

AMENDMENT TO RULES COMM. PRINT 119–33

OFFERED BY MR. SMITH OF NEW JERSEY

At the end of subtitle B of title XVII, add the following new section:

SEC. __. STOP FORCED ORGAN HARVESTING AND ORGAN-REMOVAL TRAFFICKING.

(a) **SHORT TITLE.**—This section may be cited as the “Stop Forced Organ Harvesting and Protecting Falun Gong and Other Victims Act of 2026”.

(b) **STATEMENT OF POLICY.**—It shall be the policy of the United States—

(1) to combat forced organ harvesting and trafficking in persons for purposes of the removal of organs wherever such conduct occurs;

(2) to promote the establishment of transparent, voluntary, consent-based organ donation systems with effective enforcement mechanisms in bilateral diplomatic engagements and in international health forums;

(3) to promote the dignity and security of human life in accordance with the Universal Declaration of Human Rights, adopted on December 10, 1948;

(4) to hold accountable foreign persons, including officials of foreign governments, members of security services, medical personnel, medical institutions, brokers, non-state actors, and other persons, that engage in, fund, sponsor, materially assist, facilitate, or otherwise support forced organ harvesting or trafficking in persons for purposes of the removal of organs;

(5) to expose and respond to forced organ harvesting targeting prisoners of conscience and other vulnerable persons, including practitioners of Falun Gong, Uyghurs, Tibetans, house church Christians, and members of other ethnic, religious, or political groups; and

(6) to encourage allies and partners of the United States to adopt sanctions, visa restrictions, medical ethics rules, transplant-tourism restrictions, and transparency measures to prevent complicity in forced organ harvesting and trafficking in persons for purposes of the removal of organs.

(c) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives.

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

(3) **FOREIGN PERSON.**—The term “foreign person” means an individual or entity that is not a United States person.

(4) **KNOWINGLY.**—The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person had actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(5) **ORGAN.**—The term “organ” has the meaning given the term “human organ” in section 301(c)(1) of the National Organ Transplant Act (42 U.S.C. 274e(c)(1)).

(6) **PERSON.**—The term “person”—

(A) means an individual or entity; and

(B) includes a non-state actor, as such term is defined in section 3 of the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (Public Law 115–441; 22 U.S.C. 2656 note).

(7) **TRAFFICKING IN PERSONS FOR PURPOSES OF THE REMOVAL OF ORGANS.**—The term “trafficking in persons for purposes of the removal of organs” means the recruitment, transportation, transfer, harboring, or receipt of a person for the purpose of removing one or more of such person’s organs, by means of—

(A) coercion;

(B) abduction;

(C) deception;

(D) fraud;

(E) abuse of power or a position of vulnerability; or

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

(8) **UNITED STATES PERSON.**—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity; or
(C) any person located in the United States.

(d) AUTHORITY TO DENY OR REVOKE PASSPORTS.—

(1) IN GENERAL.—The Secretary of State may refuse to issue a passport to any individual who—

(A) has been convicted of an offense under section 301 of the National Organ Transplant Act (42 U.S.C. 274e);

(B) is subject to imprisonment, parole, supervised release, or other court-ordered supervision as a result of such conviction; and

(C) in the commission of such offense, used a passport or crossed an international border.

(2) REVOCATION.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1).

(e) TRAFFICKING FOR THE PURPOSES OF ORGAN HARVESTING.—Section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)) is amended—

(1) in subparagraph (G), by striking “and” at the end;

(2) in subparagraph (H), by striking the period at the end and inserting “; and”; and

(3) by inserting after subparagraph (H) the following:

“(I) information about trafficking in persons for the purpose of organ removal, including cases and steps governments are undertaking to prevent, identify, and eliminate such trafficking.”.

(f) IMPOSITION OF SANCTIONS WITH RESPECT TO FORCED ORGAN HARVESTING AND TRAFFICKING IN PERSONS FOR PURPOSES OF THE REMOVAL OF ORGANS.—

(1) LIST REQUIRED.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list of each foreign person that the President determines knowingly—

(i) engaged in forced organ harvesting or trafficking in persons for purposes of the removal of organs;

(ii) directly or indirectly facilitated, funded, sponsored, or materially assisted forced organ harvesting or trafficking in persons for purposes of the removal of organs;

(iii) provided financial, material, technological, or other support for, or goods or services in support of, forced organ harvesting or trafficking in persons for purposes of the removal of organs; or

(iv) acted or purported to act for or on behalf of a foreign person described in clause (i), (ii), or (iii).

(B) UPDATES.—The President shall submit to the appropriate congressional committees an updated list under subparagraph (A)—

(i) as new information becomes available;

(ii) not later than one year after the date of the enactment of this Act; and

(iii) annually thereafter.

(C) FORM.—The list required by subparagraph (A), and any update thereto under subparagraph (B), shall be submitted in unclassified form, but may include a classified annex.

(2) IMPOSITION OF SANCTIONS.—The President shall impose the sanctions described in paragraph (3) with respect to each foreign person included in the most recent list submitted under paragraph (1).

(3) SANCTIONS DESCRIBED.—The sanctions described in this paragraph are the following:

(A) BLOCKING OF PROPERTY.—The President shall exercise all of the powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), except that the requirements of section 202 of such Act (50 U.S.C. 1701) shall not apply, to the extent necessary to block and prohibit all transactions in all property and interests in property of a foreign person described in paragraph (1) 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.

(B) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—In the case of an individual included in the most recent list submitted under paragraph (1), such 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.).

(C) CURRENT VISAS REVOKED.—

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

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

- (I) take effect immediately; and
- (II) automatically cancel any other valid visa or entry documentation that is in the individual's possession.

