

Trafficking established under section 7103 of this title.

(13) United States

The term “United States” means the fifty States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the territories and possessions of the United States.

(14) Victim of a severe form of trafficking

The term “victim of a severe form of trafficking” means a person subject to an act or practice described in paragraph (9).

(15) Victim of trafficking

The term “victim of trafficking” means a person subjected to an act or practice described in paragraph (9) or (10).

(Pub. L. 106–386, div. A, §103, Oct. 28, 2000, 114 Stat. 1469; Pub. L. 108–193, §8(b)(1), Dec. 19, 2003, 117 Stat. 2887; Pub. L. 110–457, title III, §304(a), Dec. 23, 2008, 122 Stat. 5087; Pub. L. 113–4, title XII, §1212(b)(1), Mar. 7, 2013, 127 Stat. 143; Pub. L. 114–22, title I, §108(b), May 29, 2015, 129 Stat. 239.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this division”, meaning division A of Pub. L. 106–386, Oct. 28, 2000, 114 Stat. 1466, known as the Trafficking Victims Protection Act of 2000, 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.

The Foreign Assistance Act of 1961, referred to in par. (8)(A), is Pub. L. 87–195, Sept. 4, 1961, 75 Stat. 424, which is classified principally to chapter 32 (§2151 et seq.) of this title. Part I of the Act is classified generally to subchapter I (§2151 et seq.) of chapter 32 of this title. Chapter 1, title IV of chapter 2, chapter 8, and chapter 9 of part I of the Act are classified generally to part I (§2151 et seq.), subpart iv (§2191 et seq.) of part II, part VIII (§2291 et seq.), and part IX (§2292 et seq.), respectively, of subchapter I of chapter 32 of this title. Chapters 4, 5, and 8 of part II of the Act are classified generally to part IV (§2346 et seq.), part V (§2347 et seq.), and part VIII (§2349aa et seq.), respectively, of subchapter II of chapter 32 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

Chapters 1 and 10 of that Act, referred to in par. (8)(A)(vii), probably means chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, which are classified generally to parts I (§2151 et seq.) and X (§2293 et seq.), respectively, of subchapter I of chapter 32 of this title. For complete classification of these chapters to the Code, see Tables.

The Arms Export Control Act, referred to in par. (8)(B), is Pub. L. 90–629, Oct. 22, 1968, 82 Stat. 1320, which is classified principally to chapter 39 (§2751 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2751 of this title and Tables.

AMENDMENTS

2015—Par. (10). Pub. L. 114–22 substituted “obtaining, patronizing, or soliciting” for “or obtaining”.

2013—Pub. L. 113–4 added par. (1), redesignated former pars. (1) to (14) as (2) to (15), respectively, and substituted “paragraph (9)” for “paragraph (8)” in par. (14) and “paragraph (9) or (10)” for “paragraph (8) or (9)” in par. (15).

2008—Par. (1). Pub. L. 110–457 substituted “Committee on Foreign Affairs” for “Committee on International Relations”.

2003—Par. (7)(A)(i). Pub. L. 108–193 inserted “in support of programs of nongovernmental organizations” before “that is made available”.

§ 7103. Interagency Task Force to Monitor and Combat Trafficking

(a) Establishment

The President shall establish an Interagency Task Force to Monitor and Combat Trafficking.

(b) Appointment

The President shall appoint the members of the Task Force, which shall include the Secretary of State, the Administrator of the United States Agency for International Development, the Attorney General, the Secretary of Labor, the Secretary of Health and Human Services, the Director of National Intelligence, the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Education, and such other officials as may be designated by the President.

(c) Chairman

The Task Force shall be chaired by the Secretary of State.

(d) Activities of the Task Force

The Task Force shall carry out the following activities:

(1) Coordinate the implementation of this chapter.

