contact information of the national human trafficking hotline (including options to reach out to the hotline such as through phone, text, or TTY) shall be posted as follows:

“(I) In a visible place in all Federal buildings.

“(II) The Secretary of Transportation, in consultation with the Secretary of Health and Human Services, shall seek to coordinate with the owners and operators of aircraft, airports, over-the road buses, bus stations, passenger trains, and passenger railroad stations to place the contact information of the national human trafficking hotline in the restrooms of each such aircraft, airport, over the-road bus, bus station, passenger train, and passenger railroad station operating within the United States.

“(III) The Secretary of Homeland Security, in consultation with the Secretary of Health and Human Services and in coordination with the heads of such other Federal agencies as may be appropriate, shall place the contact information of the national human trafficking hotline at each port of entry.”.

Purpose and Summary

Introduced by Rep. Hakeem Jeffries (D–NY) on March 21, 2021, H.R. 7181, the “Human Trafficking Prevention Act of 2022,” would provide for the posting of the contact information for the National Human Trafficking Hotline in a visible place in all federal buildings, and in the restrooms of all U.S. airplanes, airports, trains, train stations, buses, bus stations, and ports of entry, so that any victim, or anyone who notices a potential victim of human trafficking, knows where to turn for help.

Background and Need for the Legislation

Human trafficking is the crime of exploiting a person for compelled labor, services, or commercial sex acts. It is a multi-billion-dollar, global criminal industry that victimizes 24.9 million people around the world.¹ Division A of the Victims of Trafficking and Violence Protection Act of 2000 (P.L. 106–386), known as the Trafficking Victims Protection Act of 2000 (TVPA), established U.S. antitrafficking policy to (1) prevent trafficking; (2) protect trafficking victims; and (3) prosecute and punish traffickers.

Identification of trafficking victims is a critical first step in addressing the problem of human trafficking. It is necessary to protect victims and ensure that they receive the assistance and services they need to be able to break free and begin to rebuild their lives. It is also necessary in order to identify and prosecute the traffickers.

In 2020, 11,193 instances of potential human trafficking were reported to the United States National Human Trafficking Hotline² (the Hotline)—a resource that connects victims and survivors of human trafficking with critical support and services and facilitates the reporting of suspected trafficking situations to the appropriate

¹International Labour Organization and Walk Free Foundation, Global Estimates of Modern Slavery: Forced Labour and Forced Marriage (2017), available at https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575479.pdf.

²See Department of State Annual Trafficking in Persons Report, 2021, available at https://www.state.gov/wpcontent/uploads/2021/07/TIP_Report_Final_20210701.pdf.

authorities. The Hotline, which is a privately-operated non-profit that receives funding from the Department of Health and Human Services, provides a toll-free phone line and SMS text lines that are available 24 hours a day, 365 days per year. Help is available in English, Spanish, and in more than 200 additional languages through on-call interpreters.

But as staggering as the number of reported trafficking cases is, it represents just some of the instances of trafficking that occur every day, as human trafficking is an underreported crime. Traffickers use a variety of techniques to exert power over their victims and prevent them from seeking help. Trafficking victims are often isolated from the outside world by their traffickers, who rarely leave victims alone long enough for them to seek out the resources they need to be able to break free. Traffickers also rely on our transportation system, including buses, planes, and trains, to perpetrate their offenses. And though human trafficking is distinct from the crime of human smuggling, some human traffickers transport their victims into the United States through ports of entry.

The Human Trafficking Prevention Act of 2022 will assist with the identification and rescue of trafficking victims by requiring that the contact information for the Hotline be posted in all federal buildings and in the restrooms of all U.S. airplanes, airports, trains, train stations, buses, bus stations, and ports of entry, so that any victim, or anyone who notices a potential victim of human trafficking, will know where and how to get the help that they need. Spreading awareness of the Hotline is key to connecting victims and potential victims to services, including law enforcement, at the moment when they are most vulnerable, and when they are most likely to have the ability to reach out and ask for help.

