

109TH CONGRESS
2^D SESSION

H. R. 6328

To establish a congressional Commission on the Abolition of Modern-Day Slavery.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 2006

Mr. SMITH of New Jersey (for himself and Mr. LEWIS of Georgia) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committees on the Judiciary and Ways and Means, 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 establish a congressional Commission on the Abolition of Modern-Day Slavery.

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 “Congressional Commis-
5 sion on the Abolition of Modern-Day Slavery Act”.

6 **SEC. 2. MODERN-DAY SLAVERY.**

7 In this Act, the term “modern-day slavery” means
8 the status or condition of a person over whom any power

1 attaching to the right of ownership or control is exercised
2 by means of exploitation through involuntary servitude,
3 forced labor, child labor, debt bondage or bonded labor,
4 serfdom, peonage, trafficking in persons for forced labor
5 or for sexual exploitation (including child sex tourism and
6 child pornography), forced marriage, or other similar
7 means.

8 **SEC. 3. FINDINGS.**

9 Congress makes the following findings:

10 (1) Modern-day slavery takes many forms, in-
11 cluding chattel slavery or slavery by descent, and the
12 exploitation occurs in a myriad of situations, includ-
13 ing in the agricultural, commercial sex, construction,
14 manufacturing, and service industries, as well as in
15 domestic servitude.

16 (2) The perpetrators of modern-day slavery vio-
17 late the dignity of men, women, and children, using
18 violence that at times results in death, sexual abuse,
19 rape, torture, dangerous and degrading working con-
20 ditions, poor nutrition, drug and alcohol addiction,
21 and psychological trauma.

22 (3) According to the Universal Declaration of
23 Human Rights “No one shall be held in slavery or
24 servitude; slavery and the slave trade shall be pro-
25 hibited in all their forms.”.

1 (4) The United States and the international
2 community have acknowledged that modern-day
3 slavery must be abolished in accordance with the
4 International Covenant on Civil and Political Rights;
5 the Slavery, Servitude, Forced Labour and Similar
6 Institutions and Practices Convention of 1926; the
7 Supplementary Convention on the Abolition of Slav-
8 ery, the Slave Trade, and Institutions and Practices
9 Similar to Slavery; the Optional Protocol to the Con-
10 vention on the Rights of the Child on the Sale of
11 Children, Child Prostitution and Child Pornography;
12 the Optional Protocol to the Convention on the
13 Rights of the Child on the Involvement of Children
14 in Armed Conflicts; the Convention concerning the
15 Prohibition and Immediate Action for the Elimini-
16 nation of the Worst Forms of Child Labour; the
17 Abolition of Forced Labour Convention; and the
18 Protocol to Prevent, Suppress and Punish Traf-
19 ficking in Persons, especially Women and Children,
20 Supplementing the United Nations Convention
21 Against Transnational Organized Crime.

22 (5) The Declaration of Independence recognizes
23 the inherent dignity and worth of all people and
24 states that all people are created equal and are en-

1 dowed by their Creator with certain unalienable
2 rights.

3 (6) The 13th amendment to the Constitution of
4 the United States recognizes that “Neither slavery
5 nor involuntary servitude, except as a punishment
6 for crime whereof the party shall have been duly
7 convicted, shall exist within the United States, or
8 any place subject to their jurisdiction.”.

9 (7) The United States has given particular pri-
10 ority to combating trafficking in persons, a form of
11 modern-day slavery, through the enactment of the
12 Trafficking Victims Protection Act of 2000 (division
13 A of Public Law 106–386) and the Trafficking Vic-
14 tims Protection Reauthorization Acts of 2003 and
15 2005 (Public Laws 108–193 and 109–164).

16 (8) The importation into the United States of
17 goods mined, produced, or manufactured by forced
18 or indentured labor, including forced or indentured
19 child labor, is prohibited under the Tariff Act of
20 1930.

21 **SEC. 4. ESTABLISHMENT OF COMMISSION.**

22 (a) ESTABLISHMENT.—There is established a con-
23 gressional Commission on the Abolition of Modern-Day
24 Slavery (in this Act referred to as the “Commission”).

25 (b) MEMBERSHIP.—

1 (1) COMPOSITION.—The Commission shall be
2 composed of 12 members, of whom—

3 (A) 3 shall be appointed by the Speaker of
4 the House of Representatives;

5 (B) 3 shall be appointed by the majority
6 leader of the Senate;

7 (C) 3 shall be appointed by the minority
8 leader of the House of Representatives; and

9 (D) 3 shall be appointed by the minority
10 leader of the Senate.

