Congress of the United States
Washington, DC 20515

May 24, 2016

The Honorable Loretta Lynch
U.S. Department of Justice
950 Pennsylvania Ave, NW
Washington, D.C. 20530

Dear Attorney General Lynch,

As Members of Congress fighting to protect the most vulnerable members of our society against human trafficking, we were proud to support the Justice for Victims of Trafficking Act (JVTA) last year. The JVTA was signed into law on May 29, 2015, and we are delighted to celebrate its one-year anniversary this month. The JVTA was a landmark bill that modernized American efforts to combat modern day slavery and provided essential resources to survivors and law enforcement officials.

We are grateful for the important achievements of this legislation over the past year. The JVTA has reinvigorated America's commitment to protecting our children from cruel exploitation. Educators, law enforcement officials, and service providers are raising awareness in our communities that human trafficking is not merely an international phenomenon. It is a heartbreaking tragedy right here at home.

The JVTA created the United States Advisory Council on Human Trafficking to give survivors an official forum to share recommendations on U.S. anti-trafficking efforts. We eagerly await the Council's report this spring, and expect it will provide advice on demand reduction and primary prevention in the domestic arena. The JVTA also enabled interagency cooperation between federal, state, and local officials to better locate missing children and put criminals behind bars.

We are particularly heartened that the JVTA has revolutionized efforts to undercut demand for sex trafficking by holding buyers of sex accountable for their choices. Sexual predators can no longer torture and rape victims sold into trafficking with impunity. Only when we aggressively halt the demand for human trafficking that drives this destructive industry will we be able to eliminate exploitation in our cities and on our streets. Over the past year, we have been encouraged to see cases where sex buyers have been prosecuted under the federal trafficking law.

However, these are only the first steps toward implementation of the JVTA. There is much more work ahead of us, and it is not acceptable for us as advocates to pass this law and walk away. We will employ concerted due diligence until every child, woman, and man is safe from modern day slavery.

Under the JVTA, the Department of Justice has been directed to ensure that victims receive appropriate services and criminals are justly penalized. While we are grateful for the work of the Office of Juvenile Justice Delinquency Prevention and the stalwart anti-trafficking leaders within the Department, some provisions of the JVTA have yet to be implemented. Our efforts to end human trafficking will be rendered useless until the Department implements the entirety of the law. We thus urge you to immediately act and shed light on the following delayed areas of implementation:

Prosecuting buyers. The JVTA clarifies that those who solicit and patronize victims of trafficking can and should be prosecuted as sex trafficking offenders under 18 U.S. Code § 1591.

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1) Has the Department of Justice issued a directive and guidance to U.S. Attorneys making this clarification known and actionable across all districts?
2) Sex buyers who have exploited trafficking victims have been arrested over the past year; how many prosecutions and convictions have resulted in these types of cases?

Populating the Domestic Trafficking Victims' Fund. The JVTA mandates that the Department create the Domestic Trafficking Victims' Fund and levy a $5,000 assessment on convicted offenders.

1) Explain whether the Domestic Trafficking Victims' Fund has been established and populated.
2) Why has the Department not assessed all convicted offenders under covered crimes?
3) Has the Department issued a directive and guidance to U.S. Attorneys on implementing the assessment in each and every case, including not only cases with offenders convicted under the 18 U.S. Code § 1591 trafficking statute but also cases with those convicted of other trafficking, sexual abuse, sexual exploitation of children, illegal sexual activity, and human smuggling offenses?
4) Has the $5 million provided in section 101 for health care and services to victims been transferred to the Trafficking Victims' Fund from the Patient Protection and Affordable Care Act?

Issuing directives. To our knowledge the Department of Justice has neglected to issue necessary directives and guidance crucial to implementing JVTA across the country.

1) Has the Department issued guidance to prosecutors and federal law enforcement on victim restitution; using forfeited assets for restitution; and training on the clarified definition of sex trafficking offenders under 18 U.S. Code § 1591?

Establishing grant programs.

1) Which office within the Department will lead the child trafficking block grant program established in section 203?
2) When will the request for proposals be released to begin the child trafficking block grant and other grant programming covered by the JVTA?
3) Has the Department updated the trafficking victim services provision in section 107 of the TVPA to include programs that provide housing to victims, as clarified in section 224 of the JVTA?

