

S 1301

Trafficking Victims Protection Reauthorization Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: International Affairs

Introduced: Jun 29, 2011

Current Status: By Senator Leahy from Committee on the Judiciary filed written report. Report No. 112-96. Additional

Latest Action: By Senator Leahy from Committee on the Judiciary filed written report. Report No. 112-96. Additional and Minority views filed. (Nov 17, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/1301>

Sponsor

Name: Sen. Leahy, Patrick J. [D-VT]

Party: Democratic • **State:** VT • **Chamber:** Senate

Cosponsors (56 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Boxer, Barbara [D-CA]	D · CA		Jun 29, 2011
Sen. Brown, Scott P. [R-MA]	R · MA		Jun 29, 2011
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Jun 29, 2011
Sen. Kerry, John F. [D-MA]	D · MA		Jun 29, 2011
Sen. Wyden, Ron [D-OR]	D · OR		Jun 29, 2011
Sen. Feinstein, Dianne [D-CA]	D · CA		Jul 7, 2011
Sen. Rubio, Marco [R-FL]	R · FL		Jul 14, 2011
Sen. Cochran, Thad [R-MS]	R · MS		Jul 19, 2011
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Jul 20, 2011
Sen. Landrieu, Mary L. [D-LA]	D · LA		Sep 12, 2011
Sen. Schumer, Charles E. [D-NY]	D · NY		Sep 13, 2011
Sen. Brown, Sherrod [D-OH]	D · OH		Sep 15, 2011
Sen. Burr, Richard [R-NC]	R · NC		Sep 15, 2011
Sen. Coons, Christopher A. [D-DE]	D · DE		Sep 20, 2011
Sen. Akaka, Daniel K. [D-HI]	D · HI		Sep 22, 2011
Sen. Udall, Mark [D-CO]	D · CO		Sep 26, 2011
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Oct 3, 2011
Sen. Heller, Dean [R-NV]	R · NV		Oct 4, 2011
Sen. Isakson, Johnny [R-GA]	R · GA		Oct 11, 2011
Sen. Klobuchar, Amy [D-MN]	D · MN		Oct 11, 2011
Sen. Hagan, Kay R. [D-NC]	D · NC		Oct 12, 2011
Sen. Durbin, Richard J. [D-IL]	D · IL		Oct 13, 2011
Sen. Nelson, Bill [D-FL]	D · FL		Oct 13, 2011
Sen. Stabenow, Debbie [D-MI]	D · MI		Oct 13, 2011
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Oct 17, 2011
Sen. Franken, Al [D-MN]	D · MN		Oct 17, 2011
Sen. Portman, Rob [R-OH]	R · OH		Oct 17, 2011
Sen. Merkley, Jeff [D-OR]	D · OR		Oct 18, 2011
Sen. Bennet, Michael F. [D-CO]	D · CO		Oct 31, 2011
Sen. Tester, Jon [D-MT]	D · MT		Nov 2, 2011
Sen. Chambliss, Saxby [R-GA]	R · GA		Nov 7, 2011
Sen. Blumenthal, Richard [D-CT]	D · CT		Dec 5, 2011
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		Jan 24, 2012
Sen. Sanders, Bernard [I-VT]	I · VT		Mar 5, 2012
Sen. Cantwell, Maria [D-WA]	D · WA		Mar 7, 2012
Sen. Menendez, Robert [D-NJ]	D · NJ		Mar 7, 2012
Sen. Murray, Patty [D-WA]	D · WA		Mar 8, 2012
Sen. Lieberman, Joseph I. [I-CT]	ID · CT		Mar 19, 2012
Sen. Pryor, Mark L. [D-AR]	D · AR		Mar 27, 2012
Sen. Reed, Jack [D-RI]	D · RI		Apr 26, 2012
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Apr 26, 2012

Cosponsor	Party / State	Role	Date Joined
Sen. Wicker, Roger F. [R-MS]	R · MS		May 10, 2012
Sen. Shaheen, Jeanne [D-NH]	D · NH		Jun 6, 2012
Sen. Ayotte, Kelly [R-NH]	R · NH		Jun 7, 2012
Sen. Hutchison, Kay Bailey [R-TX]	R · TX		Jun 27, 2012
Sen. Begich, Mark [D-AK]	D · AK		Jun 29, 2012
Sen. Bingaman, Jeff [D-NM]	D · NM		Sep 10, 2012
Sen. Collins, Susan M. [R-ME]	R · ME		Sep 10, 2012
Sen. Harkin, Tom [D-IA]	D · IA		Sep 13, 2012
Sen. Conrad, Kent [D-ND]	D · ND		Sep 20, 2012
Sen. Kirk, Mark Steven [R-IL]	R · IL		Sep 20, 2012
Sen. Murkowski, Lisa [R-AK]	R · AK		Sep 21, 2012
Sen. Inouye, Daniel K. [D-HI]	D · HI		Nov 27, 2012
Sen. Udall, Tom [D-NM]	D · NM		Nov 27, 2012
Sen. Snowe, Olympia J. [R-ME]	R · ME		Dec 18, 2012
Sen. McCaskill, Claire [D-MO]	D · MO		Dec 20, 2012

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Oct 13, 2011

Subjects & Policy Tags

Policy Area:

International Affairs

Related Bills

No related bills are listed.

