

2010 TRAFFICKING IN PERSONS REPORT

UNITED STATES OF AMERICA NARRATIVE

The United States is a source, transit, and destination country for men, women, and children subjected to trafficking in persons, specifically forced labor, debt bondage, and forced prostitution. Trafficking occurs primarily for labor and most commonly in domestic servitude, agriculture, manufacturing, janitorial services, hotel services, construction, health and elder care, hair and nail salons, and strip club dancing. Vulnerabilities remain even for legally documented temporary workers who typically fill labor needs in the hospitality, landscaping, construction, food service, and agricultural industries. In some human trafficking cases, workers are victims of fraudulent recruitment practices and have incurred large debts for promised employment in the United States, which makes them susceptible to debt bondage and involuntary servitude. Trafficking cases also involve passport confiscation, nonpayment or limited payment of wages, restriction of movement, isolation from the community, and physical and sexual abuse as means of keeping victims in compelled service. There are cases of domestic workers, foreigners on A3 and G5 visas, being subjected to trafficking-related abuse by diplomats posted to the United States. Combined federal and state human trafficking information indicates that more investigations and prosecutions have taken place for sex trafficking offenses than for labor trafficking offenses, but law enforcement identified a comparatively higher number of labor trafficking victims as such cases often involve more victims. More U.S. citizens, both adult and children, are found in sex trafficking than labor trafficking; U.S. citizen child victims are often runaway and homeless youth. More foreign victims are found in labor trafficking than sex trafficking, some of whom have entered the country under work or student-based visa programs. Primary countries of origin for foreign victims certified by the U.S. government were Thailand, Mexico, Philippines, Haiti, India, Guatemala, and the Dominican Republic. Eighty-two percent of these foreign adult victims and 56 percent of foreign child trafficking victims were labor trafficking victims. Sex trafficking of foreign children included boys.

The U.S. government fully complies with the minimum standards for the elimination of trafficking. The government sustained strong law enforcement efforts and continued to encourage a victim-centered approach among local, state, and federal law enforcement. Prioritizing trafficking cases and continued training are required to increase the number of cases prosecuted and victims identified. The U.S. government saw improvement in the protection of trafficked foreign children due to new procedures to grant benefits and services more promptly upon identification. However, government services for trafficked U.S. citizen children were not well coordinated; they were dispersed through existing child protection and juvenile justice structures. The government made grants to NGOs for victim services, though there are reports that the system is cumbersome and some NGOs have opted out of participating. Victim identification, given the amount of resources put into the effort, is considered to be low and law enforcement officials are sometimes untrained or unwilling to undertake victim protection measures. Over the past year, the government has broadened its prevention efforts. The U.S. government annually reports on its activities to combat human trafficking in a report compiled by the Department of Justice available at www.justice.gov/olp/human_trafficking.htm including detailed information on funding and suggestions for improved performance – a self-monitoring exercise that leads to improvements throughout the year.

Recommendations for the United States: Improve law enforcement data collection on human trafficking cases at the state and local level; offer advanced training to more federal agents and Assistant U.S. Attorneys with greater depth and frequency on the complexities of trafficking victim protection and proper identification, investigation, and prosecution of human trafficking cases; formalize, expand, and intensify anti-trafficking task forces by replicating models used for counternarcotics and counterterrorism; provide additional guidance and oversight on human trafficking from federal law enforcement agencies headquarters to field offices; develop

