

grants under the program under subsection (a) on an equitable basis throughout the various regions of the United States.

(e) Administration

The Attorney General shall prescribe requirements, including application requirements, and standards to improve accountability and transparency for grants awarded under the program under subsection (a).

(f) Definition of Indian tribe

In this section, the term “Indian tribe” means a federally recognized Indian tribe or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 1602 of title 43).

(g) Authorization of appropriations

(1) There is authorized to be appropriated for the Department of Justice \$5,000,000 for fiscal year 2019 to carry out this section and, in addition, \$5,000,000 for fiscal year 2019 to carry out paragraphs (3) and (4) of subsection (b).

(2) Amounts appropriated pursuant to the authorization of appropriations in paragraph (1) shall remain available until expended.

(Pub. L. 108–21, title III, §304, Apr. 30, 2003, 117 Stat. 663; Pub. L. 115–166, §2, Apr. 13, 2018, 132 Stat. 1274.)

CODIFICATION

Section was formerly classified to section 5791c of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2018—Subsec. (a). Pub. L. 115–166, §2(1), amended subsec. (a) generally. Prior to amendment, text read as follows: “The Attorney General shall carry out a program to provide grants to States for the development or enhancement of programs and activities for the support of AMBER Alert communications plans.”

Subsec. (b)(4), (5). Pub. L. 115–166, §2(2), added par. (4) and redesignated former par. (4) as (5).

Subsec. (c). Pub. L. 115–166, §2(3), designated existing provisions as par. (1) and inserted heading, substituted “Except as provided in paragraph (2), the Federal” for “The Federal”, and added par. (2).

Subsec. (e). Pub. L. 115–166, §2(4), substituted “and standards to improve accountability and transparency for grants awarded under” for “for grants under”.

Subsec. (f). Pub. L. 115–166, §2(6), added subsec. (f). Former subsec. (f) redesignated (g).

Subsec. (g). Pub. L. 115–166, §2(5), (7), redesignated subsec. (f) as (g) and, in par. (1), substituted “2019” for “2004” in two places and “paragraphs (3) and (4) of subsection (b)” for “subsection (b)(3)”.

§ 20505. Limitation on liability

(a) Except as provided in subsection (b), the National Center for Missing and Exploited Children, including any of its officers, employees, or agents, shall not be liable for damages in any civil action for defamation, libel, slander, or harm to reputation arising out of any action or communication by the National Center for Missing and Exploited Children, its officers, employees, or agents, in connection with any clearinghouse, hotline or complaint intake or forwarding program or in connection with activity that is wholly or partially funded by the United States and undertaken in cooperation with, or at the direction of a Federal law enforcement agency.

(b) The limitation in subsection (a) does not apply in any action in which the plaintiff proves that the National Center for Missing and Exploited Children, its officers, employees, or agents acted with actual malice, or provided information or took action for a purpose unrelated to an activity mandated by Federal law. For purposes of this subsection, the prevention, or detection of crime, and the safety, recovery, or protection of missing or exploited children shall be deemed, per se, to be an activity mandated by Federal law.

(Pub. L. 108–21, title III, §305, Apr. 30, 2003, 117 Stat. 664.)

CODIFICATION

Section was formerly classified to section 5791d of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

CHAPTER 207—COMBATING DOMESTIC TRAFFICKING IN PERSONS

Sec.	
20701.	Prevention of domestic trafficking in persons.
20702.	Establishment of a grant program to develop, expand, and strengthen assistance programs for certain persons subject to trafficking.
20703.	Victim-centered child human trafficking deterrence block grant program.
20704.	Grant accountability.
20705.	Enhancing State and local efforts to combat trafficking in persons.
20706.	Senior Policy Operating Group.
20707.	Definitions.
20708.	Grants for specialized human trafficking training and technical assistance for service providers.
20709.	Combat Human Trafficking Act.
20709a.	Holistic training for Federal law enforcement officers and prosecutors.
20709b.	Encouraging a victim-centered approach to training of Federal law enforcement personnel.
20709c.	Training of tribal law enforcement and prosecutorial personnel.
20710.	Education and outreach to trafficking survivors.
20711.	Establishing a national strategy to combat human trafficking.

§ 20701. Prevention of domestic trafficking in persons

(a) Program to reduce trafficking in persons and demand for commercial sex acts in the United States

(1) Comprehensive research and statistical review and analysis of incidents of trafficking in persons and commercial sex acts

(A) In general

The Attorney General shall use available data from State and local authorities as well as research data to carry out a biennial comprehensive research and statistical review and analysis of severe forms of trafficking in persons, and a biennial comprehensive research and statistical review and analysis of sex trafficking and unlawful commercial sex acts in the United States, and shall submit to Congress separate biennial reports on the findings.

