

**UNITED STATES LEADERSHIP AGAINST HIV/AIDS,  
TUBERCULOSIS, AND MALARIA ACT OF 2003**

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**MARKUP**  
BEFORE THE  
**COMMITTEE ON  
INTERNATIONAL RELATIONS  
HOUSE OF REPRESENTATIVES**  
**ONE HUNDRED EIGHTH CONGRESS**

**FIRST SESSION**

**ON**

**H.R. 1298**

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H 461-36

**AMENDMENT TO H.R. 1298**  
**OFFERED BY MR. SMITH OF NEW JERSEY**

Page 47, after line 20, insert the following:

1     **(3) LIMITATION.**—No funds made available to carry  
 2 out this Act, or any amendment made to this Act, may  
 3 be used to provide assistance to any group or organization  
 4 that does not have a policy explicitly opposing prostitution  
 5 and sex trafficking.

**Mr. SMITH OF NEW JERSEY.** Thank you very much, Mr. Chair-  
 man.

This amendment recognizes two despicable practices, human trafficking and prostitution. Both practices that involve the severe degradation and exploitation of women, the literal raps of countless women around the globe.

The horrors of trafficking, Mr. Chairman, a form of modern-day slavery and prostitution, cannot be understated. I am very saddened to say that as many as 4 million people, mostly women, are bought and sold as forced prostitutes in our world, and millions more suffer in prostitution, usually with an MO in their own life-style and own life that is also a tragedy indeed. In addition to being demeaned and forcibly violated, many of these victims suffer from AIDS.

Unfortunately, reports show that human trafficking is on the rise in many African nations, and with this comes the spread of HIV and AIDS. We also know that the fear of HIV and AIDS has caused traffickers to seek younger and younger victims, since young girls are less likely to be infected with this dreaded disease. I was shocked and outraged to learn that in India, some of the trafficking victims are as young as 8 and 9 years old. Last summer I think Members of this Committee who were here for the hearing on the human trafficking report saw the video of dozens of these little girls in India being rescued from prison-like basement dwellings, and were outraged.

Although this comes as a shock to most Americans, in other parts of the world many officials in both government and the private sector who work on these issues feel that legalizing prostitution and focusing primarily on safe sex for victims of trafficking who are being raped every day is a solution. Some actually look at

prostitution as a workers' rights issue, and believe it is a legitimate form of employment. Those who advocate these approaches are doing, I would respectfully submit, a grave disservice to women, and it saddens me greatly that the value of women could be so demeaned.

As the prime sponsor of the Trafficking Victims Protection Act that was signed into law in 2000 by President Clinton, I believe that the United States should do everything within its power to combat and eliminate human trafficking and prostitution. By doing so, we will most certainly, as a direct consequence, mitigate the spread of HIV/AIDS.

My amendment, Mr. Chairman, is clear and simple. It states that no funds made available under this act may be used to provide assistance to any group or organization that does not have a policy explicitly opposing prostitution and sex trafficking.

It does not state that prostitutes and trafficked women should not be treated for AIDS. As a matter of fact, the underlying language in the bill on page 47—and I know there is a perfecting amendment, and it in fact does not perfect, it is a gutting amendment that may be offered momentarily—points out that nothing in this act shall be construed to preclude the provision to individuals of palliative treatment or postexposure pharmaceuticals, including the distribution of condoms, and it goes on, in brothels and places of that sort.

The issue that is before us today is whether or not we will provide money to organizations that seek the legalization of prostitution and also enable the traffickers, and stand side by side with the traffickers and, regrettably, enable them to enslave these women, whether or not we will provide the money to them.

If indeed there are going to be condom distributions in a brothel, which should be seen only as a short-term endeavor, those distributions should not be carried out by a group that is also comprised of the very slavers that have these women and will not let them go. That is an unseemly partnership.

The perfecting amendment that will be offered in a moment will do just that, completely gut this amendment, and I frankly find it outrageous that we would want to give money to an organization that does that kind of thing. We should find those, like the Red Cross, who are there to help and assist the victimized women who are enslaved by these traffickers, instead of standing toe to toe with the oppressor against the oppressed.

I yield back the balance of my time.

The Smith Amendment was adopted.