additional guidance, reporting requirements, and accountability measures related to human trafficking from the Department of Justice to the Executive Office of U.S. Attorneys and U.S. Attorneys' Offices; encourage local, state, and federal investigations and prosecutions through leadership of federal law enforcement that prioritizes trafficking cases; mandate victim identification training for immigration, detention, and removal officers and immigration services officers; increase U.S. government efforts to identify and assist U.S. citizen victims; improve the efficiency of victim services grant-making structures that include comprehensive case management, community collaboration, training and outreach; increase funding for victim services; enhance federal government partnerships with state, local, and tribal agencies; take steps toward greater cooperation between the private and public sectors to develop promising business practices to rid supply chains of forced labor; strengthen enforcement tools related to the restriction of importing goods made from forced and child labor; enhance labor trafficking training to U.S. law enforcement; augment training for state and local law enforcement operating under cooperative agreements with federal immigration authorities to increase anti-trafficking activities and better identify and protect trafficking victims; brief domestic workers in the United States assigned to foreign diplomats of their labor rights; strengthen enforcement of temporary worker programs; increase public awareness through linguistically and culturally appropriate grassroots outreach; and intensify enforcement and workers rights infrastructure, such as ombudsman offices, in insular areas.

Prosecution

The U.S. government demonstrated progress in its anti-trafficking law enforcement efforts through 2009. The United States prohibits all forms of trafficking in persons through criminal statutes that were enacted over 150 years ago in the wake of the U.S. Civil War to effectuate the Constitutional prohibition of slavery and involuntary servitude. These statutes were updated and modernized by the Trafficking Victims Protection Act of 2000 (TVPA) and subsequent legislation. Enforcement of the involuntary servitude and slavery efforts were subsequently carried out under the umbrella term "trafficking in persons." U.S. law prohibits peonage, involuntary servitude, forced labor, sex trafficking, and servitude induced by confiscation or withholding of documents, such as passports. Sex trafficking prosecutions involving children do not require a showing of force, fraud, or coercion. Additional federal laws can also be utilized in trafficking prosecutions and traffickers are occasionally convicted under those statutes instead of specific trafficking offenses.

Penalties prescribed under these statutes range from five to 20 years' imprisonment for peonage, involuntary servitude, forced labor, and domestic servitude, and up to life imprisonment for aggravating circumstances. Penalties for sex trafficking range up to life imprisonment with a mandatory minimum penalty of 10 years for sex trafficking of minors and 15 years for sex trafficking by force, fraud, or coercion or sex trafficking of minors under age 14. There is also a five-year maximum penalty for the related offense of fraud in foreign labor contracting under 18 U.S. C. § 1351. New sentencing guidelines promulgated in 2009 established equivalent sentencing of peonage, slavery, and trafficking in persons cases for anyone who financially benefits through participation in a trafficking venture knowing or in reckless disregard of the trafficking conduct under 18 U.S.C. § 1593A as well as increased penalties for harboring unauthorized immigrants for purposes of prostitution. These penalties are sufficiently stringent and commensurate with penalties prescribed under U.S. law for other serious offenses, such as rape, kidnapping, or if death results.

TVPA trafficking offenses are investigated by federal law enforcement agencies and prosecuted by the U.S. Department of Justice (DOJ). The federal government tracks its activities by Fiscal Year (FY) which runs from October 1 through September 30. In FY 2009, the Human Trafficking Prosecution Unit, a specialized anti-trafficking unit of DOJ's Civil Rights Division, in partnership with U.S. Attorneys' Offices, charged 114 individuals, and obtained 47 convictions in 43 human trafficking prosecutions (21 labor trafficking and 22 sex trafficking). This represents the highest number of prosecutions and defendants charged in a given year. The average prison sentence imposed for federal trafficking crimes in FY 2009 was 13 years and prison terms imposed in FY 2009 ranged from two months to 45 years. These figures include forced labor prosecutions

and prosecutions involving sex trafficking of adults.

All 50 states prohibit the prostitution of children under state and local laws that predate the enactment of the TVPA. The Innocence Lost Initiative is a collaboration of federal and state law enforcement authorities and victim assistance providers focused on combating the prostitution of children. In FY 2009, the Initiative conducted a national operation leading to the identification of 306 children and 151 convictions of traffickers in state and federal courts. DOJ's Child Exploitation and Obscenity Section and U.S. Attorneys' Offices prosecuted other child sex trafficking cases outside of the Innocence Lost Initiative, but data on those efforts was unavailable. Some NGOs expressed concern that adult women found in prostitution during these child-focused operations were not properly screened to determine if they were victims of trafficking. In more recent operations, however, federal law enforcement disseminated guidance, screening instruments, and cross-referral and coordination protocols to investigative agents and prosecutors nationwide to enhance capacity to identify and assist adult sex trafficking victims and to investigate and prosecute this form of trafficking. Traffickers were also prosecuted under a myriad of state laws, but no comprehensive data is available on state prosecutions and convictions. Forty-two states have enacted specific anti-trafficking statutes using varying definitions and a range of penalties. Such statutes are only gradually coming into use; during the reporting period, two states obtained their first convictions under anti-trafficking statutes passed in 2003 and 2007.

