

S 3946

Abolish Trafficking Reauthorization Act of 2022

Congress: 117 (2021–2023, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Mar 29, 2022

Current Status: Became Public Law No: 117-347.

Latest Action: Became Public Law No: 117-347. (Jan 5, 2023)

Law: 117-347 (Enacted Jan 5, 2023)

Official Text: <https://www.congress.gov/bill/117th-congress/senate-bill/3946>

Sponsor

Name: Sen. Cornyn, John [R-TX]

Party: Republican • **State:** TX • **Chamber:** Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Klobuchar, Amy [D-MN]	D · MN		Mar 29, 2022

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Discharged From	Dec 21, 2022

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
117 S 5211	Related bill	Dec 8, 2022: Read twice and referred to the Committee on the Judiciary.
117 HR 2858	Related bill	Oct 19, 2021: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

Abolish Trafficking Reauthorization Act of 2022

This act reauthorizes various antitrafficking programs, establishes a national strategy on cybercrime against individuals, and expands information sharing and data collection requirements regarding human trafficking.

TITLE I--GRANTS RELATING TO HUMAN TRAFFICKING PREVENTION AND ASSISTANCE FOR VICTIMS OF HUMAN TRAFFICKING

(Sec. 101) This section allows funds provided by the Department of Justice (DOJ) for human trafficking training and technical assistance programs to be used for programs funded through the Office of Community Oriented Policing Services that build law enforcement capacity to identify and respond to human trafficking, such as the Interdiction for the Protection of Children Program.

(Sec. 102) This section allows a victim of human trafficking (e.g., sex trafficking) to pursue a civil claim against persons who attempt or conspire to benefit from the human trafficking in addition to persons who benefit from the human trafficking.

(Sec. 103) This section generally requires grantees and subgrantees that receive funding from DOJ or the Department of Health and Human Services (HHS) to assist victims of trafficking in the United States to protect the confidentiality and privacy of the individuals they serve and their families.

(Sec. 104) This section authorizes HHS to make grants to states to develop, improve, or expand programs that help child welfare agencies identify and respond to (1) children who are victims of child abuse and neglect and of sexual abuse because they are identified as victims of sex trafficking or severe forms of trafficking in persons; and (2) child-welfare-involved children who are (or are at risk of being) victims of one or more forms of trafficking in persons.

This section also expresses the sense of Congress that health care and social service licensing boards and professional membership associations should facilitate access to trafficking-specific training.

(Sec. 105) This section reauthorizes the Domestic Trafficking Victims' Fund through FY2027. It also makes permanent the requirement for courts to impose a special assessment on nonindigent persons or entities convicted of certain federal trafficking-related offenses including peonage, slavery, or trafficking in persons; sexual abuse; sexual exploitation and other child abuse; transportation for illegal sexual activity; and certain human smuggling offenses. The special assessments are deposited into the Domestic Trafficking Victims' Fund and support programs for victims of human trafficking.

Additionally, this section reauthorizes through FY2027 various grants, programs, and activities that combat human trafficking and assist victims, including

- training for airport and airline personnel to identify and report human trafficking;
- the Human Exploitation Rescue Operation (HERO) Child-Rescue Corps Program;
- grants for the Rape, Abuse & Incest National Network;
- the Human Smuggling and Trafficking Center;
- the Presidential Award for Extraordinary Efforts To Combat Trafficking in Persons;
- additional benefits through HHS and DOJ for domestic victims of severe forms of trafficking; and

research on domestic and international trafficking in persons.

TITLE II--COMPENSATION OF VICTIMS OF HUMAN TRAFFICKING

(Sec. 201) This section modifies federal bankruptcy laws to specify that a debtor may not discharge in bankruptcy debts for an injury to an individual related to a trafficking offense under federal criminal law. This includes an injury caused by an instance in which the debtor knowingly benefitted financially, or by receiving anything of value, from participation in a venture that the debtor knew or should have known engaged in an trafficking offense under federal criminal law.

TITLE III--CYBER HARASSMENT PREVENTION

Subtitle A--Cybercrime Statistics

(Sec. 311) This section requires DOJ to develop a national strategy to reduce, investigate, and prosecute cybercrimes against individuals. The strategy supplements the National Strategy to Combat Human Trafficking and the National Strategy for Child Exploitation Prevention and Interdiction.

Additionally, this section specifies that the House and Senate Judiciary Committees are appropriate committees to which the National Academy of Sciences must submit its report on cybercrime taxonomy.