Prosecuting offenders who knowingly advertise victims of human trafficking.

1) Has the Department opened any investigations as a result of Section 118 that clarifies that those who advertise victims of trafficking should be prosecuted under 18 U.S. Code § 1591?

Ensuring the Bureau of Justice Statistics fulfills requirements to report on state enforcement of human trafficking laws. Section 114e requires the Bureau of Justice Statistics to submit annual reports on the rates of arrests, prosecutions, and convictions related to human trafficking and other covered offenses.

1) Please provide a status update on the report due in 2016 as we determine whether it is on schedule and when it will be released.
2) To the extent feasible, consistent with section 237 of the Trafficking Victims in Persons Reauthorization Act of 2008, will this report clearly subcategorize statistics on covered offenses so that Congress has the necessary data to continue efforts to curb demand for sex trafficking?

Implementing the National Strategy for Combating Human Trafficking. The JVTA requires the Department to implement a national strategy focused on, among other initiatives, coordinating federal, state, local, and tribal efforts to prosecute human trafficking cases. Section 606 requires appointing an assistant U.S. attorney general in each district to prosecute trafficking cases or implement the national strategy.

1) Please provide an update on the status of the national strategy.
2) Have assistant U.S. attorney generals in each district been appointed and may we access the names of these officials?

Implementing the Interagency Task Force to Monitor and Combat Trafficking. The JVTA requires the task force to issue a public report within one year of passage of the JVTA on how best to prevent trafficking and deter individuals from committing trafficking offenses.

1) What is the status of the task force review of federal and state government efforts to prevent trafficking and will this report be released on schedule?

We thank you for your time and effort on providing these answers by July 1st, 2016. This information is critical as we work together to provide justice to survivors. We look forward to the Department's expedient implementation of the law.

Sincerely,

Ann Wagner
Member of Congress

Carolyn Maloney
Member of Congress

Ted Poe
Member of Congress

Joyce Beatty
Member of Congress

Michael M. Honda
Member of Congress

Jackie Walorski
Member of Congress

Kristi Noem
Member of Congress

Karen Bass
Member of Congress

Gwen Moore
Member of Congress

Sean Patrick Maloney
Member of Congress

Rosa DeLauro
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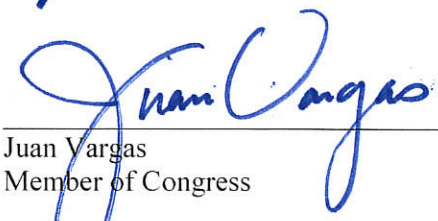

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Member of Congress

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Member of Congress

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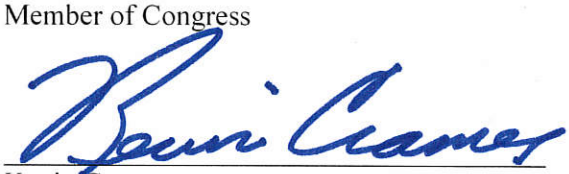
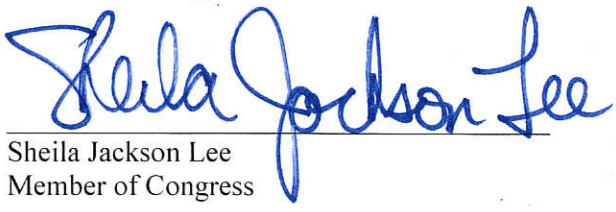
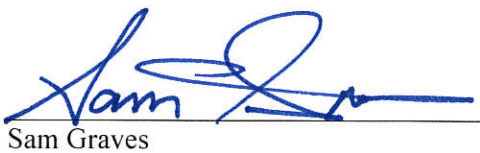
Member of Congress



Kevin Cramer
Member of Congress

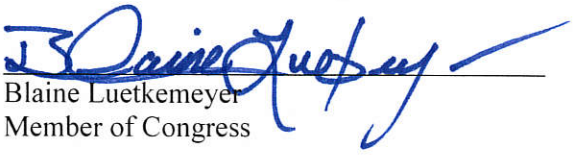


Sheila Jackson Lee
Member of Congress



Sam Graves
Member of Congress

Brenda Lawrence
Member of Congress



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Member of Congress

Walter Jones
Member of Congress

Charles B. Rangel
Member of Congress

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Member of Congress

Joe Heck, D.O.
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