Hearings

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop H.R. 7181: “Oversight of Federal Efforts to Combat Human Trafficking,” held on April 27, 2022, before the Subcommittee on Crime, Terrorism, and Homeland Security. The Subcommittee heard testimony from:

- Evelyn Chumbow, Greater Washington, DC Area
- Shamere McKenzie, Greater Washington, DC Area
- Cristian Eduardo, Greater New York City Area
- Terry FitzPatrick, Director, Alliance to End Slavery and Trafficking (ATTEST)
- Martina E. Vandenberg, Founder and President, The Human Trafficking Legal Center
- Jacqueline Aluotto, Co-Founder, No Trafficking Zone
- Sheriff Mark Daniels, Cochise County, AZ
- Jessica M. Vaughn, Director of Policy Studies, Center for Immigration Studies

The hearing explored efforts to respond to many issues surrounding human trafficking, including prevention of human trafficking; protection of victims and survivors; prosecution of traffickers and those who support their efforts; and the need to end the criminalization of victims who commit crimes that result from their victimization and ensure access to services through non-punitive systems. The witnesses included survivors of human trafficking, as well as experts and advocates.

Committee Consideration

On June 15, 2022, the Committee met in open session and ordered the bill, H.R. 7181, favorably reported with an amendment, by a voice vote, a quorum being present.

Committee Votes

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that no rollcall votes occurred during the Committee's consideration of H.R. 7181.

Committee Oversight Findings

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

Committee Estimate of Budgetary Effects

Pursuant to clause 3(d)(1) of House rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

New Budget Authority and Congressional Budget Office Cost Estimate

Pursuant to clause 3(c)(2) of House rule XIII and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause (3)(c)(3) of House rule XIII and section 402 of the Congressional Budget Act of 1974, the Committee sets forth, with respect to the bill, H.R. 7181, the following analysis and estimate prepared by the Director of the Congressional Budget Office:

H.R. 7181, Human Trafficking Prevention Act of 2022			
As ordered reported by the House Committee on the Judiciary on June 15, 2022			
By Fiscal Year, Millions of Dollars	2022	2022-2027	2022-2032
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	*
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2033?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 7181 would direct the Department of Transportation (DOT) to coordinate with owners and operators of transportation services to post contact information for the national human trafficking hotline in the restrooms of every aircraft, over-the-road bus, and passenger train operating in the United States as well as in all restrooms in every U.S. airport, bus station, and train station. The bill also would require the Department of Homeland Security (DHS) to post the hotline's contact information at all 328 U.S. ports of entry.

CBO expects that DOT would need two additional full-time employees to coordinate with the applicable transportation providers and that DHS would install two signs at each port of entry at a cost of about \$60 per sign. On that basis, CBO estimates that the total cost to DOT and DHS would be less than \$500,000 over the 2022–2027 period. Any spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Robert Reese. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

Duplication of Federal Programs

Pursuant to clause 3(c)(5) of House rule XIII, no provision of H.R. 7181 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program.

Performance Goals and Objectives

The Committee states that pursuant to clause 3(c)(4) of House rule XIII, H.R. 7181 would help to identify and protect trafficking victims by informing them of the National Human Trafficking Hotline and empowering them to contact the Hotline when they are most vulnerable and most likely to be able to reach out for help. Connecting victims to the Hotline will give law enforcement greater opportunities to rescue victims and potential victims, and it will help link victims to the services and support they need to escape from traffickers and rebuild their lives.

Advisory on Earmarks

In accordance with clause 9 of House rule XXI, H.R. 7181 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of House rule XXI.

Section-by-Section Analysis

The following discussion describes the bill as reported by the Committee.

Section 1. Short Title. This section sets forth the short title of the bill as the “Human Trafficking Prevention Act of 2022.”

Section 2. Posting of National Human Trafficking Phone Number in Certain Restrooms. This section would amend section 107(b)(1)(B) of the Trafficking Victims Protection Act of 2000 (enacted as division A of the Victims of Trafficking and Violence Protection Act of 2000, 22 U.S.C. § 7105(b)(1)(B)(ii)) to require the Secretary of Transportation, in consultation with the Secretary of Health and Human Services, to coordinate with the owners and op-

erators of aircraft, airports, buses, bus stations, passenger trains, and passenger railroad stations to place the contact information for the National Human Trafficking Hotline (including options to contact the Hotline such as through phone, text, or TYY) in the restrooms of each aircraft, airports, buses, bus stations, passenger trains, and passenger railroad station operating in the United States, and it requires the posting of that contact information in a visible place in all federal buildings.

