

**Suspend the Rules and Pass the Bill, H. R. 2283, With an  
Amendment**

**(The amendment strikes all after the enacting clause and inserts a  
new text)**

113<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2283

To prioritize the fight against human trafficking within the Department of State according to congressional intent in the Trafficking Victims Protection Act of 2000 without increasing the size of the Federal Government, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 2013

Mr. SMITH of New Jersey introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To prioritize the fight against human trafficking within the Department of State according to congressional intent in the Trafficking Victims Protection Act of 2000 without increasing the size of the Federal Government, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Human Trafficking  
3 Prioritization Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) The International Labor Organization esti-  
7 mates that nearly 21,000,000 people are subjected  
8 to modern slavery around the world at any given  
9 time and that the majority of the enslaved are  
10 women and girls.

11 (2) Congress authorized the creation of a De-  
12 partment of State Office to Monitor and Combat  
13 Trafficking in Persons in the Trafficking Victims  
14 Protection Act of 2000 (division A of Public Law  
15 106–386) in order to directly assist the Secretary of  
16 State in his or her effort to coordinate a United  
17 States Government interagency response to domestic  
18 and international trafficking in persons.

19 (3) The Office to Monitor and Combat Traf-  
20 ficking in Persons monitors trafficking worldwide  
21 and produces the online and printed versions of the  
22 annual Trafficking in Persons Report, which is Con-  
23 gress’ primary resource for human trafficking re-  
24 porting, analysis, and recommendations on the  
25 United States and 186 countries around the world.

1           (4) The annual Trafficking in Persons Report  
2           contains tier rankings of each country on which it  
3           reports, and these tier rankings have become an es-  
4           sential diplomatic tool for promoting protection for  
5           victims, prevention of trafficking, and prosecution of  
6           perpetrators.

7           (5) Some countries have openly stated, and  
8           many others have confided, that dramatic improve-  
9           ments in the country's human trafficking record  
10          were directly related to avoidance of a low tier rank-  
11          ing in the annual Trafficking in Persons Report.

12          (6) Ambassador Mark Lagon, former Amba-  
13          sador-at-Large to Monitor and Combat Trafficking  
14          in Persons (2007–2009), testified before the Sub-  
15          committee on Africa, Global Health, Global Human  
16          Rights, and International Organizations of the Com-  
17          mittee on Foreign Affairs of the House of Rep-  
18          resentatives on April 18, 2013, that “[T]he State  
19          Department does a tremendous job in producing a  
20          report which tells it like it is, offering objective  
21          rankings. Yet at times it pulls punches, typically due  
22          to the urging of regional specialists rather than the  
23          TIP Office's dedicated experts on trafficking.”.

24          (7) Ambassador John Miller, former Amba-  
25          sador-at-Large to Monitor and Combat Trafficking

1 in Persons (2002–2006), recently stated that, “Up-  
2 grading the status of the Office to a Bureau will not  
3 create additional bureaucracy—it will simply give  
4 JTIP and the Ambassador-at-large who heads it  
5 equal standing with regional and functional bureaus  
6 at the State Department. That standing is abso-  
7 lutely essential for the issue to remain a priority, es-  
8 pecially when multiple U.S. interests are engaged.”.

9 (8) The tier ranking process authorized by Con-  
10 gress in the Trafficking Victims Protection Act of  
11 2000 has been in some instances compromised by  
12 the Office to Monitor and Combat Trafficking subor-  
13 dinate stature within the Department of State.

14 (9) It is essential for Congress and the Sec-  
15 retary of State to be accurately informed regarding  
16 United States and foreign country successes and  
17 failures in the fight against human trafficking.

18 (10) The diplomatic power and credibility of the  
19 Trafficking in Persons Report is based on rigorous  
20 scholarship and scrupulous application of the min-  
21 imum standards for the elimination of human traf-  
22 ficking and is undermined by political, rather than  
23 factual, tier rankings.

24 (11) Strong and effective anti-slavery policy re-  
25 quires that officials from the Office to Monitor and

1        Combat Trafficking have equal hierarchical standing  
2        with State Department regional bureaus and direct  
3        access to the Secretary of State.

4    **SEC. 3. SENSE OF CONGRESS.**

5        It is the sense of Congress that—

6            (1) the Office to Monitor and Combat Traf-  
7        ficking of the Department of State will be more ef-  
8        fective in carrying out duties mandated by Congress  
9        in the Trafficking Victims Protection Act of 2000 if  
10       the Office status is changed to that of a Bureau  
11       within the Department hierarchy;

12           (2) the change in status from Office to Monitor  
13       and Combat Trafficking to a Bureau can be accom-  
14       plished without increasing the number of personnel  
15       or the budget of the current Office;

16           (3) a Bureau to Monitor and Combat Traf-  
17       ficking would be more effective in carrying out du-  
18       ties mandated by Congress in the Trafficking Vic-  
19       tims Protection Act of 2000 if the Bureau were  
20       headed by an Assistant Secretary with direct access  
21       to the Secretary of State, rather than an Amba-  
22       sador-at-Large; and

23           (4) the Secretary of State should review the  
24       current use of the 24 Assistant Secretary positions  
25       authorized by section 1(c)(1) of the State Depart-

1       ment Basic Authorities Act of 1956 (22 U.S.C.  
2       2651a(c)(1)) and make appropriate revisions, con-  
3       solidations, and eliminations, to ensure that those  
4       positions reflect the highest Departmental needs and  
5       foreign policy priorities of the United States, includ-  
6       ing efforts to combat trafficking in persons.

