

117TH CONGRESS  
2D SESSION

# H. R. 9217

To amend title 5, United States Code, to establish a priority for accommodation in places with policies relating to severe forms of human trafficking, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 21, 2022

Mr. SMITH of New Jersey introduced the following bill; which was referred to the Committee on Oversight and Reform

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## A BILL

To amend title 5, United States Code, to establish a priority for accommodation in places with policies relating to severe forms of human trafficking, and for other purposes.

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 “Halting Of Trafficking  
5 and Exploitation in Lodging Act of 2022” or the  
6 “HOTEL Act of 2022”.

1 **SEC. 2. PRIORITY FOR ACCOMMODATION IN PLACES WITH**  
2 **POLICIES RELATING TO SEVERE FORMS OF**  
3 **HUMAN TRAFFICKING.**

4 (a) IN GENERAL.—Subchapter I of chapter 57 of title  
5 5, United States Code, is amended by adding at the end  
6 the following:

7 **“§ 5712. Priority for accommodation in places with**  
8 **certain policies relating to severe forms**  
9 **of human trafficking**

10 “(a) IN GENERAL.—For the purpose of making pay-  
11 ments under this chapter for lodging expenses, each agen-  
12 cy shall ensure that, to the greatest extent practicable,  
13 commercial-lodging room nights in the United States for  
14 employees of that agency are booked in a preferred place  
15 of accommodation.

16 “(b) ELIGIBILITY AS A PREFERRED PLACE OF AC-  
17 COMMODATION.—To be considered a preferred place of ac-  
18 commodation for the purposes of this section, a hotel or  
19 motel shall—

20 “(1) enforce a zero-tolerance policy regarding  
21 severe forms of trafficking in persons (as defined in  
22 section 103(11) of the Trafficking Victims Protec-  
23 tion Act of 2000 (22 U.S.C. 7102(11))) made avail-  
24 able by the Administrator of General Services under  
25 subsection (c)(1), or a similar zero-tolerance policy

1 developed by the place of accommodation, dem-  
2 onstrated by—

3 “(A) posting such policy in a nonpublic  
4 space within the place of accommodation that is  
5 accessible by all employees; or

6 “(B) including such policy in the employee  
7 handbook;

8 “(2) have procedures in place, not later than  
9 180 days after the date of the enactment of this sec-  
10 tion, for employees to identify and report any such  
11 exploitation according to protocol identified in the  
12 employee training based on training materials devel-  
13 oped under subsection (c)(3) to the appropriate law  
14 enforcement authorities, management of the pre-  
15 ferred accommodation, or the National Human Traf-  
16 ficking Hotline;

17 “(3) post the informational materials made  
18 available under subsection (c)(3) in an appropriate  
19 nonpublic space within the place of accommodation  
20 that is accessible by all employees;

21 “(4) review and update, as necessary, the zero-  
22 tolerance policy, procedures, and informational mate-  
23 rials at least every two years prior to the due date  
24 for self-certifications;

1 “(5) require each employee who is physically lo-  
2 cated at the place of accommodation and who is like-  
3 ly to interact with guests, including security, front  
4 desk, housekeeping, room service, and bell staff, to  
5 complete the training developed under subsection  
6 (c)(2), or a training developed pursuant to sub-  
7 section (d), that shall—

8 “(A) take place not later than 90 days  
9 after the starting date of the new employee, or  
10 in the case of an employee hired before the ef-  
11 fective date of this section, not later than 90  
12 days after the date of enactment of this section;

13 “(B) include refresher trainings every two  
14 years; and

15 “(C) include training on the identification  
16 of possible cases of sexual exploitation of chil-  
17 dren and procedures to report suspected abuse  
18 to the appropriate authorities;

19 “(6) include a notice to all independent contrac-  
20 tors in any agreement affecting a property in the  
21 United States negotiated or renewed on or after the  
22 date of enactment of this section that states the fol-  
23 lowing: ‘Federal law prohibits the trafficking of hu-  
24 mans under the Trafficking Victims Protection Act  
25 (22 U.S.C. 7101 et seq.).’; and

1           “(7) ensure that the place of accommodation  
2       does not retaliate against employees for reporting  
3       suspected cases of such exploitation if reported ac-  
4       cording to protocol identified in the employee train-  
5       ing.

6       “(c) GSA REQUIREMENTS.—The Administrator of  
7       General Services shall—

8           “(1) make available on the website of the Gen-  
9       eral Services Administration, an up-to-date model  
10      zero tolerance policy for places of accommodation re-  
11      garding severe forms of trafficking in persons (as  
12      defined in section 103(11) of the Trafficking Victims  
13      Protection Act of 2000 (22 U.S.C. (11))), including  
14      informational materials regarding such policy to be  
15      posted in places of accommodation in nonpublic  
16      spaces;

17          “(2) make available on the website of the Gen-  
18      eral Services Administration an up-to-date list of  
19      Department of Homeland Security, Department of  
20      Justice, and Department of State and privately pro-  
21      duced training programs that address the identifica-  
22      tion of severe forms of human trafficking and re-  
23      porting to law enforcement authorities or the Na-  
24      tional Human Trafficking Hotline;