11 (2) QUALIFICATIONS.—Members of the Com-
12 mission shall be individuals with demonstrated ex-
13 pertise or experience in combating modern-day slav-
14 ery.

15 (3) DATE.—The appointments of the members
16 of the Commission shall be made not later than 30
17 days after the date of enactment of this Act.

18 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-
19 bers shall be appointed for the life of the Commission. Any
20 vacancy in the Commission shall not affect its powers, but
21 shall be filled in the same manner as the original appoint-
22 ment.

23 (d) CO-CHAIRPERSONS.—The Speaker of the House
24 of Representatives shall designate 1 of the members ap-
25 pointed under subsection (b)(1)(A) as a co-chairperson of

1 the Commission. The majority leader of the Senate shall
2 designate 1 of the members appointed under subsection
3 (b)(1)(B) as a co-chairperson of the Commission.

4 (e) INITIAL MEETING.—Not later than 60 days after
5 the date of enactment of this Act, the Commission shall
6 hold its first meeting.

7 (f) MEETINGS.—The Commission shall meet at the
8 call of either Co-chairperson.

9 (g) QUORUM.—A majority of the members of the
10 Commission shall constitute a quorum, but a lesser num-
11 ber of members may meet or hold hearings.

12 **SEC. 5. DUTIES OF THE COMMISSION.**

13 (a) STUDY.—

14 (1) IN GENERAL.—The Commission shall—

15 (A) conduct a thorough study of modern-
16 day slavery in all its forms, including the fac-
17 tors contributing to modern-day slavery, such
18 as certain social structures, the failure by au-
19 thorities to enforce laws prohibiting slavery and
20 prosecuting the perpetrators of slavery, corrup-
21 tion among officials, and the vulnerability of
22 certain populations, such as those in areas of
23 conflict and post conflict, transitioning states,
24 or states undergoing sudden political upheaval,
25 economic collapse, civil unrest, internal armed

1 conflict, chronic unemployment, widespread
2 poverty, or manmade or natural disasters;

3 (B) review programs of relevant govern-
4 mental agencies with respect to modern-day-
5 slavery, including the Office of the United
6 States Trade Representative, the Department
7 of Commerce, the Department of Defense, the
8 Department of Health and Human Services, the
9 Department of Homeland Security, the Depart-
10 ment of Labor, the Department of the Treas-
11 ury, the United States Agency for International
12 Development, the Department of State, the
13 President's Interagency Task Force to Monitor
14 and Combat Trafficking in Persons, and the
15 Human Smuggling and Trafficking Center;

16 (C) examine efforts undertaken by foreign
17 countries and multilateral organizations to pre-
18 vent or combat modern-day slavery in all its
19 forms, prosecute the perpetrators or protect its
20 victims, and identify those countries with the
21 most significant number of victims of modern-
22 day slavery; and

23 (D) convene additional experts from rel-
24 evant nongovernmental organizations as part of
25 the Commission's review.

1 (2) GOALS.—Based on its findings under para-
2 graph (1), the Commission shall—

3 (A) advise the Congress on how the United
4 States could lend support to the efforts to
5 eradicate modern-day slavery in all its forms;

6 (B) provide a comprehensive evaluation of
7 best practices to prevent modern-day slavery in
8 all its forms;

9 (C) provide a comprehensive evaluation of
10 the best practices to rescue and rehabilitate vic-
11 tims of modern-day slavery in all its forms;

12 (D) provide a comprehensive evaluation of
13 the best practices to ensure the prosecution of
14 acts of modern-day slavery and increase ac-
15 countability within countries that tolerate mod-
16 ern-day slavery;

17 (E) provide a comprehensive evaluation of
18 the effectiveness of United States laws prohib-
19 iting the importation of goods manufactured or
20 produced in whole or in part through forced
21 labor or child labor, as well as policies and rela-
22 tions with regard to countries that tolerate
23 modern-day slavery;

24 (F) provide a comprehensive evaluation of
25 comparative models and strategies to prevent

1 modern-day slavery, rescue and rehabilitate vic-
2 tims of modern-day slavery, prosecute offend-
3 ers, and increase education about modern-day
4 slavery in all its forms;

5 (G) examine the economic impact on com-
6 munities and countries that demonstrate meas-
7 ured success in fighting modern-day slavery in
8 all its forms; and

9 (H) increase throughout the United States
10 and among high-risk populations education and
11 awareness about modern-day slavery in all its
12 forms.

