
NTAS

NATIONAL TRAFFICKING ALERT SYSTEM



CRIMINAL JUSTICE

BRIEFING MATERIALS

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English | Spanish | Korean | Thai | Chinese
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QUICK REFERENCE

- /// National Trafficking in Persons Hotline:
1-866-US-TIPLINE
- /// National Korean Hotline: 1-888-9-POLARIS
- /// National Thai Hotline: 1-866-856-THAI
- /// National Spanish Hotline: 1-888-80-AYUDA
- /// Department of Justice Hotline: 1-888-428-7581
- /// Department of Health and Human Services Hotline:
1-888-3737-888

BRIEFING PACKET ON I TRAFFICKING IN PERSONS

WHO SHOULD READ THIS GUIDE?

Local and federal law enforcement and other criminal justice professionals, as well as social service providers who may encounter trafficking victims.

Trafficking in Persons in the United States

WHAT IS HUMAN TRAFFICKING?

Human trafficking, known formally as 'trafficking in persons', is a form of modern-day slavery, and is a federal crime in the U.S. under the Trafficking Victims Protection Act (TVPA) of 2000.

How SEVERE IS THE PROBLEM?

Human Trafficking is the third largest criminal industry in the world, generating billions of dollars of profits for criminal groups. The United States is ranked as the third largest destination country.



An estimated 20,000 foreign nationals are trafficked into the United States each year for both sexual and labor exploitation.

Hundreds of thousands of U.S. citizens are estimated to be trafficked each year within the United States, many of them prostituted children.

"The victims [of human trafficking] see little of life before they see the very worst of life: an underground of brutality and lonely fear. Those who create these victims and profit from their suffering must be severely punished. Those who patronize this industry debase themselves and deepen the misery of others. And governments that tolerate this trade are tolerating a form of slavery. "

President Bush, in an address to the United Nations, September 2003

2 DEFINITIONS AND COMMON MYTHS

How does the TVPA of 2000 Define 'Trafficking in Persons'?

(a) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; or (b) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

See US Code sections at the back of this packet for the criminal penalties for trafficking and related offenses.

WHAT DOES THIS MEAN IN PLAIN ENGLISH?

Sex trafficking is defined as any situation where commercial sex is induced by any violence, threats or pressure, or deception. If the victim is under 18, then no force, fraud, or coercion of any kind is required. Labor trafficking occurs when a victim is kept in a slavery-like condition through violence, threats, or deception.

The Top 4 Myths about Trafficking in Persons in the U.S.

MYTH 1: TRAFFICKING VICTIMS MUST BE FOREIGN NATIONALS OR ILLEGAL ALIENS.

Reality: Victims can be either U.S. citizens or foreign nationals - both are equally protected under the U.S. law. Many victims in the United States are legal residents.

MYTH 2: TRAFFICKING REQUIRES TRANSPORTATION ACROSS STATE OR NATIONAL BORDERS.

Reality: The legal definition of trafficking is unrelated to transportation, although transportation may be involved. Unlike the Mann Act, no interstate transportation is necessarily required.

MYTH 3: VICTIMS CANNOT CONSENT TO PROSTITUTION BEFORE THE COERCION OR BE PAID.

Reality: Consent to prostitution prior to acts of force, fraud, or coercion, or if the victim is a minor, is not relevant, nor is payment.

MYTH 4: I CAN CONCLUDE THIS ISN'T TRAFFICKING WITHOUT DOING INTERVIEWING.

Reality: Victims are often trained to say that they were not forced or coerced. Careful interviewing if required to identify a victim, with translation if English is a second language.

3 IDENTIFYING TRAFFICKING CASES

IDENTIFYING TRAFFICKING IN PERSONS CASES

Despite the tens of thousands of trafficking victims in the United States each year, only a handful of cases have been prosecuted to date. The largest obstacle to protecting victims and prosecuting traffickers has been under-identification of victims. Many criminal justice officials remain unaware of the Trafficking Victims Protection Act, or have incorrect definitions of the crime of trafficking in persons.

CLEAR-CUT CASES

Some cases are clear-cut situations of human trafficking, and should be reported to the National Trafficking in Persons (TIP) Tipline: [1-866-US-TIPLINE](tel:1-866-US-TIPLINE), and to federal authorities at the Department of Justice Hotline: 1-888-428-7581.