1           “(3) in coordination with the Secretary of  
2           Homeland Security’s Blue Campaign, make available  
3           up-to-date training materials on preventing severe  
4           forms of human trafficking and informational mate-  
5           rials to be posted in nonpublic spaces in places of  
6           accommodation on spotting the signs of severe forms  
7           of human trafficking and reporting possible  
8           incidences of such exploitation, except that the Ad-  
9           ministrator shall permit the use of substantially  
10          similar training materials or informational materials  
11          required by State or local law on identifying the  
12          signs of human trafficking and reporting possible  
13          incidences of such exploitation in lieu of materials  
14          developed under this paragraph; and

15          “(4) maintain a list of each preferred place of  
16          accommodation that meets the requirements of sub-  
17          section (b), beginning by examining places of accom-  
18          modation that are—

19                  “(A) participating in government lodging  
20                  programs such as FedRooms (or successor sys-  
21                  tem);

22                  “(B) included on the FEMA Fire Safe  
23                  List; or

1                   “(C) otherwise known to have received gov-  
2                   ernment travel business in the 2 years prior to  
3                   enactment of this section.

4           “(d) TRAINING PROGRAMS.—A place of accommo-  
5    tion or lodging company may use a training program de-  
6    veloped or acquired by such place of accommodation or  
7    company to satisfy the requirements of subsection (b)(4)  
8    if such training program—

9                   “(1) focuses on identifying and reporting sus-  
10           pected cases of severe forms of human trafficking;  
11           and

12                   “(2) was developed in consultation with State  
13           governments, survivor leaders, survivor-led anti-traf-  
14           ficking organization, or a nationally recognized orga-  
15           nization with expertise in anti-trafficking initiatives.

16           “(e) PREVIOUSLY TRAINED EMPLOYEES.—

17                   “(1) TRAINING PRIOR TO EFFECTIVE DATE.—  
18           Any employee of a place of accommodation who has  
19           been trained to identify and report potential cases of  
20           severe forms of human trafficking during the 2-year  
21           period ending on the date of the enactment of this  
22           section shall be considered to have met the training  
23           requirement in subsection (b)(4) with respect to any  
24           employment at that place of accommodation or at

1 any other place of accommodation managed by the  
2 same entity.

3 “(2) TRAINING PRIOR TO A TRANSFER OF EM-  
4 PLOYMENT.—Any employee of a place of accommo-  
5 dation who has met the training requirements under  
6 subsection (b)(4) shall be considered to have met  
7 such requirements with respect to any employment  
8 at a place of accommodation managed by the same  
9 entity if such training occurred during the 2-year  
10 period ending on the date of the enactment of this  
11 section.

12 “(f) PROPERTY-BY-PROPERTY IMPLEMENTATION.—

13 “(1) IN GENERAL.—Each preferred place of ac-  
14 commodation shall self-certify (in writing) to the Ad-  
15 ministrator of General Services that such place is in  
16 compliance with the requirements of this section.  
17 Such self-certification shall occur every 2 years be-  
18 ginning on the date of the enactment of this section.

19 The Administrator shall—

20 “(A) provide notice to each place of accom-  
21 modation regarding any self-certification re-  
22 quired under this subsection not later than the  
23 date that is 90 days before the due date of such  
24 self-certification; and



1 “(B) report to the Committee on Oversight  
2 and Reform of the House of Representatives  
3 and the Committee on Homeland Security and  
4 Governmental Affairs of the Senate, not later  
5 than 2 years after the date of the enactment of  
6 this section and every two years thereafter—

7 “(i) each preferred places of accom-  
8 modation that submitted and did not sub-  
9 mit their self-certifications in the preceding  
10 2 years; and

11 “(ii) the corresponding total numbers  
12 of nights the government paid for Federal  
13 employees in self-certified preferred places  
14 of accommodation compared to preferred  
15 places of accommodation that did not re-  
16 port self-certification to the Administrator  
17 of General Services.

18 “(2) GROUP CERTIFICATION.—A person or enti-  
19 ty that manages or franchises multiple places of ac-  
20 commodation may provide a single notice with re-  
21 spect to self-certification under subsection (a) that  
22 each such place is in compliance with this section.

23 “(g) STATUTORY CONSTRUCTION.—No provision in  
24 this section that applies to an employee of a place of ac-  
25 commodation shall be construed to apply to an individual

1 who is an independent contractor or otherwise not directly  
2 employed by a place of accommodation, unless the con-  
3 tract is for housekeeping, security, front desk, room serv-  
4 ice, or bell staff, in which case it shall be the responsibility  
5 of the service provider to ensure compliance with the re-  
6 quirements set forth in this section.

7 “(h) REGULATIONS REQUIRED.—The Administrator  
8 of General Services shall issue such regulations as are nec-  
9 essary to carry out this section.”.

10 (b) EFFECTIVE DATE.—Section 5712(a) of title 5,  
11 United States Code (as added by subsection (a)), shall  
12 take effect 180 days after the date of the enactment of  
13 this Act.

14 (c) CLERICAL AMENDMENT.—The table of sections  
15 for subchapter I of chapter 57 of title 5, United States  
16 Code, is amended by adding at the end the following new  
17 item:

“5712. Priority for accommodation in places with certain policies relating to se-  
vere forms of human trafficking.”.