DOJ funds 38 anti-trafficking task forces nationwide comprised of federal, state, and local law enforcement investigators and prosecutors, labor enforcement, and a nongovernmental victim service provider. The goals of these task forces are case coordination as well as law enforcement training in the geographic area to identify, investigate, and prosecute cases through a victim-centered approach. Research has shown that locales with task forces are more likely to identify cases and bring them forward. The numbers of state and federal investigations and prosecutions among the task forces varied widely. Initial analysis indicates that state law enforcement conducted more sex trafficking investigations than labor trafficking investigations, often applying criminal statutes predating the passage of state anti-trafficking statutes. The emphasis on sex trafficking is attributed to local law enforcement relying on its pre-existing vice units devoted to prostitution enforcement, whereas there were no comparable pre-existing structures for involuntary servitude in labor sectors. In 2009, DOJ undertook a review of the task forces' results and considered how to better support them including enhanced training, restructuring, and consolidation.

Despite the mandates of 2005 and 2008 amendments to the TVPA, uniform data collection for trafficking crimes or numbers of victims among federal, state and local law enforcement agencies did not occur during the reporting period. Most, but not all, of the DOJ task forces collected information on investigations in a single database, but this information was incomplete as it does not have full task force participation or nationwide coverage. Six states – Florida, Minnesota, New Mexico, New York, Rhode Island and Texas – mandated data collection and reporting on trafficking cases, but this has not yet been fully implemented. The lack of uniform data collection remains an impediment to a comprehensive understanding of the enforcement and victim service response to trafficking in the United States. There were no reports of official complicity in human trafficking during the reporting period.

The U.S. government undertook considerable law enforcement training efforts during the reporting period. The DOJ task forces trained over 13,000 law enforcement officers and other persons likely to come into contact with human trafficking victims. The task forces themselves received week-long intensive training. The Federal Bureau of Investigation provided comprehensive anti-trafficking training to agents attending the annual civil rights conference, including changes in the law, victim services, and suggested victim interview techniques. The Department of Homeland Security (DHS) mandated human trafficking training for all officers and agents of U.S. Customs and Border Protection and made a web-based human trafficking course

available to officers and agents of U.S. Immigration and Customs Enforcement (ICE). Additionally, ICE offices nationwide hosted trainings reaching more than 6,000 federal, state, and local law enforcement officials. In a separate effort, some state and local law enforcement agencies operate under cooperative agreements following section 287(g) of the Immigration and Nationality Act, which authorizes the federally supervised enforcement of certain immigration authorities related to the investigation, apprehension, and detention of unauthorized immigrants in the United States. Participants in the 287(g) agreement must undergo training on victim and witness protections, including victim-based immigration relief. However, victim advocates reported that this training has not enhanced the response to or identification of trafficking victims or other immigrant victims of crime. The Department of Defense (DOD) instituted mandatory law enforcement training on identification, investigation, and information sharing with civilian or host nation law enforcement agencies.

U.S. authorities forged partnerships with counterparts in several countries to advance specific trafficking investigations during the reporting period, including a unique effort with Mexico where trafficking cases were jointly investigated by ICE, the Federal Bureau of Investigation, and the Government of Mexico and then prosecuted in Mexican and U.S. courts.

