

## HR 2620

Trafficking Victims Protection Reauthorization Act of 2003

**Congress:** 108 (2003–2005, Ended)

**Chamber:** House

**Policy Area:** International Affairs

**Introduced:** Jun 26, 2003

**Current Status:** Became Public Law No: 108-193.

**Latest Action:** Became Public Law No: 108-193. (Dec 19, 2003)

**Law:** 108-193 (Enacted Dec 19, 2003)

**Official Text:** <https://www.congress.gov/bill/108th-congress/house-bill/2620>

### Sponsor

**Name:** Rep. Smith, Christopher H. [R-NJ-4]

**Party:** Republican • **State:** NJ • **Chamber:** House

### Cosponsors (15 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Eshoo, Anna G. [D-CA-14]	D · CA		Jun 26, 2003
Rep. Lantos, Tom [D-CA-12]	D · CA		Jun 26, 2003
Rep. Pitts, Joseph R. [R-PA-16]	R · PA		Jun 26, 2003
Rep. Slaughter, Louise McIntosh [D-NY-28]	D · NY		Jun 26, 2003
Rep. Abercrombie, Neil [D-HI-1]	D · HI		Jul 10, 2003
Rep. Kucinich, Dennis J. [D-OH-10]	D · OH		Jul 15, 2003
Rep. Nadler, Jerrold [D-NY-8]	D · NY		Jul 15, 2003
Rep. McGovern, James P. [D-MA-3]	D · MA		Jul 18, 2003
Rep. Pence, Mike [R-IN-6]	R · IN		Jul 18, 2003
Rep. Ros-Lehtinen, Ileana [R-FL-18]	R · FL		Jul 18, 2003
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Jul 18, 2003
Rep. King, Peter T. [R-NY-3]	R · NY		Jul 22, 2003
Rep. McDermott, Jim [D-WA-7]	D · WA		Jul 22, 2003
Rep. Wexler, Robert [D-FL-19]	D · FL		Jul 22, 2003
Rep. Davis, Jo Ann [R-VA-1]	R · VA		Sep 3, 2003

### Committee Activity

Committee	Chamber	Activity	Date
Foreign Affairs Committee	House	Reported By	Sep 5, 2003
Judiciary Committee	House	Discharged from	Sep 22, 2003

### Subjects & Policy Tags

#### Policy Area:

International Affairs

## Related Bills

Bill	Relationship	Last Action
108 S 1830	Related bill	<b>Nov 6, 2003:</b> Read twice and referred to the Committee on Foreign Relations.

Trafficking Victims Protection Reauthorization Act of 2003 - (Sec. 3) Amends the Trafficking Victims Protection Act of 2000 (TVPA) to direct the President to establish programs of border interdiction outside the United States by providing grants to foreign nongovernmental organizations (NGOs) that provide for transit shelters operating at key border crossings, and help train survivors of trafficking in persons to educate and train border guards, officials, and other law enforcement officials to: (1) identify traffickers and victims of severe forms of trafficking; (2) treat such victims appropriately; and (3) monitor the implementation of border interdiction programs, including helping in the identification of such victims to stop the cross-border transit of victims.

Requires the President to establish programs supporting the production of television and radio programs to: (1) inform vulnerable populations overseas of the dangers of trafficking; and (2) increase awareness of the public in countries of destination regarding the slave-like practices and other human rights abuses involved in trafficking.

Directs the President to: (1) ensure that materials are developed and disseminated to alert travelers that sex tourism is illegal, will be prosecuted, and presents dangers to those involved, (2) monitor compliance with these requirements; and (3) report to specified congressional committees on the feasibility of such U.S. Government materials being disseminated through public-private partnerships to individuals traveling to foreign destinations.

Directs the President to ensure that any Federal grant, contract, or cooperative agreement under which certain assistance funds relating to international affairs are to be provided to a private entity, in whole or in part, shall include a condition that authorizes the Federal department or agency involved to terminate the grant, contract, or agreement, without penalty, if the grantee or any subgrantee, or the contractor or any subcontractor: (1) engages in specified severe forms of trafficking in persons or has procured a commercial sex act during the period of time that the grant, contract, or cooperative agreement is in effect; or (2) uses forced labor in the performance of the grant, contract, or agreement.

