

(3) Consultation

The database established in accordance with paragraph (2) shall be maintained in consultation with the Director of the Office to Monitor and Combat Trafficking in Persons of the Department of State.

(4) Authorization of appropriations

There are authorized to be appropriated \$2,000,000 to the Human Smuggling and Trafficking Center for each of the fiscal years 2008 through 2011 to carry out the activities described in this subsection.

(c) Definitions

In this section:

(1) AIDS

The term “AIDS” means the acquired immune deficiency syndrome.

(2) HIV

The term “HIV” means the human immunodeficiency virus, the pathogen that causes AIDS.

(3) HIV/AIDS

The term “HIV/AIDS” means, with respect to an individual, an individual who is infected with HIV or living with AIDS.

(Pub. L. 106–386, div. A, §112A, as added Pub. L. 108–193, §6(g)(1), Dec. 19, 2003, 117 Stat. 2883; amended Pub. L. 109–164, title I, §104(c)(1), Jan. 10, 2006, 119 Stat. 3564; Pub. L. 110–457, title I, §108(a), Dec. 23, 2008, 122 Stat. 5050.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this division” meaning division A of Pub. L. 106–386, Oct. 28, 2000, 114 Stat. 1466, which is classified principally to this chapter. For complete classification of division A to the Code, see Short Title note set out under section 7101 of this title and Tables.

AMENDMENTS

2008—Subsec. (a)(5). Pub. L. 110–457, §108(a)(1), amended par. (5) generally. Prior to amendment, text read as follows: “An effective mechanism for quantifying the number of victims of trafficking on a national, regional, and international basis.”

Subsec. (b). Pub. L. 110–457, §108(a)(2), amended subsec. (b) generally. Prior to amendment, text read as follows: “The research initiatives described in subsection (a)(4) of this section shall be carried out by the Human Smuggling and Trafficking Center (established pursuant to section 1777 of title 8).”

2006—Pub. L. 109–164 designated existing provisions as subsec. (a), inserted subsec. heading, substituted “the Director of National Intelligence” for “the Director of Central Intelligence” in introductory provisions, inserted “, particularly HIV/AIDS” before period at end of par. (3), and added pars. (4) to (6) and subsecs. (b) and (c).

DELEGATION OF FUNCTIONS

For delegation of functions of President under this section, see section 6 of Ex. Ord. No. 13257, Feb. 13, 2002, 67 F.R. 7259, as amended, set out as a note under section 7103 of this title.

§ 7109b. Presidential Award for Extraordinary Efforts To Combat Trafficking in Persons**(a) Establishment of award**

The President is authorized to establish an award, to be known as the “Presidential Award

for Extraordinary Efforts To Combat Trafficking in Persons”, for extraordinary efforts to combat trafficking in persons. To the maximum extent practicable, the Secretary of State shall present the award annually to not more than 5 individuals or organizations, including—

(1) individuals who are United States citizens or foreign nationals; and

(2) United States or foreign nongovernmental organizations.

(b) Selection

The President shall establish procedures for selecting recipients of the award authorized under subsection (a).

(c) Ceremony

The Secretary of State shall host an annual ceremony for recipients of the award authorized under subsection (a) as soon as practicable after the date on which the Secretary submits to Congress the report required under section 7107(b)(1) of this title. The Secretary of State may pay the travel costs of each recipient and a guest of each recipient who attends the ceremony.

(d) Authorization of appropriations

There are authorized to be appropriated, for each of the fiscal years 2008 through 2011, such sums as may be necessary to carry out this section.

(Pub. L. 106–386, div. A, §112B, as added Pub. L. 110–457, title I, §109, Dec. 23, 2008, 122 Stat. 5051.)

§ 7110. Authorizations of appropriations**(a) Authorization of appropriations in support of the Task Force**

To carry out the purposes of sections 7103(e), 7103(f) and 7107 of this title, there are authorized to be appropriated to the Secretary of State \$5,500,000 for each of the fiscal years 2008 through 2011. In addition, there are authorized to be appropriated to the Office to Monitor and Combat Trafficking \$1,500,000 for additional personnel for each of the fiscal years 2008 through 2011, and \$3,000 for official reception and representation expenses for each of the fiscal years 2008 through 2011.

