

106TH CONGRESS
1ST SESSION

H. R. 1356

To end international sexual trafficking, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 1999

Mr. SMITH of New Jersey (for himself and Ms. KAPTUR) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on the Judiciary, and Banking and Financial Services, 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 end international sexual 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Freedom From Sexual Trafficking Act of 1999”.

6 (b) TABLE OF CONTENTS.—The table of contents of
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Purposes and findings.
- Sec. 3. Definitions.
- Sec. 4. Minimum standards for the elimination of sexual trafficking.

Sec. 5. Office for the Protection of Victims of Trafficking.

Sec. 6. Assistance for victim protection.

Sec. 7. Protection from removal for certain victims of sexual trafficking.

Sec. 8. Actions against governments failing to meet minimum standards.

Sec. 9. Trafficking of persons for commercial sexual purposes.

1 **SEC. 2. PURPOSES AND FINDINGS.**

2 (a) **PURPOSES.**—The purposes of this Act are to end
3 international sexual trafficking, in which women and chil-
4 dren are brought across international boundaries by
5 means of force or fraud for purposes of forced prostitu-
6 tion, sexual slavery, and similar practices; to provide just
7 punishment for the perpetrators of such practices; and to
8 protect their victims.

9 (b) **FINDINGS.**—The Congress makes the following
10 findings:

11 (1) Millions of persons every year, of whom the
12 overwhelming majority are women or children, are
13 trafficked into the international sex trade by means
14 of fraud, force, or coercion.

15 (2) International trafficking in persons is not
16 limited to sexual trafficking. It may also involve
17 forced labor and other violations of internationally
18 recognized human rights. Trafficking of persons in
19 all its forms is an evil that calls for concerted and
20 vigorous action by countries of origin, receiving
21 countries, and international organizations.

22 (3) Sexual trafficking is a particularly brutal
23 form of the international traffic in persons. Because

1 it causes the involuntary participation of another
2 person in sex acts by means of fraud, force, or coer-
3 cion, sexual trafficking includes all the elements of
4 the crime of rape, which is defined by all legal sys-
5 tems as among the most serious of all crimes.

6 (4) International sexual trafficking also involves
7 frequent and serious violations of other laws, includ-
8 ing labor and immigration codes and laws against
9 kidnapping, slavery, false imprisonment, assault,
10 battery, pandering, fraud, and extortion.

11 (5) Existing legislation and law enforcement in
12 the United States and in other nations around the
13 world have proved inadequate to deter trafficking
14 and to bring traffickers to justice, principally be-
15 cause such legislation and enforcement do not reflect
16 the gravity of the offenses involved. Instead, even
17 the most brutal instances of sexual trafficking are
18 often punished under laws that also apply to far less
19 serious offenses such as consensual sexual activity
20 and illegal immigration, so that traffickers typically
21 escape severe punishment.

22 (6) In some countries, enforcement against
23 international sexual traffickers is also hindered by
24 official indifference, by corruption, and sometimes
25 even by active official participation in trafficking.

1 (7) Because existing laws and law enforcement
2 procedures often fail to make clear distinctions be-
3 tween victims of sexual trafficking and persons who
4 have wilfully violated laws such as those against
5 prostitution, and because victims often do not have
6 legal immigration status in the countries into which
7 they are trafficked, the victims are often punished
8 more harshly than the traffickers themselves.

9 (8) Because victims of international sexual traf-
10 ficking are frequently unfamiliar with the laws, cul-
11 tures, and languages of the countries into which
12 they have been trafficked, and because they are sub-
13 jected to coercion and intimidation including phys-
14 ical detention, debt bondage, fear of retribution, and
15 fear of forcible removal to countries in which they
16 will face retribution or other hardship, these victims
17 often find it difficult or impossible to report the
18 crimes committed against them or to assist in the
19 investigation and prosecution of such crimes.

20 (9) The Universal Declaration of Human
21 Rights recognizes the right to be free from slavery
22 and involuntary servitude, arbitrary detention, de-
23 grading or inhuman treatment, and arbitrary inter-
24 ference with privacy or the family, as well as the
25 right to protection by law against these abuses.

1 (10) The United Nations General Assembly has
2 passed three resolutions during the last three years
3 (50/167, 51/66, and 52/98) recognizing that the
4 international traffic in women and girls, particularly
5 for purposes of forced prostitution, is a matter of
6 pressing international concern involving numerous
7 violations of fundamental human rights. The resolu-
8 tions call upon governments of receiving countries as
9 well as countries of origin to strengthen their laws
10 against such practices, to intensify their efforts to
11 enforce such laws, and to ensure the full protection,
12 treatment, and rehabilitation of women and children
13 who are victims of trafficking.

