

[Floor Situation](#) | [Summary](#) | [Background](#) | [Cost](#) | [Staff Contact](#)

## [S. 178, Justice for Victims of Trafficking Act of 2015](#)

### FLOOR SITUATION

On Monday, May 18, 2015, the House will consider [S. 178](#), the *Justice for Victims of Trafficking Act of 2015*, under suspension of the rules. S. 178 was introduced on January 13, 2015, by Senator John Cornyn (R-TX) and passed the Senate by a vote of 99-0 on April 22, 2015.

### SUMMARY

S. 178 authorizes services to victims of human trafficking and sets up a fund to cover the costs of the programs it authorizes, which is paid for by a \$5,000 special penalty assessment for convicted sex offenders, human smugglers, and human traffickers. These funds supplement existing Federal resources available for human trafficking victim support. The legislation strengthens law enforcement tools for prosecuting human trafficking offenses. It also recognizes child pornography production as a form of human trafficking. This legislation includes numerous provisions from ten previous human trafficking measures that the House considered earlier this year.

Specifically:

Title I: Establishes a Domestic Trafficking Victims Fund that is funded through an additional assessment of \$5,000 imposed on individuals convicted of sexual abuse or exploitation, human smuggling, or human trafficking. The Fund will award grants to states and localities to combat trafficking, provide protection and assistance for victims, develop and implement child abuse prevention programs, and provide services to victims of child pornography. In addition, the Title expands the definition of "child abuse" to include human trafficking and the production of child pornography, and classifies producers of child pornography as traffickers engaged in illicit sexual conduct. Provisions of the *Combat Human Trafficking Act of 2015*, the *Survivors of Human Trafficking Empowerment Act*, the *Bringing Missing Children Home Act*, and the *Stop Advertising Victims of Exploitation Act of 2015* are included in this Title.

Title II: Includes provisions to combat human trafficking by: including trafficking and sex trafficking in the criteria of grants awarded for services provided to run-away and homeless youth; ensuring that the cyber tip line for reporting internet-related sexual exploitation includes child prostitution as a form of child sex trafficking; directing the Interagency Task Force to Monitor and Combat Trafficking to

conduct a review of research and academic literature on trafficking; authorizing the Department of Justice to provide housing to trafficking victims; and by requiring training for Federal government personnel.

Title III: Directs the U.S. Immigration and Customs Enforcement (ICE), within the Department of Homeland Security, to establish a Cyber Crimes Center to provide investigative assistance, training, and equipment to support investigations by ICE of cyber-related crimes. The Cyber Crimes Center is directed to operate a Child Exploitation Investigation Unit, a Computer Forensics Unit, and the Cyber Crimes Unit. The Title also amends the Federal criminal code to impose a fine and/or prison term of up to 10 years on anyone who knowingly transports any individual with the intent of having that individual engage in any criminal sexual activity.

Title IV: Directs the Department of Justice to increase grant funding to any state that has in place a law that allows the mother of any child that was conceived through rape to seek court-order termination of the parental rights of her rapist with regard to that child. Includes a new \$5 million annual authorization for the Violence Against Women Act through Fiscal Year 2019.

Title V: Directs the Department of Defense to provide the Department of Justice with sex offender registration information of individuals who are released from military corrections facilities or convicted by court-martial under the Uniform Code of Military Justice of criminal sexual activity.

Title VI: Authorizes the Department of Justice to give preferential treatment in awarding public safety and community-oriented policing grants to an applicant from a state that treats a minor who engages in or attempts to engage in commercial sex as a victim of a severe form of trafficking. In addition, the Department of Justice is required to include in an annual report information on the activities of Federal agencies that are implementing provisions related to the Interagency Task Force to Monitor and Combat Trafficking, as well as implement and maintain a National Strategy for Combating Human Trafficking. Finally, the title authorizes the United States Marshals Service to assist state, local, and other Federal law enforcement agencies in locating and recovering missing children.