Changes in Existing Law Made by the Bill, as Reported

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

TRAFFICKING VICTIMS PROTECTION ACT OF 2000

* * * * *

DIVISION A—TRAFFICKING VICTIMS PROTECTION ACT OF 2000

* * * * *

SEC. 107. PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING.

(a) ASSISTANCE FOR VICTIMS IN OTHER COUNTRIES.—

(1) **IN GENERAL.**—The Secretary of State and the Administrator of the United States Agency for International Development, in consultation with appropriate nongovernmental organizations, shall establish and carry out programs and initiatives in foreign countries to assist in the safe integration, reintegration, or resettlement, as appropriate, of victims of trafficking. Such programs and initiatives shall be designed to meet the appropriate assistance needs of such persons and their children, as identified by the Task Force, and shall be carried out in a manner which takes into account the cross-border, regional, and transnational aspects of trafficking in persons. In addition, such programs and initiatives shall, to the maximum extent practicable, include the following:

(A) Support for local in-country nongovernmental organization-operated hotlines, culturally and linguistically appropriate protective shelters, and regional and international nongovernmental organization networks and databases on trafficking, including support to assist nongovernmental organizations in establishing service centers and systems that are mobile and extend beyond large cities.

(B) Support for nongovernmental organizations and advocates to provide legal, social, and other services and assistance to trafficked individuals, particularly those individuals in detention, and by facilitating contact between relevant foreign government agencies and such nongovern-

mental organizations to facilitate cooperation between the foreign governments and such organizations.

(C) Education and training for trafficked women and girls.

(D) The safe integration or reintegration of trafficked individuals into an appropriate community or family, with full respect for the wishes, dignity, and safety of the trafficked individual.

(E) Support for developing or increasing programs to assist families of victims in locating, repatriating, and treating their trafficked family members, in assisting the voluntary repatriation of these family members or their integration or resettlement into appropriate communities, and in providing them with treatment.

(F) In cooperation and coordination with relevant organizations, such as the United Nations High Commissioner for Refugees, the International Organization for Migration, and private nongovernmental organizations that contract with, or receive grants from, the United States Government to assist refugees and internally displaced persons, support for—

(i) increased protections for refugees and internally displaced persons, including outreach and education efforts to prevent such refugees and internally displaced persons from being exploited by traffickers; and

(ii) performance of best interest determinations for unaccompanied and separated children who come to the attention of the United Nations High Commissioner for Refugees, its partner organizations, or any organization that contracts with the Department of State in order to identify child trafficking victims and to assist their safe integration, reintegration, and resettlement.

(2) **ADDITIONAL REQUIREMENT.**—In establishing and conducting programs and initiatives described in paragraph (1), the Secretary of State and the Administrator of the United States Agency for International Development shall take all appropriate steps to enhance cooperative efforts among foreign countries, including countries of origin of victims of trafficking, to assist in the integration, reintegration, or resettlement, as appropriate, of victims of trafficking, including stateless victims. In carrying out this paragraph, the Secretary and the Administrator shall take all appropriate steps to ensure that cooperative efforts among foreign countries are undertaken on a regional basis and shall brief Congress annually on such efforts.

(b) **VICTIMS IN THE UNITED STATES.**—

(1) **ASSISTANCE.**—

(A) **ELIGIBILITY FOR BENEFITS AND SERVICES.**—Notwithstanding title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, an alien who is a victim of a severe form of trafficking in persons, or an alien classified as a nonimmigrant under section 101(a)(15)(T)(ii), shall be eligible for benefits and services under any Federal or State program or activity funded or

administered by any official or agency described in subparagraph (B) to the same extent as an alien who is admitted to the United States as a refugee under section 207 of the Immigration and Nationality Act.

