

117TH CONGRESS  
1ST SESSION

# H. R. 1434

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

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2021

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

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## 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 2021”.

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 2027, 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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