

AMENDMENT IN THE NATURE OF A SUBSTITUTE

TO H.R. 4307

OFFERED BY MR. WALBERG OF MICHIGAN

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Enhancing Detection
3 of Human Trafficking Act”.

4 SEC. 2. DEFINITION OF HUMAN TRAFFICKING.

5 In this Act, the term “human trafficking” means any
6 act or practice described in paragraph (11) of section 103
7 of the Trafficking Victims Protection Act of 2000 (22
8 U.S.C. 7102).

9 SEC. 3. TRAINING FOR DEPARTMENT PERSONNEL TO IDENTIFY HUMAN TRAFFICKING.

11 (a) IN GENERAL.—Not later than 180 days after the
12 date of enactment of this Act, the Secretary of Labor shall
13 implement a program to provide the training and periodic
14 continuing education described in subsection (b) to employees
15 of the Department of Labor whom the Secretary
16 determines should receive such training or education based
17 on their official duties. In making such determination with
18 respect to employees of the Wage and Hour Division, the

1 Secretary shall consider the training and education needs
2 of such employees operating in a State with a significant
3 increase in oppressive child labor (as defined in section
4 3(l) of the Fair Labor Standards Act of 1938 (29 U.S.C.
5 203(l)).

6 (b) TRAINING AND CONTINUING EDUCATION DE-
7 SCRIBED.—The training and continuing education pro-
8 vided under the program referred to in subsection (a)—
9 (1) may be conducted through in-class or vir-
10 tual learning capabilities; and
11 (2) shall include—

12 (A) training or continuing education
13 that—

14 (i) is most appropriate for the par-
15 ticular location or professional environment
16 in which the employees receiving such
17 training or continuing education perform
18 their official duties;

19 (ii) covers topics determined by the
20 Secretary of Labor to appropriately reflect
21 current trends and best practices for such
22 location or environment; and

23 (iii) includes—

24 (I) the provision of current infor-
25 mation on matters related to the de-

1 detection of human trafficking to the ex-
2 tent relevant to the official duties of
3 such employees, and consistent with
4 privacy laws;

5 (II) methods for identifying sus-
6 pected victims of human trafficking
7 and parties who may be suspected of
8 the trafficking activity; and

9 (III) a clear course of action for
10 referring potential cases of human
11 trafficking to the Department of Justice
12 and other appropriate authorities,
13 in accordance with best practices for
14 protecting the rights of victims of
15 human trafficking, including appropriate
16 collaboration with victim advocacy
17 organizations, Federal agencies,
18 and State and local officials; and

19 (B) an evaluation of the training or con-
20 tinuing education by such employees after the
21 completion of such training or education.

22 SEC. 4. REPORTS TO CONGRESS.

23 Not later than 1 year after the Secretary of Labor
24 first implements the program under section 3(a), and each
25 year thereafter, the Secretary of Labor shall submit to the

1 Committee on Education and Workforce of the House of
2 Representatives and the Committee on Health, Education,
3 Labor, and Pensions of the Senate, a report on—

4 (1) the training and continuing education pro-
5 vided under the program for the preceding year, in-
6 cluding—

7 (A) an evaluation (including the overall ef-
8 ffectiveness) of such training and continuing
9 education; and

10 (B) the number of individuals who have
11 completed such training or continuing edu-
12 cation; and

13 (2) the number of cases related to the detection
14 of human trafficking, which were referred to the De-
15 partment of Justice and other appropriate authori-
16 ties during the preceding year by the Department of
17 Labor, and the processes used by the Department of
18 Labor to accurately measure and track the response
19 of the Department of Justice and other appropriate
20 authorities to such cases.