Clear-cut cases include:

J. Minor(s) who have been prostituted or induced into commercial sex acts. No force or coercion is required in these cases for trafficking charges to be introduced.

d Adult victims who have been induced into commercial sexual activities through threats, violence, or deception. Even one threat or violent act may be sufficient to introduce trafficking charges.

d Victims who have subjected to slavery-like conditions or domestic servitude with the presence of threats, violence, or deception.

INTERVIEWING FOR IDENTIFICATION:

In most cases you will need to interview the victims and witnesses to determine whether trafficking is present. Keep in mind that victims are often trained by traffickers to deny that force or coercion were involved. The victims may also be more afraid of their traffickers than law enforcement. Careful interviewing, *and use of an interpreter if needed*, are important tools to determine the nature of the case. Call [1-866-US-TIPLINE](tel:1-866-US-TIPLINE) if you are unsure if trafficking is present or if you need translation assistance.

Remember: When interviewing the subjects, be sure to inform them that protection may be available if they are victims of trafficking. See 'Sample Interview Questions' for questions to use.

4 HUMAN TRAFFICKING INVESTIGATIONS

PROACTIVE HUMAN TRAFFICKING INVESTIGATIONS

Due to the nature of human trafficking, victims are extremely unlikely to come forward and make a complaint. Physical and psychological control by the traffickers, fear of law enforcement, illegal immigration status, and language barriers are all factors in limiting the possibility of complaints.

Some law enforcement are primarily reactive in their approach to human trafficking cases, only investigating if a victim comes forward or if concrete evidence is presented for trafficking in persons. This reactive approach can contribute to the under-identification of trafficking victims in the US.

TIPS FOR PROACTIVE INVESTIGATIONS:

1. Review your existing knowledge of the commercial sex industry and current cases.

Most police departments currently have trafficking cases or are aware of trafficking operations, but are unaware of the federal law on trafficking in persons. Reviewing your current cases for the criteria for human trafficking is one of the easiest ways to identify 'new' trafficking cases. See Section #2 of this guide for the criteria to identify trafficking cases, including presence of force, fraud, or coercion, or the presence of minors.

The next step is to modify your case response to protect the victims and to explore additional remedies to prosecute the traffickers, including possible federal involvement. See Section #5 of this guide for suggested next steps after positive case identification.

2. Use the same methods commercial sex buyers use to locate potential trafficking locations.

All sex trafficking operations use advertising to attract their johns. Taking advantage of their advertising is usually the easiest method to locate them. Common advertising methods include (by network):

Ethnic Closed Brothel Systems: Ads in non-English newspapers, Word of mouth, False business cards

Domestic Networks: Newspaper ads, Street solicitation, 'John websites', Telephone directories

Korean Massage Parlors: Newspaper ads, 'John websites', Telephone directories

Escort Agencies: Newspaper ads, Street solicitation, Internet ads, 'John websites', Telephone directories

HUMAN TRAFFICKING INVESTIGATIONS

PROACTIVE HUMAN TRAFFICKING INVESTIGATIONS (CON'T)

TIPS FOR PROACTIVE INVESTIGATIONS (CONTINUED):

2. Use the same methods commercial sex buyers use to locate potential trafficking locations (Con't)

Closed brothels systems are commercial sex networks that restrict their buyers to a certain population, often based on ethnicity and/or nationality. Common examples are Latino or Chinese residential brothels or Korean hostess bars. These closed systems often advertise in non-English language publications, such as the local Chinese or Korean-language newspaper. Collect these papers and have a reader with the appropriate language skills browse through them for advertisements. Certain closed systems, including certain Latino networks, advertise primarily via word of mouth and false business cards. Get a male officer of the appropriate ethnicity or a volunteer to ask other males of the appropriate ethnicity on the street for where to find 'girls'.

'John websites' are websites maintained by a network of johns that list and rate commercial sex locations, usually providing useful operational detail. They usually focus on Asian massage parlors, escort agencies, and street prostitution. For more information on where to find these websites: Call 1-866-US-TIPLINE.