(g) EXCEPTIONS; WAIVER; IMPLEMENTATION; PENALTIES.—

(1) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authorities and requirements to impose sanctions under subsection (f) shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term “good” means any article, natural or man-made substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS.—Subsection (f)(3)(B) shall not apply to the admission of an individual if the admission of such individual is necessary to permit the United States to comply with the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other applicable international obligations of the United States.

(3) EXCEPTION RELATING TO INTELLIGENCE AND LAW ENFORCEMENT ACTIVITIES.—Sanctions under subsection (f) shall not apply with respect to—

(A) activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.); or

(B) any authorized intelligence, law enforcement, or national security activity of the United States.

(4) EXCEPTION RELATING TO HUMANITARIAN ASSISTANCE.—Sanctions under subsection (f) may not be imposed with respect to transactions or the facilitation of transactions for—

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

(B) the provision of humanitarian assistance;

(C) financial transactions relating to humanitarian assistance or for humanitarian purposes;

or

(D) transporting goods or services that are necessary to carry out operations relating to humanitarian assistance or humanitarian purposes.

(5) WAIVER.—

(A) IN GENERAL.—The President may, on a case-by-case basis and for periods not to exceed 180 days each, waive the application of sanctions or restrictions imposed with respect to a foreign person under subsection (f) if the President certifies to the appropriate congressional committees not later than 15 days before such waiver is to take effect that the waiver is vital to the national security interests of the United States.

(B) REPORT.—A certification submitted under subparagraph (A) shall include—
(i) the name of the foreign person with respect to which the waiver is to apply;
(ii) a description of the sanctions to be waived;
(iii) the expected duration of the waiver; and
(iv) a detailed justification for the waiver.

(6) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out subsection (f).

(7) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (f) or any regulation, license, or order issued to carry out subsection (f) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of such section.

(h) REPORT ON ORGAN TRANSPLANT POLICIES AND PRACTICES OF THE PEOPLE’S REPUBLIC OF CHINA.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Health and Human Services, the Director of the National Institutes of Health, and the heads of relevant elements of the intelligence community, shall submit to the appropriate congressional committees a report on the organ transplant policies and practices of the People’s Republic of China.

(2) MATTERS TO BE INCLUDED.—The report required under paragraph (1) shall include—

(A) a formal determination as to whether the Government of the People’s Republic of China engages, or formerly engaged, in systemic forced organ harvesting practices and policies;

(B) a summary of de jure and de facto policies toward organ transplantation in the People’s Republic of China, including with respect to prisoners of conscience, including practitioners of Falun Gong, other prisoners, and victims of forced organ harvesting;

(C)(i) the number of organ transplants that are known to occur or are estimated to occur on an annual basis in the People’s Republic of China;

(ii) the number of known or estimated voluntary organ donors in the People’s Republic of China;

(iii) an assessment of the sources of organs for transplant in the People’s Republic of China; and

(iv) an assessment of the time, in days, that it takes to procure an organ for transplant within the medical system of the People’s Republic of China and an assessment of whether such timetable is possible based on the number of known or estimated voluntary organ donors in the People’s Republic of China;

(D) a list of all United States grants during the 10 years before the date of the enactment of this Act that have supported research on organ transplantation in the People’s Republic of China or in collaboration between an entity of the People’s Republic of China and a United States entity; and

(E) if the determination made under subparagraph (A) is that the Government of the People’s Republic of China engages, or formerly engaged, in systemic forced organ harvesting practices and policies, a determination as to whether forced organ harvesting within the People’s Republic of China constitutes an “atrocious”, as such term is defined in section 6 of the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (Public Law 115–441; 22 U.S.C. 2656 note).

(3) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(i) CONSIDERATION OF PEOPLE’S REPUBLIC OF CHINA-RELATED INFORMATION FOR SANCTIONS DETERMINATIONS.—In determining whether to include a foreign person on the list required under subsection (f)(1), the President shall consider credible information contained in the report required under subsection (h), including information relating to—

(1) officials of the Chinese Communist Party, the Government of the People’s Republic of China, the People’s Liberation Army, the Ministry of Public Security, the Ministry of State Security, or other security services;

(2) medical professionals, medical institutions, transplant centers, hospitals, universities, research institutions, and other entities located in the People’s Republic of China;

(3) brokers, facilitators, or intermediaries involved in organ transplantation involving organs sourced in the People’s Republic of China;

(4) persons responsible for the detention, persecution, medical testing, transfer, or abuse of prisoners of conscience, including practitioners of Falun Gong, Uyghurs, Tibetans, house church Christians, and members of other ethnic, religious, or political groups; and

(5) persons acting for or on behalf of, or providing material support to, a person described in any of paragraphs (1) through (4).

(j) FORM OF REPORTS.—Each report required under this section shall be submitted in unclassified form, but may include a classified annex.

(k) REWARDS FOR INFORMATION.—The Secretary of State shall assess whether existing rewards authorities are available to provide rewards for credible information that leads to the disruption of trafficking in persons for the purpose of organ removal or forced organ harvesting, the identification or designation of persons responsible for such conduct, or the dismantling of networks engaged in such conduct. Not later than 180 days after the date of enactment of this Act, the Secretary shall brief the appropriate congressional committees on the use or proposed use of such authorities and on any additional authorities needed.

(l) NO LIMITATION ON OTHER AUTHORITIES.—Nothing in this section may be construed to limit the authority of the President to impose sanctions, visa restrictions, export controls, or other measures under any other provision of law.

(m) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize sanctions with respect to legitimate organ transplantation, organ donation, medical care, humanitarian assistance, or medical research that is conducted with informed consent and in accordance with applicable law and internationally recognized medical ethics standards.