

4.5.1 Human Trafficking

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Overview

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The U.S. Department of Justice defines [Human Trafficking](#) as:

***Human Trafficking**, also known as trafficking in persons or modern-day slavery, is a crime that involves compelling or coercing a person to provide labor or services, or to engage in commercial sex acts. The coercion can be subtle or overt, physical or psychological. The exploitation of a minor for commercial sex is human trafficking, regardless of whether any form of force, fraud, or coercion was used.* <https://www.justice.gov/humantrafficking/what-is-human-trafficking>

U.S. Laws and Regulations

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There is no single U.S. law or regulation covering **Human Trafficking**, but a whole set of laws. Table 1 outlines most of the laws as determined by [U.S. Department of Homeland Security](#) and by the [American Bar Association](#).

There are roughly 14 Laws and Regulations in the U.S. covering Human Trafficking.

Table 1: List of U.S. Laws and Regulations covering Human Trafficking.

Law or Regulation	Description
Trade Facilitation and Enforcement Act of 2015	The Trade Facilitation and Enforcement Act of 2015 allows for stiffer enforcement by the U.S. Customs and Border Protection Agency of supply chains of goods made by child or forced labor. The Act enables ICE to investigate the production of any good reported to be a product of child or forced labor and ban the goods from entry into the U.S.
National Defense Authorization Act (2013)	The National Defense Authorization Act (2013) requires a written certification for all grants and contracts over \500,000 that no party involved will engage in or support human trafficking. It also gives governmental agencies the ability to terminate, without penalty, any contract or grant with any organization or individual that engages in human trafficking.
Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today (PROTECT) (2003)	PROTECT Act of 2003, established enhanced penalties for individuals engaging in sex tourism with children, both within the United States and in other countries.

Law or Regulation	Description
RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS (RICO)	RICO was created to be a tool for the federal government to more effectively prosecute members of organized crime for racketeering offenses. Federal human trafficking offenses are included as racketeering offenses.
Customs and Facilitations and Trade Enforcement Act (2009)	The Customs and Facilitations and Trade Enforcement Act (2009) prohibits the sale of goods made through the use of coercion or goods made by victims of human trafficking.
Trafficking Victims Protection Reauthorization Act of 2013 (TVPRA 2013)	TVPRA 2013 , puts into place emergency response provisions within the State Department to respond to disaster areas and crises where people are particularly susceptible to being trafficked. It also established measures to prevent child marriage and strengthened collaboration efforts between state and local law enforcement.
Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA of 2008)	TVPRA of 2008 expanded anti-trafficking prevention strategies and expanded protections available with the T Visa. It also regulated that all unaccompanied alien children be screened as potential victims of human trafficking.
Trafficking Victims Protection Reauthorization Act of 2005 (TVPRA of 2005)	TVPRA of 2005 established a pilot program for sheltering human trafficking victims who are minors and provided grant programs to assist state and local law enforcement combat trafficking. It also included provisions to combat sex tourism and regulated government contracts to ensure they are not made with individuals or organizations that promote or engage in human trafficking.
Trafficking Victims Protection Reauthorization Act of 2003 (TVPRA of 2003)	TVPRA of 2003 established human trafficking as a chargeable crime under the Racketeering Influenced Corrupt Organizations (RICO) statute. It provided a civil right of action for trafficking victims to sue their traffickers. It further protected victims and their families from deportation and required that the Attorney General report to Congress annually on the activities of the U.S. government in the fight against trafficking.
Trafficking Victims Protection Act (TVPA)	TVPA of 2000 established methods of prosecuting traffickers, preventing human trafficking, and protecting victims and survivors of trafficking. The act established human trafficking and related offenses as federal crimes. It established the Office to Monitor and Combat Trafficking in Persons, which is required to publish a Trafficking In Persons (TIP) report each year. The TIP report describes and ranks the efforts of countries to combat human trafficking. The act also established the Interagency Task Force to Monitor and Combat Trafficking, which assists in the implementation of the TVPA. It provides for restitution for victims and immigration relief through the T Visa.

Law or Regulation	Description
<p>Executive Order on Strengthening Protections Against Trafficking in Persons in Federal Contracts</p>	<p>The Executive Order on Strengthening Protections Against Trafficking in Persons in Federal Contracts orders the Federal Acquisition Regulatory (FAR) Council to amend the Federal Acquisition Regulations to prohibit Federal contractors and subcontractors in solicitations, contracts, and subcontracts for supplies or services from engaging in any trafficking activities such as employee recruitment fees or withholding of identification documents. Additionally, it orders that the Administrator for Federal Procurement Policy shall provide guidance to agencies on developing appropriate internal procedures and controls for awarding and administering Federal contracts to improve monitoring of and compliance with actions to prevent trafficking in persons.</p>
<p>Intelligence Reform and Terrorism Prevention Act of 2004</p>	<p>The Intelligence Reform and Terrorism Prevention Act, section 7202 established the Human Smuggling and Trafficking Center to achieve greater integration and overall effectiveness in the U.S. government's enforcement and other response efforts, and to work with foreign governments to address the separate but related issues of alien smuggling, trafficking in persons, and criminal support of clandestine terrorist travel.</p>
<p>Civil Asset Forfeiture Reform Act of 2000 (CAFRA)</p>	<p>The Department of Homeland Security (DHS) fights human smuggling and trafficking through the issuance of CAFRA, which provides notice to property owners whose properties have been identified as being used to facilitate smuggling or harboring aliens; it is an important tool because many employers turn a blind eye to the facilitation of criminal activity on their properties.</p>
<p>Mann Act</p>	<p>The Mann Act, also known as the White-Slave Traffic Act of 1910 and its subsequent amendment resolutions, makes it a felony to knowingly persuade, induce, entice, or coerce an individual to travel across state lines to engage in prostitution or attempt to do so. It is an effective tool used to prosecute human traffickers.</p>

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Last update: 2022/06/17 18:05

