To reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. Menendez (for himself, Mr. Risch, Mr. Kaine, and Mr. Rubio) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “International Trafficking Victims Protection Reauthorization Act of 2023”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—COMBATING HUMAN TRAFFICKING ABROAD
Sec. 101. United States support for integration of anti-trafficking in persons interventions in multilateral development banks.

Sec. 102. Expanding prevention efforts at the United States Agency for International Development.

Sec. 103. Counter-trafficking in persons efforts in development cooperation and assistance policy.

Sec. 104. Technical amendments to tier rankings.

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Sec. 106. Clarification of nonhumanitarian, nontrade-related foreign assistance.

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TITLE II—AUTHORIZATION OF APPROPRIATIONS

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TITLE III—BRIEFINGS

Sec. 301. Briefing on annual trafficking in person’s report.

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1 TITLE I—COMBATING HUMAN TRAFFICKING ABROAD

2 SEC. 101. UNITED STATES SUPPORT FOR INTEGRATION OF

3 ANTI-TAFFICKING IN PERSONS INTERVEN-

4 TIONS IN MULTILATERAL DEVELOPMENT

5 BANKS.

(a) REQUIREMENTS.—The Secretary of the Treasury,

in consultation with the Secretary of State acting through

the Ambassador-at-Large to Monitor and Combat Traf-

ficking in Persons, shall instruct the United States Execu-

tive Director of each multilateral development bank (as

defined in section 110(d) of the Trafficking Victims Pro-

tection Act of 2000 (22 U.S.C. 7107(d))) to encourage

the inclusion of a counter-trafficking strategy, including
risk assessment and mitigation efforts as needed, in proposed projects in countries listed—

(1) on the Tier 2 Watch List (required under section 110(b)(2)(A) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(2)(A)), as amended by section 104(a));

(2) under subparagraph (C) of section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)) (commonly referred to as “tier 3”); and

(3) as Special Cases in the most recent report on trafficking in persons required under such section (commonly referred to as the “Trafficking in Persons Report”).

(b) BRIEFINGS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of State, shall brief the appropriate congressional committees regarding the implementation of this section.

(c) GAO REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that details the activities of the United States relating to combating human traf-
ficking, including forced labor, within multilateral development projects.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

SEC. 102. EXPANDING PREVENTION EFFORTS AT THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

(a) IN GENERAL.—In order to strengthen prevention efforts by the United States abroad, the Administrator of the United States Agency for International Development (referred to in this section as the “Administrator”) shall, to the extent practicable and appropriate—

(1) encourage the integration of activities to counter trafficking in persons (referred to in this section as “C-TIP”) into broader assistance programming;

(2) determine a reasonable definition for the term “C-TIP Integrated Development Programs,” which shall include any programming to address
health, food security, economic development, education, democracy and governance, and humanitarian assistance that includes a sufficient C-TIP element; and

(3) ensure that each mission of the United States Agency for International Development (referred to in this section as “USAID”)—

(A) integrates a C-TIP component into development programs, project design, and methods for program monitoring and evaluation, as necessary and appropriate, when addressing issues, including—

(i) health;

(ii) food security;

(iii) economic development;

(iv) education;

(v) democracy and governance; and

(vi) humanitarian assistance;

(B) continuously adapts, strengthens, and implements training and tools related to the integration of a C-TIP perspective into the work of development actors; and

(C) encourages USAID Country Development Cooperation Strategies to include C-TIP components in project design, implementation,
monitoring, and evaluation, as necessary and appropriate.

(b) Reports and Briefings Required.—

(1) In General.—Not later than 1 year after the date of the enactment of an Act making appropriations for the Department of State, Foreign Operations, and Related Programs through fiscal year 2027, the Secretary of State, in consultation with the Administrator, shall submit to the appropriate congressional committees a report on obligations and expenditures of all funds managed by the Department of State and USAID in the prior fiscal year to combat human trafficking and forced labor, including integrated C-TIP activities.

(2) Contents.—The report required by paragraph (1) shall include—

(A) a description of funding aggregated by program, project, and activity; and

(B) a description of the management structure at the Department of State and USAID used to manage such programs.

(3) Biennial Briefing.—Not later than 6 months of after the date of the enactment of this Act, and every 2 years thereafter through fiscal year 2027, the Secretary of State, in consultation with
the Administrator, shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the implementation of subsection (a).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

SEC. 103. COUNTER-TRAFFICKING IN PERSONS EFFORTS IN DEVELOPMENT COOPERATION AND ASSISTANCE POLICY.

