

Withdrawn

**AMENDMENT TO H.R. 181**  
**OFFERED BY MR. POE**

Page 8, line 25, insert “or other agreement” after “contract”.

Page 12, line 1, strike “**STATE AND LOCAL**” and insert the following: “**FEDERAL, STATE, AND LOCAL**”.

Page 12, strike lines 1 through 6, and insert the following:

1 **SEC. 4. STREAMLINING FEDERAL, STATE, AND LOCAL**  
2 **HUMAN TRAFFICKING INVESTIGATIONS.**

3 Section 2516 of title 18, United States Code, is  
4 amended—

5 (1) in paragraph (1)(C)—

6 (A) by inserting before “section 1591” the  
7 following: “section 1581 (peonage; obstructing  
8 enforcement), section 1584 (sale into involun-  
9 tary servitude), section 1589 (forced labor), sec-  
10 tion 1590 (trafficking with respect to peonage,  
11 slavery, involuntary servitude, or forced  
12 labor),”; and

1 (B) by inserting before “section 1751” the  
2 following: “section 1592 (unlawful conduct with  
3 respect to documents in furtherance of traf-  
4 ficking, peonage, slavery, involuntary servitude,  
5 or forced labor),”; and

6 (2) in paragraph (2), by inserting “human traf-  
7 ficking, offenses pertaining to child pornography,  
8 child sexual abuse, coercion and enticement of chil-  
9 dren,” after “kidnapping.”

Page 19, line 10, strike “plea bargain” and insert  
“plea agreement”.

Add, at the end of the bill, the following:

10 **SEC. 12. OFFICIAL RECOGNITION OF AMERICAN VICTIMS**  
11 **OF HUMAN TRAFFICKING.**

12 Subsection (f) (as inserted by section 213(a)(1) of the  
13 William Wilberforce Trafficking Victims Protection Reau-  
14 thorization Act of 2008 (Public Law 110-457)) of section  
15 107 of the Trafficking Victims Protection Act of 2000 (22  
16 U.S.C. 7105), is amended by adding at the end the fol-  
17 lowing:

18 “(4) OFFICIAL RECOGNITION OF AMERICAN VIC-  
19 TIMS OF HUMAN TRAFFICKING.—

20 “(A) IN GENERAL.—Upon receiving cred-  
21 ible information that establishes by a prepon-

1 derance of the evidence that a covered indi-  
2 vidual is a victim of a severe form of trafficking  
3 and at the request of the covered individual, the  
4 Secretary of Health and Human Services shall  
5 promptly issue a determination that the covered  
6 individual is a victim of a severe form of traf-  
7 ficking. The Secretary shall have exclusive au-  
8 thority to make such a determination.

9 “(B) COVERED INDIVIDUAL DEFINED.—In  
10 this subsection, the term ‘covered individual’  
11 means—

12 “(i) a citizen of the United States; or

13 “(ii) an alien lawfully admitted for  
14 permanent residence (as that term is de-  
15 fined in section 101(20) of the Immigra-  
16 tion and Nationality Act (8 U.S.C.  
17 1101(20))).

18 “(C) PROCEDURE.—For purposes of this  
19 paragraph, in determining whether a covered  
20 individual has provided credible information  
21 that the covered individual is a victim of a se-  
22 vere form of trafficking, the Secretary of  
23 Health and Human Services shall consider all  
24 relevant and credible evidence, and if appro-  
25 priate, consult with the Attorney General, the

1 Secretary of Homeland Security, or the Sec-  
2 retary of Labor.

3 “(D) PRESUMPTIVE EVIDENCE.—For pur-  
4 poses of this paragraph, the following forms of  
5 evidence shall receive deference in determining  
6 whether a covered individual has established  
7 that the covered individual is a victim of a se-  
8 vere form of trafficking:

9 “(i) A sworn statement by the covered  
10 individual or a representative of the cov-  
11 ered individual if the covered individual is  
12 present at the time of such statement but  
13 not able to competently make such sworn  
14 statement.

15 “(ii) Police, government agency, or  
16 court records or files.

17 “(iii) Documentation from a social  
18 services, trafficking, or domestic violence  
19 program, child welfare or runaway and  
20 homeless youth program, or a legal, clin-  
21 ical, medical, or other professional from  
22 whom the covered individual has sought as-  
23 sistance in dealing with the crime.

24 “(iv) A statement from any other in-  
25 dividual with knowledge of the cir-

1 cumstances that provided the basis for the  
2 claim.

3 “(v) Physical evidence.

4 “(E) REGULATIONS REQUIRED.—Not later  
5 than 180 days after the date of enactment of  
6 the Justice for Victims of Trafficking Act of  
7 2015, the Secretary of Health and Human  
8 Services shall make rules to carry out this para-  
9 graph.

10 “(F) RULE OF CONSTRUCTION; OFFICIAL  
11 RECOGNITION OPTIONAL.—Nothing in this  
12 paragraph may be construed to require a cov-  
13 ered individual to obtain a determination under  
14 this paragraph in order to be defined or classi-  
15 fied as a victim of a severe form of trafficking  
16 under this section.”.