(b) Authorization of appropriations to the Secretary of Health and Human Services**(1) Eligibility for benefits and assistance**

To carry out the purposes of section 7105(b) of this title, there are authorized to be appropriated to the Secretary of Health and Human Services \$12,500,000 for each of the fiscal years 2008 through 2011¹

(2) Additional benefits for trafficking victims

To carry out the purposes of section 7105(f)² of this title, there are authorized to be appropriated to the Secretary of Health and Human Services—

(A) \$2,500,000 for fiscal year 2008;

(B) \$5,000,000³ for fiscal year 2009;

(C) \$7,000,000 for fiscal year 2010; and

(D) \$7,000,000 for fiscal year 2011.

¹ So in original. Probably should be followed by a period.

² See References in Text note below.

³ So in original.

(c) Authorization of appropriations to the Secretary of State**(1) Bilateral assistance to combat trafficking****(A) Prevention**

To carry out the purposes of section 7104 of this title, there are authorized to be appropriated to the Secretary of State \$10,000,000 for each of the fiscal years 2008 through 2011.

(B) Protection

To carry out the purposes of section 7105(a) of this title, there are authorized to be appropriated to the Secretary of State \$15,000,000 for fiscal year 2003 and \$10,000,000 for each of the fiscal years 2008 through 2011. To carry out the purposes of section 7105(a)(1)(F) of this title, there are authorized to be appropriated to the Secretary of State \$1,000,000 for each of the fiscal years 2008 through 2011.

(C) Prosecution and meeting minimum standards

To carry out the purposes of section 2152d of this title, there are authorized to be appropriated \$10,000,000 for each of the fiscal years 2008 through 2011 to assist in promoting prosecution of traffickers and otherwise to assist countries in meeting the minimum standards described in section 7106 of this title, including \$250,000 for each such fiscal year to carry out training activities for law enforcement officers, prosecutors, and members of the judiciary with respect to trafficking in persons at the International Law Enforcement Academies.

(2) Preparation of annual country reports on human rights

To carry out the purposes of sections 2151n(f) and 2304(h) of this title, there are authorized to be appropriated to the Secretary of State such sums as may be necessary to include the additional information required by that section in the annual Country Reports on Human Rights Practices.

(d) Authorization of appropriations to Attorney General**(A) Eligibility for benefits and assistance**

To carry out the purposes of section 7105(b) of this title, there are authorized to be appropriated to the Attorney General \$10,000,000 for each of the fiscal years 2008 through 2011.

(B) Assistance to foreign countries

To carry out the purposes of section 2152d of this title, there are authorized to be appropriated to the President, acting through the Attorney General and the Secretary of State, \$250,000 for each of fiscal years 2008 through 2011 to carry out training activities for law enforcement officers, prosecutors, and members of the judiciary with respect to trafficking in persons at the International Law Enforcement Academies.

(C) Additional benefits for trafficking victims

To carry out the purposes of section 7105(f)² of this title, there are authorized to be appropriated to the Attorney General—

- (i) \$2,500,000 for fiscal year 2008;

- (ii) \$5,000,000³ for fiscal year 2009;
- (iii) \$7,000,000 for fiscal year 2010; and
- (iv) \$7,000,000 for fiscal year 2011.

(e) Authorization of appropriations to President**(1) Foreign victim assistance**

To carry out the purposes of section 7104 of this title, there are authorized to be appropriated to the President \$15,000,000 for each of the fiscal years 2008 through 2011.

(2) Assistance to foreign countries to meet minimum standards

To carry out the purposes of section 2152d of this title, there are authorized to be appropriated to the President \$15,000,000 for each of the fiscal years 2008 through 2011.