3. Look for 'red flags' that may indicate the presence of labor trafficking.

Labor trafficking often occurs in:

- a. Agricultural farms
- b. Factories
- c. On the street (for example, pan-handling schemes with forced or coerced workers)
- d. Private homes, with domestic servants, maids, or others in domestic servitude

Labor trafficking and domestic servitude cases may be detected while responding to an unrelated complaint. The victims are often illegal immigrants so may be reluctant to approach law enforcement. Keep an eye out for red flags that may indicate servitude, including poor working conditions, signs of neglect or violence, unusual behavior of the victims, and lack of freedom of movement. Talking to the workers about their working conditions (in the absence of the owner or manager if possible) is recommended. Suggested questions are included in section of this guide addressing interviewing.

This can be a good opportunity to give the person(s) an NTAS Hotline card with the free hotline.

5 INITIAL CASE RESPONSE

FIRST STEPS IN CASE RESPONSE

Trafficking in persons is currently only a federal crime (although Texas and Washington will soon have state laws criminalizing trafficking). If you believe that you have a trafficking case, you should follow the steps below to report the case and to explore the possibility of federal involvement.

SOME SUGGESTED STEPS AFTER IDENTIFICATION:

1. Ensure the Safety of the Victim-Witnesses

Make sure the victim-witnesses are safe from their traffickers. Traffickers and their associates often bond out the victims and transport them out of state to eliminate witnesses and to continue the exploitation. Pimps also are known to target group homes where underage victims are housed. The safer the victim-witnesses feel, the more likely they will be cooperative in assisting prosecution.

2. Call the National Trafficking in Persons (TIP) Tipline: 1-866-US-TIPLINE

Polaris Project staff members can then provide follow-up assistance and connect you to federal authorities at the Department of Justice that specialize in human trafficking cases. Assistance can also be provided in finding local social service agencies to assist the victims. Additional human trafficking hotlines include:

Department of Justice Hotline: 1-888-428-7581

Department of Health and Human Services Hotline at: 1-888-3737-888

3. Contact Federal Authorities

Alert your regional FBI and US Attorney's office. Note that a significant percentage of federal agents remain unaware of the TVPA or have incorrect definitions due to a lack of training. Polaris Project staff can assist you with contacting trafficking specialists in the Criminal Section of the Department of Justice if your regional federal agencies are unresponsive. Depending on the case, prosecution may be more likely to be successful at the federal level on trafficking charges or at the state level on associated charges.

4. Arrange for Victim Assistance Services

If the victim is an illegal alien, she may be eligible for the **T-Visa** for trafficking victims. If certified as a victim of 'severe forms' of trafficking, the victim will also be eligible for medical, legal, emergency housing, and other services. Call the Tipline at 1-866-US-TIPLINE for more information on the T-Visa and other victim benefits provided by federal law. Polaris Project staff can help you make referrals to agencies funded to assist trafficking victims.

QUESTIONS FOR VICTIM ASSESSMENT

INTERVIEW QUESTIONS FOR POTENTIAL VICTIMS

This list serves as a guide to the types of questions to ask when interviewing potential victims of trafficking in persons. Note that the questions should not necessarily be read in this order, and some may not be used depending on the situation. Asking directly, "Were you forced or coerced?" will often result in a negative response regardless of whether force or coercion may have been present. Asking about individual incidents of violence, deception, or threats is more effective. Often traffickers have trained the victims what to say during police questioning, so it is important to make them feel comfortable in being honest about the conditions they experienced. Intimidating the potential victim-witnesses may serve to confirm the stories of the traffickers and discourage information sharing.

A translator is important if English is not their first language, even if they speak conversational English. Many nuances and more technical words will be missed without proper translation. For translation assistance, please call the National Trafficking in Persons Tipline: 1-866-US-TIPLINE.

SUGGESTED VICTIM INTERVIEW QUESTIONS

General Background:

1. Can you tell us about your current situation?
2. How did you get your current job?
3. What was a typical work day like?
4. How did the person who recruited you convince you to take the job?

Fraud/Deception:

5. What were you told about the job before you took it? Were the job conditions what they told you they would be? Were you ever lied to about your work conditions or anything else?

*Note: This question is designed to test if fraud/deception was involved in recruiting the subject, not to test for consent. Traffickers often lie about job conditions. The subject may be a victim of trafficking regardless of whether they knew commercial sex may be involved in the job. Prior consent is **not** relevant once incidents of force, fraud or coercion have occurred (or if subject is a minor), and does **not** disqualify a subject from being trafficked.*

6. Did anyone ever take and/or keep your legal papers for you, such as your passport or visa?

Note: Withholding legal papers for purposes of control is illegal under 18 U.S.C. §1592.

