

Forwarded on behalf of: Michael D. Cronin, Acting Executive Associate
Commissioner for Programs

On October 28, 2000, Congress passed the Victims of Trafficking and Violence Protection Act of 2000 ("VTVPA"). The VTVPA addresses illegal trafficking of persons for the purpose of committing commercial sex acts, or to subject them to involuntary servitude, peonage, debt bondage, or slavery. It is designed to prevent trafficking in persons, protect victims, and prosecute offenders. This message is to provide preliminary information on how this act effects INS operations, policies and procedures, and preliminary guidance on how inquiries will be addressed.

The VTVPA's broad provisions will effect the operation of every component of INS to some extent. The new act amends portions of the Immigration and Nationality Act to add two new nonimmigrant classifications: "T" visas for trafficking victims and "U" visas for victims of certain crimes. These classifications provide a mechanism for cooperating witnesses to remain temporarily in the United States. The VTVPA also eases the access to some other benefits and forms of relief under the Immigration and Nationality Act for some victims, and amends criminal statutes to facilitate the investigation, prosecution, and punishment of perpetrators of trafficking and other related crimes.

The Acting Commissioner has established a VTVPA Implementation Team at Headquarters, coordinated by the Office of Programs, and comprised of representatives of each component. The Implementation Team will analyze the VTVPA, assess its impact on INS, and develop procedures to implement the INS responsibilities and obligations under this law. Guidance will be disseminated to the field as it is developed.

In order to ensure Service-wide consistency during the implementation process, the following direction is in effect until further notice. Service personnel should route all inquiries on the INS position and policy on the VTVPA to the implementation Team's Steering Committee via their chain of command. This includes inquiries relating to the new non-immigrant classifications ("T" and "U"), which went into effect upon enactment of the legislation. No information on the effect of the VTVPA on INS policy and procedures should be released outside of the Service unless it has first been addressed and approved by the Implementation Team. Until further guidance is issued, inquiries will be addressed by the VTVPA Implementation Team on a case-by-case basis.

The VTVPA, Pub. L. No. 106-386, 114 Stat. 1464, (October 28, 2000), can be obtained at www.thomas.loc.gov by selecting bill text for the 106th Congress and searching under H.R. 3244. Service components that do not have Internet access should feel free to contact the Working Group who will provide a hard copy.