(B) REQUIREMENT TO EXPAND BENEFITS AND SERVICES.—

(i) IN GENERAL.—Subject to subparagraph (C) and, in the case of nonentitlement programs, to the availability of appropriations, the Secretary of Health and Human Services, the Secretary of Labor, the Board of Directors of the Legal Services Corporation, and the heads of other Federal agencies shall expand benefits and services to victims of severe forms of trafficking in persons in the United States, and aliens classified as a nonimmigrant under section 101(a)(15)(T)(ii), without regard to the immigration status of such victims. In the case of nonentitlement programs funded by the Secretary of Health and Human Services, such benefits and services may include services to assist potential victims of trafficking in achieving certification and to assist minor dependent children of victims of severe forms of trafficking in persons or potential victims of trafficking.

(ii) NATIONAL HUMAN TRAFFICKING HOTLINE.—Beginning in fiscal year 2017, and in each fiscal year thereafter, the Secretary of Health and Human Services shall make grants for a national communication system to assist victims of severe forms of trafficking in persons in communicating with service providers. The Secretary shall give priority to grant applicants that have experience in providing telephone services to victims of severe forms of trafficking in persons. [The number of the national human trafficking hotline described in this clause shall be posted in a visible place in all Federal buildings.] *The contact information of the national human trafficking hotline (including options to reach out to the hotline such as through phone, text, or TTY) shall be posted as follows:*

(I) In a visible place in all Federal buildings.

(II) The Secretary of Transportation, in consultation with the Secretary of Health and Human Services, shall seek to coordinate with the owners and operators of aircraft, airports, over-the road buses, bus stations, passenger trains, and passenger railroad stations to place the contact information of the national human trafficking hotline in the restrooms of each such aircraft, airport, over the-road bus, bus station, passenger train, and passenger railroad station operating within the United States.

(III) The Secretary of Homeland Security, in consultation with the Secretary of Health and Human Services and in coordination with the heads of such other Federal agencies as may be appropriate, shall place the contact information of the national human trafficking hotline at each port of entry.

(C) DEFINITION OF VICTIM OF A SEVERE FORM OF TRAFFICKING IN PERSONS.—For the purposes of this paragraph, the term “victim of a severe form of trafficking in persons” means only a person—

(i) who has been subjected to an act or practice described in section 103(8) as in effect on the date of the enactment of this Act; and

(ii)(I) who has not attained 18 years of age; or

(II) who is the subject of a certification under subparagraph (E).

(E) CERTIFICATION.—

(i) IN GENERAL.—Subject to clause (ii), the certification referred to in subparagraph (C) is a certification by the Secretary of Health and Human Services, after consultation with the Attorney General and the Secretary of Homeland Security, that the person referred to in subparagraph (C)(ii)(II)—

(I) is willing to assist in every reasonable way in the investigation and prosecution of severe forms of trafficking in persons or is unable to cooperate with such a request due to physical or psychological trauma; and

(II)(aa) has made a bona fide application for a visa under section 101(a)(15)(T) of the Immigration and Nationality Act, as added by subsection (e), that has not been denied; or

(bb) is a person whose continued presence in the United States the Secretary of Homeland Security is ensuring in order to effectuate prosecution of traffickers in persons.

(ii) PERIOD OF EFFECTIVENESS.—A certification referred to in subparagraph (C), with respect to a person described in clause (i)(II)(bb), shall be effective only for so long as the Attorney General and the Secretary of Homeland Security determines that the continued presence of such person is necessary to effectuate prosecution of traffickers in persons.

(iii) INVESTIGATION AND PROSECUTION DEFINED.—For the purpose of a certification under this subparagraph, the term “investigation and prosecution” includes—

(I) identification of a person or persons who have committed severe forms of trafficking in persons;

(II) location and apprehension of such persons;

(III) testimony at proceedings against such persons; and

(IV) responding to and cooperating with requests for evidence and information.

(iv) ASSISTANCE TO INVESTIGATIONS.—In making the certification described in this subparagraph with respect to the assistance to investigation or prosecution described in clause (i)(I), the Secretary of Health and Human Services shall consider statements from State and local law enforcement officials that the person referred to in subparagraph (C)(ii)(II) has been willing to

assist in every reasonable way with respect to the investigation and prosecution of State and local crimes such as kidnapping, rape, slavery, or other forced labor offenses, where severe forms of trafficking appear to have been involved.