14 (11) The Final Report of the World Congress
15 against Sexual Exploitation of Children, held in
16 Stockholm, Sweden in August 1996, recognized that
17 international sexual trafficking is a principal cause
18 of increased exploitation and degradation of chil-
19 dren.

20 (12) In the 1991 Moscow Document of the Or-
21 ganization for Security and Co-operation in Europe,
22 participating states including the United States
23 agreed to “seek to eliminate all forms of violence
24 against women, and all forms of traffic in women
25 and exploitation of prostitution of women including

1 by ensuring adequate legal prohibitions against such
2 acts and other appropriate measures”.

3 (13) In order to deter international sexual traf-
4 ficking and to bring its perpetrators to justice, na-
5 tions including the United States must recognize
6 that sexual trafficking is a grave offense, equivalent
7 for all moral and practical purposes to the crime of
8 rape, and must act on this recognition by pre-
9 scribing appropriate punishment for sexual traf-
10 ficking, by giving the highest priority to its inves-
11 tigation and prosecution, and by protecting rather
12 than punishing its victims.

13 **SEC. 3. DEFINITIONS.**

14 As used in this Act:

15 (1) **SEXUAL TRAFFICKING.**—The term “sexual
16 trafficking” means the taking of a person across an
17 international border for the purpose of a commercial
18 sexual act, if either such taking or such sexual act
19 is effected by fraud, force, or coercion, or if the per-
20 son has not attained the age of 18 years.

21 (2) **VICTIM OF SEXUAL TRAFFICKING.**—The
22 term “victim of sexual trafficking” means any per-
23 son who is taken across an international border for
24 the purpose of a commercial sexual act, if the par-
25 ticipation of such person in such taking or such act

1 is induced by fraud, force, or coercion, or if the per-
2 son has not attained the age of 18 years.

3 (3) ACT OF SEXUAL TRAFFICKING.—The term
4 “act of sexual trafficking” means any act at any
5 point in the process of sexual trafficking, including
6 any act of recruitment, harboring, transport, pur-
7 chase, or sale of a victim of sexual trafficking, or
8 any act of operation, management, or ownership of
9 an enterprise in which a victim of sexual trafficking
10 engages in a commercial sexual act or is induced or
11 expected to engage in such act, or sharing in the
12 profits of the process of sexual trafficking or any
13 part thereof.

14 (4) COMMERCIAL SEXUAL ACT.—The term
15 “commercial sexual act” means a sexual act on ac-
16 count of which anything of value is given to or re-
17 ceived by any person.

18 (5) MINIMUM STANDARDS FOR THE ELIMI-
19 NATION OF SEXUAL TRAFFICKING.—The term “min-
20 imum standards for the elimination of sexual traf-
21 ficking” means the standards set forth in section 4.

22 (6) NONHUMANITARIAN FOREIGN ASSIST-
23 ANCE.—The term “nonhumanitarian foreign assist-
24 ance” means—

1 (A) any assistance under the Foreign As-
2 sistance Act of 1961 (including programs under
3 title IV of chapter 2 of part I of that Act, relat-
4 ing to the Overseas Private Investment Cor-
5 poration), other than—

6 (i) assistance under chapter 8 of part
7 I of that Act;

8 (ii) any other narcotics-related assist-
9 ance under part I of that Act or under
10 chapter 4 or 5 of part II of that Act, but
11 any such assistance provided under this
12 clause shall be subject to the prior notifica-
13 tion procedures applicable to
14 reprogrammings pursuant to section 634A
15 of that Act;

16 (iii) disaster relief assistance, includ-
17 ing any assistance under chapter 9 of part
18 I of that Act;

19 (iv) antiterrorism assistance under
20 chapter 8 of part II of that Act;

21 (v) assistance which involves the pro-
22 vision of food (including monetization of
23 food) or medicine;

24 (vi) assistance for refugees; and

1 (vii) humanitarian and other develop-
2 ment assistance in support of programs of
3 nongovernmental organizations under
4 chapters 1 and 10 of that Act;

5 (B) sales, or financing on any terms, under
6 the Arms Export Control Act, other than sales
7 or financing provided for narcotics-related pur-
8 poses following notification in accordance with
9 the prior notification procedures applicable to
10 reprogrammings pursuant to section 634A of
11 the Foreign Assistance Act of 1961; and

12 (C) financing under the Export-Import
13 Bank Act of 1945.

