

Congress of the United States

Washington, DC 20515

July 14, 2017

The Honorable John F. Kelly
Secretary of Homeland Security
Department of Homeland Security
Washington, D.C. 20528

The Honorable Thomas D. Homan
Acting Director
U.S. Immigration and Customs Enforcement
Washington, D.C. 20536

Dear Secretary Kelly and Acting Director Homan:

We were profoundly concerned to learn that this past June, ICE agents were present in a courthouse in Queens County. According to media reports, ICE agents were in search of a “young Chinese woman in the Human Trafficking Intervention Courtroom.”¹ The young woman in question was to receive an adjournment in contemplation of dismissal after completing a program with a community group, which is outlined as one of the human trafficking court’s goals. Despite this possibility, the woman’s attorneys had to ask for bail to protect her from possible immediate deportation.

As you know, human trafficking is a chronic, transnational problem—with conditions varying from forced child labor, sexual exploitation and involuntary indentured servitude. The scope of this problem is staggering: the International Labor Organization (ILO) estimated that 21 million people worldwide are subject to some form of human trafficking.² The ILO notes that 18.7 million people are in forced labor in the private economy, exploited by individuals or enterprises. Out of the 18.7 million figure, 4.5 million are sexually exploited against their will.³

In the United States, immigrant communities are particularly vulnerable to forced labor and sex work through human trafficking. Recent data from the National Human Trafficking Hotline, operated by Polaris, found that more than 62 percent of labor trafficking victims reported in calls to the Hotline were foreign nationals, while almost 10 percent of sex-trafficking victim reports involved foreign nationals.⁴

We are concerned that sending ICE personnel to specialized institutions or courts designed to assist human trafficking victims will deter others from coming forward and seeking assistance for fear of facing detainment or deportment by immigration officials.

As such, given the recent incident in Queens, we would like clarification regarding ICE’s policy with regards to victims of human trafficking. In particular, we would like to know:

¹ Fertig, B. Outcry after immigration agents seen at Queens human trafficking court. June 16, 2017.

<http://www.wnyc.org/story/outcry-after-immigration-agents-come-trafficking-victim-queens-courthouse/>

² International Labour Organization. Forced labour, modern slavery and human trafficking. Facts and figures.

<http://www.ilo.org/global/topics/forced-labour/lang--en/index.htm>

³ International Labour Organization. New ILO global estimate of forced labour: 20.9 million victims.

http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_182109/lang--en/index.htm

⁴ National human trafficking resource center. Data breakdown. United States Report 1/1/2015-12/31/2015.

https://humantraffickinghotline.org/sites/default/files/NHTRC%202015%20United%20States%20Report%20-%20USA%20-%2001.01.15%20-%2012.31.15_OTIP_Edited_06-09-16.pdf

1. What is ICE's current policy regarding deportation for victims of human trafficking? Media coverage of this incident suggests that agents were on-site to "arrest a woman from a court for human trafficking victims." Has the Trump administration increased the prioritization of human trafficking victims for deportation?
2. It is our understanding the T visa program, which assists survivors of labor and sex trafficking, goes largely unused.⁵ Has ICE taken any steps to raise awareness of the T visa program under the Trump Administration?
3. While ICE does not currently view courthouses as sensitive locations, will the agency revise existing policy and deprioritize enforcement at courthouses that review human trafficking cases? If so, please outline the steps to be taken by your agency to reduce enforcement in courthouses. If not, please provide an explanation as to why courthouses would not qualify as a sensitive location for human trafficking victims.
4. How are ICE and DHS officers trained to identify potential sex trafficking victims? What scenarios are used for training purposes and how frequently do officers receive said training? How are officers trained to handle such victims whose native language is not English?
5. For each of the last five years and the current year-to-date, please provide the number of persons who have sought assistance from ICE's Victim Assistance Program (VAP) for victims of human trafficking and provide a breakdown by immigration status and nationality.
6. Please describe how services are coordinated with the VAP and other entities. While it is understood that the VAP works in coordination with law enforcement entities, is there any direct coordination with the VAP and non-profit organizations whose mission is to assist victims of human trafficking?
7. While publically available documents provide guidelines for victims,⁶ not all publications are created equal. For example, the Department of Homeland Security's (DHS) has a variety of victim identification pamphlets for law enforcement, first responders and community based organizations. However, there is notable discrepancy in terms of language availability for Blue Campaign materials, with some materials exhibiting more limited language translations.⁷ Moving forward, how will you ensure that all publications are equally translated and made available?

⁵ Siskin, A. and Rosen, L. Trafficking in persons: U.S. policy and issues for Congress. Congressional Research Service. May 1, 2014.

⁶ ICE Victim Assistance Program. Office of Investigations. Information for victims of human trafficking. https://www.dhs.gov/xlibrary/assets/ht_ice_victim_assistance_program.pdf

⁷ Department of Homeland Security. Document library. Blue campaign. <https://www.dhs.gov/blue-campaign/library>

Victims of human trafficking are a vulnerable population deserving of assistance and compassion, not further persecution based on their documentation status. It would be a misuse of federal resources to direct ICE agents to specialized courts where victims of these horrible crimes can obtain counseling and other services granting them a fresh start.

Given the alarm that the recent incident in Queens engendered in the local community, it is important we have fuller understanding of ICE and CBP's policies in this area. We would therefore request you respond to this inquiry within 30 days of receipt.

Thank you in advance for your timely response.

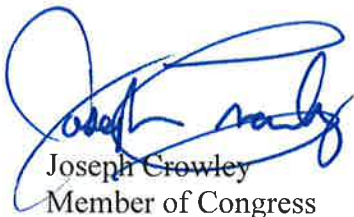
Sincerely,



Nydia M. Velázquez
Member of Congress



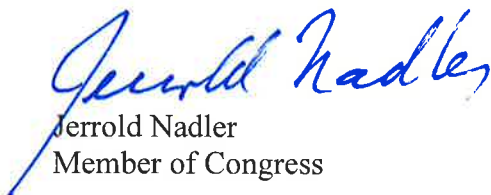
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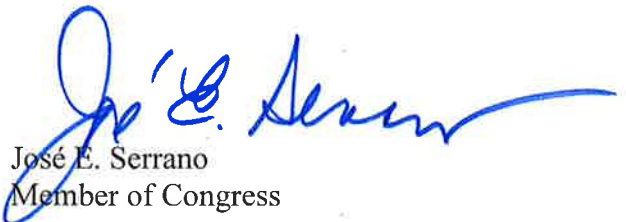
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