ENCOURAGING THE U.S. GOVERNMENT TO ACTIVELY SUPPORT THE DEMOCRATIC POLITICAL AND SOCIAL FORCES IN NICARAGUA; URGING THE SECRETARY TO COORDINATE WITH OTHER GOVERNMENTAL AGENCIES AND NGOS IN CREATING AN ONLINE DATABASE OF INTERNATIONAL EXCHANGE PROGRAMS AND RELATED OPPORTUNITIES; CONGRATULATING ISRAEL ON THE ELECTION OF AMBASSADOR DAN GILLERMAN AS VICE-PRESIDENT OF THE 60TH UN GENERAL ASSEMBLY; RECOGNIZING THE COMMENCEMENT OF RAMADAN AND COMMENDING MUSLIMS FOR THEIR FAITH; AND THE TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005

MARKUP
BEFORE THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED NINTH CONGRESS
FIRST SESSION
ON

OCTOBER 7, 2005

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FRIDAY, OCTOBER 7, 2005

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to notice, at 11:21 a.m. in room 2172, Rayburn House Office Building, Hon. Henry Hyde (Chairman of the Committee) presiding.

Chairman Hyde. The Committee will come to order. The business meeting of the Committee will come to order.

We have four noncontroversial bills on the agenda, and it is my intention to consider these measures en bloc and by unanimous consent authorize the Chair to seek consideration of the bills under suspension of the rules. All Members are given leave to insert remarks on the measures into the record should they choose to do so.

Accordingly, without objection, the Chairman is authorized to seek consideration of the following bills under suspension of the rules, and the amendments to those measures, which the Members have before them, shall be deemed adopted.

H. Con. Res. 252, Expressing the sense of Congress that the Government of the United States should actively support the aspirations of the democratic political and social forces in the Republic of Nicaragua toward an immediate and full restoration of functioning democracy in that country, as amended.

[The resolution and amendment referred to follow:]
Expressing the sense of Congress that the Government of the United States should actively support the aspirations of the democratic political and social forces in the Republic of Nicaragua toward an immediate and full restoration of functioning democracy in that country.

IN THE HOUSE OF REPRESENTATIVES
SEPTEMBER 27, 2005

Mr. BURTON of Indiana (for himself, Mr. MENENDEZ, Ms. HARRIS, Mr. WELLER, Ms. ROSENSTEIN, Mr. MACK, and Mr. ROHRABACHER) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION
Expressing the sense of Congress that the Government of the United States should actively support the aspirations of the democratic political and social forces in the Republic of Nicaragua toward an immediate and full restoration of functioning democracy in that country.

Whereas the United States is strongly committed to promoting freedom, democracy, and the rule of law;

Whereas the Charter of the Organization of American States, of which the United States and Nicaragua are Member States, stipulates that “[t]he peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it”;
Whereas after experiencing a quarter century ago a revolution, loss of personal liberties, destruction of property, and economic instability, the people of Nicaragua are building a democratic form of government;

Whereas jailed ex-President Arnoldo Alemán and Sandinista Liberation Front (FSLN) leader Daniel Ortega have entered into an agreement widely known throughout Nicaragua as the “Pact”, to control the National Assembly in order to exploit its legislative powers to undermine the Nicaraguan Constitution, the Presidency of Enrique Bolanos, and all institutions of representative democratic governance;

Whereas Pactist politicians currently control and dominate the Supreme Court, the Electoral Council, the Comptroller’s office, and the Human Rights ombudsman’s office; and

Whereas polls indicate that an overwhelming percentage of Nicaraguans oppose the Alemán-Ortega Pact, and tens of thousands of Nicaraguans took to the streets in the past year to call for an end to the Pact: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) Congress—

(A) strongly condemns the Alemán-Ortega Pact as detrimental to democracy in the Republic of Nicaragua, the future of democracy in Nicaragua, and the stability of the entire region;
(B) strongly condemns constitutional reforms passed by the Pact-controlled National Assembly that stripped important executive branch authorities from the Nicaraguan presidency;

(C) strongly condemns the Pact-controlled National Assembly’s actions to stack the Nicaraguan Supreme Court with Pact loyalists, some of whom have had their United States visas revoked on the ground of corruption;

(D) strongly condemns the Pact-controlled National Assembly’s efforts to remove democratically-elected President Enrique Bolanos on dubious legal grounds;

(E) strongly condemns the Pact-controlled National Assembly’s attempts to remove from office senior officials of the executive branch on dubious legal grounds; and

(F) supports the efforts of Nicaraguan democratic civil society to create the necessary conditions for free and fair elections; and

(2) it is the sense of Congress that—

(A) it should be the policy of the United States to actively support the aspirations of the democratic political forces in Nicaragua for a
full restoration of democracy and the rule of law in Nicaragua, headed by leaders who are committed to democracy and who deserve the trust of the Nicaraguan people;

(B) it should be the policy of the United States to work with the international community, including the Organization of American States, to assist democratic forces in Nicaragua to restore full democracy to their country;

(C) it should be the policy of the United States to oppose all political elements that continue to subvert Nicaraguan democracy;

(D) it is critical that the 2006 elections in Nicaragua are free and fair and provide the winner of the election a clear mandate to govern the country; and

(E) the President of the United States, acting through the Administrator of the United States Agency for International Development, should provide assistance grants to nongovernmental organizations in support of President Bolanos’ call for the international community to assist in and monitor the 2006 election process in order to ensure the integrity of the process.
AMENDMENT TO H. CON. RES. 252
OFFERED BY MR. BURTON OF INDIANA

Strike the preamble and insert the following:

Whereas the United States is strongly committed to promoting freedom, democracy, and the rule of law;

Whereas the Democratic Charter of the Organization of American States, of which the United States and the Republic of Nicaragua are Member States, stipulates that “[t]he peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it”;

Whereas, after experiencing a quarter century ago a revolution, loss of personal liberties, destruction of property, and economic instability, the people of Nicaragua are building a democratic form of government;

Whereas in November 2001, approximately 90 percent of voters in Nicaragua turned out to vote, and a clear majority elected Enrique Bolanos Geyer to be their next President;

Whereas international observers, including representatives from the Carter Center and the Organization of American States, monitored the Nicaraguan elections of November 2001 and determined that the elections met minimum international standards and that the outcome reflected the will of the Nicaraguan people;

Whereas ex-President Arnoldo Aleman and Sandinista Liberation Front (FSLN) leader Daniel Ortega have entered into an agreement widely known throughout Nicaragua as the “Pact”, to control the National Assembly in order to exploit its legislative powers to undermine the Nica-
raguan Constitution, the Presidency of Enrique Bolaños Geyer, and all institutions of representative democratic governance;

Whereas in December 2003, Arnoldo Aleman was convicted of fraud, misappropriation of public funds, embezzlement, and criminal association and sentenced by a Nicaraguan court to 20 years imprisonment, but a Pactist court order extended his confinement from his ranch to the city of Managua;

Whereas Arnoldo Aleman and Daniel Ortega, to a large extent as a result of the Pact, wield near total control over the National Assembly, the Supreme Court, the Electoral Council, the Comptroller’s Office, and the Human Rights Ombudsman’s Office;

Whereas polls indicate that an overwhelming percentage of Nicaraguans oppose the Aleman-Ortega Pact, and tens of thousands of Nicaraguans took to the streets in the past year to call for an end to the Pact;

Whereas in September 2005 the Secretary General of the Organization of American States warned that the actions of the Nicaraguan National Assembly to strip President Bolaños Geyer’s ministers and other senior government officials of their immunity is creating circumstances that inevitably will make the country ungovernable and generate endless conflict; and

Whereas, with regard to the most recent encroachment by the National Assembly through the operation of the Aleman-Ortega Pact on the privileges of the Nicaraguan executive branch, the Organization of American States urged, in the strongest possible terms, that “the parties concerned enter into a broad and constructive dialogue, free of pres-
sures and threats’’ and that the parties “respect the mandate freely conferred upon President Enrique Bolaños Geyer and the other elected officials by the Nicaraguan people”: Now, therefore, be it

Strike all after the resolving clause and insert the following:

That—

(1) Congress—

(A) strongly condemns the Aleman-Ortega Pact as detrimental to democracy in the Republic of Nicaragua, the future of democracy in Nicaragua, and the stability of the entire region;

(B) strongly condemns constitutional reforms passed by the Pact-controlled National Assembly that stripped important executive branch authorities from the Nicaraguan presidency, such as the prerogative to appoint ministers;

(C) strongly condemns the Pact-controlled National Assembly’s actions to stack the Nicaraguan Supreme Court with Pact loyalists, some of whom have had their United States visas revoked on the ground of corruption;
(D) strongly condemns the Pact-controlled National Assembly’s efforts to remove democratically elected President Enrique Bolaños Geyer on dubious legal grounds;

(E) strongly condemns the Pact-controlled National Assembly’s attempts to remove from office senior officials of the executive branch on dubious legal grounds; and

(F) supports the efforts of Nicaraguan democratic civil society to create the necessary conditions for free and fair elections; and

(2) it is the sense of Congress that—

(A) it should be the policy of the United States to actively support the aspirations of the democratic political forces in Nicaragua for a full restoration of democracy and the rule of law in Nicaragua, headed by leaders who are committed to democracy and who deserve the trust of the Nicaraguan people;

(B) it should be the policy of the United States to work with the international community, including the Organization of American States, to assist democratic political forces in Nicaragua to restore full democracy to their country;
(C) it should be the policy of the United States to work through the Organization of American States and other regional and international organizations to encourage political elements within Nicaragua to preserve, protect, and defend the letter and spirit of that country’s constitution instead of undermining the tenets, institutions, and processes of a true democracy;

(D) it is critical that the 2006 elections in Nicaragua be free and fair and provide the winner of the election a clear mandate to govern the country; and

(E) the President of the United States, acting through the Administrator of the United States Agency for International Development, should provide assistance grants to nongovernmental organizations on a nonpartisan basis in the United States and Nicaragua for the sole purpose of ensuring the integrity of the electoral process in response to President Bolaños Geyer’s call for international assistance and monitoring of the 2006 elections, and should ensure that the details of such grants are made
public on a timely basis to promote trans-
parency and accountability.
Chairman HYDE. H. Res. 192, Expressing the sense of the House of Representatives encouraging the active engagement of Americans in world affairs and urging the Secretary of State to take the lead and coordinate with other governmental agencies and non-governmental organizations in creating an online database of international exchange programs and related opportunities, as amended.

[The resolution and amendment referred to follow:]
Expressing the sense of the House of Representatives encouraging the active engagement of Americans in world affairs and urging the Secretary of State to take the lead and coordinate with other governmental agencies and non-governmental organizations in creating an online database of international exchange programs and related opportunities.

IN THE HOUSE OF REPRESENTATIVES
APRIL 6, 2005

Mr. McGovern submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Expressing the sense of the House of Representatives encouraging the active engagement of Americans in world affairs and urging the Secretary of State to take the lead and coordinate with other governmental agencies and non-governmental organizations in creating an online database of international exchange programs and related opportunities.

