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To combat commercial sexual activities by targeting demand, to protect children from being exploited by such activities, to prohibit the operation of sex tours, to assist State and local governments to enforce laws dealing with commercial sexual activities, to reduce trafficking in persons, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2005

Ms. PRYCE of Ohio (for herself, Mrs. MALONEY, Mr. SCOTT of Virginia, Ms. GRANGER, Ms. HARRIS, and Mrs. DRAKE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To combat commercial sexual activities by targeting demand, to protect children from being exploited by such activities, to prohibit the operation of sex tours, to assist State and local governments to enforce laws dealing with commercial sexual activities, to reduce trafficking in persons, 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 “End Demand for Sex
5 Trafficking Act of 2005”.

1 **SEC. 2. FINDINGS AND PURPOSES.**2 (a) FINDINGS.—Congress makes the following find-
3 ings:4 (1) Commercial sexual activities have a dev-
5 astating impact on society. The sex trade has a de-
6 humanizing effect on all involved.7 (2) According to a 2004 publication by the Of-
8 fice to Monitor and Combat Trafficking in Persons
9 of the State Department, prostitution and related
10 activities, including pimping and patronizing or
11 maintaining brothels, fuel the growth of modern-day
12 slavery by providing a facade behind which sex traf-
13 fickers operate. Where prostitution is tolerated,
14 there is a greater demand for trafficking victims and
15 nearly always an increase in the number of women
16 and children trafficked into commercial sexual activi-
17 ties.18 (3) The Trafficking in Persons National Secu-
19 rity Presidential Directive (February 25, 2003)
20 states that prostitution and related activities, which
21 are inherently harmful and dehumanizing, contribute
22 to the phenomenon of trafficking in persons. In Sep-
23 tember 2003, President George W. Bush gave a
24 speech at the United Nations in which he character-
25 ized the victimization of children in the sex trade as
26 a “special evil”. He specifically condemned the de-

1 mand for victims by saying, “Those who patronize
2 this industry debase themselves and deepen the mis-
3 ery of others”.

4 (4) An alarming number of individuals who are
5 used for commercial sexual activities are socially and
6 economically marginalized, and kept in effective
7 bondage by threats or acts of physical and sexual
8 abuse. Engaging in commercial sex acts, such as
9 prostitution, renders them vulnerable to violence at
10 the hands of pimps, purchasers, and other predators
11 such as serial killers and rapists, as well as degrada-
12 tion resulting from commercial sexual activities.
13 Women and children are at a disproportionately
14 higher risk for exploitation.

15 (5) Although current laws punish sex traf-
16 fickers, exploiters, and purchasers of commercial
17 sexual activities, these laws are typically enforced
18 disproportionately against women and children, in-
19 stead of against the sex traffickers, exploiters, and
20 purchasers.

21 (6) According to recent studies—

22 (A) 11 females used in commercial sexual
23 acts were arrested in Boston for every arrest of
24 a male purchaser;

(B) 9 females used in commercial sexual acts were arrested in Chicago for every arrest of a male purchaser; and

4 (C) 6 females used in commercial sexual
5 acts were arrested in New York City for every
6 arrest of a male purchaser.

7 (7) Some studies reveal that commercial sex is
8 a frequent gateway crime for women who later com-
9 mit more serious criminal offenses. Over 70 percent
10 of female inmates in United States prisons were first
11 arrested for engaging in commercial sexual acts. For
12 every 3 women in jails in the United States today,
13 1 was arrested for prostitution, and 7 of every 10
14 women imprisoned on felony convictions were ini-
15 tially arrested for prostitution.

16 (8) The emotional and physical ramifications of
17 sex trafficking of children and women are stag-
18 gering, leading to an increased risk of—

19 (A) sexual and physical assault;
20 (B) violence;
21 (C) suicide;
22 (D) pregnancy;
23 (E) abortion;
24 (F) sexually transmitted disease
25 ing AIDS;

1 (G) post-traumatic stress disorder; and
2 (H) death.

13 (10) Runaway children are especially vulnerable
14 to sex traffickers, who lure these children into dev-
15 astating lives as victims of commercial sexual acts
16 with promises of food, clothing, and shelter.

20 (A) over 1,300,000 children were missing
21 in the United States;

22 (B) as many as 775,000 of these children
23 are runaways; and

1 (C) 76 percent of runaway children who
2 call the National Runaway Switchboard are
3 girls under the age of 18.