(Sec. 4) Requires certain State Department programs in foreign countries to facilitate contact and cooperation between relevant foreign government agencies and NGOs providing services to trafficked individuals, particularly those in detention.

Extends to nonimmigrant alien family members the same benefits and services available to a trafficking victim.

Allows such benefits and services, in the case of nonentitlement programs funded by the Secretary of Health and Human Services, to 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.

Revises the benefits and services eligibility criteria for trafficking victims to consider a victim's willingness to assist with a State or local investigation as well as with a Federal investigation. (Current law limits the criterion to assistance with a Federal investigation.)

Allows a victim of criminal trafficking offenses to bring a civil action in any appropriate U.S. district court for actual damages, punitive damages, reasonable attorneys' fees, and other litigation costs reasonably incurred.

Amends the Immigration and Nationality Act to increase from 15 to 18 the minimum age at which a trafficking victim is required to assist in investigations and prosecutions to be eligible for a "T" visa.

Adds unmarried siblings under age 18 to the family members of a trafficking victim eligible for a "T" visa.

Declares that, with respect to determining eligibility for a nonimmigrant "T" visa for trafficking victims, statements shall be considered from State and local law enforcement officials that the alien has complied with any reasonable request for assistance in the investigation or prosecution of crimes such as kidnapping, rape, slavery, or other forced labor offenses, where severe forms of trafficking in persons appear to have been involved.

Makes the public charge ground for inadmissibility under a "T" visa inapplicable to trafficking victims.

(Sec. 5) Amends the Federal criminal code to extend jurisdiction of sex trafficking offenses to acts of trafficking in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States.

Includes among racketeering offenses specified offenses relating to: (1) forced labor; (2) trafficking with respect to peonage, slavery, involuntary servitude, or forced labor; and (3) sex trafficking of children or by force, fraud, or coercion.

(Sec. 6) Amends the Victims of Trafficking and Violence Protection Act of 2000 (VTVPA) to require the Attorney General to report annually to specified congressional committees on Federal agencies implementing such Act, including among other statistics for the preceding fiscal year: (1) the number of persons who received benefits or other services under the Act; (2) the number of persons granted continued presence in the United States; (3) the number of persons who have applied for, been granted, or been denied a "T" visa or otherwise provided status under the Immigration and Nationality Act; (4) the number of persons charged or convicted of trafficking related criminal offenses; (5) the amount, recipient, and purpose of each grant issued under this Act (and related provisions of the Foreign Assistance Act of 1961); (6) the nature of training conducted for appropriate Department of State and the Department of Justice personnel in identifying and protecting victims of severe forms of trafficking; and (7) activities undertaken by the Senior Policy Operating Group to carry out its responsibilities.

Declares that the Director of the Office to Monitor and Combat Trafficking (OMCT) of the Department of State, shall be appointed by the President, by and with the advice and consent of the Senate, with the rank of Ambassador-at-Large.

Establishes within the executive branch a Senior Policy Operating Group to coordinate activities of Federal departments and agencies regarding policies (including grants and grant policies) involving the international trafficking in persons and the implementation of this division.

Requires that evidence of convictions and sentences for acts of trafficking and official complicity in acts of trafficking (as well as evidence of investigations and prosecutions) be considered in the evaluation of a foreign country's efforts to eliminate trafficking.

Declares that, after reasonable requests from the Department of State for data regarding investigations, prosecutions, convictions, and sentences, a government which does not provide such data consistent with its resources shall be presumed not to have vigorously investigated, prosecuted, convicted or sentenced acts of trafficking.

Amends the TVPA to require the Secretary of State to report annually to specified congressional committees a watch list of countries that require special scrutiny during the following year.

Amends the Foreign Assistance Act of 1961 to authorize assistance for foreign police training.

Amends the VTVPA to direct the President, acting through the Council of Economic Advisors, the National Research Council of the National Academies, the Secretary of Labor, the Secretary of Health and Human Services, the Attorney

General, the Secretary of State, the Administrator of the United States Agency for International Development, and the Director of Central Intelligence, to carry out research, including by grants to NGOs, that addresses among other things: (1) the economic causes and consequences of domestic and international trafficking in persons; (2) the effectiveness of programs and initiatives funded or administered by Federal agencies to prevent trafficking in persons and to protect and assist victims of trafficking; and (3) the interrelationship between trafficking in persons and global health risks.