SAMPLE QUESTIONS FOR VICTIM ASSESSMENT

SUGGESTED VICTIM INTERVIEW QUESTIONS

Threats/Coercion/Debt Bondage:

6. Do you currently or did you owe anyone any debts?

7. Did they do anything to make your debt worse or to continue the debt? Did anyone make you work or do anything else unwelcome because of the debt? Did they take money that you made and put it toward the debt?

Note: Use and manipulation of debt to control or coerce someone is illegal under the TVPA of 2000.

8. Did anyone ever make any threats to you, your family, or any of the workers? Did they ever intimidate or scare you or others? Did they threaten to call the police or immigration control?

Note: Threats do not need to be consistently present. The incidence of even one threat is sufficient.

9. Did anyone ever say things to try and keep you or the workers from leaving? What were you afraid would happen if you tried to leave? Why did you believe this?

*Note: While restrictions on the subject's freedom of movement may indicate trafficking, the subject's ability to physically leave the situation does **not** indicate the absence of trafficking.*

Force/Assault/Violence:

10. Were you or anyone else ever hit, slapped, or abused?

11. Were you or anyone else ever hit or threatened for doing bad work or working too slowly?

Commercial Sex:

Note: Talking about sexual topics can be intensely shameful and should be done with sensitivity to the cultural backgrounds of the subjects. Victims may blame themselves despite having been forced or coerced or being minors.

12. Were you told you had to perform sexual acts for money or something of value? By who?

Note: Money does not necessarily need to be exchanged. Anything of value can be considered commercial.

13. Were you ever pressured to have sex or do sexual acts?

14. Were you ever threatened that something bad would happen to you if you didn't have sex? Were you ever forced to have sex?

15. Were there ever any minors (under 18 years old) involved in commercial sex?

Note: If the subject is a minor and commercial sex was induced by the pimp or trafficker, then no force, fraud or coercion is required to meet the criteria for trafficking in persons under 18 U.S.C. §1591.

US CODE ON TRAFFICKING AND RELATED OFFENSES

TITLE 18, CHAPTER JJ: PEONAGE AND SLAVERY (NOT ALL SECTIONS LISTED)

Sec. 1589. - Forced labor

Whoever knowingly provides or obtains the labor or services of a person -

- (1) by threats of serious harm to, or physical restraint against, that person or another person;
- (2) by means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or
- (3) by means of the abuse or threatened abuse of law or the legal process,

shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both

Sec. 1590. - Trafficking with respect to peonage, slavery, involuntary servitude, or forced labor

Whoever knowingly recruits, harbors, transports, provides, or obtains by any means, any person for labor or services in violation of this chapter shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse, or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both

Sec. 1591. - Sex trafficking of children *or* by force, fraud, or coercion

(a) Whoever knowingly -

- (1) in or affecting interstate commerce, recruits, entices, harbors, transports, provides, or obtains by any means a person; or
- (2) benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in violation of paragraph (1), knowing that force, fraud, or coercion described in subsection (c)(2) will be used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act, shall be punished as provided in subsection (b).

US CODE ON TRAFFICKING AND RELATED OFFENSES

TITLE 18, PART I, CHAPTER JJ: PEONAGE AND SLAVERY (CON'T)

Sec. 1591. - Sex trafficking of children *or* by force, fraud, or coercion (Con't)

(b) The punishment for an offense under subsection (a) is -

(1) if the offense was effected by force, fraud, or coercion or if the person transported had not attained the age of 14 years at the time of such offense, by a fine under this title or imprisonment for any term of years or for life, or both; or

(2) if the offense was not so effected, and the person transported had attained the age of 14 years but had not attained the age of 18 years at the time of such offense, by a fine under this title or imprisonment for not more than 20 years, or both.

(c) In this section:

(1) The term "commercial sex act" means any sex act, on account of which anything of value is given to or received by any person.

(2) The term "coercion" means -

(A) threats of serious harm to or physical restraint against any person;

(B) any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or

(C) the abuse or threatened abuse of law or the legal process.