(F) NO REQUIREMENT OF OFFICIAL CERTIFICATION FOR UNITED STATES CITIZENS AND LAWFUL PERMANENT RESIDENTS.—Nothing in this section may be construed to require United States citizens or lawful permanent residents who are victims of severe forms of trafficking to obtain an official certification from the Secretary of Health and Human Services in order to access any of the specialized services described in this subsection or any other Federal benefits and protections to which they are otherwise entitled.

(G) ELIGIBILITY FOR INTERIM ASSISTANCE OF CHILDREN.—

(i) DETERMINATION.—Upon receiving credible information that a child described in subparagraph (C)(ii)(I) who is seeking assistance under this paragraph may have been subjected to a severe form of trafficking in persons, the Secretary of Health and Human Services shall promptly determine if the child is eligible for interim assistance under this paragraph. The Secretary shall have exclusive authority to make interim eligibility determinations under this clause. A determination of interim eligibility under this clause shall not affect the independent determination whether a child is a victim of a severe form of trafficking.

(ii) NOTIFICATION.—The Secretary of Health and Human Services shall notify the Attorney General and the Secretary of Homeland Security not later than 24 hours after all interim eligibility determinations have been made under clause (i).

(iii) DURATION.—Assistance under this paragraph may be provided to individuals determined to be eligible under clause (i) for a period of up to 90 days and may be extended for an additional 30 days.

(iv) LONG-TERM ASSISTANCE FOR CHILDREN.—

(I) ELIGIBILITY DETERMINATION.—Before the expiration of the period for interim assistance under clause (iii), the Secretary of Health and Human Services shall determine if the child referred to in clause (i) is eligible for assistance under this paragraph.

(II) CONSULTATION.—In making a determination under subclause (I), the Secretary shall consult with the Attorney General, the Secretary of Homeland Security, and nongovernmental organizations with expertise on victims of severe form of trafficking.

(III) LETTER OF ELIGIBILITY.—If the Secretary, after receiving information the Secretary believes, taken as a whole, indicates that the child is eligible for assistance under this paragraph, the Secretary shall issue a letter of eligibility. The Sec-

retary may not require that the child cooperate with law enforcement as a condition for receiving such letter of eligibility.

(H) NOTIFICATION OF CHILDREN FOR INTERIM ASSISTANCE.—Not later than 24 hours after a Federal, State, or local official discovers that a person who is under 18 years of age may be a victim of a severe form of trafficking in persons, the official shall notify the Secretary of Health and Human Services to facilitate the provision of interim assistance undersubparagraph (G).

(2) GRANTS.—

(A) IN GENERAL.—Subject to the availability of appropriations, the Attorney General may make grants to States, Indian tribes, units of local government, and non-profit, nongovernmental victims' service organizations to develop, expand, or strengthen victim service programs for victims of human trafficking, including programs that provide trauma-informed care or housing options to such victims who are—

- (i)(I) between 12 and 24 years of age; and
- (II) homeless, in foster care, or involved in the criminal justice system;
- (ii) transitioning out of the foster care system; or
- (iii) women or girls in underserved populations.

(B) ALLOCATION OF GRANT FUNDS.—Of amounts made available for grants under this paragraph, there shall be set aside—

- (i) three percent for research, evaluation, and statistics;
- (ii) 5 percent for training and technical assistance, including increasing capacity and expertise on security for and protection of service providers from intimidation or retaliation for their activities; and
- (iii) one percent for management and administration.

(C) LIMITATION ON FEDERAL SHARE.—The Federal share of a grant made under this paragraph may not exceed 75 percent of the total costs of the projects described in the application submitted.