Protection

The U.S. government demonstrated sustained efforts to identify an increased number of trafficking victims and ensured that they received access to essential protective services. The U.S. government has formal procedures to guide officials in victim identification and referrals to victim services provided by NGOs. The U.S. government also funds an NGO-operated national hotline and referral service. There continued to be uneven knowledge among law enforcement authorities about human trafficking, including how to identify victims and how to access victim assistance. NGOs reported several instances of the detention of victims and potential victims, including children arrested for prostitution, and victims unidentified in immigration detention, some of whom were reportedly later identified and granted immigration relief. Victim advocates sometimes encountered difficulties securing law enforcement assistance to request public benefits and immigration relief.

The U.S. government continued to fund NGOs to provide victim services, including shelter. In February 2010, the cabinet-level President's Interagency Task Force to Monitor and Combat Trafficking in Persons publicly pledged to uphold a system that provides for all trafficking victims, whether they have lost their freedom through sex trafficking or labor trafficking and regardless of age, gender, or immigration status. The U.S. government worked to ensure access to comprehensive victim services by funding NGOs to provide case management, health and mental health care, shelter, legal services, interpretation, education, vocational training, and employment placement. The expense and limited availability of temporary housing options for all victims continued to be an issue. NGOs reported that, although lawyers are needed to assist victims in navigating the complex system of eligibility for benefits and the criminal justice system, government funding for legal service providers to assist trafficking victims was severely limited.

The U.S. government encouraged victims to assist with investigations and prosecutions. The TVPA provides two principal types of immigration relief to foreign trafficking victims: 1) continued presence, which allows temporary immigration relief and may allow work authorization for potential victims who are also potential witnesses in an investigation or prosecution and 2) T nonimmigrant status or "T visas," which generally allow for legal immigration status for up to four years for victims who cooperate with reasonable law enforcement requests for assistance with an investigation or prosecution. Testimony against the trafficker, conviction of the trafficker, or formal denunciation of the trafficker is not required, nor is sponsorship or approval by an investigating agency. However, such support counts in an applicant's favor. Victims may also apply for T visas on behalf of certain family members, including spouses and minor children, parents and minor siblings of victims under 21, and victims' family members who are in danger as a result of the victim's escape from the trafficker or cooperation with law enforcement. T visa holders and their family members are authorized to

work and after three years are then eligible for permanent residence status and eventual citizenship. Some victim advocates reported encountering difficulties in having law enforcement officials apply for continued presence and completing certification forms for the T visa; the problem was particularly acute among state and local officials who may be less familiar with the TVPA.

In 2009, continued presence was issued to 299 potential victim-witnesses and 313 T visas were granted. T visas were issued to 273 immediate family members of victims. Approximately 500 T visa holders, including victims and their family members, became lawful permanent residents in 2009, which puts them on a path to obtaining U.S. citizenship. There are other forms of immigration relief for which trafficking victims may be eligible, most notably the U visa for victims of specific crimes including trafficking offenses; however, information about which crime U visa holders suffered is not disaggregated so the number of trafficking victims who received such relief is unknown. During the reporting period, the Secretary of Labor announced that the Department of Labor would exercise its authority and implement a protocol to certify U visa applications in appropriate circumstances, which includes trafficking.

Foreign nationals generally are not eligible for federal public benefits such as food assistance and health care programs. When continued presence or a T visa is granted, the U.S. government issues a document that certifies the victim's eligibility to receive public benefits to the same extent as a refugee. In FY 2009, 330 such certifications were issued to foreign adults and 50 eligibility letters were issued to foreign children, an increase from 286 and 31, respectively, in FY 2008. Certified victims came from 47 countries. Primary countries of origin for foreign victims were Thailand, Mexico, Philippines, Haiti, India, Guatemala, and the Dominican Republic. Eighty-two percent of foreign adult victims were labor trafficking victims, of which 58 percent were men and 42 percent were women; 15 percent were adult sex trafficking victims, all of whom were women; and three percent were victims of both forms. Fifty-six percent of foreign child victims were labor trafficking victims, of which half were boys and half were girls; 38 percent were sex trafficking victims, of which 16 percent were boys; and six percent were victims of both forms. NGOs reported that amendments to the TVPA in 2008 improved the protection of trafficked foreign children; there is now a process to grant eligibility letters and, therefore, benefits and services, upon identification without delay and without requirement that the child cooperate with law enforcement.