(3) The term "venture" means any group of two or more individuals associated in fact, whether or not a legal entity

US CODE ON TRAFFICKING AND RELATED OFFENSES

TITLE 18, PART I, CHAPTER JJ: PEONAGE AND SLAVERY (CON'T)

Sec. 1592. - Unlawful conduct with respect to documents in furtherance of trafficking, peonage, slavery, involuntary servitude, or forced labor

(a) Whoever knowingly destroys, conceals, removes, confiscates, or possesses any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person -

(1) in the course of a violation of section 1581, 1583, 1584, 1589, 1590, 1591, or 1594(a);

(2) with intent to violate section 1581, 1583, 1584, 1589, 1590, or 1591; or

(3) to prevent or restrict or to attempt to prevent or restrict, without lawful authority, the person's liberty to move or travel, in order to maintain the labor or services of that person, when the person is or has been a victim of a severe form of trafficking in persons, as defined in section 103 of the

Trafficking Victims Protection Act of 2000,

shall be fined under this title or imprisoned for not more than 5 years, or both.

(b) Subsection (a) does not apply to the conduct of a person who is or has been a victim of a severe form of trafficking in persons, as defined in section 103 of the Trafficking Victims Protection Act of 2000, if that conduct is caused by, or incident to, that trafficking

US CODE ON TRAFFICKING AND RELATED OFFENSES

TITLE 18, PART I, CHAPTER JJ: PEONAGE AND SLAVERY (CON'T)

Sec. 1593. - Mandatory restitution

(a) Notwithstanding section 3663 or 3663A, and in addition to any other civil or criminal penalties authorized by law, the court shall order restitution for any offense under this chapter.

(b)

(1) The order of restitution under this section shall direct the defendant to pay the victim (through the appropriate court mechanism) the full amount of the victim's losses, as determined by the court under paragraph (3) of this subsection.

(2) An order of restitution under this section shall be issued and enforced in accordance with section 3664 in the same manner as an order under section 3663A.

(3) As used in this subsection, the term "full amount of the victim's losses" has the same meaning as provided in section 2259(b)(3) and shall in addition include the greater of the gross income or value to the defendant of the victim's services or labor or the value of the victim's labor as guaranteed under the minimum wage and overtime guarantees of the Fair Labor Standards Act (29 U.S.C. 201 et seq.).

(c) As used in this section, the term "victim" means the individual harmed as a result of a crime under this chapter, including, in the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the victim or a representative of the victim's estate, or another family member, or any other person appointed as suitable by the court, but in no event shall the defendant be named such representative or guardian

US CODE ON TRAFFICKING AND RELATED OFFENSES

TITLE 18, PART I, CHAPTER JJ: PEONAGE AND SLAVERY (CON'T)

Sec. 1594. - General provisions

(a) Whoever attempts to violate section 1581, 1583, 1584, 1589, 1590, or 1591 shall be punishable in the same manner as a completed violation of that section.

(b) The court, in imposing sentence on any person convicted of a violation of this chapter, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person shall forfeit to the United States -

(1) such person's interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such violation; and

(2) any property, real or personal, constituting or derived from, any proceeds that such person obtained, directly or indirectly, as a result of such violation.

(c)

(1) The following shall be subject to forfeiture to the United States and no property right shall exist in them:

(A) Any property, real or personal, used or intended to be used to commit or to facilitate the commission of any violation of this chapter.

(B) Any property, real or personal, which constitutes or is derived from proceeds traceable to any violation of this chapter.

(2) The provisions of chapter 46 of this title relating to civil forfeitures shall extend to any seizure or civil forfeiture under this subsection.

(d) Witness Protection. -

Any violation of this chapter shall be considered an organized criminal activity or other serious offense for the purposes of application of chapter 224 (relating to witness protection).

US CODE ON TRAFFICKING AND RELATED OFFENSES

TITLE 18, PART I, CHAPTER JJ: PEONAGE AND SLAVERY (CON'T)

Sec. 1581. - Peonage; obstructing enforcement

(a) Whoever holds or returns any person to a condition of peonage, or arrests any person with the intent of placing him in or returning him to a condition of peonage, shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.