Whereas the United States needs to do a better job of building personal and institutional relationships with peoples and Nations around the world in order to combat the rise in anti-American sentiment that many polls and studies have reported;
Whereas a broad bipartisan consensus in favor of strengthening United States public diplomacy emerged during 2003 in Congress and was expressed in various reports, including reports of the Council on Foreign Relations, the General Accounting Office, the Advisory Commission on Public Diplomacy, the Heritage Foundation, and the Advisory Group on Public Diplomacy for the Arab and Muslim World;

Whereas, in July 2004, the National Commission on Terrorist Attacks Upon the United States released its final report on United States intelligence, which determined that “[j]ust as we did in the Cold War, we need to defend our ideals abroad vigorously. America does stand up for its values . . . If the United States does not act aggressively to define itself in the Islamic World, the extremists will gladly do the job for us.”;

Whereas the National Intelligence Reform Act of 2004 declares the sense of Congress that the United States should commit to a long-term and significant investment in promoting people-to-people engagement with all levels of society in other countries;

Whereas international exchange programs, which have assisted in extending American influence around the world by educating the world’s leaders, have suffered from a decline in funding and policy priority;

Whereas, when students are instructed in their civic and community responsibilities during secondary education, the importance of their participation in global affairs should be underscored as well;
Whereas the number of United States university-level students studying abroad in 2002–2003 was 174,629, representing just over 1 percent of United States students;

Whereas 2/3 of United States students studying abroad study in Western Europe (18.2 percent in the United Kingdom alone), although 95 percent of the world population growth in the next 50 years is expected to occur outside of Western Europe;

Whereas there are 29,953,000 retired workers in the United States as of December 2004, meaning that there are many older Americans who have the talent, maturity, and time to volunteer their services abroad;

Whereas the average United States college graduate who has studied 1 of the less commonly taught languages reaches no more than an intermediate level of proficiency in the language, which is insufficient to meet national security requirements; and

Whereas there are hundreds of well-established organizations in the United States that implement educational and professional exchanges, international volunteering, and related programs, and the efforts of those organizations could readily be expanded to reach out to more Americans: Now, therefore, be it

Resolved,

SHORT TITLE

SECTION 1. This resolution may be cited as the “People-to-People Engagement in World Affairs Resolution”.

SENSE OF THE HOUSE OF REPRESENTATIVES

SEC. 2. It is the sense of the House of Representa-

tives that—
(1) the Secretary of State should coordinate with implementing partners in creating an online database that provides information on how Americans can take advantage of—

(A) international exchange programs of the Department of State, the Department of Education, and other Federal Government and non-government entities;

(B) volunteer opportunities with organizations that assist refugees and immigrants in the United States;

(C) opportunities to host international students and professionals in the United States;

(D) sister-city organizations in the United States;

(E) international fairs and cultural events in the United States; and

(F) foreign language learning opportunities;

(2) Americans should strive to become more engaged in international affairs and more aware of peoples and developments outside the United States;

(3) Americans should seize 1 or more opportunities toward this end, by such means as—
(A) participating in a professional or cultural exchange;
(B) studying abroad;
(C) volunteering abroad;
(D) working with an immigrant or refugee group;
(E) hosting a foreign student or professional;
(F) participating in a sister-city program;
and
(G) learning a foreign language; and
(4) Members of Congress should raise the importance of international engagement in the districts and States the Members represent.
AMENDMENT TO H. RES. 192

OFFERED BY MR. HYDE OF ILLINOIS

Strike the fifth clause in the preamble.

Page 4, beginning line 2, strike “in creating an online database that provides” and insert “to make readily accessible”.

Amend the title so as to read: “Resolution expressing the sense of the House of Representatives encouraging the active engagement of Americans in world affairs and urging the Secretary of State to take the lead and coordinate with other governmental agencies and non-governmental organizations to encourage active participation in international exchange programs and related opportunities.”.
Chairman HYDE. H. Res. 368, Congratulating the State of Israel on the election of Ambassador Dan Gillerman as Vice-President of the 60th United Nations General Assembly.

[The resolution referred to follows:]
Congratulating the State of Israel on the election of Ambassador Dan Gillerman as Vice-President of the 60th United Nations General Assembly.

RESOLUTION

Congratulating the State of Israel on the election of Ambassador Dan Gillerman as Vice-President of the 60th United Nations General Assembly.

Whereas the 60th General Assembly of the United Nations will be held in New York City from September through December 2005;

Whereas the United Nations General Assembly is presided over by a President and 21 Vice-Presidents, who are nominated by the General Assembly’s five regional groupings;

Whereas prior to 2000, Israel was the only member of the United Nations to be excluded from a United Nations regional grouping;
Whereas this exclusion was the result of the refusal by Arab states to permit Israel to join the Asian group;

Whereas this exclusion prevented Israel from serving as the President of the United Nations General Assembly, or as a member of any bureau in the General Assembly and its main committees;

Whereas in 2000, Israel was accepted as a temporary member of the Western European and Others Group (WEOG), which includes Canada, the United States, Australia, and New Zealand, in addition to the countries of Western Europe, and its temporary membership was extended in 2004;

Whereas on April 21, 2005, the Western Europe and Others Group nominated Israel as a candidate for Vice-President of the 60th United Nations General Assembly;

Whereas on June 13, 2005, the 191 member United Nations General Assembly elected Ambassador Dan Gillerman, Israel’s Permanent Representative to the United Nations, as one of 21 Vice-Presidents of the 60th General Assembly;

Whereas Israeli Ambassador Gillerman called the election “a historic moment for Israel”, which had last served as United Nations General Assembly Vice-President in 1952;

Whereas Ambassador Gillerman also said that the election confirms that Israel is “becoming a more active and normal member of the [United Nations]”; and

Whereas United Nations Secretary-General Kofi Annan welcomed Israel’s election to the Vice-Presidency of the General Assembly: Now, therefore, be it

1 Resolved, That the House of Representatives—
3

(1) congratulates Ambassador Dan Gillerman, Israel’s Permanent Representative to the United Nations, and the Government and people of the State of Israel on Israel’s election as Vice-President of the 60th General Assembly of the United Nations;

(2) welcomes the nomination by the Western European and Others Group (WEOG) of Israel for the position of Vice-President of the 60th United Nations General Assembly;

(3) welcomes the election by the United Nations General Assembly of Israel as Vice-President of the 60th General Assembly;

(4) supports continued expansion of Israel’s role at the United Nations;

(5) notes with concern that Israel remains the object of extreme vilification by many members of the United Nations;

(6) further notes that Israel remains excluded from the Asian regional grouping within the organization; and

(7) calls upon United Nations Secretary-General Kofi Annan to work to end the vilification of Israel at the United Nations and to use his good of-
fices to support Israel’s bid to join the Asian re-
gional grouping.
Chairman HYDE. And H. Res. 472, Recognizing the commence-
ment of Ramadan, the Islamic holy month of fasting and spiritual
renewal, and commending Muslims in the United States and
throughout the world for their faith, as amended.
[The resolution and amendment referred to follow:]
109TH CONGRESS
1ST SESSION
H. RES. 472

Recognizing the commencement of Ramadan, the Islamic holy month of fasting and spiritual renewal, and commending Muslims in the United States and throughout the world for their faith.

IN THE HOUSE OF REPRESENTATIVES
SEPTEMBER 29, 2005

Ms. EDIE BERNICE JOHNSON of Texas (for herself, Mr. MEKES of New York, Mr. HONDA, Mr. LANTOS, Mr. CONYERS, Mrs. JONES of Ohio, Mr. GRIJALVA, Mr. ROTHMAN, Ms. MCCOLLUM of Minnesota, Mr. BURTON of Indiana, Ms. BERKLEY, Mr. HOLT, Ms. JACKSON-LEE of Texas, Mr. DINGELL, Mr. FILNER, Mr. ABERCROMBIE, Mr. SERRANO, Ms. SCHAKOWSKY, Ms. LEE, Mr. FINKEN, Mr. HINCHLY, and Mr. ACKERMAN) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Recognizing the commencement of Ramadan, the Islamic holy month of fasting and spiritual renewal, and commending Muslims in the United States and throughout the world for their faith.

Whereas since the terrorist attacks on the United States on September 11, 2001, threats and incidents of violence have been directed at law-abiding, patriotic Americans of African, Arab, and South Asian descent, particularly members of the Islamic faith;
Whereas on September 14, 2001, the House of Representatives passed a concurrent resolution condemning bigotry and violence against Arab-Americans, American Muslims, and Americans from South Asia in the wake of the terrorist attacks in New York, New York, and Washington, D.C.;

Whereas it is estimated that there are approximately 1,500,000,000 Muslims worldwide;

Whereas Ramadan is the holy month of fasting and spiritual renewal for Muslims worldwide, and is the 9th month of the Muslim calendar year; and

Whereas the observance of the Islamic holy month of Ramadan commences at dusk on October 4, 2005, and continues for one lunar month: Now, therefore, be it

Resolved, That—

(1) during this time of conflict, in order to demonstrate solidarity with and support for members of the community of Islam in the United States and throughout the world, the House of Representatives recognizes the Islamic faith as one of the great religions of the world; and

(2) in observance of and out of respect for the commencement of Ramadan, the Islamic holy month of fasting and spiritual renewal, the House of Representatives acknowledges the onset of Ramadan and expresses its deepest respect to Muslims in the
United States and throughout the world on this significant occasion.
AMENDMENT TO H. RES. 472
OFFERED BY MR. HYDE

Strike the preamble and insert the following:

Whereas Ramadan is the holy month of fasting and spiritual renewal for Muslims worldwide, when they renew their commitment to lead lives of honesty, integrity, and compassion;

Whereas the month of Ramadan is an appropriate time for the people of the United States to recognize the contributions made to the world and to this Nation by Muslims;

Whereas the month of Ramadan is a particularly appropriate time for the people of the United States who are not Muslims to learn about Islam and to greet their Muslim fellow-citizens and wish them well; and Whereas the observance of the Islamic holy month of Ramadan commenced in the United States at dusk on October 4, 2005, and continues for one lunar month: Now, therefore, be it

Strike all after the resolving clause and insert the following:

1 That the House of Representatives acknowledges the month of Ramadan and expresses its deepest respect to Muslims in the United States and throughout the world during this period of fasting and spiritual renewal.

Amend the title so as to read: “Resolution recognizing Ramadan, Islam’s holy month of fasting and spiritual renewal.”
Chairman HYDE. Pursuant to notice, I call up the bill, H.R. 972, the Trafficking Victims Protection Reauthorization Act of 2005, for purposes of markup. Without objection, the bill may be considered as read and open for amendment at any point.

[The bill referred to follows:]
H. R. 972

To authorize appropriations for fiscal years 2006 and 2007 for the Trafficking Victims Protection Act of 2000, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2005

Mr. SMITH of New Jersey (for himself, Mr. LANTOS, Mr. PAYNE, Mr. BLUNT, Mr. WOLF, Mr. CARDIN, Ms. ROSS-LEHTINEN, Mr. PITTS, Mr. PENCE, and Mr. FALEOMAVAEGA) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committees on Armed Services, Judiciary, 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.

A BILL

To authorize appropriations for fiscal years 2006 and 2007 for the Trafficking Victims Protection Act of 2000, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.
4 (a) SHORT TITLE.—This Act may be cited as the
5 “Trafficking Victims Protection Reauthorization Act of
6 2005”.

1
(b) Table of Contents.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.

TITLE I—COMBATTING INTERNATIONAL TRAFFICKING IN PERSONS

Sec. 102. Protection of victims of trafficking in persons.
Sec. 103. Enhancing prosecutions of trafficking offenses.
Sec. 104. Enhancing United States efforts to combat trafficking in persons.
Sec. 105. Additional activities to monitor and combat forced labor and child labor.

TITLE II—COMBATTING DOMESTIC TRAFFICKING IN PERSONS

Sec. 201. Prevention of domestic trafficking in persons.
Sec. 202. Establishment of grant program to develop, expand, and strengthen victim service programs for victims of domestic trafficking.
Sec. 203. Protection of victims of domestic trafficking in persons.
Sec. 204. Investigation by Federal Bureau of Investigation of acts of domestic trafficking in persons.
Sec. 205. Enhancing State and local efforts to combat trafficking in persons.
Sec. 206. Definitions.

TITLE III—AUTHORIZATIONS OF APPROPRIATIONS

Sec. 301. Authorizations of appropriations.
Sec. 302. Investigations by Federal Bureau of Investigations.

SEC. 2. FINDINGS.

Congress finds the following:


(2) The United States Government currently estimates that 600,000 to 800,000 individuals are

HR 972 II
trafficked across international borders each year and
exploited through forced labor and commercial sex
exploitation. An estimated 80 percent of such indi-
viduals are women and girls.

