

SAFE SEX Workers Study Act

In 2018, Congress passed the *Allow States and Victims to Fight Online Sex Trafficking Act* (FOSTA), which incorporated the *Stop Enabling Sex Traffickers Act* (SESTA) (together known as “SESTA/FOSTA”). SESTA/FOSTA made websites liable for facilitating sex trafficking by hosting certain user-generated sexual content. The law resulted in the closure of numerous websites and individual user accounts.

Since then, early findings suggest that SESTA/FOSTA has not worked as intended. The law may have seriously compromised the health, safety, economic security, and independence of people who engage in consensual, transactional sex. For example, losing access to online platforms has forced many sex workers to resort to riskier street-based work and has eliminated online tools for pre-screening clients. A [2022 survey](#) found that almost 40 percent of sex workers reported facing more physical and sexual assault after the passage of SESTA/FOSTA. The law may have also counterproductively impeded investigations into sex trafficking, including by hindering law enforcement’s ability to track online posts advertising sex.

However, there has been no national investigation examining the impact of SESTA/FOSTA on sex workers’ health and safety, or on sex trafficking investigations. More comprehensive, national research is necessary for better evaluating the impact of SESTA/FOSTA.

The **SAFE SEX Workers Study Act** would require the Department of Health and Human Services (HHS) to study SESTA/FOSTA’s impacts on the health and safety of people engaged in consensual, transactional sex. The study would include interviews with, and surveys conducted by, nonprofit and community-based organizations that provide direct services to people engaged in transactional sex. This research would cover SESTA/FOSTA’s impact on sex workers’:

- Ability to negotiate terms with potential clients;
- Interactions with law enforcement and third parties;
- Experiences of exploitation and trafficking;
- Economic and housing stability;
- Mental and physical health;
- Disparities in the law’s impacts on marginalized communities.

The SAFE SEX Workers Study Act would also require the Department of Justice (DOJ) to study SESTA/FOSTA’s impacts on human trafficking investigations and prosecutions. The study would cover topics such as SESTA/FOSTA’s:

- Impact on law enforcement’s ability to find, investigate, and prosecute individuals who engage in human trafficking;
- Impact on the ability of state law enforcement and trafficking victims to seek civil redress against websites engaged in child trafficking;
- Impact on access to online communication platform and services;
- Disparities in these impacts on marginalized communities.

HHS and DOJ would be required to report to Congress within one year of the bill’s enactment.