

Attorney General's Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons Fiscal Year 2008

June 2009

Summary

Sadly, there are thousands who are trapped in various forms of enslavement, here in our country....It is a debasement of our common humanity. ~ President Barack Obama

Trafficking in persons (TIP), or human trafficking, is a widespread form of modern-day slavery. Traffickers often prey on individuals who are poor, frequently unemployed, or underemployed, and who may lack access to social safety nets. Victims are often lured by traffickers with false promises of good jobs and better lives, and then forced to work under brutal and inhumane conditions. Due to the lengths to which perpetrators go to keep their crimes hidden, it is difficult to accurately estimate the extent of victimization. Nonetheless, the United States has led the world in the fight against this terrible crime both at home and overseas. The centerpiece of U.S. Government efforts to eliminate human trafficking is the Trafficking Victims Protection Act of 2000 (TVPA), Pub. L. 106-386. The TVPA defines trafficking in persons as:

- sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or,
- the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

This definition applies to both U.S. citizens and foreign nationals. The TVPA enhanced three aspects of federal government activity to combat TIP: protection, prosecution, and prevention. The TVPA, which was designed to address the needs of foreign victims of trafficking, provided for a range of new protections and assistance for victims of trafficking; it expanded the crimes and enhanced the penalties available to federal investigators and prosecutors pursuing traffickers; and it expanded the U.S. Government's international activities to prevent victims from being trafficked. Specifically, the TVPA:

- Provided for victim assistance in the United States by making foreign trafficking victims eligible for federally funded or administered health and other benefits and services; mandated U.S. Government protections for foreign victims of trafficking and, where applicable, their families;
- Created new crimes and enhanced penalties for existing crimes, including forced labor, trafficking with respect to peonage, slavery, involuntary servitude, sex trafficking of children, sex trafficking of adults by force, fraud or coercion, and unlawful conduct with respect to documents;

- Provided for assistance to foreign countries in drafting laws to prohibit and punish acts of trafficking and strengthen investigation and prosecution of traffickers; created programs to assist victims; and expanded U.S. Government exchange and international visitor programs focused on TIP; and
- Created the President's Interagency Task Force to Monitor and Combat Trafficking to coordinate the U.S. Government's anti-trafficking efforts. The TVPA directed the Task Force, among other activities, to: (1) measure and evaluate progress of the United States and other countries in the areas of trafficking prevention, protection, and assistance to victims; (2) expand interagency procedures to collect and organize data; (3) engage in efforts to facilitate cooperation among countries; (4) examine the role of the international sex tourism industry; and (5) engage in consultation and advocacy with governmental and non-governmental organizations (NGOs).

This report, the sixth submitted to Congress since 2004, details U.S. Government activities to combat TIP during Fiscal Year 2008 (FY 2008). In addition to reporting this information, the report includes an assessment of U.S. government activities based on improvements since the last annual report and recommendations for further improvement. This report introduces six new recommendations to effectively rescue victims and alleviate the problem of human trafficking both in the United States and abroad:

- Increase efficacy and coordination of all task forces and offices dealing with aspects of human trafficking to ensure victims do not go unidentified due to jurisdictional issues or turf considerations.
- Examine barriers related to confusion about law enforcement roles in requesting continued presence and completion of the I-914 Supplement B forms that provide local, state, or federal law enforcement endorsement of the victim for the purpose of a T-visa.
- Enhance recognition, and ability to meet the needs, of all trafficking victims, regardless of national origin, including exploration of intensive case management practices for both foreign national and U.S. citizens, as appropriate.
- Increase services to assist and restore children who have been exploited in the commercial sex industry.
- Continue to expand trafficking research and data collection, with research projects designed to assist service providers, law enforcement, and policymakers.
- Develop policies to ensure that diplomatic immunity does not result in impunity for human trafficking crimes.