(D) PRIORITY.—In selecting recipients of grants under this paragraph that are only available for law enforcement operations or task forces, the Attorney General may give priority to any applicant that files an attestation with the Attorney General stating that—

- (i) the grant funds awarded under this paragraph—
 - (I) will be used to assist in the prevention of severe forms of trafficking in persons;
 - (II) will be used to strengthen efforts to investigate and prosecute those who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking;
 - (III) will be used to take affirmative measures to avoid arresting, charging, or prosecuting victims of human trafficking for any offense that is the direct result of their victimization; and

(IV) will not be used to require a victim of human trafficking to collaborate with law enforcement officers as a condition of access to any shelter or restorative services; and

(ii) the applicant will provide dedicated resources for anti-human trafficking law enforcement officers for a period that is longer than the duration of the grant received under this paragraph.

(c) **TRAFFICKING VICTIM REGULATIONS.**—Not later than 180 days after the date of the enactment of this Act, the Attorney General, the Secretary of Homeland Security and the Secretary of State shall promulgate regulations for law enforcement personnel, immigration officials, and Department of State officials to implement the following:

(1) **PROTECTIONS WHILE IN CUSTODY.**—Victims of severe forms of trafficking, while in the custody of the Federal Government and to the extent practicable, shall—

(A) not be detained in facilities inappropriate to their status as crime victims;

(B) receive necessary medical care and other assistance; and

(C) be provided protection if a victim's safety is at risk or if there is danger of additional harm by recapture of the victim by a trafficker, including—

(i) taking measures to protect trafficked persons and their family members from intimidation and threats of reprisals and reprisals from traffickers and their associates; and

(ii) ensuring that the names and identifying information of trafficked persons and their family members are not disclosed to the public.

(2) **ACCESS TO INFORMATION.**—Victims of severe forms of trafficking shall have access to information about their rights and translation services. To the extent practicable, victims of severe forms of trafficking shall have access to information about federally funded or administered anti-trafficking programs that provide services to victims of severe forms of trafficking.

(3) **AUTHORITY TO PERMIT CONTINUED PRESENCE IN THE UNITED STATES.**—

(A) **TRAFFICKING VICTIMS.**—

(i) **IN GENERAL.**—If a Federal law enforcement official files an application stating that an alien is a victim of a severe form of trafficking and may be a potential witness to such trafficking, the Secretary of Homeland Security may permit the alien to remain in the United States to facilitate the investigation and prosecution of those responsible for such crime.

(ii) **SAFETY.**—While investigating and prosecuting suspected traffickers, Federal law enforcement officials described in clause (i) shall endeavor to make reasonable efforts to protect the safety of trafficking victims, including taking measures to protect trafficked persons and their family members from intimidation, threats of reprisals, and reprisals from traffickers and their associates.

(iii) CONTINUATION OF PRESENCE.—The Secretary shall permit an alien described in clause (i) who has filed a civil action under section 1595 of title 18, United States Code, to remain in the United States until such action is concluded. If the Secretary, in consultation with the Attorney General, determines that the alien has failed to exercise due diligence in pursuing such action, the Secretary may revoke the order permitting the alien to remain in the United States.

(iv) EXCEPTION.—Notwithstanding clause (iii), an alien described in such clause may be deported before the conclusion of the administrative and legal proceedings related to a complaint described in such clause if such alien is inadmissible under paragraph (2)(A)(i)(II), (2)(B), (2)(C), (2)(E), (2)(H), (2)(I), (3)(A)(i), (3)(A)(iii), (3)(B), or (3)(C) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)).

(B) PAROLE FOR RELATIVES.—Law enforcement officials may submit written requests to the Secretary of Homeland Security, in accordance with section 240A(b)(6) of the Immigration and Nationality Act (8 U.S.C. 1229b(b)(6)), to permit the parole into the United States of certain relatives of an alien described in subparagraph (A)(i).

(C) STATE AND LOCAL LAW ENFORCEMENT.—The Secretary of Homeland Security, in consultation with the Attorney General, shall—

(i) develop materials to assist State and local law enforcement officials in working with Federal law enforcement to obtain continued presence for victims of a severe form of trafficking in cases investigated or prosecuted at the State or local level; and

(ii) distribute the materials developed under clause (i) to State and local law enforcement officials.