13 (b) RECOMMENDATIONS.—The Commission shall de-
14 velop recommendations for legislative and administrative
15 actions necessary for the most effective ways to combat
16 and eliminate modern-day slavery in all its forms, develop
17 international cooperation to combat modern-day slavery
18 and determine the nature of what constitutes appropriate
19 relations with countries that tolerate modern-day slavery
20 in any form.

21 (c) REPORT.—Not later than 11 months after the
22 date of enactment of this Act, the Commission shall sub-
23 mit to the Speaker and Minority Leader of the House of
24 Representatives and the Majority Leader and Minority
25 Leader of the Senate, a report containing the results of

1 the study and other activities conducted under subsection
2 (a) and the recommendations developed under subsection
3 (b).

4 **SEC. 6. POWERS OF THE COMMISSION.**

5 (a) HEARINGS.—The Commission may hold such
6 hearings, sit and act at such times and places, take such
7 testimony, and receive such evidence as the Commission
8 considers necessary to carry out this Act.

9 (b) INFORMATION FROM GOVERNMENTAL AGEN-
10 CIES.—The Commission may secure directly from any de-
11 partment or agency such information as the Commission
12 considers necessary to carry out this Act. Upon request
13 of either co-chairperson of the Commission, the head of
14 such department or agency shall furnish such information
15 to the Commission.

16 **SEC. 7. COMMISSION PERSONNEL MATTERS.**

17 (a) COMPENSATION OF MEMBERS.—Each member of
18 the Commission who is not an officer or employee of the
19 Federal Government shall be compensated at a rate equal
20 to the daily equivalent of the annual rate of basic pay pre-
21 scribed for level IV of the Executive Schedule under sec-
22 tion 5313 of title 5, United States Code, for each day (in-
23 cluding travel time) during which such member is engaged
24 in the performance of the duties of the Commission. All
25 members of the Commission who are officers or employees

1 of the United States shall serve without compensation in
2 addition to that received for their services as officers or
3 employees of the United States.

4 (b) TRAVEL EXPENSES.—The members of the Com-
5 mission shall be allowed travel expenses, including per
6 diem in lieu of subsistence, at rates authorized for employ-
7 ees of agencies under subchapter I of chapter 57 of title
8 5, United States Code, while away from their homes or
9 regular places of business in the performance of services
10 for the Commission.

11 (c) STAFF.—

12 (1) IN GENERAL.—The co-chairpersons of the
13 Commission, acting jointly, may, without regard to
14 the civil service laws and regulations, appoint and
15 terminate an executive director and such other addi-
16 tional personnel as may be necessary to enable the
17 Commission to perform its duties. The employment
18 of an executive director shall be subject to confirma-
19 tion by the Commission.

20 (2) COMPENSATION.—The co-chairpersons of
21 the Commission, acting jointly, may fix the com-
22 pensation of the executive director and other per-
23 sonnel without regard to chapter 51 and subchapter
24 III of chapter 53 of title 5, United States Code, re-
25 lating to classification of positions and General

1 Schedule pay rates, except that the rate of pay for
2 the executive director and other personnel may not
3 exceed the rate payable for level V of the Executive
4 Schedule under section 5316 of such title.

5 (d) **DETAIL OF GOVERNMENT EMPLOYEES.**—Federal
6 Government employees may be detailed to the Commission
7 without reimbursement, and such detail shall be without
8 interruption or loss of civil service status or privilege.

9 (e) **PROCUREMENT OF TEMPORARY AND INTERMIT-**
10 **TENT SERVICES.**—The co-chairpersons of the Commis-
11 sion, acting jointly, may procure temporary and intermit-
12 tent services under section 3109(b) of title 5, United
13 States Code, at rates for individuals which do not exceed
14 the daily equivalent of the annual rate of basic pay pre-
15 scribed for level V of the Executive Schedule under section
16 5316 of such title.

17 **SEC. 8. TERMINATION OF THE COMMISSION.**

18 The Commission shall terminate 90 days after the
19 date on which the Commission submits its report under
20 section 5(c).

21 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

22 (a) **IN GENERAL.**—There are authorized to be appro-
23 priated to the Commission for fiscal year 2007 such sums
24 as may be necessary to carry out this Act.

1 (b) AVAILABILITY.—Any sums appropriated under
2 the authorization contained in this section shall remain
3 available, without fiscal year limitation, until expended.

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