

116TH CONGRESS
2D SESSION

H. R. 7805

To combat trafficking in persons for the removal of their organs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2020

Mr. RESCENTIALER (for himself and Mr. McCAUL) introduced the following bill; which was referred to the Committee on the Judiciary, 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 combat trafficking in persons for the removal of their organs, 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 “Stop Predatory Organ
5 Trafficking Act of 2020”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Global Financial Integrity estimates that up
9 to 10 percent of all transplants rely on organs that

1 have been illicitly obtained. These organs are often
2 bought from vulnerable, impoverished persons.

3 (2) The illicit organ trade is lucrative; demand
4 is high, and buyers can pay up to over \$200,000 to
5 secure a kidney outside the legitimate market ac-
6 cording to Global Financial Integrity. By some esti-
7 mates, organ trafficking raises between \$840 million
8 and \$1.7 billion. This can bankroll terrorist and
9 transnational crime activity.

10 (3) It has been reported that the Islamic State
11 has used stolen organs to finance its war activities
12 and to treat injured fighters, sanctioning the re-
13 moval of organs from living captives.

14 (4) A severe shortage of transplanted organs
15 helps fuel organ trafficking. As of 2014, according
16 to the Global Observatory on Donation and Trans-
17 plantation, the 120,000 transplants conducted glob-
18 ally only accounted for 10 percent of the patients
19 waiting for an organ transplant.

20 (5) According to a 2013 United Nations report
21 from the Special Rapporteur on trafficking in per-
22 sons, especially women and children, the economic
23 and social divisions within and among countries is
24 notably reflected in the illicit organ trafficking mar-

1 ket, in which the victims are commonly poor, unem-
2 ployed, and more susceptible to deceit and extortion.

3 **SEC. 3. SENSE OF CONGRESS.**

4 It is the sense of Congress that establishing efficient
5 voluntary organ donation systems with strong enforcement
6 mechanisms is an effective way to combat trafficking in
7 persons for purposes of the removal of organs.

8 **SEC. 4. IMPOSITION OF VISA SANCTIONS.**

9 (a) IN GENERAL.—

10 (1) DETERMINATION.—An alien who the Sec-
11 retary of State or the Secretary of Homeland Secu-
12 rity (or a designee of one of such Secretaries)
13 knows, or has reason to believe, has committed or
14 facilitated the trafficking in persons for purposes of
15 the removal of organs may be determined to be—

16 (A) removable from the United States;

17 (B) inadmissible to the United States;

18 (C) ineligible to receive a visa or other doc-
19 umentation to enter the United States; and

20 (D) otherwise ineligible to be admitted or
21 paroled into the United States or to receive any
22 other benefit under the Immigration and Na-
23 tionality Act (8 U.S.C. 1101 et seq.).

24 (2) REPORTING OF NAMES.—The Secretary of
25 State shall report the names of persons who have

1 been convicted of an offense under section 301 of
2 the National Organ Transplant Act (42 U.S.C.
3 274e) to foreign ministries for future consideration
4 regarding the issuance of visas to such persons.

5 (b) REPORTING.—

6 (1) IN GENERAL.—Not later than two years
7 after the date of the enactment of this Act and an-
8 nually thereafter through 2026, the Secretary of
9 State shall submit to the appropriate congressional
10 committees a comprehensive report that includes the
11 following information:

12 (A) A description of the sources, practices,
13 methods, facilitators, and recipients of traf-
14 ficking in persons for purposes of the removal
15 of organs during the period covered by each
16 such report.

17 (B) A description of activities undertaken
18 by the Department of State, either unilaterally
19 or in cooperation with other countries, to ad-
20 dress and prevent trafficking in persons for
21 purposes of the removal of organs.

22 (C) A description of activities undertaken
23 by countries to address and prevent trafficking
24 in persons for purposes of the removal of or-
25 gans.

1 (2) MATTERS TO BE INCLUDED.—The reports
2 required under subsection (a) shall include the col-
3 lection and organization of data from human rights
4 officers at United States diplomatic and consular
5 posts on host country laws against trafficking in
6 persons for purposes of the removal of organs, in-
7 cluding enforcement of such laws, or any instances
8 of violations of such laws.

9 (3) ADDITIONAL MATTERS TO BE INCLUDED.—
10 The reports required under subsection (a) may in-
11 clude the following:

12 (A) Information provided in meetings with
13 host country officials.

14 (B) Information provided through coopera-
15 tion with United Nations or World Health Or-
16 ganization agencies.

17 (C) Communications and reports provided
18 by nongovernmental organizations working on
19 the issue of trafficking in persons for purposes
20 of the removal of organs.

21 (D) Any other reports or information
22 sources the Secretary of State determines to be
23 necessary and appropriate.

24 (4) RELATION TO TRAFFICKING IN PERSONS
25 REPORT.—The reports required under subsection (a)

1 shall be deemed to satisfy the reporting require-
2 ments relating to trafficking in persons for purposes
3 of the removal of organs under section 110(b) of the
4 Trafficking Victims Protection Act of 2000 (22
5 U.S.C. 7107(b)).

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