

118TH CONGRESS
1ST SESSION

H. R. 1154

IN THE SENATE OF THE UNITED STATES

MARCH 28, 2023

Received; read twice and referred to the Committee on Foreign Relations

AN ACT

To combat forced organ harvesting and trafficking in persons
for purposes of the removal of 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Stop Forced Organ
3 Harvesting Act of 2023”.

4 **SEC. 2. STATEMENT OF POLICY.**

5 It shall be the policy of the United States—

6 (1) to combat international trafficking in per-
7 sons for purposes of the removal of organs;

8 (2) to promote the establishment of voluntary
9 organ donation systems with effective enforcement
10 mechanisms in bilateral diplomatic meetings and in
11 international health forums;

12 (3) to promote the dignity and security of
13 human life in accordance with the Universal Dec-
14 laration of Human Rights, adopted on December 10,
15 1948; and

16 (4) to hold accountable persons implicated, in-
17 cluding members of the Chinese Communist Party,
18 in forced organ harvesting and trafficking in persons
19 for purposes of the removal of organs.

20 **SEC. 3. DEFINITIONS.**

21 In this Act:

22 (1) APPROPRIATE COMMITTEES OF CON-
23 GRESS.—The term “appropriate committees of Con-
24 gress” means—

1 (A) the Committee on Foreign Relations
2 and the Committee on the Judiciary of the Sen-
3 ate; and

4 (B) the Committee on Foreign Affairs and
5 the Committee on the Judiciary of the House of
6 Representatives.

7 (2) FORCED ORGAN HARVESTING.—The term
8 “forced organ harvesting” means the removal of one
9 or more organs from a person by means of coercion,
10 abduction, deception, fraud, or abuse of power or a
11 position of vulnerability.

12 (3) ORGAN.—The term “organ” has the mean-
13 ing given the term “human organ” in section
14 301(c)(1) of the National Organ Transplant Act (42
15 U.S.C. 274e(c)(1)).

16 (4) TRAFFICKING IN PERSONS FOR PURPOSES
17 OF THE REMOVAL OF ORGANS.—The term “traf-
18 ficking in persons for purposes of the removal of or-
19 gans” means the recruitment, transportation, trans-
20 fer, harboring, or receipt of a person for the purpose
21 of removing one or more of such person’s organs, by
22 means of—

23 (A) coercion;

24 (B) abduction;

25 (C) deception;

1 (D) fraud;

2 (E) abuse of power or a position of vulner-
3 ability; or

4 (F) transfer of payments or benefits to
5 achieve the consent of a person having control
6 over a person described in the matter preceding
7 subparagraph (A).

8 **SEC. 4. AUTHORITY TO DENY OR REVOKE PASSPORTS.**

9 (a) IN GENERAL.—The Secretary of State may
10 refuse to issue a passport to any individual who has been
11 convicted of an offense under section 301 of the National
12 Organ Transplant Act (42 U.S.C. 274e) and is subject
13 to imprisonment or parole or other supervised release as
14 the result of such conviction if such individual, in the com-
15 mission of such an offense, used a passport or crossed an
16 international border.

17 (b) REVOCATION.—The Secretary of State may re-
18 voke a passport previously issued to any individual de-
19 scribed in subsection (a).

20 **SEC. 5. REPORTS ON FORCED ORGAN HARVESTING AND**
21 **TRAFFICKING IN PERSONS FOR PURPOSES**
22 **OF THE REMOVAL OF ORGANS IN FOREIGN**
23 **COUNTRIES.**

24 The Foreign Assistance Act of 1961 (22 U.S.C. 2151
25 et seq.) is amended—

1 (1) in section 116 (22 U.S.C. 2151n), by add-
2 ing at the end the following:

3 “(h) FORCED ORGAN HARVESTING AND TRAF-
4 FICKING IN PERSONS FOR PURPOSES OF THE REMOVAL
5 OF ORGANS.—

6 “(1) IN GENERAL.—The report required by
7 subsection (d) shall include an assessment of forced
8 organ harvesting and trafficking in persons for pur-
9 poses of the removal of organs in each foreign coun-
10 try.

11 “(2) DEFINITIONS.—In this subsection:

12 “(A) FORCED ORGAN HARVESTING.—The
13 term ‘forced organ harvesting’ means the re-
14 moval of one or more organs from a person by
15 means of coercion, abduction, deception, fraud,
16 or abuse of power or a position of vulnerability.

17 “(B) ORGAN.—The term ‘organ’ has the
18 meaning given the term ‘human organ’ in sec-
19 tion 301(c)(1) of the National Organ Trans-
20 plant Act (42 U.S.C. 274e(c)(1)).

21 “(C) TRAFFICKING IN PERSONS FOR PUR-
22 POSES OF THE REMOVAL OF ORGANS.—The
23 term ‘trafficking in persons for purposes of the
24 removal of organs’ means the recruitment,
25 transportation, transfer, harboring, or receipt of

1 a person for the purpose of removing one or
2 more of such person's organs, by means of—

3 “(i) coercion;

4 “(ii) abduction;

5 “(iii) deception;

6 “(iv) fraud;

7 “(v) abuse of power or a position of
8 vulnerability; or

9 “(vi) transfer of payments or benefits
10 to achieve the consent of a person having
11 control over a person described in the mat-
12 ter preceding clause (i).”; and

13 (2) in section 502B (22 U.S.C. 2304)—

14 (A) by redesignating the second subsection

15 (i) (relating to child marriage status) as sub-
16 section (j); and

17 (B) by adding at the end the following:

18 “(k) FORCED ORGAN HARVESTING AND TRAF-
19 FICKING IN PERSONS FOR PURPOSES OF THE REMOVAL
20 OF ORGANS.—

21 “(1) IN GENERAL.—The report required by
22 subsection (b) shall include an assessment of forced
23 organ harvesting and trafficking in persons for pur-
24 poses of the removal of organs in each foreign coun-
25 try.