(B) Contents

The research and statistical review and analysis under this paragraph shall consist

of two separate studies, utilizing the same statistical data where appropriate, as follows:

(i) The first study shall address severe forms of trafficking in persons in the United States and shall include, but need not be limited to—

(I) the estimated number and demographic characteristics of persons engaged in acts of severe forms of trafficking in persons; and

(II) the number of investigations, arrests, prosecutions, and incarcerations of persons engaged in acts of severe forms of trafficking in persons by States and their political subdivisions.

(ii) The second study shall address sex trafficking and unlawful commercial sex acts in the United States and shall include, but need not be limited to—

(I) the estimated number and demographic characteristics of persons engaged in sex trafficking and commercial sex acts, including purchasers of commercial sex acts;

(II) the estimated value in dollars of the commercial sex economy, including the estimated average annual personal income derived from acts of sex trafficking;

(III) the number of investigations, arrests, prosecutions, and incarcerations of persons engaged in sex trafficking and unlawful commercial sex acts, including purchasers of commercial sex acts, by States and their political subdivisions; and

(IV) a description of the differences in the enforcement of laws relating to unlawful commercial sex acts across the United States.

(2) Trafficking conference

(A) In general

The Attorney General, in consultation and cooperation with the Secretary of Health and Human Services, shall conduct an annual conference in each of the fiscal years 2006, 2007, and 2008, and thereafter conduct a biennial conference, addressing severe forms of trafficking in persons and commercial sex acts that occur, in whole or in part, within the territorial jurisdiction of the United States. At each such conference, the Attorney General, or his designee, shall—

(i) announce and evaluate the findings contained in the research and statistical reviews carried out under paragraph (1);

(ii) disseminate best methods and practices for enforcement of laws prohibiting acts of severe forms of trafficking in persons and other laws related to acts of trafficking in persons, including, but not limited to, best methods and practices for training State and local law enforcement personnel on the enforcement of such laws;

(iii) disseminate best methods and practices for training State and local law enforcement personnel on the enforcement of laws prohibiting sex trafficking and commercial sex acts, including, but not limited to, best methods for investigating and prosecuting exploiters and persons who solicit or purchase an unlawful commercial sex act; and

(iv) disseminate best methods and practices for training State and local law enforcement personnel on collaborating with social service providers and relevant nongovernmental organizations and establishing trust of persons subjected to commercial sex acts or severe forms of trafficking in persons.

(B) Participation

Each annual conference conducted under this paragraph shall involve the participation of persons with expertise or professional responsibilities with relevance to trafficking in persons, including, but not limited to—

(i) Federal Government officials, including law enforcement and prosecutorial officials;

(ii) State and local government officials, including law enforcement and prosecutorial officials;

(iii) persons who have been subjected to severe forms of trafficking in persons or commercial sex acts;

(iv) medical personnel;

(v) social service providers and relevant nongovernmental organizations; and

(vi) academic experts.

(C) Reports

The Attorney General and the Secretary of Health and Human Services shall prepare and post on the respective Internet Web sites of the Department of Justice and the Department of Health and Human Services reports on the findings and best practices identified and disseminated at the conference described in this paragraph.

(b) Omitted

(c) Authorization of appropriations

There are authorized to be appropriated—

(1) \$1,500,000 for each of the fiscal years 2008 through 2011 to carry out the activities described in subsection (a)(1)(B)(i) and \$1,500,000 for each of the fiscal years 2008 through 2011 to carry out the activities described in subsection (a)(1)(B)(ii); and

(2) \$250,000 for each of the fiscal years 2014 through 2021 to carry out the activities described in subsection (a)(2).

(Pub. L. 109-164, title II, § 201, Jan. 10, 2006, 119 Stat. 3567; Pub. L. 110-457, title III, § 302(2), Dec. 23, 2008, 122 Stat. 5087; Pub. L. 113-4, title XII, § 1252(2), Mar. 7, 2013, 127 Stat. 156; Pub. L. 115-393, title III, § 301(b), Dec. 21, 2018, 132 Stat. 5272.)

CODIFICATION

Section is comprised of section 201 of Pub. L. 109-164. Subsec. (b) of section 201 of Pub. L. 109-164 amended section 7104 of Title 22, Foreign Relations and Intercourse.

Section was formerly classified to section 14044 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2018—Subsec. (c)(2). Pub. L. 115-393 substituted “2021” for “2017”.

2013—Subsec. (c)(2). Pub. L. 113-4 substituted “\$250,000 for each of the fiscal years 2014 through 2017” for “\$1,000,000 for each of the fiscal years 2008 through 2011”.