Trafficking Victims Protection Reauthorization Act of 2011 - **Title I: Combating International Trafficking in Persons** - (Sec. 101) Amends the Trafficking Victims Protection Act of 2000 to require that: (1) each Department of State (Department) regional bureau annually submit a list of goals for combating trafficking in persons (trafficking) for each country in its geographic area of responsibility, and (2) host governments be informed of such goals.

(Sec. 102) Authorizes the Secretary of State to appoint anti-trafficking officers at U.S. embassies who shall: (1) collaborate with other countries to eliminate human trafficking, (2) enhance Department anti-trafficking efforts, (3) monitor regional trafficking trends, and (4) assist U.S. embassies to prepare the annual Trafficking in Persons Reports.

(Sec. 103) Requires the Director of the Office to Monitor and Combat Trafficking to build U.S. government-private entity partnerships to ensure that: (1) U.S. citizens do not use any item, product, or material produced or extracted with the labor of victims of severe forms of trafficking; and (2) such entities do not contribute to trafficking in persons involving sexual exploitation.

Directs the President to establish programs with foreign governments and civil society to enhance their anti-trafficking capacity.

Authorizes the Secretary to: (1) establish a fund to assist foreign governments meet urgent trafficking prevention needs, protect victims, and prosecute trafficking offenders; and (2) provide assistance for each country with a high prevalence of trafficking that enters into a child protection compact with the United States.

(Sec. 104) Requires an annual congressional briefing on Department and United States Agency for International Development (USAID) efforts to promote international international cooperation regarding victim protection and assistance.

(Sec. 105) Revises Department standards for measuring efforts to eliminate human trafficking.

(Sec. 106) Revises Department reporting requirements regarding the status of severe forms of trafficking in persons.

(Sec. 107) Amends the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to require that a video about U.S. legal rights and resources be developed and shown in embassies and consulates with the greatest concentrations of aliens applying for employment- or education-based nonimmigrant visas.

(Sec. 108) Amends the Trafficking Victims Protection Act of 2000 to direct the Secretary of State to establish a strategy: (1) to prevent child marriage, (2) to promote the empowerment of girls at risk of child marriage in developing countries, and (3) that addresses the needs of girls younger than 18 years of age in developing countries.

Amends the Foreign Assistance Act of 1961 to require the annual State Department Country Reports on Human Rights Practices to include reporting on child marriage.

(Sec. 109) Amends the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to prohibit the provision of peacekeeping operation funds to countries that use child soldiers. Waives such prohibition for programs to professionalize military or security forces or to demobilize child soldiers.

(Sec. 110) Amends the Trafficking Victims Protection Act of 2000 to include "technological innovation" as a basis upon which the President may select an honoree for the Presidential Award for Extraordinary Efforts to Combat Trafficking in

Persons.

(Sec. 111) Revises federal contracting provisions regarding trafficking in persons to require the government to include a condition in every contract, grant, or cooperative agreement that authorizes contract termination if the contractor or subcontractor engages in acts related to trafficking, procuring commercial sex acts, or use of forced labor in the performance of the grant, contract, or cooperative agreement. Specifies grounds for contract termination.

Requires federal contractors, in certain overseas contracts or agreements in support of contingency operations, to: (1) create a compliance plan to prevent activities related to trafficking in persons, procurement of commercial sex, or forced labor; and (2) certify upon due diligence that neither the contractor nor any subcontractors are engaged in such activities.

(Sec. 112) Requires the Interagency Task Force to Monitor and Combat Trafficking (DOD) to include in its annual report information on trafficking cases, including such activities by DOD contractors.

Title II: Combating Trafficking of Persons in the United States - Subtitle A: Penalties Against Traffickers and Other Crimes - (Sec. 201) Amends the Racketeer Influenced and Corrupt Organizations Act (RICO) to include labor contract fraud under the scope of such Act.

Amends the federal criminal code to subject a U.S. citizen or permanent resident alien who resides overseas and engages in illicit sexual conduct, including sex trafficking, with a person under 18 years old to fine and/or imprisonment.