(4) TRAINING OF GOVERNMENT PERSONNEL.—

(A) IN GENERAL.—Appropriate personnel of the Department of State, including members of the Service (as such term is defined in section 103 of the Foreign Service Act of 1980 (22 U.S.C. 3903)), the Department of Homeland Security, the Department of Health and Human Services, the Department of Labor, the Equal Employment Opportunity Commission, and the Department of Justice shall be trained in identifying victims of severe forms of trafficking and providing for the protection of such victims, including juvenile victims. The Attorney General and the Secretary of Health and Human Services, in consultation with the Secretary of Labor, shall provide training to State and local officials to improve the identification and protection of such victims.

(B) TRAINING COMPONENTS.—Training under this paragraph shall include—

(i) a distance learning course on trafficking-in-persons issues and the Department of State's obligations under this Act, which shall be designed for embassy reporting officers, regional bureaus trafficking-in-persons coordinators, and their superiors;

(ii) specific trafficking-in-persons briefings for all ambassadors and deputy chiefs of mission before such individuals depart for their posts;

(iii) at least annual reminders to all personnel referred to in clauses (i) and (ii), including appropriate personnel from other Federal departments and agencies, at each diplomatic or consular post of the Department of State located outside the United States of—

(I) key problems, threats, methods, and warning signs of trafficking in persons specific to the country or jurisdiction in which each such post is located; and

(II) appropriate procedures to report information that any such personnel may acquire about possible cases of trafficking in persons; and

(iv) a discussion clarifying that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, and is a party to a human trafficking offense.

(d) CONSTRUCTION.—Nothing in subsection (c) shall be construed as creating any private cause of action against the United States or its officers or employees.

(e) PROTECTION FROM REMOVAL FOR CERTAIN CRIME VICTIMS.—

(5) STATUTORY CONSTRUCTION.—Nothing in this section, or in the amendments made by this section, shall be construed as prohibiting the Secretary of Homeland Security from instituting removal proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a) against an alien admitted as a nonimmigrant under section 101(a)(15)(T)(i) of that Act, as added by subsection (e), for conduct committed after the alien's admission into the United States, or for conduct or a condition that was not disclosed to the Secretary of Homeland Security prior to the alien's admission as a nonimmigrant under such section 101(a)(15)(T)(i).

(f) ASSISTANCE FOR UNITED STATES CITIZENS AND LAWFUL PERMANENT RESIDENTS.—

(1) IN GENERAL.—The Secretary of Health and Human Services and the Attorney General, in consultation with the Secretary of Labor, shall establish a program to assist United States citizens and aliens lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20))) who are victims of severe forms of trafficking. In determining the assistance that would be most beneficial for such victims, the Secretary and the Attorney General shall consult with nongovernmental organizations that provide services to victims of severe forms of trafficking in the United States.

(2) USE OF EXISTING PROGRAMS.—In addition to specialized services required for victims described in paragraph (1), the program established pursuant to paragraph (1) shall—

(A) facilitate communication and coordination between the providers of assistance to such victims;

(B) provide a means to identify such providers; and

(C) provide a means to make referrals to programs for which such victims are already eligible, including programs administered by the Department of Justice and the Department of Health and Human Services.

(3) GRANTS.—

(A) IN GENERAL.—The Secretary of Health and Human Services and the Attorney General may award grants to States, Indian tribes, units of local government, and non-profit, nongovernmental victim service organizations to develop, expand, and strengthen victim service programs authorized under this subsection.

(B) MAXIMUM FEDERAL SHARE.—The Federal share of a grant awarded under this paragraph may not exceed 75 percent of the total costs of the projects described in the application submitted by the grantee.

(g) ANNUAL REPORTS.—On or before October 31 of each year, the Attorney General or the Secretary of Homeland Security shall submit a report to the appropriate congressional committees setting forth, with respect to the preceding fiscal year, the number, if any, of otherwise eligible applicants who did not receive visas under section 101(a)(15)(T) of the Immigration and Nationality Act, as added by subsection (e), or who were unable to adjust their status under section 245(l) of such Act, solely on account of the unavailability of visas due to a limitation imposed by section 214(o)(2) or 245(l)(4)(A) of such Act.

