

HR 3589

Trafficking Victims Protection Reauthorization Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: International Affairs

Introduced: Dec 7, 2011

Current Status: Referred to the Subcommittee on Africa, Global Health, and Human Rights.

Latest Action: Referred to the Subcommittee on Africa, Global Health, and Human Rights. (Feb 3, 2012)

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Sponsor

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

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

Cosponsors (17 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Issa, Darrell E. [R-CA-49]	R · CA		Dec 7, 2011
Rep. Lankford, James [R-OK-5]	R · OK		Dec 13, 2011
Rep. Honda, Michael M. [D-CA-15]	D · CA		Dec 14, 2011
Rep. Hultgren, Randy [R-IL-14]	R · IL		Dec 14, 2011
Rep. Roskam, Peter J. [R-IL-6]	R · IL		Dec 14, 2011
Rep. Buerkle, Ann Marie [R-NY-25]	R · NY		Dec 15, 2011
Rep. Fortenberry, Jeff [R-NE-1]	R · NE		Dec 15, 2011
Rep. Sensenbrenner, F. James, Jr. [R-WI-5]	R · WI		Dec 19, 2011
Rep. Johnson, Bill [R-OH-6]	R · OH		Dec 20, 2011
Rep. Schmidt, Jean [R-OH-2]	R · OH		Dec 20, 2011
Rep. Carter, John R. [R-TX-31]	R · TX		Dec 23, 2011
Rep. Royce, Edward R. [R-CA-40]	R · CA		Dec 23, 2011
Rep. Rivera, David [R-FL-25]	R · FL		Jan 13, 2012
Rep. Stivers, Steve [R-OH-15]	R · OH		Jan 13, 2012
Rep. McCotter, Thaddeus G. [R-MI-11]	R · MI		Feb 1, 2012
Rep. Wolf, Frank R. [R-VA-10]	R · VA		Mar 7, 2012
Rep. Platts, Todd Russell [R-PA-19]	R · PA		Apr 16, 2012

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Dec 9, 2011
Foreign Affairs Committee	House	Referred to	Feb 3, 2012
Judiciary Committee	House	Referred to	Dec 14, 2011
Judiciary Committee	House	Referred to	Dec 14, 2011
Ways and Means Committee	House	Referred to	Dec 13, 2011

Subjects & Policy Tags

Policy Area:

International Affairs

Related Bills

Bill	Relationship	Last Action
112 HR 6496	Related bill	Nov 6, 2012: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
112 HR 2830	Related bill	Nov 2, 2011: Committee on Commission on Security and Cooperation in Europe. Hearings held.
112 HR 2759	Related bill	Aug 22, 2011: Referred to the Subcommittee on Capital Markets and Government Sponsored Enterprises.
112 HR 2519	Related bill	Jul 13, 2011: Referred to the House Committee on Foreign Affairs.

Trafficking Victims Protection Reauthorization Act of 2011 - Authorizes the Secretary of State to: (1) limit to one year or such period of time as appropriate the period of validity of a passport issued to a sex offender, and (2) revoke the passport or passport card of an individual who has been convicted by a court of competent jurisdiction in a foreign country of a sex offense.

Amends the Trafficking Victims Protection Act of 2000 (TVPA) to rename the State Department's Office to Monitor and Combat Trafficking as the Office to Monitor and Combat Modern Slavery and Other Forms of Human Trafficking. Replaces the head of the Office (currently, a Director) with an Ambassador-at-Large for Combating Human Trafficking. Authorizes the Ambassador to provide assistance on an urgent basis for vulnerable populations at risk of severe forms of trafficking in persons in conjunction with post-conflict situations and humanitarian emergencies.

Includes public-private partnerships to generate youth employment opportunities among the international initiatives to enhance economic opportunity for potential victims of trafficking that the President shall carry out as a method to deter trafficking. Authorizes the President to give priority to specified categories of persons who are potential trafficking victims, such as stateless persons.

Amends the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (Wilberforce Act) to extend an authorized fee increase for certain consular services through September 30, 2015.

Amends the TVPA to direct the head of the Department of Labor's Bureau of International Labor Affairs to carry out specified additional activities to monitor and combat forced labor and child labor in the United States as well as foreign countries, including to develop and make available to the public and Congress a list of goods from the United States that the Bureau has reason to believe are produced by forced labor or child labor in violation of international standards

Business Transparency on Trafficking and Slavery Act - Requires the Ambassador to encourage any publicly-traded or private entity wherever located, carrying out business operations in the United States, and having annual worldwide global receipts exceeding \$100 million, to disclose annually on its website and to the Secretary any measures it has taken during the year to identify and address conditions of forced labor, slavery, human trafficking, and the worst forms of child labor within its supply chains.

