

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2283
OFFERED BY MR. SMITH OF NEW JERSEY**

Strike all after the enacting clause and insert the following:

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.

1 (3) The Office to Monitor and Combat Traf-
2 ficking in Persons monitors trafficking worldwide
3 and produces the online and printed versions of the
4 annual Trafficking in Persons Report, which is Con-
5 gress' primary resource for human trafficking re-
6 porting, analysis, and recommendations on the
7 United States and 186 countries around the world.

8 (4) The annual Trafficking in Persons Report
9 contains tier rankings of each country on which it
10 reports, and these tier rankings have become an es-
11 sential diplomatic tool for promoting protection for
12 victims, prevention of trafficking, and prosecution of
13 perpetrators.

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

19 (6) Ambassador Mark Lagon, former Amba-
20 sador-at-Large to Monitor and Combat Trafficking
21 in Persons (2007–2009), testified before the Sub-
22 committee on Africa, Global Health, Global Human
23 Rights, and International Organizations of the Com-
24 mittee on Foreign Affairs of the House of Rep-
25 resentatives on April 18, 2013, that “[T]he State

1 Department does a tremendous job in producing a
2 report which tells it like it is, offering objective
3 rankings. Yet at times it pulls punches, typically due
4 to the urging of regional specialists rather than the
5 TIP Office’s dedicated experts.”.

6 (7) Ambassador John Miller, former Ambas-
7 sador-at-Large to Monitor and Combat Trafficking
8 in Persons (2002–2006), recently stated that, “Up-
9 grading the status of the Office to a Bureau will not
10 create additional bureaucracy—it will simply give
11 JTIP and the Ambassador-at-large who heads it
12 equal standing with regional and functional bureaus
13 at the State Department. That standing is abso-
14 lutely essential for the issue to remain a priority, es-
15 pecially when multiple U.S. interests are engaged.”.

16 (8) The tier ranking process authorized by Con-
17 gress in the Trafficking Victims Protection Act of
18 2000 has been in some instances compromised by
19 the Office to Monitor and Combat Trafficking subor-
20 dinate stature within the Department of State.

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

1 (10) The diplomatic power and credibility of the
2 Trafficking in Persons Report is based on rigorous
3 scholarship and scrupulous application of the min-
4 imum standards for the elimination of human traf-
5 ficking and is undermined by political, rather than
6 factual, tier rankings.

7 (11) Strong and effective anti-slavery policy re-
8 quires that officials from the Office to Monitor and
9 Combat Trafficking have equal hierarchical standing
10 with State Department regional bureaus and direct
11 access to the Secretary of State.

12 **SEC. 3. SENSE OF CONGRESS.**

13 It is the sense of Congress that—

14 (1) the Office to Monitor and Combat Traf-
15 ficking of the Department of State will be more ef-
16 fective in carrying out duties mandated by Congress
17 in the Trafficking Victims Protection Act of 2000 if
18 the Office status is changed to that of a Bureau
19 within the Department hierarchy;

20 (2) the change in status from Office to Monitor
21 and Combat Trafficking to a Bureau can be accom-
22 plished without increasing the number of personnel
23 or the budget of the current Office;

24 (3) a Bureau to Monitor and Combat Traf-
25 ficking would be more effective in carrying out du-

1 ties mandated by Congress in the Trafficking Vic-
2 tims Protection Act of 2000 if the Bureau were
3 headed by an Assistant Secretary with direct access
4 to the Secretary of State, rather than an Amba-
5 sador-at-Large; and

6 (4) the Secretary of State should review the
7 current use of the 24 Assistant Secretary positions
8 authorized by section 1(c)(1) of the State Depart-
9 ment Basic Authorities Act of 1956 (22 U.S.C.
10 2651a(c)(1)) and make appropriate revisions, con-
11 solidations, and eliminations, to ensure that those
12 positions reflect the highest Departmental needs and
13 foreign policy priorities of the United States, includ-
14 ing efforts to combat trafficking in persons.

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

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

19 (1) in the heading, by striking “OFFICE TO
20 MONITOR AND COMBAT TRAFFICKING” and insert-
21 ing “BUREAU TO COMBAT TRAFFICKING IN PER-
22 SONS”;

23 (2) in paragraph (1)—

24 (A) in the first sentence, by striking “Of-
25 fice to Monitor and Combat Trafficking” and

1 (A) the title of that Assistant Secretary of
2 State;

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

5 (C) whether that particular Assistant Sec-
6 retary designation was legislatively mandated or
7 authorized and, if so, the relevant statutory ci-
8 tation for such mandate or authorization; and

9 (2) whether the Secretary intends to designate
10 one of the Assistant Secretary of State positions au-
11 thORIZED by section 1(c)(1) of the State Department
12 Basic Authorities Act of 1956 (22 U.S.C.
13 2651a(c)(1)) as the Assistant Secretary of State to
14 Combat Trafficking in Persons, and the reasons for
15 that decision.

16 **SEC. 6. LIMITATION OF SPECIAL WATCH LIST WAIVER AU-**
17 **THORITY.**

18 Section 110(b)(2)(D)(ii) of the Trafficking Victims
19 Protection Act of 2000 (22 U.S.C. 7107(b)(2)(D)(ii)) is
20 amended by striking “2 years” and inserting “one year”.

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

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