(3) Since the enactment of the Trafficking Vict-
tims Protection Act of 2000, United States efforts
to combat trafficking in persons have focused pri-
marily on the international trafficking in persons,
including the trafficking of foreign citizens into the
United States.

(4) Trafficking in persons also occurs within
the borders of a country, including the United
States.

(5) An estimated 100,000 to 300,000 children
in the United States are at risk for commercial sex-
ual exploitation in the United States, including traf-
ficking, at any given time.

(6) Runaway and homeless children in the
United States are highly susceptible to being domes-
tically trafficked for commercial sexual exploitation.
Every day in the United States, between 1,300,000
and 2,800,000 runaway and homeless youth live on
the streets. One out of every seven children will run
away from home before the age of 18.
(7) A comprehensive strategy is needed to prevent the victimization of United States citizens and nationals through domestic trafficking.

(8) A project by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Southeast Asia has documented a linkage between the spread of HIV/AIDS and trafficking in women and girls. Scant other research or statistical data exists regarding the interconnection between trafficking in persons and HIV/AIDS. Further research is needed to determine the extent to which trafficking in persons contributes to the spread of HIV/AIDS and to identify strategies to combat this linkage.

(9) Following armed conflicts and during humanitarian emergencies, indigenous populations face increased security challenges and vulnerabilities which result in myriad forms of violence, including trafficking for sexual and labor exploitation. Foreign policy and foreign aid professionals increasingly recognize the increased activity of human traffickers in post-conflict settings and during humanitarian emergencies.

(10) There is a need to protect populations in post-conflict settings and humanitarian emergencies
from being trafficked for sexual or labor exploitation. The efforts of aid agencies to address the protection needs of, among others, internally displaced persons and refugees are useful in this regard. Nonetheless, there remains a lack of institutionalized programs and strategies at the United States Agency for International Development, the Department of State, and the Department of Defense to combat human trafficking, including through protection and prevention methodologies, in post-conflict environments and during humanitarian emergencies.

(11) International and human rights organizations have documented a correlation between international deployments of military and civilian peacekeepers and aid workers and a resulting increase in the number of women and girls trafficked into prostitution in post-conflict regions.

(12) The involvement of employees and contractors of the United States Government and members of the Armed Forces in trafficking in persons, facilitating the trafficking in persons, or exploiting the victims of trafficking in persons is inconsistent with United States laws and policies and undermines the
credibility and mission of United States Government programs in post-conflict regions.

(13) Further measures are needed to ensure that United States Government personnel and contractors are held accountable for involvement with acts of trafficking in persons, including by expanding United States criminal jurisdiction to all United States Government contractors abroad.

(14) Communities in the United States are not fully informed about sex offenders who are residing or working within those communities because offenders who are convicted in a foreign court of a sexually violent offense, or a criminal offense against a child victim, are not currently encompassed by the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program carried out under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14701), as amended by Megan’s Law (Public Law 104–145; 110 Stat. 1345).
TITLE I—COMBATTING INTERNATIONAL TRAFFICKING IN PERSONS

SEC. 101. PREVENTION OF TRAFFICKING IN PERSONS.

(a) Prevention of Trafficking in Conjunction With Post-Conflict and Humanitarian Emergency Assistance.—

(1) Amendment.—Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) is amended by adding at the end the following new subsection:

“(h) Prevention of Trafficking in Conjunction With Post-Conflict and Humanitarian Emergency Assistance.—The United States Agency for International Development, the Department of State, and the Department of Defense shall incorporate anti-trafficking and protection measures for vulnerable populations, particularly women and children, into their post-conflict and humanitarian emergency assistance and program activities.”.

(2) Study and report.—

(A) Study.—

(i) In general.—The Secretary of State and the Administrator of the United States Agency for International Develop—
ment, in consultation with the Secretary of
Defense, shall conduct a study regarding
the threat and practice of trafficking in
persons generated by post-conflict and hu-
manitarian emergencies in foreign coun-
tries.

(ii) FACTORS.—In carrying out the
study, the Secretary of State and the Ad-
ministrator of the United States Agency
for International Development shall
examine—

(I) the vulnerabilities to human
trafficking of commonly affected pop-
ulations, particularly women and chil-
dren, generated by post-conflict and
humanitarian emergencies;

(II) the various forms of traf-
ficking in persons, both internal and
trans-border, including both sexual
and labor exploitation;

(III) a collection of best practices
implemented to date to combat human
trafficking in such areas; and

(IV) proposed recommendations
to better combat trafficking in per-
sons in conjunction with post-conflict reconstruction and humanitarian emergencies assistance.

(B) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Administrator of the United States Agency for International Development shall submit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report that contains—

(i) the results of the study conducted pursuant to subparagraph (A); and

(ii) specific recommendations to combat trafficking in persons by departments and agencies of the United States Government that are responsible for post-conflict and humanitarian emergency strategy and assistance programs, including the Office of Transition Initiatives and the Office of Foreign Disaster Assistance of the United States Agency for International Development, the Office of the Coordinator for Reconstruction and Stabilization and the Bureau of Population, Refugees, and Migra-
tion of the Department of State, and relevant Department of Defense entities that are carrying out or assisting in the conduct of such programs.

(3) IMPLEMENTATION OF RECOMMENDATIONS.—To the maximum extent practicable and in consultation with the congressional committees specified in paragraph (2)(B), the Administrator of the United States Agency for International Development, the Secretary of State, the Secretary of Defense, and the heads of other relevant departments and agencies of the United States Government shall take such actions as are necessary to implement the recommendations contained in the report under paragraph (2)(B)(ii) as soon as practicable after the date of the submission of the report.

(b) EXTENSION OF SEXUALLY VIOLENT OFFENDER REGISTRATION PROGRAM TO FOREIGN OFFENSES.—

(1) IN GENERAL.—Subsection (b)(7) of section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071) is amended—

(A) in the matter preceding subparagraph (A) by striking “convicted in another State”
and inserting “convicted outside that State”;
and

(B) in subparagraph (A) by inserting after
“convicted in another State,” the following:
“convicted of a foreign offense.”.

(2) Guidelines; Implementation by
States.—Not later than one year after the date of
the enactment of this Act, the Attorney General
shall issue revised guidelines to implement the
amendments made by paragraph (1). For purposes
of subsection (g) of such section 170101, a State
shall have until two years from the date on which
the Attorney General issues revised guidelines pursuant to the preceding sentence to implement the
amendments made by paragraph (1).

SEC. 102. PROTECTION OF VICTIMS OF TRAFFICKING IN
PERSONS.

(a) Access to Information.—Section 107(c)(2) of
the Trafficking Victims Protection Act of 2000 (22 U.S.C.
7105(c)(2)) is amended by adding at the end the following
new sentence: “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 traf-
icking.”.
(b) Establishment of Guardian Ad Litem Program.—Section 462(b) of the Homeland Security Act of 2002 (6 U.S.C. 279(b)) is amended by adding at the end the following new paragraph:

"(4) Appointment of Guardian Ad Litem for Child Victim of Trafficking.—

"(A) In general.—If the Director of the Office of Refugee Resettlement has reason to believe that an unaccompanied alien child is a victim of a severe form of trafficking in persons (as defined in section 107(b)(1)(C)(ii)(I) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(1)(C)(ii)(I))), the Director may appoint a guardian ad litem who meets the qualifications described in subparagraph (B) for the child. The Director is encouraged, wherever practicable, to arrange with a nongovernmental organization for the selection of an individual to be appointed as a guardian ad litem under this paragraph.

"(B) Qualifications of Guardian Ad Litem.—No person shall serve as a guardian ad litem under this paragraph unless the person—
“(i) is a child welfare professional or other individual who has received training in child welfare matters; and

“(ii) has received training on the nature of problems encountered by victims of trafficking.

“(C) DUTIES.—The guardian ad litem shall take such steps as may be necessary to investigate and report to the Director of the Office of Refugee Resettlement as to whether an unaccompanied alien child is a victim of trafficking. The guardian ad litem shall—

“(i) conduct interviews with the child in a manner that is appropriate, taking into account the child’s age;

“(ii) investigate the facts and circumstances relevant to such child’s presence in the United States, including facts and circumstances arising in the country of the child’s nationality or last habitual residence and facts and circumstances arising subsequent to the child’s departure from such country;

“(iii) work with counsel, if the child is represented by counsel, to identify the
child’s eligibility for relief from removal or voluntary departure by sharing with counsel information collected under clause (ii);

“(iv) develop recommendations on issues relative to the child’s custody, detention, release, and repatriation;

“(v) take reasonable steps to ensure that the best interests of the child are promoted while the child participates in, or is subject to, proceedings or matters under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.); and

“(vi) take reasonable steps to ensure that the child understands the nature of the legal proceedings or matters and determinations made by the court, and ensure that all information is conveyed in an age-appropriate manner.

“(D) DETERMINATION OF ELIGIBILITY FOR BENEFITS AND SERVICES.—The Director of the Office of Refugee Resettlement shall consider the report provided by the guardian ad litem in determining whether an alien child is a victim of a severe form of trafficking in persons eligible for services pursuant to section
107(b)(1)(A) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(1)(A)).

“(E) **Termination of Appointment.**—The guardian ad litem shall carry out the duties described in subparagraph (C) until one of the following occurs:

“(i) Such duties are completed.

“(ii) The child departs the United States.

“(iii) The child is granted permanent resident status in the United States;

“(iv) The child attains the age of 18.

“(v) The child is placed in the custody of a parent, legal guardian, or licensed child welfare agency.

“(F) **Powers.**—The guardian ad litem—

“(i) shall have reasonable access to the child, including access while such child is being held in detention, in the care of a foster family, or in any other temporary living arrangement;

“(ii) shall be permitted to review all records and information relating to such proceedings that are not deemed privileged or classified;
“(iii) may seek independent evaluations of the child;

“(iv) shall be notified in advance of all hearings or interviews involving the child that are held in connection with proceedings or matters under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) or in connection with the investigation or prosecution of a severe form of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103)), and shall be given a reasonable opportunity to be present at such hearings or interviews;

“(v) shall be permitted to consult with the child during any hearing or interview involving such child; and

“(vi) shall be provided at least 24 hours advance notice of a transfer of that child to a different placement, absent compelling and unusual circumstances warranting the transfer of such child prior to notification.

“(G) TRAINING.—The Director of the Office for Refugee Resettlement is authorized to
provide training for all persons serving as guardians ad litem under this section in the circumstances and conditions that child victims of trafficking face and immigration benefits or other rights under the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) for which such child might be eligible.

"'(H) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Health and Human Services such sums as may be necessary to carry out this paragraph. ".

(c) ACCESS TO COUNSEL.—Section 107(c) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)) is amended by adding at the end the following new paragraph:

"'(5) ACCESS TO COUNSEL.—

"'(A) ACCESS TO COUNSEL.—Victims of severe forms of trafficking, while in the custody of the Federal Government, shall not be denied access to counsel in any proceeding or matter relating to the investigation and prosecution of the act of trafficking involved.

"'(B) INFORMATION.—Victims of severe forms of trafficking shall receive information
about their right to access to counsel under subparagraph (A). To the maximum extent practicable, victims of severe forms of trafficking shall receive contact information for nongovernmental organizations that receive funding from the Federal Government to provide counsel or other assistance to victims of trafficking.”.

(d) Establishment of Pilot Program for Residential Rehabilitative Facilities for Victims of Trafficking.—

(1) Study.—

(A) In general.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the United States Agency for International Development shall carry out a study to identify best practices for the rehabilitation of victims of trafficking in group residential facilities in foreign countries.

(B) Factors.—In carrying out the study under subparagraph (A), the Administrator shall—

(i) investigate factors relating to the rehabilitation of victims of trafficking in group residential facilities, such as the ap-
propriate size of such facilities, services to
be provided, length of stay, and cost; and
(ii) give consideration to ensure the
safety and security of victims of traf-
ficking, provide alternative sources of in-
come for such victims, assess and provide
for the educational needs of such victims,
including literacy, and assess the psycho-
logical needs of such victims and provide
professional counseling, as appropriate.