1 “(2) DEFINITIONS.—In this subsection, the
 2 terms ‘forced organ harvesting’, ‘organ’, and ‘traf-
 3 ficking in persons for purposes of the removal of or-
 4 gans’ have the meanings given those terms in section
 5 116(h)(2).”.

6 **SEC. 6. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 7 **FORCED ORGAN HARVESTING OR TRAF-**
 8 **FICKING IN PERSONS FOR PURPOSES OF THE**
 9 **REMOVAL OF ORGANS.**

10 (a) LIST REQUIRED.—Not later than 180 days after
 11 the date of the enactment of this Act, the President shall
 12 submit to the appropriate committees of Congress a list
 13 of each person that the President determines funds, spon-
 14 sors, or otherwise facilitates forced organ harvesting or
 15 trafficking in persons for purposes of the removal of or-
 16 gans.

17 (b) IMPOSITION OF SANCTIONS.—The President shall
 18 impose the following sanctions with respect to a person
 19 on the list required by subsection (a):

20 (1) PROPERTY BLOCKING.—The President shall
 21 exercise all of the powers granted by the Inter-
 22 national Emergency Economic Powers Act (50
 23 U.S.C. 1701 et seq.) (except that the requirements
 24 of section 202 of such Act (50 U.S.C. 1701) shall
 25 not apply) to the extent necessary to block and pro-

hibit all transactions in all property and interests in property of the person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) ALIENS INADMISSIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—In the case of an individual, that individual is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States;

and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of the individual shall be revoked, regardless of when such visa or other entry documentation is or was issued.

1 (ii) IMMEDIATE EFFECT.—A revoca-
2 tion under clause (i) shall—

3 (I) take effect immediately; and

4 (II) automatically cancel any
5 other valid visa or entry documenta-
6 tion that is in the individual's posses-
7 sion.

8 (c) EXCEPTIONS.—

9 (1) EXCEPTION RELATING TO IMPORTATION OF
10 GOODS.—

11 (A) IN GENERAL.—The authorities and re-
12 quirements to impose sanctions under sub-
13 section (b)(1) shall not include the authority or
14 a requirement to impose sanctions on the im-
15 portation of goods.

16 (B) GOOD DEFINED.—In this paragraph,
17 the term “good” means any article, natural or
18 manmade substance, material, supply or manu-
19 factured product, including inspection and test
20 equipment, and excluding technical data.

21 (2) EXCEPTION TO COMPLY WITH INTER-
22 NATIONAL OBLIGATIONS.—Subsection (b)(2) shall
23 not apply to the admission of an individual if the ad-
24 mission of the individual is necessary to comply with
25 United States obligations under the Agreement be-

1 tween the United Nations and the United States of
2 America regarding the Headquarters of the United
3 Nations, signed at Lake Success June 26, 1947, and
4 entered into force November 21, 1947, under the
5 Convention on Consular Relations, done at Vienna
6 April 24, 1963, and entered into force March 19,
7 1967, or under other applicable international agree-
8 ments or treaties.

9 (3) EXCEPTION RELATING TO THE PROVISION
10 OF HUMANITARIAN ASSISTANCE.—Sanctions under
11 this section may not be imposed with respect to
12 transactions or the facilitation of transactions for—

13 (A) the sale of agricultural commodities,
14 food, or medicine;

15 (B) the provision of vital humanitarian as-
16 sistance;

17 (C) financial transactions relating to vital
18 humanitarian assistance or for vital humani-
19 tarian purposes; or

20 (D) transporting goods or services that are
21 necessary to carry out operations relating to
22 vital humanitarian assistance.

23 (4) WAIVER.—The President may, on a case-
24 by-case basis and for periods not to exceed 180 days
25 each, waive the application of sanctions or restric-

1 tions imposed with respect to a person under this
2 section if the President certifies to the appropriate
3 committees of Congress not later than 15 days be-
4 fore such waiver is to take effect that the waiver is
5 vital to the national security interests of the United
6 States.

7 (d) IMPLEMENTATION; PENALTIES.—

8 (1) IMPLEMENTATION.—The President may ex-
9 ercise all authorities provided under sections 203
10 and 205 of the International Emergency Economic
11 Powers Act (50 U.S.C. 1702 and 1704) to carry out
12 this section.

13 (2) PENALTIES.—A person that violates, at-
14 tempts to violate, conspires to violate, or causes a
15 violation of this section or any regulation, license, or
16 order issued to carry out this section shall be subject
17 to the penalties set forth in subsections (b) and (c)
18 of section 206 of the International Emergency Eco-
19 nomic Powers Act (50 U.S.C. 1705) to the same ex-
20 tent as a person that commits an unlawful act de-
21 scribed in subsection (a) of that section.

22 (e) DEFINITIONS.—In this section—

23 (1) the term “person”—

24 (A) means an individual or entity; and

1 (B) includes a non-state actor (as such
2 term is defined in Public Law 114–281); and

3 (2) the term “United States person” means—

4 (A) a United States citizen or an alien law-
5 fully admitted for permanent residence to the
6 United States; or

7 (B) an entity organized under the laws of
8 the United States or any jurisdiction within the
9 United States, including a foreign branch of
10 such an entity.

Passed the House of Representatives March 27,
2023.

Attest: CHERYL L. JOHNSON,
Clerk.