

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.

S. 2991

To establish a Department of Homeland Security Center for Countering Human Trafficking, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. PETERS

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Countering Human
5 Trafficking Act of 2021”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) the victim-centered approach must become
9 universally understood, adopted, and practiced;

10 (2) criminal justice efforts must increase the
11 focus on, and adeptness at, investigating and pros-
12 ecuting forced labor cases;

1 (3) corporations must eradicate forced labor
2 from their supply chains;

3 (4) the Department of Homeland Security must
4 lead by example—

5 (A) by ensuring that its government supply
6 chain of contracts and procurement are not
7 tainted by forced labor; and

8 (B) by leveraging all of its authorities
9 against the importation of goods produced with
10 forced labor; and

11 (5) human trafficking training, awareness, iden-
12 tification, and screening efforts—

13 (A) are a necessary first step for preven-
14 tion, protection, and enforcement; and

15 (B) should be evidence-based to be most
16 effective.

17 **SEC. 3. DEPARTMENT OF HOMELAND SECURITY CENTER**
18 **FOR COUNTERING HUMAN TRAFFICKING.**

19 (a) ESTABLISHMENT.—

20 (1) IN GENERAL.—The Secretary of Homeland
21 Security shall operate, within U.S. Immigration and
22 Customs Enforcement’s Homeland Security Inves-
23 tigations, the Center for Countering Human Traf-
24 ficking (referred to in this Act as “CCHT”).

1 (2) PURPOSE.—The purpose of CCHT shall be
2 to serve at the forefront of the Department of
3 Homeland Security’s unified global efforts to
4 counter human trafficking through law enforcement
5 operations and victim protection, prevention, and
6 awareness programs.

7 (3) ADMINISTRATION.—Homeland Security In-
8 vestigations shall—

9 (A) maintain a concept of operations that
10 identifies CCHT participants, funding, core
11 functions, and personnel; and

12 (B) update such concept of operations, as
13 needed, to accommodate its mission and the
14 threats to such mission.

15 (4) PERSONNEL.—

16 (A) DIRECTOR.—The Secretary of Home-
17 land Security shall appoint a CCHT Director,
18 who shall—

19 (i) be a member of the Senior Execu-
20 tive Service; and

21 (ii) serve as the Department of Home-
22 land Security’s representative on human
23 trafficking.

24 (B) MINIMUM CORE PERSONNEL REQUIRE-
25 MENTS.—Subject to appropriations, the Sec-

1 retary of Homeland Security shall ensure that
2 CCHT is staffed with at least 45 employees in
3 order to maintain continuity of effort, subject
4 matter expertise, and necessary support to the
5 Department of Homeland Security, including—

6 (i) employees who are responsible for
7 the Continued Presence Program and
8 other victim protection duties;

9 (ii) employees who are responsible for
10 training, including curriculum develop-
11 ment, and public awareness and education;

12 (iii) employees who are responsible for
13 stakeholder engagement, Federal inter-
14 agency coordination, multilateral partner-
15 ships, and policy;

16 (iv) employees who are responsible for
17 public relations, human resources, evalua-
18 tion, data analysis and reporting, and in-
19 formation technology;

20 (v) special agents and criminal ana-
21 lysts necessary to accomplish its mission of
22 combating human trafficking and the im-
23 portation of goods produced with forced
24 labor; and

25 (vi) managers.

1 (b) OPERATIONS UNIT.—The CCHT Director shall
2 operate, within CCHT, an Operations Unit, which shall,
3 at a minimum—

4 (1) support criminal investigations of human
5 trafficking (including sex trafficking and forced
6 labor)—

7 (A) by developing, tracking, and coordi-
8 nating leads; and

9 (B) by providing subject matter expertise;

10 (2) augment the enforcement of the prohibition
11 on the importation of goods produced with forced
12 labor through civil and criminal authorities;

13 (3) coordinate a Department-wide effort to con-
14 duct procurement audits and enforcement actions,
15 including suspension and debarment, in order to
16 mitigate the risk of human trafficking throughout
17 Department acquisitions and contracts; and

18 (4) support all CCHT enforcement efforts with
19 intelligence by conducting lead development, lead
20 validation, case support, strategic analysis, and data
21 analytics.

