

117TH CONGRESS
1ST SESSION

H. R. 808

To increase the role of the financial industry in combating human trafficking.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 2021

Mr. FITZPATRICK (for himself, Mr. KEATING, Mr. McCAUL, and Mrs. CAROLYN B. MALONEY of New York) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To increase the role of the financial industry in combating human trafficking.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “End Banking for
5 Human Traffickers Act of 2021”.

6 **SEC. 2. INCREASING THE ROLE OF THE FINANCIAL INDUS-** 7 **TRY IN COMBATING HUMAN TRAFFICKING.**

8 (a) **REQUIRED REVIEW OF PROCEDURES.**—Not later
9 than 180 days after the date of the enactment of this Act,

1 the Financial Institutions Examination Council, in con-
2 sultation with the Secretary of the Treasury, the private
3 sector, victims of severe forms of trafficking in persons,
4 advocates of persons at risk of becoming victims of severe
5 forms of trafficking in persons, and appropriate law en-
6 forcement agencies, shall—

7 (1) review and enhance training and examina-
8 tions procedures to improve the capabilities of anti-
9 money laundering and countering the financing of
10 terrorism programs to detect financial transactions
11 relating to severe forms of trafficking in persons;

12 (2) review and enhance procedures for referring
13 potential cases relating to severe forms of trafficking
14 in persons to the appropriate law enforcement agen-
15 cy; and

16 (3) determine, as appropriate, whether require-
17 ments for financial institutions are sufficient to de-
18 tect and deter money laundering relating to severe
19 forms of trafficking in persons.

20 (b) INTERAGENCY TASK FORCE RECOMMENDATIONS
21 TARGETING MONEY LAUNDERING RELATED TO HUMAN
22 TRAFFICKING.—

23 (1) IN GENERAL.—Not later than 270 days
24 after the date of the enactment of this Act, the
25 Interagency Task Force To Monitor and Combat

1 Trafficking shall submit to the Committee on Finan-
2 cial Services and the Committee on the Judiciary of
3 the House of Representatives, the Committee on
4 Banking, Housing, and Urban Affairs and the Com-
5 mittee on the Judiciary of the Senate, and the head
6 of each Federal banking agency—

7 (A) an analysis of anti-money laundering
8 efforts of the United States Government and
9 United States financial institutions relating to
10 severe forms of trafficking in persons; and

11 (B) appropriate legislative, administrative,
12 and other recommendations to strengthen ef-
13 forts against money laundering relating to se-
14 vere forms of trafficking in persons.

15 (2) REQUIRED RECOMMENDATIONS.—The rec-
16 ommendations under paragraph (1) shall include—

17 (A) feedback from financial institutions on
18 best practices of successful programs to combat
19 severe forms of trafficking in persons currently
20 in place that may be suitable for broader adop-
21 tion by similarly situated financial institutions;

22 (B) feedback from stakeholders, including
23 victims of severe forms of trafficking in per-
24 sons, advocates of persons at risk of becoming
25 victims of severe forms of trafficking in per-

1 sons, and financial institutions, on policy pro-
2 posals derived from the analysis conducted by
3 the task force referred to in paragraph (1) that
4 would enhance the efforts and programs of fi-
5 nancial institutions to detect and deter money
6 laundering relating to severe forms of traf-
7 ficking in persons, including any recommended
8 changes to internal policies, procedures, and
9 controls relating to severe forms of trafficking
10 in persons;

11 (C) any recommended changes to training
12 programs at financial institutions to better
13 equip employees to deter and detect money
14 laundering relating to severe forms of traf-
15 ficking in persons;

16 (D) any recommended changes to expand
17 information sharing relating to severe forms of
18 trafficking in persons among financial institu-
19 tions and between such financial institutions,
20 appropriate law enforcement agencies, and ap-
21 propriate Federal agencies; and

22 (E) recommended changes, if necessary, to
23 existing statutory law to more effectively detect
24 and deter money laundering relating to severe
25 forms of trafficking in persons, where such

1 money laundering involves the use of emerging
2 technologies and virtual currencies.

3 (c) LIMITATION.—Nothing in this Act shall be con-
4 strued to—

5 (1) grant rulemaking authority to the Inter-
6 agency Task Force To Monitor and Combat Traf-
7 ficking; or

8 (2) encourage financial institutions to deny
9 services to victims of trafficking, victims of severe
10 forms of trafficking in persons, or individuals not re-
11 sponsible for promoting severe forms of trafficking
12 in persons.

13 (d) DEFINITIONS.—As used in this section—

14 (1) the term “Federal banking agency” has the
15 meaning given the term in section 3(q) of the Fed-
16 eral Deposit Insurance Act (12 U.S.C. 1813(q));

17 (2) the term “severe forms of trafficking in per-
18 sons” has the meaning given such term in section
19 103 of the Trafficking Victims Protection Act of
20 2000 (22 U.S.C. 7102);

21 (3) the term “Interagency Task Force To Mon-
22 itor and Combat Trafficking” means the Interagency
23 Task Force To Monitor and Combat Trafficking es-
24 tablished by the President pursuant to section 105

1 of the Trafficking Victims Protection Act of 2000
2 (22 U.S.C. 7103); and

3 (4) the term “law enforcement agency” means
4 an agency of the United States, a State, or a polit-
5 ical subdivision of a State, authorized by law or by
6 a government agency to engage in or supervise the
7 prevention, detection, investigation, or prosecution of
8 any violation of criminal or civil law.

9 **SEC. 3. MINIMUM STANDARDS FOR THE ELIMINATION OF**
10 **TRAFFICKING.**

11 Section 108(b) of the Trafficking Victims Protection
12 Act of 2000 (22 U.S.C. 7106(b)) is amended by adding
13 at the end the following new paragraph:

14 “(13) Whether the government of the country,
15 consistent with the capacity of the country, has in
16 effect a framework to prevent financial transactions
17 involving the proceeds of severe forms of trafficking
18 in persons, and is taking steps to implement such a
19 framework, including by investigating, prosecuting,
20 convicting, and sentencing individuals who attempt
21 or conduct such transactions.”.

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