Subjects a person to fine and/or imprisonment for the knowing destruction, concealment, removal, confiscation, or possession of certain immigration documents.

(Sec. 202) Increases the statute of limitations to 10 years for a person to bring a civil action for an injury received while a minor that was caused by specified sexual- or forced labor-related violations of federal criminal law.

Subtitle B: Ensuring Availability of Possible Witnesses and Informants - (Sec. 211) Amends the Immigration and Nationality Act (INA) to: (1) make eligible for a nonimmigrant T visa (trafficking victims cooperating with law enforcement) adult or minor children of certain derivative family members of a T visa alien if such children face a danger of retaliation in their home country by the traffickers, and (2) make an alien who was the victim of foreign labor contracting fraud eligible for a nonimmigrant U visa (victims of certain crimes).

Subtitle C: Ensuring Interagency Coordination and Expanded Reporting - (Sec. 221) Revises certain trafficking-related reporting requirements for the Attorney General (DOJ) and the Secretary of Labor.

(Sec. 223) Amends the Trafficking Victims Protection Act of 2005 to direct the Secretary of State to provide the Department of Labor with information relating to child labor and forced labor in the production of goods in violation of international standards.

(Sec. 225) Requires the Government Accountability Office (GAO) to report to Congress regarding the use of foreign labor contractors.

(Sec. 226) Sets forth specified audit and oversight requirements for DOJ grants.

Subtitle D: Enhancing State and Local Efforts to Combat Trafficking in Persons - (Sec. 231) Amends the Trafficking Victims Protection Reauthorization Act of 2005 to authorize the Assistant Attorney General for the Office of Justice Programs to make renewable one-year block grants to four eligible state or local government entities in different regions

of the United States to combat sex trafficking of minors. Authorizes FY2012-FY2015 appropriations. Terminates the program four years after enactment of this Act.

(Sec. 232) Authorizes appropriations through FY2015 for grants for local law enforcement investigations and prosecutions of trafficking and commercial sex act violations.

Directs GAO to evaluate the program.

(Sec. 233) Includes in the model state criminal provisions protections for persons under 18 years old who have been arrested for engaging in commercial sex acts.

Title III: Authorization of Appropriations - (Sec. 301) Amends the Trafficking Victims Protection Act of 2000 to authorize appropriations through FY2015 for: (1) the Human Smuggling and Trafficking Center, (2) the Interagency Task Force to Monitor and Combat Trafficking, (3) the Office to Monitor and Combat Trafficking, (4) the Secretary of Health and Human Services (HHS) for trafficking victim assistance, (5) the Secretary of State to combat trafficking, (6) the Attorney General for trafficking victim assistance in the United States, (7) the President for foreign trafficking victims assistance and to foreign countries to meet minimum standards for the elimination of trafficking, (8) the Secretary of Labor for trafficking victim assistance in the United States, and (9) the Secretary of Homeland Security (DHS) for trafficking investigations by the Bureau of Immigration and Customs Enforcement.

(Sec. 302) Amends the Trafficking Victims Protection Reauthorization Act of 2005 to authorize appropriations through FY2015 for studies and conferences addressing trafficking and sex trafficking in the United States.

Amends INA to extend specified asylum and removal protections to aliens who are under the age of 18 as of a qualifying event.

Title IV: Unaccompanied Alien Children - (Sec. 401) Amends the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to direct: (1) the Secretary of Health and Human Services to establish specified child advocate programs at immigration detention sites for trafficking victims and vulnerable unaccompanied alien children; and (2) the Secretary of Homeland Security, with respect to individuals who reach the age of 18 and are transferred to DHS, to consider placement in the least restrictive setting available, including alternative detention programs.

Authorizes appropriations through FY2015 for such child advocacy programs.

Directs GAO to: (1) conduct a study of the effectiveness of the HHS child advocate program, and (2) conduct a study of the effectiveness of DHS border screening of unaccompanied alien children to determine whether they are trafficking victims.

(Sec. 403) Makes a child granted U visa status eligible for certain assistance for refugee children.

Actions Timeline

- **Nov 17, 2011:** By Senator Leahy from Committee on the Judiciary filed written report. Report No. 112-96. Additional and Minority views filed.
- **Oct 13, 2011:** Committee on the Judiciary. Ordered to be reported with amendments favorably.
- **Oct 13, 2011:** Committee on the Judiciary. Reported by Senator Leahy with an amendment in the nature of a substitute. Without written report.
- **Oct 13, 2011:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 193.
- **Sep 14, 2011:** Committee on the Judiciary. Hearings held.
- **Jun 29, 2011:** Introduced in Senate
- **Jun 29, 2011:** Sponsor introductory remarks on measure. (CR S4227-4228)
- **Jun 29, 2011:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S4228-4234)