(2) PILOT PROGRAM.—Upon completion of the
study carried out pursuant to paragraph (1), the
Administrator of the United States Agency for
International Development shall establish and carry
out a pilot program to establish residential treat-
ment facilities in foreign countries for victims of
trafficking based upon the best practices identified
in the study.

(3) PURPOSES.—The purposes of the pilot pro-
gram established pursuant to paragraph (2) are to—
(A) provide benefits and services to victims
of trafficking, including shelter, psychological
counseling, and assistance in developing inde-
pendent living skills;
(B) assess the benefits of providing residential treatment facilities for victims of trafficking, as well as the most efficient and cost-effective means of providing such facilities; and

(C) assess the need for and feasibility of establishing additional residential treatment facilities for victims of trafficking.

(4) SELECTION OF SITES.—The Administrator of the United States Agency for International Development shall select 2 sites at which to operate the pilot program established pursuant to paragraph (2).

(5) FORM OF ASSISTANCE.—In order to carry out the responsibilities of this subsection, the Administrator of the United States Agency for International Development shall enter into contracts with, or make grants to, nonprofit organizations with relevant expertise in the delivery of services to victims of trafficking.

(6) REPORT.—Not later than one year after the date on which the first pilot program is established pursuant to paragraph (2), the Administrator of the United States Agency for International Development shall submit to the Committee on International Relations of the House of Representatives and the
Committee on Foreign Relations of the Senate a report on the implementation of this subsection.

(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator of the United States Agency for International Development to carry out this subsection $2,500,000 for each of the fiscal years 2006 and 2007.

SEC. 103. ENHANCING PROSECUTIONS OF TRAFFICKING OFFENSES.

(a) EXTRATERRITORIAL JURISDICTION OVER FEDERAL CONTRACTORS.—

(1) IN GENERAL.—Part II of title 18, United States Code, is amended by inserting after chapter 212 the following new chapter:

"CHAPTER 212A—EXTRATERRITORIAL JURISDICTION OVER FEDERAL CONTRACTORS"

"§ 3271. Criminal offenses committed by Federal contractors outside the United States

"(a) Whoever, while an extraterritorial Federal contractor, engages in conduct outside the United States that would constitute an offense punishable by imprisonment
for more than 1 year if the conduct had been engaged in within the special maritime and territorial jurisdiction of the United States shall be punished as provided for that offense.

“(b) No prosecution may be commenced against a person under this section if a foreign government, in accordance with jurisdiction recognized by the United States, has prosecuted or is prosecuting such person for the conduct constituting such offense, except upon the approval of the Attorney General or the Deputy Attorney General (or a person acting in either such capacity), which function of approval may not be delegated.

§ 3272. Definition

“As used in this chapter, the term ‘extraterritorial Federal contractor’ means a person—

“(1) employed as a contractor (including a subcontractor at any tier), or as an employee of a contractor (or subcontractor at any tier), of any Federal agency;

“(2) present or residing outside the United States in connection with such employment; and

“(3) not a national of or ordinarily resident in the host nation.”.

(2) Clerical Amendment.—The table of chapters at the beginning of such part is amended
by inserting after the item relating to chapter 212
the following new item:

“212A. Extraterritorial jurisdiction over Federal contractors .................. 3271”.

(b) NEW UCMJ OFFENSES.—

(1) IN GENERAL.—Subchapter X of chapter 47
of title 10, United States Code (the Uniform Code
of Military Justice), is amended by inserting after
section 920 (article 120) the following new sections:

“§ 920a. Art. 120a. Sex trafficking

“Any person subject to this chapter who knowingly
recruits, entices, harbors, transports, provides, or obtains
by any means a person, knowing that—

“(1) force, fraud, or coercion will be used to
cause that person to engage in a commercial sex act;
or

“(2) the person has not attained the age of
eighteen years and will be caused to engage in a
commercial sex act,
is guilty of sex trafficking and shall be punished as a
court-martial may direct.

“§ 920b. Art. 120b. Trafficking for labor or services

“Any person subject to this chapter who knowingly
recruits, harbors, transports, provides, or obtains by any
means a person for labor or services—

“(1) by threats of serious harm to, or physical
restraint against, that person or another person;
“(2) by means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or

“(3) by means of the abuse or threatened abuse of law or the legal process,

is guilty of trafficking for labor or services and shall be punished as a court-martial may direct.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 920 (article 120) the following new items:

“920a. 120a. Sex trafficking.

“920b. 120b. Trafficking for labor or services.”.

(c) Laundering of Monetary Instruments.—Section 1956(c)(7)(B) of title 18, United States Code, is amended—

(1) in clause (v), by striking “or” at the end;

(2) in clause (vi), by adding “or” at the end;

and

(3) by adding at the end the following new clause:

“(vii) trafficking in persons, selling or buying of children, sexual exploitation of children, or transporting, recruiting or har-
boring a person, including a child, for commercial sex acts;”.

(d) TRANSPORTATION OF MINORS.—Section 2423 of title 18, United States Code, is amended by adding at the end the following new subsection:

“(h) ENFORCEMENT AGAINST UNITED STATES CITIZENS IN FOREIGN PLACES.—If a United States Government official attached to a United States Embassy in a foreign place becomes aware of a United States citizen or an alien admitted for permanent residence in the United States who is located in such foreign place and who has traveled in foreign commerce in violation of subsection (a), (b), (c), (d), or (e), the United States Embassy shall notify local law enforcement authorities and shall encourage the prosecution of the individual under applicable local laws or the extradition of the individual to the United States for the purpose of prosecution under this section.”.

SEC. 104. ENHANCING UNITED STATES EFFORTS TO COMBAT TRAFFICKING IN PERSONS.

(a) APPOINTMENT TO INTERAGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING.—Section 105(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(b)) is amended—
(1) by striking “the Director of Central Intelligence” and inserting “the Director of National Intelligence”; and

(2) by inserting “, the Secretary of Defense, the Secretary of Homeland Security” after “the Director of National Intelligence” (as added by paragraph (1)).

(b) REPORTING REQUIREMENT.—Section 105(d)(7)(D) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)(D)) is amended by adding at the end before the semicolon the following: “, and with respect to each case prosecuted under one or more of these sections, the number of victims of trafficking identified in each case and, of those victims, the number that have been granted continued presence in the United States under section 107(c)(3) or have been granted a visa under section 101(a)(15)(T)(i) of the Immigration and Nationality Act”.

(c) MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.—Section 108(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106(b)) is amended—

(1) in paragraph (3), by adding at the end before the period the following: “, measures to reduce the demand for commercial sex acts and for participation in international sex tourism by nationals of
the country, measures to ensure that its nationals who are deployed abroad as part of a peacekeeping or other similar mission do not engage in or facilitate severe forms of trafficking in persons or exploit victims of such trafficking, and measures to prevent the use of forced labor or child labor in violation of international standards’’; and

(2) in the first sentence of paragraph (7), by striking “persons,” and inserting “persons, including nationals of the country who are deployed abroad as part of a peacekeeping or other similar mission who engage in or facilitate severe forms of trafficking in persons or exploit victims of such trafficking.”.

(d) RESEARCH.—Section 112A of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7109a) is amended—

(1) in the first sentence of the matter preceding paragraph (1)—

(A) by striking “The President” and inserting “(a) IN GENERAL.—The President”; and

(B) by striking “the Director of Central Intelligence” and inserting “the Director of National Intelligence”;
(2) in paragraph (3), by adding at the end before the period the following: “particular HIV/AIDS”;

(3) by adding at the end the following new paragraphs:

“(4) Subject to subsection (b), the interrelationship between trafficking in persons and terrorism, including the use of profits from trafficking in persons to finance terrorism.

“(5) An effective mechanism for quantifying the number of victims of trafficking on a national, regional, and international basis.

“(6) The abduction and enslavement of children for use as soldiers, including steps taken to eliminate the abduction and enslavement of children for use as soldiers and recommendations for such further steps as may be necessary to rapidly end the abduction and enslavement of children for use as soldiers.”; and

(4) by further adding at the end the following new subsections:

“(b) Role of Human Smuggling and Trafficking Center.—The research initiatives described in subsection (a)(4) shall be carried out by the Human Smuggling and Trafficking Center (established pursuant
to section 7202 of the Intelligence Reform and Terrorism
Prevention Act of 2004 (Public Law 108–458)).

“(c) DEFINITIONS.—In this section:

“(1) AIDS.—The term ‘AIDS’ means the ac-
quired immune deficiency syndrome.

“(2) HIV.—The term ‘HIV’ means the human
immunodeficiency virus, the pathogen that causes
AIDS.

“(3) HIV/AIDS.—The term ‘HIV/AIDS’
means, with respect to an individual, an individual
who is infected with HIV or living with AIDS.”

(e) FOREIGN SERVICE OFFICER TRAINING.—Section
708(a) of the Foreign Service Act of 1980 (22 U.S.C.
4028(a)) is amended—

(1) in the matter preceding paragraph (1), by
inserting “, the Director of the Office to Monitor
and Combat Trafficking,” after “the International
Religious Freedom Act of 1998”;

(2) in paragraph (1), by striking “and” at the
end;

(3) in paragraph (2), by striking the period at
the end and inserting “; and”; and

(4) by adding at the end the following:

“(3) instruction on international documents and
United States policy on trafficking in persons, in-
including provisions of the Trafficking Victims Protec-
tion Act of 2000 (division A of Public Law 106–386;
22 U.S.C. 7101 et seq.) which may affect the United
States bilateral relationships.”.

(f) PREVENTION OF TRAFFICKING BY PEACE-
KEEPERS.—

(1) INCLUSION IN TRAFFICKING IN PERSONS
REPORT.—Section 110(b)(1) of the Trafficking Vic-
tims Protection Act of 2000 (22 U.S.C. 7107(b)(1))
is amended—

(A) in subparagraph (B), by striking
“and” at the end;

(B) in subparagraph (C), by striking the
period at the end and inserting “; and”; and

(C) by adding at the end the following new
subparagraph:

“(D) information on the measures taken
by the United Nations, the Organization for Se-
curity and Cooperation in Europe, the North
Atlantic Treaty Organization and, as appro-
priate, other multilateral organizations in which
the United States participates, to prevent the
involvement of the organization’s employees,
contractor personnel, and peacekeeping forces

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in trafficking in persons or the exploitation of victims of trafficking.”.

(2) PREVENTION OF TRAFFICKING IN CONNECTION WITH PEACEKEEPING OPERATIONS.—

(A) CERTIFICATION BY SECRETARY OF STATE.—At least 15 days prior to voting for or otherwise officially endorsing a new, reauthorized, or expanded peacekeeping mission under the auspices of the United Nations, the North Atlantic Treaty Organization, or any other multilateral organization in which the United States participates (or in the case of a peacekeeping mission to respond to an emergency, as far in advance as is practicable), the Secretary of State shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, and any other appropriate congressional committee a certification that contains—

(i) a determination that the organization has taken appropriate measures to prevent the organization’s employees, contractor personnel, and peacekeeping forces serving in the peacekeeping mission from
trafficking in persons, exploiting victims of trafficking, or committing acts of illegal sexual exploitation and to hold accountable any such individuals who engage in any such acts while participating in the peacekeeping mission; and

(ii) a detailed description of each of the measures referred to in clause (i).

(B) PROVISION OF UNITED STATES LOGISTICAL SUPPORT.—

(i) REQUIREMENT.—The United States may provide logistical support for or deploy personnel, including civilian police, observers, or members of the United States Armed Forces in support of a peacekeeping mission under the auspices of the United Nations, the North Atlantic Treaty Organization, or any other multilateral organization in which the United States participates only on or after the date on which the Secretary of State submits to Congress a certification described in subparagraph (A).