The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 102(b)(4)(22 U.S.C. 2151–1(b)(4))—

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

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

(C) by adding at the end the following:
“(H) effective counter-trafficking in persons policies and programs.”; and

(2) in section 492(d)(1)(22 U.S.C. 2292a(d)(1))—

(A) by striking “that the funds” and inserting the following: “that—

“(A) the funds”;

(B) in subparagraph (A), as added by subparagraph (A) of this paragraph, by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(B) in carrying out the provisions of this chapter, the President shall, to the greatest extent possible—

“(i) ensure that assistance made available under this section does not create or contribute to conditions that can be reasonably expected to result in an increase in trafficking in persons who are in conditions of heightened vulnerability as a result of natural and manmade disasters; and

“(ii) integrate appropriate protections into the planning and execution of activities authorized under this chapter.”.
SEC. 104. TECHNICAL AMENDMENTS TO TIER RANKINGS.

(a) Modifications to Tier 2 Watch List.—Section 110(b)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(2)), is amended—

(1) in the paragraph heading, by striking “SPECIAL” and inserting “TIER 2”; and

(2) in subparagraph (A)—

(A) by striking “of the following countries” and all that follows through “annual report, where—” and inserting “of countries that have been listed pursuant to paragraph (1)(B) pursuant to the current annual report, in which—”;

(B) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively, and moving such clauses (as so redesignated) 2 ems to the left.

(b) Modification to Special Rule for Downgraded and Reinstated Countries.—Section 110(b)(2)(F) of such Act (22 U.S.C. 7107(b)(2)(F)) is amended—

(1) in the matter preceding clause (i), by striking “special watch list described in subparagraph (A)(iii) for more than 1 consecutive year after the country” and inserting “Tier 2 watch list described
in subparagraph (A) for more than one year immediately after the country consecutively”;

(2) in clause (i), in the matter preceding subclause (I), by striking “special watch list described in subparagraph (A)(iii)” and inserting “Tier 2 watch list described in subparagraph (A)”;

(3) in clause (ii), by inserting “in the year following such waiver under subparagraph (D)(ii)” after “paragraph (1)(C)”.

(c) Conforming Amendments.—

(1) Trafficking Victims Protection Act of 2000.—Section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)), as amended by subsections (a) and (b), is further amended—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking “special watch list” and inserting “Tier 2 watch list”;

(ii) in subparagraph (C)—

(I) in the subparagraph heading,

by striking “SPECIAL WATCH LIST” and inserting “TIER 2 WATCH LIST”; and
(II) by striking “special watch list” and inserting “Tier 2 watch list”; and

(iii) in subparagraph (D)—

(I) in the subparagraph heading, by striking “SPECIAL WATCH LIST” and inserting “TIER 2 WATCH LIST”; and

(II) in clause (i), by striking “special watch list” and inserting “Tier 2 watch list”; 

(B) in paragraph (3)(B), in the matter preceding clause (i), by striking “clauses (i), (ii), and (iii) of”; and

(C) in paragraph (4)—

(i) in subparagraph (A), in the matter preceding clause (i), by striking “each country described in paragraph (2)(A)(ii)” and inserting “each country described in paragraph (2)(A)”; and

(ii) in subparagraph (D)(ii), by striking “the Special Watch List” and inserting “the Tier 2 watch list”.

(2) FREDERICK DOUGLASS TRAFFICKING VICTIMS PREVENTION AND PROTECTION REAUTHORIZA-
TION ACT OF 2018.—Section 204(b)(1) of the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018 (Public Law 115–425) is amended by striking “special watch list” and inserting “Tier 2 watch list”.


SEC. 105. MODIFICATIONS TO THE PROGRAM TO END MODERN SLAVERY.

(a) IN GENERAL.—Section 1298 of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 7114) is amended—

(1) in subsection (a)(1), by striking “Not later than 90 days after the date of the enactment of this Act” and inserting “Not later than 90 days after the date of the enactment of the International Trafficking Victims Protection Reauthorization Act of 2023”;
(2) in subsection (g)—

(A) by striking “APPROPRIATIONS” in the heading and all that follows through “There is authorized” and inserting “APPROPRIATIONS.—There is authorized”; and

(B) by striking paragraph (2); and

(3) in subsection (h)(1), by striking “Not later than September 30, 2018, and September 30, 2020” and inserting “Not later than September 30, 2023, and September 30, 2027”.

