

116TH CONGRESS  
1ST SESSION

# H. R. 4326

To amend the Trafficking Victims Protection Act of 2000 relating to determinations with respect to efforts of foreign countries to reduce demand for commercial sex acts under the minimum standards for the elimination of trafficking.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2019

Mrs. WAGNER (for herself, Mr. JEFFRIES, Mr. SMITH of New Jersey, and Mr. WALBERG) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To amend the Trafficking Victims Protection Act of 2000 relating to determinations with respect to efforts of foreign countries to reduce demand for commercial sex acts under the minimum standards for the elimination of trafficking.

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 “Sex Trafficking De-  
5 mand Reduction Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) It has been the longstanding position of the  
2 United States to reduce the demand for sex traf-  
3 ficking victims. There is also a wide international  
4 consensus on the necessity of demand reduction in  
5 order to prevent human trafficking.

6           (2) The United Nations Protocol to Prevent,  
7 Suppress and Punish Trafficking in Persons, Espe-  
8 cially Women and Children, Supplementing the  
9 United Nations Convention Against Transnational  
10 Organized Crime of 2000 (also referred to as the  
11 “Palermo Protocol(s)”) expressly addresses the re-  
12 quirement that nations make serious efforts to re-  
13 duce demand for trafficked persons.

14           (3) Article 9, addressing prevention of human  
15 trafficking, specifically directs that, “States Parties  
16 shall adopt or strengthen legislative or other meas-  
17 ures, such as educational, social or cultural meas-  
18 ures, including through bilateral and multilateral co-  
19 operation, to discourage the demand that fosters all  
20 forms of exploitation of persons, especially women  
21 and children, that leads to trafficking.”.

22           (4) The United Nations Protocol, the Europe  
23 Convention on Action against Human Trafficking,  
24 and the 2011 European Union Directive of the Eu-  
25 ropean Parliament and the Council on preventing

1 and combating trafficking in human beings also spe-  
2 cifically address the need to prevent human traf-  
3 ficking by reducing demand for trafficking victims.

4 (5) Research has shown that legal prostitution  
5 increases the demand for prostituted persons and  
6 thus increases the market for sex. As a result, there  
7 is a significant increase in instances of human traf-  
8 ficking.

9 (6) In 2012, researchers Seo-Young Cho, Axel  
10 Dreher, and Eric Neumayer published their findings  
11 in World Development establishing that, “The scale  
12 effect of legalized prostitution leads to an expansion  
13 of the prostitution market, increasing human traf-  
14 ficking . . . . On average, countries where prostitu-  
15 tion is legal experience larger reported human traf-  
16 ficking inflows.”.

17 (7) In 2005, a study focused on 11 European  
18 Union countries requested by the European Par-  
19 liament’s committee on Women’s Rights and Gender  
20 Equality and performed by Transcrime found that  
21 stricter prostitution laws are correlated with fewer  
22 human trafficking victims.

23 (8) Case studies published by researchers  
24 Niklas Jakobsson and Andreas Kotsadam support  
25 the possibility of a causal link between harsher pros-

1       titation laws and reduced human trafficking. Ja-  
2       kobsson and Kotsadam found that trafficking of per-  
3       sons for commercial sexual exploitation is least prev-  
4       alent in countries where prostitution is illegal and  
5       most prevalent in countries where prostitution is le-  
6       galized.

7               (9) Further data has demonstrated the correla-  
8       tion between the adoption of legislation that crim-  
9       inalizes demand and reductions in sex trafficking.

10 **SEC. 3. AMENDMENT RELATING TO DETERMINATIONS**  
11                       **WITH RESPECT TO EFFORTS OF FOREIGN**  
12                       **COUNTRIES TO REDUCE DEMAND FOR COM-**  
13                       **MERCIAL SEX ACTS UNDER THE MINIMUM**  
14                       **STANDARDS FOR THE ELIMINATION OF TRAF-**  
15                       **FICKING.**

16       (a) IN GENERAL.—Paragraph (12) of section 108(b)  
17 of the Trafficking Victims Protection Act of 2000 (22  
18 U.S.C. 7106(b)) is amended to read as follows:

19               “(12) Whether the government of the country  
20       has made serious and sustained efforts to—

21                       “(A) prohibit the purchase of commercial  
22       sex acts to the extent such prohibition is within  
23       the authority of the central government or im-  
24       plement a policy against the purchase of com-  
25       mercial sex acts to the extent that prohibition

1 is not within the authority of the central gov-  
2 ernment;

3 “(B) educate buyers of commercial sex on  
4 how traffickers exploit prostituted persons for  
5 human trafficking; and

6 “(C) reduce demand for participation in  
7 international sex tourism by nationals of the  
8 country.”.

9 (b) EFFECTIVE DATE.—The amendment made by  
10 subsection (a) takes effect on the date of the enactment  
11 of this Act and applies with respect to determinations  
12 under subsection (a)(4) of section 108 of the Trafficking  
13 Victims Protection Act of 2000 that are made on or after  
14 such date of enactment.

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