

118TH CONGRESS
2D SESSION

S. 4007

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

IN THE SENATE OF THE UNITED STATES

MARCH 20, 2024

Mrs. GILLIBRAND (for herself, Mr. RUBIO, and Mr. HAWLEY) introduced the
following bill; which was read twice and referred to the Committee on the
Judiciary

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 2024”.

1 **SEC. 2. SENSE OF CONGRESS REGARDING TRAINING FOR**
2 **PROSECUTIONS OF TRAFFICKERS AND SUP-**
3 **PORT FOR STATE SERVICES FOR TRAF-**
4 **FICKING VICTIMS.**

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

10 (1) Increasing the personal safety of organiza-
11 tions working in the human trafficking field, who
12 may face intimidation or retaliation for their activi-
13 ties.

14 (2) Promoting a trauma-informed, evidence-
15 based, culturally competent, and victim-centered ap-
16 proach to the provision of services for victims of
17 trafficking.

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

24 (4) Effectively prosecuting traffickers and indi-
25 viduals who patronize or solicit children for sex, and
26 facilitating access for child victims of commercial sex

1 trafficking to the services and protections afforded
2 to other victims of sexual violence.

3 (5) Encouraging States to improve efforts to
4 identify and meet the needs of human trafficking
5 victims and individuals at risk for trafficking victim-
6 ization, through methods that are responsive to the
7 needs of victims in their communities.

8 **SEC. 3. WORKING GROUP TO DEVELOP METHODOLOGIES**
9 **TO ASSESS PREVALENCE OF HUMAN TRAF-**
10 **FICKING.**

11 (a) WORKING GROUP.—

12 (1) IN GENERAL.—Not later than 1 year after
13 the date of the enactment of this Act, the Attorney
14 General, in consultation with other Federal entities
15 engaged in efforts to combat human trafficking,
16 shall establish an expert working group, which
17 shall—

18 (A) utilize, to the extent practicable, exist-
19 ing efforts of agencies, task forces, States, lo-
20 calities, tribes, research institutions, and orga-
21 nizations;

22 (B) identify barriers to the collection of
23 data on the incidence of sex and labor traf-
24 ficking; and

1 (C) recommend practices to promote better
2 data collection and analysis.

3 (2) MEMBERSHIP.—The working group estab-
4 lished pursuant to paragraph (2) shall include—

5 (A) survivors of human trafficking;

6 (B) experts on sex and labor trafficking;

7 (C) representatives from organizations col-
8 lecting data on human trafficking; and

9 (D) law enforcement officers.

10 (3) PILOT TESTING.—Not later than 3 years
11 after the date of the enactment of this Act, the At-
12 torney General shall implement a pilot project to
13 test promising methodologies studied under para-
14 graph (1).

15 (b) REPORT.—

16 (1) IN GENERAL.—Not later than 3 years after
17 the date of the enactment of this Act, the Attorney
18 General, in consultation with the Secretary of Labor,
19 the Secretary of Health and Human Services, the
20 Secretary of Homeland Security, and the Director of
21 the Center for Countering Human Trafficking of the
22 Department of Homeland Security, shall submit a
23 report to Congress that includes—

1 (A) a description of Federal efforts to esti-
2 mate the prevalence of human trafficking at the
3 national and regional levels;

4 (B) the effectiveness of current policies
5 and procedures to address the needs of victims
6 of trafficking;

7 (C) an analysis of demographic character-
8 istics of victims of trafficking in different re-
9 gions of the United States; and

10 (D) recommendations for how to address
11 the unique vulnerabilities of different victims.

12 (2) INPUT FROM RELEVANT PARTIES.—In de-
13 veloping the report required under paragraph (1),
14 the Attorney General shall seek input from—

15 (A) the United States Advisory Council on
16 Human Trafficking;

17 (B) victims of sex and labor trafficking;

18 (C) human trafficking survivor advocates;

19 (D) service providers for victims of sex and
20 labor trafficking; and

21 (E) the President's Interagency Task
22 Force on Human Trafficking.

23 (c) SURVEY.—Not later than 2 years after the date
24 of the enactment of this Act, the Attorney General, in co-
25 ordination with Federal, State, local, and Tribal govern-

1 ments, and private organizations, including victim service
2 providers and expert researchers, shall—

3 (1) develop and execute a survey of survivors
4 seeking and receiving victim assistance services for
5 the purpose of improving the provision of services to
6 human trafficking victims and victim identification
7 in the United States; and

8 (2) make the results of such survey publicly
9 available on the website of the Department of Jus-
10 tice.

11 (d) NO ADDITIONAL FUNDS.—No additional funds
12 are authorized to be appropriated to carry out this section.

13 **SEC. 4. REPORT ON PROSECUTORS SEEKING RESTITUTION**
14 **IN TRAFFICKING CASES.**

15 Not later than 1 year after the date of the enactment
16 of this Act, the Attorney General, in consultation with the
17 Administrative Office of the United States Courts, shall
18 submit a report to Congress that describes efforts to in-
19 crease restitution to victims of human trafficking.

20 **SEC. 5. SENSE OF CONGRESS ENCOURAGING STATES TO**
21 **ADOPT PROTECTIONS FOR VICTIMS OF TRAF-**
22 **FICKING.**

23 Congress recognizes and applauds State legislative
24 bodies that have taken tremendous steps to adopt protec-

1 tions and services for victims of trafficking and encourages
2 States—

3 (1) to uphold the dignity of human trafficking
4 survivors;

5 (2) to ensure the safety, confidentiality, and
6 well-being of victims of trafficking, while recognizing
7 symptoms of trauma and coping mechanisms that
8 may impact victims' interactions with law enforce-
9 ment, the justice system, and service providers;

10 (3) to implement screening mechanisms to iden-
11 tify and extend appropriate services to children in
12 the custody of child protective services agencies, the
13 juvenile justice system, or the criminal justice sys-
14 tem who are or may be victims of trafficking;

15 (4) to promote greater access to child welfare
16 services and other appropriate victim services for,
17 rather than criminalization of, child victims of sex
18 trafficking;

19 (5) to develop a 24-hour emergency response
20 plan by which victims of human trafficking may re-
21 ceive immediate protection, shelter, and support
22 from a victim assistance coordinator when those vic-
23 tims are first identified;

24 (6) to adopt protections for adult victims of
25 trafficking, such as protection if the victim's safety

1 is at risk, comprehensive trauma-informed, long-
2 term, culturally competent care and healing services,
3 mental health services to relieve traumatic stress,
4 housing, education (including, where appropriate, vo-
5 cational training and employment assistance), men-
6 toring, language assistance, drug and substance
7 abuse services, and legal services;

8 (7) to ensure that child trafficking victims—

9 (A) are treated as children in need of child
10 protective services; and

11 (B) receive appropriate care from child
12 welfare and other appropriate victim services,
13 rather than from the juvenile justice system;

14 (8) to adopt procedures for human trafficking
15 victims that are consistent with the procedures af-
16 farded to victims of sexual assault, rape, child sexual
17 abuse, or incest to allow human trafficking victims
18 to clear records, expunge convictions, and vacate ad-
19 judications related to prostitution and nonviolent of-
20 fenses that arose as a direct result of being traf-
21 ficked; and

22 (9) to ensure victims of trafficking, including
23 United States citizens, lawful permanent residents,

1 and foreign nationals, are eligible for victim assist-
2 ance services.