In 2009, a program funded by the Department of State – the Return, Reintegration, and Family Reunification Program for Victims of Trafficking – assisted two victims in returning to their home country and reunited 128 family members with trafficked persons in the United States. Since its inception in 2005, the program has assisted 15 victims in returning to their country of origin and has reunited 378 family members from 41 countries of origin. Despite training of U.S. consular officers on T and U visas, NGOs reported delays with persons traveling to join their family members in the United States due to unfamiliarity of some U.S. embassy personnel with victim-based visa programs.

DOJ and the Department of Health and Human Services (HHS) provided funding to NGOs for victim assistance. In FY 2009, approximately 700 foreign victims received services from NGOs supported by the federal government; 57 percent of these victims were men and 43 percent were women. DOJ made grants to 37 victim assistance organizations working in conjunction with law enforcement task forces nationwide. These grants focus on emergency assistance for foreign victims until an individual is certified or decides not to work with law enforcement. Once a victim is certified, a contractor for HHS reimburses NGO providers for services. NGOs reported difficulty operating under one funding system for pre-certified victims and another funding system for certified victims. The reimbursement program replaced an earlier system of HHS capacity-building grants; NGOs reported that the shift from grants to a per capita reimbursement system undercuts the development of a trafficking-specific program infrastructure as well as the advancement of expertise in the victim services community. While there has been a 210 percent increase in certifications of foreign victims

over the past five years, there has been no corresponding increase in funding for services. In each of the last three years, the U.S. government exhausted the funding allotted for the reimbursement system before the end of the year. HHS-funded outreach programs identified over 700 potential foreign trafficking victims in addition to more than 1,000 American citizens. It is unknown how many U.S. citizen victims were referred to law enforcement or received services. The majority of identified U.S. citizen victims were children found in prostitution. In 2009, DOJ funded three demonstration projects to provide comprehensive services to U.S. citizen child victims of labor or sex trafficking, two projects for case management assistance to children found in prostitution, and one training and technical assistance project targeted at 10 youth-serving organizations assisting children found in prostitution. These services are not contingent on the child victim cooperating with law enforcement. Extensive programs for at-risk youth, including runaway and homeless youth, also assist this population, as do child protective services agencies in all states and territories; this infrastructure predates the TVPA. It is not clear to what extent these programs identify and assist child trafficking victims among the children they serve though NGOs reported that these programs and agencies require training to better identify and work with trafficking victims. During the year, DOJ and HHS examined more coordinated, systemic ways to protect citizen victims and ensure that all victims are offered services and protection, whether foreign nationals or U.S. citizens.

While the TVPA sets forth a federal victim protection framework and principles, such protections are far from universal at the state and local levels. Only nine of 50 states offered state public benefits to trafficking victims. Eighteen permitted victims to bring civil lawsuits in state court. Seven encouraged law enforcement to provide the required accompanying documentation for T visa applications. Eighteen instituted mandatory restitution. Nine states required that victims' names and/or locations be kept confidential. During the reporting period, state legislators worked with NGOs to further develop state-provided victim service and protection options.

The TVPA mandates that victims not be inappropriately incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being trafficked. The prostitution of children has traditionally been handled as a vice crime or a juvenile justice issue and the anti-trafficking approach of the TVPA has been slow to fully permeate the state child protection and juvenile justice systems. In 2008, the most recent year for which data is available, 206 males and 643 females under 18 years of age were reported to the Federal Bureau of Investigation as having been arrested for prostitution and commercialized vice. Some states created diversion programs so that children found in prostitution could receive shelter and services as opposed to convictions and jail; other states considered "safe haven" laws that would effectively decriminalize children found in prostitution. One state proposed legislation that would vacate prostitution convictions of sex trafficking victims, thereby eliminating barriers to immigration status, employment, and housing.