2008—Subsec. (c)(1). Pub. L. 110-457, §302(2)(A), substituted “\$1,500,000 for each of the fiscal years 2008 through 2011” for “\$2,500,000 for each of the fiscal years 2006 and 2007” in two places.

Subsec. (c)(2). Pub. L. 110-457, §302(2)(B), which directed substitution of “2008 through 2011” for “2006 and 2007”, was executed by making the substitution for “2006 through 2007”, to reflect the probable intent of Congress.

BEST PRACTICES IN DELIVERING JUSTICE FOR VICTIMS OF TRAFFICKING

Pub. L. 115-392, §8, Dec. 21, 2018, 132 Stat. 5253, provided that: “Not later than 180 days after the date of enactment of this Act [Dec. 21, 2018], the Attorney General shall issue guidance to all offices and components of the Department of Justice—

“(1) emphasizing that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, and is a party to a severe form of trafficking in persons, as that term is defined in section 103(9) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9));

“(2) recommending and implementing best practices for the collection of special assessments under section 3014 of title 18, United States Code, as added by section 101 of the Justice for Victims of Trafficking Act of 2015 (Public Law 114-22; 129 Stat. 228), including a directive that civil liens are an authorized collection method and remedy under section 3613 of title 18, United States Code; and

“(3) clarifying that commercial sexual exploitation is a form of gender-based violence.”

ENDING GOVERNMENT PARTNERSHIPS WITH THE COMMERCIAL SEX INDUSTRY

Pub. L. 115-392, §19, Dec. 21, 2018, 132 Stat. 5258, provided that: “No Federal funds or resources may be used for the operation of, participation in, or partnership with any program that involves the provision of funding or resources to an organization that—

“(1) has the primary purpose of providing adult entertainment; and

“(2) derives profits from the commercial sex trade.”

RECOMMENDATIONS TO PREVENT SEX TRAFFICKING OF INDIAN WOMEN

Pub. L. 111-211, title II, §264, July 29, 2010, 124 Stat. 2300, provided that: “Any report of the Secretary of Health and Human Services to Congress on the development of Indian victim services and victim advocate training programs shall include any recommendations that the Secretary determines to be necessary to prevent the sex trafficking of Indian women.”

§ 20702. Establishment of a grant program to develop, expand, and strengthen assistance programs for certain persons subject to trafficking

(a) Definitions

In this section:

(1) Assistant Secretary

The term “Assistant Secretary” means the Assistant Secretary for Children and Families of the Department of Health and Human Services.

(2) Assistant Attorney General

The term “Assistant Attorney General” means the Assistant Attorney General for the

Office of Justice Programs of the Department of Justice.

(3) Eligible entity

The term “eligible entity” means a State or unit of local government that—

(A) has significant criminal activity involving sex trafficking of minors;

(B) has demonstrated cooperation between Federal, State, local, and, where applicable, tribal law enforcement agencies, prosecutors, and social service providers in addressing sex trafficking of minors;

(C) has developed a workable, multi-disciplinary plan to combat sex trafficking of minors, including—

(i) building or establishing a residential care facility for minor victims of sex trafficking;

(ii) the provision of rehabilitative care to minor victims of sex trafficking;

(iii) the provision of specialized training for law enforcement officers and social service providers for all forms of sex trafficking, with a focus on sex trafficking of minors;

(iv) prevention, deterrence, and prosecution of offenses involving sex trafficking of minors;

(v) cooperation or referral agreements with organizations providing outreach or other related services to runaway and homeless youth; and

(vi) law enforcement protocols or procedures to screen all individuals arrested for prostitution, whether adult or minor, for victimization by sex trafficking and by other crimes, such as sexual assault and domestic violence; and

(D) provides assurance that a minor victim of sex trafficking shall not be required to collaborate with law enforcement to have access to residential care or services provided with a grant under this section.

(4) Minor victim of sex trafficking

The term “minor victim of sex trafficking” means an individual who—

(A) is younger than 18 years of age, and is a victim of an offense described in section 1591(a) of title 18 or a comparable State law; or

(B)(i) is not younger than 18 years of age nor older than 20 years of age;

(ii) before the individual reached 18 years of age, was described in subparagraph (A); and

(iii) was receiving shelter or services as a minor victim of sex trafficking.

(5) Qualified nongovernmental organization

The term “qualified nongovernmental organization” means an organization that—

(A) is not a State or unit of local government, or an agency of a State or unit of local government;

(B) has demonstrated experience providing services to victims of sex trafficking or related populations (such as runaway and homeless youth), or employs staff specialized in the treatment of sex trafficking victims; and