14 **SEC. 4. MINIMUM STANDARDS FOR THE ELIMINATION OF**
15 **SEXUAL TRAFFICKING.**

16 (a) **MINIMUM STANDARDS.**—Minimum standards for
17 the elimination of sexual trafficking are as follows:

18 (1) The country should prohibit and punish sex-
19 ual trafficking.

20 (2) The country should prescribe punishment
21 commensurate with that for the most serious crimes,
22 such as forcible sexual assault, for a person who
23 knowingly commits an act of sexual trafficking in-
24 volving fraud, force, or coercion, or in which the vic-

1 tim of sexual trafficking has not attained the age of
2 14 years.

3 (3) The country should prescribe punishment
4 commensurate with that prescribed for other serious
5 crimes for a person who knowingly commits an act
6 of sexual trafficking in which there is no proof of
7 fraud, force, or coercion, and in which the victim of
8 sexual trafficking has attained the age of 14 years
9 but has not attained the age of 18 years.

10 (4) The country should make serious and sus-
11 tained efforts to eliminate sexual trafficking.

12 (b) CRITERIA.—In determinations under subsection
13 (a)(3) the following factors should be considered:

14 (1) Whether the country vigorously investigates
15 and prosecutes acts of trafficking that take place
16 wholly or partly within the territory of the country.

17 (2) Whether the country cooperates with other
18 countries in the investigation and prosecution of sex-
19 ual trafficking.

20 (3) Whether the country extradites persons
21 charged with acts of sexual trafficking on the same
22 terms and to the same extent as persons charged
23 with other serious crimes.

24 (4) Whether the country monitors immigration
25 and emigration patterns for evidence of sexual traf-

1 ficking and whether law enforcement agencies of the
2 country respond to any such evidence in a manner
3 which is consistent with the vigorous investigation
4 and prosecution of acts of sexual trafficking, as well
5 as with the protection of victims and the internation-
6 ally recognized human right to travel.

7 (5) Whether the country protects victims and
8 encourages their assistance in the investigation and
9 prosecution of sexual trafficking, including provision
10 for legal alternatives to their removal to countries in
11 which they would face retribution or other hardship.

12 (6) Whether the country vigorously investigates
13 and prosecutes public officials who participate in, fa-
14 cilitate, or condone sexual trafficking.

15 **SEC. 5. OFFICE FOR THE PROTECTION OF VICTIMS OF**
16 **TRAFFICKING.**

17 (a) **ESTABLISHMENT.**—There is established in the
18 Office of the Secretary of State an Office for the Protec-
19 tion of Victims of Trafficking. The office shall be adminis-
20 tered by a director. The director shall be appointed by the
21 President with the advice and consent of the Senate. The
22 director shall have primary responsibility for assisting the
23 Secretary of State in carrying out the purposes of this Act
24 and may have additional responsibilities as determined by
25 the Secretary.

1 (b) REPORTS TO CONGRESS.—

2 (1) ANNUAL REPORT.—Not later than April 30
3 of each year, the Secretary of State, with the assist-
4 ance of the director, shall submit to the Congress a
5 report with respect to the status of international
6 sexual trafficking, including a list of those countries,
7 if any, that do not meet the minimum standards for
8 the elimination of sexual trafficking under section 4.

9 (2) COUNTRY REPORTS ON HUMAN RIGHTS
10 PRACTICES.—Section 116(d) of the Foreign Assist-
11 ance Act of 1961 (22 U.S.C. 2151n) is amended—

12 (A) at the end of paragraph (6) by striking
13 “and”;

14 (B) at the end of paragraph (7) by striking
15 the period and inserting “; and”; and

16 (C) by adding after paragraph (7) the fol-
17 lowing new paragraph:

18 “(8) information on sexual trafficking and of
19 efforts being taken by the country to prevent such
20 trafficking.”.

21 (3) INTERIM REPORTS.—The Secretary of
22 State, with the assistance of the director, may sub-
23 mit to the Congress in addition to the annual report
24 under subsection (b) one or more interim reports
25 with respect to the status of international sexual

1 trafficking, including information about countries
2 whose governments have come into or out of compli-
3 ance with the minimum standards for the elimi-
4 nation of sexual trafficking since the transmission of
5 the last annual report.