(ii) EXCEPTION.—Notwithstanding the failure of the Secretary of State to
submit a certification pursuant to subparagraph (A) with respect to a peacekeeping mission described in such subparagraph, support described in clause (i) may be made available for the peacekeeping mission on or after the date on which the Secretary of State submits to Congress a letter that contains—

(I) an explanation as to why the certification required by subparagraph (A) has not been provided;

(II) a description of the steps taken by the United States to encourage the organization to take the appropriate measures described in subparagraph (A); and

(III) a certification that, notwithstanding the failure of the organization to take the appropriate measures described in subparagraph (A), the Secretary of State has determined that voting for or otherwise officially endorsing the peacekeeping mission is in the national interests of United States.
(3) Department of Defense director of anti-trafficking policies.—

(A) Establishment.—The Secretary of Defense shall designate within the Office of the Secretary of Defense a director of anti-trafficking policies. The director shall be responsible for overseeing the implementation within the Department of Defense of policies relating to trafficking in persons, including policies of the Department and policies of the Federal Government (including policies contained in National Security Presidential Directive 22) as they relate to the Department. The Secretary may not assign to the director any responsibilities not related to trafficking in persons.

(B) Duties.—The director designated under subparagraph (A) shall, in consultation with other relevant elements of the Department—

(i) ensure that training materials and instructional programs relating to trafficking in persons are developed and used by the military departments;

(ii) consult regularly with academicians, faith-based organizations, multilat-
eral organizations, nongovernmental organizations, and others with expertise in combating trafficking in persons, regarding the Department’s implementation of policies relating to trafficking in persons;

(iii) conduct surveys of members of the Armed Forces and of employees of the Department to assess attitudes and knowledge regarding trafficking in persons and use the results of those surveys to develop training materials and instructional programs relating to trafficking in persons;

(iv) ensure that trafficking in persons is included as an intelligence requirement in peacekeeping missions that track organized crime;

(v) ensure the proper handling of cases in which a member of the Armed Forces or an employee or contractor of the Department is alleged to have engaged in or facilitated an act of trafficking in persons and in such cases encourage, as appropriate, implementation of chapter 212 of title 18, United States Code (commonly referred to as the Military Extraterritorial
(vi) ensure that the Department implements the commitments relating to trafficking in persons agreed to by the United States in the context of the North Atlantic Treaty Organization, the United Nations, and other multilateral organizations, as those commitments relate to the Department;

(vii) establish a mechanism to ensure that neither the Department nor any contractor (or subcontractor at any tier) of the Department rehires an employee of such a contractor (or subcontractor) who engaged in a severe form of trafficking in persons while the contract is in effect;

(viii) include the subject of trafficking in persons in military-to-military contact programs;

(ix) in consultation with the Office of the Inspector General of the Department, investigate links between trafficking in persons and deployments of members of the
Armed Forces and contractors of the Department;

(x) consult with contractors of the Department on programs to prevent trafficking in persons and on accountability structures relating to trafficking in persons; and

(xi) perform such other related duties as the Secretary may require.

(C) RESOURCES.—The director designated under subparagraph (A) shall have sufficient staff and resources to carry out the responsibilities and duties described in this paragraph.

(D) RANK.—The director designated under subparagraph (A) shall have the rank of assistant secretary.

(g) FBI INVESTIGATIONS.—From amounts made available to carry out this subsection (including amounts made available pursuant to the authorization of appropriations in section 302), the Director of the Federal Bureau of Investigation shall investigate acts of severe forms of trafficking in persons other than domestic trafficking in persons (as defined in section 206).
SEC. 105. ADDITIONAL ACTIVITIES TO MONITOR AND COMBAT FORCED LABOR AND CHILD LABOR.

(a) IN GENERAL.—The Secretary of Labor, acting through the head of the Bureau of International Labor Affairs of the Department of Labor, shall carry out additional activities to monitor and combat forced labor and child labor in foreign countries as described in subsection (b).

(b) ADDITIONAL ACTIVITIES DESCRIBED.—The additional activities referred to in subsection (a) are—

(1) to monitor the use of forced labor and child labor in violation of international standards;

(2) to provide information regarding trafficking in persons for the purpose of forced labor to the Office to Monitor and Combat Trafficking of the Department of State for inclusion in trafficking in persons report required by section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b));

(3) to develop and make available to the public a list of goods from countries that the Bureau of International Labor Affairs has reason to believe are produced by forced labor or child labor in violation of international standards;

(4) to work with persons who are involved in the production of goods on the list described in para-
graph (3) to create a standard set of practices that will reduce the likelihood that such persons will produce goods using the labor described in such paragraph; and

(5) to consult with other departments and agencies of the United States Government to reduce forced and child labor internationally and ensure that products made by forced labor and child labor in violation of international standards are not imported into the United States.

TITLE II—COMBATTING DOMESTIC TRAFFICKING IN PERSONS

SEC. 201. PREVENTION OF DOMESTIC TRAFFICKING IN PERSONS.

(a) Program to Reduce Demand for Commercial Sex Acts.—

(1) Program.—The Secretary of Health and Human Services shall identify best practices to reduce the demand for commercial sex acts in the United States and shall carry out a program to implement such best practices.

(2) Report.—The Secretary shall prepare and post on the Internet Web site of the Department of
Health and Human Services report on the best practices identified under paragraph (1).

(3) DEFINITIONS.—In this subsection, the term “commercial sex act” has the meaning given the term in section 103(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(3)).

(b) TERMINATION OF CERTAIN GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—Section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) is amended—

(1) in paragraph (1), by striking “described in paragraph (2)”; and

(2) by striking paragraph (2).

SEC. 202. ESTABLISHMENT OF GRANT PROGRAM TO DEVELOP, EXPAND, AND STRENGTHEN VICTIM SERVICE PROGRAMS FOR VICTIMS OF DOMESTIC TRAFFICKING.

(a) GRANT PROGRAM.—Subject to the availability of appropriations, the Secretary of Health and Human Services may make grants to States, Indian tribes, units of local government, and nonprofit, nongovernmental victims’ service organizations to develop, expand, and strengthen victim service programs for victims of domestic trafficking.

(b) SELECTION FACTOR.—In selecting among applicants for grants under subsection (a), the Secretary shall
give priority to applicants with experience in the delivery of services to runaway or homeless youth, including youth who have been subjected to sexual abuse or commercial sexual exploitation, and to applicants who would employ survivors of commercial sexual exploitation as part of their proposed project.

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

SEC. 203. PROTECTION OF VICTIMS OF DOMESTIC TRAFFICKING IN PERSONS.

(a) ESTABLISHMENT OF PILOT PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall establish and carry out a pilot program to establish residential treatment facilities in the United States for minor victims of domestic trafficking.

(b) PURPOSES.—The purposes of the pilot program established pursuant to subsection (a) are to—

(1) provide benefits and services to minor victims of domestic trafficking, including shelter, psychological counseling, and assistance in developing independent living skills;
(2) assess the benefits of providing residential treatment facilities for minor victims of domestic trafficking, as well as the most efficient and cost-effective means of providing such facilities; and

(3) assess the need for and feasibility of establishing additional residential treatment facilities for minor victims of domestic trafficking.

(e) SELECTION OF SITES.—The Secretary of Health and Human Services shall select 3 sites at which to operate the pilot program established pursuant to subsection (a).

(d) FORM OF ASSISTANCE.—In order to carry out the responsibilities of this section, the Secretary of Health and Human Services shall enter into contracts with, or make grants to, nonprofit organizations with relevant expertise in the delivery of services to runaway or homeless youth, including youth who have been subjected to sexual abuse or commercial sexual exploitation.

(e) REPORT.—Not later than one year after the date on which the first pilot program is established pursuant to subsection (a), the Secretary of Health and Human Services shall submit to Congress a report on the implementation of this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of
Health and Human Services to carry out this section $5,000,000 for each of the fiscal years 2006 and 2007.

SEC. 204. INVESTIGATION BY FEDERAL BUREAU OF INVESTIGATION OF ACTS OF DOMESTIC TRAFFICKING IN PERSONS.

From amounts made available to carry out this section (including amounts made available pursuant to the authorization of appropriations in section 302), the Director of the Federal Bureau of Investigation shall investigate acts of domestic trafficking in persons.

SEC. 205. ENHANCING STATE AND LOCAL EFFORTS TO COMBAT TRAFFICKING IN PERSONS.

(a) Establishment of Grant Program for Law Enforcement.—

(1) In general.—Subject to the availability of appropriations, the Attorney General may make grants to States and local law enforcement agencies to develop, expand, or strengthen programs to investigate and prosecute acts of domestic trafficking in persons.

(2) Multi-disciplinary approach required.—Grants under paragraph (1) may be made only for programs in which the State or local law enforcement agency works collaboratively with victim service providers and other relevant nongovern-
mental organizations, including faith-based organizations and organizations with experience in the delivery of services to youth who have been subjected to sexual abuse or commercial sexual exploitation.

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

(b) IMPROVED INTERAGENCY COORDINATION TO COMBAT DOMESTIC TRAFFICKING.—Section 206(a)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616(a)(1)) is amended by inserting “, the Director of the Office to Monitor and Combat Trafficking of the Department of State” after “the Commissioner of Immigration and Naturalization”.

SEC. 206. DEFINITIONS.

In this title:

(1) DOMESTIC TRAFFICKING IN PERSONS.—The term “domestic trafficking in persons” means a severe form of trafficking in persons as defined by section 103(8) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(8)), which occurs wholly within the territorial jurisdiction of the United States.
(2) Victim of Domestic Trafficking.—The term “victim of domestic trafficking” means a person subjected to an act or practice described in paragraph (1).

(3) Minor Victim of Domestic Trafficking.—The term “minor victim of domestic trafficking” means a person subjected to an act or practice described in paragraph (1) who has not attained 18 years of age at the time the person is identified as a victim of domestic trafficking.

TITLE III—AUTHORIZATIONS OF APPROPRIATIONS

SEC. 301. AUTHORIZATIONS OF APPROPRIATIONS.

Section 113 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7110) is amended—

(1) in subsection (a)—

(A) by striking “and $5,000,000” and inserting “$5,000,000”;

(B) by adding at the end before the period the following: “, and $5,500,000 for each of the fiscal years 2006 and 2007”; and

(C) by further adding at the end the following new sentence: “In addition, there are authorized to be appropriated to the Office to Monitor and Combat Trafficking for official re-
ception and representation expenses $3,000 for each of the fiscal years 2006 and 2007.”;


(5) in subsection (e)—

(A) in paragraphs (1) and (2), by striking “2003 through 2005” and inserting “2003 through 2007”; and

(B) in paragraph (3), by striking “$300,000 for fiscal year 2004 and $300,000 for fiscal year 2005” and inserting “$300,000 for each of the fiscal years 2004 through 2007”; and


SEC. 302. INVESTIGATIONS BY FEDERAL BUREAU OF INVESTIGATIONS.

There are authorized to be appropriated to the Director of the Federal Bureau of Investigation to carry out
sections 204 and 104(g) $15,000,000 for fiscal year 2006, to remain available until expended.
Chairman HYDE. The Chair recognizes the gentleman from New Jersey, Mr. Smith.

Mr. SMITH FROM NEW JERSEY. Thank you very much, Mr. Chairman. I have an amendment in the nature of a substitute at the desk, and I ask for unanimous consent that it be considered as read and considered as the original text for the purposes of mark-up.

[The amendment referred to follows:]
AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 972
OFFERED BY MR. SMITH OF NEW JERSEY

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Trafficking Victims Protection Reauthorization Act of 2005".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

See. 1. Short title; table of contents.
See. 2. Findings.

TITLE I—COMBATTING INTERNATIONAL TRAFFICKING IN PERSONS

See. 102. Protection of victims of trafficking in persons.
See. 103. Enhancing prosecutions of trafficking in persons offenses.
See. 104. Enhancing United States efforts to combat trafficking in persons.
See. 105. Additional activities to monitor and combat forced labor and child labor.