(2) Measure and evaluate progress of the United States and other countries in the areas of trafficking prevention, protection, and assistance to victims of trafficking, and prosecution and enforcement against traffickers, including the role of public corruption in facilitating trafficking. The Task Force shall have primary responsibility for assisting the Secretary of State in the preparation of the reports described in section 7107 of this title.

(3) Expand interagency procedures to collect and organize data, including significant research and resource information on domestic and international trafficking. Any data collection procedures established under this subsection shall respect the confidentiality of victims of trafficking.

(4) Engage in efforts to facilitate cooperation among countries of origin, transit, and destination. Such efforts shall aim to strengthen local and regional capacities to prevent trafficking, prosecute traffickers and assist trafficking victims, and shall include initiatives to enhance cooperative efforts between destination countries and countries of origin and assist in the appropriate reintegration of stateless victims of trafficking.

(5) Examine the role of the international “sex tourism” industry in the trafficking of persons and in the sexual exploitation of women and children around the world.

(6) Engage in consultation and advocacy with governmental and nongovernmental organizations, among other entities, to advance the purposes of this chapter, and make reasonable efforts to distribute information to enable all relevant Federal Government agencies to publicize the National Human Trafficking Resource Center Hotline on their websites, in all headquarters offices, and in all field offices throughout the United States.

(7) Not later than May 1, 2004, and annually thereafter, the Attorney General shall submit to the Committee on Ways and Means, the Committee on Foreign Affairs, and the Committee on the Judiciary of the House of Representatives and the Committee on Finance, the Committee on Foreign Relations, and the Committee on the Judiciary of the Senate, a report on Federal agencies that are implementing any provision of this chapter, or any amendment made by this chapter, which shall include, at a minimum, information on—

(A) the number of persons who received benefits or other services under subsections (b) and (f)¹ of section 7105 of this title in connection with programs or activities funded or administered by the Secretary of Health and Human Services, the Secretary of Labor, the Attorney General, the Board of Directors of the Legal Services Corporation, and other appropriate Federal agencies during the preceding fiscal year;

(B) the number of persons who have been granted continued presence in the United States under section 7105(c)(3) of this title during the preceding fiscal year and the mean and median time taken to adjudicate applications submitted under such section, including the time from the receipt of an application by law enforcement to the issuance of continued presence, and a description of any efforts being taken to reduce the adjudication and processing time while ensuring the safe and competent processing of the applications;

(C) the number of persons who have applied for, been granted, or been denied a visa or otherwise provided status under subparagraph (T)(i) or (U)(i) of section 1101(a)(15) of title 8 during the preceding fiscal year;

(D) the number of persons who have applied for, been granted, or been denied a visa or status under clause (ii) of section 1101(a)(15)(T) of title 8 during the preceding fiscal year, broken down by the number of such persons described in subclauses (I), (II), and (III) of such clause (ii);

(E) the amount of Federal funds expended in direct benefits paid to individuals described in subparagraph (D) in conjunction with T visa status;

(F) the number of persons who have applied for, been granted, or been denied a visa or status under section 1101(a)(15)(U)(i) of title 8 during the preceding fiscal year;

(G) the mean and median time in which it takes to adjudicate applications submitted under the provisions of law set forth in subparagraph (C), including the time between the receipt of an application and the issuance of a visa and work authorization;

(H) any efforts being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing of the applications;

(I) the number of persons who have been charged or convicted under one or more of sections 1581, 1583, 1584, 1589, 1590, 1591, 1592, or 1594 of title 18 during the preceding fiscal

year and the sentences imposed against each such person;

(J) the amount, recipient, and purpose of each grant issued by any Federal agency to carry out the purposes of sections 7104 and 7105 of this title, or section 2152d of this title, during the preceding fiscal year;

(K) the nature of training conducted pursuant to section 7105(c)(4) of this title during the preceding fiscal year;

(L) the amount, recipient, and purpose of each grant under sections 14044a and 14044c of title 42;¹

(M) activities by the Department of Defense to combat trafficking in persons, including—

(i) educational efforts for, and disciplinary actions taken against, members of the United States Armed Forces;