Title VII: Requires the Health Resources and Services Administration at the Department of Health and Human Services to award a grant or contract to an accredited school of medicine or nursing with experience in the study or treatment of a severe form of trafficking to train health care professionals to recognize and respond to trafficking victims.

Title VIII: Requires a state to plan for its child protective services system to include a certified assurance that the state has in effect and is enforcing a law that requires identification and assessment of all reports involving children known or suspected to be victims of sex trafficking, and trains child protective services workers in identifying, assessing, and providing comprehensive services for children who are victims of sex trafficking.

Title IX: Requires the Department of Homeland Security to train and retrain relevant personnel in the Transportation Security Administration, the U.S. Customs and Border Protection, and other DHS personnel on how to effectively deter, detect, and disrupt human trafficking. The Department may provide training to assist any state, local, or tribal government or private organization in establishing a program of training to identify human trafficking, and authorizes funds under the Domestic Trafficking Victims Fund to be used to include grant funding for state and local Internet Crimes Against Children Task Forces to combat child exploitation.

Title X: Provides for preferential treatment of grant applications under the public safety and community-oriented policing grant program to applicants from states that allow a human trafficking survivor to vacate any arrest or conviction records for a non-violent offense committed as a direct result of trafficking, protects the identity of individuals who are human trafficking survivors in public records, and does not require any individual who is a human trafficking survivor to provide official documentation in order to receive protection under the law.

## BACKGROUND

Trafficking does not require the transnational movement of a person, and can affect anyone including documented and undocumented immigrants, migrant workers, U.S. citizens, and residents. Today, trafficking can take on many forms ranging from domestic work for little to no pay, to being sold into prostitution. Victims of human trafficking have few resources available to them and often go unrecognized by law enforcement entities and social service officials. The Department of Homeland Security estimates approximately 20 million people across the world are victims of human trafficking.<sup>1</sup> Sex trafficking has become the most common form of modern-day slavery, one of the fastest-growing business practices of organized crime, and the third largest criminal enterprise in the world.<sup>2</sup>

While human trafficking is thought to be predominantly an international phenomenon, many individuals are currently at risk of sex trafficking within the United States. A 2011 study estimated that 293,000 young people in the U.S. were at risk of becoming victims of sex trafficking, and the FBI estimates that between 2008 and 2010, 83 percent of trafficking victims found domestically were U.S. citizens.<sup>3</sup>

The Trafficking Victims Violence Prevention Act of 2000 defined and classified human trafficking into sex trafficking and labor trafficking. Sex trafficking involves a victim forced into a commercial sex act, while labor trafficking includes individuals subjected to involuntary servitude, peonage, debt bondage, or slavery.<sup>4</sup>

## COST

The Congressional Budget Office (CBO) [estimates](#) that implementing S. 178 would cost about \$1 million in Fiscal Year 2016 and less than \$500,000 each year thereafter. In addition, CBO estimates that enacting S. 178 would increase direct spending by \$2 million over the 2015 to 2025 period and could also affect revenues, therefore pay-as-you-go procedures apply.

## STAFF CONTACT

For questions or further information please contact [Jerry White](#) with the House Republican Policy Committee by email or at 5-0190.

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<sup>1</sup> <https://www.dhs.gov/sites/default/files/publications/blue-campaign/bc-inf-moc-bc-dhs-anti-trafficking-efforts.pdf>

<sup>2</sup> Amanda Walker-Rodriguez and Rodney Hill, [FBI Law Enforcement Bulletin: Human Sex Trafficking](#), (Mar. 2011).

<sup>3</sup> Richard J. Estes and Neil Alan Weiner, *Commercial Sexual Exploitation of Children in the U.S., Canada, and Mexico* (University of Pennsylvania, Executive Summary, 2001) ; see also <http://www.rights4girls.org/#!/trafficking-of-girls/cthj>.

<sup>4</sup> <http://www.northeastern.edu/humantrafficking/background-on-human-trafficking/>