TITLE II—COMBATTING DOMESTIC TRAFFICKING IN PERSONS

See. 202. Establishment of grant program to develop, expand, and strengthen assistance programs for certain persons subject to trafficking.
See. 203. Protection of juvenile victims of trafficking in persons.
See. 204. Enhancing State and local efforts to combat trafficking in persons.
See. 205. Report to Congress.
See. 206. Definitions.

TITLE III—AUTHORIZATIONS OF APPROPRIATIONS

See. 301. Authorizations of appropriations.
SEC. 2. FINDINGS.

Congress finds the following:


(2) The United States Government currently estimates that 600,000 to 800,000 individuals are trafficked across international borders each year and exploited through forced labor and commercial sex exploitation. An estimated 80 percent of such individuals are women and girls.

(3) Since the enactment of the Trafficking Victims Protection Act of 2000, United States efforts to combat trafficking in persons have focused primarily on the international trafficking in persons, including the trafficking of foreign citizens into the United States.

(4) Trafficking in persons also occurs within the borders of a country, including the United States.

(5) No known studies exist that quantify the problem of trafficking in children for the purpose of
commercial sexual exploitation in the United States.

According to a report issued by researchers at the University of Pennsylvania in 2001, as many as 300,000 children in the United States are at risk for commercial sexual exploitation, including trafficking, at any given time.

(6) Runaway and homeless children in the United States are highly susceptible to being domestically trafficked for commercial sexual exploitation. According to the National Runaway Switchboard, every day in the United States, between 1,300,000 and 2,800,000 runaway and homeless youth live on the streets. One out of every seven children will run away from home before the age of 18.

(7) Following armed conflicts and during humanitarian emergencies, indigenous populations face increased security challenges and vulnerabilities which result in myriad forms of violence, including trafficking for sexual and labor exploitation. Foreign policy and foreign aid professionals increasingly recognize the increased activity of human traffickers in post-conflict settings and during humanitarian emergencies.

(8) There is a need to protect populations in post-conflict settings and humanitarian emergencies
from being trafficked for sexual or labor exploitation. The efforts of aid agencies to address the protection needs of, among others, internally displaced persons and refugees are useful in this regard. Nonetheless, there is a need for further integrated programs and strategies at the United States Agency for International Development, the Department of State, and the Department of Defense to combat human trafficking, including through protection and prevention methodologies, in post-conflict environments and during humanitarian emergencies.

(9) International and human rights organizations have documented a correlation between international deployments of military and civilian peacekeepers and aid workers and a resulting increase in the number of women and girls trafficked into prostitution in post-conflict regions.

(10) The involvement of employees and contractors of the United States Government and members of the Armed Forces in trafficking in persons, facilitating the trafficking in persons, or exploiting the victims of trafficking in persons is inconsistent with United States laws and policies and undermines the credibility and mission of United States Government programs in post-conflict regions.
(11) Further measures are needed to ensure that United States Government personnel and contractors are held accountable for involvement with acts of trafficking in persons, including by expanding United States criminal jurisdiction to all United States Government contractors abroad.

**TITLE I—COMBATTING INTERNATIONAL TRAFFICKING IN PERSONS**

**SEC. 101. PREVENTION OF TRAFFICKING IN CONJUNCTION WITH POST-CONFLICT AND HUMANITARIAN EMERGENCY ASSISTANCE.**

(a) Amendment.—Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) is amended by adding at the end the following new subsection:

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(h) PREVENTION OF TRAFFICKING IN CONJUNCTION WITH POST-CONFLICT AND HUMANITARIAN EMERGENCY ASSISTANCE.—The United States Agency for International Development, the Department of State, and the Department of Defense shall incorporate anti-trafficking and protection measures for vulnerable populations, particularly women and children, into their post-conflict and humanitarian emergency assistance and program activities.”.
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(b) **Study and Report.**—

(1) **Study.**—

   (A) **In General.**—The Secretary of State and the Administrator of the United States Agency for International Development, in consultation with the Secretary of Defense, shall conduct a study regarding the threat and practice of trafficking in persons generated by post-conflict and humanitarian emergencies in foreign countries.

   (B) **Factors.**—In carrying out the study, the Secretary of State and the Administrator of the United States Agency for International Development shall examine—

   (i) the vulnerabilities to human trafficking of commonly affected populations, particularly women and children, generated by post-conflict and humanitarian emergencies;

   (ii) the various forms of trafficking in persons, both internal and trans-border, including both sexual and labor exploitation;

   (iii) a collection of best practices implemented to date to combat human trafficking in such areas; and
(iv) proposed recommendations to better combat trafficking in persons in conjunction with post-conflict reconstruction and humanitarian emergencies assistance.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Administrator of the United States Agency for International Development, with the concurrence of the Secretary of Defense, shall transmit to the Committee on International Relations and the Committee on Armed Services of the House of Representatives and the Committee on Foreign Relations and the Committee on Armed Services of the Senate a report that contains the results of the study conducted pursuant to paragraph (1).

SEC. 102. PROTECTION OF VICTIMS OF TRAFFICKING IN PERSONS.

(a) ACCESS TO INFORMATION.—Section 107(c)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(2)) is amended by adding at the end the following new sentence: “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.”.
(b) Establishment of Pilot Program for Residential Rehabilitative Facilities for Victims of Trafficking.—

(1) Study.—

(A) In general.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the United States Agency for International Development shall carry out a study to identify best practices for the rehabilitation of victims of trafficking in group residential facilities in foreign countries.

(B) Factors.—In carrying out the study under subparagraph (A), the Administrator shall—

(i) investigate factors relating to the rehabilitation of victims of trafficking in group residential facilities, such as the appropriate size of such facilities, services to be provided, length of stay, and cost; and

(ii) give consideration to ensure the safety and security of victims of trafficking, provide alternative sources of income for such victims, assess and provide for the educational needs of such victims, including literacy, and assess the psycho-
logical needs of such victims and provide profes-
sional counseling, as appropriate.

(2) PILOT PROGRAM.—Upon completion of the
study carried out pursuant to paragraph (1), the
Administrator of the United States Agency for
International Development shall establish and carry
out a pilot program to establish residential treat-
ment facilities in foreign countries for victims of
trafficking based upon the best practices identified
in the study.

(3) PURPOSES.—The purposes of the pilot pro-
gram established pursuant to paragraph (2) are to—

(A) provide benefits and services to victims
of trafficking, including shelter, psychological
counseling, and assistance in developing inde-
dependent living skills;

(B) assess the benefits of providing resi-
dential treatment facilities for victims of traf-
ficking, as well as the most efficient and cost-
effective means of providing such facilities; and

(C) assess the need for and feasibility of
establishing additional residential treatment fa-
cilities for victims of trafficking.

(4) SELECTION OF SITES.—The Administrator
of the United States Agency for International Devel-
opment shall select 2 sites at which to operate the
pilot program established pursuant to paragraph (2).

(5) Form of Assistance.—In order to carry
out the responsibilities of this subsection, the Ad-
ministrator of the United States Agency for Inter-
national Development shall enter into contracts with,
or make grants to, organizations with relevant ex-
pertise in the delivery of services to victims of traf-
ficking.

(6) Report.—Not later than one year after the
date on which the first pilot program is established
pursuant to paragraph (2), the Administrator of the
United States Agency for International Development
shall submit to the Committee on International Re-
lations of the House of Representatives and the
Committee on Foreign Relations of the Senate a re-
port on the implementation of this subsection.

(7) Authorization of Appropriations.—
There are authorized to be appropriated to the Ad-
ministrator of the United States Agency for Inter-
national Development to carry out this subsection
$2,500,000 for each of the fiscal years 2006 and
2007.
SEC. 103. ENHANCING PROSECUTIONS OF TRAFFICKING IN PERSONS OFFENSES.

(a) Extraterritorial Jurisdiction Over Certain Trafficking in Persons Offenses.—

(1) In general.—Part II of title 18, United States Code, is amended by inserting after chapter 212 the following new chapter:

“CHAPTER 212A—EXTRATERRITORIAL JURISDICTION OVER CERTAIN TRAFFICKING IN PERSONS OFFENSES

Sec. 3271. Trafficking in persons offenses committed by persons employed by or accompanying the Federal Government outside the United States.

3272. Definitions.

§ 3271. Trafficking in persons offenses committed by persons employed by or accompanying the Federal Government outside the United States

(a) Whoever, while employed by or accompanying the Federal Government outside the United States, engages in conduct outside the United States that would constitute an offense under chapter 77 or 117 of this title if the conduct had been engaged in within the United States or within the special maritime and territorial jurisdiction of the United States shall be punished as provided for that offense.
“(b) No prosecution may be commenced against a person under this section if a foreign government, in accordance with jurisdiction recognized by the United States, has prosecuted or is prosecuting such person for the conduct constituting such offense, except upon the approval of the Attorney General or the Deputy Attorney General (or a person acting in either such capacity), which function of approval may not be delegated.

§3272. Definitions

“As used in this chapter:

“(1) The term ‘employed by the Federal Government outside the United States’ means—

“(A) employed as a civilian employee of the Federal Government, as a Federal contractor (including a subcontractor at any tier), or as an employee of a Federal contractor (including a subcontractor at any tier);

“(B) present or residing outside the United States in connection with such employment; and

“(C) not a national of or ordinarily resident in the host nation.

“(2) The term ‘accompanying the Federal Government outside the United States’ means—

“(A) a dependant of—
“(i) a civilian employee of the Federal Government; or
“(ii) a Federal contractor (including a subcontractor at any tier) or an employee of a Federal contractor (including a subcontractor at any tier);
“(B) residing with such civilian employee, contractor, or contractor employee outside the United States; and
“(C) not a national of or ordinarily resident in the host nation.”.

(2) Clerical Amendment.—The table of chapters at the beginning of such part is amended by inserting after the item relating to chapter 212 the following new item:

“212A. Extraterritorial jurisdiction over certain trafficking in persons offenses .................................................. 3271”.

(b) Laundering of Monetary Instruments.—Section 1956(c)(7)(B) of title 18, United States Code, is amended—

(1) in clause (v), by striking “or” at the end;

(2) in clause (vi), by adding “or” at the end;

and

(3) by adding at the end the following new clause:
“(vii) trafficking in persons, selling or buying of children, sexual exploitation of children, or transporting, recruiting or harboring a person, including a child, for commercial sex acts;”.

(c) DEFINITION OF RACKETEERING ACTIVITY.—Section 1961(B) of title 18, United States Code, is amended by striking “1581—1591” and inserting “1581—1592”.

(d) CIVIL AND CRIMINAL FORFEITURES.—

(1) IN GENERAL.—Chapter 117 of title 18, United States Code, is amended by adding at the end the following new section:

“§ 2428. Forfeitures

“(a) IN GENERAL.—The court, in imposing sentence on any person convicted of a violation of this chapter, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person shall forfeit to the United States—

“(1) such person’s interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such violation; and

“(2) any property, real or personal, constituting or derived from any proceeds that such person ob-
tained, directly or indirectly, as a result of such vi-

``(b) PROPERTY SUBJECT TO FORFEITURE.—
``

``(1) IN GENERAL.—The following shall be sub-

ject to forfeiture to the United States and no prop-

erty right shall exist in them:
``

``(A) Any property, real or personal, used

or intended to be used to commit or to facilitate

the commission of any violation of this chapter.
``

``(B) Any property, real or personal, that

constitutes or is derived from proceeds traceable

to any violation of this chapter.
``

``(2) APPLICABILITY OF CHAPTER 46.—The pro-

visions of chapter 46 of this title relating to civil for-

feitures shall apply to any seizure or civil forfeiture

under this subsection.”.
``

(2) Clerical Amendment.—The table of sec-

tions at the beginning of such chapter is amended

by adding at the end the following new item:
``

``2428. Forfeitures.”.
``

SEC. 104. ENHANCING UNITED STATES EFFORTS TO COM-

BATT TRAFFICKING IN PERSONS.
``

(a) Appointment to Interagency Task Force

to Monitor and Combat Trafficking.—Section

105(b) of the Trafficking Victims Protection Act of 2000

(22 U.S.C. 7103(b)) is amended—
(1) by striking “the Director of Central Intelligence” and inserting “the Director of National Intelligence”; and

(2) by inserting “, the Secretary of Defense, the Secretary of Homeland Security” after “the Director of National Intelligence” (as added by paragraph (1)).