Subtitle B--Prioritizing Online Threat Enforcement

(Sec. 321) This section requires DOJ to ensure that there are at least 10 additional agents at the Federal Bureau of Investigation (FBI) to investigate cybercrimes against individuals. DOJ must also ensure that there is at least one attorney in each U.S. Attorney office who is responsible for investigating and prosecuting cybercrimes against individuals.

Finally, this section requires DOJ to implement a training program for FBI agents related to investigating and prosecuting cybercrimes against individuals, including relevant forensic training.

(Sec. 322) This section requires the Office for Victims of Crime within DOJ to report on the nature, extent, and amount of funding under the Victims of Crime Act of 1984 for victims of cybercrimes against individuals. The Victims of Crime Act of 1984 established the Crime Victims Fund, which provides funding to support victims of crime through various federal programs and state and local victim assistance and compensation initiatives.

(Sec. 323) This section allows the Department of State to exchange information with foreign governments pursuant to a bilateral or multilateral agreement that provides for the sharing of information related to individuals who are convicted of sex offenses against minors.

Further, it specifies that an individual may not be issued or reissued a passport without a unique identifier solely because the individual has moved or otherwise resides outside the United States.

(Sec. 324) This section requires DOJ to disseminate information and provide training and technical assistance to help states and local governments (1) investigate, prosecute, pursue, prevent, understand, and mitigate the impact of physical, sexual, and psychological abuse of cybercrime victims; the exploitation of cybercrime victims; and the deprioritization of cybercrime; and (2) assess, address, and mitigate the physical and psychological trauma to victims of cybercrime.

TITLE IV--OTHER FEDERAL IMPROVEMENTS RELATING TO HUMAN TRAFFICKING

(Sec. 401) This section requires DOJ and the Department of Homeland Security (DHS) to provide incentive pay to individuals who are appointed to positions requiring significant cyber skills, including to protect victims of trafficking, prevent trafficking in persons, or prosecute technology-facilitated crimes against children.

(Sec. 402) This section prohibits federal agencies from requiring a survivor of human trafficking who is less than 18 years of age or a homeless youth to obtain the consent or signature of a parent or guardian to receive a government-issued identification card. Additionally, it prohibits federal agencies from charging a fee for the identification card.

(Sec. 403) This section allows DOJ to use amounts in its Assets Forfeiture Fund to reimburse operating expenses and program costs incurred by crime-tip organizations that meet certain criteria (e.g., annually waive their qualification for awards for information leading to forfeiture and payments from equitably shared forfeiture funds) and offer rewards for information about violations of federal criminal laws prohibiting human trafficking.

(Sec. 404) This section requires DOJ to include additional information in its annual report on U.S. government efforts to combat human trafficking. First, with respect to noncitizen victims of human trafficking whose application for continued presence, T nonimmigrant status (a T-visa), or U nonimmigrant status (a U-visa) are denied, DOJ must include the reason for the denial and the length of time for the denial to be issued. Second, DOJ must include disaggregated data regarding the number of victims trafficked by third parties and by family members, victims trafficked by victim age, and victims trafficked by the type of trafficking.

(Sec. 405) This section requires DOJ and HHS to report biennially on the status of various data collection and reporting requirements related to trafficking.

(Sec. 406) This section requires DOJ and DHS to each establish a team of at least 10 agents to exclusively investigate labor trafficking.

Actions Timeline

- **Jan 5, 2023:** Signed by President.
- **Jan 5, 2023:** Became Public Law No: 117-347.
- **Dec 28, 2022:** Presented to President.
- **Dec 22, 2022:** Mr. Nadler moved to suspend the rules and pass the bill.
- **Dec 22, 2022:** Considered under suspension of the rules. (consideration: CR H10018-10022)
- **Dec 22, 2022:** DEBATE - The House proceeded with forty minutes of debate on S. 3946.
- **Dec 22, 2022:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote.(text: CR H10018-10021)
- **Dec 22, 2022:** On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H10018-10021)
- **Dec 22, 2022:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 21, 2022:** Message on Senate action sent to the House.
- **Dec 21, 2022:** Received in the House.
- **Dec 21, 2022:** Held at the desk.
- **Dec 20, 2022:** Senate Committee on the Judiciary discharged by Unanimous Consent.
- **Dec 20, 2022:** Measure laid before Senate by unanimous consent. (consideration: CR S9610)
- **Dec 20, 2022:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(text of amendment in the nature of a substitute: CR S9658-9661)
- **Dec 20, 2022:** Passed Senate with an amendment by Unanimous Consent. (text of amendment in the nature of a substitute: CR S9658-9661)
- **Mar 29, 2022:** Introduced in Senate
- **Mar 29, 2022:** Read twice and referred to the Committee on the Judiciary.