(ii) the development of materials used to train the armed forces of foreign countries;

(iii) all known trafficking in persons cases reported to the Under Secretary of Defense for Personnel and Readiness;

(iv) efforts to ensure that United States Government contractors and their employees or United States Government subcontractors and their employees do not engage in trafficking in persons; and

(v) all trafficking in persons activities of contractors reported to the Under Secretary of Defense for Acquisition, Technology, and Logistics;

(N) activities or actions by Federal departments and agencies to enforce—

(i) section 7104(g) of this title and any similar law, regulation, or policy relating to United States Government contractors and their employees or United States Government subcontractors and their employees that engage in severe forms of trafficking in persons, the procurement of commercial sex acts, or the use of forced labor, including debt bondage;

(ii) section 1307 of title 19 (relating to prohibition on importation of convict-made goods), including any determinations by the Secretary of Homeland Security to waive the restrictions of such section; and

(iii) prohibitions on the procurement by the United States Government of items or services produced by slave labor, consistent with Executive Order 13107 (December 10, 1998);

(O) the activities undertaken by the Senior Policy Operating Group to carry out its responsibilities under subsection (g); and²

(P) the activities undertaken by Federal agencies to train appropriate State, tribal, and local government and law enforcement officials to identify victims of severe forms of trafficking, including both sex and labor trafficking;

(Q) the activities undertaken by Federal agencies in cooperation with State, tribal, and local law enforcement officials to identify, investigate, and prosecute offenses

¹ See References in Text note below.

² So in original. The word “and” probably should not appear.

under sections 1581, 1583, 1584, 1589, 1590, 1591, 1592, 1594, 2251, 2251A, 2421, 2422, and 2423 of title 18, or equivalent State offenses, including, in each fiscal year—

(i) the number, age, gender, country of origin, and citizenship status of victims identified for each offense;

(ii) the number of individuals charged, and the number of individuals convicted, under each offense;

(iii) the number of individuals referred for prosecution for State offenses, including offenses relating to the purchasing of commercial sex acts;

(iv) the number of victims granted continued presence in the United States under section 7105(c)(3) of this title;

(v) the number of victims granted a visa or otherwise provided status under subparagraph (T)(i) or (U)(i) of section 1101(a)(15) of title 8;

(vi) the number of individuals required by a court order to pay restitution in connection with a violation of each offense under title 18, the amount of restitution required to be paid under each such order, and the amount of restitution actually paid pursuant to each such order; and

(vii) the age, gender, race, country of origin, country of citizenship, and description of the role in the offense of individuals convicted under each offense; and

(R) the activities undertaken by the Department of Justice and the Department of Health and Human Services to meet the specific needs of minor victims of domestic trafficking, including actions taken pursuant to subsection (f) and section 14044a(a) of title 42, and the steps taken to increase cooperation among Federal agencies to ensure the effective and efficient use of programs for which the victims are eligible.

(e) Office To Monitor and Combat Trafficking

(1) In general

The Secretary of State shall establish within the Department of State an Office to Monitor and Combat Trafficking, which shall provide assistance to the Task Force. Any such Office shall be headed by a Director, who shall be appointed by the President, by and with the advice and consent of the Senate, with the rank of Ambassador-at-Large. The Director shall have the primary responsibility for assisting the Secretary of State in carrying out the purposes of this chapter and may have additional responsibilities as determined by the Secretary. The Director shall consult with nongovernmental organizations and multilateral organizations, and with trafficking victims or other affected persons. The Director shall have the authority to take evidence in public hearings or by other means. The agencies represented on the Task Force are authorized to provide staff to the Office on a non-reimbursable basis.

(2) United States assistance

The Director shall be responsible for—

(A) all policy, funding, and programming decisions regarding funds made available for

trafficking in persons programs that are centrally controlled by the Office to Monitor and Combat Trafficking; and

(B) coordinating any trafficking in persons programs of the Department of State or the United States Agency for International Development that are not centrally controlled by the Director.

