

118TH CONGRESS
1ST SESSION

H. R. 528

To direct the Attorney General to study issues relating to human trafficking,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2023

Mrs. WAGNER (for herself, Ms. KAMLAGER-DOVE, and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, 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 direct the Attorney General to study issues relating to
human trafficking, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Put Trafficking Vic-
5 tims First Act of 2023”.

1 **SEC. 2. TRAINING FOR PROSECUTIONS OF TRAFFICKERS**
2 **AND SUPPORT FOR STATE SERVICES FOR**
3 **VICTIMS OF TRAFFICKING.**

4 It is the sense of Congress that a portion of the funds
5 available for training and technical assistance under sec-
6 tion 107(b)(2)(B)(ii) of the Victims of Trafficking and Vi-
7 olence Protection Act of 2000 (22 U.S.C.
8 7105(b)(2)(B)(ii)) should be devoted to advancing the fol-
9 lowing goals:

10 (1) Increasing the personal safety of victim
11 service providers, who may face intimidation or re-
12 taliation for their activities.

13 (2) Promoting a trauma-informed, evidence-
14 based, and victim-centered approach to the provision
15 of services for victims of trafficking.

16 (3) Ensuring that law enforcement officers and
17 prosecutors make every attempt to determine wheth-
18 er an individual is a victim of human trafficking be-
19 fore arresting the individual for, or charging the in-
20 dividual with, an offense that is a direct result of the
21 victimization of the individual.

22 (4) Effectively prosecuting traffickers and indi-
23 viduals who patronize or solicit children for sex, and
24 facilitating access for child victims of commercial sex
25 trafficking to the services and protections afforded
26 to other victims of sexual violence.

1 (5) Encouraging States to improve efforts to
2 identify and meet the needs of human trafficking
3 victims, including through internet outreach and
4 other methods that are responsive to the needs of
5 victims in their communities.

6 (6) Ensuring victims of trafficking, including
7 United States citizens, lawful permanent residents,
8 and foreign nationals are eligible for services.

9 **SEC. 3. WORKING TO DEVELOP METHODOLOGIES TO AS-**
10 **SESS PREVALENCE OF HUMAN TRAFFICKING.**

11 (a) WORKING GROUP.—

12 (1) IN GENERAL.—Not later than 1 year after
13 the date of enactment of this Act, the Attorney Gen-
14 eral, in consultation with other Federal entities en-
15 gaged in efforts to combat human trafficking, shall
16 establish an expert working group, which shall in-
17 clude survivors of human trafficking, experts on sex
18 and labor trafficking, representatives from organiza-
19 tions collecting data on human trafficking, and law
20 enforcement officers. The working group shall, uti-
21 lizing, to the extent practicable, existing efforts of
22 agencies, task forces, States, localities, Tribes, re-
23 search institutions, and organizations—

1 (A) identify barriers to the collection of
2 data on the incidence of sex and labor traf-
3 ficking; and

4 (B) recommend practices to promote better
5 data collection and analysis.

6 (2) PILOT TESTING.—Not later than 3 years
7 after the date of enactment of this Act, the Attorney
8 General shall implement a pilot project to test prom-
9 ising methodologies studied under paragraph (1).

10 (b) REPORT.—

11 (1) IN GENERAL.—Not later than 3 years after
12 the date of enactment of this Act, the Attorney Gen-
13 eral, in consultation with the Secretary of Labor, the
14 Secretary of Health and Human Services, the Sec-
15 retary of Homeland Security, and the Director of
16 the Human Smuggling and Trafficking Center, shall
17 submit to Congress a report on—

18 (A) Federal efforts to estimate the preva-
19 lence of human trafficking at the national and
20 regional levels;

21 (B) the effectiveness of current policies
22 and procedures to address the needs of victims
23 of trafficking; and

24 (C) an analysis of demographic character-
25 istics of victims of trafficking in different re-

1 gions of the United States and recommenda-
2 tions for how to address the unique
3 vulnerabilities of different victims.