(3) Research

To carry out the purposes of section 7109a of this title, there are authorized to be appropriated to the President \$2,000,000 for each of the fiscal years 2008 through 2011.

(f) Authorization of appropriations to the Secretary of Labor

To carry out the purposes of section 7105(b) of this title, there are authorized to be appropriated to the Secretary of Labor \$10,000,000 for each of the fiscal years 2008 through 2011.

(g) Limitation on use of funds**(1) Restriction on programs**

No funds made available to carry out this chapter, or any amendment made by this chapter, may be used to promote, support, or advocate the legalization or practice of prostitution. Nothing in the preceding sentence shall be construed to preclude assistance designed to promote the purposes of this Act by ameliorating the suffering of, or health risks to, victims while they are being trafficked or after they are out of the situation that resulted from such victims being trafficked.

(2) Restriction on organizations

No funds made available to carry out this chapter, or any amendment made by this chapter, may be used to implement any program that targets victims of severe forms of trafficking in persons described in section 7102(8)(A) of this title through any organization that has not stated in either a grant application, a grant agreement, or both, that it does not promote, support, or advocate the legalization or practice of prostitution. The preceding sentence shall not apply to organizations that provide services to individuals solely after they are no longer engaged in activities that resulted from such victims being trafficked.

(h) Authorization of appropriations to Director of the FBI

There are authorized to be appropriated to the Director of the Federal Bureau of Investigation \$15,000,000 for each of the fiscal years 2008 through 2011, to remain available until expended, to investigate severe forms of trafficking in persons.

(i) Authorization of appropriations to the Secretary of Homeland Security

There are authorized to be appropriated to the Secretary of Homeland Security,⁴ \$18,000,000 for each of the fiscal years 2008 through 2011, to remain available until expended, for investigations by the Bureau of Immigration and Customs Enforcement of severe forms of trafficking in persons.

(Pub. L. 106-386, div. A, §113, Oct. 28, 2000, 114 Stat. 1490; Pub. L. 107-228, div. A, title VI, §682(b), Sept. 30, 2002, 116 Stat. 1410; Pub. L. 108-193, §7, Dec. 19, 2003, 117 Stat. 2884; Pub. L. 109-164, title III, §301, Jan. 10, 2006, 119 Stat. 3572; Pub. L. 110-457, title II, §213(a)(2), title III, §301, Dec. 23, 2008, 122 Stat. 5065, 5085.)

REFERENCES IN TEXT

Section 7105(f) of this title, referred to in subsecs. (b)(2) and (d)(C), probably means the subsec. (f) of section 7105 of this title which relates to assistance for United States citizens and lawful permanent residents and was added by Pub. L. 110-457, title II, §213(a)(1), Dec. 23, 2008, 122 Stat. 5064.

This chapter, referred to in subsec. (g), was in the original “this division” meaning division A of Pub. L. 106-386, Oct. 28, 2000, 114 Stat. 1466, which is classified principally to this chapter. For complete classification of division A to the Code, see Short Title note set out under section 7101 of this title and Tables.

This Act, referred to in subsec. (g)(1), is the Victims of Trafficking and Violence Protection Act of 2000, Pub. L. 106-386, Oct. 28, 2000, 114 Stat. 1464, as amended. For complete classification of this Act to the Code, see Short Title note set out under section 7101 of this title and Tables.

AMENDMENTS

2008—Subsec. (a). Pub. L. 110-457, §301(1)(A)(ii), (B), in first sentence, substituted “\$5,500,000 for each of the fiscal years 2008 through 2011” for “\$1,500,000 for fiscal year 2001, \$3,000,000 for each of the fiscal years 2002 and 2003, \$5,000,000 for each of the fiscal years 2004 and 2005, and \$5,500,000 for each of the fiscal years 2006 and 2007” and, in second sentence, substituted “\$1,500,000 for additional personnel for each of the fiscal years 2008 through 2011, and \$3,000 for official reception and representation expenses” for “for official reception and representation expenses \$3,000” and “2008 through 2011” for “2006 and 2007”.