7       **SEC. 4. BUREAU TO COMBAT TRAFFICKING IN PERSONS.**

8       (a) IN GENERAL.—Section 105(e) of the Trafficking  
9       Victims Protection Act of 2000 (22 U.S.C. 7103(e)) is  
10      amended—

11           (1) in the heading, by striking “OFFICE TO  
12      MONITOR AND COMBAT TRAFFICKING” and insert-  
13      ing “BUREAU TO COMBAT TRAFFICKING IN PER-  
14      SONS”;

15           (2) in paragraph (1)—

16               (A) in the first sentence, by striking “Of-  
17      fice to Monitor and Combat Trafficking” and  
18      inserting “Bureau to Combat Trafficking in  
19      Persons”;

20               (B) in the second sentence, by striking  
21      “Office” and inserting “Bureau”; and

22               (C) in the sixth sentence, by striking “Of-  
23      fice” and inserting “Bureau”; and

24           (3) in subparagraph (A) of paragraph (2), by  
25      striking “Office to Monitor and Combat Traf-

1       ficking” and inserting “Bureau to Combat Traf-  
2       ficking in Persons”.

3       (b) REFERENCE.—Any reference in the Trafficking  
4 Victims Protection Act of 2000 or in any other Act to the  
5 Office to Monitor and Combat Trafficking shall be deemed  
6 to be a reference to the Bureau to Combat Trafficking  
7 in Persons.

8       **SEC. 5. REPORT REGARDING DESIGNATION OF ASSISTANT**  
9                               **SECRETARY OF STATE TO COMBAT TRAF-**  
10                              **FICKING IN PERSONS.**

11       Not later than 90 days after the date of the enact-  
12 ment of this Act, the Secretary of State shall submit to  
13 the Committee on Foreign Affairs of the House of Rep-  
14 resentatives and the Committee on Foreign Relations of  
15 the Senate a report detailing—

16               (1) for each current Assistant Secretary of  
17       State position—

18                       (A) the title of that Assistant Secretary of  
19       State;

20                       (B) how long that particular Assistant Sec-  
21       retary designation has been in existence; and

22                       (C) whether that particular Assistant Sec-  
23       retary designation was legislatively mandated or  
24       authorized and, if so, the relevant statutory ci-  
25       tation for such mandate or authorization; and

1           (2) whether the Secretary intends to designate  
2           one of the Assistant Secretary of State positions au-  
3           thorized by section 1(c)(1) of the State Department  
4           Basic Authorities Act of 1956 (22 U.S.C.  
5           2651a(c)(1)) as the Assistant Secretary of State to  
6           Combat Trafficking in Persons, and the reasons for  
7           that decision.

8   **SEC. 6. COUNTRIES ON SPECIAL WATCH LIST FOR 4 CON-**  
9                   **SECUTIVE YEARS THAT ARE DOWNGRADED**  
10                   **AND REINSTATED ON SPECIAL WATCH LIST.**

11           Section 110(b)(2) of the Trafficking Victims Protec-  
12           tion Act of 2000 (22 U.S.C. 7107(b)(2)) is amended by  
13           adding at the end the following:

14                   “(F) COUNTRIES ON SPECIAL WATCH LIST  
15                   FOR 4 CONSECUTIVE YEARS THAT ARE DOWN-  
16                   GRADED AND REINSTATED ON SPECIAL WATCH  
17                   LIST.—Notwithstanding subparagraphs (D) and  
18                   (E), a country that—

19                           “(i) was included on the special watch  
20                           list described in subparagraph (A) for 4  
21                           consecutive years after the date of the en-  
22                           actment of the William Wilberforce Traf-  
23                           ficking Victims Protection Reauthorization  
24                           Act of 2008, and

1                   “(ii) was subsequently included on the  
2                   list of countries described in paragraph  
3                   (1)(C),  
4                   may not thereafter be included on the special  
5                   watch list described in subparagraph (A) for  
6                   more than 1 consecutive year.”.

7 **SEC. 7. COST LIMITATION.**

8           No additional funds are authorized to be appro-  
9           priated for “Diplomatic and Consular Programs” to carry  
10          out the provisions of this Act.