

# *TRAFFICKING VICTIM PROTECTION REAUTHORIZATION ACT*

A Brief Summary of the TVPA and Each Reauthorization 2000-2019

*Human Trafficking Search 2021  
A Project of the O.L. Pathy Family Foundation*

*Written by Chelsea Caplinger*



## I. Introduction

In 2000, Congress passed the [Trafficking Victims Protection Act](#) (TVPA). This was the first legislation of its kind: “the purposes of this division are to combat trafficking in persons, a contemporary manifestation of slavery whose victims are predominately women and children, to ensure just and effective punishment of traffickers, and to protect their victims” (sec. 102. (a)). Originally, the TVPA was passed with the Violence Against Women Act of 2000, alongside other miscellaneous provisions casting protections on women who are susceptible to abuse and men, women, and children who are trafficking victims.

The TVPA created resources to combat human trafficking domestically and internationally. A task force was created to implement the TVPA, alongside the creation of the Office to Monitor and Combat Trafficking in Persons, which is responsible for analyzing other countries efforts to combat trafficking and publishes a report each year. One of the most notable parts of this act is the creation of the T visa, which provides immigration relief for victims of trafficking. If granted, this allows a pathway to citizenship and eligibility to apply for green card status.

Since 2000, the TVPA has been reauthorized five times. The most recent was passed in a four-part installment in 2019. Each of these reauthorizations are dense and difficult to understand without having knowledge of the previous reauthorizations. Therefore, this document was created with the intention to provide brief summaries of each reauthorization that any person may be able to easily understand. Each reauthorization is packed with provisions aiming to protect human trafficking victims, which should be easily understood and accessible to anyone wanting to be involved in the fight against trafficking.

## II. Reauthorizations

### a. [Trafficking Victims Reauthorization Act of 2003](#):

This reauthorization created an updated version of the TVPA by clarifying language and increasing the funding for various agencies combating human trafficking (which is done in each reauthorization through 2019). It also established human trafficking as a chargeable crime under the Racketeering Influenced Corrupt Organizations (RICO) statute and created an area of the law where trafficking victims could sue their traffickers in a civil case. In terms of immigration, they are doing more work with the T visas to attempt to keep families together. There is a larger focus on

educating government workers about human trafficking, including border patrol officers, law enforcement, judicial officers, and prosecutors. Travelers will also be educated on the illegality of sex tourism in high-risk countries. Finally, there is a distinction made that the government does not support the legalization and practice of prostitution, and there will be a restriction of funding towards organizations that support prostitution.

b. [Trafficking Victims Protection Reauthorization Act of 2005:](#)

This TVPRA established multiple pilot programs for trafficking victims, which include rehabilitation treatment for victims who are minors, alongside rehabilitation treatment for victims in foreign countries. Grant programs were created to assist state and local efforts to help people subject to trafficking. New efforts were made to combat sex tourism, which include ensuring that federal employees who are contracted abroad are not engaging in sex tourism. Finally, there is a major increase in measures to combat human trafficking in the United States, including funding and research.

c. [William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008:](#)

This reauthorization focused on expanding the protections available with T visas, specifically for parents of the trafficking victim and siblings under the age of 18. It also focused on expanding prevention strategies, such as creating a pamphlet detailing the legal rights of undocumented trafficking victims, creating an FBI classification for human trafficking, and expanding grant programs. More protections were offered to children who have been trafficked, particularly for children who are unaccompanied aliens. These unaccompanied children are to be screened for human trafficking and offered protections if they are suspected to be a victim. Finally, a section was added on child soldiers, which focuses on efforts to prevent child soldiering and to provide resources to children who are recovering from being a child soldier.

d. [Violence Against Women Reauthorization Act of 2013 – Title XII – Trafficking Victims Protection:](#)

This reauthorization was passed as part of the Violence Against Women Act, which is similar to how the TVPA of 2000 was passed. This act places a new focus on identifying crises where people are more likely to be trafficked, such as during war and natural disasters. It also adopts a new strategy to prevent child marriages. The Comptroller General is assigned duties that focus on foreign labor practices, which

includes publishing reports that ensure the US is not purchasing goods made from forced or child labor. Finally, it ensures all unaccompanied minors are assigned child advocates, which was especially necessary for unaccompanied aliens.

e. **Trafficking Victims Protection Act of 2019 :**

In a unique fashion, the most recent TVPRA was passed in a series of four bills in December of 2017 and January of 2018. This authorized appropriations from 2019-2021, which means another reauthorization should be passed for 2022. Each bill has a different area of focus to combat human trafficking both domestically and internationally.

1. [Abolish Human Trafficking Act of 2017:](#)

The DHS created a screening protocol for law enforcement to avoid the arrest and prosecution of trafficking victims, alongside ensuring their interactions avoid re-traumatization as much as possible. There is also a reminder that anyone who uses force, fraud, or coercion OR buys sex from a minor is guilty of trafficking. In addition, commercial sexual exploitation became a form of gender-based violence. It was also specified that no federal funding can go towards the adult entertainment industry.

There was a study done to analyze the psychological effects of trafficking in order to offer the best support to survivors. In each federal district a specific trafficking attorney will be designated to prosecute cases of human trafficking and work with survivors. In court cases against traffickers, the trafficker must pay the victim the amount of their personal losses and reimburse them for services (including sexual services). Finally, the HERO Child-Rescue Corps Program will provide training to armed forces who are injured or ill on how to prevent child exploitation. This will be done by teaching forensics, analysis, and intelligence on spotting child exploitation.

2. [Trafficking Victims Protection Act of 2017:](#)

This act focuses on further training for law enforcement and other government entities with an emphasis on the difference between criminal acts and trafficking in order to help prevent the arrest of trafficking victims. There is an expansion of support for missing and exploited children, which will help educate children in the foster system and other at-risk children on internet safety. Civil cases are protected by placing trafficking cases under seal until an indictment is returned. Grants are prioritized for organizations

that take affirmative actions to investigate trafficking crimes and avoid arresting trafficking victims. A new requirement is put in place to provide an individual screening for anyone suspected to be a trafficking victim.

3. [Trafficking Victims Protection Reauthorization Act of 2017:](#)

This short reauthorization focuses on the President using the private sector to develop technology to combat traffickers. It also focuses on how to address newly designated tier-2 countries (meaning they are deemed a higher risk for trafficking) by providing the foreign minister of the country an action plan and a copy of the report that categorizes them as tier-2.

4. [Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018:](#)

Emphasizes providing foreign assistance to address environments that make people more susceptible to human trafficking, such as high rates of poverty and humanitarian disasters. There are measures to alleviate child labor by preventing these goods from entering the US and condemning these practices in the private sector. There is also a focus on Afghanistan, which has a high rate in regards to the use of child soldiers and the sexual abuse of children. New training programs were created to train educational staff on how to spot human trafficking. Grant programs shifted to prioritizing children, the homeless, and those transitioning out of foster care.