

Ashcroft on New Visa for Victims of Human Trafficking

(Announcement made at trafficking press conference)

U.S. Attorney General John Ashcroft has announced the implementation of a special visa designed for victims of trafficking in persons who cooperate with law enforcement against those responsible for their enslavement.

In a prepared statement released January 24, the Attorney General said the so-called T visa -- created by the Trafficking Victims Protection Act -- allows victims who would suffer "unusual and severe harm" if returned to their home countries to remain in the United States.

"After three years in T status, these victims of human trafficking may apply for permanent residency," Ashcroft said. In addition, subject to some limitations, the regulation allows victims to apply for non-immigrant status for their spouses and children.

The Attorney General the latest action sends a powerful signal that human freedom will be protected in the United States, where it's estimated that 50,000 people -- overwhelmingly women and children -- are trafficked from other countries each year.

Following is the text of Ashcroft statement:

(begin text)

Prepared Statement of Attorney General John Ashcroft at T Visa/Human Trafficking Press Conference

January 24, 2002

Three years ago, 19-year-old Maria Choz began a terrifying ordeal. Jose Tecum kidnaped Maria from her parents' home in Guatemala, smuggled her to his house in Florida, and imprisoned her in a spare bedroom. By night, Maria was forced into

sexual servitude. By day, she was forced to labor with a tomato picking crew, bringing her wages to Tecum at the end of her grueling shifts. Maria was robbed of her dignity and imprisoned by a man who put his greed and obsession ahead of her most basic human right to freedom.

Maria's story stirs all Americans' shared sense of humanity and compassion. One woman's struggle against the bonds of slavery - not in some far away land, but right here at home - shocks our consciences and offends our values. And sadly, Maria's story is not unique. The United States government estimates that 50,000 people - overwhelmingly women and children - are trafficked into this country each year.

Today, Maria is free, thanks to a coordinated effort by members of various federal, state, and local agencies. With Maria's help, Jose Tecum was convicted of kidnaping, involuntary servitude, document fraud, and alien harboring, smuggling, and transporting. Some members of the team who secured justice for Maria Choz are with me today. They are:

-- Assistant U.S. Attorney Doug Molloy,

-- Civil Rights Division attorney Susan French,

-- FBI Special Agent Ed Geiger,

-- INS Agent Juanita Santana,

-- Collier County Florida sheriff's victims' advocate Ana Rodriguez, and

-- Civil Rights Division victim-witness coordinator Lorna Grenadier.

I would also like to acknowledge the work of the many victims' advocates groups who worked with us to secure justice for victims of human trafficking. Thank you all for your hard work.

Despite this successful conviction, Maria's fate remains uncertain. She lives in the United States only on short-term authorization to assist law enforcement officials. Other victims of human trafficking - the vast majority of whom are women and children trafficked into the United States for prostitution, domestic service and forced labor on farms and in factories -- are living here in the same uncertain circumstances. They come from all parts of the world, including Russia, Mexico, and countries in Africa and Asia. These women and children have helped U.S. prosecutors investigate and convict the criminals who exploited them. They need and deserve the best help we can give.

In March 2001, I announced that the fight against human trafficking would be a top priority of the Justice Department. I issued clear guidelines to federal prosecutors describing the new crimes under the Trafficking Victims Protection Act, passed by Congress in 2000. I directed more efficient and determined coordination among U.S. Attorneys Offices and the Civil Rights and Criminal Divisions of the Justice Department.

In July of last year, together with the State Department, I issued a regulation instructing federal law enforcement, immigration, and State Department officials to provide victims of these terrible crimes with legal protections and additional support as their cases move forward. Under those regulations, victims are informed of their rights, provided information about pro-bono legal services, and given access to translators when needed. Most importantly, victims in the care of the United States government are protected from their former captors and other would-be traffickers.

Today, I am announcing the latest measure to combat human trafficking - the issuance of regulations implementing the T visa. This visa, created by the Trafficking Victims Protection Act, is specifically designed for victims of severe forms of trafficking in persons who cooperate with law enforcement against those responsible for their enslavement. Under the statute, when such victims would suffer, quote, "extreme hardship involving unusual and severe harm" if returned to their home countries, this new visa allows them to remain in the United States. After three years in T status, these 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.

At the Department of Justice, the Civil Rights Division, the Office of Legal Policy, the Immigration and Naturalization Service, and other components worked closely together to finalize the regulation implementing the T Visa. I want to thank Assistant Attorney General for Civil Rights Ralph Boyd, Assistant Attorney General for Legal Policy Viet Dinh and INS Commissioner Jim Ziglar - who is represented today by Acting Deputy Commissioner Mike Becraft - for their indispensable efforts to assist victims of human trafficking.

And, once again, I thank Congress for enacting the Trafficking Victims Protection Act, which I had the opportunity to support as a United States Senator. That act authorizes the funding and regulations necessary to make our crusade against human trafficking a success. With such strong Congressional support, much progress against human trafficking will be made.

Finally, I want to express our gratitude to Maria Choz for her courage in speaking out to assist prosecutors. It is my understanding that Maria will apply for the T visa. I recognize today that she was extremely helpful to the investigation and prosecution of the individual who victimized her.

Maria serves as an example to all victims of human trafficking. Her courage, combined with today's action, sends the powerful signal that human freedom will be protected in America, and that those who seek to deny human freedom will pay a terrible and certain price. America will not stand idly by as those who seek to profit from modern-day slavery ignore the humanity of their prisoners and show their disdain for the rule of law. We will defend the rule of law, and we will protect victims of human trafficking.

Thank you very much.