



# TRAFFICKING VICTIMS PROTECTION ACT OF 2000 FACT SHEET



In October 2000, the Trafficking Victims Protection Act of 2000 (TVPA) (Public Law 106-386) was enacted. Prior to that, no comprehensive Federal law existed to protect victims of trafficking or to prosecute their traffickers.

Human trafficking is increasingly committed by organized, sophisticated criminal groups, and is the fastest growing source of profits for organized criminal enterprises worldwide. Profits from the trafficking industry contribute to the expansion of organized crime in the U.S. and worldwide.

## TVPA Goals

- Prevent human trafficking overseas
- Protect victims and help them rebuild their lives in the U.S. with Federal and state support
- Prosecute traffickers of persons under stiff Federal penalties

## Prevention, Protection and Prosecution

The law is comprehensive in addressing the various ways of combating trafficking, including prevention, protection and prosecution. The **prevention** measures include the authorization of educational and public awareness programs.

**Protection** and assistance for victims of trafficking under the law include making housing, educational, health care, job training and other Federally-funded social service programs available to assist victims in rebuilding their lives. The law also established the **T visa**, which allows victims of trafficking to become temporary residents of the U.S. The TVPA authorizes up to 5,000 victims of trafficking each year to receive permanent residence status after three years from issuance of their temporary residency visas. The T visa signifies a shift in the immigration law policy, which previously resulted in many victims being deported as illegal aliens. The law also makes victims of trafficking eligible for the Witness Protection Program.

The law makes victims of trafficking eligible for **benefits and services** under Federal or state programs once they become **certified** by the U.S. Department of Health and Human Services (HHS). Adult trafficking victims must be certified as a pre-condition for their eligibility for benefits and services. Once certified, they will be eligible to apply for benefits and services under any Federal or state funded programs, to the same extent as refugees including refugee cash, medical assistance and social services. Victims under the age of 18 do not need to be certified. HHS issues these victims letters of eligibility so that providers know they are eligible for services and benefits.

Victims of human trafficking who are non-U.S. citizens are eligible to receive benefits and services through the TVPA to the same extent as refugees. Victims who are U.S. citizens do not need to be certified by HHS to receive benefits; as U.S. citizens, they are already eligible for many benefits.



The TVPA also created **new law enforcement tools** to strengthen the prosecution and punishment of traffickers, making human trafficking a Federal crime with severe penalties.

For example, if a trafficking crime results in death or if the crime includes kidnapping, an attempted kidnapping, aggravated sexual abuse, attempted aggravated sexual abuse, or an attempt to kill, the trafficker could be sentenced to life in prison. Traffickers who exploit children (under the age of 14) using force, fraud or coercion, for the purpose of sex trafficking (a commercial sex act<sup>1</sup>) can be imprisoned for life. If the victim was a child between the age of 14 and 18 and the sex trafficking did not involve force, fraud or coercion, the trafficker could receive up to 20 years in prison.

Moreover, the law addresses the subtle means of coercion used by traffickers to bind their victims in to servitude, including: psychological coercion, trickery, and the seizure of documents, activities which were difficult to prosecute under preexisting involuntary servitude statutes and case law.

#### **Trafficking Victims Protection Reauthorization Act of 2003**

In 2003, the Bush Administration authorized more than \$200 million to combat human trafficking through the Trafficking Victims Protection Reauthorization Act of 2003 (TVPRA). TVPRA renews the U.S. government's commitment to identify and assist victims exploited through labor and sex trafficking in the United States.

The TVPRA provides resources and initiatives to assist the 18,000 - 20,000 victims of human trafficking who are trafficked into the United States every year. It augments the legal tools which can be used against traffickers by empowering victims to bring Federal civil suits against traffickers for actual and punitive damages, and by including sex trafficking and forced labor as offenses under the Racketeering Influenced and Corrupt Organization statute. It also encourages the nation's 21,000 state and local law enforcement agencies to participate in the detection and investigation of human trafficking cases. The U.S. Department of Health and Human Services has a significant role in implementing the law's victim-centered, compassionate approach to finding and aiding the victims of this modern-day slave trade.

If you think you have come in contact with a victim of human trafficking, call the **Trafficking Information and Referral Hotline at 1.888.3737.888**. This hotline will help you determine if you have encountered victims of human trafficking, will identify local resources available in your community to help victims, and will help you coordinate with local social service organizations to help protect and serve victims to begin the process of restoring their lives. For more information on human trafficking visit **[www.acf.hhs.gov/trafficking](http://www.acf.hhs.gov/trafficking)**.

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<sup>1</sup> As defined by the Trafficking Victims Protection Act of 2000, the term 'commercial sex act' means any sex act, on account of which anything of value is given to or received by any person.