(f) Regional strategies for combating trafficking in persons

Each regional bureau in the Department of State shall contribute to the realization of the anti-trafficking goals and objectives of the Secretary of State. Each year, in cooperation with the Office to Monitor and Combat Trafficking in Persons, each regional bureau shall submit a list of anti-trafficking goals and objectives to the Secretary of State for each country in the geographic area of responsibilities of the regional bureau. Host governments shall be informed of the goals and objectives for their particular country and, to the extent possible, host government officials should be consulted regarding the goals and objectives.

(g) Senior Policy Operating Group

(1) Establishment

There shall be established within the executive branch a Senior Policy Operating Group.

(2) Membership; related matters

(A) In general

The Operating Group shall consist of the senior officials designated as representatives of the appointed members of the Task Force (pursuant to Executive Order No. 13257 of February 13, 2002).

(B) Chairperson

The Operating Group shall be chaired by the Director of the Office to Monitor and Combat Trafficking of the Department of State.

(C) Meetings

The Operating Group shall meet on a regular basis at the call of the Chairperson.

(3) Duties

The Operating Group shall coordinate activities of Federal departments and agencies regarding policies (including grants and grant policies) involving the international trafficking in persons and the implementation of this chapter.

(4) Availability of information

Each Federal department or agency represented on the Operating Group shall fully share all information with such Group regarding the department or agency's plans, before and after final agency decisions are made, on all matters relating to grants, grant policies, and other significant actions regarding the international trafficking in persons and the implementation of this chapter.

(5) Regulations

Not later than 90 days after December 19, 2003, the President shall promulgate regulations to implement this section, including regulations to carry out paragraph (4).

(Pub. L. 106–386, div. A, §105, Oct. 28, 2000, 114 Stat. 1473; Pub. L. 108–193, §6(a)(1), (b)(1), (c)(1), Dec. 19, 2003, 117 Stat. 2880, 2881; Pub. L. 109–164, title I, §104(a), title II, §205, Jan. 10, 2006, 119 Stat. 3564, 3571; Pub. L. 110–457, title I, §§101, 102, title II, §231, title III, §304(a), Dec. 23, 2008, 122 Stat. 5045, 5072, 5087; Pub. L. 112–239, div. A, title XVII, §1707, Jan. 2, 2013, 126 Stat. 2098; Pub. L. 113–4, title XII, §§1201, 1203(a), 1231, Mar. 7, 2013, 127 Stat. 136, 138, 144; Pub. L. 114–22, title VI, §602, May 29, 2015, 129 Stat. 259.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (d)(1), (6), (7), (e)(1), and (g)(3), (4), was in the original “this division” meaning division A of Pub. L. 106–386, Oct. 28, 2000, 114 Stat. 1466, known as the Trafficking Victims Protection Act of 2000, 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.

Subsection (f) of section 7105 of this title, referred to in subsec. (d)(7)(A), probably means the first subsec. (f) of section 7105 of this title, relating to assistance for United States citizens and lawful permanent residents, as added by Pub. L. 110–457, title II, §213(a)(1), Dec. 23, 2008, 122 Stat. 5064.

Sections 14044a and 14044c of title 42, referred to in subsec. (d)(7)(L), was in the original “sections 202 and 204 of the Trafficking Victims Protection Act of 2005”, and was translated as reading “sections 202 and 204 of the Trafficking Victims Protection Reauthorization Act of 2005”, which enacted sections 14044a and 14044c of Title 42, The Public Health and Welfare, to reflect the probable intent of Congress.

Executive Order 13107, referred to in subsec. (d)(7)(N)(iii), is set out as a note under section 601 of Title 5, Government Organization and Employees.

Executive Order No. 13257, referred to in subsec. (g)(2)(A), is set out as a note below.