6 (c) DUTIES AND AUTHORITIES OF THE DIRECTOR.—

7 Pursuant to the responsibilities set forth in subsections
8 (a) and (b), the director shall assist the Secretary in the
9 establishment and operation of facilities to receive and dis-
10 seminate information about international sexual traf-
11 ficking, including a site on the Internet. The director shall
12 have authority to consult with experts on international
13 sexual trafficking and with victims and other affected per-
14 sons and to take evidence in public hearings or by other
15 means.

16 (d) AUTHORIZATION.—There is authorized to be ap-
17 propriated to the Secretary of State \$2,000,000 for fiscal
18 year 2000 and \$2,000,000 for fiscal year 2001 for the
19 Office for the Protection of Victims of Trafficking.

20 (e) NOMINATION OF DIRECTOR.—The President shall
21 transmit to the Senate the nomination of the director not
22 later than 120 days after the effective date of this Act.

23 **SEC. 6. ASSISTANCE FOR VICTIM PROTECTION.**

24 (a) INTERNATIONAL VICTIM PROGRAMS.—There is
25 authorized to be appropriated to the Secretary of State

1 \$10,000,000 for fiscal year 2000 and \$10,000,000 for fis-
2 cal year 2001, for assistance to foreign countries in pro-
3 grams and activities designed to meet the minimum inter-
4 national standards for the elimination of sexual traf-
5 ficking, including drafting of legislation to prohibit and
6 punish acts of sexual trafficking, investigation and pros-
7 ecution of sexual trafficking, and facilities, programs, and
8 activities for the protection of victims.

9 (b) DOMESTIC VICTIM PROGRAMS.—There is appro-
10 priated to the Secretary of Health and Human Services,
11 \$10,000,000 for fiscal year 2000 and \$10,000,000 for fis-
12 cal year 2001, for programs and activities to assist victims
13 of sexual trafficking in the United States.

14 (c) ASSISTANCE THROUGH NGOS.—In carrying out
15 this section, assistance should be administered through
16 nongovernmental organizations (NGOs) whenever pos-
17 sible.

18 (d) ASSET FORFEITURE FUNDS.—Funds from asset
19 forfeiture under section 2241A of title 18, United States
20 Code, are authorized to be available in equal amounts for
21 the purposes of subsections (a) and (b) and shall remain
22 available for obligation until expended.

1 **SEC. 7. PROTECTION FROM REMOVAL FOR CERTAIN VIC-**
2 **TIMS OF SEXUAL TRAFFICKING.**

3 (a) NONIMMIGRANT CLASSIFICATION FOR CERTAIN
4 VICTIMS OF SEXUAL TRAFFICKING.—Section 101(a)(15)
5 of the Immigration and Nationality Act (8 U.S.C.
6 1101(a)(15)) is amended—

7 (1) by striking “or” at the end of subparagraph
8 (R);

9 (2) by striking the period at the end of sub-
10 paragraph (S) and inserting “; or”; and

11 (3) by adding at the end the following new sub-
12 paragraph:

13 “(T) an alien who the Attorney General
14 determines—

15 “(i) is physically present in the
16 United States;

17 “(ii) is or has been a victim of sexual
18 trafficking as defined in section 3 of the
19 Freedom From Sexual Trafficking Act of
20 1999;

21 “(iii)(I) has not unreasonably refused
22 to assist in the investigation or prosecution
23 of acts of sexual trafficking; or

24 “(II) has not attained the age of 14
25 years; and

1 “(iv) would face a significant possi-
2 bility of retribution or other hardship if re-
3 moved from the United States,
4 and, if the Attorney General considers it to be
5 appropriate, the spouse, married and unmarried
6 sons and daughters, and parents of an alien de-
7 scribed in this subparagraph if accompanying,
8 or following to join, the alien, except that no
9 person shall be eligible for admission to the
10 United States under this subparagraph if there
11 is substantial reason to believe that the person
12 has committed an act of sexual trafficking as
13 defined in section 3 of the Freedom From Sex-
14 ual Trafficking Act of 1999.”.