(b) ELIGIBILITY.—To be eligible for funding under the Program to End Modern Slavery of the Office to Monitor and Combat Trafficking in Persons, a grant recipient shall—

(1) publish the names of all subgrantee organizations on a publicly available website; or

(2) if the subgrantee organization expresses a security concern, the grant recipient shall relay such concerns to the Secretary of State, who shall transmit annually the names of all subgrantee organizations in a classified annex to the chairs of the appropriate congressional committees (as defined in section 1298(i) of the National Defense Authorization Act of 2017 (22 U.S.C. 7114(i))).
(c) AWARD OF FUNDS.—All grants issued under the program referred to in subsection (b) shall be—

(1) awarded on a competitive basis; and

(2) subject to the regular congressional notification procedures applicable with respect to grants made available under section 1298(b) of the National Defense Authorization Act of 2017 (22 U.S.C. 7114(b)).

SEC. 106. CLARIFICATION OF NONHUMANITARIAN, NONTRADE-RELATED FOREIGN ASSISTANCE.

(a) Clarification of Scope of Withheld Assistance.—Section 110(d)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(d)(1)) is amended to read as follows:

“(1) Withholding of Assistance.—The President has determined that—

“(A) the United States will not provide nonhumanitarian, nontrade-related foreign assistance to the central government of the country or funding to facilitate the participation by officials or employees of such central government in educational and cultural exchange programs, for the subsequent fiscal year until such government complies with the minimum stand-
ards or makes significant efforts to bring itself into compliance; and

“(B) the President will instruct the United States Executive Director of each multilateral development bank and of the International Monetary Fund to vote against, and to use the Executive Director’s best efforts to deny, any loan or other utilization of the funds of the respective institution to that country (other than for humanitarian assistance, for trade-related assistance, or for development assistance that directly addresses basic human needs, is not administered by the central government of the sanctioned country, and is not provided for the benefit of that government) for the subsequent fiscal year until such government complies with the minimum standards or makes significant efforts to bring itself into compliance.”.

(b) Definition of Non-Humanitarian, Nontrade Related Assistance.—Section 103(10) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(10)) is amended to read as follows:

“(10) Nonhumanitarian, nontrade-related foreign assistance.—
“(A) IN GENERAL.—The term ‘non-humanitarian, nontrade-related foreign assistance’ means—

“(i) United States foreign assistance, other than—

“(I) with respect to the Foreign Assistance Act of 1961—

“(aa) assistance for international narcotics and law enforcement under chapter 8 of part I of such Act (22 U.S.C. 2291 et seq.);

“(bb) assistance for International Disaster Assistance under subsections (b) and (c) of section 491 of such Act (22 U.S.C. 2292);

“(cc) antiterrorism assistance under chapter 8 of part II of such Act (22 U.S.C. 2349aa et seq.); and

“(dd) health programs under chapters 1 and 10 of part I and chapter 4 of part II of
such Act (22 U.S.C. 2151 et seq.); “(II) assistance under the Food for Peace Act (7 U.S.C. 1691 et seq.); “(III) assistance under sections 2(a), (b), and (c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(a), (b), (c)) to meet refugee and migration needs; “(IV) any form of United States foreign assistance provided through nongovernmental organizations, international organizations, or private sector partners— “(aa) to combat human and wildlife trafficking; “(bb) to promote food security; “(cc) to respond to emergencies; “(dd) to provide humanitarian assistance; “(ee) to address basic human needs, including for education;
“(ff) to advance global health security; or

“(gg) to promote trade; and

“(V) any other form of United States foreign assistance that the President determines, by not later than October 1 of each fiscal year, is necessary to advance the security, economic, humanitarian, or global health interests of the United States without compromising the steadfast U.S. commitment to combatting human trafficking globally; or

“(ii) sales, or financing on any terms, under the Arms Export Control Act (22 U.S.C. 2751 et seq.), other than sales or financing provided for narcotics-related purposes following notification in accordance with the prior notification procedures applicable to reprogrammings pursuant to section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1).

“(B) EXCLUSIONS.—The term ‘non-humanitarian, nontrade-related foreign assistance’ shall not include payments to or the par-
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ticipation of government entities necessary or
incidental to the implementation of a program
that is otherwise consistent with section 110.”.