AMENDMENTS

2015—Subsec. (d)(7)(Q). Pub. L. 114–22 substituted “1590, 1591, 1592, 1594, 2251, 2251A, 2421, 2422, and 2423” for “1590, 1592, and 1594” in introductory provisions and added cls. (vi) and (vii).

2013—Subsec. (d)(6). Pub. L. 113–4, §1203(a), inserted “, and make reasonable efforts to distribute information to enable all relevant Federal Government agencies to publicize the National Human Trafficking Resource Center Hotline on their websites, in all headquarters offices, and in all field offices throughout the United States” before period at end.

Subsec. (d)(7)(B) to (H). Pub. L. 113–4, §1231(2), added subpars. (B) to (H) and struck out former subpars. (B) and (C) which read as follows:

“(B) the number of persons who have been granted continued presence in the United States under section 7105(c)(3) of this title during the preceding fiscal year;

“(C) the number of persons who have applied for, been granted, or been denied a visa or otherwise provided status under section 1101(a)(15)(T)(i) of title 8 during the preceding fiscal year;”.

Former subpars. (D) to (H) redesignated (I) to (M), respectively.

Subsec. (d)(7)(H)(iii) to (v). Pub. L. 112–239 added cls. (iii) and (v) redesignated former cl. (iii) as (iv).

Subsec. (d)(7)(I). Pub. L. 113–4, §1231(1), redesignated subpar. (D) as (I). Former subpar. (I) redesignated (N).

Subsec. (d)(7)(J). Pub. L. 113–4, §1231(1), redesignated subpar. (E) as (J). Former subpar. (J) redesignated (O).

Pub. L. 113–4, §1201(1), substituted “subsection (g)” for “subsection (f) of this section”.

Subsec. (d)(7)(K) to (O). Pub. L. 113–4, §1231(1), redesignated subpars. (F) to (J) as (K) to (O), respectively.

Subsec. (d)(7)(P) to (R). Pub. L. 113–4, §1231(3)–(5), added subpars. (P) to (R).

Subsec. (e)(2). Pub. L. 113–4, §1201(2), redesignated subpar. (B) and cls. (i) and (ii) as par. (2) and subpars.

(A) and (B), respectively, realigned margins, and struck out former par. (2) heading and subpar. (A) which related to coordination of certain activities against use of products or materials from victims of severe forms of trafficking and sexual exploitation.

Subsecs. (f), (g). Pub. L. 113–4, §1201(3), (4), added subsec. (f) and redesignated former subsec. (f) as (g).

2008—Subsec. (b). Pub. L. 110–457, §101, inserted “the Secretary of Education,” after “the Secretary of Homeland Security,”.

Subsec. (d)(7). Pub. L. 110–457, §304(a), substituted “Committee on Foreign Affairs” for “Committee on International Relations” in introductory provisions.

Subsec. (d)(7)(A). Pub. L. 110–457, §231(1), substituted “subsections (b) and (f) of section 7105 of this title” for “section 7105(b) of this title” and inserted “the Attorney General,” after “the Secretary of Labor,”.

Subsec. (d)(7)(H) to (J). Pub. L. 110–457, §231(2)–(4), added subpars. (H) and (I) and redesignated former subpar. (H) as (J).

Subsec. (e). Pub. L. 110–457, §102, substituted “Office To Monitor and Combat Trafficking” for “Support for the Task Force” in subsec. heading, designated existing provisions as par. (1) and inserted par. heading, substituted “The Secretary of State shall” for “The Secretary of State is authorized to”, and added par. (2).

2006—Subsec. (b). Pub. L. 109–164, §104(a), substituted “the Director of National Intelligence, the Secretary of Defense, the Secretary of Homeland Security” for “the Director of Central Intelligence”.

Subsec. (d)(7)(G), (H). Pub. L. 109–164, §205, added subpar. (G) and redesignated former subpar. (G) as (H).

2003—Subsec. (d)(7). Pub. L. 108–193, §6(a)(1), added par. (7).