15 (b) WAIVER OF GROUNDS FOR INELIGIBILITY FOR
16 ADMISSION.—Section 212(d) of the Immigration and Na-
17 tionality Act (8 U.S.C. 1182(d)) is amended by adding
18 at the end the following new paragraph:

19 “(13) The Attorney General shall determine
20 whether a ground for inadmissibility exists with re-
21 spect to a nonimmigrant described in section
22 101(a)(15)(T). The Attorney General, in the Attor-
23 ney General’s discretion, may waive the application
24 of subsection (a) (other than paragraph (3)(E)) in
25 the case of a nonimmigrant described in section

1 101(a)(15)(T), if the Attorney General considers it
2 to be in the national interest to do so. Nothing in
3 this section shall be regarded as prohibiting the Im-
4 migration and Naturalization Service from insti-
5 tuting removal proceedings against an alien admit-
6 ted as a nonimmigrant under section 101(a)(15)(T)
7 for conduct committed after the alien's admission
8 into the United States, or for conduct or a condition
9 that was not disclosed to the Attorney General prior
10 to the alien's admission as a nonimmigrant under
11 section 101(a)(15)(T).”.

12 (c) ADJUSTMENT TO PERMANENT RESIDENT STA-
13 TUS.—Section 245 of the Immigration and Nationality
14 Act (8 U.S.C. 1255) is amended by adding at the end the
15 following new subsection:

16 “(l)(1) If, in the opinion of the Attorney General, a
17 nonimmigrant admitted into the United States under sec-
18 tion 101(a)(15)(T)—

19 “(A) has been physically present in the United
20 States for a continuous period of at least 3 years
21 since the date of admission as a nonimmigrant
22 under section 101(a)(15)(T);

23 “(B) has, throughout such period, been a per-
24 son of good moral character;

1 “(C) has not, during such period, unreasonably
2 refused to provide assistance in the investigation or
3 prosecution of acts of sexual trafficking; and

4 “(D) would face a significant possibility of ret-
5 ribution or other hardship if removed from the
6 United States,

7 the Attorney General may adjust the status of the alien
8 (and the spouse, married and unmarried sons and daugh-
9 ters, and parents of the alien if admitted under that sec-
10 tion) to that of an alien lawfully admitted for permanent
11 residence if the alien is not described in section
12 212(a)(3)(E)

13 “(2) An alien shall be considered to have failed to
14 maintain continuous physical presence in the United
15 States under paragraph (1)(A) if the alien has departed
16 from the United States for any period in excess of 90 days
17 or for any periods in the aggregate exceeding 180 days.”.

18 **SEC. 8. ACTIONS AGAINST GOVERNMENTS FAILING TO**
19 **MEET MINIMUM STANDARDS.**

20 (a) STATEMENT OF POLICY.—It is the policy of the
21 United States not to provide nonhumanitarian foreign as-
22 sistance to countries which do not meet minimum stand-
23 ards for the elimination of sexual trafficking.

24 (b) NOTIFICATION.—For each fiscal year, for each
25 foreign country which does not meet minimum standards

1 for the elimination of sexual trafficking, as described in
2 an annual report with respect to the status of inter-
3 national sexual trafficking under section 5(b)(1) or an in-
4 terim report under section 5(b)(3), not less than 45 days
5 and not more than 90 days after the submission of such
6 a report, the President shall submit a notification to the
7 Congress of one of the determinations described in sub-
8 section (c).

9 (c) DETERMINATIONS.—The determinations referred
10 to in subsection (b) are as follows:

11 (1) WITHHOLDING OF NONHUMANITARIAN AS-
12 SISTANCE.—The President has determined that—

13 (A)(i) the United States will not provide
14 nonhumanitarian foreign assistance to the gov-
15 ernment of the country for the subsequent fiscal
16 year until such government complies with the
17 minimum standards; or

18 (ii) in the case of a country whose govern-
19 ment received no nonhumanitarian foreign as-
20 sistance from the United States during the pre-
21 vious fiscal year, the United States will not pro-
22 vide funding for participation by officials or em-
23 ployees of such governments in educational and
24 cultural exchange programs for the subsequent

1 fiscal year until such government complies with
2 the minimum standards; and

3 (B) the President will instruct the United
4 States Executive Director of each multilateral
5 development bank and of the International
6 Monetary Fund to vote against, and to use his
7 or her best efforts to deny, any loan or other
8 utilization of the funds of his or her institution
9 to that country (other than for humanitarian
10 assistance, or for development assistance which
11 directly addresses basic human needs, is not ad-
12 ministered by the government of the sanctioned
13 country, and confers no benefit to that country)
14 for the subsequent fiscal year until such govern-
15 ment complies with the minimum standards.