Authorizes the President, at any time after refusing under the TVPA certain nonhumanitarian, nontrade-related foreign assistance to a country, including participation in educational and cultural exchange programs, to waive such sanctions.

(Sec. 7) Amends the TVPA to authorize appropriations for FY 2004 and 2005 to: (1) the Interagency Task Force to Monitor and Combat Trafficking, especially the operations and staffing requirements of the Office to Monitor and Combat Trafficking and the Senior Policy Operating Group; (2) the Secretary of Health and Human Services; (3) the Secretary of State for bilateral assistance to combat trafficking; (4) the Attorney General, including an additional amount to the President, acting through the Attorney General, for training activities for law enforcement officers, prosecutors, and members of the judiciary at the International Law Enforcement Academies; (5) the President for foreign victims assistance, specialized research, and assistance to foreign countries to meet minimum standards for the elimination of trafficking; and (6) the Secretary of Labor.

Prohibits the use of funds under this Act to: (1) promote, support, or advocate the legalization or practice of prostitution; or (2) implement any program that targets victims of severe forms of trafficking in persons through any organization that has not stated in either a grant application, a grant agreement, or both, that it does not promote, support, or advocate the legalization or practice of prostitution.

## Actions Timeline

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- **Dec 19, 2003:** Signed by President.
- **Dec 19, 2003:** Signed by President.
- **Dec 19, 2003:** Became Public Law No: 108-193.
- **Dec 19, 2003:** Became Public Law No: 108-193.
- **Dec 12, 2003:** Presented to President.
- **Dec 12, 2003:** Presented to President.
- **Dec 10, 2003:** Message on Senate action sent to the House.
- **Dec 9, 2003:** Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent.(consideration: CR S16200-16201)
- **Dec 9, 2003:** Passed Senate without amendment by Unanimous Consent. (consideration: CR S16200-16201)
- **Nov 6, 2003:** Received in the Senate, read twice.
- **Nov 5, 2003:** Considered as unfinished business. (consideration: CR H10426)
- **Nov 5, 2003:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 422 - 1 (Roll no. 607).(text: CR 11/04/2003 H10281-10284)
- **Nov 5, 2003:** On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 422 - 1 (Roll no. 607). (text: CR 11/04/2003 H10281-10284)
- **Nov 5, 2003:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 4, 2003:** Mr. Smith (NJ) moved to suspend the rules and pass the bill, as amended.
- **Nov 4, 2003:** Considered under suspension of the rules. (consideration: CR H10281-10288)
- **Nov 4, 2003:** DEBATE - The House proceeded with forty minutes of debate on H.R. 2620.
- **Nov 4, 2003:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Sep 29, 2003:** Reported (Amended) by the Committee on Judiciary. H. Rept. 108-264, Part II.
- **Sep 29, 2003:** Reported (Amended) by the Committee on Judiciary. H. Rept. 108-264, Part II.
- **Sep 29, 2003:** Placed on the Union Calendar, Calendar No. 166.
- **Sep 24, 2003:** Committee Consideration and Mark-up Session Held.
- **Sep 24, 2003:** Ordered to be Reported (Amended) by Voice Vote.
- **Sep 22, 2003:** Subcommittee on Immigration, Border Security, and Claims Discharged.
- **Sep 5, 2003:** Reported (Amended) by the Committee on International Relations. H. Rept. 108-264, Part I.
- **Sep 5, 2003:** Reported (Amended) by the Committee on International Relations. H. Rept. 108-264, Part I.
- **Sep 5, 2003:** House Committee on Judiciary Granted an extension for further consideration ending not later than Sept. 29, 2003.
- **Sep 4, 2003:** Referred to the Subcommittee on Immigration, Border Security, and Claims.
- **Jul 23, 2003:** Committee Consideration and Mark-up Session Held.
- **Jul 23, 2003:** Ordered to be Reported (Amended) by Voice Vote.
- **Jun 27, 2003:** Sponsor introductory remarks on measure. (CR E1384)
- **Jun 26, 2003:** Introduced in House
- **Jun 26, 2003:** Introduced in House
- **Jun 26, 2003:** Referred to the Committee on International Relations, and in addition to the Committee on 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.
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