During the reporting period, DHS trained 250 ICE agents to identify and treat trafficking victims using approaches that focus on the needs of the victims and established 12 full-time, non-agent Victim Assistance Specialists nationwide. DHS hired two child forensic interview specialists to conduct interviews of child and adolescent victims, as well as to develop training for agents on conducting developmentally appropriate and victim-sensitive interviews of children. DHS created a process for screening unaccompanied unauthorized immigrant minors. HHS' child victim specialists trained child welfare officials in 13 states as well as shelter staff for unaccompanied foreign minors in five states.

Prevention

The Government of the United States continued to make appreciable progress on addressing prevention throughout the reporting period. The cabinet-level President's Interagency Task Force to Monitor and Combat Trafficking (PITF) is statutorily directed to coordinate the implementation of the TVPA and, therefore, the government-wide efforts to combat human trafficking. The Senior Policy Operating Group (SPOG) implements the PITF's guidance and is charged with coordinating the government's interagency effort to

combat human trafficking. The SPOG meets quarterly and includes senior-level representatives from U.S. government agencies and the White House. Additionally, Grant-making, Research and Data, and Public Affairs committees advance the work of the SPOG.

The U.S. government undertook multiple efforts to reduce the demand for commercial sex and cheap labor to which traffickers respond. The Departments of Agriculture, Labor, and State worked with experts to develop recommendations to reduce the likelihood that agricultural products and commodities imported into the United States are produced with the use of forced labor and child labor. In September 2009, as directed by the TVPA of 2005, the Department of Labor (DOL) published an initial list of goods from countries that DOL had reason to believe were produced by child labor or forced labor in violation of international standards. DHS is responsible for enforcing the prohibition against importing such products, but the relevant statute, the Smoot-Hawley Tariff Act of 1930, is limited in application and does not reflect the modern approach of the TVPA.

DOL carries out civil law enforcement in the workplace and targets industries that employ at-risk workers including restaurants, construction, and agriculture; DOL inspectors and investigators are often in a position to identify exploitive labor practices, which may be indicative of trafficking. During the reporting period, DOL increased its enforcement staff, but investigators did not receive trafficking-specific training. DOL's Office of Inspector General, which conducts criminal investigations of fraud involving the H2B foreign labor certification program, identified labor trafficking violations in some of its cases during the reporting period. The U.S. Equal Employment Opportunity Commission (EEOC), which investigates discrimination charges against employers, participated for the first time in both the PITF and SPOG meetings as a full partner. The EEOC committed to active participation nationwide in order to identify additional labor trafficking cases.

Allegations of U.S. government contractors and subcontractors engaging in forced labor and procuring commercial sex acts were well-publicized, most recently involving private security firms hired by U.S. embassies as well as DOD contractors. All U.S. government contracts are required to include a provision that prohibits trafficking in persons by its contractors, contractor employees, subcontractors, and subcontractor employees. The U.S. government has the authority to terminate a contract without penalty if trafficking occurs and, in some cases, may have extraterritorial jurisdiction to prosecute federal contractors and subcontractors for human trafficking offenses that occur overseas. In 2009, the Department of State, DOD, and the US Agency for International Development conducted audits of a representative sample of contracts. DOD investigated one contractor and DOJ determined the facts and circumstances did not warrant further action; the contractor took corrective action. The Department of State's site visits yielded anecdotal evidence of some contractor behavior suggesting possible human trafficking, including withholding passports, garnishing wages, and summary dismissal, which resulted in referrals for investigations. During the reporting period, although allegations have been investigated, no contractors were prosecuted and no contracts were terminated. An additional Department of State report to Congress is forthcoming in the summer of 2010. The U.S. government also engaged in prevention efforts within its temporary worker programs, especially under visas that allowed the admission in FY 2009 of 60,112 temporary agricultural workers and 44,847 workers in sectors such as hospitality, food service, and construction. NGO reports and prosecutions indicated that private recruiters often charge excessive fees, which leave workers vulnerable to debt bondage; identity documents are confiscated; and victims feel they risk deportation should they report labor violations. Workers' immigration status is tied to the sponsor of their employment-based visa. The work-based visas do not shield employers from liability for enslaving their workers, and anti-trafficking statutes were supplemented in 2008 by the enactment of 18 U.S. C. § 1351 to criminalize fraud in foreign labor contracting. The first such charges were brought in the reporting period and the prosecution is pending. The Departments of State, HHS, DHS, DOJ, and DOL formed a partnership with civil society to produce a "know your rights" brochure distributed by consulates worldwide informing visa applicants of their employment rights once in the United States and how to obtain help if needed, including how to seek help for human trafficking. Regulations released during the