Subsec. (e). Pub. L. 108–193, §6(b)(1), inserted before period at end of second sentence “, who shall be appointed by the President, by and with the advice and consent of the Senate, with the rank of Ambassador-at-Large”.

Subsec. (f). Pub. L. 108–193, §6(c)(1), added subsec. (f).

SAVINGS PROVISION

Pub. L. 108–193, §6(b)(2), Dec. 19, 2003, 117 Stat. 2881, provided that: “The individual who holds the position of Director of the Office to Monitor and Combat Trafficking of the Department of State may continue to hold such position notwithstanding the amendment made by paragraph (1) [amending this section].”

SENIOR POLICY OPERATING GROUP

Pub. L. 108–7, div. B, title IV, §406, Feb. 20, 2003, 117 Stat. 92, required the Interagency Task Force to Monitor and Combat Trafficking to establish a Senior Policy Operating Group, prior to repeal by Pub. L. 108–193, §6(c)(2), Dec. 19, 2003, 117 Stat. 2881. See subsec. (f) of this section.

EX. ORD. NO. 13257. PRESIDENT’S INTERAGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS

Ex. Ord. No. 13257, Feb. 13, 2002, 67 F.R. 7259, as amended by Ex. Ord. No. 13286, §5, Feb. 28, 2003, 68 F.R. 10619; Ex. Ord. No. 13333, Mar. 18, 2004, 69 F.R. 13455, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Trafficking Victims Protection Act of 2000, (22 U.S.C. 7101 *et seq.*) (the “Act”), and section 301 of title 3, United States Code, and in order to combat trafficking in persons, a contemporary manifestation of slavery whose victims are predominantly women and children, to ensure just and effective punishment of traffickers, and to protect their victims, it is hereby ordered as follows:

SECTION 1. (a) The President’s Interagency Task Force to Monitor and Combat Trafficking in Persons is hereby established.

(b) The Task Force shall consist of:

(i) the Secretary of State;

- (ii) the Attorney General;
 - (iii) the Secretary of Labor;
 - (iv) the Secretary of Health and Human Services;
 - (v) the Secretary of Homeland Security;
 - (vi) the Director of Central Intelligence;
 - (vii) the Director of the Office of Management and Budget;
 - (viii) the Administrator of the United States Agency for International Development; and
 - (ix) any additional officers or employees of the United States as may be designated by the President.
- (c) The Task Force shall be chaired by the Secretary of State.

SEC. 2. *Activities.* The Task Force shall, consistent with applicable law and the constitutional authorities and duties of the President, carry out the following activities:

- (a) coordinate the implementation of the Act;
- (b) measure and evaluate progress of the United States and other countries in the areas of trafficking in persons prevention, protection, and assistance to victims of trafficking in persons, and prosecutions and other enforcement efforts against traffickers, including the role of public corruption in facilitating trafficking in persons;
- (c) assist the Secretary of State in the preparation of the annual reports described in section 110 of the Act [22 U.S.C. 7107];
- (d) expand interagency procedures to collect and organize data, including significant research and resource information on domestic and international trafficking in persons, while ensuring that any data collection procedures involved, respect the confidentiality of victims of trafficking in persons;
- (e) engage in efforts to facilitate cooperation among countries of origin, transit, and destination, and such efforts shall aim to strengthen local and regional capacities to prevent trafficking in persons, prosecute traffickers and assist trafficking victims; shall include initiatives to enhance cooperative efforts between destination countries, transit countries, and countries of origin; and shall assist in the appropriate reintegration of stateless victims of trafficking in persons;
- (f) examine the role of the international “sex tourism” industry in the trafficking of persons and in the sexual exploitation of women and children around the world;
- (g) engage in consultation and advocacy with governmental and nongovernmental organizations, among other entities, to advance the purposes of the Act; and
- (h) address such other matters related to the purposes of the Act as the President may determine.

SEC. 3. *Administration.* (a) The Department of State shall provide funding and administrative support for the Task Force, except as otherwise provided by the Act.