(b) Whoever obstructs, or attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be liable to the penalties prescribed in subsection (a)

Sec. 1584. - Sale into involuntary servitude

Whoever knowingly and willfully holds to involuntary servitude or sells into any condition of involuntary servitude, any other person for any term, or brings within the United States any person so held, shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both

US CODE ON TRAFFICKING AND RELATED OFFENSES

TITLE 18, PART I, CHAPTER 117: TRANSPORTATION FOR ILLEGAL SEXUAL ACTIVITY AND RELATED CRIMES (NOT ALL SECTIONS LISTED)

Sec. 2421. - Transportation generally

Whoever knowingly transports any individual in interstate or foreign commerce, or in any Territory or Possession of the United States, with intent that such individual engage in prostitution, or in any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title or imprisoned not more than 10 years, or both

Sec. 2422. - Coercion and enticement

(a) Whoever knowingly persuades, induces, entices, or coerces any individual to travel in interstate or foreign commerce, or in any Territory or Possession of the United States, to engage in prostitution, or in any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title or imprisoned not more than 10 years, or both.

(b) Whoever, using the mail or any facility or means of interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States knowingly persuades, induces, entices, or coerces any individual who has not attained the age of 18 years, to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title, imprisoned not more than 15 years, or both

US CODE ON TRAFFICKING AND RELATED OFFENSES

TITLE 18, PART I, CHAPTER 117: TRANSPORTATION FOR ILLEGAL SEXUAL ACTIVITY AND RELATED CRIMES (CON'T)

Sec. 2423. - Transportation of minors

(a) Transportation With Intent To Engage in Criminal Sexual Activity. -

A person who knowingly transports an individual who has not attained the age of 18 years in interstate or foreign commerce, or in any commonwealth, territory or possession of the United States, with intent that the individual engage in prostitution, or in any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title, imprisoned not more than 15 years, or both.

(b) Travel With Intent To Engage in Sexual Act With a Juvenile. -

A person who travels in interstate commerce, or conspires to do so, or a United States citizen or an alien admitted for permanent residence in the United States who travels in foreign commerce, or conspires to do so, for the purpose of engaging in any sexual act (as defined in section 2246) with a person under 18 years of age that would be in violation of chapter 109A if the sexual act occurred in the special maritime and territorial jurisdiction of the United States shall be fined under this title, imprisoned not more than 15 years, or both.

Sec. 2424. - Filing factual statement about alien individual

(a) Whoever keeps, maintains, controls, supports, or harbors in any house or place for the purpose of prostitution, or for any other immoral purpose, any individual, knowing or in reckless disregard of the fact that the individual is an alien, shall file with the Commissioner of Immigration and Naturalization a statement in writing setting forth the name of such individual, the place at which that individual is kept, and all facts as to the date of that individual's entry into the United States, the port through which that individual entered, that individual's age, nationality, and parentage, and concerning that individual's procurement to come to this country within the knowledge of such person; and

Whoever fails within five business days after commencing to keep, maintain, control, support, or harbor in any house or place for the purpose of prostitution, or for any other immoral purpose, any alien individual to file such statement concerning such alien individual with the Commissioner of Immigration and Naturalization; or

US CODE ON TRAFFICKING AND RELATED OFFENSES

TITLE 18, PART I, CHAPTER 117: TRANSPORTATION FOR ILLEGAL SEXUAL ACTIVITY AND RELATED CRIMES (CON'T)

Sec. 2424. - Filing factual statement about alien individual (Con't)

Whoever knowingly and willfully states falsely or fails to disclose in such statement any fact within that person's knowledge or belief with reference to the age, nationality, or parentage of any such alien individual, or concerning that individual's procurement to come to this country -

Shall be fined under this title or imprisoned not more than 10 years, or both.

(b) In any prosecution brought under this section, if it appears that any such statement required is not on file in the office of the Commissioner of Immigration and Naturalization, the person whose duty it is to file such statement shall be presumed to have failed to file said statement, unless such person or persons shall prove otherwise. No person shall be excused from furnishing the statement, as required by this section, on the ground or for the reason that the statement so required by that person, or the information therein contained, might tend to criminate that person or subject that person to a penalty or forfeiture, but no information contained in the statement or any evidence which is directly or indirectly derived from such information may be used against any person making such statement in any criminal case, except a prosecution for perjury, giving a false statement or otherwise failing to comply with this section