WASHINGTON, D.C. – Attorney General John Ashcroft announced today that the Department of Justice will soon issue T visas, created by the Trafficking Victims Protection Act of 2000 (TVPA) to protect women, children and men who are the victims of human trafficking. The T visa will allow victims of severe forms of trafficking in persons to remain in the United States and assist federal authorities in the investigation and prosecution of human trafficking cases. According to U.S. government estimates, 45,000 to 50,000 women and children are trafficked into the United States annually, and are trapped in modern-day slavery-like situations such as forced prostitution.

"One of our greatest challenges is identifying those responsible for these unspeakable crimes," said Attorney General John Ashcroft. "Today's announcement gives victims of human trafficking refuge from the deplorable treatment they endure and sends a clear warning to traffickers that this barbaric action is a fundamental violation of human decency that will not be tolerated."

In March, Attorney General Ashcroft announced that combating human trafficking would be a priority of the Department of Justice. The Department of Justice issued guidance to federal prosecutors describing the new crimes under the TVPA, and the Attorney General urged coordination among the F.B.I., I.N.S., U.S. Attorneys Offices and the Civil Rights and Criminal Divisions of the Department of Justice. In July, the Department published a regulation implementing Section 107(c) of the TVPA, which provides protections and assistance to human trafficking victims while their cases are investigated and prosecuted.

Today, the Attorney General signed the T visa regulation and transmitted it to the Federal Register. The T visa is specifically designed for certain human trafficking victims who cooperate with law enforcement against those responsible for their enslavement. The statute allows victims to remain in the United States if it is determined that such victims could suffer, "extreme hardship involving unusual and severe harm" if returned to their home countries. After three years in T status, victims of human trafficking may apply for permanent residency. In addition, subject to some limitations, the regulation allows victims to apply for non-immigrant status for their spouses and children. Victims under the age of 21 may apply for non-immigrant status for their parents as well.
"The T visa is a powerful new tool to protect the most vulnerable victims and prevent future trafficking," said Immigration and Naturalization Service Commissioner James Ziglar. "It will help INS put the criminals responsible for these horrific acts out of business and behind bars."

Since the passage of the TVPA, the Department of Justice has encountered many individuals who needed protection from retaliation and continued victimization by people who trafficked them into the United States.

Under the statutes of the TVPA, those convicted of trafficking offenses may receive up to 20 years in prison and, in some instances life sentences. Preexisting servitude statutes carried a maximum sentence of 10 years' imprisonment. The new statutes created by the TVPA are designed to reach the subtle means of coercion that traffickers often use to bind their victims in service. Such means include the seizure of immigration documents, psychological coercion, and trickery.

 Trafficking in persons includes the recruitment or transportation of persons through force, fraud or coercion for the purposes of modern-day slavery or involuntary servitude. Victims of this growing transnational crime problem – predominantly women and children – are trafficked into a wide variety of exploitative settings, ranging from the sex industry to domestic servitude to forced labor on farms and in factories.

Individuals who are victims of human trafficking and are interested in applying for the T visa can download the new I-914 form from the INS website at http://www.ins.gov/graphics/formsfee/forms/i-914.htm or by contacting the INS Eastern Forms Center Forms Request Line at 1-800-870-3676.

The interim regulation will be published next week in the Federal Register and will become effective thirty days after its publication. Additional information is available on the Department of Justice's website at http://www.usdoj.gov/crt/crim/tpwetf.htm. Individuals who would like to report the crime of trafficking in persons should call the Department's toll-free hotline at (888) 428-7581 (voice and TTY).

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