12 (13) Under the Trafficking Victims Protection
13 Act of 2000 (22 U.S.C. 7101 et seq.), the United
14 States is committed to ending the international traf-
15 ficking of persons for slavery, including sex slavery.
16 The achievement of significant progress in reducing
17 sex trafficking within the United States will bolster
18 United States efforts to eliminate international traf-
19 ficking in persons for slavery, including sex slavery,
20 around the world.

21 (14) Stronger enforcement of laws against sex
22 traffickers, exploiters, and purchasers may dramati-
23 cally reduce demand for commercial sexual acts and
24 related sex trafficking and reduce the exploitation of
25 persons engaged in commercial sexual activities.

12 (b) PURPOSES.—The purposes of this Act are—

13 (1) to support the development of more effective
14 means of combating commercial sexual activities by
15 targeting demand;

16 (2) to protect children from the predators and
17 exploiters who use them in commercial sexual activi-
18 ties;

24 SEC. 3. DEFINITIONS.

25 In this Act, the following definitions shall apply:

10 (3) PURCHASER.—The term “purchaser”
11 means any person who solicits or purchases an un-
12 lawful commercial sex act.

1 person for the purpose of using them for unlawful
2 commercial sex acts.

6 SEC. 4. PROSECUTION OF PURCHASERS, SEX TRAFFICKERS, 7 AND EXPLOITERS.

8 (a) GRANTS AUTHORIZED.—The Attorney General
9 may award grants to States and their political subdivisions
10 to establish model law enforcement programs that promote
11 the effective prosecution of purchasers, exploiters, and sex
12 traffickers and to assist victims of a commercial sex act.

13 (b) USE OF GRANT FUNDS.—Funds received from a
14 grant awarded under this Act may be used by the grantee,
15 either directly or through subgrants to local law enforce-
16 ment entities or qualified non-governmental organizations,
17 for the following purposes:

20 (A) prosecutions of purchasers for statu-
21 tory rape, sexual assault, felony assault, and re-
22 lated offenses:

(B) educational programs for first-time purchasers explaining the devastation caused by such offenses;

1 (C) the publication of names and addresses
2 of individuals who have been convicted for re-
3 peated purchases, provided that reasonable pro-
4 cedures are established for correction of names
5 and addresses that are improperly published re-
6 peat purchasers;

7 (D) the use of decoys; and

8 (E) other programs the Attorney General
9 determines will enhance the prosecution of pur-
10 chasers and reduce the demand for unlawful
11 commercial sexual activities.

12 (2) SEX TRAFFICKERS AND EXPLOITERS.—The
13 prosecution of sex traffickers and exploiters,
14 through—

15 (A) surveillance of places of business en-
16 gaged in commercial sexual activities;

17 (B) prosecutions of exploiters and sex traf-
18 fickers for statutory rape, sexual assault, felony
19 assault, and related offenses;

(C) tax evasion prosecutions against ex-ploiters and sex traffickers; and

22 (D) proceedings under restitution laws to
23 supplement public financing of shelters and so-
24 cial services and to compensate victims of do-
25 mestic sex trafficking.

10 (B) SPECIAL CONSIDERATION.—In award-
11 ing grants under this paragraph, the Attorney
12 General shall give special consideration to pro-
13 grams operated by qualified non-governmental
14 organizations that offer assistance to persons
15 involved in the prosecution of sex traffickers,
16 exploiters, and purchasers.

17 (c) REPORTS BY GRANTEES.—

22 (2) CONTENTS.—The report submitted under
23 paragraph (1) shall—

1 (A) identify and describe the activities car-
2 ried out with grant funds received under this
3 section; and

4 (B) include an evaluation by the grantee of
5 the effect of those activities.

15 (d) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated, for each of the fiscal
17 years 2005 through 2007—

18 (1) \$15,000,000 for grants to carry out the ac-
19 tivities described in subsection (b)(1);

20 (2) \$15,000,000 for grants to carry out the ac-
21 tivities described in subsection (b)(2); and

22 (3) \$15,000,000 for grants to carry out the ac-
23 tivities described in subsection (b)(3).

1 **SEC. 5. STRENGTHENING PROSECUTION AND PUNISHMENT**
2 **OF SEX TRAFFICKERS AND PURCHASERS AND**
3 **EXPLOITERS.**

4 (a) TRANSPORTATION.—Section 2421 of title 18,
5 United States Code, is amended by inserting after “any
6 individual” the following: “, including a purchaser of com-
7 mercial sexual activities as defined by section 2422.”.