(b) At the call of the Chair, the Task Force shall meet as necessary to accomplish its mission.

(c) Task Force members may designate representatives from their respective agencies to represent them at Task Force meetings.

(d) Whenever the work of the Task Force involves a matter committed by law or Presidential directive to the consideration of the National Security Council, or by Executive Order 13228 of October 8, 2001 [50 U.S.C. 3021 note], to the consideration of the Homeland Security Council, that work shall be undertaken, and any communication by the Secretary of State to the President shall be undertaken, in a manner consistent with such law, Presidential directive, or Executive Order.

(e) The Task Force shall have no directive authority or other substantial independent authority.

(f) As necessary and appropriate, the Task Force shall report to the President, through the Secretary of State, the following:

- (i) progress on the implementation of the Act; and
- (ii) recommendations for United States policy to monitor and eliminate trafficking in persons and to protect the victims of trafficking in persons.

SEC. 4. *Guidelines, Policies, and Regulations.* (a) The Senior Policy Operating Group (SPOG), described in

subsection 105(f) [now (g)] of the Act [22 U.S.C. 7103(g)], shall (i) establish guidelines and policies to coordinate the activities of executive branch departments and agencies regarding policies (including grants and grant policies) involving the international trafficking in persons and (ii) advise the Secretary of State what regulations may be necessary to implement section 105 of the Act, including such regulations as may be necessary to carry out the sharing of information on all matters relating to grants, grant policies, or other significant actions regarding the international trafficking in persons as set forth in subsection 105(f)(4) of the Act, to the extent permitted by law.

(b) The Secretary of State, in consultation with the members of the Task Force or their representatives, shall promulgate regulations to implement section 105 of the Act [22 U.S.C. 7103].

SEC. 5. *Enhanced Prevention of Trafficking in Persons.*

(a) The Secretary of State, in consultation with the members of the Task Force or their representatives, shall carry out the functions under subsection 106(c) and subsection 106(d) of the Act [22 U.S.C. 7104(c), (d)].

(b) The Secretary of State shall have the authority to determine, under section 106(e)(1) of the Act, foreign destinations where sex tourism is significant. The Secretary of Homeland Security, in consultation with the members of the Task Force or their representatives and appropriate officials of the Departments of Commerce and Transportation, shall carry out all other functions under subsection 106(e) of the Act, including promulgation of any appropriate regulations relating to the distribution of the materials described in subsection 106(e).

(c) The head of each executive branch agency responsible for the establishment and conduct of initiatives and programs described in subsections 106(a) through (e) of the Act shall consult with appropriate nongovernmental organizations consistent with section 106(f) of the Act.

(d) The Secretary of State shall have responsibility to initiate appropriate regulatory implementation of the requirements set out in section 106(g) of the Act with respect to contracts, including proposing appropriate amendments to the Federal Acquisition Regulation. Each affected executive branch department or agency shall implement, within that department or agency, the requirements set out in section 106(g) of the Act with respect to grants and cooperative agreements.

SEC. 6. *Research on Trafficking in Persons.* The entities named in section 112A of the Act [22 U.S.C. 7109a] shall carry out the research initiatives required by section 112A of the Act, and shall award grants according to such policies and guidelines as may be established by the SPOG described in section 105(f) of the Act [22 U.S.C. 7103(f)], as well as any applicable agency rules and regulations.

SEC. 7. *Guidance for Exercising Authority and Performing Duties.* In exercising authority delegated by, or performing functions assigned in, this order, officers of the United States shall ensure that all actions taken by them are consistent with the President’s constitutional authority to:

- (a) conduct the foreign affairs of the United States;
- (b) withhold information the disclosure of which could impair the foreign relations, the national security, the deliberative processes of the Executive, or the performance of the Executive’s constitutional duties;
- (c) recommend for congressional consideration such measures as the President may judge necessary or expedient; and
- (d) supervise the unitary Executive Branch.

