

119TH CONGRESS
1ST SESSION

H. R. 4732

To expand the definition of “severe forms of trafficking in persons” to include the recruitment, harboring, transportation, transfer, or receipt of orphaned, abandoned, or minors living in public or private residential facilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2025

Mr. SMITH of New Jersey (for himself, Mr. MFUME, and Ms. SALAZAR) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To expand the definition of “severe forms of trafficking in persons” to include the recruitment, harboring, transportation, transfer, or receipt of orphaned, abandoned, or minors living in public or private residential facilities, 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 “Orphanage Trafficking
5 Prevention and Protection Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Orphaned, abandoned, and children living in
2 public or private residential facilities, including insti-
3 tutions, children’s homes, orphanages, boarding
4 schools, or group homes, are among the populations
5 most vulnerable to trafficking in persons worldwide.
6 According to the United States Department of
7 State, children without parental care are at signifi-
8 cantly higher risk of being trafficked for labor, sex-
9 ual exploitation, forced begging, and other illegal
10 purposes.

11 (2) An estimated 5,400,000 children live in in-
12 stitutional care globally, many of whom are not true
13 orphans but are separated from their families due to
14 poverty, disability, or family breakdown.

15 (3) Traffickers often target these children
16 under the guise of education, caregiving, or adop-
17 tion.

18 (4) The Department of State’s 2024 Traf-
19 ficking in Persons Report notes that “orphanage
20 trafficking”—the recruitment of children into resi-
21 dential care for the purpose of exploitation and prof-
22 it—occurs in multiple countries and is increasingly
23 linked to international travel, and volun-tourism.

24 (5) The Department of State’s 2019 and 2024
25 Trafficking in Persons Reports have identified pat-

1 terms in which children are trafficked into orphan-
2 ages to attract donations and international volun-
3 teers, with reports of physical, emotional, and sexual
4 abuse in such institutions.

5 (6) In some cases, children are fraudulently la-
6 beled as orphans and trafficked through inter-coun-
7 try adoption channels, undermining legitimate adop-
8 tion systems and violating the Convention on Protec-
9 tion of Children and Co-operation in Respect of
10 Intercountry Adoption, done at the Hague on May
11 29, 1993.

12 (7) Despite these documented abuses, current
13 United States law does not explicitly recognize or-
14 phanage trafficking as a severe form of trafficking
15 in persons, which, accordingly, may hinder efforts to
16 prosecute perpetrators, protect victims, and condi-
17 tion foreign assistance.

18 (8) Clarifying that the trafficking of orphaned,
19 abandoned, or children living in public or private
20 residential facilities, including institutions, children's
21 homes, orphanages, boarding schools, or group
22 homes, constitutes a severe form of trafficking in
23 persons under the Trafficking Victims Protection
24 Act of 2000 (22 U.S.C. 7101 et seq.) is necessary
25 to protect these children, enhance accountability,

1 and strengthen United States anti-trafficking ef-
2 forts.

3 **SEC. 3. MODIFICATION TO DEFINITION OF SEVERE FORMS**
4 **OF TRAFFICKING IN PERSONS.**

5 Paragraph (11) of section 103 of the Trafficking Vic-
6 tims Protection Act of 2000 (22 U.S.C. 7102) is amend-
7 ed—

8 (1) in subparagraph (A), by striking “; or” at
9 the end and inserting a semicolon;

10 (2) in subparagraph (B), by striking the period
11 at the end and inserting “; or”; and

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

14 “(C) the recruitment, harboring, transportation,
15 transfer, or receipt of orphaned, abandoned, or per-
16 sons living in public or private residential facilities
17 who have not attained 18 years of age, by means of
18 fraud, coercion, force, or abuse of a position of vul-
19 nerability, for the purpose of exploitation and profit,
20 forced labor, involuntary servitude, peonage, debt
21 bondage, slavery, child labor, or sex trafficking.”.

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