

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 rel-

evant 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 whole or in part for a country or entity if the Secretary determines that—

(i) the country or entity is engaged in activities that are contrary to the national security interests of the United States;

(ii) the country or entity has engaged in a pattern of actions inconsistent with the criteria used to determine the eligibility of the country or entity, as the case may be; or

(iii) the country or entity has failed to adhere to its responsibilities under the Compact.

**(B) Reinstatement**

The Secretary may reinstate assistance for a country or entity suspended or terminated under this paragraph only if the Secretary determines that the country or entity has demonstrated a commitment to correcting each condition for which assistance was suspended or terminated under subparagraph (A).

(Pub. L. 106-386, div. A, § 105A, as added Pub. L. 113-4, title XII, § 1202, Mar. 7, 2013, 127 Stat. 136.)

**Editorial Notes****REFERENCES IN TEXT**

This chapter, referred to in subsec. (d)(2), was in the original “this Act”, meaning the Trafficking Victims Protection Act of 2000, as indicated by the directory language of section 1202 of Pub. L. 113-4 which added this section. The Trafficking Victims Protection Act of 2000 is div. A of Pub. L. 106-386, Oct. 28, 2000, 114 Stat. 1466, which is classified principally to this chapter. For complete classification of div. A to the Code, see Short Title note set out under section 7101 of this title and Tables.

**§ 7104. Prevention of trafficking****(a) Economic alternatives to prevent and deter trafficking**

The President shall establish and carry out international initiatives to enhance economic opportunity for potential victims of trafficking as a method to deter trafficking. Such initiatives may include—

(1) microcredit lending programs, training in business development, skills training, and job counseling;

(2) programs to promote women’s participation in economic decisionmaking;

(3) programs to keep children, especially girls, in elementary and secondary schools, and to educate persons who have been victims of trafficking;

(4) development of educational curricula regarding the dangers of trafficking; and

(5) grants to nongovernmental organizations to accelerate and advance the political, economic, social, and educational roles and capacities of women in their countries.

**(b) Public awareness and information****(1) In general**

The President, acting through the Secretary of Labor, the Secretary of Health and Human Services, the Attorney General, and the Secretary of State, shall establish and carry out programs to increase public awareness, particularly among potential victims of trafficking, of the dangers of trafficking and the protections that are available for victims of trafficking.

**(2) Grants to assist in the recognition of trafficking****(A) Definitions**

In this paragraph:

**(i) ESEA terms**

The terms “elementary school”, “local educational agency”, “other staff”, and “secondary school” have the meanings given the terms in section 7801 of title 20.

**(ii) High-intensity child sex trafficking area**

The term “high-intensity child sex trafficking area” means a metropolitan area designated by the Director of the Federal Bureau of Investigation as having a high rate of children involved in sex trafficking.

**(iii) Labor trafficking**

The term “labor trafficking” means conduct described in section 7102(9)(B)<sup>1</sup> of this title.

**(iv) School staff**

The term “school staff” means teachers, nurses, school leaders and administrators, and other staff at elementary schools and secondary schools.

**(v) Sex trafficking**

The term “sex trafficking” means the conduct described in section 7102(9)(A)<sup>1</sup> of this title.

**(B) In general**

The Secretary of Health and Human Services, in consultation with the Secretary of Education and the Secretary of Labor, may award grants to local educational agencies, in partnership with a nonprofit, nongovernmental agency, to establish, expand, and support programs—

(i) to educate school staff to recognize and respond to signs of labor trafficking and sex trafficking; and

<sup>1</sup> See References in Text note below.