reporting period allow for the debarment of employers who have committed certain violations of the temporary worker programs from participation for one to five years, but no employers were debarred during the reporting period.

During the reporting period, the Department of State issued formal guidelines for U.S. diplomats and employees working overseas under Chief of Mission authority who employ domestic workers, emphasizing that violators who engage in trafficking can face removal from employment and federal prosecution. The Department of State also promulgated guidelines governing the treatment of workers sponsored by foreign diplomats in the United States, including requirements that the worker be paid by check or electronic funds transfer, and ensuring transparency in contracting. The U.S. government formally briefed the Diplomatic Corps of these new guidelines and of possible consequences of domestic worker abuse. New laws and regulations provided that foreign embassies may lose the ability to sponsor additional domestic workers if they tolerate such behavior by their employees; no suspensions occurred within the reporting period. The Department of State worked with civil society to establish an intake mechanism for such cases to be reported.

The U.S. government adopted measures to inform and educate the public, including potential victims, about the causes and consequences of human trafficking. DHS conducted three extensive public awareness campaigns in 2009, spanning domestic urban areas, ports of entry, and foreign source countries. Additionally, DHS developed and implemented screening of unaccompanied minors arriving at and between ports of entry to determine whether they were victims of or at risk of trafficking. The Department of Education hosted a national conference at which it informed school teachers, nurses, and law enforcement about the problem of human trafficking and their role in identifying and preventing trafficking. HHS distributed public awareness materials in 2009 as part of a nationwide campaign that began in 2004. HHS also funded an NGO to operate the National Human Trafficking Resource Center, which operates a national hotline (1-888-3737-888) and provides national training and technical assistance to government and civil society organizations to identify and assist victims. In FY 2009, the Center received a total of 7,257 phone calls. These calls included 1,019 tips, of which approximately 300 were referred to law enforcement, and 697 requests for victim care referrals.

The U.S. government provides a substantial amount of international assistance aimed at preventing trafficking in persons, protecting victims, and prosecuting traffickers through foreign assistance from Department of State, DOL, and the U.S. Agency for International Development. In FY 2009, the government funded 168 international anti-trafficking programs, totaling approximately \$84 million and benefiting over 80 countries.

The United States does not directly participate in UN peacekeeping and has only a minimal presence within those operations. Nevertheless, pre-deployment anti- trafficking training takes place. DOD mandated general human trafficking awareness training for all military members and civilian employees. In 2009, 60 percent of DOD employees received such basic anti-trafficking training. U.S. military personnel deployed to Haiti in the wake of the February 2010 earthquake received pre-departure briefings on their responsibility to guard against modern slavery, the warning signs of trafficking, and the U.S. government's zero tolerance policy for commercial sex and trafficking.

State and local jurisdictions engaged in a number of efforts to reduce demand for commercial sex. Common activities included deterrence such as public naming of men arrested for solicitation of prostitution or rehabilitation programs that dismissed solicitation charges following attendance at programs intended to sensitize the arrestees about the damage caused by prostitution. Federally funded evaluation of one such program showed a preventative effect against recidivism in the men who completed the course. There were not similar deferral programs for adult women arrested for prostitution offenses. State and local law enforcement arrested 12,133 men for prostitution offenses in 2008, the year for which most recent data is available. At the federal level, DOD launched a demand reduction campaign to help make contractors,

government personnel, and military members aware of common signs of human trafficking and a hotline number to report suspected incidents.