22 (c) PROTECTION AND AWARENESS PROGRAMS
23 UNIT.—The CCHT Director shall operate, within CCHT,
24 a Protection and Awareness Programs Unit, which shall—

1 (1) incorporate a victim-centered approach
2 throughout Department of Homeland Security poli-
3 cies, training, and practices;

4 (2) operate a comprehensive Continued Pres-
5 ence program;

6 (3) conduct, review, and assist with Department
7 of Homeland Security human trafficking training,
8 screening, and identification tools and efforts;

9 (4) operate the Blue Campaign's nationwide
10 public awareness effort and any other awareness ef-
11 forts needed to encourage victim identification and
12 reporting to law enforcement and to prevent human
13 trafficking; and

14 (5) coordinate external engagement, including
15 training and events, regarding human trafficking
16 with critical partners, including survivors, non-
17 governmental organizations, corporations, multilat-
18 eral entities, law enforcement agencies, and other in-
19 terested parties.

20 **SEC. 4. SPECIALIZED INITIATIVES.**

21 (a) HUMAN TRAFFICKING INFORMATION MOD-
22 ERNIZATION INITIATIVE.—The CCHT Director, in con-
23 junction with the Science and Technology Directorate Of-
24 fice of Science and Engineering, shall develop a strategy
25 and proposal to modify systems and processes throughout

1 the Department of Homeland Security that are related to
2 CCHT's mission in order to—

3 (1) decrease the response time to access victim
4 protections;

5 (2) accelerate lead development;

6 (3) advance the identification of human traf-
7 ficking characteristics and trends;

8 (4) fortify the security and protection of sen-
9 sitive information;

10 (5) apply analytics to automate manual proc-
11 esses; and

12 (6) provide artificial intelligence and machine
13 learning to increase system capabilities and enhance
14 data availability, reliability, comparability, and
15 verifiability.

16 (b) SUBMISSION OF PLAN.—Upon the completion of
17 the strategy and proposal under subsection (a), the Sec-
18 retary of Homeland Security shall submit a summary of
19 the strategy and plan for executing the strategy to—

20 (1) the Committee on Homeland Security and
21 Governmental Affairs of the Senate; and

22 (2) the Committee on Homeland Security of the
23 House of Representatives.

1 **SEC. 5. REPORTS.**

2 (a) INFORMATION SHARING TO FACILITATE RE-
3 PORTS AND ANALYSIS.—Each subagency of the Depart-
4 ment of Homeland Security shall share with CCHT—

5 (1) any information needed by CCHT to de-
6 velop the strategy and proposal required under sec-
7 tion 4(a); and

8 (2) any additional data analysis to help CCHT
9 better understand the issues surrounding human
10 trafficking.

11 (b) REPORT TO CONGRESS.—Not later than 1 year
12 after the date of the enactment of this Act, the CCHT
13 Director shall submit a report to Congress that identifies
14 any legislation that is needed to facilitate the Department
15 of Homeland Security’s mission to end human trafficking.

16 **SEC. 6. TRANSFER OF OTHER FUNCTIONS RELATED TO**
17 **HUMAN TRAFFICKING.**

18 (a) BLUE CAMPAIGN.—The functions and resources
19 of the Blue Campaign located within the Office of Part-
20 nership and Engagement on the day before the date of
21 the enactment of this Act are hereby transferred to
22 CCHT.

23 (b) OTHER TRANSFER.—

24 (1) AUTHORIZATION.—Not later than 180 days
25 after the date of the enactment of this Act, the Sec-
26 retary of Homeland Security may transfer the func-

1 tions and resources of any component, directorate,
2 or other office of the Department of Homeland Se-
3 curity related to combating human trafficking to the
4 CCHT.

5 (2) NOTIFICATION.—Not later than 30 days be-
6 fore executing any transfer authorized under para-
7 graph (1), the Secretary of Homeland Security shall
8 notify the Committee on Homeland Security and
9 Governmental Affairs of the Senate and the Com-
10 mittee on Homeland Security of the House of Rep-
11 resentatives of such planned transfer.

12 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

13 In addition to amounts otherwise authorized to be ap-
14 propriated, there is authorized to be appropriated to the
15 Secretary of Homeland Security to carry out this Act
16 \$14,000,000, which shall remain available until expended.