SEC. 8. *Judicial Review.* This order does not create any rights or benefits, enforceable at law or equity, against the United States, its departments, its agencies, or other entities, its officers or employees, or any other person.

GEORGE W. BUSH.

§ 7103a. Creating, building, and strengthening partnerships against significant trafficking in persons

(a) Declaration of purpose

The purpose of this section is to promote collaboration and cooperation—

- (1) between the United States Government and governments listed on the annual Trafficking in Persons Report;
- (2) between foreign governments and civil society actors; and
- (3) between the United States Government and private sector entities.

(b) Partnerships

The Director of the office established pursuant to section 7103(e)(1) of this title, in coordination and cooperation with other officials at the Department of State, officials at the Department of Labor, and other relevant officials of the United States Government, shall promote, build, and sustain partnerships between the United States Government and private entities, including foundations, universities, corporations, community-based organizations, and other non-governmental organizations, to ensure that—

- (1) United States citizens do not use any item, product, or material produced or extracted with the use and labor from victims of severe forms of trafficking; and
- (2) such entities do not contribute to trafficking in persons involving sexual exploitation.

(c) Program to address emergency situations

The Secretary of State, acting through the Director established pursuant to section 7103(e)(1) of this title, is authorized to establish a fund to assist foreign governments in meeting unexpected, urgent needs in prevention of trafficking in persons, protection of victims, and prosecution of trafficking offenders.

(d) Child protection compacts

(1) In general

The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, the Secretary of Labor, and the heads of other relevant agencies, is authorized to provide assistance under this section for each country that enters into a child protection compact with the United States to support policies and programs that—

- (A) prevent and respond to violence, exploitation, and abuse against children; and
- (B) measurably reduce the trafficking of minors by building sustainable and effective systems of justice, prevention, and protection.

(2) Elements

A child protection compact under this subsection shall establish a multi-year plan for achieving shared objectives in furtherance of the purposes of this chapter. The compact should take into account, if applicable, the national child protection strategies and national action plans for human trafficking of a country, and shall describe—

- (A) the specific objectives the foreign government and the United States Government

expect to achieve during the term of the compact;

(B) the responsibilities of the foreign government and the United States Government in the achievement of such objectives;

(C) the particular programs or initiatives to be undertaken in the achievement of such objectives and the amount of funding to be allocated to each program or initiative by both countries;

(D) regular outcome indicators to monitor and measure progress toward achieving such objectives;

(E) a multi-year financial plan, including the estimated amount of contributions by the United States Government and the foreign government, and proposed mechanisms to implement the plan and provide oversight;

(F) how a country strategy will be developed to sustain progress made toward achieving such objectives after expiration of the compact; and

(G) how child protection data will be collected, tracked, and managed to provide strengthened case management and policy planning.

(3) Form of assistance

Assistance under this subsection may be provided in the form of grants, cooperative agreements, or contracts to or with national governments, regional or local governmental units, or non-governmental organizations or private entities with expertise in the protection of victims of severe forms of trafficking in persons.

(4) Eligible countries

The Secretary of State, in consultation with the agencies set forth in paragraph (1) and relevant officers of the Department of Justice, shall select countries with which to enter into child protection compacts. The selection of countries under this paragraph shall be based on—

- (A) the selection criteria set forth in paragraph (5); and
- (B) objective, documented, and quantifiable indicators, to the maximum extent possible.

(5) Selection criteria

A country shall be selected under paragraph (4) on the basis of criteria developed by the Secretary of State in consultation with the Administrator of the United States Agency for International Development and the Secretary of Labor. Such criteria shall include—

- (A) a documented high prevalence of trafficking in persons within the country; and
- (B) demonstrated political motivation and sustained commitment by the government of such country to undertake meaningful measures to address severe forms of trafficking in persons, including prevention, protection of victims, and the enactment and enforcement of anti-trafficking laws against perpetrators.

(6) Suspension and termination of assistance

(A) In general

The Secretary may suspend or terminate assistance provided under this subsection in