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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. 9681

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.

IN THE HOUSE OF REPRESENTATIVES

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

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 2024” or the
6 “HOTEL Act of 2024”.

1 **SEC. 2. PRIORITY FOR ACCOMMODATION IN PLACES WITH**
2 **ANTI-TRAFFICKING POLICIES.**

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

6 **“§ 5712. Priority for accommodation in places with**
7 **anti-trafficking policies**

8 “(a) DEFINITIONS.—In this section—

9 “(1) the term ‘place of accommodation’ means
10 a hotel, motel, or other place of public accommoda-
11 tion that is listed by the Administrator of the Fed-
12 eral Emergency Management Agency as meeting the
13 requirements of the fire prevention and control
14 guidelines described in section 29 of the Federal
15 Fire Prevention and Control Act of 1974 (15 U.S.C.
16 2225); and

17 “(2) the term ‘severe forms of trafficking in
18 persons’ has the meaning given the term in section
19 103 of the Trafficking Victims Protection Act of
20 2000 (22 U.S.C. 7102).

21 “(b) REQUIREMENT.—For the purpose of making
22 payments under this subchapter for lodging expenses, each
23 agency shall ensure that, to the greatest extent prac-
24 ticable, commercial-lodging room nights in the United
25 States for employees of that agency are booked in a pre-
26 ferred place of accommodation.

1 “(c) ELIGIBILITY AS A PREFERRED PLACE OF AC-
2 COMMODATION.—To be considered a preferred place of ac-
3 commodation for the purposes of this section, a place of
4 accommodation shall—

5 “(1) enforce the zero-tolerance policy regarding
6 severe forms of trafficking in persons made available
7 by the Administrator of General Services under sub-
8 section (d)(1), or a similar zero-tolerance policy de-
9 veloped by the place of accommodation, which shall
10 be demonstrated by—

11 “(A) posting that policy in a nonpublic
12 space within the place of accommodation that is
13 accessible by all employees of the place of ac-
14 commodation; or

15 “(B) including that policy in the employee
16 handbook for the place of accommodation;

17 “(2) have procedures in place, not later than
18 180 days after the effective date of this section, for
19 employees of the place of accommodation to—

20 “(A) identify any severe form of trafficking
21 in persons according to protocol identified in
22 the employee training based on training mate-
23 rials developed under subsection (d)(3); and

1 “(B) with respect to any severe form of
2 trafficking in persons identified under subpara-
3 graph (A)—

4 “(i) report that activity to—

5 “(I) the appropriate law enforce-
6 ment authorities;

7 “(II) management of the place of
8 accommodation; or

9 “(III) the national human traf-
10 ficking hotline described in section
11 107(b)(1)(B)(ii) of the Trafficking
12 Victims Protection Act of 2000 (22
13 U.S.C. 7105(b)(1)(B)(ii)); or

14 “(ii) provide information and re-
15 sources to the potential victims of that ac-
16 tivity, including—

17 “(I) contact information for the
18 appropriate law enforcement authori-
19 ties;

20 “(II) information regarding the
21 hotline described in clause (i)(III); or

22 “(III) information regarding ap-
23 propriate local organizations;

24 “(3) post the informational materials made
25 available under subsection (d)(3) in an appropriate

1 nonpublic space within the place of accommodation
2 that is accessible by all employees of the place of ac-
3 commodation;

4 “(4) require each employee of the place of ac-
5 commodation who is physically located at the place
6 of accommodation and who is likely to interact with
7 guests (including, but not limited to security, front
8 desk, housekeeping, room service, and bell staff), or
9 who is responsible for hiring, to complete the train-
10 ing developed under subsection (d)(2), or a training
11 developed pursuant to subsection (e), which shall—

12 “(A) take place not later than 90 days
13 after the starting date of the employee, or, in
14 the case of an employee hired before the effec-
15 tive date of this section, not later than 90 days
16 after the effective date of this section; and

17 “(B) include training on the identification
18 of all possible cases of severe forms of traf-
19 ficking in persons;

20 “(5) ensure that the place of accommodation
21 does not retaliate against an employee of the place
22 of accommodation for reporting suspected cases of
23 severe forms of trafficking in persons if reported ac-
24 cording to protocol identified in the training for the
25 employee; and

1 “(6) maintain a current record of every em-
2 ployee who has completed the training program in
3 subsection (e)—

4 “(A) if the training is updated in accord-
5 ance with subsection (e)(3), the place of accom-
6 modation must update the records of the em-
7 ployees who retake the training; and

8 “(B) records for past employees only need
9 to be maintained for two years past the end of
10 employment or longer at the discretion of the
11 place of accommodation.

12 “(d) GSA REQUIREMENTS.—The Administrator of
13 General Services shall—

14 “(1) make available on the website of the Gen-
15 eral Services Administration a model zero-tolerance
16 policy for places of accommodation regarding severe
17 forms of trafficking in persons, including informa-
18 tional materials regarding that policy to be posted
19 within nonpublic spaces;

20 “(2) make available on the website of the Gen-
21 eral Services Administration a list of Department of
22 Homeland Security, Department of Health and
23 Human Services, Department of Justice, Depart-
24 ment of State, and privately produced training pro-
25 grams that address the identification of severe forms

1 of trafficking in persons and submit reports to ap-
2 propriate law enforcement authorities or the Na-
3 tional Human Trafficking Hotline;