16 (2) SUBSEQUENT COMPLIANCE.—The Secretary
17 of State, with the assistance of the director, has de-
18 termined that the country has come into compliance
19 with the minimum standards.

20 (3) CONTINUATION OF ASSISTANCE IN THE NA-
21 TIONAL INTEREST.—Notwithstanding the failure of
22 the country to comply with minimum standards for
23 the elimination of sexual trafficking, the President
24 has determined that the provision of nonhumani-

1 tarian foreign assistance to the country is in the na-
2 tional interest of the United States.

3 (d) CERTIFICATION.—Together with any notification
4 under subsection (b)(1)(i), the President shall provide a
5 certification by the Secretary of State that with respect
6 to assistance described in clause (i), (ii), or (iv) of section
7 3(6)(A) or in section 3(6)(B), no assistance is intended
8 to be received or used by any agency or official who has
9 participated in, facilitated, or condoned sexual trafficking.

10 **SEC. 9. TRAFFICKING OF PERSONS FOR COMMERCIAL SEX-**
11 **UAL PURPOSES.**

12 (a) IN GENERAL.—Chapter 109A of title 18, United
13 States Code, is amended by inserting after section 2241
14 the following:

15 **“§ 2241A. Trafficking of persons for commercial sex-**
16 **ual purposes**

17 “(a) IN GENERAL.—Whoever, whether inside or out-
18 side the United States, knowingly does or attempts or con-
19 spires to—

20 “(1) transport a person across an international
21 border;

22 “(2) recruit, entice, harbor, or engage in the
23 purchase or sale of a person when the person will be
24 or has been transported across an international bor-
25 der; or

1 “(3) own, manage, operate, or share in the pro-
2 ceeds of an enterprise in which a person has been
3 transported across an international border,
4 for the purpose of causing a person who has not attained
5 the age of 18 years to engage in a commercial sexual act
6 or for the purpose of causing a person to engage in a com-
7 mercial sexual act by fraud, force, or coercion, shall be
8 punished as provided in subsection (b).

9 “(b) PUNISHMENT.—The punishment for an offense
10 under subsection (a) is—

11 “(1) if the offense was effected by fraud, force,
12 or coercion, or if the person transported had not at-
13 tained the age of 14 years at the time of such of-
14 fense, by a fine under this title or imprisonment for
15 any term of years or for life, or both; or

16 “(2) if the offense was not effected by fraud,
17 force, or coercion, and the person transported had
18 attained the age of 14 years but had not attained
19 the age of 18 years at the time of such offense, by
20 a fine under this title or imprisonment for not more
21 than 15 years, or both.

22 “(c) DEFINITION OF COMMERCIAL SEXUAL ACT.—
23 In this section, the term ‘commercial sexual act’ means
24 any sexual act, on account of which anything of value is
25 given to or received by any person, and—

1 “(1) which takes place in the United States;

2 “(2) which affects United States foreign com-
3 merce; or

4 “(3) in which either the person transported or
5 the person committing the violation is a United
6 States citizen or an alien admitted for permanent
7 residence in the United States.

8 “(d) FORFEITURE.—

9 “(1) IN GENERAL.—Upon conviction for a vio-
10 lation of this section, the convicted person shall for-
11 feit to the United States such person’s interest in
12 any property, real or personal—

13 “(A) constituting or traceable to gross
14 profits or other proceeds obtained from such of-
15 fense; or

16 “(B) used or intended to be used to com-
17 mit or to promote the commission of such of-
18 fense.

19 “(2) PROCEDURE.—The procedures in section
20 1963 relating to forfeiture shall apply to forfeiture
21 of property under this section in the same manner
22 as those procedures apply with respect to property
23 forfeited under that section.

24 “(e) WITNESS PROTECTION.—Any violation of this
25 section shall be considered an organized criminal activity

1 or other serious offense for the purposes of application of
2 chapter 224 (relating to witness protection).”.

3 (b) RACKETEERING.—Section 1961(1) of title 18,
4 United States Code, is amended by inserting “section
5 2241A (relating to trafficking of persons for commercial
6 sexual purposes),” after “murder-for-hire),”.

7 (c) CLERICAL AMENDMENT.—The table of sections
8 at the beginning of chapter 109A of title 18, United States
9 Code, is amended by inserting after the item relating to
10 section 2241 the following new item:

“2241A. Trafficking of persons for commercial sexual purposes.”.

○