Suspend the Rules and Pass the Bill, H.R. 5664, with An Amendment

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

116TH CONGRESS 2D SESSION  H. R. 5664

To amend the Trafficking Victims Protection Act of 2000 to ensure adequate time for the preparation of the annual Trafficking in Persons Report, require the timely provision of information to the Office to Monitor and Combat Trafficking in Persons and the Bureau of Diplomatic Security of the Department of State regarding the number and location of visa denials based, in whole or in part, on grounds related to human trafficking, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2020

Mr. McCaul (for himself and Mr. Engel) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Trafficking Victims Protection Act of 2000 to ensure adequate time for the preparation of the annual Trafficking in Persons Report, require the timely provision of information to the Office to Monitor and Combat Trafficking in Persons and the Bureau of Diplomatic Security of the Department of State regarding the number and location of visa denials based, in whole
or in part, on grounds related to human trafficking, and for other purposes.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.
This Act may be cited as the “Leveraging Informa-
tion on Foreign Traffickers Act” or the “LIFT Act”.
SEC. 2. SENSE OF CONGRESS.
It is the sense of Congress that—
(1) the annual Trafficking In Persons Report
prepared by the Department of State pursuant to
the Trafficking Victims Protection Act of 2000 (the
“TIP Report”) remains one of the most comprehen-
sive, timely, and important sources of information on
human trafficking in the world, and currently in-
cludes 187 individual country narratives;
(2) in January 2019, the statute mandating the
TIP Report was amended to require that each report
must cover efforts and activities occurring within the
period from April 1 of the prior year through March
31 of the current year, which necessarily requires
the collection and transmission of information after
March 31;
(3) ensuring that the Department of State has
adequate time to receive, analyze, and incorporate
trafficking-related information into its annual Traf-
ficking In Persons Report is important to the quality and comprehensiveness of that report;

(4) information regarding prevalence and patterns of human trafficking is important for understanding the scourge of modern slavery and making effective decisions about where and how to combat it; and

(5) United States officials responsible for monitoring and combating trafficking in persons around the world should receive available information regarding where and how often United States diplomatic and consular officials encounter persons who are responsible for, or who knowingly benefit from, severe forms of trafficking in persons.

SEC. 3. ANNUAL DEADLINE FOR TRAFFICKING IN PERSONS REPORT.

Section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)) is amended by striking “June 1” and inserting “June 30”.

SEC. 4. UNITED STATES ADVISORY COUNCIL ON HUMAN TRAFFICKING.

(a) EXTENSION.—Section 115(h) of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 243) is amended by striking “September 30, 2021” and inserting “September 30, 2025”.
(b) COMPENSATION.—Section 115(f) of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 243) is amended—

(1) in paragraph (1), by striking “and” after the semicolon at the end;

(2) in paragraph (2), by striking the period at end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(3) may each receive compensation for each day such member is engaged in the actual performance of the duties of the Council.”.

(e) COMPENSATION REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall provide to the relevant congressional committees a plan to implement compensation for members of the United States Advisory Council on Human Trafficking pursuant to paragraph (3) of section 115(f) of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 243), as added by subsection (b).
SEC. 5. TIMELY PROVISION OF INFORMATION TO THE OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS OF THE DEPARTMENT OF STATE.

(a) In General.—Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) is amended by adding at the end the following new subsection:

“(l) Information Regarding Human Trafficking-Related Visa Denials.—

“(1) In general.—The Secretary of State shall ensure that the Office to Monitor and Combat Trafficking in Persons and the Bureau of Diplomatic Security of the Department of State receive timely and regular information regarding United States visa denials based, in whole or in part, on grounds related to human trafficking.

“(2) Decisions regarding allocation.—The Secretary of State shall ensure that decisions regarding the allocation of resources of the Department of State related to combating human trafficking and to law enforcement presence at United States diplomatic and consular posts appropriately take into account—

“(A) the information described in paragraph (1); and
“(B) the information included in the most recent report submitted in accordance with section 110(b).”.

(b) CONFORMING AMENDMENT.—Section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102) is amended by adding at the end the following new paragraphs:

“(18) GROUNDS RELATED TO HUMAN TRAFFICKING.—The term ‘grounds related to human trafficking’ means grounds related to the criteria for inadmissibility to the United States described in subsection (a)(2)(H) of section 212 of the Immigration and Nationality Act (8 U.S.C. 1182).”.

SEC. 6. REPORTS TO CONGRESS.

(a) INITIAL REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall provide to the relevant congressional committees a report that—

(1) describes the actions that have been taken and that are planned to implement subsection (l) of section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104), as added by section 5 of this Act; and

(2) identifies by country and by United States diplomatic and consular post the number of visa ap-
applications denied during the previous calendar year with respect to which the basis for such denial, included grounds related to human trafficking (as such term is defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102) (as amended by section 5(b))).

(b) ANNUAL REPORT.—Beginning with the first annual anti-trafficking report required under subsection (b)(1) of section 110 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107; enacted as division A of the Victims of Trafficking and Violence Protection Act of 2000) that is submitted after the date of the enactment of this Act and concurrent with each such subsequent submission for the following seven years, the Secretary of State shall submit to the relevant congressional committees a report that contains information relating to the number and the locations of United States visa denials based, in whole or in part, on grounds related to human trafficking (as such term is defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102) (as amended by section 5(b))) during the period covered by each such annual anti-trafficking report.

SEC. 7. DEFINITIONS.

In this Act:
(1) LOCATIONS OF UNITED STATES VISA DENIALS.—The term “location of United States visa denials” means—

(A) the United States diplomatic or consular post at which a denied United States visa application was adjudicated; and

(B) the city or locality of residence of the applicant whose visa application was so denied.

(2) RELEVANT CONGRESSIONAL COMMITTEES.—The term “relevant congressional committees” means—

(A) the Committee on Foreign Affairs and the Committee on the Judiciary of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on the Judiciary of the Senate.