Pub. L. 110-457, §301(1)(A)(i), which directed striking out “section 104, and”, was executed by striking out “section 104 and” after “the purposes of”, to reflect the probable intent of Congress.

Subsec. (b). Pub. L. 110-457, §213(a)(2)(A), designated existing provisions as par. (1), inserted par. (1) heading, and added par. (2).

Subsec. (b)(1). Pub. L. 110-457, §301(2), substituted “\$12,500,000 for each of the fiscal years 2008 through 2011” for “\$5,000,000 for fiscal year 2001 and \$10,000,000 for fiscal year 2002 and \$15,000,000 for each of the fiscal years 2004, 2005, 2006, and 2007.”

Subsec. (c)(1). Pub. L. 110-457, §301(3)(A)(i), substituted “2008 through 2011” for “2004, 2005, 2006, and 2007” wherever appearing.

Subsec. (c)(1)(B). Pub. L. 110-457, §301(3)(A)(ii), inserted at end “To carry out the purposes of section 7105(a)(1)(F) of this title, there are authorized to be appropriated to the Secretary of State \$1,000,000 for each of the fiscal years 2008 through 2011.”

Subsec. (c)(2). Pub. L. 110-457, §301(3)(D), substituted “sections 2151n(f) and 2304(h) of this title” for “section 104” and struck out “, including the preparation and publication of the list described in subsection (a)(1) of that section” before period at end.

Pub. L. 110-457, §301(3)(B), (C), redesignated par. (3) as (2) and struck out former par. (2). Prior to amendment, text read as follows: “To carry out the purposes of section 2152d of this title, there is authorized to be appropriated to the Secretary of State for each of the fiscal years 2001 through 2005 \$300,000 for voluntary contributions to advance projects aimed at preventing trafficking, promoting respect for human rights of trafficking victims, and assisting the Organization for Security and Cooperation in Europe participating states in related legal reform for such fiscal year.”

Subsec. (c)(3). Pub. L. 110-457, §301(3)(C), redesignated par. (3) as (2).

Subsec. (d). Pub. L. 110-457, §213(a)(2)(B), designated first and second sentences as subpars. (A) and (B), respectively, inserted subpar. headings, and added subpar. (C).

Subsec. (d)(A). Pub. L. 110-457, §301(4)(A), substituted “\$10,000,000 for each of the fiscal years 2008 through 2011” for “\$5,000,000 for fiscal year 2001 and \$10,000,000 for fiscal year 2002 and \$15,000,000 for each of the fiscal years 2004, 2005, 2006, and 2007”.

Subsec. (d)(B). Pub. L. 110-457, §301(4)(B), substituted “2008 through 2011” for “2004, 2005, 2006, and 2007”.

Subsec. (e)(1). Pub. L. 110-457, §301(5)(A), substituted “\$15,000,000 for each of the fiscal years 2008 through 2011.” for “\$5,000,000 for fiscal year 2001, \$10,000,000 for fiscal year 2002, and \$15,000,000 for each of the fiscal years 2003 through 2007.”

Subsec. (e)(2). Pub. L. 110-457, §301(5)(B), made technical amendment to reference in original act which appears in text as reference to section 2152d of this title and substituted “\$15,000,000 for each of the fiscal years 2008 through 2011.” for “\$5,000,000 for fiscal year 2001, \$10,000,000 for fiscal year 2002, and \$15,000,000 for each of the fiscal years 2003 through 2007.”

Subsec. (e)(3). Pub. L. 110-457, §301(5)(C), substituted “\$2,000,000 for each of the fiscal years 2008 through 2011.” for “\$300,000 for each of the fiscal years 2004 through 2007.”

Subsec. (f). Pub. L. 110-457, §301(6), substituted “\$10,000,000 for each of the fiscal years 2008 through 2011.” for “\$5,000,000 for fiscal year 2001 and \$10,000,000 for fiscal year 2002 and \$10,000,000 for each of the fiscal years 2004, 2005, 2006, and 2007.”