U.S. laws provide extraterritorial jurisdiction over child sex tourism offenses perpetrated overseas by U.S. citizens. The federal government made 11 criminal arrests, brought five indictments, and obtained 10 convictions in child sex tourism cases in FY 2009.

U.S. Insular Areas

The U.S. insular areas consist of American Samoa, the Commonwealth of the Northern Mariana Islands (CNMI), Guam, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands. Federal authority over these areas resides in the Department of the Interior (DOI). While the U.S. government has compacts of free association with Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands, they are independent of the United States and thus not discussed here.

The insular areas are a destination for men and women subjected to forced labor, debt bondage, and forced prostitution. The U.S. government holds a unique relationship with each insular possession. While the U.S. constitutional prohibition of involuntary servitude and anti-trafficking statutes apply in all areas subject to U.S. jurisdiction, systemic issues prevent full enforcement of the law. For instance, American Samoa controls its own immigration and labor laws, including its temporary worker programs, as did CNMI until its recent federal transition. Temporary workers constitute the majority of the population in some territories; this creates a particular vulnerability for trafficking that is largely unenforced. DOJ sought cases throughout the territories during the reporting period, but challenges of distance and limitations of resources, in combination with the potential scope of trafficking, mean that the territories warrant targeted attention, coordination, and resources. In the Territory of American Samoa, Chinese women have been forced into prostitution in nightclubs and brothels and Chinese and Vietnamese garment workers have been found in forced labor. American Samoa controls its own immigration policies and enforcement. Local law enforcement initiated an investigation of the territorial immigration office regarding its role in suspected forced labor and sex trafficking. In October 2009, the American Samoan House and Senate introduced an anti-trafficking bill, which would criminalize human trafficking and involuntary servitude as felonies.

In the Commonwealth of the Northern Mariana Islands (CNMI), forced labor and forced prostitution have at times been such high-profile issues that a Federal Labor Ombudsman, with an office established within DOI by Congress, operates in the Commonwealth. This office has documented labor abuses as well as numerous claims of foreign women forced into prostitution. Traffickers have been prosecuted for forcing Chinese women into prostitution in a karaoke bar as well as forcing Filipinos to labor and into commercial sexual exploitation. Labor trafficking was also of concern because temporary workers exceed the number of U.S. citizens in the 176 square mile Commonwealth. CNMI enacted its Anti-Trafficking Act in 2005 and has a DOJ funded task force on the largest island, Saipan. In 2008, the most recent year for which data is available, the NGO working on the task force assisted 14 human trafficking victims. CNMI is currently transitioning from independent control of immigration and labor enforcement to federal law and DHS assumed immigration and border control during the reporting period. During the reporting period, DOI requested that the Federal Bureau of Investigation send additional federal investigators to the CNMI to handle the expanding caseload.

The Territory of Guam has experienced both sex and labor trafficking. The first case came to light in 2008, when Chuukese women were identified as forced into prostitution, which prompted Guam to enact an anti-trafficking law in 2009. A federal sex trafficking prosecution is pending. Of particular concern for the coming years is the vulnerability of approximately 15,000 temporary workers expected to arrive primarily from the Philippines to construct new military facilities, without any corresponding increase in enforcement resources. In the Commonwealth of Puerto Rico, sex trafficking appears to be more prevalent, involving Puerto Rican

children as well as foreign women from the Dominican Republic, Haiti, and China. There are reports of involuntary domestic servitude as well as forced labor in a shrimp processing facility. Puerto Rico has no local anti-trafficking law. Reports indicated that suspected incidents are referred to federal authorities. Even with a federal presence and a documented human trafficking problem, Puerto Rico has yet to prosecute a human trafficking case.

There were no documented cases of human trafficking in the territory of the U.S. Virgin Islands, though NGOs believe the tourism industry invites trafficking for sex and labor. NGOs in the U.S. Virgin Islands worked together to identify potential cases and be prepared to assist victims.