Amends the federal criminal code to expand the scope of the prohibition against foreign travel and engagement in illicit sexual conduct by a U.S. citizen or permanent resident alien to include travel affecting foreign commerce even if an individual is residing temporarily or permanently in a foreign jurisdiction. Declares that it is not a defense that a defendant is not criminally liable or is subject to reduced criminal liability due to the de jure or de facto acceptance of the illicit conduct in the foreign jurisdiction in which the defendant travels or resides.

Expresses the sense of Congress that: (1) the measures taken by the government of Cambodia are insufficient in addressing the scope of Cambodia's human trafficking problem, and (2) Cambodia should be designated as a Tier 3 country.

Amends the Child Soldiers Prevention Act of 2008 to prohibit peacekeeping operations assistance to governments of countries that recruit and use child soldiers. Revises requirements for the national interest waiver of such prohibition.

Directs the Senior Policy Operating Group to report to Congress by January 1, 2013, on Internet-facilitated human trafficking.

Amends the TVPA to eliminate the Secretary of Health and Human Services' (HHS) membership on the Interagency Task Force to Monitor and Combat Trafficking.

Transfers the HHS Secretary's duties to the Attorney General with respect to: (1) expanding benefits and services to victims of severe forms of trafficking in persons in the United States, and nonimmigrants, without regard to their immigration status; and (2) assisting U.S. citizens and permanent resident aliens who are victims of severe forms of trafficking.

Transfers the HHS Secretary's duty to the Secretary of Homeland Security (DHS) with respect to providing training to state and local officials to improve identification and protection of victims of severe forms of trafficking, including juvenile victims.

Makes the Director of the Peace Corps a member of the Interagency Task Force to Monitor and Combat Trafficking. Sets forth reporting requirements regarding the activities of: (1) U.S. government contractors and subcontractors and establishes a zero tolerance policy for their trafficking in persons, and (2) Bureau of Justice Assistance grant assistance for human trafficking task forces and information about trafficking victims.

Extends the authority of the DHS Secretary to permit an alien to remain in the United States to facilitate the investigation and prosecution of those responsible for a severe form of trafficking. Allows the Secretary to permit the alien to remain even if the alien may be a victim of such trafficking (currently, only if the alien is such a victim). Requires a federal law enforcement official to respond to a request for continued presence in the United States within 15 days, and the Secretary to approve or deny the application for continued presence within 1 month.

Prohibits knowingly destroying or concealing or confiscating for more than 48 hours the passport or other immigration or personal identification document of an individual: (1) in the course of violating, or with intent to violate, the prohibition against bringing in and harboring certain aliens; or (2) in order, without lawful authority, to maintain, prevent, or restrict the labor or services of the individual.

Makes fraud in foreign labor contracting a predicate offense under the Racketeer Influenced and Corrupt Organizations Act (RICO).

Amends the Wilberforce Act to: (1) provide that, to the extent feasible, unaccompanied alien children from countries that are contiguous with the United States should be housed and screened by an immigration officer with expertise in child welfare in separate child-friendly facilities conducive to disclosing information related to human trafficking or exploitation; and (2) require each federal agency to notify the HHS Secretary within 24 (currently 48) hours regarding the apprehension or discovery of an unaccompanied alien child or regarding any claim or suspicion that an alien in custody is under age 18.

Amends Social Security Act provisions regarding federal payments for foster care and adoption assistance to require state plans for such assistance, by January 1, 2013, to describe state child welfare existing practice and future plans regarding prevention measures and victim assistance related to the human trafficking and commercial sexual exploitation of foreign, U.S. citizen, and legal resident children.

Directs the Attorney General to consult with the HHS Secretary to distribute information to enable grantees under the TVPA to publicize the National Human Trafficking Resource Center hotline on their websites.

Authorizes appropriations for FY2012-FY2013 for the TVPA and the Trafficking Victims Protection Reauthorization Act of

2005.

Prohibits an organization, including a faith-based organization, that is otherwise eligible to receive assistance under any specified federal laws from being: (1) required, as a condition of receiving such assistance, to endorse, utilize, provide, make a referral to, become integrated with, or otherwise participate in any program, project, or activity to which the organization has a religious or moral objection; or (2) discriminated against in the solicitation or issuance of grants, contracts, cooperative agreements, or other federal funding under such laws for refusing to meet any such requirements.

Grants jurisdiction to U.S. courts to prevent and redress actual or threatened violations of such prohibition by issuing any form of legal or equitable relief.

Actions Timeline

- **Feb 3, 2012:** Referred to the Subcommittee on Africa, Global Health, and Human Rights.
- **Dec 14, 2011:** Referred to the Subcommittee on Immigration Policy and Enforcement.
- **Dec 14, 2011:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Dec 13, 2011:** Referred to the Subcommittee on Human Resources.
- **Dec 9, 2011:** Referred to the Subcommittee on Health.
- **Dec 7, 2011:** Introduced in House
- **Dec 7, 2011:** Referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Ways and Means, and Energy and Commerce, 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.