* * * * *

Committee Correspondence



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington DC 20515

Peter A. DeFazio
Chair
Katherine W. Dedrick
Staff Director

Sam Graves
Ranking Member
Jack Ruddy
Republican Staff Director

September 8, 2022

The Honorable Jerrold Nadler
Chairman, Committee on the Judiciary
House of Representatives
2138 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Nadler:

I write concerning H.R. 7181, the *Human Trafficking Prevention Act of 2022*. There are certain provisions in this legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite floor consideration of H.R. 7181, the Committee on Transportation and Infrastructure agrees to forgo action on the bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill would not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I also request that you urge the Speaker to name members of this Committee to any conference committee which is named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the bill report to be filed by the Committee on the Judiciary and in the *Congressional Record* during consideration of H.R. 7181 on the House floor.

Sincerely,

A handwritten signature in black ink, appearing to read "P. DeFazio".

Peter A. DeFazio
Chair

cc: The Honorable Sam Graves
The Honorable Jim Jordan
Mr. Jason Smith, Parliamentarian

Jerrold Nadler, New York
CHAIRMAN

Jim Jordan, Ohio
RANKING MEMBER

ONE HUNDRED SEVENTEENTH CONGRESS

Congress of the United States
House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3961

judiciary.house.gov

September 13, 2022

The Honorable Peter A. DeFazio
Chairman
Committee on Transportation and Infrastructure
U.S. House of Representatives
2165 Rayburn House Office Building
Washington, DC 20515

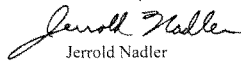
Dear Chairman DeFazio:

I am writing to you concerning H.R. 7181, the “Human Trafficking Prevention Act of 2022.”

I appreciate your willingness to work cooperatively on this legislation. I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Transportation and Infrastructure. I acknowledge that your Committee will not formally consider H.R. 7181 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in H.R. 7181 which fall within your Committee’s Rule X jurisdiction.

I will ensure that our exchange of letters is included in the *Congressional Record* during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,


Jerrold Nadler
Chairman

cc: The Honorable Jim Jordan, Ranking Member, Committee on the Judiciary
The Honorable Jason Smith, Parliamentarian
The Honorable Sam Graves, Ranking Member, Committee on Transportation and Infrastructure

BENNIE G. THOMPSON, MISSISSIPPI
CHAIRMAN

JOHN KATKO, NEW YORK
RANKING MEMBER



**One Hundred Seventeenth Congress
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515**

September 8, 2022

The Honorable Jerrold Nadler
Chairman
Committee on the Judiciary
2138 Rayburn House Office Building
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Nadler:

I am writing to you concerning H.R. 7181, the "Human Trafficking Prevention Act of 2022." There are certain provisions in the legislation, as amended in committee, that fall within the rule X jurisdiction of the Committee on Homeland Security.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Homeland Security does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter in the committee report on H.R. 7181 and in the *Congressional Record* during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

Bennie G. Thompson
Chairman
Committee on Homeland Security

JERROLD NADLER, New York
CHAIRMAN

JIM JORDAN, Ohio
RANKING MEMBER

ONE HUNDRED SEVENTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON THE JUDICIARY
2138 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6216
(202) 225-3961
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September 13, 2022

The Honorable Bennie G. Thompson
Chairman
Committee on Homeland Security
U.S. House of Representatives
H2-176 Ford House Office Building
Washington, DC 20515

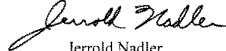
Dear Chairman Thompson:

I am writing to you concerning H.R. 7181, the "Human Trafficking Prevention Act of 2022."

I appreciate your willingness to work cooperatively on this legislation. I recognize that the bill, as amended, contains provisions that fall within the jurisdiction of the Committee on Homeland Security. I acknowledge that your Committee will not formally consider H.R. 7181 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in H.R. 7181 which fall within your Committee's Rule X jurisdiction.

I will ensure that our exchange of letters is included in the *Congressional Record* during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,



Jerrold Nadler
Chairman

cc: The Honorable Jim Jordan, Ranking Member, Committee on the Judiciary
The Honorable Jason Smith, Parliamentarian
The Honorable John Katko, Ranking Member, Committee on Homeland Security