Subsec. (h). Pub. L. 110-457, §301(7), substituted “each of the fiscal years 2008 through 2011” for “fiscal year 2006”.

Subsec. (i). Pub. L. 110-457, §301(8), substituted “2008 through 2011” for “2006 and 2007”.

2006—Subsec. (a). Pub. L. 109-164, §301(1), substituted “\$5,000,000 for each of the fiscal years 2004 and 2005, and \$5,500,000 for each of the fiscal years 2006 and 2007. In addition, there are authorized to be appropriated to the Office to Monitor and Combat Trafficking for official reception and representation expenses \$3,000 for each of the fiscal years 2006 and 2007.” for “and \$5,000,000 for each of the fiscal years 2004 and 2005.”

Subsec. (b). Pub. L. 109-164, §301(2), substituted “2004, 2005, 2006, and 2007” for “2004 and 2005”.

Subsec. (c)(1). Pub. L. 109-164, §301(3), substituted “2004, 2005, 2006, and 2007” for “2004 and 2005” wherever appearing.

Subsec. (d). Pub. L. 109-164, §301(4), substituted “2004, 2005, 2006, and 2007” for “2004 and 2005” in two places.

Subsec. (e). Pub. L. 109-164, §301(5), substituted “2003 through 2007” for “2003 through 2005” in pars. (1) and (2) and “\$300,000 for each of the fiscal years 2004 through 2007” for “\$300,000 for fiscal year 2004 and \$300,000 for fiscal year 2005” in par. (3).

Subsec. (f). Pub. L. 109-164, §301(6), substituted “2004, 2005, 2006, and 2007” for “2004 and 2005”.

Subsecs. (h), (i). Pub. L. 109-164, §301(7), added subsecs. (h) and (i).

2003—Subsec. (a). Pub. L. 108-193, §7(1), substituted “7103(e), 7103(f)” for “7103” and “, \$3,000,000 for each of the fiscal years 2002 and 2003, and \$5,000,000 for each of the fiscal years 2004 and 2005” for “and \$3,000,000 for each of the fiscal years 2002 and 2003”.

Subsec. (b). Pub. L. 108-193, §7(2), inserted before period at end “and \$15,000,000 for each of the fiscal years 2004 and 2005”.

⁴ So in original. Comma probably should not appear.

Subsec. (c)(1). Pub. L. 108–193, §7(3)(A), amended heading and text of par. (1) generally. Text read as follows: “To carry out the purposes of section 7105(a) of this title, there are authorized to be appropriated to the Secretary of State \$5,000,000 for fiscal year 2001, \$10,000,000 for fiscal year 2002, and \$15,000,000 for fiscal year 2003.”

Subsec. (c)(2). Pub. L. 108–193, §7(3)(B), substituted “for each of the fiscal years 2001 through 2005” for “for each of the fiscal years 2001, 2002, and 2003”.

Subsec. (d). Pub. L. 108–193, §7(4), inserted “and \$15,000,000 for each of the fiscal years 2004 and 2005” after “fiscal year 2002” and inserted at end sentence relating to authorization of appropriations to carry out training activities at the International Law Enforcement Academies.

Subsec. (e). Pub. L. 108–193, §7(5), substituted “for each of the fiscal years 2003 through 2005” for “for fiscal year 2003” in pars. (1) and (2) and added par. (3).

Subsec. (f). Pub. L. 108–193, §7(6), inserted “and \$10,000,000 for each of the fiscal years 2004 and 2005” before period at end.

Subsec. (g). Pub. L. 108–193, §7(7), added subsec. (g).

2002—Subsec. (a). Pub. L. 107–228, §682(b)(1), substituted “for each of the fiscal years 2002 and 2003” for “for fiscal year 2002”.

Subsec. (c)(1). Pub. L. 107–228, §682(b)(2)(A), substituted “, \$10,000,000 for fiscal year 2002, and \$15,000,000 for fiscal year 2003” for “and \$10,000,000 for fiscal year 2002”.