4 “(3) in coordination with the Blue Campaign of
5 the Secretary of Homeland Security, make available
6 on the website of the General Services Administra-
7 tion and the Department of Health and Human
8 Services training and outreach materials on pre-
9 venting severe forms of trafficking in persons, infor-
10 mational materials to be posted in nonpublic spaces
11 in places of accommodation on identifying the signs
12 of severe forms of trafficking in persons and report-
13 ing possible incidences of such exploitation, and in-
14 formational materials to be posted in public or non-
15 public spaces in places of accommodation on self-
16 identifying as a potential victim of severe forms of
17 trafficking in persons and how to access services and
18 support as such a victim, except that the Adminis-
19 trator shall permit the use of substantially similar
20 training materials or informational materials re-
21 quired by State or local law on identifying the signs
22 of severe forms of trafficking in persons and report-
23 ing possible incidences of severe forms of trafficking
24 in persons in lieu of materials developed under this
25 paragraph; and

1 “(4) maintain a list of each preferred place of
2 accommodation that—

3 “(A) meets the requirements of subsection
4 (c); and

5 “(B) is—

6 “(i) participating in governmental
7 lodging programs, such as FedRooms (or
8 any successor system);

9 “(ii) included on the list maintained
10 by the Administrator of the Federal Emer-
11 gency Management Agency pursuant to
12 section 28 of the Federal Fire Prevention
13 and Control Act of 1974 (15 U.S.C. 2224);
14 or

15 “(iii) otherwise known to have re-
16 ceived governmental travel business during
17 the 2-year period preceding the effective
18 date of this section.

19 “(e) TRAINING PROGRAMS.—

20 “(1) IN GENERAL.—A place of accommodation
21 may use a training program developed or acquired
22 by that place of accommodation or company to sat-
23 isfy the requirements of subsection (c)(4) if that
24 training program—

1 “(A) focuses on identifying and reporting
2 suspected cases of severe forms of trafficking in
3 persons; and

4 “(B) was developed in consultation with—

5 “(i) a State government;

6 “(ii) survivors or lived experience ex-
7 perts of human trafficking;

8 “(iii) survivor-led anti-trafficking or-
9 ganization; or

10 “(iv) any organization nationally rec-
11 ognized for its expertise in anti-trafficking
12 initiatives and which actively involves sur-
13 vivor-leaders in consultations.

14 “(2) REVIEW.—Training program materials de-
15 scribed in paragraph (1) shall be—

16 “(A) not less frequently than once every 2
17 years, reviewed by the applicable place of ac-
18 commodation and, if necessary, updated based
19 on that review; and

20 “(B) delivered to employees of the place of
21 accommodation after any update under sub-
22 paragraph (A).

23 “(f) PREVIOUSLY TRAINED EMPLOYEES.—

24 “(1) TRAINING PRIOR TO EFFECTIVE DATE.—

25 Any employee of a place of accommodation who has

1 been trained to identify and report potential cases of
2 severe forms of trafficking in persons before the ef-
3 fective date of this section shall be considered to
4 have satisfied the training requirement under sub-
5 section (c)(4) with respect to any employment at
6 that place of accommodation or at any another place
7 of accommodation managed by the same entity.

8 “(2) TRAINING PRIOR TO A TRANSFER OF EM-
9 PLOYMENT.—Any employee of a place of accommo-
10 dation who has met the training requirements under
11 subsection (c)(4) shall be considered to have satis-
12 fied those requirements with respect to any employ-
13 ment at a place of accommodation managed by the
14 same entity.

15 “(g) PROPERTY-BY-PROPERTY IMPLEMENTATION.—

16 “(1) SELF-CERTIFICATION.—

17 “(A) IN GENERAL.—Not later than 1 year
18 after the effective date of this section, and bien-
19 nially thereafter, each preferred place of accom-
20 modation shall submit to the Administrator of
21 General Services a written self-certification that
22 the place of accommodation is in compliance
23 with the requirements of this section.

24 “(B) NOTICE; REPORTING.—The Adminis-
25 trator of General Services shall—

1 “(i) provide notice to each place of ac-
2 commodation regarding any self-certifi-
3 cation that the place of accommodation is
4 required to submit under this subsection
5 not later than the date that is 60 days be-
6 fore the date on which that such self-cer-
7 tification is required; and

8 “(ii) not later than 1 year after the
9 effective date of this section, and biennially
10 thereafter, submit to the Committee on
11 Homeland Security and Governmental Af-
12 fairs of the Senate and the Committee on
13 Oversight and Reform of the House of
14 Representatives a report regarding each
15 preferred places of accommodation that,
16 for the period covered by the report, sub-
17 mitted and did not submit the self-certifi-
18 cations required under this subsection.

19 “(2) GROUP CERTIFICATION.—A person or enti-
20 ty that manages or franchises multiple places of ac-
21 commodation may provide a single notice with re-
22 spect to self-certification under paragraph (1) that
23 each such place of accommodation is in compliance
24 with the requirements of this section. The notice
25 must list all the places of accommodation that are

1 in compliance with the requirements in subsection
2 (c).

3 “(h) STATUTORY CONSTRUCTION.—No provision in
4 this section that applies to an employee of a place of ac-
5 commodation may be construed to apply to an individual
6 who is an independent contractor of, or is otherwise not
7 directly employed by, that place of accommodation, unless
8 the applicable contract is for housekeeping, catering, con-
9 cierge, or security services, in which case the applicable
10 service provider shall ensure compliance with the require-
11 ments of this section.

12 “(i) REGULATIONS REQUIRED.—The Administrator
13 of General Services shall issue such regulations as are nec-
14 essary to carry out this section.”.

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

“5712. Priority for accommodation in places with anti-trafficking policies.”.

18 (c) EFFECTIVE DATE.—The amendments made by
19 this section shall take effect on the date that is 180 days
20 after the date of the enactment of this Act.