(b) MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.—

(1) AMENDMENTS.—Section 108(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106(b)) is amended—

(A) in paragraph (3), by adding at the end before the period the following: “, measures to reduce the demand for commercial sex acts and for participation in international sex tourism by nationals of the country, measures to ensure that its nationals who are deployed abroad as part of a peacekeeping or other similar mission do not engage in or facilitate severe forms of trafficking in persons or exploit victims of such trafficking, and measures to prevent the use of forced labor or child labor in violation of international standards”; and
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(B) in the first sentence of paragraph (7),

by striking “persons,” and inserting “persons,

including nationals of the country who are de-

ployed abroad as part of a peacekeeping or

other similar mission who engage in or facilitate

severe forms of trafficking in persons or exploit

victims of such trafficking,”.

(2) Effective date.—The amendments made

by subparagraphs (A) and (B) of paragraph (1) take

effect beginning two years after the date of the en-

actment of this Act.

(c) Research.—

(1) Amendments.—Section 112A of the Traf-

ficking Victims Protection Act of 2000 (22 U.S.C.

7109a) is amended—

(A) in the first sentence of the matter pre-

ceding paragraph (1)—

(i) by striking “The President” and

inserting “(a) In General.—The Presi-

dent”; and

(ii) by striking “the Director of Cen-

tral Intelligence” and inserting “the Direc-

tor of National Intelligence”;
(B) in paragraph (3), by adding at the end before the period the following: “, particularly HIV/AIDS”; 

(C) by adding at the end the following new paragraphs:

“(4) Subject to subsection (b), the interrelationship between trafficking in persons and terrorism, including the use of profits from trafficking in persons to finance terrorism.

“(5) An effective mechanism for quantifying the number of victims of trafficking on a national, regional, and international basis.

“(6) The abduction and enslavement of children for use as soldiers, including steps taken to eliminate the abduction and enslavement of children for use as soldiers and recommendations for such further steps as may be necessary to rapidly end the abduction and enslavement of children for use as soldiers.”; and

(D) by further adding at the end the following new subsections:

“(b) ROLE OF HUMAN SMUGGLING AND TRAFFICKING CENTER.—The research initiatives described in subsection (a)(4) shall be carried out by the Human Smuggling and Trafficking Center (established pursuant
to section 7202 of the Intelligence Reform and Terrorism
Prevention Act of 2004 (Public Law 108–458)).

“(c) DEFINITIONS.—In this section:

“(1) AIDS.—The term ‘AIDS’ means the acquired immune deficiency syndrome.

“(2) HIV.—The term ‘HIV’ means the human immunodeficiency virus, the pathogen that causes AIDS.

“(3) HIV/AIDS.—The term ‘HIV/AIDS’ means, with respect to an individual, an individual who is infected with HIV or living with AIDS.”.

(2) REPORT.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Human Smuggling and Trafficking Center (established pursuant to section 7202 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458)) shall submit to the appropriate congressional committees a report on the results of the research initiatives carried out pursuant to section 112A(4) of the Trafficking Victims Protection Act of 2000 (as added by paragraph (1)(C) of this subsection).
(B) DEFINITION.—In this paragraph, the term “appropriate congressional committees” means—

(i) the Committee on International Relations and the Committee on the Judiciary of the House of Representatives; and

(ii) the Committee on Foreign Relations and the Committee on the Judiciary of the Senate.

(d) FOREIGN SERVICE OFFICER TRAINING.—Section 708(a) of the Foreign Service Act of 1980 (22 U.S.C. 4028(a)) is amended—

(1) in the matter preceding paragraph (1), by inserting “, the Director of the Office to Monitor and Combat Trafficking,” after “the International Religious Freedom Act of 1998”;

(2) in paragraph (1), by striking “and” at the end;

(3) in paragraph (2), by striking the period at the end and inserting “; and”;

(4) by adding at the end the following:

“(3) instruction on international documents and United States policy on trafficking in persons, including provisions of the Trafficking Victims Protection Act of 2000 (division A of Public Law 106–386;
22 U.S.C. 7101 et seq.) which may affect the United States bilateral relationships.”.

(e) PREVENTION OF TRAFFICKING BY PEACEKEEPERS.—

(1) INCLUSION IN TRAFFICKING IN PERSONS REPORT.—Section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)) is amended—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new subparagraph:

“(D) information on the measures taken by the United Nations, the Organization for Security and Cooperation in Europe, the North Atlantic Treaty Organization and, as appropriate, other multilateral organizations in which the United States participates, to prevent the involvement of the organization’s employees, contractor personnel, and peacekeeping forces in trafficking in persons or the exploitation of victims of trafficking.”.
(2) Report by Secretary of State.—At least 15 days prior to voting for a new or reauthorized peacekeeping mission under the auspices of the United Nations, the North Atlantic Treaty Organization, or any other multilateral organization in which the United States participates (or in an emergency, as far in advance as is practicable), the Secretary of State shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, and any other appropriate congressional committee a report that contains—

(A) a description of measures taken by the organization to prevent the organization’s employees, contractor personnel, and peacekeeping forces serving in the peacekeeping mission from trafficking in persons, exploiting victims of trafficking, or committing acts of sexual exploitation or abuse, and the measures in place to hold accountable any such individuals who engage in any such acts while participating in the peacekeeping mission; and

(B) an analysis of the effectiveness of each of the measures referred to in subparagraph (A).
SEC. 105. ADDITIONAL ACTIVITIES TO MONITOR AND COMBAT FORCED LABOR AND CHILD LABOR.

(a) Activities of the Department of State.—

(1) Finding.—Congress finds that in the report submitted to Congress by the Secretary of State in June 2005 pursuant to section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)), the list of countries whose governments do not comply with the minimum standards for the elimination of trafficking and are not making significant efforts to bring themselves into compliance was composed of a large number of countries in which the trafficking involved forced labor, including the trafficking of women into domestic servitude.

(2) Sense of Congress.—It is the sense of Congress that the Director of the Office to Monitor and Combat Trafficking of the Department of State should intensify the focus of the Office on forced labor in the countries described in paragraph (1) and other countries in which forced labor continues to be a serious human rights concern.

(b) Activities of the Department of Labor.—

(1) In general.—The Secretary of Labor, acting through the head of the Bureau of International Labor Affairs of the Department of Labor, shall carry out additional activities to monitor and combat
forced labor and child labor in foreign countries as
described in paragraph (2).

(2) ADDITIONAL ACTIVITIES DESCRIBED.—The
additional activities referred to in paragraph (1)
are—

(A) to monitor the use of forced labor and
child labor in violation of international stand-
ards;

(B) to provide information regarding traf-
ficking in persons for the purpose of forced
labor to the Office to Monitor and Combat
Trafficking of the Department of State for in-
clusion in trafficking in persons report required
by section 110(b) of the Trafficking Victims
Protection Act of 2000 (22 U.S.C. 7107(b));

(C) to develop and make available to the
public a list of goods from countries that the
Bureau of International Labor Affairs has rea-
son to believe are produced by forced labor or
child labor in violation of international stand-
ards;

(D) to work with persons who are involved
in the production of goods on the list described
in subparagraph (C) to create a standard set of
practices that will reduce the likelihood that
such persons will produce goods using the labor
described in such subparagraph; and

(E) to consult with other departments and
agencies of the United States Government to
reduce forced and child labor internationally
and ensure that products made by forced labor
and child labor in violation of international
standards are not imported into the United
States.

TITLE II—COMBATTING DOMESTIC TRAFFICKING IN PERSONS

SEC. 201. PREVENTION OF DOMESTIC TRAFFICKING IN PERSONS.

(a) Program to Reduce Demand for Commercial Sex Acts.—

(1) Program.—The Secretary of Health and Human Services and the Attorney General shall identify best practices to reduce the demand for commercial sex acts in the United States and shall carry out a program to implement such best practices.

(2) Reports.—The Secretary and the Attorney General shall prepare and post on the respective Internet Web sites of the Department of Health and
Human Services and the Department of Justice reports on the best practices identified under paragraph (1).

(3) DEFINITION.—In this subsection, the term “commercial sex act” has the meaning given the term in section 103(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(3)).

(b) TERMINATION OF CERTAIN GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—Section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) is amended—

(1) in paragraph (1), by striking “described in paragraph (2)”;

(2) by striking paragraph (2).

SEC. 202. ESTABLISHMENT OF GRANT PROGRAM TO DEVELOP, EXPAND, AND STRENGTHEN ASSISTANCE PROGRAMS FOR CERTAIN PERSONS SUBJECT TO TRAFFICKING.

(a) GRANT PROGRAM.—Subject to the availability of appropriations, the Secretary of Health and Human Services may make grants to States, Indian tribes, units of local government, and nonprofit, nongovernmental victims’ service organizations to develop, expand, and strengthen assistance programs for United States citizens or aliens admitted for permanent residence who are the subject of
sex trafficking or severe forms of trafficking in persons that occurs, in whole or in part, within the territorial jurisdiction of the United States.

(b) Selection Factor.—In selecting among applicants for grants under subsection (a), the Secretary shall give priority to applicants with experience in the delivery of services to persons who have been subjected to sexual abuse or commercial sexual exploitation and to applicants who would employ survivors of sexual abuse or commercial sexual exploitation as part of their proposed project.

(c) Limitation on Federal Share.—The Federal share of a grant made under this section may not exceed 75 percent of the total costs of the projects described in the application submitted.

SEC. 203. PROTECTION OF JUVENILE VICTIMS OF TRAFFICKING IN PERSONS.

(a) Establishment of Pilot Program.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall establish and carry out a pilot program to establish residential treatment facilities in the United States for juveniles subjected to trafficking.

(b) Purposes.—The purposes of the pilot program established pursuant to subsection (a) are to—
(1) provide benefits and services to juveniles subjected to trafficking, including shelter, psychological counseling, and assistance in developing independent living skills;

(2) assess the benefits of providing residential treatment facilities for juveniles subjected to trafficking, as well as the most efficient and cost-effective means of providing such facilities; and

(3) assess the need for and feasibility of establishing additional residential treatment facilities for juveniles subjected to trafficking.

(c) SELECTION OF SITES.—The Secretary of Health and Human Services shall select 3 sites at which to operate the pilot program established pursuant to subsection (a).

(d) FORM OF ASSISTANCE.—In order to carry out the responsibilities of this section, the Secretary of Health and Human Services shall enter into contracts with, or make grants to, organizations with relevant expertise in the delivery of services to juveniles who have been subjected to sexual abuse or commercial sexual exploitation.

(e) REPORT.—Not later than one year after the date on which the first pilot program is established pursuant to subsection (a), the Secretary of Health and Human
Services shall submit to Congress a report on the implementa-
tion of this section.

(f) DEFINITION.—In this section, the term “juvenile
subjected to trafficking” means a United States citizen,
or alien admitted for permanent residence, who is the sub-
ject of sex trafficking or severe forms of trafficking in per-
sons that occurs, in whole or in part, within the territorial
jurisdiction of the United States and who has not attained
18 years of age at the time the person is identified as
having been the subject of sex trafficking or severe forms
of trafficking in persons.

(g) AUTHORIZATION OF APPROPRIATIONS.—There
are authorized to be appropriated to the Secretary of
Health and Human Services to carry out this section
$5,000,000 for each of the fiscal years 2006 and 2007.

SEC. 204. ENHANCING STATE AND LOCAL EFFORTS TO
COMBAT TRAFFICKING IN PERSONS.