Subsec. (c)(2). Pub. L. 107–228, §682(b)(2)(B), substituted “there is authorized to be appropriated to the Secretary of State for each of the fiscal years 2001, 2002, and 2003” for “there are authorized to be appropriated to the Secretary of State” and “for such fiscal year” for “for fiscal year 2001”.

Subsec. (e)(1), (2). Pub. L. 107–228, §682(b)(3), substituted “, \$10,000,000 for fiscal year 2002, and \$15,000,000 for fiscal year 2003” for “and \$10,000,000 for fiscal year 2002”.

RULE OF CONSTRUCTION

Pub. L. 110–457, title III, §303, Dec. 23, 2008, 122 Stat. 5087, provided that: “The amendments made by sections 301 and 302 [amending this section, sections 14044 to 14044c of Title 42, The Public Health and Welfare, and provisions set out as a note under section 7105 of this title] may not be construed to affect the availability of funds appropriated pursuant to the authorizations of appropriations under the Trafficking Victims Protection Act of 2000 (division A of Public Law 106–386; 22 U.S.C. 7101 et seq.) and the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164) [see Tables for classification] before the date of the enactment of this Act [Dec. 23, 2008].”

§ 7111. Report by Secretary of State

At least 15 days prior to voting for a new or reauthorized peacekeeping mission under the auspices of the United Nations, the North Atlantic Treaty Organization, or any other multilateral organization in which the United States participates (or in an emergency, as far in advance as is practicable), the Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives, the Committee on Foreign Relations of the Senate, and any other appropriate congressional committee a report that contains—

(A) a description of measures taken by the organization to prevent the organization’s employees, contractor personnel, and peacekeeping forces serving in the peacekeeping mission from trafficking in persons, exploiting victims of trafficking, or committing acts of sexual exploitation or abuse, and the measures in place to hold accountable any such individuals

who engage in any such acts while participating in the peacekeeping mission; and

(B) an analysis of the effectiveness of each of the measures referred to in subparagraph (A).

(Pub. L. 109–164, title I, §104(e)(2), Jan. 10, 2006, 119 Stat. 3566; Pub. L. 110–457, title III, §304(b), Dec. 23, 2008, 122 Stat. 5087.)

CODIFICATION

Section was enacted as part of the Trafficking Victims Protection Reauthorization Act of 2005, and not as part of the Trafficking Victims Protection Act of 2000 which comprises this chapter.

AMENDMENTS

2008—Pub. L. 110–457 substituted “Committee on Foreign Affairs” for “Committee on International Relations” in introductory provisions.

§ 7112. Additional activities to monitor and combat forced labor and child labor

(a) Activities of the Department of State

(1) Finding

Congress finds that in the report submitted to Congress by the Secretary of State in June 2005 pursuant to section 7107(b) of this title, the list of countries whose governments do not comply with the minimum standards for the elimination of trafficking and are not making significant efforts to bring themselves into compliance was composed of a large number of countries in which the trafficking involved forced labor, including the trafficking of women into domestic servitude.

(2) Sense of Congress

It is the sense of Congress that the Director of the Office to Monitor and Combat Trafficking of the Department of State should intensify the focus of the Office on forced labor in the countries described in paragraph (1) and other countries in which forced labor continues to be a serious human rights concern.

(b) Activities of the Department of Labor

(1) In general

The Secretary of Labor, acting through the head of the Bureau of International Labor Affairs of the Department of Labor, shall carry out additional activities to monitor and combat forced labor and child labor in foreign countries as described in paragraph (2).

(2) Additional activities described

The additional activities referred to in paragraph (1) are—

(A) to monitor the use of forced labor and child labor in violation of international standards;

(B) to provide information regarding trafficking in persons for the purpose of forced labor to the Office to Monitor and Combat Trafficking of the Department of State for inclusion in trafficking in persons report required by section 7107(b) of this title;

(C) to develop and make available to the public a list of goods from countries that the Bureau of International Labor Affairs has reason to believe are produced by forced labor or child labor in violation of international standards;