SEC. 107. EXPANDING PROTECTIONS FOR DOMESTIC WORK-
ERS OF OFFICIAL AND DIPLOMATIC VISA
HOLDERS.

Section 203(b) of the William Wilberforce Trafficking
Victims Protection Reauthorization Act of 2008 (8 U.S.C.
1375c(b)) is amended by inserting after paragraph (4) the
following:

“(5) NATIONAL EXPANSION OF IN-PERSON REG-
ISTRATION PROGRAM.—The Secretary shall admin-
ister the Domestic Worker In-Person Registration
Program for employees with A–3 visas or G–5 visas
employed by accredited foreign mission members or
international organization employees and shall ex-
pand this program nationally, which shall include—

“(A) after the arrival of each such em-
ployee in the United States, and annually dur-
ing the course of such employee’s employment,
a description of the rights of such employee
under applicable Federal and State law; and

“(B) provision of a copy of the pamphlet
developed pursuant to section 202 to the em-
ployee with an A–3 visa or a G–5 visa; and
“(C) information on how to contact the National Human Trafficking Hotline.

“(6) MONITORING AND TRAINING OF A–3 AND G–5 VISA EMPLOYERS ACCREDITED TO FOREIGN MISSIONS AND INTERNATIONAL ORGANIZATIONS.—The Secretary shall—

“(A) inform embassies, international organizations, and foreign missions of the rights of A–3 and G–5 domestic workers under the applicable labor laws of the United States, including the fair labor standards described in the pamphlet developed pursuant to section 202. Information provided to foreign missions, embassies, and international organizations should include material on labor standards and labor rights of domestic worker employees who hold A–3 and G–5 visas;

“(B) inform embassies, international organizations, and foreign missions of the potential consequences to individuals holding a non-immigrant visa issued pursuant to subparagraph (A)(i), (A)(ii), (G)(i), (G)(ii), or (G)(iii) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) who
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violate the laws described in subclause (I)(aa),
including (at the discretion of the Secretary)—

“(i) the suspension of A–3 visas and G–5 visas;
“(ii) request for waiver of immunity;
“(iii) criminal prosecution;
“(iv) civil damages; and
“(v) permanent revocation of or refusal to renew the visa of the accredited foreign mission or international organization employee; and

“(C) require all accredited foreign mission and international organization employers of individuals holding A–3 visas or G–5 visas to report the wages paid to such employees on an annual basis.”.

SEC. 108. EFFECTIVE DATES.

Sections 104(b) and 106 and the amendments made by those sections take effect on the date that is the first day of the first full reporting period for the report required by section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)) after the date of the enactment of this Act.
TITLE II—AUTHORIZATION OF APPROPRIATIONS


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

(1) in subsection (a), by striking “2018 through 2021, $13,822,000” and inserting “2024 through 2027, $17,000,000”; and

(2) in subsection (c)(1)—

(A) in the matter preceding subparagraph (A), by striking “2018 through 2021, $65,000,000” and inserting “2024 through 2027, $102,500,000, of which $22,000,000 shall be made available each fiscal year to the United States Agency for International Development and the remainder of”;

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

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

(D) by adding at the end the following:
“(E) to fund programs to end modern slavery, in an amount not to exceed $37,500,000 for each of the fiscal years 2024 through 2027.”.

SEC. 202. EXTENSION OF AUTHORIZATIONS UNDER THE INTERNATIONAL MEGAN’S LAW.

Section 11 of the International Megan’s Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders (34 U.S.C. 21509) is amended by striking “2018 through 2021” and inserting “2024 through 2027”.

TITLE III—BRIEFINGS

SEC. 301. BRIEFING ON ANNUAL TRAFFICKING IN PERSON’S REPORT.

Not later than 30 days after the public designation of country tier rankings and subsequent publishing of the Trafficking in Persons Report, the Secretary of State shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on—

(1) countries that were downgraded or upgraded in the most recent Trafficking in Persons Report; and

(2) the efforts made by the United States to improve counter-trafficking efforts in those coun-
tries, including foreign government efforts to better meet minimum standards to eliminate human trafficking.

SEC. 302. BRIEFING ON USE AND JUSTIFICATION OF WAIVERS.

Not later than 30 days after the President has determined to issue a waiver under section 110(d)(5) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(d)(5)), the Secretary of State shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on—

(a) each country that received a waiver;
(b) the justification for each such waiver; and
(c) a description of the efforts made by each country to meet the minimum standards to eliminate human trafficking.