(a) Establishment of Grant Program for Law
Enforcement.—Subject to the availability of appropria-
tions, the Attorney General may make grants to States
and local law enforcement agencies to develop, expand, or
strengthen programs to investigate and prosecute acts of
severe forms of trafficking in persons that involve United
States citizens, or aliens admitted for permanent resi-
(b) Multi-Disciplinary Approach Required.—Grants under subsection (a) may be made only for programs in which the State or local law enforcement agency works collaboratively with victim service providers and other relevant nongovernmental organizations, including faith-based organizations and organizations with experience in the delivery of services to persons who are the subject of trafficking in persons.

(c) Limitation on Federal Share.—The Federal share of a grant made under this section may not exceed 75 percent of the total costs of the projects described in the application submitted.

SEC. 205. REPORT TO CONGRESS.

Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

(1) in subparagraph (F), by striking “and” at the end;

(2) by redesignating subparagraph (G) as subparagraph (H); and

(3) by inserting after subparagraph (F) the following new subparagraph:

“(G) the amount, recipient, and purpose of each grant under sections 202 and 204 of the
Trafficking Victims Protection Reauthorization Act of 2005; and”.

SEC. 206. DEFINITIONS.

In this title:

(1) SEVERE FORMS OF TRAFFICKING IN PERSONS.—The term “severe forms of trafficking in persons” has the meaning given the term in section 103(8) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(8)).

(2) SEX TRAFFICKING.—The term “sex trafficking” has the meaning given the term in section 103(9) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9)).

TITLE III—AUTHORIZATIONS OF APPROPRIATIONS

SEC. 301. AUTHORIZATIONS OF APPROPRIATIONS.

Section 113 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7110) is amended—

(1) in subsection (a)—

(A) by striking “and $5,000,000” and inserting “$5,000,000”;

(B) by adding at the end before the period the following: “, and $5,500,000 for each of the fiscal years 2006 and 2007”; and
(C) by further adding at the end the following new sentence: “In addition, there are authorized to be appropriated to the Office to Monitor and Combat Trafficking for official reception and representation expenses $3,000 for each of the fiscal years 2006 and 2007.”;


(5) in subsection (e)—

(A) in paragraphs (1) and (2), by striking “2003 through 2005” and inserting “2003 through 2007”; and

(B) in paragraph (3), by striking “$300,000 for fiscal year 2004 and $300,000 for fiscal year 2005” and inserting “$300,000 for each of the fiscal years 2004 through 2007”;}
(6) in subsection (f), by striking "2004 and 2005" and inserting "2004, 2005, 2006, and 2007"; and

(7) by adding at the end the following new subsections:

"(g) Authorization of Appropriations to Director of the FBI.—There are authorized to be appropriated to the Director of the Federal Bureau of Investigation $15,000,000 for fiscal year 2006, to remain available until expended, to investigate severe forms of trafficking in persons.

(h) Authorization of Appropriations to the Secretary of Homeland Security.—There are authorized to be appropriated to the Secretary of Homeland Security, $18,000,000 for each of the fiscal years 2006 and 2007, to remain available until expended, for investigations by the Bureau of Immigration and Customs Enforcement of severe forms of trafficking in persons.”."
Chairman HYDE. Without objection, it is so ordered. The gentleman from New Jersey is recognized in support of his amendment.

Mr. SMITH FROM NEW JERSEY. Thank you so much, Mr. Chairman, and I want to thank you for bringing this reauthorization bill to a Full Committee markup.

In supporting the Trafficking Victims Protection Act and its first reauthorization in 2003, you, Mr. Lantos, and this Committee have demonstrated a commitment to eradicate the scourge of modern day slavery and to bring healing to its victims.

Mr. Chairman, this legislation, H.R. 972, which has now almost 75 co-sponsors, is totally bipartisan. Mr. Lantos, Mr. Payne, Ms. Ros-Lehtinen, Mr. Pence, Mr. Faleomavaega, to name just a few, are all co-sponsors of the legislation.

The bill will continue the progress begun by the Trafficking Victims Protection Act (TVPA) of 2000, which helped transform the way our Government, the private sector, and governments around the world respond to the crime of trafficking.

Since enactment of the TVPA, the traffickers here and abroad are increasingly likely to face prosecution and conviction. In contrast to the full year period before its enactment, the Department of Justice has in the last 4 years initiated more than three times the number of investigations into human trafficking, filed almost four times as many cases, charged more than twice as many defendants, and doubled the number of defendants who are convicted.

Worldwide, nearly 7,000 traffickers were prosecuted last year, and more than 3,000 were convicted. These law enforcement statistics reflect an increase in the number of convictions from previous years and demonstrate the importance of countries acquiring the legal tools necessary to combat trafficking.

Of course, having the political will is necessary to implement those tools and to provide those tools is something that this bill is all about.

Mr. Chairman, I am heartened that victims of trafficking today are more likely to receive lifesaving assistance from governments, NGOs, and faith communities. Since 2001, more than 600 survivors in the United States have received assistance through the Department of Health and Human Services. More than 400 victims have received a T-visa, which allows them to remain in the U.S. to rebuild their shattered lives.

Much has been accomplished and yet countless people continue to be bought and sold like cattle for exploitation each and every day. Current estimates are that 600,000 to 800,000 people are trafficked across international borders each year, and millions more are trafficked internally within the borders of several countries around the world.

This bill continues to advance the fight against international trafficking, and for the first time also bringing into focus the internal trafficking of American citizens and residents right in our own backyard.

Both before and after the introduction of H.R. 972 we consulted widely with relevant NGOs and U.S. Government officials, as well as with the Majority and Minority Members and staff of the other
Committees of jurisdiction, and this was referred, as you know, to several other Committees.

The amendment in the nature of a substitute that I propose reflects the outcome of those consultations. Specifically, pursuant to the amendment, H.R. 972 would: One, direct the State Department and USAID, working with the Department of Defense, to study and report on additional trafficking prevention strategies for post-conflict and post-natural disaster relief programs; second, create criminal jurisdiction in U.S. courts over Federal contractors, government employees and their dependents who engage in trafficking while overseas on official business; three, require the State Department’s annual *Trafficking in Persons Report* to include information on efforts by the United Nations, the OSCE, and NATO to eliminate involvement in trafficking by the organizations’ personnel, contractors, and peacekeepers; four, require the Secretary of State to report to Congress at least 15 days prior to voting for a peacekeeping mission about the measures taken by the UN or other international organizations to prevent peacekeepers from engaging in trafficking or committing acts of sexual exploitation or abuse and to hold accountable any who engage in any such acts.

I would note parenthetically that our Subcommittee has had two very disturbing hearings on the misdeeds by UN peacekeepers in the Congo, for example, and this tries to preemptively get at that problem so that there are safeguards and guidelines already in place.

Fifth, amend the criteria by which countries are evaluated in the *Trafficking in Persons Report* by allowing consideration of foreign governments’ efforts to reduce demand for commercial sex acts, which is linked to such trafficking, to prevent sex tourism, to ensure that peacekeeping troops do not exploit trafficking victims, and to prevent forced labor or child labor in violation of international standards; sixth, direct USAID to direct a pilot program for residential rehab facilities for trafficking victims in two locations abroad. HHS would also run a similar program in the United States with three pilot programs and would also be authorized to create grant programs to combat trafficking of American citizens; seventh, direct the President to conduct specialized research on trafficking, including research on the use of human trafficking to finance terrorist activities; and finally, the bill would reauthorize appropriations for fiscal years 2006 and 2007 for anti-trafficking programs of all relevant agencies, including the State Department and U.S. Agency for International Development.

Mr. Chairman, I want to say a special thanks to a number of staffers who have worked long and hard during the course of the last 6 months on this legislation, beginning with our Director of Policy, Eleanor Nagy; Maureen Walsh, who is the General Counsel for the OSCE, the Helsinki Commission; David Abramowitz who worked as he did in 2000 and 2003, working with us hand-and-glove, made a number of very important recommendations that are reflected in the bill; Renee Austell, who also worked extremely hard on this legislation; and John Cerofin, who is our General Counsel, for his excellent work, particularly with the other Committees of jurisdiction where the negotiations at time are very deli-
cate and very difficult. I want to thank all of our staff for their invaluable and very, very productive work.

I yield back the balance of my time.

Chairman Hyde. Mr. Lantos?

Mr. Lantos. Mr. Chairman, I will be brief. I want to support the legislation, of course, of which I am a co-sponsor, and I want to pay special tribute to my friend from New Jersey, Chris Smith, who has been leading the Congress on this most important issue with his customary perseverance, passion and intensity.

I strongly urge all of our colleagues to vote for this legislation. Thank you.

Chairman Hyde. Are there any amendments?

[No response.]

Chairman Hyde. If not, the question occurs—I am sorry. Mr. Menendez?

Mr. Menendez. Thank you, Mr. Chairman. I do not have an amendment, but I just do want to briefly speak on the bill.

I want to thank my colleague from New Jersey, Congressman Smith, for his leadership on this issue. I am proud that someone from my own home State has dedicated himself to ending trafficking of people around the world, and I think, in fact, because of his leadership, and also joined by the work of Mr. Payne and others, countries around the world have been forced to change their laws and to improve enforcement.

Mr. Smith talked about the statistics, 600,000 to 800,000 people forced to cross borders to become slaves and prostitutes, 2 million to 4 million people within their own countries. When we look at those numbers, the vast majority of these are women and girls. As we fight to end trafficking, we are also fighting for the rights of women and girls around the world.

I think it is easy to forget that each of those numbers represents a human being, a daughter, a sister, a mother, or a son who is suffering. It is easy to forget that each of these people are part of a family that has been torn apart by trafficking.

It is easy to forget the number of individuals trafficking hides, even a greater number of families around the world devastated by trafficking. I am proud to be a co-sponsor and a strong supporter of this legislation which reauthorized programs designed to attack trafficking both at home and abroad.

I particularly just want to take, as the Ranking Member of the Western Hemisphere Subcommittee, a moment to say I was deeply concerned to see that 5 of the 14 tier 3 countries, as designated by the State Department, were from Latin America or the Caribbean. Tier 3 countries are the worst violators. They are not complying with minimum standards to eliminate trafficking. Even worse, they are not making a significant effort to fix things.

Now, I understand from the Presidential determination issued at the end of September that Bolivia and Jamaica have taken steps to come into compliance. I certainly hope they will continue to do so. According to that same document, Cuba, Ecuador, and Venezuela are not making any significant efforts to stop trafficking. Let us be clear, these countries are only hurting their own people by allowing exploitation and trafficking in their countries.
I am also saddened to say that our hemisphere has become a mecca for sex tourists from around the world. Tens of thousands of women and children from across the countries of Latin America and the Caribbean are trafficked and then forced into prostitution or are sexually exploited. Brazil, Mexico, Honduras, Costa Rica, Trinidad, Tobago, Argentina, and the Dominican Republic are among the favorite destinations of sex tourists from around the world.

According to information cited by the Congressional Research Service, Brazil has one of the largest child prostitution problems in the world. In Cuba, the regime, itself, sponsors a tourist industry which promotes the sexual exploitation of children. We have to do everything possible to end this human exploitation in our own hemisphere.

Article V of the Universal Declaration of Human Rights states, “No one shall be subject to torture or cruel, inhumane or degrading treatment or punishment.” Mr. Smith’s legislation takes these words and turns them into action, and I salute him once again.

Chairman HYDE. The question occurs on the amendment in the nature of a substitute. All in favor say aye.

[Chorus of ayes.]

Chairman HYDE. Opposed nay?

[No response.]

Chairman HYDE. The question occurs on the motion to report the bill favorably as amended by the amendment in the nature of a substitute. All in favor say aye.

[Chorus of ayes.]

Chairman HYDE. Opposed nay?

[No response.]

Chairman HYDE. The ayes have it, and the motion to report is favorably adopted.

Without objection, the staff is directed to make any technical and conforming changes.

I thank you all for your cooperation. The Committee is adjourned.

[Whereupon, at 11:35 a.m. the Committee was adjourned.]