8 (b) COERCION AND ENTHUSIASM.—Section 2422 of
9 title 18, United States Code, is amended—

10 (1) in subsection (a), by inserting after “any in-
11 dividual” the following: “, including a purchaser of
12 commercial sexual acts,”; and

13 (2) by adding at the end the following:

14 “(c) As used in sections 2421 and 2422, the term
15 ‘purchaser of commercial sexual acts’ means any person
16 who solicits or purchases an unlawful commercial sex act
17 in exchange for anything of value given to or received by,
18 or to be given to or received by, any person.”.

19 **SEC. 6. SENIOR OPERATING GROUP PARTICIPATION.**

20 Federal agencies involved in combating sex traf-
21 ficking and providing services to victims of commercial sex
22 acts inside the United States shall coordinate their activi-
23 ties with the Senior Policy Operating Group established
24 by section 105 of the Victims of Trafficking and Violence
25 Protection Act of 2000 (22 U.S.C. 7103), under the proce-
26 dures established by the Senior Policy Operating Group,

1 to ensure that Federal programs are consistent with Fed-
2 eral enforcement of the Trafficking Victims Protection Act
3 of 2000 (22 U.S.C. 7101 et seq.).

4 **SEC. 7. REPORTS.**

5 (a) ANNUAL REPORT ON BEST PRACTICES TO RE-
6 DUCE DEMAND FOR COMMERCIAL SEX ACTS.—

7 (1) IN GENERAL.—Not later than 1 year after
8 the date of enactment of this Act, and annually
9 thereafter, the Attorney General shall submit a full
10 and detailed report of the implementation of this Act
11 to the Committee on the Judiciary of the Senate and
12 the Committee on the Judiciary of the House of
13 Representatives.

14 (2) CONTENTS.—The report submitted under
15 paragraph (1) shall include—

16 (A) a detailed explanation of the standards
17 by which the Attorney General has—

18 (i) awarded grants to States and their
19 political subdivisions under section 4; and
20 (ii) evaluated the success of grant
21 awards in enhancing the prosecution and
22 conviction of purchasers, sex traffickers,
23 and exploiters, and in reducing demand for
24 commercial sexual activity; and

1 (B) a detailed description of the implemen-
2 tation of the amendments under section 5, in-
3 cluding the number of arrests, prosecutions,
4 and convictions.

5 (3) ANNUAL CONFERENCES.—

9 (i) announce and evaluate the findings
10 contained in the report submitted under
11 paragraph (1); and

12 (ii) disseminate best methods and
13 practices for training State and local law
14 enforcement personnel involved in enforc-
15 ing laws prohibiting commercial sexual
16 acts.

17 (B) PARTICIPATION.—Each annual con-
18 ference under this paragraph shall involve the
19 full participation of leading experts in the field,
20 including—

21 (i) local law enforcement and prosecu-
22 torial officials;

23 (ii) appropriate State officials:

24 (iii) academic experts on commercial
25 sexual activity;

1 (iv) appropriate medical personnel;

2 and

3 (v) representatives of qualified non-
4 governmental organizations.

5 (b) COMPREHENSIVE STATISTICAL REVIEW OF COM-
6 MERCIAL SEXUAL ACTS.—

(2) CONTENTS.—The statistical review and analysis under this subsection shall include—

13 (A) the estimated number of persons used
14 in commercial sexual acts;

15 (B) the estimated number of sex traf-
16 fickers, exploiters, and purchasers;

17 (C) the ethnicity, age, and sex of victims of
18 commercial sexual acts:

19 (D) the ethnicity and sex of sex traffickers,
20 purchasers, and exploiters:

21 (E) the number of investigations, arrests,
22 prosecutions, and incarcerations of persons en-
23 gaged in unlawful commercial sexual activities
24 by acts by States and their political subdivi-
25 sions;

1 (F) the number of investigations, arrests,
2 prosecutions, and incarcerations of sex traf-
3 fickers, exploiters, or purchasers; and

(G) the differences in the enforcement of laws relating to unlawful commercial sexual activities by similarly situated jurisdictions.

11 (A) Federal and State prosecutorial offi-
12 cials;

13 (B) Federal, State, county, and municipal
14 law enforcement officials:

15 (C) persons used in commercial sexual ac-
16 tivities:

17 (D) academic experts on commercial sexual
18 activity; and

19 (E) other experts in the area of commer-
20 cial sexual acts.

1 the Judiciary of the Senate and the Committee on
2 the Judiciary of the House of Representatives.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated—

5 (1) \$1,000,000 for each of the fiscal years 2005
6 through 2007 to carry out subsection (a); and

7 (2) \$1,000,000 for each of the fiscal years 2005
8 and 2007 to carry out subsection (b).

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