4 (2) INPUT FROM RELEVANT PARTIES.—In de-
5 veloping the report under paragraph (1), the Attor-
6 ney General shall seek input from the United States
7 Advisory Council on Human Trafficking, victims of
8 trafficking, human trafficking survivor advocates,
9 service providers for victims of sex and labor traf-
10 fficking, and the President’s Interagency Task Force
11 on Human Trafficking.

12 (c) SURVEY.—Not later than 2 years after the date
13 of enactment of this Act, the Attorney General, in coordi-
14 nation with Federal, State, local, and Tribal governments,
15 and private organizations, including victim service pro-
16 viders and expert researchers, shall develop and execute
17 a survey of survivors seeking and receiving victim assist-
18 ance services for the purpose of improving the provision
19 of services to human trafficking victims and victim identi-
20 fication in the United States. Survey results shall be made
21 publicly available on the website of the Department of Jus-
22 tice.

23 (d) NO ADDITIONAL FUNDS.—No additional funds
24 are authorized to carry out this section.

1 **SEC. 4. REPORT ON PROSECUTORS SEEKING RESTITUTION**
2 **IN TRAFFICKING CASES.**

3 Not later than 1 year after the date of enactment
4 of this Act, the Attorney General, in consultation with the
5 Administrative Office of the United States Courts, shall
6 submit to Congress a report on efforts to increase restitu-
7 tion to victims of human trafficking.

8 **SEC. 5. SENSE OF CONGRESS ENCOURAGING STATES TO**
9 **ADOPT PROTECTIONS FOR VICTIMS OF TRAF-**
10 **FICKING.**

11 Congress recognizes and applauds the State legisla-
12 tive bodies that have taken tremendous steps to adopt pro-
13 tections and services for victims of trafficking. Congress
14 encourages States to—

15 (1) uphold the dignity of human trafficking sur-
16 vivors;

17 (2) ensure the safety, confidentiality, and well-
18 being of victims of trafficking, while recognizing
19 symptoms of trauma and coping mechanisms that
20 may impact victims' interactions with law enforce-
21 ment, the justice system, and service providers;

22 (3) implement screening mechanisms to identify
23 and extend appropriate services to children in the
24 custody of child protective services agencies, the ju-
25 venile justice system, or the criminal justice system
26 who are victims of trafficking;

1 (4) promote greater access to child welfare serv-
2 ices for, rather than criminalization of, child victims
3 of sex trafficking;

4 (5) develop a 24-hour emergency response plan
5 by which victims of human trafficking may receive
6 immediate protection, shelter, and support from a
7 victim assistance coordinator when those victims are
8 first identified;

9 (6) adopt protections for adult victims of traf-
10 ficking, such as protection if the victim's safety is at
11 risk, comprehensive trauma-informed, long-term, cul-
12 turally competent care and healing services, mental
13 health services to relieve traumatic stress, housing,
14 education (including, where appropriate, vocational
15 training and employment assistance), mentoring,
16 language assistance, drug and substance abuse serv-
17 ices, and legal services;

18 (7) ensure that child sex trafficking victims are
19 treated as children in need of child protective serv-
20 ices and receive appropriate care in the child wel-
21 fare, rather than juvenile justice, system;

22 (8) encourage the adoption of procedures for
23 human trafficking victims that are consistent with
24 those afforded to victims of sexual assault, rape,
25 child sexual abuse, or incest to allow human traf-

1 ficking victims to clear records, expunge convictions,
2 and vacate adjudications related to prostitution and
3 nonviolent offenses that arose as a direct result of
4 being trafficked, including protections for foreign
5 nationals who are being removed and those who are
6 losing or determined to be inadmissible for immigra-
7 tion benefits as a result of the aforementioned
8 human trafficking victim related conviction or ar-
9 rest; and

10 (9) ensure victims of trafficking, including
11 United States citizens, lawful permanent residents,
12 and foreign nationals are eligible for services.

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